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PROCEEDINGS AND DEBATES

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PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS
THIRD SESSION.

SENATE.

FRIDAY, *February 18, 1921.*

(*Legislative day of Monday, February 14, 1921.*)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	McLean	Spencer
Calder	Harris	McNary	Sutherland
Capper	Harrison	Moses	Swanson
Chamberlain	Heflin	New	Thomas
Colt	Henderson	Norris	Townsend
Culberson	Jones, N. Mex.	Overman	Trammell
Curtis	Jones, Wash.	Phelan	Underwood
Dial	Kellogg	Phipps	Wadsworth
Dillingham	Kendrick	Pomerene	Walsh, Mass.
Edge	Kenyon	Reed	Warren
Elkins	Knox	Sheppard	Williams
Fernald	La Follette	Simmons	Willis
France	Lenroot	Smith, Ga.	Wolcott
Frelinghuysen	Lodge	Smith, Md.	
Gay	McCumber	Smith, S. C.	
Gerry	McKellar	Smoot	

Mr. BALL. I wish to announce that the Senator from Washington [Mr. POINDEXTER], the Senator from New Hampshire [Mr. KEYES], and the Senator from Maine [Mr. HALE] are absent on official business, engaged as members of a subcommittee of the Committee on Naval Affairs.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

REFERENCE OF EXECUTIVE NOMINATIONS.

Mr. WADSWORTH. Mr. President, I ask unanimous consent, as in open executive session, to have referred to the Committee on Military Affairs a number of nominations for promotions in the Army from the grade of first lieutenant to that of colonel, inclusive, which have been sent to the Senate in the last few days and which are now pending before the Senate and are in the office of the Secretary of the Senate.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. I understand that does not go beyond the rank of colonel.

Mr. WADSWORTH. I said between the grades of first lieutenant and colonel.

Mr. UNDERWOOD. I did not hear the request.

The VICE PRESIDENT. The request is that, as in open executive session, all nominations for promotions in the Army from the grade of first lieutenant up to and including the grade of colonel be referred to the Committee on Military Affairs.

Mr. UNDERWOOD. I thought that had already been done.

Mr. WADSWORTH. Another batch of nominations has come in.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. NORRIS. Mr. President, I ask unanimous consent that the nominations for the office of Commissioner and Assistant Commissioner of Patents be referred, as in open executive session, to the Committee on Patents.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I object.

Mr. JONES of Washington. Mr. President, I make a similar request to that of the Senator from New York [Mr. WADSWORTH] with reference to certain nominations in the Steamboat-Inspection Service and several in the Coast and Geodetic Survey and in the Coast Guard. These are nominations made in the line of promotion and seniority. I ask, as in open executive session, that these nominations be referred to the Committee on Commerce.

Mr. MOSES. May I inquire the grade of the officers referred to?

Mr. JONES of Washington. Those of the grade of first lieutenant, commander, and lieutenant commander. They are in line of promotion in the ordinary way, and not for any definite term, or anything of that kind.

Mr. SMOOT. Does it include the director of the service?

Mr. JONES of Washington. No; no director, or anything of that kind; they are simply routine promotions.

Mr. SMOOT. I prefer to look over the list, and therefore I object at this time.

THE PATENT OFFICE—CONFERENCE REPORT.

Mr. NORRIS. Mr. President, yesterday I asked unanimous consent to fix a time for voting on the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes. Objection was then made because of the absence from the Senate of the Senator from Connecticut [Mr. BRANDEGEE]. I have seen the Senator from Connecticut, and he has no objection to the request I now make for unanimous consent that at 4 o'clock on next Monday the Senate shall vote on the conference report on House bill 11984.

Mr. SMOOT. Mr. President, I have just asked that the Senator from Connecticut [Mr. BRANDEGEE] be sent for. He is desirous of being here. I ask the Senator from Nebraska to withhold his request until the Senator from Connecticut comes in.

Mr. NORRIS. I have talked with the Senator from Connecticut, and he himself has told me that he has no objection to the order, and I think he told me that in the presence of the Senator from Utah, who said he would be willing to take whatever action the Senator from Connecticut, who is against the conference report, was willing to take.

Mr. SMOOT. The Senator from Connecticut said he had no objection to taking up the report.

Mr. NORRIS. I told the Senator from Connecticut explicitly what I had done, that I tried to get up the report yesterday, and that the Senator from Connecticut was not here, and I did not want to take it up in his absence. I told him what I would ask, and he told me explicitly that he had no objection to fixing a time for voting on the conference report.

Mr. SMOOT. There may be other objections to the bill.

Mr. NORRIS. Of course.

Mr. SMOOT. If the amendments were the only questions that may arise, that would be one thing, but other questions affecting the bill may arise. Therefore, I could not agree to a specific hour for a vote. I will say to the Senator that I will vote with him to take up the conference report on Monday.

Mr. SMITH of South Carolina. May I ask what conference report is referred to?

Mr. NORRIS. It is the conference report on House bill 11984.

Mr. SMITH of South Carolina. I mean from what committee?

Mr. NORRIS. From the Committee on Patents. Permit me to say now on this question that the bill has been under consideration by the Patent Committees of the House and the Senate for about a year. It has finally reached the stage where it is here in the shape of a conference report. I realize that there is objection to it. Some who are opposing it are doing so bitterly. I have no criticism to make of that. All I want is that the conference report shall be voted on by the Senate, and if it is voted down and the Senate does not want it, that is the end of it, of course, with me. But I have had it intimated to me, from a source that I consider absolutely reliable, that there is going to be an attempt in the Senate to prevent a vote on the proposition.

I have been physically unable to be here for some time. I probably will not be able to be here much of the time during the remainder of this session. I can not very well be here all the time trying to get the conference report up. I did not want to take it up, even if I could do so, to displace an appropriation bill. The Senator from Michigan [Mr. TOWNSEND] kindly consented that he would agree to lay aside temporarily the unfinished busi-

ness, the Post Office appropriation bill, if I could assure him that there would be no extended debate. Unfortunately I can not give that assurance, particularly when I have already been informed that there is going to be an attempt to prevent a vote on the conference report, and we are, I think, honestly and honorably entitled to a vote on the proposition.

There ought to be a vote on it. That is all I am asking. If next Monday is too soon, let us fix a later date. I am not particular when the vote is taken. I do not care if it is put off until a week from Monday, but it will be a great personal accommodation to me if I knew when we were going to have a vote on it, so that I could be here at that time even though I can not be continuously in attendance on the Senate. That is the reason why I have made this request.

Mr. WARREN. Will the Senator allow me?

Mr. NORRIS. Certainly.

Mr. WARREN. Mr. President, I am not in the habit of objecting to requests for unanimous-consent agreements, because I wish to have the business of the Senate go forward; but at the present moment, when some of the great appropriation bills are not yet in conference and some of them have not yet passed the Senate, I do not think that I can agree to a request for unanimous consent to fix any early date, or, indeed, any date, to vote on questions which are concededly to be debated at length until we shall have gotten one or two of the very large and important appropriation bills out of the way.

I am not objecting to the Senator's conference report being adopted, if it shall not lead to debate. The only point I wish to impress is the necessity of getting into conference some of the important appropriation bills. For instance, the deficiency bill provides for paying people whose wages will be unpaid in many instances unless appropriation for that purpose is made, and the money proposed to be appropriated is to be expended between now and the 1st of July. It is very important that such bills should be passed.

Mr. NORRIS. Mr. President, I realize the truth of all that the Senator from Wyoming has stated, and I have not had any desire to interfere with the passage of appropriation bills. There is not a Senator here who is more anxious to dispose of those bills than I am. Although I was in favor of the tariff bill which was pending here, when the motion was made by the Senator from Michigan [Mr. TOWNSEND] to displace it and take up an appropriation bill I voted for his motion, because I thought under all the circumstances we were wasting time in the consideration of a bill which I did not believe could possibly become a law.

I do not care to discuss that matter now; but when Senators say that we shall be permitted to bring this conference report up if it will not lead to any debate, no matter how honest their intentions may be, if we are going to pursue that course it only gives aid to those who desire never to have a vote on the conference report, because I can not give the assurance that there will not be any debate. I am willing to vote now without any debate; I am willing that the matter should be debated as much as Senators wish to debate it; but I do not want, after we have gotten this far with it, to be faced with the proposition of having any limit fixed, so that it will be very easy to filibuster and prevent any action whatever.

Now, I submit to Senators that that would not be fair. I have an idea, in view of the strong opposition to this proposed legislation, that it may be defeated. I am not asking that the conference report be agreed to; I am not suggesting anything of that kind. If it should be defeated on a vote, that would be all right; I should not complain about it. I do contend, however, that under the circumstances there ought to be some agreement that we shall have a vote on the conference report before this session closes on the 4th of March. That is all I care for.

I do not care what time is set. If Senators will fix it for the 3d of March or any other time it will not displace any other matter, except during the time that it requires to call the roll and vote on it. Senators may discuss it when they wish to—they can do that now—and I may be forced into the position, if there can not be any time fixed for a vote, that I shall have to take the matter up myself and at least devote some time to debating it. I do not even care to do that.

As I have said, I am willing to submit the question without argument; but I can not let the matter rest, it seems to me, with fairness to myself and everybody else who has been behind the proposed legislation up to this time, and allow it to occupy such a position that it can be easily killed by a filibuster; indeed, if we wait until all the appropriation bills shall have been disposed of, the time remaining will be so short that it will hardly be proper to designate obstructive tactics as a filibuster.

I appeal to Senators that there be action on this important measure. Let any one of them fix the time for a vote. I do not care who fixes it or what time is fixed. Of course, outside of other considerations, it will be a personal favor to me, for reasons which I have stated, although I am not urging that.

If the request to fix next Monday as the time for a vote is objected to, I ask unanimous consent that the date be fixed one week from to-day, next Friday, at 4 o'clock in the afternoon, and that the Senate shall vote then on the conference report.

Mr. SMOOT. Mr. President, I am going to object to unanimous consent to vote upon the conference report, but I will say to the Senator any time after to-morrow that he desires to move to take up the conference report I will be perfectly willing to vote to take it up. I am not, however, going to give unanimous consent at this time to vote upon it at a certain time.

Mr. NORRIS. Of course, Mr. President, that means that my fears were well founded, and the probabilities are, with all the appropriation bills that are coming up, the proposed legislation will be killed indirectly when, perhaps, Senators might be able to kill it directly. I should like to have a yea-and-nay vote upon it, and have the question decided.

NOMINATION OF FRED K. NIELSEN.

Mr. KELLOGG. Mr. President, I ask unanimous consent that, as in open executive session, the nomination of Mr. Fred K. Nielsen as Solicitor for the State Department be referred to the Committee on the Judiciary. I am authorized by the Committee on the Judiciary, after considering it, and by the chairman of the Committee on Foreign Relations to make this request. I do not think there will be any objection to it.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. I object.

The VICE PRESIDENT. Objection is made.

REFUND OF INCOME TAXES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to Senate resolution 425, January 18, 1921, a report regarding the number of claims for refund, abatement, or credit against assessment of income, surtax, excess or war profits taxes for the years 1917, 1918, and 1919, etc., which was referred to the Committee on Finance.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed a bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. WILLIS presented memorials of Windhorst Court of the Catholic Order of Foresters, of Cincinnati; St. Clara's Auxiliary No. 98, Knights of St. John, of Cincinnati; St. Cecelia Ladies' Auxiliary No. 58, Knights of St. John, of Hamilton; and St. Joseph Court No. 1221, Catholic Order of Foresters, of Portsmouth, all in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Cleveland, Ohio, protesting against the loan to Great Britain of any money raised through the sale of Liberty bonds, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Ohio, remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented resolutions of Pangburn Local No. 3234, of the F. E. and C. U. of A., of Pangburn, Ark., and Eureka Grange No. 311, of La Plata County, Colo., favoring legislation to prohibit gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Merchant Tailors' Association, of Kansas City, Mo., favoring the truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Andale, Kans., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. COLT presented a resolution of L'Union St. Jean-Baptiste D'Amerique, of Woonsocket, R. I., protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. FALL. I ask unanimous consent to have printed in the RECORD two telegrams from the Legislature of Porto Rico.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SAN JUAN, *February 17, 1921—6.40 a. m.*

Senator FALL,
Chairman, Washington, D. C.:

House of representatives in session assembled requests you to express to the Senate the sentiments of adherence and respect of the representatives of the people of Porto Rico for the Representatives of the national sovereignty looking for that justice worthy of both in the granting of our immediate aspirations in the extension and a development of our present system of government under democratic principles.

CAYETANO COLL CUCHI, *Speaker.*

SAN JUAN, *February 18, 1921—6.45 a. m.*

Senator FALL,
Washington, D. C.:

Senate of Porto Rico in session assembled unanimously requests you to express to the Senate the sentiments of adherence and respect of the senators of Porto Rico to the United States Senators looking for that justice worthy of both in the granting of our immediate aspirations in the extension and development of our present system of government under democratic principles.

BARCELO, *President.*

Mr. HITCHCOCK presented a memorial of the Legislature of Nebraska, which was referred to the Committee on Manufactures, as follows:

Resolution favoring the nationalizing of the coal industry in the United States.

Whereas the annual coal production in the United States amounts to over 600,000,000 tons; and

Whereas coal production in the United States is carried on at many mines widely varying in their depth of seam, conditions of mining and cost of production; and

Whereas it has been found that fixing a price in the market, either by the Government or by market conditions, does injustice in many cases, since if the price is fixed high enough for the mines having the highest cost of production, the profit to the mines having a lower cost of production is too great, and if the price is fixed by the cost of production at the mines where production is cheapest, the market price is too low for the other mines, resulting either in shutting down the mine or reducing the price of labor thereat; and

Whereas the war situation made it clear that justice to the coal miner and to the coal consumer could be obtained only by nationalizing the mines, thereby enabling the Government to direct the production of coal at the places where it could be produced at the greatest advantage to society as a whole and marketed under uniform conditions both as to price and to coal miners' wages; and

Whereas in Europe, in Australia, in South Africa, in Canada, as well as in the United States, the ablest economists as well as the best business minds are now favoring the nationalizing of the coal industry in each of these countries: Therefore be it

Resolved by the house of representatives, That we favor the enactment of Federal laws which will provide in a just and equitable way for nationalizing the coal industry in the United States; be it further

Resolved, That a copy of these resolutions be forwarded by the chief clerk to each of our Senators and Congressmen at Washington, with a request that they favor the introduction and passage of such an act by Congress.

Introduced by Representatives George C. Snow, of Chadron, and Harry A. Foster, of Omaha.

Mr. McKELLAR presented a resolution of the Legislature of Tennessee, which was referred to the Committee on Appropriations, as follows:

House joint resolution by O. C. Norton.

Be it resolved by the House of Representatives of the Sixty-second General Assembly of the State of Tennessee (the Senate concurring), That our Senators and Representatives in the Congress of the United States be requested to support a measure now pending in the Congress known as the France-Langley bill, which, if enacted, would bring about erection of hospitals for sick and wounded soldiers of the World War; be it further

Resolved, That a copy of these resolutions be forwarded to each Senator and Congressman from Tennessee.

He also presented a resolution of the Legislature of Tennessee, which was referred to the Committee on Education and Labor, as follows:

Whereas the world-wide extension of popular government has placed upon the masses of the people responsibilities never borne by their forefathers, and has made more necessary than before universal education as a means of social self-defense; and

Whereas the development of communication and transportation has brought all sections of the country into such intimate relations that ignorance and its attending vice in any part of the country is a menace to the welfare of every other section so that the responsibility for public instruction can no longer be regarded as merely of local, county, or State concern; and

Whereas the children of the States are to become the citizens of the United States, as well as of their respective States, and as such are to have national obligations and responsibilities; and

Whereas the State of Tennessee has recognized by statute the obligation of its wealthier sections to aid in the education of the children of less-favored districts, on the principle that revenue for school purposes should be collected where the income is expended where the children are; and

Whereas a bill is now pending in the Congress of the United States providing for the acceptance of national responsibility for and aid to public education through the appropriation of $100,000,000 to the several States: Therefore be it

Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Tennessee, That we hereby memorialize Congress immediately to enact into law the Smith-Towner bill, known as education bill, S. 1017; be it further

Resolved, That a certified copy of these resolutions be sent to the Clerks of the two Houses of the Congress of the United States, and that the Senators and Representatives from Tennessee be informed of this action.

Mr. McKELLAR presented a resolution of the Legislature of Tennessee, which was referred to the Committee on Standards, Weights, and Measures, as follows:

Resolution on metric system.

Whereas there is in the United States a deplorable lack of uniformity in weights and measures, and the units used are unscientific, cumbersome, and unrelated, constituting an actual hindrance to education, industry, world trade, and the activities of daily life; and

Whereas the metric system of weights and measures is a decimal system, simple, logical, and easy to use, so that its adoption will result in an incalculable saving in time and energy; and

Whereas the metric system has been adopted by the vast majority of enlightened nations, and its adoption by the United States is calculated to promote friendly relations and commerce with all the world; and

Whereas the State of Tennessee, by reason of its great commercial and industrial activities, is vitally interested both as a State and in behalf of its citizens in the speedy adoption of world-wide uniform standards of weights and measures: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That we respectfully urge that the units of the metric system be adopted by the Congress of the United States as the legal standards of weights and measures after a transition period of 10 years, as proposed in bills now before Congress; and be it further

Resolved, That copies hereof be forwarded to the President of the United States of America and to the Senators and Representatives of the State of Tennessee in the Congress of the United States.

Mr. McKELLAR presented three resolutions of the Legislature of Tennessee, which were referred to the Committee on Finance, as follows:

STATE OF TENNESSEE,
HOUSE OF REPRESENTATIVES,
Nashville, February 16, 1921.

House joint resolution by J. Q. McDonald.

Be it resolved by the House of Representatives of the Sixty-second General Assembly of the State of Tennessee (the Senate concurring), That our Senators and Representatives in the Congress of the United States be requested to support a measure now pending in the Congress known as the Fordney bill, which, if enacted, would bring about adjusted compensation for all honorable discharged men and women who served in the late war; be it further

Resolved, That a copy of these resolutions be forwarded to each Senator and Congressman from Tennessee.

—

House joint resolution by Mr. Smith of Blount.

Be it resolved by the House of Representatives of the State of Tennessee (the Senate concurring), That we memorialize the Congress of the United States, through our Senators and Congressmen, to pass the bill now pending before Congress known as the Wason bill, which decentralizes the War Risk Insurance Department of the United States; be it further

Resolved, That the clerk of this house be instructed to transmit a copy of this resolution to each of the Senators and Congressmen of the State of Tennessee.

—

House joint resolution.

Be it resolved by the House of Representatives of the State of Tennessee (the Senate concurring), That we request the Congress of the United States through our Senators and Congressmen to pass the bill now pending before Congress, known as the Rogers bill, which combines the Health Department, the War Risk Insurance Department, and the Vocational Training Department; be it further

Resolved, That the clerk of this house be instructed to transmit a copy of this resolution to each of the Senators and Congressmen of the State of Tennessee.

Mr. HARRIS presented a resolution of the Atlanta City Federation of Women's Clubs, of Atlanta, Ga., favoring legislation extending the Federal aid road-building program, which was ordered to lie on the table.

He also presented a resolution of the Atlanta City Federation of Women's Clubs, of Atlanta, Ga., favoring an amendment to House bill 12078 providing for the promotion of vocational education, etc., which was referred to the Committee on Education and Labor.

He also presented a resolution of the Atlanta City Federation of Women's Clubs, of Atlanta, Ga., favoring legislation strengthening the Volstead Act by placing all prohibition enforcement agents under civil-service rules, which was referred to the Committee on the Judiciary.

He also presented a resolution of the Atlanta City Federation of Women's Clubs, of Atlanta, Ga., favoring legislation providing for the protection of maternity and infancy, which was ordered to lie on the table.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5017) granting an increase of pension to James Mellor, jr. (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 5019) to amend sections 2, 7, 9, 10, 11, 12, 13, and 32 of the Federal farm loan act, approved July 17, 1916, as amended, and to amend sections 2, 3, 4, 9, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, and 24 of the United States warehouse act, approved August 11, 1916, as amended; to the Committee on Banking and Currency; and

A bill (S. 5020) to amend an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes"; to the Committee on Interstate Commerce.

By Mr. JONES of New Mexico:

A bill (S. 5021) for the relief of Fred V. Plomteaux; to the Committee on Claims.

By Mr. TRAMMELL:

A bill (S. 5022) providing for and establishing scholarships in each of the States as a memorial to the American soldiers, sailors, and marines who gave their lives for their country and as an expression of appreciation to the brave and loyal men who served in the military and naval forces of the United States in the late war; to the Committee on Education and Labor.

By Mr. BALL:

A bill (S. 5023) to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MYERS:

A bill (S. 5024) granting an increase of pension to Izora B. McGill; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 5025) declaring Lake George, Yazoo County, Miss., to be a nonnavigable stream; to the Committee on Commerce.

By Mr. SMOOT:

A joint resolution (S. J. Res. 261) repealing section 10 of the river and harbor act approved March 2, 1919; to the Committee on Commerce.

TRAINING PAY AND ALLOWANCES.

Mr. KENYON introduced a bill (S. 5018) to amend the vocational rehabilitation act to exempt from taxation amounts heretofore or hereafter received thereunder as training pay and allowances, which was read twice by its title.

Mr. KENYON. Mr. President, the bill introduced by me to amend the vocational training act should be referred, I believe, to the Committee on Finance. The situation which prompts the introduction of the bill is rather an odd one. The training pay given to soldiers is subject to the income tax, while under the war risk insurance act the compensation paid by that bureau is expressly exempted from the income tax. It is rather an emergency matter, and I think if the Finance Committee can take it up and dispose of it at this session it should probably go there and be considered as an amendment to the vocational training act. I should like, however, to ask the Senator from North Dakota if there is any prospect of a measure of that kind being considered by the Finance Committee at the present session?

Mr. McCUMBER. I think so. If it is a matter that needs to be considered, I think the committee will consider it.

Mr. KENYON. I ask that the bill be referred to the Committee on Finance.

The VICE PRESIDENT. In the absence of objection, the bill will be referred to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KNOX submitted an amendment providing that the accounting officers of the Treasury shall readjudicate in accordance with certain court decisions all claims of Army officers for pay within such court decisions, without regard to former disallowances by Treasury officials, and report the same to Congress as audited claims, intended to be proposed by him to the Army appropriation bill, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

Mr. OVERMAN submitted an amendment providing that the Secretary of War be authorized to ascertain the requirements of the Department of Agriculture for its own use and that of the several States in road work and maintenance of roads and other executive departments as pertaining to motor vehicles, and after supplying the needs of the several departments as authorized and directed under existing legislation to sell as soon as possible any remaining motor trucks and automobiles that are surplus and not needed by the War Department, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. WILLIAMS submitted an amendment providing that Lake George, in Yazoo County, Miss., be declared a nonnavigable stream, etc., intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment providing that any stream or body of water lying wholly within one State which is not a navigable stream or body of water under the laws of the State in which it lies is declared a nonnavigable waterway of the United States within the meaning of the law until work of improvement has been undertaken by the United States, intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to increase the appropriation to carry into effect the provisions of the act approved March 2, 1897, entitled "An act to prevent the importation of impure and unwholesome tea," as amended, etc., from $30,000 to $38,000, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENT OF IMMIGRATION BILL.

Mr. HARRISON submitted two amendments intended to be proposed by him to House bill 14461, the immigration bill, which were ordered to lie on the table and be printed.

ANNUAL MEETING OF STATE AGRICULTURAL COMMISSIONERS (S. DOC. NO. 409).

Mr. MOSES. From the Committee on Printing I report a resolution providing for the printing of a certain manuscript, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The reading clerk read the resolution (S. Res. 455), as follows:

Resolved, That the manuscript entitled "Report of fourth annual meeting of the National Association of State Commissioners of Agriculture" be printed as a Senate document.

The VICE PRESIDENT. Is there any objection to the consideration of the resolution?

Mr. SMOOT. Mr. President, what is the report referred to in the resolution?

Mr. MOSES. It is the report of the annual convention of the State Commissioners of Agriculture held at the Department of Agriculture and participated in by the commissioners of agriculture from all the States in the Union.

Mr. SMOOT. I will ask the Senator if the document has already been printed by the Agricultural Department?

Mr. MOSES. No; it has never been printed at all.

Mr. SMOOT. If it has been printed as a departmental document, I shall object to the request.

Mr. MOSES. I repeat that it has never been printed at all.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

REPORT OF THE DAUGHTERS OF THE AMERICAN REVOLUTION (S. DOC. NO. 408).

Mr. MOSES. From the Committee on Printing I report a resolution, S. Res. 456. I ask unanimous consent for the present consideration of the resolution.

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That the report of the Daughters of the American Revolution for the year ended March 1, 1920, be printed as a Senate document.

GREAT FALLS POWER DEVELOPMENT.

Mr. NORRIS. Mr. President, in connection with the reports from the Committee on Printing and while the matter is before the Senate, I should like to ask the Senator from New Hampshire whether the Committee on Printing has taken up the report of Maj. Tyler and the report of the Water Power Commission?

Mr. MOSES. I will say to the Senator that the estimate of the cost for printing the latter document has not yet come from the Public Printer. The estimate for the original Tyler report has been received, but the estimate for the supplemental report later ordered by the Senate has not come.

Mr. NORRIS. What is the estimate, I will ask the Senator, for the printing of the original Tyler report?

Mr. MOSES. I do not at the moment recall, but my general impression is that the estimate is something like $800.

Mr. NORRIS. Will the committee act on it?

Mr. MOSES. The committee is to clear its calendar on the 24th day of the present month.

THE COTTON AND WHEAT SITUATION.

Mr. JONES of Washington. Mr. President, I desire to enter a motion to reconsider the vote by which the Senate passed, on yesterday, Senate resolution 443.

Mr. UNDERWOOD. Mr. President, will the Senator state the purport of the resolution? I do not recognize it by number.

Mr. JONES of Washington. It is Senate resolution 443, authorizing the Committee on Agriculture and Forestry to make certain investigations. I desire the motion I have made to be noted in the RECORD.

The VICE PRESIDENT. The motion of the Senator from Washington will be entered.

HOUSE BILL REFERRED.

The bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes.

Mr. HEFLIN. Mr. President, in a few moments the Senate will vote upon a motion to suspend the rules to make in order as an amendment to the Post Office appropriation bill the bill which passed the House of Representatives by a very large vote. That bill carries an appropriation of $100,000,000 to carry on the work of road building in the various States of the Union.

I did not think, Mr. President, when I heard of that action on the part of the House that there would be any trouble at this end of the Capitol. Members of the House talked to me about that measure, and I expressed the opinion that it would pass the Senate by an overwhelming vote. I did not believe that it would be the policy of the other side of this Chamber to attempt to practice economy at the expense and to the injury of road construction in the United States. I did not believe that any Senator in this Chamber would take the position that this work should be halted for a moment, and I was surprised and astounded to hear the arguments made yesterday in behalf of such a program as that.

Mr. President, Great Britain has buried in Westminster Abbey a soldier representing the rank and file of the British Army. This great and kindly act was done in honor of the unknown dead. Great Britain buried in this resting place of her kings one of the plain people, a private in the ranks of her army, one who came up from the common walks of life to fight and die for his country. She has shown her appreciation of the valor and heroism displayed by this boy and his comrades among the unknown dead. France has performed a like service in honor of her heroic dead who sleep in unknown graves. In both instances honor and gratitude are shown to the rank and file of the people. I submit to the Senators on the other side of this Chamber that while they are holding up legislation looking to the benefit of our soldiers who won the war, while they are blocking legislation looking to proper compensation for our boys, they might at least permit this road building to go on, because in this way they can express their appreciation of and gratitude to the great rank and file of our people who gave their sons to fight and die for our country.

As I said on yesterday, there is perhaps no other Government program that will serve so many people, that will reach into so many localities, that will really bless and benefit so many American citizens, as will this program of road building. Every State in the Union is interested. It is true some of the States had nearly completed their road construction under the bonding system; but I submit that the Senators from those States ought not to stand in the way of cooperative road construction in other States. Some States are richer than others, and they have gone on more rapidly with this work. They ought now to encourage road building in the other sections of our great country.

I regret to see that some Senators are willing to stop this road construction entirely. I regret to see that those in charge of legislation in this body, responsible to the people for legislation, are ready now to sidetrack this great work of road construction by the United States Government. There is no better or greater work that can be done by the Government. We must have transportation facilities by railroad, transportation facilities by waterway, and transportation facilities by highway, by public roads; and this Government will not have discharged its full duty to the people of the country until it has a splendid system of public highways reaching all through the States.

There are many ways in which Senators who want to cut down expenses can do it and lay off this project of road building.

Mr. President, $100,000,000 is not so much. We have 105,000,000 people. So it costs less than $1 per capita to carry on this great work of building up the public highways of the country.

Mr. MOSES. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from New Hampshire?

Mr. HEFLIN. I do.

Mr. MOSES. The difficulty with the Senator's argument is that it is not paid per capita. The money is taken from the rich and thrifty States of the North to be spent in the Senator's State down South.

Mr. HEFLIN. Mr. President, the Senator has admitted just about what I had thought he felt. The States that have already built up their highways and that have by reason of a high discriminating tariff system been pillaging and plundering the people of the South, for that is how, to a large extent, they got their money——

Mr. MOSES. Mr. President, my State paid $30,000,000 for southern cotton last year in one mill alone.

Mr. HEFLIN. Thirty million dollars; and what did they get for the finished product? I will tell the Senator that on one occasion a few years ago Great Britain paid $400,000,000 to America for her cotton supply and sold the remainder of the finished product, after supplying all of her possessions, for $610,000,000, $210,000,000 more than she paid us for the raw material; and the cotton mills of the Senator's State have for many years fattened upon low-priced cotton that they have purchased in the Southern States. But I want to serve notice on the Senator now that you will pay more for cotton this fall than you have paid in a long, long time because the low price to which you have driven cotton is going to cause us to produce the smallest crop that you have ever seen come to the markets of this country in a long time.

Mr. MOSES. I am glad to be put upon notice by the Senator; and I want to congratulate him, while this colloquy is going on, upon the facility with which he can manage to connect the veterans of the World War with an appropriation.

Mr. HEFLIN. The Senator from New Hampshire raised the sectional issue. He charged that I wanted to tax his people to build up the roads down in my section of the country. I want to say to the Senator that I would be willing to tax the whole people to build up any part of this great country. I have no feeling of sectional prejudice. There is none of it in my head or heart. I think the time has come when it should disappear forever in the United States. There certainly was none of it on the firing line in France, when our boys fought together side by side and many thousands died together on the fields of France. But the Senator says that I and others who stand here and champion the cause of the masses of the country want to tax his people to build up the highways down in my State. Mr. President, Alabama is part and parcel of this great Government. She contributes to its support generously and to the best of her ability. Of course, she has not had the opportunity—and I doubt whether she would have employed it if she had—to pillage and plunder so many people as some of the Senator's constituents have.

Mr. MOSES. In view of Muscle Shoals, Mr. President, that comes with good grace from the Senator.

Mr. HEFLIN. That was a meritorious measure and a project in the interest of all the people. I do not mean to cast any reflection upon the people of the Senator's State, but I am sure that the profiteers in his State who have made colossal fortunes during the war would like to sit back and continue to clip their coupons and pass undisturbed by the taxgatherers of the Republic.

Mr. MOSES. But we can not pass undisturbed by the taxgatherers so long as schemes of this kind go on. On the contrary, my State is one with almost a stationary population, with slight increase in its inventory for taxation purposes year by year; yet we have taxed ourselves, bonded ourselves, and built our own roads, and there is no reason why the State of Alabama should not do the same thing.

Mr. HEFLIN. The State of Alabama is doing the same thing. The cities are contributing, the counties are contributing, many of them have issued bonds for this purpose, and they are now working on this cooperative plan in building roads in my State. The States have contributed over $600,000,000, while the Government has contributed less than a third of that amount.

But, Mr. President, it is not any strange thing to hear the Senator and other members of his party raise their voices in protest against legislation that helps the mass of the people. I do not recall a single measure of benefit to the great mass of our

people that had its origin in the brain of a Republican Senator; but if you get up a bill here for the special interests you will not have any trouble about getting it through. They will smile blandly and just slip and slide the project through, and no one over there ever makes an argument against it; nobody says it is unconstitutional; nobody ever says it is paternalism; and they get it through. But let somebody get up here with a bill that benefits the mass of the people or the people back in the rural districts of the country, or that will be of service to the school boy and girl who travel the public roads and they rise up and say, "Mr. President, we just must begin to practice economy right now." So they are ready to practice economy then, to the detriment and injury of the great mass of the American people.

Mr. President, from the juggling that I have seen going on around here this morning and late yesterday afternoon I do not know what is going to be the judgment of the Senators on the other side on this proposition. I should not be surprised if they intend to put to sleep this road-building program that the people of the country approve so unanimously.

Forty-three States await your judgment to-day. Forty-three States are watching the appropriation bills that go through Congress, and when they see you attempt to chloroform and put to sleep the road-building part of the legislative program they are justly indignant. You may postpone it, you may set it aside for a time, but there is nothing that is so vital to the people—that touches, I repeat, so many of them—as this very project, and you can not stop it. I repeat, the people are going to be indignant. They ought to be indignant. They ought to resent and, I believe will, repudiate your action if you sidetrack this great constructive measure.

A hundred million dollars? Why, you spend that in various ways where it will benefit less than a quarter of a million of people.

Mr. President, I am going to vote for this measure. I am going to vote to suspend the rules to put this amendment upon the bill, because it is the only way that we can carry on this road-building program. This work ought to go on. This Government is working out its ideals of constructive development in bridges that span the rivers, in opening up streams to navigation, in belting the country with steel rails for transportation purposes; and I repeat that the system will not be complete until we build public highways in the counties, in the States, and through the Nation. Let the Senate go upon record as favoring the working out of our ideals in such practical and beneficial fashion, and then a great and grateful people will rise up and call you blessed.

Mr. SIMMONS. Mr. President, I regret very much that an attempt has been made to inject sectionalism into the consideration of this vital matter. I had hoped we might get away from sectional lines in our legislation. I do not see why the New England States, which happily began road construction work a little ahead of the other States of the Union, should now, because they have already built a good part of their roads, attempt to throttle the Congress in its efforts to assist road construction in other parts of the country.

Mr. President, despite the aid rendered by the Government, the Southern and Western States will, themselves, have to build the greater part of their roads. What New England has already done in this respect the other States will have to do hereafter for it is not expected the Government will match more than a small part of the total expenditure of the States for this purpose. The sum of $100,000,000 a year, distributed among the 48 States of this Union, is a mere bagatelle to their total annual expenditure for roads. It is not much over $2,000,000 a year to each State. That would not go far. It would not build many miles of good roads in the South; it would not build many miles of good roads in the West. The South and the West ultimately will have to do most of their road construction with their own resources. This Federal appropriation would be only supplementary, and supplementary to a small degree. Its chief value would not be in the amount of money the Federal Government would contribute, but in the psychological effect of the larger unit coming to the assistance of the lesser and the weaker unit and helping in the work. The value of the impetus thus given would be in the future, as it has been in the past, very great.

My friend from the State of New Hampshire [Mr. MOSES] has referred to the fact that his State has paid such a large amount of taxes to the Government while the Southern States are poor and do not pay in the same proportion. I want to say to the Senator that while the Southern States have been poor, and are yet relatively poor, the Southern States are rapidly growing in wealth, they are rapidly becoming large taxpayers. In the last fiscal year North Carolina paid in taxes into the Federal Treasury over $160,000,000.

Mr. MOSES. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. I yield.

Mr. MOSES. I rejoice in the prosperity and progress of the Southern States, Mr. President. No Member of the Senate could have further from his thought than I the notion of raising a sectional issue with reference to this matter. But, Mr. President, I saw these road bills in their progress through the last Congress; I saw the attempt made to secure credit for the States which had already built their road systems to the extent to which they had expended their money. I tried to secure an amendment whereby the amount of Federal money spent by the military forces in building roads through the States should be taken out from the quota assigned to those States, but all to no avail.

Mr. SIMMONS. Mr. President, I can not yield for a speech; I have only 10 minutes. I want to say to the Senator from New Hampshire, and I want to say to my other colleagues from New England, that North Carolina does not expect the Federal Government to build its roads. If this bill passes, the Federal Government will contribute to road construction in North Carolina not exceeding $4,000,000 in the coming year. Is not that true, I ask the Senator from Michigan?

Mr. TOWNSEND. Mr. President, will not the Senator be able to give me two or three minutes before the time for a vote arrives?

Mr. SIMMONS. Yes; I will. I say, that if this amendment to the bill is adopted the Government will contribute to North Carolina road construction during the current year approximately only about $4,000,000.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from New Jersey?

Mr. SIMMONS. I can not yield.

There are only 10 minutes left, and the Senator from Michigan has asked me to give him part of it. As I said, $4,000,000 is a mere bagatelle to the amount of money we are spending in North Carolina for road construction.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from New Jersey?

Mr. SIMMONS. I can not yield.

Mr. FRELINGHUYSEN. I simply wanted to ask the Senator a question.

Mr. SIMMONS. I will yield for a question.

Mr. FRELINGHUYSEN. I should like to ask what the Senator's State paid in income and internal revenue taxes to the Government?

Mr. SIMMONS. Something between thirty and forty million dollars. Income and profit taxes, and in all taxes, as I stated before, over $160,000,000, fiscal year 1920. Does that answer the Senator's question?

Mr. FRELINGHUYSEN. It does.

Mr. SIMMONS. Two counties, Mr. President, adjoining the county in which I live, only the past year voted about $4,000,000 to build roads within their boundaries, and probably there are near a score of counties in North Carolina in the past 18 months that have voted from $1,000,000 to $2,000,000 each for the construction of roads; and on yesterday, or the day before yesterday, the lower house of the legislature of my State passed a bill which, when it becomes a law, will bond North Carolina for $50,000,000 with which to build good roads. We shall very probably spend in North Carolina every year several times as much money as we would get from the Federal Government under the pending amendment. That money will be spent in building the character of roads New England has already built, county roads and local roads mostly of permanent construction, so far as any road is permanent.

The money we hope for from the Government will be used chiefly in connection with the construction of a coordinated State system—a connected system of inter and intra State roads. We want the psychological effect of the Government aid and cooperation in this great work. We know the Government is not going to assist in all our road-construction work, and we do not ask it to do it. We know that it is impossible with the appropriations that are being made or that will be made. We are not indulging upon any such hope.

I am speaking hurriedly and perhaps disconnectedly, because I want to yield a part of my time to the Senator from Michigan. The Senator from Michigan yesterday, in his discussion, animadverted against the system of building with Federal money short stretches of disconnected roads here and there over the States—local roads having no coordination or connection with any system of roads. I agree with the Senator. I doubt very much that such a course is a wise expenditure of

Federal money. I do not believe it will receive that public approval which is needed to encourage a larger participation by the Government in this work.

But, Mr. President, I think the system we are about to adopt in North Carolina is such as to deserve Federal aid. Our purpose in North Carolina is to use the Federal contribution for the purpose of building main highways, with which the local roads built by the State and the counties are to be coordinated and connected into one grand, harmonious working road system in that State. It is said that under the amendment of the Senator from Virginia this money will have to be spent in the way it has heretofore been spent—by State selection of the roads upon which it is to be spent, however disconnected and lacking in coordination and relation the one to the other. I want to say to the Senator that I agree in the main with his theory; but if we shall suspend the rule to-day and permit a vote upon the amendment offered by the Senator from Virginia [Mr. SWANSON], the Senator from Michigan can offer an amendment so as to make it conform with his theory, if the Senate agrees with him; and, as I feel now, I shall be inclined to cooperate with the Senator in supporting such amendment, because I think that would be probably the wiser way in which to work out this, and would remove much of the opposition to further Government expenditures in this behalf and to larger contributions on the part of the Government in the future.

I trust that Senators from New England, from the North, and from every section of the country will vote to suspend the rule and let us consider this matter upon its merits, and although the Senate may not adopt the exact language and the method prescribed in the amendment of the Senator from Virginia, let us thrash this thing out here and now and adopt a wise, logical system of road construction providing for the aid of the Federal Government to be given to the State in systematic and coordinated building of good roads.

While I have other matters I wish to discuss, I recognize that the Senator in charge of this matter is entitled to some time, and I shall not consume the remaining five minutes before the hour fixed in the agreement for a vote on the motion to suspend the rules of the Senate so as to make the amendment of the Senator from Virginia in order.

Mr. TOWNSEND. I thank the Senator from North Carolina. There is not a great deal of difference, that I can see, between the Senator from North Carolina and myself as to what ought to be done with the Federal aid money. I am just as certain, however, as I am that I live that any proposition submitted at this time on the floor of the Senate to change the present Federal aid law, such as the Senator suggests, would be voted down by those Senators who insist that the present method should be maintained.

Furthermore, Mr. President, there has been no opportunity for the Committee on Post Offices and Post Roads, which has this matter in charge, to even consider it. I again want to repudiate the statement made by the Senator from Alabama [Mr. HEFLIN] and by others to the effect that the defeat of this amendment is going to check road building in the United States. There is no more question about the fact than there is that I am addressing you that the first duty of the Committee on Post Offices and Post Roads in the new Congress will be to take up the subject of Federal contributions to the project of road building.

The fact of the matter is, and it has not been denied, that a very large amount of money already invested by the Federal Government in road construction has been wasted. There is no question about that at all.

Mr. HEFLIN rose.

Mr. TOWNSEND. I can not yield; I have only two or three minutes.

Mr. HEFLIN. I question the statement that a large amount of it has been wasted.

Mr. TOWNSEND. I mean that anybody who understands the subject, anybody who has investigated the question of road building and road construction in the United States——

Mr. HEFLIN. If I understood the Senator correctly, I do not agree to his statement to the effect that a large amount of this money has been wasted.

Mr. TOWNSEND. Mr. President, the very men who ask for the continuation of the present appropriation under existing conditions, when they properly understand the subject, agree, just as the Senator from North Carolina [Mr. SIMMONS] agrees, that this money should be expended in a manner different from that in which it is being expended in many of the States of the Union.

This is not a sectional question with me at all. I simply want the Federal money expended for a Federal purpose, which will assist in the construction of roads and in the establishment of proper systems of roads. All I am asking is that, as this bill, which comes to us from the Committee on Roads of the House of Representatives, has never been considered by the Committee on Post Offices and Post Roads in the Senate, which has jurisdiction of the matter, we be given an opportunity to consider it, without embarrassment to legitimate road building in the United States; that it be put off for just a few days, until the committee which has been considering some phases of it can have time to complete its work on this great matter.

So, Mr. President, I am hoping at least that the Members of the Senate who want to see the expenditure of Federal money properly safeguarded will give us this opportunity.

Mr. DIAL. Mr. President——

Mr. TOWNSEND. I can not yield; I have but half a minute. Mr. President, I hope that none of the Senators on the other side have been persuaded to stay away from the Senate this morning for the purpose of reducing the honest vote of the Senate on this great subject. I wish we could have all of the Senators vote on this question, and thus determine if, after proper understanding, two-thirds of the Senate believe that at this time and under these conditions we should vote $100,000,000 when it can not be properly expended; if they want to do that, and take this out of the jurisdiction of the Committee on Post Offices and Post Roads, who desire to consider it, and who will consider it without delay, then I shall make no further objection.

Mr. HARRIS. Mr. President, reference has been made to the failure of some States to make appropriations so as to cooperate with the Government in the building of good roads. This is not true of my State, as most of our counties are voting large bond issues for this purpose. The Government appropriation for good roads has been wise, and I sincerely hope this appropriation may be continued. I shall give it my hearty support.

The VICE PRESIDENT. The hour of 12 o'clock having arrived, the Secretary will, in accordance with the unanimous-consent agreement, call the roll upon the pending question, which is the motion of the Senator from Virginia [Mr. SWANSON] to suspend the rule.

Mr. LODGE. I make the point of no quorum.

The VICE PRESIDENT. The unanimous-consent agreement is that the vote shall be taken at 12 o'clock. The Secretary will call the roll on the motion of the Senator from Virginia.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). I have a pair with the junior Senator from Oklahoma [Mr. OWEN]. I am unable to obtain a transfer. If permitted to vote, I would vote "nay."

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I am unable to get a transfer, and I withhold my vote.

Mr. SWANSON (when Mr. GLASS's name was called). My colleague [Mr. GLASS] is paired with the senior Senator from Illinois [Mr. SHERMAN]. If present and not paired, my colleague would vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK], which I transfer to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. As I am unable to obtain a transfer of my pair, it will be necessary for me to withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. In his absence I withhold my vote.

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I am advised that if he were present he would vote as I propose to vote, and I therefore feel at liberty to vote. I vote "nay."

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the senior Senator from Indiana [Mr. WATSON] and vote "nay."

Mr. EDGE. I find that I can transfer my pair with the junior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Maryland [Mr. FRANCE], which I do, and vote. I vote "nay."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I am advised that I am released from that pair and at liberty to vote. I vote "yea."

Mr. DILLINGHAM. Has the senior Senator from Maryland voted?

The VICE PRESIDENT. He has not voted.

Mr. DILLINGHAM. I have a general pair with that Senator, and for that reason I am compelled to withhold my vote.

Mr. KENDRICK. I made the statement a moment ago that I was unable to secure a transfer of my pair. I have since arranged for a transfer of my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Arkansas [Mr. KIRBY]. I am therefore at liberty to vote. I vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Pennsylvania [Mr. PENROSE] is paired with the Senator from Mississippi [Mr. WILLIAMS].

Mr. HARRISON. I was requested to announce that the Senator from Rhode Island [Mr. GERRY] and the Senator from Arkansas [Mr. KIRBY] are detained on official business.

The roll call resulted—yeas 42, nays 33, as follows:

YEAS—42.

Ashurst	Gore	McKellar	Smith, Ga.
Beckham	Gronna	McNary	Smith, S. C.
Capper	Hale	Myers	Stanley
Chamberlain	Harris	Overman	Sterling
Culberson	Harrison	Phelan	Sutherland
Curtis	Heflin	Pittman	Swanson
Dial	Henderson	Ransdell	Trammell
Fletcher	Hitchcock	Reed	Underwood
Gay	Jones, N. Mex.	Sheppard	Walsh, Mont.
Glass	Kellogg	Simmons	
Gooding	Kendrick	Smith, Ariz.	

NAYS—33.

Ball	Jones, Wash.	McLean	Townsend
Borah	Kenyon	Moses	Wadsworth
Brandegee	Keyes	Nelson	Walsh, Mass.
Calder	King	New	Warren
Colt	Knox	Phipps	Willis
Edge	La Follette	Poindexter	Wolcott
Elkins	Lenroot	Smoot	
Fernald	Lodge	Spencer	
Frelinghuysen	McCumber	Thomas	

NOT VOTING—21.

Cummins	Johnson, S. Dak.	Page	Smith, Md.
Dillingham	Kirby	Penrose	Watson
Fall	McCormick	Pomerene	Williams
France	Newberry	Robinson	
Gerry	Norris	Sherman	
Johnson, Calif.	Owen	Shields	

The VICE PRESIDENT. The yeas are 42 and the nays 33. Two-thirds not having voted in favor of the motion of the Senator from Virginia [Mr. SWANSON], the Senate refuses to suspend the rule.

Mr. LODGE. Mr. President, I desire to offer as an amendment to the bill a part of the amendment which I offered on yesterday. The purpose of the amendment is to allow the service of substitute carriers, who served in the Army of the United States, in any branch of the military service, to be counted in the Postal Service for the purposes of longevity pay, rank, and so forth.

Mr. POMERENE. May I ask the Senator a question?

Mr. LODGE. Certainly.

Mr. POMERENE. Is this the same as the second part of the amendment which was offered by the Senator on yesterday?

Mr. LODGE. It is the same as the second part of the amendment which I offered yesterday. I offer it again because I think it is a great injustice not to allow those men who went into the military service to receive this credit. It was generally understood that they should receive the credit, and I think they ought to have it. I hope that the chairman of the committee will not make a point of order against the amendment in that form.

Mr. POMERENE. I agree entirely with what the Senator from Massachusetts has said.

The VICE PRESIDENT. The proposed amendment will be read.

The ASSISTANT SECRETARY. Insert, at the bottom of page 5, the following:

That that portion of the act reclassifying salaries of postmasters and postal employees, approved June 5, 1920, which provides "that hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1" shall be amended by adding the following: *Provided*, That clerks in first and second class post offices and letter carriers in the City Delivery Service and substitute clerks and substitute carriers who served in the military or naval services during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military or naval services on the basis of one day's credit of 8 hours in the Postal Service for each day served in the military or naval service and be promoted to the grade to which such clerk or carrier or substitute clerk or substitute carrier would have progressed had his original appointment as substitute been to grade 1.

The provisions herein shall be effective as of date of passage of the original act of June 5, 1920.

Mr. TOWNSEND. Mr. President, I have no objection to the amendment. I believe it was the intention of Congress that this should be done. I remember that two or three years ago I proposed such an amendment and it was adopted, but it has been construed to apply only to the year covered by the appropriation bill, which was not intended by me. I recognize the facts as stated by the Senator from Massachusetts and I am in hearty sympathy with carrying out all the pledges that were made by the Government to the soldiers in the war. Therefore, I have no objection to the amendment and trust that we shall be able to keep it in the bill in conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. PITTMAN. Mr. President, I gave notice on yesterday of a motion to suspend the rule so that I could offer an amendment to the pending bill. I now make that motion.

The VICE PRESIDENT. The proposed amendment will be read so that the Senate may know what it is to vote on.

The ASSISTANT SECRETARY. The Senator from Nevada [Mr. PITTMAN] gave notice on the legislative day of February 14, calendar day of February 17, that under Rule XL to suspend paragraph 3 of Rule XVI, in order that he might propose and have considered the following amendment to House bill 15441, the Post Office appropriation bill:

At the end of the bill add another section to read as follows:

"SEC. —. That section 6 of an act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, as amended,' is hereby amended to read as follows:

"'SEC. 6. That any State desiring to avail itself of the benefits of this act shall, by its State highway department, submit to the Secretary of Agriculture project statements setting forth proposed construction of any rural post road or roads therein. If the Secretary of Agriculture approves a project, the State highway department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require: *Provided, however*, That the Secretary of Agriculture shall approve only such projects as may be substantial in character and the expenditure of funds hereby authorized shall be applied only to such improvements. Items included for engineering, inspection, and unforeseen contingencies shall not exceed 10 per cent of the total estimated cost of the work. If the Secretary of Agriculture approve the plans, specifications, and estimates, he shall notify the State highway department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this act on account of such project, which shall not exceed 50 per cent of the total estimated cost thereof, except that in any State in which the percentage of total land area to which the title of the United States is unqualified, or exempt under the Constitution of laws of the United States from taxation by or under the authority of such State exceeds 10 per cent of the total area of the land in the State, the Secretary of Agriculture shall reduce the ratio of cooperation on the part of the State the percentage that the area of the said land to which the United States has unqualified title, together with the land area so exempt from taxation in the State, is to the total area of all lands in the State. No payment of any money apportioned under this act shall be made on any project until such statement of the project, and the plans, specifications, and estimates therefor shall have been submitted to and approved by the Secretary of Agriculture.

"'When the Secretary of Agriculture shall find that any project so approved by him has been constructed in compliance with said plans and specifications he shall cause to be paid to the proper authority of said State the amount set aside for said project: *Provided*, That the Secretary of Agriculture may, in his discretion, from time to time, make payments on said construction as the same progresses, but these payments, including previous payments, if any, shall not be more than the United States' pro rata part of the value of the labor and materials which have been actually put into said construction in conformity to said plans and specifications; nor shall any such payment be in excess of $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span. The construction work and labor in each State shall be done in accordance with its laws, and under the direct supervision of the State highway department, subject to the inspection and approval of the Secretary of Agriculture, and in accordance with the rules and regulations made pursuant to this act.

"'The Secretary of Agriculture and the State highway department of each State may jointly determine at what times, and in what amounts, payments, as work progresses, shall be made under this act. Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of Agriculture, to such official or officials, or depository, as may be designated by the State highway department and authorized under the laws of the State to receive public funds of the State or county.'"

Mr. PITTMAN. Mr. President, I will explain my proposed amendment. I have simply repeated section 6 of the good roads act and have added one paragraph thereto. It would be confusing to listen to the reading of the proposed amendment without this explanation, because it would be difficult to follow it. As the amendment is written it only changes section 6 of the existing good road act in one paragraph and practically in one sentence. It became necessary, of course, to repeat the whole of section 6 of the existing law, so that the amendment, if it shall be adopted, might be plain when read in connection with the present law. Now, I will show Senators just wherein section 6 will be changed by the amendment if it be adopted.

Mr. SIMMONS. All the remainder of the section, as I understand the Senator, will be the same as provided in the present law?

Mr. PITTMAN. All the remainder will be exactly the same as the present section 6. I merely copied the section so as to have it all appear. I will read a part of section 6 as it exists, leading up to my amendment. It reads as follows:

> The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this act on account of such project, which shall not exceed 50 per cent of the total estimated cost thereof.

That is the language of section 6 as it exists in the present good-roads law. My amendment is intended to modify that sentence. That sentence of the present good roads act limits the amount of United States funds that may be used upon any project to 50 per cent of the estimated cost of the project. There are certain States in which that is not fair, and, therefore, I have added the following language to section 6, which I will read:

> Except that in any State in which the percentage of total land area to which the title of the United States is unqualified, or exempt under the Constitution or laws of the United States from taxation by or under the authority of such State exceeds 10 per cent of the total area of the land in the State, the Secretary of Agriculture shall reduce the ratio of cooperation on the part of the State the percentage that the area of the said land to which the United States has unqualified title, together with the land area so exempt from taxation in the State, is to the total area of all lands in the State.

That is the only change which it is proposed to make in the existing law.

The reason for it is this—and I will simply give an illustration which is common to the West: Under the good roads act the Legislature of the State of Nevada has laid out certain State highways. They consist of three great trans-State highways, which connect with the highways in Utah on the one side and California on the other side. The construction of those trans-State highways will be about all the State of Nevada can carry on. Those three highways constitute a link in the great transcontinental roads that are now being built throughout the West. For instance, one of them is the Lincoln Highway. The Lincoln Highway crosses the State of Nevada from one side to the other; it has never been kept up, and therefore the State of Nevada has adopted the Lincoln Highway as one of its State roads to be improved under the good-roads act. There is also the Overland Trail, which follows the Southern Pacific Railroad across the State from one side to the other, connecting in California and in Utah with similar roads. That road has been adopted by the State Legislature of the State of Nevada as one part of its State highway system. We have another road running diagonally through the State from its northeast corner to its southwest corner, connecting with the California road that leads to Los Angeles. These three roads are used by people traveling from the Atlantic to the Pacific in their automobiles; 90 per cent of the travel over these roads now is travel from outside States. Unless these links are kept in order, unless their condition is made equal to that of the other links in the great chains, the building of miles and miles of road in California and Utah and States east of Utah will be practically useless.

But, it may be asked, why the exception? This is the reason for it: Because the conditions in the State of Nevada constitute an exception as compared with the nonpublic-land States of the Union.

When the good-roads act was passed it was the intent, I believe, of Congress that the Government should put up half of the money and the States the other half of the money, but that was on the theory that all of the State property was subject to taxation in the State.

Mr. POMERENE. Mr. President——

Mr. PITTMAN. I yield.

Mr. POMERENE. Can the Senator state what portion in area of the land in Nevada is held by the Federal Government and what its value is as compared with privately owned property?

Mr. PITTMAN. I will. Only 7 per cent of the total land area in the State of Nevada is subject to taxation by the State; over 86 per cent of the total land area in the State of Nevada is owned by the United States Government.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. KELLOGG. Under those circumstances, under the Senator's amendment, what percentage of the money would the State of Nevada have to put up?

Mr. PITTMAN. The State of Nevada, it is estimated, would have to put up about 10 per cent.

Mr. KELLOGG. And the Federal Government 90 per cent?

Mr. PITTMAN. About 90 per cent. I have taken the State of Nevada as an example, because it is the extreme case; but the other Western States present similar conditions.

Mr. POMERENE. Mr. President, before going to that subject, can the Senator answer the other part of my question, which was as to the relative value of the property owned by the Federal Government and that in private ownership? I speak, of course, only of real estate.

Mr. PITTMAN. There is no doubt that the land that is in private ownership is more valuable; but as the Government land is not subject to taxation there never has been, to my knowledge, any attempt to assess its value. For instance, there are lands in forest reserves in the State of Nevada. That land has value; these forests have value; but, as I say, it never has been assessed, because it is not subject to taxation. It may have been assessed by some Government authority of which I do not know.

What I have stated with regard to the land title in Nevada is true of practically every Western State in varying degrees. For instance, in the State of Wyoming—I will take that for example—about 60 per cent of the land of that State, according to the hearings that I have here, is in Government ownership.

Mr. REED. Mr. President, will the Senator permit a question?

Mr. PITTMAN. Yes.

Mr. REED. Is it or is it not the fact that almost all of the part which is still in Government ownership is mountainous or sterile land? In other words, are not the Government holdings that are not taken out left in that condition because the land is practically of no value? I do not know what the facts are. I am trying to get at them.

Mr. PITTMAN. I am glad the Senator asked that question. That is the general conception outside of the arid States. It is a very natural supposition. The fact that this land has not gone into private ownership would tend to prove that it is worthless.

As a matter of fact, it is not due to that at all. It is due to a lack of knowledge on the part of Congress of the conditions and of the laws necessary to make that land valuable. The western Senators have talked on the floor of the Senate for years with regard to that matter. Every time we have attempted any new legislation that would meet those conditions we have been opposed by very sincere eastern people, not because they knew anything against the legislation but because they feared that we were trying to grab land; that is all. The homestead act is inoperative as to that land. The homestead act, in fact, does not settle any land that requires irrigation to make it fertile and productive.

Under the irrigation projects that are going on in the West we have in Nevada placed under cultivation in the neighborhood of 200,000 acres of land, which is identical with 18,000,000 acres of land that we have left.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. PITTMAN. Yes, sir.

Mr. CHAMBERLAIN. The conditions existing in Nevada are paralleled by the conditions existing in Oregon. If the Senator will permit me to give the figures, I will show just what the situation is in our State.

Mr. PITTMAN. I shall be very glad to have the Senator do so.

Mr. CHAMBERLAIN. In Oregon the area of the State is 61,188,480 acres, of which 36,802,621 acres, or approximately 60 per cent, are withheld or withdrawn from settlement and not subject to taxation. It is estimated that if these lands were subject to taxation they would bring to the State as revenue something like a million and a half of dollars. Now, I assume that the conditions in Nevada are somewhat the same as in Oregon with reference to the character of lands withdrawn.

Oregon with reference to the character of lands withdrawn; and if the Senator will permit me to state the situation just a little further, I will show just what these lands which are withdrawn consist of.

There are in national parks 159,360 acres; national monuments, 480 acres; Indian reservations, 1,275,114 acres; military reserves, 11,116 acres; forest reserves, 15,580,934 acres; power-site reserves, 261,910 acres; reservoir sites, 10,619 acres; coal reserves, 246,561 acres; Oregon-California land grant, 2,400,000 acres; public domain, 16,545,542 acres; State coal lands, which, of course, probably should not be taken into consideration, 541,000 acres; making a total of 36,802,621 acres of land which are absolutely withdrawn from taxation, and from which the State gets no revenue; neither do any of the counties of the State. So that there is very great merit in the contention of the Senator that this allowance ought to be made in any appropriations made under section 6 or under the original road act.

Mr. POMERENE. Mr. President, will the Senator permit a further interruption?

Mr. PITTMAN. Certainly.

Mr. POMERENE. I am impressed with the fact that there is a good deal of force in the position taken by the Senator from Nevada, particularly as applied to these three great trunk roads, if I may call them such, which are to cross the State from east to west; but, as I understand, under this amendment—and I am not clear that I properly construe it—it would be possible under this legislation as adopted for any given county in any particular locality where most of the land was privately owned to have the same benefit, so far as the percentage was concerned, that the State would have if it were building these trunk lines. Now, it seems to me that where the conditions with regard to private ownership are substantially the same in Nevada as they are in our Eastern States, the percentage of Federal aid should be substantially the same in that State as it is in the Eastern States; but if it comes to localities in which the larger portion of the land is Federally owned—and I take it that is true along these three trunk lines that the Senator speaks of—then I can understand why the authorities should have much greater latitude. Do I properly construe the Senator's amendment?

Mr. PITTMAN. I understand the point that the Senator makes; but the situation is this: We will take, for instance, the Overland Trail. The Overland Trail goes through more of the settled country than the other two. It goes through five or six towns. Now, you may say that those five or six towns, having the property in private ownership, should not be excused from paying the full amount of the State's part. Well, they are not excused from paying the full amount of the State's part, because they are the only people that are taxed to pay the State's part.

For instance, 7 per cent of the property of the State is taxable; that is all. Now, whether the 7 per cent of land is on the road or not on the road, whether it is benefited by the road or not benefited by the road, it pays the total portion required of the State. So, when you get down to it it is unnecessary to try to equalize it as between counties or communities, because they pay it. They pay the full tax required of the State, no matter where they are, and under my amendment they will pay the full part. The only question is this: Instead of the State paying one-half, as it is doing now, they tax the people to pay one-tenth, because only one-tenth of the land of the State is subject to taxation. It is absolutely unfair to have the people of a State carry on these great national highways on behalf of a State when they are bearing ten times the burden that the people of any other State are bearing for exactly the same public service.

Mr. THOMAS. Mr. President, of this 10 per cent of the State domain which is subject to taxation a very large portion is mineral, is it not?

Mr. PITTMAN. It is.

Mr. THOMAS. Is it not a fact that taxes upon mines constitute a transient source of revenue, and when the mine is depleted that source ceases, in consequence of which the portion of the domain which will yield a permanent revenue is actually less than 10 per cent?

Mr. PITTMAN. Yes; it is.

Mr. HITCHCOCK. Mr. President, do I understand the Senator to say that at the present time a thousand dollars' worth of real estate in Nevada bears ten times as much tax for public roads as a thousand dollars' worth of real estate would bear in a State that has no Government property?

Mr. PITTMAN. That is exactly the case. In other words, 10 men in Nevada have to bear the burden of 100 men, whereas 10 men in a State where all the land is privately owned bear the burden of 10 men.

I am not appealing for this purely and simply on behalf of my State. I am appealing on behalf of the good roads act. I know that the people of the States in which they have not the land to tax have reached the limit, and they are going to fall down on their part of the contribution to the good roads law unless Congress recognizes the equities of the case and treats them equitably.

Mr. POMERENE. Mr. President, I notice in an allotment sheet which was furnished me yesterday that there has been $3,527,276.18 allotted to Nevada under the acts of 1916 and 1919. May I ask the Senator what portion of that allotment has been consumed by the State of Nevada?

Mr. PITTMAN. I can only speak from memory, but I think about a fourth of that has been exhausted.

Mr. POMERENE. Is that due to the fact that the State authorities have not been able to duplicate the amount which has already been provided by the Federal Government?

Mr. PITTMAN. It was due very largely to the limitation on taxation in the State.

Mr. SMITH of Arizona. Mr. President, I know what the Senator has related is true, not only of the State of Nevada, but it is a common thing in most of that part of the country. The wonder to me is, considering what they have already had to expend on their own roads, the enormous taxation they have placed on themselves for the protection of property of the Government itself, how they ever raised the amount the Senator says they did raise to meet the Government gratuity, if you please to call it such; how the State of Nevada was ever able to do it, with the taxation those people are compelled to carry now.

Mr. PITTMAN. Mr. President, if it were not for the fact that the people of the Western States are so anxious for good roads there would have been no contribution on the part of those Western States, where the majority of the land is not taxable. I thank the Senator from Arizona for calling that to the attention of the Senate.

Stop and think, Senators. The State of Nevada is 300 miles wide, approximately, and there are 3 great trunk lines being built from one border to the other, the benefit of which goes in the proportion of 90 to 10 to people living outside of that State. Those roads are being built as permanent highways. In places they are costing in the neighborhood of $15,000 a mile, and the State of Nevada to-day is putting up nearly one-half of that, when the Government of the United States has a 90 per cent interest in the land. It would be a great misfortune if these States should be forced, by a constitutional or other limitation on taxation, to cease to participate with the Government in the building of these roads.

I heard it said yesterday by some one that this money was being extravagantly spent. I have the report of the highways commission of my State, and I have the report of the governor of my State. The only complaint that I read in those reports was that there were a great many annoying restrictions imposed by the Federal authorities, but in the end the reports stated that the careful supervision by the Federal authorities had resulted in the building of the best roads, and most economically, that had ever been built in the western country.

When you have two parties interested in the money that is being spent, you have a check which you have not when it is being expended under one party. I think the conception of the cooperation of the Federal Government with the States has worked splendidly. The roads are expensive roads, but they are carrying out the theory of Congress, and they are making those roads permanent.

There is just one other question to which I wish to refer. Remember that while the Federal Government assists the State government in the building of these roads, after the roads are built the obligation of the Federal Government ceases. And remember that then the obligation falls upon the State government to maintain those roads forever. The cost of the maintenance of these great State and interstate highways in course of time will be far greater than the initial cost. As a matter of fact, I think that the cost of maintenance for 10 years will be greater than the original cost.

Therefore the interests of this Government require that some equity be done in this particular case, and I therefore sincerely urge that this amendment be agreed to, and that it be agreed to while the legislatures of the Western States are in session, so that they may know that the Government will lift some of these unfair burdens from them and that they may be encouraged to go on with this work.

Congress has already recognized this necessity. The House of Representatives have passed a bill, called the Sells bill, which provides exactly the same remedy I provide by this amendment. That bill is now in the Committee on Post Offices and Post Roads of the Senate.

Mr. POMERENE. Mr. President, as I understand, the Senator has said that this would reduce the proportion of the expense to be met by the States to about 10 per cent of the total in his own State. May I ask the Senator whether he has worked this out so as to give the Senate reasonably accurate information as to the proportion of the total expense which will have to be paid by the State authorities in the other States where there is a substantial amount of Federal-owned land?

Mr. PITTMAN. No; I have not worked that out; but I will now read the proportion of privately owned land, or taxable land, in the public-land States. For instance, in Arizona the taxable land is 45.4 per cent.

Mr. SMITH of Arizona. What is that?

Mr. PITTMAN. Forty-five and four-tenths per cent of taxable land in Arizona. In California it is 78 per cent. In Colorado it is 84 per cent. In Idaho it is 80 per cent.

Mr. POMERENE. Taxable land?

Mr. PITTMAN. The taxable land. In Montana it is 87 per cent. In Nevada they have it 21 per cent. That is an error. The taxable land does not amount to that.

Mr. POMERENE. The State of Nevada has how much?

Mr. PITTMAN. It is simply an error in computation. The figures here show the error in computation.

Mr. SMOOT. Did the Senator say those figures showed the percentage of taxable lands?

Mr. PITTMAN. This is the ratio of patented land and national forests to total area; that is, the percentage.

Mr. SMOOT. I understood the Senator to say those were the percentages of taxable lands.

Mr. POMERENE. That is what I understood the statement to be.

Mr. PITTMAN. This is not all taxable. Part of it is taxable; that is, the patented land. That part of it is taxable, but they have included in the estimate "and national forests." The national forests are not taxable.

Mr. SMITH of Arizona. They form half of some of the States.

Mr. SMOOT. Of course.

Mr. PITTMAN. I am giving the Senator from Ohio the figures. That is the reason of the 21 per cent. They have added in the computation the patented lands, and with them the national forests, and the national forests are nontaxable lands. So the percentages I have read must be reduced. I have no other table at hand, so read the foregoing to give the Senator an idea of the approximate percentages.

Mr. JONES of New Mexico. Mr. President, I should like to ask the Senator if, in his judgment, those percentages to which he has been referring represent the entire equities of those States?

It is apparent to all of us who live in such States that where you have a large body of unentered public land, that means that there have been thousands and millions of acres entered, and perhaps patented, but which have a very low valuation. You must build these roads through the country where the lands have but small value, and if you are going to have permanent roads through that country, the Government must come to the aid of the country in a very much greater degree than is proposed by any legislation submitted to the Senate.

Take the State of New Mexico, 350 miles wide and 400 miles long, with a population of about 360,000, and, while there is a large percentage of the lands in that State not subject to taxation, the lands which are subject to taxation are of small value, compared with the lands in the older States of the Union, and it seems to me that if you are going to get permanent highways through that country, you will have to go even further than the amendment suggested by the Senator from Nevada would go.

The thought has been expressed here that these roads are not permanent roads in the sense we have permanent roads in this section of the country. That is true, and necessarily true. I would ask the Senate to consider for a moment what it would cost to build a concrete road through the State of New Mexico, which is 350 miles wide. There are projected through that State, as through the State of Nevada, at least three great interstate highways. To talk about building those roads of concrete, or of permanent construction, such as we understand by that term in this section of the country, is entirely out of the question, unless the Federal Government should go very much further than it is proposed it shall go. I submit that Senators should consider that when you talk about the mere percentage of lands remaining in Government ownership, you have not even commenced to tell the story, have not even commenced to present the situation that actually exists there, because if you have this great area of country, which is comprised of lands valued at only two, three, four, or five dollars per acre, and undertake to consider that situation as equivalent to the situation which you have in this section of the country, where values go up to forty or fifty or one hundred dollars an acre, you can not put the two situations in the same parallel. There is no comparison between them, and instead of going to the length suggested in the amendment of the Senator from Nevada, I submit that the Government should make the appropriations in those States of this money, and simply impose upon the States the burden of keeping the roads in repair.

Mr. PITTMAN. Mr. President, I want it borne in mind that this amendment does not place any greater burden on the Federal Government than it now bears. It does not change the allotments to the States at all. There is going to be no more money allotted to the Western States under this amendment. It does not change the allotments at all.

The allotment is based on certain principles. The State of Nevada will get out of this fund, we will say, $6,000,000. It is all going to be spent in that State under the good roads act. The question is whether they shall spend 90 per cent on one road or 50 per cent on one road; that is all. We say that in the State of Nevada, where only one-tenth of the property is taxable, that they ought to spend 90 per cent on one road and the State 10 per cent on the same road; that is all.

I do not desire to have anyone get the impression that the amendment which I have proposed in any way places any greater burden on the Federal Government, because it does not. It does not add a dollar to the appropriation. It simply gives the Secretary of Agriculture the power to use that money to complete a road when the completion of the road is necessary and the State is unable to pay 50 per cent of the cost of that particular road. It is to the interest of the Federal Government that the authority be given to the Secretary of Agriculture, so that the great trans-State highways, that are an essential link in the highways across the entire country, can be completed, and completed expeditiously, with the money that Congress has already appropriated for that purpose, and not have to wait until the State, under its constitution, can raise its share of the money.

Mr. SMITH of Arizona. Mr. President, will the Senator permit a suggestion?

Mr. PITTMAN. Certainly.

Mr. SMITH of Arizona. I am strongly sympathetic with the equities of all that the Senator from New Mexico [Mr. JONES] has suggested, but in the future I see very great difficulty in those States maintaining those highways for long periods of time, commencing at an early date in all probability. In the case of the State of Nevada paying 10 per cent and the Government 90 per cent, the only opportunity for those overtaxed people is in the securing of that reduction from 50 per cent to 10 per cent, to enable them to exercise for their own purposes the right of taxation for roads that are essential to the State, but for which the Government itself does not see any propriety in making an appropriation. In other words, we reserve to those people the power to tax themselves to build the essential roads that the Government will not enter into. If we forced them to pay 50 per cent, they would not be able to raise one dollar to carry out any scheme for a county road in the whole State. It seems to me that it is as little as Congress can do to allow the Government to pay its fair proportion of those expenses; otherwise, agreeing with the Senator, it simply kills forever any hope of further road building in the Western States.

Mr. PITTMAN. I might call attention to the fact that it happens that in the public-land States the roads which are being built under the supervision of the Government are more in accord with the intention of Congress than the roads built in any other part of the country. The Lincoln Highway that passes through 8 or 10 of the Western States, the highway that goes through the southern part of Colorado and into New Mexico and Arizona, the Arrowhead Trail that passes through Salt Lake City, Utah, and the highway that passes north through Montana are four great highways that cross nearly all of the public-land States, and in every State they cross they are being improved under the good roads act, while on the other hand it is charged, and it may or may not be true, that in the thickly populated States of the East there is no such general system worked out, and the roads are more of a convenience for use in driving or riding from a settlement to a railroad.

If any good is going to be accomplished under the road act, and I know that it is being accomplished, no greater good can be accomplished than the expeditious building of these great transcontinental roads. It seems to me foolish for the Federal Government to wait 10 years to have those roads built, by reason of the delay on the part of the States to put up 50 per cent of the money, when the money is appropriated by Congress and ready to put into the roads. It simply means that if the Federal Government put the whole appropriation now into the three roads without the assistance of the States, that it ceases to cooperate with the States just that much more quickly, and after that time, if there are any roads built in a State, they have to be built solely at the expense of the State.

It is not an appropriation we are asking at all. We are asking that the Secretary of Agriculture be given authority to put up the necessary money when a State can not afford to do it, and when the State can not do it by reason of not having sufficient taxable property in the State.

Mr. DIAL. Mr. President, yesterday the Senator from Iowa [Mr. KENYON] made the statement that the State of South Carolina had discontinued or was considering discontinuing State aid in the building of public roads. In view of that statement I wired to South Carolina, and I have received two telegrams in reply which I desire to have read by the Secretary in order that they may appear in the RECORD.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

CHARLESTON, S. C., *February 18, 1921.*

Senator N. B. DIAL,
Senate Office Building, Washington, D. C.:

Wiring you day letter protesting against Senator KENYON'S statement and action. South Carolina Legislature urged passage of Federal aid act, and State highway commission has in sight several times amount necessary to match Federal aid.

R. GOODWYN RHETT,
Chairman State Highway Commission.

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COLUMBIA, S. C., *February 18, 1921.*

Senator N. B. DIAL,
United States Senate, Washington, D. C.:

Statement that South Carolina has ceased to appropriate funds to meet Federal aid for roads erroneous. We will have much more money for permanent road building than is necessary to comply with Federal act. Do not understand how Senator KENYON got his information.

R. A. COOPER, *Governor.*

The day letter referred to was subsequently ordered to be printed in the RECORD, as follows:

CHARLESTON, S. C., 11.36 a. m.—18.

Senator NATHANIEL B. DIAL,
Senate Office Building, Washington, D. C.:

I have just sent Senator KENYON the following telegram:

"Your motion to exclude South Carolina from participation in Federal aid funds 's obviously based upon misapprehension facts. Our legislature almost unanimously requested passage of this Federal aid act; that applications are already with this department covering with State funds all Federal aid funds thus far provided for South Carolina, and she is prepared to cover promptly all appropriations which could come to her under that act. Moreover, she is now calling for bids on costly bridges over the Peedee, Santee, Wateree, and middle Savannah Rivers, and is in need of these funds, amongst other things, for a bridge over the lower Savannah River, and all such bridge projects on this coast are important for national defense. The last two legislatures authorized bond issues and made appropriations for over $20,000,000 for road building in this State. We may be late in starting, but before this fund is expended we will be glad to challenge Iowa to a comparison of highways."

Can not imagine foundation for KENYON'S statement unless it was proposal of House to repeal 2-mill tax. This would have no bearing whatever upon the State's ability to match Federal funds. The counties already have been authorized to issue bonds far in excess of amount necessary to match Federal funds, and are earnestly calling upon us for it from every direction. The 2-mill tax would aggregate less than $1,000,000. There are bond issues already authorized for work on State highways aggregating over $15,000,000.

R. GOODWYN RHETT,
Chairman State Highway Commission for South Carolina.

Mr. TOWNSEND. Mr. President, the subject of the amendment offered by the Senator from Nevada [Mr. PITTMAN] has had my consideration for some time. Indeed, a bill which I drew more than a year and a half ago, and before any of the Senators from the public-land States had even called my attention to it, contained a provision which I hoped to incorporate in any measure which might be enacted upon the subject.

I am in hearty sympathy with the proper recognition of the public-land States along the lines suggested by the Senator from Nevada. I, in fact, would go further than even he proposes in reference to the roads built through the public domain. But here is the situation which the Senator hopes to obviate through his motion to suspend the rules: He proposes, when no additional appropriation has been granted but has been denied, to amend the present arrangement which has been entered into, even the contracts which have been entered into between the Federal Government through its highway department and the State departments, and even with contractors, to build the roads under the present law.

The proposition has been considered by the Committee on Post Offices and Post Roads of the Senate, and a bill is now on the calendar which I think is more definite and clear than the amendment proposed by the Senator from Nevada. The reason that bill has not been pressed has been that the House of Representatives, as we know, has divided the powers of the former Post Office and Post Roads Committee in reference to appropriations. The power to appropriate has been taken away from the Committee on the Post Office and Post Roads and conferred on the Committee on Appropriations. Now, naturally the Committee on the Post Office and Post Roads insist that the legislative power shall still rest with it. The amendment could not be adopted under the rules of the House because the Committee on the Post Office and Post Roads will insist on carrying it to that committee.

I wish to say to the Senator from Nevada, in furtherance of the statement as to my attitude on the question and my interest in it as demonstrated by amendments or bills before the Senate, that when the Committee on Post Offices and Post Roads of the Senate take up the question at the very beginning of the next session this proposition will be included, because I have found but very little objection to it. The Senator from Tennessee [Mr. MCKELLAR] did not quite understand it, and was rather opposed to it; but I think when anyone understands the proposition he will see that special arrangements should be made for the benefit of the public-land States in regard to the distribution of the money which goes to that State. I am not clear but that there should be a different method of appropriation even to the public-land States. I am not clear that the proposed amendment, or even the one that has been proposed by the Senate committee, would mete out exact justice to the public-land States. It is a question which should be given careful consideration at a very early date. We can not frame this law on the floor of the Senate.

Mr. JONES of New Mexico. Mr. President——

Mr. TOWNSEND. I will yield in just a moment. We can not frame this provision on the floor of the Senate with all the obstacles which may be presented, but we propose to remedy that defect; and if the proposition carrying an appropriation of $100,000,000 had been carried, I had an amendment prepared to propose to it covering the very subject which the Senator from Nevada has proposed.

I now yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I suppose the Senator refers to Senate bill 4899?

Mr. TOWNSEND. The Phipps bill.

Mr. JONES of New Mexico. Yes; the Phipps bill. I should like to inquire of the Senator whether there has been serious objection on the part of anyone in the Committee on Post Offices and Post Roads to incorporating that bill as an amendment to the pending appropriation bill?

Mr. TOWNSEND. There is very serious objection. When we start to amend the present law, it ought to be considered in all its relations. It ought to be considered by the right committee. Here is an appropriation bill that is proposed by the Committee on Appropriations in the House of Representatives. The amendment and the proposition should be considered by the Committee on the Post Office and Post Roads of the House. Then we can consider it in our committee and submit it to conference with the hope that it may be accepted. We can not do it in the manner proposed here.

Mr. JONES of New Mexico. I assume that legislation, such as that suggested in the so-called Phipps bill, will meet with the approval of the Committee on Post Offices and Post Roads of the Senate and that they will favorably report it.

Mr. TOWNSEND. We have already reported it out.

Mr. JONES of New Mexico. When it goes to the House, if it should go there as a part of the pending appropriation bill now before the Senate, I do not think there is any reason why we should assume that the Appropriations Committee of the House would insist on cutting it out.

Mr. TOWNSEND. No; but I suppose that the Committee on the Post Office and Post Roads of the House would do so. They have already given notice that they would do it, and that it must be considered by them.

Mr. JONES of New Mexico. If they should assume that responsibility, it seems to me we still shall have performed our duty if we do the thing which the Senate thinks should be done.

Mr. TOWNSEND. I do not care to imperil the proposed legislation. I should dislike to have the amendment rejected, because I know the principle is right. I think we shall make no progress by trying to put the proposition on as an amendment to the pending appropriation bill.

Mr. JONES of New Mexico. May I inquire of the Senator how we could possibly lose any ground by putting it on the bill?

Mr. TOWNSEND. Supposing it is stricken out in the other House or they refuse to let the appropriation bill be considered as they may do under their rules. They can instruct their conferees in reference to this matter, and they must do so.

Mr. JONES of New Mexico. Then we shall be in no worse position than we now are.

Mr. TOWNSEND. We shall be in a worse position in this respect: I would be in the position as the chairman of the committee of consenting to legislation of this kind which should be considered in conjunction with another specific bill or as an amendment to the roads bill.

Mr. JONES of New Mexico. It seems to me that we are confronted with just this situation: Here is a matter about which the Senate appears to be in entire agreement. The Post Office Committee, the Appropriations Committee, and everybody whose voice has been raised in connection with the subject seem to be in entire agreement.

Mr. TOWNSEND. There have been a number of questions as to which that is true, but they would not be in order on an appropriation bill.

Mr. JONES of New Mexico. I understand it is not in order, but the Senate has a right to make it in order by a suspension of the rule.

Mr. TOWNSEND. Of course, if two-thirds of the Senate wish to do it, I shall abide by their decision.

Mr. JONES of New Mexico. The so-called Phipps bill embodies precisely the idea which is proposed in the amendment of the Senator from Nevada [Mr. PITTMAN], and it contains an additional suggestion, a new section which was inserted by the committee, which I think is a very appropriate one. If we can, under a suspension of the rule, get before the Senate the amendment proposed by the Senator from Nevada, then we may take it up and substitute the bill which has been reported by the Committee on Post Offices and Post Roads for the amendment of the Senator from Nevada.

Mr. TOWNSEND. That is true, but, as I have stated, I do not think that is in order, or that the question of extending the use of the unexpended balance already appropriated for good roads should be considered in connection with the pending bill. If we do not pass appropriate legislation early in the special session, the appropriation can be extended by joint resolution of the two Houses without any question at all.

Mr. JONES of New Mexico. I desire to state to the distinguished chairman of the committee that the State of New Mexico to-day has just about reached its limit, and in order to raise any more funds with which to meet even the funds which are proposed to be expended on the part of the Government it will be necessary in that State to have a State-wide election. That can not be had until the general election of next year. We have practically got to amend the constitution of the State in order to meet this requirement, owing to the limitation upon the rate of taxation. I am sure that it would be in the interest of the very legislation which we all approve if the so-called Phipps bill could be considered now and help out that situation and let the work go on to a greater extent than it has been going on. Inasmuch as the proposed amendment is satisfactory to everybody, I must confess that I am unable to see the force of the argument that because the other House might not be willing to give the matter consideration on account of parliamentary reasons we ourselves should decline to take action.

Mr. TOWNSEND. I am not admitting that everybody is satisfied with this proposition, for there have been many questions asked and many doubts expressed in reference to it. I think it is right and I think we can carry it; when the proposition is submitted on its merits, I have not any doubt what will be done with it; but I am opposed at this time to framing legislation on an appropriation bill on the floor of the Senate. Therefore, I hope we may have a vote on the proposition to suspend the rule, in order that we may determine whether or not two-thirds of the Senate wish to attach the legislation to the pending bill. If no other Senator wishes to speak, I will ask for a quorum.

Mr. SMITH of Arizona. Mr. President, I merely wish to say a few words, addressing myself in particular to the chairman of the committee. I do not desire to delay the passage of the bill, but I am unable to perceive any reason for delaying an exigent matter, such as this, on the pretense or, rather, the ground, for I would not use the word "pretense" in connection with anything suggested by the Senator from Michigan, that the legislation may fail in the other House, or on the ground of our opposition to legislation on appropriation bills. That is hardly an appropriate basis for contesting the amendment, in view of the exigent condition of that section of the country for which the plea for action is now made.

It is impossible for a number of the Western States to raise their fifty-fifty proportion of money for the building of good roads. They are burdened almost to the extent of bankruptcy to-day. My State is as large as Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and a part of Pennsylvania. Under those circumstances it is preposterous to talk about the people of my State, with a population of 350,000, building roads for 300 miles in different directions and putting up the money on a fifty-fifty basis with the Government, with the Government laying out the roads, with an absolute inhibition against the State making a selection as to where they themselves wish to spend the money.

Senators, I wish to say that delay in the enactment of the legislation proposed is going to make a wreck of public-road building in the Western States. We can relieve the situation right now by the chairman of the committee consenting to let the amendment go on the bill and do the best he can in conference. There would be no objection on the part of any of the friends of the measure—and none of us is more ardently in favor of it than is the chairman—if the chairman should let the amendment go on and it should be stricken out. We would realize that our conferees could not secure its retention, but at least we would know that we had the backing of the Senate behind any further attempted legislation in the same direction.

As I said in the beginning, it seems to me that it is hardly an adequate answer to the proposition to cite the objection which we all have to legislation on appropriation bills, for no longer than the other day the Senate set aside its rule by a two-thirds vote in order that there might be legislation on an appropriation bill. I voted for the suspension of the rule; I do not know how the chairman voted, but it is essential for the Senate at times, especially under the peculiar conditions of which the Senator from Michigan speaks, which now obtain in the House of Representatives, for the Senate to act as it best may to bring before the other House under its changed rules the sense of the Senate on important questions such as this.

I can not do more than appeal to the Senate to allow the amendment to go into the bill, for I know as well as I know I am standing here the absolute ruin that will ensue to certain States in the West in connection with the road-building program unless such action is taken.

The magnificent impetus that has been given to the building of roads in the various States through Federal aid is a source of congratulation to all the people. More roads of the proper kind have been built in the last 10 years in the United States than in any previous 50 years in our history. All that has been done by means of the little encouragement that has been accorded to the States. They, as a matter of fact, are putting up five or six times more than the Government, but in this instance we are dealing with States which can not put up any more. One county of my State has taxed itself $4,000,000 for the purpose of building roads. The population of New Mexico is scattered over a section, as I have indicated, as large as the New England States. Suppose the people of New England started to build a road from Maine to Rhode Island; it would run through a thickly populated section and would involve a great distance, but even such a road would be less in extent than a road from the border line of Arizona on the east to the border line of California on the west. Yet through the section of New England many rich people live, whereas in New Mexico the population is scattered, and, outside of isolated communities, there is very little wealth.

Furthermore, fully 90 per cent of that great State is comprised in public lands on which settlement can not be made under the laws now pertaining to those lands or else it is held in Indian reservations, military reservations, forest reservations, and national parks. The lands so held in Government reservations include 75 per cent of the best lands in the State. So the people there stand absolutely helpless. The Government ought to build the roads itself and put on us only the burden of maintaining them, and even that would be a burden greater by two to one than any of the Eastern States will bear because of their contributions toward the construction and preservation of the roads.

Mr. President, I am sorry to disagree with the chairman of the committee. I rarely disagree with anything that my friend, the Senator from Michigan, suggests, but I should like to appeal to him to allow this matter to be presented to the House of Representatives in connection with this bill. If there shall be any objection in the House because of the fact that it has already reported favorably a bill for a similar purpose and with the same intent, if the House says, "This is not the way we like to legislate," no one on this side will criticize the conferees on the part of the Senate for not keeping the item in the bill.

Mr. TOWNSEND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GAY in the chair). The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gay	La Follette	Smith, S. C.
Ball	Gerry	Lenroot	Smoot
Beckham	Glass	Lodge	Spencer
Borah	Gooding	McCumber	Stanley
Brandegee	Gronna	McKellar	Sutherland
Calder	Hale	McNary	Thomas
Capper	Harris	Moses	Townsend
Chamberlain	Harrison	Myers	Trammell
Colt	Heflin	Nelson	Underwood
Curtis	Henderson	New	Wadsworth
Dial	Hitchcock	Phelan	Walsh, Mass.
Dillingham	Jones, N. Mex.	Phipps	Walsh, Mont.
Edge	Jones, Wash.	Pittman	Warren
Elkins	Kellogg	Poindexter	Williams
Fall	Kendrick	Pomerene	Willis
Fernald	Kenyon	Ransdell	Wolcott
Fletcher	Keyes	Sheppard	
France	Kirby	Simmons	
Frelinghuysen	Knox	Smith, Ariz.	

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from Nevada [Mr.

PITTMAN] to suspend the rule in order to make in order the amendment that he has offered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I am unable for the moment to get a transfer of my pair, and withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence, I withhold my vote.

Mr. HENDERSON (when his name was called). Making the same announcement as before relative to my pair, I vote "yea."

Mr. POMERENE (when his name was called). I have a pair with the senior Senator from Iowa [Mr. CUMMINS], who is absent. I, therefore, withhold my vote.

Mr. THOMAS (when his name was called). Has the senior Senator from North Dakota [Mr. MCCUMBER] voted?

The PRESIDING OFFICER (Mr. ASHURST in the chair). That Senator has not voted.

Mr. THOMAS. I have a standing pair with the senior Senator from North Dakota, and I therefore withhold my vote.

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the junior Senator from Vermont [Mr. PAGE], and will vote. I vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I understand that if he were present he would vote as I shall vote, and I therefore feel at liberty to vote. I vote "nay."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. MYERS. I have a pair with the Senator from Connecticut, which I transfer to the Senator from Missouri [Mr. REED], and will vote. I vote "yea."

Mr. SMITH of South Carolina. Has the Senator from South Dakota [Mr. STERLING] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. SMITH of South Carolina. I have a general pair with that Senator, and, not knowing how he would vote, in his absence I withhold my vote.

Mr. DILLINGHAM (after having voted in the negative). I observe that the senior Senator from Maryland [Mr. SMITH] has not answered to his name. Having a pair with him, I am compelled to withdraw my vote.

Mr. MCCUMBER. I have a general pair with the Senator from Colorado [Mr. THOMAS], who is out of the Chamber and has announced the pair. I therefore withhold my vote.

Mr. EDGE. I have a pair with the Senator from Oklahoma [Mr. OWEN]. Not being able to secure a transfer, I will withhold my vote. If at liberty to vote, I should vote "nay."

Mr. FERNALD. I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the senior Senator from Indiana [Mr. WATSON] and vote "nay."

Mr. WILLIAMS. I inquire whether the senior Senator from Pennsylvania [Mr. PENROSE] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. WILLIAMS. I transfer my pair with that Senator to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "yea."

Mr. WARREN (after having voted in the affirmative). I ask if the junior Senator from North Carolina [Mr. OVERMAN] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. WARREN. Then I will withdraw my vote, because I have a pair with that Senator.

Mr. JONES of Washington (after having voted in the negative). Has the senior Senator from Virginia [Mr. SWANSON] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. JONES of Washington. He is necessarily absent from the Chamber on business of the Senate, and I have agreed to take care of him during these absences. Therefore I withhold my vote. If at liberty to vote, I should vote "nay."

The roll call resulted—yeas 33, nays 31, as follows:

YEAS—33.

Ashurst	Gooding	McKellar	Stanley
Beckham	Harris	McNary	Trammell
Borah	Harrison	Myers	Underwood
Chamberlain	Heflin	Phelan	Walsh, Mass.
Dial	Henderson	Pittman	Walsh, Mont.
Fall	Hitchcock	Ransdell	Williams
Fletcher	Jones, N. Mex.	Sheppard	
Gay	Kendrick	Simmons	
Gerry	Kirby	Smith, Ariz.	

NAYS—31.

Ball	France	La Follette	Smoot
Brandegee	Frelinghuysen	Lenroot	Spencer
Calder	Gronna	Lodge	Sutherland
Capper	Hale	Moses	Townsend
Colt	Kellogg	Nelson	Wadsworth
Curtis	Kenyon	New	Willis
Elkins	Keyes	Phipps	Wolcott
Fernald	Knox	Poindexter	

NOT VOTING—32.

Culberson	Jones, Wash.	Owen	Smith, Ga.
Cummins	King	Page	Smith, Md.
Dillingham	McCormick	Penrose	Smith, S. C.
Edge	McCumber	Pomerene	Sterling
Glass	McLean	Reed	Swanson
Gore	Newberry	Robinson	Thomas
Johnson, Calif.	Norris	Sherman	Warren
Johnson, S. Dak.	Overman	Shields	Watson

The PRESIDING OFFICER. On the motion of the Senator from Nevada [Mr. PITTMAN] to suspend paragraph 3 of Rule XVI, the yeas are 33, the nays are 31. Two-thirds of the Senators present not having voted in the affirmative, the motion is rejected.

Mr. HEFLIN. Mr. President, a little while ago, when the Senate was considering the motion to suspend the rule to make in order the amendment of the Senator from Virginia [Mr. SWANSON], in the course of the debate the distinguished Senator from Michigan [Mr. TOWNSEND], the chairman of the Committee on Post Offices and Post Roads, made the statement that large sums of this Federal aid for road construction had been wasted, and that there was no question about it. I was surprised to hear the chairman of that committee make that statement, and I did not want it to go unchallenged. I had never heard the charge made before, so I questioned the statement. Being one who did not agree with the statement, I did not want it to appear in the RECORD that all Senators present agreed to the proposition that a large amount of that money has been wasted. So I called up the Bureau of Roads in the Agricultural Department; I talked with the chief of that bureau, Mr. McDonald, and he said that no complaint of money wasted, as suggested by the Senator from Michigan, had ever come to him. It was my impression that this money had been honestly handled that caused me to challenge the statement of the Senator from Michigan. I should not wonder that some money, in carrying out a great program of this character, might be unwisely spent and there might be some waste; but the statement that a large amount of this good-roads fund had been wasted was news to me, and I could not agree to that statement of the Senator.

In all these road projects, Mr. President, the State must cooperate with the Federal Government. The road must be designated by both the State and Federal Governments. The road authorities in the State must pass upon it; the road authorities of the Federal Government must pass upon it; and then they cooperate in working out the proposition of building the road; and in all the work that has been done in this country I have never heard the charge of graft connected with it, not the graft of a single dollar; and I want to say, Mr. President, for those who have had charge of the construction of the highways of this country, that they are entitled to be complimented; they are entitled to have words of praise expressed about them, because in all this great work there has been no charge of graft whatever. Mark you, they have handled millions and hundreds of millions of dollars, and I say their splendid conduct is entitled to words of commendation and praise at the hands of the Senate. Knowing something about this great road work, having been an advocate of good-roads construction ever since I have been in Congress, I was surprised when the Senator from Michigan made the statement he did this morning, and I wanted to enter my protest against that statement. As I said before, I have talked with the chief of the Bureau of Roads upon the subject, and I am sure that the Senator from Michigan is mistaken in what he had to say about it.

Mr. MCKELLAR. Mr. President, I was asked by a number of rural carriers in my State to offer an amendment to this bill providing for an equipment cost. I have not offered the amendment, and the reason is that a majority of the committee was of the opinion that no postal legislation should be placed upon this bill at all, except in one or two minor particulars, to which it is unnecessary for me to refer now.

The Rural Delivery Service in the United States is about 23 years old. It was begun largely through the efforts of the Hon. Thomas E. Watson, of Georgia, then a Member of the House of Representatives and now a Senator elect, when the experiment was first made. Its evolution and success have been remarkable. It is now a vital and inseparable part of the greatest postal system in the world. It serves approximately 30,000,000 people, or nearly one-third of our entire population. It gives to the

great majority of our rural population daily mail. It gives them an intimate contact with the outside world. It gives them their mail at their front gates. It gives them the daily newspapers. With the introduction of the parcel-post as a part of the system, it allows the residents of rural communities to buy directly from the cities, when they so desire and when it is to their interest to do so. It also gives them the opportunity of selling many of the products of the farm directly to city buyers, thus being an enormous advantage to both producer and consumer.

It facilitates an exchange of commodities at nominal cost. Its convenience to the rural public knows no bounds. Its educational value in the way of supplying educational reading matter of all kinds can not be overestimated. Its importance and value to the rural resident in the way of adding to his comfort, to his success, to his happiness, to his learning, and to his material benefit can not be doubted.

The Rural Delivery Service is the forerunner of good roads. As soon as a mail route is established over a road, the very next step is to improve the road. It was only under the constitutional authority to establish post roads that the Federal Government was ever induced to lend its aid to road building, an aid that has probably done more to secure the building of good roads in this country than any other one fact, not even excepting the fact of automobiles. When we remember that the marvelous way in which roads build up a country and the enormous saving in the cost of transportation by reason of having good roads, we can only then fully understand the importance of this aspect of the rural mail service.

Again, Mr. President, our Nation is confronted with the vital question as to how more of our boys and girls can be kept on the farm. For the past generation they have been flocking to the cities. The census of 1920 shows that a majority of our entire population now resides in the cities, for the first time in our history. In my own State of Tennessee, 36 of 95 counties in the State have lost in population, while only 11 increased over 5 per cent. Everyone realizes that this is not a good condition. We must improve it. We must make country life more endurable. We must make it more attractive. We must improve and build up the rural-delivery service, the parcel post, continue to secure better roads, better banking facilities for the farmers, so that they can improve their farms, build better homes and improve their lands, give their children better schools and schoolhouses, continue to teach them the most improved methods of farming, and the time is here when more attention should be given to rural recreation and amusement.

Having these things in view, Mr. President, we should take no backward step on the subject of Rural Free Delivery Service. We should pay the rural carriers in the same way that we pay for city and interstate service. For the Railway Mail Service we have up-to-date mail cars and equipment. In addition, railway mail clerks receive an allowance of $2 per day for meals while away from home on duty. Employees of the City Delivery Service are provided with everything necessary for the performance of their duty and this is right. They are furnished with car fare for transportation to and from their posts of duty. Mounted city carriers and collectors have vehicles furnished which the Government provides at an expense that has been estimated to be from $1,000 to $1,800. The pay of these men in the City Delivery Service is just about the same as the rural carriers receive, but the rural carriers are discriminated against in that they receive no equipment. They have to furnish their own horses and vehicles or automobiles, and must keep them at their own expense. The salary of a rural carrier on a standard route of 24 miles is $1,800 per year. Out of this salary the rural carrier is obliged to provide and maintain the equipment necessary to perform the services required. The result is that probably more than one-third of the carrier's salary is paid out for equipment and the cost of maintaining the same. The consequence is that the rural carrier much prefers to get a place in the same service in the city, and often does, and hence one of the reasons for the trekking from the country to the city.

Mr. President, the rural carrier is not asking for more salary. He is satisfied with the salary that the recent commission on readjustment of salaries gave him, but he does ask that he be granted a reasonable sum to assist in defraying the expenses of maintaining the equipment used in the performance of his duty, to be paid as a separate allowance apart from the said salary, as substantially is given to the city carrier, and in this request, it seems to me, that he is clearly within the bounds of reason. Of course, Mr. President, I know that on an appropriation bill that this provision can not be placed, as it is legislation, and our committee has decided that legislation of this kind shall not be placed on this appropriation bill. If it were permissible, under our rule, I should offer an amendment giving to the rural carrier this allowance. For the reasons I have given, I think it but fair and just, and at the first opportunity I shall avail myself of the privilege to offer, by way of bill or amendment, such a provision to be enacted into law.

The PRESIDING OFFICER. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. TOWNSEND. Mr. President, I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees.

The motion was agreed to; and the Presiding Officer appointed Mr. TOWNSEND, Mr. MOSES, Mr. PHIPPS, Mr. BECKHAM, and Mr. HENDERSON conferees on the part of the Senate.

RESTRICTION OF IMMIGRATION.

Mr. DILLINGHAM. Mr. President, I move that the Senate proceed to the consideration of House bill 14461, which is known as the immigration bill, so as to make it the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, which had been reported from the Committee on Immigration with an amendment to strike out all after the enacting clause and to insert a substitute.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. LODGE. Mr. President, I ask unanimous consent that the unfinished business, the immigration bill, may be temporarily laid aside so that I may call up the Diplomatic and Consular appropriation bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, which had been reported from the Committee on Foreign Relations with amendments.

Mr. LODGE. I ask that the formal reading be dispensed with, and that the bill be read for amendment, the committee amendments to be considered first.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and that course will be followed.

MEMORIAL TO THE DEAD OF THE FIRST DIVISION.

Mr. BRANDEGEE. Mr. President, there is on the calendar a joint resolution of six or eight lines providing for the erection of a memorial statue to the dead of the First Division of the American Expeditionary Forces in the late war, and I ask the Senator from Massachusetts to yield to me for a moment to have it considered.

Mr. LODGE. I will yield gladly, if it does not give rise to debate.

Mr. BRANDEGEE. If it gives rise to any debate at all, I will withdraw it. It is the unanimous report of the Committee on the Library.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 226) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War, which was read, as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant the Memorial Association of the First Division, United States Army, permission to erect, on public grounds of the United States in the city of Washington, D. C., south of the State, War, and Navy Building, and east of the Corcoran Art Gallery, a monument to the dead of the First Division, American Expeditionary Forces, in the World War: *Provided*, That the site chosen and the design of the monument and pedestal shall be approved by the National Commission of Fine Arts.

Mr. BRANDEGEE. Mr. President, I will say, in explanation of the joint resolution, that it will cost the Government nothing. The Commission of Fine Arts have made a report upon the project. The site is subject to the approval of the Commission of Fine Arts, and of course the selection of the monument is subject to their approval. I hope there will be no objection to the joint resolution, and I ask that the letter from the Commission

of Fine Arts and the argument which was submitted to the Committee on the Library in favor of the passage of the joint resolution may be printed in the RECORD in connection with it.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE COMMISSION OF FINE ARTS,
1729 New York Avenue, Washington, January 13, 1921.

MY DEAR SENATOR BRANDEGEE: Replying to your letter of January 8, requesting from the Commission of Fine Arts a report to the Library Committee of the Senate on Joint Resolution 226 entitled "A joint resolution authorizing the erection on public grounds in the city of Washingon, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War," I have the honor to inform you that the Commission of Fine Arts has examined the possible sites in the District of Columbia for such a memorial, and has taken into consideration the fund available for the payment thereof. The commission favors a site south of the State, War, and Navy Building and north of B Street, the exact point to be located when the design of the monument shall be established. If Congress shall determine upon this site the design of the monument will have to be considered wih reference to the treatment plan for this area and the semipublic buildings which line Seventeenth Street opposite the location. By giving careful study to these elements of the problem, together with the design of the monument itself, a fitting and harmonious result can be achieved.

Sincerely, yours,

CHARLES MOORE, *Chairman.*

Hon. FRANK B. BRANDEGEE,
United States Senate.

Argument presented with a joint resolution for the erection of a monument to the dead of the First Division, American Expeditionary Forces, in the World War.

When the United States entered the World War, the small Regular Army was employed largely along the Mexican border. It became necessary to organize and dispatch, as promptly as possible, an expeditionary force to France. Gen. Pershing personally selected from the troops that were under his command in Texas, the regiments and corresponding units that eventually composed the First Division, American Expeditionary Forces. Embarkation began at Hoboken on June 13, 1917, and by the middle of September all of the division was assembled in the training areas in Lorraine and Alsace, near the battle lines and within sound of the enemy's guns.

In October and November, 1917, the different elements spent periods of 10 days each in the Somervillier sector, where they completed their training by sharing with the French troops the defense of the sector. Here they were subjected to violent raids and bombardments and they suffered their first casualties. The bodies of the first men to fall were buried at Bathlemont, where the people of Lorraine have erected, in loving memory a monument bearing the Cross of Lorraine and an inscription that will for all time tell the passerby of these first sacrifices of the American Army in the cause of humanity.

After a further period of training for open warfare, during the rigorous winter of 1917–18, the First Division entered the battle line in Lorraine, north of Toul, in the middle of January, 1918, where it took over a defensive sector. Here it sustained its position and became the object of particularly vicious raids and gas and shell bombardments by the enemy. Its losses, and the dangers and hardships, developed the troops into veterans.

When, therefore, the great German offensive began on March 21, 1918, and the commander in chief placed his forces at the disposal of the Allied High Command, the First Division was dispatched to Picardy to help stem the enemy's progress on that front. The division entered the Cantigny sector, relieving two French divisions, and became engaged in almost continual battle. Among its achievements was the assault and capture of the town of Cantigny and the enemy's position over a front of 2,000 yards and a depth of 1,200 yards. This first American offensive came at a psychological moment and produced a marked effect on friend and foe by showing that the American soldier was at least the equal of the veteran troops of Europe.

On July 9 the division was relieved by two French divisions, and on July 12 it began a series of forced night marches to the northwest of Paris. On July 18 the division attacked as the left division of the Twentieth French Corps, which formed the spear-head of the allied offensive southwest of Soissons. For five days and nights it fought desperately, overcoming the enemy's selected troops at this point. It advanced more than nine kilometers and contributed in a determining degree to the withdrawal of the enemy from the south bank of the Marne and to compelling him to begin that retreat which ended only with the armistice. Here the division remained longer in battle without reinforcements than any other in the Tenth French Army. It suffered losses amounting to 50 per cent of its combat troops.

From the battlefields of Soissons the division proceeded again to Lorraine, where it took over a defensive sector. On September 12 it attacked in the St. Mihiel offensive as the left division of the southern line, thus occupying a critical post in the operation. It took all objectives on schedule time, and continued the advance until it met the Twenty-sixth Division from the north, early on the morning of September 13.

On September 30, after arduous night marches across the rear of the First American Army, it entered a critical point of the line in the great battle of the Meuse-Argonne. Here it fought desperately for 11 days, overcoming the enemy's determined resistance and suffering losses which again amounted to more than half of the troops engaged. It conquered a series of strong positions, and the effect of its successes contributed greatly to the enemy's withdrawal. For its brilliant performance the commander in chief gave it the only individual citation issued from the headquarters of the American Expeditionary Forces.

In spite of its hardships and losses, the First Division took its place as reserve of the Fifth Army Corps for the decisive assault of November 1. On November 5 it entered the line and advanced to the Meuse River at Mouzon. That night it pressed its advantage in the direction of Sedan, and the morning of November 7 found its regiments on the hills across the river from that fortress. From here it was withdrawn for another operation that was being prepared by the Second American Army.

The division entered Germany with the army of occupation and occupied a sector of the Coblenz Bridgehead. Just as it was the first to go, so it was the last to return, and it reached New York on September 6, 1919.

During the division's campaigns and battles its losses amounted to 249 officers and 5,040 enlisted men killed in action or died of wounds, and 641 officers and 19,090 enlisted men wounded in action.

Before leaving Germany the division secured funds from private sources and erected five monuments on the principal battlefields bearing in bronze the names of all who fell on each field. Immediately upon returning to the United States the First Division Memorial Association began to raise funds for the erection of a worthy monument in the city of Washington which should bear in honor the names of those who gave their lives in its ranks, and which should preserve forever their spirit of courage and sacrifice as an inspiration to our people. At present the fund amounts to $120,000, and it is intended to increase the sum to $150,000. It is proposed to secure a suitable design, which will not only fulfill the purpose desired but which will be an ornament to the National Capital.

After considering many sites, the one selected has been chosen for the following reasons:

(a) Its location adjacent to the State, War, and Navy Building appears to be peculiarly appropriate.

(b) The White House grounds on one side and the Corcoran Art Gallery on the other guarantee the dignity of that section of the city.

(c) The park and the surrounding open spaces incident to it insure against the construction of large buildings which might dwarf the monument.

(d) Its location near a portion of Seventeenth Street, which has been dedicated to the beautiful edifices already constructed, insures the future preservation of the beauty of that portion of the city.

(e) The immediate site itself independent of its general advantages is admirably adapted to the approach to the monument.

The First Division has earned the gratitude of the American people and of the American Government, and it is fitting that it should receive the consideration that is requested in the attached joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922.

The PRESIDING OFFICER. The Secretary will read the bill for action on the committee amendments.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Foreign Relations was, on page 2, line 4, before the name "Spain," to strike out "and," and after the name "Spain," to insert "and Turkey," and in line 5, after the word "each," to strike out "$210,000" and insert "$227,500," so as to read:

SALARIES OF AMBASSADORS AND MINISTERS:

Ambassadors extraordinary and plenipotentiary to Argentina, Belgium, Brazil, Chile, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Spain, and Turkey, at $17,500 each, $227,500.

The amendment was agreed to.

The next amendment was, on page 2, after line 16, to strike out:

For ambassador extraordinary and plenipotentiary to Turkey, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, line 23, to increase the total appropriation for salaries of ambassadors, ministers, etc., from "$576,000" to "$588,500."

The amendment was agreed to.

The next amendment was, on page 3, line 11, to strike out "$354,000" and insert "$404,000," so as to read:

For salaries of secretaries in the Diplomatic Service, as provided in the act of February 5, 1915, entitled "An act for the improvement of the foreign service," as amended by the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917, approved July 1, 1916, and the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, approved June 4, 1920, $404,000.

The amendment was agreed to.

The next amendment was, on page 3, line 18, to increase the total for salaries of secretaries, etc., in the Diplomatic Service, from "$378,600" to "$428,600."

The amendment was agreed to.

The next amendment was, on page 4, line 6, to increase the appropriation for employment of necessary clerks at the embassies and legations from "$300,000" to "$480,000."

The amendment was agreed to.

The next amendment was, on page 4, after line 8, to insert:

SALARIES, INTERPRETERS TO EMBASSIES AND LEGATIONS:

Interpreter to legation and consulate general to Persia, $2,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 11, to insert:

Interpreter to legation and consulate general to Bangkok, Siam, $2,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to insert:

For 10 student interpreters at the embassy to China, who shall be citizens of the United States and whose duty it shall be to study the Chinese language with a view to suppling interpreters to the embassy and consulates in China, at $1,500 each, $15,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan:

And provided further, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in China so long as his services may be required within a period of five years.

Mr. LODGE. On page 4, in lines 14, 17, and 22, I move to amend the amendment by striking out the word "embassy" in each place and insert in lieu thereof the word "legation." It is a misprint.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, at the top of page 5, to insert:

For the payment of the cost of tuition of student interpreters in China, at the rate of $350 per annum each, $3,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to insert:

For six student interpreters at the embassy to Japan, who shall be citizens of the United States and whose duty it shall be to study the Japanese language with a view to supplying interpreters to the embassy and consulates in Japan, at $1,500 each, $9,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in Japan so long as his services may be required within a period of five years.

The amendment was agreed to.

The next amendment was, on page 5, after line 13, to insert:

For the payment of the cost of tuition of student interpreters at the embassy to Japan, at the rate of $200 per annum each, $1,200.

The amendment was agreed to.

The next amendment was, on page 5, after line 16, to insert:

For four student interpreters at the legation to Turkey, who shall be citizens of the United States, and whose duty it shall be to study the language of Turkey and any other language that may be necessary to qualify them for service as interpreters to the legation and consulates in Turkey, at $1,500 each, $6,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter to the legation and consulates in Turkey so long as his services may be required within a period of five years.

Mr. LODGE. There are two or three typographical errors which I desire to correct by amendment. On page 5, in line 17, I move to amend the amendment by striking out the word "legation" and inserting the word "embassy," and I move the same amendment to the amendment in line 21, and on line 1, page 6.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Th next amendments were, on page 6, after line 3, to insert:

For the payment of the cost of tuition of student interpreters at the legation to Turkey, at the rate of $200 per annum each, $800.

And on page 6, after line 6, to insert:

No person drawing the salary of interpreter or student interpreter as above provided shall be allowed any part of the salary appropriated for any secretary of legation or other officer.

Mr. LODGE. On page 6, in line 5, where the word "legation" occurs, I move to strike it out and insert in lieu thereof the word "embassy."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 6, after line 10, to insert, at the end of the items for interpreters to embassies and legations:

Total, $39,500.

The amendment was agreed to.

The next amendment was, on page 6, after line 11, to insert:

QUARTERS FOR STUDENT INTERPRETERS AT EMBASSIES.

For rent of quarters for the student interpreters attached to the embassy to Japan, $1,200;

For rent of quarters for the student interpreters attached to the legation to Turkey, $600;

Total, $1,800.

Mr. LODGE. In line 16, I move to amend the amendment by striking out the word "legation" and inserting the word "embassy."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 9, after line 18, to insert:

PAYMENT TO MRS. ANNA GALE WHITE.

To Mrs. Anna Gale White, widow of Jay White, late consul to Naples, Italy, $4,500, one year's salary of her deceased husband, who died while at his post of duty from illness incurred in the Consular Service.

The amendment was agreed to.

The next amendment was, at the top of page 10, to insert:

PAYMENT TO MRS. MARY A. HIGGINS.

To Mrs. Mary A. Higgins, widow of Edward Higgins, late consul to Bahia, Brazil, $4,000, one year's salary of her deceased husband, who died while at his post of duty from illness incurred in the Consular Service.

The amendment was agreed to.

The next amendment was, on page 11, line 9, after the word "rent," to strike out "$10,000" and insert "$5,000," so as to read:

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO.

To enable the President to perform the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906, between the United States and Mexico, including not to exceed $600 for rent, $5,000.

Mr. McKELLAR. May I ask the chairman of the committee a question in reference to that item? I have no interest in it such as I had last year when a gentleman from my State occupied the office, but it seems to me as long as the law is in force we ought to appropriate enough to enable them to do some work.

Mr. LODGE. As long as the treaty is in force we have to make an appropriation sufficient to keep the commission alive. Last year we agreed to $5,000 as a sufficient amount. The House, which is the economical body in our system of Government, at the present time raised it to $10,000, and I thought I would bring it back to the amount of the appropriation of last year and find out in conference what is the necessity for the increased amount. I know of no reason why the sum given last year should be raised.

Mr. McKELLAR. As I said to the Senator, I think as long as we have the commission and as long as we have the law creating the commission we should appropriate enough to enable them to do some work.

Mr. LODGE. I agree; but the trouble is there have been no Mexican representatives, and nothing has been done as a matter of fact. The only way to deal with the Mexican boundary is to draw an arbitrary line.

Mr. McKELLAR. The chances are that we shall have Mexican representatives on the commission in the near future.

Mr. LODGE. As long as we undertake to use the river as a boundary it is very uncertain. The river is continually shifting, and endless surveys are necessary, and there is nothing staid. They have to have new negotiations for an arbitrary line. For the work that is being done I do not think there is any need of any more money than was appropriated last year. All I have done is to bring it back to the amount which was appropriated last year, after some debate, with a view, at least, of taking it to conference and asking why it should be doubled this year.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, at the top of page 16, to insert:

BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

For the contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of International Arbitration at Brussels, Belgium, $2,000.

The amendment was agreed to.

The next amendment was, at the top of page 18, to insert:

UNITED STATES SECTION OF THE INTER-AMERICAN HIGH COMMISSION.

To defray the actual and necessary expenses on the part of the United States section of the Inter-American High Commission, $25,000, to be expended under the direction of the Secretary of State.

Mr. JONES of Washington. Mr. President, I wish to ask the chairman of the committee what that commission is?

Mr. LODGE. We passed a bill providing for it last year, which has made this appropriation necessary.

Mr. JONES of Washington. I did not know whether it is what we had been calling the Pan-American Commission heretofore or not.

Mr. LODGE. Oh, no. We passed a bill, in which the Senator from Florida [Mr. FLETCHER] was very much interested. The purpose of the commission is——

Mr. JONES of Washington. I merely wanted to know about the establishment of the commission. Is it a permanent affair?

Mr. LODGE. Oh, yes; it has been established by law. The law was passed, I think, last year. I think the bill was introduced by the Senator from Florida [Mr. FLETCHER].

Mr. KENYON. I should like to ask the Senator from Washington if the Committee on Appropriations did not cut out this item?

Mr. JONES of Washington. I know that formerly when they considered the Diplomatic and Consular appropriation bill they cut out a lot of items. I do not remember whether this was in the bill at that time or not. My impression is that it was not. I do not remember having seen before a commission with this name.

Mr. LODGE. It was appropriated for last year and was one of those things that went out in the House on a point of order, as they cut out the item for student interpreters.

Mr. JONES of Washingon. Is there any authority of law for it?

Mr. LODGE. Oh, yes; we passed a law providing for it and creating the commission.

Mr. KENYON. Is this the commission that went to South America?

Mr. LODGE. I can tell the Senator in a moment what is the purpose of it.

Dr. Rowe makes the following statement about the work of the commission:

The most important work the commission is able to do—and because of its special organization is peculiarly adapted to do—is to remove some of the obstacles and further closer financial and other cooperation throughout the Latin American countries, partly through securing uniform legislation. One of the great difficulties which the United States has always confronted has been a lack of organization in each of the Latin American countries working on this question of uniformity of legislation. We have now an organization which is elastic in the sense that in each country is a group of nine men, presided over by the minister of finance, all of whom are working on the same program.

Now, take the question of uniformity of laws relating to bills of lading, warehouse receipts, bills of exchange, and checks, which is a very important matter for our inter-American commerce to secure. We have taken the uniform bill of lading law which was worked out in the United States and had it translated and submitted it to those national sections in order to get their views as to whether that law, or that law with some amendments, could be made effective in their countries. They are at work upon it now. We can thereby secure greater uniformity of legislation without the handicaps which come when the United States, through official channels, suggests changes in domestic legislation of other countries. The same is true in connection with uniformity of laws relating to conditional sales, uniformity of laws relating to organization of corporations, and especially the operation of foreign corporations in those countries.

One of the things Senators may remember that was brought about by the commission was the ratification of several treaties getting rid of special taxes imposed on commercial travelers.

Mr. JONES of Washington. I did not know we had gotten rid of any taxes lately.

Mr. LODGE. We got rid of taxes in some other countries.

Mr. JONES of Washington. Leaving this country for the last. Can the Senator tell me how many members there are of this commission from each of the countries?

Mr. LODGE. I will tell the Senator; I have it here. The present membership of the United States section of the commission is as follows:

Hon. David F. Houston, Secretary of the Treasury, chairman.
Hon. John Bassett Moore, New York City, vice chairman.
John H. Fahey, Esq., Boston, Mass.
Hon. DUNCAN U. FLETCHER, Jacksonville, Fla.—

I am glad to see the Senator from Florida [Mr. FLETCHER] in the Chamber at this moment—

Hon. Andrew J. Peters, Boston, Mass.—

He is the mayor of Boston—

Samuel Untermyer, Esq., New York City.
Hon. Paul M. Warburg, New York City.
John H. Wigmore, Esq., Chicago, Ill.
Herbert Fleishhacker, Esq., San Francisco, Calif.
Hon. L. S. Rowe, secretary general.
C. E. McGuire, assistant secretary general.
Guillermo A. Sherwell, juristic expert.

Mr. JONES of Washington. All these people are members of the commission?

Mr. LODGE. They are members of the commission.

Mr. JONES of Washington. From this country?

Mr. LODGE. From this country.

Mr. JONES of Washington. For what is this $25,000 to be expended—for salaries or for employees?

Mr. LODGE. In the House hearings there is a statement of—

Expenditures of United States section of the International High Commission for the fiscal year ended June 30, 1920.
Appropriation: United States section, International High Commission.
Salaries, wages——

Mr. JONES of Washington. I do not refer to the International High Commission, but to the Inter-American High Commission.

Mr. LODGE. The name has been changed, but it is the same commission. I am reading from the report submitted by the commission. The name of the commission was changed by law.

Mr. JONES of Washington. It was changed to what?

Mr. LODGE. To the Inter-American High Commission. I am reading from a tabulated statement of expenditures made by the United States section of the International High Commission, but the name has since been changed, as I have indicated.

If the Senator from Washington wants all the details, I will say that the original name of the commission was established by the act approved February 7, 1916, but it was changed by virtue of the Diplomatic and Consular appropriation act for the fiscal year 1920 to the Inter-American High Commission. These are the expenses:

Salaries, wages, and other compensation for personal services currently rendered, $22,207.61.
Services other than personal——

Mr. JONES of Washington. Are there any annual salaries paid to the members of the commission?

Mr. LODGE. I do not think there are any fixed salaries at all.

Mr. FLETCHER. There are no salaries whatever paid to members of the commission.

Mr. LODGE. I think that $25,000 were appropriated last year. The appropriation for the commission began in 1916, and from February 15, 1916, to October, 1918, the expenditures were $40,000.

Mr. JONES of Washington. Is there nothing to determine the apportionment of the $25,000?

Mr. LODGE. An appropriation was made in public act 128 of the Sixty-fourth Congress, available October 1, 1918, to June 20, 1919, of $25,000. The next year the appropriation was the same. It has been in this bill for three or four years.

Mr. WARREN. I will say to the Senator from Washington that since then similar appropriations have been made for the commission year after year. It was finally discontinued by the Committee on Appropriations; and legislation since has, perhaps, changed the name of the commission and perhaps changed some of its duties. I think that is perhaps what the Senator from Washington has in mind.

Mr. LODGE. The legislation has been in this appropriation bill for two or three years. I think the commission was created by law, for I reported the bill out of my committee.

Mr. JONES of Washington. I am not familiar with the terms of the act. I am simply asking these questions for information.

Mr. LODGE. I can send for a copy of the act. The Senator from Florida [Mr. FLETCHER], who is more familiar with it than I am, can explain the act, I have no doubt, as he is a member of the commission.

Mr. JONES of Washington. I should like to ask the Senator from Florida who apportions this appropriation of $25,000; who determines how it shall be paid; what salaries are to be paid, and to whom?

Mr. FLETCHER. The Secretary of the Treasury is ex officio chairman of the commission. This appropriation is intended simply to pay the clerical help in connection with the work of the American section of the commission.

Mr. JONES of Washington. Do the members of the commission who attend get any compensation for their services?

Mr. FLETCHER. The members of the commission receive no compensation.

Mr. JONES of Washington. They get their traveling expenses, I suppose?

Mr. FLETCHER. No; they do not get those. I never have understood that they get anything at all.

Mr. JONES of Washington. What do they do?

Mr. FLETCHER. They meet here when they are called in session and the work of the International High Commission, which has now been changed to the Inter-American High Commission, is as set forth in Document No. 261 by Hon. John Bassett Moore. Their work is set forth in the document quite in detail.

Mr. JONES of Washington. Does the commission maintain offices here in Washington?

Mr. FLETCHER. They have offices here in the Treasury Building, but they do not rent any offices.

Mr. JONES of Washington. The Senator refers to the American section?

Mr. FLETCHER. Yes; to the American section.

Mr. JONES of Washington. Does the Inter-American High Commission have annual meetings?

Mr. FLETCHER. They have annual conferences or meetings.

Mr. JONES of Washington. Where do they meet?

Mr. FLETCHER. They met the last time here in Washington.

Mr. JONES of Washington. I am referring now to the whole commission.

Mr. FLETCHER. I refer to the entire commission. I will say to the Senator from Washington that there are nine delegates from each of the 21 so-called Latin-American Republics. They met here last, but in 1916 they met in Buenos Aires.

Mr. JONES of Washington. Who paid the expenses of the American commissioners to Buenos Aires?

Mr. FLETCHER. I take it that on the occasion of such conventions the respective Governments pay the expenses of their delegates.

Mr. JONES of Washington. Could expenses of the commission of that kind be paid out of this $25,000?

Mr. FLETCHER. Not at all.

Mr. JONES of Washington. What is there to prevent it?

Mr. LODGE. The law would prevent that, I think.

Mr. JONES of Washington. There is nothing in this appropriation to prevent it.

Mr. LODGE. That is provided for in the law creating the commission, which was reported from my committee. I will send for a copy of the law if the Senator wants it.

Mr. FLETCHER. An itemized statement is furnished of the expenditures under the appropriation; and there is no part of it that can be used for any expenses of the kind which the Senator from Washington suggests—for traveling or salaries or compensation of members of the commission or anything of that sort.

Mr. JONES of Washington. How often does the American section of the commission meet?

Mr. FLETCHER. They meet probably once a month and perhaps oftener. They are subject to call. Whenever any question comes up which needs to be considered a session is called and they act upon it. Then afterwards the action taken is transmitted to the various other sections representing the other Republics.

Mr. JONES of Washington. Does the law creating the commission fix the number of members on the part of the United States?

Mr. FLETCHER. I think it does; that is my recollection. There are nine from each of the Republics, as I have stated.

Mr. JONES of Washington. Who appoints the commission?

Mr. FLETCHER. The Secretary of the Treasury, as I have stated, is ex officio chairman of the American section, and the other members are appointed by the President. The work of the commission, I may say, is set out, and without going into detail——

Mr. JONES of Washington. I do not wish the Senator to go into that. There were merely certain questions which I had in mind about which I desired information.

Mr. FLETCHER. This commission is engaged in very important work, I will say to the Senator, and they have accomplished some good results. Among other things they have established a patent office bureau in Cuba, for instance, so that, through the work which has been done by the commission and the convention which has followed it, a patent or a trade-mark can be recorded in Cuba, and also recorded throughout all of these associated Republics.

Mr. JONES of Washington. I remember about the patent matter; but my recollection is that that was arranged several years ago before this commission was created. I understand that the commission has only been created during the last two or three years.

Mr. FLETCHER. No; the last convention created the patent bureau at Habana, Cuba, which was established very recently, last year, I think.

Mr. JONES of Washington. Oh, the Senator is mistaken about that, because that matter came before the Commerce Committee either before the war or while the war was going on.

Mr. FLETCHER. I can not name the exact date, but I know it is a new undertaking, and grew out of the work of the commission. The commission was established in 1913, as I recall.

Mr. JONES of Washington. I understood the Senator from Massachusetts to say that it was created in 1916.

Mr. FLETCHER. The year 1913 was the beginning of it, I think.

Mr. JONES of Washington. I understand there is one member on the commission from San Francisco. Does he visit here every month?

Mr. FLETCHER. He does not usually attend the sessions here.

Mr. JONES of Washington. Would he have his expenses paid if he should come here?

Mr. FLETCHER. No, he would not; there is no provision for that.

Mr. JONES of Washington. How can we expect to get any very good service from a commission of this kind with men scattered all over the United States if we can not get them here?

Mr. FLETCHER. The commission is composed of men many of whom can come to Washington to attend its sessions. For instance, there is Dr. Moore, of Columbia University; Mr. Peters, of Boston; and Mr. Untermeyer, of New York, who are readily accessible to Washington. The Secretary of the Treasury, as I have said, is ex officio member, and then there is Dr. Rowe, who is now director of the Pan American Union, and who resides in Washington; in fact, nearly all of them are convenient to Washington.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Foreign Relations was, on page 18, line 21, after the numerals "1909," to strike out "$38,000" and insert "$50,000," so as to read:

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN.

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State, expense of printing, cost of law books, books of reference, and periodicals, and necessary traveling expenses, and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, $50,000, to be disbursed under the direction of the Secretary of State.

Mr. HITCHCOCK. Mr. President, I was not present at the meeting of the committee at which this amount was raised. I should like to ask the chairman of the committee why the appropriation has been increased?

Mr. LODGE. It was increased in order to preserve the present rate of salaries.

Mr. HITCHCOCK. As I recall, last year we reduced the appropriation.

Mr. LODGE. We did not reduce the salaries.

Mr. HITCHCOCK. Is this $50,000 required to pay salaries?

Mr. LODGE. I think it is.

Mr. HITCHCOCK. Was not the appropriation for last year $38,000?

Mr. LODGE. The appropriation last year was $46,000, and there are some additional expenses which it is necessary to incur which would not be sufficiently covered by the appropriation of last year, as we were informed by the Senator from Arizona [Mr. SMITH], who, as the Senator is aware, has been made a member of the commission.

Mr. HITCHCOCK. I realize that; but my recollection is that last year we entered into a sort of an understanding that we would endeavor to reduce these unnecessary expenses, and we agreed in the committee at that time to a reduction in the appropriations rather than to an abolition of the commissions.

Mr. LODGE. We did; we reduced the appropriation in the case of the Mexican Boundary Commission to $5,000, although this year the House has raised it to $10,000.

Mr. HITCHCOCK. The bill as reported by the Senate committee reduces that appropriation to $5,000, but raises the appropriation for the International Joint Commission from $38,000 to $50,000.

Mr. LODGE. The Senate committee increased the amount as carried in the House bill, that is true, but the appropriation is only $4,000 in excess of the appropriation of last year.

Mr. HITCHCOCK. There is an increase of $12,000, though, over the House figures.

Mr. LODGE. The same question arose in the House last year in regard to increasing or decreasing the salaries of the commissioners.

Mr. HITCHCOCK. I presume the Senator has looked into the matter.

Mr. LODGE. If the necessary expenses are to be paid and no increase is granted, there will be involved a decrease in the salaries paid.

Mr. HITCHCOCK. I presume the Senator is more familiar with the activities of the commission than am I, but I am wondering whether they are such as to justify so large an expenditure.

Mr. LODGE. They have done some very important work although they have only occasional cases. They had some very important cases during the past year.

Mr. WARREN. Mr. President, if the Senator will allow me, the commissioners on the part of this country have to sit with those of Canada, so that there is involved not only the pay of the commissioners, but traveling expenses as well. The Canadian Government on its side pays its own expenses and the United States Government pays the expenses incurred by its commissioners.

Mr. LODGE. I can give the Senator some facts about it. According to the testimony before the House committee, there have been 17 cases referred to the commission by the joint action of the two Governments, of which three are still pending. There was a case involving the St. Mary and Milk Rivers and their tributaries in Montana, a case initiated by the commission under article 6 of the treaty. It was made the duty of the commission to measure and apportion those waters.

The case of the St. Lawrence Power Co. was referred to the commission by the two Governments, and also the case of the New York & Ontario Power Co. Furthermore, there was one decision, on which I can not now put my hand, but as the result of the settlement of that case by the commission there has been an annual payment of $67,000 to the United States. I

have here a chronological abstract of the meetings during the calendar year 1920, if the Senator from Nebraska would care to hear them.

Mr. HITCHCOCK. I was more desirous of knowing whether the Senator had investigated so as to feel satisfied that the proposed increase in the appropriation was justified. I thought that what was sufficient for last year would probably be sufficient for the ensuing year.

Mr. LODGE. I thought it was proper that the present salaries should be maintained. If we reduce the appropriation to the House figure, it will be necessary to reduce the salaries of the commission.

Mr. HITCHCOCK. I presume the members of the commission are not greatly overworked from what the Senator said, having, as I understand, about one case a year.

Mr. SMITH of Arizona. Mr. President, that is all the Senator knows about it. I hardly expected that sort of criticism from such a source.

If there is no objection and if the Senate will bear with me, I desire to say a few words regarding this matter. I do not care to take the time of the Senate, but I have formulated a statement of the duties that will probably fall on the commission for the ensuing year, as well as a recital of the labors it has already performed in the years gone by, and the attitude held by both the Canadian Government and our own Government toward the commission.

Mr. LODGE. I think, if the Senator will allow me, that is all printed in the hearings of the House.

Mr. SMITH of Arizona. No; the hearings did not develop the points which I desire to bring to the attention of the Senate.

Mr. LODGE. Perhaps the House hearings did not cover all of them.

Mr. SMITH of Arizona. Mr. President, I deem it my duty to call attention of the Senate, and especially the attention of the conference committee on the diplomatic appropriation bill, to the House provision and the Senate amendment, as proposed by the Foreign Relations Committee, in the matter of the International Joint Commission. The House made an appropriation of only $38,000 for the whole expenses of the commission for the year.

Fiscal year 1922.

Estimated for International Joint Commission		$60,000
Amount carried in bill as passed by House		38,000
Estimated expenditures, July 1–June 30, 1921–22:		
1. Salaries:		
Three commissioners, at $7,500	$22,500	
One secretary	4,000	
One clerk	2,050	
	28,550	
2. Miscellaneous clerical help	1,250	
	29,800	
3. Printing report on St. Lawrence River navigation and power investigation, $10,000, of which the United States will pay one-half	5,000	
Making a total of		34,800
4. Leaving a balance available for all other purposes, including transportation, subsistence, reporting hearings, stationery, miscellaneous printing, telegraph and telephone charges, office supplies and equipment, and other miscellaneous items, of		3,200
No provision is made for rent of office space in the District of Columbia.		
If rent at the present rate were allowed, at		3,000
The balance available for purposes itemized in paragraph 4 would amount to only		200

This in the light of the fact that by a decision of the commission several years ago in the Northern Power Co. case, at Sault Ste. Marie, the United States is getting $66,000 annually and will continue to get it for 30 years to come and then own the property.

The Canadian Government deems the commission of such use and importance that it yearly appropriates $75,000 and leaves such sum entirely in the hands of its members of the commission to be expended by them in their discretion. Ample room is provided at the headquarters of Canadian commission, while our commissioners have virtually no room at all either for the working use of any of the commissioners and no proper place for the hearings which must be frequently had in this city. The commission will meet in this city in April next to transact business of importance. We have no place in any degree adequate for this meeting. Only three small rooms, and each filled with records, desks, boxes containing papers, books, memoranda, and the like, a table, chairs, and so forth. For such quarters we are paying the outrageous sum of $3,000 a year, which is more than was charged for six rooms before the war. Hence the Senate committee has provided for rent of proper rooms in the District of Columbia, in case adequate quarters can not be secured in a Government-owned building.

The important duties of the commission are not fully appreciated by Congress, but fully known to the Canadian Government. A vacancy occurred in the commission by the death of Gov. Glenn in May last, since which time no action by the commission has been taken as a full membership must be present at the time of any decision by it.

There are very important international questions before the commission for decision, and others will soon be presented as now seems certain. For instance, the Red River of the North has its source at Breckenridge, Minn., and is the boundary between that State and North Dakota, and empties into Lake Winnipeg, Canada. From source to boundary line it is 400 miles.

"An act (Public, No. 277, 66th Cong.) approved June 5, 1920, authorizes the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota.

"This construction is contemplated to be done by the Tri-State Flood Control Association.

"This association, by resolution of December 16, 1920, requested the Department of State to submit the question of flood control to the International Joint Commission. Gov. Lynn Frazier, of North Dakota, in transmitting the resolution to the Secretary of State, states that he is convinced that the matter is of great enough importance to be considered by the International Joint Commission.

"The United States section of the commission has been requested to advise the Secretary of State with reference to the character and importance of this contemplated improvement, with a view to its reference to the commission."

The St. Mary and Milk River controversies are still pending, as is also the New York & Ontario Power Co. case. The St. Lawrence River Power Co. application has had only an interim approval. The St. Lawrence River case has the following history and is still pending:

"17. St. Lawrence River navigation and power investigation.

"Section 9 of the act of Congress approved March 2, 1919, entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes' (Public, No. 323, 65th Cong., 2d sess.), reads as follows:

"'SEC. 9. That the International Joint Commission created by the treaty between the United States and Great Britain relating to boundary waters between the United States and Canada, signed at Washington January 11, 1909, under the provisions of article 9 of said treaty, is requested to investigate what further improvement of the St. Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for ocean-going vessels, together with the estimated cost thereof, and report to the Government of the Dominion of Canada and to the Congress of the United States, with its recommendations for cooperation by the United States with the Dominion of Canada in the improvement of said river.'

"The Governments of the United States and the Dominion of Canada each appointed a representative to confer and prepare the questions involved in the form of a reference by the two Governments to the International Joint Commission. The reference was received by the commission on January 22, 1920. The questions referred for investigation are as follows:

"1. What further improvement in the St. Lawrence River, between Montreal and Lake Ontario, is necessary to make the same navigable for deep-draught vessels of either the lake or ocean going type; what draught of water is recommended; and what is the estimated cost?

"In answering this question, the commission is requested to consider—

"(a) Navigation interests alone, whether by the construction of locks and dams in the river, by side canals with the necessary locks, or by a combination of the two.

"(b) The combination of navigation and power interests to obtain the greatest beneficial use of the waters of the river.

"2. Which of the schemes submitted by the Government or other engineers is preferable, and why?

"3. Under what general method of procedure and in what general order shall the various physical and administrative features of the improvement be carried out?

"4. Upon what basis shall the capital cost of the completed improvement be apportioned to each country?

"5. Upon what basis shall the costs of operation and maintenance be apportioned to each country?

"6. What method of control is recommended for the operation of the improved waterway to secure its most beneficial use?

"7. Will regulating Lake Ontario increase the low-water flow in the St. Lawrence ship channel below Montreal? And if so, to what extent and at what additional cost?

"8. To what extent will the improvement develop the resources, commerce, and industry of each country?

"9. What traffic, both incoming and outgoing, in kind and quantity, is likely to be carried upon the proposed route, both at its inception and in the future? Consideration to be given not only to present conditions but to probable changes therein resulting from the development of industrial activities, due to availability of large quantities of hydraulic power.

"The reference requires that one engineer be appointed by each Government, from its engineering personnel, to prepare outline plans, with estimates of cost of the proposed work, and report to the commission within one year from the date of their appointment. The United States engineer was appointed on January 30, 1920, and the Canadian engineer on April 14, 1920.

"The commission is requested in the reference to submit its report to the two Governments within three months after the receipt of the engineers' report.

"The reference also requests the commission to hold such public hearings as may be considered necessary or advisable in order to obtain all information bearing directly or indirectly on the physical, commercial, and economic feasibility of the project as a whole.

"The commission began its investigation of questions 8 and 9 in March, holding public hearings in the following cities on the dates indicated:

	1920.
Buffalo, N. Y.	Mar. 1, 2
North Bay, Ontario	May 7
Sault Ste. Marie, Mich.	May 10
Marquette, Mich.	May 10
Sault Ste. Marie, Ontario	May 11
Fort William, Ontario	May 13
Winnipeg, Manitoba	May 15
Grand Forks, N. Dak.	May 18
Regina, Saskatchewan	May 20
Calgary, Alberta	May 21
Great Falls, Mont.	May 24
Helena, Mont.	May 26
Boise, Idaho	May 28
Cheyenne, Wyo.	May 29
Omaha, Nebr.	June 1
Sioux Falls, S. Dak.	June 2
Des Moines, Iowa	June 3, 4, 5
Duluth, Minn.	June 3, 4, 5
Superior, Wis.	June 7
Ashland, Wis.	June 8
Milwaukee, Wis.	June 9
Toledo, Ohio	June 10
London, Ontario	June 11
Hamilton, Ontario	June 12
Buffalo, N. Y.	June 14, 15
Montreal, Quebec	Oct. 8, 9
Kingston, Ontario	Oct. 11
Toronto, Ontario	Oct. 13, 14
Albany, N. Y.	Oct. 15
Boston, Mass.	Oct. 18
New York, N. Y.	Oct. 19, 20, 21
Detroit, Mich.	Oct. 22, 23, 25
Grand Rapids, Mich.	Oct. 25
Minneapolis, Minn.	Oct. 27, 28
Chicago, Ill.	Oct. 29, 30
Indianapolis, Ind.	Nov. 1
Cleveland, Ohio	Nov. 2, 3
New York, N. Y.	Dec. 6

"Some 8,000 typewritten pages of testimony have thus far been taken on these questions, together with a large volume of statistical matter, which is being considered by the commission. Further hearings on these two questions, as well as on the other questions referred, will be held in order to develop the requisite information upon which to base the report of the commission."

The foregoing is given as an example of the necessary labor involved in ascertaining the essential facts in cases submitted and the time and labor consumed in proper consideration of them.

Summarizing what has been done by the commission we find cases reported to the respective Governments, 3; cases approved by commission, 9; cases dismissed, 1; cases withdrawn after hearing, 1; cases now pending, 3.

It is enough to say, in justification of the commission, that during the few years of its existence it has, without leaving any resentment behind, settled and finally disposed of more controverted questions between the two Governments and the citizens thereof than has otherwise been settled since the formation of our Government, and all that without costing the Treasury one dollar.

In an address delivered in Boston before the Victorian Club about one year ago, Mr. Burpee, a distinguished Canadian citizen, taking as the subject of his address "A successful experiment in international relations," took occasion to go fully into the value of the labor performed and the good results to both nations flowing from the International Joint Commission, and in closing his address, after giving a history of the delays of the old diplomacy and the bitternesses engendered by these delays, said:

"Meanwhile, bitterness of feeling has been allowed to grow between two groups of people, separated only by an invisible boundary, and with every reason in the world for a neighborly attitude toward one another.

"One need not labor the point that this tribunal, open as freely to the humblest citizen of either country as to the representatives of the Federal Governments, marks a big step forward in the relations of these two neighboring Commonwealths; and it does seem to me that the true measure of the commission's usefulness to the people of the United States and Canada lies not even so much in its positive as in its negative qualities, not so much in the cases it has actually settled as in the infinitely larger number of cases that never come before it for consideration, simply because the commission is there, as a sort of international safety valve, and therefore the sting is taken out of the situation."

Mr. President, I am soon to become a member of the International Joint Commission. I have no desire to draw, for my own use, money from the Treasury without a feeling that I had justly earned it by faithful, efficient service. I have looked into the duties and responsibilities of the commission deep enough to know that any member of it who performs those duties well will not only earn his pay but also the gratitude of the two nations concerned.

"One may not perhaps realize at first the very unusual character of this tribunal. There is nothing else quite like it, nor has there been in the past. We have here three Americans and three Canadians, sitting not as national sections, more or less antagonistic, but as one judicial body, and pledged to give their best possible judgment, with the utmost impartiality, to the settlement of questions that arise sometimes on one side of the boundary and sometimes on the other. It is significant of the sympathetic attitude of Canadians and Americans toward each other and toward their common problems, that in every case dealt with by the commission since its organization the decision has been unanimous.

"The work of promoting closer and more direct relations between the two great peoples on this continent who have the same language, come from the same race, have the same common fountain of law, the same traditions, and similar institutions of government, as well as the same ambitions for the continued success of their respective Governments, is in fact the work of blazing the trail for the judicial settlement of all disputes where they occur between any two great nations.

"The chief cause for congratulation, however, is that this treaty has provided a means for frank, direct, and constant relations between the two neighboring peoples who inhabit the greater part of the North American Continent, and who must live in amicable relations to realize the ultimate ideal of our Anglo-Saxon civilization. This commission constitutes the medium for this direct communication, and to it, by the express terms of the treaty, may be referred for consideration and settlement all questions of difference that may arise between the peoples living along our common frontier, without reservations or qualifications of any kind.

"Mr. Taft and the late Col. Roosevelt, among others on the United States side of the line, the Duke of Connaught, the Duke of Devonshire, the late Sir Wilfrid Laurier, and Sir Robert Borden on the Canadian side, have on various occasions drawn the attention of the public to the importance and significance of the treaty of 1909 and of the work intrusted to the International Joint Commission. During one of the recent discussions

at the peace congress in connection with the organization of the International Waterways Commission, it is understood that Sir Robert Borden made particular reference to the jurisdiction of this commission as an illustration of what might be accomplished in connection with such European rivers of an international character as the Rhine and the Danube."

The American Journal of International Law has time and again referred in highest praise of the treaty of 1909, negotiated in Washington between Mr. Bryce, representing England, and Mr. Root, Secretary of State, and has often congratulated both nations on the creation of the International Joint Commission and the successful results of its labor. The existence of the commission with power to act is worth far more than it costs if only one case a year came before it. Everybody seems satisfied except our Congress, where it has been proposed to cut off the appropriation to the point of preventing any investigation by the commission.

This is very humiliating to the United States members of the commission, who would be unable to bear their part of any joint expense, and discourteous to Canada.

The Canadian commission receives $75,000 a year to be expended in its discretion. The House has voted the sum of $38,000 a year for expenses of our commission.

As I have shown at the beginning of these remarks, that sum, after paying salaries and clerk hire and our part of printing evidence already taken, and the rent, now of necessity being paid, leaves the commission the whole full sum of $200 to pay for transportation and subsistence when absent on official business, reporting hearings, stationery, miscellaneous printing, telegraph and telephone charges, office supplies and equipment, and the dozens of other small miscellaneous expenses incident to any business.

The commission should have $60,000. It can not function on less than $50,000, which is $25,000 less than Canada, less able than we, willingly pays to her members.

Let us at least respect our treaty obligations.

Mr. HITCHCOCK. Mr. President, can the Senator put in the RECORD a statement of what the commission actually did during the current year?

Mr. SMITH of Arizona. Yes, sir; I will submit the whole list.

Mr. LODGE. That is all printed in the House hearings.

Mr. SMITH of Arizona. Yes; I think it is.

Mr. LODGE. Every meeting of the commission is set out there.

Mr. HITCHCOCK. I should like to have it put in the RECORD, if possible, because this question has come up every year, and the impression has been current that the commission was not doing anything, and that these offices were mere sinecures, and that the expense was largely an unnecessary one. If the commission is rendering valuable service, it ought to be shown, and the RECORD ought to show it.

Mr. SMITH of Arizona. I should think the mere statement of fact that we have made a treaty and it has gone on this long to the infinite satisfaction of both Governments and has resulted in the settlement of many of these cases to which reference is made in the hearings would be sufficient. I ask that that list be printed in the RECORD in connection with what I have said.

Mr. LODGE. There is a complete list of all the meetings of the commission on page 39 of the House hearings, showing exactly what the commission did.

Mr. SMITH of Arizona. I ask to have that printed.

Mr. LODGE. The Senator asks to have it printed with his remarks?

Mr. SMITH of Arizona. I ask that it be printed in connection with my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

CHRONOLOGICAL ABSTRACT OF MEETINGS DURING THE CALENDAR YEAR 1920.

Boston, Mass., January 13, 1920: At request of interested parties, conference was held at Boston with Chairman Gardner regarding procedure in the matter of the remonstrance by residents of the city of Newport, Vt., and of other localities in the vicinity of Lake Memphremagog with respect to flowage damage caused by raising the crest of a dam at the outlet of the said lake.

New York, N. Y., February 11, 1920: Commission met at New York, all members being present except Mr. Clark, who was delayed by impaired train service.

Matters considered: Draft treaty regarding pollution of boundary waters.

New York, N. Y., February 12, 1920: Commission met at New York; all members present.

Matters considered: Draft treaty regarding pollution of boundary waters; St. Lawrence River navigation and power investigation.

New York, N. Y., February 13, 1920: Commission met at New York; all members present.

Matters considered: Draft treaty, pollution of boundary waters; measurement and apportionment of the waters of St. Mary and Milk Rivers in the State of Montana and Provinces of Alberta and Saskatchewan; St. Lawrence River navigation and power investigation.

New York, N. Y., February 14, 1920: Commission met at New York; all members present.

Matters considered: Draft treaty, pollution of boundary waters.

Buffalo, N. Y., March 1, 1920: Commission met at Buffalo; all members present.

Matters considered: St. Lawrence River navigation and power investigation.

Buffalo, N. Y., March 2, 1920: Commission met at Buffalo; all members present.

Matters considered: St. Lawrence River navigation and power investigation.

Washington, D. C., April 6, 1920: Commission met at Washington, D. C.; all members present.

Matters considered: St. Mary and Milk Rivers case; St. Lawrence River navigation and power investigation; draft treaty, pollution of boundary waters.

Washington, D. C., April 7, 1920: Commission met at Washington; all members present.

Matters considered: Draft treaty, pollution of boundary waters; St. Mary and Milk Rivers case; St. Lawrence River navigation and power investigation.

Ottawa, Ontario, May 3, 1920: Commission met at Ottawa; all members present except Mr. Glenn.

Matters considered: Draft treaty, pollution of boundary waters; St. Mary and Milk Rivers case. Reargument began in St. Mary and Milk Rivers case.

Ottawa, Ontario, May 4, 1920: Commission met at Ottawa; all members present except Mr. Glenn.

Matters considered: Resignation of secretary of United States section; continuation of reargument in St. Mary and Milk Rivers case.

Ottawa, Ontario, May 5, 1920: Commission met at Ottawa; all members present except Mr. Glenn.

Matters considered: St. Lawrence River navigation and power investigation. Conclusion in reargument in St. Mary and Milk Rivers case.

Ottawa, Ontario, May 6, 1920: Commission met at Ottawa; all members present except Mr. Glenn.

Matters considered: St. Lawrence River navigation and power investigation.

North Bay, Ontario, May 7, 1920: Commission met at North Bay to begin hearings in St. Lawrence River navigation and power investigation; all members present.

Beginning on this date and continuing for 41 days without adjournment, the commission conducted hearings in the St. Lawrence River navigation and power investigation, covering territory westward from North Bay, Ontario, to Calgary and eastward from Boise and Cheyenne, closing the series of hearings at Buffalo June 15.

The death of Mr. Glenn at Winnipeg, Manitoba, on May 16, created a vacancy in the United States section.

Portland, Me., September 10, 1920: At the request of interested parties Chairman Gardner held conferences at Portland regarding hearings in St. Lawrence River navigation and power investigation.

Ottawa, Ontario, October 5, 1920: Commission met at Ottawa; present, Messrs. Powell, Clark, Gardner, and Sir William Hearst.

Matters considered: St. Lawrence River navigation and power investigation; St. Mary and Milk Rivers case.

Ottawa, Ontario, October 6, 1920: Commission met at Ottawa; members present as on October 5.

Matters considered: St. Mary and Milk Rivers case; draft treaty in pollution of boundary waters matter, transmitted to the two Governments; St. Lawrence River navigation and power investigation.

Montreal, Quebec, October 8, 1920: Commission met at Montreal; present, Messrs. Gardner, Clark, Powell, and Sir William Hearst.

Chairman Magrath, of the Canadian section, joined the commission at Kingston, Ontario.

Beginning at Montreal, October 8, and continuing for 27 days without adjournment, the commission conducted hearings in the St. Lawrence River navigation and power investigation, covering territory from Montreal and New York on the east to Minneapolis, Minn., on the west, thence eastward, including Chicago and Indianapolis, closing the series at Cleveland on November 3.

New York, N. Y., December 6, 1920: Commissioners Clark and Sir William Hearst met at New York to hear certain witnesses in the St. Lawrence River navigation and power investigation.

Portland, Me., December 15, 1920: At request of interested parties Chairman Gardner held conferences at Portland regarding hearings on St. Lawrence River navigation and power investigation.

Washington, D. C., December 28, 1920: Conference between Chairman Gardner, Commissioner Clark, and representative of United States Reclamation Service regarding St. Mary and Milk Rivers case.

Mr. SMITH of Arizona. Mr. President, I formerly entertained the same idea of this commission that many of the Senators do, because I had never had any occasion to inquire into it. If I shall take a position on that body, there are 8,000 pages of testimony in a pending case that I shall have to read and digest as far as I am able to do so. In addition to that, the intricate cases of the St. Marys River and the Milk River are still pending. They are of great importance to both countries and their settlement is extremely essential to good feeling between the two peoples.

As I said, at one time I entertained the same view that the Senator has referred to; but since I have come to look into it and have taken occasion to inquire into it, I find not only that the commission is a very important one but that there is a great deal of work connected with it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Foreign Relations was, on page 19, line 2, after the words "official business," to insert the following additional proviso:

Provided further, That a part of this appropriation may be expended for rent of offices for the commission in the District of Columbia, in the event that the Public Buildings Commission is unable to supply suitable office space.

The amendment was agreed to.

The next amendment was, on page 19, after line 21, to insert:

INTERNATIONAL RESEARCH COUNCIL.

To pay the annual share of the United States, as an adhering member of the International Research Council and of the Associated Unions, organized at Brussels, July 18–28, 1919, as follows: International Research Council, $129; International Astronomical Union, $772; International Union of Pure and Applied Chemistry, $290; International Union of Geodesy and Geophysics, $1,338; International Union of Mathematics, $129; in all, $2,658, to be expended under the direction of the Secretary of State.

Mr. JONES of Washington. Mr. President, I want to ask the chairman of the committee whether or not the International Research Council is organized under any treaty?

Mr. LODGE. All these associated unions were organized at Brussels. They are all scientific bodies. We have been a member of all of them. During the war there was an interference with the meetings of these different associations. This is a mere consolidation of the small contributions which we are bound by treaty agreement to make. We have consolidated them under this one head.

Mr. JONES of Washington. This council seems to have been organized in July, 1919.

Mr. LODGE. Yes; since the war they were brought together under this one head.

Mr. JONES of Washington. I take it, however, that we are not bound by a treaty agreement. Under what authority of law are any agreements of this kind made when they are not pursuant to a treaty?

Mr. LODGE. I understood that these were all treaty obligations. We have been carrying many of them, I know, as separate things. I will read the testimony. Dr. Kellogg was asked:

I wish, Dr. Kellogg, that for the sake of the completeness of the record, you would indicate in a general way the status of the National Research Council and of these national unions, which I understand are organizations of the United States.

Mr. KELLOGG. National sections?

Mr. ROGERS. National sections; yes.

Mr. KELLOGG. Well, the National Research Council itself was established during the war. It was established for the purpose of mobilizing the scientific resources in laboratories for the aid of the Government in connection with war-time problems which were based, really, on science and scientific investigations. So, as an offshoot of the National Academy of Sciences, which has a congressional charter, this body called the "National Research Council" was instituted. And it was very active in getting the cooperation of scientific men and university laboratories all over the country for the purposes of applying all the resources of American science to the solution of these special war-time problems that involved science.

At the conclusion of the war the council had been so successful in its work that the President issued an Executive order in May, 1918, asking the council to perpetuate itself as a peace-time organization, to be in a position to give the Government advice and assistance whenever called on by the Government in connection with any of the problems that might come up that involved scientific investigations.

And so, pursuant to this Executive order, the council was reorganized on a peace-time basis, but is no longer supported by the Government. Its support comes from private sources; it receives gifts for its administrative expenses. It has received a gift, or has been promised a gift, for the erection of a building as headquarters of the National Academy of Sciences and the National Research Council, and gifts for the development of specific scientific projects, and especially those of national importance, whose solution would help the national welfare.

Then he goes on to explain the gifts which have been made, and he says:

Our yearly budget is about $200,000 plus $100,000 a year for five years for national fellowships.

Mr. JONES of Washington. That gives the information that I desired.

Mr. LODGE. These are the contributions made by the United States or agreed to by the United States under the order of the President, as I understand.

Mr. JONES of Washington. Yes; that is the way I understand it. I do not think, however, that the President can bind us indefinitely to membership in any organization.

Mr. LODGE. Some of them are different, as I remember. I was speaking from memory. Mr. Rogers says:

We have here and there associations of one kind or another for which we have been appropriating for years and are still asked to appropriate, such as the International Bureau of Weights and Measures.

That is a treaty agreement, I know.

The International Bureau for the Publication of Customs Tariffs.

That is another.

The International Bureau at Brussels for the Suppression of the African Slave Trade.

That is another.

The International Prison Commission——

Mr. JONES of Washington. Yes; but those are not included in this item at all.

Mr. LODGE. No; they are not.

Mr. JONES of Washington. They are separate items.

Mr. LODGE. He says the Bureau of Weights and Measures is very much alive. Of course we have a separate appropriation for that in this bill.

Mr. WARREN. You get the estimates for it from the State Department?

Mr. LODGE. Yes; they are State Department estimates. They are all estimated for. We pay these sums as a member of these different scientific organizations, and Dr. Walcott, the secretary of the Smithsonian, appeared before the committee in behalf of it, as did also the president of the Carnegie Institute. It is simply our adhering membership; that is all.

Mr. JONES of Washington. I take it this is not pursuant to any treaty at all?

Mr. LODGE. I do not see that it is.

Mr. JONES of Washington. I know it was the policy of the Senate two or three years ago to strike out items which were not required by reason of treaty conventions. I am not going to ask to strike this out. I really do not like to see the Senate putting such items into the bill unless there is some treaty obligation to do so. Whenever the Executive or the Secretary of State or the diplomatic organization of the Government thinks some organization ought to be formed and they go ahead and form it, then they send an estimate for an appropriation to Congress. I do not think that ought to be encouraged.

Mr. LODGE. We pay for the publication, as I understand it. It is thought to be very valuable, and that we should be a member. Of course the cost of it is a hundred thousand dollars a year, which is paid for by private subscription. But it is thought desirable that we should have our share in all these scientific councils. It was reported by the House Committee on Foreign Affairs, and was in the bill as reported to the Committee of the Whole House, but went out on a point of order, as so many other items did, some of them items similar to those which have been in this bill for 40 years.

Mr. JONES of Washington. I wish we had a rule by which it could go out of here on a point of order, but we have no rule under which, if a matter is reported by a standing committee or has been estimated for, a point of order will lie. So a point of order can not be made against this item. I do not think we ought to permit these things until Congress authorizes them. Whenever a department of the Government thinks an agreement of any kind ought to be entered into, it seems to me it ought to be submitted to Congress and ratified before we go into it. But that does not seem to be the policy of the Government.

Mr. LODGE. I agree with the Senator that it is a bad method of doing business; but this agreement has been made. I should like to take it into conference and see what the House has to say about it, as it originated there.

On a division the amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 21, line 9, after the word "legation" to strike out "building" and insert "buildings," and in line 10, after the word "grounds" to strike out "At San Salvador," so as to make the heading read:

Embassy and legation buildings and grounds.

Mr. LODGE. I have an amendment to offer to the amendment, which is a mere change of language. On lines 9 and 10, page 21, I move to amend the title so as to read:

Embassy, legation and consular buildings and grounds.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 21, after line 20, to strike out:

The Secretary of State is hereby authorized to accept the gift of the residence of J. P. Morgan in London, England, which has been offered to the Government of the United States as a residence for the American ambassador.

And in lieu to insert:

The President is hereby authorized to accept, on behalf of the United States, for use as a residence by the diplomatic representatives of the United States, the land and buildings thereon known as Nos. 13–14 Prince's Gate in the city of London, England, and such other lands and buildings as form a part of said property, presented by J. Pierpont Morgan: *Provided*, That the transfer of said property to the United States shall be unconditional and shall not impose restrictions upon subsequent sale, transfer, or use: *And provided further*, That the property is held on freehold tenure and not on customary London ground lease and that said property has no mortgage or other encumbrance or liability upon it.

Mr. JONES of Washington. I want to ask a question about that amendment. Of course, my first impression with reference to a matter of that kind was against the Government accepting a gift of this sort. I have long been in favor of the Government acquiring proper and adequate embassy buildings; in the different important cities of the world, at any rate. But we have not done so. It does not look just right that we should be put in the position of apparently having to depend upon private donations for Government embassy buildings in those countries. Probably that is not the right position to take. But

what I wanted to ask the Senator was as to the value of this property.

Mr. LODGE. These houses were the property of Mr. Junius Morgan, the grandfather of the present Mr. Morgan, and were afterwards occupied, and I think one of them added, by the late John Pierpont Morgan. He kept his collections there in London and lived there himself. The price he paid for the houses was something over £30,000, $150,000, as the exchange was then.

Mr. JONES of Washington. So that from the information the Senator has the value of this property is not very much, if any, in excess of what may be paid at other capitals for embassy buildings.

Mr. LODGE. No; that is the allowance made.

Mr. JONES of Washington. So that the cost of maintaining and running these buildings, after we do accept them, will probably not be more than in the other cities?

Mr. LODGE. I would like to state to the Senator on that point that I am familiar with these two houses. I have not seen them for a long time, but I do know where they are. They are very well situated, and they are suitable houses. They will have to be thrown together—that is, opened up one into the other; but the two together would make a very suitable and proper embassy, amply large enough, but not ostentatious or extravagant. They correspond very well to such a house as Mr. Choate had on Carlton House Terrace, a house any of us would think appropriate for an American embassy, but it did not have the splendor which characterized some other houses.

The amendment was agreed to.

The next amendment was, on page 22, after line 13, to insert:

For the acquisition of embassy, legation, or consular buildings and grounds at any or all of the following places: Paris, Rome, Brussels, Berlin, Athens, Belgrade, Bucharest, Prague, Monrovia, Vienna, Budapest, Canton, Hankow, and Amoy, $300,000: *Provided*, That the limit of cost shall not exceed the sum of $150,000 at any one place: *And provided further*, That such acquisition shall be subject to the approval of the commission hereinafter constituted.

Mr. LODGE. I move to amend that by inserting, after the word "Berlin," the word "Christiania."

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 22, line 16, after the word "Berlin" and the comma, insert the word "Christiania" and a comma.

The amendment to the amendment was agreed to.

Mr. JONES of Washington. I would like to ask the Senator with reference to this paragraph. I know in the House text they provide for land and buildings in Paris, $150,000. So, why should that be included in this paragraph?

Mr. LODGE. It is unnecessary to include Paris here.

Mr. JONES of Washington. Would it not be wise to leave it out?

Mr. LODGE. I think so, because the other has been agreed to. I ask that Paris be left out, because that is provided for. I had not thought of that. It obviously ought to come out.

The PRESIDING OFFICER. The Secretary will report the amendment to the amendment.

The READING CLERK. On page 22, line 16, in the committee amendment, strike out the word "Paris" and the comma.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. McKELLAR. I wish to ask the Senator in charge of the bill about the amendment we have just agreed to. I see that $300,000 is to be appropriated for the building or purchasing of embassies and legations and other consular buildings at 14 different places, with a minimum cost of $150,000. I suppose there is some plan in reference to the matter, but surely we could not get——

Mr. LODGE. This is based on the general law which was passed some years ago—I will have the date of it in a moment—providing for the expenditure of $500,000 annually for the acquisition of buildings, with a limitation of $150,000. This was suggested by the House to the committee, with a limitation of $300,000, $200,000 less than the general law limit, in the hope that under present conditions we could get some very desirable embassy and legation buildings. There are a good many for sale just at the present time at very moderate prices.

Mr. McKELLAR. In some of the European capitals this would be an appropriate time to buy.

Mr. LODGE. It is an appropriate time to buy. The rest of the amendment, the Senator will see, is designed to enable us to provide ourselves with some embassy and legation buildings and have the cost charged up to debts that are due to us, which we might not recover in any other way.

Mr. HARRISON. May I ask the Senator if it is thought that it is possible to purchase embassies and legations or consular buildings in all these places for $300,000?

Mr. LODGE. Oh, no.

Mr. HARRISON. I was thinking that if we could do that they would be great bargains.

Mr. LODGE. This was only to give them a chance to buy where they found a good opportunity to buy.

Mr. HARRISON. I understand the plan is to enable us to credit them with what they owe us, in purchasing embassy and legation buildings in a country that owes us.

Mr. LODGE. That is covered by the rest of it.

Mr. HARRISON. But if the whole paragraph should be written into the law, you have a limit that in no event shall the buildings cost over $300,000?

Mr. LODGE. Yes; they can not go over that amount in any one case.

Mr. HARRISON. It might be possible for the commission that is designated here to purchase consular buildings or embassies at all these places, but it would cost a great deal more than $300,000.

Mr. LODGE. It is limited to the coming fiscal year, absolutely.

Mr. HARRISON. There is no limit of cost except $150,000 to each one?

Mr. LODGE. That is all.

Mr. McKELLAR. Mr. President, the Senator from Massachusetts stated a moment ago that we might by this plan get a portion of the foreign debts paid to us that we could not get in any other way. I hope the Senator does not mean to say any of those debts ought to be remitted?

Mr. LODGE. I did not mean to impugn the credit of any country at all.

Mr. McKELLAR. I do not impugn the credit, but I hope the Senator does not think that any of those debts ought to be relinquished.

Mr. LODGE. How does the Senator mean?

Mr. McKELLAR. I hope, in making the statement that perhaps we might not be able to get some of our foreign debts paid in any other way, the Senator did not mean to express the view that those debts ought to be remitted.

Mr. LODGE. I only said that in a humorous way when I spoke about getting it in no other way. I think it is pretty generally known that I am not in favor of canceling debts.

Mr. McKELLAR. I am glad to hear the Senator express himself in that way.

The next amendment was on page 22, after line 21, to insert:

There is hereby constituted a commission composed of the chairman and the ranking minority member of the Committee on Foreign Relations of the Senate, the chairman and the ranking minority member of the Committee on Foreign Affairs of the House of Representatives, the Secretary of State, and the Secretary of the Treasury, of which the chairman of the Committee on Foreign Relations of the Senate shall be the chairman, whose duty it shall be to consider and formulate plans or proposals for the purchase of embassy, legation, and consular buildings and grounds under the authority contained in this act.

Mr. HARRISON. May I ask one question as to the provision that has just been read? I notice in forming the commission that the chairman is to be the chairman of the Committee on Foreign Relations. It is also provided that the Secretary of State shall be a member of the commission. Why is it that the chairman of the Senate Committee on Foreign Relations is placed over the Secretary of State as chairman of this particular commission?

Mr. LODGE. In reply to the Senator, I have to say that this particular amendment was prepared by the House Committee on Foreign Affairs for submission to the House. It is not the work of the Committee on Foreign Relations of the Senate.

Mr. HARRISON. May I ask, if it had been the work of the Committee on Foreign Relations of the Senate, would they have placed the chairman of the Committee on Foreign Relations over the Secretary of State as chairman of the commission?

Mr. LODGE. I rather think the reason for the position being given to the chairman of the Committee on Foreign Relations by the Committee on Foreign Affairs of the House is because those committees make the appropriations.

Mr. JONES of Washington. I wish to suggest that this is an amendment presented by the Foreign Relations Committee, and it evidently has indorsed the arrangement.

Mr. LODGE. Oh, yes; we do not object to the House draft.

Mr. SMOOT. I wish to say to the Senator from Mississippi that I think this is perfectly correct. If I had drafted the provision myself, I would have put it just the way it is now.

Mr. HARRISON. I am not finding fault with it.

Mr. SMOOT. The Senate of the United States makes Secretaries of State, but Secretaries of State do not make the Senate.

Mr. HARRISON. I merely think it places the chairman of the Committee on Foreign Relations higher, almost, than the Secretary of State.

Mr. SMOOT. It is a higher position.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 23, after line 7, to insert:

With the approval of said commission and within a limit of cost at any one place of $150,000, the Secretary of State shall have power to purchase from any foreign Government suitable embassy, legation, and consular buildings and grounds in any city specified in the foregoing paragraph and to effect payment therefor by causing the purchase price thereof to be credited upon the obligations or debts of such Government then held by or owing to the United States, or by causing a part of such purchase price so to be credited, paying the remainder in money from applicable sums hereinbefore appropriated for the acquisition of embassy, legation, and consular buildings and grounds; and when the Secretary of State shall certify to the Secretary of the Treasury that a purchase has been made, the Government from which made, and that a part or all of the purchase price is to be paid by crediting the same upon obligations or debts of said Government then held by or owing to the United States, the date as of which said payment is to be made and the amount in United States dollars so to be credited, the Secretary of the Treasury is authorized and directed to credit the amount so certified upon unpaid principal or interest of obligations or debts of said foreign Government held by the United States: *And provided further*, That the President is hereby authorized, in his discretion, to accept on behalf of the United States unconditional gifts of land, buildings, furniture, and furnishings, or any of them, for the use of diplomatic and consular offices and residences.

The amendment was agreed to.

The next amendment was, on page 24, line 20, to increase the appropriation for salaries of consuls general, consuls, and vice consuls from "$1,774,500" to "$1,974,500."

The amendment was agreed to.

The next amendment was, on page 24, line 25, to increase the total for salaries of the Consular Service from "$1,809,500" to "$2,009,500."

The amendment was agreed to.

The next amendment was, on page 25, after line 9, to insert:

POST ALLOWANCES TO DIPLOMATIC AND CONSULAR OFFICERS.

To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to diplomatic and consular officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $500,000.

Mr. JONES of Washington. Mr. President, I have always opposed this provision. I have not been in favor of giving the President the unlimited power that is given here, that can be exercised only through subordinates, in an attempt to adjust living costs by indiscriminate and promiscuous increase of salaries. I think that Congress ought to provide for whatever increase they think ought to be made. They ought to do it, of course, upon recommendations and data and information submitted to them by the State Department and by those who are thoroughly familiar with the situation.

There is no doubt that there are peculiar and exceptional circumstances at various posts. Probably it might be difficult to frame a general provision that would work absolute justice in all cases. We have attempted to adjust the salaries of Government employees in this country to meet the changed living conditions. We have made provision that may work well in one case, but it does not furnish ample consideration in other cases. We have not attempted in this country to give to the Secretary of the Interior, for instance, the unlimited power to adjust the compensation of his employees to meet differences in the cost of living. We have not placed in his hands a lump sum with which to do that. I think it is wrong in principle to do it in this case.

I simply wished to express my view with reference to this amendment. I am opposed to it just as much now, when a new administration is coming in, as I have been in the past. I hope that during the next year we may have a general reclassification of the salaries of the employees of the Government, including not only employees in this country in domestic affairs but including the Diplomatic and Consular Service and those who are in the employ of the Government in foreign countries, and that we will not in any other bill make an endeavor to carry a provision of this kind.

Mr. MOSES. I will say to the Senator that that happens to be exactly the question considered by the Committee on Foreign Relations in regard to that portion of the bill. We were much opposed to a lump-sum amendment in dealing with diplomatic and consular officers, but we had to consider the situation as it confronted us. We were confronted with the condition that exists in European capitals and throughout the Old World in general, where conditions of living which made this sort of appropriation necessary during the war still continue. We hope to diminish the scale to such an extent that this sort of items can be absolutely dispensed with by the time the next appropriation bill comes before the Senate.

Mr. UNDERWOOD. Mr. President, I do not desire to delay the passage of the bill, but the question which the Senator from Washington [Mr. JONES] brought up is one that I agree with fully. If there is one thing in the Government that is needed, it is a just and fair reclassification of the salaries of its employees and then a brake put on the question of the Congress at every session attempting to readjust salaried positions. At the same time it would avoid the question of trying to deal with these propositions in wholesale at either end of the line. I do not think the Government can come to an economical administration of its affairs or a just treatment of its employees unless an effort is really made by the Congress to fairly adjust salaries in accordance with the work performed and the necessities of the employees.

I have no criticism of the committee. I know all the grave responsibilities that rest on the Committee on Appropriations and the difficulties of the past, but I do hope that next summer, when other committees will probably be engaged in work that will be keeping the Congress here and the time of the Appropriations Committee will not be occupied with appropriation bills, that the Senator, a member of that committee, will appoint himself a committee of one, as he has expressed himself so heartily in favor of the proposition, and work out the problem and bring it to the Congress in concrete form, so that we can fairly and intelligently pass on it, settle it, and get it out of the way for the future.

Mr. JONES of Washington. I think I can say to the Senator from Alabama that it is the disposition and, I might say, the determination of the different members of the Committee on Appropriations to take action of some kind very early in the next Congress to meet the situation. If it is found that we can not get the cooperation of the Appropriations Committee in the other branch of Congress to deal with the matter in its entirety, I hope that the Committee on Appropriations of the Senate will take up bills that come within its jurisdiction covering the matter and try to meet the situation.

Mr. KING. May I inquire of the Senator from New Hampshire [Mr. MOSES], who addressed himself a moment ago to the Senator from Washington, whether the amount of $500,000 found in the item now under consideration is an increase over that allowed a year ago?

Mr. LODGE. Last year it was $600,000.

Mr. KING. May I inquire whether, in view of the exchange situation in Europe, the necessity exists for so large an appropriation as $500,000?

Mr. LODGE. The House proposed $250,000. That went out on a point of order, as most of the bill did, but the Senate committee thought that this was not an unreasonable amount.

Mr. KING. Does not the Senator think it would be better to put in $250,000, because that is the amount which the committee in the House recommended?

Mr. MOSES. May I add, for further information, that in the readjustment which is bound to come immediately after the 4th of March, as we expect, there will be a considerable addition to the number of diplomatic and consular establishments which we shall have to maintain, and that accounted in very large measure for the increase which the Senate committee made over the sum allowed originally by the House committee and which the House itself struck out on a point of order.

All the establishments in central Europe, for instance, are now in a state of abeyance. There are also those new countries with which we have more or less nebulous relations at present, and with which we shall have to establish permanent relations, with consular corps scattered throughout the industrial communities, which was one thing brought before the committee that influenced me personally to appreciate the necessity for an increased appropriation under this head.

Mr. KING. May I inquire if in other parts of the bill adequate provision has not been made for consular agents and diplomatic representatives in all countries with which we had prior to the war diplomatic relations?

Mr. MOSES. The salaries are provided for in another place in the bill, but the salaries only. This, of course, as the Senator well knows, is in the nature of an extra allowance to enable those officers to supplement their salaries in order to meet the enhanced conditions of living under which they find themselves.

I agree with the Senator from Washington [Mr. JONES] that this is simply a piece of stop-gap legislation, done by rule of thumb, which no one can possibly estimate; that it is unwise and in some respects imprudent; but it certainly is the part of wisdom and the part of justice for the Government and the De-

partment of State to care adequately for those representatives who find themselves in these foreign fields confronted by the conditions of living that there exist.

Mr. KING. May I inquire if the State Department had any difficulty in allocating the $600,000 appropriated by the former bill?

Mr. MOSES. Does the Senator mean whether the $600,000 was expended last year?

Mr. LODGE. I understand that it was expended.

Mr. KING. It was all allocated and all expended?

Mr. MOSES. Yes.

Mr. LODGE. I wish to repeat what the Senator from New Hampshire said in one respect. I am not at all in sympathy with this method of appropriating in legislation. This is one of the things that came over from the war. Europe is still in a distressed condition, and it is impossible to foresee many of the expenses. I hope that in another year these allowances to be made by the President will vanish from the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 25, line 21, to increase the appropriation for allowance for clerk hire at consulates from "$1,200,000" to "$1,800,000."

Mr. KING. May I inquire of the Senator whether or not the evidence before the House committee justified a larger appropriation than $1,200,000; and if not, what induced the Senate committee to make such a large increase?

Mr. LODGE. Mr. President, it is of great importance to the United States at the present time to do everything possible to extend its commerce. We hope there will be a great growth of business and trade in every direction, and it seemed to the committee, and the committee were unanimous upon it, that one place where we did not wish to make severe reductions was in the Consular Service; that we needed to keep that service in the highest state of efficiency. After considering the evidence which was before the other House and the action upon it there, the committee, as I have said, unanimously came to the conclusion that we ought to allow the amount estimated, and I think the sum proposed to be appropriated is the estimate.

I will now read some of the evidence on which we based our action. I do not desire to consume time, but the evidence makes the case clear. I now read the statement of Mr. Carr, who has been at the head of the Consular Service for many years. He stated:

I realize, Mr. Chairman, that this is a very large estimate, but it is based upon this principle: That as the service now stands it is running to its full capacity. We are utilizing our full $1,200,000 clerk hire fund. We are still getting complaints from the offices now operating that have not enough clerk hire, and we are getting complaints from the Department of Commerce that we are not furnishing enough information.

We are receiving complaints from shipmasters and ship operators that the Consular Service is not furnishing sufficient service to them. These complaints are for the most part traceable to insufficient personnel to carry on the routine of the offices and give our consuls and vice consuls an opportunity to make trade investigations and do other things not now possible. We shall have soon to face a resumption of normal activities of the service in all parts of the world. Presumably we are going to have a state of peace shortly. In that event we shall have to establish at least 30 consulates in Germany; we shall have to establish consulates in Austria, in Hungary, in the Balkans, and in Turkey, in none of which are consulates functioning at the present moment. We shall have to supplement some of the seaport offices which are now functioning with additional clerks to keep the service up to a point where it can avoid complaints and criticism. That, in a rough outline, is the situation.

Mr. Carr was asked how many clerks they have now, and he said:

We have at present 986 clerks.

* * * * * * *

We want to bring that number up to approximately 1,340 clerks, at various compensations ranging in the main from $3,000 down to below $500. Of that total number which we now have, 400 are American citizens, drawing salaries of from $400 to $3,000—there is one as high as $4,500, one at $3,600, one at $3,200, and one at $3,120, these four cases where salaries above $3,000 are paid are special and temporary.

Mr. ROGERS. About half, then, are American citizens?

Mr. CARR. Yes, sir. A little less than half are American citizens.

Mr. ROGERS. And are receiving $1,000 and upward?

Mr. CARR. Yes, sir. Our plan is to utilize the increase, in the main, for American citizens.

Mr. ROGERS. The other half, which is not American, in every case receives less than $1,000?

Mr. CARR. In every instance the foreigners receive less than $1,000, with the exception of 10 persons who were in the service prior to the act of 1906. They are 10 very useful and experienced officials and are receiving more than $1,000.

It is to be remembered that the Consular Service this year yielded to the Government a revenue of over $2,000,000; it a great deal more than pays for itself. Next year, with the increased fees on passports and visés, it is estimated by the department that their net revenue will be over $9,000,000, so that the entire expense of the appropriation for the State Department will be more than paid by the fees which will be collected.

Mr. KING. May I inquire of the Senator from Massachusetts whether Mr. Carr indicated in his testimony that he would like the amount which the Senate committee allowed?

Mr. LODGE. Yes; that is the estimate.

Mr. KING. If I may be pardoned, I wish to say that any recommendation made by Mr. Carr would be very persuasive with me, because Mr. Carr, I think, is one of the most efficient men in the State Department.

Mr. LODGE. He is one of the best officials in Washington, in my judgment.

Mr. KING. I think so, and he has devoted himself with the utmost zeal to the development of our foreign trade.

If I may trespass for one moment further, I desire to say that anything we may do to upbuild our Consular Service I am in favor of doing. I only think, if I may be pardoned for so stating, that the work of that service is being duplicated by the Department of Commerce. I prefer to build up the Consular Service rather than the Department of Commerce with respect to these matters.

Mr. LODGE. The Senator from Utah is absolutely right, and I am glad he feels in that way. This commercial attaché service, which has been gradually built up in the Department of Commerce, presents one of the instances of duplication by which the appropriations and the expenditures of the Government are so much increased.

Mr. KING. Absolutely.

Mr. LODGE. That work ought to be done by the Consular Service, and it can be so done. There is no need of having commercial attachés in more or less diplomatic capacities all over the world and having them report to another department. It simply causes confusion and more expenditures. The work can all be done under one department and ought to be so done.

Mr. KING. If the Senator from Massachusetts will formulate some measure which will consolidate that work, I shall give it my hearty approval. All I wish to say now is that when I want information respecting our foreign trade I go to the Department of State and not to the Department of Commerce, because in the latter department one can get but very little information.

Mr. LODGE. I hope and trust that that duplication will be done away with when we come to consider the reclassification bill.

The VICE PRESIDENT. Without objection, the amendment reported by the committee is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Foreign Relations was, on page 28, line 13, after the numerals "$600,000," to insert the following proviso:

Provided, That the provisions of the act approved May 22, 1918, shall, in so far as they relate to requiring passports and visés from aliens seeking to come to the United States, continue in force and effect until otherwise provided by law.

Mr. LODGE. Before the committee amendment is acted upon, I desire to offer an amendment to the text immediately preceding, which was not embodied in the bill as reported. On page 28, after the word "and," in line 11, I move to strike out the words which follow down to and including the word "effective," in line 12, and to insert "in this act, to be immediately available."

The READING CLERK. On page 28, line 11, it is proposed to strike out "public act No. 79 of the Sixty-sixth Congress, when the latter act shall have become effective," and insert "in this act, to be immediately available."

Mr. LODGE. Then will follow the amendment reported by the committee, which appears in italic.

Mr. UNDERWOOD. Mr. President, I should like to ask the Senator from Massachusetts what is the purpose of his amendment? I do not grasp it. The Senator moved to strike out certain words beginning in line 11, on page 28, and to insert some words in lieu thereof.

Mr. LODGE. The amendment offered by me was to strike out certain words in lines 11 and 12, as printed in the bill, so as to read:

For expenses of regulating entry into the United States, in accordance with the provisions of the act approved May 22, 1918, and of this act, to be immediately available, $600,000.

Mr. UNDERWOOD. I am not familiar with public act No. 79, and I do not know what the limitations contained in that act are; but if we strike out the provision to which the Senator refers and merely make the appropriation in this act there will be no limitation.

Mr. LODGE. Public act No. 79 of the Sixty-sixth Congress simply extended the provisions of the act approved May 22, 1918. The bill we are now considering does the same thing.

Mr. UNDERWOOD. What I am trying to find out is what was the act that is extended? What is the purpose of this legislation?

Mr. LODGE. The purpose is to enable us to collect the passport and visé fees which were provided for in the act of May 22, 1918, and, in order to do that, we have to extend the provisions of that, which authorized the imposition of such fees.

Mr. UNDERWOOD. The provision, then, as amended, will provide for the collection of the same fees that were fixed by the last piece of legislation on the subject?

Mr. LODGE. Yes; in the measure that we adopted last year. It is designed to prevent our losing such fees because of the expiration of the act.

Mr. HARRISON. I wish to ask the Senator a question along the same line. As I understand, the House has passed a separate bill extending act No. 79, or the previous act of May 22, 1918, as amended?

Mr. LODGE. As I understand, a bill extending public act No. 79 was reported, but I do not think it has been passed.

Mr. HARRISON. My recollection is that it has passed the House and is now before the Immigration Committee of the Senate. It extends the act which, unless action is taken, will, as I understand, expire on the 4th of March, 1921. It should be extended.

Mr. LODGE. It ought to be extended; yes.

Mr. HARRISON. This provision extends that act, does it?

Mr. LODGE. It only extends the act which applies to passport and visé fees.

Mr. HARRISON. The Senator does not think it advisable and wise to add, as another proviso, the bill which has passed the House and is now before the Senate dealing with this question and extending the act?

Mr. LODGE. I think the provision in this bill extends the original act. It does what act No. 79 did. That is my understanding.

Mr. HARRISON. It is all right if it does that, because I think it should be extended.

Mr. LODGE. I say I think it does. The bill now provides:

For expenses of regulating entry into the United States, in accordance with the provisions of the act approved May 22, 1918, and of this act—

That is, the one we are now considering.

Mr. HARRISON. I have not had time to study the House bill which I have in mind.

Mr. LODGE. If the Senator will look up the proviso which we have added to the House text he will find that it reads:

That the provisions of the act approved May 22, 1918, shall, in so far as they relate to requiring passports and visés from aliens seeking to come to the United States, continue in force and effect until otherwise provided by law.

Mr. HARRISON. That should be adopted and the act should be extended——

Mr. LODGE. I think so.

Mr. HARRISON. Because it is one way of restricting immigration into this country at this particular time.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

The VICE PRESIDENT. The question now recurs on the amendment which the Secretary has read inserting a proviso on page 28, beginning in line 13. Without objection, the amendment is agreed to.

Mr. LODGE. I move, on page 28, to strike out lines 18 to 21, inclusive, as the provision embodied in those lines has been made unnecessary by the adoption by the Senate of the clause in regard to the purchase of embassies and legations.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 28, after line 17, it is proposed to strike out:

For such expenses, not otherwise provided for herein, as may be necessary to enable the President to conduct and maintain any embassy, legation, or consular office authorized by law, $41,300.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Foreign Relations was, on page 28, after line 21, to insert:

PAYMENT TO THE GOVERNMENT OF FRANCE.

For payment to the Government of France, as a matter of grace and without reference to the question of liability therefor, the sum of $4,928 for full indemnity for losses suffered by Madame Crignier by reason of a search for the body of Admiral John Paul Jones, undertaken in 1899 by Gen. Horace Porter, at that time American ambassador to France, and completed by the finding of the body in 1905, as set forth in the message of the President of the United States to the Senate and the House of Representatives dated June 4, 1918.

Mr. KNOX. Mr. President, I desire to inquire of the chairman of the committee if the amendment embodying the so-called Crignier claim for damages in connection with the search for the body of John Paul Jones was reported favorably by the committee?

Mr. LODGE. The committee reported the amendment favorably.

Mr. KNOX. I did not think the committee had reported it favorably.

Mr. LODGE. I am sorry that is the Senator's impression. I understood the committee to vote for it.

Mr. KNOX. I am opposed to it. I opposed the claim in the committee; and I have an impression, although, of course, I shall not insist upon being positive about it—that is, I am positive about the impression, but I will not make any statement about the fact if the chairman of the committee says that the committee voted in favor of the claim——

Mr. LODGE. There was no roll call, I will say to the Senator, but I understood the committee to adopt it.

Mr. KNOX. On the assumption that the committee did adopt it, and that it is properly in the bill—and I do assume that—I, of course, have the right to oppose the claim on the floor.

Mr. LODGE. Does the Senator desire to make a point of order?

Mr. KNOX. I will not resort to that. The United States had nothing to do with the excavations which were made in the effort to locate the bones of John Paul Jones. That was an enterprise undertaken by a very public-spirited gentleman by the name of Gen. Horace Porter. Gen. Horace Porter himself undertook to bear the expense of the search for the bones of that distinguished hero, perhaps aided by other high-minded and patriotic gentlemen who desired to have them brought to this country.

The facts in regard to this claim, as I understand them—and they did come to me in my capacity as Secretary of State some years ago—were that Mr. Horace Porter had entered into an agreement with the lady owning this house beneath whose foundations it was supposed they would have to excavate that he would pay her so many thousand francs—the number of francs I have now forgotten—for any damage that might result to her property by reason of this excavation, and the money was paid to her. As is usual in such cases, after the excavation had been made, and after the damages that were to result from this excavation had been paid for, the owner of the property discovered that a greater amount of damage than she had in contemplation at the time she received payment for prospective damages had been inflicted upon her property. Accordingly, instead of presenting a claim to Mr. Horace Porter, who had conducted the work upon his own responsibility, she proceeded, through diplomatic channels, to present a claim against the United States for three or four times as much as the estimated amount of the damage which had been paid to her.

Mr. President, there is no reason on earth why the people of the United States should assume this burden, unless it be for that reason which seems to underlie so many appropriations of public money, that it is another chance to give away the taxpayer's money for something with which the taxpayer had nothing to do.

Mr. LODGE. Mr. President, I do not think there was any pretense that there is a legal claim in this matter. It was presented by the French Government in behalf of this lady on the ground that the damage, as the Senator from Pennsylvania says, had been much greater than was anticipated. Coming in that way, I understood that a majority of the committee thought it would be well to put it on the bill; but I quite understand the grounds of the objection made by the Senator from Pennsylvania, and I want to assure him that I did not intend to put in anything to which he had not agreed.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Foreign Relations was, on page 29, after line 7, to insert:

FOR THE RELIEF OF THE CONTRIBUTORS TO THE ELLEN M. STONE RANSOM FUND.

The Secretary of the Treasury is hereby authorized and directed to return to such contributors, or, in the event of the death of any such contributors, to the legal representatives thereof, as may file their claims within one year from the passage of this act, the money subscribed by such contributors to pay the ransom for the release of Miss Ellen M. Stone, an American missionary to Turkey, who was abducted by brigands on September 3, 1901, said total sum not to exceed $66,000.

The amendment was agreed to.

Mr. POMERENE. Mr. President, this appropriation has been authorized by a vote of the Senate some four or five different times, and I have before me the favorable report of the House

Committee on Claims, Report No. 1398, Sixty-third Congress, third session, written by Congressman POU. It contains the letter to the President by the then Secretary of State, Mr. Root. I ask that pages 1 and 2 and part of page 3 be incorporated in the RECORD for the information of the House.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The Committee on Claims, to whom was referred the bill (S. 1864) for the relief of the contributors to the Ellen M. Stone ransom fund, having considered the same, report thereon with a recommendation that it do pass.

The object of this bill is to make an appropriation and authorize the Secretary of the Treasury to return the certain amounts contributed by the friends, churches, and other organizations throughout the United States to create a fund sufficient to secure the release of Miss Ella M. Stone, an American missionary to Turkey. She was captured by brigands on the 3d day of September, 1901, while in company with a small company of Turkish travelers on their way from Raslog to Djumabala, in the Empire of Turkey, and held for a ransom 172 days in the mountains of Bulgaria. Messrs. Kidder, Peabody & Co., bankers, of Boston, Mass., and custodians of the ransom fund, have furnished the committee with a list of the contributors, which is hereto appended and made a part of this report. Bills similar in import to this one have passed the Senate three times. Under date of March 26, 1908, President Roosevelt addressed a letter to the Senate and House of Representatives, transmitting a letter from the Secretary of State, both of which are made a part of this report. Appended hereto is a letter from the President of the United States under date of October 7, 1914, and one from the Secretary of State under date of July 15, 1914, both of which are also made a part of this report.

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a letter from the Secretary of State on the subject of the repayment to the contributors of the money raised to pay the ransom for the release of Miss Ellen M. Stone, an American missionary to Turkey, who was abducted by brigands on September 3, 1901, while traveling on the highway from Raslog to Djumabaia in the Turkish Empire.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 26, 1908.*

—

DEPARTMENT OF STATE,
Washington, March 24, 1908.

The PRESIDENT:

As will be remembered, Miss Ellen M. Stone, an American missionary to Turkey, was abducted by brigands on September 3, 1901, while traveling on the highway from Raslog to Djumabala in the Turkish Empire.

Our diplomatic and consular representatives in Turkey, in correspondence with the Department of State, shortly after the capture, indicated their belief that the motive therefor was to obtain a ransom, and stated that they had requested the Turkish officials to abstain from too close pursuit of the brigands lest the death of the captured might result.

From later correspondence with our representatives it appeared that the brigands had retired to the mountains with the captive, probably over the border into Bulgaria. The exact location of the party during the captivity, however, is not established by any evidence in the possession of the Department of State, nor does it appear clearly of what Government the bandits were subjects.

About October 1, 1901, the bandits opened negotiations for a ransom, demanding £25,000 and transmitting a letter from Miss Stone asking that the sum demanded be paid and that pursuit of the brigands by the Turkish troops be stopped.

Our diplomatic representatives were of the opinion that Miss Stone's release could only be obtained by the payment of the ransom, and the State Department shared this view. Miss Stone's friends, of course, entered into correspondence with the department regarding the payment of the ransom and were told that it must be raised by private means.

On October 3, 1901, the State Department telegraphed to the Rev. Judson Smith, of the American Board of Commissioners for Foreign Missions (this dispatch was forwarded subsequently by Dr. Smith to Mr. Charles A. Stone as "the proper custodian of this"), Boston, Mass., as follows:

"It seems imperative that the amount (of the ransom) should be raised or pledged so as to be available by your treasurer at Constantinople in season to save Miss Stone. Statutory prohibitions make it impossible for this Government to advance the money or guarantee its payment. If paid by Miss Stone's friends, every effort will be made to obtain reimbursement from whichever Government may be found responsible under international law and precedent. In the event of its proving impossible to hold any foreign Government responsible for the capture and to secure the repayment of the money, this Government is willing in the last resort to urge upon Congress as strongly as possible to appropriate money to repay the contributors."

It is claimed that this assurance given by the department in its letter to Mr. Smith, to the effect that, as a last resort, a recommendation would be made to Congress looking toward the appropriation of a sum sufficient to pay the donors, was largely instrumental in enabling Miss Stone's friends to secure the sum of $66,000, which was raised through public subscription in this country by October 23, 1901, for the purpose of effecting Miss Stone's release.

After negotiations of considerable length, the brigands finally consented to accept the amount raised and arrangements were made by United States Minister Leishman for the payment of the money at a point near Bansko, Macedonia, the Turkish authorities consenting to withhold their troops from the vicinity of the place in order that the negotiations might have a successful issue.

The release of the captive was not obtained so soon as expected, but was finally reported by Minister Leishman on February 23, 1902.

After careful consideration of all the facts, my predecessor, Mr. Hay, decided on January 19, 1905, that it was not advisable to attempt to hold the Turkish Government responsible for the capture and to secure the repayment of the money. Upon the subsequent application for reconsideration of this decision, Mr. Hay, again on April 11, 1905, reaffirmed the judgment which he had originally expressed. Upon a further review of the same subject I have come to the conclusion that it is not advisable to reverse or change the conclusion which Mr. Hay reached.

It would seem, therefore, that the executive department is bound to make good its promise to recommend to Congress that money be appropriated to repay the ransom money, a promise which was probably relied upon by many of those who contributed of their private means to save the life of an American citizen believed to be in the gravest peril.

Accordingly, I have the honor to advise that Congress be recommended to appropriate an amount sufficient to repay the contributors.

Respectfully submitted.

ELIHU ROOT.

—

THE WHITE HOUSE,
Washington, October 7, 1914.

MY DEAR MR. POU: I am quite sure that it is not necessary to remind you of the bill before the Committee on Claims with regard to reimbursing those who contributed to the fund for the ransom of Miss Ellen M. Stone from the Turks, for I know that your committee has again and again approved the bill. I take the liberty, however, of sending you Miss Stone's letter to me. It gives me the opportunity to say how sincerely I hope that at the next session of Congress this bill may be passed.

Cordially and sincerely, yours,

WOODROW WILSON.

Hon. EDWARD W. POU,
House of Representatives.

—

DEPARTMENT OF STATE,
Washington, July 15, 1914.

SIR: At the request of Miss Ellen M. Stone, the American missionary who was abducted by Turkish brigands in 1901, the department desires to call attention to the message of President Roosevelt to the Congress March 26, 1908, transmitting the letter of Secretary Root on the subject of repayment by the Government to the contributors of the money raised to pay the ransom for the release of Miss Stone, amounting to $66,000. It appears that the Department of State announced in 1901, while Miss Stone was in the hands of the brigands, that if the ransom were raised and paid by private persons every effort would be made to obtain reimbursement from the Government which might be found responsible under international law, and, in the event of it proving impossible to hold any foreign Government responsible, the department was willing to urge that Congress appropriate money to repay the contributors. Subsequent investigation appeared to show the irresponsibility of any foreign Government, and therefore the department takes this occasion again to recommend that Congress make such appropriation. I have the honor to be, sir,

Your obedient servant,

W. J. BRYAN.

Hon. EDWARD W. POU,
Chairman Committee on Claims, House of Representatives.

The reading of the bill was concluded.

Mr. MOSES. Mr. President, have the committee amendments been disposed of?

The VICE PRESIDENT. They have.

Mr. MOSES. I offer the amendment which I send to the desk, and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 29, after line 18, it is proposed to insert the following:

For expenses of delegates, not exceeding 10 in number, to be designated by the President, to the Sixteenth International Congress Against Alcoholism at Lausanne, Switzerland, August, 1921, not to exceed $7,425, to be paid out of the unexpended balance of the appropriations heretofore made for the Fifteenth International Congress Against Alcoholism, said amount including secretarial and stenographic work and transcription of reports.

Mr. LODGE. That carries no appropriation; and as far as I can, on behalf of the committee, I am very glad to accept it.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. CAPPER. I call up the amendment which I offered to the item for the support of the International Institute of Agriculture.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 14, line 25, it is proposed to strike out "$3,600," and in lieu thereof to insert the following: "$7,500; secretary, $2,500; traveling expenses, $2,500."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kansas.

The amendment was agreed to.

The READING CLERK. On page 15, line 5, it is proposed to strike out "$16,600," and in lieu thereof to insert "$25,000."

The amendment was agreed to.

Mr. SMOOT. Is that the Lubin job over at Rome?

Mr. CAPPER. Yes.

The VICE PRESIDENT. He is dead.

Mr. SMOOT. I should like to make a point of order on that.

Mr. CAPPER. This simply increases the amount.

Mr. SMOOT. I know it does.

Mr. LODGE. I do not think it is subject to a point of order.

Mr. SMOOT. It is not estimated for.

Mr. LODGE. Of course, it is estimated for.

Mr. SMOOT. I thought when Mr. Lubin died we would have at least that much saved. I shall not say anything more about it, however.

The VICE PRESIDENT. The bill is still before the Senate, as in Committee of the Whole, and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. LODGE. I move that the Senate request a conference with the House of Representatives upon the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. LODGE, Mr. BORAH, and Mr. HITCHCOCK conferees on the part of the Senate.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN. I ask unanimous consent that the Senate take up the deficiency appropriation bill, H. R. 15962.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

APPOINTMENT OF ORDNANCE STOREKEEPER IN THE ARMY.

Mr. NELSON. Mr. President, I ask the Senator from Wyoming if he will be kind enough to lay aside the deficiency bill in order that I may call up a very short bill reported by the Committee on Military Affairs, which I think will lead to no discussion and no debate?

Mr. WARREN. No, Mr. President; I can not lay the bill aside. If the Senator's bill, as he says, is short and will not lead to debate, I have no objection to his trying to get it passed now.

Mr. NELSON. I ask unanimous consent for the present consideration of Senate bill 4912, to authorize the appointment of an ordnance storekeeper in the Army. It has been reported by the Committee on Military Affairs. It is just half a dozen lines long and will not lead to any debate. The passage of the bill is recommended by the War Department.

Mr. SMOOT. Mr. President, I will ask the Senator if this is the bill creating the position of ordnance storekeeper in order to give a man a position in the Army?

Mr. KING. Yes; that is it.

Mr. NELSON. No; this bill refers to a man who has been for over 43 years ordnance clerk in the War Department and has rendered faithful and efficient service. He has never taken his annual leave; he has oftentimes worked Sundays; and this is to put him on the retired list, and immediately retire him, and give him the pay of a retired captain.

Mr. SMOOT. I think that is half of it, Mr. President, but I think the other half is to give a position to another officer, is it not?

Mr. NELSON. It does not increase the Army a bit. He is to be immediately retired. I trust the Senator will make no objection to the consideration of the bill.

Mr. SMOOT. I have not the figures now, but I am getting them together, as to just what our Government is paying for retired officers of the Army and the Coast Guard and the Navy. I will say now that the figures are going to be staggering, and I want the Senate of the United States to understand just what they are. We have on the calendar now another bill proposing to retire certain other officers, and after a while we will get to retiring employees and paying them three-quarters salary, and eventually there will be nobody to pay taxes. I do not know that I shall object to the consideration of the bill, however.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4912) to authorize the appointment of an ordnance storekeeper in the Army, which had been reported from the Committee on Military Affairs, with amendments.

The amendments were, on line 3, after the words "authorized to," to strike out "nominate and"; on line 4, after the word "appoint," to insert "by and with the advice and consent of the Senate"; and on line 8, after the words "pay and," to strike out "allowance" and insert "allowances," so as to make the bill read:

Be it enacted, etc., That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, Nathan Hazen, chief clerk, Office of the Chief of Ordnance Department, United States Army, an ordnance storekeeper of the Ordnance Department, United States Army, with the rank and pay and allowances of a captain, mounted, and that he be immediately placed upon the retired list.

The grade of ordnance storekeeper is hereby revived in the Army of the United States for this purpose only.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The VICE PRESIDENT. The Secretary will read the bill.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, at the top of page 2, to insert:

BUREAU OF EFFICIENCY.

To enable the Bureau of Efficiency to perform the duties imposed upon it by the legislative, executive, and judicial appropriation act approved May 29, 1920, $20,000.

The amendment was agreed to.

Mr. CURTIS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 2, after line 6, it is proposed to insert a separate paragraph, to read:

Executive office: The accounting officers of the District of Columbia are authorized to pay J. Thilman Hendrick the salary of a Commissioner of the District of Columbia for the period he entered upon the duties of that office to and including March 4, 1921, notwithstanding the provisions of section 1761 of the Revised Statutes of the United States.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, after the amendment just agreed to, to insert:

GENERAL EXPENSES.

District of Columbia employees' compensation fund: For carrying out the provisions of section 11 of the District of Columbia appropriation act, approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the act approved September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," $2,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 20, to insert:

Coroner's office: For purchase and maintenance, hire of livery or means of transportation for the coroner's office and the morgue, jurors' fees, witness fees, removal of deceased persons, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, $1,700.

The amendment was agreed to.

The next amendment was, on page 3, after line 3, to insert:

For advertising notice of taxes in arrears July 1, 1920, as required to be given by act of March 19, 1890, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, $2,200: *Provided*, That hereafter no more than 1,000 copies of the pamphlet of taxes in arrears shall be printed, and a charge of not less than cost plus 10 per centum shall be made and collected from each person furnished with a copy of such pamphlet, the moneys to be covered into the Treasury of the United States to the credit of the revenues of the United States and the District of Columbia in the same proportions as appropriations for printing the pamphlet are paid from such revenues.

The amendment was agreed to.

The next amendment was, on page 3, after line 15, to insert:

SEWERS.

For operation and maintenance of the sewage-pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics, laborers, and two watchmen, purchase of coal, oils, waste, and other supplies, and for maintenance of motor trucks, $18,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 22, to insert:

PUBLIC SCHOOLS.

Allowance to principals: For allowance to principals of grade school buildings for services rendered as such, in addition to their grade salary, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, $2,980.

The amendment was agreed to.

The next amendment was, on page 4, after line 18, to insert:

METROPOLITAN POLICE.

For maintenance of motor vehicles, $1,900.

The amendment was agreed to.

The next amendment was, on page 4, after line 20, to insert:

FIRE DEPARTMENT.

For repairs and improvements of fire boat, $700.

The amendment was agreed to.

The next amendment was, on page 4, after line 23, to insert:

HEALTH DEPARTMENT.

For enforcement of the provisions of an act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896, and an act to provide for the abatement of nuisances in the District of Columbia by the commissioners, and for other purposes, approved April 14, 1906, $500.

The amendment was agreed to.

The next amendment was, on page 5, after line 3, to insert:

For contingent expenses incident to the enforcement of an act to regulate the sale of milk in the District of Columbia, and for other purposes, approved March 2, 1895; an act relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898; an act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898; an act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906, $400.

The amendment was agreed to.

The next amendment was, on page 5, after line 14, to insert:

For the maintenance of a dispensary or dispensaries for the treatment of persons suffering from tuberculosis and of persons suffering from venereal diseases, including payment for personal service, rent, and supplies, $500.

The amendment was agreed to.

The next amendment was, on page 5, after line 18, to insert:

COURTS.

Juvenile court: For transportation and traveling expenses to secure the return of absconding probationers, $150.

The amendment was agreed to.

The next amendment was, on page 6, line 5, in the items for support of convicts, to change the appropriation from "$50,000" to "$25,000."

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

CHARITIES AND CORRECTIONS.

Home for the Aged and Infirm: For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, including maintenance of motor trucks, $5,500.

The amendment was agreed to.

The next amendment was, on page 7, after line 8, to insert:

Board of Children's Guardians: For adminstrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding $25, and all office and sundry expenses, $1,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 12, to insert:

For maintenance of feeble-minded children (white and colored), $2,500.

The amendment was agreed to.

The next amendment was, on page 7, after line 14, to insert:

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $7,500 (in lieu of $1,500 heretofore authorized) to institutions adjudged to be under sectarian control and not more than $400 for burial of children dying while under charge of the board, $15,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 22, to insert:

Hospital for the Insane: For support of indigent insane of the District of Columbia in St. Elizabeths Hospital, as provided by law, $100,000.

The amendment was agreed to.

The next amendment was, at the top of page 8, to insert:

Deportation of nonresident insane: For deportation of nonresident insane persons, in accordance with the act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes," approved January 31, 1899, $1,500.

The amendment was agreed to.

The next amendment was, on page 8, after line 5, to insert:

JUDGMENTS.

For payment of the judgments, including costs, against the District of Columbia, set forth in Senate Document No. 394 of the present session, $5,373.95, together with a further sum to pay the interest at not exceeding 4 per cent per annum on said judgments, as provided by law, from the date they became due until the date of payment.

The amendment was agreed to.

The next amendment was, on page 8, after line 23, to strike out:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year, $1,000,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 12, to insert:

For transportation of diplomatic and consular officers, including the same objects specified under this head in the Diplomatic and Consular appropriation act for the fiscal year 1921, $100,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 21, to insert:

The limitation for the fiscal year 1921 as to the number of delivered sheets of customs stamps is increased from 276,000 to 520,000.

The amendment was agreed to.

The next amendment was, at the top of page 13, to insert:

OFFICE OF THE COMPTROLLER OF THE CURRENCY.

To pay the American Express Co. the sum of $470.80 due for transportation of currency, as authorized by the act of May 30, 1908, the appropriation for which expired by limitation before the bills for these shipments had been settled, $470.80.

The amendment was agreed to.

The next amendment was, on page 13, after line 22, to insert:

PAYMENT TO WALSTON H. BROWN AND OTHERS.

To pay Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., $65,792.53; to the Philadelphia & Reading Coal & Iron Co., $26,400.30; and to the estate of Henry A. V. Post, $50,359.35, as adjudged by the Court of Claims upon its findings of fact.

The amendment was agreed to.

The next amendment was, on page 14, after line 15, to insert:

For reimbursement of John M. Rogers, paying teller in the Office of the Assistant Treasurer at Chicago, Ill., for amounts made good by him on account of losses incurred in the payment of disbursing officer's checks upon indorsements which were later found to have been forged, $315.44.

The amendment was agreed to.

The next amendment was, on page 15, line 19, to increase the appropriation for expenses to enforce the provisions of the national prohibition act, etc., from "$1,000,000" to "$1,450,000."

Mr. WARREN. We put in this amendment exactly what was asked for, and what was estimated, but we have decided to reduce the amount from $1,450,000 to $1,400,000. So that should be made $1,400,000 instead of $1,450,000, on line 19, page 15.

The VICE PRESIDENT. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On line 19, page 15, reduce the amount to be inserted by striking out "$1,450,000" and inserting in lieu thereof "$1,400,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 16, line 2, to increase the appropriation for refunding taxes illegally collected from "$1,000,000" to "$4,435,000."

Mr. WARREN. In the amendment on page 16, line 2, before the numerals "$4,435,000," I move to strike out the word "to."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed to line 7, page 18, the last paragraph read being as follows:

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague or black death, trachoma, influenza, or infantile paralysis, to aid State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $450,000: *Provided*, That a detailed report of the expenditures hereunder shall annually hereafter be submitted to Congress.

Mr. CALDER. Mr. President, the paragraph just read provides for an appropriation of $450,000, under the title of "Prevention of epidemics." I would like to ask the chairman of the committee if this appropriation is for money already contracted for, or is it to take care of emergencies which may occur.

Mr. WARREN. I do not understand that the payment of a dollar has been contracted for, but I understand this is to provide a fund for meeting any emergencies which may arise.

Mr. CALDER. Mr. President, the reason why I made the inquiry of the Senator from Wyoming was because a great deal of publicity has been given in the newspapers in the last day or two to some typhus cases coming into the port of New York on steamers from Europe, and I have had a request from the Public Health Service to ask for an appropriation of $200,000 for the purpose of making some alterations, extensions, and improvements in the quarantine station in New York. As the chairman of the committee knows, that quarantine station was formerly conducted by the State of New York, and was handed over to the Public Health Service of the United States yesterday, and they seem to think it is inadequate. I desire to ask the Senator from Wyoming if he has had any communication from the Treasury Department concerning that?

Mr. WARREN. I have had no communication concerning it. The matter would not be in order at this time, and I may say to the Senator that Congress has never failed to respond in any emergency or when there was any epidemic. I will say further to the Senator that I know, from the feeling of the Committee on Appropriations of the Senate, that in any emergency of that kind we would take up a resolution and pass it, and the House would probably do the same, as we did a few days ago when a deficiency of a million dollars was passed in an hour through both Houses.

Mr. CALDER. I am only anxious to have it made clear, because I have been in receipt of a number of communications in the last day or two from New York, and there is some fear of this epidemic spreading.

Mr. WARREN. The Senator has shown me the letter from the Public Health Service, and the Surgeon General has evidently satisfied himself, by a survey, perhaps, that certain additions and improvements should be made. But they are not connected especially with any emergency or any disease. On taking over the quarantine station from the State of New York, he wants to make some changes, just as every housekeeper does when taking over a house which some one else has occupied. I do not believe it is in any case an emergency, and, of course, it is in no case a deficiency.

So I trust the Senator will not offer it, as I shall have to make the point of order.

Mr. CALDER. I shall not offer it, particularly in view of the fact that the Treasury Department has made no request for it.

Mr. WARREN. I will say that letters are continuing to come from the Treasury Department, but nothing has occurred to cause a change, and we have read every one of them up to this time as fast as they could be printed, and some that were not printed.

Mr. COLT. Mr. President, in regard to what the Senator from New York [Mr. CALDER] has said, let me say that a few moments ago I talked with Commissioner Wallace, and he was speaking about the necessity of the Federal Government taking over the quarantine regulations instead of their being in the hands of the State authorities, in order to secure concentration and unity of management, both with regard to the question of quarantine and with regard to the work of the health bureau, and also with regard to examinations at Ellis Island. The commissioner regarded such action as most important to meet the present emergency.

The reading of the bill was continued.

The next amendment was, on page 19, line 10, to increase the appropriation for repairs to Coast Guard cutters from "$75,000" to "$425,000" and to add: "including not more than $300,000 for rebuilding the Coast Guard cutter *Onondaga*, so as to read:

For repairs to Coast Guard cutters, $425,000, including not more than $300,000 for rebuilding the Coast Guard cutter *Onondaga*.

The amendment was agreed to.

The next amendment was, on page 22, after line 7, to insert:

Payment to the T. A. Gillespie Loading Co.: For payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J., which have been determined by the Secretary of War and agreed to by the claimants and in amounts not exceeding those enumerated in the letter of the Secretary of War as submitted to Congress at the present session in Senate Document No. 363, $285,141.41.

The amendment was agreed to.

The next amendment was, on page 22, after line 20, to insert:

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK.

For the restoration of "Bond Bridge," located on the Government MacLemore Cove Road which is a highway included in the authorized roads of the park system, $8,000.

The amendment was agreed to.

The next amendment was, at the top of page 23, to insert:

PAYMENT TO LEAVENWORTH BRIDGE CO.

To pay the Leavenworth Bridge Co., of the city of Leavenworth, Kans., the sum of $30,843.45 in settlement for extra expense in the building of the bridge across the Republican River at Fort Riley, Kans., such extra expense being the increased cost of labor due to direct Government competition in the local labor market and overhead costs during the period subsequent to the original completion date, which extra was required because such labor as was available was incompetent.

Mr. SMOOT. Referring to the claim in the amendment just read and the claims in amendments immediately following, I wish to say that I am not going to make a point of order against the amendments, that I will let them go through this time, but if the House agrees to them I shall endeavor to have a general law passed that will cover all similar cases.

Mr. KENYON. If we are going to open the door to claims of this kind, can the Senator estimate at all what the expenses will be?

Mr. SMOOT. I do not think there is a person living who can do that. If the House agrees to these matters, then I know of many other claims, of course, that I shall want to have taken care of. I think, perhaps, there should be a general law covering the whole question, but as a majority of the committee have agreed to the claims, I am not going to say anything further until after the conference report is made.

Mr. WARREN. Referring to the remarks of the Senator from Utah and to the inquiry of the Senator from Iowa, of course we should enact a law to do away with these claims, but heretofore we have provided for certain classes of war claims occurring on account of certain transactions if made within certain dates. For instance, in the matter of public buildings, post offices, and courthouses, we passed a law that contracts should all be taken care of and considered by the authorities, and that we would make good to the extent of the exact cost of those that were contracted for just before the war increase in the prices of commodities, where the bids were made before the war but accepted afterwards. In that law we provided that they would consider only those claims that were presented within 90 days, I think it was, so that it was intended only to provide for a certain few, relief for all of which we expected would be applied for.

We have appropriated under that legislation, I think, $1,500,000 perhaps, but we seem to be getting about to the end of those claims, as we are with reference to the Gillespie claims and others. There were certain levee and river and harbor claims, but I hope we have reached about the end of those. I should be glad to join with the Senators who have spoken of it, and other Senators, in legislating all this twilight zone out of existence, so that we may come back to exact contracts and exact conformance with contracts.

Mr. KENYON. Mr. President, I voted against this claim in the committee and I shall vote against it now. I wish to be in a position to vote against all claims of this kind in the future. I do not wish to be bound by any precedent in voting for this claim. I realize that there is possibly something to be said in its favor, but note the words of the bill and effect of having those go out to the country as evidence that Congress is recognizing claims of this character. I read:

Such extra expense being the increased cost of labor due to direct Government competition in the local labor market and overhead costs during the period subsequent to the original completion date, which extra was required because such labor as was available was incompetent.

It seems to me there is absolutely no end to the claims that will be presented in the future by those who have done any Government work if the reasons given here are sufficient to pay a claim of this character.

Mr. JONES of Washington. I wish to ask the Senator if he can see any difference between this claim and the claim of a private individual for performing a contract that he had made, the cost of which was increased by reason of Government competition in the neighborhood?

Mr. KENYON. No; not at all. Every person who performed any contract with the Government and got the worst of the matter because of incompetency of labor or because of governmental competition has a claim that he can present here in the future and have this precedent for its payment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 23, after line 10, to insert:

RIVER AND HARBOR WORK.

For payment of claims adjusted and settled under section 4 of the river and harbor appropriation act approved June 25, 1910, and section 9 of the river and harbor act approved June 5, 1920, and certified to Congress during the present session in Senate Document No. 378, $1,200.11.

The amendment was agreed to.

The next amendment was, on page 23, after line 16, to insert:

Readjustment of contracts: For amounts found to be due various contractors under the provisions of section 10, river and harbor act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, as fully set forth in Senate Document No. 384, reported to Congress at its present session, $362,140.98.

The amendment was agreed to.

The next amendment was, at the top of page 24, to insert:

Payment to Roach, Stansell, Lowrance Bros. & Co.: To pay the sum of $204,307.98 to Roach, Stansell, Lowrance Bros. & Co., of which $150,110.07 is for themselves, and $14,953.84 is for the use and benefit of their subcontractors, L. Lowrance & Bros.; $5,376 is for the use and benefit of the estate of their subcontractor, George F. Ramsey, and $15,822.82 is for the use and benefit of their subcontractor, Rodgers Construction Co., and $18,045.25 is for the use and benefit of their subcontractors, H. N. Rodgers & Bro., being the aggregate losses incurred by said Roach, Stansell, Lowrance Bros. &

Co. and their subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection with said contracts.

The amendment was agreed to.

The next amendment was, on page 24, after line 20, to insert:

Payment to H. B. Blanks: To pay H. B. Blanks, levee contractor, the sum of $123,569.03, of which $40,720.95 is for the use and benefit of his subcontractors, Roach, Stansell, Lowrance Bros. & Co., and $82,848.08 is for the use and benefit of the estate of his subcontractor, George F. Ramsey, being the aggregate losses incurred by said subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contract mentioned in said resolution: *Provided*, That the Secretary of the Treasury, before paying said sums, shall require evidence satisfactory to him that said contracts have been completed and that there are no other subcontractors who claim loss for work in connection therewith.

The amendment was agreed to.

The next amendment was, on page 25, after line 10, to insert:

Payment to the estate of George F. Ramsey: To pay the sum of $15,561.23 to the estate of George F. Ramsey, levee contractor, of which $13,602.27 is for the estate of George F. Ramsey and $1,958.96 is for the use and benefit of W. H. Dennison, his subcontractor, being the aggregate losses incurred by said George F. Ramsey and his subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contract has been completed and that there are no other subcontractors who claim loss for work in connection with said contract.

The amendment was agreed to.

The next amendment was, on page 26, line 5, to increase the appropriation for pay of the Army from "$24,000,000" to "$30,000,000."

The amendment was agreed to.

The next amendment was, on page 27, after line 5, to insert:

For the payment to the McClintic-Marshall Construction Co., as recommended in the report made to Congress under date of February 11, 1916, by the commission appointed under the act of June 24, 1914, and approved by the governor of the Panama Canal (H. Doc. No. 906, 64th Cong., 1st sess.), $714,007.39, said amount to be chargeable as part of the construction of the Panama Canal and reimbursed to the Treasury of the United States out of the proceeds of the sale of the bonds authorized by section 8 of the act approved June 28, 1902, and section 39 of the tariff act approved August 5, 1909.

The amendment was agreed to.

The next amendment was, on page 28, line 15, in the items for Eastern Branch, Togus, Me., National Home for Disabled Volunteer Soldiers, for household, to increase the appropriation from "$36,000" to "$54,000," and in line 19, to increase the total from "$64,500" to "$82,500."

The amendment was agreed to.

The next amendment was, on page 28, line 22, in the items for the Southern Branch, Hampton, Va., to increase the appropriation for subsistence from "$57,000" to "$76,500"; in line 23, for household, from "$80,000" to "$95,000"; and in line 27, to increase the total from "$208,500" to "$243,000".

The amendment was agreed to.

The next amendment was, on page 30, line 5, to change the total for National Home for Disabled Volunteer Soldiers from "$610,000" to "$663,100".

The amendment was agreed to.

The next amendment was, on page 30, after line 5, to insert:

So much as may be necessary of that part of the $46,000,000 appropriated in the sundry civil appropriation act for the fiscal year 1921 for medical and hospital services of the Bureau of War Risk Insurance allotted to the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby made available for the erection of 19 sets of double quarters at not exceeding $10,000 each for the medical staff at the various branches of the National Home for Disabled Volunteer Soldiers.

The amendment was agreed to.

The next amendment was, on page 34, after line 6, to insert the following proviso:

Provided, That the sum of $1,700,000 is hereby transferred from the appropriation "Provisions, Navy" to the appropriation "Maintenance, Supplies and Accounts," for the fiscal year 1921, and the limitation specified for pay of classified employees under the latter appropriation is correspondingly increased.

The amendment was agreed to.

The next amendment was, on page 34, line 6, after the numerals "$30,000,000" to insert:

Provided, That the sum of $1,700,000 is hereby transferred from the appropriation "Provisions, Navy," to the appropriation "Maintenance, supplies and accounts," for the fiscal year 1921, and the limitation specified for pay of classified employees under the latter appropriation is correspondingly increased.

The amendment was agreed to.

The next amendment was, on page 34, after line 11, to insert:

That deficiencies under appropriations for the Naval Establishment for the fiscal year 1920 and prior years shall be charged to a naval supply account fund, which is hereby established, and to which shall be transferred the unexpended balances of annual appropriations for the Naval Establishment for the fiscal years 1919 and 1920, after two years from the expiration of the fiscal year for which made, and, out of any funds in the Treasury not otherwise appropriated, an amount equal to the value of all stores in the naval supply account on March 31, 1921, preliminary adjustments on account of stores to be made upon the certificate of the Secretary of the Navy that stores to the value certified are on hand; and from and after said date the naval supply account fund shall be charged with the cost of all stores procured for and credited with the value of all issues or sales made from the naval supply account, necessary adjustments being made on account of outstanding contracts or orders.

The amendment was agreed to.

The next amendment was, on page 35, line 5, to strike out "For" and insert "The sum of $5,000,000 of the appropriation 'Maintenance, Quartermaster's Department, Marine Corps,' for the fiscal year 1919 is hereby reappropriated and made available for," and in line 12 to strike out the numerals "$5,000,000," so as to read:

Freight, Bureau of Supplies and Accounts: The sum of $5,000,000 of the appropriation "Maintenance, Quartermaster's Department, Marine Corps," for the fiscal year 1919 is hereby reappropriated and made available for all freight and express charges pertaining to the Navy Department and its bureaus, except the transportation of coal for the Bureau of Supplies and Accounts, for the fiscal year 1921.

The amendment was agreed to.

The next amendment was, on page 35, after line 16, to insert:

The prices at which material is to be expended from the naval-supply account shall be fixed by the Paymaster General of the Navy, subject to the approval of the Secretary of the Navy, and materials purchased during the war shall be issued at reduced prices in all cases appropriate, such differences in values and losses to be charged to the respective funds; and hereafter no charges on this account shall be made to naval appropriations.

The amendment was agreed to.

The next amendment was, on page 36, after line 3, to insert:

The sum of $3,000,000 of the appropriation "Maintenance, Quartermaster's Department, Marine Corps," for the fiscal year 1920 is hereby reappropriated and made available for the fiscal year 1921 under the following subheads:

Mr. SMOOT. Mr. President, I should like to ask the Senator from Wyoming if this is not really an additional appropriation rather than a transfer of the appropriation heretofore made for "Maintenance, Quartermaster's Department, Marine Corps"? On the preceding page, from the unexpended balance of the appropriation for "Maintenance, Quartermaster's Department, Marine Corps," the sum of $5,000,000 is reappropriated and made available for "Freight, Bureau of Supplies and Accounts" of the Navy Department. They must have had an unexpended balance; but is not this really increasing the appropriation?

Mr. WARREN. Oh, no. The Senator from Utah would readily understand it if he should sit down with a pencil and figure it up. For instance, in line 12, on page 35, the committee has reported to strike out $5,000,000. That amount is stricken out in one place and reappropriated in another place. It is not additional appropriation, and we are not thereby giving any more money. In other words, from prior appropriations of $120,000,000 there remained $8,000,000 which could be used in reducing the several amounts which the House had sent over here. We had to divide it in the way indicated, after conference with the admiral who has charge of the maintenance of the service, according to the various accounts, so as to leave the appropriation clear in the accounts as they are carried on the books.

The Navy Department asked for about one hundred and ninety-odd million dollars, practically $200,000,000. The House had provided for something like $61,000,000. The item was presented to them before they finished the bill, but they left it with the Senate to provide something like a needed $110,000,000 by some legislation which it was thought might be inserted in the Senate, but which, according to the rules under which the House is working and the confusion existing there, could not be put in by them. They were willing for us to put it in. So we put in this amount, but took it out of the appropriations heretofore made, which show a surplus or an unexpended balance.

It is a clean-up, for that matter, of one hundred and twenty-odd million dollars which has heretofore been appropriated and not used to cover all of these items. So we are using only something like $50,000,000 of new money appropriated instead of $190,000,000.

The Senator from Utah has to take into consideration three or four pages of the bill in order to get the matter together.

Mr. SMOOT. The Senator from Wyoming says that we have $5,000,000 out of the item for "Freight, Bureau of Supplies and Accounts," by striking out $5,000,000 in line 12, on page 35. The only thing that I see which comes from striking out

$5,000,000 in that line is the insertion of $5,000,000 in line 6, as the committee amendment proposes.

Mr. WARREN. It is simply a transference, as the Senator will see if he will read it, and not an appropriation.

Mr. SMOOT. I am aware of that, but it is making that sum available for the freight expenses of the Navy Department.

Mr. WARREN. If the Senator from Utah is objecting to the amount that the department has asked for, of course we shall have to discuss it on that basis; but we made a gain in this case in the current funds by using the $120,000,000 in cutting down or filling the vacuum that the House expected us to fill in the appropriation. We thought it better to exhaust those unused items, as has been partially done, or entirely done, perhaps, in the case of the Army, and to cut down the live amounts that much.

Mr. SMOOT. I do not yet see it. It looks to me like an appropriation.

Mr. UNDERWOOD. Mr. President, I wish to ask the chairman of the committee if we strike out the clause from line 4 to line 7, on page 36 of the bill, and leave it as provided in the bill as it came from the other House, would not the same amount go to the Marine Corps which would go with those lines in?

Mr. WARREN. I do not catch the Senator's question.

Mr. UNDERWOOD. If we strike out lines 4 to 7, inclusive, on page 36, would not the same amount be appropriated under the heading "Maintenance, Quartermaster's Department, Marine Corps," as would be appropriated if we put those lines in? There would be exactly the same amount of money appropriated.

Mr. WARREN. Exactly the same amount.

Mr. SMOOT. But this is for the year 1921.

Mr. UNDERWOOD. I know that; but this is what I am coming to: I understand that bookkeeping and I am not complaining of the committee, because I know how it is done. I know that last year the committee carried over and reappropriated a very large amount of money from old unexpended appropriations, so that when the balance sheet was struck they did not stand as appropriations for that year. I am perfectly willing that it shall be done in that way; but now that the election is over and it will be a long time before another election, I think we might just as well balance the books.

Exactly the same amount is coming out of the Treasury whether we include the words at the top of page 36 or not. This unused balance has lapsed back into the Treasury; it is not available now; and it does not make any difference whether we say we appropriate the amount out of a sum that has lapsed back into the Treasury or whether we provide it as an original appropriation; it is exactly the same charge on the Treasury of the United States, except as a matter of bookkeeping. I have not any objection to the committee doing its bookkeeping, I will say to the chairman of the committee, in its own way; I am not criticizing the chairman of the committee; I know that each party wants to hold down its appropriations, and before elections we have to keep our books with that end in view; but I think it is just that the record should show that these reappropriations are really appropriations out of the Treasury. I do not think the Republican Party ought to be charged with anything more than the money they have spent, but they are the party in power; they are responsible and should assume the responsibility of the money they do spend. This amount of money is coming out of the Treasury no matter how this bill is written. I think we ought to recognize that fact and the record ought to show it. That is the only purpose I had in rising, for I have no doubt that the appropriations are all right and proper.

Mr. WARREN. Mr. President, I will say that the thought of political parties in connection with this matter, or that there could be any attempt to secure political advantage because of the transfer of these various amounts as provided in the bill, never entered my head. It seems to me, however, that the Treasury would be in better condition and the Secretary of the Treasury would be able to work better if, so to speak, the house were cleaned up and he knew what is appropriated for the uses of the Government, rather than that appropriations should lie over, subject to be called upon at any minute, and driving him out to borrow money.

Mr. UNDERWOOD. I have no objection to that, I will say to the Senator, except as to the old appropriations. They have lapsed; they were only continued for the last year. I merely want the record to show that the Treasury is chargeable with this money.

Mr. WARREN. Some of the past appropriations for the Navy were available until expended; but I am willing to say that the Navy Department has run behind and has asked for deficiencies amounting to nearly $200,000,000.

Mr. SMOOT. I think that is right; and I think that is what ought to be said, Mr. President. I should like also to say that if we had time I would insist upon finding out the exact balances remaining from all appropriations which were made during the war and which were to remain available until expended. Then I think it would be wise to repeal those laws and have every dollar of the unexpended appropriations go back into the Treasury of the United States. In that way every dollar appropriated from now on would be appropriated for the fiscal year in which it was to be expended.

I do not know how many hundreds of millions of dollars are yet left over in the War Department. The appropriations were made without limit, not only for the War Department but for the Navy Department. I recognize that there is not time to do what I suggest at the short session of Congress, but that is what ought to be done in the case of the War Department, and that is what I think will be done in the case of the Navy Department in the fortifications appropriation bill. So long as there is an unexpended balance, I do not care in what year the appropriation was made, if it is provided in connection with the appropriation that it shall remain available to be expended at any time until the full amount is used, then that fund is there, and the head of the department can get hold of it and can have it transferred from year to year, so that it may be available during any given fiscal year. I think that ought to cease now that the war is over.

Mr. UNDERWOOD. I agree with the Senator that it might have been justified during war conditions; but the Senator is exactly right about it. If we are going to control the appropriations, we ought to know where they are; but I think the Senator will find that in the acts that we passed right after the war ceased we converted a large number of these items back into the Treasury.

Mr. SMOOT. We converted about $645,000,000.

Mr. UNDERWOOD. More than that; a good deal more than that—something over a billion dollars.

Mr. SMOOT. Yes; I think that is true, as I recall now; but we have not done it in the case of all of them.

Mr. UNDERWOOD. I do not think we have.

Mr. SMOOT. Take the case of the Navy: I asked Gen. Lord this afternoon to furnish me with the exact amount of all of the unexpended balances there were in the Navy Department. Whatever those unexpended balances are, I want to have a repealing provision enacted, providing that they shall go back to the credit of the United States, so that there shall not remain on the statute books hereafter any of these appropriations made in years past to be expended whenever the heads of the department desire.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head "Department of the Interior," on page 37, after line 18, to insert:

CONTINGENT EXPENSES.

For stationery, including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1921, $25,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 16, to insert:

INDIAN SERVICE.

For support of Indian day, boarding, and industrial schools, including the same objects specified under this head in the Indian appropriation act for the fiscal year 1921, $290,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 21, to insert:

To pay audited claims found due by the accounting officers of the Treasury for the fiscal years as follows:

Purchase and transportation of Indian supplies, 1918, $8,058.47.
Purchase and transportation of Indian supplies, 1919, $79,584.57.
Purchase and transportation of Indian supplies, 1920, $153,515.53.
Support of Chippewas of Lake Superior, Wis., 1919, $11.51.
Support of Chippewas of Lake Superior, Wis., 1920, $259.70.
Support of Indians, Blackfeet Agency, Mont., 1918–19, $69.96.
Support of Indians, Blackfeet Agency, Mont., 1920, $15.43.
Support of Indians of Colville, etc., Agencies, and Joseph's Band of Nez Perces, Washington, 1919, 88 cents.
Support of Indians, Fort Peck Agency, Mont., 1920, $8.51.
Support of Kickapoos, Oklahoma, 1920, 98 cents.
Support of Pawnees, employees, etc., Oklahoma, 1919, $18.56.
Indian school, Carson City, Nev., 1919, $12.21.
Indian school, Carson City, Nev., irrigation system, 1920, $348.65.
Indian school, Carson City, Nev., sewerage system, 1920, $95.78.
Indian school, Fort Mojave, Ariz., 1919, $32.04.
Indian school, Genoa, Nebr., 1919, $91.53.
Indian school, Greenville, Calif., 1919, $3.70.
Indian school, Cherokee, N. C., repairs and improvements, 1920, $1,813.92.
Indian school, Phoenix, Ariz., repairs and improvements, 1919, $104.50.
Indian school, Riverside, Calif., repairs and improvements, 1919, $10.50.
Indian school, Pipestone, Minn., 1920, $405.26.

Indian school, Wahpeton, N. Dak., 1919, $73.13.
Improvement, maintenance, and operation, irrigation system, Fort Hall Reservation, Idaho, reimbursable, 1920, $881.78.
Irrigation near Jemez and Zia Pueblos, N. Mex., 1920, $164.65.
Irrigation project, ceded lands, Wind River Reservation, Wyo., reimbursable, 1919, $15.09.
Irrigation system, Blackfeet Reservation, Mont., reimbursable, 1920, $169.61.
Maintenance and operation, irrigation system, Yakima Reservation, Wash., reimbursable, 1920, $139.81.
Maintenance and operation, Ganado irrigation project, Navajo Reservation, Ariz., reimbursable, 1920, $101.96.
Maintenance and operation, pumping plant, San Xavier Reservation, Ariz., reimbursable, 1920, $347.52.
Maintenance and operation, water works, Papago Indian villages, Arizona, 1920, $9.79.
Surveying and allotting, Indian reservations, reimbursable, 1920, $1,411.50.
Water supply Navajo and Hopi Indians, Arizona, reimbursable, 1918–19, $2.94.
Water supply, Navajo and Hopi Indians, Arizona, reimbursable, 1920, $3,000.
Water supply, Papago Indian villages, Arizona, 1920, $152.56.
Highway from Mesa Verde National Park to Gallup, N. Mex., reimbursable, 1920, $652.68.
Toppenish and Simcoe Creeks Irrigation System, Yakima Reservation, Wash., reimbursable, 1920, $4,000.
Suppressing contagious diseases among live stock of Indians (no year), $3,000.
In all, $258,585.21.

Mr. WARREN. Mr. President, on page 41, line 16, I move to strike out the words "no year" and the parentheses.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 41, after line 17, to insert:

To pay the Pawnee Tribe of Indians of Oklahoma in full and final settlement for the purchase by the United States of 169,368.02 acres of surplus land belonging to said Pawnee Tribe, under the act of Congress approved March 3, 1893 (27th Stats., pp. 612–644), the sum of $312,811.27, with interest thereon from September 8, 1920, at the rate of 5 per cent per annum as provided in said act of Congress of March 3, 1893, and in pursuance of the findings of the Court of Claims of December 6, 1920, as set forth in Senate Document No. 311, Sixty-sixth Congress, third session, $312,811.27.

The amendment was agreed to.

The next amendment was, on page 43, after line 19, to insert:

Yosemite National Park, Calif.: To reimburse the appropriation for Yosemite National Park, 1921, for cost of rebuilding section of wood-stave pipe and trestle leading to power plant destroyed by rock slide January 18, 1921, $3,000.

The amendment was agreed to.

The next amendment was, on page 44, line 17, to strike out "$8,500" and insert "$12,866.69," so as to read:

FREEDMEN'S HOSPITAL.

For subsistence, fuel and light, clothing, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, furniture, motor-propelled ambulance, and other absolutely necessary expenses, $12,866.69.

The amendment was agreed to.

The next amendment was, on page 45, line 6, in the items for Post Office Department, to strike out "$14,500" and insert "$15,000, of which sum $500 shall be available for the purchase of law books and books of reference," so as to read:

For miscellaneous items, including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1921, of which sum not to exceed $500 may be expended for telephone service and not to exceed $90 may be expended for street car fare, $15,000, of which sum $500 shall be available for the purchase of law books and books of reference.

The amendment was agreed to.

The next amendment was, on page 46, after line 14, to insert:

For the payment of the obligations of the Post Office Department to the United States Railroad Administration for the transportation of the mails during the 26 months of Federal control of railroads from January 1, 1918, to and including February 29, 1920, $65,575,832.03.

The amendment was agreed to.

The next amendment was, on page 46, after line 19, to insert:

For transportation of mail by railroad routes, fiscal year 1920, $1,900,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 21, to insert:

For transportation of foreign mails, including the same objects specified under this head in the Post Office appropriation act for the fiscal year 1920, $99,500.

The amendment was agreed to.

The next amendment was, on page 47, after line 13, to insert:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $1,363,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 21, to insert:

Olympic National Forest: For emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest and for emergency measures necessary to protect from fire the timber on the Olympic National Forest, including the repair and construction of roads, fire lines, trails, telephone lines, or other means of communication through or along the boundaries of the area or areas of blown-down timber on the north and west sides of said national forest, and for the employment of extra guards and patrolmen as may be found necessary by the Secretary of Agriculture, $100,000.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, in connection with the amendment just agreed to, I ask permission to put into the RECORD a telegram I received several days ago containing the first information I have had with reference to what may be really termed a calamity, and also a telegram which I received this morning from the Chamber of Commerce of Aberdeen, in which they say they think this amount will not be anything like the amount that will be required. I think they are correct in that belief, and I feel satisfied that when the facts are all developed Congress will appropriate whatever money may be necessary to take care of the Government property.

As I wrote to them, this appropriation is simply such an appropriation as we thought it was wise to make on the facts that were presented to us. Congress will be in session all the summer, and when the facts are actually secured and the conditions are fully realized we shall be in a position to do whatever may be necessary in order to protect the interests of the Government.

There being no objection, the telegrams referred to were ordered to be printed in the RECORD, as follows:

BELLINGHAM, WASH., *February 10, 1921.*

Hon. W. L. JONES,
United States Senate, Washington, D. C.:

Belated reports of the great storm of January 29 west and south of Port Angeles show a property loss probably greater than San Francisco earthquake. Hundreds of millions of timber down and billions in danger of fire. The most valuable forest reserve in the country is a wreck, and large areas must be logged within three years or the loss will be counted in billions. It is the greatest property loss that ever happened at one stroke. Fortunately, there is little loss of life. Alex Polson says 150,000,000 of his timber out of 500,000,000 is down. Area involved is from Grays Harbor to Clallam Bay west of the Olympics; about 2,500 square miles. To save the wreck, fire must be kept out and intensive logging under strict regulation. Begin immediately Polson's railway from the south with Goodyear Merrill and Ring and Milwaukee from north with Spruce. Railway through center will salvage three-fourths of timber. Fire danger is so great that you should give Col. Greeley, chief forester, every support. Martial law may be necessary in dry season. Shall go over there and report further to Mr. Hadley next week. There is no immediate danger, but the possibilities are tremendous if fire starts near Quiniault or Mora in summer; all life and property in that country will be wiped out. Support Col. Greeley.

J. J. DONOVAN.

ABERDEEN, WASH., *February 18, 1921.*

W. L. JONES,
United States Senate, Washington, D. C.:

Situation in Olympia Peninsula calls for immediate provision for patrolling to guard against forest fires that otherwise are certain to sweep them this summer. Provision of $100,000, which we understand will be given by Federal Government for purpose, will be entirely inadequate. If small army of men are not provided as patrols we believe at least half of 100,000,000,000 feet of timber standing on Olympia Peninsula will be lost by fires this year, involving loss of hundreds of millions of dollars in Government and privately owned timber.

ABERDEEN CHAMBER OF COMMERCE,
By W. L. MORRIS, *Secretary.*

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 53, line 19, to strike out "$150,000" and insert "$300,000," so as to read:

BUREAU OF ENTOMOLOGY.

Preventing spread of moths: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy moth in New England and the discovery of a large colony in the State of New Jersey and smaller colonies in the States of New York and Pennsylvania, and to provide means for the control and prevention of spread of this insect in the States concerned or elsewhere in the United States, in cooperation with the States concerned, including the employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $300,000.

The amendment was agreed to.

The next amendment was, on page 54, line 12, to increase the appropriation for eradication of pink bollworm from $75,000 to $100,000.

The amendment was agreed to.

The next amendment was, on page 54, after line 14, to insert:

For an additional amount required to meet the increased cost of fuel for the central power plant of the Department of Agriculture, $19,435.52.

The amendment was agreed to.

The next amendment was, on page 55, line 26, to increase the appropriation for general expenses of Lighthouse Service from $300,000 to $468,000.

The amendment was agreed to.

The next amendment was, on page 56, line 3, to increase the appropriation for salaries and wages of officers and crews of light vessels and lighthouse tenders from $50,000 to $83,000.

The amendment was agreed to.

The next amendment was, on page 56, line 14, to insert "and Senate Document No. 387," and in line 15, to strike out "$362.85" and insert "$436.12," so as to read:

Damage claims: To pay the claims adjusted and determined by the Commissioner of Lighthouses under the terms of section 4 of the act of June 17, 1910 (36 Stat., p. 537), on account of damages occasioned to private property by collisions with vessels of the Lighthouse Service and for which said vessels were responsible, certified to Congress in House Document No. 912 and Senate Document No. 387 of the present session, $436.12.

The amendment was agreed to.

The next amendment was, on page 59, after line 6, to insert:

SENATE.

To enable the Secretary of the Senate to pay from the appropriation for 1921 for compensation of officers, clerks, messengers, and others, to Mark L. Black for services rendered as clerk to Hon. J. THOMAS HEFLIN, Senator from the State of Alabama, from November 3, 1920, to December 5, 1920, at the rate of $2,500 per annum and additional compensation at the rate of $240 per annum.

The amendment was agreed to.

Mr. WARREN. Mr. President, on page 59, after line 14, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 59, after line 14, it is proposed to insert:

For additional expenses of reporting and transcribing the debates and proceedings of the Senate and to equalize more nearly the amounts paid by the Senate and House of Representatives for reporting their respective proceedings from July 1, 1921, to June 30, 1922, payable in equal monthly installments, $4,844.

The amendment was agreed to.

The next amendment was, on page 62, line 23, in the item for printing parliamentary precedents, after the words "House and Senate," to insert "one set each to the Senate and the House branches of the legislative drafting service."

The amendment was agreed to.

The next amendment was, on page 65, after line 22, to insert:

For printing and binding for the Post Office Department, exclusive of the money-order office, $200,000.

The amendment was agreed to.

The next amendment was, on page 66, line 8, to insert "and Senate Document No. 388"; after line 10, to insert "Under the Navy Department, $2,962.50"; after line 11, to insert "Under the Department of Justice, $537.43"; and, in line 13, to strike out "$7,029.58," and insert "$10,529.51," so as to read:

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress during the present session by the Attorney General in House Document No. 958 and Senate Document No. 388, and which have not been appealed, namely:

Under the War Department, $7,029.58;
Under the Navy Department, $2,962.50;
Under the Department of Justice, $537.43;
In all, $10,529.51, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made.

The amendment was agreed to.

The next amendment was, on page 66, line 20, to insert, "and Senate Document No. 398"; in line 22, to strike out "$121,059.60" and insert "$155,324.99"; in line 24, to strike out "$78,064.11" and insert "$93,898.26"; page 67, line 1, to strike out "$632,990.11" and insert "$637,304.51"; in line 3, to strike out "$117,735.31" and insert "$122,885.31"; after line 5, to insert "Under the Department of Justice, $6,135."; and, in line 7, to change the total from "$950,419.40" to "$1,016,118.34," so as to read:

JUDGMENTS, COURT OF CLAIMS.

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in House Document No. 956 and Senate Document No. 398, namely:

Under the Treasury Department, $155,324.99;
Under the War Department, $93,898.26;
Under the Navy Department, $637,304.51;
Under the Interior Department, $122,885.31;
Under the Post Office Department, $570.27;
Under the Department of Justice, $6,135;
In all, $1,016,118.34.

The amendment was agreed to.

The next amendment was, at the top of page 86, to insert:

AUDITED CLAIMS.

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1918 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 386, reported to Congress at its present session, there is appropriated as follows.

The amendment was agreed to.

The next amendment was, on page 86, after line 12, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For labor-saving machines, Treasury Department, 56 cents.
For freight, transportation, etc., Public Health Service, $12.66.
For freight, transportation, etc., Public Health Service, 1919, $80.64.
For pay of personnel and maintenance of hospitals, Public Health Service, $6.66.
For Quarantine Service, 89 cents.
For salaries and expenses of collectors of internal revenue, $1,194.54.
For collecting the war revenue, $103.39.
For miscellaneous expenses, Internal-Revenue Service, $3,191.22.
For refunding internal-revenue collections, $40.
For redemption of stamps, $3,338.70.
For payment of judgments against internal-revenue officers, $80,728.90.
For allowance of drawback, $1,529.60.
For Coast Guard, $678.40.
For repairs and preservation of public buildings, $4.67.
For mechanical equipment for public buildings, $1.79.
For operating supplies for public buildings, $20.

The amendment was agreed to.

The next amendment was, on page 87, after line 12, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For contingent expenses, War Department, $41.52.
For national security and defense, War Department, $97.05.
For registration and selection for military service, $2,808.02.
For pay, etc., of the Army, $18,736.77.
For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, $154.50.
For arrears of pay, bounty, etc., $235.93.
For incidental expenses, Quartermaster Corps, $56.
For supplies, services, and transportation, Quartermaster Corps, $28,322.24.
For horses for Cavalry, Artillery, Engineers, etc., $299.94.
For shooting galleries and ranges, $397.75.
For Medical and Hospital Department, $33.48.
For engineer operations in the field, $98,118.82.
For Ordnance Service, $19.68.
For civilian military training camps, $29.05.
For arming, equipping, and training the National Guard, $240.27.
For headstones for graves of soldiers, $64.27.
For increase of compensation, Military Establishment, $236.91.
For sodium nitrate storage, $7,961.86.
For quarters for hospital stewards, $1,634.36.
For commercial telephone service at Coast Artillery posts, 1920, $648.33.
For disposition of remains of officers, soldiers, and civil employees, $45.08.
For National Home for Disabled Volunteer Soldiers, Pacific Branch, $214.74.
For National Home for Disabled Volunteer Soldiers, clothing, $119.44.
For payment of claims for loss of firearms, etc., taken by United States troops during labor strikes in 1914 in Colorado, $4.95.
For transportation of the Army and its supplies, $6.73.

The amendment was agreed to.

The next amendment was, on page 89, after line 4, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For contingent expenses, Navy Department, $2,863.66.
For increase of compensation, Naval Establishment, $15.57.
For pay, miscellaneous, $69.11.
For contingent, Navy, $24.
For pay, Marine Corps, $1,846.02.
For maintenance, quartermaster's department, Marine Corps, $186.25.
For contingent, Marine Corps, $56.70.
For transportation, Bureau of Navigation, $21.86.
For gunnery and engineering exercises, Bureau of Navigation, $10.
For outfits on first enlistment, Bureau of Navigation, $79.24.
For organizing the Naval Reserve Force, $248.
For ordnance and ordnance stores, Bureau of Ordnance, $110.
For maintenance, Bureau of Yards and Docks, $1.15.
For pay of the Navy, $13,536.35.
For provisions, Navy, Bureau of Supplies and Accounts, $178.
For maintenance, Bureau of Supplies and Accounts, $6.50.
For freight, Bureau of Supplies and Accounts, 1920, $623,283.23.
For freight, Bureau of Supplies and Accounts, 1919, $173,586.
For freight, Bureau of Supplies and Accounts, $3,476.80.
For fuel and transportation, Bureau of Supplies and Accounts, 1919, $18,022.27.
For engineering, Bureau of Steam Engineering, $8.25.

The amendment was agreed to.

The next amendment was, on page 90, after line 13, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For maps of the United States, 1919, $4.79.
For international protection of industrial property, Patent Office, $5.05.
For international protection of industrial property, Patent Office, 1919, $26.54.
For investigation of city school administration and education, Bureau of Education, 1919, $1.
For Capitol power plant, 1920, $2,000.
For Crater Lake National Park, 1919, $527.28.
For Glacier National Park, 1919, $1,707.08.
For Glacier National Park, 1920, $3,626.66.
For Grand Canyon National Park, 1920, $63.78.
For Mount Rainier National Park, 1919, $516.39.
For Sequoia National Park, 1919, $666.
For protecting public lands, timber, etc., 24 cents.
For expenses of hearings in land entries, $104.76.
For surveying the public lands, 1920, $1,099.20.
For Geological Survey, $202.92.
For general expenses, Bureau of Mines, $1.19.

For enforcement of the act to regulate explosives, Bureau of Mines, 1919, $144.46.
For Indian schools, support, $11.03.
For purchase and transportation of Indian supplies, $1,334.78.
For determining heirs of deceased Indian allottees, 78 cents.
For support of Indians in Arizona and New Mexico, 38 cents.

The amendment was agreed to.

The next amendment was, on page 91, after line 19, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR STATE AND OTHER DEPARTMENTS.

For public printing and binding, $10,630.38.
For national security and defense, executive, $12.62.
For salaries and expenses, Bureau of Efficiency, $1.45.
For transportation of diplomatic and consular officers, 1919, $427.48.
For contingent expenses, foreign missions, $407.82.
For contingent expenses, foreign missions, 1920, $432.97.
For salaries, Consular Service, $196.54.
For salaries, Consular Service, 1919, $745.
For post allowances to diplomatic and consular officers, $1,000.
For contingent expenses, United States consulates, $77.64.
For contingent expenses, United States consulates, 1919, $95.14.
For expenses of consular inspectors, $203.02.
For relief and protection of American seamen, 1919, $27.74.
For relief and protection of American seamen, 1920, $7,038.08.
For salaries, office of Superintendent of State, War, and Navy Department buildings, $174.79.
For Interstate Commerce Commission, $99.05.
For salaries and expenses, Federal Board for Vocational Education, 77 cents.
For salaries and expenses, United States Food Administration, $188.71.
For national security and defense, Food and Fuel Administrations, building, $11.59.
For national security and defense, Food and Fuel Administrations, educational, $303.05.
For library, Department of Agriculture, $92.89.
For miscellaneous expenses, Department of Agriculture, $2,244.91.
For general expenses, Weather Bureau, $4.60.
For general expenses, Bureau of Animal Industry, $124.92.
For meat inspection, Bureau of Animal Industry, $1.67.
For general expenses, Bureau of Plant Industry, $225.99.
For stimulating agriculture and facilitating distribution of products, $180.62.
For general expenses, Forest Service, $168.46.
For general expenses, Bureau of Chemistry, $10.87.
For enforcement of the food and drugs act, $14.80.
For general expenses, Office of Markets and Rural Organization, 75 cents.
For general expenses, Bureau of Markets, $54.39.
For enforcement of the United States grain standards act, $3.28.
For general expenses, Federal Horticultural Board, $27.77.
For suppressing spread of pink boll worm of cotton, 8 cents.
For contingent expenses, Department of Commerce, $1.62.
For national security and defense, Department of Commerce, $69.65.
For contingent expenses, Steamboat-Inspection Service, 40 cents.
For general expenses, Bureau of Standards, 21 cents.
For investigation of public utility standards, Bureau of Standards, $12.22.
For military research, Bureau of Standards, $75.55.
For testing railroad scales, etc., Bureau of Standards, $15.60.
For party expenses, Coast and Geodetic Survey, $64.22.
For general expenses, Lighthouse Service, $10,040.22.
For miscellaneous expenses, Bureau of Fisheries, $1.33.
For salaries and expenses, Commissioners of Conciliation, $92.61.
For contingent expenses, Department of Labor, 38 cents.
For national security and defense, Department of Labor, $25.99.
For expenses of regulating immigration, $34.51.
For enforcement of the child labor law, $1.26.
For investigation of child welfare, Children's Bureau, 63 cents.
For detection and prosecution of crimes, $268.98.
For national security and defense, Department of Justice, $72.20.
For books for judicial officers, $7.50.
For salaries, fees, and expenses of marshals, United States courts, $2.95.
For fees of commissioners, United States courts, $322.35
For fees of commissioners, United States courts, 1919, $1,741.55.
For fees of commissioners, United States courts, 1920, $8,242.23.
For miscellaneous expenses, United States courts, $26.50.
For miscellaneous expenses, United States courts, 1920, $1,950.10.
For supplies for United States courts, $1.39.
For support of prisoners, United States courts, 1919, $1,716.30.

The amendment was agreed to.

The next amendment was, on page 95, after line 19, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For railroad transportation, $1,107,136.56.
For balances due foreign countries, $339,274.34.
For compensation to postmasters, $2,613.39.
For indemnities, international mails, $683.50.
For Star Route Service, $2,767.33.
For City Delivery Service, $4,201.13.
For special-delivery fees, $1.52.
For Rural Delivery Service, $623.77.
For rent, light, and fuel, $178.70.
For city delivery carriers, substitute, auxiliary, and temporary, $19.95.
For freight on stamped paper and mail bags, $27.14.
For shipment of supplies, $58.23.
For city delivery carriers, $302.36.
For payment of rewards, $325.
For separating mails, third and fourth class post offices, $24.56.
For temporary and auxiliary clerks, $18.
For Railway Mail Service, salaries, $2.42.
For clerks, first and second class post offices, $1,097.85.
For watchmen, messengers, and laborers, $1.94.
For temporary clerk hire, $1,211.32.
For city delivery, horse hire, $1,289.76.
For mail messenger service, $363.55.
For Railway Mail Service, miscellaneous expenses, $20.64.
Total audited claims, section 3, $2,613,385.33.

The amendment was agreed to.

The next amendment was, on page 97, line 1, to change the section number from "3" to "4."

The amendment was agreed to.

The reading of the bill was concluded.

Mr. McCUMBER. That completes the committee amendments, does it not?

Mr. WARREN. All the committee amendments have been disposed of.

Mr. McCUMBER. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. On page 59, after the two amendments relating to the Senate, insert:

To pay to Robert W. Farrar, for extra and expert services rendered to the Committee on Pensions during the sessions of the Sixty-sixth Congress, $1,200.

Mr. McCUMBER. Mr. President, I wish to explain this amendment very briefly. There are two pension committees in the House, one known as the Committee on Invalid Pensions, which has to do with the veterans of the Civil War; the other, known as the Committee on Pensions, which takes charge of all other pension matters.

Since 1887 there have been detailed from the Pension Office, under the law then passed, two experts to the Committee on Invalid Pensions and one expert to the Committee on Pensions, making three experts from the Pension Office, to assist in the preparation and in the investigation of the many private pension bills.

All of that work is done by one committee in the Senate, the Committee on Pensions, and under the same law there has been detailed from the Pension Office one expert for that committee. The expert, ever since I have been in the Senate, has been Mr. Dennis Kerr, and during the last year he has been sick most of the time. He died last Monday and was buried yesterday.

The work that had formerly been done by Mr. Kerr had to be performed by my secretary, Mr. Farrar. In other words, I had to take my regular secretary and put him exclusively on that work, and he performed the same work that was performed by three experts in the House. Each year those experts in the House have been given $1,200 extra, and Mr. Kerr also, had he lived until to-day, would have had the $1,200 extra appropriated for him in this bill. But he died last Thursday. His sickness, however, lasted nearly a year, and practically all of his work during that time was performed by Mr. Farrar.

The House pays the experts detailed to the House committees out of its contingent fund. The Senate has always paid for that work out of the general fund. The purpose of this amendment is to allow to the person who had to leave his general work on the committee and attended exclusively to the work that was performed by Mr. Kerr the same amount Mr. Kerr would have received had he lived until to-day and just one-third of the amount paid in the House for doing the same work.

It seems to me so just that there should be no objection to it.

Mr. SMOOT. Mr. President, as I was the one who questioned the amendment in the committee, I want to explain why I did so.

It is true there are three men designated from the Pension Office to the House for the purpose of assisting the two pension committees in the House in the preparation of pension bills. But the pension committees there do not have any extra help. They have no more help than the other committees. The Committee on Pensions of the Senate has six clerks, the other committees have but four. It is true Mr. Kerr was for a long time quite ill, and it is true that he died.

I thought, Mr. President, that after the bill passed granting widows of ex-soldiers $30 a month and each ex-soldier $50 a month, which would mean, of course, that there would be a small number of bills introduced and acted upon by each Congress in comparison with what there were before, the committee, having two extra clerks, could get along.

I shall not make the point of order against this amendment. I felt when the matter was before the committee as I feel now.

But there was an objection made in the committee, and I was the one who made it, for the reasons I have stated.

It is true that Mr. Kerr, up to the time of the passage of the last bill, received $1,200 on several occasions. Last year he did not receive the $1,200, and the only reason why I entered the objection was as I have stated.

Mr. McCUMBER. Let me say in reply that the number of clerks on the committee has not been increased since the time when Senator Gallinger was chairman of that committee.

Mr. SMOOT. I am perfectly aware of that.

Mr. McCUMBER. That was a great many years ago; but the number of pension bills that have passed through that

committee has enormously increased since that time. If I may take up just last year, they have had to go through and examine 3,600 House bills, with all the reports, and 2,100 Senate bills, which had to be thoroughly examined and gone through, and no two clerks could attend to that without the expert help.

As I said, this amendment would only give to Mr. Farrar, who did this work for Mr. Kerr, who was sick, the same amount Mr. Kerr would have received. The country will lose nothing whatever by the change of the fund from the one who would have done the work had he been well to the one who actually did it.

Mr. SMOOT. I recognize the force of that statement; unless we give Mr. Kerr's estate the $1,200 by special act, and as far as I am personally concerned I would like to see that done. I do not think there was ever a more honest, conscientious, and hard-working employee in the service of the Government of the United States than Mr. Kerr. I do not believe there was ever a man who was so deeply interested in his work. He knew his work as very few men in the Government service know theirs. I would like to see Mr. Kerr's estate, or his dependents, given $1,200, and I would not care if it was a full year's salary. That man was a splendid worker.

I know that if Mr. Kerr had served me as he served the Government of the United States and had died I would see that his services were recognized, as far as I could do it. I would see that his loved ones were taken care of, at least to a limited degree. I think the very least we could do would be to give his estate a year's salary.

Mr. McCUMBER. Let me say to the Senator that I can join in everything he has said in eulogy of Mr. Kerr and his work; but remember, he drew his regular salary, even though he was unable to do the work for most of the last year, and this is simply to pay one who did his work for him.

Mr. SMOOT. I told the Senator from North Dakota I would not make a point of order against this amendment. I know Mr. Farrar, too, but not as well as does the Senator from North Dakota, however; and I know what he has done in the past. But I really thought that the Committee on Pensions, with six employees, could have done the work, when the balance of the committees have only four.

Mr. McCUMBER. They did the work, but they had to do it on Sundays and at nights and at all other times. They did the work, of course.

Mr. SMOOT. Some of the other clerks do extra work, also. Nearly every night I have my clerk up to 12 o'clock dictating letters to him. That is the only time I can do that. If this amendment is to go in the bill, I would like now to move that a year's salary be given to those who were dependent upon Mr. Kerr. I shall prepare the amendment just as soon as I learn their names.

Mr. WARREN. I ask my colleague on the committee if he will not take care of that in another way. He is a member of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. I shall be glad to do it that way. I shall draw a resolution in accordance with the Senator's suggestion.

Mr. WARREN. The chairman of the Committee on Appropriations has a great many embarrassments, and he is "held up" sometimes, nearly, as one might say, like the bandits hold up their victims. The most embarrassing feature of all is the apparent ungraciousness of having to make opposition to the wish of a Senator, and especially if the Senator is as near to the chairman in affection as any other Senator could possibly be. But sometimes I think that there ought to be a little more consideration for that chairman, and there ought to be another way to handle these things that become so embarrassing to the committee.

I have nothing to say against the man who seeks this extra pay, and I shall make no point of order; but it seems to me that we ought to find a way to provide for these things as the House does, in a lump sum and out of the contingent fund, rather than to enter upon the program, in the last minutes of Congress, of this Senator and that and the other asking extra pay for this clerk, that, and the other. I say that with no reflection upon the Senator who offers the amendment and no reflection upon the man for whom he offers it, yet it occurs very often, notwithstanding that we have gone from one and two clerks each to four clerks for every Senator, whether he has a committee or not, notwithstanding that some Senators—I do not wish to name them, but I might do so if I had to do so—seem to think that their four clerks are to take care of their correspondence and be ornamental, and if there is any real work which requires the "digging," application, and routine work that the clerks of the Appropriations Committee and some others have to do, nights and Sundays and every other day, that their clerks must be paid extra.

I may say that when this matter first came up in the committee, without going any further and stating who they were, there were two other Senators who stated immediately that they desired to have extra pay for clerks, one of them not for his own clerk, but for the clerk of another committee, and the other Senator for some other clerk, perhaps his own. If we get started in that line of action, of course, there is no end to it, except within the consideration of the individual Senators.

So I express the wish that the matter might be taken up in another way. I wish hereafter that Senators may, for a moment, at least, put themselves in the place of the chairman of the Appropriations Committee, and see if they can not help by putting these matters up to the Committee to Audit and Control the Contingent Expenses of the Senate, and let that committee provide for them. There is a way that it can be done.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from North Dakota [Mr. McCUMBER].

The amendment was agreed to.

COLD-STORAGE FOODS—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, I wish to ask the chairman of the Committee on Agriculture and Forestry [Mr. GRONNA] a question or two with reference to the adoption of the conference report on the cold storage bill on yesterday. When that matter came up at the opening of the session I was in the Appropriations Committee. I did not know it was coming up at that time.

I received a telegram a few days ago from the dairy interests of my State claiming that the bill, as finally reported by the committee of conference, would work very great injury to that industry, and I intended to ask the chairman of the committee about it. I know that he is as much interested in the farming industry of the country as anyone and that he would be the last man in the country to indorse and put through legislation that would injure any agricultural interest. I have just had sent to me to-day a copy of a telegram, from Congressman KAHN, of California, by a gentleman who claims to represent the poultry interests of California, Oregon, and Washington.

I do not wish to take up very much time of the Senate now, but I do desire to have a brief statement from the chairman of the committee with reference to that feature of the cold storage bill. I think what these people had in mind was that the new provision with reference to the temperature that was required, and so on, would injuriously affect the disposal of their products.

Mr. GRONNA. Mr. President, I have received a great number of telegrams from people in my own State and from people in other States with reference to the same matter. The bill as it passed the House did not provide for any period for precooling at all. The Senate bill in its original form provided for a period of 30 days for precooling. It was a very difficult matter for the conferees to agree on the item because the Members of the House were opposed to that provision. We finally agreed upon 10 days.

I will say to the Senator from Washington and to the Senate that this does not affect the articles of food to which he has referred. If a carload of eggs or a carload of poultry is shipped from the Pacific coast, the articles or the containers will have to be marked anyway, and the only difference would be the marking of the date, the supplying of the additional figures of the date. The bill as reported to the Senate provided for a period of 10 days for precooling and then provides for 30 days during which the product may be held in cold storage, which means 40 days altogether, without the product being classified as a cold-storage product.

Mr. JONES of Washington. It is the precooling proposition that seems to worry these gentlemen. The Senator will appreciate the fact that it will probably take much more than 10 days to ship from the Pacific coast to the eastern market.

Mr. GRONNA. Oh, yes; but I will say to the Senator that the refrigerator cars and the ships are all included and classified as cold-storage warehouses. I will try to give the Senator an illustration. Suppose a carload of eggs is being shipped from his State to New York. Every container in that car would have to have some sort of mark upon it, and the only additional mark that would have to be on those cases of eggs would be the date.

Mr. JONES of Washington. The date of what?

Mr. GRONNA. The date of shipment, or it may be supplied on the invoice according to the regulations prescribed by the Secretary of Agriculture. It may be done in either way. If the eggs are sold within 30 days, they are still classified as fresh eggs. They will not be classified as cold-storage eggs. So the people are laboring under a misapprehension.

Mr. JONES of Washington. That is, if they are sold within 30 days from the date of shipment?

Mr. GRONNA. Yes; or 40 days from the time that they were first put in cold storage for precooling.

Mr. WARREN. Mr. President, I hope we will not get too many eggs in my basket until we can dispose of the pending appropriation bill.

Mr. GRONNA. Have I made the matter clear to the Senator from Washington?

Mr. JONES of Washington. I do not know about it myself, and I am just making inquiries because of certain telegrams that have come to me. I understand that the Senator from Utah [Mr. SMOOT] has a long letter with reference to the matter and he thinks that probably the act will have to be amended. I feel satisfied that the committee, if they find they have put in a provision that will work injuriously, will ask to have it changed.

Mr. GRONNA. I wish to say that all these matters were gone over by the committee, and, if my judgment is worth anything, I will say to the Senator that it will not be necessary to provide an amendment so far as this particular provision is concerned.

Mr. SMOOT. I wish to say that I am quite sure the bill will have to be amended.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

Mr. KENYON. Mr. President, immediately following the amendment just agreed to, offered by the Senator from North Dakota [Mr. MCCUMBER], I submit the following amendment, and I wish to offer a word of explanation.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. Under the head of "Senate" the Senator from Iowa moves to amend by inserting the following:

Charles A. Webb, for extra services rendered as clerk of the Committee on Privileges and Elections, $200.

Mr. KENYON. I know there is force in what the Senator from Wyoming has said.

Mr. WARREN. I am not going to object to the amendment.

Mr. KENYON. It went out in the committee. The Senator must not get angry about it.

Mr. WARREN. I am not angry. I told the Senator I would not object to it. I am satisfied, if it does not lead to more.

Mr. KENYON. In view of that statement I am going to explain the amendment. I am just as much opposed as is the Senator to piling up any extra compensation for clerks. But there are cases that are different from others.

Mr. Webb is the clerk of the Committee on Privileges and Elections. We proceeded with the investigation of campaign expenditures under resolution of the Senate, which was not a particularly desirable job, and there has been a tremendous amount of work. Mr. Webb has worked Sundays and nights. The chairman of the subcommittee supposed that we could pay Mr. Webb extra compensation out of the contingent fund, and I told him, when I asked him to work nights and Sundays and extra time, that he would be so paid. We could have employed some one else to do this enormous amount of work and handle the 11 or 12 volumes of testimony, getting them ready for our report, and it would have cost, I think, four or five hundred dollars. But by having Mr. Webb do it we have saved money to the Government.

Mr. SMOOT. Why does not the Senator make it $1,200, the same as the other amendment?

Mr. KENYON. No; that is too much.

Mr. SMOOT. He did just as much work as the other man, and more.

Mr. KENYON. Yes; Mr. Webb did just as much work as the other man. When that amendment went out in the committee I did not insist on the Webb amendment staying in. But Mr. Webb is a modest man and has not any exaggerated idea of the value of his services. This is not enough to pay him for all his extra work, but it is something, and I feel that in offering it I am doing the right thing.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Iowa.

The amendment was agreed to.

Mr. MCNARY. Mr. President, at the request of the Senator from California [Mr. JOHNSON] I propose the following amendment.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. On page 39, after line 13, insert the following paragraph:

For the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes, including the payment of salaries and traveling expenses and the purchase of materials and supplies, $10,000.

Mr. WARREN. I intended that this item should be included in the sundry civil appropriation bill, but it was overlooked. I had no objection to it.

The amendment was agreed to.

Mr. CALDER. Mr. President, in the earlier consideration of the bill I inquired of the chairman of the committee, the Senator from Wyoming [Mr. WARREN], if he had an estimate from the Treasury Department for $200,000 for the improvement of the quarantine station at New York. I explained at the time that the State of New York had turned this quarantine station over to the Government yesterday and that I had understood the Treasury Department had made an estimate for the improvement. Since that time the chairman of the committee has received an estimate. I merely wish to state that I have a letter here in connection with the matter from the Secretary of the Treasury, who strongly urges that the appropriation be made, in view of the threatened epidemic of typhus as a result of the large immigration to this country during the past few weeks. I propose to submit an amendment to cover the matter, and I shall ask the Senator from Wyoming not to object, but to let it go to conference.

Mr. WARREN. I suggest that the Senator send the amendment to the desk and let it be read.

Mr. CALDER. Very well. If it afterwards develops that it is necessary for him to do so, the provision may be eliminated from the bill. I think, however, it is a most important amendment and that it should be adopted.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 19, after line 25, it is proposed to insert the following:

New York, N. Y., quarantine station: For water supply, additional buildings, increased disinfecting facilities, and miscellaneous equipment, including all necessary mechanical equipment, lighting fixtures, etc., $200,000.

Mr. WARREN. Mr. President, I wish to say to the Senate that I expect, if we can finish the bill to-night, we may save from five to ten million dollars, or perhaps $20,000,000 for every day hereafter, because estimates are coming in so fast, and wet with fresh ink when they come here, that it is impossible to keep up with them, although there seems to be a beaten path from the Public Health Service by way of the Treasury to the Senate. I am not going, however, to object to the amendment.

The VICE PRESIDENT. May the Chair inquire how that estimate got to the committee?

Mr. WARREN. It was brought to my desk by the Senator from New York a few moments ago.

The VICE PRESIDENT. The Chair understands that the heads of the departments communicate to the United States Senate through the Presiding Officer of the Senate.

Mr. WARREN. There is no doubt about that, and that should be done.

The VICE PRESIDENT. The Chair is saying this for the benefit of his successor. Recently communications from the departments seem to be sent almost anywhere.

Mr. WARREN. The Vice President is perfectly right about that.

The VICE PRESIDENT. They are supposed to come to the President of the Senate and by him to be placed in the RECORD.

Mr. WARREN. That is why I said that it is dangerous to keep this bill before the Senate any longer; it has already been greatly increased. At least 20 different matters have been brought up here since the committee concluded the consideration of the bill on yesterday.

Mr. CALDER. Mr. President, the estimate was transmitted in the regular way to the Speaker of the House. It should undoubtedly have come to the Vice President, but it was a matter of emergency. The messenger from the Treasury Department handed it to me, and I handed it to the chairman of the Committee on Appropriations.

Mr. WARREN. I wish to say that it is simply a copy of a letter to the Speaker of the House of Representatives.

The VICE PRESIDENT. The Chair is not objecting; he is simply entering a protest against such a method of transmitting communications to the Senate of the United States. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WARREN. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. CURTIS, and Mr. SMITH of Maryland conferees on the part of the Senate.

BRITISH POSSESSIONS IN WEST INDIES.

Mr. REED. I introduce a resolution which I should like to have read—it is short—and lie on the table.

The resolution (S. Res. 457) was read, as follows:

Resolved by the Senate of the United States, That the President be, and he is hereby, respectfully requested to ascertain whether the Government of the United Kingdom of Great Britain, etc., is willing to discuss the cession by it to the United States of all or any part of its possessions in the West Indies, including the island of Trinidad, and also the Bermuda Islands.

Mr. REED. I should like to embrace this opportunity to say merely that in the near future I intend to address the Senate on this subject.

The VICE PRESIDENT. The resolution will lie on the table.

ORDER OF BUSINESS.

Mr. GRONNA. Mr. President, I move that the Senate proceed to the consideration of House bill 15812, being the Agricultural appropriation bill.

Mr. DILLINGHAM. Mr. President, we are very anxious to proceed to-morrow with the immigration bill. I think that we can dispose of it in the early part of the day, possibly; at any rate, that is the expectation of those with whom I have discussed the matter. Much as I should like to accommodate my friend from North Dakota, I dislike to have the Agricultural appropriation bill taken up at this time, as thereby the unfinished business would be displaced.

Mr. GRONNA. Is the immigration bill the unfinished business now?

Mr. DILLINGHAM. Yes; the immigration bill is the unfinished business.

Mr. UNDERWOOD. I will say to Senators on the other side of the Chamber that we have resumed and completed the consideration of and passed one appropriation bill and considered and passed two other appropriation bills to-day. The hour is growing late. I know there are a number of Senators on our side who are interested in the immigration bill, and also others who are very much interested in the Agricultural appropriation bill. I should not like to have the motion to take up that bill come to a vote at this late hour. I think we should take a recess now and leave the status remain as it is, and to-morrow morning at 11 o'clock determine the question when everybody is here.

Mr. DILLINGHAM. Under the circumstances, Mr. President, I move that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. LA FOLLETTE. Mr. President, will the Senator from Vermont withhold his motion for a moment?

Mr. DILLINGHAM. I withhold it.

RAILROAD EXPENSES UNDER GOVERNMENT GUARANTY.

Mr. LA FOLLETTE. I submit a resolution, which I ask to have read, and then I shall ask unanimous consent for its present consideration.

The reading clerk read the resolution (S. Res. 459), as follows:

Whereas the transportation act of 1920 provides for a definite guaranty of net earnings out of the Treasury of the United States during the period from March 1 to September 1, 1920, and for the fixing of freight rates by the Interstate Commerce Commission to yield net earnings amounting to a definite per cent upon the so-called "aggregate value" of the railroads; and

Whereas any artificial, fictitious, or fraudulent increases in operating expenses or other reduction of bona fide net earnings constitute an unwarranted and vicious drain either upon the Treasury of the United States or upon the pockets of American producers, shippers, and consumers; and

Whereas some or all of the railroads subject to the transportation act have contracted to pay unreasonable and extravagant prices for railway supplies, equipment, repairs, and renewals charged to maintenance account; and

Whereas separate corporations have been organized in certain cases, with the participation of railroad officials and stockholders, to which railroad shops have been leased for nominal sums and to the profit of their promoters; and

Whereas it is stated upon good authority that the charges paid by railway companies for supplies, equipment, repairs, and renewals are excessive, amounting to from two to five times the cost of doing the work in the shops of the railroads; and

Whereas it is further charged that these excessive prices for repair work have fictitiously and fraudulently increased the operating expenses of the roads and thereby imposed an unwarranted drain upon the Treasury of the United States and the American people amounting to many millions of dollars per annum; and

Whereas the Interstate Commerce Commission has conducted investigations into the relative costs of repairs and construction work in the railroad shops and in the shops of equipment companies and are collecting and have acquired a large amount of reliable data upon the subject since the railroads were returned to private control: Therefore be it

Resolved, That the Interstate Commerce Commission be, and it is hereby, authorized and directed to furnish to the Senate of the United States all information in its possession relating to this subject.

Mr. LA FOLLETTE. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there any objection?

Mr. TOWNSEND. Mr. President, I prefer to have an opportunity to look over that resolution. Therefore I shall object to its present consideration.

Mr. LA FOLLETTE. Then I ask that it lie on the table.

The VICE PRESIDENT. Under the rule the resolution goes over and lies on the table.

EFFICIENCY AND ECONOMY OF RAILROAD OPERATION.

Mr. LA FOLLETTE. I submit a resolution and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution submitted by the Senator from Wisconsin will be read.

The reading clerk read the resolution (S. Res. 458), as follows:

Whereas certain bills now before Congress propose to confer certain benefits and privileges upon the railroads of the country; and

Whereas these benefits and privileges will empower the railroads to secure from the United States Government certain monetary advantages which they would not otherwise secure; and

Whereas the railroads have contended and are now contending that such monetary advantages and other privileges are due them as a result of Government operation or should be granted them in order to free them from unnecessary regulations which they contend would curtail efficiency and economy; and

Whereas these monetary advantages will mean increased expenditure by the people and Government of the United States and will be an unwarranted burden unless they do institute just remuneration and do make possible increased economy and efficiency; and

Whereas it is essential that the Senate have at its disposal all available information as to the justness of the claims and the efficiency and economy of railroad operation which is a material fact in the claims advanced by the railroads; and

Whereas in the report of the director of the division of operation of the United States Railroad Administration for the year 1919 it is stated:

"From the beginning the mechanical department has diligently endeavored to maintain the equipment without any idea that economies should or could be realized by reducing maintenance which the equipment ought to receive. With this thought in mind, we began immediately after the roads were placed under Federal control to check locomotive shop output and roundhouse and shop costs, so that all unnecessary expenditures might be eliminated and greater efficiency in shop and roundhouse operation obtained. Where improper practices were found to exist, action was taken through the regional directors to have more efficient methods adopted.

"In order that expenditures for maintenance of equipment might be measurably controlled, Federal managers were required to prepare and submit on suitable forms information regarding maintenance of equipment during the test period, during the seven years prior to the test period, as well as during the calendar year 1918. This information was collected on the basis of the miles of roads operated, the units of equipment, and the locomotive and car miles, together with averages showing the cost of locomotive repairs separately on the basis of miles run, tractive power miles, and per locomotive owned.

"Freight-car repairs were reported on the basis of 10,000 freight-car miles and freight cars owned, and the passenger-train car repairs were reported on the same basis.

"From these reports studies of the maintenance of equipment costs were made and furnished to the regional directors, to keep them in touch with the actual conditions and aid them in the control of maintenance of equipment expenses.

"In this work we have constantly kept before us the thought that the ability of the railroads to move present and prospective business was the first consideration, and after this requirement had been fully met reductions in maintenance expenditures which could properly be made should be made on railroads which were clearly overexpended in the matter of maintenance of equipment in comparison with the test period, but in no case has the fact that a railroad has been overexpended for maintenance of equipment been permitted to reduce maintenance to a point where it would interfere with the handling of traffic.

"Analyzing and tabulating the information received from the different railroads in connection with the maintenance of equipment expenditures is going forward, so that all available data may be in shape for proper consideration when needed. This also includes the establishment of equation factors for increased costs of labor and material to enable comparisons to be made as between the test period and the period of Federal control"; and

Whereas in this report it is further stated:

"The work of the field forces has consisted of making special investigations of improper conditions reported, checking up conditions in shops, engine houses and repair yards for the purpose of promoting efficiency and economy in operation and handling labor matters that had not reached the stage where they should be referred to the Division of Labor.

"During the war the forces at practically all terminals had been built up to such an extent that they were out of proportion to the business handled. A check on the Erie Railroad, in 1918, showed the need for a thorough investigation of shop and engine-house conditions on all railroads; therefore this work was extended and developed into a comprehensive system of reporting conditions of shop and engine-house operation monthly through the regional directors.

"On account of the changed values due to increased labor and material costs a comparison on a money basis was worthless; there-

fore, all comparisons of shop and engine-house operation were made on a man-hour basis.

"To illustrate the improvement in conditions, a check of 2,921 engine houses in January, 1919, showed an average of 30.58 man-hours per locomotive handled, while a check of the same engine houses in July, 1919, showed 25.77 man-hours per locomotive handled, or a decrease of 7,013,036 in the number of man-hours in handling approximately 54,000 locomotives. This represents a saving per month of $4,263,541, which is at the rate of approximately $50,000,000 per annum.

"Other matters which have been investigated by the field forces include disputes between officials and the employees, losses due to good material finding its way into the scrap bins, shop practices, and the efficient use of machine tools, storage of material to see that it is properly protected, condition of shops and shop grounds, condition of roundhouses, turntables, cinder pits, and other terminal facilities to see that they were sufficient and were efficiently operated, checking up car-repair forces and facilities, and in many instances reorganizing forces at division points or on an entire railroad, seeing that shops and repair yards were properly supplied with material and tools so that the work could proceed without delay." Now, therefore, be it

Resolved, That the Director General of Railroads be requested to furnish the Senate with said information compiled by the special field forces of the mechanical department relative to improper conditions in shops, engine houses, and repair yards, and to the comparative efficiency of shop and engine-house operation as reported monthly to the administration.

Also, all studies of maintenance of equipment made on the basis of the check of locomotive shop output and roundhouse and shop costs with a view to eliminating unnecessary expense and to increasing efficiency.

Also, all the information prepared and submitted to Federal managers regarding maintenance of equipment during the test period, during the seven years prior to the test period, and during the calendar year of 1918.

And, in general, all information gathered and tabulated by the administration, as indicated in the foregoing quotations, from the report of the director of division of operation relative to maintenance of equipment, as well as the equation factors for increased costs of labor and material, to enable comparisons to be made as between the test period and the period of Federal control.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. TOWNSEND. I object.

The VICE PRESIDENT. Objection is made. The resolution will lie over under the rule.

RECESS.

Mr. DILLINGHAM. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 19, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 18 (legislative day, February 14), 1921.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

QUARTERMASTER CORPS.

To be second lieutenant with rank from July 1, 1920.

Corwin Lynn Rogers, late second lieutenant, Infantry, United States Army.

FIELD ARTILLERY.

Maj. Daniel Whilldin Hand, Field Artillery, to be lieutenant colonel, May 21, 1920, with rank from May 15, 1917.

INFANTRY.

Lieut. Col. Orval P. Townshend, to be lieutenant colonel, Porto Rico Regiment of Infantry, with rank from June 3, 1916.

William Montrose Inglis, late colonel, Infantry, to be major with rank from July 1, 1920, United States Army.

Maj. John Halpin Burns, Infantry, to be captain with rank from July 1, 1920, United States Army.

To be first lieutenants.

First Lieut. Luis Felipe Cianchini, Porto Rico Regiment of Infantry, with rank from November 1, 1918.

First Lieut. Victor Emanuel Domenech, Porto Rico Regiment of Infantry, with rank from December 21, 1919.

To be second lieutenants.

Second Lieut. Timothy Sapia Bosch, Porto Rico Regiment of Infantry, with rank from October 26, 1917.

Second Lieut. Juan Luis Oliver, Porto Rico Regiment of Infantry, with rank from October 26, 1917.

Second Lieut. Eduardo Andina, Porto Rico Regiment of Infantry, with rank from October 26, 1917.

REAPPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

SIGNAL CORPS.

Maj. Consuelo Andrew Seoane to be lieutenant colonel with rank from July 1, 1920, Signal Corps, United States Army.

FIELD ARTILLERY.

Robert Benjamin Hood, late first lieutenant (temporary captain), to be first lieutenant with rank from February 10, 1921, Field Artillery, Regular Army.

COAST ARTILLERY CORPS.

Jacob Arthur Mack, late major, to be major with rank from January 24, 1921, Field Artillery, Regular Army.

INFANTRY.

Herbert Benjamin Wilcox, late second lieutenant (temporary first lieutenant), to be first lieutenant with rank from January 24, 1921, Infantry, Regular Army.

Prince Edgerton Tripp, late first lieutenant, to be first lieutenant with rank from July 1, 1920, Infantry, United States Army.

QUARTERMASTER CORPS.

Q. M. Sergt. Charles August Bader to be captain with rank from July 1, 1920, Quartermaster Corps, United States Army, retired.

Earl Raymond Adlington, late first lieutenant, to be first lieutenant with rank from July 1, 1920, Motor Transport Corps, United States Army.

MEDICAL CORPS.

Fletcher Olin McFarland, late major (temporary lieutenant colonel), to be captain with rank from January 27, 1921, Medical Corps.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

To be colonels.

Lieut. Col. Alfred Aloe, Infantry, from February 1, 1921.

Lieut. Col. Frank Wheaton Rowell, Infantry, from February 1, 1921.

Lieut. Col. James Bradner Allison, Signal Corps, from February 1, 1921.

To be lieutenant colonels.

Maj. George Francis Connolly, Coast Artillery Corps, with rank from July 1, 1920.

Maj. Sylvester Bonnaffon, III, Infantry, with rank from July 1, 1920, since retired from active service.

Capt. Rowland Beverly Ellis, Cavalry, with rank from July 1, 1920.

Maj. Albert Stanley Fuger, Field Artillery, with rank from August 17, 1920.

Maj. Stanley Symmes Ross, Finance Department, with rank from August 22, 1920.

Maj. Wallace McNamara, Infantry, with rank from September 1, 1920.

Maj. Alden Max Graham, Quartermaster Corps, with rank from September 3, 1920.

Maj. Robert LeRoy Collins, Cavalry, with rank from September 5, 1920.

Maj. Irvin Lee Hunsaker, Cavalry, with rank from September 10, 1920.

Maj. Clifton Ranney Norton, Cavalry, with rank from September 15, 1920.

Maj. Charles Russell Mayo, Cavalry, with rank from September 17, 1920.

Maj. Arthur James Lynch, Quartermaster Corps, with rank from September 21, 1920.

Maj. Guy Eugene Bucker, Infantry, with rank from September 22, 1920.

Maj. Edwin Oliver Saunders, Judge Advocate General's Department, from December 27, 1920.

Maj. Walter Krueger, Infantry, from January 6, 1921.

Maj. Asa Leon Singleton, Infantry, from January 19, 1921.

Maj. Arthur Le Roy Bump, Infantry, from January 26, 1921.

Maj. George Grunert, Cavalry, from January 28, 1921.

Maj. Harry Westervelt Gregg, Air Service, from January 29, 1921.

Maj. William Rivers Pope, Cavalry, from February 1, 1921.

Maj. Staley Alfred Campbell, Infantry, from February 1, 1921.

Maj. John Rowe Brewer, Infantry, from February 1, 1921.

Maj. Olney Place, Cavalry, from February 2, 1921.

To be majors with rank from July 1, 1920.

Capt. Ephraim Foster Graham, Cavalry.

Capt. James Saye Dusenbury, Coast Artillery Corps.

Capt. Fredrick Clifford Rogers, Infantry.

Capt. Joseph Dowd Brown, Coast Artillery Corps.

Capt. Lehman Wellington Miller, Corps of Engineers.

Capt. Edson Irwin Small, Infantry.

To be captains with rank from July 1, 1920:

Second Lieut. Henry Stehman Hostetter, Finance Department.

Second Lieut. Emmet Crawford Morton, Finance Department.

First Lieut. William Tecumseh Haldeman, Cavalry.

Second Lieut. James Michael Grey, Quartermaster Corps.

First Lieut. Marcus Aurelius Smith Ming, Field Artillery.

First Lieut. Walter Raymond Graham, Infantry.

First Lieut. Albert Hovey Peyton, Infantry.
First Lieut. James Patrick Murphy, Infantry.
First Lieut. Neal Creighton Johnson, Infantry.
First Lieut. Norman Pyle Groff, Infantry.
First Lieut. Nelson Dingley, 3d, Coast Artillery Corps.
First Lieut. Claudius Miller Easley, Infantry.
First Lieut. Ernest Frederick Apeldorn, jr., Infantry.
First Lieut. Richard Weaver Hocker, Field Artillery.
First Lieut. John Cleveland Robinson Hall, Infantry.
First Lieut. Benton Frank Munday, Cavalry.
First Lieut. Joseph Ware Whitney, Infantry.
First Lieut. Peter P. Salgado, Infantry.
First Lieut. Henry Hockwald, Quartermaster Corps.
First Lieut. Frederick LeRoy Black, Quartermaster Corps.
First Lieut. Charles Samuel Moyer, Chemical Warfare Service.
First Lieut. Dennis Coburn Pillsbury, Infantry.
First Lieut. Sidney Lanier Conner, Infantry.
First Lieut. Joseph James Goffard, Infantry.
First Lieut. Arthur Joseph McShane, Quartermaster Corps.
First Lieut. Martin Ackerson, Infantry.
First Lieut. Herbert Edwin Featherstone, Cavalry.
First Lieut. Frank Unsworth McCoskrie, Infantry.
First Lieut. Edgar Gersham Coursen, jr., Quartermaster Corps.
First Lieut. Edward William Budy, Infantry.
First Lieut. Andrew Jackson McFarland, Infantry.
First Lieut. Myles Douglas Savelle, Infantry.
First Lieut. Rudolf Karl Schlaepfer, Infantry.
First Lieut. George Jacob Giger, Infantry.
First Lieut. John William Stanley, Infantry.
First Lieut. Clyde Pickett, Cavalry.
First Lieut. John Neely Hopkins, Infantry.
First Lieut. William Agnew Howland, Infantry.
First Lieut. Clifton Augustine Pritchett, Infantry.
First Lieut. Luke Donald Zech, Infantry.
First Lieut. Lucian Dalton Bogan, Infantry.
Second Lieut. Richard Law Hubbell, Ordnance Department.
First Lieut. Thomas Ralph Miller, Infantry.
First Lieut. Nels Erick Stadig, Infantry.
First Lieut. Ben-Hur Chastaine, Infantry.
First Lieut. Leigh Bell, Infantry.
First Lieut. George Frederick Spann, Quartermaster Corps.
Second Lieut. McGregor Snodgrass, Quartermaster Corps.
First Lieut. John Herman Knuebel, Infantry.
First Lieut. Erle Dorr Ferguson, Infantry.
First Lieut. Harry Clayton Luck, Infantry.
First Lieut. Robert Harry Tompkins, Corps of Engineers.
First Lieut. Charles Cameron Lewis, Infantry.
First Lieut. Thomas Ralph Kerschner, Field Artillery.
First Lieut. Harry Richardson Simmons, Infantry.
First Lieut. Kenneth Frederick Hanst, Infantry.
First Lieut. Walter Harold Root, Infantry.
First Lieut. Fred W. Miller, Infantry.
Second Lieut. Arthur Alexander McClaughry, Infantry.
First Lieut. Ross Ormall Baldwin, Infantry.
First Lieut. James Alphonse Kilian, Cavalry.
First Lieut. Donald Patrick Muse, Air Service.
First Lieut. Karl Christian Schwinn, Infantry.
First Lieut. Perry Lee Baldwin, Infantry.
First Lieut. George Thomas Shank, Infantry.
Second Lieut. Thomas Butler Burgess, Infantry.
First Lieut. Russell Conwell Throckmorton, Infantry.
First Lieut. Albert Chester Searle, Field Artillery.
First Lieut. Asa North Duncan, Air Service.
First Lieut. Thomas Francis Coleman, Infantry.
First Lieut. Carl Austin Russell, Infantry.
First Lieut. Hal Tanner Vigor, Quartermaster Corps.
Second Lieut. Will Gillette Gooch, Quartermaster Corps.
First Lieut. Thomas Grover Carlin, Infantry.
First Lieut. Maurice Joseph McGuire, Infantry.
First Lieut. Walter Carey Rogers, Cavalry.
First Lieut. Edward Ebert Walker, Infantry.
First Lieut. Chauncey Harold Hayden, jr., Infantry.
First Lieut. Erle Oden Sandlin, Infantry.
First Lieut. Roy Minor Robinson, Infantry.
First Lieut. Isaac George Walker, jr., Cavalry.
First Lieut. Walter Edward Jenkins, Field Artillery.
First Lieut. William Elmer Lynd, Air Service.
First Lieut. Everett Franklin Brooks, Infantry.
First Lieut. Ernest Louis McLendon, Infantry.
First Lieut. Walter Ralls Lawson, Air Service.
First Lieut. Rhodes Felton Arnold, Infantry.
First Lieut. Ivan Sanders Curtis, Infantry.
First Lieut. Aln Dudley Warnock, Infantry.
First Lieut. Eugene Nelson Slappey, Infantry.
First Lieut. Harwood Christian Bowman, Field Artillery.
Second Lieut. Laurence Henry Hanley, Infantry.
Second Lieut. Rosenham Beam, Air Service.
First Lieut. Harry McCorry Henderson, Infantry.
First Lieut. Robert Van Kleeck Harris, jr., Infantry.
First Lieut. Pleas Blair Rogers, Infantry.
First Lieut. Richard Grant Hunter, Field Artillery.
First Lieut. Hubert Vincent Hopkins, Infantry.
First Lieut. Wade Woodson Rhein, Coast Artillery Corps.
First Lieut. Benton Gribble Shoemaker, Cavalry.
First Lieut. Ben Allen Mason, Cavalry.
First Lieut. Harry Herman Young, Air Service.
First Lieut. Keith Bolling Wise, Infantry.
First Lieut. Frank Curtis Mellon, Infantry.
First Lieut. Donald Wilson, Air Service.
Second Lieut. Robert T. Hayes, Infantry.
First Lieut. Claud Greene Hammond, Infantry.
First Lieut. James Patrick Moore, Infantry.
First Lieut. Albert Eugene Andrews, Infantry.
First Lieut. Dorris Aby Hanes, Quartermaster.
First Lieut. John Wesley Rodman, Infantry.
Second Lieut. Frank Austin Heywood, Quartermaster Corps.
First Lieut. John Jacob Bethurum, Infantry.
Second Lieut. William Henry Halstead, Cavalry.
First Lieut. Randolph Gordon, Infantry.
First Lieut. Henry Passant Lewis, Infantry.
First Lieut. Glenn Adelbert Ross, Infantry.
First Lieut. Philip Coleman Clayton, Cavalry.
First Lieut. Ellis Bashore, Cavalry.
First Lieut. Joseph Leonard Tupper, Infantry.
First Lieut. Louis Rada Salvosa, Philippine Scouts.
First Lieut. John Derby Hood, Cavalry.
First Lieut. Melvin Reginald Ginn, Quartermaster Corps.
First Lieut. John Dillard Goodrich, Quartermaster Corps.
First Lieut. Joshua Dever Powers, Infantry.
First Lieut. Arthur Vincent Gair, Field Artillery.
First Lieut. John Vincil Stark, Infantry.
First Lieut. Frank Augustus Keating, Infantry.
First Lieut. Carlyle Judson Hancock, Cavalry.
First Lieut. Allison Joseph Barnett, Infantry.
First Lieut. George Pollock Bush, Signal Corps.
First Lieut. William Settle Evans, Field Artillery.
Second Lieut. Walter Moody Tenney, Infantry.
First Lieut. Arthur Shelby Levinsohn, Quartermaster Corps.
First Lieut. Richard Bartholomew Moran, Infantry.
First Lieut. Arthur Oscar Walsh, Field Artillery.
First Lieut. Harry Lauman Waggoner, Quartermaster Corps.
First Lieut. Walter Herbert Wells, Infantry.
First Lieut. LeRoy Lutes, Coast Artillery Corps.
First Lieut. William King Harvey, Quartermaster Corps.
First Lieut. Richard Thomas Edwards, Quartermaster Corps.
First Lieut. Welcome Porter Waltz, Infantry.
Second Lieut. Edwin Hugh Johnson, Infantry.
First Lieut. James Williston Callahan, Philippine Scouts.
First Lieut. Russell McKee Herrington, Cavalry.
First Lieut. Lawrence Aloysius Quinn, Infantry.
Second Lieut. Lewis Abram Pulling, Cavalry.
First Lieut. Dallas Royce Alfonte, Infantry.
First Lieut. Peter Hanses, Quartermaster Corps.
First Lieut. Fred Matthew Fogle, Quartermaster Corps.
First Lieut. Luis Felipe Cianchini, Infantry.
First Lieut. Arthur Carroll Waters, Field Artillery.
First Lieut. Ernest Terrill Barco, Field Artillery.
First Lieut. Lester Amiel Daugherty, Field Artillery.
First Lieut. Porter Prescott Lowry, Coast Artillery Corps.
First Lieut. Jerome Jackson Waters, jr., Field Artillery.
First Lieut. Thomas Grafton Hanson, jr., Quartermaster Corps.
First Lieut. Victor Emanuel Domenech, Infantry.
First Lieut. James Jay Cecil, Cavalry.
First Lieut. George Albert Moore, Cavalry.
First Lieut. James Madison Shelton, Cavalry.
First Lieut. Antonio Andres Vazquez, Infantry.
First Lieut. Alex Shepherd Quintard, Field Artillery.
First Lieut. Forsyth Bacon, Cavalry.
First Lieut. Ralph Leslie Joyner, Field Artillery.
First Lieut. Roscoe Stewart Parker, Cavalry.
First Lieut. Norman Minus, Infantry.
First Lieut. Heywood Shallus Dodd, Cavalry.
First Lieut. Kent Craig Lambert, Cavalry.
First Lieut. George Edward Huthsteiner, Cavalry.
First Lieut. Thomas Gerald O'Malley, Infantry.
First Lieut. Maurice Morgan, Cavalry.
First Lieut. Gilbert Edwin Bixby, Cavalry.

First Lieut. John Downing Hill, Infantry.
First Lieut. Frank Wiltshire Gano, Corps of Engineers.
First Lieut. John Leonard Pierce, Infantry.
First Lieut. John Joseph Atkinson, Field Artillery.
First Lieut. Charles Frederick Houghton, Cavalry.
First Lieut. Lowell Ward Rooks, Infantry.
First Lieut. Samuel Davies Bedinger, Field Artillery.
First Lieut. Malcolm Vaughn Fortier, Infantry.
First Lieut. Ivan Neal Waldron, Cavalry.
First Lieut. Edward Christopher Allworth, Infantry.
First Lieut. Roland Winfred Wittman, Infantry.
First Lieut. John Walter Nicholson, Infantry.
First Lieut. Thomas Allan Young, Infantry.
First Lieut. Charles Haines Lee, Infantry.
First Lieut. Ray Bradford Conner, Infantry.
First Lieut. Malcolm McGregor Maner, Infantry.
First Lieut. John Lloyd McKee, Infantry.
First Lieut. Glenn Luman Allen, Infantry.
First Lieut. Charles Rouse Jones, Infantry.
First Lieut. Willard Stewart Paul, Infantry.
First Lieut. Moritz Augustus Rust Loth, Infantry.
First Lieut. Robert Henry Chance, Infantry.
First Lieut. John Briggs Day, Coast Artillery Corps.
First Lieut. Harry Augustine Buckley, Cavalry.
First Lieut. Samuel Rufus Ward, Infantry.
First Lieut. March Hugo Houser, Infantry.
First Lieut. James Brown Golden, Infantry.
First Lieut. Willfred Rowell Higgins, Infantry.
First Lieut. Frederick Stone Matthews, Infantry.
First Lieut. Jesse Pees Green, Infantry.
First Lieut. Howard Winthrop Turner, Signal Corps.
First Lieut. William Audley Taber, Infantry.
First Lieut. Henry Garner Sebastian, Infantry.
First Lieut. Wesley Crowell Brigham, Field Artillery.
First Lieut. William Major Goldston, Infantry.
First Lieut. Cyrus Higginson Searcy, Infantry.
First Lieut. Leon Edward Norris, Infantry.
First Lieut. David McAllister Hunter, Infantry.
First Lieut. Tasso Wadsworth Swartz, Infantry.
First Lieut. Edward William McCaskey, jr., Infantry.
First Lieut. Frederick Irving Eglin, Air Service.
First Lieut. Joseph James Pire, Coast Artillery Corps.
First Lieut. Turner Ransom Sharp, Quartermaster Corps.
First Lieut. William Joshua Jackson, Quartermaster Corps.
First Lieut. George Truman Phipps, Infantry.
First Lieut. Fred During, Infantry.
First Lieut. Merle Clifford Leonard, Coast Artillery Corps.
First Lieut. Allan Johnson, Coast Artillery Corps.
First Lieut. Frank Tillotson, Philippine Scouts.
First Lieut. Jesse Russell Bowles, Infantry.
First Lieut. Barrett DeTuberville Lambert, Infantry.
First Lieut. Ward Currey Goessling, Infantry.
First Lieut. Richard David Daugherity, Infantry.
First Lieut. William Ogden Johnson, Cavalry.
First Lieut. Miron James Rockwell, Infantry.
First Lieut. Harold Burton Gibson, Cavalry.
First Lieut. Victor Roland Woodruff, Field Artillery.
First Lieut. Gustave Adolph Mellanchton Anderson, Infantry.
First Lieut. William E. Kepner, Infantry.
First Lieut. Melvin Selmer Williamson, Cavalry.
First Lieut. William Chapman Peters, Infantry.
First Lieut. Robert William Yates, Infantry.
First Lieut. Charles McDonald Parkin, Infantry.
First Lieut. Dana Caswell Schmahl, Field Artillery.
First Lieut. Frank Peter Stretton, Cavalry.
First Lieut. Wilbur Granville Dockum, Field Artillery.
First Lieut. Clinton Mansfield Lucas, Field Artillery.
First Lieut. Jacob Edward Bechtold, Infantry.
First Lieut. Harry Adamson, Infantry.
First Lieut. Harry Burden Berry, Field Artillery.
First Lieut. Steele Wotkyns, Field Artillery.
First Lieut. Samuel Gilbert Fairchild, Field Artillery.
First Lieut. Francis Augustus Woolfley, Infantry.
First Lieut. William Francis Stromeyer, Quartermaster Corps.
First Lieut. Leslie Leonard Connett, Infantry.
First Lieut. Owen Rivers Rhoads, Infantry.
First Lieut. Carl Russell Adams, Coast Artillery Corps.
First Lieut. Joe L. Ostrander, Infantry.
First Lieut. Byron Tully Ipock, Coast Artillery Corps.
First Lieut. George Walter Hovey, Coast Artillery Corps.
First Lieut. Elmer Forrest Wallender, Infantry.
First Lieut. Carl Eugene Driggers, Infantry.
First Lieut. Carl Grady Lewis, Infantry.
First Lieut. Harry Vincent Hand, Infantry.
First Lieut. Ray S. Perrin, Field Artillery.
First Lieut. Frederick Vernon Edgerton, Infantry.
First Lieut. John Edward Grant, Cavalry.
First Lieut. George Alva Stockton, Infantry.
First Lieut. Ben Menadue Sawbridge, Field Artillery.
First Lieut. Charles W. Neues, Infantry.
First Lieut. Harold Wheeler Kelty, Infantry.
First Lieut. Warren Daniel Davis, Field Artillery.
First Lieut. Dominic Joseph Sabini, Field Artillery.
First Lieut. Woodworth Bowman Allen, Infantry.
First Lieut. Robert Ferris, Infantry.
First Lieut. Lewis Mesherry, Quartermaster Corps.
First Lieut. Charles Thomas Halbert, Coast Artillery Corps.
First Lieut. Herman Feldman, Field Artillery.
First Lieut. Ned Blair, Infantry.
First Lieut. Robert Perry Mortimer, Cavalry.
First Lieut. Ernest Alvin Kindervater, Infantry.
First Lieut. Jared Irwin Wood, Infantry.
First Lieut. Gordon Cogswell Irwin, Infantry.
First Lieut. Everett Marion Yon, Infantry.
First Lieut. Grady Henry Pendergrast, Infantry.
First Lieut. Robert Earle Frye, Infantry.
First Lieut. John Harvey Fye, Field Artillery.
First Lieut. George Lawrence Hopkins, Infantry.
First Lieut. George Mood McMullin, Infantry.
First Lieut. Harold Krebs Coulter, Infantry.
First Lieut. Nicholas Szilagyi, Infantry.
First Lieut. Frederick Weston Hyde, Infantry.
First Lieut. Leon Stanley Hatfield, Infantry.
First Lieut. Charles Royal Lehner, Field Artillery.
First Lieut. Rosser Lee Hunter, Infantry.
First Lieut. Carroll Arthur Powell, Signal Corps.
First Lieut. Claude Gilbert Benham, Coast Artillery Corps.
First Lieut. James Lester Allbright, Infantry.
First Lieut. Feodor Otto Schmidt, Infantry.
First Lieut. James Francis Brittingham, Field Artillery.
First Lieut. Frank Clide De Langton, Cavalry.
First Lieut. Oscar Bergstrom Abbott, Infantry.
First Lieut. George Seymour McCullough, Infantry.
First Lieut. Carter Roderick McLennan, Cavalry.
First Lieut. Roderick Alexander Stamey, Infantry.
First Lieut. Walter Ernest Duvendeck, Infantry.
First Lieut. Geoffrey Galwey, Cavalry.
First Lieut. Louis Garland Gibney, Cavalry.
First Lieut. David Seth Doggett, Field Artillery.
First Lieut. John Frank Gleaves, Infantry.
First Lieut. Arthur Daniel Ruppel, Field Artillery.
First Lieut. Allen Flood Kirk, Infantry.
First Lieut. Thomas Grady Jenkins, Infantry.
First Lieut. Francis Samuel Bayard Cauthorn, Infantry.
First Lieut. Roy Dayton Burdick, Corps of Engineers.
First Lieut. Madison Edward Walker, Infantry.
First Lieut. Richard Smith Duncan, Infantry.
First Lieut. James Ensor Simpson, Cavalry.
First Lieut. Winthrop Ausley Hollyer, Infantry.
First Lieut. Franklin Abraham Green, Infantry.
First Lieut. David Haldane Trevor, Field Artillery.
First Lieut. Leslie Carlyle Wheat, Infantry.
First Lieut. Lawrence Harold Bixby, Field Artillery.
First Lieut. Robert William Norton, Infantry.
First Lieut. Walter Compere Lattimore, Field Artillery.
First Lieut. Charles James Booth, Cavalry.
First Lieut. Claire Algernon Whitesell, Infantry.
First Lieut. Russell Hubbard Dixon, Field Artillery.
First Lieut. Everett Marshall Graves, Field Artillery.
First Lieut. William Tuttle Hamilton, Cavalry.
First Lieut. William Valentine McCreight, Infantry.
First Lieut. Virgil Bell, Infantry.
First Lieut. William Granville Purdy, Infantry.
First Lieut. Chesley Ray Miller, Infantry.
First Lieut. Frederick Francis Duggan, Cavalry.
First Lieut. Francis Ray Mann, Field Artillery.
First Lieut. Walter Lee Mitchell, Infantry.
First Lieut. Robert Franklin Dark, Infantry.
First Lieut. Mimucan Dabney Cannon, Infantry.
First Lieut. Harry Howard Baird, Cavalry.
First Lieut. Ralph Slate, Infantry.
First Lieut. Nathan Eugene McCluer, Field Artillery.
First Lieut. Ernest John, Infantry.
First Lieut. Francis Hutchins Waters, Cavalry.
First Lieut. Ralph Marshal Caulkins, Infantry.
First Lieut. William Taylor Bauskett, jr., Cavalry.
First Lieut. Claudius Leo Lloyd, Infantry.
First Lieut. Francis Gaines Bishop, Infantry.
First Lieut. Carlisle Barksdale Cox, Cavalry.
First Lieut. Joseph Lester Brooks, Infantry.

First Lieut. Moe Neufeld, Field Artillery.
First Lieut. Carlos Watkins Bonham, Field Artillery.
First Lieut. Donald Richard McComas, Cavalry.
First Lieut. Sidney James Cutler, Field Artillery.
First Lieut. John James Finnessy, Infantry.
First Lieut. Charles Wells Jacobson, Cavalry.
First Lieut. Richard Fairfax Leahy, Cavalry.
First Lieut. Howard Chesebrough Okie, Cavalry.
First Lieut. Eddie James Lee, Cavalry.
First Lieut. William Mathew Cline, Quartermaster Corps.
First Lieut. Edward Barclay Wharton, Coast Artillery Corps.
First Lieut. Frederick Philip Schlandt, Coast Artillery Corps.
First Lieut. Lewis Edward Hunt, Quartermaster Corps.
First Lieut. Charles Henry Ainsworth, Coast Artillery Corps.
First Lieut. Leasley Eugene Spencer, Coast Artillery Corps.
Second Lieut. James Oliver Smithley, Coast Artillery Corps.
First Lieut. Henry Hardy Slicer, Coast Artillery Corps.
First Lieut. Edward Sandford Pegram, jr., Corps of Engineers.
First Lieut. Stanley Gloninger Saulnier, Infantry.
First Lieut. Will Hughes Gordon, Infantry.
First Lieut. Thomas Joseph Johnston, Coast Artillery Corps.
First Lieut. John Marion Rhodes, Quartermaster Corps.
First Lieut. John James Maher, Coast Artillery Corps.
First Lieut. Rice Warren White, Infantry.
First Lieut. Dudley Blanchard Howard, Infantry.
First Lieut. Willard Wadsworth Irvine, Coast Artillery Corps.
First Lieut. Edmund Cecil Fleming, Field Artillery.
First Lieut. Charles Emerson Boyle, Field Artillery.
First Lieut. William Doughty Evans, Coast Artillery Corps.
First Lieut. Clarence Noble Winston, Coast Artillery Corps.
First Lieut. Elmer Parks Gosnell, Cavalry.
First Lieut. William Benjamin Tuttle, Infantry.
First Lieut. Donald Armpriester Stroh, Infantry.
First Lieut. Charles Henry Parker, jr., Infantry.
First Lieut. Edwin Adolph Henn, Field Artillery.
First Lieut. Ashley Spencer Le Gette, Infantry.
First Lieut. Russell Thomas George, Cavalry.
First Lieut. Thomas Clyde McCormick, Field Artillery.
First Lieut. Alfred Mynderse Goldman, Field Artillery.
First Lieut. Erskine Ashley Franklin, Cavalry.
First Lieut. Arthur Allen Dearing, Chemical Warfare Service.
First Lieut. Albert Miller Jackson, Coast Artillery Corps.
First Lieut. Lyle Bishop Chapman, Coast Artillery Corps.
First Lieut. George Raymond Owens, Coast Artillery Corps.
First Lieut. Andrew Davis Bruce, Infantry.
First Lieut. Richard Marshall Winfield, Infantry.
First Lieut. John Edward Maher, Cavalry.
First Lieut. Joseph Philip Kohn, Coast Artillery Corps.
First Lieut. Dallas Loyd Knoll, Quartermaster Corps.
First Lieut. Philip Armour Helmbold, Infantry.
First Lieut. Robert Justin Van Buskirk, Coast Artillery Corps.
First Lieut. Floyd Emerson Galloway, Infantry.
First Lieut. John Edwin Selby, Cavalry.
First Lieut. William Creveling Trumbower, Ordnance Department.
First Lieut. Herbert Everett Watkins, Cavalry.
First Lieut. Henry Yost Lyon, Infantry.
First Lieut. Raymond Lovejoy Newton, Cavalry.
First Lieut. Joseph Anthony Cistero, Infantry.
First Lieut. Thomas William Freeman, Infantry.
First Lieut. Paxton Sterrett Campbell, Infantry.
First Lieut. William Ross Irvin, Cavalry.
First Lieut. Alfred Lyons Baylies, Cavalry.
First Lieut. Roy Leo Schuyler, Infantry.
First Lieut. Charles Torrance McAleer, Field Artillery.
First Lieut. Louis De Laussure Hutson, Infantry.
First Lieut. Paul Reuben Wing, Field Artillery.
First Lieut. Edward Jedd Roe, Field Artillery.
First Lieut. Lathan Hunter Collins, Cavalry.
First Lieut. Loren Prescot Stewart, Infantry.
First Lieut. Frederick Linwood Topping, Coast Artillery Corps.
First Lieut. Nathaniel L. Simmonds, Infantry.
First Lieut. Ralph Burgess Skinner, Cavalry.
First Lieut. William Florence O'Donoghue, Infantry.
First Lieut. Alan Walter Jones, Infantry.
First Lieut. Charles S. Brodbent, jr., Infantry.
First Lieut. Myron Weldon Tupper, Field Artillery.
First Lieut. Stanley Allan Thomson, Infantry.
First Lieut. Emery Williamson, Infantry.
First Lieut. Charles Richard Doran, Field Artillery.
First Lieut. Candler Asbury Wilkinson, Cavalry.
First Lieut. Milton A. Lowenberg, Cavalry.
First Lieut. Charles Reid Russell, Infantry.
First Lieut. John Adams Hettinger, Cavalry.
First Lieut. William Byron Wilson, Infantry.
First Lieut. Carroll Leonard Ellis, Infantry.
First Lieut. Stanley Young Kennedy, Infantry.
First Lieut. William Wilson Belcher, Field Artillery.
First Lieut. George Atalbert Goodyear, Cavalry.
First Lieut. Paul Houston Morris, Cavalry.
First Lieut. John Richard Williams, Field Artillery.
First Lieut. George Ralston Middleton, Field Artillery.
First Lieut. Thomas Henry Shea, jr., Infantry.
First Lieut. Franklyn Thatcher Lord, Infantry.
First Lieut. Guy Douglas Thompson, Cavalry.
First Lieut. Royden Kenner Fisher, Infantry.
First Lieut. Marlin Clark Martin, Infantry.
First Lieut. David Lee Hooper, Infantry.
First Lieut. William Louis Morrison, Infantry.
First Lieut. Robert Fuller Blodgett, Field Artillery.
First Lieut. Thomas Raphael Phillips, Coast Artillery Corps.
First Lieut. Oliver Edward George Trechter, Infantry.
First Lieut. Charles Stone Reily, Infantry.
First Lieut. Richard Allen Gordon, Field Artillery.
First Lieut. John Lee Autrey, Signal Corps.
First Lieut. Edwin Henry Haskins, Infantry.
First Lieut. James Lawrence, Signal Corps.
First Lieut. Alfred Carleton Moeller, Coast Artillery Corps.
First Lieut. Frederick Lofquist, Coast Artillery Corps.
First Lieut. Adrin Bruno Smith, Coast Artillery Corps.
First Lieut. Napoleon Boudreau, Coast Artillery Corps.
Second Lieut. William James Briscoe, Philippine Scouts.
First Lieut. Tom Ward, Quartermaster Corps.
First Lieut. Herbert Winterburn, Coast Artillery Corps.
First Lieut. Stephen Joseph Idzorek, Air Service.
First Lieut. Clarence Le Roy Strike, Signal Corps.
First Lieut. John Roscoe Holt, Quartermaster Corps.
First Lieut. Rolland Edward Stafford, Signal Corps.
First Lieut. Clyde Charles Alexander, Field Artillery.
First Lieut. Henry Mackay Shaw, Field Artillery.
First Lieut. Robert Grant Mangum, Field Artillery.
First Lieut. Ernest Kuehn, Quartermaster Corps.
First Lieut. Robert Andrew Blair, Quartermaster Corps.
First Lieut. Robert Lee Hostetler, Infantry.
First Lieut. Joseph De Garmo, Quartermaster Corps.
Second Lieut. Yates Douglas Fetterman, Infantry.
First Lieut. William Henry Green, Quartermaster Corps.
Second Lieut. Robert A. Barth, Philippine Scouts.
First Lieut. Russell Gilbert Barkalow, Field Artillery.
First Lieut. Hardy Jacks Story, Infantry.
First Lieut. William Frederick Gent, Infantry.
First Lieut. Carl William Connell, Air Service.
First Lieut. Lee Gunnels Carson, Infantry.
First Lieut. Chambord Henry St. Germain, Infantry.
First Lieut. Hardy Pate Browning, Signal Corps.
First Lieut. Thomas K. Petty, Cavalry.
Second Lieut. William Earle Reid, Philippine Scouts.
First Lieut. Jesse William Penn, Infantry.
First Lieut. Jacob Herschel Lawrence, Infantry.
First Lieut. John Tee Bozarth, Philippine Scouts.
Second Lieut. Ancil Gatliff Davis, Philippine Scouts.
First Lieut. Martin Luther Kelley, Quartermaster Corps.
First Lieut. Samuel Baxter Wiener, Infantry.
Second Lieut. Norris Peters Walsh, Field Artillery.
First Lieut. Hans Ottzenn, Infantry.
First Lieut. John Jay Wilson, Infantry.
First Lieut. Grover Cleveland Graham, Infantry.
First Lieut. Augustine Aloysius Kane, Infantry.
Second Lieut. Edgar Joseph Tulley, Infantry.
First Lieut. Ray Eugene Quigley, Philippine Scouts.
First Lieut. Clarence Frederick King, Philippine Scouts.
Second Lieut. Carl Cooley Burgess, Infantry.
First Lieut. Frank Roy Brockschink, Infantry.
First Lieut. Axel Hawkenson, Infantry.
First Lieut. Charles Washington Latimer, Cavalry.
First Lieut. Walter Jessee, Infantry.
First Lieut. Wilbert Vernon Renner, Quartermaster Corps.
First Lieut. Joseph Howard Rustemeyer, Infantry.
First Lieut. Elwin Stewart Ferrand, Signal Corps.
First Lieut. Verne Miller, Infantry.
First Lieut. Thomas Settle Voss, Air Service.
Second Lieut. Wilbur Herbert Towle, Philippine Scouts.
First Lieut. Fred Fabri, Cavalry.
First Lieut. Thomas Francis Crahan, Quartermaster Corps.
Second Lieut. Ernest A. Fischer, Quartermaster Corps.
First Lieut. Floyd Moore, Infantry.
First Lieut. Harvey Newton Christman, Cavalry.
First Lieut. Harry Winchester Benson, Cavalry.

First Lieut. Charles Cramer, Cavalry.
First Lieut. George Prentice Cummings, Cavalry.
First Lieut. Charles Winston Burkett, Cavalry.
First Lieut. Clyde Eugene Austin, Cavalry.
First Lieut. Victor Geoffrey Huskea, Infantry.
First Lieut. Fred Blackburn Rogers, Infantry.
First Lieut. Sexton Berg, Cavalry.
First Lieut. Cornelius Francis O'Keefe, Cavalry.
First Lieut. Harry Martin McSwain, Infantry.
First Lieut. William Kenahan, Cavalry.
First Lieut. Raymond Dresden Willis, Infantry.
Second Lieut. James Philip Lyons, Infantry.
First Lieut. Lloyd Leon Harvey, Air Service.
First Lieut. Ernest Samusson, Infantry.
First Lieut. Alfred Steere Knight, Infantry.
Second Lieut. Thomas Watson Hastey, Air Service.
First Lieut. Bert Emory Cooper, Quartermaster Corps.
First Lieut. Hurley Oran Richardson, Cavalry.
First Lieut. Richard August Burkle, Quartermaster Corps.
First Lieut. Alfred Gustave Eritzland, Infantry.
Second Lieut. Louis de Jussewicz, Quartermaster Corps.
First Lieut. Chester John Hirschfelder, Infantry.
First Lieut. Morris Berman, Air Service.
First Lieut. Richard Fayette Fairchild, Infantry.
First Lieut. Donald John Myers, Infantry.
First Lieut. Charles Allen Easterbrook, Field Artillery.
First Lieut. Herbert Allyn Myers, Cavalry.
First Lieut. Shelby Cyrus Newman, Cavalry.
First Lieut. Rhey Thoburn Holt, Cavalry.
First Lieut. George Fridjhof Bloomquist, Infantry.
First Lieut. Lloyd Sylvester Dennis, Philippine Scouts.
First Lieut. Ernest Esser, Infantry.
First Lieut. Frank Emil Stoner, Infantry.
First Lieut. Edgar Ardeen Elkins, Philippine Scouts.
First Lieut. Roy Francis Lynd, Infantry.
First Lieut. Ernest Clifford Ayer, Infantry.
First Lieut. William Edwin Alger, Philippine Scouts.
First Lieut. James Lester Ballard, Infantry.
First Lieut. Leon Wilbur Strozier, Philippine Scouts.
First Lieut. Martin Robert Rice, Field Artillery.
First Lieut. John Patrick Ferriter, Signal Corps.
First Lieut. Richard Kidder Meade, Cavalry.
First Lieut. John Daniel Cook, Philippine Scouts.
Second Lieut. Thomas Frederick Wirth, Philippine Scouts.
First Lieut. Theodore Bundy, Infantry.
First Lieut. Walter Bender, Air Service.
First Lieut. Richard Louis Pemberton, Infantry.
First Lieut. Maurice Allen Hockman, Quartermaster Corps.
First Lieut. Edward James Turgeon, Quartermaster Corps.
First Lieut. Thomas Leavey Cleaver, Coast Artillery Corps.
First Lieut. George Corbett Pilkington, Infantry.
First Lieut. James Kirker Campbell, Infantry.
First Lieut. Joseph Louis Bachus, Infantry.
First Lieut. Elmer Theodore Foss, Coast Artillery Corps.
First Lieut. Valentine Pearsall Foster, Coast Artillery Corps.
First Lieut. David Esmond Cleary, Cavalry.
First Lieut. John Henry Balmat, jr., Quartermaster Corps.
First Lieut. Harold Dean Woolley, Infantry.
First Lieut. William James Schaal, jr., Infantry.
First Lieut. John William Signer, Air Service.
First Lieut. Fay Ross, Infantry.
First Lieut. Forrest Edwin Collins, Infantry.
First Lieut. Harry LeRoy Branson, Cavalry.
First Lieut. Nels Louis Soderholm, Infantry.
Second Lieut. Walter Scott Arthur, Infantry.
First Lieut. Cyril Branston Spicer, Infantry.
First Lieut. Carl Marcus Ulsaker, Infantry.
First Lieut. Grover Cleveland Cleaver, Infantry.
First Lieut. Arthur Henry Rogers, Infantry.
First Lieut. Harry Allen Austin, Infantry.
First Lieut. William Alexander Ellis, Infantry.
First Lieut. Sydney Clyde Fergason, Infantry.
First Lieut. Josiah Ara Wallace, Field Artillery.
First Lieut. Charles Perfect, Quartermaster Corps.
First Lieut. Arthur Milroy Stork, Quartermaster Corps.
First Lieut. Fayette Fargo Collins, Cavalry.
First Lieut. James Truman Menzie, Cavalry.
First Lieut. Charles William Hagen, Infantry.
First Lieut. Glenn A. Ross, Quartermaster Corps.
First Lieut. Albert Michael Guidera, Air Service.
First Lieut. Mark Vinton Brunson, Quartermaster Corps.
First Lieut. Elbridge Gerry Chapman, jr., Infantry.
Second Lieut. Homer Bobo Battenberg, Infantry.
First Lieut. Norman Doud Finley, Infantry.
First Lieut. Philip Theodore Fry, Infantry.
First Lieut. Calvin Halcomb Burkhead, Signal Corps.
First Lieut. Wilmer Micajah Flinn, Quartermaster Corps.
First Lieut. Fred Page Andrews, Signal Corps.
First Lieut. Bernard Smith, Corps of Engineers.
First Lieut. Donald Buckingham Greenwood, Coast Artillery Corps.
First Lieut. Lewis Charles Beebe, Infantry.
First Lieut. Clinton William Ball, Corps of Engineers.
First Lieut. Julius Conrad Tips, jr., Air Service.
First Lieut. Everett Ernest Brown, Infantry.
First Lieut. Harry Bassett Huston, Quartermaster Corps.
First Lieut. Raymond Edward Vaughan, Air Service.
First Lieut. Coburn Lee Berry, Coast Artillery Corps.
First Lieut. James A. Sanders, Quartermaster Corps.
First Lieut. Orland Smith Peabody, Cavalry.
First Lieut. Benedict Leo Maloney, Quartermaster Corps.
First Lieut. John Peter Nolan, Infantry.
First Lieut. Arthur Theodore Kreh, Quartermaster Corps.
First Lieut. Harry Lee Hagan, Infantry.
First Lieut. George David Condren, Cavalry.
First Lieut. Gersun Cronander, Cavalry.
First Lieut. Harry Burgie Smith, Quartermaster Corps.
First Lieut. Alfred Foster King, jr., Air Service.
First Lieut. Ernest Coolidge Goding, Infantry.
First Lieut. Lawrence Stanley Woods, Quartermaster Corps.
First Lieut. Edward Joseph Glynn, Quartermaster Corps.
First Lieut. Joseph Vincent Coughlin, Infantry.
First Lieut. Macey Lillard Dill, Infantry.
First Lieut. Edgar Peter Sorensen, Coast Artillery Corps.
Second Lieut. Edward Julius Renth, Infantry.
First Lieut. John Rudolph Kaiser, jr., Infantry.
First Lieut. James Richard Townsend, Coast Artillery Corps.
First Lieut. George Head Duff, Field Artillery.
First Lieut. John Henry Harrington, Coast Artillery Corps.
Second Lieut. Francis Firmin Fainter, Infantry.
First Lieut. John Wilbert Ramsey, Infantry.
Second Lieut. Peter Girardeau Marshall, Infantry.
First Lieut. Robert Oldys, Air Service.
First Lieut. Karol Bronislaw Kozlowski, Philippine Scouts.
First Lieut. Louis Moss Hitchcock, Philippine Scouts.
First Lieut. Mateo Mananjaya Capinpin, Philippine Scouts.
First Lieut. Herbert Foster Wilkinson, Quartermaster Corps.
Second Lieut. Walter Norman Clinton, Infantry.
First Lieut. Martin Burtis Dunbar, Quartermaster Corps.
Second Lieut. Malcolm Byrne, Cavalry.
First Lieut. Raymond Charles Blatt, Cavalry.
First Lieut. Fred William Fallin, Quartermaster Corps.
First Lieut. John Francis Hill, Infantry.
Second Lieut. Edward Brigham McKinley, Quartermaster Corps.
First Lieut. Charles John Kalberer, Quartermaster Corps.
First Lieut. Floy Lyle Hester, Quartermaster Corps.
First Lieut. Joseph Penderton Glandon, Quartermaster Corps.
Second Lieut. Claude Mitchell Adams, Infantry.
Second Lieut. Walter Patrick O'Brien, Infantry.
First Lieut. James Francis Taylor, Quartermaster Corps.
First Lieut. Lester Levi Boggs, Field Artillery.
First Lieut. Calvin Sutton Richards, Field Artillery.
First Lieut. John Thomas Fleming, Quartermaster Corps.
First Lieut. Ira Harry Treest, Signal Corps.
First Lieut. Philip Boswell Taliaferro, Coast Artillery Corps.
First Lieut. Glenn C. Oppy, Infantry.
First Lieut. Frank Brevard Hayne, jr., Infantry.
First Lieut. Thomas Reed Bartlett, Coast Artillery Corps.
First Lieut. Arthur Pickens, Infantry.
First Lieut. Arthur Drummond Hughes, Quartermaster Corps.
First Lieut. Lewis Evans Reigner, Field Artillery.
First Lieut. Oscar Nelson Schjerven, Field Artillery.
First Lieut. Harry Ernest Menezes, Infantry.
First Lieut. Levin Arthur Bowland, Quartermaster Corps.
First Lieut. William Leslie Brown, Infantry.
First Lieut. Clyde Clarkson Way, Infantry.
First Lieut. John Ephriam Harrison, Coast Artillery Corps.
First Lieut. William Henry Brady, Infantry.
First Lieut. William Gregory Brey, Coast Artillery Corps.
First Lieut. Don Richman Norris, Coast Artillery Corps.
First Lieut. Ben Butler Blair, Coast Artillery Corps.
First Lieut. Lawrence Gibson Forsythe, Cavalry.
First Lieut. John Alfred Hatfield, Quartermaster Corps.
Second Lieut. Humphrey Swygart Evans, Quartermaster Corps.
First Lieut. John Randolph DeVall, Infantry.
First Lieut. Lewis Frederick Kosch, Field Artillery.
First Lieut. William Richard Maris, Coast Artillery Corps.
First Lieut. Marion Lyman Young, Field Artillery.

First Lieut. George Irvin Smith, Cavalry.
First Lieut. Walter Averill Hill, Cavalry.
First Lieut. Everard Franklin Olsen, Coast Artillery Corps.
First Lieut. Irving Devance Offer, Field Artillery.
First Lieut. Arthur Francis Doran, Infantry.
First Lieut. John Benning Sinclair, Infantry.
First Lieut. Melvin Earl Gillette, Infantry.
Second Lieut. Oliver Felton Porter, Field Artillery.
First Lieut. Severne Spence MacLaughlin, Infantry.
First Lieut. William Frederic Marquat, Coast Artillery Corps.
First Lieut. Willis Aubrey Hedden, Infantry.
First Lieut. Allison Ware Jones, Coast Artillery Corps.
First Lieut. Godfrey Neil Wyke, Infantry.
First Lieut. Howard Herndon Davis, Infantry.
Second Lieut. George Eitle Hartman, Quartermaster Corps.
First Lieut. Oscar Julian Brittle Whitehurst, Infantry.
Second Lieut. Philip Frederick Biehl, Coast Artillery Corps.
First Lieut. James Gasper Devine, Coast Artillery Corps.
Second Lieut. Ralph Eldon Harrington, Coast Artillery Corps.
First Lieut. Richard Bocock Willis, Field Artillery.
First Lieut. Burton Francis Hood, Infantry.
Second Lieut. Howard Nathaniel Frissell, Infantry.
Second Lieut. Patrick Eugene Shea, Field Artillery.
Second Lieut. Edward Samuel Garner, Infantry.
First Lieut. Earl Elliott Major, Infantry.
First Lieut. Lloyd Chandler Parsons, Infantry.
First Lieut. Henry Vaughn Dexter, Infantry.
First Lieut. Hans Ernest Kloepfer, Cavalry.
First Lieut. Edward Allen Everitt, jr., Cavalry.
First Lieut. Ted Harold Cawthorne, Infantry.
First Lieut. Erwin Adolph Manthey, Quartermaster Corps.
First Lieut. Edward Harrah, Infantry.
First Lieut. Henry Bartow Dawson, Field Artillery.
First Lieut. John William Kelley, Field Artillery.
First Lieut. Robert William Corrigan, Infantry.
First Lieut. Robert Hughes Lord, Infantry.
First Lieut. Archibald Ross McKechnie, Infantry.
First Lieut John Paul Ratay, Field Artillery.
First Lieut. Mose Kent Pigman, Infantry.
First Lieut. Claude Tillinghast Porter, Field Artillery.
First Lieut. Reed Emil Beck, Field Artillery.
First Lieut. Norman Norton Rogers, Cavalry.
First Lieut. Waldo Emerson Ard, Field Artillery.
First Lieut. Harry William Maas, Cavalry.
First Lieut. Fenton Gay Epling, Coast Artillery Corps.
First Lieut. Rutherford Loren Herr, Infantry.
First Lieut. Herbert Gray Esden, Infantry.
First Lieut. Peter Townsend Coxe, Cavalry.
First Lieut. Francis Henry Boucher, Field Artillery.
First Lieut. William Henry Sweet, Cavalry.
First Lieut. Louis Cansler, Cavalry.
First Lieut. Ross Gordon Hoyt, Air Service.
First Lieut. William Van Dyke Ochs, Cavalry.
First Lieut. William Bentley Mayer, Air Service.
First Lieut. Harold Kernan, Field Artillery.
First Lieut. Hunter Louis Girault, Infantry.
First Lieut. Hubert Augustine McMorrow, Coast Artillery Corps.
First Lieut. George Albert Jackson, Infantry.
First Lieut. Innes Harwood Bodley, Field Artillery.
First Lieut. Lee Louis Elzas, Cavalry.
First Lieut. Owen George Fowler, Cavalry.
First Lieut. Harry Foster, Cavalry.
First Lieut. Alexander Carl Strecker, Cavalry.
First Lieut. Wade Hampton Johnson, Cavalry.
First Lieut. Francis Ward Kernan, Infantry.
First Lieut. Dwight Hughes, jr., Cavalry.
First Lieut. William Robert Stickman, Cavalry.
First Lieut. Maximilian Clay, Infantry.
First Lieut. Frederick Sandrus Schmitt, Infantry.
First Lieut. Calvert Hinton Arnold, Signal Corps.
First Lieut. George Shively Prugh, Infantry.
First Lieut. Frederick Meyer Vinson, Infantry.
First Lieut. Homer Franklin Tate, Infantry.
First Lieut. Harold Montague, Infantry.
First Lieut. Richard Hutchings Johnston, Infantry.
First Lieut. John Blakeway Cockburn, Infantry.
First Lieut. Clifton Martin Brown, Infantry.
First Lieut. Otto Walter Neidert, Infantry.
First Lieut. Lloyd William Biggs, Cavalry.
First Lieut. Edwin Showalter Beall, Infantry.
First Lieut. Wilkie Collins Burt, Cavalry.
First Lieut. Ralph Emerson Bower, Infantry.
First Lieut. Adrian Beaumont Charles Smith, Cavalry.
First Lieut. Charles Wesley Ogden, Infantry.
First Lieut. George Leland Eberle, Infantry.
First Lieut. Rufus Stanley Ramey, Cavalry.
First Lieut. Douglas Graeme Clark, Coast Artillery Corps.
First Lieut. Marcus Brenneman Bell, Infantry.
First Lieut. Louis Joseph Fortier, Field Artillery.
First Lieut. Henry Pascale, Air Service.
First Lieut. James Bentley Taylor, Cavalry.
First Lieut. George Warner Swift, Infantry.
First Lieut. Remington Orsinger, Infantry.
First Lieut. William Stewart Morris, Infantry.
First Lieut. Joseph William Bollenbeck, Infantry.
First Lieut. Victor A. Dash, jr., Field Artillery.
First Lieut. Richard Henry Ballard, Cavalry.
First Lieut. Leon Chapman Dennis, Coast Artillery Corps.
First Lieut. Charles William Chalker, Infantry.
First Lieut. James Clay Short, Cavalry.
First Lieut. Roy Crawford Moore, Field Artillery.
First Lieut. William Fred Lafrenz, Coast Artillery Corps.
First Lieut. Cyrus Joseph Rounds, Infantry.
First Lieut. John Deane Forsythe, Infantry.
First Lieut. Theodore Edward Thomas Haley, Field Artillery.
First Lieut. John Franklin Hepner, Field Artillery.
First Lieut. Samuel Louis Alexander, Infantry.
First Lieut. Lawrence Byron Wyant, Cavalry.
First Lieut. Albert Denarvous Johnson, Infantry.
First Lieut. Leslie T. Lathrop, Infantry.
First Lieut. James Black Muir, jr., Coast Artillery Corps.
First Lieut. Lewis Augustine Maury, Cavalry.
First Lieut. Edmund Hathaway Stillman, Coast Artillery Corps.
First Lieut. Robert Chapman Snidow, Coast Artillery Corps.
First Lieut. John Cary Howard, Infantry.
First Lieut. Ralph Edwin Richards, Infantry.
First Lieut. Ralph Hudson Wooten, Air Service.
First Lieut. Kenneth Burman Bush, Infantry.
First Lieut. John Frederick Loomis, Coast Artillery Corps.
First Lieut. Charles Henry Keck, Ordnance Department.
First Lieut. Abraham Wright Williams, Cavalry.
First Lieut. James Thomas Duke, Cavalry.
First Lieut. Hiram Franklin Plummer, Cavalry.
First Lieut. Thomas Watkins Ligon, Cavalry.
First Lieut. Edward Hale Brooks, Field Artillery.
First Lieut. James David Brown, Infantry.
First Lieut. Wayland Bixby Augur, Cavalry.
First Lieut. Harold Mark McClelland, Air Service.
First Lieut. William Brooks Bradford, Cavalry.
First Lieut. Arnold Wilkinson Shutter, Field Artillery.
First Lieut. Abram Franklin Kibler, Field Artillery.
First Lieut. Cecil Ray Moore, Corps of Engineers.
First Lieut. Leonce Joseph Blanchard, Field Artillery.
First Lieut. Francis Sylvester Conaty, Field Artillery.
First Lieut. Granville Byam Smith, Coast Artillery Corps.
First Lieut. Norman Lee Baldwin, Signal Corps.
First Lieut. William Edward Beitz, Field Artillery.
First Lieut. Grafton Sherwood Kennedy, Ordnance Department.
First Lieut. Richard Ridgely Lytle, jr., Cavalry.
First Lieut. William Caldwell Dunckel, Field Artillery.
First Lieut. Harold Clarkson Mabbott, Coast Artillery Corps.
First Lieut. Rex Byerley Shaw, Field Artillery.
First Lieut. John Waller Faulconer, jr., Field Artillery.
First Lieut. Richard Erastus Taylor, Field Artillery.
First Lieut. Gennad Alban Greaves, Field Artillery.
First Lieut. Robert Vansant Finney, Infantry.
First Lieut. Francis Murry Crist, Field Artillery.
First Lieut. Frank Charles Howard, Coast Artillery Corps.
First Lieut. Harman Paul Agnew, Infantry.
First Lieut. William Mitchell Wiener, Field Artillery.
First Lieut. Lucas Elmendorf Schoonmaker, Coast Artillery Corps.
First Lieut. William Fergus Kernan, Field Artillery.
First Lieut. Gordon Marshall Wells, Coast Artillery Corps.
First Lieut. Don Carlos Faith, Infantry.
First Lieut. Raymond Orr, Infantry.
First Lieut. Hermon French Safford, Coast Artillery Corps.
First Lieut. Clifford Dean Hindle, Coast Artillery Corps.
First Lieut. Thomas Adam Austin, jr., Infantry.
First Lieut. Morrill Ross, Field Artillery.
First Lieut. Vernon McTyeire Shell, Cavalry.
First Lieut. Roland Legard Davis, Air Service.
First Lieut. John Averill Steere, Field Artillery.
First Lieut. James William Anderson, Infantry.
First Lieut. Leslie Edwards Babcock, Field Artillery.
First Lieut. Francis Howard Wilson, Infantry.
First Lieut. James Charles Longino, Cavalry.

First Lieut. Walter Adams Mack, Infantry.
First Lieut. John Cleary Kernan, Infantry.
First Lieut. Maxton Hale Flint, Infantry.
First Lieut. Howard Jennings Gorman, Infantry.
First Lieut. Eugene Peter Henry Gempel, Chemical Warfare Service.
First Lieut. Charles Swett Pettee, Infantry.
First Lieut. Elmer Ellsworth Hagler, jr., Infantry.
First Lieut. Leon Adolph Des Pland, jr., Field Artillery.
First Lieut. John Melville Sanderson, Field Artillery.
First Lieut. Sidney Hamlet Negrotto, Infantry.
First Lieut. Gustav Joseph Braun, Infantry.
First Lieut. William Henry Egle Holmes, Coast Artillery Corps.
First Lieut. John Lindley Gammell, Field Artillery.
First Lieut. Charles William Walton, Chemical Warfare Service.
First Lieut. Douglas Meriwether Griggs, Coast Artillery Corps.
First Lieut. James Vincent McConville, Cavalry.
First Lieut. Ward Hale Maris, Field Artillery.
First Lieut. Hugh John Fitzgerald, Cavalry.
First Lieut. Everett Langdon Upson, Infantry.
First Lieut. James Paul Jacobs, Coast Artillery Corps.
First Lieut. Paul Joseph Matte, Cavalry.
First Lieut. Cornelius Henry Menger, Ordnance Department.
First Lieut. Don Forrester Pratt, Infantry.
First Lieut. Robert Rush Hawes, jr., Cavalry.
First Lieut. William Henry Seymour, Coast Artillery Corps.
First Lieut. Joseph Shelburn Robinson, Field Artillery.
First Lieut. Williard Allen Reddish, Field Artillery.
First Lieut. Ernest Ransome Percy, Infantry.
First Lieut. Murray Henry Ellis, Cavalry.
First Lieut. Sherwood Holmes Taber, Coast Artillery Corps.
First Lieut. Wolcott Paige Hayes, Cavalry.
First Lieut. Ernest Cleveland Bomar, Coast Artillery Corps.
First Lieut. Lawrence Augustus Shafer, Cavalry.
First Lieut. Donovan Paul Yeuell, Infantry.
First Lieut. Charles Edward Atkinson, Coast Artillery Corps.
First Lieut. Thurlby Morgan Rundel, Cavalry.
First Lieut. Charles Bernard Beeler Bubb, Cavalry.
First Lieut. Charles Joseph McIntyre, Infantry.
First Lieut. Gustave Bismark Guenther, Cavalry.
First Lieut. Edward Benedict McCarthy, Coast Artillery Corps.
First Lieut. Leslie Frederick Lawrence, Cavalry.
First Lieut. Horace Waldo Forster, Cavalry.
First Lieut. Edwin Hubert Randle, Infantry.
First Lieut. Simpson Ridley Stribling, Ordnance Department.
First Lieut. Francis Marion Rich, Infantry.
First Lieut. Edwin Gowdy Watson, Infantry.
First Lieut. Leon Franklin Sullivan, Infantry.
First Lieut. Waldemar Adolph Falck, Cavalry.
First Lieut. Walter Clark Armstrong, Infantry.
First Lieut. Carl John Rohsenberger, Cavalry.
First Lieut. William Barber Townsend, Infantry.
First Lieut. Hunter McGuire, Infantry.
First Lieut. Richard Derby, Coast Artillery Corps.
First Lieut. James Veto McDowell, Cavalry.
First Lieut. Steven Bayard Wilson, Infantry.
First Lieut. James Thomas Campbell, Coast Artillery Corps.
First Lieut. Howard Spencer McKirdy, Coast Artillery Corps.
First Lieut. Edwin Ralph Rinker, Infantry.
First Lieut. Harry Lee Hart, Quartermaster Corps.
First Lieut. John Henry Gibson, Infantry.
First Lieut. George Washington Gering, Infantry.
First Lieut. James Henry Beals Bogman, Cavalry.
First Lieut. Walter Earl Ditmars, Infantry.
First Lieut. Robert Harold Gallier, Cavalry.
First Lieut. Percy Stuart Haydon, Cavalry.
First Lieut. Edwin Ernest Aldridge, Infantry.
First Lieut. Edwin Blake Crabill, Infantry.
First Lieut. Edmund Walton Hill, Infantry.
First Lieut. Albert Edward McIntosh, Cavalry.
First Lieut. Alfred Marston Shearer, Infantry.
First Lieut. Jefferson Kinney, Cavalry.
First Lieut. Halbert Hale Neilson, Cavalry.
First Lieut. Leland Charles McAuley, Cavalry.
First Lieut. James Obadiah Tarbox, Infantry.
First Lieut. Truman Everett Boudinot, Cavalry.
First Lieut. Raymond Frank Edwards, Infantry.
First Lieut. Maurice Eugene Barker, Coast Artillery Corps.
First Lieut. Oren Anelen Mulkey, Infantry.
First Lieut. Charles Chester Bond, Infantry.
First Lieut. Stephen Boon, jr., Cavalry.
First Lieut. Harold Glaucus Holt, Cavalry.
First Lieut. Roy Vernon Morledge, Cavalry.
First Lieut. Robert Alexis McClure, Infantry.
First Lieut. Francis Brown McCollom, Infantry.
First Lieut. Joseph Benton Wirt, Infantry.
First Lieut. Graham Roscoe Schweickert, Infantry.
First Lieut. Charles Gordon Hutchinson, Cavalry.
First Lieut. Chester Paul Dorland, Air Service.
First Lieut. Archie E. Groff, Cavalry.
First Lieut. George Davis Wiltshire, Cavalry.
First Lieut. Alfonso Frederick Zerbee, Cavalry.
First Lieut. Arthur John Wehr, Cavalry.
First Lieut. Wannie Lee Bartley, Infantry.
First Lieut. Norman John McMahon, Field Artillery.
First Lieut. Donald Morris Bartow, Infantry.
First Lieut. Paul Louis Singer, Cavalry.
First Lieut. Joseph Louis Ready, Infantry.
First Lieut. Lloyd Russell Rogers, Ordnance Department.
First Lieut. Earl Coulson Flegel, Infantry.
First Lieut. Herbert Blish Wheeler, Infantry.
First Lieut. Charles Carroll Nathan, Infantry.
First Lieut. Arthur Joseph Lacouture, Coast Artillery Corps.
First Lieut. Wilbur Storm Elliott, Infantry.
First Lieut. Kirke Brooks Lawton, Signal Corps.
First Lieut. Neil Smith Edmond, Infantry.
First Lieut. Harold Haney, Infantry.
First Lieut. Martin DeWitt McAllister, Infantry.
First Lieut. William Henry Colbern, Infantry.
First Lieut. Marcel Alfred Gillis, Infantry.
First Lieut. John William Carroll, Cavalry.
First Lieut. Joshua Shelton Bowen, Infantry.
First Lieut. Leighton Coleman Worthington, Quartermaster Corps.
First Lieut. David James Daly, Philippine Scouts.
First Lieut. Floyd Merritt Hyndman, Cavalry.
First Lieut. Ira Claude Nicholas, Infantry.
Second Lieut. Clarence Walter Richmond, Cavalry.
First Lieut. Thomas Jett Powell, Quartermaster Corps.
First Lieut. Lorenzo Lamont Snow, Air Service.
First Lieut. William Herbert Murphy, Air Service.
First Lieut. John Bryce Casseday, Cavalry.
First Lieut. John Francis Hanley, Infantry.
First Lieut. Ben Stafford, Infantry.
First Lieut. Theose Elwin Tillinghast, Air Service.
Second Lieut. Daniel J. Dunn, Quartermaster Corps.
First Lieut. Dover Bell, Field Artillery.
Second Lieut. Harry Leroy Black, Philippine Scouts.
Second Lieut. Harold Lester Egan, Infantry.
First Lieut. William Lawrence Conway, Infantry.
First Lieut. Joseph Yuditsky, Cavalry.
First Lieut. William Tussey, Cavalry.
First Lieut. George Aloysius O'Donnell, Cavalry.
First Lieut. Albert Barnett Jones, Corps of Engineers.
First Lieut. Hamilton Thorn, Infantry.
First Lieut. John Sutherland Claussen, Infantry.
First Lieut. James Aloysius Hasson, Infantry.
First Lieut. Robert Edward Jones, Infantry.
First Lieut. Louis Leonard Chatkin, Infantry.
First Lieut. Clarence Howard Kells, Infantry.
First Lieut. Harold Ragan Priest, Infantry.
First Lieut. David Cleveland Kelly, Coast Artillery Corps.
First Lieut. Frank Henry Hollingsworth, Infantry.
First Lieut. Randolph Russell, Cavalry.
First Lieut. Philip Ramer, Field Artillery.
First Lieut. Brock Putnam, Cavalry.
First Lieut. Keelah Bouvé, Infantry.
First Lieut. Edwin Miles Sumner, Cavalry.
First Lieut. Thomas Henry Green, Cavalry.
First Lieut. Francis M. Fuller, Infantry.
First Lieut. Harold de Beaumont Bruck, Cavalry.
First Lieut. Sidney Abdiel Sands, Infantry.
First Lieut. Donald Anderson Young, Cavalry.
First Lieut. Hans Charles Minuth, Cavalry.
First Lieut. Christian Allen Schwarzwaelder, Infantry.
First Lieut. Edwin Clarence Gere, Cavalry.
First Lieut. George Gill Ball, Cavalry.
First Lieut. Harold Putnam Detwiler, Coast Artillery Corps.
First Lieut. Clarence Francis Hofstetter, Coast Artillery Corps.
First Lieut. George Stanley Victor Little, Infantry.
First Lieut. Charles Lawrence Bolte, Infantry.
First Lieut. Eugene Crehan Callahan, Infantry.
First Lieut. Paul Sheeley Roper, Coast Artillery Corps.
First Lieut. Theodore Francis Wessels, Infantry.
First Lieut. Sherman Kennedy Burke, Infantry.
First Lieut. Arthur John McChrystal, Infantry.

First Lieut. Malcolm Fraser Lindsey, Infantry.
First Lieut. Jean Elsworth Nelson, Infantry.
First Lieut. Horace Oscar Cushman, Infantry.
First Lieut. Harley Latson, Corps of Engineers.
First Lieut. William Maine Hutson, Infantry.
First Lieut. Thomas Maury Galbreath, jr., Infantry.
First Lieut. Harry Robert Kilbourne, Cavalry.
First Lieut. Thomas Phillips, Infantry.
First Lieut. David Henry Finley, Infantry.
First Lieut. Clifford Arthur Eastwood, Cavalry.
First Lieut. Vinton Lee James, jr., Infantry.
First Lieut. William Franklin Campbell, Infantry.
First Lieut. Stuart Cutler, Infantry.
First Lieut. John Reuben Boatwright, Infantry.
First Lieut. Lester Nelson Allyn, Infantry.
First Lieut. Henry Lester Barrett, Infantry.
First Lieut. Archibald Donald Fisken, Field Artillery.
First Lieut. Fenton Stratton Jacobs, Cavalry.
First Lieut. Raymond Rolland Tourtillott, Infantry.
First Lieut. George Albert Hadd, Infantry.
First Lieut. Joseph Parnell Cromwell, Infantry.
First Lieut. Bernard Paul Hoey, Infantry.
First Lieut. Catesby ap Catesby Jones, Cavalry.
First Lieut. Sanford Dole Ashford, Coast Artillery Corps.
First Lieut. William McBlair Garrison, Field Artillery.
First Lieut. Eustace Peabody Strout, Infantry.
First Lieut. Wallace William Parker, Infantry.
First Lieut. James Laird Craig, Coast Artillery Corps.
First Lieut. Ray Moxey Hare, Infantry.
First Lieut. Walter Francis Mullins, Infantry.
First Lieut. Henry Lord Page King, Coast Artillery Corps.
First Lieut. Charles Wharton, Cavalry.
First Lieut. Harry William Koster, Infantry.
First Lieut. Glenn Howenstein Stough, Corps of Engineers.
First Lieut. Charles Ernest Loucks, Coast Artillery Corps.
First Lieut. W. Dirk Van Ingen, Cavalry.
First Lieut. Herbert Vaughan Scanlan, Cavalry.
First Lieut. Alfred James McMullin, Infantry.
First Lieut. Gerald Leonard Marsh, Infantry.
First Lieut. George Philip Seneff, Infantry.
First Lieut. Russell Gordon Ayers, Infantry.
First Lieut. William Allen Wappenstein, Infantry.
First Lieut. Charles Hayden Owens, Infantry.
First Lieut. Carter Collins, Infantry.
First Lieut. Hugh McCauley Cochran, 3d, Coast Artillery Corps.
First Lieut. George Edwin Abrams, Infantry.
First Lieut. Clifton Rodes Breckinridge, jr., Infantry.
First Lieut. Albert Dickinson Foster, Infantry.
First Lieut. Ercil Dale Porter, Infantry.
First Lieut. Harold Jack Adams, Corps of Engineers.
First Lieut. Claude Alfred White, Infantry.
First Lieut. John Franklin Farnsworth, Infantry.
First Lieut. Paul Jamison Hunt, Coast Artillery Corps.
First Lieut. William Booth Van Auken, Cavalry.
First Lieut. Archer Lynn Lerch, Infantry.
First Lieut. John Arthur Pierce, Infantry.
First Lieut. Wendell Lapsley Clemenson, Infantry.
First Lieut. Moses William Pettigrew, Field Artillery.
First Lieut. Walter Francis Kraus, Coast Artillery Corps.
First Lieut. Charles James Deahl, jr., Infantry.
First Lieut. Frank Macdonald Ogden, Infantry.
First Lieut. Arcadi Gluckman, Infantry.
First Lieut. Dale Milton Hoagland, Field Artillery.
First Lieut. Maurice Webster Ocheltree, Infantry.
First Lieut. Roy Thomas Rouse, Infantry.
First Lieut. Ivan Benson Snell, Infantry.
First Lieut. Lester Martin Kilgarif, Field Artillery.
First Lieut. James Wilson Rice, Infantry.
First Lieut. James Polk Gammon, Infantry.
First Lieut. James Irving Gibbon, Cavalry.
First Lieut. Henry Kirke White, Infantry.
First Lieut. Howard Forrest Long, Cavalry.
First Lieut. Burton Curtis Andrus, Cavalry.
First Lieut. Arthur Henry Besse, Cavalry.
First Lieut. Arthur Lafayette Warren, Field Artillery.
First Lieut. Merritt Halstead Greene, Field Artillery.
First Lieut. Irwin Lytle Lummis, Infantry.
First Lieut. Ary Clay Berry, Field Artillery.
First Lieut. Mark Milton Serum, Ordnance Department.
First Lieut. Arthur William Gower, Coast Artillery Corps.
First Lieut. John Taylor Lewis, Coast Artillery Corps.
First Lieut. Ross Breckon Warren, Field Artillery.
First Lieut. Walter David Luplow, Corps of Engineers.
First Lieut. Samuel Lusker McCroskey, Coast Artillery Corps.
First Lieut. Arvid Paul Croonquist, Infantry.
First Lieut. James Edward Cole, jr., Infantry.
First Lieut. Oliver Boone Bucher, Coast Artillery Corps.
First Lieut. Clarence Ames Martin, Infantry.
First Lieut. Francis Stuart Swett, Coast Artillery Corps.
First Lieut. Henning Linden, Infantry.
First Lieut. Trevor Washington Swett, Infantry.
First Lieut. Harry Eugene Dodge, Cavalry.
First Lieut. George Read, jr., Infantry.
First Lieut. Harold Taylor Brotherton, Coast Artillery Corps.
First Lieut. Miles Whitney Kresge, Coast Artillery Corps.
First Lieut. Robert Whipple Wilson, Field Artillery.
First Lieut. Leslie Norman Ross, Infantry.
First Lieut. Ralph de Poix Terrell, Field Artillery.
First Lieut. Walter Alexander Dumas, Infantry.
First Lieut. Edwin Emerson Keatley, Infantry.
First Lieut. George Worcester Ricker, Coast Artillery Corps.
First Lieut. William Blackburn White, Infantry.
First Lieut. George Comfort Parkhurst, Infantry.
First Lieut. Don Magruder Scott, Infantry.
First Lieut. James Edward Wharton, Infantry.
First Lieut. Stephen Mahon, Field Artillery.
First Lieut. Kenneth Leeds Holmes-Brown, Ordnance Department.
First Lieut. Harvey Ernest Ragland, Field Artillery.
First Lieut. Martin Dunlap Barndollar, jr., Infantry.
First Lieut. Francis Clark Lewis, Infantry.
First Lieut. Lewis Simons, Infantry.
First Lieut. James Harold Day, Infantry.
First Lieut. Charles Jester Davis, Cavalry.
First Lieut. George William Outland, Ordnance Department.
First Lieut. Hiram Russell Ide, Infantry.
First Lieut. John Mead Silkman, Coast Artillery Corps.
First Lieut. Loren Archibald Wetherby, Infantry.
First Lieut. James Joseph Coghlan, Infantry.
First Lieut. Bernard Butler McMahon, Infantry.
First Lieut. George Edwin Fingarson, Infantry.
First Lieut. Stanley Raymond Mickelsen, Coast Artillery Corps.
First Lieut. James Patrick Kelly, Field Artillery.
First Lieut. Elwood Miller Stokes Steward, Infantry.
First Lieut. Ernest Albert Rudelius, Infantry.
First Lieut. William Lee Blanton, Infantry.
First Lieut. Harold Eugene Sturcken, Air Service.
First Lieut. John Brainard Fidlar, Ordnance Department.
First Lieut. Wilbur Burnette Sumner, Field Artillery.
First Lieut. Thomas Brady, jr., Cavalry.
First Lieut. Porter Pise Wiggins, Infantry.
First Lieut. Gilbert Xavier Cheves, Cavalry.
First Lieut. Paul Bacon Matlock, Infantry.
First Lieut. William Edward Corkill, Field Artillery.
First Lieut. John Thomas Zellars, Infantry.
First Lieut. Richard Alfred McClure, Infantry.
First Lieut. Carroll Gowen Riggs, Coast Artillery Corps.
First Lieut. Charles Donald Brown, Field Artillery.
First Lieut. John Adams Ballard, Infantry.
First Lieut. Herbert Towle Perrin, Infantry.
First Lieut. Emons Bert Whisner, Infantry.
First Lieut. George Wesley Griner, jr., Infantry.
First Lieut. Douglas Lee Crane, Quartermaster Corps.
First Lieut. Hugh Tullock Mayberry, Infantry.
First Lieut. Wade Carpenter Gatchell, Cavalry.
First Lieut. Harry Newton Blue, Field Artillery.
First Lieut. Fredric Harris Timmerman, Field Artillery.
First Lieut. Moses McKay Darst, Infantry.
First Lieut. Harry Staples Robertson, Infantry.
First Lieut. Amos Eugene Carmichael, Field Artillery.
First Lieut. Samuel O'Connor Neff, Infantry.
First Lieut. Philip Edward Brown, Infantry.
First Lieut. Andrew Jackson Wynne, Cavalry.
First Lieut. Olaf Phillips Winningstad, Ordnance Department.
First Lieut. Winfred Charles Green, Field Artillery.
First Lieut. Marion Irwin Voorhes, Field Artillery.
First Lieut. George Arthur Davis, Infantry.
First Lieut. George Van Wyck Pope, Infantry.
First Lieut. George Ellsworth Butler, Infantry.
First Lieut. Edgar Lewis Clewell, Infantry.
First Lieut. Walter Frank Goodman, Cavalry.
First Lieut. Herbert Fritz Ernst Bultman, Coast Artillery Corps.
First Lieut. Leon Draper Gibbens, Infantry.
First Lieut. Ralph King Learnard, Field Artillery.
First Lieut. Robert Alexander Kinloch, Infantry.

First Lieut. Joel Rankin Burney, Infantry.
First Lieut. Wilton Burton Persons, Coast Artillery Corps.
First Lieut. Campbell Nelson Jackson, Infantry.
First Lieut. Homer Case, Coast Artillery Corps.
First Lieut. John Henry Gardner, jr., Field Artillery.
First Lieut. Earl Cranston Ewert, Field Artillery.
First Lieut. Donald Degray Demarest, Field Artillery.
First Lieut. Ralph Merton McFaul, Infantry.
First Lieut. Bird Little, Infantry.
First Lieut. Lucian King Truscott, jr., Cavalry.
First Lieut. Einar Walter Chester, Infantry.
First Lieut. James Allen Griffin, Infantry.
First Lieut. Guy Cummins McKinley, jr., Infantry.
First Lieut. Gordon Prescott Savage, Infantry.
First Lieut. Harold Hugh McClune, Infantry.
First Lieut. Lester Earl MacGregor, Infantry.
First Lieut. Harold Pearson Gibson, Infantry.
First Lieut. Lloyd Ross Besse, Infantry, subject to examination required by law.
First Lieut. James Hugh Akerman, Cavalry.
First Lieut. Hugh Merle Elmendorf, Infantry.
First Lieut. Charles Fearn Sutherland, Infantry.
First Lieut. Gilbert Everhard Parker, Infantry.
First Lieut. Francis Beeston Myer, Infantry.
First Lieut. Arthur Seymour Nevins, Infantry.
First Lieut. John George Murphy, Coast Artillery Corps.
First Lieut. Gustave Villaret, jr., Infantry.
First Lieut. Edwin Sanders Van Deusen, Infantry.
First Lieut. Andrew Stewart Messick, Field Artillery.
First Lieut. William Lawrence Phillips, Infantry.
First Lieut. Joe Jene Miller, Coast Artillery Corps.
First Lieut. George Alfred Hunt, Infantry.
First Lieut. Frank Johnson McSherry, Coast Artillery Corps.
First Lieut. Gabriel Requa Mead, Cavalry.
First Lieut. John Ernest Dahlquist, Infantry.
First Lieut. Russell Symonds Fisher, Infantry.
First Lieut. William Eugene Farthing, Air Service.
First Lieut. Tom Sherman Brand, Infantry.
First Lieut. Charles Morris Ankcorn, Infantry.
First Lieut. James Robinson Urquhart, Infantry.
First Lieut. Morrill Watson Marston, Infantry.
First Lieut. William Edward Bergin, Infantry.
First Lieut. John Olis Crose, Infantry.
First Lieut. John Calvin Butner, jr., Field Artillery.
First Lieut. Benjamin Wilson Venable, Infantry.
First Lieut. John Lawrence Murphy, Infantry.
First Lieut. Edward Stanley Ott, Field Artillery.
First Lieut. Ralph Bridges Bagby, Air Service.
First Lieut. Melvin Leslie McCreary, Field Artillery.
First Lieut. Allan Hanson Snowden, Infantry.
First Lieut. Herman Hollie Felix Gossett, Field Artillery.
First Lieut. Lester Johnson Whitlock, Field Artillery.
First Lieut. Burt Eugene Skeel, Infantry.
First Lieut. Henry Augustus Brickley, Infantry.
First Lieut. Roger Wisner, Infantry.
First Lieut. A. Pledger Sullivan, Infantry.
First Lieut. Harry Lee Campbell, Coast Artillery Corps.
First Lieut. John Kay Christmas, Coast Artillery Corps.
First Lieut. Harvey Edward, Quartermaster Corps.
First Lieut. Leo James McCarthy, Infantry.
First Lieut. Earl Franklyn Paynter, Infantry.
First Lieut. Ernest Arthur Williams, Cavalry.
First Lieut. George Price Hays, Field Artillery.
First Lieut. George Harrison Millholland, Cavalry.
First Lieut. Harrison Bruce Beavers, Infantry.
First Lieut. Herbert Daskum Gibson, Infantry.
First Lieut. Harry Squire Wilbur, Infantry.
First Lieut. Ralph Julian Canine, Field Artillery.
First Lieut. Paul Blassengame Robinson, Infantry.
First Lieut. William Lamont Coulter, Infantry.
First Lieut. Joseph Henry Hinwood, Infantry.
First Lieut. Russell Fleming Walthour, jr., Infantry.
First Lieut. James Crawford DeLong, Infantry.
First Lieut. Timothy Asbury Pedley, jr., Infantry.
First Lieut. Donald Ross Dunkle, Cavalry.
First Lieut. James Sullins Varnell, Infantry.
First Lieut. Chester Earl Davis, Cavalry.
First Lieut. Edwin Turner Bowden, Infantry.
First Lieut. Cassius Hayward Styles, Air Service.
First Lieut. Holmes Gill Paullin, Cavalry.
First Lieut. Ransom Davis Spann, Coast Artillery Corps.
First Lieut. Ray Edison Porter, Infantry.
First Lieut. Frank Exley Barber, Infantry.
First Lieut. John Earl Brannan, Infantry.
First Lieut. Arthur Castle Hawkins, Coast Artillery Corps.
First Lieut. John Hamilton Irving, Cavalry.
First Lieut. Alfred Pruden Kelley, Cavalry.
First Lieut. Oliver Ferguson Marston, Field Artillery.
First Lieut. Evan Dhu Cameron, jr., Cavalry.
First Lieut. Clarence Clemons Park, Field Artillery.
First Lieut. Glenn Smith Finley, Cavalry.
First Lieut. William Volney Rattan, Infantry.
First Lieut. Rosswell Eric Hardy, Infantry.
First Lieut. Manly Foster Meador, Cavalry.
First Lieut. Zim E. Lawhon, Field Artillery.
First Lieut. Lloyd Zuppann, Infantry.
First Lieut. John Kirkland Rice, Infantry.
First Lieut. Hammond Davies Birks, Infantry.
First Lieut. James Holden Hagan, Infantry.
First Lieut. Lester Smith Ostrander, Infantry.
First Lieut. John Wesley Card, Coast Artillery Corps.
First Lieut. Clarence Beryl Werts, Cavalry.
First Lieut. Roscoe Bunyan Ellis, Infantry.
First Lieut. Frank Milton Conroy, Infantry.
First Lieut. Charles Spurgeon Johnson, Infantry.
First Lieut. Manly Broadus Gibson, Coast Artillery Corps.
First Lieut. Charles Henry Hagelstein, Infantry.
First Lieut. John Harold Keatinge, Field Artillery.
First Lieut. Hugh Andrew Wear, Infantry.
First Lieut. George Allan Miller, Infantry.
First Lieut. David Loring, jr., Infantry.
First Lieut. James Warren Andrews, Field Artillery.
First Lieut. Stockbridge Carleton Hilton, Infantry.
First Lieut. William Russell Philp, Field Artillery.
First Lieut. George Anthony Horkan, Infantry.
First Lieut. Charles Herman Unger, Cavalry.
First Lieut. Walter Harold Soderholm, Ordnance Department.
First Lieut. Samuel Cranmer Thompson, Infantry.
First Lieut. Harry Winant Caygill, Infantry.
First Lieut. James Elson Jeffres, Infantry.
First Lieut. Vennard Wilson, Field Artillery.
First Lieut. Orlo Harry Quinn, Air Service.
First Lieut. Lewis Anderson Page, Infantry.
First Lieut. Albert Webster Long, Field Artillery.
First Lieut. Cedric Ezra Scheerer, Coast Artillery Corps.
First Lieut. Alexander Oscar Gorder, Infantry.
First Lieut. Geoffrey Marshall, Coast Artillery Corps.
First Lieut. Percy Custer Fleming, Field Artillery.
First Lieut. Edward Maynard Fickett, Cavalry.
First Lieut. Thomas Jennings Guilbeau, Infantry.
First Lieut. John Francis Roehm, Field Artillery.
First Lieut. Milo Victor Buchanan, Infantry.
First Lieut. Kearie Lee Berry, Infantry.
First Lieut. William Elbridge Chickering, Infantry.
First Lieut. Nathan David Gordon, Field Artillery.
First Lieut. Wilbur Reece McReynolds, Infantry.
First Lieut. Howell Redd Hanson, Field Artillery.
First Lieut. George Robert Hayman, Field Artillery.
First Lieut. Howard Everett Camp, Field Artillery.
First Lieut. Gaillard Pinckney, Infantry.
First Lieut. James Couzens Van Ingen, Cavalry.
First Lieut. Benjamin Franklin O'Connor, jr., Infantry.
First Lieut. Fred Currie Milner, Infantry.
First Lieut. Charles Frost Craig, Infantry.
First Lieut. Lloyd Smith Partridge, Field Artillery.
First Lieut. Oscar K. Wolber, Infantry.
First Lieut. William Tillory Andrews, Coast Artillery Corps.
First Lieut. Callie Hammond Palmer, Cavalry.
First Lieut. Karl Eugene Henion, Infantry.
First Lieut. Harold Whittle Blakeley, Field Artillery.
First Lieut. George Etter, Quartermaster Corps.
First Lieut. George Orial Clark, Infantry.
First Lieut. Russell J. Potts, Infantry.
First Lieut. William Hoover Craig, Infantry.
First Lieut. Thaddeus Clarence Knight, Infantry.
First Lieut. Ollie William Reed, Infantry.
First Lieut. Levi Monroe Bricker, Ordnance Department.
First Lieut. John Pehrson MacNeill, Coast Artillery Corps.
First Lieut. Louis Wilson Maddox, Infantry.
First Lieut. John Clyde Glithero, Infantry, subject to examination required by law.
First Lieut. James Gaulding Watkins, Field Artillery.
First Lieut. Christopher Strawn, Cavalry.
First Lieut. William Fulton Magill, jr., Infantry.
First Lieut. Paul Mitchell Arnold, Field Artillery.
First Lieut. Harry Curry, Infantry.
First Lieut. Robert John Wagoner, Infantry.
First Lieut. William Edgar Vernon, Infantry.
First Lieut. Sam Williams Anderson, Coast Artillery Corps.
First Lieut. Joseph Williams McCall, Infantry.

First Lieut. Thomas Brevard Steel, Infantry.
First Lieut. Alfred Joseph DeLorimer, Cavalry.
First Lieut. Everett Busch, Infantry.
First Lieut. John Wilbur Heisse, Infantry.
First Lieut. James Taylor, Infantry.
First Lieut. Stewart Darden Hervey, Infantry, subject to examination required by law.
First Lieut. Frank Joyce Pearson, Infantry.
First Lieut. Lester Thomas Miller, Infantry.
First Lieut. Leo Donovan, Infantry.
First Lieut. Joseph Cerald Cole, Coast Artillery Corps.
First Lieut. Julian Gilliam Hart, Infantry.
First Lieut. Randall Thomas Kendrick, Infantry.
First Lieut. James Walter Ewing, Cavalry.
First Lieut. Percy McCay Vernon, Infantry.
First Lieut. Clyde Le Gage Walker, Coast Artillery Corps.
First Lieut. Milton Whitney, jr., Infantry.
First Lieut. Emile James Boyer, Infantry.
First Lieut. Richard Earl Tallant, Cavalry.
First Lieut. Peter J. Lloyd, Infantry.
First Lieut. Henry Hale Cheshire, Cavalry.
First Lieut. Theodore Morton Cornell, Infantry.
First Lieut. Paul Vincent Kellogg, Infantry.
First Lieut. John Sylvester Peters, Cavalry.
First Lieut. Herbert Ludwell Earnest, Cavalry.
First Lieut. Ivy Winfred Crawford, Infantry.
First Lieut. Charles Spurgeon Harris, Coast Artillery Corps.
First Lieut. John Reed Hodge, Infantry.
First Lieut. Arthur Richard Walk, Infantry.
First Lieut. Leslie Egner Toole, Infantry.
First Lieut. Francis Murray Brady, Infantry.
First Lieut. Paul Wolcott Rutledge, Coast Artillery Corps.
First Lieut. Eubert Harrison Malone, Infantry.
First Lieut. Ray Tyson Maddocks, Cavalry.
First Lieut. James Footville Butler, Infantry.
First Lieut. Richard Nelson Atwell, Cavalry.
First Lieut. Thomas Bayne Locke, Cavalry.
First Lieut. Truman Morris Martin, Infantry.
First Lieut. Morris Simpson Daniels, jr., Cavalry.
First Lieut. Chester Bailey McCoid, Coast Artillery Corps.
First Lieut. Cecil Leland Rutledge, Infantry.
First Lieut. Theodore Christian Gerber, Ordnance Department.
First Lieut. Garth Bly Haddock, Infantry.
First Lieut. Lawrence Leonard William Meinzen, Infantry.
First Lieut. Marshall Lawrence Gosserand, Coast Artillery Corps.
First Lieut. John Orland Lawrence, Cavalry.
First Lieut. George LeConte Ramsey, Infantry.
First Lieut. John Johnson Albright, Infantry.
First Lieut. Charles Williamson Glover, Field Artillery.
First Lieut. Robert Jones King, Infantry.
First Lieut. Alexander Adair, Infantry.
First Lieut. Grant Alexander Schlieker, Infantry.
First Lieut. John Knox Gailey, jr., Cavalry.
First Lieut. William Grant Hilliard, jr., Infantry.
First Lieut. Albert Cushing Cleveland, Infantry.
First Lieut. Leslie Marshall Skerry, Field Artillery.
First Lieut. Walter Carper Phillips, Infantry.
First Lieut. Anthony Joseph Touart, Infantry.
First Lieut. Henry Percy Gray, Infantry.
First Lieut. Dan Harold Riner, Infantry.
First Lieut. Robert Morriss Browning, Infantry.
First Lieut. Arthur Edmund Easterbrook, Air Service.
First Lieut. Harry John Collins, Infantry.
First Lieut. James Van Valkenburgh Shufelt, Cavalry.
First Lieut. Henry Paul Hallowell, Infantry.
First Lieut. Hobart Raymond Gay, Cavalry.
First Lieut. Rutherford Leon Hammond, Cavalry.
First Lieut. Oscar Dubois McNeely, Coast Artillery Corps.
First Lieut. Parker Gillespie Tenney, Coast Artillery Corps.
First Lieut. Robert Ernest Archibald, Infantry.
First Lieut. Thomas Jeffries Betts, Coast Artillery Corps.
First Lieut. Buhl Moore, Field Artillery.
First Lieut. Mordaunt Verne Turner, Cavalry.
First Lieut. Norman E. Waldron, Cavalry.
First Lieut. Adrian Robert Brian, Infantry.
First Lieut. Herbert Johnson Burke, Cavalry.
First Lieut. Burton Loren Lucas, Infantry.
First Lieut. Morris Clinton Handwerk, Coast Artillery Corps.
First Lieut. Walter Russell Ketcham, Infantry.
First Lieut. George Stephen Wear, Infantry, subject to examination required by law.
First Lieut. Leo Lawrence Gocker, Cavalry.
First Lieut. Benjamin Franklin Harmon, Coast Artillery Corps.
First Lieut. Walter Throckmorton Scott, Infantry.
First Lieut. Edwin Wilds Godbold, Cavalry.
First Lieut. John Wilson O'Daniel, Infantry.
First Lieut. John Gilbert White, Field Artillery.
First Lieut. Harry Frank Thompson, Infantry.
First Lieut. Raymond Carmichael Gibbs, Cavalry.
First Lieut. Carl McKee Innis, Infantry.
First Lieut. William Henry Allen, Infantry.
First Lieut. Leo Francis Crane, Cavalry.
First Lieut. Joseph William McKenna, Infantry.
First Lieut. Raymond Blanton Bottom, Coast Artillery Corps.
First Lieut. Alfred Grace Ford, Field Artillery.
First Lieut. Henry Terry Morrison, Coast Artillery Corps.
First Lieut. Paul Leon Porter, Infantry.
First Lieut. Stanley Joseph Grogan, Infantry.
First Lieut. Rohland Andrew Isker, Cavalry.
First Lieut. Robert Reginald Maxwell, Cavalry.
First Lieut. Leonard Roscoe Crews, Coast Artillery Corps.
First Lieut. Charles Arthur Horger, Cavalry.
First Lieut. Stonewall Jackson, Infantry.
First Lieut. Conrad Grey Wall, Cavalry.
First Lieut. Warner Beardsley Gates, Infantry.
First Lieut. Oscar Joseph Neundorfer, jr., Infantry.
First Lieut. Charlie Edward Hart, Cavalry.
First Lieut. Webster Hamlin Warren, Coast Artillery Corps.
First Lieut. Ross Berry Smith, Infantry.
First Lieut. John Brown Bethea, jr., Coast Artillery Corps.
First Lieut. Thomas Bennett Woodburn, Infantry.
First Lieut. Charles William Higgins, Coast Artillery Corps.
First Lieut. Hugh Nathan Herrick, Coast Artillery Corps.
First Lieut. Stanley French Griswold, Infantry.
First Lieut. John Thomas Dibrell, Infantry.
First Lieut. Edmund Jones Lilly, jr., Infantry.
First Lieut. Charles Edward Dissinger, Cavalry.
First Lieut. Thomas Garlot Hannon, Infantry.
First Lieut. John Edwin Hull, Infantry.
First Lieut. Thomas Francis Bresnahan, Infantry.
First Lieut. Koger Marion Still, Infantry.
First Lieut. Samuel White, jr., Field Artillery.
First Lieut. Gilman Kimball Crockett, Infantry.
First Lieut. William Warren Wertz, Coast Artillery Corps.
First Lieut. Thomas Edison Roderick, Infantry.
First Lieut. Wallace Alan Mead, Infantry.
First Lieut. Ray Winfield Harris, Infantry, subject to examination required by law.
First Lieut. Elbert Wilson Lockwood, Infantry.
First Lieut. Evans Read Crowell, Coast Artillery Corps.
First Lieut. Robinson Earl Duff, Infantry.
First Lieut. Leon Wilcomb Hilliard, Signal Corps.
First Lieut. Walter Colon Blalock, Infantry.
First Lieut. Hamilton Johnston, Infantry.
First Lieut. Raymond Godfrey Lehman, Infantry.
First Lieut. Irvine Callander Scudder, Infantry.
First Lieut. James Chester Bates, Coast Artillery Corps.
First Lieut. Harry Edmund Pendleton, Cavalry.
First Lieut. William Claude Briggs, Infantry.
First Lieut. Paul Samuel Beard, Infantry.
First Lieut. Edgardo Vazquez-Bruno, Infantry.
First Lieut. Wright Helm Johnson, Signal Corps.
First Lieut. George William Clover, Infantry.
First Lieut. Edwin Allan Smith, Infantry.
First Lieut. Gyles Merrill, Cavalry.
First Lieut. William Copers Bowie, Cavalry.
First Lieut. Wilfred Ernest Willis, Cavalry.
First Lieut. Floyd C. Harding, Infantry.
First Lieut. Rolfe Saunders Sample, Infantry.
First Lieut. James Montagu Adamson, jr., Cavalry.
First Lieut. Thomas William Conrad, Coast Artillery Corps.
First Lieut. Percy Lee Sadler, Infantry.
First Lieut. George Luther Morrow, Infantry.
First Lieut. Charles Everhart Sheldrake, Field Artillery.
First Lieut. Frederick Wilhelm Hoorn, Coast Artillery Corps.
First Lieut. Joe Carroll Rogers, Cavalry.
First Lieut. Evan Marshall Sherrill, Infantry.
First Lieut. James Wylie Arnold, Infantry.
First Lieut. Frank Albert Allen, jr., Cavalry.
First Lieut. Joseph Carson Stephens, Coast Artillery Corps.
First Lieut. Bernard Franklin Hurless, Infantry.
First Lieut. Guy Orth Kurtz, Field Artillery.
First Lieut. Louis Joseph Compton, Field Artillery.
First Lieut. John Henry Hilldring, Infantry.
First Lieut. William Donald McMillin, Infantry.

First Lieut. Arthur Breckinridge Wade, Field Artillery.
First Lieut. James Gideon Kyle, Infantry.
First Lieut. John Hurst Rodman, Infantry.
First Lieut. William Dan Powell, Infantry.
First Lieut. Read Wipprecht, Cavalry.
First Lieut. Ceylon Otto Griffin, Cavalry.
First Lieut. William Charles Louisell, Infantry.
First Lieut. Thomas Wade Herren, Cavalry.
First Lieut. Alden Humphrey Seabury, Cavalry.
First Lieut. Jesse Eckard Whitt, Infantry.
First Lieut. William Emanuel Goe, Infantry.
First Lieut. Donald Brooks Hilton, Coast Artillery Corps.
First Lieut. Clarence Arthur Shannon, Cavalry.
First Lieut. Alexander Bull McNabb, Cavalry.
First Lieut. William Leonard Ritter, Infantry.
First Lieut. Robert Winchell Patterson, Infantry.
First Lieut. Ralph Edwin Hill, Coast Artillery Corps.
First Lieut. Francis Lancaster Christian, Coast Artillery Corps.
First Lieut. Charles Henry Sears, Infantry.
First Lieut. Walton Whittingham Cox, Cavalry.
First Lieut. Druid Emmet Wheeler, Infantry.
First Lieut. Charles Royall Lugton, Infantry.
First Lieut. Maitland Bottoms, Coast Artillery Corps.
First Lieut. Michael Johann Perret, Infantry.
First Lieut. Ross Ernest Larson, Cavalry.
First Lieut. William Robinson Epes, Coast Artillery Corps.
First Lieut. Stewart Elvin Reimel, Infantry.
First Lieut. Kendall Jordan Fielder, Infantry.
First Lieut. William Curtis Deware, Infantry.
First Lieut. Hugh Donald Adair, Infantry.
First Lieut. Charles Harrington Stewart, Coast Artillery Corps.
First Lieut. Joseph Robbins Bibb, Infantry.
First Lieut. Reginald Reuben Bacon, Infantry.
First Lieut. Russell Conwell Snyder, Field Artillery.
First Lieut. David Broome Van Pelt, Infantry.
First Lieut. Harvey Allan Tonnesen, Infantry.
First Lieut. Edward Ramsey Holland, jr., Coast Artillery Corps.
First Lieut. William Hubbell Emerson, Infantry.
First Lieut. George Eddy Cook, Infantry.
First Lieut. James Tolmie Watson, jr., Cavalry.
First Lieut. Eugene Hill Mitchell, Infantry.
First Lieut. John Wesley Russey, Field Artillery.
First Lieut. Donald Stevens Grimm, Infantry.
First Lieut. James Dennett McIntyre, Coast Artillery Corps.
First Lieut. Walter Michael Eugene Sullivan, Infantry.
First Lieut. Allan James Kennedy, Infantry.
First Lieut. Bryan Lee Milburn, Coast Artillery Corps.
First Lieut. Martin Luther Howard, Infantry.
First Lieut. Nyal L. Adams, Coast Artillery Corps.
First Lieut. Virgil Norberto Cordero, Infantry.
First Lieut. Leo Joseph Farrell, Infantry.
First Lieut. Walter Shea Wood, Infantry.
First Lieut. Frank Owen Stephens, Infantry.
First Lieut. William Henry Quarterman, jr., Field Artillery.
First Lieut. Benjamin Brandon Bain, Infantry.
First Lieut. Ira Clarence Eaker, Air Service.
First Lieut. Stanton Louis Bertschey, Infantry.
First Lieut. Romeyn Beck Hough, jr., Air Service.
First Lieut. Fred Paul Clark, Field Artillery.
First Lieut. Cheney Litton Bertholf, Infantry.
First Lieut. Ellsworth Young, Coast Artillery Corps.
First Lieut. Harold LaRoy King Albro, Cavalry.
First Lieut. Edward Reese Roberts, Field Artillery.
First Lieut. Walter Ernst Lauer, Infantry.
First Lieut. Frank Hitch Pritchard, Coast Artillery Corps.
First Lieut. Albert Hugh Dumas, Infantry.
First Lieut. Paul Shober Jones, Infantry.
First Lieut. Paul Thompson Baker, Infantry.
First Lieut. Robert Porter Bell, Infantry.
First Lieut. Harold William Keller, Infantry.
First Lieut. Edwin William Piburn, Infantry.
First Lieut. Kenneth Stoddard Whittemore, Infantry.
First Lieut. Mack Morgan Lynch, Infantry.
First Lieut. Jerry Vrchlicky Matejka, Coast Artillery Corps.
First Lieut. Frank Huber Partridge, Infantry.
First Lieut. Franklin Knight Kennedy, jr., Infantry.
First Lieut. Gerald FitzGerald, Cavalry.
First Lieut. Derril de Saussure Trenholm, Infantry.
First Lieut. Michael Edmond Halloran, Infantry.
First Lieut. Idwal Hubert Edwards, Air Service.
First Lieut. Paul James Vevia, Infantry.
First Lieut. Carl Julian Dockler, Cavalry.
First Lieut. Milton Heilfron, Corps of Engineers.
First Lieut. Olin Coke Newell, Cavalry.
First Lieut. James Barclay Smith, Infantry.
First Lieut. Paule Steele, Infantry.
First Lieut. Luther Nathaniel Johnson, Infantry.
First Lieut. Stanley Augustus Anderson, Infantry.
First Lieut. Robert Emmett Cummings, Infantry.
First Lieut. Harry Fayette Schoonover, Infantry.
First Lieut. Adam Jackson Bennett, Coast Artillery Corps.
First Lieut. Louis Simmonds Stickney, Infantry.
First Lieut. William Hesketh, Coast Artillery Corps.
First Lieut. James Larkin Dikes, Infantry, subject to examination required by law.
First Lieut. Ben Curtis McComas, Infantry.
First Lieut. Kenneth Benjamin Gunn, Infantry.
First Lieut. Maurice Garver Stubbs, Infantry.
First Lieut. Archibald Andrew Fall, Infantry.
First Lieut. Frank Romaine Schucker, Infantry.
First Lieut. George Stewart Warren, Cavalry.
First Lieut. John Leo Davey, Infantry.
First Lieut. Ralph Charles Thomas, Cavalry.
First Lieut. Joseph William Vann, Coast Artillery Corps.
First Lieut. Mario Cordero, Infantry.
First Lieut. Henry Oscar Swindler, Infantry.
First Lieut. Haskell Allison, Infantry.
First Lieut. John Minor Lile, Cavalry.
First Lieut. Bruce Glenn Kirk, Infantry.
First Lieut. Davis Jones, Infantry.
First Lieut. Russell Skinner, Infantry.
First Lieut. George Warren Dunn, jr., Coast Artillery Corps.
First Lieut. Arthur Tillinghast Huston, Cavalry.
First Lieut. John Alexander Klein, Infantry.
First Lieut. Arthur Harold Luse, Infantry.
First Lieut. Clayton Seraska Whitehead, Infantry.
First Lieut. William Arthur Swift, Infantry.
First Lieut. John Edwin Grose, Infantry.
First Lieut. Robert Creighton Wright, Infantry.
First Lieut. Everett Latimer Rice, Infantry.
First Lieut. Lawrence Archie Kurtz, Infantry.
First Lieut. Daniel Webster Hickey, jr., Coast Artillery Corps.
First Lieut. Martin Stevenson Chester, Infantry.
First Lieut. William Connor Samford, Infantry.
First Lieut. Harry Reichelderfer, Infantry.
First Lieut. Alexander Russell Bolling, Infantry.
First Lieut. Duncan Thomas Boisseau, Infantry.
First Lieut. James Leonard Garza, Infantry.
First Lieut. John Dunbar Chambliss, Infantry.
First Lieut. Roger Eugene Williams, Cavalry.
First Lieut. Frank Reid Baker, Cavalry.
First Lieut. Elvin Leon Barr, Coast Artillery Corps.
First Lieut. Douglas Eaton Morrison, Coast Artillery Corps.
First Lieut. Thomas Eugene Jeffords, Coast Artillery Corps.
First Lieut. Amory Oliver, Coast Artillery Corps.
First Lieut. Clarence Webb Dresser, Coast Artillery Corps.
First Lieut. Frank Hendricks Hastings, Coast Artillery Corps.
First Lieut. Joseph Hiram Gilbreth, Coast Artillery Corps.
First Lieut. Harold Gilbert Archibald, Coast Artillery Corps.
First Lieut. Danield Howe Hoge, Coast Artillery Corps.
First Lieut. Reamer Walker Argo, Coast Artillery Corps, subject to examination required by law.
First Lieut. Eugene Thomas Conway, Coast Artillery Corps.
First Lieut. Frederick Adelmar Ward, Philippine Scouts.
First Lieut. Ralph Hirsch, Field Artillery.
First Lieut. William Joseph Egan, Field Artillery.
First Lieut. Talley Dozier Joiner, Infantry.
First Lieut. Robert Victor Maraist, Field Artillery.
First Lieut. Lawrence Patterson, Cavalry.
First Lieut. Lester Hardee Barnhill, Infantry.
First Lieut. Sterner St. Paul Meek, Infantry.
First Lieut. Julian Vance Link, Infantry.
First Lieut. Melvin Lewis Craig, Field Artillery.
First Lieut. Elbert Arcularius Nostrand, Infantry.
First Lieut. Samuel Gibson Stewart, Cavalry.
First Lieut. Hervey Aldrich Tribolet, Infantry.
First Lieut. Robert Brooks Ennis, Infantry.
First Lieut. Levie Wilson Foy, Infantry.
First Lieut. John Cord Blizzard, jr., Infantry.
First Lieut. Warren Henry McNaught, Field Artillery.
First Lieut. Howard Clark, jr., Infantry.
First Lieut. Roy Edson Craig, Cavalry.
First Lieut. Robert Ignatius Stack, Infantry.
First Lieut. Paul Wilbur Warren, Infantry.
First Lieut. John Huling, jr., Infantry.

First Lieut. Early Edward Walters Duncan, Air Service.
First Lieut. Edward Marple Daniels, Cavalry, subject to examination required by law.
First Lieut. Orryl Samuel Robles, Infantry.
First Lieut. Philip Richard Upton, Cavalry.
First Lieut. Horace Kelita Heath, Infantry.
First Lieut. Harry Russell Evans, Infantry.
First Lieut. Bartholomew Robins DeGraff, Infantry.
First Lieut. George LaFranc O'Connor, Infantry.
First Lieut. Harold Napoleon Gilbert, Infantry.
First Lieut. Charles Eugene Rust, Air Service.
First Lieut. William Albert Collier, Infantry.
First Lieut. Archibald Miles Mixson, Infantry.
First Lieut. Clifford Bert Cole, Field Artillery.
First Lieut. Albert Gresham Wing, Infantry.
First Lieut. William Fred Rehm, Infantry.
First Lieut. Edward Nicholson Fay, Infantry.
First Lieut. Donald Thomas Nelson, Cavalry.
First Lieut. Thomas Graves Cherry, Infantry, subject to examination required by law.
First Lieut. Richardson Lester Greene, Field Artillery.
First Lieut. George Clarence Nielson, Infantry.
First Lieut. Raymond Greenleaf Sherman, Infantry.
First Lieut. Earl Campbell Horan, Infantry.
First Lieut. William John Henry Ryan, Infantry.
First Lieut. Coleman Ferrell Driver, Infantry.
First Lieut. Wallace William Millard, Infantry.
First Lieut. Walter Wellington Von Gremp, Infantry.
First Lieut. Arthur Grady Hutchinson, Infantry.
First Lieut. Norman Marcus Nelsen, Infantry.
First Lieut. Harvey Lewis Littlefield, Infantry.
First Lieut. Ronald Lowe Ring, Infantry.
First Lieut. Alfred Timothy Wright, Infantry.
First Lieut. John Ainsworth Andrews, Infantry.
First Lieut. George Andrew Lockhart, Infantry.
First Lieut. Emerald Clark Robbins, Cavalry, subject to examination required by law.
First Lieut. James Julian Pirtle, Field Artillery.
First Lieut. Alfred Edward Dedicke, Infantry.
First Lieut. George Frederick Macdonald, Infantry.
First Lieut. Harry Boissonnault, Infantry.
First Lieut. Wilbur Ellsworth Bashore, Infantry.
First Lieut. Harold Head, Infantry.
First Lieut. Walter William Boon, Infantry.
First Lieut. Hugh McCord Evans, Infantry.
First Lieut. Michael Joseph Mulcahy, Infantry.
First Lieut. Harold Stokely Wright, Infantry.
First Lieut. Lois Chester Dill, Infantry.
First Lieut. Edward James Maloney, Infantry.
First Lieut. Richard Abram Jones, Infantry.
First Lieut. Lloyd Dexter Yates, Infantry.
First Lieut. Hugh Barclay, Infantry.
First Lieut. Lawrence William Jenkinson, Infantry.
First Lieut. Nelson Macy Walker, Infantry.
First Lieut. Milton Brandt Goodyear, Infantry.
First Lieut. William Ewart Gladstone Graham, Infantry.
First Lieut. Jesse Ralston Lippincott, Infantry.
First Lieut. Lee Sommerville Dillon, Corps of Engineers.
First Lieut. Ralph Millis, Corps of Engineers.
First Lieut. Peter Edward Bermel, Corps of Engineers.
First Lieut. Carl Raymond Shaw, Corps of Engineers.
First Lieut. Theron DeWitt Weaver, Corps of Engineers.
First Lieut. Frederick Franklyn Frech, Corps of Engineers.
First Lieut. John Elliott Wood, Corps of Engineers.
First Lieut. Harry Ray Springer, Quartermaster Corps.
Second Lieut. William Riley Maynard, Air Service.
Second Lieut. Robert Johnson Van Epps, Quartermaster Corps.
First Lieut. Raymond Donaldson Smith, Quartermaster Corps.
First Lieut. William Minnis Pierce, Quartermaster Corps.
First Lieut. Arthur Bothwell Proctor, Quartermaster Corps.
First Lieut. Robert Lee Cox, Cavalry.
First Lieut. William Thombs Kilborn, jr., Quartermaster Corps.
First Lieut. Frank Harry Scheiner, Quartermaster Corps.
First Lieut. Carlos Oscar Cooley, Infantry.
First Lieut. Frank Merritt Harshberger, Cavalry.
First Lieut. Leighton E. Worthley, Infantry.
First Lieut. Francis Joseph McNamara, Infantry.
First Lieut. Frank Watts Arnold, Cavalry.
First Lieut. Harrison Sheldon Beecher, Cavalry.
First Lieut. Wesley Wright Price, Quartermaster Corps.
First Lieut. Erskine Burt Halley, Field Artillery.
First Lieut. Mortimer Clark Addoms, jr., Quartermaster Corps.
First Lieut. Charles Clarke Loughlin, Infantry.
First Lieut. Gill McCook, Cavalry.
First Lieut. Gilbert Rieman, Cavalry.
First Lieut. Percy Adams, Coast Artillery Corps.
First Lieut. Jefferson Milford Stewart, Infantry.
First Lieut. Howard Kirkbride Dilts, Infantry.
First Lieut. Joseph Benjamin Varela, Coast Artillery Corps.
First Lieut. Walter Floyd Brown, Quartermaster Corps.
First Lieut. Manning Wilfred Spotswood, Quartermaster Corps.
First Lieut. George Cook Hollingsworth, Infantry.
First Lieut. Joel Franklin Watson, Quartermaster Corps.
First Lieut. John Conrad Hutcheson, Quartermaster Corps.
First Lieut. Charles Wilshire Older, Quartermaster Corps.
First Lieut. William Downing Wheeler, Air Service.
First Lieut. Herbert Wheeler Worcester, Cavalry.
First Lieut. David Ransom Wolverton, Quartermaster Corps.
First Lieut. George Ray Ford, Quartermaster Corps.
First Lieut. Frank Gosnell, jr., Field Artillery.
First Lieut. John Vincent Rowan, Quartermaster Corps.
First Lieut. William Henry Beers, Infantry.
First Lieut. Willis Dodge Cronkhite, Quartermaster Corps.
First Lieut. John Alexander Russell, Quartermaster Corps.
First Lieut. Theodore Tyler Barnett, Quartermaster Corps.
First Lieut. William Addison Ray, Field Artillery.
First Lieut. Lloyd Spencer Spooner, Infantry.
First Lieut. Henry Mills Shoemaker, Cavalry.
First Lieut. Harry Tolman Partridge, Quartermaster Corps.
First Lieut. Eugene Erwin Morrow, Infantry.
First Lieut. Kinsley Wilcox Slauson, Quartermaster Corps.
First Lieut. Fred Tenderholm Neville, Quartermaster Corps.
First Lieut. James Hugh Conlin, Quartermaster Corps.
First Lieut. Cyril Wilhelm Van Cortlandt, Quartermaster Corps.
First Lieut. Cornelius Cole Brown, Infantry.
First Lieut. Joseph Patrick Kelly, Quartermaster Corps.
First Lieut. Edgar Kehlor Brockway, Infantry.
First Lieut. Wallace Earle Hackett, Infantry.
First Lieut. William Lane Tydings, Infantry.
First Lieut. Ernest Klein White, Quartermaster Corps.
First Lieut. George William West, Quartermaster Corps.
First Lieut. Augustus Spencer Harrison, Quartermaster Corps.
First Lieut. Harry Coleman Snyder, Quartermaster Corps.
First Lieut. Franklin B. Lees, Quartermaster Corps.
First Lieut. Benton Arthur Doyle, Air Service.
First Lieut. George Henry Shea, Cavalry.
Second Lieut. Edward John Lewis Russell, Quartermaster Corps.
First Lieut. Archie Ellsworth Phinney, Infantry.
First Lieut. Fritz M. Dyer, Infantry.
First Lieut. John Nettleton Johnson, jr., Infantry.
First Lieut. Edward Flagg Sweeney, Quartermaster Corps.
First Lieut. Ralph Reynolds Seger, Quartermaster Corps.
First Lieut. Henry Frederick Wunder, Infantry.
First Lieut. Taylor Worcester Foreman, Infantry.
First Lieut. Philip Joseph O'Brien, Quartermaster Corps.
First Lieut. George Leroy King, Infantry.
First Lieut. Floyd William Ferree, Infantry.

MEDICAL CORPS.

To be captains.

First Lieut. Alexander Mileau, jr., Medical Corps, from June 18, 1920.
First Lieut. Leonard Philip Bell, Medical Corps, from June 22, 1920.
First Lieut. Thomas Grant Tousey, Medical Corps, from July 14, 1920.
First Lieut. Frank Walker Young, Medical Corps, from July 16, 1920.
First Lieut. Roy Farrington Brown, Medical Corps, from July 25, 1920.
First Lieut. John Glenwood Knauer, Medical Corps, from August 8, 1920.
First Lieut. Clark Anson Wilcox, Medical Corps, from August 8, 1920.
First Lieut. Edwin Raymond Strong, Medical Corps, from August 27, 1920.
First Lieut. Henry Jackson Hayes, Medical Corps, from August 31, 1920.
First Lieut. Edwin Leland Brackney, Medical Corps, from September 3, 1920.
First Lieut. Rufus Leroy Holt, Medical Corps, from September 8, 1920.
First Lieut. Ernest Jackson Steves, Medical Corps, from November 22, 1920.
First Lieut. William John Meihe, Medical Corps, from September 3, 1920.

First Lieut. Morgan Clint Berry, Medical Corps, from September 3, 1920.
First Lieut. Anthony Avata, Medical Corps, from September 10, 1920.
First Lieut. William Joseph Froitzheim, Medical Corps, from September 10, 1920.
First Lieut. Othel Jefferson Gee, Medical Corps, from September 10, 1920.
First Lieut. William Humes Houston, Medical Corps, from September 10, 1920.
First Lieut. Fabian Lee Pratt, Medical Corps, from September 10, 1920.
First Lieut. Lincoln Frank Putnam, Medical Corps, from September 10, 1920.
First Lieut. Thomas Hill Stewart, jr., Medical Corps, from September 11, 1920.
First Lieut. Eli Edwin Brown, Medical Corps, from September 11, 1920.
First Lieut. Wilbur Gibson Jenkins, Medical Corps, from September 11, 1920.
First Lieut. Richard Turberville Arnest, Medical Corps, from September 13, 1920.
First Lieut. Maxwell Gordon Keeler, Medical Corps, from September 18, 1920.
First Lieut. Jesse Cortena McKean, Medical Corps, from September 23, 1920.
First Lieut. Daniel Franklin, Medical Corps, from September 29, 1920.
First Lieut. Orlando Jefferson Posey, Medical Corps, from October 9, 1920.
First Lieut. Antony Joseph Greco, Medical Corps, from October 9, 1920.
First Lieut. Dalmar Rowley Blakely, Medical Corps, from October 10, 1920.
First Lieut. Charles Fletcher Davis, Medical Corps, from December 12, 1920.
First Lieut. David Wade Bedinger, Medical Corps, from December 29, 1920.
First Lieut. James Neal Williams, Medical Corps, from October 17, 1920.
First Lieut. Charles Ralph Ozias, Medical Corps, from November 6, 1920.
First Lieut. Cedric Eugene Filkins, Medical Corps, from November 16, 1920.
First Lieut. Clarence Mansfield Reddig, Medical Corps, from January 12, 1921.
First Lieut. Floyd Vern Kilgore, Medical Corps, from January 20, 1921.
First Lieut. Forrest Ralph Ostrander, Medical Corps, from January 21, 1921.
First Lieut. Walter Schneider Bennett, Medical Corps, from January 29, 1921.
First Lieut. Bernard Lipscomb Jarman, Medical Corps, from February 1, 1921.
First Lieut. Adam George Heilman, Medical Corps, from January 3, 1921.
First Lieut. Martin Robert Reiber, Medical Corps, from January 15, 1921.
First Lieut. Raymond Clyde Wolfe, Medical Corps, from January 18, 1921.
First Lieut. Harold Arthur Kirkham, Medical Corps, from January 20, 1921, subject to examination required by law.
First Lieut. Aubin Tilden King, Medical Corps, from January 22, 1921.
First Lieut. Brooke Dodson, Medical Corps, from January 25, 1921.
First Lieut. Oswald Felix Schiffli, Medical Corps, from January 27, 1921.
First Lieut. Logan Ilik Evans, Medical Corps, from January 29, 1921.
First Lieut. Joseph Francis Gallagher, Medical Corps, from February 8, 1921.

DENTAL CORPS.

To be captains.

First Lieut. John Nelson White, Dental Corps, from February 7, 1921.
First Lieut. William Ferdinand Scheumann, Dental Corps, from February 7, 1921.
First Lieut. Campbell Hopson Glascock, Dental Corps, from February 7, 1921.
First Lieut. William Frederic Wieck, Dental Corps, from February 7, 1921.
First Lieut. Thomas Herbert Veale, Dental Corps, from February 7, 1921.

SIGNAL CORPS.

To be colonel with rank from April 12, 1917.

Lieut. Col. George Owen Squier (then Chief Signal Officer, with rank of brigadier general).

WITHDRAWALS.

Executive nominations withdrawn from the Senate February 18 (legislative day of February 14), 1921.

To be lieutenant colonels with rank from July 1, 1920.

Maj. Francis Joseph McConnell, Infantry.
Maj. George Francis Connelly, Coast Artillery Corps.
Maj. George Buckner Sharon, Infantry.
Maj. Sylvester Bonnaffon, Infantry, since retired from active service.
Capt. William Egbert Wheeler MacKinlay, Cavalry.
Capt. Roland Beverly Ellis, Cavalry.
Capt. William Bernhard Renziehausen, Cavalry.
Maj. Rex Van Den Corput, Coast Artillery Corps.

To be lieutenant colonels.

Maj. Stanley Symmes Ross, Finance Department, with rank from August 17, 1920.
Maj. Wallace McNamara, Infantry, with rank from August 22, 1920.
Maj. Alden Max Graham, Quartermaster Corps, with rank from September 1, 1920.
Maj. Robert LeRoy Collins, Cavalry, with rank from September 3, 1920.
Maj. Irvin Lee Hunsaker, Cavalry, with rank from September 5, 1920.
Maj. Clifton Ranney Norton, Cavalry, with rank from September 10, 1920.
Maj. Charles Russell Mayo, Cavalry, with rank from September 15, 1920.
Maj. Arthur James Lynch, Quartermaster Corps, with rank from September 17, 1920.
Maj. Guy Eugene Bucker, Infantry, with rank from September 21, 1920.
Maj. Albert Stanley Fuger, Field Artillery, with rank from September 22, 1920.

FIELD ARTILLERY.

To be lieutenant colonel with rank from May 21, 1920.

Maj. Daniel Whildin Hand, Field Artillery.

To be majors with rank from July 1, 1920.

Capt. Rex Van Den Corput, Coast Artillery Corps.
Capt. Ephriam Foster Graham, Cavalry.
Capt. William Cissna Russell, Infantry.
Capt. James Saye Duesenbury, Coast Artillery Corps.
Capt. Roy Walter Winton, Infantry.
Capt. Frederick Clifford Rogers, Infantry.
Capt. Claude DeBusy Hunt, Cavalry.
Capt. Edwin Larkin Zinn, Philippine Scouts.
Capt. John Richard Walker, Infantry.
Capt. Frederick Gilbert Dillman, Coast Artillery Corps.
Capt. Frank Bloom, Field Artillery.
Capt. Joseph David Brown, Coast Artillery Corps.
First Lieut. Ralph Kinnear Fletcher, Infantry.
Capt. Harold Burling Sampson, Coast Artillery Corps.
Capt. Joseph Wadsworth Viner, Cavalry.
Capt. Ernst Sedlacek, Field Artillery.
Capt. Lehman Welling Miller, Corps of Engineers.

To be captains with rank from July 1, 1920.

Second Lieut. Henry Stephen Hostetter, Finance Department.
Second Lieut. Emmett Crawford Morton, Finance Department.

To be captain with rank from June 10, 1920.

First Lieut. Arthur Winton Hartman, Cavalry.

To be captain with rank from June 23, 1920.

First Lieut. Anthony John Tittinger, Cavalry.

To be first lieutenant with rank from July 1, 1920.

First Lieut. Grant Heniger, Philippine Scouts.

To be second lieutenant with rank from July 1, 1920.

Capt. Ottmann William Freeborn, Infantry, United States Army.

INFANTRY.

To be major with rank from July 1, 1920.

William McCleave, late captain (temporary colonel), Field Artillery, Regular Army.

To be captains with rank from July 1, 1920.

Maj. Zion Dixon, Infantry, United States Army.

William Roy Nellegar, late major, Infantry, United States Army.

Gregory Vigeant, jr., late captain, Infantry, United States Army.

Maj. John Halpin Burnes, Infantry, United States Army.

To be first lieutenants with rank from July 1, 1920.

First Lieut. Chowning Cauthorn, Infantry, United States Army.

Elmer Cordes, late captain, Infantry, United States Army.

Herschel Vespasian Johnson, late captain, Infantry, United States Army.

Prince Edgarton Tripp, late first lieutenant, Infantry, United States Army.

To be second lieutenant with rank from July 1, 1920.

First Lieut. Osborne Cutler Wood, Infantry, United States Army.

CAVALRY.

First Lieut. Carl Francis Ellmaker to be first lieutenant with rank from July 1, 1920, Infantry, United States Army.

FINANCE DEPARTMENT.

William Joseph Sharp, late second lieutenant, to be second lieutenant with rank from July 1, 1920, Field Artillery, United States Army.

AIR SERVICE.

To be captain with rank from July 1, 1920.

Roy Louis Noggle, late first lieutenant, Signal Corps, United States Army.

To be first lieutenants with rank from July 1, 1920.

First Lieut. Rex Everett Field, Air Service, United States Army.

First Lieut. Monroe Reynolds, Air Service, United States Army.

First Lieut. Edgar Lee Smith, Air Service, United States Army.

First Lieut. Henry Jerome Spalding, Air Service, United States Army.

To be second lieutenants with rank from July 1, 1920.

Second Lieut. Raymond Joseph Brandi, Air Service, United States Army.

Second Lieut. William Ansel Gardner, Air Service, United States Army.

Second Lieut. Frederick Andrew Johnson, Air Service, United States Army.

QUARTERMASTER CORPS.

To be captain with rank from December 28, 1920.

Q. M. Sergt. Charles August Bader, Quartermaster Corps, United States Army, retired.

To be first lieutenants with rank from July 1, 1920.

Earle Raymond Adlington, late first lieutenant, Motor Transport Corps, United States Army.

First Lieut. August Hermes Hoch, Quartermaster Corps, United States Army.

First Lieut. Clarence Olaf Jenson, Quartermaster Corps, United States Army.

Capt. William Pincus Katz, Chemical Warfare Service, United States Army.

To be second lieutenants with rank from July 1, 1920.

First Lieut. Herbert Barr, Quartermaster Corps, United States Army.

Second Lieut. Julius Paul Kahlbaum, Infantry, United States Army.

MEDICAL CORPS.

To be major.

Charles Stanton Freedman, late major, Medical Corps, United States Army, with rank from July 1, 1920.

To be captains.

First Lieut. Rufus Leroy Holt, Medical Corps, from December 13, 1920.

Clarence Lavan Bittner, late captain, Medical Corps, United States Army, with rank from July 1, 1920.

Emanuel Giddings, late lieutenant colonel, Medical Corps, United States Army, with rank from July 1, 1920.

First Lieut. Ernest Jackson Steves, Medical Corps, from January 20, 1921.

First Lieut. Leonard Philip Bell, Medical Corps, from June 4, 1920.

First Lieut. Thomas Grant Tousey, Medical Corps, from July 24, 1920.

First Lieut. Alexander Mileau, jr., Medical Corps, from September 23, 1920.

First Lieut. Frank Walker Young, Medical Corps, from October 21, 1920.

First Lieut. Roy Farrington Brown, Medical Corps, from October 30, 1920.

First Lieut. John Glenwood Knauer, Medical Corps, from November 13, 1920.

First Lieut. Clark Anson Wilcox, Medical Corps, from November 13, 1920.

First Lieut. Edwin Raymond Strong, Medical Corps, from December 2, 1920.

First Lieut. Henry Jackson Hayes, Medical Corps, from December 6, 1920.

First Lieut. Edwin Leland Brackney, Medical Corps, from December 8, 1920.

To be first lieutenants.

First Lieut. Paul Christopher Christian, Medical Corps, United States Army, with rank from July 1, 1920.

Elmer Abraham Rowley, late first lieutenant, Medical Corps, United States Army, with rank from July 1, 1920.

DENTAL CORPS.

Stanley Rankin Rayman, late first lieutenant, to be first lieutenant with rank from July 1, 1920, Dental Corps, United States Army.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 18, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Heavenly Father, Thy mercy is on our side and hence all is well. Open the way when the gate is high and there is no key, and permit us to fulfill the vows of our hearts; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum. There is no quorum present.

Mr. MONDELL. I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ashbrook	Fairfield	Lazaro	Sears
Ayres	Fields	Lea, Calif.	Sells
Bacharach	Focht	Lonergan	Siegel
Baer	Fordney	Longworth	Sisson
Bell	Gallagher	McCulloch	Slemp
Black	Gandy	McGlennon	Small
Bland, Mo.	Ganly	McKinley	Smith, Ill.
Brinson	Goldfogle	McKinley	Smith, N. Y.
Britten	Good	McLane	Steele
Burdick	Goodwin, Ark.	Maher	Stiness
Burke	Gould	Mann, S. C.	Stoll
Campbell, Kans.	Graham, Pa.	Mason	Strong, Pa.
Candler	Griest	Mead	Sullivan
Carew	Hamill	Moon	Sweet
Casey	Harreld	Mooney	Thomas
Clark, Fla.	Harrison	Morin	Tinkham
Clark, Mo.	Hayden	Mudd	Upshaw
Classon	Hersman	Perlman	Vare
Copley	Hill	Phelan	Vestal
Costello	Hulings	Rainey, Ala.	Volk
Davey	Hull, Tenn.	Rainey, Henry T.	Volstead
Donovan	Jacoway	Rainey, John W.	Watkins
Dooling	James, Mich.	Randall, Calif.	Wheeler
Doremus	Johnston, N. Y.	Reavis	Wilson, Ill.
Doughton	Kennedy, Iowa	Reed, W. Va.	Wilson, Pa.
Dunn	Kennedy, R. I.	Riddick	Wise
Eagan	Kettner	Riordan	Wood, Ind.
Eagle	Kitchin	Rowan	Woodyard
Ellsworth	Kleczka	Sanders, La.	
Emerson	Kreider	Scully	

The SPEAKER. Three hundred and ten Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

GREETINGS FROM PORTO RICO.

Mr. TOWNER. Mr. Speaker, the Legislature of Porto Rico has just assembled and is in session. The speaker of the house and the president of the senate have cabled me greetings to the House of Representatives, and have asked me to present them to the House. I ask unanimous consent that they be read from the Clerk's desk and printed in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the cablegrams referred to by him be read. Is there objection?

There was no objection.

The Clerk read as follows:

TOWNER,
House of Representatives, Washington:

House of representatives in session assembled requests you to express to the House the sentiments of adherence and respect of the representatives of the people of Porto Rico for the Representatives of the national sovereignty looking for that justice worthy of both in the granting of our immediate aspirations in the extension and development of our present system of government under democratic principles.

CAYETANO COLL CUCHI, *Speaker.*

Judge TOWNER,
House of Representatives, Washington:

Senate of Porto Rico in session assembled unanimously requests you to express to the House of Representatives the sentiments of adherence and respect of the senators of Porto Rico to the Members of the House of Representatives of the United States looking for that justice worthy of both in the granting of our immediate aspirations in the extension and development of our present system of government under democratic principles.

BARCELO, *Presidente.*

Mr. MONDELL. Mr. Speaker, if it be in order, I should like to have the House express its thanks and appreciation for this patriotic and cordial message from the two houses of Porto Rico.

The SPEAKER. Is there objection to the motion of the gentleman from Wyoming?

There was no objection.

The motion was unanimously agreed to.

Mr. DYER. Mr. Speaker, in that connection may I make a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. DYER. These communications from the Legislative Assembly of Porto Rico have been read. Are they to be referred to the Committee on Insular Affairs?

The SPEAKER. The Chair does not think they need any reference.

Mr. DYER. I should think they ought to be referred to that committee, and that the request contained therein merits serious consideration.

Mr. BARKLEY. Does the motion which has been agreed to carry with it the sending of a message?

The SPEAKER. The Chair thinks so.

Mr. CANNON. What is the foundation of the message? What is it that Porto Rico wants?

Mr. DYER. They ask for more liberal representation in their local government.

Mr. CANNON. I wanted to see whether this would be construed as an expression of opinion of the House that what they might consider local government according to democratic principles should be accepted by the Committee on Insular Affairs from that standpoint. I am content that the messages should go to the Committee on Insular Affairs, but they ought not to go with any expression of opinion which might cause that committee to do what might not meet with the sentiment of this House or the coming House or the people.

Mr. DYER. That was not my intention.

Mr. GARD. The motion of the gentleman from Wyoming having been adopted, does it then become the duty of the Speaker to transmit a message in reply?

The SPEAKER. The Chair thinks he would do so whether it was his duty or not.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, had requested a conference with the House of Representatives on the amendment of the Senate, and had appointed Mr. TOWNSEND, Mr. MOSES, Mr. PHIPPS, Mr. BECKHAM, and Mr. HENDERSON as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

The message also announced that the Senate had passed the bill (S. 4903) to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed joint resolution and bills of the following titles:

February 15, 1921:

H. J. Res. 472. Joint resolution making an appropriation to continue the valuation of the property of carriers.

February 16, 1921:

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

H. R. 10920. An act declaring Platte River to be a nonnavigable stream, having been presented to the President of the United States on February 4, 1921, and not having been approved or returned to the House of Congress in which it originated within the 10 days prescribed by the Constitution, has become a law without his approval. Last day was February 16, 1921.

PRIVATE CALENDAR.

Mr. EDMONDS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole for the consideration of bills on the Private Calendar.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. Which calendar is in order to-day, claims or war claims?

The SPEAKER. The Chair thinks preference would be given to claims. War claims had the last Private Calendar day. The question is on the motion of the gentleman from Pennsylvania, that the House resolve itself into the Committee of the Whole for the consideration of bills on the Private Calendar.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole on the Private Calendar, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of bills on the Private Calendar. Without motion, the Clerk will read the first bill on the calendar.

Mr. CRAMTON. A point of order, Mr. Chairman. I understand the statement of the Chair to be a direction to the Clerk to read the first bill. I have no objection to its being read, but I do not want to lose any rights. I want to reserve a point of order against the consideration of the first bill. If it is preferred, I will make the point of order now.

The CHAIRMAN. The Clerk will read the first bill.

MAJ. GEN. CROWDER.

The Clerk read the title to the first bill, as follows:

S. 2867. An act authorizing the President, when Maj. Gen. Crowder retires, to place him on the retired list of the Army as a lieutenant general.

Mr. CRAMTON. Mr. Chairman, I make the point of order that to-day bills upon the Private Calendar reported from committees on either War Claims or Claims are in order. The suggestion of the Speaker was that probably Claims had priority. My point of order is that bills reported from any other committees except Claims or War Claims are not in order until the bills having precedence are disposed of. I will be very glad to cite precedents if the Chair cares to hear them.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CRAMTON. The rule provides that—

On Friday of each week after the disposal of such business on the Speaker's table as requires reference only, it shall be in order to entertain a motion for the House to resolve itself into Committee of the Whole House to consider business on the Private Calendar in the following order.

As I understand, the motion to go into Committee of the Whole to consider the bills on the Private Calendar could not have been made except by virtue of this rule, and the rule prescribes the order in which the bills on the calendar shall be

considered. Omitting the reference to the second and fourth Friday, the rule continues:

On every Friday, except the second and fourth Fridays, the House shall give preference to the consideration of bills reported from the Committee on Claims and the Committee on War Claims, alternating between the two committees.

The rule is as explicit, direct, and positive as it would seem possible for language to make it that at the present time in this committee in considering bills on the Private Calendar we are obliged to consider them in the following order, and under that to-day bills coming either from the Committee on Claims or War Claims have precedence. The matter has been up before in the House, and decision was made in the second session of the Sixty-third Congress, found on page 3053 of the CONGRESSIONAL RECORD, in Committee of the Whole, for the consideration of bills on the Private Calendar. It was held that business on the Private Calendar reported from the committee having priority on that day, whatever the committee might be, should be disposed of before any other business on the Private Calendar should be considered. That decision is in harmony with other decisions that are equally explicit. For instance, it was held in 1901, which decision the Chair will find reported in Hinds' Precedents, volume 4, section 4913, that in Committee of the Whole the rule of procedure prescribed by the House may not be set aside. The House has prescribed a definite and positive rule of procedure in this case, that certain bills shall have precedence for consideration. That rule having been prescribed by the House, the Committee of the Whole has no authority to set it aside.

It is somewhat analogous to the case of fixing debate by the House in which it is repeatedly held that fixing debate by the whole House, the Committee of the Whole can not, even by unanimous consent, agree to an extension contrary to that order of the House.

I am aware that there are some precedents for the making of a motion to set aside the particular order of business. Such a case is reported in Hinds, volume 4, section 4730, but that, it should be noted by the Chair, was under an old rule of the House in which the right to change the order was expressly given to the committee. Under the present rule the right is negatived, the House has fixed a priority, and taken discretion away from the committee.

There are some other precedents, one in Hinds, volume 4, section 4731, which was also under the old form of rule. But the one in section 4732 under the changed form of rule, the motion there had reference to taking a bill out of order that came from the committee that had the priority right.

Now, what is attempted here is not to take up a bill reported from the Claims Committee and consider it out of turn, but to take up a bill from a committee that has no priority rights to-day, and hence these decisions are not at all in conflict with the ones reported in section 4734, or the one decided by Chairman Adair.

Mr. MADDEN. Mr. Chairman, of course I have no contention with the gentleman from Michigan who has addressed the Chair on the point he has made. But I think the rulings have been to the effect that notwithstanding the rule which gives priority to war claims and claims on this day, that it is within the rights of the Chair to entertain a motion to consider a certain bill not included in claims or war claims.

The Hamlin decision, I think the Chair will find, held that it is quite proper to make a motion to consider any bill on the Private Calendar, and it is for the committee to decide whether or not that bill, whatever it may be, shall be taken up for consideration—not merely that the rules provide that on certain days war claims or claims may be given the preference, but only on condition that no motion is made to consider a bill that is not a war claim or a claim. It is quite within the province of the Chair to hold that it is proper to permit such a motion.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GREENE of Vermont. I want to supplement what the gentleman from Illinois has said by suggesting to the Chair that there is a great distinction in meaning between a rule which says that certain business shall have preference and a rule which states that it is an order of the business of the day arbitrarily to consider certain business, and that no other business shall be considered. I think there is a difference between a preference and a determination. If the committee, acting under a rule that it give preference to certain business, having opportunity to decide whether it shall exercise the preference or not, determines that it prefers some other business to that which had the first right of way, it would leave the committee utterly helpless if a motion to consider the business which was first presented to its attention could not be determined.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WALSH. If I understand the contention of the gentleman from Illinois correctly, it is that a motion would be in order to make some other bill in order for consideration, but the Chair announced that without motion the Clerk would report the first bill on the calendar, which is not from either of the preferential committees. If I understand the gentleman, he contends that it requires a motion to take a bill from some other committee?

Mr. MADDEN. I think the committee would have to express its desire to consider bills other than war claims or claims by a vote.

Mr. WALSH. The Chair can not tell the committee what it shall consider.

The CHAIRMAN. The Chair is ready to rule. Upon taking the chair, there being no motion pending, the Chairman directed the Clerk to report the first bill on the calendar, which is a bill not reported by either the Committee on Claims or the Committee on War Claims. As the Chair understands the situation, to-day is the day under the rules when bills from the Committee on Claims have "preference," whatever that may mean. The gentleman from Michigan [Mr. CRAMTON] makes the point of order that a bill not reported from the Committee on Claims can not be considered to-day until all bills reported from the Committee on Claims have been considered, and cites from the Manual a ruling by Chairman Adair, made in the Sixty-third Congress. The gentleman from Michigan correctly cites from the Manual the briefing of that ruling made by the parliamentary clerk. Upon a thorough examination of the ruling the Chair finds that the briefing in the Manual does not accurately present the ruling made by Chairman Adair.

This question was first directly ruled upon, so far as the Chair is able to find, by Chairman Hamlin in the Sixty-second Congress. The question came up on a motion of the gentleman from North Carolina [Mr. POU] to take up, out of its order as it appeared on the calendar, a certain bill reported from the Committee on Claims. A point of order was made against it. After some discussion, Chairman Hamlin held that he would entertain the motion of the gentleman from North Carolina to consider the bill which was from the Committee on Claims out of its order on the calendar; that is, it was not the first bill on the calendar. This is all that Chairman Hamlin's ruling decided.

In the Sixty-third Congress this question again arose when the gentleman from Indiana, Mr. Adair, was Chairman of the Committee of the Whole House, but no point of order was, in fact, made, so far as the RECORD shows. There was a long, informal, illuminating discussion participated in by the gentleman from Illinois, Mr. MANN, the gentleman from Tennessee, Mr. GARRETT, the gentleman from Georgia, Mr. Hardwick, the gentleman from North Carolina, Mr. POU, and others. After a thorough and able discussion, Mr. Adair, the Chairman, overruled the point of order, although no point of order had been made. These are the only precedents in point that have been brought to the attention of the Chair.

In view of these precedents and the present parliamentary situation, no ruling that is now necessary for the Chair to make will overrule either of the rulings to which the Chair has just referred.

Mr. CRAMTON. Mr. Chairman, will the Chair permit an interruption? At the time of the Adair ruling the RECORD makes it very plain that it was considered by the Chair and by the gentlemen who took part in that debate, including the gentleman from Illinois [Mr. MANN], that the Adair ruling was in conflict with the Hamlin ruling.

The CHAIRMAN. It was so argued.

Mr. CRAMTON. Perhaps it is unnecessary, but I want particularly to direct the attention of the Chair to the section I cited from Hinds' Precedents, section 4713.

The CHAIRMAN. Being warned that he might have to rule upon this matter, the present occupant of the chair took occasion to look over the precedents and was unable to find any that were in direct conflict or that need be overruled by any ruling that the Chair thinks he must make at this time on the point of order now pending.

Paragraph 4 of Rule XXIII provides that—

In Committees of the Whole House business on their calendars may be taken up in regular order, or in such order as the committees may determine, unless the bill to be considered was determined by the House at the time of going into committee.

That rule, unless modified, would permit the committee to take up any bill on the Private Calendar. Paragraph 6 of

Rule XXIV, which has already been read by the gentleman from Michigan [Mr. CRAMTON], and of which the Chair will read only a part, provides:

On every Friday, except the second and fourth Fridays, the House shall give preference to the consideration of bills reported from the Committee on Claims and the Committee on War Claims, alternating between the two committees.

The gist of the whole question is the word "preference." What does it mean? Does it mean to give an exclusive right to consideration of certain bills on certain days; and if not, just what does it mean? The Chair feels constrained to attempt to construe together the two paragraphs of the rules just referred to.

Mr. CRAMTON. Mr. Chairman, if the Chair will permit, the point is not that the claims from the Committee on Claims are exclusively in order, but that they have preference over other bills and shall be considered before other bills are considered.

The CHAIRMAN. The Chair does not believe that the word "preference" as used in this connection means that. In directing the Clerk to read the first bill on the calendar, the Chair took pains to say that "without motion" the first bill on the calendar would be reported. No motion was made. If any gentleman had made the motion that bills from the Claims Committee on the calendar be considered, the Chair would have entertained the motion.

Mr. CRAMTON. But, Mr. Chairman, immediately upon the statement of the Chair I reserved all my rights.

The CHAIRMAN. The gentleman still has his rights.

Mr. CRAMTON. And I am unable to find anywhere a requirement that a motion be made, but I shall be glad to make this motion if the Chair will recognize me for that purpose, although, if the Chair will permit, I would like to read this statement:

On January 25, 1901, the House was in Committee of the Whole House considering business on the Private Calendar under the rule making in order bills granting pensions and removing charges of desertion and political disabilities.

That is the other branch of the subject [reading]:

A question arising as to the consideration of a bill (H. R. 5931) for the relief of Henry L. McCalla, not strictly within the terms of the rule, Mr. Eugene F. Loud, of California, made the point of order that the Committee of the Whole House were operating under a mandatory rule of the House of Representatives, which the committee might not set aside. Therefore, the Chairman was not permitted to entertain a request that the bill be taken up.

Now, Mr. Chairman, if the Chairman could not even recognize the gentleman to make a motion to take up a bill that did not have precedence, certainly any motion would not deny the right to those bills which had precedence.

The CHAIRMAN. The Chair carefully considered the very case to which the gentleman from Michigan has referred, and has found nothing in that reference contrary to what the Chair has stated.

Mr. CRAMTON. Mr. Chairman——

The CHAIRMAN. The Chair has heard the gentleman.

Mr. CRAMTON. Mr. Chairman, I desire to be recognized to make a motion.

The CHAIRMAN. No motion is in order until the ruling is made.

Mr. CRAMTON. Mr. Chairman, I want to reserve my rights.

The CHAIRMAN. The gentleman has his rights and has had them reserved from the beginning. The Chair feels constrained to attempt to construe these two paragraphs of Rules XXIII and XXIV, so that they may both mean something, and therefore does not feel warranted in holding that the word "preference," mentioned in paragraph 6 of Rule XXIV, means that the Committee on Claims, by reason of having this "preference," must have every bill on the calendar reported from that committee considered before any other bill can be considered. The Committee on Claims would have the preference in making a preferential motion to consider bills reported from that committee and would continue to enjoy this preference provided that a majority of the committee did not vote otherwise.

Mr. CRAMTON. This is of some importance, if the Chair will permit. If it is in order for the Committee on Claims to have precedence it can not be then necessary to have a majority vote it. If it takes a majority vote to secure it, what benefit is the rule to the Committee on Claims?

The CHAIRMAN. The benefit of the right to a preferential motion to consider bills reported from that committee.

Mr. CRAMTON. Has the Chair ruled?

The CHAIRMAN. The Chair has not been permitted by the gentleman from Michigan to rule.

Mr. GARD. Will the point of order lie that the Chair be permitted to finish his ruling?

Mr. WALSH. I was going to make a parliamentary inquiry.

Mr. MANN of Illinois. Mr. Chairman, I hope the Chair will not feel constrained to rule that a motion to take up war-claims bills would be in order on to-day when the rules give the Committee on Claims' bills preference.

The CHAIRMAN. If the Committee on Claims did not claim preference or attempt to exercise its preferential rights then war-claims bills undoubtedly would be in order, in the opinion of the Chair.

Mr. MANN of Illinois. But I hope the Chair will not rule on a day when the Committee on Claims have preference that on a motion in the committee the Chair would construe that bills from the War Claims Committee be in order.

The CHAIRMAN. The Chair would not so rule. This is what the Chair would hold, that even though a motion had been made to take up some other bill and that motion were pending, if some gentleman arose and moved to take up a bill reported from the Committee on Claims or the bills on the calendar reported from that committee, the Chair would hold that to be a preferential motion and would put it to the committee. The Chair believes that this preference is all that is intended by this rule. To construe the rule to mean that no other bills can be considered on this day would result in this situation: That with two pension days on two Fridays of the month and claims and war claims alternating on the other Fridays of the month, there would never be an opportunity for bills coming from any other committee, like the Committee on Military Affairs, Naval Affairs, and other committees reporting private bills, to be considered at all. The present occupant of the chair does not believe that such a construction of the rule is required by the language of the rule or by any precedent or established practice. If such a precedent were established and followed, it would, in effect, take away from the committees of the House other than those given preference the opportunity to have their private bills considered. Such a result would be unfair, unwise, and not in accord with the spirit of the rules. Therefore the Chair overrules the point of order made by the gentleman from Michigan.

Mr. CRAMTON. Mr. Chairman, I move that the Committee of the Whole House now proceed to the consideration of bills reported from the Committee on Claims.

The CHAIRMAN. The gentleman from Michigan moves that the Committee of the Whole House now proceed to consider bills reported from the Committee on Claims.

Mr. HAWLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAWLEY. Are we considering bills to-day on the Private Calendar not objected to?

The CHAIRMAN. No; there has been no order of that kind made.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. Is it in order to raise the question of consideration in the Committee of the Whole upon bills of this calendar?

The CHAIRMAN. That question has not arisen and the Chair will not cross the bridge until he gets to it.

Mr. GREENE of Vermont. Mr. Chairman, I move as a substitute for the motion of the gentleman from Michigan that the committee proceed to consider the first bill on the calendar, S. 2867.

Mr. CRAMTON. Mr. Chairman, I make the point of order that the motion made by "the gentleman from Michigan," under the ruling of the Chair, is a preferential motion.

The CHAIRMAN. The Chair sustains that point of order.

Mr. GREENE of Vermont. May I ask a parliamentary inquiry of the Chair? I thought the Chair did not rule it was necessary to go to the consideration of claims, that that was a preferential order, unless another motion to another effect prevailed.

The CHAIRMAN. That is the basis of the Chair's ruling; but it is clear that the preference is intended to be given to the Committee on Claims to-day, and the gentleman from Michigan [Mr. CRAMTON] has made the preferential motion that bills from that committee be considered, and that motion is now in order.

Mr. GREENE of Vermont. Then, the parliamentary status is this, that if this motion is voted down I may be recognized?

The CHAIRMAN. The Chair so understands it. The question is on agreeing to the motion of the gentleman from Michigan [Mr. CRAMTON].

The question was taken, and the Chair announced that he was in doubt.

Thereupon the committee divided; and there were—ayes 67, noes 76.

Mr. CRAMTON. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. CRAMTON and Mr. GREENE of Vermont took their places as tellers.

The committee again divided; and there were—ayes 110, noes 109.

The CHAIRMAN. On this vote the tellers report that the ayes are 110, the noes 109. The Chair votes in the negative; the ayes are 110, the noes 110, the noes have it, and the motion is lost.

Mr. LITTLE. Mr. Chairman, I make a point of order. The vote was announced and the Chair has no right to vote.

Mr. CRAMTON. Mr. Chairman, I make the point of order—first, that it was not a tie vote; second, that the Chair did not pass through the tellers; and, third, that the Chair announced the vote and then, after consideration, gave his own vote.

The CHAIRMAN. The Chair did not pass between the tellers, and the Chair did not announce the vote. [Cries of "Oh, yes!"]

Mr. CRAMTON. The Chair announced the vote. We still have rights here. The Chair did announce the vote.

The CHAIRMAN. The committee will be in order.

Mr. MANN of Illinois. Mr. Chairman, I do not think the Chair announced the result of the vote.

The CHAIRMAN. The gentleman from Illinois is correct.

Mr. MANN of Illinois. The Chair announced the result of the vote by tellers, and did not declare whether the affirmative or negative had it. But I doubt whether the Chair is authorized to vote without passing between the tellers, except in case of a tie vote. The Chair in case of a tie vote, where he has not passed between the tellers, has the right to vote in the affirmative in order to carry a proposition. But in this case there was no tie vote. I do not recall whether there is any precedent on the subject, but barring a precedent, certainly it seems the Chair could have come down and passed between the tellers by calling somebody else to the chair.

The CHAIRMAN. The Chair thinks, reasoning by analogy, that if the Chair can vote on a tie, he should be permitted to vote to make a tie, which would be equivalent to breaking a tie since it would change the result. But the Chair will examine the precedents, and, if wrong, will recall his vote. The present occupant of the chair wishes to rule and vote only in accordance with the rules of the House and the precedents. [After a pause.] The only precedent the Chair is able to find in the very brief time at his disposal is the following. It is very brief, and the Chair will read it in full:

5997. Hinds' Precedents. On February 18, 1904, the fortifications appropriation bill was under consideration in Committee of the Whole House on the state of the Union when Mr. Choice B. Randell, of Texas, proposed an amendment and a vote thereon was ordered by tellers.

The tellers reported—ayes 79, noes 78.

Thereupon the Chairman announced that he voted in the negative; that the ayes were 79 and noes 79, and that the amendment was disagreed to.

This is all the precedent that the Chair finds. [Applause.] The Chair overrules the point of order. The Clerk will report the first bill.

Mr. CRAMTON. Mr. Chairman, I move that the committee proceed to the consideration of the second bill on the calendar.

Mr. YOUNG of Texas. Mr. Chairman, I move a substitute to that.

The CHAIRMAN. The gentleman from Michigan moves that the committee proceed to consider the second bill on the calendar.

Mr. GREENE of Vermont. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GREENE of Vermont. To invite the attention of the Chair to the announcement he made in the ruling, that if this motion failed I might be recognized to make another motion to consider the first bill on the calendar.

Mr. CRAMTON. That was, provided it was a preferential motion.

Mr. GREENE of Vermont. And the Chair recognized the other gentleman first. I relied on the statement of the Chair that I might move a substitute amendment.

Mr. CALDWELL. Mr. Chairman, will the Chair hear me just a moment?

The CHAIRMAN. The Chair recognizes the gentleman from Vermont to make a motion.

Mr. CALDWELL. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. I thank the Chair very much for letting me state the point of order. The proposition is this: The gentleman asked the question in the ruling of the Chair whether or not he should be recognized for the Crowder bill if it was asked, and the Chair said yes; and immediately upon the Chair reading the precedent and sustaining his own ruling the Chair, without waiting, though the gentleman from Michigan [Mr. CRAMTON] rose to his feet, for anyone else to say anything, directed the Clerk to read the bill, so that the gentleman had not lost the floor. But the Chair was carrying out the promise to the House, and so I make the point of order the Clerk should read the bill.

The CHAIRMAN. The Chair can make no promise to the House except to carry out the rules of the House. The Chair now recognizes the gentleman from Vermont to make any motion proper under the parliamentary situation.

Mr. CALDWELL. The parliamentary situation is that the gentleman from Michigan has made a motion to take up the second bill on the calendar, and the Chair has recognized him?

The CHAIRMAN. That is correct.

Mr. CRAMTON. I moved as a substitute that the committee proceed to the consideration of the second bill on the calendar.

The CHAIRMAN. The Chair thinks that this would simply be a complication—an unncessary complication—where the same result would be reached by a vote "no" on the motion of the gentleman from Michigan [Mr. CRAMTON].

Mr. MANN of Illinois. Mr. Chairman, I do not think it is for the Chair to determine whether the House gets into a complicated position or not.

The CHAIRMAN. The Chair will hear the gentleman from Illinois.

Mr. MANN of Illinois. The Chair held, as I understood, on the motion of the gentleman from Michigan [Mr. CRAMTON], to consider, first, bills from the Committee on Claims, which under the rules have preference; that it was not in order to substitute for that a motion to consider a bill from a committee other than the Committee on Claims. But the pending motion is to consider a bill from the Committee on War Claims, which does not have preference.

Now, it seems to me that where a motion is made to take a bill out of its order in the committee it is in order to amend that by substituting another bill. That is simply the motion of the gentleman from Vermont [Mr. GREENE], to let the House express its determination. And while the Chair intimated there were complications, yet until the consideration of a bill has commenced in the committee under the ruling of the Chairman it is not in order to move to take up any other bill on the calendar, and the complication would be, if Members are alive to their jobs—and it looks to me as though they were—they could make motions one after another to take up any bill on the calendar, and if they were voted down each time, then the entire day could be consumed on motions to take up a bill out of its regular order in determining the right to take up a bill by way of substitution. It seems to me——

Mr. YOUNG of Texas. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes; I yield.

Mr. YOUNG of Texas. Under the gentleman's contention, it would be in order for me to take up the packer bill during the day?

Mr. MANN of Illinois. Well, if the packer bill was where it belonged, on the Private Calendar, for the purpose of subserving the interests of certain private individuals, especially the interests of the gentleman from Texas——

Mr. YOUNG of Texas. And the packers——

Mr. MANN of Illinois. It would be in order. But it is not on the Private Calendar. [Laughter.]

The CHAIRMAN. The Chair intimated that he would rule not to entertain a motion until the other was disposed of, on the analogy that when a motion is made to go into the Committee of the Whole House for the consideration of a certain bill you can not move as a substitute to consider another bill; and that was the precedent that the Chair had in mind in making the intimation. But the Chair is inclined to believe that he was wrong, and is willing to accept the motion of the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Chairman, I offer as a substitute, then, a motion that the committee proceed to take up the first bill on the calendar, known as the Crowder bill.

Mr. TINCHER rose.

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. TINCHER. To make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TINCHER. I want to ask the Chair to tell me, under the ruling of the Chair, what advantage any bill has by reason of the rule giving it the right to preference to-day? For instance, I have in mind the third bill on the calendar, which is a bill from the Committee on Claims. I wondered if it would not be in order to demand the consideration of that bill, it

having preference by reason of the rules of the House for to-day, and ask for the consideration of that bill.

The CHAIRMAN. The Chair would hold that that question having been put to the House to proceed to the consideration of bills from the Claims Committee, and the House having decided adversely to that, it would not have a privileged status.

Mr. TINCHER. That prompts another parliamentary inquiry: If the rule gives a certain bill a preference, does a tie vote defeat that preference?

Mr. CRAMTON. Mr. Chairman, I desire to submit a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CRAMTON. Under the rulings of the Chair, the first bill on the calendar was reported to the House for consideration. "The gentleman from Michigan" then moved to take up, instead of that bill—that being the effect of the motion—to take up the second bill on the calendar. Now, the motion made by the gentleman from Vermont [Mr. GREENE] is not in the same position as would be a motion to substitute any other bill, because it is to substitute the very bill that was to be reported to the House, and which was to be substituted for by the motion of "the gentleman from Michigan."

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield for a question?

Mr. CRAMTON. Certainly.

Mr. MANN of Illinois. Is the gentleman accurate in saying that the consideration of the first bill was commenced?

Mr. CRAMTON. No. I stated this: "It was reported to the House for consideration."

Mr. MANN of Illinois. No. I think the gentleman is again inaccurate. The gentleman from Michigan made his motion as soon as the Chair had ruled as to whether the first bill was in order. But the first bill——

Mr. CRAMTON. Whatever be the proper language, the idea I want to convey is this: That if the motion I have made is not adopted and should be voted down by the House, then under the rulings of the Chair, and in the absence of other action by the House, the House would proceed to the consideration of the first bill. And that is exactly what the gentleman seeks to accomplish by his substitute.

Mr. MANN of Illinois. Suppose, however, the gentleman from Michigan, or myself, or any other member of the committee, moved to take up another bill?

Mr. CRAMTON. Well, Mr. Chairman, I have some views of my own, that this all might have been very nicely avoided by following the rules of the House.

Mr. MANN of Illinois. I will not quarrel with the gentleman about that.

Mr. CRAMTON. We are not to blame for any complications that may arise. I stated that the motion by the gentleman from Vermont to substitute would simply bring before the House, if the substitute prevails, the very motion that would be brought before the House in the absence of any motion by me or by him, and that particular bill could not be substituted for the one that I have referred to.

The CHAIRMAN. The Chair overrules that point of order.

Mr. LITTLE. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. Mr. Chairman, I make the point of order against the motion of the gentleman from Vermont [Mr. GREENE] that it is out of order because it contains no suggestion or attempt to suspend the rules, and I wish to be heard on that for a moment.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. No.

The CHAIRMAN. The Chair will hear the gentleman from Kansas briefly on his point of order.

Mr. LITTLE. Mr. Chairman, I do not think it is necessary to say very much. It is very obvious that the rules of this House provide that the claims bills shall have preference to-day. That is the rule of the House, unless from the Committee on Rules, as has been suggested, another rule is adopted. That is still the rule, and the rules of the House can only be suspended by a two-thirds vote. The Chair has held, we will concede for the purposes of this argument rightly so, that he will entertain a motion to take up some other bill instead of a claims bill. That involves a suspension of the rules. The Chair can hear the motion, but in order to be in order it must contain the suggestion that the rules be suspended and that the committee take up something which will be considered in violation of the rules. While the Chair has held that he will entertain the motion, yet to have that in order it must say, "I move to suspend the rule"—that is, the rule which gives preference to the claims bills. The gentleman from Vermont has not done that, and his motion is obviously out of order.

Mr. GREENE of Vermont. Mr. Chairman, will the Chair hear me for a moment on that?

The CHAIRMAN. Very briefly.

Mr. GREENE of Vermont. I think it is only necessary to say in response to what the gentleman from Kansas [Mr. LITTLE] has said, that it is not in order to-day to move to suspend the rules, and no one heretofore in this procedure has attempted to do that. We have sought an interpretation of a rule——

The CHAIRMAN. The Chair does not care to hear the gentleman further.

Mr. LITTLE. Mr. Chairman, I rise to another point of order.

The CHAIRMAN. The Chair overrules the point of order which the gentleman has made. What is the gentleman's other point of order?

Mr. LITTLE. The Chair has overruled my point upon the theory that you can not move to suspend the rules to-day, and, therefore, I make the point of order that this motion is not in order under any circumstances to-day, because you can not suspend the rules to-day.

The CHAIRMAN. The Chair overrules the point of order.

Mr. TINCHER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TINCHER. I rise to make a preferential motion. I move that the committee consider the bill S. 1330, on the Private Calendar, reported by the Committee on Claims, as having preference on this day by virtue of the rules of the House over other bills that the motions concern.

The CHAIRMAN. The other motion is already pending.

Mr. TINCHER. I want to be heard on the proposition that my motion has a preference.

The CHAIRMAN. The Chair will hear the gentleman very briefly.

Mr. TINCHER. And it ought not to take long, because the distinguished Chairman himself has ruled that the only thing which the rule of this House, which was cited by the gentleman from Michigan [Mr. CRAMTON], means is that the bills from the Committee on Claims have preference; that is, that the rule saying they have preference gives them a preferential standing if some one moves their consideration. There is a motion to consider war claims, and another one to substitute for that a bill from the Committee on Military Affairs. I have made a motion for the consideration of a bill reported by the Committee on Claims, which under the rules has preference to-day, and I think under the ruling of the Chair it would be preferential.

Mr. GREENE of Vermont. Mr. Chairman, I submit that question has already been decided by the committee.

The CHAIRMAN. That question was decided by the committee itself. The Chair overrules the motion.

Mr. WINGO. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. As I understand the gentleman from Michigan [Mr. CRAMTON] he moved to consider a specific bill.

The CHAIRMAN. That is correct.

Mr. WINGO. And the gentleman from Vermont offers as a substitute for that the consideration of another bill.

The CHAIRMAN. That is correct.

Mr. WINGO. Why is it not in order to amend the substitute by specifying a bill that the gentleman from Kansas wants, giving its number? That would be in order; and I suggest to my friend from Kansas that if he wants to amend the substitute he may do so by substituting the number of the bill that he wants considered for the bill the gentleman from Vermont desires considered.

Mr. MANN of Illinois. Mr. Chairman, if the Chair will hear me, I think the only analogy that the Chair can make is the rule of the House authorizing the House to resolve itself into the Committee of the Whole House on the state of the Union after one hour is used up on what is called the ordinary call of committees. That rule, which is paragraph 5 of Rule XXIV, expressly provides that it shall be in order under those conditions to move to go into Committee of the Whole House on the state of the Union to consider a particular bill—

to which motion one amendment only, designating another bill, may be made.

While that rule is not directed to the Committee of the Whole House, it is an analogous matter, and the Committee of the

Whole is guided by the rules relating to the House, so far as they are compatible with work in the Committee of the Whole. So it seems to me that one amendment substituting one other bill is in order, but that no further amendments could be made.

Mr. ANDERSON. Mr. Chairman, I desire to make a further point of order, but pending that I would like to make a parliamentary inquiry as to whether the point of order ought to be made now or after the Chair determines the point of order now pending.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ANDERSON. Mr. Chairman, I make the point of order that the motion of the gentleman from Vermont [Mr. GREENE] is not germane to the motion of the gentleman from Michigan [Mr. CRAMTON]. The motion of the gentleman from Michigan proposes to consider a specific bill, not a series of bills. The Chair is familiar with the rule that where a motion is to consider or involves the consideration of a specific proposition, it is not in order to amend that by adding another proposition or by substituting another specific proposition.

Mr. GREENE of Vermont. Mr. Chairman, I submit that these bills, all being on the Private Calendar, are all of one class, and an amendment is not the introduction of a new class of bills, but simply the amendment of a specific item in the class.

The CHAIRMAN. The substance of the pending question is not the merits of either bill. The point at issue is, Which bill shall be considered? The analogy in the rules cited by the gentleman from Illinois [Mr. MANN] makes it clear that, following that analogy, the Chair should not now hold another amendment in order. The rule provides that where a motion is pending to go into Committee of the Whole on one bill, it is proper to move only one amendment to go into the committee on another bill, and the same rule will apply in Committee of the Whole House. The Chair, therefore, overrules the point of order. The question is on the motion of the gentleman from Vermont.

Mr. LITTLE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. LITTLE. I rise to move an amendment to the motion of the gentleman from Michigan.

The CHAIRMAN. There is already one amendment pending.

Mr. LITTLE. Then I move this as a substitute.

The CHAIRMAN. The Chair has just stated that under the rules of the House, where one motion of this character is pending, only one amendment can be made to it, and such an amendment is now pending.

Mr. LITTLE. I move this as a substitute. I move to amend the motion of the gentleman from Vermont by inserting in lieu of the bill he mentions, S. 1637, an act for the relief of Albert B. Campbell, and I would like to be heard for five minutes on that.

The CHAIRMAN. The Chair does not entertain that motion, and will hold that it is out of order, unless the gentleman can bring more conclusive argument than he has thus far.

Mr. LITTLE. A parliamentary inquiry. Why is it out of order?

The CHAIRMAN. For the reasons just stated by the Chair, and so much better stated by the gentleman from Illinois [Mr. MANN] a few moments ago. The question is on agreeing to the substitute offered by the gentleman from Vermont.

The question being taken, the Chairman announced that he was in doubt.

Mr. CRAMTON. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. CRAMTON and Mr. GREENE of Vermont.

The committee divided; and the tellers reported—ayes 134, noes 99.

The CHAIRMAN. The amendment of the gentleman from Vermont is agreed to, and the question recurs on the adoption of the motion as amended.

Mr. CRAMTON. I desire to move to amend the motion as amended.

The CHAIRMAN. The Chair will rule that that is not in order at this time, one amendment having been voted on.

Mr. CRAMTON. Yes; but does the Chair rule that, a proposition being pending before the committee, only one amendment of any nature can be offered to it? There can be only a certain number of amendments pending at one time, but the committee has before it now only one proposition, the motion made by the gentleman from Michigan as amended by the committee, and to that I desire to move a further amendment.

Mr. MANN of Illinois. Mr. Chairman, in addition to what the Chair has in his mind, you can not amend the original motion, because that has been displaced. You can not amend the substitute, because that has been adopted.

Mr. CRAMTON. But, if the gentleman will yield, we have the original motion as amended by the committee but not yet adopted.

Mr. MANN of Illinois. But the original motion has been eliminated.

Mr. CRAMTON. The original motion as amended.

Mr. MANN of Illinois. The original motion has been eliminated, because the substitute has been agreed to. We are past the amending stage in any event.

Mr. CRAMTON. If the Chair prefers, I will move a substitute.

Mr. DYER. I ask for the regular order.

The CHAIRMAN. The Chair overrules the gentleman's point of order and holds that his motion is not in order.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

Mr. DYER. The gentleman is evidently trying to defeat the wish of the committee to consider a certain bill.

Mr. CRAMTON. If you want to debate the bill, I am willing.

The CHAIRMAN. The question is on the motion of the gentleman from Michigan [Mr. CRAMTON] that the committee do now rise.

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. CRAMTON. On that I demand tellers.

Tellers were ordered; and the Chairman appointed Mr. CRAMTON and Mr. GREENE of Vermont.

The committee again divided; and the tellers reported—ayes 75, noes 102.

The CHAIRMAN. The committee declines to rise, and the question is on agreeing to the amended motion of the gentleman from Michigan as amended by the amendment offered by the gentleman from Vermont.

The motion as amended was agreed to.

The CHAIRMAN. The Clerk will report the bill.

Mr. CRAMTON. I wish to raise the question of consideration, Mr. Chairman.

The CHAIRMAN. The committee has just decided by a vote to consider this particular bill, and the Chair therefore declines to entertain that motion. The Clerk will report the bill.

Mr. McCLINTIC. I raise the point of no quorum present.

The CHAIRMAN. The vote just taken disclosed the presence of a quorum. Evidently there is a quorum present. The Clerk will report the bill.

The Clerk read the bill (S. 2867) to authorize the President, when Maj. Gen. Crowder retires, to place him on the retired list of the Army as a lieutenant general, as follows:

Be it enacted, etc., That in view of the long and faithful services of Maj. Gen. Enoch H. Crowder, Judge Advocate General of the United States Army, and especially his conspicuous services as Provost Marshal General in conjunction with the various State and Territorial executives and the local and district boards, in the execution of the selective-service law, the President is hereby authorized, when that officer retires, to place him on the retired list of the Army as a lieutenant general, with the retired pay of that grade as fixed by section 24 of the act of Congress approved July 15, 1870; and to grant him a commission in accordance with such advanced rank.

Mr. JOHNSON of South Dakota. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. JOHNSON of South Dakota. To offer an amendment to the bill.

The CHAIRMAN. That is not in order at this time. The gentleman from Vermont [Mr. GREENE] is recognized for one hour.

Mr. QUIN. Mr. Chairman, what is the time on this bill?

Mr. GREENE of Vermont. One hour.

Mr. CRAMTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Vermont yield for that purpose?

Mr. GREENE of Vermont. Certainly; I am willing to yield if the gentleman wants to take more of the time of the House.

The CHAIRMAN. The gentleman from Vermont yields. The Chair will hear the question.

Mr. CRAMTON. I am glad that with the aid of the gentleman from Vermont I have recognition.

The CHAIRMAN. The Chair is enforcing the rule.

Mr. CRAMTON. I desire to know what the time for debate is. The Chair has stated that the gentleman from Vermont is recognized for one hour. Then will some one opposed to the bill have an hour in opposition?

The CHAIRMAN. The Chair will attempt to enforce the rule. The gentleman from Vermont under the rules of the House is recognized for one hour.

Mr. CRAMTON. But I have asked a parliamentary inquiry as to what further debate will be permitted?

The CHAIRMAN. Unlimited, so far as the Chair is concerned, except that debate must be confined to the bill under consideration.

Mr. CALDWELL. And any Member having the floor can move the previous question.

Mr. CRAMTON. Not in Committee of the Whole.

Mr. GREENE of Vermont. Mr. Chairman, and gentleman, I dare say that I speak your minds when I suggest that you are quite as well prepared to vote on this bill now as you may be at the end of an hour or more of attempts to debate or discuss its merits. I dare say that I am also within the limits of probabilities when I suggest that the several votes we have just had more or less indicate the temper of the committee now toward this particular measure. At the same time I feel, having been charged with the responsibility of reporting the bill from the Committee on Military Affairs, that I would not be true to that responsibility nor would I be true to the object and purposes of the bill if I did not briefly outline some of the reasons why the committee felt constrained, yes, felt moved by common impulse, to ask the House to give Maj. Gen. Enoch H. Crowder the distinction of being retired at the completion of his active service with the exalted rank and dignity of lieutenant general in the Army of the United States.

I realize that following a great war, a great world cataclysm, in which the largest armies the United States ever employed in the field were engaged, and in which some of the most brilliant records were made by splendid American soldiers, this Congress is likely for some time to come to be beset on the right hand and on the left by requests to give recognition to the valor and gallantry and distinguished services of many of these leaders in the field. But I also realize, as doubtless you do, that unless we approach the task manifestly before us with something like deliberation, and with the idea that we will be judicial and judicious enough to avoid making our first step a dangerous precedent, we may help somewhat to solve the problem that lies before us in the near future.

It has been said that republics are ungrateful, and doubtless there is much in history to substantiate it.

It is worthy of notice that this particular war was not fought under conditions that prevailed throughout all ages past in war time where the combatants were more or less conspicuous in the open field, and where individual instances of gallantry and meritorious service, of distinguished leadership and great sacrifice stood out prominently on the canvas, so that the people throughout the country might personally recognize and identify these heroes.

War has changed its wrinkled front somewhat; it is just as murderous, just as barbarous, but now invokes the high intellectual powers of men to do these awful things by means and methods that do not bring the leaders as clearly in the light of publicity as great men who direct the awful carnage and death. So it seems reasonable that we ought to approach these questions of bestowing awards of honor to these soldiers of the war in a judicious and judicial manner lest we start with a precedent that may come to provoke us and plague us, and to defeat our better intentions through all the cases that may lie before us in the near future.

We know that it is the first common impulse of a man thinking about war heroes to think of the brilliant deeds of service rendered by great military men who led the troops on the battle field, and that impulse is natural enough, and of course is supported by brilliant instances in the long history of warfare. But, as I have just taken the liberty to remind you, the character of warfare has changed. Right in this very Hall a few years ago we all dwelt upon the peculiar characteristic changes in the manner of warfare and the fact that the Nation was in arms now, not alone the men on the battle field but every man, woman, and child who could render service to the country in her great hour of stress was invoked to perform that service, and that right from the start the patriotic devotion and service of our people, whether in the field, whether at the plow, whether in the factory or workshop, the duty devolved upon them equally——

Mr. LITTLE. Will the gentleman yield? Is the gentleman thinking of presenting any reward to anybody who was working at the plow or the factory or in the shop?

Mr. GREENE of Vermont. I think the gentleman's question answers itself. I can not think of an answer as absurd as the question.

Mr. LITTLE. And I can not think of anything so absurd as the proposition of taking this lawyer, who never was in a fight in his life, and making him lieutenant general.

Mr. GREENE of Vermont. I should prefer to make my effort for missionary work somewhere else than the floor of the House. This is not a primary school. All men can not be on the battle field——

Mr. LITTLE. What battle field was this man ever on?

Mr. GREENE of Vermont. If the only way to get an honorable reward is to be shot at, some man might get an old squirrel rifle and pull the trigger with his toe if he was sure that the aim was right. [Laughter.]

Mr. LITTLE. If this lawyer is to be made lieutenant general, why do not you make some of these farmers and nurses lieutenant generals? They are as much entitled to it as he.

Mr. GREENE of Vermont. Has the gentleman consumed all of my time that he desires?

Mr. LITTLE. No; I would like to have about 20 minutes of it, but the gentleman has not answered about the nurses yet.

Mr. GREENE of Vermont. I never saw a nurse who could not answer for herself. When I was interrupted I was about to suggest that there were important responsibilities——

Mr. JONES of Texas. Will the gentleman yield?

Mr. GREENE of Vermont. I do.

Mr. JONES of Texas. In all seriousness does not the gentleman think it is unwise to select an individual who served this country and promote him in this fashion or give added distinction when it will necessarily exclude a great many who served on the field of battle and at the front?

Mr. GREENE of Vermont. I realize the gentleman's question is well founded in a very proper doubt, and I think we shall eventually be brought to exactly the same test of our judgment whether we dodge it now or not. There is unquestionably a reason to feel that men who have rendered unusual and peculiarly distinctive service when their country is in peril should have something more than a per diem when the proper time comes, when we are not in the first flush of enthusiasm over the thing and when we can approach it with more deliberation. Now, I realize, of course, there is no end to the amount of sacrifice in personal cases which were made in this country during that awful conflict, and yet as reasonable men, as men whose business it is to sit here and reason and deliberate apart from the influence of enthusiasm or even prejudice, I hope we realize that there are some institutional things in the Government that it is necessary sometimes to recognize by unusual distinctions because they are fundamental institutions and without them——

Mr. BANKHEAD rose.

Mr. GREENE of Vermont. If the gentleman will permit me—there is really no certainty or security of government. Now, we can not recognize of itself such an impersonal thing as an institution. Humans as we are, we seek and we attempt to identify some person of the institution as best typifying the great work which that institution may have rendered during the crisis. It is entirely within that idea that we select a man who represents this institution, of a great governing force in the administration of this war along the line of the requirements of placing armies in the field and——

Mr. BANKHEAD. Will the gentleman now yield for a question?

Mr. GREENE of Vermont. I would be glad to yield.

Mr. BANKHEAD. This bill seeks to confer upon Gen. Crowder an honor for his distinguished services. I would like to ask the gentleman from Vermont why it is, in view of the fact that Maj. Gen. Hunter Liggett—who is soon to be retired from the Army on account of age and was commander of the American Army in France, and who, I think, the gentleman will admit made a most brilliant record as commander of that Army—is not included in this bill? I would like to ask the gentleman whether, if the bill is to be passed, if an amendment will be permitted to be offered including Gen. Hunter Liggett?

Mr. GREENE of Vermont. I am afraid my good friend takes me somewhat at a disadvantage, because what I might say to him in my personal capacity in the presentation of legislation I would not feel authorized here in behalf of the committee I am now representing to guarantee on this floor, and therefore I want to suggest that from the gentleman's long experience in parliamentary usage and subtleties of parliamentary strategy he knows if we open this bill to amendment by adding the name of one man we might as well add the lineal list of the Army to it at once.

Mr. CALDWELL. If the gentleman will permit, I do not know whether the gentleman was present in the committee when the Liggett bill was up——

Mr. GREENE of Vermont. I was.

Mr. CALDWELL. A couple of days ago, and he might answer as to what took place.

Mr. GREENE of Vermont. I do not think I am privileged to reveal what took place in the way of deliberations of the committee just now.

Mr. RUCKER. Will the gentleman yield?

Mr. GREENE of Vermont. Gladly.

Mr. RUCKER. In answer to the gentleman from Alabama, I understood the gentleman to say this bill is to honor Gen. Crowder.

Mr. GREENE of Vermont. Yes.

Mr. RUCKER. If it is passed he would never be a lieutenant general, active?

Mr. GREENE of Vermont. No, sir.

Mr. RUCKER. It would have effect after his retirement from the Army?

Mr. GREENE of Vermont. Yes, sir.

Mr. RUCKER. Is it his purpose to retire as soon as the bill is passed?

Mr. GREENE of Vermont. I understand, not officially—I hope I avoid the risk of misquoting the gentleman—but I understand it is his hope to be able to retire under the law.

Mr. RUCKER. If the gentleman can not quote him accurately many other gentlemen can, because he has talked with them frequently. What amount of retired pay would this bill give Gen. Crowder?

Mr. GREENE of Vermont. As I recall now, he would retire in his present grade of major general at $6,000 a year, and if he is advanced to the grade of lieutenant general he will be given $750 a year more.

Mr. RUCKER. $750?

Mr. GREENE of Vermont. Pardon me, but I hope it is not necessary to suggest that it is not a monetary consideration that brings out this bill.

Mr. RUCKER. I believe I can show to the House it is.

Mr. GREENE of Vermont. Very well.

Mr. RUCKER. And I want to say to the gentleman who reported the bill that the gentleman has developed the fact that he does not know the bill, as I shall show the gentleman when I get the floor.

Mr. GREENE of Vermont. Well, I am very sorry.

Mr. RUCKER. I appreciate the fact possibly the gentleman is sorry, but I mean no discourtesy. I mean to say the gentleman's statement about the amount this bill carries is not correct.

Mr. GREENE of Vermont. I said that I believed and so understood. You must remember, and I am sure the gentleman does, that the grade of lieutenant general does not exist in our Army, and we have only the analogies of the several temporary instances in the past when it was permitted to exist for a while to go by when we make any computation for the present. There is no statutory law, I am now of opinion, that absolutely fixes, as it does the other permanent grades of the Army, what shall be the emoluments of a lieutenant general.

Mr. RUCKER. Will the gentleman state in general figures what it is, as he understands it?

Mr. GREENE of Vermont. I can not, because I have been informed that I do not understand it.

Mr. RUCKER. I thought the gentleman would give me the benefit of his understanding.

Mr. GREENE of Vermont. And in that I am very sincere. I mean no disrespect to my ancient friend; no disrespect whatever. [Laughter.]

Mr. JOHNSON of South Dakota. Will the gentleman yield to another ancient friend?

Mr. GREENE of Vermont. I will.

Mr. JOHNSON of South Dakota. I would like to ask if the gentleman from Vermont, or any other member of the Military Committee, will state to the House exactly the amount of money that would be given to Gen. Crowder if this rank was granted to him under the provisions of the act of Congress approved July 15, 1870?

Mr. GREENE of Vermont. I am obliged to say to my friend exactly what I did say to the other gentleman just a moment ago, that I have not myself prepared all the argument that is to be, I hope, brought forward on this floor. There is some data, circumstance, and detail that I do not know. I only know in a general way that the grade of lieutenant general, being only occasionally created by special act for a special purpose, is not a part of the tactical organization of the Army that has a prescribed statutory limitation to all the emoluments that are connected with it.

Mr. JOHNSON of South Dakota. Could it possibly be true that this great committee would bring in a bill before this House creating this rank, and then not be able to tell the House how many thousands or hundreds of dollars the general will receive when he gets this rank, it being recognized by all of us it is for more than lieutenant general?

Mr. GREENE of Vermont. When I get through, if nobody else will say anything, his assumption may have an argumentative effect on this company. I am not taking such a position and do not intend to. I have been chosen by the committee to open the door, and when I sit down the gentleman will probably be able to learn a great deal more than I will be able to tell him.

With the indulgence of the House for having occupied so much time, I merely wish to suggest this about the services of Gen. Crowder, and I will suggest again that the details will be dwelt upon by men who have prepared themselves to do it.

A great many people naturally question what may be the character and foundation of this service, and in the enthusiasm and excitement, the stimulus and the inspiration, of the Great War days, I dare say few people had occasion or took thought to inquire into the magnitude, the almost overwhelming magnitude, of the task that was put through by the Provost Marshal General of the United States. If you will permit me to get back just for this one little stepping-stone, I will say that years ago, when Enoch Crowder was graduated from the United States Military Academy at West Point and assigned to duty as a second lieutenant of Cavalry, he was sent to a far-away post in the Southwest. Those were the old, old days of the old, old Army, a solitary, hermitlike life in a little one-troop or one-company post out in the desert somewhere, in a place that had been marked out on the frontier line in Indian warfare.

Enoch Crowder went down there a young second lieutenant, a "shave-tail," as the Army calls them, to this isolated Army post, where there was little or nothing of service; but they were simply more or less on guard, waiting an occasional alarm from the Indians or excitement from bad men, so called, or from cattle rustlers, or something like that. And yet even then, in the beginning of his military career, Enoch Crowder did not choose to be idle, did not choose to luxuriate in the ease and independence of his assured military station. He began to study. He was naturally a student of men and things, of history and the philosophy of history, and particularly, of course, of his speciality in military science.

He made up his mind in those days that if again a great war confronted this country that there could be no question that it must have as a foundation principle upon which its armies were raised and organized and put into the field what we have come now to know as the selective service. In other words, this Nation would have to abandon its ancient and sentimental idea of the volunteer soldiers fighting the battles of the country, and that military duty and the duty of defending this country, even to the point of death, must be distributed among men just exactly as any civic responsibility must be and is distributed under the law, all men according to their measure alike. So the young "shave-tail" in his hours of leisure through years set himself to read all he could find in libraries and in other ways about the manner and the custom that had been followed in the small, incidental draft that had been conducted in this country during the Civil War and then the policy and the status and the practice in European countries in their great military establishments where the service was compulsory.

He perfected himself through years of study of this question until he became an authority upon it, and yet few people probably have ever known it outside of those intimates who may have shared in personal conversations with him at times when his hobby was up for discussion. Nobody knew about it. But when the time came when this country was confronted with exactly that same situation that this young "shave tail" had studied out in the deserts of Arizona 25 or 30 years before, he was ready with a draft of the law that went onto the statute books of this country in that great hour of emergency, with some amendment, of course, meeting the opinions of people on the floor and in the committee room, and it became the foundation upon which all our great armies, involving millions of men, were raised and sent to Europe and which came home with a glorious victory. His was the foundation law. [Applause.]

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield for a question?

Mr. GREENE of Vermont. Permit me to go on for just a moment, and then I will be happy to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. GREENE of Vermont. That, of course, is simply the recital of a well-known fact. Possibly there is no argument in it, and yet facts themselves, if properly marshaled, are better arguments than rhetoric, and certainly a fact like that will stand all the assaults of mere rhetorical critics, because it is the basic fact in our military history during the World War.

Now, I am only going to ask you to consider the magnitude of the task of Gen. Crowder in this aspect alone. You are familiar from your own experience with what happened here in Washington at the time, with much of its vexatious and sometimes exasperating detail. But when you think that after

nearly 140 years of the old-time sentimental idea of serving our country in its armies by volunteering in time of war there was suddenly clapped down upon the people of this country the iron hand of the selective-service law, and that, too, without a popular referendum, and that, too, without any attempt to consult the hearthstones back home; and then when you consider that one man was called upon to be responsible for the administration of a law that was to go into every home in the land and search out every chimney corner and fireside and drag out every boy of physical condition and military age to go and make his fight for his country, no matter what he thought about it, no matter what the families thought about it, no matter about any other consideration except that one first elementary duty—you can easily imagine that the man who had that stupendous task imposed upon him did not have a very popular station in the United States of America during that time. We know that such a man, entering upon such a duty under such conditions, would have all the problems of evidence to meet in any case of misunderstanding, in any case of reluctance to perform the duty, in any case of misapprehension or complication of any kind, and all the evidence apparently would be by prejudice set against him and he would have to contend against all the adverse influences which you and I know came up from every section of this land, in some instances, to nullify that draft.

But it is nevertheless true, and I believe the gentlemen on this floor will respond to this sentiment as being true, that if there was one man who came through this great war test in high station in our Army and when the clouds had rolled away and when an opportunity for reflection and a perspective came to the American people, that man was held to have discharged a monumental task in true American fashion, it was Enoch H. Crowder. [Applause.]

Newspapers, pamphleteers, magazine men, people on platforms, and even the voices at the fireside in the homes, testified when it was all done that the man who was apparently equal to a task such as had never been laid before on a military administrator in this land was Enoch H. Crowder. [Applause.]

Mr. ANDREWS of Nebraska. How many young men are suffering unjust penalties in Army prisons to-day under the Army regulations that Gen. Crowder helped to maintain and perpetuate? [Applause.]

Mr. GREENE of Vermont. I do not believe that that is altogether an argument against this bill. I am not a lawyer, but I think that there is a maxim of law that——

Mr. ROBINSON of North Carolina. I would like to answer that question.

Mr. GREENE of Vermont. I will be happy if the gentleman will.

Mr. ROBINSON of North Carolina. I want to state, in justice to Gen. Crowder, in reply to the question propounded to the gentleman from Vermont, that in September I had occasion to go before Gen. Crowder asking for the release of a young man in my county who was court-martialed on the charge of rape and larceny and sentenced to 20 years in prison, and who was at that time confined in the penitentiary at Atlanta, Ga. Gen. Crowder treated me with every courtesy, sent for the record, examined it, and stated to me that he found not a scintilla of evidence to sustain that charge; and within three weeks the young man was a free man. [Applause.]

Mr. GREENE of Vermont. I thank the gentleman.

Mr. NEWTON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. NEWTON of Missouri. Does the gentleman know that in October last year there were only 31 persons who were in Federal military prisons who were there at the close of the war?

Mr. GREENE of Vermont. Yes.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. LINTHICUM. I believe the gentleman has stated what the additional salary would be. What are the additional emoluments?

Mr. GREENE of Vermont. I have stated that as to that I am not fully informed. Those who will follow me will doubtless go into details as to that.

You gentlemen know in your own experience that it is true—it does not matter what we say here in debate sometimes for rhetorical flourish or for the purpose of carrying a point in argument—but the fact is that as to the man who is titularly the head of an enormous establishment, charged with the responsibility of carrying out the law, we all know that there are a great many facts of maladministration and details and instances of injustice which can not fairly and honestly be laid against that man's personal doorstep, where he can be made to shoulder the full responsibility. We could bring forward all sorts of instances of maladministration of great tasks like this against a great many men which they would then learn about for the first time. We all know that.

I am grateful to you, gentlemen, for your consideration and indulgence while I have endeavored merely to open the door. I am afraid I have taken up more time than I intended, but it was caused by answering questions. Those who will follow me will give the details, and give them in a better way than I could. I hope that in our consideration we will be both judicious and judicial. Remember that "peace hath its victories no less renowned than war." Remember also that war itself must divide the honors between those who served gallantly on the battle field and those who at home, by executive administration of great responsibilities nobly discharged, make it possible to achieve victories on the field.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

Mr. CRAMTON. Mr. Chairman, I desire recognition.

The CHAIRMAN. The gentleman from Vermont had an hour. He reserves the balance of his time.

Mr. QUIN rose.

Mr. JOHNSON of South Dakota. A parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Vermont reserve the balance of his time?

Mr. GREENE of Vermont. I reserve the balance of my time.

Mr. CRAMTON. I ask recognition in my own right in opposition to this bill.

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] is the ranking member.

Mr. CRAMTON. Is he opposed to the bill?

The CHAIRMAN. Is the gentleman from Mississippi opposed to the bill?

Mr. QUIN. I am.

The CHAIRMAN. The gentleman from Mississippi is the ranking member of the committee, and in fairness the Chair feels he ought to recognize the gentleman.

Mr. RUCKER. The gentleman is not seeking recognition, as I understand.

Mr. QUIN. As I understand, there is no limit of debate agreed to?

Mr. GREENE of Vermont. No.

The CHAIRMAN. There is unlimited time. The gentleman from Vermont [Mr. GREENE] reserves the balance of his time. The gentleman from Mississippi has an hour, which he can yield, if he wishes to.

Mr. GREENE of Vermont. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GREENE of Vermont. To inquire as to the parliamentary status. Has time been yielded to anyone else?

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] has been recognized for an hour. What disposition does the gentleman wish to make of his time?

Mr. GARRETT. Mr. Chairman, there seems to be some confusion in the minds of some Members about the debate, and in order to clarify it I wish to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARRETT. Has there been any limit placed upon general debate?

The CHAIRMAN. There has not.

Mr. GARRETT. Is it then true that whoever may obtain the floor is entitled to recognition under the rules for one hour?

The CHAIRMAN. The Chair so understands it, and the gentleman from Mississippi being the ranking member on the committee that reported the bill, and being himself opposed to the bill, is recognized by the Chair.

Mr. QUIN. Mr. Chairman, I yield 10 minutes of my time——

Mr. GARRETT. The gentleman does not have to yield his time. Anyone can get recognition.

The CHAIRMAN. The gentleman can yield his time if he desires to do so.

Mr. QUIN. Mr. Chairman, this committee is considering at this moment a measure that is presumed to honor some great hero of the late war. I voted on this floor and made a speech in favor of having the honor of general conferred upon Gen. Pershing. I believed that the American people owed that duty to the leader of our forces in this war.

I voted against making Rear Admiral Sims and Rear Admiral Benson admirals; and while I believe that every man who played a conspicuous and honorable part in this war is entitled to all the honor that is due him, I can not believe that the American people through the Congress of the United States owe the conferring by a private act of Congress of a special dignity upon each and all of the gentlemen who performed con-

spicuous services in this war while they were on duty as officers. My colleague on the committee, the gentleman from Vermont [Mr. GREENE], gave you some reasons why Gen. Crowder should have this honor.

I have no grievance on earth against Gen. Crowder as a gentleman or as an officer. My service on the Committee on Military Affairs for eight years has brought me into some close contact with Gen. Crowder, and if the American people owed a duty to give every man who has done splendid service in the war some great honor, increased emoluments and office, there could be no legitimate excuse against conferring this honor upon Gen. Crowder. But since, according to my conception of the duty of our Government, it is incompatible with the institutions of this country to follow the forms and fashion of monarchy, I can not support the bill that has come to us from the Senate conferring upon Gen. Crowder the title of lieutenant general, with all of the emoluments and retired pay that go with it. Listen! This war sent across the seas corporals, sergeants, lieutenants, captains, majors, colonels, brigadier generals, major generals. It sent across the seas millions of red-blooded privates, who were on the battle field in Flanders, with gas and shells flying about them. Seventy thousand of them lost their lives. The hospitals in this country are now filled with the wounded. This Government owes a duty to the private soldier and to the officer who lost his vitality and his ability to earn a livelihood during the remainder of his life, and it will do well to carry out its full obligation to each and all of that type. Here in the city of Washington we had several distinguished generals who rendered able service during the war, and down here in The Adjutant General's Office was Gen. McCain, who rendered splendid service during the war. Is it proper that this Congress should confer upon him the honor and title and emoluments of a lieutenant general and retire him on the pay of that office? Is it proper to take all of the officers, from one end of this country to the other who did their duty, and retire them with such signal honors as this? This Congress, in failing to pass this measure, would not reflect upon Gen. Crowder. It would in no wise reflect upon the splendid service he rendered his country in time of war and in time of peace. Not for one minute would I do such a thing as that, and I would not stand idly by and see it done. But this bill is calling upon the American people to place Gen. Crowder upon a special pinnacle, to confer upon him a special honor and a special privilege over the other officers who rendered splendid service in this war. Do you believe it reflects the sentiments of the people throughout this Republic to confer such an honor upon each and all of these distinguished gentlemen? I can not believe and I do not believe that our country expects the American Congress to pass such legislation as this.

We came out of the war with great honor to our country. Did Gen. Crowder do any more to bring honor to this Nation than did other splendid soldiers wearing the title of general? My friend from Vermont [Mr. GREENE] speaks of the great Army being gathered by Gen. Crowder. It did not depend on Gen. Crowder to fight its battles across the seas. All of the American people are entitled to the honor of winning this war. These young men who were gathered together from the workshops, from the offices, from the stores, from the mines, from the factories, from the farms of the United States and placed in the camps and sent across the high seas—all the officers over them, from corporal up to general in command, are entitled to what glory there is, and also, my friends, the man with the hoe, who was bending his back working in the hot sun, in the rain, in the snow, and in the sleet in order to produce food to feed the soldiers and officers connected with the Army, is entitled to his share of the glory.

Mr. HUDSPETH. Will the gentleman yield?

Mr. QUIN. Certainly.

Mr. HUDSPETH. I want to ask the gentleman in what instances he would be in favor of the Congress of the United States recognizing the services of its officers and generals, and if he is in favor of recognizing them in any instance?

Mr. QUIN. This Government has done its full duty in that regard when it recognized the head of the Army, Gen. Pershing.

Mr. HUDSPETH. Did the gentleman vote for that?

Mr. QUIN. I surely did, and if the gentleman had listened to my speech he would have known it and the reason why the Government of the United States owed it to the Army. It was an honor to the men, from the humble private clear up to the officers and all of those under him. It was not any special honor conferred upon Gen. Pershing; it was, as I conceive it, an honor to all the soldiers and all of the men composing the machinery of that great organization that conducted this war. Certainly we could not go out and honor each and every distinctive individual soldier and every individual officer who performed splendid service by giving them distinctive honors and such emoluments as this bill does in this instance. So far as the emoluments are concerned, I presume that Gen. Crowder does not care anything about it.

Now, the American taxpayer is always the last man to be considered. I have no doubt they will put their eyes upon the American Congress and say, "Where do we come in?" I do not believe that the real hero, coming out of any war on the bloody battle fields, will ever have any contest on the floor of the House as to whether he shall be honored by conferring upon him the title for conspicuous service. Since the signing of the armistice in 1918, during all this time, has the American Congress honored anybody? At the proper time it rendered that honor to the American Army by giving Gen. Pershing great distinction in both branches of Congress, practically unanimous. Has our full duty been rendered to the men who fought these battles? You want to take an officer who sat in a swivel chair during the war, confer upon him conspicuous honor, when, according to my conception of its effect, this action would not extend to the privates and other officers of the Army. We might bring it where the private soldier of the United States engaged in that great struggle would have a conspicuous history and would be entitled to such honors as we are contemplating conferring upon this officer on this occasion. Gen. Pershing did not ask this Congress for any honor. The American soldiers have not asked this Congress to confer this title upon Gen. Crowder. The American private has not called on this Congress to pass this act. The American people, in my judgment, do not care for the time and money to be wasted in such legislation as this. Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of South Dakota. Will the gentleman yield? The gentleman controls the time for all who are opposed to the bill, and we are forced to come to the gentleman to get time. With the disposition shown here to steam-roller this bill through Congress some one may move the previous question and shut us out. While the gentleman controls the time, would it not be well to follow the customary procedure and allow the gentleman from Vermont to divide the time for speeches with the gentleman from Mississippi instead of taking the speeches all on one side?

The CHAIRMAN. The gentleman from Mississippi controls 1 hour of the time, and as the matter now stands the gentleman from Vermont has half an hour remaining, and the gentleman from Mississippi has been recognized for an hour and has consumed 15 minutes, and has 45 minutes remaining in his control.

Mr. TINCHER. Mr. Chairman, I have been out of the Chamber for a little while. Has there been any agreement as to time?

The CHAIRMAN. There has not.

Mr. TINCHER. I want to oppose the bill, and I suppose I will have an opportunity sometime if I remain on the floor.

The CHAIRMAN. The Chair can not promise the gentleman.

Mr. IGOE. Mr. Chairman, is debate to be confined to the bill?

The CHAIRMAN. It is.

Mr. GREENE of Vermont. Mr. Chairman, I want to ask whether it will be proper for me to suggest to the gentlemen opposing the bill that we go along in the usual way and consume the time that each of us control, and then we can come to some understanding as to whether there should be an extension of time.

Mr. CRAMTON. Mr. Chairman, if the gentleman will yield, I think the gentleman is aware and perhaps others are that I have shown some interest in this matter, that I have been doing my best to get recognition, to which I feel I am entitled, in order to explain my reasons for opposing the bill, but that up to this time I have not been recognized. Under the procedure here to-day it would appear that any time the gentleman from Vermont [Mr. GREENE] can get recognition, he may move to rise and go into the House and shut off debate. We would like to feel that we are not going to be gagged.

Mr. GREENE of Vermont. Mr. Chairman, if the gentleman will permit, if he is shadow-boxing, that is all well and good, but I have not shown any sign of moving to rise, and shutting off debate, and I never heretofore have been accused of trying to gag anybody.

Mr. CRAMTON. I do not know what the gentleman means by shadow-boxing, but I know what kind of a procedure is being had here to-day.

Mr. RUCKER. Mr. Chairman, I want recognition in my own right. I want more than 15 minutes.

The CHAIRMAN. The Chair will be constrained to recognize somebody in favor of the bill, when the Chair is informed what disposition the gentleman from Mississippi desires to make of his time.

Mr. RUCKER. I have no objection to that, if the Chair will recognize me afterwards.

The CHAIRMAN. If the Chair has an opportunity, in due course he will probably recognize the gentleman. Does the gentleman from Mississippi yield or reserve his time?

Mr. QUIN. Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. Does the gentleman from Vermont want to use any more of his time now?

Mr. GREENE of Vermont. I propose to use more, but I submit that it is the usual custom to keep the time very nearly balanced as between the two sides. The gentleman from Mississippi has three-quarters of an hour awaiting him, and I have only 30 minutes.

Mr. RUCKER. Then let me use my hour now.

Mr. GREENE of Vermont. I would further suggest to the gentleman from Missouri [Mr. RUCKER] that he is much older and experienced on this floor than I, and he knows that if we begin to accumulate unused time on the part of everyone getting recognition of an hour, this thing will run off to a point where everybody will be disgusted.

Mr. RUCKER. Mr. Chairman, I do not want to disgust anybody, but I want to talk, and I do not want to be limited to 15 minutes.

Mr. GREENE of Vermont. I think if we go ahead and exhaust these two hours which are now apportioned, one on either side, we will get along better, and then will be able to determine whether we want a limitation of time, and we can rise and go into the House and ask for it.

Mr. TINCHER. The gentleman knows that he wants an hour now.

The CHAIRMAN. Does the gentleman from Mississippi yield the remainder of his time or does he reserve it?

Mr. QUIN. I reserve the remainder of my time.

Mr. GREENE of Vermont. Mr. Chairman, I ask that the gentleman from Mississippi follow the usual precedent and use some more of his time now.

The CHAIRMAN. That is in the discretion of the gentleman from Mississippi.

Mr. CRAMTON. Mr. Chairman, I ask recognition in my own right.

The CHAIRMAN. The Chair would feel, inasmuch as the opposition has had one hour, that he ought to recognize somebody in favor of the bill.

Mr. GREENE of Vermont. Does the opposition intend to use any of its time?

Mr. RUCKER. I desire to use an hour.

Mr. GREENE of Vermont. Is there anyone else on that side who desires time?

The CHAIRMAN. If no one is seeking recognition in favor of the bill, the Chair will recognize the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. That is all right.

Mr. GREENE of Vermont. I ask to be recognized in the hour.

The CHAIRMAN. The gentleman has 30 minutes remaining.

Mr. GREENE of Vermont. I understand that, but I had hoped the other side would pursue the usual courtesy in the circumstances, and nearly equalize the time. If the gentleman from Mississippi does not propose to do that, then I am put to my other alternative.

The CHAIRMAN. The Chair can not determine that for anyone. If anyone wants the floor in favor of the bill, the Chair will recognize them.

Mr. GREENE of Vermont. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. FISHER].

Mr. RUCKER. Mr. Chairman, am I to be taken off the floor?

The CHAIRMAN. The gentleman has not had the floor.

Mr. RUCKER. I have had it for 15 minutes, although the Chair may not know it.

The CHAIRMAN. The gentleman from Tennessee is recognized for five minutes.

Mr. FISHER. Mr. Chairman, since the armistice too much attention has been given by Congress and its investigating committees to the repeated efforts to take away the great credit due the Army of the United States for winning the greatest victory in the history of the world. The people of this country are tired of these attempts to belittle the work of our Army. The passage of this bill which is a suitable reward for the great service rendered by Gen. Enoch H. Crowder to our country, will be most welcome news to our people who will rejoice that a man whose conspicuous services as Provost Marshal General in the execution of the selective service law has been recognized by the Congress of the United States.

We recognized the great services of Gen. Pershing and of our fighting forces in France when we created the office of general, but the war was not won solely by those of our Army who were fortunate to get in the battle line in France. In the passage of this bill we have now the chance where we can honor the great army of civilians who made up the organization and personnel of the selective service system. The selective service act authorized the President "to utilize the services of any or all departments and any or all officers or agents of the States, Territories, and the District of Columbia," requiring them "to perform such duty as the President shall order or direct." When this great act was being discussed in this House many predicted that the execution of the law would bring about a state of civil war in our country. Those of us who voted for the act knew that it was a new and untried scheme and that its success depended on the type of man who was put in charge of its execution. There can be no doubt now that Gen. Crowder, having prepared the law, was the one man in our country to undertake the task which was most intricate and difficult. Under the law a nation-wide machinery had to be set into motion. This system consisted of many parts and all had to coordinate and function regularly. There were (1) State executives, (2) district boards, (3) industrial advisers, (4) local boards, (5) Government appeal agents, (6) medical advisory boards, (7) legal advisory boards, (8) boards of instruction, and (9) civic cooperating associations.

These various boards and associations enabled practically every patriotic man and woman to render a service. Many who were physically disabled and unfit for service in our Army were given an opportunity to serve. Every home in our land responded, and the scheme of selection succeeded far beyond the predictions of its most enthusiastic supporters.

There were enrolled 24,000,000 men. We mobilized under it a selected army of more than 2,800,000. One million were mobilized within 90 days. The enormous group was classified in the order of its military and industrial importance. The war-time activities in the industrial world were speeded up and maintained to a maximum of efficiency.

In the report of the Provost Marshal is given a letter which well expresses the great work of this system:

> Public opinion is kind and cruel, lenient and severe, just and unjust, but never corrupt. It passes sentence after hearing only one side of a case, but, nevertheless, in most cases it enforces its decree. It was public opinion that enforced the draft law. The local boards simply administered it.
>
> The entire population volunteered. Congress merely designated the method of selection, local boards determined who should be exempted and the order in which the selected men should go, and public opinion attended to all cases of opposition to the law.
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> * * * * * * *
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> I have seen men who looked haunted because of the moral conflict raging within their breasts, between the duties they owed their country, their families, their business, or themselves. I know of cases where it took moral courage to enlist and others where it took more courage to stay out. I know of cases where men displayed a lack of courage when they joined the colors, and of others where they showed a lack of courage because they did not. But in this emergency public opinion condemned no man who donned the uniform. It concerned itself only with those who did not (p. 288).

When we pass this bill giving recognition to the services of so distinguished an officer as is Gen. Crowder we do credit to the Congress of the United States. To retire him as a lieutenant general is an act of justice.

The thousands who were rendering service through the many coordinating agencies of the selective system, many of them at great sacrifice, will recognize that the tribute paid Gen. Crowder is a tribute paid the entire personnel of this great organization which penetrated to every home in our land.

Mr. RUCKER. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri.

Mr. GREENE of Vermont. Mr. Chairman, I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GREENE of Vermont. Do I understand the gentleman is recognized in his own right for one hour?

The CHAIRMAN. No one else claiming the floor the Chair recognized the gentleman.

Mr. GREENE of Vermont. So that the time thus far allotted is one hour to myself, one hour to the gentleman from Mississippi, and one hour to the gentleman from Missouri?

The CHAIRMAN. The Chair would have recognized——

Mr. GREENE of Vermont. I have no objection to raise.

The CHAIRMAN. No one claimed the right to the floor.

Mr. GREENE of Vermont. I simply wanted it to be understood.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of South Dakota. Of course, the Chair intends to recognize some one who agrees with the gentleman, so that the time allotted will be divided two hours to a side?

The CHAIRMAN. The Chair intended to divide the time.

Mr. JOHNSON of South Dakota. I wanted it clear that no one opposed to this bill was trying to get two hours to one of the gentlemen on the other side.

Mr. RUCKER. Mr. Chairman, if the gentlemen who are standing for this bill had exercised their right they could have saved all this parade, this filibuster here to-day of roll calls, and brought out of their pockets the rule which the Committee on Rules gave them two months ago, but they did not do that.

I realize that in arising on the floor to oppose the passage of this bill I subject myself to some embarrassment, and perhaps to some criticism. Gen. Crowder comes from the State from which I hail. He is one of the eminent men who adorn the pages of history of that grand old Commonwealth. Near by from where he came, Gen. Pershing also came; so Missouri gave to the United States for service in this last war two of its most distinguished men, Gen. Pershing and Gen. Crowder, and I realize that in opposing the passage of this bill I subject myself to some criticism, perhaps.

Mr. STEPHENS of Ohio. Will the gentleman yield?

Mr. RUCKER. I do.

Mr. STEPHENS of Ohio. I want to suggest that Admiral Koons is also from Missouri.

Mr. RUCKER. I have not attempted to name all the distinguished Missourians, for if I did I would name my colleagues on both sides of the House. The more I have studied this bill the further away from it I have gone, and I believe now, and I make the statement deliberately, there is not a Representative on this floor, be he from the North or South or East or West, who can vote for this bill if he follows the dictates of judgment. Why? Oh, the gentleman from Vermont [Mr. GREENE] and the gentleman from Tennessee [Mr. FISHER], with their wonderous eloquence and persuasive tones of voice, speak about the selective draft act. They say that Gen. Crowder is the author of that mighty, of that great bill. I am prepared to challenge the accuracy of the statement. I believe that a West Point graduate, a man by the name of Hugh S. Johnson, late a major of the United States Cavalry, an Oklahoma citizen [applause], wrote the draft bill, but, I admit, Gen. Crowder got credit for it. But it suits me just as well to accept the fact that Gen. Crowder is entitled to all the credit for that masterpiece of legislation, and if he is entitled to credit for the good the act contains, then answer me this, Is he not responsible for the bad it contains also? If he wrote the good that is in it, did not he write the objectionable? I will show you gentlemen before I get through that from the beginning of the appearance of the war clouds over this great Republic, when the rumblings of war and discontent confronted our people, at the time when every home was in distress and when hearts were bleeding everywhere, when this grand Republic was trembling in the balance for its cherished institutions, I will convince this committee that even at that early period the man who wrote this selective draft act, the man who gets credit for it, wrote into that act language which convicts him of being the greatest profiteer in the United States. A man who will seek to coin the tears and the anguish of a hundred million patriotic people into money is the foulest of profiteers. Did he do it?

I will read you a line or two from the first draft of selective-service bill sent to the Committee on Military Affairs, and in it I will point you to some language which shows the beginning of an effort which has been continuous from that day to this. In the very first draft of the selective-draft bill that ever came from the War Department to the Committee on Military Affairs occurs this language:

> Each bureau of the War Department shall during the existing emergency have the rank, pay, and allowances of a major general in the Army.

Now, if you say Gen. Crowder wrote that bill, then Gen. Crowder wrote that language, and for what purpose? To fill his pockets with money drawn from the pockets of the people by taxation.

The Committee on Military Affairs swept that language out of the bill, eliminated it, and did not report that proposition to the House. And I say that somebody was seeking to make money out of the war, and that somebody was one who, from his long life of service and great emoluments, was bound to respect that flag. But he did not secure the prize he sought through the draft bill. The committee would not report the language I have read, but, on the contrary, amended the bill by striking it out. The greed and cupidity of Gen. Crowder was not satisfied; he was still persistent. Later on this House was considering an amendment to the war-risk insurance act. It was the amendment which all you gentlemen remember that made allotments, allowances to widows and children and other dependents, and provided for the compensation of soldiers—a bill that had as many supporters as there are Members in this House. No man was opposed to it. Everybody was its advocate and for its speedy passage. The only difference of opinion was as to whether some man did not have a proposition more liberal, more beneficial to the soldier boy who made such great sacrifices for his country, and we vied with each other to bring about the best bill, the most liberal bill. It passed the House, my recollection is, by unanimous vote.

In the Senate there were some amendments. I will call your attention to amendment No. 120, put on by the Senate. And in connection with the amendment, I will say right now that Congress was about to adjourn, had already adopted a resolution fixing the hour for adjournment at 2 o'clock the following day. At about 4 o'clock the gentleman from Tennessee [Mr. SIMS] brought in a conference report, which had been agreed to and signed by all the conferees.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. RUCKER. For just a minute.

Mr. JOHNSON of Mississippi. The gentleman knows I have great respect for his ability and his opinion. I have just been told that under the original draft of the bill proposed by Gen. Crowder, the selective draft bill, that Regular Army officers would have had charge in every State instead of the civil authorities. Is that true?

Mr. FIELDS. That is true.

Mr. RUCKER. That is my understanding of it; certainly. The gentleman from California [Mr. KAHN] can answer you, or the gentleman from Alabama [Mr. DENT] can.

Mr. QUIN. That is true; and the gentleman from Nebraska, Mr. Shallenberger, and one or two others, and myself, helped to get that change made.

Mr. RUCKER. Yes; under the magnificent work performed by Gen. Crowder, if performed by him, some Army officer of the Regular Army of the United States would have invaded every home and taken our boys, but under the wise and humane plan recommended by the Military Affairs Committee and adopted by this House the work was done by civilians, by their neighbors, by 16,000 or 18,000 people all over the country. And I challenge the gentleman who is responsible for this bill to name any one of the hundreds of the local draft boards which contributed so much to the administration of that law. He does not know one.

Mr. VAILE. Does the gentleman consider a United States Army officer as in the light of an alien enemy when this country is engaged in war?

Mr. RUCKER. The gentleman need not ask me that question. But the gentleman knows that all over this country people are jealous as to the interference with their rights by Army officers.

Mr. VAILE. They ought to be jealous of the Army officers to protect their rights.

Mr. RUCKER. I have been diverted. I have digressed too far from the matter I was discussing.

These gentlemen brought in a conference report, and I will read what it says with reference to this Senate amendment No. 120:

Pay attention to this:

> Amendment 120: Adds a new section to the bill, section No. 3, which provides for the revival of the term "general" in the United States Army and provides for the appointment of the commander of the United States forces now in France to this rank.

That is all we were advised about it. Everybody in the House was in favor of raising Gen. Pershing to the rank of full general, and the committee told us the Senate amendment did it. The rules were suspended by unanimous consent. The conference report was not printed in the RECORD. It was passed upon and adopted instanter, and then when we awoke to a realization of what happened we find that in addition to what the committee reported to the House, that Senate amendment 120 carried this additional language:

> And hereafter the chief of any existing staff, department, or bureau, except as otherwise provided for the Chief of Staff, shall have the rank, pay, and allowances of a major general in the Army.

By whom was that inspired? Who had been active all the time in this matter? Some gentleman spoke here awhile ago about seeing Gen. Crowder incidentally. You know as well as I know, that Gen. Crowder has visited this Capitol and the House Office Building oftener since this bill has been on the calendar than he has in 25 years, perhaps. Night after night he or some one for him has visited offices of Members of Congress, night after night and day after day he or some one for him has seen you and consulted you and tried to fix you. Some gentleman said that not long ago he went to Gen. Crowder and

sought to get a pardon for one of his constituents who was confined in the penitentiary on one of the Judge Advocate General's abominable 20-year sentences, and within three weeks that boy was at home. Oh, yes. I expect all of us could have gotten our boys out; we could have emptied the jails and penitentiaries if we had gone to Gen. Crowder before this bill came up for consideration. I am speaking plainly.

Mr. JOHNSON of Washington. Will the gentleman yield? The gentleman does not mean to charge the Members of the House could or would or did go down to see Gen. Crowder under such circumstances as that? He does not mean to insinuate that?

Mr. RUCKER. No; and I did not say so. I said that he came here to see us or had some one come for him.

Mr. VAILE. The last remark does not sound any better to me than for the gentleman to say that Gen. Crowder was a domestic enemy.

Mr. RUCKER. I have great deference for the gentleman and want to please him, but I will not change one sentence in order to please him. What I said is true, or I believe it to be.

Mr. NEWTON of Missouri. Does the gentleman mean to say that Gen. Crowder is a domestic enemy of this country?

Mr. RUCKER. Oh, no.

Mr. NEWTON of Missouri. Is not that the statement the gentleman made a while ago?

Mr. RUCKER. I do not think I said so. I do not think any man wearing the national uniform is a domestic enemy; but I say he is not too loyal and patriotic to his country to try to get money from the Public Treasury through this bill, to which, in my judgment, he is not entitled.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. RUCKER. I will.

Mr. JOHNSON of South Dakota. The gentleman is simply calling attention to the fact that the general was very much in favor of increasing his salary $3,000 a year, and always had that interest?

Mr. KEARNS. Will the gentleman yield?

Mr. RUCKER. I will.

Mr. KEARNS. In what way would this bill increase Gen. Crowder's salary to the extent of $3,000 a year? How would it do it?

Mr. RUCKER. Three thousand dollars a year is not a starting point, I will tell you.

Mr. KEARNS. How would it increase his salary $3,000, if that is not a starting point at all? Tell us how.

Mr. RUCKER. I will come to it later on.

Mr. KEARNS. Why not do it now?

Mr. RUCKER. I am trying to pursue a certain line of argument, and that would not be in the order as I have planned it.

A few moments ago I referred to three gentlemen, members of a conference committee. I do not mean to impeach them or to attach any blame whatever to them. Those gentlemen, two of them on this side, are honorable men, and one on that side is an honored Member of the House. They were simply overreached by some one, and they will tell the House so, frankly. By the passage of that bill for the aid of soldiers we also passed a bill that raised Gen. Crowder to the rank of major general and gave him the emoluments of that office, which altogether, I am told, amount to $8,000 or $10,000—about $10,000, $8,000 salary and approximately $2,000 emoluments. One would think that that was pay enough. But he was not satisfied, because that promotion and increase of pay was on October 5, 1917, in the closing hours of the session of Congress, and in the following May, when the Army appropriation bill was being considered by the Senate—not in the House, because the gentleman had already tried the House two or three times, and each time his avaricious ambitions had suffered disappointment, therefore he turned to the Senate, after the House passed the Army appropriation bill, carrying millions and billions of dollars for the support and protection of our boys who were fighting in foreign lands, who were being killed, and every breeze that wafted across the ocean bore to us the sad intelligence of the death of some of our boys—a bill he knew had to pass and was bound to pass promptly, Gen. Crowder got an amendment put on to the bill which says:

Provided, That section 8 of the act entitled "An act authorizing the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, shall be held and construed to authorize the President in accordance with the provisions of said act * * * to appoint as lieutenant general the officer detailed by direction of the President to perform the duties of Provost Marshal General.

Who was the officer? Gen. Crowder. That amendment was put into the Army appropriation bill in the Senate, but the House conferees struck it out and left it out. Then the war closed. There were no more bills that were so certain of passing that an amendment of the kind he sought would not result in their defeat, and therefore he had to resort to a different plan.

Let me tell you: It is of strange significance that on the 22d of August, 1919, a bill was introduced here in this House, and on the same day a bill was introduced in the Senate, and by a strange coincidence both bills are identically alike; every punctuation mark and the capitalization and every word are just the same; one introduced by our colleague from Illinois [Mr. MADDEN], who does not appear to be present now, and one introduced by the Senator from Pennsylvania [Mr. KNOX], both introduced simultaneously. Oh, they commenced bombarding the House and the Senate with a proposition to raise—a gentleman says to promote—Gen. Crowder.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. CHINDBLOM. Does the gentleman from Missouri want the gentleman from Illinois [Mr. MADDEN] to be here? He has stepped out for a moment.

Mr. RUCKER. No; I will tell you confidentially I hope he will not come back this evening. [Laughter.]

Mr. CHINDBLOM. The gentleman from Illinois [Mr. MADDEN] is generally here, you know.

Mr. RUCKER. Yes. I did not mean to cast any reflection on him. You had better invite him in. I am going to read from one of his speeches, a very eloquent speech, but directly the contrary to what the man says who introduced this bill.

Mr. CHINDBLOM. I understand he is getting a little sustenance, and I will notify him.

Mr. RUCKER. This bill was introduced simultaneously in the House and the Senate. The Senate, with that knack that they have, soon got consideration of it one day when there were a few Senators there. It was passed in the Senate, but while on passage it was amended. Now, let me suggest right now that if the gentleman from Illinois [Mr. MADDEN] actually drew the bill, or if the Senator from Pennsylvania, who has filled so well and with such distinction so many high places under this Government, actually drew the bill, he or they knew just as well on the 22d of August, 1919, as they ever have known since what the bill should contain to accomplish the end desired. I think there is some question as to who drew it. I think the same man that some people say wrote the draft act wrote the bill, because on its passage in the Senate Senator KNOX caused it to be amended.

I asked a gentleman a while ago when he was on the floor how much money this bill would carry if passed, and, mark you, it will never do Gen. Crowder as a general of the Army one iota of good. If he serves 1 month or 10 months, he would serve as major general, even though this bill passes. It is only after he ceases service, after he quits the service of his country, after he turns his back, in effect, or, literally speaking, on the flag, that the bill becomes operative. After he retires from the Army the bill provides his name is to be placed on the retired list of lieutenant generals of the Army and paid every year thereafter as written in the bill.

Now, I ask the gentleman and I ask the other gentleman in charge of the bill if he is willing to interrupt me and tell me, and tell the committee, how much money will this bill carry if it is passed? As originally introduced it would carry three-fourths of $8,000, or $6,000 a year. But it was amended. As originally drawn the bill read:

To place him on the retired list as a lieutenant general of the Army, with the pay of that grade, and to grant him a commission.

And so forth.

That is the way it originally read.

As amended the bill provides that he shall be placed on the retired list of the Army as a lieutenant general with the retired pay of that grade "as fixed by section 24 of the act of Congress approved July 15, 1870." Why that amendment? Oh, that brilliant Senator knew what he wanted to do on the 18th of August, 1919. But why this amendment? It is for the simple purpose of extracting from the Federal Treasury $1,500 a year more than the bill would have granted otherwise.

Mr. KEARNS. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. KEARNS. The gentleman says if this bill is passed it will give Gen. Crowder $1,500 a year more money?

Mr. RUCKER. Yes.

Mr. KEARNS. Awhile ago, in response to a question from the gentleman from South Dakota [Mr. JOHNSON], I understood he said it would give him $3,000 more money, and I ask the gentleman to explain that.

Mr. RUCKER. If Gen. Crowder should retire now under his present rank he would receive $6,000 a year during the remainder of his life. If this bill passes he will receive $8,250.

Mr. KEARNS. How much more?

Mr. RUCKER. Two thousand two hundred and fifty dollars.

Mr. KEARNS. I understood the gentleman a moment ago—possibly I misunderstood him—to say he would receive $1,500 more.

Mr. RUCKER. Oh, no; I did not. I say this: The bill carries $1,500 a year more than the bill as originally introduced would carry, because as originally introduced he would have received retired pay based upon the current salary of a lieutenant general—$9,000—but the bill as amended relates back to 1870 to an old, antiquated, repealed, annulled statute and ties himself onto that, because in that way he can claim $1,500 more out of the Treasury.

Mr. KEARNS. How much does the gentleman say he will get if this bill passes?

Mr. RUCKER. This is from the Comptroller of the Treasury:

In compliance to your request, you are advised that if Senate bill 2867 is enacted as it is now written Gen. Crowder, after retirement, will be entitled to receive pay at the rate of three-fourths of $11,000, or $8,250 per year, being $687.50 per month.

That answers the gentleman. But, mark you, in the same bill which authorized the appointment of Gen. Pershing to the rank of general it fixed the salary of general at $10,000 a year and of lieutenant general at $9,000 a year, and if this bill had passed unamended Gen. Crowder would have received three-fourths of $9,000. But by amending it so as to receive the pay of that grade "as fixed by the act of Congress approved July 15, 1870," by going back 50 years into antiquity and picking up out of the rubbish some old law which has been repealed for many years the proponents of this bill seek to give him $1,500 more than he would get if the bill were passed in its original form.

Mr. GARRETT. Will the gentleman yield for a question?

Mr. RUCKER. Yes.

Mr. GARRETT. Do I understand that if this bill is passed in its present form Gen. Crowder, upon retiring, will receive a larger salary than Gen. Pershing will receive upon retiring?

Mr. RUCKER. That is my understanding of it exactly. Gen. Pershing's salary is fixed at $10,000, and he gets three-fourths of that, while Gen. Crowder would receive three-fourths of the pay under an old, antiquated law that fixed the salary of lieutenant general at $11,000.

Mr. NEWTON of Missouri. My information is that Gen. Pershing's present salary is $13,500 for as long as he lives.

Mr. RUCKER. I have heard that.

Mr. NEWTON of Missouri. I am advised of that by the War Department.

Mr. RUCKER. I heard that was done by special act of Congress, but I looked for it and could not find it.

Mr. NEWTON of Missouri. They tell me at the War Department that he is being paid that.

Mr. RUCKER. That may be so.

Mr. NEWTON of Missouri. And $8,000 additional for allowances, making $21,000, that Gen. Pershing would get on retirement.

Mr. RUCKER. That is no parallel. Now, gentlemen, if it was not dollars and cents that somebody was looking for, I ask, why this amendment? If Gen. Crowder had come into this Congress asking through his friends to be honored for the part he played in this war, if he had asked that the Congress grant him some distinction, I doubt if there would have been any opposition to it; but every time he comes to Congress he comes with his hand out asking for some honor which can only be represented in a check on the Treasury of the United States. Oh, it is easy enough to do it. We can vote him this, and it will not bankrupt the Nation. But before it is done I want to remind Congressmen that we passed a bill—I never thought there was any good faith in it at all, although many of our people voted for it—we passed a bill last summer granting bonuses to the ex-service men of our Nation. It is hung up in the Senate, and I understand its death sentence has been pronounced. We know that all over this land, once so happy and free from care, there are to-day roaming over the country one-armed and one-legged men who turned their backs on home and family and offered their lives under Pershing's command in France. We know that many of our boys sleep in foreign soil. We know that others are hopelessly bereft of reason, that the future is dark with despair to them. They are knocking at the doors of Congress, and we are getting letters in every mail, not demanding but pleading with us that we do common justice to them. And I want at this time to relate a little incident with regard to an afflicted soldier.

During the last session of Congress a certain major in the Army from Gen. Crowder's office visited me in my office and pleaded with me to cease opposition to this measure. On that same day a scene was presented in the House Office Building which it seemed to me should arouse the sympathy of every man in this presence. A gentleman went in there to get lunch and found an employee of the majority—and I will call his name, because I honor him and know he is a splendid specimen of patriotic manhood—Mr. Pickering—you all know him. The gentleman went in and saw Mr. Pickering sitting at a table with a boy in uniform. He noticed Mr. Pickering was holding a glass of water to the soldier boy's lips. That attracted the attention of my informant, and he discovered that the soldier boy had neither hand. The incident was repeated to me and I sent for Mr. Pickering, and you can do that if you want to, for he is a brave, good man. I asked him the circumstances of his eating lunch with the soldier boy, and without my naming the particular district from which he came, Mr. Pickering said that he was going to lunch and saw the young soldier perambulating the hall, apparently looking for some one. He asked him if he could do something to help him. The boy said he was trying to find his Member from the State of New York, but he could not locate the office. Mr. Pickering said, "I will find it for you." He went to the Member's office, and when he got there the door was locked. Mr. Pickering said to him, "It is now lunch time and the Member is doubtless on the floor and his clerk has gone to lunch. You come and eat lunch with me, and when we come back we will likely find the secretary here." He said, "No; I can not eat lunch here; I must go out to Walter Reed Hospital and there get some of my comrades to feed me, for I have neither hand." Mr. Pickering said, "Come on, come with me; I am not ashamed to eat with and help feed a soldier who is bereft of his hands." [Applause.]

Then I said, "How did he lose his hands?" He said, "On the battle field. His gun was pointed at the enemy, when a shell came and cut off both hands with that one shell." Gentlemen, to-day that boy is getting the meager sum that we give him, but the titled officers, these men who are not crippled, are asking to run their arms down into the Treasury and get more pay for one month than this poor boy gets for a whole year.

Mr. PELL. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. PELL. Is it the idea of the gentleman that a general should not get more than a private?

Mr. RUCKER. Oh, by no means; but $8,000 is more than $2,000, is it not?

Mr. PELL. Yes.

Mr. RUCKER. And a good deal more.

Mr. PELL. It is less per year of service that he has been in the Army in the United States than was voted to give every man in uniform.

Mr. RUCKER. I quote the distinguished gentleman from Illinois [Mr. MADDEN], in a burst of eloquence and patriotism, when he said if the Army officers are not satisfied with what they are getting, let them get out. He did not think of Gen. Crowder then. Gen. Crowder is the only one he wants to stay in, I expect.

Gentlemen, we have heard of Sergt. Alvin C. York, of Tennessee, a gallant officer, who, if the hearings before a committee of this House can be depended upon, was the one man who achieved a deed unexcelled by any man who wore a uniform of the American soldier. He captured 127 men, single-handed and alone, and among them three officers. A bill was introduced to promote that man to the rank of a lieutenant and retire him. That would give him about $1,800 a year. That bill was referred to the Committee on Military Affairs long before this bill now under consideration reached the Senate, and there it slumbers the slumber that knows no waking in the archives of the Committee on Military Affairs. When will they report it? I remember the gentleman from Tennessee [Mr. HULL] appeared before the committee and made an exhaustive speech in which he recounted the wonderful deeds of Sergt. York. That bill has not been reported. This bill came from the Senate one day and was reported with agility, activity, and speed by these gentlemen the following week.

Why do you not bring up the York bill. Why has not something been done for that soldier whose deeds we heard so graphically detailed by the gentleman from Texas [Mr. EAGLE] last week. Why, if you are going to reward service, do you not go back to Missouri, close to where Gen. Crowder hailed from, and find that young captain, Capt. Joe McQeen, who three times was wounded on the Argonne fields, who was finally dragged off for dead; whose company, consisting of 127 of the bravest boys of Missouri and Kansas, went into that battle, and when they came out of that awful fight there were only about 17 boys, all that were left of that gallant company. Why, if you are going to reward valor, do you not reward him? No, gentlemen, you turn your back on these boys of the Argonne

fields in favor of an officer who never left Washington, who never faced danger, and reward him out of the Treasury of the United States.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. I can not now, for I have not the time. How much time have I remaining?

The CHAIRMAN. The gentleman has 15 minutes remaining.

Mr. RUCKER. I shall be glad if the Chair will notify me when I have consumed five minutes more. Gentlemen, let me call your attention to a significant fact, and I think it is significant. There is not a soldier in this House who fought in the American Expeditionary Forces who favors the passage of this bill; not one.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. TINCHER. Is there one in this House who fought in the War of the Rebellion who favors it?

Mr. RUCKER. Oh, I think not.

Mr. TINCHER. Gen. SHERWOOD is going to retire from this Congress on the 4th of March.

Mr. RUCKER. At that time, the gentleman must remember, the officers fought. They do not fight now as they did then.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. FISHER. Will the gentleman not admit that it was solely through the selective draft act that the world now knows of York of Tennessee?

Mr. RUCKER. Oh, no.

Mr. FISHER. Does the gentleman understand that he would not volunteer, and it was only through the selective draft act that he was brought into the Army?

Mr. RUCKER. With all due deference to the gentleman from Tennessee, you never can convince me that a man who has the American courage to capture 120 Germans, single-handed and alone, and with but one pistol, would not have gone to the rescue of his flag when that flag was in peril.

Mr. FISHER. The gentleman must know that York would not volunteer? He had religious scruples against volunteering in the Army.

Mr. RUCKER. That may be, and that is one of the good things of the selective service act; but I am not in favor of paying Gen. Crowder $2,250 a year always because he happened to discover York. [Laughter.]

Mr. TINCHER. Does the gentleman understand that the Military Affairs Committee offer as an excuse for not reporting the York bill and reporting the Crowder bill the argument offered by the gentleman from Tennessee [Mr. FISHER]?

Mr. RUCKER. Oh, no; I do not think so.

Mr. McKENZIE. Mr. Chairman, I do not think the gentleman from Kansas should make a statement of that character.

The CHAIRMAN. Does the gentleman yield?

Mr. RUCKER. Oh, I could not suffer that to be taken out of my time. I want to say one word in conclusion, and I apologize for talking so hastily and so incoherently. When I think of all these cases, when I think of the fact that in the town that Gen. Crowder came from there lives the widow and two little orphan children of Maj. Stepp, who died across the sea, and that nothing has been done for his widow and orphans, but that we must now take Gen. Crowder up and not only honor him by giving him a high title, but honor him by perpetually paying money to him out of the Treasury of the United States, I am reminded of a little poem—

> A blind man is a poor man, and blind the poor man is,
> For the former seeth nobody, and the latter nobody sees.

Gentlemen, turn from Gen. Crowder and all of the glory and glitter of high Army officers stationed in the city of Washington, and look through the battle fields for the heroes of the war, for those who came back wearing the crown of glory and of victory, and go search those mounds in France, and every one of them represents the burial place of an American patriot, a hero to whom we owe some duty. [Applause.]

I reserve the remainder of my time.

Mr. GREENE of Vermont. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. NEWTON].

Mr. NEWTON of Missouri. Mr. Chairman, I ask to be recognized as was the gentleman from Missouri [Mr. RUCKER], in my own right.

The CHAIRMAN. Does the gentleman from Vermont withdraw his yielding?

Mr. GREENE of Vermont. Yes.

The CHAIRMAN. The Chair will recognize the gentleman from Missouri [Mr. NEWTON] for one hour.

Mr. NEWTON of Missouri. Mr. Chairman, I ask unanimous consent to revise my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Missouri. Mr. Chairman, I have listened with regret to efforts upon this floor to discredit the achievements of Gen. Crowder and to attempts to deprive him of the honors and awards which, because of the services which he has rendered, he so richly deserves. As a Member of this House who hails from his native State and who knows the many friends who admire him, I feel that I would be derelict in my duty should I fail to arise from my seat to say a word in his behalf, because however severe and unjust the attacks upon him he can not come here to defend himself against them.

In 1877 a tenant farmer in Grundy County, Mo., mortgaged his only team in order to enable his son, Enoch H. Crowder, to go to West Point. So limited were his resources that young Crowder traveled the entire distance in a day coach. By hard application and studious habits at West Point he laid the foundation for a long, active, and useful career. Immediately after he graduated he entered active service, and his record in the War Department is replete with a career of achievements so useful and diversified as to be seldom, if ever, equaled in that department. He has seen active service in the field. For 14 years he served as a Cavalry officer and distinguished himself in the Sioux and Apache Indian wars. But, in addition to being a soldier, he has been a student, and by patient and arduous work has equipped himself until he has been acclaimed the greatest military lawyer in the country. It was Gen. Crowder who worked out and set in operation the civil governments of Cuba and the Philippine Islands, and it was he as Provost Marshal General of the American Army, when this country was hurled unprepared into the European conflict, who formulated the plans and constructed the machinery which, under his direction, selected and marshaled the greatest army in the shortest time ever known in history. The recognition of his ability has been confined to no political party, nor has it been limited to the World War. On January 9, 1913, President Taft, in a letter to Secretary of War Stimson, after relating the long, brilliant governmental and international career of Gen. Crowder, said:

> Whenever contingency arises in which it is necessary to have a man of great experience, a law administrator, and a lawgiver Gen. Crowder would be peculiarly fitted to satisfy the governmental need. I regard him as the best Judge Advocate General we have had in a long time. He is a real lawyer. His opinions are based upon his own judgment and do not respond merely to the wishes of the man who asks his opinion.

When we entered the World War and the herculean task of raising an army from an undrilled and unprepared people arose before us President Wilson, recognizing the training, experience, and ability of Gen. Crowder, appointed him provost marshal general. So well did he perform the duties assigned to him that on June 7, 1917, two days after the first registration, Secretary Baker, in a public letter addressed to Gen. Crowder, said:

> You have done the biggest thing of its kind we have ever been called upon to try, and you have surrounded it with an atmosphere which not only created the success but made of it a stimulating demonstration of our national solidarity and patriotism.

A little more than a month later the Secretary of War, inspired by a sense of gratitude and justice, wrote a public letter to Gen. Crowder in official recognition and appreciation of his great work, in which he said:

> When this letter reaches you the actual drawing of the numbers selecting the men for the first National Army of 500,000 men will have been completed and the third stage in your great task brought to a successful conclusion. First, you drafted the law for this great undertaking; second, you perfected with extraordinary accuracy the registration; and third, you worked out with infinite patience and zeal the arrangements for the great choice which affects the careers and lives of so many young men of our country.
>
> It is not necessary for me to recount the embarrassment and difficulties which you have had to face; they would have discouraged, if not appalled, one having less devotion or less clear and serviceable knowledge.

Three months later, when an army of one-half million men had been mobilized, in a public address in New York, again Secretary Baker officially recognized the marvelous service of Gen. Crowder in the following language.

> I have had an intimate, a most intimate, opportunity to observe the writing and working of the selective service law. I know better than anybody else who wrote it, who interpreted it, and who accomplished in the main its success. There are in the lives of all men moments which above all others are supreme, and this moment is justly entitled to be a supreme moment in the life of Gen. Crowder.

Thus it will be observed from the statements of Secretary Baker it was Gen. Crowder who wrote the draft law, that it was he who interpreted it, and that it was he in the main who accomplished its success. And in this connection it is well to remember that to him is due the credit of abandoning the draft system adopted during the Civil War of conducting the draft by the military forces and of substituting in its stead the democratic system of organizing draft boards of civilians who lived in the community where the work was to be done and who knew the families and the circumstances surrounding the men who were to be called to the colors of their country.

It is doubtful whether there was a man in this land who was so well equipped to judge of the worth of public and military service or whose heart yearned more for America's success than Theodore Roosevelt. On August 19, 1917, after the task of selecting the first division of our American Army was well on the way, Mr. Roosevelt said:

I regard Gen. Crowder's work with the draft as one of the best specific bits of work our Army has done in my time. I knew he would do it well, but I had no idea of how very well it would be. Of all our people in the first six months of the war he is the man who has actually accomplished most, the man to whom all good Americans should be most grateful. I respect—and I fear that I envy—the man who has earned the right to have this said of him.

Mr. Chairman, when I think of the marvelous services which Gen. Crowder rendered to his country in the hour of its great peril, of the patience and fortitude and endurance with which he took up a most difficult and unpopular assignment, and when I think of the brilliant success he made of it all, I am distressed when I find that the Member of this House who has the distinguished honor to represent in Congress that district, which gave Enoch Crowder to the country, should fail to appreciate the services which he has rendered. People of that district, boyhood friends of Gen. Crowder, have been to my office and pleaded with me to fight for him and do all within my power to counteract the hostile efforts of their Representative.

Mr. MILLIGAN. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. MILLIGAN. Was not Judge RUCKER the only Democrat in this House to be reelected from Missouri?

Mr. NEWTON of Missouri. Inasmuch as the gentleman has raised that question, I call to the attention of the House the fact that although Judge RUCKER is the only Democrat in the present House to be reelected from Missouri, yet he had not made the speech that he made to-day when the last election occurred, a speech in which he charged Gen. Crowder with being a profiteer, and in which he reflected upon his honor, his courage, and his character. The gentleman from Missouri [Mr. RUCKER] must have felt that Gen. Crowder had friends and admirers in the old district in which he was born, because prior to the primary two years ago, when the Trenton Weekly Republican and Tribune, a newspaper published in that district and in the county in which Gen. Crowder was born, published an article under the headline "Rucker opposes Crowder," and stated, in effect, that it had learned that Congressman RUCKER was disgruntled and was fighting a bill to promote Gen. Crowder, Mr. RUCKER wrote a letter to the editor of that paper, which was published at his request on July 25, 1918, about 10 days prior to the primary, in which Mr. RUCKER was a candidate. (I seem to have misplaced my copy.)

Mr. RUCKER. I will furnish a copy if the gentleman will tell it all.

Mr. NEWTON of Missouri. I have it here. It was published on the 25th of July, 1918. It reads in part as follows:

Mr. RUCKER. It is a very good letter.

Mr. NEWTON of Missouri. I know it is; I agree with the gentleman. In that letter Mr. RUCKER says:

I desire to add that I have had many business transactions with Gen. Crowder and always found him competent and courteous. It has been my proud boast that among my many distinguished constituents was one man who is perhaps more prominent than any other American citizen in matters relating to the existing war, unless it is Gen. Pershing. I have a high and exalted estimate of Gen. Crowder and of his great achievement in connection with the enforcement of the selective-draft law. His distinguished services richly merit the recognition of a grateful people; and I as the Representative of that district from which he entered public life, would be gratified at any time to be able to cast a vote in recognition of his most distinguished and gallant services. I am not "disgruntled," have not been, and could not be with reference to Gen. Crowder or any matter pertaining to him. Our relations have always been pleasant and agreeable.

I trust you will give this space in your paper and that my friends who have written and wired me since your article appeared will accept this as an answer to their communications.

Mr. RUCKER. Will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. RUCKER. Now, as the gentleman knows, I wrote my letter in response to a newspaper article attacking me for having opposed Gen. Crowder?

Mr. NEWTON of Missouri. Yes.

Mr. RUCKER. And that letter was written before I knew anything about the things that I have talked about to-day, and I will say that I still honor him, but I will not take money out of the people's Treasury to pay him.

Mr. NEWTON of Missouri. Many attacks have been made and much criticism offered regarding the court-martial proceedings during the late war, and it has been urged that inasmuch as Gen. Crowder was Judge Advocate General during that period, and that such proceedings were had in that department, he should be held personally responsible. I have abundant confidence that any fair-minded man who is conversant with Gen. Crowder's record in dealing with military offenders and who is familiar with his activity during the late war will conclude that this criticism is unfair. In addition to being Judge Advocate General when war was declared he was appointed, as I have heretofore stated, Provost Marshal General of the Army, and with that appointment came responsibilities which required all of his time and which were of the first order of importance to the country, and the duties of the office of Judge Advocate General necessarily had to be performed by others. It was manifestly impossible for Gen. Crowder, while drafting and revising and putting into operation the laws for raising a vast army in a limited period of time, and while formulating the machinery and guiding its operation in registering the manhood of the country and in selecting therefrom with care an army of 3,000,000 men from the fields, the factories, the shops, and the mills, to examine court-martial proceedings.

Shortly after Gen. Crowder became Provost Marshal General Samuel T. Ansell, then a lieutenant colonel in the Regular Army, but who was subsequently advanced to the grade of brigadier general in the emergency forces, became Acting Judge Advocate General. In that capacity Gen. Ansell remained in immediate charge of the Judge Advocate General's office and immediately responsible for the performance of the Judge Advocate General's functions in respect of courts-martial until after the armistice, except for a brief period while he was in Europe, during which period Col. James J. Mayes was in immediate charge of the office. While serving as Acting Judge Advocate General Gen. Ansell undertook to constitute himself and the office over which he was presiding a court of last resort, asserting the power to review and reverse or modify the decisions in all court-martial proceedings resulting in convictions. When notice of that assertion of power reached the Secretary of War he brought the matter to the attention of Gen. Crowder as Judge Advocate General of the Army, who examined the law pertaining to his office and concluded that no such power had been conferred by Congress. He held that such appellate power as had been established had been conferred by Congress upon commanding officers authorized to convene courts-martial and upon the President of the United States as Commander in Chief of the Army, and that appellate power should not be usurped by the office of the Judge Advocate General. His opinion was upheld by the Secretary of War and later by a committee of the American Bar Association, and generally by every reputable legal authority that has critically and impartially examined the question.

Though Gen. Crowder found himself compelled to hold, as a matter of law, that the Congress had not placed the power of appellate review in the hands of the Judge Advocate General, he was prompt in suggesting that Congress be requested to establish full appellate power; and he was likewise prompt, while awaiting the action of Congress, in devising as near an approach to the exercise of an appellate power as the law would permit. He drafted and submitted to the Secretary of War, for transmission to Congress, a proposed amendment to section 1199, Revised Statutes, designed to vest full appellate power in the broadest way in the President of the United States as Commander in Chief of the Army, who would regularly act upon the advice of the Judge Advocate General as his constituted legal adviser. The proposed amendment was transmitted to the chairmen of the Military Affairs Committees of the Senate and House of Representatives by the Secretary of War, and was introduced in both Houses—S. 3692 and H. R. 9164, Sixty-fifth Congress—but, due, no doubt, to the great volume of business requiring the attention of Congress at that time, the proposed amendment never reached the floor of either House. Practically coincident with his action looking to new legislation upon the subject, Gen. Crowder transmitted to the Secretary of War a draft of an order designed to establish, pending the action of Congress, a system of review of records of trial by general court-martial. The plan thus proposed was promulgated as General Order No. 7, War Department, January 17, 1918. In carrying out the plan established by that order a board of review was constituted in the office of the Judge Advocate General, and a branch office with similar functions was established in France; and from that date every record of trial by general court-martial involving serious punishment was, in fact, required to be reviewed in the Judge Advocate General's office or in the office of the Acting Judge Advocate General for the American Expeditionary Forces in Europe, with the same care with which a court of last resort of a State reviews a record of trial by an inferior court; and though technically the Judge Advocate General's office and the branch office were without judicial power to reverse or set aside an illegal sentence, nevertheless substantially the same result was obtained as if the power had

existed, for the record in each case involving serious punishment was reviewed as to its legal sufficiency before any order respecting the execution of the sentence could be issued. Statistics show that only in the rarest cases did a convening authority ever fail to act upon the recommendations of the Judge Advocate General's office respecting the legal sufficiency of a record of trial.

On June 4, 1920, the President approved an act reorganizing the Army, and including, as Chapter II of the act, a code to be known as the Articles of War, which had previously been approved, after long study and extensive hearings by the Military Committees of both Houses of Congress, and which contained a revision of the law pertaining to court-martial proceedings. In that code it was written so plainly that he who reads can not fail to understand that the power of reviewing and reversing or modifying judgments in court-martial proceedings is vested in the President of the United States, and not in the office of the Judge Advocate General—except in those cases where the board of review, which the law establishes, and the Judge Advocate General are in concurrence as to what should be done; that is, those perfectly plain cases in which, because there is really no question as to how they should be disposed of, Congress did not think it necessary to burden the President personally with them—thus confirming the views of Gen. Crowder as to the intention of Congress as to where such appellate power should be vested.

Let us examine Gen. Crowder's record in dealing with military prisoners and determine by his actions whether his conduct has been harsh or inhuman. In 1911 he was appointed Judge Advocate General of the Army. At that time the Government had three military prisons—one at Fort Leavenworth, Kans., one on the Atlantic coast on Governors Island, and one on the Pacific coast on Alcatraz Island, in San Francisco Bay. In those prisons were confined not only general prisoners convicted of purely military offenses or of misdemeanors, but also many who had committed grave crimes against the ordinary laws of the land. All were treated substantially alike; that is, those who had committed offenses no more serious than an infraction of Army discipline were dealt with in the same manner as those who had committed grave crimes. The men who had not been guilty of offenses involving moral turpitude were held in intimate association with those who had committed such offenses.

Feeling that these prisoners should be segregated, Gen. Crowder formulated a plan which was indorsed by the War Department, made effective by general orders in 1913, and finally adopted by Congress in 1915, to segregate prisoners guilty of purely military offenses or of misdemeanors from those who were guilty of grave crimes and who were criminals at heart. Pursuant to Gen. Crowder's plan and recommendations, Congress converted the three military prisons above referred to into disciplinary barracks, in which the lesser offenders whose acts involved no moral turpitude were given an opportunity to reform. The prison clothes which had theretofore been worn and which carried numbers on their backs were removed from such prisoners as availed themselves of the new conditions and earned the opportunity thus afforded them. As soon after arrival in the institution as their conduct and prior record warranted, they were placed in uniforms and equipped with rifles without firing pins. During a portion of each day they were drilled in military exercises and during the remainder of each day they were given an opportunity to learn trades. They were surrounded by environments which encouraged them to become respected and law-abiding citizens. If their conduct justified, they were permitted again to join the colors and earn an honorable discharge, and to those who feared to again hazard the test of Army discipline was given aid in seeking civil employment. So that instead of military prisoners who had been guilty of offenses involving no moral turpitude being subjected to association with offenders guilty of grave crimes and being dealt with in the same manner and finally turned out into the world as ex-convicts, they were given a helping hand by Gen. Crowder, and thereby many of them were again honorably restored to the colors or returned to civil life as useful citizens. The system of dealing with military prisoners thus evolved was firmly established by congressional enactment in 1915 and is still in effect. Under the operation of the reformatory system thus established in disciplinary barracks upon Gen. Crowder's recommendations, more than 4,000 men originally sentenced to dishonorable discharge and confinement have since 1913 been restored to the colors and thus afforded an opportunity to earn an honorable discharge before finally leaving the Army. In this connection and as one illustrative example of the result of Gen. Crowder's efforts, it may not be out of place to cite the case of an enlisted man sentenced to two years for desertion. He arrived at a disciplinary barracks in March of 1916, acknowledged the error of his former conduct, earned assignment to the disciplinary battalion, was restored to duty within nine months, and assigned to the Sixty-fourth Infantry. He became, successively, corporal, battalion sergeant major, and regimental sergeant major; landed in France early in 1918, and, being anxious to get into the fighting, began again at his own request at the bottom as a private in another organization; was promoted to sergeant, fought at Chateau-Thierry, was sent to an officers' training camp, and was commissioned a second lieutenant in October of 1918, was promoted to first lieutenant before the end of that month, and on armistice day was in command of his company, Company L, One hundred and thirty-eighth Infantry.

Shortly after the close of active hostilities, within three months after the armistice had been signed, and almost immediately after his return to duty in the Judge Advocate General's Office—that is, in February, 1919—Gen. Crowder established in his office certain clemency and restoration agencies to examine the record of trial of every military prisoner then in confinement in a disciplinary barracks or a penitentiary pursuant to the sentence of a general court-martial, and to recommend to the President, in each case, such clemency as might appear to be just and reasonable. As rapidly as possible—and by far the greatest portion of the task was accomplished within six months—the records of 9,545 military prisoners whose average term of confinement as originally adjudged was five years and eight months, were examined, with the result that pursuant to recommendations based upon those examinations, the entire unexecuted portion of the sentence to confinement in more than 3,000 cases was remitted, and the average term of the prisoners remaining in confinement was reduced to 1 year and 10 months.

But the establishment and operation of clemency and restoration agencies does not constitute the sole contribution made by Gen. Crowder to assure that no man convicted by a court-martial should be required to undergo excessive punishment. Almost immediately after his return to duty as Judge Advocate General following the armistice and practically coincident with the establishment of the clemency agencies above referred to, Gen. Crowder took effective measures to prevent the imposition of sentences that might be regarded as unduly severe. Upon his recommendation the Secretary of War, on January 22, 1919, caused instructions to be sent to every officer exercising general court-martial jurisdiction impressing upon each such officer the manifest propriety of observing in general the limits of punishment fixed by the Executive order of 1916; although up to that time Congress had not conferred upon the President, or any other central authority, the power to limit maximum punishments in time of war. And on March 10, 1919, in a letter addressed to the Secretary of War, Gen. Crowder went on record in favor of—and recommended—a legislative modification of the Articles of War which would invest the President in time of war, as well as in time of peace, with the power to fix limits of punishment by Executive order. That recommendation has since been embodied in the new Articles of War enacted by Congress in June 4, 1920.

It is interesting to note that while on April 1, 1917, before the World War began, and when the Army comprised only 100,000 men, the military prisoners confined in disciplinary barracks and penal institutions numbered 2,300. Yet on October 31, 1920, after the World War had been fought and while the Army still consisted of over 200,000 officers and men, and after an Army of 4,000,000 men had been called to the colors and had served and had been discharged, but after the President had acted upon reports made by the clemency and restoration agencies established by Gen. Crowder, the military prisoners of the country in such barracks and institutions numbered only 2,500, or only 200 more than before the war began. In the face of this record, who would dare to charge that there has been anything in the conduct or official action of Gen. Crowder in his dealings with military prisoners which is subject to criticism or reproach?

By an act of this Congress the office of general in the Army of the United States was revived for Gen. Pershing, and his appointment thereto has been confirmed. By that act Gen. Pershing is allowed to retire with full pay and allowances for quarters, heat, and light. He is now receiving a salary of $13,500 per annum, with an allowance for quarters, heat, and light amounting to $8,000 per year, making his total annual pay $21,500 as long as he lives.

Gen. Crowder now receives $9,500 per annum for salary and allowance for quarters. If this bill becomes a law, he will receive, after his retirement, $8,250, with no allowance for quarters.

Mr. TINCHER. That is, after he retires?

Mr. NEWTON of Missouri. Yes; after he retires he will receive this salary with no allowance for quarters. Nearly all the Members of this House voted to make Gen. Pershing a general for life with the salary of $13,500 per year and with an allowance for heating and quarters, after his retirement, which amounts, in addition, to $8,000 per year. When we remember the honors which have been conferred upon Gen. Pershing, the privilege which was given to him to lead our armies overseas and to lead the triumphal marches in this country after the Army returned, and when we remember the difficult and painful task which we gave to Gen. Crowder of raising the army which Gen. Pershing led and which made victory possible, do we begrudge to Gen. Crowder the $8,250 per year for the little time he has left after his retirement? If after casting a vote to confer that honor upon Gen. Pershing I should vote against this bill providing for Gen. Crowder, I would be ashamed of myself. [Applause.] I believe in being just and fair and equitable, and I do not believe that any man can give a fair, just, or equitable excuse for voting against this bill after doing what this Congress has done for Gen. Pershing.

Mr. RUCKER. Will the gentleman yield once more?

Mr. NEWTON of Missouri. I will.

Mr. RUCKER. If the gentleman votes to pass this bill the same argument will be made with reference to another one that will take in the whole line of officers.

Mr. NEWTON of Missouri. I will say, in answer to the question, there is not any other man in the military service of these United States in the last century who stands in the same class with the peculiarly effective service rendered by Gen. Crowder.

Mr. RUCKER. Some stand in a better class, having led victorious armies on the battle field.

Mr. NEWTON of Missouri. The proposal in this bill to promote Gen. Crowder, when he retires, from the rank of major general to the rank of lieutenant general, in order that when he retires he may receive that honor and be allowed to retire with the retired pay of an officer of that rank, is not new in our history. Congress conferred that honor upon Gen. Nelson A. Miles, commanding general of the Army during the Spanish-American War. They also conferred that honor upon Gen. S. B. M. Young, who commanded a brigade in Cuba and the Philippine Islands during the Spanish-American War. That honor was also conferred upon Gen. Adna R. Chaffee, brigade commander during the Spanish-American War. It was also conferred upon Gen. Arthur MacArthur, who served during the Spanish-American War and was afterwards Governor General of the Philippine Islands. It was also conferred upon Gen. Henry C. Corbin, Adjutant General of the Army. It was also conferred upon Gen. John C. Bates, commander of a brigade during the Spanish-American War.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. JOHNSON of South Dakota. Were all these gentlemen retired with the rank of lieutenant general?

Mr. NEWTON of Missouri. Exactly. Many of these officers are still alive and drawing their retired pay.

Mr. JOHNSON of South Dakota. Were they retired under the act of 1870, which gives them $1,500 extra?

Mr. NEWTON of Missouri. This bill does not give Gen. Crowder $1,500 extra. This bill provides only $8,250.

I am told by those who have examined the bill and studied it carefully that this bill will result in his receiving, after he retires, $8,250 per year as long as he lives, without any allowance.

Mr. RUCKER. That is true; but does not the current law or the act of 1916 fix the salary of a lieutenant general at $9,000?

Mr. NEWTON of Missouri. I know it was the purpose of framers of this bill—and I think there is no doubt about them having accomplished their purpose—to have Gen. Crowder receive $8,250.

It has been contended that Gen. Crowder's service did not require him to go to the front. But Gen. Crowder was not responsible for his failure to get to the front. After he had constructed the draft machinery and had set it in operation, and after he had inducted the earlier drafts, he went to the Secretary of War in person and pleaded to be permitted to organize a division and to go with it to France; but he was advised that his services in raising the Army, and his ability to handle that department, were so important to the country that he could not be spared to take the command of soldiers and go to the battle front.

As the result of the last war there stand out in America two great military figures. One is Gen. Pershing and the other is Gen. Crowder. To Gen. Pershing was given the honor—the envy of every soldier—of commanding our armies at the front. His was a service which caught the imagination of the masses, and kindled the enthusiasm of the Nation. The eyes of the world were upon him, because he was at the scene of the conflict. When the war had been won and the enemy vanquished, he returned, a conquering hero. His path was strewn with flowers, while he rightly received the plaudits of a grateful people. And the Congress justly rewarded him by creating for him the office of General of the Armies of the United States, to which he has been appointed and confirmed. To Gen. Crowder was assigned the painful, difficult duty of going to the mountains, prairies, and valleys of the country and calling from the homes and firesides of the people the boys who were to make up the Army which Gen. Pershing had the signal honor to command. This service did not appeal to the popular fancy. But it was a service fully as necessary and difficult as any service rendered in France; for without the draft an adequate army could not have been raised; and without an army Gen. Pershing could not have achieved success. Yet, difficult as the service was, Gen. Crowder performed it with boundless success. He constructed the machinery and set it in operation, which without friction or discord registered 24,000,000 men. From that number he called to the colors 3,000,000 men, while a million more volunteered in the Regular Army and the National Guard without waiting for the draft. Four million men were mobilized and drilled, and more than 2,000,000 of them were landed in France in a time so short as to amaze the civilized world. In performing his task Gen. Crowder expended only $30,000,000 out of a much larger appropriation, and the charge has never been made that graft ever existed in his department or that one dollar of that vast sum of money was ever misappropriated. Great men of this Nation have acclaimed his work as one of the marvels of the conflict, and yet there are those among us who begrudge to Gen. Crowder the recognition a lieutenant generalcy would imply.

Now, gentlemen, I do not care to take more of your time. I think that when you have examined the facts in this case, when you have studied the justice involved in this bill, you will come to the conclusion that this Congress, as a matter of gratitude and justice, can do no less than to give to Gen. Crowder this honor, because by his services he has so richly deserved it. [Applause.]

Mr. QUIN. I yield to the gentleman from Michigan [Mr. CRAMTON].

The CHAIRMAN. How much time?

Mr. QUIN. Thirteen minutes.

The CHAIRMAN. The gentleman from Michigan [Mr. CRAMTON] is recognized for 13 minutes.

Mr. CRAMTON. Mr. Chairman, in every debate in this House that extends for any length of time and that is contested with any feeling whatever, a number of side issues necessarily are brought in, and this debate is no exception. For my own part I would like to emphasize that I am glad to concur in much which has been said in behalf of this measure by the gentleman from Vermont [Mr. GREENE] and the gentleman from Missouri [Mr. NEWTON]. I am very glad to be able to agree with them, as I think all of us are, that America played a wonderful, glorious part in the Great War. I think we are willing to concede that Gen. Crowder, at the post of duty that was given to him, performed his duties to the best of his ability, with credit to himself and his country. But I contend that we may agree to all that and still feel that this is not the time to give him the preferred recognition proposed, and that if we are to give him preferred recognition at this time the bill reported is not the proper expression of that desire.

Gen. Crowder was not the only man who performed his duty to the best of his ability and with credit to himself and his country.

Both great political parties in their platforms adopted less than a year ago pledged themselves to give recognition to certain individuals who performed their duty in that crisis. I have looked in vain to see anything in the political platforms concerning the meritorious services of Gen. Crowder or of other generals who worked here in the department, but I do find in the Republican platform the pledge that the Federal Government should treat with the utmost consideration every disabled soldier, and the Democratic platform contains a like pledge. Still every Member of this House knows that there are in committee to-day and that there are upon the calendar measures to give proper care to the disabled soldiers, and the time remaining in this session does not permit their consideration by the Congress. Those disabled soldiers can not get the justice that the platforms of both parties and the demands of the country insist they shall have, but we can take a day here to give preference to Gen. Crowder.

Further, a bill passed the House in the last session to give expression of the appreciation of the people of the United States to the services of the men in khaki through the adjusted compensation law. I stood here at this center aisle to-day as several votes were taken by the tellers with reference to this measure, and there came between the tellers the members of this committee, and I say to you the thing that impressed me most, remembering the fight we had here to get adjusted compensation for those men who made the real sacrifices that the country wants freely to recognize—I remember that I found coming through between the tellers man after man and score after score of those who voted against adjusted compensation for the private soldier, trooping through to vote for this preferential proposition for Gen. Crowder.

But I do not want to tear down any credit due Gen. Crowder, neither do I want him preferred above every private soldier, and above every officer who served with distinction on this side or on that side in the war. [Applause.]

But they say, "We recognized Gen. Pershing, and so we must recognize Gen. Crowder," linking those two names as the great military chieftains of America in a century. Let that stand for itself. We recognized Gen. Pershing in part for his own services, but in part we gave that recognition to the great commander in chief of our forces in the field, as a recognition to the armies themselves. But when in this bill you recognize Gen. Crowder, it is Gen. Crowder alone. But they say that it was a greater responsibility to sit at a desk in Washington and draft legislation and handle the selective-service measure than to command troops in the field.

I remember in July, 1918, I sat on a field near the River Ourcq, where a week before the soldiers of Michigan and of Wisconsin had won imperishable fame as they pressed back the German troops—back, back, kilometer after kilometer, to Fismes. I sat beside an old schoolmate of mine, a major in the service with the National Guard, who had under his command in that fierce fighting boys from his own neighborhood in Grand Rapids. My old friend was still shaken from his experience and his responsibility. It had not been his privilege to sign his name to orders—to appear before committees of Congress. It had been his duty on the field of battle to say to this bunch of boys that he had known from babyhood, whose parents he knew, "You make that attempt," when he knew that it was death to those whom he selected. Can anyone believe there is any comparison between the responsibilities that lie upon the shoulders of a general behind a desk at Washington as compared with the responsibilities of any commanding officer on the battle field? I say we have no business here to make this preference for Gen. Crowder. And let me say to you, one and all, that if this Congress adjourns on the 4th of March having given this preference to one desk general and denied proper recognition of their claims to the soldiers disabled during the war, and to the men in khaki who made the sacrifices, you will hear from it every time you meet a man in khaki in your home districts.

Well, time passes. I say not only that we ought not to make the preference proposed here; but if we were going to give Gen. Crowder preference, this is not the proper kind of a measure. I think there is not a squarer man in the House than my friend from Vermont [Mr. GREENE], nor is there any in whom I have more confidence, both in his honesty and his ability and his knowledge of military matters. Still, when he was before this committee he was asked why they went back to the law of 1870, and what the effect would be on Gen. Crowder, and he was not able to give the committee the information.

I have before me the bill that the gentleman from Illinois [Mr. MADDEN] introduced. It is identical with the Senate bill now before you, except that the Senate bill harks back to the law of 1870. Now, what is the difference? I have here an Army pay table compiled by the Chief of Finance of the War Department. I find in this that on active duty the pay of a lieutenant general is $9,000 a year, of a major general, $8,000, from which I understand that Gen. Crowder to-day on active service, this highly important active service, is getting $8,000 a year. If he were to-day promoted under existing law to lieutenant general, he would get $9,000 a year.

Now, the rule of retired pay is 75 per cent of the pay on active duty. I have not examined the law, and I do not know whether there is a provision in the law for retired pay for lieutenant general, but if there is, the analogy would be for retired pay three quarters of the pay on active duty, and you can easily reckon that. Instead of that they go back to the act of 1870, section 24, in which it is stated—and there is nothing about the section which is not very plain—that the pay of a general shall be $13,500 a year, and of a lieutenant general shall be $11,000 a year—$2,000 more for pay for active duty under that act than under existing law. It is very plain to be seen why they went back to the law of 1870.

It is said that the measure is simply a matter of recognition by giving him extra rank. Recognition? I say that the reference to the act of 1870 entirely dispels any such illusion, and the object of it pure and simple is financial, to give him a higher pension in the retired pay than he otherwise would have.

There are many other measures here pending before the Committee on Military Affairs——

Mr. JOHNSON of Washington. If the gentleman will yield, what will be the pay of Gen. Crowder if retired?

Mr. CRAMTON. Three-quarters of $11,000, and the gentleman can figure that in his own time.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LITTLE. Mr. Chairman, I would like to get recognition.

Mr. JOHNSON of South Dakota. I would like to get recognition, Mr. Chairman.

Mr. GREENE of Vermont. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, in five minutes' time I think I could make the best speech by indorsing what the gentleman from Vermont [Mr. GREENE] said and what the gentleman from Missouri [Mr. NEWTON] said. I agree with them. If I had any doubt about it at all when we commenced the consideration of this bill, I believe I would have been converted; and if it was necessary for my salvation, I think I would have joined the church. [Laughter.]

I am acquainted with Gen. Crowder, but not intimately acquainted with him. He is not one of my constituents. I have no prejudice against him. I believe he did great and effective service. I do not believe that there is any man who has talked or will talk on this matter that will dispute it.

If I am reliably informed, and I think I am, as soon as Gen. Crowder's work was done he applied for service across the seas, and it was denied him; possibly properly so. I have no brief to defend Gen. Crowder. As I said, he is not one of my constituents. I did not know him up to the time he commenced his duties that he has performed so well.

Now, I have great respect for the soldiers. They have been well treated; they will be well treated after we are all forgotten. "Oh," says somebody, "you voted against the bonus bill." Yes, I did; and I would do it again, because it was used as a vehicle to call together and pull through a lot of legislation that would have been enormously expensive in the name of furnishing homes for the soldiers. I have answered for that to my constituents. I am willing to vote all proper aid for care of the wounded and diseased. I am ready to vote a proper bonus to stand on its own merits. So much for that.

I have little patience with the man who gets up and praises the work of Gen. Pershing and then attacks Gen. Crowder for so ably performing his duty in the enactment and writing of the law and the administration of the law that enabled Gen. Pershing to receive the support of the most magnificent Army that ever existed in the annals of time. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I would like to be recognized.

Mr. GREENE of Vermont. Mr. Chairman, I would like to offer a suggestion. We have already parceled out time by individual recognition for two hours on each side, and in the experience of the House as practical men we know that is far more than the usual time allotted in measures of this kind. It would seem as if that ought to be sufficient for general debate. I do not want to take advantage of my parliamentary privilege by moving to rise, and I know that the House does not want to force me to that extremity. Can not we arrive at some agreement as to the remaining portion of time to be parceled out to both sides?

Mr. LITTLE. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The gentleman in charge of the bill is trying to arrive at an arrangement.

Mr. JOHNSON of South Dakota. I would say to the gentleman that I want to speak for 15 or 20 minutes against the bill, but because of the way in which the time has been used it seems to be an impossibility to do that, unless I can get recognition from the Chair. We have no desire to extend this debate unnecessarily, but there are many gentlemen here who desire 5 or 10 minutes. There is the gentleman from Kansas [Mr. TINCHER], the gentleman from Ohio [Mr. BEGG], and a dozen other gentlemen.

Mr. LITTLE. I would like to have 20 minutes.

Mr. JOHNSON of South Dakota. And the gentleman from Ohio [Mr. MURPHY], and several others.

Mr. GREENE of Vermont. It is quite obvious in my situation that I am not really disposed in principle or by strategy to give over any more time to the opposition. At the same time I think we ought to break fair and be good sports about it, and I know the gentleman from South Dakota wants to do that.

Mr. JOHNSON of South Dakota. That is the attempt.

Mr. GREENE of Vermont. Would it be a fair proposition, considering that we now have four hours already allotted and partly consumed, that we should rise and fix some time in the House for the termination of the debate and agree to a division of that time and then close out absolutely with all good faith to that agreement?

Mr. JOHNSON of South Dakota. Can not that be fixed right here by unanimous consent instead of going into the House?

Mr. LITTLE. Mr. Chairman, I thought I had a sort of understanding by which I was to be recognized by the Chair at the proper time.

The CHAIRMAN. The Chair can not promise the gentleman from Kansas any preference over any other Member of the House.

Mr. LITTLE. But the Chair did promise me, as I understood it.

The CHAIRMAN. The gentleman in charge of the bill is trying to arrive at an arrangement in respect to time.

Mr. LITTLE. As I understood it, the Chair did tell me that when these gentlemen who had already been preferred had finished their argument he would recognize me.

The CHAIRMAN. The Chair will recognize the gentleman when those who have been already recognized, who are entitled to precedence over the gentleman, have used their time.

Mr. GREENE of Vermont. Will the gentlemen interested on the other side consent, under such parliamentary form as may be necessary, that one hour more be allotted and so parceled out that 30 minutes of it will be allotted to those on each side, so that whoever gets recognition of that hour will see to it that 30 minutes of it goes to the opposition?

Mr. LITTLE. That would not give time to those desiring to be heard.

Mr. GREENE of Vermont. The idea is so that it would really make the division here of two hours and a half on each side.

Mr. RUCKER. The gentleman means one hour more, in addition to the time remaining unused?

Mr. GREENE of Vermont. Yes; but with the understanding that whoever gets the recognition will divide it thirty-thirty.

Mr. QUIN. Mr. Chairman, I think that the gentleman from South Dakota [Mr. JOHNSON] should be given the hour, if it is given to anybody.

Mr. GREENE of Vermont. Is that agreeable?

Mr. JOHNSON of South Dakota. The gentleman can submit his request, and I shall not object to it.

Mr. ANDREWS of Nebraska. I shall.

Mr. GREENE of Vermont. Mr. Chairman, I submit the unanimous-consent request that the next recognition for one hour be with the agreement, so to speak, that 30 minutes be occupied by the side taking the hour and the other 30 minutes by the opposition.

Mr. LITTLE. The suggestion of the gentleman is not satisfactory to me and I shall have to object.

Mr. HARRISON. Mr. Chairman, I reserve the right to object.

Mr. JOHNSON of South Dakota. How much does the gentleman from Kansas [Mr. LITTLE] desire?

Mr. LITTLE. I do not imagine that I shall take over 10 minutes.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. How much time has been consumed of the different allotments that the Chair has already recognized the gentlemen for?

The CHAIRMAN. The gentleman from Vermont has 20 minutes remaining, the gentleman from Missouri [Mr. NEWTON] has 31 minutes, the gentleman from Missouri [Mr. RUCKER] has 10 minutes remaining, and the gentleman from Mississippi [Mr. QUIN] 32 minutes.

Mr. BANKHEAD. That is an hour and 32 minutes, approximately?

The CHAIRMAN. Approximately; yes.

Mr. JOHNSON of South Dakota. I ask the gentleman from Vermont to submit a unanimous-consent request that there be 45 minutes on a side. That would take care of all gentlemen who want to talk. That would give the gentleman from Kansas 10 minutes. I think we could reach an agreement upon that.

Mr. MANN of Illinois. Probably we could reach a unanimous-consent agreement if we could agree on who is to control the time.

Mr. JOHNSON of South Dakota. That would be for the Chair to decide.

Mr. MANN of Illinois. The Chair can not decide that.

Mr. GREENE of Vermont. Mr. Chairman, if we can come to an understanding that there shall be, in addition to the four hours that are already allotted and partially consumed, 45 minutes additional on a side, with the understanding that the time be controlled by somebody agreed upon on one side and by him allotted so that there will be no further misunderstanding about the division of time, I shall be willing to consent to it and to make such a request.

The CHAIRMAN. The gentleman will formulate his request.

Mr. MANN of Illinois. Does the gentleman expect to finish this debate to-day?

Mr. GREENE of Vermont. That is what we are trying to do. I ask unanimous consent that, in addition to the four hours already allotted, there be 45 minutes additional of debate for each side, making an hour and a half in all; that the time on this side be in the control of the gentleman from Illinois [Mr. MADDEN] and that the extra 45 minutes on the other side be in the control of the gentleman from South Dakota [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Vermont asks unanimous consent that, in addition to the time already allotted and partially consumed, there be an hour and a half additional, 45 minutes to be controlled by the gentleman from Illinois [Mr. MADDEN] and 45 minutes by the gentleman from South Dakota [Mr. JOHNSON]. Is there objection?

Mr. HARRISON. Mr. Chairman——

Mr. MANN of Illinois. And that at the end of that time general debate shall end.

The CHAIRMAN. And that at the end of that time general debate shall close. Is there objection?

Mr. SISSON and Mr. RAYBURN. Reserving the right to object——

Mr. MANN of Illinois. Reserving the right to object, I would like to make this inquiry. I understood the gentleman to say there is an hour and 32 minutes remaining.

The CHAIRMAN. Something like that; an hour and 32 minutes.

Mr. MANN of Illinois. This would make three and a quarter hours, after which time there would be debate under the five-minute rule with a roll call or two. I do not know whether I want to miss my dinner engagement for the purpose of hearing more hot air or not.

Mr. WINGO. I demand the regular order.

Mr. HUMPHREYS. Mr. Chairman, a parliamentary inquiry.

Mr. RAYBURN. For the present, in order to settle this, I object to the request.

The CHAIRMAN. Objection is heard.

Mr. LITTLE. Mr. Chairman, I desire to be recognized.

Mr. GREENE of Vermont. Mr. Chairman——

The CHAIRMAN. The gentleman from Vermont.

Mr. GREENE of Vermont. I ask unanimous consent that a request for one hour be allowed by the Chair, and that that time be divided 30 minutes each between the sides.

Mr. CRAMTON. Mr. Chairman, reserving the right to object, the arrangement suggested before by the gentleman from Vermont seemed to me reasonable, and in view of the importance of the bill I would have to object. I shall have to object to this.

Mr. GREENE of Vermont. All right, Mr. Chairman. I move that the committee do now rise.

The question was taken, and the Chairman announced the ayes seemed to have it.

Mr. CRAMTON. Mr. Chairman, on that I demand tellers.

Mr. RAYBURN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAYBURN. What is this on?

The CHAIRMAN. That the committee do now rise.

Tellers were ordered.

The committee again divided; and the tellers (Mr. GREENE of Vermont and Mr. CRAMTON) reported that there were—ayes 96, noes 47.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House, reported that that committee, having had under consideration the bill S. 2867, had come to no resolution thereon.

Mr. GREENE of Vermont. Mr. Speaker——

Mr. BARKLEY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. JOHNSON of South Dakota. Mr. Speaker, a parliamentary inquiry. I move that the House do now adjourn.

The SPEAKER. The gentleman from South Dakota moves that the House do now adjourn.

The question was taken, and the Speaker announced that the noes seemed to have it.

On a division (demanded by Mr. CRAMTON and Mr. BARKLEY) there were—ayes 71, noes 96.

Mr. BARKLEY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. McCLINTIC. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. It is clear there is no quorum present.

Mr. MANN of Illinois. Did not the gentleman from Oklahoma ask for the yeas and nays?

Mr. McCLINTIC. I withdraw it.

The SPEAKER. The Chair thought the yeas and nays were demanded on the point of no quorum, and wondered——

Mr. WINGO. Mr. Speaker, I am not sure an automatic yea-and-nay vote would come under the motion, but I should not think so.

The SPEAKER. The Chair thinks not. It does not require a quorum to adjourn. The Chair did not understand the gentleman from Oklahoma when he made the demand for the yeas and nays on the motion to adjourn.

The question was taken; and there were—yeas 110, nays 205, answered "present" 1, not voting 112, as follows:

YEAS—110.

Almon	Doremus	McKeown	Sisson
Anderson	Evans, Nebr.	McLeod	Smith, Mich.
Andrews, Nebr.	Fields	MacGregor	Steagall
Bankhead	Frear	Major	Stedman
Barbour	Gallivan	Mann, Ill.	Stephens, Miss.
Barkley	Garrett	Mapes	Stevenson
Begg	Hardy, Colo.	Michener	Sumners, Tex.
Benson	Hardy, Tex.	Milligan	Sweet
Bland, Ind.	Hawley	Minahan, N. J.	Swope
Bland, Va.	Hersman	Monahan, Wis.	Taylor, Ark.
Blanton	Hoch	Moore, Ohio	Taylor, Colo.
Boies	Holland	Murphy	Thompson
Bowling	Huddleston	Nelson, Wis.	Tillman
Box	Humphreys	O'Connell	Tincher
Brand	Johnson, Miss.	O'Connor	Venable
Brumbaugh	Johnson, S. Dak.	Oldfield	Vinson
Buchanan	Jones, Tex.	Oliver	Voigt
Byrnes, S. C.	Keller	Parrish	Walsh
Byrns, Tenn.	Kincheloe	Phelan	Walters
Caraway	King	Purnell	Welty
Carss	Lampert	Quin	White, Kans.
Christopherson	Lanham	Ramsey	Wilson, La.
Collier	Lee, Ga.	Rayburn	Wingo
Cramton	Lesher	Rouse	Woodyard
Crisp	Linthicum	Rucker	Wright
Denison	Little	Sanders, La.	Young, N. Dak.
Dent	McClintic	Sherwood	
Dominick	McDuffie	Sinclair	

NAYS—205.

Ackerman	Ferris	Kendall	Pou
Anthony	Fess	Kiess	Radcliffe
Aswell	Fish	Kleczka	Raker
Babka	Fisher	Knutson	Ramseyer
Bee	Flood	Kraus	Randall, Wis.
Benham	Focht	Langley	Ransley
Black	Foster	Lankford	Reber
Briggs	Freeman	Larsen	Reed, N. Y.
Brinson	French	Lea, Calif.	Reed, W. Va.
Britten	Fuller	Lehlbach	Rhodes
Brooks, Ill.	Gallagher	Luce	Ricketts
Brooks, Pa.	Gard	Lufkin	Robinson, N. C.
Burroughs	Glynn	Luhring	Robsion, Ky.
Butler	Goldfogle	McAndrews	Rodenberg
Caldwell	Good	McArthur	Rogers
Campbell, Pa.	Goodall	McFadden	Romjue
Cannon	Goodykoontz	McKinley	Rose
Cantrill	Graham, Ill.	McLaughlin, Mich.	Rowe
Carter	Greene, Mass.	McLaughlin, Nebr.	Rubey
Chindblom	Greene, Vt.	McPherson	Sabath
Cleary	Griffin	Madden	Sanders, Ind.
Coady	Hadley	Magee	Sanders, N. Y.
Cole	Harrison	Mansfield	Schall
Connally	Hastings	Martin	Scott
Cooper	Hays	Mays	Sells
Crago	Hernandez	Merritt	Shreve
Cullen	Hersey	Miller	Sinnott
Currie, Mich.	Hickey	Mondell	Smith, Idaho
Curry, Calif.	Hicks	Montague	Snell
Dale	Hill	Moores, Ind.	Snyder
Dallinger	Hoey	Mott	Stephens, Ohio
Darrow	Houghton	Nelson, Mo.	Stiness
Davis, Tenn.	Howard	Newton, Minn.	Strong, Kans.
Dempsey	Hudspeth	Newton, Mo.	Strong, Pa.
Dewalt	Hull, Iowa	Nicholls	Summers, Wash.
Dickinson, Iowa	Hull, Tenn.	Nolan	Swindall
Dowell	Hutchinson	Ogden	Tague
Drewry	Igoe	Olney	Taylor, Tenn.
Dunbar	Ireland	Osborne	Temple
Dupré	James, Va.	Overstreet	Tilson
Eagan	Jefferis	Padgett	Timberlake
Echols	Johnson, Ky.	Paige	Tinkham
Edmonds	Johnson, Wash.	Park	Treadway
Elliott	Jones, Pa.	Parker	Vaile
Elston	Juul	Patterson	Volstead
Esch	Kahn	Pell	Ward
Evans, Mont.	Kearns	Peters	Wason
Fairfield	Kelly, Pa.	Porter	Watkins
Welling	Wood, Ind.	Zihlman	
Watson	White, Me.	Woods, Va.	
Weaver	Wilson, Ill.	Yates	
Webster	Winslow	Young, Tex.	

ANSWERED "PRESENT"—1.

Kinkaid

NOT VOTING—112.

Andrews, Md.	Dyer	Kitchin	Rowan
Ashbrook	Eagle	Kreider	Sanford
Ayres	Ellsworth	Layton	Scully
Bacharach	Emerson	Lazaro	Sears
Baer	Evans, Nev.	Lonergan	Siegel
Bell	Fordney	Longworth	Slemp
Bland, Mo.	Gandy	McCulloch	Small
Bowers	Ganly	McGlennon	Smith, Ill.
Browne	Garner	McKenzie	Smith, N. Y.
Burdick	Godwin, N. C.	McKinley	Smithwick
Burke	Goodwin, Ark.	McLane	Steele
Campbell, Kans.	Gould	Maher	Steenerson
Candler	Graham, Pa.	Mann, S. C.	Stoll
Carew	Green, Iowa	Mason	Sullivan
Casey	Griest	Mead	Thomas
Clark, Fla.	Hamill	Moon	Towner
Clark, Mo.	Hamilton	Mooney	Upshaw
Classon	Harreld	Moore, Va.	Vare
Copley	Haugen	Morin	Vestal
Costello	Hayden	Mudd	Volk
Crowther	Hulings	Neely	Whaley
Davey	Husted	Perlman	Wheeler
Davis, Minn.	Jacoway	Rainey, Ala.	Williams
Dickinson, Mo.	James, Mich.	Rainey, Henry T.	Wilson, Pa.
Donovan	Johnston, N. Y.	Rainey, John W.	Wise
Dooling	Kelley, Mich.	Randall, Calif.	
Doughton	Kennedy, Iowa	Reavis	
Drane	Kennedy, R. I.	Riddick	
Dunn	Kettner	Riordan	

So the motion to adjourn was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. MASON with Mr. KITCHIN.

Mr. VARE with Mr. MOON.

Mr. BOWERS with Mr. NEELY.

Mr. BROWNE with Mr. JOHN W. RAINEY.

Mr. SIEGEL with Mr. RANDALL of California.

Mr. WHEELER with Mr. ASHBROOK.

Mr. BACHARACH with Mr. RIORDAN.

Mr. PERLMAN with Mr. THOMAS.

Mr. LAYTON with Mr. WHALEY.

Mr. GOULD with Mr. DAVEY.

Mr. ANDREWS of Maryland with Mr. WISE.

Mr. HARRELD with Mr. JACOWAY.

Mr. FORDNEY with Mr. CLARK of Missouri.

Mr. TOWNER with Mr. MOORE of Virginia.

Mr. KENNEDY of Iowa with Mr. LAZARO.

Mr. CAMPBELL of Kansas with Mr. HAYDEN.

Mr. WILLIAMS with Mr. STOLL.

Mr. RIDDICK with Mr. UPSHAW.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. DYER with Mr. SMITHWICK.

Mr. SMITH of Illinois with Mr. DOOLING.

Mr. BURKE with Mr. WILSON of Pennsylvania.

Mr. BAER with Mr. GANLY.

Mr. JAMES of Michigan with Mr. ROWAN.

Mr. VOLK with Mr. SMITH of New York.

Mr. STEENERSON with Mr. CANDLER.

Mr. CROWTHER with Mr. BELL.

Mr. BURDICK with Mr. MAHER.

Mr. LONGWORTH with Mr. CLARK of Florida.

Mr. CLASSON with Mr. MEAD.

Mr. VESTAL with Mr. GODWIN of Arkansas.

Mr. EMERSON with Mr. DRANE.

Mr. COPLEY with Mr. AYRES.

Mr. SLEMP with Mr. GARNER.

Mr. MORIN with Mr. EVANS of Nevada.

Mr. KELLEY of Michigan with Mr. SEARS.

Mr. McCULLOCH with Mr. DONOVAN.

Mr. GRIEST with Mr. SMALL.

Mr. SANFORD with Mr. DICKINSON of Missouri.

Mr. DAVIS of Minnesota with Mr. CAREW.

Mr. GREEN of Iowa with Mr. HAMILL.

Mr. HULINGS with Mr. JOHNSTON of New York.

Mr. REAVIS with Mr. HENRY T. RAINEY.

Mr. KREIDER with Mr. CASEY.

Mr. COSTELLO with Mr. DOUGHTON.

Mr. DUNN with Mr. MOONEY.

Mr. HAUGEN with Mr. EAGLE.

Mr. ELLSWORTH with Mr. GODWIN of North Carolina.

Mr. MUDD with Mr. SULLIVAN.

Mr. HUSTED with Mr. McGLENNON.

Mr. McKENZIE with Mr. MANN of South Carolina.

Mr. KENNEDY of Rhode Island with Mr. GANDY.

Mr. HAMILTON with Mr. McKINLEY.

Mr. WILLIAMS. Mr. Speaker, I wish to answer "present."

The SPEAKER. Was the gentleman present and listening when his name was called.

Mr. WILLIAMS. I was at the telephone, but I am now present.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

CONFERENCE REPORT, INDIAN APPROPRIATION BILL.

Mr. ELSTON, from the Committee on Appropriations, submitted a conference report on the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for printing under the rule.

MAJ. GEN. CROWDER.

Mr. GREENE of Vermont. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union, and pending that motion, I move that general debate on the bill S. 2867 be closed, and on that motion I demand the previous question.

The SPEAKER. The gentleman from Vermont moves that the House resolve itself into the Committee of the Whole House on the state of the Union, and that general debate on S. 2867 be closed, and on that motion demands the previous question. The question is on ordering the previous question.

Mr. BARKLEY. Mr. Speaker, I ask for the yeas and nays on the motion for the previous question.

Mr. BEGG. Mr. Speaker, I offer an amendment to that motion.

The SPEAKER. The gentleman can not offer an amendment to the motion for the previous question. The gentleman from Kentucky [Mr. BARKLEY] demands the yeas and nays.

The yeas and nays were ordered.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. Is this question divisible?

The SPEAKER. It is not.

The Clerk will call the roll.

The question was taken; and there were—yeas 173, nays 146, answered "present" 2, not voting 107, as follows:

YEAS—173.

Ackerman	Esch	Kiess	Pou
Anthony	Evans, Mont.	Kleczka	Raker
Aswell	Ferris	Kraus	Randall, Wis.
Babka	Fess	Larsen	Reber
Barbour	Fish	Lea, Calif.	Reed, N. Y.
Bee	Fisher	Lehlbach	Reed, W. Va.
Benham	Flood	Luce	Rhodes
Boies	Fecht	Lufkin	Robinson, N. C.
Bowers	Freeman	McAndrews	Robsion, Ky.
Brinson	French	McArthur	Rodenberg
Britten	Fuller	McFadden	Rogers
Brooks, Ill.	Gallagher	McKenzie	Rowe
Buchanan	Glynn	McKinley	Sanford
Burroughs	Good	McLaughlin, Mich.	Scott
Butler	Goodykoontz	McLaughlin, Nebr.	Shreve
Caldwell	Green, Iowa	McPherson	Small
Campbell, Pa.	Greene, Mass.	Madden	Smith, Idaho
Cannon	Greene, Vt.	Magee	Snell
Cantrill	Griffin	Mann, Ill.	Snyder
Carter	Hadley	Mansfield	Stephens, Ohio
Chindblom	Harrison	Martin	Stiness
Cleary	Hastings	Mays	Summers, Wash.
Coady	Hays	Merritt	Temple
Cole	Hernandez	Miller	Tilson
Cooper	Hersey	Monahan, Wis.	Timberlake
Crago	Hersman	Mondell	Tinkham
Crowther	Hickey	Montague	Vaile
Currie, Mich.	Hicks	Moore, Va.	Volstead
Curry, Calif.	Hoey	Moores, Ind.	Ward
Dale	Houghton	Mott	Wason
Dallinger	Howard	Newton, Minn.	Watson
Darrow	Hudspeth	Newton, Mo.	Weaver
Davis, Tenn.	Hull, Iowa	Nicholls	Webster
Dempsey	Hull, Tenn.	Nolan	Welling
Dewalt	Hutchinson	Ogden	White, Kans.
Dickinson, Iowa	Ireland	Olney	White, Me.
Drewry	James, Va.	Osborne	Wilson, Ill.
Dunbar	Jefferis	Padgett	Winslow
Dunn	Johnson, Wash.	Paige	Wood, Ind.
Dupré	Jones, Pa.	Park	Woods, Va.
Echols	Juul	Parker	Woodyard
Edmonds	Kearns	Patterson	
Elliott	Kelly, Pa.	Pell	
Elston	Kendall	Peters	

NAYS—146.

Almon	Blanton	Carss	Doremus
Anderson	Bowling	Christopherson	Dowell
Andrews, Nebr.	Box	Collier	Dyer
Bankhead	Brand	Connally	Eagan
Barkley	Briggs	Cramton	Evans, Nebr.
Begg	Brooks, Pa.	Crisp	Fairfield
Benson	Byrnes, S. C.	Cullen	Fields
Black	Byrns, Tenn.	Denison	Foster
Bland, Ind.	Campbell, Kans.	Dent	Frear
Bland, Va.	Caraway	Dominick	Gallivan
Gard	Lankford	Purnell	Sumners, Tex.
Garrett	Lee, Ga.	Quin	Sweet
Goldfogle	Lesher	Radcliffe	Swindall
Goodall	Linthicum	Ramsey	Swope
Graham, Ill.	Little	Ramseyer	Tague
Griest	Luhring	Rayburn	Taylor, Ark.
Hardy, Colo.	McClintic	Ricketts	Taylor, Colo.
Hardy, Tex.	McDuffie	Romjue	Taylor, Tenn.
Haugen	McKeown	Rose	Thompson
Hawley	McLeod	Rouse	Tillman
Hayden	MacGregor	Rubey	Tincher
Hill	Major	Rucker	Vinson
Hoch	Mapes	Sabath	Voigt
Holland	Michener	Sanders, Ind.	Walsh
Huddleston	Milligan	Sanders, La.	Walters
Humphreys	Minahan, N. J.	Sanders, N. Y.	Watkins
Igoe	Moore, Ohio	Schall	Welty
Johnson, Ky.	Murphy	Sells	Williams
Johnson, Miss.	Nelson, Mo.	Sherwood	Wilson, La.
Jones, Tex.	Nelson, Wis.	Sinclair	Wingo
Keller	O'Connell	Sinnott	Wright
Kincheloe	Oldfield	Sisson	Yates
King	Oliver	Smith, Mich.	Young, N. Dak.
Kinkaid	Overstreet	Steagall	Young, Tex.
Lampert	Parrish	Stedman	Zihlman
Langley	Phelan	Stevenson	
Lanham	Porter	Strong, Kans.	

ANSWERED "PRESENT."—2.

Johnson, S. Dak. Knutson

NOT VOTING—107.

Andrews, Md.	Ellsworth	Lazaro	Scully
Ashbrook	Emerson	Lonergan	Sears
Ayres	Evans, Nev.	Longworth	Siegel
Bacharach	Fordney	McCulloch	Sims
Baer	Gandy	McGlennon	Slemp
Bell	Ganly	McKinley	Smith, Ill.
Bland, Mo.	Garner	McLane	Smith, N. Y.
Browne	Godwin, N. C.	Maher	Smithwick
Brumbaugh	Goodwin, Ark.	Mann, S. C.	Steele
Burdick	Gould	Mason	Steernerson
Burke	Graham, Pa.	Mead	Stephens, Miss.
Candler.	Hamill	Moon	Stoll
Carew	Hamilton	Mooney	Strong, Pa.
Casey	Harreld	Morin	Sullivan
Clark, Fla.	Hulings	Mudd	Thomas
Clark, Mo.	Husted	Neely	Towner
Classon	Jacoway	O'Connor	Treadway
Copley	James, Mich.	Perlman	Upshaw
Costello	Johnston, N. Y.	Rainey, Ala.	Vare
Davey	Kahn	Rainey, Henry T.	Venable
Davis, Minn.	Kelley, Mich.	Rainey, John W.	Vestal
Dickinson, Mo.	Kennedy, Iowa	Randall, Calif.	Volk
Donovan	Kennedy, R. I.	Ransley	Whaley
Dooling	Kettner	Reavis	Wheeler
Doughton	Kitchin	Riddick	Wilson, Pa.
Drane	Kreider	Riordan	Wise
Eagle	Layton	Rowan	

So the previous question was ordered.

The Clerk announced the following additional pairs:

On the vote:

Mr. KAHN (for) with Mr. JOHNSON of South Dakota (against).

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. RANSLEY with Mr. O'CONNOR.

Mr. STRONG of Pennsylvania with Mr. SMITHWICK.

Mr. TOWNER with Mr. STOLL.

Mr. TREADWAY with Mr. SIMS.

Mr. KNUTSON. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. BELL, and will withdraw my affirmative vote and answer "present."

The result of the vote was announced as above recorded.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. Is this motion to go into Committee of the Whole House and fix the time for debate divisible?

The SPEAKER. There are two motions. The first vote is on the motion to close debate.

Mr. BARKLEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Kentucky moves that the House do now adjourn.

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that that is a dilatory motion.

The SPEAKER. The Chair does not feel that he would be justified in so considering it.

Mr. MANN of Illinois. We have just had a motion to adjourn.

Mr. BARKLEY. And another roll call.

Mr. MANN of Illinois. Yes; and another roll call; and it is not adjournment time. We have just had a motion to adjourn voted down. It is clearly dilatory.

Mr. BARKLEY. Business has been transacted in the meantime.

Mr. MANN of Illinois. That does not affect the fact that the motion is dilatory.

The SPEAKER. The Chair does not believe he is justified in calling the motion "dilatory" now. The gentleman from

Kentucky moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. BARKLEY. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 92, noes 129.

Mr. BARKLEY. Mr. Speaker, I ask for tellers.

The SPEAKER. The gentleman from Kentucky asks for tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Fifty-eight gentlemen have risen in the affirmative—a sufficient number. The gentleman from Vermont [Mr. GREENE] and the gentleman from Kentucky [Mr. BARKLEY] will please take their places as tellers.

The House again divided; and the tellers reported—ayes 99, noes 136.

Mr. CRAMTON. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Michigan demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Kentucky [Mr. BARKLEY] that the House do now adjourn. Those in favor of that motion will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 133, nays 181, answered "present" 2, not voting 112, as follows:

YEAS—133.

Almon	Fairfield	Major	Steagall
Anderson	Foster	Mann, Ill.	Stedman
Andrews, Nebr.	Frear	Mansfield	Steenerson
Bankhead	Gallivan	Mapes	Stephens, Miss.
Barbour	Gandy	Martin	Stevenson
Barkley	Garrett	Michener	Strong, Kans.
Begg	Griest	Milligan	Sweet
Benson	Hardy, Colo.	Minahan, N. J.	Swindall
Black	Hardy, Tex.	Monahan, Wis.	Swope
Bland, Ind.	Haugen	Montague	Tague
Bland, Va.	Hawley	Moore, Ohio	Taylor, Ark.
Blanton	Hersman	Murphy	Taylor, Colo.
Boles	Hoch	Nelson, Wis.	Thompson
Bowling	Holland	O'Connell	Tillman
Box	Huddleston	Oldfield	Tincher
Brand	Humphreys	Oliver	Venable
Briggs	Igoe	Overstreet	Vinson
Buchanan	Johnson, Ky.	Parrish	Voigt
Byrnes, S. C.	Johnson, Miss.	Phelan	Walsh
Byrns, Tenn.	Jones, Tex.	Purnell	Walters
Campbell, Kans.	Keller	Quin	Watkins
Caraway	Kincheloe	Ramsey	Welty
Carss	King	Randall, Wis.	White, Kans.
Christopherson	Kinkaid	Rayburn	Williams
Collier	Lampert	Ricketts	Wilson, La.
Cramton	Lanham	Rose	Wingo
Crisp	Lee, Ga.	Rouse	Woodyard
Crowther	Lesher	Rucker	Wright
Cullen	Linthicum	Sabath	Yates
Dent	Little	Sanders, La.	Young, N. Dak.
Dominick	McClintic	Sherwood	Young, Tex.
Doremus	McDuffie	Sinclair	
Dowell	McLeod	Sinnott	
Evans, Nebr.	MacGregor	Sisson	

NAYS—181.

Ackerman	Dyer	Houghton	Merritt
Anthony	Eagan	Howard	Miller
Aswell	Echols	Hudspeth	Mondell
Babka	Edmonds	Hull, Iowa	Moore, Va.
Bee	Elliott	Hull, Tenn.	Moores, Ind.
Benham	Elston	Husted	Mott
Bowers	Esch	Hutchinson	Nelson, Mo.
Brinson	Evans, Mont.	Ireland	Newton, Minn.
Brooks, Ill.	Ferris	James, Va.	Newton, Mo.
Brooks, Pa.	Fess	Jefferis	Nicholls
Burroughs	Fish	Johnson, Wash.	Nolan
Butler	Fisher	Jones, Pa.	Ogden
Caldwell	Freeman	Juul	Olney
Campbell, Pa.	French	Kearns	Osborne
Cannon	Fuller	Kelley, Pa.	Padgett
Cantrill	Gallagher	Kettner	Paige
Carter	Gard	Kiess	Park
Chindblom	Glynn	Kraus	Parker
Cleary	Godwin, N. C.	Langley	Patterson
Coady	Good	Lankford	Pell
Cole	Goodall	Larsen	Peters
Cooper	Goodykoontz	Lea, Calif.	Porter
Crago	Graham, Ill.	Lehlbach	Pou
Currie, Mich.	Green, Iowa	Luce	Radcliffe
Curry, Calif.	Greene, Mass.	Lufkin	Raker
Dale	Greene, Vt.	Luhring	Ramseyer
Dallinger	Griffin	McAndrews	Reber
Darrow	Hadley	McArthur	Reed, N. Y.
Davis, Minn.	Harrison	McFadden	Reed, W. Va.
Davis, Tenn.	Hastings	McKenzie	Rhodes
Dempsey	Hays	McKinley	Robinson, N. C.
Dewalt	Hernandez	McLaughlin, Mich.	Robsion, Ky.
Dickinson, Iowa	Hersey	McLaughlin, Nebr.	Rodenberg
Drewry	Hickey	McPherson	Rogers
Dunbar	Hicks	Madden	Romjue
Dunn	Hill	Magee	Rowe
Dupré	Hoey	Mays	Rubey
Sanders, Ind.	Smith, Mich.	Timberlake	Welling
Sanders, N. Y.	Snell	Tinkham	White, Me.
Sanford	Stephens, Ohio	Valle	Winslow
Schall	Stiness	Volstead	Wood, Ind.
Scott	Summers, Wash.	Ward	Woods, Va.
Sells	Sumners, Tex.	Wason	Zihlman
Shreve	Taylor, Tenn.	Watson	
Small	Temple	Weaver	
Smith, Idaho	Tilson	Webster	

ANSWERED "PRESENT"—2.

Johnson, S. Dak. Knutson

NOT VOTING—112.

Andrews, Md.	Eagle	Kleczka	Riddick
Ashbrook	Ellsworth	Kreider	Riordan
Ayres	Emerson	Layton	Rowan
Bacharach	Evans, Nev.	Lazaro	Scully
Baer	Fields	Lonergan	Sears
Bell	Flood	Longworth	Siegel
Bland, Mo.	Focht	McCulloch	Sims
Britten	Fordney	McGlennon	Slemp
Browne	Ganly	McKeown	Smith, Ill.
Brumbaugh	Garner	McKinley	Smith, N. Y.
Burdick	Goldfogle	McLane	Smithwick
Burke	Goodwin, Ark.	Maher	Snyder
Candler	Gould	Mann, S. C.	Steele
Carew	Graham, Pa.	Mason	Stoll
Casey	Hamill	Mead	Strong, Pa.
Clark, Fla.	Hamilton	Moon	Sullivan
Clark, Mo.	Harreld	Mooney	Thomas
Classon	Hayden	Morin	Towner
Connally	Hulings	Mudd	Treadway
Copley	Jacoway	Neely	Upshaw
Costello	James, Mich.	O'Connor	Vare
Davey	Johnston, N. Y.	Perlman	Vestal
Denison	Kahn	Rainey, Ala.	Volk
Dickinson, Mo.	Kelley, Mich.	Rainey, Henry T.	Whaley
Donovan	Kendall	Rainey, John W.	Wheeler
Dooling	Kennedy, Iowa	Randall, Calif.	Wilson, Ill.
Doughton	Kennedy, R. I.	Ransley	Wilson, Pa.
Drane	Kitchin	Reavis	Wise

So the motion to adjourn was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. JOHNSON of South Dakota (for) with Mr. KAHN (against).

Until further notice:

Mr. BRITTEN with Mr. CONNALLY.

Mr. DENISON with Mr. FIELDS.

Mr. FOCHT with Mr. FLOOD.

Mr. KENDALL with Mr. MCKEOWN.

Mr. SNYDER with Mr. LONERGAN.

Mr. JOHNSON of South Dakota. Mr. Speaker, I have a pair with the gentleman from California, Mr. KAHN, and I desire to withdraw my vote of "yea" and to vote "present."

Mr. KNUTSON. I desire to withdraw my vote and to vote "present." I am paired with the gentleman from Georgia, Mr. BELL.

The result of the vote was announced as above recorded.

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC. Is there not some quick way in which we can dispose of this legislation, so that we can take up the packers' bill?

The SPEAKER. That is not a parliamentary inquiry. The question is on the motion of the gentleman from Vermont [Mr. GREENE] to close debate.

The question being taken, on a division (demanded by Mr. CRAMTON) there were—ayes 134, noes 89.

Mr. CRAMTON. I demand tellers, Mr. Speaker.

Mr. GREENE of Vermont. I demand the yeas and nays.

The SPEAKER. The gentleman from Vermont demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 157, nays 140, answered "present" 4, not voting 127, as follows:

YEAS—157.

Ackerman	Crago	Flood	Houghton
Anthony	Currie, Mich.	Focht	Hudspeth
Aswell	Curry, Calif.	Freeman	Hull, Iowa
Babka	Dale	French	Hull, Tenn.
Barbour	Dallinger	Fuller	Husted
Bee	Darrow	Gallagher	Hutchinson
Benham	Davis, Minn.	Glynn	Ireland
Black	Davis, Tenn.	Godwin, N. C.	Jefferis
Bowers	Dempsey	Goodall	Johnson, Wash.
Brinson	Dickinson, Iowa	Goodykoontz	Jones, Pa.
Brooks, Ill.	Dunn	Green, Iowa	Juul
Brooks, Pa.	Dupré	Greene, Mass.	Kahn
Buchanan	Dyer	Greene, Vt.	Kearns
Burroughs	Echols	Griffin	Kelly, Pa.
Butler	Edmonds	Hadley	Kettner
Caldwell	Elliott	Harrison	Kraus
Campbell, Pa.	Elston	Hastings	Larsen
Cannon	Esch	Hernandez	Lea, Calif.
Cantrill	Evans, Mont.	Hersey	Lehlbach
Carter	Ferris	Hersman	Lufkin
Chindblom	Fess	Hickey	McAndrews
Cleary	Fish	Hicks	McFadden
Coady	Fisher	Hoey	McKenzie

McKinley	Ogden	Reed, W. Va.	Timberlake
McLaughlin, Mich.	Olney	Rhodes	Tinkham
McLaughlin, Nebr.	Osborne	Robsion, Ky.	Vaile
McPherson	Padgett	Rodenberg	Volstead
Madden	Paige	Rogers	Ward
Magee	Parker	Rowe	Wason
Mansfield	Patterson	Sabath	Watson
Martin	Pell	Sanders, N. Y.	Weaver
Mays	Peters	Sanford	Webster
Merritt	Porter	Scott	Welling
Miller	Pou	Shreve	White, Me.
Moore, Va.	Radcliffe	Smith, Idaho	Wilson, Ill.
Moores, Ind.	Raker	Stephens, Ohio	Winslow
Mott	Ramseyer	Stiness	Wood, Ind.
Newton, Minn.	Randall, Wis.	Summers, Wash.	
Newton, Mo.	Reber	Temple	
Nicholls	Reed, N. Y.	Tilson	

NAYS—140.

Almon	Fairfield	McLeod	Sisson
Anderson	Fields	MacGregor	Smith, Mich.
Andrews, Nebr.	Foster	Major	Smithwick
Bankhead	Gallivan	Mapes	Steagall
Barkley	Gard	Michener	Stedman
Begg	Garrett	Milligan	Steenerson
Benson	Graham, Ill.	Minahan, N. J.	Stephens, Miss.
Bland, Ind.	Griest	Monahan, Wis.	Stevenson
Bland, Va.	Hardy, Colo.	Moore, Ohio	Strong, Kans.
Boies	Hardy, Tex.	Murphy	Sumners, Tex.
Bowling	Haugen	Nelson, Mo.	Sweet
Box	Hawley	Nelson, Wis.	Swindall
Brand	Hoch	O'Connell	Tague
Briggs	Huddleston	Oldfield	Taylor, Ark.
Byrnes, S. C.	Humphreys	Oliver	Taylor, Colo.
Byrns, Tenn.	Igoe	Overstreet	Taylor, Tenn.
Campbell, Kans.	James, Va.	Park	Thompson
Caraway	Johnson, Ky.	Parrish	Tillman
Carss	Johnson, Miss.	Purnell	Tincher
Christopherson	Johnson, S. Dak.	Quin	Venable
Cole	Jones, Tex.	Rainey, Henry T.	Vinson
Collier	Keller	Ramsey	Voigt
Connally	Kincheloe	Rayburn	Walsh
Cramton	King	Ricketts	Walters
Crisp	Kinkaid	Romjue	Welty
Cullen	Kreider	Rose	White, Kans.
Denison	Lanham	Rouse	Williams
Dent	Lankford	Rubey	Wilson, La.
Dominick	Lee, Ga.	Rucker	Woods, Va.
Doremus	Lesher	Sanders, Ind.	Woodyard
Dowell	Linthicum	Sanders, La.	Wright
Drewry	Little	Sells	Yates
Dunbar	Luhring	Sherwood	Young, N. Dak.
Eagan	McClintic	Sinclair	Young, Tex.
Evans, Nebr.	McDuffie	Sinnott	Zihlman

ANSWERED "PRESENT"—4.

Crowther	Knutson	Schall	Wingo

NOT VOTING—127.

Andrews, Md.	Evans, Nev.	Layton	Riddick
Ashbrook	Fordney	Lazaro	Riordan
Ayres	Frear	Lonergan	Robinson, N. C.
Bacharach	Gandy	Longworth	Rowan
Baer	Ganly	Luce	Scully
Bell	Garner	McArthur	Sears
Bland, Mo.	Goldfogle	McCulloch	Siegel
Blanton	Good	McGlennon	Sims
Britten	Goodwin, Ark.	McKeown	Slemp
Browne	Gould	McKinley	Small
Brumbaugh	Graham, Pa.	McLane	Smith, Ill.
Burdick	Hamill	Maher	Smith, N. Y.
Burke	Hamilton	Mann, Ill.	Snell
Candler	Harreld	Mann, S. C.	Snyder
Carew	Hayden	Mason	Steele
Casey	Hays	Mead	Stoll
Clark, Fla.	Hill	Mondell	Strong, Pa.
Clark, Mo.	Holland	Montague	Sullivan
Classon	Howard	Moon	Swope
Cooper	Hulings	Mooney	Thomas
Copley	Jacoway	Morin	Towner
Costello	James, Mich.	Mudd	Treadway
Davey	Johnston, N. Y.	Neely	Upshaw
Dewalt	Kelley, Mich.	Nolan	Vare
Dickinson, Mo.	Kendall	O'Connor	Vestal
Donovan	Kennedy, Iowa	Perlman	Volk
Dooling	Kennedy, R. I.	Phelan	Watkins
Doughton	Kiess	Rainey, Ala.	Whaley
Drane	Kitchin	Rainey, John W.	Wheeler
Eagle	Kleczka	Randall, Calif.	Wilson, Pa.
Ellsworth	Lampert	Ransley	Wise
Emerson	Langley	Reavis	

So the motion to close debate was agreed to.

The following additional pairs were announced:

Mr. HOWARD (for) with Mr. WINGO (against).

Mr. HILL (for) with Mr. CROWTHER (against).

General pairs:

Mr. FREAR with Mr. BLANTON.

Mr. COOPER with Mr. PHELAN.

Mr. GOOD with Mr. DEWALT.

Mr. MANN of Illinois with Mr. MONTAGUE.

Mr. HAYS with Mr. HOLLAND.

Mr. MONDELL with Mr. WATKINS.

Mr. KLECZKA with Mr. ROBINSON of North Carolina.

Mr. KIESS with Mr. MCLANE.

Mr. LAMPERT with Mr. RAINEY of Alabama.

Mr. LANGLEY with Mr. SCULLY.

Mr. LUCE with Mr. BLAND of Missouri.

Mr. MCARTHUR with Mr. HAMILL.

Mr. NOLAN with Mr. BRUMBAUGH.

Mr. SNELL with Mr. SCHALL.

Mr. SWOPE with Mr. NEELY.

Mr. WINGO. Mr. Speaker, I am paired with the gentleman from Oklahoma, Mr. HOWARD, and I withdraw my vote of "no" and answer "present."

Mr. BLANTON. Mr. Speaker, I wish to vote.

The SPEAKER. Was the gentleman present and listening when his name should have been called?

Mr. BLANTON. No; I think I must have been in the corridor.

The SPEAKER. The gentleman does not qualify.

Mr. SCHALL. Mr. Speaker, I wish to withdraw my vote of "no" and answer "present." I am paired with the gentleman from New York, Mr. SNELL.

The result of the vote was announced as above recorded.

Mr. CRAMTON. Mr. Speaker, I move that the motion of the gentleman from Vermont be laid on the table.

The SPEAKER. The Chair does not think that that motion is in order.

Mr. BARKLEY. Mr. Speaker, I move that the further consideration of the bill be indefinitely postponed.

The SPEAKER. But the previous question has been ordered.

Mr. BARKLEY. On the motion to close debate, but not on the motion to go into Committee of the Whole.

Mr. CRAMTON. Mr. Speaker, in connection with the motion I have made, it was based on the fact that the motion for the previous question had not been made except on the motion to close debate. A request for a division of the question was made by the gentleman from Mississippi before we voted on the previous question, and the vote on the previous question was only with reference to that part of the motion. It was my understanding that the way would then be open for the other motion, the preferential motion to lay it on the table.

Mr. WALSH. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The motion of the gentleman from Vermont now pending is that the House resolve itself into Committee of the Whole House on the state of the Union. That motion is not in order after the Committee of the Whole House has reported to the House that it has come to no resolution on the measure, which has been considered in Committee of the Whole.

The SPEAKER. The Chair does not see any basis for the gentleman's statement.

Mr. WALSH. This is not a Union Calendar bill. We resolved ourselves into Committee of the Whole House, and now the motion is that we resolve ourselves into Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair did not understand the motion that way.

Mr. WALSH. I think the gentleman from Vermont will admit that the motion he made was to go into Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair was not aware of it.

Mr. WALSH. And the Chair stated it in that form.

The SPEAKER. The Chair will not pretend to remember as to that, but he did not suppose so.

Mr. GREENE of Vermont. Mr. Speaker, I did make the motion in that language, and I ask now to amend the motion, as I have a right in the House to do. I had in mind to resolve ourselves into committee from which we had just emerged and expected to use that language.

Mr. CRAMTON. If the previous question has been ordered on his motion to go into committee, the gentleman can not move to amend; and if it has not been ordered, my motion to lay on the table is in order and has preference.

Mr. GREENE of Vermont. I repeated the usual formula, but used unnecessary words. I had in mind the committee from which we had just emerged, but a Member has a right to amend his motion.

The SPEAKER. The gentleman has a right to amend before the previous question is ordered.

Mr. CRAMTON. Mr. Speaker, in view of the unfortunate situation we are in, and to give the gentleman time, I move that the House do now adjourn.

Mr. MONDELL. That is dilatory.

The SPEAKER. The Chair thinks it is dilatory.

Mr. JOHNSON of South Dakota. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of South Dakota. It is not the duty of the Chair to assist the gentleman from Vermont out of his unfortunate predicament, is it?

Mr. GREENE of Vermont. The gentleman from Vermont has not asked the Speaker to take him out of any predicament. The

gentleman from Vermont is quite aware of the motion that he made.

Mr. CRAMTON. More than that, Mr. Speaker, the gentleman from Vermont can not take himself out of his predicament.

Mr. GREENE of Vermont. Yes, he can; because he moved the previous question on the second part of his motion.

Mr. CRAMTON. Then that substantiates what I have been urging to the Chair.

Mr. GREENE of Vermont. I am not debating that with the gentleman.

Mr. CRAMTON. That being true, we are in agreement.

The SPEAKER. The Chair understood that the previous question was ordered on both motions.

Mr. BARKLEY. Mr. Speaker, may I refresh the Chair's recollection about that?

The SPEAKER. Certainly.

Mr. BARKLEY. When we got back into the House from the Committee of the Whole House, the gentleman from Vermont moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill, and pending that motion, he moved then to close debate, and on that motion he moved the previous question, and it was upon ordering the previous question upon the motion to close debate that we voted upon the previous question.

The SPEAKER. And not upon both motions?

Mr. BARKLEY. Not upon both.

Mr. GREENE of Vermont. Mr. Speaker, that is a correct statement of the situation.

The SPEAKER. If that is correct, then the previous question has been ordered only upon the motion to close debate. There is no reason for ordering it on the motion to go into committee.

Mr. GREENE of Vermont. If the Chair will permit, I also desire to call the attention of the Chair to the practice long standing in the House which permits a motion made in mistake of language to be corrected upon the floor. The formulas of this House are repeated over and over——

The SPEAKER. If the gentleman from Kentucky is correct, then the previous question has been ordered on the motion to close debate.

Mr. CRAMTON. Yes; and my motion to lay upon the table is in order and is now pending.

Mr. McCLINTIC. Mr. Speaker, I move that the House do now adjourn.

Mr. BARKLEY. Does the Chair rule that the motion of the gentleman from Michigan to lay on the table is in order?

The SPEAKER. At first blush the Chair would say that it is.

Mr. WINGO. Mr. Speaker, I wish to call the attention of the Chair to the fact that led us into this dilemma. The motion to close debate was predicated upon the motion to go into the Committee of the Whole House on the state of the Union. Personally, I think the gentleman ought to be permitted to change his motion.

The SPEAKER. He certainly could change it if the previous question has not been ordered.

Mr. WINGO. I think the House ought to give him unanimous consent, or if that be not granted then he could withdraw his motion, and the Chair could recognize him to make the original motion that the House resolve itself into the Committee of the Whole House.

The SPEAKER. The Chair thinks that the motion of the gentleman from Michigan [Mr. CRAMTON] to lay upon the table is not in order, unless he can cite authority to the contrary. Has the gentleman any authorities to cite the Chair? The Chair would be very glad to hear them.

Mr. CRAMTON. I am just trying to find them. I had them a few minutes ago, but pending that, in order to permit me to find some authority, and the gentleman from Vermont to find some authority, I move that the House do now adjourn.

The SPEAKER. The Chair thinks that is dilatory.

Mr. CRAMTON. I submit to the Speaker that the situation is a little unusual. We have now spent 5 or 10 minutes trying to find out where we are at, and it rather saves the situation.

Mr. GREENE of Vermont. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GREENE of Vermont. Following the long practice of the House, I repeated——

Mr. WALSH. Mr. Speaker, has the Chair ruled upon the point of order, and are any motions affecting the matter in order at all until the point of order has been disposed of?

The SPEAKER. To what point of order does the gentleman refer?

Mr. WALSH. Is the point of order which I made still pending, or has it been disposed of?

The SPEAKER. The Chair understood the gentleman to call attention to a fact which the Chair was not aware of. The Chair is satisfied from what has been stated that the gentleman from Massachusetts is correct. What is the point of order that the gentleman made, based upon that?

Mr. WALSH. The point of order is that the motion of the gentleman from Vermont has made is not in order upon this measure, which has already been considered in Committee of the Whole House.

The SPEAKER. The Chair thinks that is correct.

Mr. GREENE of Vermont. Mr. Speaker, before any ruling is made, may I make a statement? Following the long practice of the House, I intended to make the motion in its usual parliamentary form, but I misstated it, and had started to correct it when the Speaker went on to repeat the motion and to proceed with the business of the House, assuming that it was made in its correct form, because we had emerged from the committee which I intended to name, and into which we would go back if we went back at all. Therefore I supposed that the matter had been passed over as a usual slip of the tongue is and that no more attention was paid to it.

The SPEAKER. The Chair thinks the gentleman has now the right to modify his motion.

Mr. GREENE of Vermont. Then I ask to modify it—to state it in the correct terms.

Mr. ANDREWS of Nebraska. Mr. Speaker, I object.

Mr. GREENE of Vermont. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House, and on that motion I move the previous question.

The SPEAKER. The gentleman from Vermont, the Chair understands, has withdrawn his motion and so modified it that the motion is now that the House resolve itself into the Committee of the Whole House.

Mr. ANDREWS of Nebraska. Can he do that?

The SPEAKER. The Chair thinks he has the right to do that in spite of objection.

Mr. CRAMTON. Mr. Speaker, there being nothing now before the House, I move that the House do now adjourn.

The SPEAKER. The gentleman is mistaken; there is a motion pending before the House.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. Following the motion of the gentleman from Michigan to lay on the table the original motion of the gentleman from Vermont, I was recognized to move that the further consideration of this measure be indefinitely postponed, which is a preferential motion. What is the status of that?

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will wait. The Chair thinks the motion of the gentleman from Kentucky [Mr. BARKLEY] is not in order.

Mr. BEGG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. There can not be so many pending at one time. The Chair presumes the gentleman relies upon Rule XVI, clause 4?

Mr. BARKLEY. Yes.

The SPEAKER (reading)—

When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question.

Now, the motion to go into the committee is not a question of debate.

Mr. BARKLEY. Then does the Chair hold where the House must resolve itself into the Committee of the Whole in order to debate a question that in the House it is not in order at any time to move to postpone indefinitely the consideration of the bill?

The SPEAKER. The Chair thinks so.

Mr. BARKLEY. Surely the Chair does not——

Mr. WINGO. Mr. Speaker, I make the point of order that the gentleman from Massachusetts having insisted on his point of order and being sustained, that it does away with both the motion of the gentleman from Michigan and the gentleman from Kentucky, because they are predicated upon a motion which the gentleman from Vermont has abandoned. The gentleman from Vermont has now made a motion to go into the Committee of the Whole, and on that he has demanded the previous question. That is the only motion that is in order, because the previous question shuts out all other motions.

The SPEAKER. That is exactly——

Mr. WINGO. That is the situation now.

Mr. GREENE of Vermont. Mr. Speaker, may I supplement that with this plain matter-of-fact statement?

The SPEAKER. The gentleman can by unanimous consent.

Mr. GREENE of Vermont. It is very plain, Mr. Speaker——

Mr. ANDERSON. Mr. Speaker, I make the point of order that it is not debatable.

The SPEAKER. The Chair will hear the gentleman from Vermont on the point of order.

Mr. WALSH. Mr. Speaker, I make a point of order.

The SPEAKER. The Chair will hear the gentleman from Massachusetts on the point of order.

Mr. WALSH. I make the point of order that pending the motion that the gentleman from Vermont originally made, the House having voted to close debate upon the matter on which he moved to resolve the House into the Committee of the Whole House on the state of the Union, that that action of the House will not now be in force under another motion, namely, to consider the matter in the Committee of the Whole House.

Mr. CRAMTON. That is just the point I desired to bring to the Speaker's attention.

The SPEAKER. The Chair is disposed to think that the gentleman's point is well taken.

Mr. GREENE of Vermont. May I be heard?

The SPEAKER. The Chair will hear the gentleman.

Mr. GREENE of Vermont. I made the usual motion after the ordinary practice of the House and misstated it by the addition of words. I attempted to correct it at once, but the proceedings were taken up as they were. It is manifest the Chair understood the motion as I intended it, and being aware that day after day, and day after day——

Mr. CRAMTON. Mr. Speaker, I make the point of order that debate is not in order.

The SPEAKER. The gentleman is not debating. The Chair has control of the time on a point of order.

Mr. GREENE of Vermont. Day after day when gentlemen on the floor stated a motion in language which is palpably inaccurate the Chair has as a matter of practice restated it in proper form, and it is obvious to everybody who listened that the intent was to state it in the proper form. We had emerged from the Committee of the Whole House and it was only to that committee we could return. It is obvious that was the intention of the motion, and because of a palpable error in the statement of my motion I understood the Chair quickly to recognize that fact, and being aware of it put it in its proper form. Now, I did not suppose I had lost rights under a practice which is common in this House and which simply depends upon somebody taking a technical advantage of what was a palpable error. It is very manifest I could not make the motion that I am reported to have made; it would be of no avail, and yet the House accepted it and has been acting under it all this time with intervening business of roll calls.

Everybody in the House had an exact notice of the motion as it was intended, but at this eleventh hour somebody comes in and states the palpable error in the original motion. The point of order comes too late.

Mr. CRAMTON. Mr. Speaker, I rise to a point of order.

Mr. HUSTED. Mr. Speaker, a parliamentary inquiry.

Mr. CRAMTON. Have I recognition, Mr. Speaker?

The SPEAKER. The gentleman from Michigan is recognized.

Mr. CRAMTON. All the gentleman from Vermont [Mr. GREENE] urges has been passed upon by the Speaker. He has ruled that the former motion to go into committee was a nullity and that the former motion was so complete a nullity that it would not sustain the motion of the gentleman from Kentucky [Mr. BARKLEY] or the motion that I have made. Being a nullity, the latter motion to limit debate, a motion that could only be made with a proper motion to go into committee pending, the motion then to limit debate also was a nullity. And now the gentleman, with the consent of the House or otherwise, starts all over again. He makes his new motion now to go into committee in proper form, and if he desires he can move to limit debate, and the House can pass upon the question.

Mr. GREENE of Vermont. May I ask, if the gentleman please, if he means to be understood that during the last hour and a half the House has misunderstandingly acted on a nullity?

Mr. HUSTED. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUSTED. Is it not always, Mr. Speaker, within the province of the Chair to correct a palpable error which is one of form only, and, if that is so, is not that situation applicable to the motion of the gentleman from Vermont [Mr. GREENE]? The gentleman from Vermont moved to go into Committee of the Whole House on the state of the Union. It is perfectly plain that such a motion would not lie; that that was not the motion intended by the gentleman from Vermont, because the House in Committee of the Whole House had already been considering the bill in the Committee of the Whole House. And it seems to me that is really a matter of form only, a mere technical error, which the Chair could correct of his own motion.

Mr. WALSH. Will the gentleman yield?

Mr. HUSTED. I will.

Mr. WALSH. Does the gentleman contend that after the House has acted upon some subsidiary or incidental motions, it is then within the power of the Speaker to correct what the gentleman who made the motion admits was an error?

The SPEAKER. The Chair has already ruled upon that.

Mr. BEGG. Mr. Speaker, I move we adjourn. [Cries of "Regular order!"] I withdraw that motion, Mr. Speaker.

The SPEAKER. The facts are these: The gentleman from Vermont [Mr. GREENE], it is admitted, instead of moving, as he intended, that the House resolve itself into Committee of the Whole, moved that the House resolve itself into the Committee of the Whole House on the state of the Union. The Chair certainly did not notice that, and presumes very few persons did notice it; but it has been admitted, and the Chair has already ruled that that was invalid, and the gentleman has withdrawn the motion and offered a new motion, on which he has moved the previous question. Now, the point is raised: Is the motion which the gentleman made, that debate upon this bill be closed, also invalid, because it was predicated upon the previous inaccurate motion? Everyone will admit that there was no deceit upon the House; that the House was not misled; and that nobody lost any rights by the mistake of the gentleman which probably very few noticed, and which certainly influenced no one's vote.

The Chair thinks that the motion to close debate which was made and voted upon by the House was not so dependent upon the original erroneous statement that he made as to be invalid because the original one was a mistake. And the Chair holds that the House has voted to close debate on this bill. Now, the gentleman moves that the House resolve itself into Committee of the Whole, and on that he moves the previous question.

Mr. WALSH. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WALSH. I make the point of order that the motion of the gentleman from Vermont [Mr. GREENE] is not in order, he having previously made a motion upon which a point of order was made, and it has been sustained, and that it is not now in order for him to renew a motion for the further consideration of this bill, notwithstanding the fact that the House has, pending action upon the original motion, voted to fix debate; that he can not now, after the House has voted to fix debate, make another motion to consider the bill in another manner, under a separate motion from the original motion.

The SPEAKER. The Chair overrules that point of order. It is a custom to move to close debate pending a motion to go into Committee of the Whole, but the Chair does not see that one is so dependent on the other that an error in one invalidates the other.

Mr. CRAMTON. Will the Speaker permit?

The SPEAKER. Certainly.

Mr. CRAMTON. If the Speaker is still willing to hear just a suggestion as to the status, I wish to say that the gentleman from Vermont made a motion to go into committee, and then pending that made a motion which he could not have made except a motion to go into committee was pending. That was to limit debate. The House voted to limit debate. Now supposing, Mr. Speaker——

The SPEAKER. Where does the gentleman get his authority for saying that he could not have made the motion unless the other was pending?

Mr. CRAMTON. That is my understanding.

The SPEAKER. The Chair does not so understand it.

Mr. CRAMTON. Supposing that the House then voted down the motion to go into Committee of the Whole; would that limitation of debate carry over to some time in the distant future?

The SPEAKER. That is a question to be decided when the case arises. The Chair sees no reason why it should not.

Mr. CRAMTON. I was urging this: Logically the motion to limit debate could only be made while a motion was pending to go into committee.

The SPEAKER. The Chair is not aware of that.

Mr. CRAMTON. If the motion to go into committee is lost, then the closing of debate would fall with it, and the situation is the same when the motion to go into committee fails for any other reason.

Mr. GREENE of Vermont. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GREENE of Vermont. In the event that a motion is unintentionally misstated, but in language sufficient to convey to the House the obvious meaning and intent, and the situation

itself obviously suggesting it, and a roll call takes place afterwards, is it in order to make a point of order on the original motion, or has the Member lost his day in court?

The SPEAKER. That has already been ruled on.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The gentleman from Vermont having made a motion for the previous question, is there not 20 minutes' debate on a side?

The SPEAKER. There is not. The question is on the motion of the gentleman from Vermont [Mr. GREENE] that the previous question be ordered.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CRAMTON. A division, Mr. Speaker.

Mr. BEGG. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. A division is demanded. The question is on ordering the previous question.

The question was taken.

The SPEAKER. On this votes the ayes are 107——

ADJOURNMENT.

Mr. GREENE of Vermont. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Vermont moves that the House do now adjourn. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned, pursuant to the order previously made, until tomorrow, Saturday, February 19, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV,

417. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Turtle Bayou, Tex. (H. Doc. No. 1010), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with map.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14492) to authorize the Secretary of the Treasury to release the St. Louis & San Francisco Railway Co. from reconstructing its highway and approaches across its bridge at Memphis, Tenn., reported the same with amendments, accompanied by a report (No. 1337), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WHITE of Kansas, from the Committee on the Public Lands, to which was referred the bill (H. R. 15861) to confirm private claim 61, in the township of Ecorse, Wayne County, Mich., reported the same with an amendment, accompanied by a report (No. 1335), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

The SPEAKER (by request): Memorial of the Legislature of the State of Oregon, favoring legislation to require marking of percentages of wool in fabrics; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Memorial of the Legislature of Massachusetts, favoring the creation or designation of some agency of the Federal Government with full power to ascertain facts and disseminate information and to regulate and control the production, sorting, grading, transportation, and distribution of coal to the several States to secure so far as possible a sufficient supply of coal of good quality at reasonable prices to the consumers in the several States; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon, urging Congress to pass laws that will require every manufacturer or handler or seller of woolen fabrics and woolen garments to place a tag thereon stating the exact percentage of virgin wool and also how much and what other materials enter into such cloth; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Oregon, urging a survey of the port of Port Orford with a view of building a breakwater or jetty for said port; to the Committee on Rivers and Harbors.

By Mr. TOWNER: Memorial of the Legislature of the Territory of Porto Rico, urging the extension and development of their present system of government under democratic principles; to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DALE: A bill (H. R. 16123) granting a pension to Charles Frizzell; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 16124) for the relief of Gilbert Smith Galbraith, a commander on the active list of the United States Navy; to the Committee on Naval Affairs.

By Mr. EAGAN: A bill (H. R. 16125) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; to the Committee on the Judiciary.

By Mr. GREENE of Vermont: A bill (H. R. 16126) granting a pension to Joseph Lambert; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5872. By Mr. BROOKS of Pennsylvania: Petition of citizens of Hanover, Pa., urging the passage of the Sheppard-Towner bill, H. H. 10925; to the Committee on Interstate and Foreign Commerce.

5873. By Mr. CLEARY: Petition of the Kings Highway Board of Trade and certain citizens of Brooklyn, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5874. By Mr. CRAMTON: Resolution of St. Clair Lodge, No. 14, International Shipmasters' Association, St. Clair, Mich., protesting against the passage of that part of Senate bill 4542 which provides for the transfer of the Hydrographic Office from the Navy Department to the Department of Commerce; to the Committee on Naval Affairs.

5875. Also, resolution of the Commercial Club, Lapeer, Mich., protesting against the recent ruling of Attorney General Palmer classifying butter as adulterated, and thereby subject to a 10-cent-per-pound revenue tax, if churned from cream the acidity of which has been partially neutralized with limewater to make efficient pasteurization possible; to the Committee on Ways and Means.

5876. Also, resolution of the board of delegates of the Michigan State Farm Bureau, protesting against the placing of a tariff on Canadian timber or lumber imported from Canada; to the Committee on Ways and Means.

5877. Also, protest of the members of Branch 403, Ladies' Catholic Benevolent Association, Port Huron, Mich., against the passage of the Smith-Towner bill; to the Committee on Education.

5878. Also, protest of the League of Catholic Women, of Mount Clemens, Mich., against the passage of the Smith-Towner bill; to the Committee on Education.

5879. By Mr. FESS: Petition of sundry citizens of Urbana, Ohio, urging the freedom of Ireland; to the Committee on Foreign Affairs.

5880. By Mr. FULLER: Petition of 96 citizens of Mendota, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5881. Also, petition of Hon. J. N. Francis and sundry other citizens of Morris, Ill., protesting against the passage of the Fess-Capper bills, S. 3950 and H. R. 12652; to the Committee on Education.

5882. Also, petition of the Merchants' Association of New York, opposing the $10,000,000 appropriation for the Muscle Shoals project; to the Committee on Agriculture.

5883. Also, petition of McNeil & Higgins Co., of Chicago, Ill., protesting against the passage of the cold-storage bill; to the Committee on Agriculture.

5884. Also, petition of the Chicago (Ill.) Railway Equipment Co., opposing the passage of the Federal live-stock and the Federal coal bills, S. 3944 and S. 4828; to the Committee on Agriculture.

5885. Also, petition of the Massachusetts Civic Alliance, of Boston, Mass., opposing the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5886. Also, petition of the Travelers' Protective Association of America, favoring an amendment of the income-tax laws to permit deduction of cost of meals and lodging, when traveling, from gross income; to the Committee on Ways and Means.

5887. By Mr. GREENE of Massachusetts: Petitions of 600 members of the Holy Name Society, 500 members of the Catholic Women's Club, 800 members of the Ancient Order of Hibernians, the Fall River Cathedral Holy Name Society, 600 members of the St. Peter and St. Paul Holy Name Society, 2,000 members of the Fall River Council, No. 86, Knights of Columbus, members of the Isabella Assumption Circle, No. 74, Rev. Francis Bradley, Cathedral Rectory, all of Fall River, Mass.; the Mansfield Council, No. 420, Knights of Columbus, of Mansfield, Mass.; and Monsignor James Coyle, pastor of St. Mary's parish, of Taunton, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5888. By Mr. HULINGS: Petition of St. Joseph's Society, residents of St. Marys, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5889. Also, petition of citizens of St. Marys, Pa., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5890. Also, petition of the Consumers' League of Eastern Pennsylvania, favoring the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5891. By Mr. KELLY of Pennsylvania: Petition of West Pittsburgh Lodge No. 74, Amalgamated Association of Iron, Steel & Tin Workers, favoring the removal of trade embargo against Russia; to the Committee on Foreign Affairs.

5892. Also, petition of Holy Rosary Church, of Pittsburgh, Pa., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5893. By Mr. O'CONNELL: Petition of the Merchants' Association of New York, urging the continuation of the passport office in New York City; to the Committee on Appropriations.

5894. Also, Petition of Federal Employees' Union, No. 412, St. Marks Place, New York City, favoring the $240 bonus for Federal employees; to the Committee on Appropriations.

5895. Also, petition of the American Engineering Council of the Federated American Engineering Societies, Washington, D. C., favoring the passage of H. R. 15662, known as the Nolan treaty patent bill; to the Committee on Patents.

5896. By Mr. RANDALL of Wisconsin: Petition of residents of Racine, Wis., requesting an amendment to the Volstead enforcement law permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

5897. By Mr. SANDERS of Indiana: Petition of Rev. William A. Maher and 300 others, protesting against the Smith-Towner bills (S. 1017 and H. R. 7); to the Committee on Education.

5898. By Mr. SANDERS of New York: Petitions of 116 women and 112 men, residents of Sheldon, Wyoming County, N. Y., in opposition to the so-called Smith-Towner bill; to the Committee on Education.

5899. By Mr. SMITH of Illinois: Petition of 64 citizens and voters of the seventeenth congressional district, urging an amendment to the prohibition laws that will restore light wines and beer under reasonable restrictions, and opposing the passage of the McKellar bill, known as the Sunday blue law bill; to the Committee on the Judiciary.

5900. By Mr. SNELL: Petition of sundry citizens of Tupper Lake, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5901. By Mr. STEENERSON: Petition of the Crookston Association of Public Affairs, Crookston, Minn., against the importation of eggs; to the Committee on Interstate and Foreign Commerce.

5902. By Mr. WATSON: Petition of the National Association of Wool Manufacturers, favoring temporary protective legislation; to the Committee on Ways and Means.

5903. By Mr. WOODYARD: Petitions of the Citizen's Building Association, of Parkersburg, W. Va., favoring change in the present tax laws; to the Committee on Ways and Means.

5904. By Mr. YOUNG of North Dakota: Petition adopted by the Lavern J. Thompson Post, American Legion, of Cavalier, N. Dak., favoring the enactment of legislation providing better hospital facilities, etc., for disabled war veterans; to the Committee on Appropriations.

5905. Also, petition of the German Catholic Societies of Richardton, N. Dak., remonstrating against the passage of the so-called Smith-Towner educational bill; to the Committee on Education.

5906. Also, petition of the Pierce County Farm Bureau, Rugby, N. Dak., remonstrating against a tariff duty on importations of lumber from Canada; to the Committee on Ways and Means.

5907. By Mr. YATES: Petition of E. K. Howe, of the Robert Dollar Co., New York, N. Y., favoring the passage of House bill 7204; to the Committee on the Judiciary.

5908. Also, petition of W. F. Burrows, of Illinois, protesting vigorously against House bill 15995; to the Committee on Agriculture.

5909. Also, petition of A. E. Keith, of Chicago, of the Automatic Electric Co., favoring the passage of House bill 15420; to the Committee on Ways and Means.

5910. Also, petition of D. O. Thompson, of Chicago, favoring the passage of the packer legislation; to the Committee on Agriculture.

5911. Also, petition of C. H. Bonnell, of Taylorville, Ill., favoring the passage of the Gronna packer bill; to the Committee on Agriculture.

5912. Also, petition of W. D. Anger, of Rockford, Ill., urging legislation concerning 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

5913. Also, petition of Mrs. Anna Koor, secretary of St. Monica's Society of St. Joseph's Church, Aurora, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5914. Also, petitions of W. H. La Boyteaux, of New York City, and the Freeport Chamber of Commerce, Freeport, Ill., C. A. Stelle, manager, protesting against the Federal live-stock bill and the Federal coal bill; to the Committee on Agriculture.

5915. Also, petition of C. A. Stelle, of the Freeport Chamber of Commerce, Freeport, Ill., favoring the increase in appropriations for the Bureau of Foreign and Domestic Commerce and for the Consular and Diplomatic Service; to the Committee on Appropriations.

5916. Also, petition of H. A. McCabe, of Streator, Ill., favoring the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 19, 1921.*

(Legislative day of Monday, February 14, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of New York certifying to the election of JAMES W. WADSWORTH, Jr., as a United States Senator for the term beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF NEW YORK,
EXECUTIVE CHAMBER.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d of November, 1920, JAMES W. WADSWORTH, Jr., was duly chosen by the qualified electors of the State of New York a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921.

Witness: Nathan L. Miller, governor, and the great seal hereto affixed at Albany, this 14th day of February, in the year of our Lord 1921.

NATHAN L. MILLER, *Governor.*
[SEAL.] JOHN J. LYONS,
Secretary of State.

SUPPLY OF COMMERCIAL FERTILIZER (S. DOC. NO. 410).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture in response to Senate resolution 435, January 26, 1921, transmitting a statement on the fertilizer situation prepared by Prof. Milton Whitney, Chief of the Bureau of Soils, etc., which was ordered to lie on the table.

Mr. FLETCHER subsequently said: The Secretary of Agriculture has submitted his report in response to Senate resolution 435, which I offered regarding fertilizer and the fertilizer situation. I ask that it may be printed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

CALL OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Culberson	Frelinghuysen	Heflin
Ball	Curtis	Gay	Henderson
Brandegee	Dial	Gerry	Jones, N. Mex.
Calder	Dillingham	Gooding	Jones, Wash.
Capper	Fernald	Gronna	Kellogg
Chamberlain	Fletcher	Harris	Kenyon
Colt	France	Harrison	King

Kirby	Moses	Simmons	Thomas
Knox	Nelson	Smith, Ga.	Townsend
La Follette	New	Smith, Md.	Trammell
Lenroot	Overman	Smith, S. C.	Underwood
Lodge	Phipps	Smoot	Wadsworth
McCumber	Pittman	Spencer	Williams
McKellar	Pomerene	Sterling	Willis
McLean	Ransdell	Sutherland	
McNary	Sheppard	Swanson	

Mr. BALL. I was requested to announce that the Senator from Washington [Mr. POINDEXTER], the Senator from Maine [Mr. HALE], the Senator from New Hampshire [Mr. KEYES], and the Senator from Montana [Mr. WALSH] are in attendance upon a hearing before the Committee on Naval Affairs.

The VICE PRESIDENT. Sixty-two Senators have answered to their names. There is a quorum present.

REFERENCE OF MILITARY NOMINATIONS.

Mr. WADSWORTH. Mr. President, the President of the United States has sent to the Senate nominations of a number of officers in the Army for transfer from one branch of the service to another. It affects no one above the grade of colonel and it involves no promotion; it merely permits officers to transfer from one branch to another. I ask unanimous consent that, as in open executive session, the nominations be referred to the Committee on Military Affairs.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

FEDERAL LAND BANK IN PORTO RICO.

Mr. McLEAN. Mr. President, House bill 8038 provides for the establishment of a branch Federal land bank in the island of Porto Rico and ought to be acted upon by the Senate and returned to the House at a very early date. The delay in the Senate has been due to the fact that the constitutionality of the Federal farm loan act is now being tested in the courts and the case is pending in the Supreme Court of the United States. Whether the act is held constitutional or not the bill should receive the approval of Congress in order that some relief may be granted to the people of Porto Rico in the event the validity of the act is sustained. Of course, if the act is held to be unconstitutional then no harm is done. There is no opposition to the bill that I know of. It has already passed the House, and I ask unanimous consent that the bill may be considered at this time.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico, which had been reported from the Committee on Banking and Currency with amendments.

The amendments were, on page 2, in line 5, to strike out the word "the" and insert the word "such"; in the same line, to strike out "of Springfield, Mass." and insert "as may be designated by the Federal Farm Loan Board"; in line 8, to strike out the word "designate" and insert the word "direct"; in line 10, to strike out the words "of the Federal land bank of Springfield" and insert the word "bank"; in line 14, to strike out the word "that" and insert the words "subject to such regulations as the Federal Farm Loan Board may prescribe"; in line 18, to strike out the words "of Springfield" and insert the words "with which such branch bank is connected"; in line 23, to strike out the words "of Springfield" and insert the words "with which it is connected"; on page 3, line 1, to strike out the word "the" and insert the word "such"; and, in the same line, to strike out the words "of Springfield," so as to make the bill read:

Be it enacted, etc., That paragraph 2 of section 4 of the act approved July 17, 1916, known as the Federal farm loan act, be amended to read as follows:

"The Federal Farm Loan Board shall establish in each Federal land bank district a Federal land bank, with its principal office located in such city within the district as said board shall designate. Each Federal land bank shall include in its title the name of the city in which it is located. Subject to the approval of the Federal Farm Loan Board, any Federal land bank may establish branches within the land bank district. Subject to the approval of the Federal Farm Loan Board and under such conditions as it may prescribe, the provisions of this act are extended to the island of Porto Rico; and such Federal land bank as may be designated by the Federal Farm Loan Board is hereby authorized to establish a branch bank at such point as the Federal Farm Loan Board may direct on the island of Porto Rico. Loans made by such branch bank, when so established, shall not exceed the sum of $5,000 to any one borrower and shall be subject to the restrictions and provisions of this act, except that such branch bank may loan direct to borrowers, and subject to such regulations as the Federal Farm Loan Board may prescribe the rate charged borrowers may be 1½ per cent in excess of the rate borne by the last preceding issue of farm loan bonds of the Federal land bank with which such branch bank is connected: *Provided, however,* That no loans shall be made in the island of Porto Rico to run for a longer term than 20 years.

"Each borrower through such branch bank shall subscribe and pay for stock in the Federal land bank with which it is connected in the sum of $5 for each $100 or fraction thereof borrowed; such stock shall be held by such Federal land bank as collateral security for the loan of the borrower; shall participate in all dividends; and upon full payment of the loan shall be canceled at par and proceeds paid to borrower, or the borrower may apply the same to the final payments on his loan."

Mr. GRONNA. Mr. President, may I ask the chairman of the committee if this will make any change in the law relating to the Federal Farm Loan Board?

Mr. McLEAN. It merely applies to the establishment of a branch bank in Porto Rico under regulations which may be prescribed by the Federal Farm Loan Board.

The VICE PRESIDENT. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

PETITIONS AND MEMORIALS.

Mr. HENDERSON presented a joint resolution of the Legislature of Nevada, which was referred to the Committee on Finance, as follows:

Assembly joint resolution memorializing the Senate of the United States for the passage of the bill to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes, commonly known and cited as the "World War adjusted compensation act," now designated as H. R. 14157, now pending before the Senate of the United States of America.

Whereas there is now before the Senate of the United States of America an act entitled "H. R. 14157," which is an act "to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes"; and

Whereas this act has passed the House of Representatives of the United States of America by large vote; and

Whereas this act is an endeavor to render to the veterans of the World War such belated compensation as may be rendered them for their devotion and sacrifices in the cause of democracy: Now, therefore, be it

Resolved by the Assembly of the State of Nevada (the Senate concurring), That we respectfully petition the Senate of the United States and the President of the United States of America to give this act, an act entitled "H. R. 14157," their immediate approval; and be it further

Resolved, That copies of this resolution, duly authenticated, be transmitted forthwith by the secretary of state to the President of the United States and to each of our United States Senators.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHAS. S. CHANDLER,
Speaker of the Assembly.
DANIEL E. MORTON,
Chief Clerk of the Assembly.

STATE OF NEVADA,
Department of State, ss:

I, George Brodigan, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 1, memorializing the Senate of the United States for the passage of the bill to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes, commonly known and cited as the "World War adjusted compensation act," now designated as H. R. 14157, now pending before the Senate of the United States of America, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State, at my office in Carson City, Nev., this 1st day of February, A. D. 1921.

[SEAL.]

GEORGE BRODIGAN,
Secretary of State.
By R. B. BURRIS,
Deputy.

Mr. HENDERSON presented a joint resolution of the Legislature of Nevada, which was ordered to lie on the table, as follows:

Assembly joint resolution memorializing the Congress of the United States of America for the passage of the bills authorizing appropriations to provide the proper care and services for the disabled veterans of the World War as hereafter designated.

Whereas there are now pending before the Congress of the United States the following bills: France bill (S. 4357) and the Langley bill (H. R. 14315) providing for the proper hospitalization facilities for the care of the disabled veterans of the World War; and

Whereas there is pending before the Congress of the United States the Stevenson bill (H. R. 10385) providing for the retirement of disabled emergency or Reserve Corps officers on the same basis as that granted to officers of the Regular Army; and

Whereas there is pending before the Congress of the United States the Wason bill (H. R. 13558) designated "An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance and of further amending and modifying the war-risk insurance act as amended"; and

Whereas there is pending before the Congress of the United States the Rogers bill (H. R. 14961) to establish in the Interior Department a bureau of veteran reestablishment, and for other purposes; and

Whereas all of the above bills aim to provide for the proper care and service of the disabled veterans of the World War; and

Whereas for that reason they are of paramount importance and their immediate passage is necessary to relieve the unfortunate condition of the disabled veterans: Therefore be it

Resolved by the Assembly of the State of Nevada (the Senate concurring), That the Congress of the United States be, and it is hereby, memorialized and requested to take immediate action on said bills; and be it further

Resolved, That copies of this resolution, duly authenticated, be forthwith transmitted by the secretary of state to the President of the United States, to each of our United States Senators, and to our Representative in Congress.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHAS. S. CHANDLER,
Speaker of the Assembly.
DANIEL E. MORTON,
Chief Clerk of the Assembly.

STATE OF NEVADA,
Department of State, ss:

I, George Brodigan, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 2, memorializing the Congress of the United States of America for the passage of the bills authorizing appropriations to provide the proper care and services for the disabled veterans of the World War as hereafter designated, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State at my office in Carson City, Nev., this 1st day of February, A. D. 1921.

[SEAL.]

GEORGE BRODIGAN,
Secretary of State.
By R. P. BURRIS, *Deputy.*

Mr. HALE presented a petition of the Women's Educational Club, of Rockland, Me., praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. KNOX presented a petition of sundry citizens of Chester and Delaware Counties, Pa., praying for a reduction in appropriations for military and naval purposes to a fractional part of the amounts asked for by the War and Navy Departments, and also for the passage of the so-called Borah resolution for a naval holiday, which was referred to the Committee on Naval Affairs.

He also presented memorials of Philip J. Scholl, president of the Men's Conference of St. Augustine Parish, of Pittsburgh; sundry members of St. Joseph's Holy Name Society, of Downingtown; sundry members of St. Joseph's Sodality, of Downingtown; sundry citizens of St. Marys; Branch No. 177, Knights of St. George, of Philadelphia; sundry citizens of Wyomissing and West Reading; sundry members of St. Marys Borough and Benzinger Township; of St. Joseph's Society, of St. Marys; and sundry citizens of Pittsburgh, all in the State of Pennsylvania, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of the city council of the city of Philadelphia, Pa., urging that the President and Congress of the United States be requested to select Independence Square, Philadelphia, as the place of burial of one of America's unknown dead who made the supreme sacrifice during the World War, which was referred to the Committee on Military Affairs.

Mr. CAPPER presented resolutions of Farmers' Union No. 3642, of Marmaduke, Ark., and stockholders of the Equity Supply Co., of Kalispell, Mont., favoring legislation prohibiting gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of St. Joseph Reading Society, of Victoria, Kans., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. MYERS presented a memorial of sundry citizens of Park County, Mont., remonstrating against a proposed increase in the duty on wrapper tobacco, which was referred to the Committee on Finance.

Mr. WILLIS presented memorials of the Stonelick Catholic Men's Society and the Stonelick Catholic Women's Society, of Batavia, and sundry members of St. John's Men Society of St. Catherine's Parish, of Cincinnati, both in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of the Six United Presbyterian Congregations of Cleveland, Ohio, protesting against recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

FORTIFICATIONS APPROPRIATIONS.

Mr. SMOOT, from the Committee on Appropriations, reported with amendments the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1922, and for other purposes, and submitted a report (No. 806) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5027) for the relief of E. O. Brown; to the Committee on Public Lands.

By Mr. WADSWORTH:

A bill (S. 5028) for the relief of Thomas A. Price; and

A bill (S. 5029) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918; to the Committee on Military Affairs.

COLORADO RIVER IMPROVEMENT.

Mr. PITTMAN introduced a bill (S. 5026) to promote the utilization and disposition of the waters of the Colorado River for irrigation and power uses, and for other purposes, which was read twice by its title.

Mr. PITTMAN. Mr. President, I request that the bill introduced by me and also the report of the Nevada Commission on Colorado River Development may be printed in the RECORD, so that they may be read, and that the bill be referred to the Committee on Public Lands. This bill is introduced by me on behalf of Senators from the Western States who are interested in the Colorado River development.

The bill was referred to the Committee on Public Lands, and it and the accompanying report were ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That a joint commission, to be composed of representatives of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, and of the United States Reclamation Service and Federal Power Commission, is hereby authorized and constituted for the purpose of negotiating and entering into an arrangement or agreement between the said States, and between said States and the United States, respecting the further utilization and disposition of the waters of the Colorado River and streams tributary thereto, in fixing and determining the rights of said States and of the United States in and to the use, benefit, and disposition of the waters of said stream: *Provided*, That any arrangement or agreement so entered into by the representatives of said States and of the United States shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified and approved by the legislature of each of said States and by the Congress of the United States.

REPORT OF NEVADA COMMISSION ON COLORADO RIVER DEVELOPMENT.

HON. EMMET D. BOYLE,
Governor, Carson City, Nev.

DEAR SIR: Your commission, appointed to study questions relating to the development of the Colorado River, beg leave to report as follows:

We have held two meetings in Las Vegas, called by Col. J. G. Scrugham, chairman of the commission. At the first meeting, held November 9, 1920, the commission organized as follows: Col. J. G. Scrugham, chairman; Ed. W. Clark, vice chairman; Charles P. Squires, secretary.

A program of work to be undertaken was adopted as follows:

1. To collect information on the various plans under consideration for the storage of water and the development of electrical energy in Boulder Canyon, or such other suitable sites as may be found.
2. To report to the governor on such matters of legislation as may be deemed necessary in relation to such projects.
3. To formulate such measures for legislative action as may be deemed necessary to secure to the people of Nevada all possible benefits from such enterprises.
4. To give the moral support and assistance of the State, by any means deemed wise, to the Reclamation Service of the United States, or to any other public or private enterprise which may desire to undertake development projects in Nevada along the Colorado River.
5. To cooperate with other States lying within or partly within the Colorado River basin in arriving at an agreement as to the use of the waters of the Colorado River for irrigation and power development purposes.

REPORT ON BENEFITS TO NEVADA.

A. IRRIGATION OF LANDS AND FLOOD PROTECTION.

It is estimated that there are several thousand acres of rich land lying along the bottoms of the Colorado River basin within the State of Nevada, which, if protected from floods, would be valuable for the growing of alfalfa, cotton, fruits, and other products suited to a semitropic climate. The development of such lands would add substantially to the taxable property of Clark County.

B. DEVELOPMENT OF POWER.

The development of a great amount of electrical energy on the Colorado River would result in the following permanent benefits:

1. Electrification of the Los Angeles & Salt Lake Railroad, requiring the practical reconstruction of the road and the employment through several years of a large number of men. Such reconstruction for electrical operation would give the railroad a largely increased valuation for taxation.
2. Cheap electricity for public and private uses in southern Nevada, with the resultant encouragement of all enterprises requiring power. In this subject we may mention the development of agriculture in the Las Vegas Valley through cheap power for pumping the surface waters for irrigation.
3. Cheap power for the mines of southern and eastern Nevada, which would result in the development and operation of many properties which now lie dormant because of the prohibitive cost of power. Power from Boulder Canyon would be available for the operation of mines at Ely, Pioche, Searchlight, Eldorado Canyon, Goodsprings, and other camps.

C. INCIDENTAL BENEFITS OF CONSTRUCTION OPERATIONS.

The building of great works on the Colorado River, electrifying the railroad, and the building of power lines would bring the employment of many men for several years to Clark County. It is believed that the population of Clark County would be multiplied several times by such activity, that the city of Las Vegas would become an important

business center, and that the entire State would profit through the greater amount of taxable property which would be created, as well as by the permanent manufacturing and business enterprises which would result.

SECOND MEETING OF COMMISSION.

At the second meeting of the commission, held December 9, 1920, an act was outlined to give official standing to the commission, provide for its necessary expenses, and enable it to protect the interests of the State of Nevada, and to secure to the people of the State the greatest possible benefits from any contemplated development. A copy of such proposed act is herewith submitted for your consideration.

The impelling motive for the construction of the proposed Boulder Canyon project, the cost of which has been roughly estimated at $50,000,000, is furnished by the needs of southern California, and the financing will in all probability come from that source. It may be said that Nevada will benefit only incidentally by reason of the fact that the proposed site is within the State. Nevertheless, there will accrue to Nevada large benefits and a greatly increased prosperity if her natural right to share in the benefits of such development made within her borders is properly safeguarded. It appears absolutely essential that the State of Nevada shall be represented by a commission having definite duties and powers in this matter.

Respectfully submitted.

NEVADA COMMISSION ON COLORADO RIVER DEVELOPMENT.
By CHARLES P. SQUIRES, *Secretary*.

An act creating a commission to be known as the Colorado River Development Commission of Nevada, defining its powers and duties, and making an appropriation for the expense thereof.

The people of the State of Nevada, represented in senate and assembly, do enact as follows:

SECTION 1. A commission is hereby created to be known as the Colorado River Development Commission of Nevada, to consist of the State engineer of the State of Nevada and six other members, to be appointed by the governor. A majority of the said commissioners shall constitute a quorum for the transaction of business. Within 30 days after the passage and approval of this act the governor shall appoint said commissioners, and they shall hold office for a term of four years, or until their successors are appointed and qualified. Any vacancy shall be filled by appointment by the governor.

SEC. 2. The said commissioners shall have the following qualifications: They shall each be citizens of the State of Nevada, have a general knowledge of the development of the Colorado River and its tributaries within the State of Nevada, but at no time shall there be more than four of said commissioners members of the same political party.

SEC. 3. The governor may at any time remove any commissioner for neglect of duty or malfeasance in office.

SEC. 4. The members of said commission shall receive as compensation $10 for each day actually employed on the work of said commission and their actual and necessary expenses incurred in the performance of their duties.

SEC. 5. Within a reasonable time after the appointment of the members of said commission they shall meet upon the call of the governor and effect an organization by electing one of their members chairman and one of their members secretary. The commission shall audit all bills for expenses and per diem of its members, and when the same shall have been certified to by the chairman and secretary, the secretary shall file the same with the State board of examiners for approval, and the same shall be paid out of any moneys appropriated for that purpose.

SEC. 6. The commissioners shall meet at such times and at such places as may be designated by the chairman.

SEC. 7. The duties of said commission shall be to collect and arrange all data and information connected with the Colorado River and its tributaries which may affect or be of interest to the State of Nevada; to present the same to the governor for his information; to represent the State of Nevada in such interstate or other conferences or conventions as may be called for the consideration of the development of reclamation projects connected with the Colorado River or its tributaries; to tender the friendly cooperation of the State of Nevada to such constructive enterprises as look to the conservation of the waters of the Colorado River and its tributaries and the development of power thereon; to negotiate with the representatives of other States in endeavoring to equitably settle and define the rights of the States in the waters of the Colorado River and its tributaries; to report to the governor such measures for legislative action as may be deemed necessary to secure to the people of Nevada all possible benefits from such enterprises, especially in the development and use of electrical power.

SEC. 8. Said commission shall have the power to hold hearings, require the attendance of witnesses, and take testimony whenever it shall deem it necessary in carrying out the provisions of this act. Any commissioner may administer oaths to any witness called to testify in any hearing or proceeding before the commission.

SEC. 9. For the purpose of carrying out the provisions of this act the sum of $10,000 is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. OWEN submitted an amendment providing that $3,000 may be used for the purpose of building additional sheds, stalls, and pens for the protection of animals at the live-stock department of the proposed Woodward (Okla.) field station, etc., intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes; had agreed to the conference requested by the Senate; and that Mr. FORDNEY, Mr. GREEN of Iowa, Mr. LONGWORTH, Mr. HENRY T. RAINEY, and Mr. HULL of Tennessee were appointed managers of the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes; had agreed to the conference requested by the Senate; and that Mr. MADDEN, Mr. OGDEN, and Mr. HOLLAND were appointed managers of the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922; had agreed to the conference asked for by the Senate; and that Mr. ROGERS, Mr. ELSTON, and Mr. SMALL were appointed managers of the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 4582. An act to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot; and

H. R. 15130. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

RESTRICTION OF IMMIGRATION.

The VICE PRESIDENT. The unfinished business is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes.

The VICE PRESIDENT. The amendment of the Committee on Immigration will be stated.

The READING CLERK. The amendment proposed by the Committee on Immigration is to strike out all after the enacting clause, in the following words:

That as used in this act—

The term "United States" means the United States and any waters, Territory, or other place subject to the jurisdiction thereof except the Isthmian Canal Zone and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively;

The term "immigration act" means the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States"; and the term "immigration laws" includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens; and

The word "alien" includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

SEC. 2. Except as otherwise provided in this act, from 60 days after the passage of this act, and until the expiration of 14 months next after its passage, the immigration of aliens to the United States is prohibited, and during such time it shall not be lawful for any alien to enter the United States from any foreign port or place, or, having so entered, to remain within the United States.

SEC. 3. (a) Section 2 shall not apply to otherwise admissible aliens lawfully resident in the United States, nor to otherwise admissible aliens of the following status or occupations, when complying with the requirements of this section and with all other provisions of the immigration laws:

(1) Government officials, their families, attendants, servants, and employees;

(2) Travelers or temporary sojourners for pleasure or business who may enter the United States during the time of suspension of immigration for a period not exceeding six months each, which period may be extended in individual cases by the Secretary of State;

(3) Bona fide students who may enter the United States solely for the purpose of study at educational institutions particularly designated by them; and upon graduation, completion, or discontinuance of studies they shall not be entitled to remain in the United States;

(4) Ministers of any religious denomination.

(b) An alien belonging to one of the classes or persons enumerated in subdivision (a) shall be permitted to enter the United States only upon presentation of a valid passport or other official document in the nature of a passport (hereinafter referred to as a passport) satisfactorily establishing his identity, nationality, and to which of the classes so enumerated he belongs, together with a signed and certified photograph of the bearer attached. A wife, or a female child under 21 years of age, or a male child under 16 years of age, may be included in the passport of a husband or parent, but a photograph of each must be attached to the passport. Each male child 16 years of age or over must carry a separate passport.

(c) Each such passport must be visèed by an American consulate, or a diplomatic mission if specially authorized in the country from which the holder starts on his trip to the United States, and if such country is not the country to which he owes allegiance the passport must also be visèed by a diplomatic or consular officer therein of his own country. In all cases the passport must also be visèed by an American consulate, or the diplomatic mission if specially authorized in the country from which the alien embarks for the United States, or if he comes by land, the country by which he enters the United States.

(d) Each alien coming within the provisions of this section, except a duly accredited Government official, must furnish to the American diplomatic or consular officer who visées the passport in the foreign country from which he starts on his trip to the United States, and to

the American authorities at the port of entry or elsewhere in the United States, a written declaration setting forth: (1) The date and place of the bearer's birth; (2) the nationality and race of his father and mother; (3) the place of the bearer's last foreign residence and the other places, if any, where he has resided within the past five years, and what has been his occupation during that period; (4) if he has ever been in this country, the dates and objects of his visits and the places and addresses where he resided or sojourned; (5) the date set for his departure for the United States, the port of embarkation, and the name of the ship on which he is to sail, if he goes by water; (6) names and addresses of persons acquainted with the applicant in the country from which he starts and in the United States, if any; (7) the expected duration and object of his proposed visit to this country, the documentary or other proofs of such objects submitted, and the place or places in the United States where he expects to sojourn or reside; (8) that the bearer knows and understands the provisions of the immigration laws, excluding certain classes of aliens from the United States, and is certain that he does not fall within any of such classes; (9) that the bearer understands that if, on arrival at a port of the United States, he is found to be a member of a class excluded by the immigration laws, he will be deported if practicable, or, if for any reason deportation should be found to be impracticable, will be held in detention in an immigration station or other place of confinement, and that he is, with full understanding thereof, assuming all risks involved in a possible return trip in consequence of being rejected under such law.

(e) A wife or minor child who does not expect to reside with the husband or father in the United States must carry a separate declaration.

(f) Each declaration must be affirmed or sworn to before a consular officer, or a diplomatic officer of the United States if specially authorized, and signed in triplicate, and a photograph of the declarant must be attached to each copy with an impression of the official seal. The declaration must be made at least two weeks before the date of intended departure, except in cases of extraordinary emergency. One copy of the declaration must be filed in the embassy, legation, or consulate by which the passport is first visèd, one copy forwarded immediately to the Commissioner of Immigration or inspector in charge at the port of entry by which the declarant expects to enter the United States, and one copy fastened to the passport of the declarant in such a way that it may be removed upon his departure from the United States. The copy last mentioned must be presented with the passport to the official at the port of entry into this country who examines passports, and to the immigration official who inspects the holder, and to such other officials in the United States as may be authorized to inspect such documents.

SEC. 4. (a) A citizen of the United States 21 years of age or over, who is a resident of the United States, may, under regulations prescribed by the Secretary of Labor, apply to him for permission to bring into the United States or send for an otherwise admissible wife, parent, grandparent, unmarried son or brother under 21 years of age, unmarried or widowed daughter, or sister, grandson under 16 years of age whose father is dead, or unmarried or widowed granddaughter whose father is dead; and any alien who has declared, in the manner provided by law, his intention to become a citizen of the United States, and who is a resident of the United States, may make like application in reference to an otherwise admissible husband or wife, unmarried son under 21 years of age, or unmarried or widowed daughter; but no application may be made under this paragraph in the case of any relative by adoption.

(b) If the Secretary of Labor is satisfied that the entry into the United States of such relative would not be in violation of the immigration laws, and that such relative is likely to prove a desirable resident of the United States, he may issue a permit to the applicant, under such regulations as he may prescribe, which shall authorize the immigration officers at the port of entry to examine such relative upon arrival at such port. Thereafter the right of such relative to admission shall be as provided by the immigration laws, except that it shall not be subject to the act entitled "An act to prevent in time of war departure from and entry into the United States, contrary to the public safety, approved May 22, 1918," or to the provisions of any proclamation, order, rule, or regulation made thereunder, and except that the literacy test may, in the discretion of the Secretary of Labor, be waived in the case of such relative.

SEC. 5. Nothing in section 2 shall be held to prevent the importation of skilled labor under the conditions prescribed in the fourth proviso to section 3 of the immigration act, nor to the importation of persons employed as domestic servants.

SEC. 6. The joint resolution approved October 19, 1918, entitled "Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or who have volunteered for service with the military forces of the United States or cobelligerent forces," is hereby amended by adding thereto a proviso reading as follows: "*Provided*, That if any such alien shall on arrival at a port of the United States be found to be afflicted with a loathsome or contagious disease such alien shall not be readmitted until he shall have been treated in hospital and the disease reduced to a noncontagious stage."

SEC. 7. During the period of suspension provided for in section 2 otherwise admissible aliens who have resided continuously in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico for at least one year may be temporarily admitted, for a period not exceeding six months, from such countries, under such rules governing entry, inspection, temporary stay, and departure as may be prescribed by the Commissioner General of Immigration, with the approval of the Secretary of Labor.

SEC. 8. Any alien who at any time after entering the United States is found to have been at the time of entry not entitled under this act to enter the United States, or to have remained therein for a longer time than permitted under section 3 or section 7, shall be taken into custody and deported in the manner provided for in sections 19 and 20 of the immigration act.

SEC. 9. The provisions of sections 18 and 20 of the immigration act assessing a penalty for failure or refusal to accept, to detain, or guard safely, to return, and to transport to foreign destination aliens excluded or expelled from the United States, or to pay maintenance and deportation expenses of aliens, or for making any charge for the return of excluded or expelled aliens, or for taking any security for the payment of such charge, or for taking any consideration from aliens to be returned in case of landing, or for bringing to the United States any deported aliens within a year from date of deportation without the consent of the Secretary of Labor, shall apply to and be enforced in connection with the provisions of this act relating to the exclusion or expulsion of aliens.

SEC. 10. Willfully to give false evidence or swear to any false statement in connection with the enforcement of this act shall constitute perjury as such offense is defined in section 16 of the immigration act; and the provisions of sections 16 and 17 of the immigration act, prescribing methods of procuring evidence concerning aliens, and defining offenses and prescribing punishments therefore, shall apply to and be enforced in connection with the provisions of this act.

SEC. 11. Any person who substitutes any name for the name written in any document herein required, or any photograph for the photograph attached to any such document, or forges or in any manner alters any such document, or falsely personates any person named in any such document, or issues or utters any forged or fraudulent document, or presents to an immigrant inspector or other Government official any forged or fraudulent document, and any person other than the one to whom there has been duly issued any document prescribed by this act who presents to an immigrant inspector or other Government official any such document, shall be guilty of a felony and upon conviction thereof shall in cases where no other penalty is required by law be fined in a sum not exceeding $1,000 or be imprisoned for a term of not more than five years, or both.

SEC. 12. The Commissioner General of Immigration shall, with the approval of the Secretary of Labor, issue such regulations, not inconsistent with law, as may be deemed necessary and appropriate to place this act in full force and operation (except that regulations for the viséing of passports under section 3 shall be made by the Secretary of State). Such regulations shall include special rules for the application of this act to the cases of aliens coming to the United States from or through contiguous foreign territory, and to the cases of aliens entering across the land boundaries for temporary stay or at frequent intervals; also special rules to insure that the provisions of this act, of the immigration act, or of any law, convention, or treaty relating to immigration shall not be violated by aliens arriving at ports of the United States employed on vessels as seamen, and that, at the same time, the enforcement of such laws shall not interfere with the operation of the act approved March 4, 1915, entitled "An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto and to promote safety at sea."

SEC. 13. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

And in lieu thereof to insert:

That as used in this act—

The term "United States" means the United States and any waters, Territory, or other place subject to the jurisdiction thereof except the Isthmian Canal and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively.

The word "alien" includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

SEC. 2. That the number of aliens of any nationality who may be admitted under existing statutes to the United States in any fiscal year shall be limited to 5 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census. This provision shall not apply to Government officials, their families, attendants, servants, and employees, nor to aliens in continuous transit through the United States, nor to aliens who have been lawfully admitted to the United States and who shall later go in transit from one part of the United States to another through foreign contiguous territory, nor to aliens visiting the United States as tourists or temporarily for business or pleasure, nor to aliens coming from countries immigration from which is now regulated in accordance with treaties or agreements, nor to aliens coming from the so-called Asiatic barred zone, as described in section 3 of the immigration act of February 5, 1917, nor to aliens who are native-born or naturalized citizens of the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central and South America, and adjacent islands. For the purposes of this act nationality shall be determined by country of birth, but the term "country" shall not be held to include colonies or dependencies, which colonies or dependencies shall be considered as separate countries.

The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall as soon as feasible after the passage of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act, but whenever such population basis is not applicable by reason of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting in the creation of new countries, the Governments of which are recognized by the United States, or otherwise in the transference of territory from one country to another, such transference being officially recognized by the United States, then the said officials, jointly, shall estimate the number of persons resident in the United States in 1910, who were born within the area now included in such new and other countries, and in the case of such countries such estimate shall be the population basis for the purposes of this act.

When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number who are admissible in that year: *Provided further*, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denominations, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed as domestic servants may be admitted notwithstanding the maximum number of aliens of like nationality admissible in the same fiscal year shall have entered the United States: *And provided further*, That in addition to the foregoing the Secretary of Labor may in individual cases admit aliens in excess of the maximum number when, in his opinion, such action is justifiable as a measure of humanity.

SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as

soon as feasible, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between the date when this act goes into effect and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during any year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

SEC. 4. This act shall not be construed as amending, repealing, or modifying any law or agreement now existing which forbids the admission of any aliens of any nationality or by geographical boundary. Nor shall it be construed to admit any of the individuals or classes now excluded by section 3 of the act of February 5, 1917, an act entitled "An act to regulate the immigration of aliens to the United States," etc.

SEC. 5. That this act shall take effect and be enforced on and after April 1, 1921, and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining three months of the current fiscal year shall be limited to one-fourth of the number who are admissible annually as provided in section 2 of this act.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. HARRISON. Mr. President, if I understand the parliamentary procedure on the pending measure, the vote will come on the adoption of the Senate substitute for the House bill; but if we should desire to perfect or change the text of the House bill, amendments would be first offered to the House text.

The VICE PRESIDENT. That is right.

Mr. HARRISON. I desire to offer an amendment to the House text, to be acted upon before the vote is taken on whether or not the Senate desires to substitute the Senate proposition for the House proposition. I wish to move to strike out of the House bill all of section 4 appearing on pages 6, 7, and 8.

I might say that section 4 embraces the dependency feature under which relatives and dependents of resident citizens and aliens may come in under the bill. I am against allowing exception to be made.

Mr. SMITH of South Carolina. Mr. President, a parliamentary inquiry. Before we vote on substituting the Senate amendment for the House bill, the suggestion of the Senator from Mississippi [Mr. HARRISON] is that, as far as we may see fit, we shall perfect the House provisions, and then the vote will come on the Senate substitute. Am I correct in that?

The VICE PRESIDENT. The bill as reported comes within the rule of the Senate, being practically a motion to strike out the House bill and insert the Senate amendment. Under the rules of the Senate each bill is perfectible by amendment, the amendments to the House bill to be first considered, and then amendments to the Senate committee substitute. When both the House bill and the Senate amendment have been perfected to the satisfaction of the Senate the motion comes on the substitution of the Senate amendment as perfected for the House bill as perfected.

Mr. SMITH of South Carolina. So that both the House bill and the Senate substitute are now open to amendment?

The VICE PRESIDENT. Except that under the rule the amendments to the House bill are first to be considered.

Mr. SMITH of South Carolina. Very well.

Mr. THOMAS. Mr. President, I am very anxious to reach a vote upon this bill as soon as possible, but before it is taken I want to call the attention of the Senator in charge of the bill to what seems a weakness or defect in the proposed substitute. I refer to that part of section 2 which excepts from the provisions of the act—

aliens who are native-born or naturalized citizens of the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central and South America, and adjacent islands.

Experience has taught us that every exception or loophole in our immigration laws is eagerly seized upon and utilized to overcome or avoid their more stringent provisions.

I shall vote for the substitute; there is no question but it is far better than existing legislation upon the subject; but I can easily understand under this exception how a citizen factory or a number of them can be set up in Mexico or one or more little principalities of Central or South America and utilized for the naturalization of undesirable classes of immigrants from Europe who can not otherwise come into this country. It is highly probable that before this proposed law shall have been in effect six months we will have a stream of naturalized citizen immigration from Mexico and probably from countries farther south. However that may be, as I have said, this bill, if enacted, will constitute a great improvement upon the legislation now on the statute books.

I may be overpessimistic, but I regard the inundation of this country by immigrants of all sorts, classes, and conditions from the older countries of the world as one of the most serious and sinister menaces which the new administration will confront, a menace politically, socially, economically, and morally. I believe, too, that the proposed substitute will, if enacted, prove to be of greater benefit to the industries and to our citizenship now suffering from the depressed conditions than any other form of legislation which the Congress can enact before its adjournment.

Mr. SMOOT. Mr. President, before the vote is taken on the amendment offered by the Senator from Mississippi [Mr. HARRISON] I desire to state that I certainly shall oppose any such amendment as that offered by him. It can not be that we are going to say that an American citizen, or one who has declared his intention of becoming such, shall not have the right to send for his wife to come into this country during the life of this bill, or that he shall not send for his grandparents, or an unmarried son or brother under 21 years of age, or an unmarried or widowed daughter or sister, or a grandson under 16 years of age whose father is dead.

Mr. President, it seems to me to be going beyond all reason to prevent a man who has come to this country, established a home, and endeavored to save up enough money to send for his wife or for his small son, from doing so. We say by this bill, if the House provision should prevail and the amendment of the Senator from Mississippi should be agreed to, that no such people can come into the United States. To allow such would not interfere with labor. It is well guarded to take care of the labor situation. The trouble in the United States, as far as it affects labor, is with men coming to this country between the ages of 18 and 50. It does not come through a man having a right, after saving enough money to enable him to do so, to send for his wife or children under 21 years of age. Therefore I sincerely trust that when the vote is taken on the motion of the Senator from Mississippi the Senate will not stand for any such proposition.

Mr. DILLINGHAM. Mr. President, perhaps a word of explanation will clear up this matter.

The real objection to the House bill that has been offered by many is to those provisions of section 4 which permit such a large number of relatives to come and join every person in this country. I do not know that I can express the matter better than by referring to the bill itself, because it is important that that should be understood.

Section 4 provides that—

A citizen of the United States 21 years of age or over, who is a resident of the United States, may, under regulations prescribed by the Secretary of Labor, apply to him for permission to bring into the United States or send for an otherwise admissible wife, parent, grandparent, unmarried son or brother under 21 years of age, unmarried or widowed daughter, or sister, grandson under 16 years of age whose father is dead, or unmarried or widowed granddaughter whose father is dead; and any alien who has declared, in the manner provided by law, his intention to become a citizen of the United States, and who is a resident of the United States, may make like application in reference to an otherwise admissible husband or wife, unmarried son under 21 years of age, or unmarried or widowed daughter; but no application may be made under this paragraph in the case of any relative by adoption.

The immigration against which the country is attempting to guard itself is now coming almost wholly from eastern and southern Europe. The number coming from that section of Europe in the last 10 or 15 years has been excessive, and has grown out of the vast expansion of the manufacturing interests of the country. The Immigration Commission of 1910 found that a great majority of all the employees in 37 of the great industries of the country that were investigated by the commission were made up of men and their sons who had come from eastern and southern Europe. There are probably over 5,000,000 of that class in the country to-day. Under this clause of the House bill, nobody knows what immigration would come from Europe as a result of it. Supposing that even one-third of those now in the country are naturalized, or have filed their first papers, nobody can estimate what the increase in population from that section of Europe will be if they are permitted to come in under this clause. For that reason I have been opposed to the provision of the House bill and in favor of the substitute which the Senate Committee has offered, which simply places the immigration from all nations on the percentage basis, and would allow only a given number to come from southern and eastern Europe, and would in no way affect western Europe.

The operation of the bill as passed by the House would be that, although we have in this country a large body that have come from northern and western Europe of the most desirable class, who have come with their families and have settled here and have made their homes here and have grown-up families who are represented here in Congress, yet if they have relatives who want to come over they would be cut off should the present law be repealed; nobody whatever could come in. The only safety, as I see it, for the protection of all is to adopt the substitute which the Senate committee has recommended.

Mr. SMOOT. I agree with the Senator entirely; but my objections to the House provision being stricken from the bill were that if it does and should become the law, nobody could come to this country. We might just as well put a wall around America and say: "Henceforth nobody shall come in here during the life of this bill."

Mr. DILLINGHAM. I think the Senator is right about that.

Mr. SMOOT. And I do not think the American people would stand for that. It is not only the man from the eastern part of Europe to whom this would apply, but the man from England, or the man from France, or the man from any other great nation of the world. He may have come over here two or three or four years ago with the avowed purpose of becoming a citizen, and no doubt may have gone just as far as he could to attain that haven, and if the amendment of the Senator from Mississippi prevails he can not bring his wife over here; he can not bring over here his sons under 21 years of age. Under the bill, even as it is drawn by the House, if his son is over 21 years he can not come in; but what harm could be had by allowing a daughter 10 or 12 years old, with her mother, to come here to join the father and make their home here? It is not going to interfere at all with labor conditions in the United States; and it is for that reason that I am perfectly satisfied with the Senate committee amendment, and I think it goes far enough, and I think it will accomplish everything that it is desired to accomplish in the United States. Therefore I could not possibly agree to striking out those provisions.

Let me say to the Senator from North Dakota, suppose a man came here from Norway or Sweden, or any other country, and in the meantime has secured land in any of the States of the Union, has built himself a little home, and has not yet had time to become a citizen, and he is ready and has saved enough to send for his wife and daughter, if this amendment should be agreed to, we would say to him, "No; you can not do that; we will not allow them to come to this country."

Mr. GRONNA. I am in sympathy with the position taken by the Senator from Utah; but does the Senator believe that the provisions of the amendment offered by the committee will safeguard the proposition?

Mr. SMOOT. They certainly will safeguard it as to the percentages, and, of course, when that percentage is reached, then the same thing will apply that would apply if the House bill were in operation, and I am perfectly willing, under the conditions existing, that that may take place for the life of the bill.

Mr. SMITH of South Carolina. Mr. President, may I ask the Senator in charge of the bill a question, if the Senator from Utah will allow me?

I do not see any provision in the bill giving a preference to such cases as have been pointed out by the Senator from Mississippi and now referred to by the Senator from Utah in connection with the 5 per cent that would be admissible. That is to say, there is no provision in the bill that the relatives of those resident here shall be given preference in that 5 per cent. It seems that if you limit it to 5 per cent from any one of these countries, or to any per cent, that may be exhausted, and under this provision those who have gotten citizenship and desire their families to come will be debarred by the exhaustion of the percentage, and therefore no remedy could be given in that respect.

It is my opinion that if we are going to allow a percentage from these different countries to come, there ought to be provision made in the bill by which it may be known to the citizens here and abroad that preference will be given in just such cases as were pointed out by the Senator from Utah, or you might have a condition in some case where a rush of immigrants here would exhaust the 5 per cent, and those who really ought to be permitted to come in from the standpoint of humanity and right would be debarred even under that limitation.

I ask the Senator in charge of the bill, is any provision whatever made to give any preference at all to such cases?

Mr. COLT. May I answer the Senator? There is an exception permitted on the grounds of humanity, so that in any special case an exception might be made. There is, however, no general rule on this subject in the provisions of the Johnson bill or in the substitute reported by the committee relative to the matter.

Mr. SMITH of South Carolina. I notice section 2, in the paragraph concluding on page 15 of the Senate committee substitute, provides—

> That in addition to the foregoing the Secretary of Labor may in individual cases admit aliens in excess of the maximum number when, in his opinion, such action is justifiable as a measure of humanity.

I desired to call the attention of the Senate to that provision, because, unless some limitation is placed upon the Secretary of Labor if he were so disposed he could let everybody in and base his action upon the ground of humanity. It seems to me even that needs certain modification, because he may have such a kindly heart that he may think conditions in Europe are so desperate that it would be an act of humanity to admit at least a greater percentage than we contemplate when we pass this act. There are other influences. Political influences may be brought to bear, and we ought not to leave an agent open to the exercise of responsibility that is imposed by this section. It is too great.

Mr. SMOOT. I think the Senator will agree with me that it would be inhuman not to allow a man's wife or children to come here when he is here and has enough money now to send for his wife and children and bring them here.

Mr. SMITH of South Carolina. The Senator from Utah is getting at the very point I am making, that if we are going to allow the relatives of those who have become citizens to be admitted under such circumstances as he points out, we should clearly provide for it in this law, and not leave the possible meeting of that exigency to an officer who may admit them when humanitarian reasons actuate it. This does not confine it to the relatives or the cases which have been pointed out, but leaves it so that he, for the United States, can exercise his opinion in so important a matter. It seems to me that should be modified or stricken from this bill, and if the Senate thinks these relatives ought to be admitted we should incorporate an amendment in the bill providing, if it is the opinion of the Senate, that it shall be restricted to 5 per cent, that within that 5 per cent preference shall be given to the relatives of those who are already citizens.

Mr. COLT. Mr. President, I might say to the Senator from South Carolina that it is very difficult to lay down any rule when you consider the complexity of the subject and the large number of cases arising under the immigration laws. If we do not have this exception in the bill, an alien might possibly arrive and his wife be taken very ill and have to be taken to a hospital on shore, in which case the Secretary of Labor would have the right to admit the alien as a measure of humanity.

There are various cases that might arise involving questions of humanity. I do not think that provision generally is too broad if we put in the words "as a measure of humanity." Of course, it is to be presumed in all legislation that those who enforce the law will enforce it in a reasonable manner, and if we make any other assumption there is no use legislating, because we can not put into the form of words any provision that might not be subject to abuse. We have to start upon the presumption that the heads of the departments will perform their duties in a reasonable way.

But, Mr. President, the motion of the Senator from Mississippi, now before the Senate, is to strike out the provision in the Johnson bill admitting dependents. I hope the Senate will remember in this connection that the danger which the country fears of a flood of immigration arises from immigration from southern and eastern Europe. That is not based upon conjecture; that is based upon figures. For the four years from 1910 to 1914 the average annual arrivals from southern and eastern Europe was something like 750,000. The apprehension is that that number will be largely increased, and we have an intimation in that direction from the number of arrivals in the past six months.

That is the danger we want to guard against. We do not need to guard against the danger of admitting immigrants from northern and western Europe. They come here in comparatively small numbers. In the last 10 years, or during the prewar period, they did not average annually more than 182,000. We do not want to exclude those from the country. They go largely to the farms. They help to develop the country in a different sense from the immigrants from southern and eastern Europe, who flock to the cities and to the industrial centers.

It is a fact, proven beyond dispute during the hearings, that there is a demand for common labor upon the farms to-day, so that if we are to raise the maximum amount of crops, or nearly that, we must have additional farm labor.

This amendment to the bill, to strike out this language, would operate as a complete suspension of immigration. I do not see

how any Senator who has reflected upon the immigration question in all its bearings can reach such a conclusion. Considering the fact that 30,000,000 aliens and the descendants of aliens now live in this country; considering also the fact that we want to develop our foreign trade with other nations and want to be on good terms with them; considering also the fact that there is an absolute demand now for agricultural labor, it is difficult to see how anyone can arrive at the conclusion that the United States of America should shut the bars down and totally suspend all immigration. I believe it would work to the injury of the country. Nor do I think that such suspension is necessary to meet the fears which the people now have with regard to the flood of immigration. They can be met absolutely by fixing a low maximum number that can arrive within 15 months. We would thereby quiet the fears of those who are afraid of a flood of immigration and at the same time permit to come into the country a small maximum number and thus help to supply the wants of the country.

Mr. POMERENE. Mr. President, the Senator has referred to the scarcity of labor on the farms, and there is no doubt that there is such a scarcity. I think we all recognize the fact that the laborers who came into this country from northern and western Europe made first-class farm laborers. But if we are to admit those from southern Europe and from eastern Europe, can the Senator tell us what portion of them would likely go to the farms and can he tell us the character of farm labor we have been getting from those sections of Europe? I ask the question, not out of idle curiosity but because I have had some letters from farmers in Ohio, who have ridiculed the thought of placing southern or eastern European immigrants on the farms, and they do so because they regard them as lacking in the necessary qualifications for that kind of work.

Mr. COLT. I can only answer the Senator in a general way. Therefore I might say, generally, that a comparatively small percentage of the immigrants from southern and eastern Europe, a very small percentage, go upon the farms, according to the best knowledge I have.

Mr. POMERENE. That being so, would not such immigrants as we have from the southern part of Europe and eastern Europe go to the industrial centers, the very places where now they have their problems of unemployment?

Mr. COLT. The probability is that they would. But has the Senator considered the number of those from southern and eastern Europe who would be admitted under this 5 per cent limitation? Let me state, in a word; perhaps I might relieve the Senator's mind. In round numbers there would be 250,000—to be exact, 255,000.

But you must remember what is not always thought of by those who consider this problem—the departures. If you have a number going home equal to the number who arrive, you have no increase in your population. Upon the lowest figure, out of 250,000, more than 40 per cent would return.

To illustrate: Of the immigration from southern and eastern Europe which came to this country during the year ending the 1st of last July, 122 went home to every 100 who arrived, and during the month of July, the last month for which we have the full figures from the department, 66 per cent went home to those who arrived. Therefore it is fair to say—it is within reason to say—that this present bill will not admit more than 150,000 immigrants net from southern and eastern Europe during the year.

What are 150,000 to a population of 105,000,000? Broadly speaking, the effect of this immigration upon the social welfare or even upon the labor of this country, when you consider the comparatively small numbers that arrive, is, to my mind, grossly exaggerated.

Mr. POMERENE. Mr. President, the Senator has referred to the large number of foreign-born men who have returned to Europe. If they were intending to remain there, that might signify something to the Senate; but the information I have is that the most of the men who have returned to Europe expect to come back within a short time. Many of them have taken out their first papers. Many of them have become naturalized citizens here, and I can understand their interest and their desire to go back to Europe. But it seems to me that if you are going to try and set off those who are returning as against those who are coming in the result of your reasoning will be misleading.

Mr. DILLINGHAM. Mr. President, in view of what has been said by the Senator from Ohio [Mr. POMERENE], I would like to make an explanation.

We were receiving, just prior to the World War, a very large number of immigrants, over a million a year, and from southeastern Europe we were receiving, upon an average during the last three years preceding the war, about 735,000. They were induced to come by reason of the remarkable expansion there had been in the manufactures of the United States. The movement presented a problem even at that time which alarmed a great many people.

When the war broke out that immigration stopped. On the other hand, the manufactures of America were stimulated by the orders which they received from abroad and from our own Government, and they were driven to the very highest point of production. In order to secure labor they were compelled to offer extraordinary wages and appeal to American labor to come in and fill their shops.

As I was saying, we secured substantially no European immigration during the war, because there were more who returned to southeastern Europe during the period of the war than were received from that source. So while for four or five years we were doing a larger business in manufactures than we had ever done before, and without any aid from Europe, which had contributed nearly a million of aliens a year previous to that time, the shortage in employees had to be made up by the American boys who had not been called to the ranks, and the result was that they responded from every rural community and entered into the shops of industry. In my own State I had occasion to notice it. The manufacturers told me that they were paying 50 cents an hour to every boy, fresh from the farm, who could stand before a lathe.

The result has been that all this young element moved to the cities and became connected with the various industries and there is a marked indisposition on their part to return to the country. The same indisposition to return to the country exists largely among those who have returned from Europe since the war. The result is that while there may be a congestion in the cities at the present time, a surplus of labor there in the manufactures, nevertheless those employees will not return to the country. They have no disposition to do so. There is the problem that we as a Nation are facing to-day.

Mr. SIMMONS. If the Senator will pardon me, that is greatly accentuated by the fact that farm products have fallen greatly in price and farm labor likewise.

Mr. DILLINGHAM. It is undoubtedly accentuated by that fact, and the one that is suggested by the Senator from Ohio [Mr. POMERENE] is a very potent one, because the immigration that comes from southeastern Europe has been stimulated by the manufactures of America. If Senators will look at the figures in the report, on pages 3 and 4, they will find that the old immigration which has been lauded so much, and rightfully lauded, between the years 1882 and 1889 came in to the number of over 3,000,000. The new immigration coming from southern and eastern Europe numbered only about 708,000. That was the height of the old immigration which had been coming many years and which so largely settled in the West, opened up the farms, and constructed our great systems of railroads, and eventually became estimable American citizens. They brought their families; they came here to make the United States their home.

If Senators will further consider the 7-year period from 1890 to 1896, inclusive, they will see that the old immigration only amounted to 1,562,000, while the new immigration had grown, as the old had diminished, to 1,194,000. The increase of the new type was because of the increase of our manufactures, which had a most remarkable growth during that time. Then, if Senators will turn to the next page, they will find that in the 18 years between 1897 and 1914, inclusive, we received only 2,983,000 of the old immigration, but we received 10,057,000 of the new immigration.

What was this new immigration? That is something that we must understand if we solve this question intelligently. The new immigration, coming almost wholly from eastern and southern Europe, differed in character from the old immigration in that substantially 70 per cent of it, as a whole, consisted of males, and substantially 86 per cent of the males were living single lives, being unmarried or having left their wives in Europe.

They came to the United States, not so much for the purpose of remaining here and making homes as to seek profitable employment at the seats of our great basic industries. As a class they were strong, healthy, able-bodied men, industrious and frugal in their habits. Substantially 95 per cent were under 45 years of age; right in the very prime of life. The investigation of the Immigration Commission showed that a great majority of the employees in the great industries in the United States investigated by that commission were of this class.

This class have moved in racial and family groups. Wherever a company from any section of Europe has gone in the first instance those from the same section later on have gone. So they have moved in racial groups; they have lived in racial

groups; and they have congregated, as the Senator from Ohio has well said, at the seats of the great industries of the country. There is the problem, with our rural and agricultural communities denuded of labor, which we have to solve. There never was a more difficult problem presented to the Congress of the United States than the problem that is before us.

Mr. SMITH of South Carolina. Will the Senator allow me to interrupt him?

Mr. DILLINGHAM. Certainly.

Mr. SMITH of South Carolina. Has the Senator any table showing, with reference to aliens coming into the country, their occupations and the occupations in which they entered after coming here? I think it would be very instructive to the Senate to know what percentage of the alien population coming into the country have gone to the farms or are engaged in agriculture.

Mr. DILLINGHAM. Of those who have gone to the farms there is a negligible number of what we call the new immigration—that which has been coming since 1880.

Mr. COLT. May I answer the question of the Senator from South Carolina?

Mr. DILLINGHAM. Certainly.

Mr. COLT. On page 41 of the last report of the Commissioner of Immigration it is shown that out of 430,000 immigrants there was the following classification in round numbers: Professional, 12,000; skilled, 69,000; farm labor, 15,000; farmers, 12,000; laborers, 81,000; servants, 37,000; other occupations, 28,000; no occupations, including women and children, 173,000. That is out of a total of 430,000.

Mr. POMERENE. Following up the question suggested by the Senator from South Carolina, I should like to ask the Senator from Vermont specifically this question: Assuming that the Senate committee amendment is agreed to, how is that going to help to solve the problem of farm labor?

Mr. DILLINGHAM. That is just what I was coming to, if the Senator please. During the last six months we have seen indications of a renewal of the new immigration; that is, it was suspended during the war, but during the first six months of the present fiscal year it has increased in such numbers that we may well believe it will reach perhaps the prewar-time figures. There is a feeling in the country that this labor is not demanded, particularly as it moves to the centers of population rather than to the rural and agricultural sections of the country.

The great problem that we have to solve is, first, the problem of selection, whether we can devise some means by which we can admit aliens who will go to the rural communities and to the agricultural communities. Whether or not we can do that remains an open question, but we certainly can not do it at this session of the Congress. Our second duty is to devise some measure that will provide a better distribution, one that will offer inducements to aliens coming from the old countries to seek the farms and rural communities and so help balance up the conditions which now exist throughout the country. That can not be done at this time, but during the next session of Congress we hope, taking the combined wisdom of Senators who have studied the question, to devise such a scheme.

Canada, for instance, while she may require the possession of $350 by the person seeking admission who is going to a city, has made the offer that if such person will go to the farm he will be admitted with smaller means. I do not know whether that is a feasible plan or not. I only mention it as an illustration of the fact that Canada is studying the problem and endeavoring to devise means by which immigration can be directed to the farms. We must do something of the kind here.

Mr. POMERENE. But they have a different condition from that which we have.

Mr. DILLINGHAM. I know that. They have 10,000,000 people and we have 105,000,000.

Mr. POMERENE. Yes; and they have millions of acres of arable land where we have a negligible quantity.

Mr. DILLINGHAM. Precisely. That only emphasizes the difficulty of meeting the problem that we have to solve.

Mr. SMITH of Maryland. Mr. President——

Mr. DILLINGHAM. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. I may say, with reference to the statement of the Senator from Vermont that employment is difficult to obtain in the cities, there being no demand for employment in the cities, if the immigrants come here and are unable to get employment there they will be more likely to go to the country than heretofore.

Mr. DILLINGHAM. We have a distributing agency provided for in the law now, which was enacted in 1907, I think. The scheme was very much mutilated before becoming a law, but a branch of the Bureau of Immigration is in existence for that purpose at the present time. I am sorry to say that it has not worked as I had hoped it would. We must in the future go over the whole subject, and devise some way by which communication can be had between the communities demanding labor and the communities where labor abounds.

Mr. SMITH of Maryland. Under present conditions, being unable to get employment in the cities, they should be directed to the farms by such bureaus.

Mr. DILLINGHAM. There is a very great indisposition on the part of immigrants from eastern and southern Europe to leave the racial group and distribute themselves throughout the country. That is a great difficulty hard to overcome.

In reply to another suggestion of the Senator from Ohio, who has given thought to the subject, I wish to say that in recommending legislation to meet the present situation the committee have attempted to remove the widely prevailing fear of a great influx of southern and eastern European immigration during the present year until we can devise a permanent system of immigration that will be beneficial to the country. The bill as it passed the House, as we have seen, is a bill of prohibition, with an exception in favor of admitting certain relatives of foreign-born persons resident in the United States. I do not wish to take any time in a discussion of that feature of the bill. Figures relative to it have been given by the chairman of the committee, the Senator from Rhode Island [Mr. COLT]. The passage of the House bill would discriminate during the present year in favor of southeastern Europe, instead of northwestern Europe, whose immigrants when they come distribute themselves over the country. It is an immigration which we should very much like to see increased.

It would discriminate against them for the reason that the people in northwestern Europe are not dependent upon those who have preceded them to this country. Those who are in this country brought, in most cases, their families with them. Therefore the provision admitting relatives is largely inapplicable to northwestern European immigration, and it is probable that such immigration would be almost entirely debarred, even though it be the very best element of immigration we have ever received.

Mr. GRONNA. Mr. President, will the Senator yield?

Mr. DILLINGHAM. Certainly.

Mr. GRONNA. I believe the Senator from Vermont is mistaken in his last statement. I have been in the West for a great many years, and I believe the people who came from northern and western Europe into the Northwest came, to the extent of probably 90 per cent of them, without their families. They were all too poor to be able to bring their families with them.

Mr. DILLINGHAM. But they came with the intention of remaining and sending for their families.

Mr. GRONNA. Yes; they did remain, and they did send for their families.

Mr. DILLINGHAM. Exactly. If the House provision is passed, the State which my friend represents in part would be unable to send to the Scandinavian countries and bring in men to buy farms in his State, even if they were to bring their families.

Mr. GRONNA. The great trouble is that they are going back the other way just now. But that is not the question. What I believe ought to be amended in the Senate committee is this: I have no objection to the restriction of 5 per cent, but I believe preference ought to be given to the alien who has come to this country lawfully; that he may have his family come into the country. That is the only suggestion I have to make.

Mr. SMITH of South Carolina. If the Senator will allow me on that point, I wish to suggest that I understand we are now dealing with the House provision, but in case that provision does not prevail I shall at the proper time move to provide, on page 12, line 25, after the word "census," that preference shall be given to the wives and children of citizens or aliens now in this country who have applied for citizenship, so that if the 5 per cent be allowed to come in from any one country we shall give preference to those who are now citizens and who desire to bring their relatives and members of their families. Then I think I shall move to strike out the additional proviso at the end of section 2, in the following words:

And provided further, That, in addition to the foregoing, the Secretary of Labor may in individual cases admit aliens in excess of the maximum number when, in his opinion, such action is justifiable as a measure of humanity.

In case the first amendment is adopted it will take care of the matter, but I presume that what the committee had in mind when they inserted that proviso was that there then would be discretion on the part of the Immigration Commissioner out of the 5 per cent admissible to give preference to those who are related to immigrants who have already come to this country.

Mr. POMERENE. Mr. President, as the Senator from South Carolina has called attention to an amendment which he has offered, I am a little anxious to understand just what restric-

tion the Senate substitute provides. If we note the first sentence of section 2, it reads:

SEC. 2. That the number of aliens of any nationality who may be admitted under existing statutes to the United States in any fiscal year shall be limited to 5 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census.

Now, let us analyze that and see what it means. That means that if we limit the number who may come to the United States from a given country to 5 per cent of the number who are already residents of the United States, then, if we only include those who have come to this country in 20 years, we shall be admitting on the average the same number that we have admitted during the last 20 years. If we take into consideration those who have come in for 40 years, I think we would, under this amendment, be admitting more than the average during the last 40 years. I do not see how it would be any limitation at all.

Mr. STERLING. Does not the Senator from Vermont mean on the basis of the census of 1910?

Mr. DILLINGHAM. I supposed I had so stated. The immigration is limited to 5 per cent of the number who were shown to be in the United States by the census of 1910. That is the provision of the bill. I thought I had stated that.

Mr. STERLING. The Senator from Ohio [Mr. POMERENE] read the provision of the bill correctly; but the bill should be amended so as to provide in terms that admissions shall be 5 per cent on the basis of the census of 1910.

Mr. POMERENE. I did not hear the comment of the Senator from South Dakota.

Mr. STERLING. I say the Senator from Ohio read the bill correctly. The language is "in the United States as determined by the United States census," without saying what census or the census of any particular year. I presume the Senator from Vermont intended that it should be the census of 1910.

Mr. DILLINGHAM. I understand that is in the bill. It should be, for the census of 1910 is the last complete census we have on which we may base the percentage.

Mr. HARRISON. Further on in the bill it provides that the census of 1910 shall be the basis.

Mr. SMITH of South Carolina. Yes; further on the bill provides that the percentage shall be reckoned according to the census of 1910.

Mr. DILLINGHAM. Mr. President, in reply to the suggestion of the Senator from Ohio [Mr. POMERENE], I will say the plan regarding the new immigration, that coming from southern and eastern Europe would work out in this manner: According to the census of 1910, there were in this country 5,108,312 people who had come from Austria-Hungary, Bulgaria, Serbia, Montenegro, Greece, Italy, Portugal, Rumania, Russia, Spain, Turkey in Europe, and Turkey in Asia. Under the 5 per cent plan the bill would admit of those nationalities during the next fiscal year in round numbers 255,000. As a matter of fact, during the five prewar years the average number admitted was 738,000; in other words, the operation of the 5 per cent plan would reduce the immigration from southern and eastern Europe two-thirds in volume from what it was at the breaking out of the European war. It seemed to the committee that that would be all the reduction that would be necessary to protect our country under the most extreme circumstances.

On the other hand, it would not affect the immigration coming from northern and western Europe, for the reason that the population in the United States in 1910 coming from Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom was 6,740,000. Under the 5 per cent basis there would be permitted to come in 347,000 during the year, but as a matter of fact these people do not want to come in such numbers as that. Attention is called to the fact that while under the provisions of the proposed amendment the number permitted to enter the United States in any fiscal year of the older immigration class from northern and western Europe would be, as I have said, 337,000, when as a matter of fact the normal flow of this immigration annually from 1910 to 1914 was only 132,000. The people of northern and western Europe do not want to come here in large numbers. While they would have a right to come in larger numbers annually, we would not in any event get more than 130,000 a year; and we should be very glad to have them come.

Mr. OVERMAN. May I ask the Senator from Vermont a question?

Mr. DILLINGHAM. Certainly.

Mr. OVERMAN. Do I understand that immigrants coming into Canada have to pay a head tax of $350?

Mr. DILLINGHAM. No; I do not wish to be understood in that way. The Canadians through their Governor General and council change from time to time their regulations regarding the entrance of aliens. Recently, I am told—I have not the paper before me and can not quote it accurately—they have made a broad distinction, as broad, perhaps, as that which I have mentioned, between immigrants who wish to go to the cities and those who are willing to go to the agricultural sections.

Mr. OVERMAN. But immigrants coming into Canada have to pay a heavy head tax?

Mr. DILLINGHAM. Yes.

Mr. OVERMAN. Whereas our head tax is $7.

Mr. DILLINGHAM. But the Canadians have an elastic system. Under it the governor of the Dominion, with his council, can suit conditions to the times in which they live and to changing conditions in the country.

Mr. OVERMAN. What has been the amount of immigration into Canada? Does the Sentor from Vermont know how many immigrants have landed in Canada?

Mr. DILLINGHAM. I do not recall; but Canada needs immigrants.

Mr. OVERMAN. I know it does, and that is the reason why I am asking the question.

Mr. DILLINGHAM. I do not remember how many immigrants she has received, but Canada is selecting very carefully the class of immigrants who shall come in.

However, the fact which I wish to emphasize before concluding is that this bill is emergency legislation. It covers only the next fiscal year, and is offered as the best plan we can devise for the purpose of giving Congress time thoroughly to study the question and to reach some definite conclusion as to the solution of the problem.

Mr. COLT. Mr. President, if the Senator from Vermont will permit me to interrupt him, I desire to say, in reply to the Senator from North Carolina, that according to my understanding of the Canadian law a head tax is not imposed, but every immigrant arriving must have in his or her possession either $250 or $350. In case, however, the immigrant is bound for a farm, or in case the immigrant is bound for domestic service, he is not obliged to have any money in his possession at all. So the Canadian requirement is not in the nature of a head tax.

Mr. DILLINGHAM. I was hazy in my recollection about the Canadian provision. I knew, however, they were making a distinction to encourage the immigrant who was willing to work on the farm.

Mr. WILLIS. Mr. President——

Mr. DILLINGHAM. I yield to the Senator from Ohio.

Mr. WILLIS. I should like to have the Senator's opinion of the provision to which his attention was directed by the Senator from South Carolina [Mr. SMITH]. I refer to the proviso on page 15, which reads:

That in addition to the foregoing the Secretary of Labor may in individual cases admit aliens in excess of the maximum number when in his opinion such action is justifiable as a measure of humanity.

What does the Senator think about the probable working of that clause? How would it be interpreted?

Mr. DILLINGHAM. If it shall be interpreted as the clause in the act of 1917 was intended to be interpreted, it would be interpreted as it reads, as a measure of humanity. It would not permit the admission of 60,000 Mexicans to pick cotton. That provision was put in because of two or three cases which were brought to the attention of the committee where a real hardship would be imposed on an individual who wished to enter this country for some special purpose, but would be unable to do so under the general law.

Mr. WILLIS. Does not the Senator think that such a provision as this will really invite a repetition of an undesirable situation? It seems to me that the language is too broad; that it can make the proposed law meaningless.

Mr. DILLINGHAM. I do not know; I am perfectly willing to have it modified if the Senate so desires.

Mr. WILLIS. If the Senator will permit me, I should like to ask him another question. The popular notion about this bill is that it restricts immigration on the 5 per cent basis. If I caught the Senator's statement correctly, under the proposed legislation almost 600,000 immigrants could come into this country next year under the provisions of the Senate amendment. Am I correct in that?

Mr. DILLINGHAM. To be accurate, 255,416 could come in from southern and eastern Europe, and from western Europe 337,000 might be admitted; but I have called attention to the fact that the normal flow from western Europe is only about 130,000.

Mr. WILLIS. The figures given by the Senator make a total of 592,000, or approximately 600,000.

Mr. DILLINGHAM. Yes.

Mr. WILLIS. Will the Senator state what the immigration was in the last normal year before the war? It was about 1,200,000, was it not?

Mr. DILLINGHAM. Yes, sir; just about that.

Mr. WILLIS. Then, as a matter of fact, the limitation will not be 5 per cent, as is the impression in the popular mind, but 50 per cent.

Mr. DILLINGHAM. In 1914, 1,518,000 immigrants came from all countries in Europe alone.

Mr. WILLIS. I understand. So that, practically speaking, the number that would come in might be 50 per cent rather than 5 per cent, as is generally understood by the public?

Mr. DILLINGHAM. Between 40 and 50 per cent of previous immigration as a whole; yes. But this measure will relieve the anxiety as to the problem that was presented by the prewar conditions, when almost the whole immigration was coming from southeastern Europe, and the indications are that future immigration will also come from that section of Europe. The 5 per cent plan is really a selective plan, limiting the immigration from the nations in that portion of Europe to 5 per cent of the number from such nations now resident in the United States.

Mr. HEFLIN. Mr. President, it is always a difficult matter to legislate as we should upon the subject of immigration. Whenever a committee having to do with the subject opens its hearings the friends of those who wish to bring in their friends and relatives from foreign countries besiege the committee, and frequently Members are told that if certain restrictive provisions are put in the bill those back home in their districts who want immigration unrestricted will resent it and vote against them in the next election. I submit that it is high time for those who love America and her institutions to assert themselves, and exercise the greatest caution in the matter of admitting at this time certain foreigners into this country.

We are told in various periodicals that within the next two or three years some of the foreign countries are preparing to dump upon America ten, twelve, or fifteen million people. We know that there is much unrest in the Old World; we know that the bolsheviki are rampant in Europe; we know, for the newspapers have advised us, that Lenin and Trotski are carrying on a propaganda in this country; that scores of their agents are seeking admission here in order to carry on their devilish work in America.

I prefer the House measure, Mr. President, and I expect to vote for the amendment to the House bill offered by the Senator from Mississippi [Mr. HARRISON]. It seems that somehow these measures always have loopholes in them through which undesirable immigrants find their way into our country. The provision which would permit certain foreigners to come in and after a little while send for their relatives and bring them in, without regard to their fitness, is a dangerous provision. If we permit 1,000,000 to come into the United States and then allow that 1,000,000 to bring over 3,000,000 relatives, we will have 4,000,000 foreigners dumped upon the country under such a provision.

I am in favor of shutting the immigration gate for a period of at least one year. This is a critical time in the history of the world. It is time for America to examine conditions in her own household. We are told in debate here this morning that there are 30,000,000 aliens and their descendants in the United States. Shall 30,000,000 dictate to 70,000,000 what our policy shall be on this all-important question? Shall the law makers of our country truckle to the vote that threatens to punish those who would restrict immigration? I call upon the other seventy and odd million Americans to guard the gate and stop undesirables from pouring into our country. It makes no difference whose political fortune is involved, the welfare of the country should be placed above the political fortunes of any man.

Two millions and more already in the United States are without employment the Senator from Idaho [Mr. BORAH] told us a day or two ago. If 2,000,000 Americans are walking the streets with nothing to do, with many industries shut down, and with agriculture in dire distress, with disturbed conditions all around us, why not shut the immigration gate for one year and keep seven or eight hundred thousand more people from pouring in upon our shores?

Mr. President, but a small percentage of those who come to this country go to the farm; in this bill, however, they have provided that those who go to the city, who take their places in the workshops there, shall pay $7 per head and have about $300 in money, but that those who are to be sent out into the rural communities of the country need not have a dollar. I submit that this is a consideration that our farmers will not greatly appreciate.

Mr. President, I am in favor of having a commission of true and tried Americans on both sides of the ocean to handle this immigration question. This is the most vital question that touches our national life. I repeat we can not be too careful in the matter of guarding our country against the admission of undesirable foreigners. Blackhanders, kidnapers, and red anarchists have found their way into our country. We have tried to guard against them, but they have come; and now, when the world is in a state of turmoil, following the terrible war, and so many foreign people are restless, seeking some place to go, they cry, "On to America," and the steamship companies encourage the cry. The question is, What are we going to do to protect our country from a poisonous influx of unfit and undesirable foreigners?

A few years ago Hon. John L. Burnett, of Alabama, then chairman of the Immigration Committee in the House, went to Italy, and while there he inquired as to what had become of the band of outlaws that had murdered so many people and spread terror over a considerable portion of Italy, and they told him that they had all gone to America.

Mr. President, I recall that a few years ago the King of Denmark pardoned 700 convicted criminals, with the distinct understanding that they would all leave for America, and straightaway they came to America. I was in the city of New York during the recent World War, and as I was coming from a banquet where I had spoken in the interest of the Liberty bond campaign I saw 200 people or more standing around a wild-looking foreigner, a soap-box orator, and he was speaking in a language that I did not understand, but an interpreter said that he was assailing the flag and saying that if he had it in his power he would overthrow this Government; and yet he was permitted to pour out his poison against the greatest and freest Government in the world and nobody disturbed him. We sent an army of more than 2,000,000 men across the sea to defeat a foreign foe and prevent a foreign army from invading America, and yet we permit the enemy through loopholes in immigration laws to come right into the American household. If our boys fought to keep the enemy out, surely we can vote for a law that will keep out the dangerous and deadly enemies of the country.

But, Mr. President, some tell us that we can permit a few hundred thousand foreigners to come in and that if the cities become congested we will send them to the farms. The distressing conditions that now obtain, as a result of the war and other things, in the South and West, the great farming sections of the country, our farmers could not afford to pay them wages enough to live. At the present low and unprofitable price of cotton the farmer in the South is not able to pay them a living wage. At the present low and unprofitable price of corn, the grain grower of the West is not able to pay them a living wage. But we are told that there are 10,000,000 ready to be dumped in upon our shores, and those who oppose restricted immigration in any form tell us that one year is too long for any foreigner to have to wait before we permit him to come over and enjoy the blessings and benefits of our great country.

Citizenship here is worth years of work and striving. Let them learn to appreciate its value.

Why, Mr. President, Jacob had to work and wait 7 years for Rachel, and when he found that they had fooled him and given him Leah he worked and waited 7 years more for Rachel—14 years in all; but when we seek to impress upon all those who aspire to citizenship in this superb land of liberty, when we desire to close the doors at this critical time lest thousands and hundreds of thousands of dangerous and undesirables come in before we can determine thoroughly the policy we will adopt upon this question of immigration, they tell us that we are unreasonable and that one year is too long to have to wait.

Why, Senators on the other side yesterday postponed the great road-building program of 43 States in the Union, and this was done, they told us, in order to give them time to get their bearings and work out a permanent program. They stopped that great and important work, but it is too much to ask the Senate to shut the gate for one year in the face of thousands who seek to come here and poison the very life of the Nation. It is time for this Nation to stop, look, and listen. We must work out very carefully an immigration policy to meet the new and changed conditions in world affairs. One thing that all loyal Americans can and will agree upon, and that is that no enemy shall enter.

Mr. President, I am opposed to permitting any man or woman to remain in this country who questions the integrity or challenges the authority of the Stars and Stripes, the loved flag of our country. If we can not control those who would tear it down and hoist the red flag in its place, I would send them out

of the country—men and women, all of them. This question that we are considering to-day is the most vital question that will come before this Congress—the question of protecting all that we hold dear from the dangers that threaten through foreign immigration. This is no longer a question now of desire on the part of the immigrants to come to America; oh, no, Mr. President! It has become a matter of commercial traffic and barter. The steamship companies are making their millions out of hauling foreigners to America. The able and distinguished Senator from Vermont [Mr. DILLINGHAM], one of the ablest and best Members of this body, talks about the old days, when the old immigrants came. Ah, how different it was then. Then they wanted to come to this country to enjoy its liberty, to better their condition, and contribute to the strength and glory of this Republic, and thousands of them did so. But what of the situation to-day? Agents are abroad in Europe saying: "The steamship sails on a certain day; only a small amount of money is necessary to take you out of this country and land you in America." Why, they gather them up like cattle. In my State the cattle buyer used to go out in the communities and buy a yearling here and a yearling yonder until he got a carload to send to the marketplace. So immigration has become a great money-making business. The steamship companies are making a vast deal of money out of hauling all kinds of foreigners into the United States.

I appeal to Senators here and to the people of this Nation to wake up and stop this evil that strikes at the very vitals of our country. Whenever one of our committees sits down in a room and opens hearings, agents and interests come in, and they say: "This provision and that ought to be stricken out"; and they whisper around: "If you vote for that provision there are enough of this and that element in your district to defeat you for reelection."

I submit to the Senate that no man's political life is comparable in importance to guarding this Nation against the dangers that are involved in loose or unrestricted immigration. We ought to rise above such considerations when it comes to this question, and say to them: "When you threaten me with defeat unless I vote to permit the doors to remain open, you are asking me to barter the highest and best interests of my country for a seat in Congress. That is what you are asking me to do. You are asking me to turn my back upon the interests of my children and their children's children. You are asking me to prove unfaithful to the Government that I love." That is what they are doing when they ask us to throw the doors open to all sorts of immigrants from foreign countries.

So, Mr. President, I shall cheerfully vote for the amendment of the Senator from Mississippi [Mr. HARRISON], and I shall also vote to substitute the House bill, if amended, for the Senate committee bill. I want to close the door for the present. One year is not long. The children of Israel were required to wander 40 years in the wilderness before they were permitted to enjoy the blessings of the promised land. Here is the best Government on the globe, and the greatest land in all the world, and yet they tell us that the time is too long when we shut the door for 12 months in order to provide for the keeping out of our country vast hordes of unfit and undesirable foreigners.

Mr. COLT. Mr. President, in dealing with this subject of immigration and our attitude toward the alien, I think it well to state the situation from an economic standpoint; and I quote the following from an address by Commissioner Wallis:

> Immigrant workmen contribute 85 per cent of all the labor in the meat-packing industries; seven-tenths of the coal mining; 78 per cent in the woolen mills; contribute nine-tenths of all labor in the cotton mills; make nine-twentieths of all the clothing; manufacture more than half of the shoes; build four-fifths of all the furniture; make one-half of the collars, cuffs, and shirts; turn out four-fifths of the leather; make half of the gloves; refine nine-twentieths of the sugar; make half of the tobacco and cigars.

I read from another summary by another author, Miss Keller, as follows:

> Immigrant workmen mine three-quarters of the output of iron and coal. They constitute the bulk of labor in the lumber camps. They are used almost exclusively to build our tracks and roads and to keep them in repair. In all forms of construction immigrant labor predominates. The building of houses, delayed first by the war and then by the high price of materials, now finds itself seriously handicapped by the shortage of immigrant labor. Immigrants bake one-half of the bread in America, refine one-half of the sugar, prepare four-fifths of all the leather, make 50 per cent of the gloves, shoes, and silk; and make 95 per cent of all our clothing. Sixty per cent of all packing-house employees are foreign born.

That is the contribution of alien labor to American industries, mines, and agriculture.

Mr. McLEAN. Mr. President, does the Senator know what percentage of that labor has been naturalized?

Mr. COLT. I am unable to answer the Senator.

Mr. SIMMONS. Has the Senator considered, if those figures are true, the little amount of work that is left to native born in this country?

Mr. COLT. I will say to the Senator from North Carolina that I simply give the figures upon the authority of those who wrote them. But I might further say, and I ask the Senator from Vermont to correct me if I am mistaken, that in the report of the Immigration Commission, of which he was the head, figures were introduced as to the percentage of alien labor in the various industries of the country. I will not say that those figures exactly correspond with these. I heard him read some of them at a meeting of the Immigration Committee. But I will say that they were along those lines.

Mr. SIMMONS. The point I was making was that if those figures are true this immigrant population has absolutely crowded out the native born from our factories, leaving very little of that character of work to be performed by American-born citizens. I do not know what some of the figures given by the Senator mean. In one of the estimates it is said these immigrants make 50 per cent of the bread of this country. I do not know whether that means that they make the materials out of which the bread is produced, or whether they make the bread out of the materials.

Mr. COLT. I think it means they are the bakers.

Mr. SIMMONS. I think it must mean that.

Mr. DILLINGHAM. In answer to the inquiry of the Senator from North Carolina, I think the figures he was inquiring about were to this effect: The Immigration Commission of 1910 investigated 37 of the leading industries of the United States. In that way they came in contact with about 700,000 of the employees in the 37 industries. Those were located at 200 different places in the United States. Among the employees they found that 60 per cent were foreign born and 15 per cent were of the second generation. I do not know of any other figures upon that subject which can be given.

Mr. COLT. With regard to the immigration problem at the present day, the only information we have which is positive and accurate is as to the number of arrivals. It is two years and three months since the armistice, and yet in the year ending the 1st of July, 1920, there were only 430,000 admitted; and if you should undertake to get the net number of those who departed, you would find the net increase in our alien population during the year ending the 1st of July, 1920, was 141,000.

Those figures do not indicate any danger of a flood, so far as the arrivals are concerned. Since the 1st of July there has been some increase, an increase which runs up for the six months to 411,000. But at the same time we witnessed the phenomenon of the large departure of these aliens from the United States. So that when we get the net number we shall have reduced that 411,000 to 250,000 at least.

It is rather a remarkable thing, in speaking about how all Europe wants to come to America, to notice one or two figures with regard to the month of July, which is the only month as to which we have the immigrants classified by races. This is official. In the month of July there were 34,228 arrivals from southern and eastern Europe and 22,534 departures. Of the Magyars there were 128 arrivals and 2,631 departures; of the Bulgarians, the Serbians, and the Montenegrins there were 333 arrivals and 3,158 departures.

That was a year and a half after the armistice. What I am saying is this, that when it is said there are 15,000,000 who want to come to this country, all we know, as a matter of fact, is that a number want to come. We also know, as a matter of fact, that if the immigration arrives during the next five or six months in proportion to the last six months it will approach the antewar period. We further know that, so far as the flood from Europe is concerned, there are two sides to the question. The question of a flood is a disputed question. It is based largely upon general impression. It may be true. There is, however, sufficient truth in it so that the country demands at this time that we should fix a maximum, and that is all you can say with regard to that question.

I could argue the question of checks and balances to show that in all probability no more will arrive during the next six months than arrived during the past six months, and that the number of departures will be equally great. I might cite as a check that the primary factor in immigration is the economic condition of the country, and that whenever the economic condition of the country is bad immigration automatically decreases. That is a law, that is a barometer, independent of any statute.

After the panic of 1907 immigration fell off in 1908 more than half a million. After the business reaction of 1893–94 immigration fell off one-half. After the business reaction of 1873, 1874, and 1875 immigration was reduced to one-third. After the business depression of 1856–57 immigration was reduced to one-third. It is significant that during the month of January of the present year immigration has fallen off very materially from what it was in December, and it was a little less in December than it

was in November. This great economic law is automatically adjusting immigration to-day. It is a check. It may be overcome by other conditions, but it is working, and we had testimony that ships arriving from Spain with steerage passengers on board brought only half their carrying capacity.

I have in my hand a letter from the Secretary of State saying that the department has received a communication from the American consul at Valetta, Malta, reading in part as follows:

The emigration committee has issued the following notice:
"Information having been received that there may be a slackness in the demand for labor during the winter months, intending emigrants to America are warned that no passports to the United States of America will be issued until further notice."

Then follows a provision that there may be exceptions in case of families.

I also have a communication, under date of January 3, from the Secretary of State, to the effect that the Italian Government had suspended the issuance of passports. It reads:

The chargé d'affaires of Italy presents his compliments to his excellency the Acting Secretary of State and has the honor to inform him that, according to a communication just received from the ministry of foreign affairs, the Royal Italian Government has suspended the issue of passports to subjects emigrating to the United States and will refrain from issuing such passports until informed as to the classes of immigrants desired in this country.

Thus Italy has suspended the issuance of passports. Let me say that in studying the immigration question during the past year, I found that a very considerable percentage came from Italy. That is another check upon immigration.

Further, the Governments of Europe are regulating emigration to a greater extent than ever before. They are guarding their nationals; they are trying to hold them, especially the new republics that have been created. Further than that, the nationals themselves feel in duty bound to remain at home to help upbuild their countries, and many of them find it their duty to migrate from this country back to their own countries to help in the reconstruction of their countries. Mention has been made of the expense of transportation and transportation facilities. The situation in regard to shipping and transportation facilites, as shown by the testimony at the hearings, is this, that the transportation facilities could not possibly bring over millions, but that the ships could bring in excess of a million, or a number far in excess of what arrived during the war. To my mind there was no question but that if that number of immigrants wanted to come transportation facilities would be furnished. Therefore the transportation problem, in the minds of the committee, so far as I interpret it, did not enter into this question at all.

I was only saying that so far as I am concerned I think that we ought to say that the coming of 15,000,000 from Europe is a matter of conjecture, that we overestimate the effect of war conditions abroad. War conditions, as a matter of history, have little or no effect upon immigration. The statistics of the past century prove this. I am not going to assert positively that the present war conditions and political conditions and economic conditions in Europe may not produce a great influx. I do not think they will, but there is enough doubt about it, and the country feels so strongly about it, that I wish to put an absolute check against that danger. This bill does that. Let me say in this connection that we can not admit immigrants entirely from western and northern Europe and not admit any from southern and eastern Europe. The committee have made the best and the most reasonable disposition of the question that, to my mind, was possible under the circumstances, unless we are going to say to the country, "The United States is absolutely going to suspend immigration for a year," and that proposition I do not think can be defended.

Mr. POMERENE. Will the Senator yield for a question?

Mr. COLT. Certainly.

Mr. POMERENE. I have not had the opportunity to read the testimony which was taken before the committee, but the papers reported the commissioner of immigration, which I think is his title, at the port of New York as having said that there were, my recollection is, 15,000,000 in Europe awaiting transportation to this country, and that the only limitation, as I now recall his statement, upon their coming to this country was the lack of transportation. What was his estimate in that behalf?

Mr. COLT. The general statements of Commissioner Wallis were substantially as the Senator has stated, but they were confined to general statements. He might have said 20,000,000. The Senator can see at once, from the nature of the inquiry, that no one can tell definitely as to numbers.

Mr. POMERENE. I quite agree with that.

Mr. COLT. With regard to transportation, there seem to be transportation facilities to bring over in a reasonable time all who wish to come.

Mr. POMERENE. I realize that any statement of that kind is more or less of a conjecture, but I saw a statement to the effect that he bases his conclusions upon statements which were made to him by the presidents or general managers of a large number of steamship companies.

Mr. COLT. I do not think that statement will bear analysis. I think the answer to the 15,000,000 proposition is that the same condition exists to-day, and yet we see only a comparatively small increase in immigration. As to transportation facilities, the testimony was that they are good, and that the companies were about to put into the service some additional ships.

Mr. POMERENE. Can the Senator tell me this? As I remember, Commissioner Caminetti was in Europe, having gone over there particularly, as I understood, to study the immigration problem to some extent, perhaps among other duties.

Mr. COLT. The Senator is correct.

Mr. POMERENE. What was his view of the situation?

Mr. COLT. His view was that there was a flood of impending immigration. I can not answer the question better than that. Commissioner Wallis's view was that there was a flood of impending immigration.

May I say to the Senator from Ohio, as a personal matter, that where I find a disputed question of fact, where arguments may be made upon both sides, and valid arguments, and I find four or five men are against my conclusions, I am very apt to think that I am wrong. I do not like the dogmatic temperament, and therefore whatever general conclusions I may have reached with regard to the so-called flood from Europe, I yield to the opinion of my colleagues and to the settled conviction of the country; and I recognize the fact that, whatever conclusion I might reach, there is still that same fear that exists that I can not answer and that the conditions do warrant.

Mr. HARRISON. Mr. President, I offered the amendment, and have not said anything because I am very anxious that the bill be voted on to-day in some form or another. The proposition that I have advanced is to strike from the House bill the dependent features of the bill. I think that the bill would be very much improved if the exception should be stricken out, for the reason that the hearings before the Senate committee disclosed the fact that a great many immigrants would come in under that provision.

I wish to call the attention of the Senate to those facts, as it is upon them that I have offered the suggestion that I wish to have incorporated into the law in the form of a provision that will eliminate or exclude from the act all those relatives who might want to come in, and if we permit them to come in we will not reduce immigration materially from that which is now coming in.

Mr. WILLIS. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. HARRISON. I yield to the Senator.

Mr. WILLIS. Before the Senator proceeds will he state briefly the substance of his amendment? I have been absent from the Chamber temporarily.

Mr. HARRISON. The substance of the first amendment that I am offering is one which I, as a member of the Committee on Immigration, favor over the substitute offered by the committee. In the bill that passed the House, known as the Johnson bill, there is an exception, so far as suspension is concerned, with reference to certain relatives who might come in. It is found on page 7, as follows:

Wife, parent, grandparent, unmarried son or brother under 21 years of age, unmarried or widowed daughter or sister, grandson under 16 years of age whose father is dead, or unmarried or widowed granddaughter whose father is dead.

The facts are these—and this is in the testimony of Mr. Husband, who appeared before the committee, and who, in my opinion, knows more about the immigration proposition almost than any man in the United States. At page 525 of the hearings he said, in speaking of this provision of the House bill:

These figures of the percentage of certain peoples who came to join relatives in 1920 will illustrate what I mean: Of the Dutch and Flemish, 74 per cent were going to join relatives.

Of the Dutch and Flemish in 1920 who entered here 74 per cent were going to join relatives. In other words, they would come in under the provision of the House bill which I have moved to strike out.

He then said that of the Irish, 75 per cent of those who came in 1920 came because they said they had relatives; of the Scandinavians, 63 per cent; of the Scotch, 67 per cent.

Then he went on further and said:

And you can, I think, very readily surmise that those people were not going to join relatives in the sense that they were dependent on those relatives. They were merely going where relatives were, for northern and western Europe immigration is very independent. It does not come until it knows what it is doing, and knows where it is going, and it comes to become a permanent part of the country.

Referring to Greeks that came in in 1920, do Senators have any idea of the percentage who came to the United States in that year claiming the right to enter because they said they had relatives here? Eighty-one per cent! Do Senators know how many Hebrews came into this country in 1920 because they said they had relatives here? Eighty-nine per cent! Do Senators know how many Italians came into the United States because they said they had relatives here? Ninety-four per cent!

So it is because of these facts and for these reasons that I have moved to strike from the House bill the dependent feature. I am for a real suspension for a definite period.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. HARRISON. Certainly.

Mr. POMERENE. The Senator speaks now of the per cent coming in who had relatives. Within what degree did they have such relatives?

Mr. HARRISON. The testimony of Mr. Husband did not show the degree, but under the House bill they take in almost every kind of a relative, six or seven different kinds. The information that the Senator desires was not given to us; we could not get it. If we want real suspension, and that is what I favor, I think, with all the reorganization going on over in Europe and with the abnormal conditions that now prevail throughout the world, we ought to suspend immigration for a definite period. If my amendment is agreed to as proposed to the House bill, and we can then vote down the substitute that is proposed by the Senate committee, we will get real suspension for the next 12 months.

Mr. SIMMONS. Mr. President——

Mr. HARRISON. I yield to the Senator from North Carolina.

Mr. SIMMONS. Of course, the figures which the Senator has given include all relatives. That is pretty broad. That would let in an enormous quantity, as the Senator has shown by the figures given. But confining additions to the relatives within the degrees specified in the bill, it is even then very clear that the House bill would admit a very large number.

Mr. HARRISON. That is true.

Mr. SIMMONS. But not the percentages given by the Senator.

Mr. HARRISON. Oh, no; but this is the best evidence I could give to the Senate on the proposition. The number would, however, be large.

Mr. SIMMONS. But it would probably admit a larger number than the amendment of the Senate committee would admit.

Mr. HARRISON. It might do that. It would probably admit a larger number from southern and eastern Europe than the amendment proposed as a substitute by the Senate committee.

We can afford, it seems to me, to apply a rule of suspension for a definite period. Senators have read of the typhus that came in one of the ships, where there were some 1,300 immigrants landed the other day in New York. I noticed in the New York Times of this morning that three of the typhus patients were found away up in Cortland, N. Y., which I think is some 100 miles out of New York City, though I do not know the exact distance. Those three came on the boat where all the other typhus cases were found.

It would seem to me at this time, due to so many different reasons, that we ought really to suspend immigration, and in the meanwhile we can work out some plan such as is suggested by the Senator from Vermont and incorporated in his substitute, or some other plan that might be wise and just and restrictive.

Mr. DILLINGHAM. Will the Senator allow me?

Mr. HARRISON. I yield.

Mr. DILLINGHAM. On the question of typhus I have grown rather tired of newspaper comments placing the responsibility upon the Congress of the United States for the condition of which they are now complaining with respect to that disease. I wish to call attention to the fact that there is a statute now upon the books, which reads as follows:

That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or other infectious or contagious disease in a foreign country there is a serious danger of the introduction of the same into the United States and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded in the interest of the public health, the President shall have the power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

So that with the reports coming from the representatives of our Consular Service abroad, with the information possessed by the Public Health Service, with the information which comes from the Bureau of Labor, the whole responsibility is upon the President and the power is in his hands instantly to stop the immigration from the country where infectious diseases prevail.

Mr. HARRISON. I am glad the Senator has incorporated that statement in the RECORD, because the method of dealing with the typhus infection that is coming into the port of New York and restricting and preventing others who might have it is a most important question. I shall not take up the time of the Senate. I am very anxious that some legislation be passed by this Congress relative to this matter. If we can pass the bill as it came from the other House with the amendment I have proposed, or, if that amendment shall not be considered wise, in the opinion of the Senate, we can pass the original bill as it came from the other House, it can immediately go to the President and action will be insured at this time.

I desire to say as to the substitute reported by the Senate committee, although I did not vote for it, but only favored it as a last resort, there were four members of the committee out of nine, I think, who favored the Johnson bill, and if amended as I have suggested it would be a very wise measure.

I think if the Senate should adopt the Dillingham plan the percentage of admissions of immigrants as provided for is too high. We should reduce the percentage from 5 per cent to 1 per cent or 2 per cent, or at any rate make it not more than 3 per cent, thereby restricting immigration still further. However, when we reach that matter I expect, as I have suggested, to offer an amendment to make the basis of admission 1 per cent, and if that is not agreed to, to make it 2 per cent; and if that proposition is rejected, to make it 3 per cent, so that we may reduce immigration to that extent. I should prefer also that the percentage be based not upon the number of aliens who lived in this country according to the census of 1910, but upon the percentage of those persons who live here and who have become naturalized citizens of the United States.

So I shall also offer an amendment to carry out that idea. I hope we may get some legislation on this subject passed to-day, and I believe we can.

The Senator from Utah [Mr. SMOOT] suggested that it would be a hardship if, after we had admitted a foreigner to our shores, he should not be able to send for his wife, his children, or his grandfather, or his grandmother, or his grandchildren, and other relatives. I know it looks hard on those individuals, but when they come here they come for better or worse. They could have brought those relatives with them. They did not. If the alien is so anxious to be with his wife and his grandchildren and other relatives, he is still at liberty to go back to his native country. That is the way I feel about it. The Senator from Utah smiles. He disagrees with me. I am for restricting immigration; for its suspension absolutely and entirely for at least 10 months.

In yesterday's newspaper I read an item to the effect that Mr. Vierick, of the German-American Alliance, visited the President elect in Florida. Of course, Mr. Vierick and his crowd said that he visited the President elect at the invitation of President elect Harding. I do not believe the President elect and his advisers ever issued such an invitation, but it was given out that it was at the invitation of the incoming President. However, Vierick visited the President elect and made some 13 demands of him. Here they are:

1. That Americans of German birth should participate equally with their fellow citizens in the government of "our country."
2. Immediate peace with Germany and the rejection of the "infamous" peace of Versailles.
3. A protest against the French annexation of the "ancient German Provinces of Alsace-Lorraine."
4. Immediate withdrawal of the American forces from the occupied portions of Germany.
5. Condemnation of British action in Ireland as "in violation of the principles for which American blood was shed and American treasure lavished in defense of the British Empire during the World War."
6. Condemnation of the "attempt to embroil this country in a war with Japan for the benefit of Great Britain."
7. Repeal of the Panama Canal toll bill.
8. Opposition to entangling alliances, "especially any alliance with Great Britain."
9. Investigation of the Government handling of alien property is demanded.
10. The immediate release of Eugene V. Debs.
11. Attacks against citizens of German descent should be resented.
12. Prohibition is condemned as "a breeder of death, corruption, and contempt for the law."
13. A study of immigration "in a liberal spirit" was urged.

It is said that he wanted a German-American to be in the Cabinet of the incoming administration. I want to see in this country not German-Americans or Irish-Americans or Italian-Americans but plain Americans.

Mr. SMOOT. And everybody agrees with the Senator from Mississippi in that.

Mr. HARRISON. I am glad the Senator from Utah agrees with me.

It is stated in this newspaper article that in the conference of the President elect with Mr. Vierick a study of immigration in a liberal spirit was urged by Mr. Vierick, and attention was called to the fact by him that 6,000,000 German-Americans stood

by him in the recent election. That is a bad situation to exist. We should deal with this question and let subjects of foreign nations know that when they come to this country they shall be Americans and not sympathize with other countries in disputes which may arise between America and other nations.

The hearings disclosed the fact, may I say to the Senator from Utah and other Senators, that certain countries in Europe, Germany and Rumania, for instance, are preparing a scheme to allow all former citizens of those countries who have emigrated to the United States to vote on great questions which may arise in Germany or Rumania. They want them to take part in questions which arise there.

I know, Mr. President, that the larger per cent of our foreign population is patriotic. They gave their sons in the late war to fight for our cause, and in every way they aided the country of their adoption. But, sirs, there were some who gave us trouble, and from the beginning to the end, and even now, are more interested in the country from which they came than in the land of their adoption.

It is an unhealthy political condition when any alien so far forgets himself to side with his mother country rather than to defend the cause of the country of his adoption.

Mr. GRONNA. Mr. President, I was of the opinion that the time had come when American citizens had ceased to participate in or to attempt to run the affairs of European Governments. During the last few years under the present administration we have had considerable experience with questions involving interference in the affairs of foreign Governments. I wish to call to the attention of the Senator from Mississippi, in all kindliness, of course, a fact that he seems not to realize, that some, if not all, of the foreign-born American citizens are just as loyal and just as patriotic as he and other Senators and other citizens are.

This is a great, broad question. In the entire western section of the country, Mr. President, there are millions of American citizens who would not, if they could, be anything but American citizens; but they have the right to cherish a friendly feeling for the people of the countries from whence their ancestors came. At the time when this Nation was in danger of being separated and made into two Governments, the citizens of foreign-born extraction never for a moment hesitated, but took the position that the United States is one undivided, indivisible union or country.

The Senator from Mississippi has referred to percentages, but those percentages do not mean very much. Of course, those who come to this country from foreign lands have relatives abroad, and if the Senator had stated that 100 per cent of those who come here from foreign lands left relatives behind, it would not have meant much nor would it have been very wide of the mark. In this connection I am reminded of a comparison by percentages made here a few years ago by the distinguished colleague of the Senator from Mississippi. In speaking of percentages, the distinguished senior Senator from Mississippi [Mr. WILLIAMS], always interesting and always logical, stated that the increase in the Republican Party in Mississippi was about 1,000 per cent, but the junior Senator from Mississippi knows that that percentage did not mean a very large increase of the Republicans in Mississippi.

So, in the case of the immigration to which he has referred, the percentages mentioned by him may mean very little.

Mr. President, I was born on American soil, but my parents came from a foreign land, and I want to say to the Senator from Mississippi and to other Senators that no man has a right to challenge the patriotism and the loyalty of any American citizen because his ancestors came from a foreign land.

I am not here to defend all German-Americans, but I am here to defend the German-Americans who are citizens of my State. I will say without any fear of contradiction that they were among the first to go out and ask for contributions for purposes necessary to carry on the war; they were among the heaviest contributors themselves to the necessary funds, although, as we all know, the demands for money were many. In my county and in the townships in my county the heads of a great many committees and organizations engaged in that patriotic work were citizens, American citizens, if you please, of German blood. They were the first ones to go over the top.

No American citizen will defend the outrages perpetrated by the autocracy of Germany, but I had hoped, Mr. President, the time had come when American citizens of German parentage or origin who sent their sons, as we all did, across the ocean to fight the Great War are no longer to be humiliated because they are the descendants of Germans. I, for one, resent any attack upon anyone because he is a descendant of people who came from foreign lands.

I am somewhat surprised at the Senator from Mississippi. I know of no Senator who is more anxious to promote free and unlimited commerce and trade between nations than is the Senator from Mississippi; but now he seems to take a different position; he seems to want to lock the gates, to shut the doors, regardless of whether immigrants are of the desirable class or not.

Mr. President, I had not intended to say a word on this bill. I do not know whether or not the measure proposed by the Senate Committee on Immigration is perfect. I believe that it is much better than the House bill; but there is one thing of which I am certain, and that is that I never could vote for the amendment proposed by the Senator from Mississippi.

The Senator asked—I can not quote him verbatim, but in substance—if an immigrant had any family when he came to this country why did he not bring his family with him? I wish to say for the information of the Senator from Mississippi and other Senators that I can find several million American citizens of foreign birth or ancestry who came here alone. Why? Because they were too poor to bring their families with them; but they came here and worked until they were able to accumulate a sufficient amount of money to bring their families here.

Mr. SMOOT. That is the general practice.

Mr. GRONNA. As the Senator from Utah suggests, as a matter of fact, that is the general practice. I wish further to say that many of the sons and the daughters of those citizens are among the foremost citizens of this Nation. They have no apology to make because their parents or their grandparents at one time lived in a foreign land.

Mr. President, I hope the amendment proposed by the Senator from Mississippi will not prevail, because, in my judgment, it would violate the principle set forth by the committee, that in a case of humanity it shall be left to the Secretary of Labor to say whether or not certain people shall be admitted into this country. I am not pleading for anyone, and especially I am not pleading for the people of the Scandinavian countries. More people are going back to the Scandinavian countries than are coming here, and if the conditions on the farm continue as they are to-day I fear that there will be more; and the reason why they are staying here is that they believe in this Government, and although they are not making profits they want to make their homes in the United States, because they believe in a republican form of government and they love this country and always are ready to defend the American flag.

Mr. SIMMONS. Mr. President, ever since I have been in the Senate I have been deeply interested in this question of immigration. Shortly after I came to the Senate, as the Senator from Massachusetts [Mr. LODGE], who has just risen from his seat, knows, when we were considering an immigration bill I offered an amendment to that bill imposing the educational test. That amendment was adopted by the Senate, but was stricken out in conference. Subsequently, however, it was incorporated in the immigration laws of the country. That was shortly after this new immigration, so called, began very greatly to exceed the old type of immigration, when we began to feel that there was a real menace to the country from the influx of immigrants that were then pouring into this country in increasing numbers from south and eastern Europe. That influx had become, undoubtedly, a great menace when the war temporarily stopped this flood of immigration.

I do not believe that in the conditions we have now there is any ground for apprehension that during the next 6 or 8 or probably 12 months we are going to have any very great volume of immigration from Europe; and I say that in the face of the fact that during the first six months after the armistice the volume of immigration was nearly as great as it was before the war. This six months was a period of very great business activity in this country; but during the past few months, since the slowing down of industrial activities, this immigraton has been to a great extent checked. As the Senator from Vermont [Mr. DILLINGHAM] has stated, that simply follows the rule; and the volume of immigration since the Civil War has depended upon economic conditions here. Whenever business slackens and our industrial activities slow down, reducing wages and causing unemployment, this tide of immigration, especially from southern and eastern Europe, has correspondingly slowed down, which means that most of those who come here from those countries are influenced by economic consideration and in search of employment at better wages than obtain in their native countries, and not with a view of permanent citizenship.

As long as this period of depression through which we are going continues I entertain no serious apprehension of excessive immigration from Europe, especially from southern and eastern Europe. I am confirmed in this conclusion by the fact that the Italian Government, recognizing our situation and the public

sentiment in this country against additional immigration at this time from that country, has issued a decree suspending further emigration from Italy to this country.

Notwithstanding this check upon European immigration, removing any serious danger of excessive and disastrous influx of this undesirable element from eastern and southern Europe, I am sure many more will come than we want and that good public policy requires stringent restriction and curtailment. I do not agree, however, to the contention that this drastic curtailment and restriction should be indiscriminately applied to all immigration from Europe.

Now, a study of the House bill and the Senate committee's substitute shows but little difference between them. In principle they are practically the same. They apply the same principle of exclusion, though the methods differ. I think that about as many immigrants will be entitled to admission under the House bill as under the Senate substitute.

The statistics that have been furnished us as to the number that will be entitled to come in under the Senate amendment and the number that will be entitled to come in under the House bill would be about the same; at least, the principle governing the matter is practically the same in the one bill as in the other—one based on percentage of nationals in this country and the other the relations of these nationals resident in the countries of emigration.

Mr. President, it has been disclosed in the discussions, and the statistics of the Government show it to be true, that approximately 60 per cent of our European immigration when they come here seek, and in normal times find, employment in the manufacturing industries of the country. I think the Senator from Vermont said a little while ago that certain investigations and surveys made under governmental direction showed that about 60 per cent of those employed in the manufacturing industries of this country are alien born.

Mr. DILLINGHAM. That, as I stated before, if the Senator please, relates to what the commission found in 37 of the largest industries of the country which they investigated.

Mr. SIMMONS. That includes both the old and the new immigration?

Mr. DILLINGHAM. Yes.

Mr. SIMMONS. In the case of the new immigration the percentage is much larger, is it not?

Mr. DILLINGHAM. Very much larger.

Mr. SIMMONS. So I think it would be fair to say that if 60 per cent of all the employees in these factories are alien born, at least 75 per cent of the new immigration to this country seek and find employment in these industries.

Mr. DILLINGHAM. I think all the statistics show for a number of years that substantially 75 per cent of all that come into this country go to the cities or to the seats of the large industries.

Mr. SIMMONS. Yes; so we may expect 75 per cent of all the new immigration that comes to this country from eastern and southern Europe will either seek employment in these industries or settle in the already overcrowded cities of the country.

Mr. President, during the war, when immigration from Europe was practically suspended, when the demands of our own and of foreign Governments upon the mills and factories of this country necessitated a tremendous expansion in our manufacturing activities, in order to secure labor to compensate for the loss occasioned by this temporarily suspended European immigration and of their employees enlisted in the military or naval service, it became necessary to recruit from the rural districts of the country the large additional force needed to meet and successfully supply the great demands made upon them during the war period.

And it is further in evidence that these young men, the very flower of the rural sections of this country, having acquired a taste of city life and become accustomed to the work of the factory, show a decided indisposition to return to the farm. The sudden stagnation which has come upon our industries has thrown a large number of these young men out of employment. There is no present employment open to them in these industries. Now it is evident in these conditions that any additional immigration coming to this country for the purpose of obtaining employment in these industries can only get employment by further depriving those young men of employment.

Mr. President, it is clear in these conditions we do not need additional immigration of this class, and we are warranted, in my judgment, in going very far in the direction of excluding them, at least temporarily.

I think it would do no good, but that it might work great harm, to admit even the limited number of these undesirables that may come in either under the House bill or may come in under the Senate committee substitute.

But, Mr. President, there is another side to the question. While our industries are overstocked with men, while many of the boys who acquired places during the war which they now desire to keep must be discharged under the best conditions, there is a situation with reference to agriculture, created very largely by the fact that those boys left the farms and will not go back, to which I want to refer, and I want to call the attention of the Senator from Vermont [Mr. DILLINGHAM] to what I am about to say. There is a situation upon the farms of this country that is pregnant with untold harm and disaster to the whole country unless it is remedied. There is a scarcity of labor on the farms.

It is said that no immigrants are coming here for the purpose of engaging in agriculture, because that is so unprofitable at this time.

Mr. President, the fact that agriculture was unprofitable last year because of the excessive prices we had to pay for labor and materials and the low prices we received for our products, does not at all argue that it will be unprofitable in the future, when those conditions no longer obtain. I believe we are rapidly adjusting ourselves to new conditions; that it will not be long before we are again upon a basis of prosperity. It will not come all at once, but it will undoubtedly soon begin, and the movement toward prosperous agricultural conditions will gradually grow, and be accelerated as time passes.

There is no reason to take a gloomy outlook as to the profits of agriculture in the future, in my judgment. I expect better than prewar prices and profits in agriculture, and I expect them to come with the next crop. I do not believe that the opposition to certain classes of immigration should militate against an immigrant who has the agricultural instinct, who has been trained upon the farm, and exclude one who otherwise would come to this country for the purpose of engaging in agriculture.

Mr. President, we have to get this additional farm labor from somewhere. If we can not get the labor to cultivate the land and crops, we will have not only a shortage of foodstuffs in the United States but our factories will be confronted with a shortage of raw materials, because after you have eliminated all the raw materials we imported from abroad, the factories of the United States in the last analysis must rely upon the farms, the forests, and the mines of America for the bulk of their raw material.

We are in great need of that labor upon the farms. As I said, we are not going to get it from the return to the farms of the boys who left them during the war and found employment in the cities and in the factories, which employment has proven more desirable and more attractive to them than their former employment upon the farms. These boys are not going back, and the question is, Where will we get the farm labor?

I think, Mr. President, that any policy with reference to immigration which would keep out the farming element represented in the old class of immigration which has heretofore come to us, and which will now come to us unless we close the gate against it, would be unwise and shortsighted. We need that class of immigrants, both as farmers and farm laborers.

Even in southern and eastern Europe there is a class of citizens, some of whom have in the past emigrated to this country every year, who make good farmers and farm laborers. For example, there is not a finer class of farmers anywhere than those from that section of northern Italy known as Lombardy. They make fine farmers and good citizens. The Italian farmer of southern Italy can not be said to be an undesirable citizen, because he is well trained, intelligent, and thrifty as a rule. The undesirable element I have been speaking about is composed of the riffraff of the city, that class of Italian labor that is nomadic, which distribute themselves over the earth wherever they can find the most lucrative employment and are as gregarious as the animals.

They are the element I say we do not want, and conditions here make it undesirable that we should have them.

I do not know how it may be with other Southern States, but while we are opposed to this class of immigration which all of us down there recognize as objectionable and as undesirable, and as people all over this country recognize as undesirable, in my section of the State we are very anxious to get good farmers, if we can, men who will come here for the purpose of engaging in farming, men who have been trained in that business. Whether they come from one section of Europe or another section of Europe, we are anxious to have them down South, and we need them; and unless we get them, Mr. President, it will spell disaster to the landowners and farmers of that section, because a large part of the land in cultivation in the South last year will not, and can not under present conditions, be cultivated this year.

Under all these circumstances, it seems to me the problem which presents itself is not one which can be solved by adoption of the principle involved either in the House bill or in the Senate substitute. Both exclude indiscriminately the desirable as well as the undesirable, except to a limited extent, without differentiation.

Circumstances do not call for that kind of legislation, in my judgment. What I do think the circumstances call for is a very rigid, strict policy of selection. Such a policy will solve the difficulty. It will keep out the undesirable class from southern and eastern Europe, or any other section the residents of which we do not desire as immigrants; and at the same time it will admit the class we need for the purpose of supplementing the requirements and the needs of the American farmer.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Vermont?

Mr. SIMMONS. I yield.

Mr. DILLINGHAM. I have already said in this debate, Mr. President, that I agree entirely with what the Senator says, that the question of selection and the question of distribution are two problems we have to solve within the next year. I am glad to know now that the Senator agrees with me, and I would be glad, if he has thought the matter out, to have him make a suggestion as to how that selection should be brought about.

Mr. SIMMONS. Neither the committee substitute nor the House bill apply the policy of selection at all; they ignore it, and as many of the objectionable elements can come in as of the desirable elements. I suggest the selective principle. The chairman of the committee asks me if I have any suggestions to make about the method. No, Mr. President; I have not, except that the selection ought to be of such a character as would admit the farming element, those who come for the purpose of engaging in farming, and those who actually stay for that purpose—for I would make that a condition—excluding those who come here just for the purpose of getting temporary or even permanent employment in our factories, already overcrowded. I do not know how that could be worked out. It is difficult to work it out, I concede.

Mr. DILLINGHAM. The Senator of course will observe that the Senate committee plan in this particular case would operate to reduce the immigration of this class, which goes to the cities, from 735,000 to 235,000 a year; and, on the other hand, will permit all to come in from western Europe who desire to, and they are the class who distribute themselves over the country. To that extent it is selective in character.

Mr. SIMMONS. The suggestion I have to make is this. I have said and I believe it has been admitted both by the chairman of the committee and by the Senator from Vermont—it is admitted by both these distinguished Senators, who are members of the committee, one of them the chairman of the committee, that there is at present no real or very serious danger of any great influx of undesirable aliens during the next few months, for the reasons they have given, namely, the deterring economic conditions of this country and the action of the Italian Government in suspending immigration. Most of these undesirables are from Italy. Why, then, the necessity of forcing action upon this, as I think, ill-considered legislation, legislation that does not adjust itself to the real situation, that does not remedy the real evil, and fails to open the gate to the extent of admitting those whom we need at this time in order to supplement inadequate labor upon our farms. Both of the Senators admit that we need additional labor upon the farms.

We are going to have an extra session within less than a month. Why not let the matter remain over until then, rather than to enact something that is unsuited and unfitted and inappropriate to the conditions and the purpose in view, and if we await the extra session before acting we can then work out a bill based upon scientific principles, with a view of excluding the undesirable and at the same time admitting the desirable element. Why not do that? Of course, if the immigrants were coming in here in dangerously large numbers every day, then I would say that such emergency might justify and call for speedy action, but both of the distinguished Senators have admitted that such an emergency does not confront us.

Mr. COLT. Mr. President, just a word in reply to the Senator from North Carolina. The question of new and constructive legislation resolves itself into the proposition that it will take time; it may take three months, it may take six months, and it may take a year. The imminent immigration problem is that there is a grave fear of a large influx of immigrants from Europe during the next six or nine months or during the next year. The country is impressed with the idea, there is no question about that, and it receives support from Mr. Caminetti, from the commissioner of immigration, Mr. Wallis, and from others who have visited Europe.

As I said this morning, when I look at the figures of those who have already come here, I do not share in those grave fears, although I say I am liable to be mistaken, but the country is entitled, until we can frame new legislation, to a large suspension of immigration. This is not for all time; it is a pure emergency bill.

With regard to selection, I wish to say to the Senator that it may not be a very difficult problem to solve. Selection must largely be at the source. It may be a matter of diplomatic regulation through the consuls and the immigration commissions of foreign countries. It may be a matter of immigration treaty. Where we come to the selective system and the system of distribution the whole problem practically resolves itself into the field of treaty legislation. Of course, we could say we might do it under the visé system. We could admit immigrants here conditionally under the visé system. We might say to Poland that we will admit 5,000 Poles, provided they will go to Kansas farms, but that is pretty difficult to enforce.

The whole problem of fundamental selection at the source and distribution here becomes one of cooperation between the United States and the nations of Europe, taking up each nation separately and letting each country supply the needs here. But that takes time. It is possible there may be diplomatic objections that might be thrown in the way.

We know the field upon which we are entering with regard to immigration, we know what we want to accomplish, and the only thing we have to do is to devise practical means. That can be done, but it will take time, and it will not relieve the present situation. I respect the public opinion of the country when I believe it to be a sound and sane public opinion. I say that war conditions in Europe, together with certain episodes at Ellis Island, have created the profound belief that immigration during the next year must be drastically restricted. Having reached that conclusion, whatever view I might entertain myself upon the question of facts as to the proof of flood, I agree entirely with those who support and indorse the present bill.

Mr. McKELLAR. Mr. President, I favor restriction of immigration. I think either one of the bills proposed will accomplish the present purpose, provided the one reported by the Senate committee is amended with reference to the percentage and that percentage reduced. I would cheerfully vote for the House bill restricting immigration for 14 months, and I would also be very glad, indeed, to vote for the Senate substitute, provided the percentage provision is reduced to 3 per cent.

I think the whole country demands that there should be a restriction of immigration. I have thought so for many years. I voted, while a Member of the House, to pass an immigration bill a number of years ago over President Taft's veto, and afterwards over President Wilson's veto. I believe that we should not only further restrict immigration, but we should control immigration for a certain period after it comes into this country.

Mr. President, before the World War the tide of immigration from European countries, principally from Austria, Russia, and Italy, broke all records. Of course, during the war and for some months afterwards immigration was practically suspended, but in July of the present year it began in far greater numbers than ever before, and, while we have not the complete figures, the last half of 1920 will doubtless break all records. Our advices are that there are now all the way from two to eight million Poles ready and anxious to come, and are making a very desperate effort to get transportation over here. One report states that if a ship large enough to carry 3,000,000 people could be found, that that many Poles would take that first boat. Czechoslovakia and Italy are close behind in the numbers that are wild to come, and so, in a lesser degree, from every country in Europe, except Germany and Russia, with whom we have no diplomatic relations.

America has been greatly advertised in Europe during the past few years. Her feat in entering the war at the psychological moment and winning it, her prodigious loans of money, her prodigious expenditures in aid of the war, her furnishing of inconceivable supplies, both of foods and munitions, have gained for our country a reputation in Europe that makes everybody over there who can come want to come. They regard us as a land overflowing with riches, where all men are millionaires, where money grows on trees, where gold is to be found in the street and belongs to him who picks it up, where silver is as common as dirt, where wages are highest and where work is so light that it is not considered work, and where every man or woman is a law unto himself or herself. Of course, the war has done much to advertise us in this way, but agents of steamship

companies since the war have done more to advertise us. Relatives in this country have also added fuel to the flames by their letters, and more especially by sending money to their relatives back home. It has been shown that practically all of the business of some of the banks in Poland is the contribution of American money to relatives sent by members of the family now in this country. Such banks are so overcrowded with those who come for the money that they are actually insanitary. The joint distribution committee, an American committee doing relief work among the Hebrews in Poland, distributes more than $1,000,000 per month of American money in that country alone. It is also shown that $100,000,000 a year is a conservative estimate of money sent to Poland from America through the mails, through the banks, and through the relief societies. This golden stream pouring into Poland from America makes practically every Pole wildly desirous of going to the country from which such marvelous wealth comes. Practically the same conditions exist in Czechoslovakia, in Italy, in Greece, and in a lesser degree all over Europe, except Germany and Russia, and would exist in Germany and Russia but for suspension of our diplomatic relations with those two countries.

In July there landed at Ellis Island, in New York, 55,000 immigrants; in August, 57,874; September, 70,052; October, 74,665. Those landing at other ports will increase the total 15 or 20 per cent. If this rate is kept up, those coming next year will amount to more than one million and a half. But they are increasing each month. It is true that nearly half that number each month goes back, but the number remaining is enormous. The agents of the steamship companies are very active. It is a most lucrative business for them. Agents of 17 companies told immigration officials in New York recently that they could bring 10,000,000 immigrants in one year's time. Of course, none of these statements take into consideration immigrants from Germany or Russia. No Germans or Russians are now coming in, because technically we are still at war with Germany; but should peace be declared, no doubt the number coming from war-ridden Germany and red-ridden Russia would be enormous.

Mr. President, there are a number of reasons why this stream of immigration should be stopped presently or restricted greatly in the future. I will name some of the most important.

First, because we have already a greater number of such foreigners in our country than we can assimilate and Americanize.

Second, because these immigrants congregate in the great centers of population, form their own colonies there, continue to speak their language there, hold on to their own manners and customs there, keep to their own standards of living there, which standards of living are very inferior to ours, cling to their Old World ideas, refuse to become Americanized or educated, and therefore they constitute alien groups in this country, separate and apart from our people, separate and apart from our institutions, separate and apart from our ideals, separate and apart from our language, habits, and thoughts and manner of living.

Third, because they will not have their children educated in American schools, if they can prevent it, or taught the English language, if they can prevent it.

Fourth, because when they come in such large numbers they bring in and retain many anarchistic, bolshevistic, and socialistic views, which constitute a constant menace to our Republic.

Fifth, because we already have probably 15,000,000 of these alien foreigners in our country. We should Americanize these before we should permit others in great numbers to be added to the total.

Sixth, because we already have a large number of unemployed in this country, and each additional immigrant will add directly or indirectly to that number.

Seventh, because practically very few of these people are tillers of the soil, and will not add to our productive resources.

Eighth, because unless we stop this tremendous influx of foreigners we place our own country in jeopardy to the same troubles of race and language and of social disorganization which has been the curse of Europe for so long.

Mr. President, just a little over a year ago the Committee on Education and Labor, of which I happen to be a member, was sent to western Pennsylvania, in and around Pittsburgh, to investigate the steel strike. What we saw there was an object lesson to many of us on the subject of immigration. My recollection is of one little town of western Pennsylvania which has 23,000 people. Two thousand of these can speak the English language; the other 21,000 are unable to speak the English language, and speak some twenty-odd different languages. These foreigners nearly all come from middle Europe. They have their own churches and schools—such as they had—but the English language is not taught or spoken in them. Large numbers of them can not read or write any language. I am told that many of them are good workmen; I am told that they are honest. They work principally in the steel mills, and it seems that they give satisfaction. They certainly receive, relatively speaking, very large wages, and but for the strike would, no doubt, have been satisfied and happy, relatively speaking. What was found at Monessen was found in a more or less degree—generally less degree, however—in each of the other towns we visited in that district. I believe each member of your committee returned to Washington feeling that steps should be immediately taken to Americanize these people, and we believe the best method to do this is to educate them and have them taught the English language. Until this is done we should greatly restrict our immigration. Unless we do, there is danger ahead for our institutions and our Government.

Mr. President, the question of restricting immigration is a difficult one. My sympathy goes out to the foreigner who is suffering from a tyrannical government or from a lack of government, or who is suffering from enormous burdens of taxation, or who is suffering from social or racial tyranny. It seems a pity that such a one could not come to America and enjoy the benefits of a real free Government. My sympathy also goes out to the foreigner who has already come to this country and become a citizen here, and who wants to send for his wife, or daughter, or mother, or father, or son, or near relative. It seems to be a tremendous hardship on a man not to permit these relatives to come in after he has become an American citizen, and yet, with the figures before us, I do not see how those of us who wish to perpetuate our Government and its institutions can do otherwise than to vote to place greater restrictions upon immigration. Mr. President, the Congress should at an early date prepare and pass a measure that will not only restrict immigration to a greater degree but that will permit us to choose the kind of immigrants that we will accept, thus securing a better class of people than we have been in the habit of getting.

Limitations should be made as to distribution. In other words, these immigrants should not be permitted to congregate in the great centers of population as they have been doing heretofore. They should be distributed in the various States and among all kinds of industries, including farming. I take it, we could well assimilate many good farmers from the old country, but we do not get them. Very few of the immigrants who come here ever become farmers. The most of them are merchants or workers in mills or factories. We should retain some kind of control over them for a period of years. We should certainly control their distribution and their avocations for a limited time before granting them rights of citizenship. We should also require them to learn our language, and we should have much severer tests about social and governmental beliefs than we now have. We should have greater educational qualifications. We might well require that they should have so much money or property before coming. In other words, we should make prospective citizenship in America the leading idea in our immigration laws.

Mr. KIRBY. Mr. President, the question of immigration is a most important one and it is becoming increasingly difficult under the disturbed conditions of the world. I do not believe, however, that immigration should be absolutely prohibited, and I shall not vote for any sort of legislation looking to that end. I think immigration ought to be carefully restricted. It is much better that we should exercise more care about the selection of immigrants than that we should expend our time and money apprehending and deporting those whom we regard as undesirable. I have studied somewhat the amendment to the bill proposed by the Senate committee, and I think it well considered, its provisions are carefully drawn; it seems to be a scientific measure, and I am going to support it if there is made an amendment to reduce the proposed percentage of immigrants who may be allowed to come in.

The PRESIDING OFFICER (Mr. STERLING in the chair). The question is on the amendment offered by the Senator from Mississippi [Mr. HARRISON], which is to strike out section 4 of the House text of the bill.

The amendment was rejected.

Mr. HARRISON. Mr. President, I now wish to offer two amendments to the amendment, of which I previously gave notice. The first amendment is on page 12, line 22, before the words "per centum," to strike out the numeral "5" and to insert "1."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi to the amendment.

The amendment to the amendment was rejected.

Mr. HARRISON. On page 12, in line 22, before the words "per centum," I now move to strike out "5" and insert "3."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi.

Mr. DILLINGHAM. Mr. President, I think the Senate should understand what will be the result of the adoption of the amendment proposed by the Senator from Mississippi. If the percentage of admission of immigrants were made 3 per cent, it would admit from southeastern Europe 153,000. Whether that is enough to add to the supply of labor for our building trades and to the common pick-and-shovel labor in this country the Senate must be the judge.

Mr. SMITH of South Carolina. But the Senator must not lose sight of the fact that this provision is for only 12 months. As I understand the amendment of the Senator from Mississippi, it is to reduce the percentage of admission from 5 per cent to 3 per cent.

Mr. HARRISON. Yes.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. HARRISON. I now desire to offer another amendment to the amendment. On line 23, page 12, after the word "nationality" and before the word "resident," I move to insert the words "who are naturalized citizens of and."

Briefly, I will state that the amendment seeks to change the percentage by taking into consideration the question of naturalization. It bases the computation of the percentage on those who have become naturalized citizens of the United States according to the census of 1910.

Mr. DILLINGHAM. Mr. President, I hope that amendment to the amendment will not be adopted, because, especially among those immigrants who come from eastern and southern Europe, those who become naturalized constitute only about 21 per cent, and one can see how few would be permitted to come in under the Senator's amendment. It would entirely destroy the provisions of the bill. For instance, from southern Europe it would permit only 27,000 to come in, instead of 150,000, which we have already agreed upon as being the proper number to come in. I am not sure that what the Senator proposes is not the basis that should be adopted in permanent legislation, but I think it would be fatal to the pending bill to adopt it.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Mississippi to the amendment reported by the committee.

The READING CLERK. In line 23, page 12, after the word "nationality," it is proposed to insert "who are naturalized citizens of and," so that if amended it will read "the number of foreign-born persons of such nationality who are naturalized citizens of and"

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi to the amendment of the committee. [Putting the question.] The noes seem to have it.

Mr. HEFLIN. I ask for a division.

On a division, the amendment was rejected.

Mr. POMERENE. Mr. President, immigration is a subject to which I have given some attention, with a view, I think, solely of arriving at a right conclusion in my own mind. Every Senator here recognizes the fact that this proposed legislation is temporary in character.

My distinguished friend from Rhode Island [Mr. COLT] read a very beautiful statement which pointed out the debt which we owe to the foreign population of this country, and I indorse every word that he said in that behalf. I recognize that most of us do not have to go back very many generations to find that our own ancestors were foreign born. I can only go back on one side in my family four generations and on the other side of the family somewhat further.

This legislation is not brought forward in any spirit of prejudice against foreigners at all, but, as I conceive the situation, our duty is to America first.

The Department of Labor has pointed out that there are perhaps three and a half million men unemployed in the United States to-day. My guess is that if we could secure a complete survey of the situation in Europe we would find that, with those countries needing rehabilitation, as they do need it, the European Governments will be encouraging their best class of citizens to stay at home and they will be encouraging others to go abroad. When immigrants seek to enter our country we want the best that will come; we want those who will legally become American citizens; we want those who can be American citizens in spirit. My friend, the distinguished Senator from North Dakota [Mr. GRONNA], referred to the loyalty of American citizens of foreign extraction, and I indorse what he said in that behalf, so far as the very large majority of them is concerned.

Mr. President, thinking perhaps that I might get a little light on this subject I sent out a questionnaire to the chambers of commerce and to the central labor unions in every city in my State having a population of 10,000 or over, there being 50 such cities. With but perhaps one or two exceptions—I do not think there were more than that—nearly every one of these bodies insisted that there should be some restriction of foreign immigration at this time. Why? Largely because of the unemployment conditions that exist.

I have some of these figures as to unemployment before me, and, if the Senate will indulge me for just a few moments, I wish to call attention to a few of them. In the city of Akron, with a population probably of from 225,000 to 250,000, according to the Akron Merchants' Association, there were 20,000 unemployed in that city. In my home city of Canton, with a population of about 90,000 people, according to the Central Labor Union in that city, there were from 15,000 to 18,000 unemployed. The chamber of commerce estimated the number at 10,000 and the Ad-Craft Club of that city at 20,000.

In the city of Cincinnati the unemployed were estimated to number 35,000, and in the great metropolitan city of Cleveland, according to the Cleveland Association of Credit Men and the Cleveland Real Estate Board, there are 80,000 unemployed.

In the city of Columbus, according to the Columbus Federation of Labor, there are 15,000 unemployed; in the city of Dayton 25,000, according to the same source of information; in the city of Hamilton, from 2,500 to 3,500; in Lorain the estimates run from 600 to 2,400; in the city of Mansfield, according to the chamber of commerce, there were 4,000 unemployed; in the little city of Massillon there were 2,600 unemployed; in the city of Marietta, 1,500; in the little city of New Philadelphia the unemployed were estimated to be from 25 to 35 per cent; and in Niles the Central Labor Union estimates the percentage of unemployed to be from 40 to 50 per cent. In Piqua, according to the chamber of commerce, 1,000 are unemployed, or 30 per cent; in the city of Portsmouth, 5,000; in the city of Toledo the estimates furnished me were from 20,000 to 25,000; in the city of Youngstown the estimate was 24,000.

Mr. President, how is an American Congress to look at this question? Are we to think only of the past and take counsel of what has been our theory of government during the last century or shall we cast theories aside for the moment and take counsel of present industrial conditions?

I think I am humane enough to extend my sympathy to the unemployed and the wretched in all climes and of all races and of all nationalities; but, while my sympathy extends to the unfortunate everywhere, I can not lose sight of my duty to the great army of unemployed in this country. The only question in my mind has been what, if any, exceptions we should write into the pending bill.

I realize the seriousness of the situation. I realize what it means to keep members of a family separate the one from the other; but, Senators, we can not pass any legislation on any subject that will not perhaps be unjust to a small minority, and the best we can do is to approximate the truth and the right, and do what is going to be for the best interests of our country at large.

For that reason I have felt impelled to support legislation which has for its purpose the temporary restriction of immigration. Whether I shall vote for the House bill or for the Senate bill will depend largely upon the final form which these two bills shall assume before the final vote is cast.

Mr. SMITH of South Carolina. Mr. President, on page 15, line 1, I move to strike out the proviso, including all the balance of that paragraph. It is the proviso which permits the admission of aliens at the discretion of the Secretary of Labor.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 15, line 1, after the words "United States," it is proposed to strike out the colon and the following words:

And provided further, That in addition to the foregoing the Secretary of Labor may in individual cases admit aliens in excess of the maximum number when, in his opinion, such action is justifiable as a measure of humanity.

Mr. SMITH of South Carolina. If this amendment is agreed to, as I hope it will be, to take care of what those who have brought in this bill claim is their object, I shall move to amend, on page 12, line 25, after the word "census," by inserting:

Provided, That preference shall be given to the wives and children of citizens or aliens now in this country who have applied for citizenship.

So that out of the per cent that we allow to come in the preference shall be given to the wives and children.

I hope that the Senator in charge of the bill will accept that amendment.

Mr. SIMMONS. Mr. President, when that limited number had been admitted, what would become of the wives and children of the rest of the immigrants who were permitted to come in during that period before the maximum number was reached?

Mr. SMITH of South Carolina. They could not come; but I am quite sure the per cent to be allowed would take care of all that could come in under that provision; and if you leave it to the discretion of the Secretary of Labor you might as well write no bill at all, because an individual case spells nothing. Every immigrant that comes here is an individual case, and you leave it wide open to him to exercise his judgment in reference to every case.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Carolina [Mr. SMITH] to the amendment of the committee.

Mr. GRONNA. Mr. President, I believe the Senator ought to add the word "parents" to that, so that it will read, "wives, children, and parents."

Mr. SMITH of South Carolina. Well, this really does not amount to anything. The amendment that I propose is really the present law.

Mr. COLT. Mr. President, the committee accepts that amendment.

Mr. BORAH. Mr. President, I can not understand what the two amendments are. Evidently I got the wrong page. I got the first amendment, on page 15; but what was the second?

Mr. SMITH of South Carolina. On page 12, line 25, after the word "census," I propose to insert the following proviso:

Provided, That preference shall be given to the wives and children of citizens or aliens now in this country who have applied for citizenship.

Mr. BORAH. I understand it now.

Mr. POMERENE. Mr. President, in the interest of certainty, and before the question is put, should not that be amended so as to make it specifically state "the census of 1910"?

Mr. SMITH of South Carolina. That language occurs in the bill.

Mr. POMERENE. It does occur later; but I think, just from reading the first part of this, that it leaves it a little bit uncertain, and then the Senator's amendment follows.

Mr. SMITH of South Carolina. Yes; I think that would add to the clarity of it, and I am sure those in charge of the bill would not object to repeating the figures "1910" after the word "census," and I move that in conjunction with the amendment I have now offered.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Carolina to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. SMITH of South Carolina. Now, Mr. President, the second amendment is to insert, on page 12, line 25, after the word "census," the words "of 1910," and then the proviso that I have heretofore stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 12, line 25, after the word "census" and before the period, it is proposed to insert the words "of 1910" and the following proviso:

Provided, That preference shall be given to the wives and children of citizens or aliens now in this country who have applied for citizenship.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Carolina [Mr. SMITH] to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. Now, the question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. LODGE. This is the substitute, is it?

Mr. BORAH. Mr. President, are we voting now upon the substitute?

The PRESIDING OFFICER. We are considering the substitute, the amendment as amended.

Mr. LODGE. Has the substitution been made?

The PRESIDING OFFICER. It has been made.

Mr. JONES of Washington. I did not understand that we were voting on the committee substitute.

The PRESIDING OFFICER. We are voting on the committee substitute.

Mr. JONES of Washington. Then I ask that the vote be reconsidered.

The PRESIDING OFFICER. The amendments have been made to the committee substitute.

Mr. BORAH. May I ask, then, has there been any change in the per cent?

Mr. SMITH of South Carolina. Yes; from five to three.

Mr. KING. May I inquire whether or not the Chair calls the committee report the substitute for the House bill, and whether these amendments have been tendered to the committee's substitute for the House bill?

The PRESIDING OFFICER. Yes; those amendments have been tendered to the substitute, and adopted as amendments to the substitute.

Mr. JONES of Washington. Mr. President, I was going to ask if there would be an opportunity yet to vote on the proposition to strike out all of the House bill. I want an opportunity to vote against the recommendation of the committee that the House text be stricken out.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that the question is on agreeing to the amendment reported by the committee.

Mr. JONES of Washington. That is the committee amendment? The question will be, then, on agreeing to the committee amendment to strike out all of the House bill and substitute the other?

The PRESIDING OFFICER. Yes.

Mr. JONES of Washington. And that will be divisible. I ask for a division of the question.

Mr. HEFLIN. Mr. President, I take it that the Senator from Washington wants an opportunity to vote on the House bill as a substitute for the Senate bill. Is that it?

Mr. JONES of Washington. I want to vote for the House bill. I want to vote against the proposition of the Senate committee to strike out all of the House bill.

The PRESIDING OFFICER. The Chair will hold in that event that the Senator should vote against the amendment, which will be the next vote.

Mr. JONES of Washington. I want a vote squarely on the proposition of striking out all of the House bill, because if that is lost then I am going to vote for the committee substitute.

Mr. KING. Mr. President, it seems to me it is very clear.

Mr. JONES of Washington. I simply ask for a division. I take it that the committee amendment is divisible. One part of it is to strike out all of the House bill, and the other part is to substitute. Now, I ask for a division of the amendment, so that we can have an opportunity to vote against the recommendation to strike out.

Mr. KELLOGG. We voted on that once.

Mr. JONES of Washington. I did not know that we had.

The PRESIDING OFFICER. The Chair is of the opinion that the question is not divisible. It is a motion to strike out and insert.

Mr. JONES of Washington. There are certainly two propositions there.

Mr. HARRISON. Mr. President, will not the question come up in this way? Should not those who are in favor of substituting the Senate amendment vote "yea" and should not those who are against it and for the House bill vote "nay"?

The PRESIDING OFFICER. The Chair will put that question. The question now is on the Senate amendment or substitute as amended.

Mr. PHELAN. Mr. President, I desire to submit an amendment.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from California.

The reading clerk read as follows:

It is hereby declared that the act to amend the naturalization laws of the United States approved May 9, 1918, was intended to relate only to aliens eligible to citizenship under the then existing law.

Mr. PHELAN. Mr. President, the amendment I have offered is a matter of extreme simplicity, and is couched in such language that it may not be misunderstood.

On April 12, 1918, the Senator from Georgia, Mr. Hardwick, reported from the Committee on Immigration a bill for the purpose of facilitating or hastening the naturalization of aliens who had enlisted in the Army of the United States. There was a brief debate. During the debate he said:

It is impossible, or at least it is unfair, to send these soldiers to the battle line in Europe until they have been naturalized and made citizens of this country, so that they will not be subjected to charges of treason against the Governments and princes of whom they were formerly subjects. The War Department is not willing to subject these men to that sort of danger. It is not fair to them and it is not just to the country. They are scattered practically through every command in the Army, or in the new draft Army, and it can not be moved as it ought to be moved until these soldiers can be put in a position where this difficulty will be eliminated.

The bill finally passed and was approved the following month, May 9, 1918, and the object for which it was presented has been subserved—that in every Army camp there were bureaus for

the naturalization of these alien soldiers who were going to the front. Now, a rather extraordinary thing occurred. Certain orientals in the Hawaiian Territory under this act applied for citizenship, and Judge Vaughan, of the Federal court there, nobody objecting, granted, I am told, no less than 800 applications.

In certain other jurisdictions applications for naturalization have been granted to orientals who, under existing law, being neither free white persons nor persons of African descent, are ineligible for citizenship, so that what was merely intended by Congress as a means to facilitate the naturalization of aliens who were going to war to fight for this country has been turned by this easy process into an amplification or expansion of our naturalization laws so as to include those who are ineligible.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. PHELAN. Certainly.

Mr. KING. If the Government conceived that the opinion of Judge Vaughan was incorrect, and that the law did not permit the naturalization of the orientals referred to, why did it not appeal? I am just interested in knowing the facts. It seems to me the amendment of the Senator, if I understand it, calls upon Congress to perform a sort of judicial function, rather than to commit to the courts, which have the authority to pass upon these laws, the determination of the meaning to be ascribed to the law.

Mr. PHELAN. I would like to ask the Senator, who is a learned lawyer, how he would appeal from a decision by a Federal court granting naturalization?

Mr. KING. Mr. President, I think there is such a question involved here that it would be reviewable by a higher court, if the Government felt that the decision of the court was wrong; that it is subject to review.

Mr. PHELAN. Possibly the question might be raised; but I think an appeal might be had, and I am so advised, on the refusal of the court to grant such naturalization; and the district attorney, if so instructed, might take an appeal from the order denying it. However, that is purely technical.

We who are interested in the enforcement of this law are anxious to have a determination, but no case has been brought before the Supreme Court, and as the process is slow, I want Congress to restate its evident intent. I have communicated with the Department of Justice, and the Department of Justice, very much like the Department of State, proceeds with extreme caution in some matters, and this is one of the matters in which they have proceeded with extreme caution, not interpreting the act, but on February 8 last the Secretary of Labor, the Hon. W. B. Wilson, wrote me as follows, assuming very properly that noneligible aliens were not contemplated by the act:

"Your letter of the 1st instant to the Commissioner of Naturalization, with reference to the naturalization of subjects of Japan under the act of May 9, 1918, has been considered by the officer named and has been called to my personal attention by him.

"I note that you state that Judge Bledscoe had told you that one of the naturalization examiners requested favorable action on the case of the Japanese, and that the same thing happened in San Francisco and Honolulu. A report has this day been made of the chief naturalization examiner of San Francisco concerning this matter, and instructions have been given which will leave him in no doubt that it is the administrative view that Congress has made no provision for the naturalization of other than free white persons and persons of African nativity and descent, with the exception of the Filipinos referred to in the seventh subdivision of section 4 of the act of June 29, 1906, as amended by the act of May 9, 1918."

So the Department of Labor and its Bureau of Naturalization have agreed with this interpretation which my amendment would put upon the act, that the law was intended only for those who are eligible to citizenship and who had enlisted in the service of the United States, and the main purpose was to prevent them from being adjudged traitors should they be captured on the other side when fighting the battles of our country.

The evil that has grown from this is that a large number of Japanese, taking citizenship in this way, which is clearly irregular, and I believe will be declared of no validity should it ever reach the Supreme Court, granted this class of privilege of citizenship under an act where there is no real authority to grant it, came to the State of California, and have organized corporations, which, under our land law, may be organized only by citizens of the United States. They have organized those corporations for the purpose of acquiring our agricultural lands, although we have passed every known form of law to bar them. We have limited our corporations formed for the purchase of land to citizens of the United States, knowing that under the existing law it would be impossible for orientals to claim citizenship. But those thrifty people have, under a war measure of the United States, taken citizenship, and are organizing corporations to acquire land in violation of the letter and the spirit surely of the land laws of the State of California.

If my amendment is accepted by the gentlemen on the other side, it will cure this defect, and put an end to a practice of evading laws passed for the benefit of communities, by a resort to a mistaken interpretation of a Federal statute.

I desire to submit at the same time these letters, and the transcript of the record on this subject, for printing in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February, 1921.

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your letter of the 1st instant, to the Commissioner of Naturalization, with reference to the naturalization of subjects of Japan under the act of May 9, 1918, has been considered by the officer named and has been called to my personal attention by him.

I note that you state that Judge Bledscoe had told you that one of the naturalization examiners requested favorable action in the case of a Japanese, and that the same thing happened in San Francisco and Honolulu. A report has this day been made of the Chief Naturalization Examiner at San Francisco concerning this matter, and instructions have been given which will leave him in no doubt that is the administrative view that Congress has made no provision for the naturalization of other than free white persons and persons of African nativity and descent, with the exception of the Filipinos referred to in the seventh subdivision of section 4 of the act of June 29, 1906, as amended by the act of May 9, 1918.

It is the duty of the Naturalization Service to bring all facts to the attention of the court in any case pending before it, leaving the court, in whom alone is vested the power to authoritatively decide the question of the admissibility of any alien, to determine whether or not Congress has made provision for the naturalization of such an applicant.

Instructions have been given that in view of the conflict in the decisions regarding this subject every effort should be made to have some case carried to the Supreme Court for ultimate decision.

Very truly, yours,

W. B. WILSON, *Secretary.*

[Excerpt from CONGRESSIONAL RECORD of April 12, 1918, page 5009.]

NATURALIZATION OF ALIENS IN MILITARY SERVICE.

Mr. HARDWICK. From the Committee on Immigration I report back favorably with amendments the bill (H. R. 3132) which I send to the desk, and I submit a report (No. 388) thereon. I wish to make a brief statement to the Senate about the bill after the Secretary reads the title.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). The Senator from Georgia submits a report, which the Secretary will state.

The SECRETARY. Mr. HARDWICK, from the Committee on Immigration, reports favorably with amendments the bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization.

Mr. HARDWICK. I ask unanimous consent for the immediate consideration of the bill reported from the Committee on Immigration.

The PRESIDING OFFICER. Is there objection?

Mr. GALLINGER. I shall not object now, but I should like to hear the Senator make his statement before the question is put.

Mr. HARDWICK. Mr. President, I was about to explain why it is necessary, in my judgment, that the Senate should proceed immediately to consider and pass this proposed legislation. We have in the first draft army of the United States 123,277 alien soldiers, some of whom undoubtedly might have claimed exemption but did not. Of these soldiers, 46,732 hold their first naturalization papers and 76,545 have no naturalization papers whatever.

It is impossible, or at least it is unfair, to send these soldiers to the battle line in Europe until they have been naturalized and made citizens of this country, so that they will not be subjected to charges of treason against the Governments and princes of whom they were formerly subjects. The War Department is not willing to subject these men to that sort of danger. It is not fair to them and it is not just to the country. They are scattered practically through every command in the Army, or in the new draft army, and it can not be moved as it ought to be moved until these soldiers can be put in a position where this difficulty will be eliminated.

Now, it seems to me that more important than any debate on any domestic question, more important than any dispute about labor, or more important than any bill about presidential powers over executive departments is a proposition to get the Army of the United States so that it can move to the battle line. This is the paramount reason why I ask unanimous consent for the consideration of this bill as amended by the Senate committee. It is to give the authorities of the country, the War Department and the Navy Department full power.

Mr. THOMPSON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kansas?

Mr. HARDWICK. I do.

Mr. THOMPSON. Are these the men who are already drafted into the service?

Mr. HARDWICK. Yes; they are soldiers wearing the uniform already.

Mr. THOMPSON. And already trained?

Mr. HARDWICK. There are 123,000 of them already trained, under the flag, and wearing the uniform, who can not justly be sent over to Europe until this legislation is passed.

Mr. THOMPSON. There ought not to be any debate on that question.

Mr. HARDWICK. No; there will not be. Now, in order to be fair, let me state that there is more than that involved in this legislation.

When the United States declared war, on April 6, 1917, of course, aliens who came from Germany—and subsequently, when we declared war against Austria-Hungary, the same thing was true with reference to that country—could no longer become naturalized in this country. They became alien enemies, so that petitions that had already been filed under the naturalized laws and were already pending in court could not be prosecuted to a successful conclusion in court. The House of Representatives, realizing the injustice of this, passed, some days ago, a bill which provided that where naturalization petitions were pending and the first papers had been taken out prior to the declaration of the war with these countries the court could allow these people to become naturalized upon proper showing of loyalty and good citizenship.

Mr. COLT. Mr. President, I hope this amendment will be defeated. This is an immigration bill. It has nothing to do with naturalization. The subject of naturalization is entirely foreign to the purposes of this bill. The bill has one distinct object, to restrict immigration, especially from southern and eastern Europe. If we should attempt to amend this bill by raising in any form the so-called Japanese question, it would only lead to confusion, and might lead to the defeat of this emergency bill. I can only repeat that this amendment is entirely foreign to the purpose of this bill, and I trust it will be defeated.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from California [Mr. PHELAN] to the amendment of the committee. [Putting the question.] The noes seem to have it.

Mr. PHELAN. Mr. President, I will not ask for a division at this time. The amendment is opposed by the Senator in charge of the bill, and as the chairman has based his objection to the amendment only on the ground that a naturalization amendment is not germane to an immigration bill, I shall not press for a division.

The amendment to the amendment was rejected.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment to the amendment proposed by the committee. On page 12, strike out lines 20, 21, 22, 23, 24, and 25, down to and including the word "census," and insert the language which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 12, strike out of the committee amendment lines 20, 21, 22, 23, 24, and 25, and the amendment heretofore agreed to, down to and including the words "who have applied for citizenship," and insert the following:

SEC. 2. That except as otherwise provided in this act, from 60 days after the passage of this act, and until the expiration of the 14 months next after its passage, the immigration of aliens to the United States is prohibited, and during such time it shall not be lawful for any alien to enter the United States from any foreign port or place, or, having so entered, to remain within the United States.

Mr. TRAMMELL. Mr. President, I am favorable to the House provision making the restriction against immigration for the period of 14 months, instead of the proposed amendment of the committee, which permits immigration upon a percentage basis. Therefore I have moved to strike out the provision recommended by the committee, and to insert in lieu thereof the provision of the House bill, making a provision against immigration for 14 months. With the adoption of this amendment there would follow the provisos as recommended by the committee, which make certain exceptions to the general restriction against immigration. I do not think it is advisable at the present time to permit of immigration as suggested by the committee amendment, but that we should have this unqualified restriction, as was proposed by the House, with certain provisos, as suggested by the Senate committee. Therefore I offer this amendment to the amendment, and hope that it will be adopted.

Mr. BRANDEGEE. Mr. President, is it in order to move to strike out an amendment that has already been agreed to as in Committee of the Whole?

The VICE PRESIDENT. The Chair was unaware that this had been agreed to.

Mr. BRANDEGEE. I got the impression from the Clerk's reading that a part of the amendment of the Senator from Florida was to strike out an amendment which had already been agreed to.

Mr. LODGE. It does do that.

The VICE PRESIDENT. Without a reconsideration of the amendment to the amendment heretofore adopted, this amendment to the amendment is not in order.

Mr. MCKELLAR. In order that we may have a vote on the straight issue of the House bill and the Senate committee bill, I ask unanimous consent that the vote be divided, so that we can vote first on whether or not we shall strike out the House bill; and, second, if it is stricken out, then we will vote on the Senate committee bill. There are some of us who would prefer the House bill, but we do not want to vote against the Senate committee bill unless we can get the House bill. I ask unanimous consent that the vote may be divided.

Mr. LODGE. I suppose the Senator is aware that the rule is absolute, that a motion to strike out and insert can not be divided.

Mr. MCKELLAR. I understand that, and for that reason I am asking unanimous consent.

Mr. DILLINGHAM. I object.

Mr. JONES of Washington. Senators would gain time if they would permit the Senate to vote in this way. I do not see how they would lose anything by giving us an opportunity to do that.

Mr. BRANDEGEE. May I ask the Senator a question?

Mr. JONES of Washington. Certainly.

Mr. BRANDEGEE. The question being to strike out all after the enacting clause of the House bill and to insert another bill, if a Senator is in favor of the House bill, why does he not express himself to his satisfaction when he votes against the motion to strike out the House bill and insert another?

Mr. JONES of Washington. Because he does not have an opportunity to express himself. He may want to vote against striking out the House bill, but if that should fail, he would want to vote for the substitute.

Mr. BRANDEGEE. True; but if the Senator votes against the committee recommendation to strike out the House bill and to insert another, and loses on that, then the question is on the passage of the bill as amended by the Senate, and the Senator can vote for that.

Mr. JONES of Washington. We could have had a vote by this time.

Mr. BRANDEGEE. I did not object to unanimous consent.

Mr. JONES of Washington. I know the Senator did not. I can see no reason why any Senator should object to it.

Mr. BRANDEGEE. Of course, I am not a mind reader. Senators frequently object without giving any reason.

Mr. JONES of Washington. I appreciate that.

The VICE PRESIDENT. The Chair does not understand the proposition of the Senator from Tennessee.

Mr. MCKELLAR. I ask unanimous consent that we divide the vote to strike out the House bill and amend by inserting the Senate committee bill; that we first vote on whether we shall strike out the House bill, and, of course, if we vote to strike out the House bill, then the question would be on agreeing to the Senate committee amendment.

Mr. JONES of Washington. I understand the Senator from Vermont will withdraw his objection.

Mr. BRANDEGEE. The Senator from Vermont will withdraw his objection and allow a straight vote on the House provision.

Mr. ASHURST. Mr. President, I wish to say a word on the parliamentary situation. There is no real complexity. It is only an apparent complexity. In other words, there is only one amendment brought in by the committee, and that is to strike out all after the enacting clause in the House bill and to insert the Senate committee bill. As I said, there is no real complexity, but only an apparent complexity.

Mr. LODGE. The only complexity is that the rule forbids it.

Mr. ASHURST. I yield to the Senator, of course, to make that statement. I repeat, there is no real but only an apparent complexity in the parliamentary situation. The committee has brought in the House bill with but one amendment, in the nature of a substitute. The proponents of the amendment, before the motion to strike out is put, have the right to perfect the amendment. We must, in the very nature of things—we can not escape it—act upon the question of substituting the Senate committee language for the House language, and it is a parliamentary right which the proponents of the amendment have to perfect it before the motion to strike out can be put.

Mr. LODGE. That has been done.

Mr. ASHURST. I was informed that some Senator has objected to a vote on the motion to strike out.

Mr. LODGE. What is desired is to vote first on the motion to strike out and then on the motion to insert. The only perplexity is that the rule forbids it, and we propose to get rid of it by unanimous consent, to which I have no objection.

Mr. BORAH. What is the condition now of the House bill? Has the admission of dependents been eliminated?

Mr. LODGE. We did not eliminate it.

Mr. BORAH. Then I am ready to vote.

The VICE PRESIDENT. The Chair is not going to be responsible for anything that happens. The question now by unanimous consent is, Shall the House bill be stricken out.

Mr. JONES of Washington. On that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, I should like to know what we are voting on. I was sitting in the rear of the Chamber and did not clearly understand.

The VICE PRESIDENT. There has been a very peculiar procedure adopted here, for which the Chair is not responsible and will not guarantee what may happen. The Chair will rule when the time comes. Unanimous consent has been given to vote first on whether the House bill shall or shall not be stricken out.

Mr. CURTIS. Then a vote "yea" would be a vote to strike it out?

The VICE PRESIDENT. It would.

Mr. CURTIS. And that would mean the adoption of the Senate substitute?

The VICE PRESIDENT. No; it does not mean any such thing.

Mr. CURTIS. The vote on that question will come later?

The VICE PRESIDENT. The Chair will rule on that when the time comes. The yeas and nays have been ordered, and the roll will be called.

The reading clerk proceeded to call the roll.

Mr. CURTIS (when Mr. CALDER's name was called). The Senator from New York [Mr. CALDER] is necessarily absent. If present, he would vote "yea" on this question.

Mr. DIAL (when his name was called). I have a general pair with the Senator from Colorado [Mr. PHIPPS], and I withhold my vote.

Mr. KIRBY (when his name was called). I am paired with the junior Senator from Missouri [Mr. SPENCER] on this question, but I understand he is opposed to the House bill. Not knowing exactly what the effect of the pending peculiar motion is going to be, I withhold my vote at this time.

Mr. KNOX (when his name was called). In the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], with whom I am paired, I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH], who is absent this afternoon, but I have permission from him to vote. I vote "yea."

Mr. MOSES (when his name was called). Has the junior Senator from Louisiana [Mr. GAY] voted?

The VICE PRESIDENT. He has not.

Mr. MOSES. I have a general pair with that Senator. In his absence I withhold my vote. If permitted to vote I would vote "yea."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. Not knowing how he would vote on this matter, I withhold my vote.

The roll call was concluded.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. HARRISON (after having voted in the negative). I have a pair for to-day with the Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and let my vote stand.

Mr. FRELINGHUYSEN (after having voted in the affirmative). I have a general pair with the senior Senator from Montana [Mr. WALSH], who has not voted. I transfer my pair to the junior Senator from New York [Mr. CALDER] and allow my vote to stand.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 43, nays 19, as follows:

YEAS—43.

Ball	Dillingham	Gooding	Kellogg
Brandegee	Fall	Gore	Kendrick
Capper	Fernald	Gronna	Kenyon
Colt	Fletcher	Hale	Keyes
Culberson	Frelinghuysen	Hitchcock	La Follette
Curtis	Gerry	Jones, N. Mex.	Lenroot
Lodge	New	Smith, Ariz.	Sterling
McCumber	Phelan	Smith, Md.	Sutherland
McLean	Poindexter	Smith, S. C.	Wadsworth
McNary	Sheppard	Smoot	Warren
Nelson	Simmons	Stanley	

NAYS—19.

Ashurst	Heflin	Overman	Thomas
Beckham	Jones, Wash.	Pittman	Trammell
Borah	King	Pomerene	Underwood
Harris	McKellar	Ransdell	Willis
Harrison	Myers	Swanson	

NOT VOTING—34.

Calder	Henderson	Owen	Spencer
Chamberlain	Johnson, Calif.	Page	Townsend
Cummins	Johnson, S. Dak.	Penrose	Walsh, Mass.
Dial	Kirby	Phipps	Walsh, Mont.
Edge	Knox	Reed	Watson
Elkins	McCormick	Robinson	Williams
France	Moses	Sherman	Wolcott
Gay	Newberry	Shields	
Glass	Norris	Smith, Ga.	

So the motion to strike out the House text was agreed to.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. I understood the idea of the Senator from Tennessee [Mr. MCKELLAR] was not to strike out the entire House bill, but to strike out all after the enacting clause.

Mr. MCKELLAR. Of course.

The VICE PRESIDENT. That is not the way it was stated.

Mr. LODGE. That is the way it appears in the text.

Mr. BRANDEGEE. The committee's recommendation was to strike out all after the enacting clause.

The VICE PRESIDENT. That was not the motion of the Senator from Tennessee.

Mr. MCKELLAR. It was the usual motion to strike out and insert; that is all.

Mr. LODGE. The Senator is quite right about the motion. It was, as is printed on every bill, to strike out all after the enacting clause and insert the part printed in italics.

The VICE PRESIDENT. The Chair does not care what is printed on every bill; that was not the motion of the Senator from Tennessee.

Mr. BRANDEGEE. But the Senator from Tennessee asked unanimous consent to strike out all after the enacting clause of the bill?

Mr. MCKELLAR. No; to divide the question so as to vote first on striking out all after the enacting clause of the House bill.

Mr. BRANDEGEE. Of course, if the whole House bill is stricken out, there will be nothing for the Senate to act on.

Mr. MCKELLAR. Nobody is making any such request.

The VICE PRESIDENT. If there is no objection, it will be understood that this vote is on the question of striking out all after the enacting clause. Then the question will be on the committee amendment as amended.

Mr. TRAMMELL. A parliamentary inquiry. I desire to perfect the amendment which was proposed by me a few moments ago, if it is in order.

The VICE PRESIDENT. That is not now in order without reconsidering the vote by which the amendment was agreed to. The difficulty with the Senator's amendment is that it does not appear to make sense.

Mr. TRAMMELL. I ask unanimous consent for a reconsideration of the vote by virtue of which the amendment was adopted, for the purpose of proposing the amendment which I have heretofore sent to the desk.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. What is the request, Mr. President? I could not hear it.

The VICE PRESIDENT. If the Chair may have the bill he will try to explain it. The bill as it now stands, with an amendment, reads as follows:

SEC. 2 That the number of aliens of any nationality who may be admitted under existing statutes to the United States in any fiscal year shall be limited to 5 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910: *Provided*, That preference shall be given to the wives and children of citizens or aliens now in this country who have applied for citizenship.

The Senator from Florida desires to strike out down to the word "census," in line 12.

Mr. BRANDEGEE. Is the bill before the Senate as in Committee of the Whole or is it in the Senate?

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole. What the Senator from Florida desires to do is to strike out down to the word "census," in line 12, so that the provision would then read in this way:

SEC. 2. Except as otherwise provided in this act, from 60 days after the passage of this act and until the expiration of 14 months next after its passage, the immigration of aliens to the United States is prohibited, and during such time it shall not be lawful for any alien to enter

the United States from any foreign port or place, or, having so entered, to remain within the United States: *Provided*, That preference shall be given to the wives and children of citizens or aliens now in this country who have applied for citizenship.

Mr. TRAMMELL. Mr. President, at the time I offered the amendment I was not aware of the fact that an amendment had been added to the bill including the last clause which has been quoted by the Chair. Of course, I desire to make the amendment cover the entire provision respecting the aliens who shall be permitted under the committee amendment to be admitted.

The VICE PRESIDENT. The Senator, then, desires to move to strike out——

Mr. LODGE. I make the point of order that that is an amendment to an amendment which has been amended and agreed to by the Senate.

The VICE PRESIDENT. The Chair has just stated that there will have to be a reconsideration before any amendments may be offered.

Mr. LODGE. I understood the Chair so to state.

The VICE PRESIDENT. The Senator from Florida is asking unanimous consent for the reconsideration of the vote by which the amendment was adopted.

Mr. LODGE. I understood that the Senator was moving to amend the amendment.

The VICE PRESIDENT. No; the Senator is asking unanimous consent to reconsider the vote by which the amendment was agreed to, in order that he may offer an amendment perfecting it. Is there objection?

Mr. LODGE. Yes; I object to that, Mr. President. I want a vote on the entire amendment.

The VICE PRESIDENT. Then that is the end of it. Now, the question is on agreeing to the Senate committee substitute as amended for the bill as it came from the other House.

Mr. DILLINGHAM. On that I ask for the yeas and nays.

Mr. BRANDEGEE. The question is on agreeing to the Senate committee substitute?

The VICE PRESIDENT. The question is on agreeing to the Senate substitute as amended.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DIAL (when his name was called). Making the same announcement concerning my pair as on the previous roll call, I withhold my vote.

Mr. FERNALD (when his name was called). Making the same announcement respecting my pair as before, I vote "yea."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement concerning my pair as before, I vote "yea."

Mr. KIRBY (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. SPENCER]. I understand that, if present, he would vote as I intend to vote on this question. I therefore feel at liberty to vote, and vote "yea."

Mr. KNOX (when his name was called). Repeating the announcement as to my pair made on the last vote, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I transfer that pair to the Senator from California [Mr. JOHNSON] and vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I am advised that if he were present he would vote as I intend to vote. I therefore feel privileged to vote, and vote "yea."

Mr. TOWNSEND (when his name was called). I am assured that my pair would vote "yea" on this question. As I intend to vote the same way, I feel at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. DIAL. I understand that if the Senator from Colorado [Mr. PHIPPS], with whom I have a pair, were present he would vote "yea." I therefore feel at liberty to vote, as I intend to vote the same way. I vote "yea."

Mr. HARRISON. I am paired with the Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. KNOX. I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from Missouri [Mr. SPENCER] and vote "yea."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 66, nays 0, as follows:

YEAS—66.

Ashurst	Gronna	Lodge	Smith, Ariz.
Ball	Hale	McCumber	Smith, Md.
Beckham	Harris	McKellar	Smith, S. C.
Borah	Harrison	McLean	Smoot
Brandegee	Heflin	McNary	Stanley
Capper	Hitchcock	Moses	Sterling
Colt	Jones, N. Mex.	Myers	Sutherland
Culberson	Jones, Wash.	Nelson	Swanson
Curtis	Kellogg	New	Thomas
Dial	Kendrick	Overman	Townsend
Dillingham	Kenyon	Phelan	Trammell
Fernald	Keyes	Pittman	Underwood
Fletcher	King	Poindexter	Wadsworth
Frelinghuysen	Kirby	Pomerene	Warren
Gerry	Knox	Ransdell	Willis
Gooding	La Follette	Sheppard	
Gore	Lenroot	Simmons	

NAYS—0.

NOT VOTING—30.

Calder	Glass	Page	Spencer
Chamberlain	Henderson	Penrose	Walsh, Mass.
Cummins	Johnson, Calif.	Phipps	Walsh, Mont.
Edge	Johnson, S. Dak.	Reed	Watson
Elkins	McCormick	Robinson	Williams
Fall.	Newberry	Sherman	Wolcott
France	Norris	Shields	
Gay	Owen	Smith, Ga.	

So the amendment of the committee as amended was agreed to.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. TRAMMELL. I desire to offer an amendment to the amendment which is now before the Senate for consideration.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 12, it is proposed to strike out lines 21, 22, 23, 24, and 25 down to and including the words "who have applied for citizenship," and in lieu thereof to insert the following:

Except as otherwise provided in this act, from 60 days after the passage of this act, and until the expiration of 14 months next after its passage, the immigration of aliens to the United States is prohibited, and during such time it shall not be lawful for any alien to enter the United States from any foreign port or place, or, having so entered, to remain within the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida to the amendment of the committee.

Mr. TRAMMELL. Mr. President, I realize that the Senate is very anxious to get a vote shortly upon the pending bill, and I shall not therefore occupy more than a few moments.

My amendment proposes to restrict immigration for the period of 14 months, as contemplated by the House bill, subject to the exceptions and the provisos made by the Senate committee in the substitute which has been voted upon.

The question is whether we want to admit 3 per cent or whether we wish to exclude immigration for a period of 14 months. That is the simple, plain question that is raised by my amendment. If the amendment is adopted, immigration will be prohibited for 14 months, subject only to the exceptions suggested by the Senate committee.

I believe that the amendment should be adopted, and I offer it so that this question may be determined by the Senate.

Mr. BORAH. Mr. President, I am very anxious to cast one intelligent vote on this matter, and know how I am voting. Do I understand that the effect of the amendment of the Senator from Florida is again to substitute the House bill, with simply the exceptions that are placed there by the Senate committee's report?

Mr. TRAMMELL. That would be the effect of the amendment. The effect of the amendment would be to adopt a prohibition against immigration for 14 months, with such exceptions as are provided in the Senate committee report; and it would not permit of 3 per cent, as contemplated under the committee amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Florida to the amendment made as in Committee of the Whole.

Mr. TRAMMELL. I call for the yeas and nays.

The yeas and nays were not ordered.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. REED. Mr. President, I simply want to state my position on this bill.

In my judgment, the Congress is in this matter repeating its often-repeated blunder. It is alarmed by a condition which is not only temporary but greatly exaggerated. Exaggeration and excitement, always characteristic, have recently become violently epidemic. Let an alarm be sounded and newspapers immediately take it up; it goes from pen to pen and from mouth to mouth, increasing with each repetition in virulence and falsity, as does a neighborhood scandal. Soon everybody is swept off his feet. And so in this case the country has been led by excited propagandists to believe that our country is about to be overwhelmed by a countless horde of immigrants afflicted with incurable diseases and innoculated with the most vicious doctrines. Let me take just a moment to say that there has been no stage of American history when that same cry was not heard.

It was made against the Dutch when they came here and began to populate large portions of Pennsylvania; and even so wise a man as Benjamin Franklin, probably the wisest man this country has ever produced, declared, in substance, that the United States would be turned into a foreign province by the invading Dutch, and yet probably no better people ever lived anywhere than the Dutch immigrants and their descendants.

It was again declared when the Irish, in order to escape the intolerable conditions of their own country, fled to this land. They were denounced as ignorant paupers. Many, indeed, were unlettered, for education had been denied them. Their schools had been destroyed and their teachers had been persecuted, so that the schools of Ireland were held in the secret depths of the forest, and thus came to be known as "hedge schools." It was also true that the Irish immigrant was in many instances a pauper in appearance; frequently he had scarce clothing for his back. He cut but a sorry figure at first. He had to accept the most lowly occupations, and he did. Whereupon the hue and cry was raised against the Irish immigrant; against the Irish. Yet, sir, in America the sons and daughters of Ireland have written their names on every brilliant page of American history. The offspring of those who would have barred the Irish from our shores have found it very hard to keep pace with the descendants of the despised Irish immigrant.

Again the cry was raised when the tide of Bohemian immigration set in. There had been persecution and rebellion in Austria. Accordingly, the Slovaks for a time had come in great numbers. They arrived wearing their leather waistcoats and smoking their long pipes, their countenances grizzled with the agony of toil and plowed deep with the furrow of hardship. At once self-appointed custodians of America cried out against these immigrants and prophesied the destruction of our country. The immigrants survived. They adopted American customs. They melted almost insensibly into our civic and political life. The descendants of these Bohemians to-day take their place in the ranks of our citizens and keep pace with the best there is.

Similarly, a cry was raised against the Swedish, the Norwegian, and the Danish immigrants; yet there sit in this Chamber to-day two men, one a Norwegian and one a Dane by birth. They came as immigrants. One of these distinguished public servants told me that when he landed here he possessed but a single dollar. He probably could not have qualified for entrance under the present immigration laws.

Attacks have likewise been made upon the Jewish people who have crowded to our shores. The spirit of intolerance has been especially active as to them. At this hour a man possessed of a mighty fortune, yet so illiterate and ignorant that he does not know the history of our country, is instigating a propaganda against these people; but the Jew who came here, the victim of persecution and poverty, has nevertheless made his way in every avocation of life. At the bar and on the bench, in medicine, in art, in industry, in finance and science he has taken a high and honorable place. Those who would proscribe him are merely the advocates of medieval intolerance.

German immigrants came to this country in great numbers, and the same old cry was raised. Yet even at this hour, when the fogs of prejudice still hang thick in the skies of national opinion I do not hesitate to say that the German immigrants to this country have added a sturdy strain to the American blood.

And so the cry goes on and on and on by those who happen just now to be here: "Behold us, the great and the mighty! See how pure are the currents of our veins! Are they to be contaminated by these foul bloods from abroad?" Yet in their own arteries there flow the commingled bloods of the despised people of Europe—the same bloods you would bar to-day.

The proponents of this bill tell us we are about to be suddenly overwhelmed by a tidal wave of immigrants. A sort of a policy of know-nothingism is sweeping the country. It is the narrowest policy that ever cursed the soul of man. It is the policy of the gentleman who says, "I am the elect of God. I am specially ordained to preserve civilization. I alone have patriotism. Mine is the only soul capable of high aspiration. I have in my keeping the salvation and glory of the race and of the country."

But, sir, that has always been said, and it has always been said by those who fear competition more than those who are confident in their own greatness.

I have before my mind's eye a scene of not long ago. They were marching away, some of them volunteers, some of them drafted. But they were marching away all in the same brown uniform—the son of Ireland, with his blue eyes; the son of Scandinavia, with the flush of health in his cheeks; the son of Italy, whose warm clime had burned his face to a swarthy hue; the son of Scotland, with his clean limbs and his straight back; the son of Austria, with his big bones and double fists; the son of Germany, with his firm muscles and set jaw. Yet, as they marched away they were all Americans. Upon the battle field they bowed their backs and held their bayonets fixed and firm, they charged with indomitable hearts, they fought and died in the same heroic way for their flag and our flag, for their country and our country.

Who wants to keep them out? The man whose own ancestor perhaps landed here under more adverse circumstances; the man whose grandfather or great-grandfather happened to come a little earlier than the immigrant of to-day; some gentleman whose ancestor may have worked his way on a ship or came over a bound servant; the great-grandson, perhaps, of some man who bought his wife with long green tobacco upon the auction block. Who are these royal families of ours? They are the children of the oppressed lands of the earth. Their fathers came here barefooted or wearing wooden shoes, with homespun on their backs, with the weight of twenty centuries of oppression upon their souls. They came in ignorance and superstition. They burned old women as witches in Massachusetts. They drove Roger Williams into the wilderness. They set up the whipping post. They established the laws of Great Britain, with all their brutalities as well as their virtues.

And yet, in this free air, under these benign skies, with the star of hope shining in the zenith, they were shortly transformed into a wonderful people. Within a generation they became superb men and women. The common people of this land are better in blood, better in brawn, better in soul, and better in brain than the titled despots of the world; and yet you fear that a few more shall come!

If you had a reasonable bill, I would not oppose it. If you had a bill that temporarily put the brakes on to a reasonable extent, so that under the excitement of the hour there might not come so many people that we could not absorb them, I would not object; but when you talk of 5 per cent and 3 per cent of the people who are here, what kind of test is that?

If I had my way, I would establish in Europe courts or tribunals where the character of each emigrant could be examined, whereby we could become assured that he was sound in body, sound in mind, and sound in his principles, and then I would let him come. And every such man who came would be another man added to our man power; every soul that came would be a soul added to the aggregate soul of America; every heart that came would beat for our flag, and every hand would strike in its defense. This is a bill of proscription. It is as narrow as the Middle Ages. It is as obsolete as the spirit of the sixteenth century. It belongs to the time of the rack and thumbscrew, when the argument was the scaffold and when philosophy found expression in the torch of persecution. I decline to support such a bill.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the Senator from Colorado [Mr. PHIPPS]. I understand that if he were present he would vote as I shall on this question, and I therefore vote. I vote "yea."

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. KIRBY (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. SPENCER], but I understand that he would vote as I intend to vote on the passage of the bill, and I feel privileged to vote. I vote "yea."

Mr. KNOX (when his name was called). Making the same announcement that I made on the last vote, I vote "yea."

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH], but as he would vote as I am about to vote, I vote "yea."

Mr. McKELLAR (when his name was called). I have a pair with the senior Senator from Kansas [Mr. CURTIS], but I understand that on this question he would vote as I shall vote, and I therefore vote. I vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY], and he being absent, I transfer my pair to my colleague [Mr. KEYES] and vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I understand that he would vote as I would do. I therefore vote. I vote "yea."

The roll call was concluded.

Mr. HARRISON (after having voted in the affirmative). I transfer my pair with the Senator from West Virginia [Mr. ELKINS] to the Senator from Massachusetts [Mr. WALSH] and allow my vote to stand.

Mr. FRELINGHUYSEN. Making the same announcement as before, I vote "yea."

Mr. TOWNSEND. Making the same announcement that I made before, I vote "yea."

Mr. SMOOT. I desire to announce that the Senator from Wyoming [Mr. WARREN] and the Senator from North Carolina [Mr. OVERMAN] are in conference on the legislative, executive, and judicial appropriation bill, and that they are paired.

I also have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 61, nays 2, not voting 33, as follows:

YEAS—61.

Ashurst	Gronna	Lodge	Smith, Md.
Ball	Hale	McCumber	Smith, S. C.
Beckham	Harris	McKellar	Smoot
Borah	Harrison	McLean	Stanley
Brandegee	Heflin	McNary	Sterling
Capper	Hitchcock	Moses	Sutherland
Colt	Jones, N. Mex.	Myers	Swanson
Dial	Jones, Wash.	Nelson	Thomas
Dillingham	Kellogg	New	Townsend
Fall	Kendrick	Pittman	Trammell
Fernald	Kenyon	Poindexter	Underwood
Fletcher	King	Pomerene	Wadsworth
Frelinghuysen	Kirby	Ransdell	Willis
Gerry	Knox	Sheppard	
Gooding	La Follette	Simmons	
Gore	Lenroot	Smith, Ariz.	

NAYS—2.

France	Reed

NOT VOTING—33.

Calder	Henderson	Page	Walsh, Mass.
Chamberlain	Johnson, Calif.	Penrose	Walsh, Mont.
Culberson	Johnson, S. Dak.	Phelan	Warren
Cummins	Keyes	Phipps	Watson
Curtis	McCormick	Robinson	Williams
Edge	Newberry	Sherman	Wolcott
Elkins	Norris	Shields	
Gay	Overman	Smith, Ga.	
Glass	Owen	Spencer	

So the bill was passed.

Mr. DILLINGHAM. The title of the bill should be amended to read "An act to limit the immigration of aliens."

Mr. REED. I would suggest that the Senator, instead of making the title read "to limit," it should be made to read "to eliminate immigration."

The title was amended so as to read: "An act to limit the immigration of aliens."

Mr. DILLINGHAM. I move that the Senate request a conference with the House of Representatives on the bill and amendment, and that the Chair appoint the conferees.

The motion was agreed to; and the Vice President appointed Mr. COLT, Mr. DILLINGHAM, and Mr. GORE conferees on the part of the Senate.

ORDER OF BUSINESS.

Mr. HARRIS, Mr. GRONNA, and Mr. TOWNSEND addressed the Chair.

The VICE PRESIDENT. The Senator from Georgia.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. HARRIS. I yield for a moment.

Mr. GRONNA. I move that the Senate proceed to the consideration of House bill 15812, the Agricultural appropriation bill.

Mr. TOWNSEND. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. HARRIS. For what purpose does the Senator wish to interrupt?

Mr. TOWNSEND. Is the Senator addressing me?

The VICE PRESIDENT. The Chair recognized the Senator from Georgia, who yielded to the Senator from North Dakota, who made his motion, and now the Senator from Michigan asks the Senator from Georgia to yield to him.

Mr. TOWNSEND. I understand the Chair does not propose to put the motion of the Senator from North Dakota now?

The VICE PRESIDENT. No; the Senator from Georgia has the floor.

NOMINATIONS OF GENERAL OFFICERS OF THE ARMY.

Mr. HARRIS. Mr. President, since I have been a Member of the Senate I have not made a partisan question of anything pertaining to the Army or the Navy. As long as I remain in this body I shall not do so. I shall address the Senate this afternoon a few moments in behalf of a class of people of this country who have no political influence and who can not vote, but when the country was in danger of invasion these men led our brave boys to battle and were victorious.

Mr. President, a few days ago the Senator from Arkansas [Mr. ROBINSON] moved that the Senate go into executive session in order that the nominations of general officers of the Army, made by the President at this session, might be referred to the Committee on Military Affairs. The other Army nominations from colonels down had been referred to the committee. The Senator from Massachusetts [Mr. LODGE], the leader of the Republican Party in the Senate, offered objection.

The Senator from Arkansas then appealed to the Senator from New York [Mr. WADSWORTH], the chairman of the Committee on Military Affairs, and asked if he did not believe these nominations should be referred to his committee and given consideration during this session, to which the Senator from New York replied in the affirmative.

Mr. President, it is most unfortunate for the Senate, the Army, and the country when a Senator, the distinguished leader of the majority, injects the question of politics into the consideration of promotions of the men who have offered their lives and performed superb service for our country in time of war.

Recommendations for the advancement of officers to the grade of general officer are not influenced by their political convictions but are governed solely by their relative efficiency, as shown by their military records. As a matter of fact, the political conviction of any particular officer is rarely known to those who pass upon the matter.

As evidence tending to disprove that politics do enter into this question, it is interesting to note that the officers who have been nominated for appointment to the grade of general officer were appointed, not from any particular section of the United States, but from States scattered throughout the country, some of which are identified as adhering to one of the major political parties, while others as steadfastly follow the fortunes of the other. Thus, of these 47 officers 7 were appointed from Pennsylvania, 2 from Maine, 1 from New Hampshire, 2 from Massachusetts, 2 from New York, 2 from New Jersey, 2 from Virginia, 1 from Vermont, 1 from North Carolina, 1 from South Carolina, 1 from Alabama, 1 from Mississippi, 1 from Louisiana, 1 from Texas, 1 from Tennessee, 2 from Kentucky, 1 from West Virginia, 2 from Ohio, 2 from Indiana, 3 from Michigan, 2 from Wisconsin, 3 from Iowa, 2 from Missouri, 1 from Kansas, 1 from Nebraska, 1 from Oregon, and 1 from Arizona.

Now, with regard to the officers who pass upon these cases.

I doubt very much if the politics of the present Chief of Staff are known even to the Secretary of War. Gen. March was appointed to the United States Military Academy from the State of Pennsylvania. Who's Who in America states that one of his brothers was editor of the Philadelphia Press; another was at one time mayor of Easton, Pa., and I have heard that one of them was a candidate for nomination to Congress on the Republican ticket.

Gen. Wright, executive assistant to the Chief of Staff, was appointed from the State of New Jersey. Gens. Haan, Jervey, and Nolan, his other principal assistants, were appointed, respectively, from Indiana, South Carolina, and New York.

I have heard The Adjutant General state more than once that he does not know the political faith of his principal assistant, Gen. Kerr, or that of any other officer on duty in his office. The Army Register shows that Gen. Kerr was appointed from the State of Ohio, but whether he favored Harding or Cox is not known. Of the officers in charge of divisions of The Adjutant General's office, two were appointed each from the States of Texas and Ohio and one each from New York, Pennsylvania, Maryland, Florida, West Virginia, and Illinois.

Now, Mr. President, it is interesting to see how these nominations for general officers were made. Section 4 of the act of June 4, 1920, known as the Army reorganization act, says in part:

Provided, That major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the line whose names are borne on an eligible list prepared annually by a board of not less than five general officers of the line not below the grade of major general: *Provided further*, That the first board convened after the passage of this act may place upon such eligible list any officer of the line of not less than 22 years' commissioned service.

Under this law the President can nominate for appointment as brigadier generals of the line only officers whose names are borne on an eligible list prepared by a board of general officers after a thorough investigation of the records of all officers in the service legally qualified for such appointment.

This board was composed of the following general officers: Maj. Gen. Hunter Liggett, Maj. Gen. Robert L. Bullard, Maj. Gen. Joseph T. Dickman, Maj. Gen. James G. Harbord, and Maj. Gen. Charles P. Summerall.

The following oath was administered to the members of that board by its president:

You, A. B., do swear (or affirm) that you will well and truly examine into and report on the matter now before you without partiality, favor, affection, prejudice, or hope of reward. So help you God.

The members of this board were among those who had most distinguished themselves in the World War.

Is there a Member of the Senate or any other person who will challenge the suitability of any member of this board?

The Secretary of War, at my request, has furnished me with a brief military record of each member of this board and of each of the general officers whose nominations are now before the Senate.

That was the first time the Secretary of War knew that I was interested in the matter. He does not know to-day that I am making a speech or even thought of making it. I shall not undertake to read them, because I realize that the very limited amount of time remaining to this session should be devoted, so far as is possible, to the consideration of appropriation measures. However, I request unanimous consent to place these data in the RECORD and thus make these records accessible to the Members of this body, who, I trust, will take advantage of the opportunity thus presented to acquaint themselves with the facts of each case.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. HARRIS. I do not know anything about these officers. If they are not worthy, and the Committee on Military Affairs will say so, I shall vote against them, but I think the committee ought to consider them.

All but three of the nominees for appointment as general officers of the line saw duty in the theater of war. These three officers were disappointed in their ambition to serve abroad because of the urgent need for their services here. Two of them commanded the two principal ports of embarkation during the greater part of the war period, and the third served as Chief of the Militia Bureau. At the signing of the armistice all three were in command of divisions which they had organized and were ready to sail for France.

It is also to be noted that, with the exception of three, all of the nominees for appointment to the grade of general officer were awarded distinguished service medals for exceptionally meritorious service during the war in positions of great responsibility. Of these three, one commanded successively a brigade, a division, and an army corps in France during the period from June 14, 1917, to October 16, 1918. He is nominated for appointment to the grade of major general of the line. The other two are nominees for appointment as brigadier general of the staff, and while both of them served through the war with great credit to themselves in their respective staff corps, the nature of their duties was, unfortunately, not such as to attract widespread attention.

With the exception of two officers—Maj. Gen. James W. McAndrew, who was Chief of Staff of the American Expeditionary Forces, and Maj. Gen. David C. Shanks, who commanded the port of embarkation of New York—all of the officers who were promoted from the grades of brigadier generals to major generals had been by Gen. Pershing assigned to command of corps on account of their efficient services in command of divisions. No officer of the American Expeditionary Forces who had not been selected by Gen. Pershing for especial distinction is on the list submitted by the President to the Senate.

Under the Constitution the promotion of all officers of the Army must be confirmed by the Senate. Ordinarily when the President sends in such nominations they are referred to the Committee on Military Affairs, and this would have been the course followed in the pending nominations had not the senior Senator from Massachusetts, the majority leader, made objection.

Mr. President, let us consider the members of the Military Affairs Committee, to whom these nominations would be referred, and see if they are men who would allow politics or anything except their duty to influence them in their action on those nominations.

The chairman of this committee is the Senator from New York [Mr. WADSWORTH], a man who has the respect and confidence of every Member of the Senate and of everyone who knows him. He volunteered and served with credit in the Spanish-American War.

So far as I am concerned, I would be willing to let the chairman of that committee say whether these general officers were efficient. I have that confidence in him.

The second member of the committee is the Senator from Wyoming [Mr. WARREN], the eminent chairman of the Committee on Appropriations and for many years chairman of the Committee on Military Affairs; a gallant Federal soldier and the father-in-law of Gen. Pershing, the great officer who led our forces to victory in the World War.

Another member of the committee is the Senator from Indiana [Mr. NEW], a Spanish-American War veteran and a distinguished leader in public life.

Continuing, the membership includes the Senator from New Jersey [Mr. FRELINGHUYSEN], who for the last few weeks has had the President elect as his guest. He is the fourth member of his family to honor this body as a Senator. Then there is the Senator from California [Mr. JOHNSON], a prominent candidate for the Republican nomination for President, who made a national reputation as governor of the great State of California.

Another member of the majority side is the Senator from Pennsylvania [Mr. KNOX], who has twice been a member of the Cabinet and has distinguished himself in these positions.

The Senator from Wisconsin [Mr. LENROOT] was prominently mentioned for the vice presidential nomination on the Republican ticket.

Three other members are the Senator from Missouri [Mr. SPENCER], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from Kansas [Mr. CAPPER], all of whom have been honored time and again by their party and have reflected credit on themselves at all times.

It is interesting to note that among the majority members of the committee can be found the closest personal and political friends of the President elect. I have no doubt that Mr. Harding would seek the counsel of these very men in considering these nominations.

The Senator from Oregon [Mr. CHAMBERLAIN] is the ranking Democrat on the committee. He was formerly chairman, and has been known and honored as a fair, broad-minded man, and not a partisan—so much so that he was twice elected to the Senate in a normally Republican State. Other Democratic members of the committee are the Senator from Florida [Mr. FLETCHER], the Senator from Montana [Mr. MYERS], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Colorado [Mr. THOMAS], the Senator from Texas [Mr. SHEPPARD], the Senator from Kentucky [Mr. BECKHAM], the Senator from Arkansas [Mr. KIRBY], and the Senator from Tennessee [Mr. MCKELLAR]. They are held in the highest esteem by every Member of the Senate regardless of party lines.

There is not a Senator on the other side of the Chamber who will say that the Democratic members are not men who will do their full duty without regard to party in such matters. The Republican members of the committee are certainly strong in allegiance to their party, and most assuredly they could be depended upon to see that no nominations were recommended by the committee for confirmation which are not worthy.

Mr. President, I think it is a reflection on the members of this committee and the Senate, a majority of whom are Republicans, and a reflection on the distinguished officers who made these recommendations or prepared the eligible list, to decline to allow the members of this committee and the Senate to pass on these nominations. Not one of these officers nor any of their friends has mentioned this matter to me, neither have they communicated with me either directly or indirectly. I did not even

recall the names of the officers nominated. Not one of them is from the State I have the honor of representing.

I want to say, Mr. President, that I am not afraid of the President elect allowing politics to influence him in the nomination of officers of the Army and Navy, and in this respect I believe he will carry out the policy of President Wilson. I want to remind the Senate that when the nomination of Brig. Gen. Noble was before this body there were Republican Senators who did not join other members of their party in making that a partisan question, and President elect Harding was one of them.

Mr. President, it is well known that during the Civil War there were numerous political appointments made in each of the opposing armies. This was also true in the Spanish-American War, but there is no man who can point to a single political appointment among the commissioned officers of the Army during the last war. There was none.

I think it will be conceded that President Wilson knows the history of this country, which shows that practically every war has produced a military leader who has later become President. President Wilson doubtless realized that the officer appointed commander in chief of the American Expeditionary Forces would become a prominent figure in our national affairs after the war, but he did not consider politics in making his selection of that splendid leader when he nominated Gen. John J. Pershing, a son-in-law of the distinguished Republican Senator from Wyoming, who is one of the broadest minded and best men in public life today. President Wilson thought only of the man whom officers of the Army recommended as best fitted to lead our soldiers to victory in the greatest war the world has ever known. He nominated Gen. Pershing. The wonderful record of the Army made under that great commander shows that the President made no mistake in his selection. I do not believe there is a Senator who would say that the President's selection of Gen. Pershing or any other officer was in any way influenced by politics. So far as I know, officers of the Army have no politics. I personally know that some of the most influential men in the Democratic Party tried to get special consideration for officers in whom they were interested by urging that they be sent to France at the beginning of the war.

All of the officers wanted to be among the first to go, but the President turned a deaf ear to their pleas.

The Senator from Massachusetts gave as a reason for not allowing the Military Affairs Committee to consider the nominations of the President the fact that former President Roosevelt and Maj. Gen. Leonard Wood were not allowed to go to France.

Mr. President, it so happened that the people of my State felt a great interest in both of these splendid Americans, and they would like to have seen them given every possible recognition. President Roosevelt's mother was a Georgian, and her family is honored in our State. Gen. Wood, as a young Army officer, was stationed at Fort McPherson, near Atlanta, Ga., and took a great interest in the Georgia School of Technology, which is a splendid institution and the pride of our State. Gen. Wood is very popular with our people, and there is a hospital at Augusta, Ga., named in his honor. But, Mr. President, Gen. Wood and the late Theodore Roosevelt and their great records of service have nothing whatever to do with the question of fitness of these general officers for the positions to which they have been nominated. I believe if Theodore Roosevelt could speak to-day he would say to the Senate that the names of these men should be considered on their merits; that they had all performed great service in the World War; and that they are entitled to confirmation by this body.

Mr. President, no man was more opposed to President Wilson than was Theodore Roosevelt, but in spite of those differences that brave fighter would not have raised his hand against a man who lay almost at death's door. We know President Wilson's condition since September a year ago, and nothing that the Senator from Massachusetts intimates or any other Senator says or does now, at the closing days of his term of office, will affect the record and administration of President Wilson. It is already made.

I have differed with the President several times since I have been a Member of this body, and it has been a deep regret that I have felt it my duty on some occasions to vote to override his veto. But now, just as the President is concluding his term of office, the insinuation concerning these Army nominations is, I think, unjust. While failure to consider these nominations would not injure the record of President Wilson, I do not believe it would redound to the benefit of his opponents.

Gen. Dawes, who was chief purchasing officer of the American Expeditionary Forces, recently stated in his testimony before the House committee investigating the sale of war material in France that the men who had conducted this war will go down in history as great men, while the men who are criticizing it will be forgotten. So it is with President Wilson. History will, in my judgment, point to our part in the World War as the greatest achievement of this country, and Woodrow Wilson will be remembered, like Washington and Lincoln, as our leader in time of trying battle and glorious victory, while his detractors will be forgotten. His great ability is conceded even by his bitterest political opponent, and I confidently predict that posterity will accord to him a place in the front rank of the world's truly great men not only of this generation but of all time.

Mr. President, it has only been a few years since we heard in this body Senators criticize the great and good McKinley, but as the years go by McKinley is more and more beloved, while those who criticized him have been forgotten. So it will be with President Wilson.

Mr. President, it is recognized by all that there is great unrest, not only in our own country but throughout the entire world. There are great problems to be solved, and this can and should be done without partisan spirit.

The Democratic Members of this body fully realize that soon a Republican administration takes charge. We have no favors to ask, but are here to assist in the reconstruction of the resources of our country, and we hope that our labors will serve to help the majority party in solving the problems which present themselves.

Mr. President, a majority of the people of Georgia did not vote for Warren G. Harding for President. I stated in an interview the day after his election that while he was not my candidate he would be my President, and that I would cooperate with him in every way that I could, a statement which met with the approval of the people of my State.

Aside from the injustice to these general officers, all of whom rendered distinguished service in the World War, the failure of the Senate to confirm any of them will work a hardship on other officers in grades from colonel down to first lieutenant by causing their reduction to lower grades. In this connection, Mr. President, I ask unanimous consent to include in my remarks an article from the Army and Navy Journal of February 12, 1921, about this matter. I hope Senators will give it consideration.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The article referred to is as follows:

[From the Army and Navy Journal.]

GENERAL OFFICERS' NONCONFIRMATION—ITS EFFECT UPON THE SEVERAL GRADES.

Steps have been taken in the War Department to overcome the situation which would ordinarily ensue in the return to their former grades of the officers of the Army appointed to the rank of general officer in the event of nonconfirmation of their nominations by the Senate. It is conceded that these officers will not be confirmed at the present session, so there was necessity of making vacancies for them in the grades to which they will revert. The appointment of the first officer to be a brigadier general was on July 16, 1920. It is now arranged that officers promoted to the grade of colonel and lieutenant colonel subsequent to that date will be renominated with later date of rank. This will result in the demotion of 21 junior colonels to the grade of lieutenant colonel and of 22 junior lieutenant colonels to the grade of major. The grade of major is not affected for the reason that nominations to fill vacancies as late as July 16, 1920, had not been made. The date of rank of all officers promoted as of July 16, 1920, or subsequent to that date, will be changed by nonconfirmation of the general officers, because the vacancy created by the appointment of a brigadier general exists as of date of acceptance of the appointment and not as of the date of the appointment. The dates of all casual vacancies which occurred on or after July 16, 1920, will be changed to a later date, with the exception of that of one colonel. The vacancy which this colonel will fill occurred on July 16, 1920, but not because of the appointment of a general officer, and therefore was not affected by the general officer appointments.

Mr. HARRIS. Mr. President, the Senator from Massachusetts has a long record of public service, and I appeal to him to lay aside partisanship for the time being and let us work together over the national problems that confront us.

APPENDIX.

MEMBERS OF THE BOARD OF GENERAL OFFICERS THAT PREPARED THE LIST OF COLONELS ELIGIBLE FOR APPOINTMENT TO THE GRADE OF BRIGADIER GENERAL.

HUNTER LIGGETT.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, July 1, 1875. Second lieutenant, Fifth Infantry, June 13, 1879. Graduate Army War College, 1910.

General Staff: August 16, 1910, to April 6, 1912.

Campaigns prior to 1917: In Cuban campaign, 1898. In Philippine insurrection, 1899 to 1902.

World War service: Commanding Philippine Department, Manila, P. I., April 6, 1917, to April 15, 1917; en route to and commanding Western Department, San Francisco, Calif., September 11, 1917; en route to France October to December, 1917; special duty commanding First Army Corps to July, 1918; commanding First Army to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as commander of the First Army of the American Expeditionary Forces. He commanded the First Corps and perfected its organization under difficult conditions of early service in

France, engaged in active operations in reduction of the Marne salient and of the St. Mihiel salient, and participated in the actions in the Forest of Argonne. He was in command of the First Army when German resistance was shattered west of the Meuse."

ROBERT L. BULLARD.

Born in Alabama. Appointed from Alabama. Cadet, Military Academy, July 1, 1881. Second lieutenant, Tenth Infantry, June 14, 1885. Graduate Army War College, 1912.

Campaigns prior to 1917: Philippine insurrection, February, 1899, to October, 1901.

World War service: Commanding provisional brigade border patrol, San Benito, Tex., April 6, 1917, to April 26, 1917; en route to and commanding officers' training camp at Fort Logan H. Roots, Ark., to July, 1917; commanding Second Infantry Brigade, American Expeditionary Forces, to September 4, 1917; commanding First Division, American Expeditionary Forces, to July 12, 1918; commanding Third Army Corps to September, 1918; commanding Second Army to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as commander of the Second Army, American Expeditionary Forces. In the course of this war he commanded in turn the first American division to take its place in the front lines in France, the Third Corps, and the Second Army. He participated in operations in reduction of the Marne salient and in the Meuse-Argonne offensive. He was in command of the Second Army when the German resistance west of the Meuse was shattered."

JOSEPH T. DICKMAN.

Born in Ohio. Appointed from Ohio. Cadet, Military Academy, June 14, 1876. Second lieutenant, Third Cavalry, June 11, 1881. Honor graduate Infantry and Cavalry School, 1883. Graduate Army War College, 1905.

General Staff: August 15, 1903, to August 14, 1906.

Campaigns prior to 1917: In Philippine insurrection, 1900; China relief expedition, November, 1900; Philippine insurrection to August, 1902.

World War service: Commanding Second Cavalry and post at Fort Ethan Allen, Vt., to August 25, 1917; commanding Eighty-fifth Division, Camp Custer, Mich., to November 27, 1917; commanding camp and Third Division at Camp Greene, N. C., to March 4, 1918; en route overseas to March 15, 1918; commanding Third Division, American Expeditionary Forces, France, to August 17, 1918; commanding Fourth Army Corps to October 12, 1918; commanding First Army Corps to November 11, 1918. Commanded Third Army to April, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as commander of the Third Army, American Expeditionary Forces. He commanded the Third Division and contributed in large measure to success in hurling back the final enemy general attack commencing July 14, 1918. He participated in offensive operations northward to Vesle River; commanded the Fourth Army Corps from August 18 to October 11, 1918, including the operation of the St. Mihiel salient, and the First Army Corps during the Meuse-Argonne operations from October 12 until after the armistice. Later he commanded the Third Army of Occupation at Coblenz, Germany."

JAMES G. HARBORD.

Born in Illinois. Appointed from Army. Private, corporal, and sergeant, Company A, and quartermaster sergeant, Fourth Infantry, January 10, 1889, to August 1, 1891. Second lieutenant, Fifth Cavalry, July 31. Accepted, August 2. Graduate Infantry and Cavalry School, 1895. Army War College, 1917.

General Staff: June 11 to October 7, 1917.

Campaigns prior to 1917: In Philippine insurrection from January to February, 1902.

World War service: Student Army War College, Washington, D. C., April 6, 1917, to May 16, 1917; duty with expedition under Gen. Pershing and en route to France, May 17, 1917, to June 13, 1917; chief of staff, general headquarters, American Expeditionary Forces, to May 3, 1918; commanding Fourth Brigade, Second Division, to July 16, 1918; commanding general headquarters, Services of Supply, American Expeditionary Forces, to November 11, 1918.

Awarded distinguished service medal: "For his most exceptional services as chief of staff of the American Expeditionary Forces, and later as commanding general Services of Supply, in both of which important positions his great constructive ability and professional attainments have played an important part in the success obtained by our armies. Commanded Marine brigade of Second Division, Belleau Wood, and later ably commanded Second Division during attack on Soissons, France, July 18, 1918."

CHARLES P. SUMMERALL.

Born in Florida. Appointed from Florida. Cadet, Military Academy, June 16, 1888. Second lieutenant, First Infantry, June 11, 1892.

Campaigns prior to 1917: In Philippine insurrection from March, 1899, to July, 1900; China relief expedition from July to August, 1900; in Philippine insurrection to June, 1901.

World War service: On duty Office Chief of Staff, Washington, D. C., April 6 to September, 1917; at Camp Mills, N. Y., commanding First Field Artillery Brigade to October 18, 1917; en route to and in American Expeditionary Forces; commanding Sixty-seventh Field Artillery and First Field Artillery Brigade, First Division, to October 16, 1918; also Fourth, Fifth, and Ninth Army Corps to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He commanded in turn a brigade of the First Division in the operations near Montdidier, the First Division during the Soissons and St. Mihiel offensives and in the early battles of the Argonne-Meuse advance, and the Fifth Army Corps in the later battles of this advance."

GENERAL OFFICERS OF THE STAFF.

JOHN L. CHAMBERLAIN.

Born in New York. Appointed from New York. Cadet, Military Academy, September 1, 1876. Second lieutenant, First Artillery, June 12, 1880. Graduate Artillery School, 1890. Army War College, 1913.

Campaigns prior to 1917: In Sioux campaign, South Dakota, January, 1891, with regiment.

World War service: Inspector General of the Army during entire period of World War; was present in France with the American Expeditionary Forces July 20 to September 12, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous service. As Inspector General of the Army, he has, by his highly responsible services, materially contributed to the efficiency of all departments and bureaus of the Military Establishment, and to the successful execution of the military program."

GEORGE O. SQUIER.

Born in Michigan. Appointed from Michigan. Cadet, Military Academy, July 1, 1883. Second lieutenant, Third Artillery, June 12, 1887.

World War service: Chief Signal Officer United States Army, Washington, D. C., from April 6, 1917, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished service. As Chief Signal Officer he has demonstrated scientific attainments of the highest order. His researches and contribution to the scientific equipment of the Signal Corps are noteworthy. The Signal Corps under him has been an extremely progressive and efficient organization."

WILLARD A. HOLBROOK.

Born in Wisconsin. Appointed from Wisconsin. Cadet, Military Academy, September 1, 1881. Second lieutenant, First Cavalry, June 14, 1885. Honor graduate Infantry and Cavalry School, 1891; Army War College, 1912.

Campaigns prior to 1917: Philippine insurrection, 1900 and 1901.

World War service: Commanding regiment at Fort Bliss, Tex., to May 16, 1917; at Fort Douglas, Ariz., to August 20, 1917; commanding One hundred and sixty-fifth Infantry Brigade, Camp Sherman, Ohio, to May 1, 1918; commanding Southern Department at Fort Sam Houston, Tex., to September 25, 1918; commanding Ninth Division, Camp Sheridan, Ala., to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous service as commanding general Southern Department, where his firmness and tact in handling a threatening situation on the Mexican border materially improved the conditions between the United States and Mexico."

WILLIAM J. SNOW.

Born in New York. Appointed from New Jersey. Cadet, Military Academy, July 1, 1886. Additional second lieutenant, First Artillery, June 12, 1890. Graduate Artillery School, 1898. Army War College, 1908.

Campaigns prior to 1917: Philippine insurrection with Battery M, Seventh Artillery, September, 1900, to August, 1901.

World War service: En route to United States from Hawaii to April 14, 1917; commanding regiment at El Paso, Tex., to May 24, 1917; at Syracuse, N. Y., to July 26, 1917; commandant Field Artillery School of Fire, Fort Sill, Okla., to September 29, 1917; commanding One hundred and fifty-sixth Field Artillery Brigade, Camp Jackson, S. C., to February 1, 1918; duty in office Chief of Staff (Chief of Field Artillery), Washington, D. C., to November 11, 1918.

Awarded distinguished service medal: "For especially meritorious and conspicuous service in planning and executing those measures responsible for the efficiency of the Field Artillery during the war."

CHARLES S. FARNSWORTH.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, July 1, 1883. Second lieutenant, Twenty-fifth Infantry, June 12, 1887. Distinguished graduate Army School of the Line, 1909. Graduate Army Staff College, 1910. Army War College, 1916.

Campaigns prior to 1917: In Cuba, June to September, 1898; with punitive expedition in Mexico, March 17 to June 12, 1916.

World War service: Duty at headquarters Southern Department, Fort Sam Houston, Tex., April 6 to June 29, 1917; commanding post, School of Fire and Musketry, Fort Sill, Okla., to August, 1917; commanding One hundred and fifty-ninth Infantry Brigade, Camp Lee, Va., to April, 1918; commanding Eightieth Division, Camp Lee, Va., to June, 1918; commanding troops on U. S. S. *Leviathan* from June 15, 1918, en route to France; commanding Thirty-seventh Division, American Expeditionary Forces, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. In command of the Thirty-seventh Division, his efficient leadership and military ability were important factors in the successful operations in the Meuse-Argonne offensive, and later proved their worth when this division served with the French and Belgian forces in Belgium."

JAMES T. KERR.

Born in Ohio. Appointed from Ohio. Cadet, Military Academy, July 1, 1877. Second lieutenant, Seventeenth Infantry, June 11, 1881. Honor graduate Infantry and Cavalry School, 1897. General Staff, August 15, 1903, to August 14, 1907.

Campaigns prior to 1917: In Cuban campaign from June to September, 1898; Philippine insurrection, February, 1899, to 1902.

World War service: Placed on active duty, office of The Adjutant General, Washington, D. C., July 5, 1917, to date, in charge of enlisted men's division, Adjutant General's office; recruiting division; and later executive assistant to The Adjutant General.

Awarded distinguished service medal: "For especially meritorious and conspicuous service. While in charge of the enlisted men's division of The Adjutant General's office and of the recruitment of the Army, and later as executive assistant to The Adjutant General of the Army, his sound judgment and unremitting industry were important factors in the efficient administration of The Adjutant General's Department."

JOHN M. CARSON.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, July 1, 1881. Second lieutenant, Fifth Cavalry, June 14, 1885.

World War service: Depot quartermaster, New York, N. Y., April 6, 1917, to May 13, 1917; depot quartermaster and general superintendent Army Transport Service to July 15, 1917; general superintendent Army Transport Service to November 19, 1917; chief quartermaster, L. O. C., American Expeditionary Forces, France, to March, 1918; deputy chief quartermaster, American Expeditionary Forces, France, to November 11, 1918.

ALEXANDER E. WILLIAMS.

Born in North Carolina. Appointed from North Carolina. Cadet, Military Academy, June 20, 1894. Second lieutenant, Second Infantry, April 26, 1898.

Campaigns prior to 1917: In Santiago campaign, Cuba, 1898; in Philippine insurrection, 1901 and 1902; at Vera Cruz, Mexico, Fifth Brigade, Second Division, April 24 to October 7, 1914.

World War service: Assistant to Chief of Militia Bureau, Washington, D. C., April 6, 1917, to September 8, 1917; charge of warehousing division, Quartermaster General's office, Washington, D. C., to February 2, 1918; commanding Camp Meigs, Washington, D. C., to February 26, 1918; depot quartermaster, St. Nazaire, France, to November 11, 1918.

HERBERT M. LORD.

Born in Maine. Appointed from Maine. Captain, provost marshal, February 5, 1901. Accepted, April 18.

World War service: Staff duty in Quartermaster Corps and Finance, Washington, D. C., April 6, 1917, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous service as assistant to the Quartermaster General and later as Director of Finance. As such he was responsible for and had authority over the preparation of estimates, disbursements, money accounts, property accounts, finance reports, and pay and mileage of the Army. The success of the Finance Department was, in large measure, due to his breadth of vision, executive ability, initative, and energy."

HARRY TAYLOR.

Born in New Hampshire. Appointed from New Hampshire. Cadet, Military Academy, July 1, 1880. Second lieutenant Engineers, June 15, 1884. Graduate Engineer School of Application, 1887.

World War service: Department engineer, Eastern Department, Governors Island, N. Y., April 6, 1917, to May 28, 1917; chief engineer officer American Expeditionary Forces, France, to July 11, 1918; office of chief engineer American Expeditionary Forces, to September 19, 1918; assistant to Chief of Engineers, Washington, D. C., to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. Arriving in France June 11, 1917, as chief engineer American Expeditionary Forces, he organized and administered the engineer department, which included the construction of wharves, depots, railways, barracks, and shelters throughout the theater of operations. He continued these duties with most marked and conspicuous ability, building a complete and efficiently functioning institution."

GEORGE W. BURR.

Born in Illinois. Appointed from Missouri. Cadet, Military Academy, June 15, 1884. Second lieutenant First Artillery, June 11, 1888.

World War service: Commanding Rock Island Arsenal, Rock Island, Ill., April 6, 1917, to February 23, 1918; office Acting Chief of Ordnance, Washington, D. C., to March 28, 1918; ordnance officer, London, England, to October 12, 1918; Chief Engineer Division, Ordnance Office, Washington, D. C., to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous service as Director of Purchase, Storage and Traffic, General Staff Corps. He has had under his supervision during the last several months most important and complicated operations in relation to the cancellation of contracts, the adjustments of claims, the disposal of surplus supplies, and the storage of materials that have accumulated during the war or that have been delivered by manufacturers since the armistice."

WILLIAM S. PEIRCE.

Born in Vermont. Appointed from Vermont. Cadet, Military Academy, September 1, 1884. Additional second lieutenant, First Artillery, June 11, 1888.

World War service: Commanding Springfield Armory, Springfield, Mass., April 6, 1917, to June 10, 1918; duty with Chief of Ordnance, Washington, D. C., to July 5, 1918; duty with chief of ordnance officer, American Expeditionary Forces, to September 22, 1918; assistant to Chief of Ordnance, Washington, D. C., to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous service. While in charge of the Springfield Arsenal his exceptional ability contributed materially to increasing the output of small arms. As Assistant Chief of Ordnance he has rendered conspicuous service."

AMOS A. FRIES.

Born in Wisconsin. Appointed from Oregon. Cadet, Military Academy, June 15, 1894. Additional second lieutenant, Engineers, April 26, 1898. Graduate Engineer School, 1912.

Campaigns prior to 1917: In Philippine insurrection with Second Battalion Engineers, 1901–2.

World War service: Duty with Chief of Engineers, Portland, Oreg., April 6, 1917, to April 12, 1917; duty Yellowstone National Park to July 15, 1917; duty with Gas Service, American Expeditionary Forces, to July, 1918; duty with Chemical Warfare Service, American Expeditionary Forces, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As Chief of the Chemical Warfare Service he was charged with the important task of training and equipping our troops for a form of warfare in which the American Army had had no experience prior to the present war. Both in securing proper defensive measures against gas and in developing new methods for its use as an offensive agency, he performed his arduous duties with marked success, thereby rendering valuable services to the American Expeditionary Forces."

WILLIAM MITCHELL.

Born in France. Appointed from Wisconsin. First lieutenant, Signal Corps, February 2, 1901. Accepted, April 26, 1901. Distinguished graduate Army School of the Line, 1908. Graduate Army Staff College, 1909.

General Staff: February 14, 1913, to June 7, 1916.

World War service: April 6, 1917, to September 1, 1917, with airplane division as military observer and aviation officer, American Expeditionary Forces; chief of Air Service, zone of advance, to February 10, 1918; chief of Air Service, First Corps, to June 25, 1918; chief of Air Service, First Brigade Air Service, to July 30, 1918; chief of Air Service, First Army, to October 18, 1918; chief of Air Service, group of armies, to November 11, 1918.

Awarded distinguished service cross: "For repeated acts of extraordinary heroism in action at Noyon, France, March 26, 1918; near the Marne River, France, during July, 1918; and in the St. Mihiel salient, France, September 12 to 16, 1918. For displaying bravery far beyond that required by his position as chief of Air Service, First Army, American Expeditionary Forces, setting a personal example to the United States aviation by piloting his airplane over the battle lines since the entry of the United States into the war, some instances being a flight in a monoplane over the battle of Noyon on March 26, 1918, and the back areas, seeing and reporting upon the action of both air and ground troops, which led to a change in our aviation's tactical methods; a flight in a monoplane over the bridges which the Germans had laid across the Marne during July, 1918, which led to the first definite reports of the location of these bridges and the subsequent attack upon the German troops by our air forces; daily reconnaissance over the lines during the Battle of St. Mihiel salient, September 12 to 16, securing valuable information of the enemy troops in the air and on the ground, which led to the excellent combined action by the allied air services and ground troops, particularly in this battle."

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. Having taken command of the Second Engineers just prior to the Battle of Soissons, he served with distinction as the leader of this regiment until the close of hostilities."

MAJOR GENERALS OF THE LINE.

JAMES W. M'ANDREW.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, June 15, 1884. Second lieutenant, Twenty-first Infantry, June 11, 1888. Honor graduate Army School of the Line, 1910. Graduate Army Staff College, 1911. Army War College, 1913.

General Staff: July 10, 1916, to June 4, 1917.

Campaigns prior to 1917: El Caney, Cuba, July 1, 1898; siege of Santiago, July 1–17, 1898; advance on Malolos, P. I., April 26 to May 2, 1899; actions in and about Baliuag during the rainy season of 1899.

World War service: On duty as assistant commandant Army Service School, Fort Leavenworth, Kans., to June 6, 1917; left United States for American Expeditionary Forces, France, with Eighteenth Infantry on June 14, 1917; assigned to Second Brigade, First Division, American Expeditionary Fores, on August 23, 1917; chief of staff American Expeditionary Forces, France, from May 5, 1918, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as chief of staff of the American Expeditionary Forces. The development of the Army schools in France is largely due to his marked ability as an organizer and to his brilliant professional attainments."

JOHN L. HINES.

Born in West Virginia. Appointed from West Virginia. Cadet, Military Academy, September 1, 1887. Second lieutenant, Second Infantry, June 12, 1891.

Campaigns prior to 1917: In Santiago campaign, Cuba, June to September, 1898, with Second Infantry; in Philippine insurrection, January to September, 1901; adjutant general of punitive expedition into Mexico, March, 1916, to February, 1917; and chief of staff same expedition, November, 1916, to February, 1917.

World War service: He was at Governors Island, N. Y., adjutant Eastern Department, from March 6, 1917, to May 15, 1917; left United States for France May 28, 1917; commanding Sixteenth Infantry Regiment to June, 1918; commanding First Infantry Brigade, First Division, to September, 1918; commanding Fourth Division to October, 1918; commanding Third Army Corps to November 11, 1918.

Awarded distinguished service cross: "For extraordinary heroism in action near Berzy-le-Sec, France, July 21, 1918. At a critical time during the battle southwest of Soissons, when liaison had been broken between the Sixteenth Infantry and Twenty-sixth Infantry, and repeated efforts to reestablish it had failed, Gen. Hines, then in command of the First Infantry Brigade, personally went through terrific artillery fire to the front lines of the Sixteenth Infantry, located its left flank, and, walking in front of the lines, encouraged the troops by his example of fearlessness and disregard of danger. He then succeeded in finding the right forward elements of the Twenty-sixth Infantry and directed the linking up of the two regiments, thereby enabling the operations to be pushed forward successfully."

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as regimental, brigade, division, and corps commander. He displayed marked ability in each of the important duties with which he was intrusted and exhibited in the operations near Montdidier and Soissons and in the St. Mihiel and Argonne-Meuse offensives his high attainments as a soldier and a commander."

HENRY T. ALLEN.

Born in Kentucky. Appointed from Kentucky. Cadet, Military Academy, July 1, 1878. Second lieutenant, Second Cavalry, June 13, 1882.

General Staff: August 16, 1910, to August 27, 1912; March 18, 1913, to August 31, 1914.

Chief of Philippine Constabulary with rank of brigadier general January 31, 1903, to June 30, 1907.

Campaigns prior to 1917: Commanded El Caney during stay of Santiago refugees, 1898; was in battles before San Juan Hill and Santiago, Cuba, 1898; served in Philippine insurrection, 1900; with punitive expedition in Mexico, 1917.

World War service: Commanding regiment at Fort Bliss, Tex., to May, 1917; at Fort Riley, Kans., to August, 1917; commanding Ninetieth Division at Camp Travis, Tex., to November, 1917; en route to France, sailing from United States December 4 and arriving in France December 20, 1917; commanding Ninetieth Division to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. In command of the Nineteenth Division, he had the important position of conducting the right flank at the St. Mihiel salient."

DAVID C. SHANKS.

Born in Virginia. Appointed from Virginia. Cadet, Military Academy, July 1, 1880. Second lieutenant, Eighteenth Infantry, June 15, 1884.

Campaigns prior to 1917: In Philippine insurrection, 1899 to 1901.

World War service: On duty as inspector, Philippine Department, to July, 1917; commanding port of embarkation, Hoboken, N. J., to September 9, 1918; with Sixteenth Division (Regulars) at Camp Kearny, Calif., to November 11, 1918.

Awarded distinguished service medal: "For especially meritorious and conspicuous service in the administration of the port of embarkation, Hoboken, N. J., in connection with the shipment of troops overseas."

ADELBERT CRONKHITE.

Born in New York. Appointed from Arizona. Cadet, Military Academy, July 1, 1878. Second lieutenant, Fourth Artillery, June 13, 1882. Graduate Artillery School, 1886.

Campaigns prior to 1917: In campaign against Sioux Indians, South Dakota, December, 1890, to February, 1891; with Light Artillery Brigade in Cuba July 3 to 20, 1898; in Porto Rico July 21 to November, 1898.

World War service: Commanded the Panama Coast Artillery district September 9, 1916, to August, 1917, and the Panama Canal Department to August 30, 1917; en route to United States to September 7, 1917; commanding Eightieth Division at Camp Lee, Va., to November 26, 1917; en route to and on temporary duty in France and return to United States December 12, 1917, to March 1, 1918; commanding

Eightieth Division at Camp Lee, Va., to May, 1918; en route to France with Eightieth Division May 20, 1918, and on duty in France from that date, commanding the Eightieth Division to November 7, 1918, and the Sixth Corps to April 11, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He commanded the Eightieth Division during the Argonne-Meuse offensive, where he demonstrated great ability as a leader and proved himself a commander of initiative and courage."

GEORGE W. READ.

Born in Iowa. Appointed from Iowa. Cadet, Military Academy, July 1, 1879. Second lieutenant, Sixteenth Infantry, June 13, 1883. Army War College, 1914.

General Staff June 21, 1905, to June 20, 1909.

Campaigns prior to 1917: Philippine insurrection, August, 1900, to October, 1902.

World War service: In The Adjutant General's office, Washington, D. C., to September, 1917; commanding One hundred and fifty-second Depot Brigade, Camp Upton, N. Y., to December, 1917; commanding Fifteenth Cavalry Division, El Paso, Tex., to April 30, 1918; commanding Thirtieth Division at Camp Mills, N. Y., to May 7, 1918; en route to and in France, commanding Thirtieth Division and Second Army Corps, American Embarkation Center, and later the Forty-second Division, returning to the United States April 25, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He commanded with distinction the Thirtieth Division and organized and commanded the Second Army Corps in its operations with the British forces in France."

OMAR BUNDY.

Born in Indiana. Appointed from Indiana. Cadet, Military Academy, July 1, 1879. Second lieutenant, Second Infantry, June 13, 1883. Graduate Infantry and Cavalry School, 1887. Army War College, 1913.

Campaigns prior to 1917: In Sioux campaign, South Dakota, during winter of 1890–91; participated in Battle of El Caney, Cuba, July 1, 1898; was present at siege of Santiago, same year; in Philippine insurrection, 1899–1900, commanding Company L, Sixth Infantry, at Isabela, Negros, P. I., troops clearing country of Ladrones, commanded detachment in engagement with insurgents at Cabay, near Isabela, P. I., December 15, 1900.

World War service: Commanding Sixteenth Infantry on Mexican border to May, 1917; en route to and at Washington, D. C., to June, 1917; on staff of Brig. Gen. Sibert with First Expeditionary Division to France, sailing for France June 14, 1917; commanding First Brigade, First Division to November, 1917; commanding Second Division to July 15, 1918; commanding Sixth Army Corps to September 12, 1918; commanding Seventh Army Corps to October 16, 1918, when he sailed for the United States, arriving November 5, 1918; commanding Camp Lee, Va., to November 11, 1918.

WILLIAM M. WRIGHT.

Born in New Jersey. Appointed from New Jersey. Cadet, Military Academy, July 1, 1882, to January 11, 1883. Second lieutenant, Second Infantry, January 19, 1885. Graduate Infantry and Cavalry School, 1891.

General Staff: June 6, 1905, to April 1, 1908; January 1, 1920.

Campaigns prior to 1917: Cuban campaign, 1898; Philippine insurrection, from November, 1900, to October, 1901.

World War service: In The Adjutant General's office, Washington, D. C., to August, 1917; commanding Thirty-fifth Division, Camp Doniphan, Okla., to September 25, 1917, when he left the United States for France on special detail; returned to United States and assumed command of Thirty-fifth Division November, 1917; sailed with division for France April 25, 1918; temporarily in command of Third, Fifth, and Seventh Army Corps from June, 1918, to September 6, 1918; in command of Eighty-ninth Division to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He commanded in turn the Thirty-fifth Division; the Third, Fifth, and Seventh Army Corps, under the Eighth French Army in the Vosges Mountains; and later commanded the Eighty-ninth Division in the St. Mihiel offensive and in the final operations on the Meuse River."

CHARLES H. MUIR.

Born in Michigan. Appointed from Michigan. Cadet, Military Academy, July 1, 1881. Second lieutenant, Seventeenth Infantry, June 14, 1885. Honor graduate Infantry and Cavalry School, 1895.

General Staff: August 15, 1903, to August 14, 1907.

Campaigns prior to 1917: In Santiago campaign, Cuba, May to September, 1898; Philippine insurrection, 1899 to 1900; military observer and staff duty in China Relief Expedition, 1901; was Judge Advocate General for American Forces in China.

World War services: With regiment at Empire, Canal Zone, to August, 1917; with One hundred and sixty-second Infantry Brigade at Camp Jackson, S. C., to December, 1917; commanding Twenty-eighth Division, Camp Hancock, Ga., to April 21, 1918; en route to France, arriving May 22, 1918; commanding Twenty-eighth Division to October 24, 1918; commanding Fourth Army Corps to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as division and corps commander. Commanding the Twenty-eighth Division during the Argonne-Meuse offensive, and especially in the difficult operations which resulted in the clearing of the Argonne Forest."

CHARLES T. MENOHER.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, July 1, 1882. Second lieutenant, First Artillery, July 1, 1886. Graduate Artillery School, 1894. Army War College, 1907.

General Staff: August 15, 1906, to March 21, 1907.

Campaigns prior to 1917: Philippine insurrection, 1899 to 1901.

World War service: With regiment at Fort Bliss, Tex., to July 23, 1917; en route to and on duty in France commanding One hundred and fifty-seventh Field Artillery Brigade, Forty-second Division, December 14, 1917, to November 10, 1918, and the Sixth Army Corps to December 17, 1918, returning to the United States January 1, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. In command of the Forty-second Division from Chateau-Thierry to the conclusion of the Argonne-Meuse offensive, including the Baccarat sector, Rheims, Vesles, and at the St. Mihiel salient, this officer, with his division, participated in all of those important engagements."

WILLIAM G. HAAN.

Born in Indiana. Appointed from Indiana. Cadet, Military Academy, June 14, 1885. Second lieutenant, First Artillery, June 12, 1889. Army War College, 1905.

General Staff: August 15, 1903, to August 14, 1906; May 1, 1912, to September 15, 1914.

Campaigns prior to 1917: With Third Artillery in Philippine Islands, Spanish-American War and Philippine insurrection, June, 1898, to October, 1901; participated in attack on Manila August 13, 1898; also commanded Company Battalion Engineers in fighting on February 5, 1899; Military Secretary Army of Cuban Pacification from October, 1906, to March, 1907.

World War service: Commanded coast defenses of eastern New York, December, 1915, to August, 1917; commanding Fifty-seventh Field Artillery Brigade to December, 1917; commanding Thirty-second Division, Camp McArthur, Waco, Tex., to February, 1918; left United States for France with Thirty-second Division, on February 18, 1918, and commanded Thirty-second Division in France to November 20, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. This officer, in command of the Thirty-second Division, took a prominent part in the Argonne-Meuse offensive and in the brilliant and successful attack against the Cote Dame Marie, covering several days, which deprived the enemy of the key point of the position."

BRIGADIER GENERALS OF THE LINE.

JESSIE M'I. CARTER.

Born in Missouri. Appointed from Missouri. Cadet, Military Academy, July 1, 1882. Second lieutenant, Third Division, July 1, 1886.

General Staff: June 21, 1909, to June 7, 1911; September 9, 1911, to June 30, 1913; February 6, 1919, to date.

Campaigns prior to 1917: Expedition against Lake Lanao Moros, Mindanao, P. I., March and April, 1904.

World War service: Duty Militia Bureau, Washington, D. C., April 6, 1917, to February, 1918; Chief of Militia Bureau, Washington, D. C., February, 1918, to August, 1918; commanding Eleventh Division, Camp Meade, Md., August 15, 1918, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous service. As Chief of the Militia Bureau he conceived and directed the organization of the United States Guards and utilized these and other forces most effectively in the important work of safeguarding the utilities and industries of the Nation essential to the prosecution of the war."

GEORGE B. DUNCAN.

Born in Kentucky. Appointed from Kentucky. Cadet, Military Academy, July 1, 1882. Second lieutenant, Ninth Infantry, July 1, 1886. Graduate Army War College, 1912.

General Staff: April 8, 1914, to July 6, 1915.

Campaigns prior to 1917: In Cuban campaign in 1898; in Porto Rican campaign in 1898; in Philippine insurrection, 1899 to 1901.

World War service: Office Chief of Staff, Washington, D. C., from April 6, 1917, to June 7, 1917; en route to Europe in June, 1917; colonel Twenty-sixth Infantry, June, 1917, to September 2, 1917; commanding First Infantry Brigade, First Division, to April, 1918; commanding Seventy-seventh Division, Second Corps, to August, 1918; commanding Eighty-second Division to May, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. Arriving in France with the first contingent of American troops, he commanded in turn a regiment, brigade, and division with conspicuous success. In command of the Seventy-seventh Division, in the Baccarat sector, his sound military judgment, energy, and resolution were important factors in the successes gained. Later, in command of the Eighty-second Division, in the Argonne-Meuse offensive, he proved himself a brilliant leader, with great force and energy."

WILLIAM LASSITER.

Born in Virginia. Appointed from Virginia. Cadet, Military Academy, June 14, 1885. Additional second lieutenant, Fourth Artillery, June 12, 1889. Graduate Artillery School, 1894.

General Staff details: June 8, 1911, to March 17, 1913; August 22, 1919, to July 2, 1920.

Campaigns prior to 1917: Cuban campaign in 1898; expedition to Vera Cruz, Mexico, April and May, 1914.

World War service: Military attaché, American Embassy, London, England, April 6, 1917, to October, 1917; commanded Ballistic School No. 3, England; commanding Fifty-first Field Artillery Brigade, Twenty-sixth Division, October, 1917, to May, 1918; chief of Artillery, First and Fourth Corps, and chief of Artillery, Second Army, American Expeditionary Forces, to November, 1918; commanding Thirty-second Division to April, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As commander of the Fifty-first Field Artillery Brigade, as chief of Artillery of the First and Fourth Army Corps in turn, and as chief of Artillery, Second Army, he showed himself to be a leader of conspicuous ability."

WILLIAM R. SMITH.

Born in Tennessee. Appointed from Tennessee. Cadet, Military Academy, June 16, 1888. Additional second lieutenant, First Artillery, June 11, 1892. Graduate School of Submarine Defense, 1908.

General Staff: August 22, 1919, to July 2, 1920.

World War service: Commanding Sixty-second Field Artillery Brigade September, 1917, to June, 1918; sailed for France in command of Thirty-sixth Division, July, 1918; commanding Thirty-sixth Division during World War, returning to United States with that division and in command until that division was demobilized in July, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous services as commanding general Thirty-sixth Division. By his thorough and ceaseless efforts, coupled with a keen insight into the principles of military training, he brought his division to such a high standard of discipline and proficiency as to achieve conspicuous results in a major operation without previous service under fire."

GROTE HUTCHESON.

Born in Ohio. Appointed from Ohio. Cadet, Military Academy, July 1, 1879. Second lieutenant, Ninth Cavalry, June 15, 1884.

General Staff: January 29, 1904, to January 28, 1908.

Campaigns prior to 1917: Against Sioux Indians in South Dakota, winter of 1890 and 1891; in Porto Rico in 1898, being engaged at Homigueros, P. R., August 10, 1898, and Las Marias, P. R., August 13, 1898; China Relief Expedition, 1900.

World War service: Attached to Third Cavalry, Fort Sam Houston, Tex., April 6, 1917, to May 23, 1917; general recruiting duty, Fort Thomas, Ky., to July 3, 1917; commanding port of embarkation, Newport News, Va., to November 11, 1918; commanded Fourteenth Division to February, 1919.

Awarded distinguished service medal: "For especially meritorious and conspicuous service in the administration of the port of embarkation, Newport News, Va., in connection with the shipment of troops overseas."

WALTER H. GORDON.

Born in Mississippi. Appointed from Louisiana. Cadet, Military Academy, July 1, 1882. Second lieutenant, Twelfth Infantry, July 1, 1886. Graduate Army War College, 1914.

General Staff: November 25, 1907, to April 11, 1900.

Campaigns prior to 1917: In Philippine insurrection; in many battles and engagements during 1899, 1900, and 1901.

World War service: Commanding Thirty-first Infantry, Fort William McKinley, P. I., to June 26, 1917; commanding Fifteenth Infantry, Tientsin, China, to September 12, 1917; en route to United States to October, 1917; commanding One hundred and fifty-fourth Depot Brigade, Camp Meade, Md., to December 26, 1917; commanding Tenth Infantry Brigade, Fort Oglethorpe, Ga., to April 14, 1918; commanding troops U. S. S. *Leviathan* en route to American Expeditionary Forces to May 3, 1918; commanding Tenth Infantry Brigade American Expeditionary Forces to August 25, 1918; commanding Sixth Division American Expeditionary Forces to June, 1919; en route to United States June, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As brigade commander of the Tenth Infantry Brigade he showed great energy and zeal in the conduct of his brigade during the major part of its maneuvers. Later, as division commander of the Sixth Division, by his painstaking efforts he brought his division to a marked state of efficiency, rendering services of great value to the American Expeditionary Forces."

ERNEST HINDS.

Born in Alabama. Appointed from Alabama. Cadet, Military Academy, July 1, 1883. Second lieutenant, Second Artillery, June 12, 1887. Honor graduate Artillery School, 1898.

General Staff: September 8, 1914, to August 22, 1917.

Campaigns prior to 1917: Santiago campaign, 1898; Philippine insurrection, 1900.

World War service: Chief of Staff, Manila, P. I., April 6, 1917, to July 6, 1917; en route to United States and France to October, 1917; special duty general headquarters American Expeditionary Forces to December 14, 1917; commandant Samur Artillery School, American Expeditionary Forces to January 24, 1918; commanding First Artillery Corps, American Expeditionary Forces, to March 24, 1918; commanding First Army Artillery Corps, American Expeditionary Forces, to May 23, 1918; and as commanding general Army Artillery, I'American Field Army; Chief of Artillery, American Expeditionary Forces, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services as Chief of Artillery, First Army Corps; commanding general, Army Artillery of the First American Army and as Chief of Artillery, American Expeditionary Forces. He perfected and successfully directed the organization and training of the Artillery of the American Army in France."

ULYSSES G. M'ALEXANDER.

Born in Minnesota. Appointed from Kansas. Cadet, Military Academy, July 1, 1883. Second lieutenant, Twenty-fifth Infantry, June 12, 1887. Graduate Army War College, 1907.

General Staff: August 16, 1906, to August 15, 1910.

Campaigns prior to 1917: Fort San Juan, Cuba, July 1, 2, 3, 1898; siege of Santiago, Cuba, July 3 to 14, 1898.

World War service: Attached to Sixteenth Infantry, May, 1917, to July, 1917; sailed for France with Sixteenth Infantry, June 14, 1917; commanding Eighteenth Infantry in France, July, 1917, to December, 1917; with Services of Supply, France, to May, 1918; commanding Thirty-eighth Infantry, France, to August, 1918; commanding One hundred and eightieth Infantry Brigade, France, to June, 1919; returned to United States June 7, 1919.

Awarded distinguished service cross: "For extraordinary heroism in action near Jaulgonne, France, July 22, 1918. As a colonel, commanding the Thirty-eighth Infantry, he displayed exceptional gallantry when his regiment, attacking without support on either flank, was stopped by severe machine-gun and artillery fire, by going ahead of the most advanced elements of his command, and in full view of the enemy, leading his men by force of his own example to the successful assault of Jaulgonne and the adjoining heights. Later in the day, when progress was again checked, he personally reconnoitered to within 50 yards of hostile machine-gun nests, and through information thus obtained was enabled to hold an advanced position with both flanks exposed, for more than 36 hours."

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He commanded the Thirty-eighth Infantry with marked distinction in repelling the German attack at Mezy, south of the Marne, in July, 1918."

MARK L. HERSEY.

Born in Maine. Appointed from Maine. Cadet, Military Academy, July 1, 1883. Additional second lieutenant, Nineteenth Infantry, June 12, 1887.

Campaigns prior to 1917: In Cuban campaign in 1898; in Philippine insurrection in 1899 and in 1901; in China expedition in 1901; with punitive expedition in Mexico, 1916–17.

World War service: Duty with Twenty-fourth Infantry, Columbus, N. Mex., to May 24, 1917; en route to Europe and on duty at European Mission, London, England, to July 27, 1917; en route to United States and commanding Fifty-eighth Infantry, Gettysburg, Pa., to August 19, 1917; commanding One hundred and fifty-fifth Infantry Brigade, Camp Dix, N. J., to May 19, 1918; en route to Europe with One hundred and fifty-fifth Infantry Brigade and on duty in France to October 30, 1918; commanding Fourth Division, American Expeditionary Forces, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished service. As a brigade commander during the latter part of the Meuse-Argonne operation he exhibited qualities of excellent leadership and sound judgment. His brigade attacked and penetrated the strong enemy position of Bois des Loges and wrested this strong point from the enemy. The success of his brigade in this engagement was in a large measure due to his able leadership. Later he commanded, with distinction, the Fourth Division during its operations in the occupied territory."

ROBERT L. HOWZE.

Born in Texas. Appointed from Texas. Cadet, Military Academy, July 1, 1883. Additional second lieutenant, Fifth Cavalry, June 11, 1888. Graduate Army War College, 1916.

General Staff: September 13, 1916, to February 5, 1918.

Campaigns prior to 1917: In Philippine insurrection, in many engagements in 1899 and 1900; punitive expedition in Mexico, March to September, 1916.

World War service: Chief of Staff, First Provisional Cavalry, Fort Bliss, Tex., April 6, 1917, to June 1, 1917; duty headquarters, El Paso district, El Paso, Tex., June 2, 1917, to June 13, 1917; Chief of Staff, Northeastern Department, Boston, Mass., June 17, 1917, to February 19, 1918; duty Second Cavalry Brigade, Fort Bliss, Tex., February 24, 1918, to August 28, 1918; commanding Thirty-eighth Division, American Expeditionary Forces, August 30, 1918, to November 16, 1918; commanded Third Division, American Expeditionary Forces, November 16, 1918, to August 24, 1919.

Awarded medal of honor: "For gallantry in repulsing the attacks of hostile Sioux Indians on the north bank of the White River, near the mouth of Little Grass Creek, N. Dak., January 1, 1891."

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As commander of the Third Division on its march to the Rhine and during the occupation of the enemy territory he proved himself energetic and capable, exhibiting superb qualities of leadership."

FRED W. SLADEN.

Born in Massachusetts. Appointed from Nebraska. Cadet, Military Academy, June 14, 1885. Second lieutenant, Fourteenth Infantry, June 12, 1890.

General Staff detail: August 15, 1907, to January 18, 1911.

Campaigns prior to 1917: Philippine insurrection, 1899.

World War service: On duty with Twenty-first Infantry, San Diego, Calif., April to October, 1917; on duty in office Chief of Staff, Washington, D. C., October, 1917, to March, 1918; sailed for France April 6, 1918; commanding Fifth Infantry Brigade, Third Division, in France, April, 1918, to August, 1919.

Awarded distinguished service cross: "For extraordinary heroism in action near Ferme de la Madeleine, France, October 14, 1918. Although almost exhausted from 48 hours of continuous duty, without rest of any kind, Gen. Sladen, upon learning that the front line was held up by enemy machine-gun fire, proceeded to the advanced position through 3 kilometers of severe artillery fire. Upon arrival he found that the battalion commander had been killed and the unit badly disorganized and intermingled. He personally reorganized the troops under the terrific machine-gun and shell fire, reconnoitered the enemy's positions, and launched the advance anew."

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. While commanding the Fifth Infantry Brigade in the Battle of the Marne in July and in the Argonne operations in France in October, 1918, he demonstrated conspicuous qualities of ability and leadership."

HARRY H. BANDHOLTZ.

Born in Michigan. Appointed from Michigan. Cadet, Military Academy, July 1, 1886. Second lieutenant, Sixth Infantry, June 12, 1890. Chief of Philippine Constabulary, with rank of brigadier general, July 1, 1907, to September 1, 1913.

Campaigns prior to 1917: El Caney and around Santiago, Cuba, June 30 to July 15, 1898; Philippine insurrection at Balagazan and Mount Telamban, January 5, 1901.

World War service: Inspector-instructor New York National Guard and colonel New York National Guard, New York City, N. Y., April 6, 1917, to August 18, 1917; Chief of Staff, Twenty-seventh Division, Camp Wadsworth, S. C., August 18, 1917, to September 22, 1917; December 1, 1917, to February 8, 1918; Chief of Staff, Twenty-seventh Division (American Expeditionary Forces), September 22, 1917, to November 30, 1917; commanding Fifty-eighth Infantry Brigade, Camp McClellan, Ala., February 9, 1918, to June 14, 1918; commanding Fifty-eighth Infantry Brigade, American Expeditionary Forces, June 15, 1918, to September 25, 1918; provost marshal general, American Expeditionary Forces, September 25, 1918, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He served in turn as chief of staff of the Twenty-seventh Division, as commander of the Fifty-eighth Infantry Brigade, and as provost marshal general of the American Expeditionary Forces, in all of which capacities he displayed exceptional ability. His foresight, broad experience, and sound judgment resulted in the efficient reorganization and administration of the important Provost Marshal General's Department."

HANSON E. ELY.

Born in Iowa. Appointed from Iowa. Cadet, Military Academy, June 16, 1887. Second lieutenant, Twenty-second Infantry, June 12, 1891. Distinguished graduate, Infantry and Cavalry School, 1905. Graduate Staff College, 1906. Army War College, 1916.

General Staff: August 7, 1917, to May 3, 1918.

Campaigns prior to 1917: Various engagements in Philippine Islands, during the Philippine insurrection, March, 1899, to June, 1901.

World War service: On duty at training camp, Fort Benjamin Harrison, Ind., April to May, 1917; sailed for France, unassigned, May 28, 1917; served as provost marshal, American Expeditionary Forces, July to August, 1917; chief of staff, First Division, American Expeditionary Forces, September to December, 1917; commanding Twenty-eighth Infantry, December, 1917, to July, 1918; commanding Third Infantry Brigade, July, 1918, to October, 1918; commanding Fifth Division, October, 1918, to July, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He commanded with skill and marked distinction a regiment in the trench fighting north of Toul, in the operations west of Montdidier, and in the action at Cantigny. As a brigade commander at Soissons, and as a division commander in the Argonne-Meuse offensive he demonstrated rare capabilities as a commander."

DWIGHT E. AULTMAN.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, June 17, 1890. Second lieutenant, Fourth Cavalry, June 12, 1894. Graduate, Army War College, 1916.

Campaigns prior to 1917: Santiago campaign, 1898.

World War services: Assistant instructor, Army War College, Washington, D. C., April 6, 1917, to May 26, 1917; duty with and accompanying mission to England and France, May 29, 1917, to July 23, 1917; Washington, D. C., to September 5, 1917; Fort Sam Houston, Tex., commanding Nineteenth Field Artillery, to September 16, 1917; en route

to join Fifth Field Artillery in France to October 6, 1917; commanding Fifth Field Artillery, American Expeditionary Forces, to May 2, 1918; commanding Fifty-first Field Artillery Brigade, American Expeditionary Forces, to August 15, 1918; commanding One hundred and sixty-sixth Field Artillery Brigade, American Expeditionary Forces, to September 10, 1918; observer and commanding group, First Army, American Expeditionary Forces, to October 16, 1918; in charge of Artillery, Fifth Corps, American Expeditionary Forces, to November 11, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As chief of Artillery of the Fifth Corps in the operations against the enemy in November, 1918, by his exceptional skill as an artillerist, he was largely responsible for the rupture of the enemy's position and the breaking of his resistance."

JOHNSON HAGOOD.

Born in South Carolina. Appointed from South Carolina. Cadet, Military Academy, June 15, 1892. Additional second lieutenant, Second Artillery, June 12, 1896.

General Staff: November 20, 1908, to March 23, 1911; April 14, 1911, to February 15, 1912.

World War service: On duty in South Atlantic Coast Artillery district to July 5, 1917; commanding Seventh Regiment Coast Artillery to August, 1917; en route to France; on duty commanding Camp Borden, England, to September, 1917; commanded Railroad Artillery Regiment in France; on duty as chief of staff, headquarters Services of Supply; commanding advance section L. of C. and Services of Supply to November, 1918; commanding Thirtieth Artillery Brigade and Sixty-sixth Field Artillery Brigade to April, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As chief of staff of the Services of Supply of the American Expeditionary Forces in France his ability for organization, his energy, and his sound judgment were factors in the efficiency of this important branch."

DENNIS E. NOLAN.

Born in New York. Appointed from New York. Cadet, Military Academy, September 1, 1892. Additional second lieutenant of Infantry, June 12, 1896.

General Staff details: August 15, 1903, to August 14, 1906; April 24, 1915, to July 17, 1919.

Campaigns prior to 1917: Siege of Santiago, Cuba, 1898; Philippine Insurrection, June, 1899, to January, 1900.

World War service: Sailed for France on staff of Gen. Pershing May 28, 1917; in France commanding Fifty-fifth Infantry Brigade to October, 1918; assistant chief of staff (organized and administered), G–2, G. H. Q. to July, 1919.

Awarded distinguished service cross: "For extraordinary heroism in action near Apremont, France, October 1, 1918. While the enemy was preparing a counterattack, which they preceded by a terrific barrage, Gen. Nolan made his way into the town of Apremont and personally directed the movements of his tanks under a most harassing fire of enemy machine guns, rifles, and artillery."

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. He organized and administered with marked ability the intelligence section of the General Staff of the American Expeditionary Forces."

WILLIAM D. CONNOR.

Born in Wisconsin. Appointed from Iowa. Cadet, Military Academy, June 21, 1893. Additional second lieutenant Engineers, June 11, 1897. Graduate Staff College, 1905. Army War College, 1909.

General Staff: September 24, 1912, to September 24, 1916.

Campaigns prior to 1917: In Philippine campaign, Spanish-American War, June to September, 1898.

World War service: Assistant Philippine Department Engineer, Philippine Islands, April 6, 1917, to May 15, 1917; en route to United States May 15, 1917, to June 8, 1917; office Chief of Engineers, Washington, D. C., June, 1917, to August 13, 1917; en route to American Expeditionary Forces, France, August 14, 1917, to August 28, 1917; assistant to chief of staff, General Headquarters, American Expeditionary Forces, August 28, 1917, to April 28, 1918; chief of staff, Thirty-second Division, American Expeditionary Forces, April 29, 1918, to July 22, 1918; commanding Sixty-third Infantry Brigade, Thirty-second Division, American Expeditionary Forces, July 23, 1918, to August 5, 1918; commanding base section No. 2, American Expeditionary Forces, August 5, 1918, to November 9, 1918; chief of staff, headquarters Services of Supply, November 9, 1918, to November 11, 1918, and as commander of Services of Supply until discontinued.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As assistant chief of staff and head of the coordination section of the General Staff, American Expeditionary Forces, he showed unusual ability and tireless energy. As chief of staff of the Thirty-second Division in the trench operations in the Belfort sector and later as commander of the Sixty-third Infantry Brigade in the advance to the Vesle he displayed particular ability as a leader of troops. He also performed valuable services as commander of a base port and as chief of staff of the Services of Supply."

FOX CONNER.

Born in Mississippi. Appointed from Mississippi. Cadet, Military Academy, June 15, 1894. Second lieutenant, Second Artillery, April 26, 1898. Graduate Staff College, 1906; Army War College, 1908.

General Staff: April 3, 1907, to April 2, 1911.

World War service: Office Inspector General, Washington, D. C., to May 27, 1917; en route to France and on duty in the Operations Division, American Expeditionary Forces, and as assistant chief of staff, G–3, in charge of operations section, to December 31, 1918.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As assistant chief of staff in charge of the operations section he has shown a masterful conception of all the tactical situations which have confronted the American forces in Europe. By his high professional attainments and sound military judgment he has handled with marked skill the many details of the complex problems of organization and troop movements that were necessitated by the various operations of the American Expeditionary Forces."

MALIN CRAIG.

Born in Missouri. Appointed from Pennsylvania. Cadet, Military Academy, June 20, 1894. Second lieutenant, Fourth Infantry, April 26, 1898. Honor graduate Infantry and Cavalry School, 1904; graduate Staff College, 1905; Army War College, 1910.

General Staff: April 14, 1910, to September 15, 1912; June 4, 1917, to August 17, 1917.

Campaigns prior to 1917: Santiago campaign, 1898; China relief expedition, 1900; Philippine insurrection, 1900–1902.

World War service: Duty in Adjutant General's Office, Washington, D. C., to June 4, 1917; Office Chief of Staff, Washington, D. C., to August, 1917; with Forty-first Division, chief of staff, camp Fremont, Calif., and Camp Greene, N. C., to September, 1917; en route to France with division and on duty with it to January, 1918; chief of staff First Army Corps and Third Army to July, 1918; commanding One hundred and sixty-sixth Infantry Brigade to November, 1918.

Awarded distinguished service meda:: "For exceptionally meritorious and distinguished services. He served in turn as chief of staff of a division, a corps, and an army, in each of which capacities he exhibited great ability."

ROBERT C. DAVIS.

Born in Pennsylvania. Appointed from Pennsylvania. Cadet, Military Academy, June 15, 1894. Second lieutenant, Seventeenth Infantry, April 26, 1898.

Campaigns prior to 1917: Santiago campaign, 1898; Philippine insurrection, 1899–1900.

World War service: On duty in The Adjutant General's office, Washington, D. C., to July 14, 1917; en route to France with Gen. Pershing and on duty as assistant to the adjutant general and as adjutant general of the American Expeditionary Forces to June 30, 1920.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. As adjutant general of the American Expeditionary Forces he has performed his exacting duties with high professional skill and administrative ability. The exceptional efficiency of the adjutant general's department under his direction was a material factor in the success of the staff work at general headquarters."

HENRY D. TODD, JR.

Born in New York. Appointed from Pennsylvania. Cadet, Military Academy, September 1, 1886. Additional second lieutenant, Third Artillery, June 12, 1890. Honor graduate Artillery School, 1901. Graduate School of Submarine Defense, 1903. Graduate Army War College, 1908.

General Staff: November 20, 1908, to November 19, 1912.

World War service: Commanding Fifty-eighth Field Artillery Brigade and sailed for France June 4, 1918; commanded brigade to April, 1919; returned to United States May 24, 1919.

Awarded distinguished service medal: "For exceptionally meritorious and conspicuous services. As commanding general of the Fifty-eighth Field Artillery Brigade he demonstrated marked skill as an Artillery officer in the preparations for the attack of the Fifth Corps on the Kriemhilde Stillung on November 1, 1918, and in the support of the Eighty-ninth Division in its further advance and crossing of the Meuse River from November 6 to 11, 1918. The brigade which he commanded effectively supported the First, Ninety-first, Thirty-second, and Eighty-ninth Divisions during the period of the operations in which it served with them."

HUGH A. DRUM.

Born in Michigan. Appointed from Massachusetts. Second lieutenant, Twelfth Infantry, September 9, 1898. Accepted, September 21. Honor graduate Army School of the Line, 1911. Graduate Army Staff College, 1912.

General Staff: June 4, 1917, to July 17, 1919.

Campaigns prior to 1917: Philippine insurrection, 1899; with expeditionary forces, Vera Cruz, Mexico, May to September, 1914.

World War service: With regiment in Southern Department, April, 1917, to May, 1917; en route to and in France; duty at headquarters Services of Supply and as deputy chief of staff, Services of Supply; chief of staff, First Army, July, 1918, to April, 1919; member of board to consider lessons to be learned from present war, tactics and organization.

Awarded distinguished service medal: "For exceptionally meritorious and distinguished services. Upon him as chief of staff of the First Army devolved the important duty of organizing the headquarters of this command and of coordinating the detailed staff work in its operations in the St. Mihiel and Argonne-Meuse offensives."

ECONOMIC CONDITIONS IN FLORIDA.

Mr. GRONNA rose.

Mr. FLETCHER. Mr. President, I am in favor of taking up the Agricultural appropriation bill, and I now rise simply to ask unanimous consent to have printed in the RECORD an editorial from the Florida Metropolis, dealing with the subject of an erroneous publication regarding economic conditions throughout the country, which unjustly reflects upon Florida.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"PRESS OF FLORIDA CAN RENDER REAL SERVICE.

"Protesting against the unwarranted and insidious attack on Florida's economic condition in the latest edition of the Literary Digest, W. B. Powell, secretary of the Lake County Chamber of Commerce, in a letter to the Metropolis states facts that could not be made clearer by any editorial writer in the country.

"The letter follows:

"'The Literary Digest of February 12, 1921, has a lengthy lead article on conditions throughout the United States.

"'The only reference to Florida is in the body of the story, which says "Tampa reports growing amazingly fast."

"'Every State in the Union is represented except Florida.

"'Yet on page 11 the Digest prints a chart from the Chicago Tribune, which hates Florida and the South worse than the devil hates holy water, which shows Florida a black blot, with key to effect "A whole State in black because of extreme depression, etc."

"'This lie should not be allowed to be circulated undisputed.

"'Florida is the one exception in the whole United States of progress and prosperity. Florida never has called upon the rest of the world in time of any calamity—the world has never passed the hat to assist Florida. When clearing-house certificates were issued some years ago Florida never printed any until forced to do so by banking interests, and it is doubtful

if $1,000 of this currency ever passed current and none in circulation—a few pieces were bought as souvenirs.

"'Florida shows prosperity in hotels, in boarding houses, in stores, in wholesale houses, on farms and groves, in banks, and there is not a community in the whole State that has cried calamity. On the contrary, we have given work to tens of thousands of laborers and artisans from the North who swooped down upon us in flivvers and silk shirts begging for something to tide them over the winter, as they were thrown out of employment in the North.

"'This last attack on Florida again proves the need of the Florida development board, an organization that alone can combat these insidious attacks, provided the State supports it as a unit.'

"Mr. Powell hit the nail on the head in this statement of facts. He is in a position to know the details of the situation and Florida is as familiar to him as the contents of a popular book. Being aware of this, the Metropolis thought that the use of his letter as an editorial would add emphasis to our protest of Tuesday against this article which was given so much prominence in the Literary Digest.

"The Metropolis is of the opinion that the press of the State can render valuable service in proving the fallacious statements made in this article by the editors throughout the State using their ink to advantage in reviewing conditions in their immediate localities, and a general compilation can be made of these and distributed broadcast, which perhaps can be done best by the various chambers of commerce and boards of trade.

"Florida refuses to be recognized by anything that the Chicago Tribune might say. This, however, is not the point. The Literary Digest is a nationally read publication, and it carries weight in the business circles of the Nation. For this reason it is the duty of those interested in the welfare of this State to see to it that Florida is given credit for her real financial and economic status.

"Now is the time for all good men to come to the aid of their State."

CALL OF THE ROLL.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Brandegee	Jones, N. Mex.	McNary	Smith, Md.
Capper	Jones, Wash.	Moses	Smith, S. C.
Fernald	Kellogg	Myers	Smoot
Fletcher	Kendrick	Nelson	Stanley
Frelinghuysen	Kenyon	New	Sutherland
Gerry	Knox	Phelan	Thomas
Gronna	La Follette	Pittman	Townsend
Harris	Lenroot	Pomerene	Trammell
Harrison	Lodge	Ransdell	Underwood
Heflin	McKellar	Sheppard	Wadsworth
Hitchcock	McLean	Simmons	Willis

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. SWANSON answered to his name when called.

Mr. DIAL and Mr. HALE entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-seven Senators have answered to the roll call. There is not a quorum present.

Mr. LODGE. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. FALL, Mr. KIRBY, and Mr. POINDEXTER entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

PAYMENTS DUE TO RAILROAD COMPANIES.

Mr. TOWNSEND. Mr. President, I have been very much in favor of considering the appropriation bills. They will be considered. I tried to secure consideration for them when we were spending days and weeks on the tariff bill, which all of us knew could not become a law at this session of Congress. I realize that there are some matters of legislation which must be attended to at this session, or else irretrievable injury is going to be the result. That injury can not be cured by a resolution carrying the matter over for the session into the next Congress; but there are certain imminent matters which I believe the great majority of the Senate are in favor of considering. One of those, and the one that in my judgment ought to be considered now, is the so-called partial payment bill, authorizing and directing the Secretary of the Treasury to pay on the certificates made by the Interstate Commerce Commission showing certain amounts positively due the railroads under the guaranty of the Government. These amounts aggregate about $600,000,000.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. TOWNSEND. Yes.

Mr. KELLOGG. That is less the amount of about $250,000,000 that has already been paid.

Mr. TOWNSEND. I am talking about what is due now.

Mr. KELLOGG. No; there is about $350,000,000 due now.

Mr. TOWNSEND. I am much obliged to the Senator for calling my attention to that. There is about $350,000,000 due now; $250,000,000 has been paid. I stand corrected by the Senator from Minnesota. This amount is due under contract with the Government, under acknowledged liability by the Government and the amount has been appropriated by Congress. The money is in the Treasury and can not be used for any other purpose.

The railroads of the country have been purchasing supplies for the operation of their roads and have naturally accumulated a large debt, which can be paid only when the Government pays what it without dispute owes the carriers.

The Committee on Interstate Commerce have had long hearings on this subject, and we have determined upon an amendment to the transportation act of 1920 which is advocated by the Interstate Commerce Commission and approved by the railroads, and, as I understand, meets with no informed opposition. Under that act we had supposed, at least, that Congress had provided for the payment of the sums due in installments. When it was determined that a certain amount was actually due to the railroads, it was supposed that the Interstate Commerce Commission could make a certificate to that effect and it would be paid by the Secretary of the Treasury. It turned out, however, that the Secretary of the Treasury submitted this question to the Comptroller of the Treasury, and he advised that no payments could be made to the railroads of any amount, except in final settlement. That is the ruling to-day; and many of these settlements, from the very nature of things, can not be completed entirely for possibly several years.

Your committee therefore, as I said a moment ago, reported a bill which authorized and directed the Secretary of the Treasury to pay such amounts as the Interstate Commerce Commission determined were actually due. Now, not only are the railroads embarrassed—indeed, that is hardly the greatest thing that is to be considered here—but the concerns with which the railroads have been doing business can not carry their accounts any longer. Some of them are behind in payments more than five months, and some of these concerns themselves are threatened with bankruptcy. There is certainly but one alternative for them to take, and that is to cease supplying the railroads with coal and other material. That will still more embarrass the railroads. I say to you, Mr. President, in all candor, I believe that many of these railroads, especially the weaker lines, are threatened with bankruptcy unless they can obtain the money due them from the United States and needed for their operation. Their credit has already been extended to the limit.

Your committee believes that there is no question about the obligation of the United States; but we provide that the amounts must be determined as certainly due, and the Interstate Commerce Commission is seeing to it that the full payment is not made to the railroads, but that a certain amount is reserved to meet, under all circumstances, any possible contingencies as to balances in the future.

Mr. President, this is briefly the situation. That it is serious no one who has investigated it can deny, and your committee has provided this bill as an emergency measure. It is emergent. There remain now 13 days in this session, of which two are Sundays; so there are 11 days, counting the 4th of March, in which the Congress can act. I understand that there is to be some opposition to the bill on the floor of the Senate. The senior Senator from Wisconsin [Mr. LA FOLLETTE] has offered an amendment to the bill. Two resolutions have been offered, and are now on the table, providing for information, much of which is already being obtained by the Interstate Commerce Commission, and some of which was in the possession of your committee; but if the resolutions should be agreed to, they would be an excuse, at least, for postponing action in the Senate upon a bill which has already passed the House; and, by the way, this bill is identical with the House bill, and if it is not amended it is ready to go to the President as soon as it is passed here.

I repeat that the time is limited. If it should so happen that we could not get a vote on this bill before Tuesday night, or not later than Tuesday night, it could then go to the President, and if he should feel inclined to veto it after he had taken his full time limit, it would then be too late for the Senate to act upon his veto.

No one dislikes more than I do to interfere with an appropriation bill, but I have an illustrious precedent for doing this.

When I was urging, during the time that the tariff bill was being considered, that the Post Office appropriation bill come before the Senate, Senators who are now favoring this bill opposed me and held the tariff bill before the Senate to the exclusion of appropriation bills. I am urging the consideration of the partial payment bill now, however, in order that the one or two Senators who may be opposed to it may have an opportunity to present their opposition and with no possibility of their opposition being able to defeat the bill.

I am very anxious that the Senate shall hold longer sessions. I have been urged not to press this matter to-night. Every time a suggestion of a night session is made a postponement is urged; but I would not feel, under the circumstances, like continuing the session late to-night. I would like, however, to get the bill before the Senate now. Then I will ask unanimous consent to fix a date not later than Tuesday, and hour Tuesday—Tuesday at midnight, if you please; any time—to have a vote upon it. Thus we will dispose of it without undue delay; but I feel that I would be derelict in my duty if I did not urge the importance of this measure upon the attention of the Senate at this moment. Later action may be too late. The Agricultural appropriation bill will be passed this session. No Senator has the disposition to defeat it. The partial payment bill is opposed by one, possibly two or three Senators only, but they can at this stage of the session prevent its passage unless immediate action is taken and the measure brought before the Senate.

I take it that Senators generally are well informed as to the facts about which I am talking. The matter is a serious one. There will be no improper settlements with the railroads. The rights of the Government will be protected. This money which is needed now in the operation of the railroads and without which they will be greatly embarrassed, as well as their creditors, belongs to them and we should take action, and do it now. A vote can not be delayed in the Senate any later than Tuesday if we are expecting to get the bill back to the Senate in case it is necessary for it to come back.

The great majority of the Senate—at least, I have been so informed—are in favor of this proposition. Not to exceed three or four Members of the Senate, if I have been correctly informed, oppose it. The House has passed it overwhelmingly. Am I doing wrong, therefore, in urging its consideration at this time?

It is unfortunate, perhaps, that we can not get a vote directly upon the motion to take it up, but under the rules I can not move to substitute this bill for the one which has been proposed. I know that Senators do not like to vote against taking up the Agricultural appropriation bill; but if it is necessary in order to get consideration of this measure to do so, then they must do so. Their action will not defeat the bill of the Senator from North Dakota.

Mr. President, I do not care to occupy the time of the Senate with longer discussion of the measure. I am very sorry that we have not a full Senate here to vote upon the Senator's motion, because it is so serious that I think everybody ought to participate. The vote, of course, is on the motion of the Senator from North Dakota [Mr. GRONNA] to take up the Agricultural appropriation bill. If that fails, I shall move to take up the bill I have been discussing.

AGRICULTURAL APPROPRIATIONS.

Mr. GRONNA. Mr. President, I have moved that the Senate proceed to the consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

The VICE PRESIDENT. The question is on the motion of the Senator from North Dakota.

Mr. GRONNA addressed the Senate. After having spoken for some time, he said:

Mr. President, if it is the desire of the Senate not to continue the session any longer this evening, with the understanding that I may continue and conclude my remarks on Monday, I have no objection to moving that the Senate take a recess at this time.

Mr. THOMAS. Mr. President, will the Senator withhold his motion for a moment?

Mr. GRONNA. Yes; I yield to the Senator from Colorado.

[Mr. GRONNA's speech will be published entire after it shall have been concluded.]

A. A. BRUCE.

Mr. THOMAS. There are two House bills of a private nature on the calendar which are of great concern to those immediately interested in them. They have been on the calendar for some time. I should like to have them considered; and first I ask for the present consideration of the bill (H. R. 178) authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which is as follows:

Be it enacted, etc., That upon the transfer by A. A. Bruce to the United States of title to the following-described lands: Commencing at a point 1,920 feet south and 30 feet west of the northeast corner of the southeast quarter of section 20, township 29 south, range 68 west of the sixth principal meridian; thence west 843 feet; thence south 720 feet; thence east 80½ feet; thence in a northeasterly direction 715 feet, variation 50°; thence northeast 48 feet, variation 10°; thence northeast 309 feet, variation 50°; all in the east half of section 20, township 29 south, range 68 west of the sixth principal meridian, in Huerfano County, Colo., containing approximately 8 acres, the Secretary of the Interior is authorized, upon approval of the Secretary of Agriculture, to issue a patent to A. A. Bruce for the southwest quarter of the southeast quarter of section 6; the northwest quarter of the northeast quarter, the northeast quarter of the northwest quarter, and lot 1 of section 7, township 30 south, range 68 west of the sixth principal meridian: *Provided*, That the patent issued shall reserve to the United States, or its grantees, or lessees, all coal, oil, or other mineral deposits in the land patented as well as the right to prospect for, mine, and remove the same: *Provided further*, That the survey of the tract to be deeded to the United States shall be made at Government expense under the direction of the United States surveyor general.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LANDS IN MONTEZUMA NATIONAL FOREST, COLO.

Mr. THOMAS. I ask unanimous consent for the present consideration of the bill (H. R. 8692) authorizing the exchange of lands within the Montezuma National Forest in Colorado.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized in his discretion to accept on behalf of the United States title to any land free and clear of all encumbrances within the Montezuma National Forest, or within section 23, township 37 north, range 14 west, New Mexico principal meridian, within the State of Colorado, which in the opinion of the Secretary of Agriculture are chiefly valuable for national forest purposes, or for the protection of stream flow, and in exchange therefor may issue patent for not to exceed an equal value of such national forest land, or to exchange timber within the said national forest, as may be determined by the Secretary of Agriculture to be of approximately equal value and acceptable to the owner or owners as fair compensation, considering any reservations which either the grantor or the Government may make of timber, minerals, or easements. Timber given by the Government in such exchanges shall be cut and removed under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture. All lands conveyed by the United States under this act shall, upon acceptance thereof, become a part of the Montezuma National Forest and subject to all laws affecting national forests.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. THOMAS. I thank the Senator from North Dakota.

THE RAILROAD SITUATION.

Mr. SHEPPARD. Mr. President, will the Senator from North Dakota withhold his motion for a moment longer?

The PRESIDING OFFICER (Mr. GOODING in the chair). Does the Senator from North Dakota yield to the Senator from Texas?

Mr. GRONNA. I yield.

Mr. SHEPPARD. I have here quite an able article on the railroad situation by Hon. S. H. Cowan, which I ask to have printed in the RECORD.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

The article referred to is as follows:

"BASIC FIGURES IN RAILROAD RATE MAKING ATTACKED BY COWAN—POWERS GRANTED INTERSTATE COMMERCE COMMISSION IN TRANSPORTATION ACT PASSED BY CONGRESS SHOULD BE REPEALED OR IT WILL RUIN COUNTRY AND RAILROADS, TOO, ARGUES RATE EXPERT.

"To the Texas Legislature:

"This is written in the interest of the public and the railroads, as I verily believe, and because I am sure the subject matter is so complex that it is little understood.

"If the part of the law which I claim should be promptly repealed was by design it was because its proponents, the organized railway investors—really I think a speculators' scheme under that innocent name—and the railway executives, appointed by the big trust companies and banks owning the control of the railroads, elect their directors and hold the power over the corporations called railway companies.

"If it wasn't by their design they stand by it as their child. If Congress conceived it, which it did not in the beginning, it didn't think such results would follow. In either case, who wants to continue it?

"I am not blaming the Interstate Commerce Commission, though. I think it misconstrued the law. What I speak of is a misfortune to the people, the commission, and, I verily believe, the railroads.

"When Congress passed the transportation act returning the railroads to their owners last year it extended up to September 1, 1920, the war-time guaranty of the standard return, which was the three years' average next before June 30, 1917, the

highest of any three years' average in their history. At the same time it provided for another form of guaranty after September 1 by a rate-making scheme to force the shippers to continue it as long as the railroads could get the commission to fix a value high enough that 6 per cent average would produce the results when applied to that value. It was not the value of a particular road or system, but the high value of the aggregate of all in a rate-making group, so called, to hide the real meaning. I don't mean that Congress intended to hide anything, but the proponents of the bill who engineered it through did, or if they did not the footprints are artificial.

"VALUE OF ROADS.

"The western district takes in all west of the Mississippi River and part of Illinois northwest of the Illinois River, including Chicago. These roads in the aggregate the commission valued for the purposes of the particular case at $8,100,000,000 for 132,400 miles of road, or about $61,000 per mile average, whereas the Texas average reproduction cost is less than $33,000 per mile. This did not have any relation to a given road at all. Neither did the estimate of earnings present or prospective. It was in the aggregate. The idea argued was that it would give credit to the roads by boosting them so they could sell stocks and in that way help out the weak roads.

"But there was no help provided, except Congress did appropriate $300,000,000 for a revolving fund to loan, but only on good security, which the weak lines did not generally have. That fund would be added to by one-half of the excess which the stronger lines, carrying the principal part of the business, would earn over and above 6 per cent on their respective values. But that value was not attempted to be found or stated and there is no effort yet to do it any ways soon, so the whole of the advanced rate is kept by the roads which may earn it and adds nothing to that fund. The help to the weak lines was the increased rates, but the increase applied likewise to the strong lines, boosting the rates too high on them on 75 per cent of the total business, so the weaker lines might have a little relief carrying one-fourth of the traffic at the expense of the public paying to strong lines, on three times the tonnage, excessive rates; so excessive that the law on its face expressly declares it would be unjust for them to retain, hence allows the Government to sue to recover one half the excess and the roads earning it keep the other half. The one-half per cent on the total aggregate value to make provisions with which to buy or build or make improvements, equipment, and facilities, all chargeable to capital account. Each road keeps it whether it needs it or not, and as it is in the rate charged, goes to the roads in proportion to the traffic, inures to each road until the 6 per cent is exceeded.

"For the western district it is $40,500,000 per annum. The commission had the discretion to add this or not. The State commission had no such discretion, but the Interstate Commission holds in effect that it must be added to State rates as well, though such rates are specifically excluded from the provisions of the act.

"They reach this result by the indirect method of holding that it is a discrimination not to increase State rates the same per cent as the Interstate Commerce Commission did interstate rates in the group, although it is not for a service but for capital. Of course, it is unconstitutional, but 'Jones he pays the freight,' has to pay it, and probably he will be bankrupt or dead, hence not a shipper by the time that is decided.

"CAUSE OF ADVANCE.

"Trace the money from this half per cent and you find its lodgment with the banks and trust companies, who can spend it in procuring these properties with industrial concerns with which they are connected like the railroads. The same thing applies to one-half of the excess above 6 per cent on the strong roads earning it, which should not need it. If in the aggregate these western lines earn the 6 per cent net, then the $190,000,000 is put aside for these roads and the Government, which would be over 40 per cent of the aggregate net return. The one-half per cent added causes 20 to 30 per cent of the advances made.

"Its practical effect as the Interstate Commerce Commission is administering this law (and it must be assumed it is their belief that it must be done) is that the percentage advances which they made are arbitrarily required by law, regardless of their reasonableness or other considerations. Thus the rights of the States are abolished by indirection, but as surely as if Congress had expressly so declared. The shippers' right to reasonable rates and to go before the tribunal provided for to try whether the rates he pays are reasonable is an empty privilege, as it is for a community, district, or State. Congress is thus held up to ridicule for having retained or reenacted all the provisions of the act to protect shippers and the public against any exactions of extortionate and even prohibitory rates and at the same time destroyed those rights by the requirement of 5 per cent return plus the one-half per cent additional allowed by the commission as the arbitrary minimum.

"If this method—this construction of the act—is correct, then when the commission has stated the aggregate value to be used in the computation a schoolboy acquainted with the ordinary rules of arithmetic can do all the balance quite as well to get at the percentage of advance of rates required to produce the arbitrary 6 per cent on that value, assuming the traffic will remain the same, and that must be the assumption as it was, otherwise no figures would be possible to get at the percentage advance required. It has not done so, and it is idle to speculate on how much traffic would have moved on lower rates or was prevented by the enormous advances compared to what it would have been without these advances. Remember, the wartime advances were in effect and the advances were in addition.

"STATE DENIED AUTHORITY.

"Expenditures for betterments charged in operating expenses may be greater or less, according to the policy of the given road. No one knows how much of that has absorbed the earnings which otherwise would have shown the net. In many cases it is admittedly great. There are rules prescribed, but applied to details they are necessarily more easily broken than complied with. Who knows what the roads or any of them are actually making, net? None can answer—not one. If a State determines it and finds the net much greater than reported, still the Interstate Commerce Commission says to it, in effect: 'If you don't advance State rates by as great percentage as the interstate rates in the group, you discriminate against interstate commerce and interfere with the Interstate Commerce Commission rates to produce the aggregate 6 per cent on the aggregate value declared by us to be the basis of rate making.' Thus the State is a dead one.

"Now, all this wonderful scheme is contained in section 15a of the reprint of the act to regulate commerce, added by the act of February 28, 1920, and the only way to avoid it is to repeal it. Since it repeals all other regulation of rates by law, State and interstate, no fair-minded man can defend it. Both committees in Congress declared they did not destroy the powers of the States, but they did if this construction is upheld. They reenacted the provisions to secure the shippers' rights as they had existed theretofore, to have just and reasonable rates, and thought those rights reserved, but under this construction they were not, unless this scheme is ipso facto as a revenue project the establishment of reasonable rates. If all restrictions on rates were removed, the western lines can not make 6 per cent on the value taken as the basis, but they can ruin the stock raiser and farmer and destroy all incentive to development, because they must either ship or let their stuff rot or die or the producer is compelled to ship it and pay so much freight that he gets but a fraction of its value.

"It shocks the conscience of fair-minded men to say that a railroad is entitled to such rates. They say Congress has required it. Surely it did not so intend, but if so construed, then the quickest way is to repeal this iniquity. It all rests upon what is the fair value of railroad property in the aggregate for rate-making purposes, and Congress did not fix that. Value is not defined by the act or any law. It is an open question with absolutely no rule of law aside from the rule of reason. By common knowledge a thing is worth what it will sell for on fair sale. That can not be boosted by claiming an earning power based on unreasonably high and extortionate rates.

"RULING SET ASIDE.

"The rule of the Supreme Court in Smythe *v.* Ames (169 U. S.), which all profiteers decry, declares railroads are entitled to a fair return on the fair value of what they devoted to public service, and the public is entitled to reasonable rates. So the roads are limited to what they can earn by the standard of reasonableness and fairness and the public subject to the same rule. This rule has been completely destroyed by this arbitrary law as construed. The commission believes it followed what Congress requires as to the per cent, but as to value it seems inconceivable. Fair value for rate making should be estimated if a per cent or other earnings on value basis is used, not on cost, not on investment, not on cost of reproduction or capitalization, or a value ascertained by capitalizing net earnings, but all these and other factors, which fair-minded, well-informed men would consider, taking into consideration the interest both of the carriers and the public. If rates are made merely to profit the railroad, the public interest is ignored, and that is condemned by the Supreme Court (Smythe *v.* Ames).

"No value was proven of any road or the aggregate for the group. The commission took as the aggregate value for the

purpose of the calculation a certain sum to represent the aggregate on which the 6 per cent was arbitrarily to be applied and increased rates by percentage to produce the aggregate, and in stating that value far exceeded the par value of the stocks and bonds and took a little less than aggregate book value which it conceded could not be used and has always held unreliable, and as everyone knows it is most exorbitant, and as a rule varying from actual investment on different roads by as much as 100 per cent. It expressly refrained from finding the value of any road. It did not ignore mentioning its own valuations or reproduction cost less depreciation so far as it has progressed during the past five years by expenditure of tens of millions of Government money, but it did not take it or even half way approximate it in getting at the figures used. It does not matter for the purpose of this statement what it considered or whether from its viewpoint, which was very nearly the railroads' viewpoint, judging from results, the calculation based on the value taken has produced rates to ruin the country and the railroads in the end.

"Live stock can not be shipped to the feed or the feed to live stock. Fruits and vegetables are rotting and thrown away or not gathered because the rates are so high. Necessities of life were increased by the same percentage as automobiles and silks. The farming and live-stock business of remote regions are ruined.

"WHERE DO EARNINGS GO?

"They say we must support the railroads or we are ruined. Well, we are ruined by this attempt and still they cry aloud for more money from Congress, and would ask for further increases in rates were it not sure to wreck them. Reasonable rates are all that finally can do most for both the railroads and the people.

"Does anyone keep a check on what they are doing? The gross earnings are enormous, while they claim but little net results. Where does it go to? Has your State commission or the Interstate found out? The State commission is not given any funds to find out. If the Interstate Commission is, it has not been made manifest, at least to the public, except the reports of the railroads themselves. Wages are very high, it is said, on account of the high cost of living, but do the railroads expect their employees to first move and lessen wages to reduce the high cost of living? Let the railroads move first and do without dividends like the people who support them are doing without any profit and losing money every time they ship and pay these rates.

"Any law or any ruling that fixes value figures to cause any such rates as we have is wrong, and if we are a people capable of self-government we will right that wrong, and begin it by repealing this law, leaving the Interstate Commerce Commission to exercise its own judgment as it used to do on interstate rates to make them reasonable to shippers and railroads, both of whom must suffer the consequence of the World War on a fifty-fifty basis.

"Now, the States have their constitutional rights and the right to make rates, and while we are at it repeal all provisions which have been made use of by the railroads or commission to destroy our constitutional rights as a State.

"The example of Interstate Commission rates has brought us to ruin under this new law, and it does not lie in anybody's mouth to say that the States can not do at least as well. Certainly we have our constitutional rights that we should stand by, and the States should make their Congressmen do it to the last ditch.

"That does not mean to not do what is right by the railroads, but it will leave the subject clear of this ruinous, impossible financial scheme. Just remember that before the war this scheme was unthought of, and during the 3-years' average the railway earnings exceeded any period in their history. The people all want to give them fair treatment, but not to pay exorbitant rates on unfair and fanciful valuations while the people and their industries face bankruptcy and ruin with no return on their property or pay for their labor. The demand from the shippers and legislatures will result in repeal of that iniquitious section of the law, to be followed by efficient operation rather than high rates to make money. Live and let live is the only possible maintainable policy.

"If this is not done, Government ownership will certainly follow; and the Lord deliver us from that.

"Your demand will be heeded by Congress.

"S. H. COWAN."

RECESS.

Mr. GRONNA. Mr. President, I understand it is the desire of the Senate not to continue the session any longer this evening. I therefore move that the Senate take a recess until 11 o'clock Monday morning.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, February 21, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 19 (legislative day of February 14), 1921.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY OF THE UNITED STATES.

QUARTERMASTER CORPS.

Col. Frank Spear Armstrong, Cavalry, July 1, 1920, with rank from June 26, 1920.

Col. Clyde Emile Hawkins, Cavalry, August 5, 1920, with rank from July 1, 1920.

Col. Louis Hermann Bash, Infantry, August 13, 1920, with rank from July 1, 1920.

Col. Harry Frederick Rethers, Infantry, July 30, 1920, with rank from July 1, 1920.

Col. Henry Charles Whitehead, Cavalry, August 5, 1920, with rank from July 1, 1920.

Col. Edward Seymour Walton, Infantry, July 30, 1920, with rank from July 1, 1920.

Col. Francis Horton Pope, Cavalry, August 5, 1920, with rank from July 1, 1920.

Col. Alexander Elliot Williams, Infantry, July 30, 1920, with rank from July 1, 1920.

Col. John Robert Rigby Hannay, Infantry, July 30, 1920, with rank from July 1, 1920.

Col. Charles Henry Hilton, Coast Artillery Corps, July 30, 1920, with rank from July 1, 1920.

Col. Albert Clayton Dalton, Infantry, July 1, 1920, with rank from February 26, 1920.

Col. Sam Frank Bottoms, Coast Artillery Corps, November 24, 1920, with rank from July 1, 1920.

Lieut. Col. George William Winterburn, Cavalry, with rank from July 1, 1920.

Lieut. Col. Irvin Leland Hunt, Judge Advocate General's Department, July 1, 1920, with rank from June 26, 1919.

Lieut. Col. Henry Churchill Bonnycastle, Infantry, August 23, 1920, with rank from July 1, 1920.

Lieut. Col. Patrick William Guiney, Cavalry, August 5, 1920, with rank from July 1, 1920.

Lieut. Col. Frederick William Van Duyne, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Grayson Villard Heidt, Cavalry, August 5, 1920, with rank from July 1, 1920.

Lieut. Col. Lawrence Du Val Cabell, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Clyffard Game, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Albert N. McClure, Cavalry, August 5, 1920, with rank from July 1, 1920.

Lieut. Col. George Edward Ball, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Walter Bogardus McCaskey, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Warren Webster Whitside, Cavalry, August 23, 1920, with rank from July 1, 1920.

Lieut. Col. Jack Hayes, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Frederick Curtis Johnson, Cavalry, August 5, 1920, with rank from July 1, 1920.

Lieut. Col. Will H. Point, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. William Benton Cowin, Cavalry, August 23, 1920, with rank from July 1, 1920.

Lieut. Col. Richard Ten Broeck Ellis, Coast Artillery Corps, September 16, 1920, with rank from July 1, 1920.

Lieut. Col. Alvin Kelley Baskette, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Milosh Radosablavitz Hilgard, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Linwood Ellsworth Hanson, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Frank Harold Burton, Infantry, August 13, 1920, with rank from July 1, 1920.

Lieut. Col. Charles Louis Willard, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Ernest H. Agnew, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. William Henry Noble, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. Samuel Burnette Pearson, Cavalry, August 5, 1920, with rank from July 1, 1920.

Lieut. Col. James Henry Como, Infantry, July 30, 1920, with rank from July 1, 1920.

Lieut. Col. J. De Camp Hall, Infantry, August 23, 1920, with rank from July 1, 1920.

Lieut. Col. Harry Edward Comstock, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. William Oury Smith, Infantry, August 23, 1920, with rank from July 1, 1920.
Lieut. Col. Edgar Simon Stayer, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Charles Ernest Reese, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Sherrard Coleman, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. William Franklin Herringshaw, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Robert Emmet Grinstead, Infantry, August 27, 1920, with rank from July 1, 1920.
Lieut. Col. Ernest Alexis Jeunet, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Franklin Schoch Leisenring, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Herbert L. Evans, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Albert Owen Seaman, Infantry, September 16, 1920, with rank from July 1, 1920.
Lieut. Col. William Howard Tobin, Coast Artillery Corps, July 27, 1920, with rank from July 1, 1920.
Lieut. Col. Verne LaSalle Rockwell, Cavalry, August 13, 1920, with rank from July 1, 1920.
Lieut. Col. Charles Godfrey Harvey, Cavalry, October 20, 1920, with rank from July 1, 1920.
Lieut. Col. James Etter Shelley, Cavalry, September 10, 1920, with rank from July 1, 1920.
Lieut. Col. Ward Dabney, Infantry, August 27, 1920, with rank from July 1, 1920.
Lieut. Col. Edward Calvert, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Thomas Meredith Hunter, Infantry, September 16, 1920, with rank from July 1, 1920.
Lieut. Col. Frank Howard Adams, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. John Adam Wagner, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Henry Gibbins, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Edmond Ross Tompkins, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. George Albert Purington, Cavalry, since retired from active service, August 6, 1920, with rank from July 1, 1920.
Lieut. Col. Thomas MacAllister Knox, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. John Patrick Hasson, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Rudolph Ethelbert Smyser, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Robert Sterrett, Cavalry, August 27, 1920, with rank from July 1, 1920.
Lieut. Col. James Perrine Barney, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. William Columbus Gardenhire, Cavalry, August 5, 1920, with rank from July 1, 1920.
Lieut. Col. Joseph Cornelius Kay, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Walter Chambers Jones, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Franklin Potter Jackson, Infantry, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. William Richard Kendrick, Infantry, with rank from July 1, 1920.
Maj. Hans Robert Wheat Herwig, Infantry, with rank from July 1, 1920.
Maj. William Robert White, Infantry, with rank from July 1, 1920.
Maj. Edmund De Treville Ellis, Cavalry, with rank from July 2, 1920.
Maj. Henry Holden Sheen, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1920.
Maj. James Robert Pourie, Coast Artillery Corps, July 1, 1920, with rank from July 19, 1916.
Maj. Charles Oswick Zollars, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Maj. Augustus Bennett Warfield, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Maj. Norton Ellsworth Wood, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Maj. Ernest Stephen Wheeler, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Maj. John Burhyte Wilmot Corey, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Maj. Charles Greenough Mortimer, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Maj. Charles Jones Ferris, Field Artillery, July 1, 1920, with rank from January 5, 1919.
Maj. Henry Rozer Casey, Coast Artillery Corps, July 1, 1920, with rank from June 25, 1920.
Maj. William Kern Moore, Coast Artillery Corps, July 27, 1920, with rank from June 25, 1920.
Maj. John Sherman Chambers, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. James Regan, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. William Gustin Ball, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Gerrit Van Schaick Quackenbush, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Sydney Herbert Hopson, Infantry, August 23, 1920, with rank from July 1, 1920.
Maj. Carl Carlton Jones, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Charles Davis Winn, Coast Artillery Corps, August 6, 1920, with rank from July 1, 1920.
Maj. Ralph Noble Hayden, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Alden Max Graham, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Arthur James Lynch, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Joseph Howard Barnard, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. William Holt Peek, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1920.
Maj. George Steele Gillis, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Laurence Oldham Mathews, Infantry, October 29, 1920, with rank from July 1, 1920.
Maj. Milton Garfield Holliday, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Walter Herbert Neill, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Launcelot Marmaduke Purcell, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Carl Frederick von dem Bussche, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. James Pryer Castleman, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Frank Edwin Davis, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. William Elmer Murray, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1920.
Maj. Brainerd Taylor, Coast Artillery Corps, July 31, 1920, with rank from July 1, 1920.
Maj. George Percy Hawes, jr., Coast Artillery Corps, August 6, 1920, with rank from July 1, 1920.
Maj. Charles Albert Clark, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1920.
Maj. Charles McHenry Eby, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. William Alexander McCain, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Joseph Fulton Taulbee, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Odiorne Hawks Sampson, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Norman Harry Davis, Cavalry, October 11, 1920, with rank from July 1, 1920.
Maj. Samuel Sumner Bryant, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Charles Smith Hamilton, Infantry, August 23, 1920, with rank from July 1, 1920.
Maj. George Watkins Ewell, Infantry, August 23, 1920, with rank from July 1, 1920.
Maj. Claire Raymond Bennett, Infantry, August 13, 1920, with rank from July 1, 1920.
Maj. Reuben Chapman Taylor, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. George Edgar Nelson, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Edward Himmelwright Tarbutton, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Emil Engel, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Edwin Gunner, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Resolve Potter Palmer, Infantry, July 30, 1920, with rank from July 1, 1920.

Maj. Philip Remington, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Mark Lorin Ireland, Coast Artillery Corps, July 27, 1920, with rank from July 1, 1920.
Maj. Albert Howell Barkley, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1920.
Maj. Stanley Koch, Cavalry, August 27, 1920, with rank from July 1, 1920.
Maj. Edmund Bristol Gregory, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Ursa Milner Diller, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Arthur James Davis, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Charles Andrew Meals, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Napoleon William Riley, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Thomas Norton Gimperling, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Joseph Lybrand Topham, jr., Infantry, August 23, 1920, with rank from July 1, 1920.
Maj. John Marshall True, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Robert Collins Eddy, Coast Artillery Corps, July 27, 1920, with rank from July 1, 1920.
Maj. Charles Lewis Scott, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Ralph Talbot, jr., Cavalry, August 12, 1920, with rank from July 1, 1920.
Maj. Clifford Lee Corbin, Field Artillery, July 28, 1920, with rank from July 1, 1920.
Maj. Joseph Edward Barzynsky, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Everett Davis Barlow, jr., August 23, 1920, with rank from July 1, 1920.
Maj. James Griffin Boswell, Infantry, July 30, 1920, with rank from July 1, 1920, since retired from active service.
Maj. Max Akin Elser, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Alexander Hamilton Jones, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. John Patrick Keeler, Coast Artillery Corps, August 23, 1920, with rank from July 1, 1920.
Maj. James Howard Laubach, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Henry John Weeks, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Charles Dudley Hartman, Infantry, August 6, 1920, with rank from July 1, 1920.
Maj. Max Robert Wainer, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. William Baldridge Loughborough, Infantry, October 7, 1920, with rank from July 1, 1920.
Maj. Willis Edward Mills, Infantry, November 30, 1920, with rank from July 1, 1920.
Maj. Richard Henry Jordan, Coast Artillery Corps, December 2, 1920, with rank from July 1, 1920.
Maj. Ernest Grave Cullum, Cavalry, December 3, 1920, with rank from July 1, 1920.
Maj. Jacob Frank, Coast Artillery Corps, November 24, 1920, with rank from July 1, 1920.
Maj. Henry Armstrong Wingate, Coast Artillery Corps, November 24, 1920, with rank from July 1, 1920.
Maj. Herbert Joseph Lawes, Infantry, November 27, 1920, with rank from July 1, 1920.
Maj. Charles Carter Reynolds, Field Artillery, with rank from July 1, 1920.
Maj. Merrill Dole Wheeler, Infantry, October 29, 1920, with rank from July 1, 1920.
Maj. George Derry Murphey, Infantry, with rank from July 1, 1920.
Maj. Allen Russell Kimball, Infantry, with rank from July 1, 1920.
Maj. Rodman Butler, Cavalry, October 20, 1920, with rank from July 1, 1920.
Maj. Robert McGowan Littlejohn, Cavalry, October 20, 1920, with rank from July 1, 1920.
Maj. Fredrick Clifford Rogers, Infantry, November 3, 1920, with rank from July 1, 1920.
Maj. George Herman Huddleson, Infantry, November 5, 1920, with rank from July 1, 1920.
Maj. Frank Joseph Riley, Infantry, November 26, 1920, with rank from July 1, 1920.
Capt. Norris Stayton, Coast Artillery Corps, July 1, 1920, with rank from March 3, 1911.
Capt. Owen Glenn Collins, Coast Artillery Corps, July 1, 1920, with rank from May 6, 1911.
Capt. John Thomas Harris, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Albert Kenny Craven Palmer, Field Artillery, July 1, 1920, with rank from November 15, 1916, since retired from active service.
Capt. Henry Dorsey Farnandis Munnikhuysen, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Guy Ichabod Rowe, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Charles Martin Everitt, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Louis Arnold Beard, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Frank Floyd Scowden, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Wilmot Alfred Danielson, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Francis Joseph Torney, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Douglas Campbell Cordiner, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Leon Moffat Logan, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Frederick Rodman Palmer, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Frederick Gilbreath, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. William Jay Calvert, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Robert Currier Brady, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. James Raymond Alfonte, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. DeForest Willard Morton, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Charles Chisholm Drake, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Carl Adolphus Hardigg, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Roland Francis Walsh, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Russell Alger Osmun, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. Louis Alfred Merillat, jr., Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Marvin Conrad Heyser, Field Artillery, July 1, 1920, with rank from May 19, 1917.
Capt. Clarence Fenn Jobson, Infantry, July 1, 1920, with rank from June 4, 1917.
Capt. Charles Andrew McGarrigle, Infantry, July 1, 1920, with rank from June 18, 1917.
Capt. Richard Jacquelin Marshall, Field Artillery, July 1, 1920, with rank from October 12, 1917.
Capt. Richard Keene Smith, Infantry, July 1, 1920, with rank from July 25, 1917.
Capt. George Macdonald Herringshaw, Cavalry, July 1, 1920, with rank from September 2, 1919.
Capt. Allen Thurman Veatch, Infantry, July 1, 1920, with rank from November 5, 1917.
Capt. Roy Charles Lemach Graham, Infantry, July 1, 1920, with rank from December 19, 1918.
Capt. Harley Albert Dresback, Infantry, October 11, 1920, with rank from July 1, 1920.
Capt. William Harvey Dukes, Infantry, October 7, 1920, with rank from July 1, 1920.
Capt. Reyburn Engles, Infantry, October 29, 1920, with rank from July 1, 1920.
Capt. Arnold Wright Ellis, Infantry, October 29, 1920, with rank from July 1, 1920.
Capt. Joseph Knox Fornance, Field Artillery, October 18, 1920, with rank from July 1, 1920.
Capt. Harry Harrison Reeves, Infantry, November 1, 1920, with rank from July 1, 1920.
Capt. Edwin Mack Scott, Infantry, July 1, 1920, with rank from October 23, 1917.
Capt. Frederick Schoenfeld, Infantry, with rank from May 19, 1917.
Capt. Rene Eugene Fraile, Infantry, with rank from July 1, 1920.
Capt. Sherman I. Strong, Cavalry, with rank from July 1, 1920.
Capt. Stuart Duncan Campbell, Infantry, with rank from July 1, 1920.

Capt. John Webster Llufrio, Infantry, with rank from July 1, 1920.

First Lieut. Thomas Grafton Hanson, Field Artillery, July 1, 1920, with rank from June 5, 1917.

First Lieut. William Francis Stromeyer, Infantry, July 1, 1920, with rank from June 14, 1917.

First Lieut. Dallas Loyd Knoll, Infantry, July 1, 1920, with rank from June 16, 1917.

First Lieut. Erwin Adolph Manthey, Field Artillery, July 1, 1920, with rank from August 7, 1917.

First Lieut. Harry Lee Hart, Cavalry, July 1, 1920, with rank from October 12, 1917.

First Lieut. Douglas Lee Crane, Field Artillery, July 1, 1920, with rank from December 19, 1918.

First Lieut. George Etter, Field Artillery, July 1, 1920, with rank from July 3, 1919.

First Lieut. Clinton Bowen Fisk Brill, Field Artillery, October 1, 1920, with rank from July 1, 1920.

First Lieut. Martin Owen Cahill, Field Artillery, July 1, 1920, with rank from July 1, 1920.

First Lieut. Clough Farrar Gee, Field Artillery, October 6, 1920, with rank from July 1, 1920.

First Lieut. George Jacob Giger, Infantry, November 5, 1920, with rank from July 1, 1920.

First Lieut. Harry William Koster, Infantry, with rank from October 25, 1917.

First Lieut. Harold Stokely Wright, Infantry, with rank from October 9, 1919.

First Lieut. Elmer Theodore Foss, Coast Artillery Corps, with rank from July 1, 1920.

First Lieut. Frederick Philip Schlandt, Coast Artillery Corps, with rank from July 1, 1920.

First Lieut. Hans Ottzenn, Infantry, with rank from July 1, 1920.

First Lieut. Lewis Mesherry, Cavalry, July 1, 1920, with rank from June 14, 1917.

First Lieut. Harvey Edward, Field Artillery, July 1, 1920, with rank from April 13, 1919.

First Lieut. Milton Orme Boone, Infantry, November 30, 1920, with rank from July 1, 1920.

First Lieut. John Downing Hill, Infantry, with rank from June 5, 1917.

First Lieut. Harry Boissonnault, Infantry, with rank from October 6, 1919.

First Lieut. William Foelsing, Cavalry, with rank from July 1, 1920.

Second Lieut. Joseph Popenjoy Bailey, Air Service, November 23, 1920, with rank from July 1, 1920.

Second Lieut. Robert Howard Wylie, Infantry, with rank from July 1, 1920.

Second Lieut. Joseph Worth Timmons, jr., Veterinary Corps, July 1, 1920, with rank from September 4, 1917.

Second Lieut. Glen Dison Gorton, Medical Administrative Corps, with rank from July 1, 1920.

Second Lieut. Everett Roscoe Stevens, Medical Administrative Corps, with rank from July 1, 1920.

FINANCE DEPARTMENT.

Col. Ralph Harrison, Cavalry, July 1, 1920, with rank from May 23, 1917.

Col. Robert Shufeldt Smith, Quartermaster Corps, July 1, 1920, with rank from February 14, 1918.

Col. James Canby, Quartermaster Corps, July 1, 1920, with rank from August 13, 1919.

Col. Kenzie Wallace Walker, Cavalry, August 6, 1920, with rank from July 1, 1920.

Col. Robert Sanford Offley, Infantry, August 12, 1920, with rank from July 1, 1920.

Col. Edward Percy Orton, Cavalry, August 6, 1920, with rank from July 1, 1920.

Col. Willard Herman McCornack, Cavalry, August 6, 1920, with rank from July 1, 1920.

Col. William Franklin Clark, Cavalry, with rank from January 27, 1918.

Lieut. Col. Edward Albert Sturges, Cavalry, August 6, 1920, with rank from July 1, 1920.

Lieut. Col. Theodore Schultz, Cavalry, August 6, 1920, with rank from July 1, 1920.

Lieut. Col. Richard Kerr Cravens, Coast Artillery Corps, August 18, 1920, with rank from July 1, 1920.

Lieut. Col. Joseph Sanders Hardin, Coast Artillery Corps, October 6, 1920, with rank from July 1, 1920.

Lieut. Col. Samuel Breck McIntyre, Infantry, August 12, 1920, with rank from July 1, 1920.

Lieut. Col. Hilden Olin, Infantry, August 12, 1920, with rank from July 1, 1920.

Lieut. Col. Perrin Lindsley Smith, Infantry, August 12, 1920, with rank from July 1, 1920.

Lieut. Col. Freeborn Page Holcomb, Cavalry, August 6, 1920, with rank from July 1, 1920.

Lieut. Col. Charles Henry Errington, Infantry, August 12, 1920, with rank from July 1, 1920.

Lieut. Col. Lewis Sidney Morey, Cavalry, August 6, 1920, with rank from July 1, 1920.

Lieut. Col. William Hugh Clopton, jr., Cavalry, August 6, 1920, with rank from July 1, 1920.

Lieut. Col. Leonard Lyon Deitrick, Cavalry, August 6, 1920, with rank from July 1, 1920.

Lieut. Col. Tilman Campbell, Field Artillery, July 28, 1920, with rank from July 1, 1920.

Lieut. Col. Roderick Leland Carmichael, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.

Lieut. Col. Alfred Sully Morgan, Coast Artillery Corps, July 1, 1920, with rank from June 22, 1920.

Lieut. Col. Charles Egbert Stanton, Quartermaster Corps, July 1, 1920, with rank from May 15, 1917, since retired from active service.

Lieut. Col. William McKendree Lambdin, Field Artillery, July 1, 1920, with rank from May 15, 1917.

Lieut. Col. William Beatty Rochester, Quartermaster Corps, July 1, 1920, with rank from July 26, 1918.

Lieut. Col. Frederick William Coleman, Infantry, August 12, 1920, with rank from July 1, 1920.

Lieut. Col. Edwin Albert Hickman, Cavalry, August 6, 1920, with rank from July 1, 1920.

Maj. Frederick Wegener Boschen, Infantry, August 12, 1920, with rank from July 1, 1920.

Maj. Nathan Horowitz, Coast Artillery Corps, October 18, 1920, with rank from July 1, 1920.

Maj. Henry Henderson Pfeil, Field Artillery, August 17, 1920, with rank from July 1, 1920.

Maj. Carl Cogswell Oakes, Infantry, August 12, 1920, with rank from July 1, 1920.

Maj. Matt Combes Bristol, Cavalry, August 6, 1920, with rank from July 1, 1920.

Maj. Charles Lewis Lanham, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.

Maj. David Yulee Beckham, Coast Artillery Corps, July 1, 1920, with rank from June 25, 1920.

Maj. Eugene Julius Ely, Cavalry, August 27, 1920, with rank from July 1, 1920.

Maj. Herbert Edward Pace, Infantry, November 4, 1920, with rank from July 1, 1920.

Maj. Joseph James Grace, Coast Artillery Corps, with rank from July 1, 1920.

Capt. Stanley Symmes Ross, Coast Artillery Corps, July 1, 1920, with rank from January 24, 1910.

Capt. William Henry Menges, Coast Artillery Corps, July 1, 1920, with rank from May 9, 1910.

Capt. Dawson Olmstead, Field Artillery, July 1, 1920, with rank from July 1, 1916.

Capt. George Frederick Humbert, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.

Capt. Edwin Bright Spiller, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.

Capt. Walter Owen Rawls, Coast Artillery Corps, July 1, 1920, with rank from June 4, 1917.

Capt. Norman Daniel Cota, Infantry, July 1, 1920, with rank from September 1, 1919.

Capt. John Barber Harper, Cavalry, July 1, 1920, with rank from October 12, 1917.

Capt. Louis Maloney Thibadeau, Quartermaster Corps, September 11, 1920, with rank from July 1, 1920.

Capt. William Maynard Dixon, Quartermaster Corps, December 2, 1920, with rank from July 1, 1920.

First Lieut. Fred Glover Sherrill, Cavalry, July 1, 1920, with rank from November 4, 1919.

First Lieut. Birnie Lee Brunson, Quartermaster Corps, with rank from July 1, 1920.

Second Lieut. William Walter Thrall, Quartermaster Corps, since retired from active service, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Henry Stephen Hostetter, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. James Bayard Haley, Quartermaster Corps, with rank from July 1, 1920.

Second Lieut. Wallace Fairchild Baker, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Hardie Ambrose Violland, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Will Thomas Taber, Quartermaster Corps, since retired from active service, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Hastie Alexander Stuart, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Eugene Coffin, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Francis Jewett Baker, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Eugene Owen Hopkins, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Elmer Ellsworth Lockard, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Dana Woods Morey, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Robert George Nunan, Quartermaster Corps, since retired from active service, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Selden Brooke Armat, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. George Zinn Eckels, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Jerome Clark, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Walter Stephans Vidor, Quartermaster Corps, since retired from active service, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Frank B. Shelly, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Arthur A. Padmore, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Clarence Maynard Exley, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Otto Wilhelm Gralund, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Horace Grattan Foster, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. James MacKay, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Thomas Scott Pugh, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Stephen Roscoe Beard, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. George Nicoll Watson, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Guy Russell Doane, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Emmett Crawford Morton, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Harold George Salmon, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Ed Norment Enders, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Archie Henry Willis, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Edward Tiffin Comegys, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Horace Grant Rice, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Ernest Palmer Hoff, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Wilhelm P. A. T. Von Hartung, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Montgomery Taft Legg, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. James Asa Marmon, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Walter Davis Dabney, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Percy Gabriel Hoyt, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. William James Lisle, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. William Alexander MacNicholl, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Seymour Houghton Francis, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Carl Halla, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Charles Franklin Eddy, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Richard LeRoy Cave, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Alfred James Maxwell, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Orva Earl Beezley, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Frank Elmer Parker, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Edwin Fairbrother Ely, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

CORPS OF ENGINEERS.

Maj. Henry Hubert Stickney, jr., Chemical Warfare Service, with rank from July 1, 1920.

Capt. William Hammond Waugh, Quartermaster Corps, with rank from July 1, 1920.

Capt. Clifford E. Black, Infantry, with rank from July 1, 1920.

Capt. James Douglas Cleary, Quartermaster Corps, with rank from July 1, 1920.

Maj. Frederick Mears, Cavalry, October 18, 1920, with rank from July 1, 1920.

Maj. Bowyer Brockenbrough Browne, Infantry, October 26, 1920, with rank from July 1, 1920.

Capt. Robert Alexander Laird, Coast Artillery Corps, July 1, 1920, with rank from June 30, 1920.

Capt. Horace Herbert Braun, Field Artillery, October 18, 1920, with rank from July 1, 1920.

Capt. Howard Foster Clark, Coast Artillery Corps, November 4, 1920, with rank from July 1, 1920.

Capt. Marshall Joseph Noyes, Field Artillery, October 20, 1920, with rank from July 1, 1920.

Capt. Helmer Swenholt, Field Artillery, October 18, 1920, with rank from July 1, 1920.

First Lieut. Frank Wiltshire Gano, Infantry, July 1, 1920, with rank from June 5, 1917.

First Lieut. Roy Dayton Burdick, Coast Artillery Corps, July 1, 1920, with rank from June 14, 1917.

First Lieut. Edward Sandford Pegram, jr., Infantry, July 1, 1920, with rank from June 15, 1917.

First Lieut. Cecil Ray Moore, Coast Artillery Corps, July 1, 1920, with rank from August 9, 1917.

First Lieut. Glenn Howenstein Stough, Coast Artillery Corps, July 1, 1920, with rank from October 25, 1917.

First Lieut. Harold Jack Adams, Cavalry, July 1, 1920, with rank from February 9, 1918.

First Lieut. Walter David Luplow, Infantry, July 1, 1920, with rank from October 25, 1917.

First Lieut. Frederick Webster Deck, Infantry, July 1, 1920, with rank from March 23, 1919.

First Lieut. Milton Heilfron, Coast Artillery Corps, July 1, 1920, with rank from June 25, 1919.

First Lieut. Fabius Henry Kohloss, Coast Artillery Corps, October 22, 1920, with rank from July 1, 1920.

Second Lieut. Theodore Temple Knappen, Field Artillery, August 24, 1920, with rank from July 2, 1920.

Second Lieut. Wilson Burnett Higgins, Coast Artillery Corps, September 4, 1920, with rank from July 2, 1920.

Second Lieut. Albert Newell Tanner, jr., Field Artillery, August 24, 1920, with rank from July 2, 1920.

Second Lieut. Harold Thomas Miller, Coast Artillery Corps, September 4, 1920, with rank from July 2, 1920.

Second Lieut. James Woodrow Clark, Field Artillery, September 4, 1920, with rank from July 2, 1920.

Second Lieut. Louis Jacob Claterbos, Field Artillery, September 4, 1920, with rank from July 2, 1920.

Second Lieut. Bernard Linn Robinson, Field Artillery, September 4, 1920, with rank from July 2, 1920.

Second Lieut. James Hobson Stratton, Field Artillery, September 11, 1920, with rank from July 2, 1920.

Second Lieut. Ewart Gladstone Plank, Coast Artillery Corps, September 4, 1920, with rank from July 2, 1920.

Second Lieut. Harry Earl Fisher, Field Artillery, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Donald Sylvester Burns, Field Artillery, September 4, 1920, with rank from July 2, 1920.

Second Lieut. Donald James Leehey, Field Artillery, September 10, 1920, with rank from July 2, 1920.

Second Lieut. John States Seybold, Coast Artillery Corps, September 4, 1920, with rank from July 2, 1920.

ORDNANCE DEPARTMENT.

Col. William Allen Phillips, Infantry, August 27, 1920, with rank from July 1, 1920.

Lieut. Col. William Irving Westervelt, Field Artillery, July 1, 1920, with rank from September 28, 1919.

Lieut. Col. Herman Walter Schull, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.

Maj. Harry Birdwhistell Jordan, Cavalry, August 21, 1920, with rank from July 1, 1920.
Maj. Edward Marsh Shinkle, Coast Artillery Corps, October 18, 1920, with rank from July 1, 1920.
Maj. John Henry Read, jr., Cavalry, August 21, 1920, with rank from July 1, 1920.
Maj. Glen F. Jenks, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Gilbert Henry Stewart, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Adam Floy Casad, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. John Epps Munroe, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Townsend Whelen, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Lucian Barclay Moody, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. James Kerr Crain, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Rolland Webster Case, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Norman Foster Ramsey, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Philip John Radcliffe Kiehl, Cavalry, August 19, 1920, with rank from July 1, 1920.
Maj. Charles Gearhart Mettler, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Charles Bhaer Gatewood, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Joseph Halley Pelot, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Morgan Lewis Brett, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Earl McFarland, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Alexander Garfield Gillespie, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Thomas Lee Coles, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. John Boursiquot Rose, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Charles Tillman Harris, jr., Field Artillery, August 21, 1920, with rank from July 1, 1920.
Maj. Harry Keneth Rutherford, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Lucian Dent Booth, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Alexander William Maish, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Alexander James Stuart, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Maj. Webster Allyn Capron, Field Artillery, August 21, 1920, with rank from July 1, 1920.
Maj. James Henry Burns, Field Artillery, August 21, 1920, with rank from July 1, 1920.
Maj. Everett Strait Hughes, Field Artillery, August 21, 1920, with rank from July 1, 1920.
Maj. Thomas Jefferson Smith, Field Artillery, August 21, 1920, with rank from July 1, 1920.
Maj. Ray Longfellow Avery, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. John Mather, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Charles Todd Richardson, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Clarence Edward Partridge, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Raphael Robert Nix, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. James Lawrence Walsh, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Robert Sears, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Wallace Loring Clay, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Charles McHenry Steese, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Herbert O'Leary, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Willard Karle Richards, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. John Erle Beller, Infantry, September 4, 1920, with rank from July 1, 1920.
Maj. Julian Sommerville Hatcher, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Roland Wilbur Pinger, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Herman Heinrich Zornig, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. William Benjamin Hardigg, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Maj. Harry Russell Kutz, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Charles Adam Schimelfenig, Coast Artillery Corps, September 27, 1920, with rank from July 1, 1920.
Maj. William Edmund Larned, Field Artillery, August 31, 1920, with rank from July 1, 1920.
Maj. Philip Guillou Blackmore, Coast Artillery Corps, October 20, 1920, with rank from July 1, 1920.
Maj. Arthur Woodfin Ford, Coast Artillery Corps, November 11, 1920, with rank from July 1, 1920.
Maj. James Brown Gillespie, Coast Artillery Corps, with rank from July 1, 1920.
Maj. Henry Benton Sayler, Coast Artillery Corps, with rank from July 1, 1920.
Maj. Cecil George Young, Coast Artillery Corps, with rank from July 1, 1920.
Maj. Thomas Aquilla Clark, Coast Artillery Corps, with rank from July 1, 1920.
Maj. Oscar Krupp, Coast Artillery Corps, with rank from July 1, 1920.
Capt. Roy Lindsay Bowlin, Infantry, July 1, 1920, with rank from September 10, 1919.
Capt. Robert Newton Kunz, Cavalry, July 1, 1920, with rank from May 8, 1920.
Capt. Samuel Robert Kimble, Coast Artillery Corps, November 9, 1920, with rank from July 1, 1920.
Capt. John Wesley Confer, jr., Cavalry, with rank from May 8, 1920.
First Lieut. Lloyd Russell Rogers, Coast Artillery Corps, July 1, 1920, with rank from August 9, 1917.
First Lieut. Thomas Kenneth Vincent, Field Artillery, July 1, 1920, with rank from October 25, 1917.
First Lieut. Levi Monroe Bricker, Coast Artillery Corps, July 1, 1920, with rank from February 9, 1918.
First Lieut. Walter Harold Soderholm, Field Artillery, July 1, 1920, with rank from June 19, 1919.
First Lieut. Thomas Reed Taber, Cavalry, July 1, 1920, with rank from September 8, 1919.
First Lieut. Paul Ward Beck, jr., Infantry, July 1, 1920, with rank from September 21, 1919.
Capt. Claude B. Thummel, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Dwight Knowlton Shurtleff, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Francis Henry Miles, jr., Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Burton Oliver Lewis, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Kenneth Bailey Harmon, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Gladeon Marcus Barnes, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. John C. Beatty, Field Artillery, since retired from active service, July 1, 1920, with rank from May 15, 1917.
Capt. Charles Reuben Baxter, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Hubert Gregory Stanton, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Charles Anderson Walker, jr., Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Bethel Wood Simpson, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. John Griffeth Booton, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Glenn Perrine Wilhelm, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Henry Clarence Davis, jr., Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Robert Shemer Oberly, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Lee Otis Wright, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Lewis Andrews Nickerson, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Philip Ries Faymonville, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.

Capt. Russell Lamonte Maxwell, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Oscar James Gatchell, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Thomas Jay Hayes, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Sidney Parker Spalding, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Leonard Lovering Barrett, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917, since retired from active service.
Capt. Stephen Harrison MacGregor, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. James Kirk, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Robert Nall Bodine, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. William Ayers Borden, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Carl Andrew Waldmann, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. William Chalmers Young, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Alfred Bainbridge Johnson, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Roland Louis Gaugler, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Cleveland Hill Bandholtz, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. John Henry Woodberry, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Henry Spiese Aurand, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. DeRosey Carroll Cabell, jr., Cavalry, July 1, 1920, with rank from July 25, 1917.
Capt. Alfred Bixby Quinton, jr., Coast Artillery Corps, July 1, 1920, with rank from May 24, 1917.
Capt. Selby Harney Frank, Coast Artillery Corps, July 1, 1920, with rank from June 15, 1917.
Capt. John Adams Brooks, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. Albert William Draves, Coast Artillery Corps, July 1, 1920, with rank from October 12, 1917.
Capt. Harold Whitaker Rehm, Field Artillery, July 1, 1920, with rank from January 26, 1919.
Capt. Hugh Chapman Minton, Field Artillery, July 1, 1920, with rank from June 19, 1919.
Capt. Harold Albert Nisley, Field Artillery, July 1, 1920, with rank from August 11, 1919.
Capt. James Lindley Hatcher, Coast Artillery Corps, July 1, 1920, with rank from October 13, 1919.
Capt. Raphael Saul Chavin, Coast Artillery Corps, July 1, 1920, with rank from December 15, 1919.
Capt. Walter Francis Vander Hyden, Coast Artillery Corps, July 1, 1920, with rank from December 29, 1919.
Capt. Elbert Louis Ford, jr., Coast Artillery Corps, July 1, 1920, with rank from December 29, 1919.
Capt. William Harold Joiner, Coast Artillery Corps, July 1, 1920, with rank from January 24, 1920.
First Lieut. William Creveling Trumbower, Infantry, July 1, 1920, with rank from June 16, 1917.
First Lieut. Charles Henry Keck, Coast Artillery Corps, July 1, 1920, with rank from August 8, 1917.
First Lieut. Grafton Sherwood Kennedy, Coast Artillery Corps, July 1, 1920, with rank from August 9, 1917.
First Lieut. Cornelius Henry Menger, Coast Artillery Corps, July 1, 1920, with rank from August 9, 1917.
First Lieut. Simpson Ridley Stribling, Coast Artillery Corps, July 1, 1920, with rank from August 9, 1917.
First Lieut. Herman Uth Wagner, Coast Artillery Corps, July 1, 1920, with rank from August 30, 1917.
First Lieut. Forrest Clifford Shaffer, Coast Artillery Corps, July 1, 1920, with rank from August 30, 1920.
First Lieut. John Marcus Erwin, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Rudolph Francis Whitelegg, Infantry, July 1, 1920, with rank from August 30, 1920.
First Lieut. William Innes Wilson, Field Artillery, July 1, 1920, with rank from October 12, 1917.
First Lieut. Grayson Cooper Woodbury, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. John Bellinger Bellinger, jr., Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. Mark Milton Serum, Field Artillery, July 1, 1920, with rank from October 25, 1917.
First Lieut. Olaf Phillips Winningstad, Infantry, July 1, 1920, with rank from October 26, 1917.
First Lieut. Clarence Cory Harshman, Coast Artillery Corps, July 1, 1920, with rank from October 26, 1917.
First Lieut. Lawrence James Meyns, Coast Artillery Corps, July 1, 1920, with rank from February 9, 1918.
First Lieut. Kenneth Leeds Holmes-Brown, Field Artillery, July 1, 1920, with rank from May 29, 1918.
First Lieut. George William Outland, Cavalry, July 1, 1920, with rank from August 27, 1918.
First Lieut. John Brainerd Fidlar, Field Artillery, July 1, 1920, with rank from December 19, 1918.
First Lieut. Theodore Christian Gerber, Infantry, July 1, 1920, with rank from April 17, 1919.
First Lieut. James Willard Walters, Coast Artillery Corps, July 1, 1920, with rank from July 16, 1919.
First Lieut. Paul Ludwig Deylitz, Field Artillery, July 1, 1920, with rank from August 15, 1919.
First Lieut. James Milligan Gillespie, Field Artillery, July 1, 1920, with rank from September 13, 1919.
First Lieut. Jacob Gunn Sucher, Coast Artillery Corps, July 1, 1920, with rank from September 19, 1919.
First Lieut. Clarence O'Leary, Coast Artillery Corps, July 1, 1920, with rank from October 9, 1919.
First Lieut. George Gage Eddy, Cavalry, July 1, 1920, with rank from October 30, 1919.
First Lieut. Charles Cope Bartley, Infantry, with rank from August 30, 1917.
First Lieut. Charles Edward Hart, Cavalry, with rank from August 20, 1919.
First Lieut. William Riley Deeble, jr., Coast Artillery Corps, with rank from August 30, 1917.
First Lieut. George Abe Woody, Coast Artillery Corps, with rank from October 25, 1917.
First Lieut. James Cutler Vickery, Coast Artillery Corps, with rank from February 9, 1918.
First Lieut. John Marks Moore, Coast Artillery Corps, with rank from September 23, 1919.
First Lieut. Arthur Harold Luse, Infantry, with rank from September 13, 1919.

COAST ARTILLERY CORPS.

Lieut. Col. Harry Parker Wilbur, Field Artillery, September 27, 1920, with rank from July 1, 1920.
Lieut. Col. David Yulee Beckham, Finance Department, January 15, 1921, with rank from July 1, 1920.
Maj. Avery Johnson French, Field Artillery, with rank from July 1, 1920.
Maj. George Meredith Peck, Field Artillery, with rank from July 1, 1920.
Maj. Henry Tacitus Burgin, Field Artillery, November 1, 1920, with rank from July 1, 1920.
Maj. Stewart Oscar Eltinge, Cavalry, August 5, 1920, with rank from July 1, 1920.
Capt. Robert McClean Carswell, Cavalry, July 1, 1920, with rank from January 26, 1920.
Capt. Belton O'Neall Kennedy, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Louis Aleck Craig, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Oliver James Bond, jr., Field Artillery, July 1, 1920, with rank from July 10, 1918.
Capt. Theodore Rodes Murphy, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Otto Godfrey Pitz, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Abram Vorhees Rinearson, jr., Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Joseph Pescia Sullivan, Infantry, July 1, 1920, with rank from November 25, 1919.
Capt. Albert Charles Anderson, Infantry, July 1, 1920, with rank from January 24, 1920.
Capt. John Scott Smylie, Corps of Engineers, July 1, 1920, with rank from May 15, 1917.
First Lieut. Parker Gillespie Tenney, Cavalry, July 1, 1920, with rank from July 27, 1919.
First Lieut. Harold Taylor Brotherton, Field Artillery, July 1, 1920, with rank from February 9, 1918.
First Lieut. George Raymond Owens, Infantry, July 1, 1920, with rank from June 16, 1917.
First Lieut. Arthur Joseph Lacouture, Infantry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Parry Weaver Lewis, Infantry, July 1, 1920, with rank from August 30, 1917.

First Lieut. Edward Wrenne Timberlake, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Henry Lord Page King, Infantry, July 1, 1920, with rank from October 25, 1917.
First Lieut. Frank Johnstone Cunningham, Infantry, July 1, 1920, with rank from October 28, 1919.
First Lieut. Duncan Hodges, Infantry, July 1, 1920, with rank from October 9, 1919.
First Lieut. John Leverett Farley, Infantry, October 25, 1920, with rank from July 1, 1920.
First Lieut. James Leonard Hogan, Infantry, November 2, 1920, with rank from July 1, 1920.
First Lieut. Sherman Edgar Willard, Infantry, with rank from July 1, 1920.
First Lieut. Watson Longan McMorris, Infantry, with rank from July 1, 1920.
First Lieut. Enrique Manuel Benitez, Infantry, July 1, 1920, with rank from January 5, 1917.
First Lieut. Maurice Morgan, Cavalry, with rank from June 5, 1917.
First Lieut. Albert Cushing Cleveland, Infantry, with rank from May 5, 1919.
Second Lieut. Martin Charles Casey, Cavalry, September 4, 1920, with rank from July 2, 1920.
Second Lieut. Edward Carl Englehart, Cavalry, September 11, 1920, with rank from July 2, 1920.
Second Lieut. Joseph Harris, Field Artillery, September 10, 1920, with rank from July 2, 1920.
Second Lieut. William Carleton McFadden, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Hamilton Peyton Ellis, Infantry, September 14, 1920, with rank from July 2, 1920.
Second Lieut. Powell Paxton Applewhite, Infantry, September 11, 1920, with rank from July 2, 1920.
Second Lieut. Joseph Honoro Rousseau, jr., Infantry, August 27, 1920, with rank from July 2, 1920.
Second Lieut. Charles Whitney West, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Herbert Carl Reuter, Infantry, September 1, 1920, with rank from July 2, 1920.
Second Lieut. Wilmer Brinton Merritt, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Harry Clark Wisehart, Infantry, August 27, 1920, with rank from July 2, 1920.
Second Lieut. Gustave Harold Vogel, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Leland Stuart Smith, Infantry, September 11, 1920, with rank from July 2, 1920.
Second Lieut. Francis Selwyn Gay, Infantry, August 27, 1920, with rank from July 2, 1920.
Second Lieut. Wilburn Vastine Lunn, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Francis Ward Walker, Infantry, September 14, 1920, with rank from July 2, 1920.
Second Lieut. Henry Kirk Williams, jr., Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Joseph Vincent de Paul Dillon, Infantry, September 14, 1920, with rank from July 2, 1920.
Second Lieut. Harold Todd Turnbull, Infantry, September 13, 1920, with rank from July 2, 1920.
Second Lieut. John Elmer Reierson, Infantry, September 10, 1920, with rank from July 2, 1920.

CHEMICAL WARFARE SERVICE.

Col. Curtis William Otwell, Corps of Engineers, October 21, 1920, with rank from July 1, 1920.
Col. Charles Wesley Exton, Infantry, November 12, 1920, with rank from July 1, 1920.
Lieut. Col. Amos Alfred Fries, Corps of Engineers, July 1, 1920, with rank from May 15, 1917.
Lieut. Col. Claude Ernest Brigham, Coast Artillery Corps, with rank from July 17, 1920.
Maj. Earl James Atkisson, Corps of Engineers, July 1, 1920, with rank from April 16, 1919.
Maj. Owen Riggs Meredith, Infantry, October 11, 1920, with rank from July 1, 1920.
Maj. Charles Winder Mason, Infantry, with rank from July 1, 1920.
Maj. Rollo Curtin Ditto, Infantry, with rank from July 1, 1920.
Maj. Walter Campbell Baker, Coast Artillery Corps, December 2, 1920, with rank from July 1, 1920.
Maj. Alfred Loveday Rockwood, Infantry, November 22, 1920, with rank from July 1, 1920.
Capt. Augustin Mitchell Prentiss, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. Rufus Foote Maddux, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1916.
Capt. Adrian St. John, Cavalry, July 1, 1920, with rank from January 23, 1920.
First Lieut. Arthur Allen Dearing, Field Artillery, July 1, 1920, with rank from June 16, 1917.
First Lieut. Charles William Walton, Cavalry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Eugene Peter Henry Gempel, Cavalry, July 1, 1920, with rank from August 9, 1917.
Capt. Egmont Francis Koenig, Infantry, with rank from August 3, 1917.
First Lieut. William Sydney Barrett, Infantry, with rank from August 30, 1917.
First Lieut. John Virgil Lowe, Infantry, with rank from July 1, 1920.
First Lieut. Henry Maris Black, Coast Artillery Corps, with rank from August 30, 1917.
First Lieut. John Reigel Embich, Coast Artillery Corps, with rank from May 22, 1919.
First Lieut. John Templeton Newland, Infantry, with rank from October 12, 1919.
Second Lieut. Joseph Francis Binford, Infantry, with rank from July 1, 1920.
Second Lieut. Evan Jervis Morris, Infantry, with rank from July 1, 1920.

SIGNAL CORPS.

Lieut. Col. Irving Joseph Carr, Infantry, August 12, 1920, with rank from July 1, 1920.
Lieut. Col. Hanson Briscoe Black, Infantry, August 12, 1920, with rank from July 1, 1920.
Lieut. Col. James Bredner Allison, Infantry, August 12, 1920, with rank from July 1, 1920.
Lieut. Col. Alvin Coe Voris, Infantry, August 12, 1920, with rank from July 1, 1920.
Lieut. Col. George Ernest Kumpe, Infantry, July 1, 1920, with rank from July 1, 1920.
Lieut. Col. John Ezra Hemphill, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. Robert Davis, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Maj. Walter Evans Prosser, Field Artillery, July 1, 1920, with rank from January 24, 1920.
Maj. Joseph Oswald Mauborgne, Infantry, August 12, 1920, with rank from July 1, 1920.
Maj. Karl Truesdell, Infantry, September 10, 1920, with rank from July 1, 1920.
Maj. John Clark Moore, Infantry, August 12, 1920, with rank from July 1, 1920.
Maj. Frank Moorman, Coast Artillery Corps, July 16, 1920, with rank from July 1, 1920.
Maj. Owen Stedman Albright, Infantry, August 12, 1920, with rank from July 1, 1920.
Maj. Alvin Gustav Gutensohn, Infantry, August 12, 1920, with rank from July 1, 1920.
Maj. Thomas Charles Spencer, Infantry, August 21, 1920, with rank from July 1, 1920.
Maj. Sebring Clay Megill, Coast Artillery Corps, October 6, 1920, with rank from July 1, 1920.
Maj. David McLean Crawford, Coast Artillery Corps, October 26, 1920, with rank from July 1, 1920.
Maj. Joseph Fulton Ware, Infantry, with rank from July 1, 1920.
Maj. Cedric Watterson Lewis, Infantry, with rank from July 1, 1920.
Maj. Francis Greason Delano, Coast Artillery Corps, with rank from July 1, 1920.
Maj. Dawson Olmstead, Finance Department, with rank from July 1, 1920.
Capt. Edward Amende Allen, Infantry, July 1, 1920, with rank from August 29, 1917.
Capt. Paul Sutphin Edwards, Infantry, with rank from July 1, 1920.
Capt. Walter Carroll Ellis, Coast Artillery Corps, with rank from July 1, 1920.
Capt. Roy Howard Coles, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. John Hartwell Hinemon, jr., Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Louis Blaine Bender, Coast Artillery Corps, July 1, 1920, with rank from March 20, 1917.
Capt. George Lane Van Deusen, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Spencer Ball Akin, Infantry, July 1, 1920, with rank from May 15, 1917.

Capt. Charles Nathaniel Sawyer, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Stephen Marston Walmsley, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Paul Wesley Evans, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Otis Keilholtz Sadtler, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Alfred Earl Larabee, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Harry Clyde Ingles, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Charles Morton Milliken, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Leland Harold Stanford, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. Jay Drake Billings Lattin, Cavalry, July 1, 1920, with rank from October 12, 1917.
Capt. Henry John Schroeder, Field Artillery, July 1, 1920, with rank from August 2, 1919.
Capt. Albert Charles Stanford, Cavalry, July 1, 1920, with rank from April 19, 1920.
First Lieut. Howard Winthrop Turner, Infantry, July 1, 1920, with rank from June 5, 1917.
First Lieut. Carroll Arthur Powell, Cavalry, July 1, 1920, with rank from June 14, 1917.
First Lieut. John Lee Autrey, Infantry, July 1, 1920, with rank from June 16, 1917.
First Lieut. Calvert Hinton Arnold, Infantry, July 1, 1920, with rank from August 7, 1917.
First Lieut. Norman Lee Baldwin, Infantry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Kirke Brooks Lawton, Infantry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Paul Conover Gripper, Infantry, July 1, 1920, with rank from October 26, 1917.
First Lieut. William Clarke Webster, Infantry, July 1, 1920, with rank from January 28, 1919.
First Lieut. Leon Wilcomb Hilliard, Infantry, July 1, 1920, with rank from August 7, 1919.
First Lieut. Wright Helm Johnson, Infantry, July 1, 1920, with rank from August 13, 1919.
First Lieut. Harold Jack Adams, Corps of Engineers, with rank from February 9, 1918.
First Lieut. Harry Reichelderfer, Infantry, with rank from September 17, 1919.

AIR SERVICE.

Col. Chalmers Gaither Hall, Cavalry, August 6, 1920, with rank from July 1, 1920.
Col. William Mitchell, Signal Corps, July 30, 1920, with rank from July 1, 1920.
Lieut. Col. Clarence Curtis Culver, Cavalry, August 6, 1920, with rank from July 1, 1920.
Lieut. Col. James Edmond Fechét, Cavalry, August 6, 1920, with rank from July 1, 1920.
Lieut. Col. Ira Franklin Fravel, Infantry, August 11, 1920, with rank from July 1, 1920.
Lieut. Col. Charles DeF. Chandler, Signal Corps, since retired from active service, July 1, 1920, with rank from May 15, 1917.
Maj. William Eugene Gillmore, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Harry Graham, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Frank Purdy Lahm, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Roy Carrington Kirtland, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Harry Westervelt Gregg, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Seth Williams Cook, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Benjamin Delahauf Foulois, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. James Andrew Mars, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Jacob Winfield Scott Wuest, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Henry Conger Pratt, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Gerald Clark Brant, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. William Frederick Pearson, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. William Nicholas Hensley, jr., Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Ira Longanecker, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. George Williamson De Armond, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Frank Maxwell Andrews, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Oscar Westover, Infantry, August 9, 1920, with rank from July 1, 1920.
Maj. Henry Black Clagett, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Jacob Earl Fickel, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Rush Blodgett Lincoln, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Augustine Warner Robins, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Henry H. Arnold, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Barton Kyle Yount, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. John Stephen Sullivan, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. William Caldwell McChord, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. John Delbert Reardan, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. John Waring Simons, jr., Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Lawrence Wright McIntosh, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Henry Clinton Kress Muhlenberg, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. John Francis Curry, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. James Eugene Chaney, Infantry, October 26, 1920, with rank from July 1, 1920.
Maj. William Jay Fitzmaurice, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Horace Meek Hickam, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. William Henry Garrison, jr., Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. Alfred Harold Hobley, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Leonard H. Drennan, Infantry, August 27, 1920, with rank from July 1, 1920.
Maj. Albert Lee Sneed, Infantry, August 11, 1920, with rank from July 1, 1920.
Maj. Walter Reed Weaver, Infantry, August 9, 1920, with rank from July 1, 1920.
Maj. Bert Milton Atkinson, Infantry, October 6, 1920, with rank from July 1, 1920.
Maj. George Everett Adams Reinburg, Cavalry, November 5, 1920, with rank from July 1, 1920.
Maj. William Lewis Moose, jr., Cavalry, with rank from July 1, 1920.
Maj. Henry Lee Watson, Cavalry, August 6, 1920, with rank from July 1, 1920.
Maj. John Albert Paegelow, Quartermaster Corps, October 28, 1920, with rank from July 1, 1920.
Capt. Guy L. Gearhart, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1916.
Capt. Thurman Harrison Bane, Field Artillery, July 1, 1920, with rank from September 22, 1916.
Capt. Harold Geiger, Field Artillery, July 1, 1920, with rank from April 2, 1917.
Capt. John Norton Reynolds, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1916.
Capt. Robert Coker, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Frank Melvin Kennedy, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Jacob Herman Rudolph, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Elbe Allen Lathrop, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Delos Carleton Emmons, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Arnold Norman Krogstad, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Thomas DeWitt Milling, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. George Howard Brett, Cavalry, July 1, 1920, with rank from May 15, 1917.

Capt. Walter Hale Frank, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. John Gray Thornell, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Raycroft Walsh, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Frank Dorwin Lackland, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Herbert Arthur Dargue, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Harrison Henry Cocke Richards, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Ira Adelbert Rader, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Douglas Blakeshaw Netherwood, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Lewis Hyde Brereton, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Edward Lincoln Hoffman, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Norman W. Peek, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Shepler Ward FitzGerald, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Follett Bradley, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Leslie MacDill, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Lawrence Sprague Churchill, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Martin Francis Scanlon, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. William Carrington Sherman, Corps of Engineers, July 1, 1920, with rank from July 1, 1916.
Capt. Byron Quinby Jones, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Davenport Johnson, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Henry William Harms, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Millard Fillmore Harmon, jr., Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. John Chilton McDonnell, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Arthur Read Christie, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Percy Edgar Van Nostrand, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. John Bernard Brooks, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Harold Smith Martin, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Clinton Warden Russell, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Earl Lindsey Canady, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. George Edward Lovell, jr., Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Carlyle Hilton Wash, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Howard Calhoun Davidson, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Walter Glenn Kilner, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Henry Abbey, jr., Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Maxwell Kirby, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Harvey Buckingham Steele Burwell, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. John Hamilton Jouett, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. William Abbott Robertson, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Carl Spatz, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Thomas George Lanphier, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Benjamin Grant Weir, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Ralph Royce, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Clinton Wilbur Howard, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Joseph Taggart McNarney, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Charles Calvert Benedict, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Michael Frank Davis, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Hubert Reilly Harmon, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Norman Jay Boots, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Leo Andrew Walton, Field Artillery, July 1, 1920, with rank from May 15, 1917.
Capt. Thomas James Hanley, jr., Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Adlai Howard Gilkeson, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. George Edward Stratemeyer, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Sheldon Harley Wheeler, Cavalry, July 1, 1920, with rank from June 18, 1917.
Capt. Edwin Bowman Lyon, Cavalry, July 1, 1920, with rank from June 28, 1917.
Capt. George Hume Peabody, Cavalry, July 1, 1920, with rank from July 3, 1917.
Capt. Earl Larue Naiden, Cavalry, July 1, 1920, with rank from July 4, 1917.
Capt. Henry Jervis Fries Miller, Cavalry, July 1, 1920, with rank from July 25, 1917.
Capt. Ralph Pittman Cousins, Cavalry, July 1, 1920, with rank from July 25, 1917.
Capt. Robert LeGrow Walsh, Cavalry, July 1, 1920, with rank from July 27, 1917.
Capt. Junius Henry Houghton, Cavalry, July 1, 1920, with rank from July 30, 1917.
Capt. Lloyd Neff Keesling, Infantry, July 1, 1920, with rank from September 18, 1917.
Capt. John Herbert Jones, Infantry, July 1, 1920, with rank from October 23, 1917.
Capt. James A. Summersett, jr., Infantry, July 1, 1920, with rank from November 5, 1917.
Capt. Robert Gilpin Ervin, Infantry, July 1, 1920, with rank from April 9, 1919.
Capt. Oliver Patton Echols, Field Artillery, July 1, 1920, with rank from April 19, 1919.
Capt. William Ormond Butler, Field Artillery, July 1, 1920, with rank from August 25, 1919.
Capt. William Benjamin Wright, jr., Field Artillery, July 1, 1920, with rank from January 3, 1920.
Capt. Vernon Lee Burge, Infantry, July 1, 1920, with rank from April 9, 1920.
Capt. Thomas Duncan, Coast Artillery Corps, July 1, 1920, with rank from December 1, 1914.
Capt. Frederick LeRoy Martin, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1916.
Capt. Louis Eugene Appleby, Judge Advocate General's Department, with rank from July 1, 1920.
First Lieut. Ross Gordon Hoyt, Coast Artillery Corps, July 1, 1920, with rank from August 7, 1917.
First Lieut. William Bentley Mayer, Coast Artillery Corps, July 1, 1920, with rank from August 7, 1917.
First Lieut. Henry Pascale, Infantry, July 1, 1920, with rank from August 8, 1917.
First Lieut. Ralph Hudson Wooten, Infantry, July 1, 1920, with rank from August 8, 1917.
First Lieut. Harold Mark McClelland, Infantry, July 1, 1920, with rank from August 8, 1917.
First Lieut. Roland Legard Davis, Field Artillery, July 1, 1920, with rank from August 9, 1917.
First Lieut. Edwin Jacob House, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Chester Paul Dorland, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. Russell Luff Meredith, Field Artillery, July 1, 1920, with rank from October 12, 1917.
First Lieut. Frederick John Durrschmidt, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. George Calvin Tinsley, Coast Artillery Corps, July 1, 1920, with rank from October 25, 1917.
First Lieut. Harold Eugene Sturcken, Infantry, July 1, 1920, with rank from October 26, 1917.
First Lieut. Cassius Hayward Styles, Infantry, July 1, 1920, with rank from October 8, 1918.
First Lieut. John Victor Anderson, Field Artillery, July 1, 1920, with rank from December 19, 1918.
First Lieut. Orlo Harry Quinn, Infantry, July 1, 1920, with rank from January 6, 1919.
First Lieut. James Franklin Powell, Coast Artillery Corps, July 1, 1920, with rank from August 28, 1919.

First Lieut. Hugh Merle Elmendorf, Infantry, with rank from February 9, 1918.
First Lieut. William Eugene Farthing, Field Artillery, July 1, 1920, with rank from February 26, 1919.
First Lieut. Ralph Bridges Bagby, Field Artillery, July 1, 1920, with rank from March 21, 1919.
First Lieut. Arthur Edmund Easterbrook, Infantry, July 1, 1920, with rank from May 16, 1919.
First Lieut. Edwin Eugene Aldrin, Coast Artillery Corps, July 1, 1920, with rank from June 25, 1919.
First Lieut. Ira Clarence Eaker, Infantry, July 1, 1920, with rank from September 6, 1919.
First Lieut. Romeyn Beck Hough, jr., Infantry, July 1, 1920, with rank from September 6, 1919.
First Lieut. Idwal Hubert Edwards, Infantry, July 1, 1920, with rank from September 8, 1919.
First Lieut. Early Edward Walters Duncan, Cavalry, July 1, 1920, with rank from September 25, 1919.
First Lieut. Charles Eugene Rust, Infantry, July 1, 1920, with rank from October 1, 1919.
First Lieut. Albert Joshua Clayton, Field Artillery, October 12, 1920, with rank from July 1, 1920.
First Lieut. Edgar Peter Sorenson, Coast Artillery Corps, October 20, 1920, with rank from July 1, 1920.
First Lieut. Earle Gene Harper, Infantry, October 26, 1920, with rank from July 1, 1920.
First Lieut. Hubert Vincent Hopkins, Infantry, October 11, 1920, with rank from July 1, 1920.
Second Lieut. Theodore Julius Lindorff, Coast Artillery Corps, November 2, 1920, with rank from July 1, 1920.
Second Lieut. Joseph Flood, Infantry, October 30, 1920, with rank from July 1, 1920.
Second Lieut. William Henry Webb, Coast Artillery Corps, November 9, 1920, with rank from July 1, 1920.
Second Lieut. James Desmond Summers, Coast Artillery Corps, with rank from July 1, 1920.
Second Lieut. Haynie McCormick, Cavalry, with rank from July 1, 1920.

FIELD ARTILLERY.

Col. Andrew Moses, Coast Artillery Corps, August 24, 1920, with rank from July 1, 1920.
Lieut. Col. Hjalmer Erickson, Infantry, September 4, 1920, with rank from July 1, 1920.
Lieut. Col. Eben Swift, jr., Cavalry, with rank from July 1, 1920.
Lieut. Col. Clifton Ranney Norton, Cavalry, with rank from September 10, 1920.
Maj. Francis Augustus Ruggles, Cavalry, with rank from with rank from July 1, 1920.
Maj. William Ducachel Geary, Cavalry, August 7, 1920, with rank from July 1, 1920.
Maj. Abbott Boone, Cavalry, August 19, 1920, with rank from July 1, 1920.
Maj. Herbert Hamlin White, Cavalry, August 5, 1920, with rank from July 1, 1920.
Maj. George Meredith Peek, Coast Artillery Corps, August 13, 1920, with rank from July 1, 1920.
Maj. Benjamin Franklin Miller, Infantry, August 23, 1920, with rank from July 1, 1920.
Maj. James Hatch Van Horn, Infantry, August 13, 1920, with rank from July 1, 1920.
Maj. Clyde Leslie Eastman, Infantry, August 12, 1920, with rank from July 1, 1920.
Maj. Harry Parker Wilbur, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1916.
Maj. John Emmitt Sloan, Coast Artillery Corps, with rank from July 1, 1920.
Capt. Charles Harrison Brammell, Dental Corps, July 1, 1920, with rank from October 4, 1918.
Capt. Wesley John White, Cavalry, July 1, 1920, with rank from June 29, 1920.
Capt. Edwin Russell Van Deusen, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. John Julius Waterman, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. John Porter Lucas, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Thomas Jonathan Jackson Christian, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Henry Lawrence Cullen Jones, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Kenneth Prince Lord, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Ralph Hospital, Cavalry, July 1, 1920, with rank from May 15, 1917.
Capt. Stafford LeRoy Irwin, Cavalry, July 1, 1920, with rank from June 22, 1917.
Capt. Carl Conrad Bank, Cavalry, July 1, 1920, with rank from June 28, 1917.
Capt. Clifford Barrington King, Cavalry, July 1, 1920, with rank from June 24, 1917.
Capt. Reese Maughan Howell, Cavalry, July 1, 1920, with rank from July 25, 1917.
Capt. James Mitchell Crane, Cavalry, July 1, 1920, with rank from July 25, 1917.
Capt. Douglas Jenkins Page, Cavalry, July 1, 1920, with rank from July 31, 1917.
Capt. Daniel Allman Connor, Cavalry, July 1, 1920, with rank from October 2, 1917.
Capt. John Murray Jenkins, jr., Cavalry, July 1, 1920, with rank from June 6, 1919.
Capt. Arthur Sandray Harrington, Cavalry, July 1, 1920, with rank from September 12, 1919.
Capt. Thomas Sprigg Poole, Cavalry, July 1, 1920, with rank from September 25, 1919.
Capt. David Wilson Craig, Cavalry, July 1, 1920, with rank from September 25, 1919.
Capt. George William Lyman Prettyman, Cavalry, July 1, 1920, with rank from March 1, 1920.
Capt. Henry Davis Jay, Cavalry, July 1, 1920, with rank from March 15, 1920.
Capt. Ray Lawrence Burnell, Cavalry, July 1, 1920, with rank from March 15, 1920.
Capt. Ray Harrison, Cavalry, July 1, 1920, with rank from March 20, 1920.
Capt. Percy Gamble Black, Cavalry, July 1, 1920, with rank from April 19, 1920.
Capt. Arthur McKinley Harper, Cavalry, July 1, 1920, with rank from May 5, 1920.
Capt. Jay Ward MacKelvie, Cavalry, July 1, 1920, with rank from June 21, 1920.
Capt. Kenneth Rowntree, Cavalry, July 1, 1920, with rank from June 30, 1920.
Capt. Francis William Clark, Coast Artillery Corps, July 1, 1920, with rank from March 8, 1909.
Capt. Charles Elliott Ide, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Clarence Leslie Gilbert, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. John Shirley Wood, Coast Artillery Corps, July 1, 1920, with rank from May 15, 1917.
Capt. Richard Bolles Paddock, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
Capt. John Beugnot Wogan, Coast Artillery Corps, July 1, 1920, with rank from October 12, 1917.
Capt. Arthur John Betcher, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. William Henry Jones, jr., Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Louis Thomas Byrne, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Jesse Beeson Hunt, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. John Keliher, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Fred Beeler Inglis, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Walter David Mangan, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Frank Elmer Royse, Infantry, July 1, 1920, with rank from October 12, 1917.
Capt. Albion Smith, Infantry, July 1, 1920, with rank from December 2, 1917.
Capt. Clinton Innes McClure, Infantry, July 1, 1920, with rank from December 6, 1918.
Capt. David Sheridan Rumbough, Infantry, July 1, 1920, with rank from November 10, 1919.
Capt. Larry McHale, Infantry, July 1, 1920, with rank from April 22, 1920.
Capt. Guy Hudson Dosher, Cavalry, July 1, 1920, with rank from May 21, 1920.
Capt. Stanley Bacon, Cavalry, with rank from August 13, 1919.
Capt. Henry Tacitus Burgin, Coast Artillery Corps, July 1, 1920, with rank from May 21, 1916.
Capt. Augustine Joseph Zerbee, Infantry, July 1, 1920, with rank from August 10, 1918.

First Lieut. Fred Paul Clark, Cavalry, July 1, 1920, with rank from September 8, 1919.
First Lieut. Warren Henry McNaught, Cavalry, July 1, 1920, with rank from September 25, 1919.
First Lieut. Ralph Leslie Joyner, Cavalry, July 1, 1920, with rank from June 5, 1917.
First Lieut. Thomas Clyde McCormick, Cavalry, July 1, 1920, with rank from June 16, 1917.
First Lieut. Martin Robert Rice, Cavalry, July 1, 1920, with rank from July 13, 1917.
First Lieut. Francis Henry Boucher, Cavalry, July 1, 1920, with rank from August 7, 1917.
First Lieut. Edward Hale Brooks, Cavalry, July 1, 1920, with rank from August 8, 1917.
First Lieut. John Melville Sanderson, Cavalry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Joseph Shelburn Robinson, Cavalry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Rudolph Daniel Delehanty, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. Elmer Hugo Almquist, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. Frank Charles Jedlicka, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. Desmond O'Keefe, Cavalry, July 1, 1920, with rank from October 12, 1917.
First Lieut. Christopher Columbus Strawn, Cavalry, July 1, 1920, with rank from March 25, 1919.
First Lieut. John Hanna Welsh, Cavalry, July 1, 1920, with rank from June 21, 1919.
First Lieut. Charles Williamson Glover, Cavalry, July 1, 1920, with rank from July 9, 1919.
First Lieut. John Gilbert White, Cavalry, July 1, 1920, with rank from August 12, 1919.
First Lieut. Charles Everhart Sheldrake, Cavalry, July 1, 1920, with rank from September 2, 1919.
First Lieut. Guy Orth Kurtz, Cavalry, July 1, 1920, with rank from September 2, 1919.
First Lieut. Louis Joseph Compton, Cavalry, July 1, 1920, with rank from September 6, 1919.
First Lieut. William Joseph Egan, Cavalry, July 1, 1920, with rank from September 21, 1919.
First Lieut. Leo Thomas McMahon, Cavalry, July 1, 1920, with rank from October 1, 1919.
First Lieut. John Prosper Eckert, Cavalry, July 1, 1920, with rank from October 2, 1919.
First Lieut. Bryan Llewellyn Davis, Cavalry, July 1, 1920, with rank from October 4, 1919.
First Lieut. Jonathan Lane Holman, Cavalry, July 1, 1920, with rank from October 15, 1919.
First Lieut. William Douglas McNair, Cavalry, July 1, 1920, with rank from December 14, 1919.
First Lieut. Robert Wilson Hasbrouck, Coast Artillery Corps, July 1, 1920, with rank from August 30, 1917.
First Lieut. William Mayer, Coast Artillery Corps, July 1, 1920, with rank from October 25, 1917.
First Lieut. Moses William Petigrew, Coast Artillery Corps, July 1, 1920, with rank from October 25, 1917.
First Lieut. Dale Milton Hoagland, Coast Artillery Corps, July 1, 1920, with rank from October 25, 1917.
First Lieut. Abraham Robert Ginsburgh, Coast Artillery Corps, July 1, 1920, with rank from January 9, 1919.
First Lieut. Warren Slaughter Robinson, Coast Artillery Corps, July 1, 1920, with rank from March 7, 1919.
First Lieut. John Wesley Russey, Coast Artillery Corps, July 1, 1920, with rank from June 7, 1919.
First Lieut. John Thomas Schneider, Coast Artillery Corps, July 1, 1920, with rank from September 2, 1919.
First Lieut. Milo Benson Barragan, Coast Artillery Corps, July 1, 1920, with rank from September 13, 1919.
First Lieut. Oscar Alfred Axelson, Coast Artillery Corps, July 1, 1920, with rank from September 16, 1919.
First Lieut. William Amberson Sexton, Coast Artillery Corps, July 1, 1920, with rank from October 5, 1919.
First Lieut. Joe David Moss, Coast Artillery Corps, July 1, 1920, with rank from October 7, 1919.
First Lieut. Samuel Davies Bedinger, Infantry, July 1, 1920, with rank from June 5, 1917.
First Lieut. John Joseph Atkinson, Infantry, July 1, 1920, with rank from June 5, 1917.
First Lieut. Wesley Crowell Brigham, Infantry, July 1, 1920, with rank from June 5, 1917.
First Lieut. Lawrence Harold Bixby, Infantry, July 1, 1920, with rank from June 14, 1917.
First Lieut. Samuel Marshall, Infantry, July 1, 1920, with rank from June 14, 1917.
First Lieut. Willard Allen Reddish, Infantry, July 1, 1920, with rank from August 9, 1917.
First Lieut. Norman John McMahon, Infantry, July 1, 1920, with rank from August 9, 1917.
First Lieut. John TerBush Bissell, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Henry Perkins Gantt, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Henry Cornelius Demuth, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Horace Harding, Infantry, July 1, 1920, with rank from August 30, 1917.
First Lieut. Leslie M. Skerry, Infantry, July 1, 1920, with rank from May 7, 1919.
First Lieut. Buhl Moore, Infantry, July 1, 1920, with rank from May 28, 1919.
First Lieut. Arthur Breckinridge Wade, Infantry, July 1, 1920, with rank from August 23, 1919.
First Lieut. Russell Conwell Snyder, Infantry, July 1, 1920, with rank from September 1, 1919.
First Lieut. John Stafford Marion Cromelin, Infantry, July 1, 1920, with rank from September 8, 1919.
First Lieut. Boniface Campbell, Infantry, July 1, 1920, with rank from September 11, 1919.
First Lieut. Hiram Wendall Tarkington, Infantry, July 1, 1920, with rank from September 21, 1919.
First Lieut. James Julian Pirtle, Infantry, July 1, 1920, with rank from October 6, 1919.
First Lieut. Francis Joseph Achatz, Infantry, July 1, 1920, with rank from October 9, 1919.
First Lieut. Harold Berkeley Lewis, Infantry, July 1, 1920, with rank from October 17, 1919.
First Lieut. Ben Curtis McComas, Infantry, with rank from September 10, 1919.
First Lieut. Leo Francis Crane, Cavalry, with rank from August 13, 1919.
First Lieut. Harry Fayette Schoonover, Infantry, with rank from September 9, 1919.
First Lieut. William Henry Quarterman, jr., Infantry, July 1, 1920, with rank from September 6, 1919.
First Lieut. William Henry Brady, Infantry, with rank from July 1, 1920.
Second Lieut. Donald Robert Van Sickler, Infantry, September 13, 1920, with rank from July 2, 1920.
Second Lieut. Richard Candler Singer, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Maurice Wiley Daniel, Infantry, August 23, 1920, with rank from July 2, 1920.
Second Lieut. Park Brown Herrick, Infantry, August 23, 1920, with rank from July 2, 1920.
Second Lieut. Mortimer Frederick Wakefield, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Richard Meade Costigan, Infantry, August 27, 1920, with rank from July 2, 1920.
Second Lieut. James Perrine Barney, jr., Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Wilbur Sturtevant Nye, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Charles Harlan Swartz, Infantry, September 11, 1920, with rank from July 2, 1920.
Second Lieut. Millard Pierson, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Alexander Gilbert Sand, Infantry, September 11, 1920, with rank from July 2, 1920.
Second Lieut. Edward Thomas Williams, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. George William Bailey, jr., Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Escalus Emmert Elliott, Infantry, September 11, 1920, with rank from July 2, 1920.
Second Lieut. Paul Earl Tombaugh, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Wray Bertrand Avera, Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Edward Maurice Flexner, jr., Infantry, September 10, 1920, with rank from July 2, 1920.
Second Lieut. Russell Vance Eastman, Coast Artillery Corps, September 4, 1920, with rank from July 2, 1920.
Second Lieut. Francis Henry Lanahan, jr., Coast Artillery Corps, September 4, 1920, with rank from July 2, 1920.
Second Lieut. Harry Marten Schwarze, Cavalry, with rank from July 1, 1920.
Second Lieut. Charles Wingate Reed, Quartermaster Corps, with rank from July 1, 1920.

CAVALRY.

Capt. Oliver Lincoln Haines, Field Artillery, July 1, 1920, with rank from February 9, 1918.

Capt. Richard Wilmer Cooksey, Infantry, July 1, 1920, with rank from May 15, 1920.

Capt. James Bowdoin Wise, jr., Infantry, July 1, 1920, with rank from October 5, 1918.

Capt. Samuel Charles Harrison, Field Artillery, October 25, 1920, with rank from July 1, 1920.

First Lieut. Alfred Pruden Kelley, Field Artillery, July 1, 1920, with rank from May 5, 1919.

First Lieut. Donald William Sawtelle, Coast Artillery Corps, July 1, 1920, with rank from October 15, 1919.

First Lieut. Willard Gordon Wyman, Coast Artillery Corps, July 1, 1920, with rank from October 30, 1919.

First Lieut. Davis Ward Hale, Coast Artillery Corps, July 1, 1920, with rank from June 4, 1920.

First Lieut. Wade Hampton Johnson, Infantry, July 1, 1920, with rank from August 7, 1917.

First Lieut. Paul Louis Singer, Infantry, July 1, 1920, with rank from August 9, 1917.

First Lieut. John William Carroll, Infantry, July 1, 1920, with rank from August 9, 1917.

First Lieut. Robert MacDonald Graham, Infantry, July 1, 1920, with rank from August 30, 1917.

First Lieut. Robert Whitley Miller, Infantry, July 1, 1920, with rank from October 6, 1919.

First Lieut. Luther Lyons Hill, Infantry, July 1, 1920, with rank from December 15, 1919.

First Lieut. Richard Harrington Darrell, Infantry, October 29, 1920, with rank from July 1, 1920.

First Lieut. Irvin Henry Zeliff, Field Artillery, October 18, 1920, with rank from July 1, 1920.

First Lieut. Donald Campbell Kemp, Coast Artillery Corps, with rank from July 1, 1920.

First Lieut. Lewis Augustine Maury, Infantry, July 1, 1920, with rank from August 8, 1917.

First Lieut. Thomas Quinton Donaldson, jr., Infantry, July 1, 1920, with rank from October 15, 1919.

First Lieut. Horace McParlin Woodward, jr., Field Artillery, November 22, 1920, with rank from July 1, 1920.

Second Lieut. Aladin James Hart, Infantry, September 11, 1920, with rank from July 2, 1920.

Second Lieut. Esher Claflin Burkart, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Thomas Eginton Whitehead, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Alexander George, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. John Irvin Gregg, jr., Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. John Russell, jr., Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. John Ferral McBlain, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Basil Girard Thayer, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Harold Oliver Sand, Infantry, September 11, 1920, with rank from July 2, 1920.

Second Lieut. Harlan Thurston McCormick, Infantry, September 11, 1920, with rank from July 2, 1920.

Second Lieut. Charles Porter Amazeen, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Alan Lockhart Fulton, Infantry, September 11, 1920, with rank from July 2, 1920.

Second Lieut. James Miller Rudolph, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Hayden Adriance Sears, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. John Black Reybold, Infantry, September 11, 1920, with rank from July 2, 1920.

Second Lieut. Henry Irving Hodes, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Clifford Augustine Taney, jr., Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Harvey Kenneth Greenlaw, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Halley Grey Maddox, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Snowden Ager, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. Dean LeRoy Sharrar, Infantry, September 11, 1920, with rank from July 2, 1920.

Second Lieut. John Williams Wofford, Infantry, September 10, 1920, with rank from July 2, 1920.

Second Lieut. John Taylor Ward, Infantry, September 11, 1920, with rank from July 2, 1920.

INFANTRY.

Col. Samuel Dickerson Rockenbach, Cavalry, October 21, 1920, with rank from July 1, 1920.

Col. Frank Parker, Cavalry, August 12, 1920, with rank from July 1, 1920.

Col. Thomas Horace Slavens, Quartermaster Corps, July 28, 1920, with rank from May 15, 1917.

Lieut. Col. Willey Howell, Judge Advocate General's Department, July 1, 1920, with rank from June 4, 1920.

Lieut. Col. John Royden Kelly, Field Artillery, October 18, 1920, with rank from July 1, 1920.

Maj. Hugh Screven Brown, Coast Artillery Corps, September 15, 1920, with rank from July 1, 1920.

Maj. Louis Thomas Byrne, Field Artillery, with rank from July 1, 1920.

Maj. William Henry Jones, jr., Field Artillery, with rank from July 1, 1920.

Capt. Thomas Dewees Finley, Corps of Engineers, July 1, 1920, with rank from May 15, 1917.

Capt. Alexander LeRoy Podwinetz Johnson, Cavalry, July 1, 1920, with rank from May 15, 1917.

Capt. Harold Lancelot Finley, Coast Artillery Corps, October 30, 1920, with rank from July 1, 1920.

Capt. Chapman Grant, Cavalry, July 1, 1920, with rank from August 27, 1917.

Capt. James Hunter, Coast Artillery Corps, with rank from July 1, 1920.

First Lieut. George David Condren, Cavalry, October 30, 1920, with rank from July 1, 1920.

First Lieut. Donald Armpriester Stroh, Cavalry, July 1, 1920, with rank from June 16, 1917.

First Lieut. John Cary Howard, Cavalry, July 1, 1920, with rank from August 8, 1917.

First Lieut. Donald Coray, Cavalry, July 1, 1920, with rank from October 9, 1919.

First Lieut. James Taylor, Field Artillery, July 1, 1920, with rank from July 26, 1919.

First Lieut. Franklin Abraham Green, Coast Artillery Corps, July 1, 1920, with rank from June 14, 1917.

First Lieut. Charles Henry Hagelstein, Coast Artillery Corps, July 1, 1920, with rank from October 26, 1917.

First Lieut. John Leonard Whitelaw, Coast Artillery Corps, July 1, 1920, with rank from November 1, 1919.

First Lieut. Henry Baldwin Nichols, Coast Artillery Corps, July 1, 1920, with rank from November 1, 1919.

First Lieut. William Aylett Callaway, Corps of Engineers, with rank from September 25, 1919.

Second Lieut. Edward Jenkins, Air Service, with rank from July 1, 1920.

First Lieut. Donald Brooks Hilton, Coast Artillery Corps, with rank from May 28, 1919.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 19, 1921.*

The House met at 11 o'clock a. m.

Rev. Robert Atkinson, pastor of Warner Memorial Presbyterian Church, Kensington, Md., offered the following prayer:

Almighty God, to Thee in reverence we draw near. Our need is proportionate to our responsibility, and both alike are great.

Grant to us that wisdom which will enable us to discharge the duties of our high office this day faithfully, wisely, and well, ever keeping before us the glory of Thy name, the welfare of this Nation, and the happiness of mankind. With forbearance, patience, and courage may we meet and overcome difficulties.

So lead us by Thy spirit that the measures we devise shall be approved by Thee and conduce to the progress of mankind onward and upward. Grant, O God, that peace shall extend her domains so widely and speedily that soon all nations shall be dwelling in amity and concord one with another. Guard and protect all those who are knit to us by the ties of relationship or the bonds of affection. As Thou hast set this people in the forefront of the nations so far as material possessions and natural endowments are concerned, may we also be in the vanguard of that great host which seeks to bring in, in its fullness, the kingdom of God, the kingdom of righteousness, peace, and joy throughout the world. Hear us, O God, and answer us in measure that exceeds our asking. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

POST OFFICE APPROPRIATIONS.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Post Office appropriation bill and to disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the Post Office appropriation bill, disagree to all the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. McCLINTIC. Reserving the right to object, I wish to ask if this is satisfactory to the minority members of the committee?

Mr. MADDEN. Certainly.

Mr. ROUSE. I should like to ask the gentleman in charge of the bill a question concerning the Postal Commission.

Mr. MADDEN. I am not a member of the Postal Commission.

Mr. ROUSE. Has the gentleman any information regarding the activities of that commission?

Mr. MADDEN. No. I resigned from that commission.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MADDEN]?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. MADDEN, Mr. OGDEN, and Mr. HOLLAND.

THE LATE REPRESENTATIVE BLACKMON.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the following order.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of an order, which the Clerk will report.

The Clerk read as follows:

On motion of Mr. DENT, by unanimous consent, ordered that Sunday, February 20, 1921, be set apart for addresses on the life, character, and public service of Hon. FRED L. BLACKMON, late a Representative from the State of Alabama.

The SPEAKER. Without objection, the order will be agreed to.

There was no objection.

INDIAN APPROPRIATIONS.

Mr. ELSTON. Mr. Speaker, I call up the conference report on H. R. 15682, the Indian appropriation bill.

The SPEAKER. The gentleman from California calls up the conference report on the Indian appropriation bill.

Mr. CARTER. At the proper time I desire to reserve points of order.

The SPEAKER. The proper time is after the reading of the report.

Mr. McCLINTIC. Mr. Speaker, I think for the consideration of such an important matter we ought to have a quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum present. Evidently there is no quorum present.

Mr. MONDELL. I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Andrews, Md.	Doughton	Hulings	Mooney
Anthony	Eagle	Humphreys	Moore, Va.
Bacharach	Edmonds	Jacoway	Morin
Baer	Ellsworth	James, Mich.	Mott
Benson	Emerson	Jefferis	Mudd
Bland, Mo.	Evans, Nev.	Johnston, N. Y.	Neely
Britten	Fish	Kahn	Newton, Minn.
Brumbaugh	Flood	Kelley, Mich.	Patterson
Burdick	Focht	Kennedy, Iowa	Perlman
Burke	Fordney	Kennedy, R. I.	Phelan
Campbell, Pa.	Gallagher	Kettner	Rainey, Ala.
Candler	Ganly	Kincheloe	Rainey, John W.
Cantrill	Godwin, N. C.	Kitchin	Ramsey
Casey	Goldfogle	Kleczka	Randall, Calif.
Clark, Fla.	Goodall	Layton	Ransley
Clark, Mo.	Goodwin, Ark.	Linthicum	Reavis
Classon	Gould	Lonergan	Riddick
Condy	Graham, Pa.	Longworth	Riordan
Copley	Hamill	McCulloch	Rodenberg
Costello	Harreld	McDuffie	Rowan
Crago	Hayden	McGlennon	Rowe
Crowther	Hays	McKinley	Sanford
Davey	Hersman	McLane	Scully
Dickinson, Mo.	Hill	Maher	Sears
Donovan	Holland	Mann, S. C.	Siegel
Dooling	Houghton	Mead	Slemp
Doremus	Hudspeth	Moon	Small
Smith, Ill.	Sullivan	Voigt	Wilson, La.
Smith, N. Y.	Temple	Volk	Wilson, Pa.
Steele	Thomas	Watkins	Winslow
Steenerson	Upshaw	Watson	Wise
Stoll	Vare	Wheeler	
Strong, Pa.	Vestal	Wilson, Ill.	

The SPEAKER. Two hundred and ninety-eight Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior years, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. WARREN, Mr. CURTIS, and Mr. SMITH of Maryland as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. LODGE, Mr. BORAH, and Mr. HITCHCOCK as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4912. An act to authorize the appointment of an ordnance storekeeper in the Army; and

S. J. Res. 226. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15130. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4582. An act to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot.

SENATE JOINT RESOLUTION AND BILLS REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution and bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 226. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War; to the Committee on Public Buildings and Grounds.

S. 4903. An act to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.; to the Committee on Interstate and Foreign Commerce.

S. 4912. An act to authorize the appointment of an ordnance storekeeper in the Army; to the Committee on Military Affairs.

EMERGENCY TARIFF BILL.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 15275, known as the emergency tariff bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent to disagree to all the Senate amendments and agree to the conference asked for on the bill of which the Clerk will read the title.

The Clerk read as follows:

H. R. 15275. An act to impose temporary duties on certain agricultural products, to meet present emergencies, and to provide revenue, and for other purposes.

The SPEAKER. Is there objection?

Mr. TREADWAY and Mr. PELL objected.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged rule from the Committee on Rules.

The Clerk read as follows:

House resolution 689.

Resolved, That the bill H. R. 15275, being a bill entitled "An act to impose temporary duties on certain agricultural products to meet present emergencies, to provide revenue, and for other purposes," be, and hereby is, taken from the Speaker's table, with Senate amend-

ments thereto, to the end that the Senate amendments be, and hereby are, disagreed to, and the conference requested by the Senate on the disagreeing votes on said amendments be, and hereby is, agreed to, and the Speaker shall immediately appoint the conferees.

Mr. CAMPBELL of Kansas. Mr. Speaker, can we come to some understanding or arrangement as to the time on this resolution?

Mr. POU. This, Mr. Speaker, of course, is a matter of very great importance. There have been quite a number of requests for time on this side as well as on the other side, and I suggest an hour and a half on a side.

Mr. CAMPBELL of Kansas. Would not the gentleman agree to one hour on a side?

Mr. POU. I will say to my good friend that I would like very much to compromise on an hour and 15 minutes.

Mr. CAMPBELL of Kansas. I think we can get along with an hour on a side. Mr. Speaker, I ask unanimous consent that we have one hour on a side, one half to be controlled by the gentleman from North Carolina [Mr. POU] and the other half by myself.

The SPEAKER. The gentleman from Kansas asks unanimous consent that debate on this rule be limited to two hours, one-half to be controlled by himself and one-half by the gentleman from North Carolina [Mr. POU]. Is there objection?

Mr. CAMPBELL of Kansas. And may we not have the previous question ordered at the conclusion of the debate?

Mr. POU. No.

Mr. CAMPBELL of Kansas. Then I will not ask for that at this time.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. YOUNG of Texas. Reserving the right to object, I want to propound a parliamentary inquiry under the right to object. Would it be in order, this rule being under consideration, for me to offer as a substitute a rule that the Committee on Agriculture has asked for to take the packers bill from the Speaker's desk——

The SPEAKER. That would not be in order.

Mr. McCLINTIC. Reserving the right to object, will the debate be confined to the rule?

Mr. MANN of Illinois. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is demanded. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, I agree entirely with the gentleman from North Carolina [Mr. POU] as to the importance of this measure. Probably otherwise I may not agree with him. The testimony which was introduced before the Ways and Means Committee since the time the bill was originally introduced shows that the crisis which is facing the agricultural interests of this country is deepening and becoming more threatening every day. The testimony of some witnesses was to the effect that the fate of a large number of banks depended upon the passage of this bill, and that the financial interests of the country, as well as those of the farmer, required action upon it as soon as possible.

It is extremely unfortunate that action upon this bill has so long been delayed. Every week that passes, every day that passes—I might almost say every hour that passes—adds to the damage, injury, and the risk of the agricultural communities caused by the failure of Congress to act upon it.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. CHINDBLOM. Does the gentleman believe that these dangers, both with reference to agricultural interests and the financial interests, apply with anything like the same force to the items included in the Senate amendments as they do to the original items in the House bill?

Mr. GREEN of Iowa. I would not say so, but I want the bill sent to conference. I trust this will be done without unnecessary delay. This bill was introduced as far back as some six weeks ago. Action was speedily taken upon it by the Ways and Means Committee. There was some complaint made at that time that the action of the Ways and Means Committee had been somewhat hasty, and that it had acted without full information. But I will challenge any gentleman to mention any item upon which we have since received information—although we have had full hearings on the tariff bill since that time—that would change his ideas as to what this bill ought to contain. The information which we had before us at that time was amply sufficient to justify our action. The information we have received since only strengthens the conviction of a majority of the committee as to the necessity of immediate action. Mr. Speaker, the Ways and Means Committee has not acted hastily in this matter. The subject matter of this bill was one upon which it has been fully informed.

It has been the object of its constant thought and attention, but the time has now come when, if we expect this bill to go to the President before the close of this session, action must be taken at once sending it to conference. There would be no other hope for the bill. A vote against this rule at this time means simply this, that those who vote against the rule do not wish to have the bill pass the Congress at this session. Gentlemen upon the other side may take that risk if they wish. Gentlemen upon my own side have the right so to do if they feel that their conscience dictates that course. But I feel, Mr. Speaker, that justice to the farmer in the emergency that faces him at this time requires that we should use every effort to get this bill through the Congress and present it to the President in the best form that is obtainable.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. TIMBERLAKE. I would like for the gentleman to correct the statement in reference to the facts that it has only been pending in Congress for about six weeks. I would like to call his attention to the fact that it passed the House two months ago to-morrow, and it was up for consideration in the Committee on Ways and Means in the very first days in December.

Mr. GREEN of Iowa. The gentleman is correct; the statement was made by me through an oversight of the moment. While this matter has been pending in Congress, it has been constantly before the country. Certain charges have been made by interested parties with respect to the good faith of those who favor this bill and those who helped prepare it in the first instance. Mr. Speaker, so far as I am concerned, I have had but one purpose from the start, to which I have devoted all of my strength and my power, and that was to get this bill through in the best form obtainable and present it to the President, in the hope that it might receive his signature and become a law. For these reasons I earnestly urge support of this rule at this time by all of those who desire to give any aid to the farming and agricultural communities.

Mr. MacGREGOR. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I will.

Mr. MacGREGOR. Does not the gentleman think the Members of the House ought to have this bill before them and know what has been done in the Senate in reference to amendments before we are called upon to vote upon it?

Mr. GREEN of Iowa. I do not know what the trouble is about the gentleman getting a copy of the bill. It is certainly not my fault if copies of the bill are not obtainable. The original bill, I might say to the gentleman, is easily obtainable. Does the gentleman want more——

Mr. STEVENSON. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. STEVENSON. In case the rule is not adopted, then do I understand that this bill will go back to the Committee on Ways and Means to pass on these amendments put on by the Senate? Is that the practice?

Mr. GREEN of Iowa. I think my friend from South Carolina is as well informed about the rules of the House as I am, and I could not give him any additional information as to procedure.

Mr. STEVENSON. If it goes back it will go back to the Committee on Ways and Means, which have given so much exhaustive study to it and are so much in favor of it; and will not that rather facilitate and help to pass a proper bill than this method of procedure?

Mr. GREEN of Iowa. The gentleman's interrogatory answers himself. It would be answered most emphatically in the negative.

The SPEAKER. The time of the gentleman has expired.

Mr. GREEN of Iowa. May I ask for two minutes more?

Mr. CAMPBELL of Kansas. I will yield two additional minutes to the gentleman.

Mr. GREEN of Iowa. If the bill went back to the Committee on Ways and Means and was amended in the House, it would simply have to go to conference, and then, after spending two or three days or even a week or more if we had the time, we would be just exactly where we are now. That is my answer to the gentleman.

Mr. HENRY T. RAINEY. Will my colleague yield?

Mr. GREEN of Iowa. I do.

Mr. HENRY T. RAINEY. Does my colleague think he could get this bill out of the Committee on Ways and Means in its present form at all?

Mr. GREEN of Iowa. I am not going to state what I think would be the committee action. I do not think it would be proper.

Mr. HENRY T. RAINEY. I am not going to state what I think it would be either.

Mr. GREEN of Iowa. Apparently the gentleman's thoughts are very different from mine on the subject. I do not agree with him; so he knows where I stand.

Mr. HENRY T. RAINEY. I presume the gentleman thinks he could get the Committee on Ways and Means to report this out, then?

Mr. GREEN of Iowa. I am confident the Ways and Means Committee would take such action as would expedite the passage of the bill. [Applause.]

Mr. POU. Mr. Speaker, this is not a party matter. The emergency tariff bill which came from the Committee on Ways and Means dealt with about eight or nine commodities. The bill went to the Senate, and it now comes back radically changed, an entirely different bill, with 22 or 23 amendments dealing with several additional commodities, including various products of the manufacturing industries of the United States. I maintain that it is an unwise policy immediately before the convening of the extraordinary session of Congress, when it is a matter of common knowledge that the entire tariff schedules are to be revised, to legislate in this summary way. Now, Mr. Speaker, there is something unusual about the request for this rule. No formal request has been made by the Ways and Means Committee—it is not even requested by a majority of the Committee on Ways and Means. That committee is composed of 25 members, and the request for this special rule was formally asked for by 9 members only of that committee. At least, that is the information I have. Now, so far as my recollection goes, this is a departure from the custom of the Committee on Rules—certainly in recent years.

Why was it that certain gentlemen of the minority of the Ways and Means Committee, who were strong supporters of the emergency tariff bill, were not even consulted about the request for this rule? My information is no member of the minority was consulted. So you are asked to send to conference a bill of surpassing importance, a bill which came back from the Senate practically a new measure—you are asked to send that bill to a conference composed of five Members of the Senate and five Members of the House upon the request, not of the majority, but of a minority of the Committee on Ways and Means. Now, gentlemen, that is unusual, to say the least. It is a most summary way of dealing with a great measure, and I do not believe this House wants to deal with tariff schedules in any such way; and if we do not, the only way to prevent it is to vote down this rule. Men on both sides of this Chamber who are opposed to dealing with the great subject in this hasty way ought to unite and vote down this rule and let this mesaure go to the Committee on Ways and Means and at least have a few hours' consideration before sending it to conference.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. POU. I yield.

Mr. GREEN of Iowa. I understood the gentleman to say that this request was not supported by a majority of the Ways and Means Committee?

Mr. POU. That is my information.

Mr. GREEN of Iowa. I will say to the House that, so far as it was possible for me to ascertain, the intent and desire of the Ways and Means Committee, some of the members of which are out of the city and just where they are I do not know, there is a majority of the Ways and Means Committee in favor of this.

Mr. POU. Did not the gentleman himself state before the Committee on Rules less than an hour ago that this request came from nine members of the Ways and Means Committee?

Mr. GREEN of Iowa. I stated that there is one Member sick, and that I did not consult him. I stated that I had telegraphed the chairman and had his approval. They were not included in the nine.

Mr. POU. Did not the gentleman state that the formal request came from nine members of the Committee on Ways and Means?

Mr. GREEN of Iowa. I stated there were only so many Members to go to.

Mr. POU. And that there were nine favorable to this rule?

Mr. GREEN of Iowa. Yes.

Mr. POU. And that is a minority, not even a majority, of the Committee on Ways and Means. And, gentlemen, you are asked to do a thing that I, at least, have never known to be done before, to grant a rule for the consideration of a great measure like this upon the request of just a little more than one-third of the committee that has charge of the bill.

Let me say I am just as far from being a free trader as some men on the Republican side. I think the course of events has tended to make less acute the old-time traditional difference between the parties with respect to the tariff. I want to deal with this subject in a rational way, and I certainly do not believe that dealing with it in this way is either wise or rational.

Mr. Speaker, I reserve the remainder of my time. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. Mr. Speaker and gentlemen, since the reassembling of Congress at the beginning of this session various men have appeared before the Ways and Means Committee asking that the necessities of the agricultural interests of the country be given consideration and that their dangerous situation be provided for by the passage of an emergency tariff bill to prevent the importation into this country of vast amounts of agricultural products produced abroad during the war, and held in those countries by reason of a lack of transportation, and then, at the time we were considering the bill, being ready to be dumped into this country to break the market and to ruin our agricultural interests. Our people, in addition to this storage of commodities in various portions of the world by reason of accumulations for several years, had been asked to greatly increase their production in order to supply our soldiers and our people and our Allies with the necessaries of life and of war. This the people engaged in agriculture had splendidly responded to. They had increased the production of all kinds of grain, and had undertaken the increased production of all kinds of meats. The unexpected close of the war left them with stocks on hand. Then came throughout the great West two years of drought and two very severe winters, and the people who had preserved a considerable and a larger proportion of their stocks of animals for breeding purposes than formerly, and who had prepared to increase their production in every way, found themselves, after two short forage crops and two hard winters, with stocks of animals on hand which they were unable to carry, the price of which was rapidly declining. They were being compelled to settle their outstanding accounts and loans at the bank in a sacrifice market. The competition from abroad was and is forcing ruin upon them. And the decline was being forced by the importation of fresh meats, wool from abroad, and other agricultural products from abroad, because a flock of sheep or a herd of cattle will decline in price if the products of that flock or herd come in from abroad and break the market.

We, on the Ways and Means Committee, taking into consideration the serious condition of this fundamental industry of the country, considered and prepared a bill covering a few items which were the most essential items with which to tide over our people until the regular tariff bill should be enacted. This bill received a very large vote in the committee; it received a good vote on the floor of the House. It was enacted in the utmost good faith. I would not for one, and I do not, accuse my colleagues of trying to be a party to passing a bill for purely camouflage purposes, and pretending to do something for a people which had a right to expect us to do something in reality. And we passed this bill with the utmost intention of securing its enactment for the relief of the people for whose relief it was intended.

The Senate, acting within its authority, has added various amendments to the bill. We have not as a committee concurred in those amendments. We are not asking the House to concur in the amendments. We are asking in this rule that the orderly procedure of the House be concurred in; that the request of our associate body be complied with; that conferees be appointed; and that the bill take its regular course and be sent to conference. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Will the gentleman from North Carolina [Mr. POU] use some of his time?

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT. Mr. Speaker, of course I do not know the views of all the men in the Chamber with reference to the Senate amendments, but I have an idea that there are probably not as many as 50 Members in the House who would be willing to agree to the amendments that have been placed upon this bill, which it is now proposed to send to conference, by the Senate. This bill passed the House originally as a measure somewhat simple in its terms. It embraced, I believe, only about eight subjects. It went to the Senate, and, after consideration by the Senate committee and after consideration in the Senate, it is returned to the House with, I believe, 27 distinct Senate amendments, and those amendments vitally and fundamentally change the whole character and tenor of the measure which passed the House.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. CAMPBELL of Kansas. I have the advantage of possessing a copy of the bill, which many of the Members have not. The Senate has added 11 new items.

Mr. GARRETT. Eleven new items? Some one stated there were 27.

Mr. MOORE of Virginia. Mr. Speaker, may I supplement what the gentleman has just stated?

Mr. GARRETT. Certainly.

Mr. MOORE of Virginia. The original bill carried 13 items, and the Senate has added 11 items. That is, the Senate has increased the bill by almost doubling the number of items.

Mr. GARRETT. Well, whatever the number of items may be—and I did not have the items accurately in mind—the important thing is not so much in the number of items as in the fact that the Senate amendments, however many they may be, or however few, have changed the fundamental character of the measure, because they have added for manufactured products compensatory duties. If the bill should become the law, no man living, in my opinion, can tell now even approximately what its effect upon industry is to be. The Senate has brought within the vortex of this measure amendments that have wholly changed its original character.

Now, under those circumstances a different situation is presented to the House from that which is usually presented when a general tariff measure or a general revenue measure is presented. I submit in all good conscience and in all fairness that this bill should, measured by all the proprieties, be sent to the Committee on Ways and Means, to let the Senate amendments be by them considered before it goes to conference.

The minority members of the Committee on Ways and Means, some of whom supported the original measure, have had no opportunity to give any sort of expression to their views in committee. All that has been done has been done by the majority members. That is a custom with reference to general revenue measures. But this one presents an entirely different proposition. The bill was originally brought here as an emergency measure. The parties divided upon the question of its passage.

Now, let me call your attention to the fact that this rule without amendment does not give to the House itself the slightest opportunity to give instructions to the conferees. Not only are you refusing to send it to the committee, but by the terms of this rule, where it is provided that "the Speaker shall immediately appoint the conferees," there can be no motion in the House itself to instruct. I do not believe gentlemen desire to do that, to send this measure to conference, have it come back here in a form that no one now can even guess at, without the House having the chance to express itself upon these amendments, which the Senate has put on, so fundamentally changing this bill.

Therefore I hope, in the first place, that the previous question on the rule will be voted down, so that there may be offered an amendment that will strike out the language "and the Speaker shall immediately appoint the conferees." If that be done, then there will be an opportunity to the House to offer a motion to instruct the conferees before they are appointed; and if that amendment fails, then I certainly feel that this rule should be defeated outright, and this bill should go to the Committee on Ways and Means, have consideration there, receive the judgment of that committee, formally expressed on these Senate amendments, and brought back to the House. Then I shall be glad to aid in taking whatever steps may seem to be proper at that time.

Mr. Speaker, I yield back the remainder of my time. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

The SPEAKER. The gentleman from Kansas is recognized for five minutes.

Mr. TINCHER. Mr. Speaker, at the end of eight years in which the policies of the party to which belongs the gentleman who has just preceded me concerning tariff have been in vogue, we find the producing interests of the country in the most deplorable condition experienced in all time. If there ever was a necessity for a tariff to protect the producer, it is now. If there ever was a tariff bill offered to the country that had for its prime object the protection of the producers of the country, it is this bill. I challenge any man to call attention to the time when any bill was ever pending in the American Congress pertaining to the tariff that gave to the producer the protection that this bill does or which had that purpose for its object. And I say that the industry in which the people who are feeding the world to-day are engaged is in the worst condition ever known in the history of this Republic.

I would like very well personally to instruct the conferees, and that instruction would be to go and agree to the Senate amendments. I am for protection, and have always been. I was for protection when the prime object of protection was to protect infant industries of the East, to protect infant industries of this great country, in order that they might build up and become powerful industries; and I am consistent to-day, and I am for protection when that protection is needed by the producers of the West and Middle West. [Applause on the Republican side.]

I do not blame my friend who has just preceded me [Mr. GARRETT], who has never been for protection and who has always opposed a tariff, in company with his party associates, for casting their votes in opposition and voting against this rule and against this bill. That has been against their policy. But there are a few men in this House who voted against this bill before who may well stop and wonder if this talk about the tariff being a local issue is true; men who live in districts the principal business of which is manufacturing, that have had protection since the inception of government in America; men who stood up and voted against this bill because agriculture was getting some protection. I hope those men have reformed, and that we shall have at least on this side of the aisle a solid vote for this rule, and that when the conferees agree to most of the Senate amendments and bring this bill back we shall have a solid vote for the conference report, and shall not waste any time but shall pass this most constructive and most necessary legislation that has been presented to this short session of Congress, at least that has got to the floor at this short session of Congress. [Applause on the Republican side.]

Gentlemen, I thank you for your attention.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

The SPEAKER. The gentleman from Massachusetts is recognized for 10 minutes.

Mr. TREADWAY. Mr. Speaker, when this bill was before the House on the 22d of December I voted for it, but I stated on the floor at that time that if I had a very definite idea that there was a possibility of this bill becoming a law I should hesitate in that action. To-day I think there is so much possibility of it becoming a law that I intend to vote against this rule and will vote against the conference report when it is returned, in all probability somewhat in the form in which we are now sending it to conference. I say there is a strong probability of this bill becoming a law, and my reason for saying that is that if there is such a demand for its passage it can very readily be passed in the last few days of the session, even if it comes back here unapproved by the Executive. I hold no brief for the Executive, but word seems to have been circulated on the highest of authority that the President expects to veto this bill. Be that as it may, I for one do not want to take the chance of putting this bill up to the Executive with a view of inviting a veto. Consequently, I have objected to this bill going to conference, and I object to this rule.

The inquiry that was made here a few moments ago about there being no copies of the bill as it passed the Senate shows the haste exhibited by certain Members of this House from the very start in advocating this legislation. It was haste in the Ways and Means Committee to report it out, it was haste when it was on the floor here to pass it quickly, it is haste to-day to send it to conference. Anything as important as a great tariff measure, which this has developed into, seems to me to warrant due consideration by the Members of Congress.

Now, the excuse that was offered for this haste on the 22d of December was very well put by my associate on the committee [Mr. GREEN of Iowa] when he said, "We took all the time we had and could take on an emergency measure that had to have instant action, if any action was to be had at all, and then we brought in this bill."

On the 22d of December the idea was that we needed instant action. Two months have since elapsed and we have not that instant action yet. Now, my friend from Kansas [Mr. TINCHER] who just spoke referred to the fact that the industries of the East have had protection. It is true, and I want the agricultural interests of the West and South to have protection where needed, but I want these to be identical and to go hand in hand. The industries of the East to-day are in as bad condition as the agricultural interests of the West are, and when you pass a bill here putting 40 cents additional duty on wheat, the equivalent of $1.80 or more on a barrel of flour, you paralyze the buying power of the eastern industrial section of our country just to that extent.

Mr. KNUTSON. Will the gentleman yield?

Mr. TREADWAY. I can not yield. I am sorry, and I do not mean any discourtesy, but my time is too short. You can not have protection for one part of the country and free trade for the other. The gentleman from Kansas [Mr. TINCHER] said that we in the East had had this protection. Do we get protection for the industries of the East under to-day's law? Who will claim that the Underwood Act was written to give protection to the industries of the East?

Mr. TINCHER. Will my friend yield?

Mr. TREADWAY. For a brief question.

Mr. TINCHER. The gentleman favors a law giving protection to the industries of the East, does he not?

Mr. TREADWAY. Yes; I certainly do.

Mr. TINCHER. And you expect me to vote for that law?

Mr. TREADWAY. And I want to vote for your industries at the same time.

Mr. TINCHER. You will have a chance to vote to protect our industries to-day.

Mr. TREADWAY. What I am advocating is the same treatment to the industries of the East as to the producers of the West.

Mr. TINCHER. Then you are not a protectionist, but you are in favor of local protection.

Mr. TREADWAY. I have just said I was in favor of all needed protection to all sections alike. I yielded for a question, and I have answered the gentleman's question. Do not let us deceive ourselves as to the form which this bill takes. The complaint I am making is that the pending bill is entirely in the interests of one section, rather than national, in the interests of the entire country.

The gentleman from Iowa [Mr. GREEN] in his opening remarks referred to the information that has come to the Ways and Means Committee since this bill was reported out in December, as an additional reason for its passage to-day. I should like to ask him and my colleagues on the Ways and Means Committee if we have not had exactly the same evidence as to the distressing conditions of the industrial centers of the East as that which we have had concerning the agricultural centers of the West?

That is the situation, my friends. I would gladly have voted in the Ways and Means Committee and on this floor for such protection as the woolgrowers of the West and South and the cattle producers of those sections said they must have, but it has gone far astray from that situation to-day. Now you are asking to send this bill to conference.

A gentleman well informed as to the industrial situation told me this morning that paragraph 17, on page 3, known as the wool schedule, will close every woolen mill in New England. If that is true, where do you find your customer for your western produce? This can not be a sectional country, my friends. The prosperity of one section carries with it the prosperity of every other section. If one section is in distress, that distress will be felt elsewhere and throughout the Nation. There is but one thing for us to do, both as a party and as a Congress, namely, to take up this subject of the tariff, one of the important issues before the people of the Nation to-day, and go about it intelligently, acting diligently as your Ways and Means Committee have done in the preliminary hearings on the tariff bill, and proceed as expeditiously as possible to frame a general measure, one for every part of the country—for its industries, for its commerce, for its agriculture, for every feature of the country—and not to send out special items for particular sections.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. The gentleman made a statement with reference to closing the woolen mills if this bill was passed. The gentleman is aware that the owners of the woolen mills were represented before the Ways and Means Committee on the hearings recently had. They knew that this bill was pending. Does he claim that they gave any such testimony before us?

Mr. TREADWAY. This bill was not pending before the Ways and Means Committee when Col. Wood, of Philadelphia, appeared in their behalf.

Mr. GREEN of Iowa. They knew that it had already passed the House.

Mr. TREADWAY. Then why should they appear before the Ways and Means Committee, as it had already passed this body? They were not having a hearing before us on this bill. [Applause.] We need and must have general tariff legislation—not the piecemeal variety.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Speaker, I am sure those of us who come from the West are greatly surprised at the position taken by the gentleman from Massachusetts [Mr. TREADWAY]. It is a matter of surprise to us, and must be to all here, for the gentleman to state that he is willing to vote for this bill in case it is sure of defeat. It is also a matter of great surprise that a man who takes that position maintains that he is a friend of the farmer in the West. The gentleman from Michigan [Mr. FORDNEY], chairman of our committee, is not present to-day, but we know his vigorous way of speaking, and I think if he was here he would style the gentleman from Massachusetts as a ——— poor friend of the farmer. [Laughter.]

How do you think the farmers of the Western States are going to be impressed when they read the speech to-morrow, if they do, of the gentleman from Massachusetts? There has been some talk about bad faith in connection with this bill. It has been raised by different speakers. I would like to have you consider how the people of the West will regard the attitude of some people of the East who can not see farther west than the Allegheny Mountains—how they are going to regard their action on the bill if it should be defeated by their votes.

I am aware of the fact that since there will be a tremendous Republican majority in the next Congress some people have got the notion that the West does not count at all. It is true that when we get to electing a President we can not furnish a large percentage of the votes in the West. It is true that when we get to electing a House of Representatives comparatively a small portion of the House is elected from the West. But I want to call attention to this fact, that when it comes to electing a United States Senate we have got a very big say, and we have got more to say than they have east of the Allegheny Mountains. I want to tell you now that if the farmers of the West become convinced that this House to-day and our party has shown bad faith in this matter, the next Senate of the United States will be Democratic. That is something for you people of the East to think about. [Applause on the Democratic side.] I am not seeking any applause on that side, but I am giving a little wholesome advice to the Members on the Republican side of the House.

Mr. STEVENSON. May I inquire if that was the reason the Senate has loaded this up so?

Mr. YOUNG of North Dakota. I have only five minutes, and can not yield to my friend. I think it is time for people on this side who can not vote for a temporary bill to last only a few months, unless it is loaded up with items to protect items of production in the East, to consider how long they think the Republicans are going to be in control of the government of this country if they follow so short-sighted a policy.

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman from North Dakota has expired.

Mr. CAMPBELL of Kansas. I yield to the gentleman two minutes more.

Mr. YOUNG of North Dakota. Take the question of a duty on wool, which the gentleman from Massachusetts seems to be so solicitous about and which he says is going to be the ruin of the great woolen interests of the country if they do not get a compensatory tariff on cloth. If there is anything to that statement at all, it means that the woolen mills can not get sufficient wool to run their mills during the next nine months at a reasonable price. Why, wool is piled mountain high at Boston and everywhere else, and can be bought for a song.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. GREEN of Iowa. There is two years' supply on hand without the spring clip.

Mr. YOUNG of North Dakota. Yes; and they come here and try to make you believe that if we pass this bill, which is to be in operation nine months, it is going to shut off a necessary supply of wool for their mills and ruin the great woolen industries of the country. The statement is preposterous.

Mr. CHINDBLOM. Who owns this two years' supply of wool in Boston?

Mr. YOUNG of North Dakota. I am sorry to say that a whole lot of it is owned by the farmers; but no matter who owns it, if the woolen manufacturers own it themselves they have a sufficient supply for nine months, and if they do not, they can buy it very cheaply all over the United States to-day.

Mr. OLNEY. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes; briefly.

Mr. OLNEY. I might state for the information of the gentleman from North Dakota that $60,000,000 worth of wool in

Boston is owned by the Government. May I say to the gentleman that this is a matter of compensatory duty, and does he not think that if the owners of raw material receive a certain amount of protection there should be a compensatory duty on the manufactured product? That is what I understand these Senate amendments are.

Mr. YOUNG of North Dakota. If the woolen manufacturers should be obliged to pay more, that would be true, but they have more than nine months' supply on hand without being obliged to pay any more for the raw product. [Applause.]

These people in Massachusetts should wake up to the fact that the purchasing power of the farmers has been greatly reduced and that unemployment will never be reduced until relief is brought to the grain growers and live-stock men.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. POU. Mr. Speaker, I yield eight minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, this bill is not worth the paper it is written on unless it raises the price of food. It brings no benefit to any man in this country unless it makes every other man pay more for what he eats. The whole purpose of this bill is to transfer money from all the community to some part of the community. It is wholly a class proposition.

I am not going to take any of my time in speaking for the manufacturers of New England. I do want to say a word for the manufacturers of the West. I find that from January, 1920, to January, 1921, there was an 82 per cent reduction in employment in Michigan. Four men out of five of the wage earners there are out of work. I find that in Ohio and Indiana one man out of every two is unemployed. One-half of the wage earners of Ohio and Indiana, as I say, are out of work. I plead for the West itself, I plead for the whole country in its hour of distress. I plead for every man who has seen his income cut off. I plead for the wife, I plead for the children in this hour of national distress. I plead for the consumer. There never was a more iniquitous proposition presented to this House than one which in this period of distress from one end of the land to the other contemplates an increase in the cost of bread. I am not talking about automobiles or gasoline or any other of the luxuries of life, but I am talking about that which every man must have three times a day to support existence.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. SNYDER. I would like to ask the gentleman, in view of all the men he speaks of who are out of work, how he proposes to get those men back to work.

Mr. LUCE. That, sir, is not the theme of my address. I am facing the situation as it is. I am not talking about the next tariff bill, I am not talking about next year, but I am talking about now, with more than 3,000,000 men in this country without the means of livelihood. I am talking about the children and the women—the families of the 3,000,000 wage earners in this country who are out of work to-day.

Mr. SNYDER. The gentleman misunderstands my question, and if he will yield further I will ask him if he does not realize that the farmers are the greatest consumers in the whole United States.

Mr. LUCE. Every farmer has food in his granary, in his pantry.

Mr. SNYDER. But the gentleman must know that unless industry is started up by some one, unless some one begins to purchase, you can not put these three or four million men back to work. [Applause.]

Mr. LUCE. I am not talking about that one-third of the country which has plenty of food. I am not talking about the man who has a roof over his head, who does not fear the extortions of a landlord, I am not talking about the man who has enough to wear, but I am talking about those who have had their incomes stopped, those who are to-day in distress. The farmer is not in distress. He has a roof over his head and clothes to wear and food to eat. He is not in danger of being thrown out on the street. He is not in need of coal, or if he is, he has wood which he can get in abundance. He can get through this terrible winter. I plead for the men and the women and the children in the cities.

Mr. SNYDER. But the gentleman certainly must find employment for those people from some source, and the best source in the country is to get some one to purchase the goods that those very people need when they are at work, and we must start back with the farm, the original purchaser. The gentleman must know that, if he is interested in manufacturing. The greatest consumers of the goods that I help to manufacture in this country are the farmers, and they are not buying to-day because they have nothing with which to buy. We must get the farmer, who is the first purchaser, to begin to purchase in order to put our people back to work in the mills.

Mr. LUCE. But the gentleman is wrong in saying that the farmer is the chief purchaser. He is only one man out of three, and I am talking for the other two out of that three. I am talking for twice as many people as my friend seems interested in. I am talking about the whole country. About Eastport, about Los Angeles, about Seattle, about Davenport, about Des Moines, about Detroit, about Galena, about Springfield, and Dayton. I am talking about the great centers of population that are to-day in the throes of distress.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. SMITH of Idaho. What remedy would the gentleman suggest for this deplorable situation?

Mr. LUCE. I do not know the remedy, but I do know that the remedy is not to make the cost of food any higher.

Mr. SMITH of Idaho. Should we not try out this experiment and see whether or not it will help?

Mr. LUCE. Not at the expense of the women and children, who are starving to-day.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. TINCHER. Did the gentleman ever know, when a Republican high-protective tariff was in force, of such conditions as exist to-day, that he has described here to-day? Did the gentleman ever know of 3,000,000 people being idle in the United States?

Mr. LUCE. Not until recent days.

Mr. TINCHER. Is the gentleman for a protective tariff?

Mr. LUCE. I am for the protective tariff of Henry Clay. I am for the protective tariff of the fathers of this country. I am not for this modern idea of taxing food. A tariff on food was never an essential part of the protective doctrine. A tariff on food ought not to be made a part of the protective doctrine. It will wreck the party that accepts it, and it will wreck the country itself.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. TREADWAY. Does the gentleman from Massachusetts think that a duty of 2 cents a pound on meat will redound to the benefit of the farmer or to the benefit of the packer?

Mr. LUCE. I do not know to whose benefit it will redound, but I do know to whose injury it will redound. If it is of any efficacy it will redound to the injury of every man here and of every man, woman, and child in the land who eats meat. If it is any good at all it will increase the cost of meat. That is why I protest against this tariff. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, I always listen with a great deal of pleasure to what the gentleman from Tennessee [Mr. GARRETT] has to say. I listened this morning to what he had to say about this bill and his argument that it should be sent back to the Ways and Means Committee instead of this rule being adopted. The gentleman's argument was that this measure had been changed entirely by the Senate, that as it comes to us to-day it is an entirely different bill from that passed by the House. Let us see whether that is so. The gentleman does not descend to particulars. He made the naked statement, but he did not give us the facts. Let us see if the facts verify his statement. The bill as originally passed covered wheat, corn, beans, peanuts, potatoes, onions, rice, lemons, oils, cattle, mutton, sheep, cotton and its manufactures, and wool.

Now, what has been added in the Senate, because it is simply an addition of articles? Are the articles which have been added of a different kind; are they manufactures; are they something of a different nature from those included in the original bill? Not at all. They are precisely of the same nature, and they are the following—sugar, butter, cheese, milk, cream, tobacco, hides, apples, and cherries. So we find, instead of the nature of the bill being changed in the slightest——

Mr. DEWALT. Will the gentleman yield?

Mr. DEMPSEY. In just one moment. Instead of the bill being a different bill in any particular it is exactly the same kind of a bill. It is a bill designed to protect the farmer, the farmer of the North, the farmer of the South, the farmer of the East, and the farmer of the West; and you simply have added to the number of articles which you protect and you have not changed the bill in any other particular.

Mr. GARRETT. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. GARRETT. Let me call the attention of the gentleman simply to cotton. As the bill passed the House——

Mr. DEMPSEY. Just a second. Cotton is simply different in this respect, and in this respect only, that it is a little wider in its protection. It protects cotton of a shorter growth and so gives a greater measure of protection, and it protects certain manufactures of cotton.

Mr. GARRETT. Ah, Mr. Speaker, and that is just where the difficulty is, and that is why I made the statement——

Mr. DEMPSEY. It gives the South that added measure of protection. It protects the cotton grower in a measure and to a degree in which he was not protected by the House bill, and that is the only respect——

Mr. GARRETT. For which he has no use on earth.

Mr. DEMPSEY. Well, the gentleman did not find it so on the vote on the bill, and he did not find that he induced a united democracy to vote with him. He found that those who were interested in the protection of cotton voted the other way, and he will find it that way to-day. [Applause on the Republican side.]

Then come the two gentlemen from Massachusetts. The first gentleman says that he would be very glad to vote for protection if he could only get the opportunity, and he knows that he has an opportunity. He knows also that he will not have an opportunity to vote for any different bill, to vote for any other bill, to vote for any bill except the bill presented here to-day. Why, then, if he is in favor of protection does not he avail himself of the opportunity? And then comes another gentleman from Massachusetts, and he says, "Why, I am opposing this rule because the women and children of the country are going to have to pay more for food." Why, the gentleman's argument, logically, inevitably, as a matter of reasoning, leads, and leads only, to one conclusion, and that conclusion is that he is either a protectionist or he is a free trader, and he must be a free trader from his argument. He says this is class legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. PAIGE. I ask that the gentleman have three minutes additional.

The SPEAKER. The gentleman from Kansas has control of the time.

Mr. CAMPBELL of Kansas. I yield the gentleman two minutes additional.

Mr. PAIGE. I would like to have the gentleman hear from another Representative from Massachusetts. Here is a letter I have received from one of the leading woolen manufacturers in Massachusetts, a Democrat in politics, and he says:

We have received from you a copy of House bill 15275. I can simply say that this is the most astounding piece of legislation that I have ever seen enacted by any legislative body. It is quite difficult to determine from such a crude measure just what it means, but after some study the only interpretation we can make of it is that the rawest kind of raw material is to carry a heavy specific duty regardless of the quality, and goods manufactured from those qualities, in some instances, carry even less protection than the raw material. This condition is causing quite a stir in the raw-material market, but it would seem to me that if a bill anything like this is enacted into law there will be very little wool used on woolen machinery in America—

Mr. CAMPBELL of Kansas. I can not yield any more time to the gentleman from New York. If the gentleman desires to use his time, he will have to use it himself.

Mr. PAIGE. One minute.

It would be far cheaper to shut down tight as we have done for the last nine months than to experiment under such crude conditions.

[Applause on the Democratic side.]

Mr. DEMPSEY. Gentlemen, the gentleman from Massachusetts who preceded the last gentleman—Massachusetts seems to be united—says that this is class legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. DEMPSEY. I ask for one minute more.

Mr. CAMPBELL of Kansas. I will yield the gentleman one minute additional.

Mr. DEMPSEY. The gentleman from Massachusetts says that this is class legislation, and that he is in favor of a protective tariff. If it is class legislation, it is class legislation of this kind, that we are able to legislate at this time on this subject because we are not able to cover the entire field. The entire field will be covered as soon as it can be reached. Now, when the gentleman from Massachusetts has just read a letter which states that the writer can not interpret this tariff, it is not a tariff that is difficult of interpretation, it is plain and simple. It is protection for the farmer. It does not need any elaborate interpretation, and even gentlemen from Massachusetts, I am sure, if they study it, can understand it and interpret it. [Applause on the Republican side.]

Mr. POU. I yield five minutes to the gentleman from Georgia [Mr. CRISP]. [Applause.]

Mr. CRISP. Mr. Speaker, I voted for the original Fordney bill, and I have no regret for doing so. [Applause.] Owing to the abnormal conditions in the world the farmers throughout the United States, in every section of it, were in despair and were facing bankruptcy. I thought the passage of this bill would act as an embargo—the bill on its face showing it was only for 10 months—which would give the farmers a chance for things to become stabilized so that they could realize something like the cost of production on their products that they were then selling and are now selling for hardly one-third of the cost of production. I believe the farmer is entitled to the same protection on his products that the manufactures are on theirs.

I can not, Mr. Speaker, vote for this rule to send this bill to conference without giving the House and the Committee on Ways and Means an opportunity to consider the various amendments that the Senate adopted to the bill. I have the honor to be a member of the Ways and Means Committee, and if this bill is referred to that committee, as the rules of the House provide, I will gladly meet with my colleagues to consider the amendments, and I will vote to report the bill out of the committee either with recommendations to agree or disagree to the Senate amendments, and thus give the House a chance to pass on the Senate amendments. The way the bill is proposed to be considered to-day is by the adoption of a rule by one vote of the House, to absolutely take away from the House the right to consider any of these amendments or to instruct the conferees of the House how they shall act on these various Senate amendments which add a great many new matters in the bill. All of the country is vitally interested in the bill, whether they be the farmers or the consumers, and I think orderly legislation requires that a bill of this magnitude should be considered by a committee of the House.

Now, if this rule is defeated, I apprehend that the Speaker will refer the bill to the Committee on Ways and Means. That committee can consider these amendments. Some of the amendments that were added to the bill in the Senate were rejected by the Ways and Means Committee when we prepared the original Fordney bill.

Mr. SNYDER. Will the gentleman yield? The gentleman heard a moment ago his colleague from Illinois [Mr. HENRY T. RAINEY] make the observation that the bill would not come back to the House if it went to the Ways and Means Committee.

Mr. CRISP. I did not hear him because I was not here. I can only speak for myself. I am not antagonistic to the bill based on the lines of the original Fordney bill as it passed the House as a temporary measure, and, as I said a moment ago, I will vote to report this bill back to the House from the Ways and Means Committee. I do not say I will vote favorably on all of these Senate amendments, but I will vote to get the bill back in the House and give the House a chance to consider each of the amendments.

Mr. SNYDER. Does the gentleman think that can be done in time for legislation on it?

Mr. CRISP. I do not see why it can not. I have said, Mr. Speaker, about all I desire to say. This is an important bill. I am sympathetic with the intent of it, but I do not believe a bill of this magnitude should be put through the House under whip and spur with two hours' debate and without a chance to offer any amendment. Therefore I feel constrained to vote against the adoption of this rule. [Applause.]

I yield back the balance of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, just a pertinent observation. Every person who has spoken against this rule, with the exception of the last speaker and with the exception of the gentleman from Massachusetts [Mr. TREADWAY], originally opposed the legislation and fought it to the finish up to December 22, when it came to a vote. The gentleman from Massachusetts, who voted for it, stated to-day that he voted for it thinking it would not become a law. So we can discount his position at that time. The proposition is here: If we want this legislation to become law, it had best be acted upon by the friends of the measure. And those who are friendly will note carefully the character of the opposition now. These persons who are now opposing it, as a rule, on technical matters, will be opposed to it when it comes from the conference and will vote against it.

Mr. RAKER. Will the gentleman yield for a question right there?

Mr. FESS. I can not yield in four minutes.

Another thing is pertinent. The gentleman from Massachusetts [Mr. LUCE] who spoke on behalf of the consuming public makes the record speak for free trade. That is the only argument that it is possible to make for the old-time, one-idea argument of free trade, and my friend knows it as well as I do.

[Applause on the Republican side.] I regret that this attitude is from east of the Hudson River on the part of few of our friends here. It is presenting the argument that Democratic free traders have always assaulted Republicans with, putting the argument on the basis that you are for a thing if it is in your behalf, but you are against it if it is not in your behalf. [Applause on the Republican side.] That is an unfortunate situation for us—as the Republican Party—to put ourselves in to-day, confessing that tariff is nothing but a local issue, when every man knows that the protective tariff is a national issue. [Applause on the Republican side.] And everybody should be for the proposition as a good policy, rather than of personal interest. My friend knows that that is the attitude in which he has placed himself.

Mr. LUCE. Mr. Speaker, will the gentleman yield? Protection is a national issue——

Mr. FESS. Absolutely.

Mr. LUCE. Because it is a national issue, I shall support it, as our country has understood it for a hundred years, when the essence of protection has been protection to industry.

Mr. FESS. I can not yield. My friend, if he is for protection, must vote for protection and not for free trade. [Applause on the Republican side.]

Mr. LUCE. I will vote for protection to industry as it has been understood for a hundred years.

Mr. FESS. I do not care how the gentleman talks. I want him to vote as he should vote if he is for protection, and not vote against protection, saying that it is not going to protect the section he is from.

Mr. LUCE. But this is not protection.

Mr. FESS. It is protection.

Mr. LUCE. It is not.

Mr. FESS. It is a protection policy, written on the basis that protection is a national issue and not a local issue. [Applause on the Republican side.]

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, the party which assumes power completely on the 4th of March is pledged to the policy of protection. So far as I am concerned, when the next Congress comes to frame tariff legislation I shall advocate equivalent protection on agricultural products as on manufactured products. [Applause on the Republican side.] I will never be found voting, for instance, for such a measure as the Canadian reciprocity bill. [Applause.]

I supported the emergency tariff bill as it left the House, recognizing that it might afford some relief to the agricultural interests, and I know that they need relief. I may continue to support the bill however it may be modified.

The reason why I shall not vote for this rule is that I believe that bill as variously amended in the Senate should receive proper and ordinary consideration by being referred to the Committee on Ways and Means for such quick investigation as that committee may find possible and expedient. The bill passed this House on the 23d of December. It then went to the Senate; it was not reported to the Senate until the 17th of January. The Senate always declines to act as a rubber stamp, and yet it seems that the House is commonly expected to act in that way. The Senate, for example, received the House antidumping bill and the bills affecting dyestuffs and certain minerals more than a year ago and has surely proceeded in a deliberate manner to deal with those bills. It has not yet passed them. We may never be able to be as deliberative as the Senate, but at least it strikes me that the House should not take anything that is sent from the other end of the Capitol and approve it forthwith as a matter of course and without real consideration, merely because it has been approved elsewhere.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. GREEN of Iowa. The gentleman surely does not call a rule disagreeing to the Senate amendments "passing the measure"?

Mr. MOORE of Virginia. Yes; but the gentleman knows perfectly well what is in his mind—that is, to proceed under this rule so as to O. K. the bill precisely as it came from the Senate. The gentleman will hardly deny that.

Mr. GREEN of Iowa. The gentleman has a rare faculty of reading my mind exactly to the contrary. [Laughter.]

Mr. MOORE of Virginia. I will ask the gentleman if he has any expectation that in conference there is going to be any careful consideration or material modification?

Mr. GREEN of Iowa. I expect very careful consideration, and I expect material amendment.

Mr. MOORE of Virginia. Do you really expect any material modification? Is not the whole purpose of this rule to put this bill through exactly as it comes here?

Mr. GREEN of Iowa. Not on my part, and I expect to be one of the conferees.

Mr. MOORE of Virginia. I make the prediction that if you take the action now contemplated—and I make it standing here as good a friend of the agricultural interests as represents a constituency in this House—we will in the end be brought to a vote on this bill precisely as it comes from the Senate, or without any material modification. [Applause.]

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. HICKS].

The SPEAKER. The gentleman from New York is recognized for two minutes.

Mr. HICKS. Mr. Speaker, in my district I have many farmers, but I have many more constituents who are interested in commerce, in finance, and in manufacturing. But, realizing that the prosperity of the agricultural element means prosperity to all, as a protectionist, representing a far eastern district, I propose to vote for this rule and for this bill. [Applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY].

The SPEAKER. The gentleman from Illinois is recognized for five minutes.

Mr. HENRY T. RAINEY. Mr. Speaker, in five minutes it would be impossible to give to the House any information about this bill. The bill originally was reported out of the Committee on Ways and Means of the House of Representatives with less than one-half page of information submitted by the proponents of this bill on the committee. It went to the Senate and comes back with a tax upon nearly every known foodstuff, except perhaps hickory nuts and wild blackberries, and with no information at all. The Senate report contains not one line of information, not one suggestion as to the necessity for any of the items in this bill. I do not wonder that advocates of high protection are falling out as to what a protective tariff is, and I hail as a sign of advance along economic lines the dispute, the bitter controversy, which has commenced to divide the Republican side of this House as to what a protective tariff is.

This bill does not help the farmer any. How can it help the farmer? Let me call attention to just one item in the bill—and I have time to discuss only one item—the item placing taxes upon wool, unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. What do you mean by that? Do you expect the farmer to get anything out of that? Here in the report submitted by the Committee on Ways and Means the statement is made that there is at the present time in storage 600,000,000 pounds of wool, and the statement is made that this does not include the spring clip at all, and the further statement is made that this is enough to supply all of the needs of all the wool manufacturers in the United States for one year's time.

Now, a few gentlemen in Boston—not necessarily manufacturers—have cornered 600,000,000 pounds of wool; and that is the statement the Republicans make, and they propose for 10 months to protect wool by putting on it these exorbitant, high tariffs, the highest tariffs on wool we have ever had. When the 10 months expire those people in Boston who have cornered a year's wool supply will still have left two months' wool supply, and they need not purchase a pound of the spring clip nor a pound of the summer clip, nor any that the wool farmers are holding in their wool pools.

Then, who benefits by this? The men who own the 600,000,000 pounds of wool; not the farmer. If it is scoured wool they are going to make $400,000,000 out of it. You hand them a subsidy of $400,000,000, and the farmers and the woolgrowers do not get a cent of it. If it is merely washed, you hand to these gentlemen who have cornered the year's supply a subsidy of $200,000,000. That is what you do by this bill. If it is in the grease you hand to those gentlemen a subsidy of $60,000,000. Is not that subsidy enough? Is not that protection run wild? When the manufacturers of woolen goods apply to these persons who have stored wool, do you think they are going to get it at the present price? Why, certainly not. They are going to get it with 45 per cent or 30 per cent or 15 per cent added, depending upon whether it is scoured or washed, or whether it is still in the grease, and that charge will be passed on to the consumers. It is a step in the direction of keeping up the cost of woolen clothing throughout the United States; and it does not help the

farmer, and he does not get a dollar of it; and it does not help the manufacturer.

Mr. SNYDER. Will the gentleman yield?

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HENRY T. RAINEY. I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Speaker, I object.

Mr. CAMPBELL of Kansas. I yield four minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, my recollection is that all tariff bills which have passed have been sent to conference on the Senate amendments by the House. I think the Senate amendments to a tariff bill have never been considered in Committee of the Whole House on the state of the Union in the House. This bill is in that parliamentary situation where those who are in favor of passing it, whether on one side of the House or the other, in my judgment, ought to vote for this rule. [Applause.] And those who are opposed to the passage of the bill ought to vote against the rule. If this rule is agreed to, the ordinary procedure in reference to tariff bills will be followed. If this rule is disagreed to, this bill will be referred to the Committee on Ways and Means, and I suppose at once reported back to the House with the recommendation either that the House agree or that it disagree to the Senate amendments, and then those Senate amendments will have to be considered in the House in Committee of the Whole House on the state of the Union. I apprehend that that might be done, but I also apprehend, if I can judge from past observation, that if it be done there will be no other business of any kind transacted by the House between now and the adjournment on the 4th of March, except the consideration of appropriation bills, conference reports, and Senate amendments on appropriation bills, and I am not at all certain that we would get through with them unless we should postpone the consideration of the tariff bill until all Senate amendments on appropriation bills had been disposed of. And under the new rule of the House, in my judgment, it is going to make the House hustle and work early and late to take care of the Senate amendments to appropriation bills which, if offered in the House, would have been subject to a point of order. I will say frankly to those who are opposed to this bill that if I had my way about it I would dispose of the appropriation bills before I disposed of the tariff bill, and, of course, if that were done it would succeed in defeating the tariff bill. So again I say that those who are in favor of the tariff bill ought to vote for the rule and those who are opposed to the tariff bill ought to vote against the rule. And I might add for the benefit of my colleagues from Massachusetts that if we propose to have divisions on the Republican side of the House after a tariff bill is reported by the Ways and Means Committee I apprehend those divisions will not end with this session of Congress. [Applause.]

Mr. CAMPBELL of Kansas. Will the gentleman from North Carolina use the remainder of his time?

Mr. POU. I yield five minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The SPEAKER. The gentleman from Pennsylvania [Mr. DEWALT] is recognized for five minutes. [Applause.]

Mr. DEWALT. Mr. Speaker, there was one argument made by the gentleman from North Dakota [Mr. YOUNG] which would be a very convincing argument to me why this rule should pass, and it is the only argument that appeals to me. He said if this rule did not pass there would be in the next Congress a Democratic Senate. That is a consummation devoutly to be wished. [Applause.] Because then we might have orderly processes of government, and instead of having a great bill or resolution of this kind presented within the last 10 days of the Congress we would have it presented in such time and in such manner as to give it careful consideration.

But what are we to do in this situation? We have here the rather remarkable fact that the doctors disagree. Dr. FESS is determined that this rule shall pass; and giving the other gentlemen the medical appellation, Dr. TREADWAY is entirely of a different opinion. Dr. LUCE agrees with Dr. TREADWAY. Dr. PAIGE, from Massachusetts, is of the same opinion, and Dr. DEMPSEY, from New York, desires to treat the patient in a different way. Now, when these great physicians, upon this great bill or resolution, differ in regard to the treatment of the patient, what becomes of the patient? Why, possibly the proper remedy would be to give him some treatment not suggested by either one of these doctors, and wait until a tariff bill is presented in the next Congress in a formal and definite way. [Laughter.] Now, coming down to the real pith of this matter, what is proposed here to be done? The bill as returned to us by the Senate contains 11 new paragraphs—not only amendments, but 11 new and distinct paragraphs—and not one of those paragraphs has been considered by the Ways and Means Committee of the House so far as we have definite information. At least it is safe to say that not one of them has been considered by the House itself.

By this process the House will have no opportunity of considering them, because if this rule is adopted the bill will go to the conference committee without the privilege of the House itself offering any amendments thereto. Is that in the direction of orderly government and legislation?

Now, what more? The bill contains an amendment providing that the tariff on wheat shall be raised from 30 cents to 40 cents. I heard a gentleman present the argument awhile ago that the producers would be benefited. Well, the producers of grain stuffs no doubt would be. The producers of cherries would be, because cherries are included in the bill. The producers of butter and cheese and milk and tobacco and sugar and apples would be benefited. But how about the consumers of butter and cheese and milk and apples and sugar and tobacco? Will they be benefited? After all, ultimately the matter comes down to the price that is to be paid by the consumer. Therefore I must consistently oppose the adoption of this rule. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. POU] I yield five minutes to the gentleman from Arkansas [Mr. OLDFIELD].

Mr. OLDFIELD. Mr. Speaker and gentlemen of the House, I am opposed to this rule. I was opposed to the bill as it passed the House, and I am more strongly opposed to the bill as it has passed the Senate. I do not think the remedy is a prohibitory tariff on imports. That is not the trouble in this country to-day. That is not the trouble with the farmers of the country. That is not the trouble with the manufacturers of this country. Most manufacturers are unable to sell their products because the consumers are unable to buy. The farmers of this country are unable to sell what they produce on the farms because the consumers of their products are unable to buy.

What we need is international trade at this moment. What we need in every line of industry is a market for things we produce in this country. And yet, my friends, they place a prohibitory tariff on wheat and flour in this bill. Why? Not to help the wheat growers generally, but to help a strip of wheat growers along the Canadian border when, as a matter of fact, we sell twice as much corn to Canada as Canada sells wheat to America. In other words, my friends, the Canadian people are our best customers, the best we have on this earth except Great Britain, and why discriminate against her when we get a great deal more trade out of her than she gets out of us. We ship several times as much product in value to Canada as they ship to this country.

Now, take sugar, as proposed in this bill.

Mr. SNYDER. Will the gentleman yield?

Mr. OLDFIELD. I will.

Mr. SNYDER. The gentleman suggests that we sell more to Canada than we buy. Does not the gentleman know that when we sell too many goods to a country we do not make a profit?

Mr. OLDFIELD. Does the gentleman want to cut off our trade with Canada?

Mr. SNYDER. No; but a large part of our goods are sold to Canada without profit.

Mr. OLDFIELD. This bill is before the country to-day for the purpose of fooling the American farmer, and you gentlemen know it. [Applause on the Democratic side.] You gentlemen want to pass this bill, but you do not want it to become a law. The majority of the Senators in the other end of the Capitol do not want the bill to become a law.

Now, I want to take a moment on this sugar proposition. The bill increases the tariff on sugar, and it is admitted by the sugar producers of this country that every cent of the tariff on sugar comes directly out of the pockets of the consumers of the country. In other words, this bill increases the duty on sugar to $2.36 per hundred pounds. We consume in this country 9,000,000,000 pounds of sugar per year; hence more than $200,000,000 are collected from the people of this country, and only one-half of that goes into the Treasury of the United States. Now, you gentlemen who vote for this bill vote to take out of the pockets of the American people, the consumers, $100,000,000 and place it in the pockets of the sugar producers. I asked a gentleman from Louisiana how much they had invested in the sugar business, and he said $200,000,000.

It would be better for the American people to appropriate $200,000,000 and buy that property and give it back to them rather than to burden the people of this country with this tariff on sugar. [Applause.]

Mr. GARRETT. Mr. Speaker, on behalf of the gentleman from North Carolina I yield four minutes to the gentleman from Illinois, Mr. SABATH.

Mr. SABATH. Mr. Speaker and gentlemen of the House, I fully agree with the gentleman who preceded me, as well as my colleague from Illinois, Mr. HENRY T. RAINEY, that this bill can not in any way aid or assist the American farmer. If it will aid anyone at all, it will be the hoarder and the speculator. I am of the opinion, Mr. Speaker and gentlemen, that notwithstanding the statements made in regard to the American farmer, that he is better off and in a better position to-day than he has ever been before in the history of our Nation. Oh, he might have been hard up for cash at times, and why? Because he has refused to sell his products. Because he has invested tremendously large sums of money in buying additional acreage that formerly was valued at $100 per acre and has paid two, three, yes, as high as four hundred dollars per acre. In addition to that, he has invested large sums of money in automobiles and machinery, and, above that, due to the fact that he has speculated and invested large sums of money in various kinds of banking and corporation stocks. It is for these reasons that he is needing some financial aid and assistance, and not because he has not received a fair compensation for the things which he has grown.

As to the lull in business, the gentleman should know it is due to the fact that people have refused to buy at the unjustifiably high prices and are waiting until they can buy at reasonable prices. The gentleman from New York is very much alarmed about the unemployment, and he wants to know what will become of the unemployed if the farmers will not buy. I desire to call the gentleman's attention to the fact that the unemployment that exists to-day is due to a large extent—I am not going to say conspiracy, but to an understanding entered into on the part of certain industries because they desire to beat down the wages of the American laborer. They started to close up their shops and factories for two weeks, sometimes for three and four weeks, for the purpose of being able to hire these men back at 25, 33, and 50 per cent lower wages. That is responsible for the unemployment which exists to-day. I am satisfied that within a short space of time we will have very little unemployment in the United States.

Mr. SNYDER. Will the gentleman yield?

Mr. SABATH. I will.

Mr. SNYDER. I challenge the gentleman to name one single instance where that has occurred, and, besides that, he knows that that is the argument of every demagogue in the country, and there is not a word of truth in it.

Mr. SABATH. I say to the gentleman he is mistaken. The gentleman should not make that statement.

Mr. SNYDER. I do not mean it personally, but the gentleman can not name a single case.

Mr. SABATH. There are hundreds of cases.

Mr. SNYDER. Point out one.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, there is nothing extraordinary about this rule. The purpose is to enable the House to expedite the passage of the bill that has already passed the House and the Senate before the close of the session. When gentlemen returned from their homes in December they brought with them the vivid recollection of what had been told them by the farmers throughout the country.

With a unanimity of purpose and action the bill was passed through the House to relieve a serious condition throughout the country that everybody knows exists. The condition of the farmer has not changed for the better since December. The hour approaches when the farmer must scour his plow and put it in the field and put in his crop and raise food for the country, or decide whether or not he will scour his plow and put in a crop and feed the people of Massachusetts. It is all important that this bill shall pass at the very earliest date—important to the idle people in Massachusetts. If they have difficulty in getting food to-day, they will have greater difficulty in getting food in a year from now. If the farmers of this country are to be confronted in the future with the competition that they are meeting to-day in their markets, they will not put in crops to be sold in competition with the products that are imported to-day. That will reduce the production of agricultural products in this country, and that will raise the price to the consumer and reduce at the same time the ability of the farmers of the country to purchase the products of Massachusetts. Massachusetts has prospered heretofore by selling her products to the farmers of Kansas and of the West. The farmers of Kansas and of the country have prospered by selling the products of their industry to the manufacturers and the mill operatives in Massachusetts and elsewhere in the country. Under a policy that gave the industries of Massachusetts protection the farmers got incidental protection by getting a good market for their products, but that day has passed. They must now have direct protection for the products of the farm.

Mr. RUBEY. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I can not yield.

Mr. RUBEY. We would like to have a rule for the packers' bill.

Mr. CAMPBELL of Kansas. Mr. Speaker, the gentleman from Missouri [Mr. RUBEY] has been here for eight years without wasting the time of the House or his own in demanding action upon the matter that seems to press so heavily on his mind during the last three or four days.

Mr. RUBEY. We have been praying to get you to bring us in a rule for two or three weeks.

Mr. CAMPBELL of Kansas. The gentleman's party had control of the House for eight years and did nothing about the matter.

Mr. RUBEY. We did not need any such thing until you fellows got in. [Laughter.]

Mr. CAMPBELL of Kansas. The farmers have been the best customers that Massachusetts has had. One farmer in America is worth four consumers elsewhere to every American industry, and what is true of the farmer as a consumer is likewise true of the manufacturers and their employees as consumers of farm products in this country. They are the best consumers of American products, and I refuse here to take the narrow doctrine of Massachusetts to-day for the doctrine of the consumer in this country, in Massachusetts, or in Kansas. Massachusetts must know that this country extends westward beyond Buffalo. If she does not know it, she will find it out.

This bill relates to agricultural products. It is important, I repeat, to farmers of the country to know this spring, now, whether or not they should put in a big crop. The farmers of Oklahoma are scouring their plows and the farmers of the country are ready and watching to see what their Representatives in Congress are going to do with this bill. A vote against sending this bill to conference to-day is a vote to defeat the bill. Do not attempt to deceive the farmers in Texas or in Oklahoma or in any other State of this Union.

Mr. HUDSPETH and Mr. HASTINGS rose.

Mr. CAMPBELL of Kansas. I can not yield. The farmers will not be deceived by a vote on this rule to-day. They can not be fooled by any such pretext as that. This is a special rule. They know, or will know, that a vote to defeat this rule means a vote to kill this bill. This bill follows the same path that other tariff bills have followed throughout our country's history.

Mr. YOUNG of Texas. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I can not yield.

Mr. YOUNG of Texas. I just wanted to ask the gentleman why they do not relieve the farmers by passing the packer bill?

Mr. CAMPBELL of Kansas. If the gentleman from Texas [Mr. YOUNG] is nearly as much interested in the cattlemen as he pretends to be in these closing hours of his service here, he will vote for this rule and for this bill.

Mr. YOUNG of Texas. Not on your life.

Mr. CAMPBELL of Kansas. Then he is not interested in the cattlemen.

Mr. YOUNG of Texas. Because it does not help them.

Mr. CAMPBELL of Kansas. He is not interested in the farmer, he is not interested in the agricultural producers of this country, because this bill relates wholly to agricultural interests. There is not an item in it except in their behalf; there is not an item in this bill except in the interest of the farmer, and to give compensatory duties to the users of farm products, in cotton and wool.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield to the gentleman from Oklahoma for a question.

Mr. HASTINGS. Will the gentleman be practical enough to tell the House how this will help a single cotton grower in Oklahoma or in Texas?

Mr. CAMPBELL of Kansas. It gives a compensatory duty upon every pound of cotton grown and used in our industries.

Mr. HASTINGS. But——

Mr. CAMPBELL of Kansas. I am not going to argue with the gentleman. I have answered his question.

Mr. HASTINGS. But the gentleman knows——

Mr. CAMPBELL of Kansas. I do not yield.

Mr. HASTINGS. The gentleman knows——

Mr. CAMPBELL of Kansas. No; I do not yield. Democratic Senators asked for that provision in the bill, and I assume that they were not attempting to fool their constituents.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question, not for an argument.

Mr. SABATH. Can the gentleman inform me whether the Tariff Commission has been asked for a report upon this bill?

Mr. CAMPBELL of Kansas. I do not know whether they have or not. There is not a Member in the House who does not know the necessity for the passage of this bill without consulting the Tariff Commission.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. HUDSPETH. Should we not vote for the rule, in view of the statement by the gentleman from Illinois [Mr. HENRY T. RAINEY] that it would not help the wool men, that wool is all in the hands of the purchaser, in view of the sworn statement before his committee that 60,000,000 pounds of wool from Texas is in the hands of the producer, stored in Boston?

Mr. CAMPBELL of Kansas. This will prevent flooding of the markets with wool?

Mr. HUDSPETH. Certainly.

Mr. CAMPBELL of Kansas. And with other farm products.

Mr. HUDSPETH. I am agreeing with the gentleman. I say, in view of the sworn statement that there are 60,000,000 pounds of wool in Boston to-day owned by 6,000 ranchmen, who are unable to sell it.

Mr. CAMPBELL of Kansas. It will prevent a further glutting of the markets of this country with the products of foreign farm labor if we pass this bill. [Applause.] The way to restore employment to the 4,000,000 men the gentleman from Massachusetts [Mr. LUCE] says to-day are out of employment is to make the farmers of the country so prosperous as to enable them to again become purchasers of the products of every industry in the land.

The way to make this country prosper again and give employment to every idle laborer in it is to protect the product of every industry in this country against competition with labor that gets a less wage elsewhere in the world. That is what this bill proposes to do so far as the farmer is concerned, and we shall take care of Massachusetts and her industries in due time after the farmers have gotten in their crops in sufficient quantities to feed the people of this country for the next year. [Applause.] Mr. Speaker, I move the previous question on the resolution.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 203, nays 114, not voting 111, as follows:

YEAS—203.

Ackerman	Echols	Jones, Pa.	Moore, Ohio
Anderson	Elliott	Jones, Tex.	Moores, Ind.
Andrews, Nebr.	Elston	Juul	Mott
Anthony	Esch	Kearns	Murphy
Ashbrook	Evans, Mont.	Kelley, Mich.	Nelson, Wis.
Aswell	Evans, Nebr.	Kelly, Pa.	O'Connor
Barbour	Fairfield	Kendall	Ogden
Bee	Fess	Kettner	Olney
Begg	Focht	Kiess	Osborne
Benham	Foster	King	Paige
Bland, Ind.	Frear	Kinkaid	Parker
Blanton	Freeman	Knutson	Parrish
Boies	French	Kraus	Peters
Bowers	Fuller	Kreider	Porter
Britten	Gandy	Lampert	Purnell
Brooks, Ill.	Glynn	Langley	Radcliffe
Brooks, Pa.	Goodall	Lankford	Raker
Browne	Goodykoontz	Lazaro	Ramseyer
Burroughs	Graham, Ill.	Lea, Calif.	Randall, Wis.
Butler	Green, Iowa	Lehlbach	Reber
Campbell, Kans.	Greene, Mass.	Little	Reed, N. Y.
Campbell, Pa.	Greene, Vt.	Longworth	Reed, W. Va.
Cannon	Griest	Luce	Rhodes
Chindblom	Hadley	Lufkin	Ricketts
Christopherson	Hamilton	Luhring	Riddick
Cole	Hardy, Colo.	McArthur	Robsion, Ky.
Cooper	Haugen	McFadden	Rogers
Crago	Hawley	McKenzie	Rose
Cramton	Hays	McKinley	Rowe
Crowther	Hernandez	McLaughlin, Mich.	Rubey
Currie, Mich.	Hersey	McLaughlin, Nebr.	Sanders, Ind.
Curry, Calif.	Hickey	MacGregor	Sanders, N. Y.
Dale	Hicks	Madden	Schall
Dallinger	Hoch	Magee	Scott
Darrow	Hudspeth	Mann, Ill.	Sells
Davis, Minn.	Hulings	Mansfield	Shreve
Dempsey	Hull, Iowa	Mapes	Sinclair
Dickinson, Iowa	Husted	Martin	Sinnott
Dowell	Hutchinson	Mason	Slemp
Dunbar	Ireland	Michener	Smith, Idaho
Dunn	Jefferis	Miller	Smith, Mich.
Dupré	Johnson, S. Dak.	Monahan, Wis.	Snell
Dyer	Johnson, Wash.	Mondell	Snyder
Steenerson	Taylor, Colo.	Treadway	White, Kans.
Stephens, Ohio	Taylor, Tenn.	Vaile	White, Me.
Stiness	Thompson	Voigt	Wilson, Pa.
Strong, Kans.	Tilson	Volstead	Winslow
Summers, Wash.	Timberlake	Walsh	Yates
Sweet	Tincher	Walters	Young, N. Dak.
Swindall	Tinkham	Ward	Zihlman
Swope	Towner	Webster	

NAYS—114.

Almon	Drane	Lee, Ga.	Rouse
Ayres	Drewry	Lesher	Rucker
Babka	Eagan	Linthicum	Sabath
Bankhead	Ferris	McAndrews	Sanders, La.
Barkley	Fields	McClintic	Sims
Bell	Fisher	McDuffie	Small
Black	Flood	McKeown	Smithwick
Bland, Va.	Gallagher	Major	Steagall
Bowling	Gallivan	Mays	Stedman
Box	Gard	Milligan	Stephens, Miss.
Brand	Garrett	Minahan, N. J.	Stevenson
Briggs	Griffin	Montague	Sumners, Tex.
Byrnes, S. C.	Hardy, Tex.	Moore, Va.	Tague
Byrns, Tenn.	Harrison	Nelson, Mo.	Taylor, Ark.
Caldwell	Hastings	Newton, Minn.	Tillman
Cantrill	Hayden	O'Connell	Upshaw
Caraway	Hoey	Oldfield	Venable
Carew	Howard	Oliver	Watkins
Carss	Huddleston	Overstreet	Weaver
Carter	Hull, Tenn.	Padgett	Welling
Cleary	Humphreys	Park	Welty
Collier	Igoe	Pell	Whaley
Connally	James, Va.	Phelan	Wilson, La.
Crisp	Johnson, Ky.	Pou	Wingo
Cullen	Johnson, Miss.	Quin	Woods, Va.
Davis, Tenn.	Keller	Rainey, Henry T.	Wright
Dent	Kincheloe	Rayburn	Young, Tex.
Dewalt	Lanham	Robinson, N. C.	
Dominick	Larsen	Romjue	

NOT VOTING—111.

Andrews, Md.	Emerson	McCulloch	Rowan
Bacharach	Evans, Nev.	McGlennon	Sanford
Baer	Fish	McKiniry	Scully
Benson	Fordney	McLane	Sears
Bland, Mo.	Ganly	McLeod	Sherwood
Brinson	Garner	McPherson	Siegel
Brumbaugh	Godwin, N. C.	Maher	Sisson
Buchanan	Goldfogle	Mann, S. C.	Smith, Ill.
Burdick	Good	Mead	Smith, N. Y.
Burke	Goodwin, Ark.	Merritt	Steele
Candler	Gould	Moon	Stoll
Casey	Graham, Pa.	Mooney	Strong, Pa.
Clark, Fla.	Hamill	Morin	Sullivan
Clark, Mo.	Harreld	Mudd	Temple
Classon	Hersman	Neely	Thomas
Coady	Hill	Newton, Mo.	Vare
Copley	Holland	Nicholls	Vestal
Costello	Houghton	Nolan	Vinson
Davey	Jacoway	Patterson	Volk
Denison	James, Mich.	Perlman	Wason
Dickinson, Mo.	Johnston, N. Y.	Rainey, Ala.	Watson
Donovan	Kahn	Rainey, John W.	Wheeler
Dooling	Kennedy, Iowa	Ramsey	Williams
Doremus	Kennedy, R. I.	Randall, Calif.	Wilson, Ill.
Doughton	Kitchin	Ransley	Wise
Eagle	Kleczka	Reavis	Wood, Ind.
Edmonds	Layton	Riordan	Woodyard
Ellsworth	Lonergan	Rodenberg	

So the previous question was ordered.

The Clerk announced the following pairs:

On the vote:

Mr. REAVIS (for) with Mr. STEELE (against).

Mr. WILLIAMS (for) with Mr. RIORDAN (against).

Mr. VARE (for) with Mr. PERLMAN (against).

Until further notice:

Mr. WHEELER with Mr. KITCHIN.

Mr. BACHARACH with Mr. DAVEY.

Mr. EDMONDS with Mr. CASEY.

Mr. HARRELD with Mr. GODWIN of Arkansas.

Mr. LAYTON with Mr. DICKINSON of Missouri.

Mr. SIEGEL with Mr. RANDALL of California.

Mr. WILSON of Illinois with Mr. SEARS.

Mr. MUDD with Mr. CLARK of Florida.

Mr. GRAHAM of Pennsylvania with Mr. MOON.

Mr. EMERSON with Mr. DOREMUS.

Mr. KENNEDY of Iowa with Mr. GODWIN of North Carolina.

Mr. WOOD of Indiana with Mr. BUCHANAN.

Mr. VOLK with Mr. THOMAS.

Mr. SMITH of Illinois with Mr. JOHN W. RAINEY.

Mr. FORDNEY with Mr. GARNER.

Mr. MCCULLOCH with Mr. JACOWAY.

Mr. PATTERSON with Mr. HOLLAND.

Mr. COPLEY with Mr. NEELY.

Mr. COSTELLO with Mr. BLAND of Missouri.

Mr. ANDREWS of Maryland with Mr. SULLIVAN.

Mr. WOODYARD with Mr. VINSON.

Mr. SANFORD with Mr. WISE.

Mr. BAER with Mr. GANLY.

Mr. JAMES of Michigan with Mr. CANDLER.

Mr. NEWTON of Missouri with Mr. CLARK of Missouri.

Mr. RAMSEY with Mr. NICHOLLS.

Mr. WATSON with Mr. SISSON.

Mr. TEMPLE with Mr. SHERWOOD.
Mr. KLECZKA with Mr. HAMILL.
Mr. GOULD with Mr. BENSON.
Mr. BURDICK with Mr. MCKINIRY.
Mr. MCLEOD with Mr. COADY.
Mr. CLASSON with Mr. MAHER.
Mr. RODENBERG with Mr. HERSMAN.
Mr. BURKE with Mr. SMITH of New York.
Mr. WASON with Mr. DOUGHTON.
Mr. DENISON with Mr. BRUMBAUGH.
Mr. FISH with Mr. MANN of South Carolina.
Mr. VESTAL with Mr. MEAD.
Mr. MERRITT with Mr. JOHNSTON of New York.
Mr. MCPHERSON with Mr. BRINSON.
Mr. ELLSWORTH with Mr. GOLDFOGLE.
Mr. KENNEDY of Rhode Island with Mr. ROWAN.
Mr. GOOD with Mr. EVANS of Nevada.
Mr. HOUGHTON with Mr. DOOLING.
Mr. KAHN with Mr. MCGLENNON.
Mr. MORIN with Mr. LONERGAN.
Mr. NOLAN with Mr. RAINEY of Alabama.
Mr. STRONG of Pennsylvania with Mr. STOLL.
Mr. RANSLEY with Mr. MOONEY.
Mr. HILL with Mr. DONOVAN.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GREEN of Iowa. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 133, answered "present" 2, not voting 103, as follows:

YEAS—190.

Ackerman	Focht	Langley	Robsion, Ky.
Anderson	Foster	Lankford	Rodenberg
Andrews, Md.	Frear	Lazaro	Rose
Ashbrook	French	Lea, Calif.	Rubey
Aswell	Fuller	Lehlbach	Sanders, Ind.
Barbour	Gandy	Little	Sanders, N. Y.
Bee	Good	Longworth	Schall
Begg	Goodall	Luhring	Scott
Benham	Goodykoontz	McArthur	Sells
Bland, Ind.	Graham, Ill.	McFadden	Shreve
Blanton	Green, Iowa	McKenzie	Sinclair
Boies	Greene, Mass.	McKinley	Sinnott
Bowers	Griest	McLaughlin, Mich.	Slemp
Briggs	Hadley	McLaughlin, Nebr.	Smith, Idaho
Britten	Hamilton	McPherson	Smith, Mich.
Brooks, Ill.	Hardy, Colo.	MacGregor	Smithwick
Brooks, Pa.	Haugen	Madden	Snell
Browne	Hawley	Magee	Snyder
Butler	Hayden	Mann, Ill.	Steenerson
Campbell, Kans.	Hays	Mansfield	Stephens, Ohio
Campbell, Pa.	Hernandez	Mapes	Stiness
Chindblom	Hersey	Martin	Strong, Kans.
Christopherson	Hickey	Mason	Summers, Wash.
Cole	Hicks	Michener	Sweet
Cooper	Hoch	Miller	Swindall
Crago	Hudspeth	Monahan, Wis.	Swope
Cramton	Hulings	Mondell	Taylor, Colo.
Crowther	Hull, Iowa	Moore, Ohio	Taylor, Tenn.
Currie, Mich.	Hutchinson	Mott	Thompson
Curry, Calif.	Ireland	Murphy	Timberlake
Darrow	Jefferis	Nelson, Wis.	Tincher
Davis, Minn.	Johnson, S. Dak.	O'Connor	Towner
Dempsey	Johnson, Wash.	Ogden	Vaile
Denison	Jones, Pa.	Osborne	Voigt
Dickinson, Iowa	Jones, Tex.	Park	Volstead
Dowell	Juul	Parker	Walters
Dunbar	Kearns	Parrish	Ward
Dunn	Kelley, Mich.	Porter	Webster
Dupré	Kelly, Pa.	Purnell	White, Kans.
Dyer	Kendall	Radcliffe	White, Me.
Echols	Kettner	Raker	Williams
Elliott	Kiess	Ramseyer	Wilson, Ill.
Elston	King	Randall, Wis.	Wilson, Pa.
Esch	Kinkaid	Reed, N. Y.	Winslow
Evans, Mont.	Knutson	Reed, W. Va.	Young, N. Dak.
Evans, Nebr.	Kraus	Rhodes	Zihlman
Fairfield	Kreider	Ricketts	
Fess	Lampert	Riddick	

NAYS—133.

Almon	Carew	Flood	James, Va.
Ayres	Carss	Freeman	Johnson, Ky.
Babka	Carter	Gallagher	Johnson, Miss.
Bankhead	Cleary	Gallivan	Keller
Barkley	Collier	Gard	Kincheloe
Bell	Connally	Garrett	Lanham
Black	Crisp	Glynn	Larsen
Bland, Va.	Cullen	Greene, Vt.	Lee, Ga.
Bowling	Dallinger	Griffin	Lesher
Box	Davis, Tenn.	Hardy, Tex.	Linthicum
Brand	Dent	Harrison	Luce
Brinson	Dewalt	Hastings	Lufkin
Buchanan	Dominick	Hoey	McAndrews
Burroughs	Drane	Howard	McClintic
Byrnes, S. C.	Drewry	Huddleston	McDuffie
Byrns, Tenn.	Eagan	Hull, Tenn.	McKeown
Caldwell	Ferris	Humphreys	Major
Cantrill	Fields	Husted	Mays
Caraway	Fisher	Igoe	Milligan
Minahan, N. J.	Peters	Sims	Walsh
Montague	Phelan	Small	Watkins
Moore, Va.	Pou	Steagall	Weaver
Moores, Ind.	Quin	Stedman	Welling
Nelson, Mo.	Rainey, Henry T.	Stephens, Miss.	Welty
Newton, Minn.	Rayburn	Stevenson	Whaley
Nicholls	Robinson, N. C.	Tague	Wilson, La.
O'Connell	Rogers	Taylor, Ark.	Wingo
Oldfield	Romjue	Tillman	Woods, Va.
Oliver	Rouse	Tilson	Wright
Olney	Rowe	Tinkham	Yates
Overstreet	Rucker	Treadway	Young, Tex.
Padgett	Sabath	Upshaw	
Paige	Sanders, La.	Venable	
Pell	Sherwood	Vinson	

ANSWERED "PRESENT"—2.

Reavis	Reber

NOT VOTING—103.

Andrews, Nebr.	Edmonds	Kleczka	Riordan
Anthony	Ellsworth	Layton	Rowan
Bacharach	Emerson	Lonergan	Sanford
Baer	Evans, Nev.	McCulloch	Scully
Benson	Fish	McGlennon	Sears
Bland, Mo.	Fordney	McKinley	Siegel
Brumbaugh	Ganly	McLane	Sisson
Burdick	Garner	McLeod	Smith, Ill.
Burke	Godwin, N. C.	Maher	Smith, N. Y.
Candler	Goldfogle	Mann, S. C.	Steele
Cannon	Goodwin, Ark.	Mead	Stoll
Casey	Gould	Merritt	Strong, Pa.
Clark, Fla.	Graham, Pa.	Moon	Sullivan
Clark, Mo.	Hamill	Mooney	Sumners, Tex.
Classon	Harreld	Morin	Temple
Coady	Hersman	Mudd	Thomas
Copley	Hill	Neely	Vare
Costello	Holland	Newton, Mo.	Vestal
Dale	Houghton	Nolan	Volk
Davey	Jacoway	Patterson	Wason
Dickinson, Mo.	James, Mich.	Perlman	Watson
Donovan	Johnston, N. Y.	Rainey, Ala.	Wheeler
Dooling	Kahn	Rainey, John W.	Wise
Doremus	Kennedy, Iowa	Ramsey	Wood, Ind.
Doughton	Kennedy, R. I.	Randall, Calif.	Woodyard
Eagle	Kitchin	Ransley	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. CANNON (for) with Mr. SUMNERS of Texas (against).
Mr. REAVIS (for) with Mr. STEELE (against).
Mr. VARE (for) with Mr. PERLMAN (against).

Until further notice:

Mr. ANTHONY with Mr. RIORDAN.
Mr. DALE with Mr. BRUMBAUGH.
Mr. RAMSEY with Mr. SCULLY.
Mr. WOOD of Indiana with Mr. SEARS.
Mr. TEMPLE with Mr. HERSMAN.
Mr. WOODYARD with Mr. EAGLE.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LEHLBACH) announced the following conferees: Mr. FORDNEY, Mr. GREEN of Iowa, Mr. LONGWORTH, Mr. HENRY T. RAINEY, and Mr. HULL of Tennessee.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. ROGERS. Mr. Speaker, I ask to take from the Speaker's table the Diplomatic and Consular appropriation bill, H. R. 15872, disagree to all the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the Diplomatic and Consular appropriation bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

Mr. BARKLEY. Reserving the right to object, there was an amendment added on by the Senate reappropriating an unexpended balance of an appropriation carried for the purpose of paying the expenses of American delegates to some sort of an alcoholic conference. Will the gentleman agree, before that is eliminated, to give the House leave to vote on it?

Mr. ROGERS. That is a legislative matter, so, of course, it can not be agreed to by the House conferees without a separate vote of the House.

Mr. BARKLEY. I think that is true; but what I am seeking is that before it is eliminated by the conferees we may also have a separate vote upon it.

Mr. ROGERS. I will say to the gentleman very frankly that I would prefer that he would not insist upon that, although my present inclination is to accede to what I understand to be his desire. This particular item was not carried in the estimates. There was no request for it made of the House or of the Committee on Appropriations of the House.

Mr. BARKLEY. I will say to the gentleman that it is not a new appropriation. It is simply a reappropriation of an unexpended balance of $150,000 that was appropriated some years ago for that purpose.

Mr. ROGERS. It carries a charge upon the Treasury, in that the Treasury would not expend that money if it were not reappropriated.

Mr. BARKLEY. I will say to the gentleman that this is the amount of money that was saved on account of the extreme economy of the American delegates in the last conference.

Mr. ROGERS. I am glad to hear that; but I hope the gentleman will not ask me to commit myself, although my disposition is to give the House an opportunity to vote upon this amendment.

Mr. CRAMTON. Mr. Speaker, if the gentleman will yield——

Mr. ROGERS. I yield.

Mr. CRAMTON. Reserving the right to object, all that the gentleman from Kentucky [Mr. BARKLEY] asks—and I am glad to join with him in that request—is that it being, as I understand, an appropriation without authorization, if it is brought back to the House a vote of the House is necessary, and the conferees can not agree to it without authorization by the House. But we desire to guard against the possibility of its being disagreed to and eliminated without a chance to vote on it in the House. All I ask is that the gentleman bring it to the House.

Mr. ROGERS. That is my disposition, and I am not seeking to evade the request; but I would prefer, if the House is willing, that I should not be absolutely obligated to do it, come what might.

Mr. CRAMTON. Some of us feel very much interested in that, I will say to the gentleman, and I feel very reluctant——

Mr. ROGERS. I hope the gentleman will not object. I have been entirely candid with him in what I say, and I think that ought to suffice for the gentleman.

Mr. CRAMTON. I will accept the gentleman's statement.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. If there is no objection, the Chair will appoint the conferees. The Chair appoints as conferees on the part of the House Mr. ROGERS, Mr. ELSTON, and Mr. SMALL.

INDIAN APPROPRIATION BILL—CONFERENCE REPORT.

Mr. ELSTON. Mr. Speaker, I call up the conference report on the Indian appropriation bill.

The SPEAKER pro tempore. The gentleman from California calls up the conference report on the Indian appropriation bill. The Clerk will report it.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 9, 11, 19, 28, 33, 39, 50, 56, 57, 66, 67, 71, 75, 78, 79, 88, 90, 91, 99, 107, 110, 111, 113, 114, 118, 119, 120, 121, 122, 123, 124, and 126.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 12, 15, 16, 29, 30, 35, 41, 47, 52, 54, 55, 63, 68, 69, 70, 72, 73, 74, 80, 84, 85, 86, 98, 100, 105, 115, 116, 117, 125, 127, and 128, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$375,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$13,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$65,000, of which sum $15,000 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$273,000"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$380,000"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,222,004"; and the Senate agree to the same.

The committee of conference have not agreed upon the amendments of the Senate numbered 3, 4, 5, 6, 13, 14, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 36, 37, 40, 42, 43, 44, 45, 46, 48, 49, 53, 58, 59, 60, 61, 62, 64, 65, 76, 77, 81, 82, 83, 87, 89, 92, 93, 94, 95, 101, 102, 103, 104, 106, 108, 109, 129, and 130.

J. A. ELSTON,
S. WALLACE DEMPSEY,
W. W. HASTINGS,
Managers on the part of the House.
CHARLES CURTIS,
A. J. GRONNA,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Strikes out the language, inserted by the Senate, making the appropriation for surveying and allotting Indian reservations available for expenses heretofore incurred during 1921.

On No. 2, relating to irrigation on Indian reservations: Makes a typographical correction in the heading of the paragraph.

On No. 7: Appropriates $35,000, instead of $20,000, as proposed by the House, and $50,000, as proposed by the Senate, for the suppression of traffic in intoxicating liquors among Indians.

On Nos. 8 to 11, inclusive, relating to the relief of distress and medical care and treatment of Indians: Appropriates $375,000, instead of $350,000, as proposed by the House, and $415,000, as proposed by the Senate; strikes out the authorization of $10,000 proposed by the Senate for removing the Blackfeet Hospital to the Blackfeet Agency; authorizes the use of $13,000, instead of $10,000, as proposed by the House, and $15,000, as proposed by the Senate, for the Pima Hospital, Ariz.; strikes out the authorization, inserted by the Senate, for the use of $50,000 for medical and health work among the restricted Indians in the Five Civilized Tribes.

On No. 12: Inserts the increase of $100,000 proposed by the Senate in the appropriation for the support of Indian day and industrial schools.

On No. 15: Reduces from $7,500 to $7,000, as proposed by the Senate, the appropriation for telegraphing and telephoning.

On No. 16: Reduces from $800 to $600, as proposed by the Senate, the appropriation for court expenses in connection with suits involving the title to allotted lands.

On No. 19: Relating to general expenses of the Indian Service: Provides that $7,500 of the appropriation "shall" be used for continuing the work of the Competency Commission to the Five Civilized Tribes, as proposed by the House, instead of "may be" used for that purpose, as proposed by the Senate.

On No. 28: Strikes out the increase of $15,000, proposed by the Senate, in the appropriation for the development of the water supply for the Navajo and Hopi Indians in Arizona and New Mexico.

On Nos. 29 and 30, relating to the expenditure of tribal funds of Indians of the Fort Apache Reservation: Reduces the authori-

zation from $8,500 to $8,000 and makes that sum immediately available, as proposed by the Senate, for school and agency buildings and irrigation purposes.

On No. 33: Strikes out the appropriation, inserted by the Senate, for the purchase of water rights for the irrigation of 631 Salt River allotments of 10 acres each.

On No. 35: Appropriates $5,000, as proposed by the Senate, for the completion of the approaches to the bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Agency, Ariz.

On No. 38: Appropriates $7,000, instead of $5,000, as proposed by the House, and $8,000, as proposed by the Senate, for the Seminole Indians in Florida.

On No. 39: Strikes out the increase of $10,000, inserted by the Senate, for the Fort Hall irrigation system, and strikes out the paragraph, inserted by the Senate, providing that all appropriations made for irrigation work on that reservation shall be reimbursable.

On No. 41: Provides for a "superintendent" at the Indian school, Haskell Institute, Lawrence, Kans., as proposed by the Senate, instead of "superintendents," as proposed by the House.

On No. 47: Strikes out, as proposed by the Senate, the language "of one or more" in the authorization for the support of Indian hospitals at Fond du Lac and White Earth, and Red Lake, Minn.

On No. 50: Strikes out the paragraph, inserted by the Senate, authorizing the Secretary of the Interior to pay from the proceeds of the sale of timber and lumber within the Red Lake Reservation a per capita of $50 each to the members of the Red Lake Band of Chippewas of the State of Minnesota.

On No. 51: Appropriates $65,000, instead of $50,000, as proposed by the House, and $75,000, as proposed by the Senate, for the support and civilization of Indians at the Blackfeet Agency, Mont., and makes $15,000 of that sum immediately available instead of $25,000, as proposed by the Senate.

On No. 52: Reduces from $8,000 to $7,000, as proposed by the Senate, the appropriation for the support and civilization of the Rocky Boy Band of Chippewas and other indigent Indians in the State of Montana.

On Nos. 54 and 55, relating to irrigation systems on the Fort Peck Reservation, Mont.: Reduces the appropriation from $40,000 to $20,000 and strikes out provision for the continuation of the construction work, as proposed by the Senate.

On No. 56: Strikes out the increase of $20,000 proposed by the Senate for irrigation systems on the Blackfeet Reservation, Mont.

On No. 57, relating to the expenditure of $200,000 of tribal funds of the Crow Indians: Restores the language stricken out by the Senate, allotting $150,000 of such funds for the construction of a diversion dam on the Big Horn River and $50,000 for maintenance and operation of irrigation systems on the Crow Reservation.

On No. 63: Reduces from $10,000 to $8,000, as proposed by the Senate, the appropriation for reclamation and maintenance charges on lands allotted to Paiute Indians within the Truckee-Carson project, Nevada.

On Nos. 66 and 67: Strikes out the appropriation of $3,500, inserted by the Senate, for the purchase of additional land at the Indian school, Santa Fe, N. Mex.

On No. 68: Reduces from $10,000 to $8,000, as proposed by the Senate, the appropriation for the irrigation system for the Laguna Indians, N. Mex.

On No. 69: Inserts the word "continuing," as proposed by the Senate, in the appropriation for road and bridge construction on the Mescalero Indian Reservation, N. Mex.

On No. 70: Reduces from $6,500 to $5,000, as proposed by the Senate, the appropriation for drainage of Pueblo Indian land in the Rio Grande Valley, N. Mex.

On No. 71: Strikes out the appropriation of $15,000, inserted by the Senate, for an irrigation system for the Indians of the San Juan Pueblo, N. Mex.

On No. 72: Appropriates $8,000, as proposed by the Senate, for the Hogback irrigation project, New Mexico.

On No. 73: Appropriates $8,000, as proposed by the Senate, for painting and repairing bridges across the Rio Grande River at Isleta and San Felipe, N. Mex.

On No. 74: Appropriates $6,000, as proposed by the Senate, for the reconstruction of an approach to a steel bridge across the San Juan River at Farmington, N. Mex.

On No. 75: Strikes out the appropriation of $45,000, inserted by the Senate, for construction and repair of buildings for school purposes for the Pueblo Indians of New Mexico.

On Nos. 78 and 79: Strikes out the appropriation of $20,000, inserted by the Senate, for additions to dormitories at the Indian school, Cherokee, N. C.

On No. 80: Increases from $13,000 to $16,000, as proposed by the Senate, the appropriation for support and civilization of the Turtle Mountain Band of Chippewas.

On Nos. 84 and 85, relating to Osage tribal funds: Increases from $75,000 to $100,000, and makes $20,000 of that sum immediately available, as proposed by the Senate, for the support of the Osage Agency and pay of tribal officers.

On No. 86: Increases from $50,000 to $55,000, as proposed by the Senate, the amount of Osage tribal funds which may be used in connection with oil and gas production on the Osage Reservation.

On No. 88: Strikes out the authority, inserted by the Senate, for the expenditure of $45,000 of Osage tribal funds for the construction of six employees' cottages.

On No. 90: Strikes out the appropriation of $42,500, inserted by the Senate, for the relief and settlement of Apache Indians recently confined as prisoners of war at Fort Sill, Okla.

On No. 91: Strikes out the increase of $10,000, proposed by the Senate, in the appropriation for expenses in probate matters of the Five Civilized Tribes and the several tribes of the Quapaw Agency.

On Nos. 96 and 97, relating to the support of Sioux of different tribes: Appropriates $273,000 for subsistence and civilization, instead of $243,000 as proposed by the House and $300,000 as proposed by the Senate.

On No. 98: Increases from $180,000 to $200,000, as proposed by the Senate, the appropriation for the support and maintenance of schools among the Sioux Indians.

On Nos. 99 and 100: Strikes out the increase of $1,000, proposed by the Senate, in the appropriation for subsistence and civilization of the Yankton Sioux, South Dakota; and strikes out the language, as proposed by the Senate, making this appropriation reimbursable.

On No. 105: Provides, as proposed by the Senate, that $50,000 of the appropriation for irrigation on the Yakima Indian Reservation shall be "immediately available."

On No. 107: Provides, as proposed by the Senate, that the appropriation for repairs and improvements to the Indian School, Tomah, Wis., shall be "immediately available."

On No. 110: Strikes out the increase of $25,000, proposed by the Senate, in the appropriation for the irrigation system within the diminished Shoshone or Wind River Reservation, Wyo.

On No. 111: Strikes out the appropriation of $20,000, inserted by the Senate, for the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyo.

On Nos. 112 to 128, inclusive, relating to tribal funds:

Strikes out the following increases proposed by the Senate:

Arizona: Fort Apache, from $75,000 to $100,000; Kiabab, from $2,000 to $4,000.

Minnesota: Red Lake, from $5,000 to $10,000.

Montana: Crow, from $150,000 to $175,000; Fort Belknap, from $35,000 to $45,000.

New Mexico: Jicarilla, from $75,000 to $85,000; Mescalero, from $30,000 to $40,000.

Oregon: Klamath, from $75,000 to $90,000.

Utah: Goshute, from $6,264 to $8,000.

Washington: Colville. from $30,000 to $40,000.

Strikes out the authorization of $565 contained in the House bill for Pima Indians, Arizona.

Reduces, as proposed by the Senate, the amounts contained in the House bill as follows:

Colorado: Southern Ute, from $3,840 to $3,000; Ute Mountain, from $10,906.30 to $8,000.

Utah: Uintah, from $23,850 to $20,000.

Wyoming: Shoshone, from $70,000 to $50,000.

Restores the reduction, proposed by the Senate, in the amount for the Spokane Indians, Washington.

The committee of conference have not agreed upon the following amendments of the Senate, namely:

On Nos. 3, 4, 5, and 6: Appropriating for the Owens River Valley, Soboba Reservation, and Tule River Reservation irrigation projects:

On No. 13: Reestablishing the Hope Indian School for Girls at Springfield, S. Dak.

On No. 14: Appropriating $460,000 for industrial work and care of timber.

On No. 17: Appropriating $200,000 for the pay of Indian police.

On No. 18: Appropriating $7,000 for pay of judges of the Indian courts.

On No. 20, relating to the general expenses of the Indian Service: Striking out the authority for the use of $15,000 for determining the competency of Indians on reservations outside the Five Civilized Tribes; inserting authority for the use of $3,000 for the purchase of a bookkeeping machine in the office of Indian Affairs; and inserting authority for the Secretary of the Treasury to pay for certain law books purchased during the fiscal year 1921 for the office of Indian Affairs.

On No. 21: Increasing the number of Indian Service inspectors from four to six.

On No. 22: Appropriating $100,000 for encouraging industry and self-support among Indians.

On No. 23: Appropriating $20,000 for reimbursing Indians for live stock destroyed because of infection with contagious diseases.

On No. 24: Appropriating $40,000 for developing water supplies for Indian stock.

On No. 25: Providing that the term "metalliferous" as used in the act relating to the leasing of Indian lands for mining purposes shall include "magnesite, gypsum, limestone, and asbestos."

On No. 26: Providing that the restricted allotment of any Indian may be leased for farming and grazing purposes by the allottee, subject to the approval of the local officer in charge.

On No. 27: Appropriating $50,000 for new buildings and additions to and remodeling of present buildings at the Indian school at Phoenix, Ariz.

On No. 31, relating to the irrigation of lands on the Gila River Indian reservation: Reducing the appropriation from $100,000 to $75,000 and providing that $50,000 of the appropriations available for the project may be used in the purchase of lands, rights of way, canals, etc.

On No. 32: Appropriating $1,000 for an investigation of the necessity of constructing a bridge across the Colorado River at Lees Ferry, Ariz.

On No. 34: Authorizing the sale of the United States Indian day school located in Tucson, Ariz.

On No. 36. Appropriating $10,000 for the purchase of lands for the homeless Indians in California.

On No. 37: Appropriating $10,000 for the improvement and construction of roads and bridges on the Yuma Reservation, Calif.

On No. 40: Appropriating $10,000 for a drainage system for lands for the Sac and Fox Indians, Iowa.

On Nos. 42 and 43, relating to the Indian school, Haskell Institute, Lawrence, Kans.: Appropriating $75,000 for a new mechanical plant and $18,000 for drainage ditches and dikes on the school farm.

On Nos. 44 and 45: Appropriating $8,000 for a water supply at the Pipestone School, Minn.

On No. 46: Authorizing the use of $10,000 of funds of the Red Lake Band of Chippewa Indians in Minnesota for the construction of roads and bridges.

On No. 48: Authorizing the transfer to the State of Minnesota of the hospital plants and equipment used in connection with the Chippewa Indian service.

On No. 49: Authorizing the payment of $5,200 of Chippewa Indian funds to school district No. 6, Itasca County, Minn., for the tuition of certain Indian children during the period 1914–1920.

On No. 53: Increasing from $200,000 to $250,000 the appropriation for irrigation systems on the Flathead Indian Reservation.

On No. 58: Appropriating $1,124.67 to settle unpaid claims against the United States Government to funds derived from the sale of patented Indian lands at Bitter Root, Mont.

On No. 59: Authorizing the Secretary of the Interior to issue a patent to school district No. 9 of Glacier County, Mont., for a site to be used and maintained for school purposes.

On No. 60: Appropriating $25,000 for that portion of the highway from Yellowstone to Glacier National Parks within the Blackfeet Reservation.

On Nos. 61 to 62, relating to the Indian school, Carson City, Nev.: Appropriating $24,000 for a dining room and kitchen and $5,000 for improvement of domestic water supply.

On Nos. 64 and 65: Making available until expended the sum of $7,000 heretofore appropriated for a sewer system at the Indian school, Albuquerque, N. Mex., and appropriating $40,000 for a girls' dormitory.

On No. 76: Appropriating $3,000 for a special attorney for the Pueblo Indians of New Mexico.

On No. 77: Relating to the reconveyance and exchange of certain lands in San Juan, McKinley, and Valencia Counties, N. Mex.

On No. 81: Relating to the Indian school, Bismarck, N. Dak., and providing that the appropriation of $6,000 previously made for employees' quarters may be used for the purchase of an existing cottage and lands.

On Nos. 82 and 83: Appropriating $75,000 for a new building at the Indian school, Chilocco, Okla.

On No. 87: Increasing from $50,000 to $100,000 the amount which may be expended from Osage tribal funds for the construction of an office building and employees' quarters.

On No. 89: Authorizing use of $17,500 of Osage tribal funds for the employment of legal and expert services in connection with the appraisement of lands in Osage County, Okla.

On Nos. 92 and 93: Appropriating $40,000 for a dining hall at the Cherokee orphan training school, Tahlequah, Okla.

On Nos. 94 and 95: Appropriating $40,000 for a heating plant and $70,000 for a boys' dormitory at the Indian school, Salem, Oreg.

On No. 101: Appropriating $5,000 for the Alabama and Conshatta Indians in Polk County, Tex.

On No. 102: Appropriating $12,000 for the aid of public schools in Uinta and Duchesne County school districts, Utah.

On No. 103: Authorizing the transfer to the State of Utah of the bridge across the Duchesne River near the town of Myton and the transfer to the county of Duchesne of the bridge across the Duchesne River near the town of Duchesne.

On No. 104: Appropriating $115,767.67 to pay the counties of Stevens and Ferry, Wash., claims for the payment of local taxes on allotted Colville Indian lands.

On No. 106: Appropriating $50,000 and fixing a limit of cost of $2,500,000 for an irrigation system for the Satus Creek irrigation project, Yakima Indian Reservation, Wash.

On No. 108: Authorizing the payment in cash of the per capita share of St. Croix Chippewa Indians of Wisconsin.

On No. 109: Authorizing the per capita payment of $100 to Menominee Indians of Wisconsin from the tribal funds of such Indians.

On No. 129: Amending the act relating to the lands of the Quapaw Indians.

On No. 130: Appropriating $6,967.50 from funds of the Creek Nation to pay the claims of Clarence W. Turner and William B. Hord, deceased.

J. A. ELSTON,
S. WALLACE DEMPSEY,
W. W. HASTINGS,
Managers on the part of the House.

Mr. CARTER. Mr. Speaker, I reserve all points of order on the conference report.

The SPEAKER pro tempore. The gentleman from Oklahoma reserves all points of order on the conference report.

Mr. MANN of Illinois. Mr. Speaker, I do not think the gentleman can reserve points of order on a conference report.

Mr. CARTER. I did not understand the gentleman.

Mr. MANN of Illinois. Does the gentleman want to reserve a point of order for the purpose of making an inquiry?

Mr. CARTER. No; I reserve all points of order on the conference report in order that they might be made if necessary.

Mr. SNYDER. There is no point of order that could be made.

Mr. MANN of Illinois. I have no objection to the gentleman reserving a point of order on the conference report for the purpose of making an inquiry, but when a conference report comes up for consideration it can not come up for consideration with points of order reserved.

Mr. CARTER. I do not want to make any point of order now. I am not sure that there is anything in the conference report against which I desire to invoke the rules; but if there is, I did not want to lose the right to make it.

Mr. MANN of Illinois. Yes; but, after all, you have to have some procedure about these things. The conference report has been read. Now it is time to make points of order, and not after the consideration of the conference report.

Mr. SNYDER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SNYDER. I would like to ask if, in the consideration of the District of Columbia appropriation bill the other day, it was settled that a point of order would not lie against an amendment attached to an appropriation bill in the Senate in a conference report?

The SPEAKER. The Chair does not remember whether it was or not.

Mr. MANN of Illinois. Mr. Speaker, it is perfectly plain that a point of order does not lie against a Senate amendment. A point of order would lie against a conference report if it in-

cluded an agreement to a Senate amendment made in violation of a rule of the House.

Mr. CARTER. As the gentleman knows, the conference report was only printed last night. I have looked over it very hastily, and I am not sure that it contains anything against which I desire to make a point of order; but in case anything develops during the consideration of it, we ought to have a right to make a point of order against it.

Mr. MANN of Illinois. No; you do not want to waste time spending the afternoon on a conference report and then make a point of order. The time to make it is now.

Mr. CARTER. We have not had time to find out if it embraces anything necessitating points of order.

Mr. CRAMTON. If a point of order is not made before the statement was read, it would be too late to make it afterwards; and after the consideration of the conference report begins the point of order can not be made.

Mr. CARTER. I do not think the consideration begins until after the statement is read.

Mr. MANN of Illinois. The statement is not read at all.

Mr. CARTER. Has the report been read?

Mr. CRAMTON. The report has been read. After we begin the consideration of the report it will be too late.

Mr. CARTER. Usually we read the statement instead of the report, but in this case the statement was a good deal longer than the report. I was called out in the corridor for the moment and presume the statement was omitted and the report read during my absence.

Mr. SNYDER. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. SNYDER. The point I wanted to make in my inquiry to the Speaker was that there are items in this bill that would have been subject to a point of order had they been placed on the bill before it passed through this House or while it was going through the House. Now, before we start proceedings on the bill I want to be clear whether I have a right to make a point of order against any item of legislation put on in the Senate that would have been subject to a point of order if put on in the House?

Mr. MANN of Illinois. The way to test that is to make the point of order.

Mr. ELSTON. Will the gentleman yield?

Mr. SNYDER. Yes; if I have the floor.

Mr. ELSTON. There is no new legislation in the conference report; and the inquiry is made, as to the suspended items, whether a point of order would lie against them in the House.

Mr. SNYDER. From the best investigation I could make of this report in the time I have had this morning, I know of no item in the report of the kind I have spoken of, but there has been at least a belief on the part of many Members that under the rule under which we are now attempting to legislate an item placed on the bill in the Senate that would have been subject to a point of order in this House is still subject to a point of order. The gentleman from Illinois [Mr. MANN] says the best way to find out about that is to make the point. I am perfectly willing to do that.

Mr. CRAMTON. And the gentleman will not lose any rights as to items that have not been agreed to by withholding any point on them until after the conference report has been agreed to.

Mr. CANNON. Will the gentleman yield?

Mr. SNYDER. Certainly.

Mr. CANNON. As to the Senate amendments which have been agreed to, either with or without amendment by the conferees, does any one of them carry legislation, or is there any one of them that is not authorized by law? If so, which one or ones?

Mr. ELSTON. None of the items mentioned by the gentleman have been agreed to in the conference report, and there are many such items that have been referred back to the House as being matters which the House conferees had no jurisdiction to consider; but those items are reported back to the House to the extent of 57 amendments.

Mr. CANNON. Then there is no new legislation on this bill which has been agreed to so far?

Mr. ELSTON. Not if the conference report is adopted. Then it will be before the House to say whether or not these items shall go into the bill.

Mr. MANN of Illinois. The conference report does not include any such legislation.

Mr. CANNON. Precisely; and therefore no point of order could be made on the conference report from that standpoint.

Mr. ELSTON. The gentleman is correct.

Mr. CANNON. And in the next conference report, if anything is included that is not authorized by law, attention will be called to it if we have not industry enough or time enough to examine for ourselves?

Mr. MANN of Illinois. Those amendments will come up later in the House.

Mr. CARTER. Mr. Speaker, here is one amendment, No. 51, which might be subject to a point of order. My attention has been called to it. The action of the conferees is as follows:

That the House recede from its disagreement to the amendment of the Senate No. 51, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "$65,000, of which sum $15,000 shall be immediately available"; and the Senate agree to the same.

The words "of which sum $15,000 shall be immediately available" were added to the bill in the Senate, and may be in violation of the House rules.

Mr. MANN of Illinois. Oh, no.

Mr. CARTER. Did the gentleman say they are not?

Mr. MANN of Illinois. No.

Mr. CARTER. That appropriates for this year, and the appropriation bill is for the coming year.

Mr. MANN of Illinois. The best way to test that is to make a point of order against the report on that ground.

Mr. CARTER. I do not know whether I want to make a point of order. That may be a good amendment, but we should have some justification for it and should not lose any of our rights.

Mr. MANN of Illinois. That provision is not subject to a point of order on a bill reported from a committee which has jurisdiction over deficiency appropriations.

Mr. CARTER. The gentleman's contention is that it is not subject to a point of order under the new rules, but would have been subject to a point of order before the new rule was adopted?

Mr. MANN of Illinois. If it had been reported from the Committee on Indian Affairs, it would have been subject to a point of order.

Mr. CARTER. Perhaps the gentleman is right about that.

Mr. MANN of Illinois. I think I am right.

Mr. SNYDER. Mr. Speaker, so far as I am concerned there is nothing in the report as it stands to which I desire to make a point of order. The most that I expect to do is to get the House to vote upon the legislation that is in the bill that has not had any investigation in this House by any proper body; and, so far as I am personally concerned, I am not here for the purpose of delaying legislation; neither am I attempting to keep anything out of the bill that ought to go into it; but I am here to do the best I can to protect the House and to inform the House by the arguments that will go on here this afternoon as to the difficulties and, to my mind and judgment, the improper method of putting legislation on this bill such as is carried in it.

Mr. MANN of Illinois. That will come later.

Mr. ELSTON. Mr. Speaker, I ask for the regular order.

Mr. SNYDER. I am ready to go ahead on that basis.

The SPEAKER. The regular order is the consideration of the conference report. Does the gentleman from California desire recognition?

Mr. ELSTON. Yes.

Mr. MANN of Illinois. I desire to know whether the matter of the point of order against the conference report has been disposed of. The gentleman from Oklahoma raised a point of order.

Mr. CARTER. If the Chair will indulge me, I think I will be through with this matter in a moment. I want to pursue the question a little further and get a little more parliamentary information from my friend from Illinois, who knows the parliamentary situation.

Now, I am seeking information because I am trying to find out something as to what the procedure will be in the future. Do I understand the statement to be now that a deficiency appropriation is in order on any appropriation bill that may come into the House?

Mr. MANN of Illinois. I think it is in order on any appropriation bill from a committee that has jurisdiction over deficiencies, and that is the Committee on Appropriations.

Mr. CARTER. Without reference to whether it is a deficiency bill or not?

Mr. MANN of Illinois. Without reference to whether it is called a deficiency bill or not.

Mr. ELSTON. Mr. Speaker, for the purpose of comparison, I might refer back to some figures that I submitted to the House when the bill was originally reported out of the Appropriations Committee to the House. I will begin by giving the amounts carried in the current law of 1920:

Gratuities, $7,251,985.20; reimbursables, $1,941,950.07; treaty items, $826,620; the grand total of the bill for 1920 being

$12,847,997.39. The bill as reported to the House at the present session by the Appropriations Committee through this subcommittee carried a grand total of $11,944,000, or about a million under the act of last year. The House is well advised that the bill as reported to the House by the Appropriations Committee went through some changes in the House. As it was passed by the Senate it carried a total of $13,697,000.

Mr. SNYDER. Will the gentleman yield?

Mr. ELSTON. Yes.

Mr. SNYDER. The gentleman does not include in those figures the amounts that are obligated for future expenditure. For instance, there is one item in the bill carrying $50,000 appropriation and an obligation in the future of $2,450,000 on the part of the Government. The gentleman does not include that.

Mr. ELSTON. I say the grand total is $13,697,000, that being the total amount of appropriations. For instance, in the Yakima item I am counting in the grand total only $50,000 appropriated in this bill, while the whole project is to cost $2,500,000. I understand the gentleman has included that in his total, inasmuch as it involves obligations on the part of the Government, although no appropriation is made.

Mr. SNYDER. That has been the practice heretofore.

Mr. ELSTON. Now, it might be instructive to state to the House the exact situation with regard to the amounts carried in the conference report now pending. I wish the House to keep in mind that the conference report includes a good many items on which the Senate has receded, and a good many items that the House has agreed to, and some that the House will agree to with an amendment. If the conference report passes, the total will be greatly below the amount carried by the bill as it was introduced in the House. After the conference report is adopted we have a bill that will be nearly $5,000,000 below last year's act, and below the bill as introduced in the House, and it is up to the House as to what they will put upon it. I shall, of course, according to my own judgment, move to concur in certain items, and I will state to the House now that if my motions are carried the total of all the appropriations involved in my motions will still make the bill less than the law of last year. This will be a fairly creditable showing.

Mr. CANNON. How about the legislation that obligates the Government for thousands and millions of dollars hereafter?

Mr. ELSTON. The gentleman will have an opportunity to make his observations on that in a few moments, because that will be up to the House. The total as carried in the conference report, if agreed to, will be as follows: Grand total, $7,312,640, distributed as follows: $2,428,000 gratuities, $249,500 reimbursable, $580,000 treaty items, total out of the Treasury $3,257,500; grand total of items amounting to $7,312,640.

Mr. SNYDER. Will the gentleman yield?

Mr. ELSTON. Yes.

Mr. SNYDER. I can not understand the gentleman's figures at all. The gentleman speaks of $2,000,000 gratuities alone. There is one item of $1,700,000 for school purposes, and the item of hospitals.

Mr. ELSTON. The item of hospitals is not in the bill and not in the report. The item of $1,700,000 for schools is included in my total of $7,312,640.

Mr. SNYDER. If the gentleman is talking about only the things in the conference report which have been agreed to, that is one thing.

Mr. ELSTON. That is exactly what I am stating. I am trying to give the House an idea how we will stand after the conference report is adopted.

Mr. SNYDER. The gentleman's statement may have been as misleading to some of the others as it is to me.

Mr. ELSTON. I tried to be as clear as I could.

Mr. CANNON. The Senate amendments covering legislation are subject to the point of order, are they not?

Mr. ELSTON. There is no such amendment in the conference report.

Mr. CANNON. But I am speaking of the Senate amendments.

Mr. ELSTON. There are none in the conference report. There may be legislation in some of the Senate amendments, and they will be submitted to the House for a vote.

Mr. LONGWORTH. Mr. Speaker, I do not think the gentleman has made it clear to the gentleman from Illinois [Mr. CANNON] that there is no legislation whatever in the conference report, that such legislation as will be passed on by the House, after the adoption of the conference report, will be presented seriatim by the gentleman, and he will make the motion to recede and concur or to disagree, and then the gentleman from Illinois will have an opportunity to consider each separately.

Mr. ELSTON. That is correct.

Mr. BRITTEN. The gentleman from Illinois can not make the point of order against any of those items. He will either have to vote yes or no on them.

Mr. LONGWORTH. The gentleman from California will make the motion on each one, and then the House can vote.

Mr. ELSTON. I will make the motion to concur or further disagree and instruct, if that is the sense of the House.

Mr. CANNON. Will the gentleman call them off item by item?

Mr. ELSTON. That is what I expect to do.

Mr. Speaker, I tried to make myself plain with regard to what the conference report will carry. I thought it fair to state to the House that it carries a very much less amount in totals than will be necessary for the needs of the service.

Mr. SNYDER. The gentleman knows of course that several million dollars must be added to the conference report, or the bill will be absolutely worthless.

Mr. ELSTON. That is true in a sense.

Mr. SNYDER. And the service would go out of business. Why should the gentleman stand up here now and tell us that he has reduced appropriations five or six million dollars when the fact is that the bill has been increased by $5,000,000 in the Senate?

Mr. ELSTON. Mr. Speaker, I made no such statement. I was giving information to the House, and if the gentleman got any implication from my remarks that this committee was glorifying itself as the result of the very low amount carried in the conference report, he got a wrong impression. It was a matter of information merely. The gentleman knows, and I know, that the House will act further on suspended items, and the bill will be increased. It will be up to the House whether this subcommittee is to be congratulated. All additions over the total amount of $7,312,640 carried in the conference report lie with the House.

Mr. KELLY of Pennsylvania. I understood the gentleman to say that only $3,000,000 would be taken out of the Treasury by this conference report.

Mr. ELSTON. I said $3,988,000 would be taken out of the tribal funds. The conference report carries a total of $7,312,640.

Mr. KELLY of Pennsylvania. I understood the gentleman to say that it came out of the Treasury, and it would be more than $3,000,000 through this conference report.

Mr. ELSTON. Yes.

Mr. KELLY of Pennsylvania. Then some $3,000,000 additional were reimbursable funds.

Mr. ELSTON. No; I did not say that.

Mr. KELLY of Pennsylvania. We all recognize that the reimbursable proposition is practically taken out of the Treasury.

Mr. ELSTON. I did not mention the reimbursable funds at all. I will repeat what I said. I stated that the aggregate of items carried in the conference report, including gratuities, reimbursables, and treaty items, amounted to $3,257,000.

Mr. KELLY of Pennsylvania. What is the amount of reimbursables?

Mr. ELSTON. All that the conference report carries in the way of reimbursables is $249,500.

Mr. KELLY of Pennsylvania. Those are the items agreed upon?

Mr. ELSTON. Yes. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

APPOINTMENT OF SPEAKERS PRO TEMPORE.

The SPEAKER appointed Mr. ALMON to preside over the memorial exercises in honor of the late Representative BLACKMON, and Mr. RUCKER to preside over the memorial exercises in honor of the late Representative BOOHER, to be held Sunday, February 20, 1921.

INDIAN APPROPRIATION BILL.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Page 3, of the printed bill, line 13, insert: Owens River Valley projects, California, $2,000; Soboba Reservation, Calif., $750.

Mr. ELSTON. Mr. Speaker, I move to recede as to that amendment and concur in the same. With regard to these items, they were not carried in the initial bill which was reported to the House. These items are for projects that have been in existence for several years. They have been carried under the omnibus appropriation that has been distributed to

the various minor irrigation projects of the West. Several years ago, on demand of the Indian Affairs Committee, a segregation was made of the various projects, and they have since appeared in the bill separately. It seems that these particular projects have been carried under a diminished omnibus fund, and they did appear in the estimates for this year. They were not carried in the bill. They aggregate only about $2,700. The Owens Valley project consists of a number of small projects that are distributed over an area more than 50 miles in length. The additional funds are required for continuing already constructed projects, making small repairs for the same during the year. No new construction will be undertaken under the appropriation.

Now, Mr. Speaker, I did not care to unduly press these two very small items touching California. I was rather tender about putting them in the bill, and resolved the doubt by not putting them in the bill. I am informed they are very necessary small projects in California, already in existence. To abandon them would cause a great deal of hurt to the Indians concerned.

Mr. SNYDER. Will the gentleman yield me some time?

Mr. ELSTON. I will yield the gentleman five minutes.

Mr. SNYDER. Mr. Speaker, in reference to these items, the position that the Committee on Indian Affairs of the House assumes is the same as it will be on many other items in the bill. There is not any doubt but what the chairman of the subcommittee has made a true statement of the situation as it exists, but this is an item in an appropriation bill where there has been absolutely no investigation or examination made on the part of the House, and if it were made on the part of the Senate there is no record of it. And so we say that the man here who votes to put this in the bill is voting to do it without any knowledge of the facts beforehand and nothing to substantiate his vote upon it after he has made it. And so, like all other items in the bill that are in that position, we are opposed to it because it has not had proper investigation either by the Appropriations Committee or by the Indian Affairs Committee or by the Indian Affairs Committee of the Senate, or any other body, and therefore it is not regular, in my judgment, on the bill. That is all I care to say.

Mr. ELSTON. Mr. Speaker, I will conclude by stating that the items have had consideration by the Senate committee, where a strong presentation was made.

Mr. SNYDER. The gentleman will agree there is no record made of that investigation.

Mr. ELSTON. Not by way of hearings, except by the Senate committee. I move the previous question on the amendment.

Mr. SINNOTT. Will the gentleman yield?

Mr. CANNON. I want to ask if this is authorized by existing legislation?

Mr. ELSTON. Mr. Speaker, as a matter of fact there is no question whatever that these three amendments touching California, aggregating $2,700, were not subject to a point of order. They are existing projects and have been in existence for years.

Mr. SINNOTT. Will the gentleman yield?

Mr. ELSTON. I will.

Mr. SINNOTT. Can the gentleman tell us how many acres of land are involved?

Mr. ELSTON. We have the report here.

Mr. SINNOTT. I would like to know how many acres of land are involved and whether or not the settlers are irrigationists, are Indians, or white men?

Mr. ELSTON. They are all Indians. This is a small matter, and I do not think it is worth the time of the House to discuss it further. I move the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on agreeing to the Senate amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 16, Tule River Reservation, Calif., $5,000.

Mr. ELSTON. Mr. Speaker, I move the House recede and concur in the Senate amendment.

Mr. CANNON. Is that a new project?

Mr. ELSTON. I will read:

The Tule River project was begun nearly two years ago, and it now lacks but $5,000 to complete. The construction of this project was made necessary on account of shortage of water and a probable attack by white owners who held rights previous to the settling of the Indians upon this particular land. The project as now being constructed conserves the water, allowing both Indians and whites a better supply, and when fully completed will avoid the necessity of litigation and possible loss of water rights by the Indians.

Mr. SNYDER. Will the gentleman yield?

Mr. ELSTON. I will.

Mr. SNYDER. The gentleman does not contend that he has any information in regard to it except this that he has just read, that there was no examination made in regard to——

Mr. ELSTON. Not before the House committee. I move the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken, and the Senate amendment was concurred in.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 17, strike out "$35,500" and insert "$43,200."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in the Senate amendment. This merely readjusts the total.

Mr. HASTINGS. I suggest also the gentleman include No. 6, because it corrects the grand total.

Mr. ELSTON. We will reach that in just a moment.

The SPEAKER. Without objection, the amendment to correct the total is agreed to.

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 5, line 10, strike out "$166,750" and insert "$174,500."

Mr. ELSTON. I move that the House recede and concur in the Senate amendment, which is merely a readjustment of the total and conforms to the additions made.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

Amendment No. 13: Page 8, line 5, after the figures "1922," insert: "*Provided*, That this limitation as to attendance shall not apply to the Hope Indian School for Girls at Springfield, S. Dak., which school is hereby reestablished and continued."

Mr. SNYDER. Where is amendment No. 7?

Mr. ELSTON. It was agreed to in the conference report.

Mr. SNYDER. Here is the case where the amount has been increased $15,000, and certainly that amendment should be discussed.

Mr. ELSTON. It was agreed to in the conference report and passed. It was passed in the conference. Mr. Speaker, I move that the House insist on its disagreement.

Mr. CANNON. Mr. Speaker, just a moment.

Mr. ELSTON. Mr. Speaker, I move that the House further insist on its disagreement. As to that I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. CANNON. It is subject to a point of order now?

Mr. CHRISTOPHERSON. Mr. Speaker, I wish to substitute for the motion of the gentleman from California [Mr. ELSTON] that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from South Dakota moves that the House recede and concur in the Senate amendment.

Mr. SNYDER. Mr. Speaker, in reference to this amendment, No. 13, it is proposed to put back into use a school that was put out of business on account of statutory law that was created in the Indian bill of last year, which fixed it so that boarding schools which did not bring the number of pupils up to a fixed amount should be eliminated. This was one that was eliminated on that account, and this proposes now by amendment to not only reinstate the school, but to fix it so that one of them is exempt from that limitation. It is contrary to the policy that has been adopted by the Indian Committee in this House, and it certainly is establishing a bad precedent. The effect of the legislation of last year brought nearly every school that is conducted in the Indian Service up to the required number of pupils. This one was one that evidently could not be brought up to the required number, and therefore they are asking that an exception should be made.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. SNYDER. Certainly.

Mr. MANN of Illinois. The gentleman suggested a while ago that he would like to make a point of order on a Senate amendment. The gentleman might try it on this.

Mr. SNYDER. Well, I am only too willing to adopt the suggestion of the gentleman from Illinois and make a point of order against it.

Mr. CHRISTOPHERSON. Mr. Speaker, I make the point of order that it comes too late.

Mr. MANN of Illinois. There is no point of order that lies against the Senate amendment.

The SPEAKER. The point of order of the gentleman from South Dakota [Mr. CHRISTOPHERSON] that it comes too late is valid.

Mr. MANN of Illinois. If the point of order was made, it would come under the new rule that provides the point of order is in order at any time.

The SPEAKER. Certainly; under the new rule. The Chair does not know what the point of order is that the gentleman from New York wishes to make.

Mr. SNYDER. It is new legislation, unauthorized by law, and that it is not proper on an appropriation bill.

The SPEAKER. It may not be proper for the House to put it on. That, of course, does not apply to the Senate.

Mr. SNYDER. I have nothing further to say, except what I said in my original argument. I wanted to have the thing settled.

The SPEAKER. This is a new rule, and perhaps it is well to have it settled, as the gentleman says. The rule provides that a conference committee shall not agree to certain new legislation put in by the Senate. After a bill goes to the Senate and comes back from conference, then the conferees can not have agreed to legislation without specific authority from the House. But there is no rule to prevent the House considering such legislation put in by the Senate, and no point of order lies against it.

Mr. SNYDER. Now, Mr. Speaker, in further reference to this matter—and I believe I have the floor yet—if the committee should listen to the appeals of every individual Member who has Indians in his district there would not be a section of the statutory law that would not be changed in every bill. We are asked here, the first thing, the law only having been in effect seven months, to make an exception in the interest of one Member here, whom personally I would like to please, but it is absolutely contrary to good law and practice to start in before you have really got working well under the law that was made effective only last December and begin to make exceptions to it and that provision in it. Therefore I submit that this should be stricken from the bill on a vote. When the proper time comes I want to move that we vote on it, unless the chairman does so.

Mr. JOHNSON of South Dakota. Is there any more reason for this exception, because it is the only Indian girl school in the United States and that there is necessity for this school, than there would be for the general schools that would go below the 100 limit?

Mr. SNYDER. The gentleman well knows that last year when this law went into effect this situation existed in this school, and no one at that time made any plea for it, and the House, being a legislative body, can not be supposed to have knowledge of every item that is before it. The Commissioner of Indian Affairs was cognizant of this, but did not bring the matter before the Indian Affairs Committee.

The SPEAKER. The time of the gentleman from New York [Mr. SNYDER] has expired.

Mr. ELSTON. Mr. Speaker, I yield five minutes to the gentleman from South Dakota [Mr. CHRISTOPHERSON].

Mr. CHRISTOPHERSON. Mr. Speaker, it is true, as has been said by the gentleman from New York, that the limitation that was placed in the law eliminated this Hope School, at Springfield, S. Dak., but I do not believe it was the intention when that limitation was drawn that it should affect that school.

This is a small school that was originally started by Bishop Hara, an Episcopal bishop of South Dakota, who had devoted a large part of his long and busy life to education and missionary work among the Indians, and he believed that one of the best ways to educate the Indians and bring them to our methods of life was to educate the girls. And so they organized and started this school, a purely girls' school, a boarding school, where the girls are not only instructed in the rudiments of book learning, but they are taught cooking, washing, housekeeping, and so forth.

It is the opinion of the men out there who are best acquainted with this subject, such as Prof. C. G. Lawrence, the superintendent of the normal school at Springfield, and the present Episcopal bishop of South Dakota, Bishop Burleson, that that school was doing a fine work up to the time it was closed. It is a small school, with a capacity of 60 pupils, and therefore it fell within the limitations of this law. But I think we should reestablish that school, just as the Senate has sought to do, and grant these Indian girls the privilege of attending that school.

It may be said that they should go to the public schools; but they do not go to the public schools. Here they had a nice school, with suitable buildings all prepared and arranged for this kind of work, and the school was doing a good work.

We have taken away from the Indians large tracts of land. We are asking them to comply with our methods of civilization, and I do not believe we could do any better work than to grant the reestablishment of this school and continue it.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHERSON. Certainly.

Mr. SNYDER. The gentleman realizes that up in that country there are plenty of facilities for Indian children to go to school?

Mr. CHRISTOPHERSON. Yes; public schools.

Mr. SNYDER. The gentleman surely ought to realize, if he has studied the question, that the best education that an Indian can get is in contact with white children in white schools, and that is where those children ought to be.

Mr. CHRISTOPHERSON. That is not the opinion of men who have given the matter a special study. I wish to read a line or two from a letter from Bishop Burleson, of South Dakota, who has given a great deal of attention to the matter of education among the Indians. Speaking of this school, he says:

> It never has had nor was intended to have more than 60 in attendance. It is a home school for girls, established originally by Bishop Hara and by him transferred to the Government. It has maintained the best traditions of its founder. I am constantly visiting the Indian schools of the State, and it is my conviction that no other is rendering such effective service as Hope School. I can quite understand that in the case of large Government schools intended for two or three hundred pupils, which have dropped to one-third or less of that attendance, the law may be reasonable; but it certainly was not drafted to abolish a school such as this, that is unique among Government institutions in this State in confining its education to girls only. Without criticizing the educational policy of other schools, I can assert from knowledge that this school is giving to the Indian girls what they can not get elsewhere and girls need. The women of the race should have the best possible, and they are the ones who must be reached with careful and discriminating influences. Hope School is making splendid wives and mothers for the future.

Likewise a letter from Prof. Lawrence, ex-superintendent of schools of that State, in which he says:

> This school has an enrollment at the present time of 64 pupils, which is the maximum number that can possibly be enrolled in the school.
>
> It seems to me that the school here should be exempted from the ruling of the commissioner because of its peculiarly advantageous location. The school is doing a great work for the Indians, and if it is closed not many of the Indian girls in this section of the country will secure the education they need.
>
> I believe that the best guarantee for the future welfare of the Indians is found in the proper training of Indian girls for intelligent motherhood.

I hope the House will show this degree of liberality to-day and grant to these Indian girls the reestablishment of this school, which was doing so fine a work out there in that community, not only for the Indians on the reservations in South Dakota, but also for those in the adjoining State of Nebraska. It does not cost much to run it. You have the buildings and plant there now. Reestablish it, and give the girls the benefit of this school.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHERSON. Yes.

Mr. REED of New York. Do I understand the gentleman to say there were 60 girls?

Mr. CHRISTOPHERSON. Sixty-four girls attending that school.

Mr. REED of New York. This is the only Indian girls' school?

Mr. CHRISTOPHERSON. Yes; this is the only Indian girls' school that I know of at this time in existence. [Applause.]

Mr. ELSTON. Mr. Speaker, I yield three minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER. I would like to have five minutes.

Mr. ELSTON. The gentleman knows that there are 60 amendments to this bill which must be considered, and therefore we must proceed rapidly; but I will yield to the gentleman five minutes.

Mr. CARTER. Mr. Speaker, in pursuance of a rigid demand for economy, the House undertook less than a year ago to adopt a fixed plan with reference to Indian schools. This plan was not agreed upon until after several months of investigation by your Committee on Indian Affairs, which crystallized into a recommendation from this committee to the House, requiring a certain attendance at each different kind of Indian school. This plan was written into law in the last Indian appropriation bill and provided that no boarding school should be continued beyond that fiscal year where an attendance was shown of less than 80 pupils. That policy has hardly been in operation now for one year. Then, do I understand that the gentleman from California, who himself assisted materially in promoting that new policy, now comes in with a motion to recede and agree, which is practically a repudiation of the plan adopted less than a year ago?

Mr. ELSTON. Oh, no. I made the motion to further insist on a disagreement.

Mr. CARTER. Oh, then, I misunderstood the situation. Not the gentleman from California, but some one else has made the motion to recede and agree, and perhaps there is no necessity for my making any speech at all.

Mr. ELSTON. What I have done is to turn over my function in resisting this matter to the gentleman from Oklahoma and the gentleman from New York [Mr. SNYDER].

Mr. CARTER. In that case, then, I only desire to say that our genial friend from South Dakota has just presented his case very clearly. I believe he has said all that could be said in defense of this motion, yet he has not presented any reason for the continuation of his school which could not be presented with equal force for nearly every other school that has been discontinued on account of lack of attendance of 80. If we are going to begin at this early day to make exceptions in this manner, then there is no knowing how far we may go, and it will probably not be long until the policy established by the House will be completely destroyed or reversed.

Mr. REED of New York. This is the only Indian girls' school in the country, and that makes it an exceptional case.

Mr. CARTER. Oh, no; the gentleman is mistaken about that. There are several Indian girls' schools in the country. There are two in my own district in Oklahoma.

Mr. ELSTON. Mr. Speaker, I yield three minutes to the gentleman from South Dakota [Mr. GANDY].

Mr. GANDY. Mr. Speaker, there is a good deal of reason why there should be an exception made in the case of this school. This House acted without sufficient information when the action was taken which has been referred to by the gentleman from New York [Mr. SNYDER] and the gentleman from California [Mr. ELSTON] and the gentleman from Oklahoma [Mr. CARTER]. This school is different from most of the schools we provided for in the bill in that it is operated without name. It was paid for out of a lump-sum appropriation. In my membership of the Committee on Indian Affairs I do not recall any specific conversation, conference, or report with relation to this school. We dealt generally with schools that were paid for out of the lump-sum appropriation, but not specifically with any school, so that it did not develop that this school had a capacity of only 60 when the limitation of 80 was put in the general law. Now, the fact is, gentlemen, this school was donated to the Government as a result of the efforts of good old Bishop Hare, now deceased. It has served a useful purpose. It was full more than to capacity, something that can not be said of many of the Indian schools of the country. It had a capacity of only 60, and yet the report showed 64 girls there when the order of discontinuance came. It is not in the interest of economy to discontinue this school, because these children must be taken care of somewhere. I challenge the gentleman in charge of this bill to show me where that lump-sum appropriation has been reduced one penny by the discontinuance of this school. You must take care of these children somewhere, and why not in this school, under ideal surroundings and circumstances, in a school that has helped rear better girls for these many years?

Mr. ELSTON. I yield two minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Speaker, first I want to say that I happen to be in hearty sympathy with the position taken by the gentleman from New York [Mr. SNYDER], chairman of the Indian Affairs Committee, in desiring to secure economy, and he has perhaps given as much time and energy to the study of Indian Affairs as any man in the United States and is making the same great record that many other great men have made as chairman of that committee. But I would like to ask him if it is not true, as stated by the gentleman from South Dakota [Mr. GANDY], that this particular Hope School was not considered in the committee as a separate school, but that the appropriation came in a lump sum, and that this school went down without the committee realizing the facts with reference to it?

Mr. SNYDER. What the gentleman says as to the making up of the appropriation for this school is true, but in that investigation that we made, starting a year ago last September, every single school operated by the Government, either on a reservation or a nonreservation school, was examined, this school as well as the others, and this particular school was one of several that the commissioner pointed out as being one that would have to go out of business. Our first idea was that a boarding school could not be operated economically with less than 100 pupils. Personally I do not think such a school can be operated economically with less than 250, but we reduced the figure at the urgent solicitation of many Members of Congress and brought it down to 80, and we think that is the limit to which it should go. The point is this, if the gentleman will yield——

Mr. JOHNSON of South Dakota. I have only two minutes.

Mr. SNYDER. I guess the gentleman's two minutes are gone now. I ask the gentleman from California to give him two minutes more.

Mr. ELSTON. I yield to the gentleman one minute longer.

Mr. JOHNSON of South Dakota. I will say to the gentleman, as I stated before, that I happen to be a member of the Indian Affairs Committee and am in hearty sympathy with his desire for economy; but having some knowledge of the local situation and some knowledge of the location of this school and the way it is run, I do not believe this is the particular time and place for the House to economize, in view of the fact that if this is not the only Indian girls' school in the United States, it is at least the only one in the northern part of the United States.

Mr. ELSTON. I yield one minute to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, this law which was enacted last year has filled to the required number practically every Indian school. Now, if we do not insist upon this thing going out, it will be the means of every one of these schools dropping down in attendance, and then some one will come in here and ask us to accept it.

Mr. ELSTON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from South Dakota [Mr. CHRISTOPHERSON] that the House recede from its disagreement to the amendment and concur in it.

The question being taken, on a division (demanded by Mr. CHRISTOPHERSON) there were—ayes 33, noes 31.

Mr. SNYDER. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from New York demands tellers. All those in favor of tellers will rise. [After counting.] Twenty-three have arisen; not a sufficient number.

Mr. SNYDER. Mr. Speaker, I make the point of no quorum.

Mr. JOHNSON of South Dakota. If a sufficient number rose to get tellers, would the gentleman still insist upon his point of no quorum?

Mr. SNYDER. I am regretting to see a policy that is of great value and will prove of great value being put out of business at the request of one man. Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER. The ayes have it, and the motion is agreed to. The Clerk will report the next amendment.

The Clerk read as follows:

INDUSTRIAL WORK AND CARE OF TIMBER.

For the purposes of preserving living and growing timber on Indian reservations and allotments, and to educate Indians in the proper care of forests; for the employment of suitable persons as matrons to teach Indian women and girls housekeeping and other household duties, for necessary traveling expenses of such matrons, and for furnishing necessary equipments and supplies and renting quarters for them where necessary; for the conducting of experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, cotton, and fruits, and for the employment of practical farmers and stockmen, in addition to the agency and school farmers now employed; for necessary traveling expenses of such farmers and stockmen and for furnishing necessary equipment and supplies for them; and for superintending and directing farming and stock raising among Indians, $460,000, of which sum not less than $75,000 shall be used for the employment of field matrons: *Provided*, That the foregoing shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin: *Provided further*, That not to exceed $15,000 of the amount herein appropriated shall be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, cotton, grain, vegetables, and fruits: *Provided also*, That the amounts paid to matrons, foresters, farmers, physicians, nurses, and other hospital employees, and stockmen provided for in this act shall not be included within the limitations on salaries and compensation of employees contained in the act of August 24, 1912.

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to amendment of the Senate No. 14, and agree to the same with the following amendment: "In lieu of the sum of $460,000 named in said amendment insert the sum of $400,000."

Mr. ELSTON. Mr. Speaker, this item is the regular item under this caption that has been carried in the Indian appropriation bill for over 20 years. It has ranged ordinarily from $460,000 to $450,000, although in the years 1918 and 1919 it was carried at $475,000. The Indian appropriation bill last year carried this item in the sum of $460,000. The Appropriations Committee, when it reported out this item, brought in an appropriation of $400,000. In other words, for the first time in years we decreased this activity and reduced the appropriation to $400,000.

Mr. HASTINGS. And it is in the identical language.

Mr. ELSTON. The language is identical. I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, I will say that this is one of the items taken out of the bill when it was before the House on a point of order. As the chairman says, it has been carried in the Indian appropriation bill for years and is an integral part of the Indian Service and should be retained in the bill. However, it is one of those items that remains on the bill in exactly the same attitude, as far as the House is concerned, as the information as to other ones already referred to. The gentleman in stating the figures that this bill has carried in its course through legislation was to my mind somewhat misleading, although I am willing to admit that he did not do it with the idea of misleading the House. The amounts that the bill carried in its various stages were these: When it came to the House it carried $11,944,335. On leaving the House it carried $11,194,035, $750,000 having been taken out of the bill in the House. The bill as reported to the Senate carried an amount of $13,405,744, and the bill as it passed the Senate carried $16,072,512, being an increase over the amount carried when the bill left the House of $4,878,000, or $4,127,000 over the amount allowed by the Appropriations Committee in the bill as presented to the House.

Now, of course, I have not had time to discover whether the figures which the chairman submitted are correct or not but I take it for granted that they are. When the bill is finished to-day, if the usual rule is followed, it will carry several million dollars more than it carried when it came into the House. I have no further objection to this item.

Mr. ELSTON. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, this item for industrial work and care of timber perhaps ought to pass with an appropriation of $400,000, under the circumstances. However, the House should pay a little attention to the growth of such branches of the Indian Bureau. This forestry branch was established in 1909. At the present time it has 115 employees and a salary list of $138,000 a year. The division is divided and subdivided into futility and foolishness, employees dealing with the reproduction of timber, overseeing lumber operations, inspection of timber, and a host of other activities. If it is necessary to appropriate $400,000 now it is certain that the Indian owner of the timber is not getting the value, but that it is being largely spent in the salary list among the employees who help to make up the 6,000 employees in the Indian Bureau. We are coming to the time when there should be a reorganization, and this branch of the Indian Service should be transferred to the Forestry Service of the Government, where it belongs, and where it can be handled efficiently and effectively.

Mr. ELSTON. Mr. Speaker, I ask for a vote.

Mr. CANNON. Mr. Speaker, I just want to ask the gentleman one question.

Mr. ELSTON. I yield to the gentleman.

Mr. CANNON. Where are these 6,000 employees?

Mr. SNYDER. They are all over the United States.

Mr. KELLY of Pennsylvania. I would say to the gentleman from Illinois [Mr. CANNON] that that does not include 12,000 more employees of the Indian Bureau, who are Indians, on part time. Bureau agents are employed in every agency on every reservation in the country and in Washington.

Mr. CANNON. And the aggregate expense is how much?

Mr. KELLY of Pennsylvania. Between four and five million dollars for a salary list each year.

Mr. FERRIS. Mr. Speaker, a parliamentary inquiry. Here are 56 amendments, and I want to get at the procedure being followed under the new rule. The chairman of the conference committee under the old rule, of course, had one hour in which to move the previous question. Does he have one hour that he may yield out at will on each of the 56 amendments?

The SPEAKER. He does.

Mr. FERRIS. Or must he conclude within the hour?

The SPEAKER. He has an hour on each amendment.

Mr. ELSTON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 17: Page 12, after line 16, insert:

"PAY OF INDIAN POLICE.

"For pay of Indian police, including chiefs of police at not to exceed $50 per month each and privates at not to exceed $30 per month each, to be employed in maintaining order, for purchase of equipment and supplies, and for rations for policemen at nonration agencies, $200,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same with the following amendment, which I send to the desk.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 17, and concur in the same with the following amendment:

In lieu of the sum of "$200,000" named in said amendment, insert the sum of "$150,000."

Mr. ELSTON. Mr. Speaker, the language in the Senate amendment is identical with what has been carried in the Indian appropriation bill for the past 20 years. When we introduced this item in the House at the beginning of this session we thought it should be reduced, in view of the more settled conditions in a great many of the States where the Indians now reside, and the fact that police duty is much less necessary than it was formerly. We therefore decided on a course of reducing this and some other appropriations of a similar kind.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. Yes.

Mr. MANN of Illinois. During the course of 20 years most of the Indian tribes have been dissolved and members covered into citizenship of the United States. Why does it require nearly as much money to police these citizens, members of former tribes, now dissolved, as it did to police them in their tribal relations?

Mr. ELSTON. I see no reason whatever for it, and I think that the activity in the matter of policing should be a decreasing one, although the gentleman must remember that in some of the outlying Indian country the need is just as great. They are still living in a rather wild country, and possibly Indian policemen are needed, but in States like Oklahoma, Wisconsin, and Michigan, where a great many of these policemen are located, it seems unnecessary to continue them at the full quota that obtained 15 or 20 years ago. This committee in bringing this bill began a reduction in this activity.

Mr. MANN of Illinois. It is a cut of 25 per cent. Of course, I am not well informed on the subject, but I have seen legislation during my service here which has made so many Indians citizens of the United States, who are now subject to the ordinary conditions of other citizens, that I wonder if whenever we make them citizens it is also necessary to employ them then as policemen, in order to help them obey the law.

Mr. KELLEY of Michigan. Mr. Speaker, the Commissioner of Indian Affairs testified to the committee at the hearings that not a single tribe had been released from the jurisdiction of the Indian Bureau; that there are more Indians now under the Indian Bureau than there were 30 years ago, when the act providing for allotment was passed.

Mr. MANN of Illinois. There may be more under the Indian Bureau, so far as property is concerned, but not as to citizenship of the United States.

Mr. SNYDER. Our investigation shows that in 1920 there were only 285 Indians who were declared competent and made citizens. There are 250,000 incompetent Indians, according to the bureau's figures, which, I believe, are at least 50,000 out of the way. That would make at least 50,000 families of five each, who would certainly propagate at the rate of two-thirds of a child per annum, and if that is so we certainly have an increase annually of fifteen or twenty thousand incompetent Indians. I compliment the chairman of the subcommittee on reducing this amount. I think it should be done. I would like to have seen it go out altogether. They have all sorts of officers around these reservations to take care of the Indians, and they do not need half as much care as they give them. However, the gentleman has done well in cutting it to $50,000, and I have no objection, but I do not want anybody to get the idea that the Indian question as it exists to-day is a receding question, because it is an increasing question, and the burden and obligation of the people of the country is getting greater every day by reason of it.

Mr. MANN of Illinois. The gentleman recently reported a bill which practically gave every Indian in the United States citizenship, and I suppose after they become citizens they will cost more than they do now.

Mr. SNYDER. That may be so.

Mr. ELSTON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 12, line 23, insert:

"PAY OF JUDGES OF INDIAN COURTS.

"For pay of judges of Indian courts where tribal relations now exist, $7,000."

Mr. ELSTON. Mr. Speaker, I move to recede and concur in the Senate amendment. This item is one of the regular Indian Bureau items taken out on a point of order after the bill was introduced in the House, and is the usual amount carried, and is in the same amount carried in the bill of last year.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 13, line 15, strike out "*Provided*, That not to exceed $15,000 of the amount herein appropriated may be expended out of applicable funds in the work of determining the competency of Indians on Indian reservations outside of the Five Civilized Tribes in Oklahoma," and insert "*Provided further*, That not exceeding $3,000 of this amount shall be immediately available for the purchase of a bookkeeping machine, with incidental equipment and supplies, in the Office of Indian Affairs: *And provided further*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay for certain law books purchased for the Office of Indian Affairs at an expense of $488.70, from the appropriation for general expenses of the Indian Service for the fiscal year ending June 30, 1921."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment, and agree to the same with the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 20, and agree to the same with the following amendment:

Restore the matter stricken out by said amendment, and after the word "Oklahoma" in the matter so restored insert a colon and the matter inserted by said amendment.

Mr. ELSTON. Mr. Speaker, this amendment restores the language that has been carried in Indian appropriation bills for many years and seems to be consistent with the policy adopted by the Indian Affairs Committee. With regard to the item of $3,000 for the purchase of a bookkeeping machine, it will be noted this is an authorization to expend it out of applicable appropriations. Hearings were had, and it was shown to the committee of the House that this $3,000 for the purchase of a bookkeeping machine would immensely aid the department in its work.

Mr. MADDEN. What kind of a machine would it be to cost $3,000?

Mr. ELSTON. I could not state, but I am informed it is absolutely necessary, and the same showing was made to the Senate committee and they believed it was necessary.

Mr. MADDEN. The only kind of a bookkeeping machine that I ever knew was one operated by a man or woman.

Mr. ELSTON. Now, in regard to the item of $488.70, I am informed that the Indian Bureau came to the Indian Affairs Committee for an appropriation in that amount. I am told that out of the conversations had with the Indian Affairs Committee the officials believed they had authority to buy these books, under the impression it would pass the comptroller. They bought these books and they found the comptroller would not pass the item, and they wish now to pay for the books out of the general appropriation. I believe both of these items are necessary, and the question does not involve anything except the authorization to pay out an amount which would be spent anyway. I think it might be just as well spent on general improvements in the office as spent in some other way.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. ELSTON. Yes.

Mr. MANN of Illinois. Did the department have the authority to buy these books?

Mr. ELSTON. They thought they had, but I think the Committee on Indian Affairs said it was all right and to go ahead without congressional action.

Mr. MANN of Illinois. I take it the department does not ask a Member of Congress as to whether the law gave the department certain authority to buy books. If they do, they want to get a new head of the department.

Mr. ELSTON. I am giving the gentleman statements which were made by bureau officials in testifying before the Senate committee.

Mr. MANN of Illinois. The bureau's official who gets in a casual conversation with a Member of Congress and asks him whether he thought the law authorized the bureau official to do it and get the Member of Congress to say yes ought to be thrown out of office for pure incompetency.

Mr. ELSTON. But let me explain. The question was put not to a Member of Congress but it was put by bureau officials to the Indian Affairs Committee in speaking upon an estimate made by the bureau of this very amount.

Mr. MANN of Illinois. That might be a little stronger, but I am very much surprised that any committee would undertake to give legal information to a department.

Mr. ELSTON. Well, the gentleman will understand I was not a member of the committee at that time, so far as I remember, or was not present, and I have no recollection of this incident.

Mr. SNYDER. I will say to the gentleman from Illinois, as a member of the committee for six years, I have not any recollection of anybody coming in and asking a question of that kind.

Mr. MANN of Illinois. I think a bureau official who would do that is a fool. I do not know whether in this case he is telling the truth, but he proves himself to be foolish or lies—proves himself to be——

Mr. ELSTON. Of course, I am going on hearsay and information given me as to what the bureau official did. I move the previous question.

Mr. HAWLEY. What is the nature of this particular machine? How does it operate; how do you use it?

Mr. ELSTON. I am not an expert in such matters, and I have said as much as I can in regard to it.

Mr. SNYDER. The point is, if the gentleman will yield, that there has been no proper investigation made of this item, and nobody knows what it is or what it is for, and that is the reason it ought not to stay in the bill.

Mr. HASTINGS. If my colleague from California will yield to me for a minute.

Mr. ELSTON. I will yield.

Mr. HASTINGS. This item was presented to the Committee on Appropriations on making up this bill. It was stated that the tabulating machine was a labor-saving machine.

Mr. MADDEN. But a tabulating machine is not a bookkeeping machine.

Mr. HASTINGS. And it was said that it would be of great assistance to the department.

Mr. SNYDER. I would like to ask the gentleman a question. Does he recall that the assistant commissioner said this would decrease the number of employees in the bureau?

Mr. HASTINGS. He said it would render them much more efficient and enable them to do a great deal more work.

Mr. HAWLEY. If this is a tabulating machine, it would be nearer $300 than $3,000.

Mr. HASTINGS. I do not know the particular character of the machine.

The SPEAKER. The question is on the motion of the gentleman from California to concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 21: Page 14, line 5, strike out the word "four" and insert in lieu thereof the word "six."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement and concur in the Senate amendment.

Mr. SNYDER. Mr. Speaker, this is an item——

The SPEAKER. Does the gentleman from California yield to the gentleman from New York?

Mr. ELSTON. Yes.

Mr. SNYDER. This is an item, as the committee knows, that was first stricken out on a point of order, and then it was found that there was statutory law for four inspectors. And the item stayed in the bill, taking care of four inspectors. Now they have raised it to six, as it was originally in the bill, and it is simply adding to this bill two absolutely superfluous positions. So far as I have been able to find, even the four that the law gives the right to legislate for do little or nothing, and now we are arranging it so that we can continue two more. And it is absolutely a wrong proposition and ought not to be left in the bill. Four are ample. Six, of course, could be employed if you would arrange to appropriate for them. They could draw their pay and ride around from one section of the Indian country to another and do nobody any good. I am opposed to it, and it ought to be stricken out.

Mr. ELSTON. Of course, the gentleman must realize that he, as chairman of the Committee on Indian Affairs, has approved this number of six ever since he has been on the committee?

Mr. SNYDER. Ah, but the gentleman does not stop to consider the fact that since we reported the last appropriation bill the gentleman has been in the field and knows what the inspectors do and what the work amounts to.

Mr. ELSTON. If there is any argument to be obtained from practice and habit on the part of the Indian Affairs Committee, of which the gentleman has been chairman for the past two years, then I should say that is an absolutely convincing argu-

ment this should remain at six. If you go into the question at this time of whether four or six are necessary, I believe it is the best money you can expend, to bring in true reports so that Congress can be advised. I believe this is the best money we can spend with good Indian inspectors, and I believe under the new administration we will have a good opportunity to get them.

Mr. SNYDER. I believe it is true if you have good ones, and if you can get them. I appreciate that, as a political proposition, I am standing here against the interests of patronage. But four men can do all the work that is necessary to be done, and the gentleman knows that.

Mr. ELSTON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 22: Page 15, at the top of the page, insert:

"INDUSTRY AMONG INDIANS.

"For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $100,000, or so much thereof as may be necessary, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That said sum shall be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States on or before June 30, 1930: *Provided further*, That not to exceed $20,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians, and that no part of this appropriation shall be used for the purchase of tribal herds."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in the Senate amendment. It is the same item that has been carried in the Indian appropriation bill for many years, with a like amount, and was put out on a point of order; but I understand that it has been the policy of the committee.

The SPEAKER. The question is on the motion of the gentleman from California that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 23: Page 16, after line 5, insert:

"SUPPRESSING CONTAGIOUS DISEASES AMONG LIVE STOCK OF INDIANS.

"For reimbursing Indians for live stock which may be hereafter destroyed on account of being infected with dourine or other contagious diseases, and for expenses in connection with the work of eradicating and preventing such diseases, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, $20,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in the Senate amendment. This is the same text that has always been carried in the bill, but the Senate reduced the amount that was carried in the House bill.

Mr. GARD. Will the gentleman yield?

Mr. ELSTON. I yield.

Mr. GARD. Is this item, for the purpose of suppressing contagious diseases, in addition to the work done through the Department of Agriculture? This is done by the direction of the Secretary of the Interior?

Mr. ELSTON. This is in addition to what is done by the Department of Agriculture.

Mr. GARD. Does the Department of Agriculture do any work among the stock of the Indians?

Mr. ELSTON. I am informed that they do not. They regard that as under the jurisdiction of the Indian Bureau.

Mr. GANDY. Will the gentleman yield on that?

Mr. GARD. I will.

Mr. GANDY. This item is used to pay for animals that have been destroyed, animals belonging to the Indians, by the veterinarians of the Department of Agriculture.

Mr. GARD. It says "For expenses in connection with the work of eradicating such diseases."

Mr. GANDY. Of course, that is true, but that is a small portion of the expense.

Mr. ELSTON. I will state to the gentleman that three or four years ago this appropriation was $100,000.

Mr. GARD. I am not questioning the amount. I was merely questioning the policy of whether it would be a duplication of work.

Mr. ELSTON. There is no duplication.

Mr. CARTER. I think practically all of this is to pay for horses that are killed, which comes under the eradication and prevention of diseases. It may be that there are some expenses connected with gentlemen going about among these Indians, but that represents only a small amount. The larger portion of it is for paying for horses that have been destroyed.

Mr. GARD. What is the amount of the reduction?

Mr. ELSTON. It has been reduced $20,000.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. Certainly.

Mr. TINCHER. This seems to be an appropriation to pay salaries of these gentlemen who are still holding on to the positions of veterinarian for the purpose of eradicating dourine among horses, although the disease was eradicated several years ago. The testimony adduced before the Committee on Agriculture last year was to the effect that the disease had been eradicated. The department did not ask for any substantial appropriation this year, and they assured us they would not ask for an appropriation last year. I was wondering if, while the Department of Agriculture and the whole country think this disease is eradicated, and has been eradicated for several years, we should still continue in these positions the men who want to keep them?

Mr. ELSTON. The bill last year carried $40,000, and only $10,000 was used for salaries.

Mr. TINCHER. They kill a pony or two among these Indians on the ground that they have dourine, notwithstanding the fact that, according to the testimony of the Department of Agriculture, the disease has been stamped out.

Mr. SNYDER. In this item, as in the case of others, we reduce the amount but we do not reduce the activity on the part of the bureau. They keep right on spending money, whether you appropriate it or not. Right now, in the first deficiency appropriation which passed the Senate yesterday, the Indian Bureau comes in with $1,000,000 of deficit, covering almost every item in this bill, including nearly $300,000 for schools and $200,000 for transportation.

I talked with the assistant commissioner this morning about it, and he says, "There is no law that will stop us from continuing to spend appropriations when the appropriations run out"; so that what the gentleman from Kansas [Mr. TINCHER] said is a fact. The report last year was that but $10,000 was spent for salaries. You reduce this appropriation to $20,000, but do you think they will reduce any salaries or stop the paying of any of the men? Not by any means. They will not discontinue paying for the Indian ponies destroyed. They will continue it. There is a million dollars for the Indian Bureau incorporated in the deficiency bill which passed the Senate yesterday. There has not been a bill presented to this House where greater care was taken by the committee which framed it to keep the items within the proper amount and give each activity the proper amount required for its service than the Indian appropriation bill which passed a year ago, although I did have the honor to report it.

Mr. ELSTON. In the Indian appropriation bill last year we carried $40,000 for this item. This bill carries $20,000.

Mr. SNYDER. I congratulate the gentleman on cutting down the amount; but I am pointing out the fact that it makes no difference whether you reduce the items or not—the department goes on spending the money just the same.

Mr. ELSTON. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. ELSTON. I move that the House recede and concur.

The SPEAKER. The gentleman from California moves that the House recede and concur. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 24: Page 16, line 14, insert the following:

"DEVELOPING WATER FOR INDIAN STOCK.

"For improving springs, drilling wells, and otherwise developing and conserving water for the use of Indian stock, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys, for the purpose of increasing the available grazing range on unallotted lands on Indian reservations, $40,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the necessity exists on any Indian reservation so far as the Indians themselves are concerned."

Mr. ELSTON. Mr. Speaker, I move to recede and concur on this amendment. It is the same as that carried in the bill for many years last past.

The SPEAKER. The question is on agreeing to the motion of the gentleman from California.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 25: Page 17, line 9, insert the following:
"That section 26 of the act entitled 'An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920,' approved June 30, 1919 (Public, No. 3, 66th Cong.), be amended as follows:
"That wherever the term 'metalliferous' is used in said section 26 of the above-entitled act, it shall hereafter be defined and construed by the Secretary of the Interior to include magnesite, gypsum, limestone, and asbestos."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement and agree with the following amendment.

The SPEAKER. The gentleman from California moves that the House recede from its disagreement and agree with the following amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to amendment No. 25 and agree to the same with the following amendment: In line 9 of the matter inserted by said amendment, strike out the word "hereafter."

Mr. FERRIS. Mr. Speaker, I wish the chairman of the committee would give a little explanation of what that is.

Mr. ELSTON. This was an amendment to the act which permitted leases of the mineral rights on some Indian lands. The definition was supposed to include all minerals. Many applications have been made upon that interpretation, and the Bureau of Indian Affairs is anxious to close for the benefit of the Indians certain leases which would be for their benefit, but they find that the definition in the bill does not cover these additional substances. The original act gives discretion to the Secretary of the Interior to fix the rules for leases and arrange terms, so that it is within the control of the Government as to what leases shall be made and what they shall contain.

Mr. FERRIS. Will the gentleman refresh his memory of what was the act of June 30, 1919? Was that the bill authorizing the lease of oil lands on Indian reservations?

Mr. ELSTON. No; that is not the act.

Mr. FERRIS. What is that act?

Mr. ELSTON. I will yield to the gentleman from Arizona [Mr. HAYDEN], who I have no doubt can answer that.

Mr. HAYDEN. Section 26 of the Indian appropriation act referred to provided for a method of leasing Indian lands for the purpose of metalliferous mining. It applies only to metals, such as gold, silver, copper, and lead. The purpose of this amendment, as I understand it, is to include magnesite, gypsum, limestone, and asbestos, and to call them "metalliferous minerals" for the purposes of that act, in order that leases may be made under the same conditions as leases are made for metalliferous minerals.

Mr. MANN of Illinois. We may legislate and say that limestone is metalliferous, but we may lie about it. It will have the same effect.

Mr. HAYDEN. It might well read, "For the purposes of this act these four nonmetalliferous minerals shall be considered to be metalliferous."

Mr. MANN of Illinois. What is the purpose of that word "hereafter"?

Mr. HAYDEN. I am not informed as to why the House conferees desire that change.

Mr. SNYDER. I will enlighten the gentleman, if I can. In the act passed last year, or the one you are talking about, the act of June 30, 1919, the country was opened up for prospecting for these metals. But the comptroller or the Secretary of the Interior did not understand that the definition of "metalliferous" included metals that have been found by people who have gone in there and developed mining, so that there is production of asbestos, and if this law went through with the word "thereafter" in it, those men who have located there would have to get off and others could locate on the same mining operations.

Mr. MANN of Illinois. The word "thereafter" is not in here at all. It is "hereafter."

Mr. SNYDER. Yes.

Mr. MANN of Illinois. The gentleman has moved to strike out the word "hereafter."

Mr. SNYDER. Yes.

Mr. MANN of Illinois. I do not think it would have any such effect as the gentleman from New York thinks, but I would like to ask the gentleman from California what he thinks will be the effect of striking out the word "hereafter"?

Mr. ELSTON. Some of the proposed lessees have gone in, believing that under an interpretation of the act they were acting within the law.

Mr. SNYDER. That is it.

Mr. ELSTON. If the language is carried as it is in the amendment, it might put them out of possession and let some claim jumper come in and supersede them. Their equities appear quite strong. I am informed by the bureau that it will have full control over this matter, and that it will exact the same from the present claimants that it would from new claimants. So the Government can not be prejudiced, and the amendment would only protect those who have very strong equities in their present position.

Mr. DEMPSEY. In other words, it will make it apply from the date of the present law instead of from the date of the passage of this act.

Mr. ELSTON. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 26: Page 17, line 20, insert:
"That the restricted allotment of any Indian may be leased for farming and grazing purposes by the allottee or his heirs, subject only to the approval of the superintendent or other officer in charge of the reservation where the land is located, under such rules and regulations as the Secretary of the Interior may prescribe."

Mr. ELSTON. I move to recede and concur with an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from California moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Page 17, line 25, after the word "prescribe," strike out the period, insert a colon, and add the following:
"*Provided*, That this provision shall not apply to the Five Civilized Tribes."

Mr. ELSTON. Mr. Speaker, this amendment was put on by the Senate, but I am informed that it has the full approval of the chairman of the Committee on Indian Affairs [Mr. SNYDER]. I am told by him and by the chairman of the Indian Affairs Committee of the Senate that if this amendment goes into effect it will save a very large amount of money and a tremendous amount of time in the Indian Service. The amendment which I propose is necessary by reason of the fact that the Five Civilized Tribes are subject to a separate act, so that this provision ought not to prevail as to them.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 27: Page 18, after line 11, insert:
"For new buildings and additions to and remodeling of present buildings, $50,000."

Mr. ELSTON. Mr. Chairman, I move that the House recede and concur with an amendment.

The SPEAKER. The gentleman from California moves that the House recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 27 and agree to the same with the following amendment: In line 2 of the matter inserted by the said amendment, after the word "buildings," insert the following: "At the Indian School, Phoenix, Ariz."

Mr. ELSTON. Mr. Speaker, investigation was made by the subcommittee of the Committee on Indian Affairs who went into the Indian country of the situation at the Phoenix school, and they came to the conclusion that it presents about as great a necessity for a new building as could be imagined. The school gave a demonstration of the inadequacy of the present assembly hall to hold the students. They were crowded clear to the doors, and 100 or more could not get into the assembly hall at all. The situation is deplorable, in view of the high standard that this school has maintained.

The SPEAKER. The question is on agreeing to the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 31: Page 21, line 17, after the figures "1916," strike out "$100,000" and insert: "$75,000 to be immediately available: *Provided, however,* That not exceeding $50,000 of the appropriations available for the construction of this project may be used in the purchase of such land, right of ways, constructed or partly constructed canals, and other physical properties deemed necessary by the Secretary of the Interior in connection with such project.

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement and concur in this amendment. It will be observed that the Senate in this amendment has reduced the House appropriation by $25,000, but it has added certain language which was favorably considered by the House and inserted in the committee bill but stricken out on a point of order.

The language is necessary to properly make use of the reduced appropriation. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

For an investigation by the Secretary of the Interior of the conditions with respect to the necessity of constructing a bridge across the Colorado River at or near Lees Ferry, Ariz., $1,000, or so much thereof as may be necessary for the purpose, and the said Secretary is hereby authorized and directed to cause surveys, plans, and reports to be made, together with an estimated limit of the cost of said bridge, and to submit same to Congress as soon as possible, with his recommendation as to what proportionate part of the cost of the construction of said bridge, if any, shall be paid by the United States.

Mr. ELSTON. Mr. Speaker, I move to recede and concur with the following amendment.

The Clerk read as follows:

Mr. ELSTON moves to recede and concur with the following amendment: In lieu of the sum of "$1,000" named in said amendment, insert the sum of "$1,200."

Mr. ELSTON. Mr. Speaker, it was represented that this was a very necessary investigation.

Mr. HAYDEN. One end of this proposed bridge will be in the Navajo Reservation and, if constructed, it would give access to what is now a very remote section of northern Arizona. What the ultimate cost will be is to be determined by investigation.

Mr. CARTER. There is no provision as to what part of the cost of the investigation is to be paid by the Indians and by the Government of the United States. The amount taken from the Treasury ought to be reimbursable.

Mr. ELSTON. I have no objection to such a modification.

Mr. CARTER. Would it not be better to provide that the amount paid by the United States is to be reimbursable from the fund of the Navajo Indians?

Mr. HAYDEN. The bill might properly be amended in that way.

Mr. ELSTON. I would accept that.

Mr. SNYDER. Mr. Speaker, this is clearly legislation put on by the Senate and is properly before the House, so far as that is concerned. If we put the item into the bill as legislation, when the investigation is completed where will the report go, to the Committee on Appropriations or to the Committee on Indian Affairs?

Mr. HAYDEN. The report would be referred to the Committee on Indian Affairs.

Mr. MANN of Illinois. The Committee on Indian Affairs will get the report and the Committee on Appropriations will move to concur in the Senate amendment and make the appropriation.

Mr. SNYDER. That is the point, and no one has any information.

Mr. HAYDEN. The Committee on Indian Affairs could not make the appropriation.

Mr. CARTER. The Indian Committee has the blessed privilege of receiving the report. [Laughter.]

Mr. SNYDER. That is about all. The things that have happened this afternoon convinces me more fully than I have been at any time that no matter what we do under the rule we get the reverse of what we were told the rule was going to give us. In other words, the rule was made so that the Senate could not legislate without the consent of the House. What is the effect? Estimates come from the bureau with such legislation as they desire. It goes to the Committee on Appropriations and they take out such legislation as they think would not go through, making no investigation of the items that they throw out. It comes to the House, the House takes a number of items out, and it goes to the Senate and the Senate puts every one of them back except two, hangs everything on to it including the kitchen stove without a particle of investigation; that is a matter of record. It comes back to the House, and we are asked to take this legislation without anybody in the House having any knowledge whatever, and 90 per cent of the Members who know nothing about it come in and vote with the committee, with the result that it does not matter what is in here, good, bad, or indifferent, if the chairman of the subcommittee, who is the only man that has any knowledge of what is in the bill, and that knowledge is only from his own investigation and what little he gets from the conferees—all the rest come in and support it, and we are going to enact from now on laws in this country that 90 per cent of the Members do not know anything about and have no way of finding out unless they sit here and listen to the arguments.

Mr. ELSTON. Mr. Speaker, I have been rather indulgent to the gentleman in yielding time——

Mr. SNYDER. The chairman, I am sure, will appreciate that I have certain rights.

Mr. ELSTON. Mr. Speaker, I will take two minutes out of my time to make an observation upon this question, as gentlemen know I have made no reference heretofore to outside matters. The gentleman from New York does not describe the situation with absolute correctness. Before the new rule was passed the House conferees could agree to every legislative item added by the Senate, and the House would have to vote it up or vote it down as a whole. The House had no privilege of passing on new items separately. Now what happens? The Senate puts on legislative items and the House conferees have no right to even consider them.

We bring them in here, and all we do is to throw them before the House and say, "Do as you please; let the House legislate as it pleases."

Mr. SNYDER. Without any knowledge whatever of the provisions.

Mr. ELSTON. That is the answer to the gentleman's position.

Mr. SNYDER. The gentleman states it all right, except the fact that the House has no knowledge of these items on which to base a vote.

Mr. ELSTON. How much knowledge did the Members of the House have before, when the Senate put on these legislative items and the House was obliged to vote them up or down in a conference report? Formerly they brought in a conference report and sometimes put it through without any explanation. We at least are giving the House a little more than it ever had before.

Mr. SNYDER. But heretofore 98 per cent of the legislation that was on appropriation bills had been investigated by a committee.

Mr. ELSTON. The gentleman knows that most of these legislative items have been considered by the Senate committee and many of them by the House committee. Under the former system it was about the same, so far as investigation is concerned.

Mr. BEGG. Mr. Speaker, I make the point of order that there is no quorum present. I would like to have everybody hear this intelligent discussion.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count.

Mr. BEGG (interrupting the count). Mr. Speaker, I withdraw the point of order of no quorum for the time being.

Mr. CARTER. Mr. Speaker, I desire to make a statement with reference to the discussion just had between the gentleman from California [Mr. ELSTON] and the gentleman from New York [Mr. SNYDER]. It has been the policy of the Indian Committee in the past and the policy of the House conferees on the Indian appropriation bill to refuse to accept such amendments as these unless such amendments had theretofore had consideration by the House Committee on Indian Affairs. Certainly there may have been times when that rule was not adhered to strictly, but usually—in fact, I think almost universally—the House conferees would insist upon the rights of the House, and the Senate conferees would, of course, recede, the possible exception being matters which had been formerly thoroughly considered by the House Committee on Indian Affairs and favorably reported, and even then we would sometimes find that the House conferees had made a mistake.

Mr. ELSTON. If the gentleman will consult section 3906 of Hinds' Precedents, he will see what policy the House has adopted with reference to legislative matter put on by the Senate, and where the House adopted the policy as a matter of fact, as a matter of practice, to recede where the Senate absolutely insisted on its legislative amendments.

Mr. CARTER. Oh, the gentleman is mistaken about that.

Mr. MANN of Illinois. Mr. Speaker, the gentleman is mistaken about that. The rule has always been between legislative bodies, if one body puts legislative matter on a bill as an amendment to which the other will not agree, that the body that adds it recedes.

Mr. CARTER. And is not that the rule with reference to all amendments obnoxious to the rules placed on all appropriation bills?

Mr. MANN of Illinois. A new proposition inserted by either House is receded from in the end if the other House will not agree to it. I would like now to ask something about this proposition, if it is not out of order. The gentleman proposes now an amendment to reduce an item of $1,000 to $500 for making plans for this bridge. Is it not perfectly certain that $500 will not provide the plans?

Mr. ELSTON. I think $500 will do about as much as $1,000, and inasmuch as the sum is inadequate I believe it will be only sufficient to make a rough reconnoissance to find out the necessity for it.

Mr. MANN of Illinois. That would be a waste of $500. Here is a provision requiring the Secretary to cause surveys, plans, and reports to be made with an estimate of the limited cost of the bridge. He has got to make the plans and ascertain the probable cost of the bridge. They can not do that for $500. It will be just wasting that much money, because we would have to do it all over again.

Mr. ELSTON. The gentleman is much more experienced than I, but I feel that $1,000 is too much and that $500 is about as much as I am willing to propose. If that is not enough, the gentleman can draw his own conclusions as to the adequacy of the amendment. I move the previous question on the motion.

Mr. MANN of Illinois. Mr. Speaker, I do not propose to permit the gentleman, when I am asking him a question, to take me off my feet by moving the previous question.

Mr. ELSTON. Oh, I withdraw that.

Mr. MANN of Illinois. Because if it is to be the practice when these Senate amendments come back from the Senate for consideration in the House that, under the pressure of business, the gentleman having the right to move the previous question, can do so and foreclose the consideration of amendments, then this rule will not last very long. I know the pressure the gentleman is under. I understand that, but if the rule is to remain, it must be proper for Members of the House who wish to know about the Senate amendment to make inquiry about it, even if the gentleman representing the House on the conference committee does not know anything about it.

Mr. ELSTON. Mr. Speaker, I have the greatest consideration in the world for the gentleman's opinion and for his learning and his experience. I have no intention whatever of taking the gentleman off his feet. I withdraw my motion for the previous question. The gentleman stated it right when he spoke of the pressure that I am under. If we take an average of half an hour or 20 minutes to each of these 57 amendments we are going to take three days on this bill. I feel a certain obligation in closing as rapidly as possible. I yield to the gentleman five minutes, if he wishes to use that time.

Mr. MANN of Illinois. Mr. Speaker, we are confronted with this proposition: If this provision were in a bill reported to the House it would be subject to consideration in the Committee of the Whole House on the state of the Union and would be debated probably for a time long enough to find out something about it. Somebody would know about it.

We are now told that under pressure in the last days of the Congress we can not even have 10 minutes on an amendment of the Senate. We must swallow the amendments without knowledge or reject them without information. I want to know whether under this rule we are put in the position where the House must act speedily without knowing anything? If that is the case, if these amendments are to be brought in here by gentlemen who say they have never heard of them at all until some Senator told them how necessary they are, then the rule does not work very well. I know very well that over in another distinguished legislative body, which I shall not name, it is the custom for any Member of that body, however lowly he may be, to merely say he wants an amendment stuck on an appropriation bill, and it goes on as a matter of right in the opinion of the gentleman who offers it, and if he does not get it then there is a row in that other legislative body that nearly breaks it up. Hence, the amendments are put on.

I have not heard before that because a distinguished Member of another legislative body, or a distinguished Senator of the United States, told the conferees on the part of the House that he wanted an amendment about which they knew nothing and about which he furnished no information, that therefore you could not discuss it before the House without the chairman moving to concur in the Senate amendment. I do not know whether we have reached that to-day. I know one Member of another legislative body can control that body, and I wondered if he has equal power to control this body. Are we to concur in Senate amendments without knowing anything about them, simply because some man of another legislative body said he wanted it? It gets my goat. [Laughter.]

Mr. ELSTON. Mr. Speaker, this item, of course, authorizes an investigation merely. Not knowing the necessity I can not make any observation of what the necessity is. It is represented that there is a situation concerning which we should have information. I move the previous question.

Mr. CARTER. I want to move an amendment.

Mr. ELSTON. The gentleman's amendment is that it is to be reimbursed——

Mr. CARTER. I will send it to the Clerk's desk and I ask to have it reported.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER to Senate amendment No. 32: After the words "United States," strike out the period, insert a comma, and add the following: "and if authorized to be paid, to be reimbursed from the tribal funds of the Navajo Indians."

Mr. MANN of Illinois. Will the gentleman yield to me a moment on that? The amendment does not mean anything.

Mr. SNYDER. Not a thing.

Mr. MANN of Illinois. This provision says there shall be a report of how much shall be paid by the United States. Now, the gentleman's amendment was intended to mean how much shall be paid by the United States and be reimbursed from the money of the Indians, but it does not accomplish anything.

Mr. CARTER. That is my purpose, and I certainly think it does. If the gentleman has any suggestion to offer, I would be very glad to hear it.

Mr. MANN of Illinois. I think if we had time to sit down we could prepare a proper provision to cover it; but this provision as it reads says how much the United States shall contribute, and I assume that means out of the Federal Treasury. The balance probably would be paid by the Indians. The gentleman's amendment proposes how much shall be paid by the United States to be reimbursed.

Mr. CARTER. As I understand this, Mr. Speaker, a part of this is to be paid perhaps by some authority here and the other part out of the Indians' fund, and what I am trying to avoid is having any part paid out of the United States Treasury without having it reimbursed.

Mr. MANN of Illinois. I am with the gentleman. I want to do what he wants, but I think, as reported, it would dodge it.

Mr. SNYDER. Since nobody seems to know anything about it at all, a proper amendment would be to strike it out altogether.

The gentleman can reject that; that is perfectly within the province of the House.

Mr. CARTER. Mr. Speaker, I would like to have my amendment again reported.

The SPEAKER. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. CARTER. I think this does exactly what I am trying to do, but I have so much respect for the gentleman's opinion that I would like to ask——

Mr. MANN of Illinois. What do they report?

Mr. CARTER. They are to report what the cost of construction of said bridge is and what part, if any, shall be paid by the United States, and then we might put the words "reimbursable from the funds of the Navajo Indians." The other was a little more specific.

Mr. MANN of Illinois. What the gentleman has in his mind is a provision to require that any money which the United States shall contribute shall be paid out of the funds of the Indians?

Mr. CARTER. Yes.

Mr. MANN of Illinois. But this is not the requirement at all except that the Secretary of the Interior shall submit a report or recommendation.

Mr. CARTER. Yes; and give them that right, if the gentleman will permit, to recommend what part shall be paid by the United States. Now, I did not want to make that recommendation without at the same time making it so that that shall be reimbursable from the tribal funds.

Mr. MANN of Illinois. The gentleman can not do that at this time. The report, if the gentleman's amendment is agreed to, may do some good. The report will be a recommendation as to how much shall be paid by the United States, to be reimbursed out of the Indian funds.

Mr. CARTER. That is exactly what I want the report to show.

Mr. MANN of Illinois. The report would do that anyhow, probably.

Mr. CARTER. There is no direction here for the committee to report anything about the tribal funds, if the gentleman will notice, and I wanted to be sure there was something in the report which would not leave the House to believe that any indication had been made that this bridge should be built from Treasury funds without being reimbursable.

Mr. MANN of Illinois. But the Secretary would still be able to report how much was to be paid out of the Federal Treasury not to be reimbursable and how much would be paid out of the Federal Treasury that would be reimbursable.

Mr. CARTER. The thing I am trying to avoid is to have anything paid out of the Federal Treasury without being reimbursed.

Mr. MANN of Illinois. The gentleman's amendment will not accomplish that.

Mr. CARTER. I think it will.

Mr. CHINDBLOM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CHINDBLOM. I would like to know whether a motion to disagree to the Senate amendment is now in order?

The SPEAKER. There is already a motion pending. If that is voted down, the motion will be in order. The present motion is preferential over a motion to disagree.

Mr. CHINDBLOM. If I may be indulged for a moment, I wish to say that I have listened to this discussion, and if anyone who is not a member of the Committee on Indian Affairs or not a member of the Committee on Appropriations now has sufficient information to vote upon this Senate amendment No. 32 I would like to have him rise in his seat and be recorded. I think the only thing to do is to disagree to the amendment.

Mr. ELSTON. Mr. Speaker, I have explained as fully as I could that here is a project as to which there is nothing certain. I want to find out about it. This is an investigation to find out if the prima facie allegations are important and sufficient. There is no evidence so far as to whether they are or not. That is what the investigation is for.

Mr. CHINDBLOM. What I wanted to say was, as to whether $500 is an adequate amount, or $5,000 is an adequate amount, nobody can tell from this discussion.

Mr. ELSTON. Nobody can tell. Therefore I have put it as low as I can.

The SPEAKER. The question is on the amendment of the gentleman from Oklahoma [Mr. CARTER].

The amendment was agreed to.

The SPEAKER. The question is on the motion of the gentleman from California [Mr. ELSTON] to recede and concur with an amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN of Illinois. Division, Mr. Speaker.

The House divided; and there were—ayes 46, noes 12.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 34, page 22, line 20, insert: "The Secretary of the Interior is hereby authorized to sell and convey at the appraised value of same at the time of sale the land and buildings known as United States Indian day school, located in the southwestern part of the city of Tucson, to school district No. 1, Pima County, Ariz., for use as a public school: *Provided*, That Indian children residing in that district shall be received therein at all times on equal terms with white children."

Mr. ELSTON. Mr. Speaker, I move to recede and concur in this amendment.

The SPEAKER. The gentleman from California moves to recede and concur in the amendment.

Mr. SNYDER. Will the gentleman yield?

Mr. ELSTON. Yes.

Mr. SNYDER. Of course, this is clearly legislation, a new item, and no one knows anything about it, either as a member of the committee or as a Member of the House, except what information the subcommittee may have received as conferees. It clearly has no place on an Indian appropriation bill; but under the rule and under the method and under the sentiment that seems to prevail here in the House to-day, I have not any doubt but that it will be inserted in the bill. It looks like if all these items go in the bill that have been put in in the Senate, the bill would be increased several million dollars over what it carried when it left the House. Notwithstanding the fact that our distinguished leaders and all the leaders that are operating the machine here are talking economy all the time, there is not one of them here this afternoon defending these increases that are being made in this appropriation bill. What is the use of gentlemen getting up here and making statements in sequence on these appropriation bills as they have passed the House, showing the country we have saved $1,200,000,000, when on each one of the bills that is brought back they have to admit that they not only carry all that the estimates call for, but an addition, even, to the estimates. That is what this will show when we get through with this bill to-night or Monday, namely, that the appropriations carried in these very amendments we are putting in here now are due to the fact that the House will not stand up and vote against the items and thereby carry out the wishes of the leaders and the statements that they are giving to the House, and endeavoring to make good on those statements by holding another body down to the amounts we put in the appropriation bill. Instead of that, we are staying here, only a few of us, and are voting against that thing.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. GREEN of Iowa. Do I understand the gentleman to say that when we had finished, if we went on as we are now doing, the items in the bill would exceed the sum in the estimates?

Mr. SNYDER. The bill as it has already passed the Senate is more than a million dollars over the estimates, and if we put the items in this bill that are asked for by the Senate it will be within $100,000 to $200,000 of the estimates.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes; I will yield.

Mr. CRAMTON. Is it not a fact that up to date in this discussion this afternoon the largest item that has been approved, adding to the amount in the House bill, was an item that was, in the discussion, recommended to this committee by the gentleman from New York, amounting to something like $400,000?

Mr. SNYDER. Which one is that?

Mr. CRAMTON. It is the largest one, as I recollect, that we have had before us.

Mr. SNYDER. I do not recall recommending any of them.

Mr. CRAMTON. It was an item of $400,000, which I understood the gentleman to say was necessary.

Mr. SNYDER. That was an integral part of the bill when it was brought into the House, when we came in here.

Mr. CRAMTON. The largest item added this afternoon was recommended by the gentleman from New York.

Mr. SNYDER. No. The gentleman is making a misleading statement. He is trying to put statements in the gentleman's mouth that he did not say. That is an integral part of this service, and I had no objection to its going in.

Mr. CRAMTON. Does not that confirm what I said, that the gentleman says "it is an integral part," and that it is necessary?

Mr. SNYDER. Well, we have a right to discuss a thing about these items, and I do not propose to be swept off my feet here unless the House wishes to do it and unless I have had my rights.

Mr. ELSTON. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. BEGG].

The SPEAKER. The gentleman from Ohio is recognized for five minutes.

Mr. BEGG. Mr. Speaker and gentlemen of the House, I am not sure that I have any conception of what the responsibilities of a Member of Congress are. It is entirely possible that my ideas may be exalted and that I may be forced to erroneous conclusions. But I simply want to call the attention, not of the House—I do not care anything about the House—I want to call the attention of the people who are reading the newspapers to this budget system, and particularly to this fact: The lower House of Congress this afternoon is sitting here going through a farce so far as honest legislation is concerned. I have not had time to compute line by line, but I am going to make an estimate, and I will stand for a correction if I am wild. One-fourth of this bill is being passed on this fashion: The gentleman from California [Mr. ELSTON]—and I have no quarrel with him in the least; he is doing what you or I would do if we had his position—the gentleman from California rises in his place and says, "I move that the House recede and concur." Now, recede from what? Nobody knows. Nobody in this House has the least conception of what he is receding from. Concur in what? Why, in whatever was sent over from the other side of the building.

Now, we go out before the country every two years and we make a great splurge about what we will do if the people send us to Congress. I am ready to say to you that I am willing to go back and tell my people that there is no use in sending me here, but all that is needed now is to wire down an O. K. for whatever the committee of 35 sees fit for the country.

Talk about rights on the floor! Of course, we have rights. I can have a right to talk 5 minutes, or I might get 15 if I got bully and should make a point of order or say that I would make a point of order if they did not give it to me.

But what do you think? There is not a single item changed when the chairman stands up and says, "Put it over."

It seems to me it is preposterous. It seems to me it is terribly ridiculous that in America, where it is the boast and the foundation stone of progress from the start, that the power of initiating legislation rests with this body and not in the other body, not in the committee of 35. For a man who claims to know anything about the budget system to say that the budget system can not be made to function in the legislative end of the Government is to deny the fundamental principles upon which our Government was founded. A legislative budget system is a farce and a misnomer. An executive budget is all right, and the men who are responsible for foisting this kind of a proposition on the country have to convict themselves of either

one of two things, either of wanting to control all the power or else of not knowing the condition that they are throwing this country and everybody else into. Why, I am getting letters from colleges. I got a great long questionnaire this morning from a college debating society with 10 questions. One of them was, "Are you in favor of a legislative budget system that deprives the House of the right to add to or subtract from the budget as sent down from the Executive offices?"

Now, I simply warn you men. I admit that I am only a cub in legislation, but I am not a cub in judging as to where men are driving to, and I will say to you and I warn you men who are backing this thing that inside of a decade, if you continue, you will have surrendered the only vestige of control; you will have surrendered your control not from this body to the other on the hill, but from this end of the Government to the Executive end of the Government.

Mr. ELSTON. Mr. Speaker, may I ask how the time is running?

The SPEAKER. The time of the gentleman has expired.

Mr. BEGG. I should like to have a couple of minutes more. I admit it is possibly getting a little uncomfortable.

Mr. ELSTON. I would be perfectly willing to yield to the gentleman two minutes if I thought we could thrash out this whole budget system in that time without any reply from any other gentleman.

Mr. BEGG. I will say to the gentleman that I have not taken a single minute for a week or two. I have been listening.

The SPEAKER. The gentleman from California yields to the gentleman from Ohio two minutes more.

Mr. BEGG. Now, let us get back to the fundamental principle of why we are down here, why we sit in a body known as the Congress at all. In the first place, I have not forgotten my history that when the first legislative body ever sat it was out of the comparing of the different ideas on every question, it was through a getting together of extreme views on every question that we obtained our system of Government, and it is only going to be by the preservation of that system that will permit us to do that very thing that we will have anything like a guaranty of permanency in the functioning of the Government. To say that we can legislate on all the legislative provisions of government is again to me a farce. I want to ask you Members of the House how much time will you be required to be in this House annually if they take away from you every single bit of the power to decide on the appropriations for the various branches of the Government? You say you will be busy all the time sitting and hearing. What are you going to hear, after you get your fundamental law? I am one Congressman who is not afraid to say to the country that if we should pass the appropriation bills and go home the country would be better off in 10 years' time, rather than have us sit here and bring in all kinds of freak legislation that will do nothing except come back and slap us in the face inside of a year or two.

The SPEAKER. The time of the gentleman has again expired.

Mr. HASTINGS. I ask unanimous consent that the amendment be again reported. There is not a dollar of charge upon the Treasury in this amendment 34 that has been debated.

Mr. ELSTON. The amendment amounts to nothing.

The SPEAKER. Without objection the amendment will be again reported.

The Clerk again reported amendment 34.

The SPEAKER. The question is on the motion of the gentleman from California that the House recede from its disagreement and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 36: Page 23, line 11, insert: "For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, $10,000, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 37: Page 24, line 17, insert: "For the improvement and construction of roads and bridges on the Yuma Indian Reservation in California, $10,000, reimbursable to the United States by the Indians having tribal rights on said reservation."

Mr. ELSTON. Mr. Speaker, I move to recede and concur in that amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 40: Page 25, line 19, insert:

"IOWA.

"SEC. 5a. For the construction, maintenance, and operation of a drainage system for lands of the Sac and Fox Indians in Iowa, $10,000: *Provided*, That any moneys expended for this purpose shall be reimbursed out of any funds in the Treasury of the United States to the credit of the said Sac and Fox Indians: *Provided further*, That the Secretary of the Interior is hereby authorized to enter into agreements, or make other suitable arrangements, with owners of adjacent lands benefited by the construction of such drainage system as will insure from such owners payment, on a per acre basis, of a proportionate part of the construction, operation, and maintenance of said drainage system."

Mr. ELSTON. I move that the House recede from its disagreement and concur in the amendment with an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from California moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the matter inserted by said amendment insert the following:

"IOWA.

"SEC. 5a. For the construction, maintenance, and operation of a drainage system for lands of the Sac and Fox Indians in Iowa, $10,000, payable from the tribal funds of such Indians: *Provided*, That the Secretary of the Interior is authorized to enter into agreements or make other suitable arrangements with owners of adjacent lands benefited by the construction of such drainage system as will insure from such owners payment, on a per-acre basis of a proportionate part of the construction, operation, and maintenance of said drainage system."

Mr. WALSH. What is the idea of this amendment?

Mr. ELSTON. The amendment is to make this appropriation payable out of the tribal funds instead of out of the Treasury of the United States.

Mr. WALSH. The Senate amendment provides that, does it not?

Mr. ELSTON. No; the Senate amendment provides that these moneys are to be paid out of the Treasury of the United States. The amendment which I sent to the Clerk's desk provides that the money shall be paid out of the tribal funds of the Indians.

Mr. WALSH. Is it not reimbursable?

Mr. CARTER. The Senate amendment makes it reimbursable, and this amendment offered by the gentleman from California makes it payable from the tribal fund.

Mr. ELSTON. The Senate amendment appropriates the money out of the Treasury and provides that the Indians shall reimburse the Treasury. My amendment cuts out that provision and makes the tribal fund pay for it. It does not take the money out of the Treasury but makes them pay for their own improvement.

Mr. RAKER. Will the gentleman yield?

Mr. ELSTON. I will.

Mr. RAKER. In line 5, page 26, it fixes the payment on a per acre basis of a proportionate part of the construction, operation and maintenance of said drainage system. Does the gentleman think that is a fair basis to fix it on?

Mr. ELSTON. I think so in this case, and I hope the gentleman will rest on my statement.

Mr. RAKER. I will, if the gentleman says it is fair under the circumstances.

Mr. CARTER. Let me ask the gentleman if there is any Indian tribal fund?

Mr. ELSTON. There is; they have over $300,000.

Mr. HASTINGS. Yes; we investigated that.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 15962, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table, disagree to all of the Senate amendments, and agree to the conference asked for by the Senate of a bill of which the Clerk will read the title.

The Clerk read as follows:

H. R. 15962. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The SPEAKER. Is there objection?

Mr. VOLSTEAD. Reserving the right to object——

Mr. WALSH. Mr. Speaker, I ask for the regular order. We are considering a conference report.

INDIAN APPROPRIATION BILL.

The SPEAKER. The gentleman from Minnesota objects, and the Clerk will read the next amendment.

The Clerk read as follows:

For new heating, power, ice, and electric plant, $75,000; for repairs and construction of drain, ditches, and dikes on the Haskell School farm, $18,000, to be immediately available and to remain available until expended.

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur with an amendment which I send to the desk:

The Clerk read as follows:

Mr. ELSTON moves to recede and concur in Senate amendment No. 42, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "For new heating and power plant, $55,000; for repair and construction of drains, ditches, and dikes on the Haskell School farm, $18,000, to be immediately available and to remain available until expended."

Mr. CARTER. That adds $73,000 to the bill.

Mr. ELSTON. It does.

Mr. CARTER. We ought to have some explanation of that.

Mr. ELSTON. In regard to the $18,000 item it was shown that there was a cloud-burst over this farm and practically destroyed all the drains and dikes, and unless this work is done immediately the work on the farm can not go on and loss to the Government will ensue, and of course no work can be done in an agricultural way at the school. This work must be done.

In regard to the $55,000 item it is a reduction of $20,000 in the amount carried in the amendment. My amendment proposes to strike out the ice and electric plant and provide only for the heating plant, which is absolutely necessary.

Mr. CARTER. Have they no heating plant there?

Mr. ELSTON. They have one but it is gone, absolutely. It is a wreck and a ruin.

Mr. CARTER. And it can not be repaired?

Mr. ELSTON. It could not be repaired.

Mr. HAYDEN. If there is any such necessity as the gentleman states why is it provided that the fund is to be made available until expended?

Mr. ELSTON. They have to put in drains and dikes, and it will take some little time, and that was added as a precaution. Facts were presented showing that this was absolutely imperative.

Mr. HASTINGS. In addition to what has been said by the gentleman from California, I think this is a very urgent case. It was shown that this school could not run during the coming winter without a new heating plant.

Mr. CARTER. Was this presented to the subcommittee by the Indian Bureau?

Mr. ELSTON. It was.

Mr. CARTER. Why did not the subcommittee include it in the bill?

Mr. HASTINGS. Well, it was a legislative item, and there were threats made against putting in legislative matter.

Mr. CARTER. There were many legislative items included in the bill when it came into the House.

Mr. ELSTON. But the legislative items included in the bill were taken from the old structure of the bill. This was legislation for a new item not ordinarily carried in the bill.

Mr. CARTER. Generally, that was true; but there were exceptions even to that rule.

Mr. ELSTON. Then, the committee probably made a mistake.

Mr. CARTER. If it was so necessary, I do not understand how it is that the subcommittee, after considering it, did not bring some information about it beforehand. I can not understand why it is so much more necessary now than then.

Mr. ELSTON. Mr. Speaker, I move the previous question on the motion to recede and concur.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 43: Page 26, line 16, strike out "$172,600" and insert "$265,600."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to this amendment and concur in the same with the following amendment, which I send to the desk.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 43, and agree to the same with the following amendment: In lieu of the sum proposed in said amendment insert "$245,000."

Mr. ELSTON. Mr. Speaker, this amendment merely corrects the total to conform to the previous amendment just agreed to by the House.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 47: Page 27, line 1, after the figures "$8,000," insert "for water supply, including laying of pipe line to connect with water system of city of Pipestone, $8,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. Hearings were had upon this in the subcommittee, and it appeared to be a very necessary item. However, because we did not want to go beyond our jurisdiction we left it out. I recommend that it be now inserted.

Mr. MONDELL. Where is Pipestone?

Mr. ELSTON. It is in Minnesota.

The SPEAKER. The question is on the motion to recede and concur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 45: Page 27, line 3, strike out "$54,650" and insert in lieu thereof "$62,650."

Mr. ELSTON. Mr. Speaker, I move to recede and concur in this amendment. It is a mere correction of a total.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 46: Page 27, after line 9, insert:

"That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States the sum of $10,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Red Lake Band of Chippewa Indians in the State of Minnesota, and to expend the same in the construction of roads and bridges on the Red Lake Indian Reservation, in said State, including the purchase of material, equipment, and supplies, and the employment of labor: *Provided*, That Indian labor shall be employed as far as practicable."

Mr. ELSTON. Mr. Speaker, I move to recede and concur in this Senate amendment. This amendment is exactly in the same language as the text of the bill reported to the House. It was stricken out on a point of order. It was a regular item in the House bill.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 48: Page 29, line 3, after the word "Minnesota," insert: "*Provided*, That the Secretary of the Interior is authorized, as soon as practicable, to turn over to the proper authorities of the State of Minnesota all hospital plants and equipment now or previously used in connection with the Chippewa Indian service the use of which is, or may hereafter become, unnecessary in connection with said service, conditioned upon said State first giving satisfactory assurance that said property will at all times be maintained and used by said State for public purposes and that the Chippewa Indians shall at all times be admitted to all State institutions upon the same terms as citizens of said State."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. This was carried in the bill reported to the House and was stricken out on a point of order. It is part of an agreement arrived at between the representatives of the Chippewas, both factions, and the bureau officials. It was recommended in that text to the House for insertion in the bill. So far as I know, it should be adopted.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. Yes.

Mr. WALSH. The gentleman is now moving to recede and concur?

Mr. ELSTON. Yes.

Mr. WALSH. And overruling the ruling heretofore made upon the point of order?

Mr. ELSTON. So far as it involves that effect; yes.

Mr. CARTER. This is a departure from the usual policy. The usual policy is that these Indian institutions when they are turned over to a State are appraised and sold at not less than the appraised value, and the funds passed into the Indian tribal funds. That has always been the custom since I have been in the committee. I never heard of the Indian government being called upon to give these institutions to the States.

Mr. ELSTON. This is a result of the compromise between all the factions as certified down here.

Mr. CARTER. I think they ought to be paid for.

Mr. STEENERSON. Mr. Speaker, I am familiar with this situation. Congress failed to appropriate for the service of these hospitals. They have been closed for a year. So far as the White Earth Reservation is concerned, there are a great many Indians there who ought to have the care of this hospital that is there, but there were no funds and the State board of

health of the State of Minnesota investigated it and they were afraid that if these patients were not taken care of and hospital accommodations provided that it would be injurious to the people in that vicinity, so they have offered to take over these hospitals. It is not the granting of the land or buildings; it is simply turning them over by the United States to the State and keeping them open, and the Indians are to be admitted on equal terms with white patients.

Mr. CARTER. I do not think the language of the amendment quite justifies the statement by the gentleman that they are turned over, because that might probably indicate that they were to be transferred to the State.

Mr. STEENERSON. I am giving the interpretation placed on it by the Indian Bureau. I just talked with Mr. Merrit, of the Indian Bureau, and this was drafted by the Indian Bureau after a hearing of representatives of the different factions of the Indians, and he maintains that it is not a conveyance of the property, but it is simply turning it over for use.

Mr. CARTER. I call attention to the fact that just recently it became necessary to have hospital ground for the State of Oklahoma in that State, and the only lands left available were part of some sanitorium owned by the Choctaws and Chickasaw Indians and we passed a bill. No man thought we turned this land over to the Government without pay, and we passed a bill through the House a few days ago authorizing the sale of this land at a price to be fixed by the Secretary of the Interior, or which had already been fixed, and I think that would be the proper way.

Mr. STEENERSON. These hospital sites that I am familiar with are absolutely useless now, and these people ought to have hospital service, and if the State is willing to take them over, it would be an advantage to all concerned.

Mr. CARTER. The Indians are citizens.

Mr. STEENERSON. Most of these Indians have been allotted lands in severalty, all on the White Earth Indian Reservation, and consequently, technically, are citizens of the United States.

Mr. CARTER. Citizens of the United States and pay taxes the same as any other citizen, so there is no reason why they should not be admitted to any State institution.

Mr. STEENERSON. They pay taxes if they have anything.

Mr. CARTER. The same as other people.

Mr. STEENERSON. These people to be accommodated by this hospital are absolutely destitute and have nothing but the pittance given them by the Government out of the tribal funds. Presumably it will be free except to those able to pay. That is the usual rule.

Mr. ELSTON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 49: Page 29, after the amendment just reported, insert:

"That the Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $5,200, or so much thereof as may be necessary, from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, and to use the same for payment to school district No. 6, Itasca County, Minn., for tuition of Chippewa Indian children attending school in said district during the fiscal year commencing with the year ended June 30, 1914, and ending June 30, 1920, inclusive.

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 53: Page 32, line 19, strike out "$200,000" and insert in lieu thereof "$250,000."

Mr. ELSTON. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 33, after line 20, insert:

"For the purpose of enabling the Secretary of the Interior to settle all unpaid claims against the United States Government to funds derived from sale of patented Indian lands in the Bitter Root Valley, Mont., under the provisions of the act of March 2, 1889 (25 Stat. L., p. 871), entitled 'An act to provide for the sale of lands patented to certain members of the Flathead Band of Indians in Montana Territory, and for other purposes,' $1,124.67, the same to be immediately available."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment.

Mr. CARTER. What are these claims?

Mr. ELSTON. These are claims of various Indians taken out of the Indian country when the lands were ceded for sale to whites and they were moved to a very unhospitable, harsh country under the agreement that they would be reimbursed for their holdings, and a great many claims were paid, and these are the claims remaining unpaid audited by the department. It is only $1,100 and cleans up the whole matter. It has been a very great injustice to just the few remaining Indians to wait a long time, in addition to having been originally moved out of their territory.

Mr. CARTER. Did the gentleman give this any investigation by the subcommittee?

Mr. ELSTON. You will find it in the hearings of the subcommittee, page 218, it being a legislative matter.

The SPEAKER. The question is on the motion of the gentleman from California [Mr. ELSTON] to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 34, after the amendment just reported, line 4, insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to school district No. 9 of Glacier County, Mont., for block 35 in Browning town site in the former Blackfeet Indian Reservation, upon filing its application therefor, said block to be used and maintained for public school purposes: *Provided*, That Indian children shall at all times be received in the school maintained on said block 35 for public school purposes on equal terms with white children."

Mr. ELSTON. Mr. Speaker, I move to recede and concur in the Senate amendment.

Mr. CARTER. I want to ask the gentleman what is the reason for issuing this patent? Has the land been purchased or has it been donated as this Minnesota item was? What justification is there for issuing a patent here?

Mr. ELSTON. The act of March 1, 1907, authorized the setting aside of certain lands for the town site of Browning on the Blackfeet Indian Reservation and for the sale of the town-site lots. No provision, however, was contained in said act for the reservation of any part of said town site for public school purposes. A school building has been erected on block 35 in said township, at a cost of approximately $60,000—$15,000 of which was appropriated pursuant to an item in the Indian appropriation act approved February 14, 1920, the balance being paid by school district No. 9 of Glacier County. Under the terms of the suggested legislation, Indian children are to be received in the school maintained on said block 35 on equal terms with white children, and inasmuch as the school authorities are bearing the larger part of the cost of the school building a patent should be issued for said block to school district No. 9.

That is the substance of the justification I have from the Indian Bureau.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 60: Page 34, line 14, insert:

"For the construction of that portion of the highway from Yellowstone National Park to Glacier National Park within the Blackfeet Indian Reservation, Mont., $25,000, or so much thereof as may be necessary."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur; and I yield five minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker, I desire to speak in reference to this amendment, which it seems to me is one worthy to be considered and passed upon favorably.

Last summer I visited Glacier Park and was out on this part of the road, which is a 25-mile strip of highway running between Shelby and the National Park. It runs through a part of the Blackfeet Reservation and right by the town of Browning, in which is located the Indian agency. It is the main artery for the Indians. There are two arguments to support this amendment. One is the need of the Indians on their reservation and the other is the need of the tourists who enter Glacier Park from the east and who desire to go from Glacier Park down to the Yellowstone Park to the southward. It is the only highway by which you can enter the Glacier Park from the east. Some may say that the greater number of tourists that go into this park are of the wealthier class. As a matter of fact the people who enter the Yellowstone and Glacier National Parks today are the people of the great middle element of our population. I have seen in those parks, as other Members have seen, men and women in their touring cars with their children and camping outfits, chuck boxes on the rear, and their running boards filled with all sorts of paraphernalia, roughing it and enjoying the magnificent splendor of these great national parks. I believe they are entitled to have this part of the road fixed up so that they can enter the Glacier Park and go from the Glacier Park to the Yellowstone Park without danger. Over a part of this

highway now the grade is as high as 12 per cent, and the road is extremely narrow in places, and there are very sharp curves. That road should be repaired and improved. There is a bridge that we have already appropriated for, costing $10,000, to be constructed on this highway, and unless we can put the road in shape and improve it, that bridge will practically be useless. And therefore, Mr. Speaker, it seems that in the interest of both the Indians and the tourists this appropriation should be favorably considered. [Applause.]

Mr. CARTER. Mr. Speaker, I want to call attention of the gentleman to the fact that this appropriation seems to be made directly from the Treasury. That has been against the policy of the Congress and the House. It ought to be made reimbursable from the funds of the Blackfeet Indians. Therefore I offer an amendment to insert after the word "necessary" the words:

Reimbursable from any funds of said Blackfeet Tribe of Indians that may be now or hereafter placed in the Treasury.

The SPEAKER. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER: Page 34, line 17, after the word "necessary," strike out the period, insert a comma, and add: "and reimbursable from any funds of said Blackfeet Tribe that may be now or hereafter placed in the Treasury of the United States."

The SPEAKER. The question is on agreeing to the motion of the gentleman from California.

Mr. RAKER. Mr. Speaker, will the gentleman from California yield for a question before this amendment is put?

Mr. ELSTON. Yes.

Mr. RAKER. Is this to be for the benefit of these Indians on this reservation?

Mr. ELSTON. It is. It is the main highway, and the only highway, through this reservation, so that the bridges can be used. At the same time it is an incident to the highway between these two parks.

Mr. RAKER. Well, we are all interested in proper touring roads between the parks and other places, but I did not want to leave the record so that it could be said that we are taking $25,000 out of the Indian funds to build an automobile road for tourists. This is really a road already in existence?

Mr. ELSTON. Yes. The road is already in existence.

The SPEAKER. The question is on agreeing to the motion of the gentleman from California.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 61: On page 35, line 4, insert the following: "For dining room and kitchen, $24,000; for improvement of domestic water supply and irrigation system, $5,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement and concur in the Senate amendment with an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from California moves that the House recede from its disagreement and concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to amendment No. 61, and agree to the same with the following amendment: In lieu of the matter inserted by said amendment, insert the following: "For improvement of domestic water supply and irrigation system, $5,000."

Mr. ELSTON. Mr. Speaker, this cuts out the larger appropriation here for the dining room, which will have to go over as being a necessity but not an emergency matter, and keeps in the appropriation now of $5,000 for the water supply, which is absolutely necessary.

The SPEAKER. The question is on agreeing to the motion of the gentleman from California.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 62: On page 35, line 6, strike out "$94,000" and insert "$123,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement on this amendment and agree to the same with an amendment, which I send to the desk.

The SPEAKER. The gentleman from California moves that the House recede and agree to the same with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 62, and agree to the same with the following amendment: In lieu of the sum appropriated in said amendment insert "$99,000."

The SPEAKER. The question is on agreement to the motion of the gentleman from California.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 64: Page 36, line 1, after "$8,000" insert "to be immediately available, and the amount of $7,000 heretofore appropriated for this purpose shall be available until expended; for girls' dormitory, $40,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement and agree to the amendment with an amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to amendment No. 64, and agree to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following: ", to be immediately available, and the amount of $7,000 heretofore appropriated for this purpose shall be available until expended."

Mr. ELSTON. Mr. Speaker, this cuts down the additional appropriation made by the Senate and merely leaves the matter relating to the immediate availability of the fund.

Mr. HERNANDEZ. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. Certainly.

Mr. HERNANDEZ. The gentleman will recall that when the subcommittee of the Committee on Indian Affairs visited this school we were shown the necessity for these girls' dormitories. He will also recall that this is one of the best conducted Indian schools in that section of the country. They are full to their utmost capacity, which is about 500 pupils now, and the congested condition of the dormitories there makes it absolutely necessary to have this girls' dormitory provided. I wish the gentleman would withdraw his amendment and move to concur in the Senate amendment.

Mr. ELSTON. Mr. Speaker, the subcommittee visited this school. What the gentleman said is true. While there is great necessity, it is our belief that the school can wait for another year before putting in this improvement. I have no doubt it would convenience the school to have it now, but we felt that in every case where extreme emergency was not shown the appropriation should be withheld, and we felt that we had to follow that policy with regard to this item.

Mr. HERNANDEZ. Mr. Speaker, I move to recede and concur in the Senate amendment making an appropriation of $40,000 for the girls' dormitory in this school.

The SPEAKER. The gentleman from New Mexico offers a preferential motion, that the House recede and concur in the Senate amendment.

The question being taken, on a division (demanded by Mr. HERNANDEZ) there were—ayes 18, noes 18.

Accordingly the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from California [Mr. ELSTON] that the House recede and concur with the amendment which has been read.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 65: Page 36, line 4, strike out "$120,400" and insert in lieu thereof "$160,400."

Mr. ELSTON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment. As the situation now stands the sum of $40,000 has been taken out of the amount which is to be totaled. That leaves a situation where we should disagree to the Senate amendment and insist on that disagreement, in order to put the figures back to the amount appropriated by the House.

Mr. HERNANDEZ. What does that do with the $7,000?

Mr. ELSTON. It leaves it available until expended.

The SPEAKER. The question is on the motion of the gentleman from California that the House insist on its disagreement to Senate amendment 65.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 76: Page 38, after line 11, insert: "For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,000, or so much thereof as the Secretary of the Interior may deem necessary."

Mr. ELSTON. I move to recede and concur in this amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 77: Page 38, after line 16, insert:

"The Secretary of the Interior is hereby authorized in his discretion, under rules and regulations to be prescribed by him, to accept reconveyances to the Government of privately owned and State school lands, and relinquishments of valid homestead entries or other filings, including Indian allotment selections, within any township of the public domain in San Juan, McKinley, and Valencia Counties, N. Mex., and to permit

lieu selections by those surrendering their rights so that the holdings of any claimant within any township wherein such reconveyances or relinquishments are made may be consolidated and held in solid areas: *Provided*, That the title or claim of any person who refuses to reconvey to the Government shall not be hereby affected."

Mr. ELSTON. I move to recede and concur in this amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 81: Page 40, line 7, after the figures "$35,725," insert: "*Provided*, That not exceeding $6,000 of the amount reappropriated by the Indian appropriation act of May 25, 1918 (40 Stat. L., p. 577), for employees' quarters may, in the discretion of the Secretary of the Interior, be used for the purchase of the Baker cottage and lands adjoining the Bismarck Indian School grounds."

Mr. ELSTON. I move that the House recede and concur in this amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 82: Page 42, line 8, after the figures "$15,000," insert: "For new buildings and additions to and remodeling of present buildings, $75,000."

Mr. ELSTON. I move that the House recede from its disagreement to this amendment and agree to the same with an amendment.

The SPEAKER. The gentleman moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 82, and agree to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following:

"The Secretary of the Interior is authorized and directed to report to the Congress at the beginning of the next regular session what necessity there is, if any, for new buildings and the enlargement and remodeling of present buildings at the Chilocco Indian School, Oklahoma, and if he finds such necessity to exist, to make such recommendations therefor as he may deem appropriate, together with a statement of the cost of carrying them into effect."

Mr. ELSTON. Mr. Speaker, this amendment cuts out the appropriation and authorizes an investigation of actual conditions at this school. The gentleman from Oklahoma [Mr. SWINDALL] has made a very strong presentation of the necessity for this appropriation. Now, the best that can be done, in my belief, is not to appropriate the amount of $75,000 on a very inclusive plan and a very ambitious plan which he believes should be adopted, but to provide for an investigation such as is proposed in this amendment, and I believe the gentleman from Oklahoma should be perfectly willing to take it.

I yield two minutes to the gentleman from Oklahoma [Mr. SWINDALL].

Mr. SWINDALL. Mr. Speaker, I move to recede from the disagreement and agree to the Senate amendment.

Mr. Speaker and gentlemen, to-day in the consideration of this bill, on page 15, amendment No. 22, this body receded from its disagreement and agreed to the Senate amendment providing for the encouragement of industry and self-support among the Indians to aid them in the culture of fruits, grains, and other products, and appropriated $100,000 for that purpose. Now, the Chilocco Indian School is located in the best agricultural portion of the State of Oklahoma. It has 8,500 acres of fine land, and last year on this school reservation there was earned by Indian pupils $42,000 for the Indian fund. This is the only nonreservation school in the State of Oklahoma, and I think the appropriation requested for this school is not out of proportion compared with other appropriations requested for Indian schools here to-day, and is consistent with the policy of economy adopted by this body and which I most heartily approve.

At page 18 of this bill we agreed to an increase appropriation for the construction of additional buildings at Phoenix, Ariz., in the sum of $50,000 to accommodate 750 Indian pupils. At the Chilocco Indian School at the present time we have 550 Indian pupils, and with the amendment I have requested this body to agree to we can accommodate 850 Indian pupils. This body has agreed to a Senate amendment appropriating $55,000 for additional improvements at the Haskell Institute, Lawrence, Kans. Therefore I say, Mr. Speaker and gentlemen, that I believe the position I have taken in this matter is correct and in the interest of the Indians and in keeping with the policy of this body in aiding them, encouraging industry and self-support.

Mr. RAKER. Will the gentleman yield?

Mr. SWINDALL. Yes.

Mr. RAKER. Are these school buildings necessary on this reservation?

Mr. SWINDALL. It is so stated to be by the Commissioner of Indian Affairs, and I think the gentleman from New York [Mr. SNYDER], the gentleman from California [Mr. ELSTON], and my colleague from Oklahoma [Mr. HASTINGS], who have visited this school and know the great benefit it is to these Indians and this Nation, will agree with me.

Mr. SNYDER. Mr. Speaker and gentlemen of the committee, the Indian Affairs Committee only last May made a very careful investigation of the Chilocco school. It is one of the best institutions—one of the best nonreservation schools we have. There are ample facilities at Chilocco for all the pupils there. It is only a short distance from the Haskell school, and the committee went carefully into the necessity of enlarging that school not only at that hearing but in the investigation made by the Indian Affairs Committee when the appropriation bill was being prepared a year ago, and it came to the conclusion that there was no necessity of enlarging it at this time. The gentleman from Oklahoma says that they have 8,000 acres there, which is true, and they have a well-managed school; but there is absolutely no necessity of enlarging that nonreservation boarding school or any other at the present time. Therefore I am not only opposed to the amendment offered by the gentleman from Oklahoma, but I am opposed to the amendment offered by the chairman of the subcommittee to even investigate it. There has been a careful investigation made of that project out there, and the committee has not seen fit to recommend an additional expenditure.

The SPEAKER. The question is on the preferential motion offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. SWINDALL) there were—ayes 14, noes 26.

So the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from California to recede and concur with an amendment.

The question was taken, and the motion was agreed to.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. CLARK of Missouri, for to-day, on account of illness.

To Mr. LAZARO (at the request of Mr. DUPRÉ), for the day, on account of illness.

To Mr. LAYTON, on account of death in family.

To Mr. DUNBAR, for two days, February 21 and 22, on account of business.

PORTO RICO.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent that the Commissioner of Porto Rico may address the House for three minutes.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the Commissioner of Porto Rico to address the House for three minutes. Is there objection?

There was no objection.

Mr. DAVILA. Mr. Speaker, there appears in the CONGRESSIONAL RECORD of yesterday's proceedings of the House two cables from the Speaker of the House and the President of the Senate of Porto Rico, which are now in session.

Those cablegrams both express to this House the sentiments of adherence and respect which the insular representatives there assembled feel for the Representatives of the sovereign United States and voicing the faith of the Porto Rico Assembly that "justice worthy of both would be exercised in granting their immediate aspirations in the extension and development of our present system of government under democratic principles."

It appears that these cables have been misunderstood by some Members of Congress. These gentlemen assume that the language was intended as a petition for independence. I am frank to say that to me the language conveyed no such meaning, but seemed clear and plain. It is because the language must have been ambiguous to some that I think the incident should be made perfectly plain. The Porto Rican Assembly has merely asked for the development of the government now existing there under American sovereignty.

It would obviously be impossible to develop the present system by granting independence. You can not "develop" one thing by creating another and entirely different thing.

There is no denying the fact, Mr. Speaker, that there is an element of the population in Porto Rico that favors independence. But it is also true that there is a large proportion of her people who do not want separation from the United States, and among the latter I am bound to proclaim myself one of the number. [Applause.] I may add, Mr. Speaker, that I yield to no Member of this House in my devotion and fidelity to the United States. [Applause.] But, Mr. Speaker, I think the time opportune to caution Congress and the United States

against the insidious propaganda that is now being waged with a view of misrepresenting conditions in Porto Rico.

My love and devotion for this country has been a matter of evolution and growth dating from the time that the Spanish flag was hauled down on that island. At that time I did not entertain the same views upon this question that possess me to-day, for, while I then yielded to none in my determination to throw off the yoke of Spanish tyranny, yet like all Porto Ricans imbued with patriotic motives, I questioned the justice of being transferred like so many chattels from one sovereignty to another without even so much as "by your leave." Such sentiments have not been unusual among other island people. We have an illustrious precedent in the case of Corsica, which is to-day a very citadel of French patriotism, rich in the most glorious traditions of that country. I want to say in all frankness, Mr. Speaker, that from the day we were acquired by the United States my love and devotion for this country has steadily increased until to-day, and, as I have already asserted, I yield to none in my fidelity and devotion. I became imbued with the American spirit when as a young man following the Spanish-American War I came to this country to complete my studies. I have educated my boys in this country. They were born under the flag, and they yield to none as Americans—Americans without a hyphen and without any mental or other reservation, however small. [Applause.]

DEFICIENCY APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, with Senate amendments thereto, disagree to all of the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take the general deficiency bill from the Speaker's table, disagree to all of the Senate amendments, and agree to the conference.

Mr. VOLSTEAD. Mr. Speaker, reserving the right to object, I would ask the gentleman if he will not agree to bring into the House, so that the House may have an opportunity to vote upon it, the amendment to the deficiency bill providing for the enforcement of national prohibition?

Mr. GOOD. Mr. Speaker, there are a great many amendments to the deficiency bill that would have been subject to a point of order if they had been offered on the floor of the House. Those the conferees will be compelled to bring back to the House. I hesitate at this time, when we have so many conference reports to take up, to enlarge that list, as the gentleman may well understand. I am perfectly willing to make some arrangement so that the gentleman may appear before the conferees, but I do not think the gentleman ought to ask me to agree to bring back matters where the conferees have a right to agree upon them, particularly in view of the fact that other Members have asked that other items of the same class be brought back.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Chair appoints the following conferees: Mr. GOOD, Mr. CANNON, Mr. EVANS of Montana.

REPRINT OF COLD STORAGE BILL.

Mr. RAKER. Mr. Speaker, may I have a minute to ask the gentleman from Wyoming [Mr. MONDELL] a question respecting the cold storage bill? All of the bills are out of print, the conference report is out of print, and the bill as it passed the Senate is out of print. This is a very important measure, and I think we ought to have some information available in the House.

Mr. MONDELL. Mr. Speaker, if the situation is as the gentleman suggests, then there ought to be a reprint, and I ask unanimous consent that a reprint be made of the bill H. R. 9521, the cold storage bill, as it passed the Senate, and of the conference report thereon.

The SPEAKER. The gentleman from Wyoming asks unanimous consent for a reprint of the bill H. R. 9521, as it passed the Senate, and of the conference report thereon. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. McCLINTIC. Mr. Speaker, can the gentleman from Wyoming say whether or not we will probably get to a consideration of the packers bill next week?

Mr. WALSH. Mr. Speaker, the gentleman from Wyoming ought not to impart that information until there is a quorum present. I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Sunday, February 20, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

418. A letter from the Secretary of the Teasury, transmitting estimate of appropriation for additional buildings and water supply for the New York (N. Y.) quarantine station (H. Doc. No. 1011); to the Committee on Appropriations and ordered to be printed.

419. A letter from the Secretary of War, transmitting report on the cost in detail and the economic value of developing power in the Potomac River (H. Doc. No. 1012); to the Committees on Appropriations and District of Columbia and ordered to be printed.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16060) to amend the interstate commerce act by adding thereto a new section, No. 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by adding a new paragraph to section 10 thereof, reported the same without amendment, accompanied by a report (No. 1340); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (S. 4912) to authorize the appointment of an ordnance storekeeper in the Army, reported the same without amendment, accompanied by a report (No. 1342); which said bill and report were referred to the Private Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 680) requesting certain information from the Secretary of War, reported the same adversely, accompanied by a report (No. 1341), which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 16127) to amend the Army appropriation act approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases and making additional appropriations therefor; to the Committee on Military Affairs.

By Mr. SMITH of Illinois: A bill (H. R. 16128) authorizing the Secretary of War to donate to the city of Spring Bay, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 16129) authorizing the Secretary of the Treasury to provide enlargements and improvements, etc., in connection with certain hospitals, etc., under the control of the United States Public Health Service; to the Committee on Public Buildings and Grounds.

By the SPEAKER: Memorial of the Legislature of the State of North Dakota, urging the passage of the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of North Dakota, in favor of the proposed Roosevelt Park, under the care and supervision of the Federal Government; to the Committee on the Public Lands.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, urging Congress to take necessary steps to have a survey made of the port of Port Orford, Oreg., with a view to making necessary improvements; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Oregon, urging Congress to pass legislation compelling every manufacturer or handler or seller of woolen fabrics and woolen garments to place thereon a tag plainly stating the exact percentage of virgin wool and also how much and what other materials enter into such cloth; to the Committee on Interstate and Foreign Commerce.

By Mr. LUFKIN: Memorial from the Legislature of the State of Massachusetts, relating to the creation of an agency by the Federal Government to regulate and control the production, sorting, grading, and transportation and distribution of coal; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, favoring legislation to give relief to China and the Near East; to the Committee on the Merchant Marine and Fisheries.

By Mr. RIDDICK: Memorial from the Legislature of the State of Montana, urging Congress to take immediate action toward furnishing aid to the farmers; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Montana, urging Congress to provide sufficient appropriations for the completion of Federal reclamation projects within the State of Montana; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FESS: A bill (H. R. 16130) to incorporate the National Federation of Business and Professional Women's Clubs; to the Committee on the Judiciary.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 16131) granting a pension to Ellen J. Webb; to the Committee on Invalid Pensions.

By Mr. WATKINS: A bill (H. R. 16132) for the relief of Augusta C. Todd and the heirs of T. Alonzo Walker, of Bienville Parish, La.; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5917. By Mr. CAREW: Petition of Michigan State Farm Bureau, Lansing, Mich., protesting against any tariff on imported Canadian lumber; to the Committee on Ways and Means.

5918. Also, petition of the Equitable Trust Co., of New York City, protesting against the passage of the packers bill without further consideration of business interests in general; to the Committee on Agriculture.

5919. By Mr. CRAGO: Petition of Kiwanis Club, of Altoona, Pa., protesting against the passage of the Calder bill (S. 4828); to the Committee on Interstate and Foreign Commerce.

5920. By Mr. CURRY of California: Petition of the Chamber of Commerce, Concord, Calif., indorsing the Rogers-Capper bill; to the Committee on Interstate and Foreign Commerce.

5921. Also, petition of the Napa Grange, No. 307, of Napa, Calif., indorsing the farm loan and rural credit act; to the Committee on Banking and Currency.

5922. By Mr. ESCH: Petition of the Tristate Land Development Conference, at St. Paul, January 27, 1921, favoring the passage of the Kenyon bill (S. 4608); to the Committee on Interstate and Foreign Commerce.

5923. By Mr. FULLER: Petition of the Belden Manufacturing Co., of Chicago, Ill., protesting against the passage of Senate bills 3944 and 4828; to the Committee on Agriculture.

5924. Also, petition of the Steel & Tube Co. of America, opposing appropriation of $10,000,000 for completion of the Wilson Dam at Muscle Shoals, Ala.; to the Committee on Appropriations.

5925. By Mr. GALLIVAN: Petition of the St. Ambrose Branch, Ladies' Catholic Benevolent Association, and Mrs. Charlotte Mahony, president, 64 Leonard Street, all of Dorchester, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5926. By Mr. GREENE of Massachusetts: Petition of Thomas Lavvie, president French-American Catholic Societies of Fall River, Mass.; also Mrs. J. F. Obrien, president, and Nellie L. Halliday, secretary, Catholic Women's Club, Mansfield, Mass.; also William H. Bater, of Norton, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5927. By Mr. HARDY of Colorado: Petition of the Arkansas Valley Council, No. 761, Knights of Columbus, and the Catholics of La Junta, Colo., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5928. By Mr. HOWARD: Petition of the Holy Name Church, of Tulsa, Okla., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5929. By Mr. KENNEDY of Rhode Island: Resolution of L'Union St. Jean Baptiste d'Amerique, numbering over 40,000 American citizens, residing in nine States, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5930. By Mr. MOONEY: Petition of the Cleveland Grays, an independent military organization of Cleveland, Ohio, urging the passage of the Rogers bill and the Capper bill; to the Committee on Interstate and Foreign Commerce.

5931. By Mr. O'CONNELL: Petition of Woodhaven Civic Association, of Woodhaven, N. Y., favoring a daylight-saving law; to the Committee on Interstate and Foreign Commerce.

5932. Also, petition of Paul J. Donnelly, president of the Holy Name Society of the Church of Our Lady of Good Council, of Brooklyn, N. Y., and 218 others, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5933. By Mr. PAIGE: Petition of the Ladies' Auxiliary of the Ancient Order of Hibernians, of Southbridge; Division 5 of the Ancient Order of Hibernians, of Worcester; Spencer Council No. 118, of the Knights of Columbus, of Spencer; parishioners of St. Joseph's Church, of North Brookfield; and the Ladies' Auxiliary of the Ancient Order of Hibernians, Division No. 2, of Leominster, all in the State of Massachusetts, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5934. By Mr. RAKER: Petition of the California State Highway Association, urging support of the Reavis bill (H. R. 15903); to the Committee on Agriculture.

5935. Also, petition of the California Olive Association, urging support to induce the House to accept the Senate amendments to the emergency tariff bill regarding olives; also, the California Citrus League, urging the House to accept the Senate amendments increasing the tariff on lemons; to the Committee on Ways and Means.

5936. Also, petition of the Modoc County Development Board, of Alturas, Calif., urging that the original appropriation of $250,000 for the improvement of live stock and remount animals be omitted; to the Committee on Appropriations.

5937. By Mr. ROGERS: Petition of the Ladies' Auxiliary, Division 1, Ancient Order of Hibernians, of Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5938. By Mr. SINCLAIR: Petition of Daughters of Isabella, Court of St. Mary 263, Devils Lake, N. Dak., protesting against the Smith-Towner bill; to the Committee on Education.

5939. Also, memorial of the Legislature of the State of North Dakota, petitioning Congress to purchase a certain tract of land in Billings County, N. Dak., for the establishment of the proposed Roosevelt Park; to the Committee on the Public Lands.

5940. By Mr. SMITH of Illinois: Petition of certain citizens of Minonk, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5941. By Mr. SNYDER: Petition of citizens of Mohawk Hill, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5942. By Mr. TAGUE: Petition of Federal Trust Co., of Boston, Mass., concerning Muscle Shoals nitrate plant; to the Committee on Appropriations.

5943. Also, petition of Boston Fruit and Produce Exchange, of Boston, Mass., concerning the packers bill; to the Committee on Agriculture.

5944. Also, memorial of the Commonwealth of Massachusetts, concerning regulation of distribution, sorting, etc., of coal; to the Committee on Mines and Mining.

5945. Also, petition of the Sherwin-Williams Co., of Boston, Mass., concerning House bill 15551; to the Committee on Interstate and Foreign Commerce.

5946. Also, petition of Springfield Bottling Co., of Springfield, Mass., relative to tax on soft drinks; to the Committee on Ways and Means.

5947. Also, petition of Boston College Club, of Charlestown, also from Star of the Sea Branch, Ladies' Catholic Benevolent Association, of East Boston, all in the State of Massachusetts, against Smith-Towner bill; to the Committee on Education.

5948. Also, petition of 45 citizens of Boston, against Smith-Towner bill; to the Committee on Education.

5949. Also, petition of Boston League of Women Voters, for disarmament; to the Committee on Naval Affairs.

5950. Also, petition of American Engineering Council, favoring Nolan bill; to the Committee on Patents.

5951. Also, petition of New England Association of Fur Dealers, concerning tariff on furs; to the Committee on Ways and Means.

5952. Also, petition of Merrimac Chemical Co., of Boston, Mass., relative to Muscle Shoals nitrate plant; to the Committee on Appropriations.

5953. By Mr. VARE: Petition of the City Council of Philadelphia, Pa., asking that the body of one of our unknown dead veterans of the World War be buried in Independence Square, Philadelphia; to the Committee on Military Affairs.

5954. By Mr. ZIHLMAN: Petition of Joseph Jenkins Lee and Mary Harris Lee, of Burkittsville, Md., opposing the Smith-Towner bill; to the Committee on Education.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 20, 1921.*

The House met at 12 o'clock noon, and was called to order by Mr. RUCKER as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., of Washington, D. C., offered the following prayer:

Our Father in Heaven, before entering upon the sacred duties of the hour we humbly and reverently bow in Thy presence that we take increased devotion to the sacred dead who died at their posts leaving behind them an enviable record, Members of this legislative body dead though they live in the memory of those who knew them.

Let Thy loving arms be about their friends, colleagues, especially the members of their respective families to uphold and sustain them till the mists have rolled away for when the stars shall fade and crumble into impalpable dust we shall live and love in eternal glory for it is writ in letters of light "I am the resurrection and the life; he that believeth in me shall never die," for Thine is the kingdom and the power and the glory forever. Amen.

THE JOURNAL.

Mr. DICKINSON of Missouri. Mr. Speaker, I move that the reading of the Journal be dispensed with until to-morrow.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

THE LATE REPRESENTATIVE CHARLES F. BOOHER.

The SPEAKER pro tempore. The Clerk will report the special order of the day.

The Clerk read as follows:

On motion of Mr. RUCKER, by unanimous consent,

Ordered, That Sunday, February 20, 1921, be set apart for addresses on the life, character, and public service of Hon. CHARLES F. BOOHER, late a Representative from the State of Missouri.

Mr. DICKINSON of Missouri. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 690.

Resolved, That the business of the House be now suspended, that an opportunity may be given for tributes to the memory of Hon. CHARLES F. BOOHER, late a Member of this House from the State of Missouri.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken, and the resolution was unanimously agreed to.

Mr. DICKINSON of Missouri. Mr. Speaker, I suggest that the remarks of Ex-Speaker CLARK be read by the Clerk at this time. They are in writing and it is at the request of Mr. CLARK, who is absent on account of sickness.

The SPEAKER pro tempore. Without objection the request of the gentleman will be granted.

There was no objection.

The Clerk read as follows:

Mr. CLARK of Missouri. Mr. Speaker, an old Latin proverb reads, when translated into American—

Concerning the dead, speak nothing but that which is good.

There is no difficulty in carrying out this injunction when we come to speak of our friend and fellow Member of the House of Representatives, CHARLES F. BOOHER, of Missouri, who has gone to join the great majority of the men who have, since the foundation of our Government, done service in this House.

CHARLES F. BOOHER was one of the most likeable men I ever knew. A sensible man. A reasonable man. A dependable man. Without being in any respect a showy person, he was nevertheless able to take a man's part in all the legislative business which came up for consideration in the sessions of Congress in which he served.

In debate he spoke to the point, and stopped when he came to it. He was not given to long-winded oratory. The St. Joseph district has sent able men to represent it in Washington. When I first came here I was first elected in the Democratic landslide of 1892, Representative Burns had just died, and had been succeeded by his son, who was in turn succeeded by Charles Fremont Cochren, one of the most brilliant men that Missouri has sent here.

The St. Joseph district did the remarkable thing of electing Gov. Willard P. Hall to Congress while he was serving in Doniphan's expedition. It is one of the richest districts in America. The Missouri and other large streams furnish the rich bottom lands which made great wealth.

What now constitutes the St. Joseph district did not at first belong to Missouri. What first constituted the laying out lines for the State of Missouri's west line ran north and south through the mouth of the Kaw, which left six great counties now constituting the St. Joseph district to the west of that line and out in the cold generally.

In 1836 Senator Lynn, perhaps the most popular man that ever lived in the State, introduced a bill to make the Platte Purchase a part of Missouri. In this he had the loyal help of Senator Benton.

The strange part of this story is that the act of the 10th of August, 1821, solemnly signed by the President, accepted Missouri as slave territory and dedicated all the rest of the great Northwest to freedom. Now here they were putting one of the greatest agricultural districts in America into a slave territory 16 years later with scarcely a chirp from the Abolitionists and emotionalists up North. Everybody interested in it was satisfied. Nobody else counted. If the people of the Platte Purchase district of Missouri had a just appreciation of the obligation they are under to Lynn and Benton, they would rear a monument of testimonial marble to these great Senators that would touch the very heavens. Whether or not they will ever accomplish this duty remains to be seen. But it is meet and fitting that I should on this occasion and in this presence pronounce this eulogy on our absent but well-beloved member, CHARLES F. BOOHER.

As a Member of Congress and in all the relations of life, those who speak of him may say, "He dared do all that doth become a man; who dares do more is none."

Mr. DICKINSON of Missouri. Mr. Speaker, I regret that I have no chosen, well-selected remarks to speak to-day concerning this distinguished Missourian. It was my peculiar privilege to know Judge BOOHER intimately. His career as a public man was an unusual one. He came to this House by the choice of his constituents for seven consecutive terms, in addition to having been selected a number of years ago to fill a brief unexpired term. CHARLES F. BOOHER was the oldest member of our delegation. He lived in a small county in northwest Missouri.

A Democrat living in a Republican county, he was so regarded and loved and respected that it was his fortune to receive from time to time the majority vote of that county. He had in his district a large city of over 100,000 inhabitants, one of the oldest and wealthiest cities in the West with ambitious and strong men desiring to represent that district, and yet he was so regarded, loved, and respected and his character was so high and the confidence of the people in him was so great that they sent him here for seven consecutive terms. He did not ask to be returned at the last election. There was no better man ever came to this House than CHARLES F. BOOHER, a man of sterling integrity, a man of the highest character. I heard once a colleague speak of him, who said he was "pure gold." There was no alloy in his make-up. He was a native of New York who came to Missouri a half century ago about. Prominent in his section both in politics and in the law, he made a reputation worth while. He was the leader of his bar. He was a strong lawyer, a man of courage, a man of convictions, who made up his own mind as to what he wanted to do and followed the dictates of his own conscience and his own judgment. He was a man of firmness. He had as few faults as any man I ever knew. He was loved by everybody with whom he came in contact, and he was loved and highly regarded by all of his colleagues and associates. He will be missed in his own section and by his associates here. He has passed away

into the great beyond, and he has left a record worthy of any man. He had no enemies; he was entitled to have none. He had lived a good life, and his example is worthy to be followed by all men.

Mr. LANHAM. Mr. Speaker, respect for the dead has characterized all peoples, and a desire for immortality has inspired and encouraged them. The Egyptians tried to preserve for a better world the bodies of their friends and loved ones. Many of the ancients displayed a cheering faith by placing food and drink with the remains of those who were dear to them. "The Elysian fields" and "the happy hunting ground" have become proverbial. The laws of Solon forbade men to speak ill of the dead. Socrates taught in his last moments, as he had endeavored to teach in his life, that each thing implies its opposite; that the foul implies the fair; that cold implies heat; that to die implies to live again. And so history records from the beginning an onward trend of hope toward the advent of the Master.

We who have been permitted to live in the light of Christian revelation have come to know more completely the significance of that transition whose meaning the ancients so earnestly sought. We need no longer regard our departed friends in that hazy and uncertain contemplation of the early times, but we may think of them, rather, in the enlightened scope of Christian teaching. And with this broader view we come to-day to betoken our respect and veneration for a comrade who has passed on before us to that greater fullness of light and life.

It was the good fortune and pleasure both of my father and myself to serve in this House with our lamented colleague, CHARLES F. BOOHER, of Missouri. It was given to me to know him only during the present Congress, but in that brief acquaintance he seemed to bestow upon me as a younger Member a consideration born of that earlier service. I am gratified at this additional opportunity to bespeak the reciprocal regard which I cherished for him, and also to attest the reverence in which I hold his memory.

Mindful at all times of the obligations and responsibilities of the high position to which his district had called him, he tried, even in the days of affliction and failing strength, to render the same faithful service of his more active and vigorous years. Almost to the last he strove to remain at his post with his hand and his heart in his work. He was willing to sacrifice himself for his people in that same spirit of fidelity which had marked his entire career.

In the little city of Savannah, Mo., which was so long his home, I was impressed with many things which reminded me of the life of devotion to duty which he has left as a heritage to his family and friends. Just before the last sad service in his honor, as those who had known him and who, therefore, mourned his loss looked on his form for the last time on earth, there stood at one end of the casket a young soldier who had battled for our country on foreign fields, and at the other a young sailor who had helped to maintain our prestige on the seas. How singularly appropriate that was, for it must have occurred to all, as it did to me, that between these young patriots rested one who had fought quite as courageously and as well in the legislative halls of our Nation for the freedom and the progress of the land he loved.

Most gratifying was the tribute of words and flowers in those final ceremonies, but it was so apparent in that large gathering of friends and neighbors and associates that his best eulogy is written on the tablets of memory in the minds and hearts of all who knew him.

The congressional party visited his office, where his books bespoke his work. We have all sat with him here, where the voluminous records attest his service. We have heard with our ears and have observed in his life a reliance upon the hope which the Good Book affords. And surely it is fitting that we should continue to think of him in the language of that beautiful epitaph which Benjamin Franklin wrote for himself:

> The body of Benjamin Franklin, printer, like the cover of an old book, its contents torn out and stripped of its lettering and gilding, lies here food for worms; yet the work itself shall not be lost, for it will, as he believed, appear once more in a new and more beautiful edition, corrected and amended by the Author.

Mr. ROMJUE. Mr. Speaker, we have met in solemn service to express as best we may our regret at the passing of our friend and colleague the Hon. CHARLES F. BOOHER. And, in the memorial exercises of this day, I wish I could adequately and eloquently picture of him the commendable things of which he was so worthy. The State and Nation have lost a true and loyal citizen, the community in which he lived, in Andrew County, Mo., a neighbor, a friend, a benefactor, in the passing of CHARLES F. BOOHER.

He was born January 31, 1848, at East Groveland, N. Y., and when a young man cast his energies and fixed his purposes upon the solution of life's problems within the great midwestern State of Missouri.

He in due time made his impress upon the community in which he had builded his home and established and drew about him many warm personal friends who remained loyal to him throughout life—the ties of friendship thus formed so often growing warmer and becoming more firm and steadfast as the type of man and character of CHARLES F. BOOHER unfolded and showed its real depths and splendid traits to those about him.

CHARLES F. BOOHER was a man of good judgment. He was more anxious to be right and to do the right thing and to render service to those whom he represented than he was to seek praise or seeming popularity.

He would rather subject himself to criticism and follow a course he believed to be right than to escape that criticism by following a doubtful course.

As a Representative in Congress he served his constituents faithfully and well. He commanded the friendship and respect of those with whom he served and I am sure that the membership of this House feels that in the passing of CHARLES F. BOOHER, a good man, a good Representative, and a good citizen has gone from us.

He was not a man who sought to make a show of himself but was content to serve his country well without any personal ambition to be praised for it.

The fourth Missouri district, one of the richest and most splendid in the United States, was well represented in Congress by CHARLES F. BOOHER, and his wise counsel and assistance in national legislation will be much missed by his colleagues in Congress.

His chief outstanding quality was his honesty and determination to do the right thing as a national legislator and toward his fellow man. He loved humanity and gave the best there was in himself for its cause.

He was a kind and considerate father and husband, devoted to his family and solicitous of their comfort and welfare. His children and grand children have been left a heritage in his life of which they may well be proud. The sturdy, rugged honesty and achievements of CHARLES F. BOOHER may well stand as an example of hope and encouragement to his posterity, accurately pointing them along the rightful highway of life.

Both life and death to we who are mortal have quite a seeming mystery, but I shall not doubt that the soul of man is permanent and everlasting, and when it has passed from these temporary bodies over into that "Great Beyond" I am convinced that it will be suited to a new existence and that a rich reward awaits those who have not lived this earthly life in vain.

So for our friend, our comrade, and our colleague, and in his memory I shall not hesitate to feel and believe that he has justly earned all the glories of the Divine Father's Providence for which you and I may hopefully strive.

And so to him, our departed friend, may I say in behalf of the membership of the House of Representatives, peace—peace—everlasting peace.

Mr. MAGEE. Mr. Speaker, I do not feel that I should let this occasion pass without saying a personal word in memory of Mr. BOOHER. I often think that the sweetest flowers that grow are those that bloom over the garden wall of party politics. While he and I were not of the same political faith, yet we were firm friends. He was born and brought up in the town of Groveland, Livingston County, N. Y., in the beautiful Genesee Valley country. I was born and brought up in the same town. Mr. BOOHER was one of the first men whom I met when I came to the House. I was informed that he was a fellow townsman of mine and I looked him up. He told me that he knew my father well, and that acquaintance with my father formed a firm bond of friendship between us that remained for the rest of his life. I used to enjoy going to his office and getting him to talk to me about the old days when he lived in that town. I want to say that I shall miss him very much.

Mr. HARDY of Texas. Mr. Speaker, I had no thought of saying anything on this occasion when I came to the House, but came from a drawing of my conscious friendship for Judge BOOHER to listen to those who knew him longer and perhaps more intimately than myself. But I can not withhold a brief tribute of my love and respect, and almost veneration, for his character. I have often discussed matters with him in times of stress, when public sentiment was moving the hearts and

swaying the judgments of men and raising questions of political expediency, and I wish to say his outstanding characteristic was his intellectual as well as his moral integrity. He did not suffer his mind or heart to be swayed by the passing clamor into paths which his conscience, his calm consideration, could not approve. Not only had he the intellectual integrity to know how he stood, but he had the moral and the political courage to always let it be known to others where he stood.

CHARLES F. BOOHER, in his life and character, was a standing refutation of the oft-repeated criticisms of politicians as being truckling timeservers. No man who knew Mr. BOOHER could doubt that there were men in public life—and there are thousands like him—who stood above the storm and stress of the pressure of public clamor and who dared to do right, even as the old Roman did, though the heavens fall.

Mr. Speaker, CHARLES F. BOOHER was always in the highest sense true to himself, and to his noblest self. Being so true, he could not therefore be false to any man. He leaves a name and a memory with those who knew him best to be cherished while life with them shall last.

Sometimes standing here on these occasions, where we in a feeble way seek to perpetuate our thoughts and memories of those who have gone before us, remembering how often we have seen a familiar face and figure down there in the well to whom we meet to pay tribute, and remembering his voice giving expression to the thoughts of his mind to his colleagues of the House, we wonder, Is that all? Is it all ended? The places that knew him shall know him no more. But is it all ended? And the old, old question of the ages comes back to us, "If a man die, shall he live again?" In a sense he is not dead. His example lives. His voice, though silent, speaks to us from the grave. But there is another sense in which we believe that in the happy beyond the spirits of the just, not made perfect, but still progressive, will greet us and help to lead us in a never-ending and undying day, and CHARLES F. BOOHER will be one of those brighter spirits on the other shore leading to a loftier and a nobler sphere of existence.

Mr. ASHBROOK. Mr. Speaker, I only ask a moment to say just a word relative to our dead friend in whose honor these services are held to-day. I came to Congress with Judge BOOHER 14 years ago. In the old days when each Member had a desk on this floor, I sat near him. I became acquainted with him by degrees. He was rather reticent and reserved, but as the years ran along I learned to know him well. I enjoyed numerous walks and talks with him and my admiration grew. He proved to be a genial, companionable friend, rather given to take the serious side of life, but possessed of the traits of character that make a lasting and helpful acquaintance. Few men among my acquaintances here were more fearless in discharging their duties. He was conscientious always. He believed he was right and let nothing swerve him. That firm, square jaw and deep-set eyes were true monitors of his life and character. He was rugged and immovable. As God gave him the light and vision to discharge his duties, he set manfully to do them. I venture that no dishonorable act was ever truthfully charged against him. He met the responsibilities of life in a brave and fearless manner, and leaves that most priceless heritage—a well spent life—to those who follow after him. I know that I was benefited by my acquaintance with Judge BOOHER and that his State and the Nation have sustained a real loss in his passing. The country and Congress need more men like him.

EXTENSION OF REMARKS.

Mr. DICKINSON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who desire to extend their remarks may have that privilege.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that all Members may have leave to extend their remarks. Is there objection?

There was no objection.

THE LATE REPRESENTATIVE FRED L. BLACKMON.

Mr. ALMON assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will report the special order of this hour.

The Clerk read as follows:

On motion of Mr. DENT, by unanimous consent,
Ordered, That Sunday, February 20, 1921, be set apart for addresses on the life, character, and public service of Hon. FRED L. BLACKMON, late a Representative from the State of Alabama.

Mr. DENT. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Alabama offers the following resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 691.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. FRED L. BLACKMON, late a Member of this House from the State of Alabama.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House at the conclusion of these exercises shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. DENT. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER pro tempore. Without objection, the resolution will stand approved.

There was no objection.

The SPEAKER pro tempore. The Chair will first recognize the gentleman from Alabama [Mr. DENT].

Mr. DENT. Mr. Speaker, I hardly know whether I can trust myself to speak on this occasion in memory of my departed friend, Hon. FRED L. BLACKMON.

Neither Damon and Pythias nor David and Jonathan ever enjoyed a more intimate and unbroken friendship than that which existed between him and myself.

For 10 years we were closely associated under every conceivable circumstance that bring men together in the relation of friendship, and never during that entire period was there ever the slightest misunderstanding between us. It is, therefore, a very painful duty to speak in honor of his memory.

Mr. BLACKMON was born at Lime Branch, Polk County, Ga., on the 15th day of September, 1873. At the age of 10 years his parents moved to Calhoun County, Ala., and there he continued to reside until his untimely death. After receiving an education in the common schools of that county, he entered the University of Alabama, finally being graduated from there in law. He immediately entered perhaps the most prominent law firm in that section of the State and continued his connection until he entered Congress. From 1896 to 1900 he was city attorney of Anniston, Ala. From 1900 to 1910 he was State senator from Calhoun County. In 1910 he was elected to Congress from the Fourth Alabama District and was continuously reelected up to the time of his death, having been recently elected to another term in the next Congress.

It will thus be seen that he had practically held public office since his maturity, never having suffered a political defeat. During his entire political career he never at any time bowed to what was supposed to be popular clamor, but always stood steady to his convictions regardless of the popular tide. Such was his record for 10 years in the State senate and such also was his record for 10 years in the halls of Congress. He was a working Member of Congress and not an ostentatious one. He did things for his constituents. Camp McClellan, near Anniston, Ala., is a fitting testimonial to his usefulness as a Representative in Congress.

He was genial, affable, and cordial in manner. He had the faculty of making friends and holding them hard and fast. This faculty took a wide range among all classes of people. I doubt if any man ever possessed this faculty to a greater degree than did FRED BLACKMON. His affection for his mother, though natural in a son, was manifested to a marked degree. Indeed it was rare. He was a fond and devoted husband and his love for his two children, Fred L., jr., and Sara, was one among the many beautiful characteristics of his life.

A devoted husband, a tender and affectionate father, a true and loyal friend, a bold, courageous, and honest statesman, a splendid citizen has gone from among us. His death is mourned throughout the length and breadth of the State of Alabama, where he had a wide acquaintance, as well as among the many friends and associates whom he knew in Congress. Personally, I mourn his loss more deeply than I am able to express. If ever there was a true, loyal, and honest soul, it was in the bosom of FRED BLACKMON.

I seek some consolation in this sad hour in the following verses from the "Psalm of Life":

Tell me not in mournful numbers
Life is but an empty dream,
For the soul is dead that slumbers,
And things are not what they seem.

Life is real, life is earnest,
And the grave is not its goal:
"Dust thou art, to dust returnest"
Was not spoken of the soul.

Mr. CARAWAY. Mr. Speaker and gentlemen, in the beginning I wish to ask leave to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. CARAWAY. I do so, Mr. Speaker, because I wish to prepare some few remarks in addition to what I may here utter.

The one act more than any other that prompts my desire to pay a brief tribute to our departed colleague is that nearly eight years ago—eight years the 7th day of next month—he and I stood here on this floor and took the oath of office together; he for his second and I for my first term in this House. After we had done so he turned to me and introduced himself and shook hands with me—the first man outside of my own delegation that had done so in this body; and during all the years of our service I never saw him that he did not speak to me and shake hands with me—always with that smile which bespoke his goodness of soul. He never forgot my name, and I never forgot his. He made me feel as if we were friends of long standing and not acquaintances of but a few days.

I never saw him depressed and I never heard him utter a single expression of despair. He thought well of his fellow Members. He was passionately devoted to his country. He cherished a divine hope of the future. No utterance of his on this floor could be classed as demagogic. He spoke his convictions, and he voted them. He was no opportunist, no time-server. He never cast a vote in this House inspired by the hope that it would be helpful to him politically. He looked only to the one thing—was it wise, was it patriotic? If he decided those things in the affirmative, he thus voted, and then never apologized for the position he took. He was one of the few men with whom I have served in this body who had a clear conviction on every question that was presented for his consideration. I never saw him in doubt as to a course. I never heard him express any regret—I speak of it politically—that he was compelled to choose sides in any controversy that might be waged in this House. He was a man of courage, of conviction, tender-hearted, and a true friend. His services in this body I shall not now review, nor shall I extol his virtues, both as citizen and legislator. These I shall leave for those who knew him better. My remarks, feeble and few, shall be confined to the personality of the man whom all here knew and for which all loved him.

Kind, considerate, cheerful, full of compassion for the faults and foibles of his colleagues and all mankind—loving and loved, he lived and died. Somewhere his immortal spirit lives and loves and waits for those whom he here loved and who grieve because he is gone.

Peace be with those who remain; we know it abides with him.

Mr. ASHBROOK. Mr. Speaker, like a number of the other Members of the Sixty-sixth Congress I retire to private life in a few days. One of the sweetest things I shall carry back home with me is the memory of the acquaintances and friends that I have made during my 14 years of service here. I count myself fortunate, indeed, in having known FRED BLACKMON well. I considered him my friend—I know I was his friend—and when FRED BLACKMON was your friend he was a friend indeed. My acquaintance with him dated from the time he came to Congress and continued uninterruptedly most pleasant. I was with him much during his service in this body. I enjoyed his acquaintance and fellowship. I never heard him say an unkind word of anyone. He was always a gentleman. I never knew a man who had a sweeter, more gentle, and lovable disposition than FRED BLACKMON, and of all the friends and acquaintances I have made in this House none do I cherish higher than that of our friend in whose memory these services are held to-day. His untimely passing was a great shock to his large circle of friends. Three weeks ago to-day, Mr. Speaker, he occupied the chair which you now fill when like services were held for the late Senator Bankhead. A few days later, when yet scarce at the meridian of his usefulness, he was stricken down, and the place that knew him once will know him no more. But while we sincerely mourn his passing, we are cheered and comforted by the memory of this choice spirit, and rejoice that it was our privilege to have known FRED BLACKMON. Not soon will we forget him. Let us then seek to emulate his virtues, which so outshone his foibles, that our memory of him may be fragrant with the flowers of love and kind deeds.

Mr. DUPRÉ. Mr. Speaker, only a little more than an hour ago, in reading the RECORD of yesterday, I discovered that an order had been entered for memorial services to-day in behalf of the late Representative FRED L. BLACKMON, of Alabama. I came over to the Chamber to attend those exercises and attest by my presence my sincere regret at his demise. Since I have sat here an impulse has come to me and grown that I should say something on this occasion. It is true I speak without preparation, but preparation could aid me naught in the matter of expressing my friendship for FRED BLACKMON or my sympathy at his loss, except possibly to help me polish a phrase or two or to recall and utter some half remembered appropriate quotations. My feeling of friendship for him was deep and my appreciation of his character is lasting and basic, and though in this brief expression of sorrow I may not fittingly express those thoughts, still they are at the bottom of the words that well up from my heart to-day.

Ten years ago when FRED BLACKMON came here I was among the first to know him. I met him through my late beloved colleague, Bob Wickliffe, of Louisiana, who lived at the same hotel with him. I took a liking to him, and that liking developed into friendship. I sought his companionship, I was glad to be with him. He was a man whom I respected. He had bravery, he had kindness, he had gentleness, he had tolerance, "the milk of human kindness." He had all the elements that appeal to me in a man, so when I think of him gone, when I remember the wife and children whom he left behind to whom he was so devotedly attached, I can not help saying "he should have died hereafter."

If I recall aright, Webster, speaking of Calhoun, said:

> Nothing mean, low or groveling, ever came near his head or heart.

In all truth, one might say that of FRED BLACKMON.

Mr. STEPHENS of Mississippi. Mr. Speaker, my relations with our departed friend, FRED L. BLACKMON, were such that I would feel that I had failed to perform a solemn duty were I not to add a respectful tribute to the eulogies that have already been offered on this occasion.

For 10 years, lacking a few days, we were colleagues in this great legislative body. During that time our relations had been very intimate and exceedingly pleasant. We spent many hours together. I learned to know him and to appreciate him for the many qualities that were characteristic of him.

He had a charming personality. He knew how to make himself thoroughly agreeable in any company.

He was an entertaining conversationalist, could tell an apt story, and never failed to enliven every occasion by his humor whenever it was seemly to do so.

He was a friend to the weak and lowly; his ear was ever open to their cry; his time was always theirs. Always courteous, considerate, and anxious to lend a helping hand, he made friends readily, and having once made a friend, he held him by the strength of his character, the charm of his personality, and his willingness to give much more than he demanded of his friend.

His was a strong intellect and he was always anxious to learn the reasons underlying and giving strength to any proposition. He was unwilling to be a mere follower. While willing to listen to suggestions from friends, he was unwilling to lend his support to any measure unless, in his judgment, it measured up to the standard of the fundamental political principles of our Government. When his judgment was convinced, he was as unyielding as any man I ever knew. He never left a position or surrendered an opinion simply because it did not meet with popular approval. However unpopular his position might be on any subject, those who knew him never doubted his honesty and they never censured him unduly.

FRED BLACKMON was an able lawyer, an earnest and faithful legislator, a lover of humanity, a devoted husband and father, a generous friend, and a noble soul. Representative Government is safe so long as the people choose such men for their servants.

I shall never forget him. When I shall think of him it will always be as one whose impelling idea was—

> Not only to keep down the base in man,
> But teach high thought and amiable words
> And courtesy and love of truth,
> And all that makes a man.

Mr. VENABLE. Mr. Speaker, I came into Congress five years ago, and among the first acquaintances which I made was one with Mr. BLACKMON. It happened that we were stopping at the same hotel, and we had offices close to one another in the House Office Building. And so I came to know him quite well and had an opportunity of forming some estimate of his character.

I do not know that I can add anything to what has been said. I can only emphasize what has been stated to have been his predominant characteristics. I think that what impressed me most about Mr. BLACKMON was his fundamental sincerity, which

is but another way of saying his fundamental honesty. He was without pretense, without concealment. His nature and his mind were so organized that he could not be happy without being sincere, and that characteristic was a predominant one, not only in his daily life and conduct but also in his daily thinking. It characterized his service as a Member of the House. It is the explanation, I think, of the reason why in his service here apparently the only consideration which entered his mind and determined what position he would take was the consideration of what he honestly believed to be correct according to principle. It also served, I think, as the fundamental basis of his political thinking. I noticed in talking with him about the matters upon which we were called upon to vote that he instinctively tested the question by the criterion of some fundamental principle which he believed in and the preservation of which he thought would promote the good of the country. As I said, he could not be happy and be insincere. Therefore his very nature demanded that in his congressional service he should vote as he was led to believe to be for the best interests of the country according to the fundamental principles in which he believed. And his congressional service in that respect had a peculiar and outstanding consistency.

I do not know of a single vote that he cast since I have been in the Congress with him that varied from the principles in which he believed. His conception—and I think it is the true one—was that a Representative in Congress was not a mere delegate to voice a sentiment or an emotion of current character uninfluenced by the conclusions of his own intellect, but his conception of this Government was that it was representative in character and that representative government implied that the Representatives should exercise judgment, and not voice merely a current sentiment and current thought of the time. Therefore his positions, I think, were as little influenced by what might be considered the current and ephemeral thought of a moment as any man in the Congress, with the result that the people of his district always received in the decision of any public question the very best judgment as to their welfare that Mr. BLACKMON was capable of forming.

This sincerity of character, in my judgment, is the explanation of his remarkable political success. He impressed the people with that quality, and while they might from time to time differ with him upon a particular position, yet, having confidence in the integrity of his purposes, in the sincerity of his motives, occasional differences did not alienate their political friendship.

Another outstanding characteristic in Mr. BLACKMON was that he had, to a remarkable degree, that divine capacity for love which always calls to similar qualities in other people, and is a creative force to inspire similar emotions in others with whom such a man comes in contact. I was impressed in attending his funeral and watching the large crowd that had gathered to do him honor, to note that every class and kind of man was represented in the gathering.

Men of the most diverse attainments, men from differing environments, men far apart in station, all came and stood upon the common ground of a common affection for Mr. BLACKMON. There could be no explanation for it other than that the quality which he had and capacity which he had of love for his fellows inspired a corresponding love in them.

It is not surprising, then, that with this quality he was found to be kindly in spirit, gentle in manner, a good neighbor, a good citizen, a good husband, because to be otherwise would have contradicted and run counter to a predominant trait of his character. I can say, I think with truth, that few men will be missed more than he. Everyone who came in contact with him will feel a loss, and surely a man can pay no higher tribute to him than in saying that the predominant characteristic of FRED BLACKMON was the capacity for love, which has been given as the definition of Deity Himself.

Mr. ALMON. Mr. Speaker, one of our colleagues, Mr. BANKHEAD, of Alabama, was called home yesterday very suddenly and speedily on account of the death of his sister, Mrs. George A. Lund, and he asked me to explain why he could not be here to-day. Also, Mr. RAINEY, of Alabama, was called home on account of very important business. So I ask unanimous consent that they be permitted to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection it is so ordered.

Mr. ALMON resumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. STEAGALL] is recognized.

Mr. STEAGALL. Mr. Speaker, there are no circumstances that can reconcile us to the death of one we love. Always there are reasons which to our minds are sufficient to make us marvel. Most unfathomable of all is the Providence which removes from us one just approaching the period of his greatest power and usefulness. At such an hour death claimed FRED L. BLACKMON. The dread summons came in his forty-seventh year. He was born in Polk County, Ga., September 15, 1873. When he was a child his parents moved to Calhoun County and settled on a farm near Anniston, Ala. Here amid the humble scenes and surroundings of a modest farm among the mountains the son grew to manhood. He worked on a farm, attended a little country school, and fished and hunted along the streams and woods. The simple sports, the healthful habits of a boyhood spent in close contact with nature and her lessons were reflected in the development of a mind and body of remarkable superiority. The associations of his boyhood gave him an understanding of men and a democratic simplicity and sympathy which made it easy for him to win the friendship of his fellows. He attended the University of Alabama and studied law. Almost upon reaching his majority he was admitted to the bar and began at once to show qualities which marked him as one bound to succeed in his profession. Soon he became a member of the firm of Knox, Acker & Blackmon, of Anniston, which was generally regarded as the leading firm of lawyers in Alabama. He grew steadily as a lawyer, enjoying the unqualified confidence of his associates and the public. His first political honor was a nomination and election to a term of four years in the State Senate. He served so ably and well that he was elected again for another term. Before the expiration of his second term as State Senator he was nominated as the Democratic candidate for Representative in Congress from the fourth congressional district and elected in November, 1910. He served continuously from then until the time of his death. Last November he was reelected to the Sixty-seventh Congress.

I had known Mr. BLACKMON for about 15 years, but my first intimate acquaintance with him began when I entered upon my duties as a Member of this House six years ago. We were on the same floor, with only one door between our offices, in the House Office Building and our association was very intimate. I learned early to appreciate and admire deeply his many lovable traits. From my personal association with him I gathered a knowledge of his virtues which could not have been had from mere observation of his official acts. Mr. BLACKMON was one of the men with whom I have come in contact whose utterances and votes in the House tallied absolutely with the convictions and opinions which he expressed in the cloak room and to close personal friends in private conversation.

He was an unostentatious man and so intensely honest that he shrank from the suggestion of anything like mere show. He had a devotion to his convictions that superficial observation would not disclose. He was not noisy on the floor of the House. He did not indulge so frequently in debates as some Members, but there never was a time when he hesitated to make known or record his views when it became his duty to do so. This characteristic was well and appropriately described a few moments ago by the gentleman from Mississippi [Mr. VENABLE]. Mr. BLACKMON was an intense Democrat—a devout believer in our representative system of government.

He believed in the distribution and division of powers which the fathers of the Republic attempted to establish for all time. He believed unfalteringly in the doctrine of State rights and unyielding opposition to the centralization of power in the Federal Government. It may be truly said that so well did he measure up to the highest standards as a Representative in Congress that his vote, with not a single exception during all his long service here, represented in his honest judgment his duty to his constituents and his country. If I were called upon to point out the greatest fault of Congress, it would be the frequency with which Members of Congress—not from bad motives, I am sure—listen to appeals which ought not to be heeded and fail sometimes to let their votes express their own judgment of what ought to be done by the representatives of the people in this great body. I believe sincerely that if the same courage and devotion to convictions which FRED BLACKMON possessed could be made the unvarying rule with Members of both branches of Congress, we should witness at once the obliteration of every weakness that threatens the perpetuity of the Republic. If only our legislation could be made to express the independent thought of the men who compose the membership of the House and Senate, thoughtful men could face the future unafraid.

A corresponding characteristic of his devotion to his convictions was his loyalty to his friends. He had a capacity for winning and

holding the affections of men that I have seldom seen equaled. It happened to be my lot to convey to his friends here the shocking news of his death. The announcement came first to our colleague, Mr. DRANE, from a friend in Florida, and the message was handed me by Mr. DRANE. I began immediately to communicate the sad news, first to members of the Alabama delegation. In every instance, even among the humblest employees about the House Office Building, all who heard the message stopped to express their regret, and in many instances to evidence their grief with tears. I was a member of the Congressional party that attended the funeral. I do not think I ever observed more widespread manifestation of sorrow among the people of an entire community than was shown by the good people of Calhoun County and other sections of Alabama represented at the funeral.

I stood by the new-made grave on the mountain side and watched the vast throng gathered there. On one side there was an assemblage of colored people. They stood just beyond the grave from me and I saw them as, with tears rolling down their cheeks, they watched the casket borne forward amid a profusion of flowers to its last resting place. I thought of the many friends assembled, the respect paid by the Congress of the Nation, the grief shown in high official circles, the eloquent address of the minister still ringing in my ears. But, as I looked into the saddened faces of the Negroes in front of me I thought as I think now that, after all there can be no higher eulogy of any man than that the humblest who knew him should pay him the tribute of tears. These simple, humble people knew the big heart forever hushed and they knew they would miss the generosity and kindliness so long enjoyed.

I venture the statement that no Member of this House has greater personal hold upon the people of his district than had Mr. BLACKMON. Mr. Speaker, we have had some strenuous and hard-fought issues in the politics of Alabama during the past 10 years. During a portion of this time Mr. BLACKMON was an avowed adherent of policies to which a majority of the people of his district were ardently opposed. They knew that he would not change his convictions to fit public opinion or follow the fortunes of politics. But, notwithstanding the issues that sometimes divided the electorate into hostile camps, he had always a personal following that made him invincible in his district.

Mr. BLACKMON loved the people who had honored him. He loved the scenes and associations of his native State and was impatiently planning, voluntarily to retire from public life and take up again the practice of law among his people at home. Above all he desired to resume life with his family, free from the interruptions and hindrances unavoidable on the part of Members of Congress. His devotion to his family was a matter of common comment among his friends and he often expressed his solicitude for them and his desire to have larger part in the education of his children. About a year and a half ago he came into my office one day and finding me alone sat down and handed me a paper which he said he wanted me to read. It was a letter addressed to his son filled with advice, based upon life experience and wide knowledge of men and affairs. He realized that his physical powers were not so strong as they had been. He even so expressed himself to me. I read and reread the letter which breathed the tenderest affection and solicitude for both his children and their mother. It was one of the most beautiful letters I have ever read and would adorn the library of any home. So it was at all times and everywhere. He loved those about him and thought always of their welfare and happiness. He spent his life in unselfish service, but he drew about him thousands and thousands who were happy to serve and honor him. Let us trust that the same generosity and charity which he practiced here may be shown him in his journey into the Great Beyond.

> Who seeks for heaven alone to save his soul
> Will keep the path, but will not reach the goal;
> While he who walks in love may wander far,
> But God will bring him where the blessed are.

Mr. McDUFFIE. Mr. Speaker, again and for the third time within two years the House of Representatives is meeting to pay tribute to the memory of a distinguished Alabaman.

We often wonder why the life of a strong and valuable man should be cut down in the very prime of its usefulness, yet this question can not be answered by human beings because to us it has not been given the power to understand, and we are only reminded that "even in the midst of life we are in death."

How difficult it is to realize that FRED L. BLACKMON has left the scenes of his earthly usefulness. But a few weeks ago he was amongst us with all his splendid cordiality and vigorous activity. To-day he sleeps beneath the sod of his home land on a beautiful hillside which overlooks the city of Anniston, Ala., whose people he loved, honored, and served so well.

The death of Mr. BLACKMON was to me a personal loss, and mere words are feeble and inadequate on this occasion. While I had known him for many years, and knew his reputation throughout Alabama as a man of superb intellect and splendid integrity, and as a great leader in the progress and development of our State, yet I was not closely associated with him until I came to serve in this House. Here our association became intimate. As a beginner in the work of Congress I often called for his wise counsel and sound judgment, and he always gave it cheerfully, patiently, and gladly. He seemed to find a pleasure in giving me the benefit of his advice and experience whenever I consulted him. Like all others who knew him I learned to love him for his genuineness and sincerity; I learned to admire him for his courage and loyalty to his convictions. He had the brain power to grapple with and settle the most difficult problems in his public service, and he had the courage to carry his ideas into effect.

Mr. Speaker, it is always easy for one in public life to drift with the current, but it is only the strong man who elects to stem the tide. The records of the Congress as well as the records of the Legislature of Alabama disclose the fact that FRED L. BLACKMON as State senator and as Member of Congress did not seek the lines of least resistance and drift with the current in order that he might curry temporary, popular favor. With his keen and powerful intellect he firmly visualized every proposition with which he was confronted as a public servant, and stood firmly and "four square," with a conviction that was honest, a purpose that was pure, and a heart that was big and generous. I never saw him lose his splendid poise. He was as solid as the rock of Gibraltar. It is no wonder, then, that even those who disagreed with him at times politically admired his courage and appreciated his sincerity. It is no wonder that he drew close to him and held firmly the friendship of strong men. It is no wonder that he had such a hold on the hearts of a grateful constituency. Mr. BLACKMON had real friends, and drew from them a quality of friendship which meant devotion, and even sacrifice, without the asking, if the necessity for sacrifice arose. That was the kind of friendship he gave and the same quality he received.

Being true and sincere himself he expected the same in others, and therefore he spurned that political activity which was even akin to that of the demagogue. Being well grounded in the fundamental principles of his party he served it unselfishly and faithfully. His every official act was done, and his every vote was cast, during more than 20 years of public service, with the highest sense of duty to his people, his State, and his Nation, serving each as only a patriot can serve.

Mr. BLACKMON was a great student of human nature. He seemed to understand men probably better than anyone else I ever knew. He was slow to pass judgment on his fellow man. Always giving the best he had, it was natural that he sought for the good rather than the evil in others. He preferred to seal his lips rather than speak of the faults and shortcomings of his fellow man. This characteristic was so noticeable in him that I mentioned it to him on one occasion, and how well do I remember his reply, which was, "As my little son grows into manhood and takes up his life's work, though I may be dead, I hope when he comes in contact with those who have known me they will associate with him only the good they may have found in his father." His devotion to his family was beautiful.

FRED BLACKMON admired men for their real worth regardless of their financial, social, or political position. At his funeral I saw hundreds and hundreds of men from field and factory, from shop and store, and from every walk in life, both white and colored, with heavy hearts and heads bowed down in grief. Every person, from the old colored servant, who in tears sobbed that she had lost the best friend she ever had, to strong men in high stations of life, seemed deeply and visibly affected by his death.

We mourn his loss here. Official Washington will miss his genial smile and hearty cordiality. The Alabama delegation will miss him. The Congress will miss him, and his death is a distinct loss to the people of his district, the State of Alabama, and the whole Nation. His memory will be cherished so long as we live. Truly it can be said of him, "His life was gentle, and all the elements so mixed in him that nature might stand up and say to all the world, this was a man."

Mr. HUDDLESTON. Mr. Speaker, when we analyze the character of our departed friend [Mr. BLACKMON], we come upon three beautiful qualities which he possessed to an extraordinary degree. They were his predominating characteristics. They mark his life and measure as a man.

First I place among Mr. BLACKMON'S characteristics his virtue of loyalty. Loyal men are born, they are not made. The instincts of loyalty are natural, they are not acquired. Loyalty is a sentiment of the heart, it is not an attribute of the mind. He was a loyal man in the best sense of that term. He was loyal to his home town and home community, to his district, to his State, and to our common country. He knew no divided nor qualified allegiance to the objects which he loyally cherished. In none of them could he find fault, and he would allow no other man to find fault in them in his presence. He was loyal to the institutions of the section in which he lived, to the traditions of the South, to its best, its noblest, its highest; to its dreams and to its ideals. He was loyal to what we know and speak of as American institutions, the old-fashioned things of our country, to its liberties, to its aspirations, and to its memories and its hopes.

Next I place among Mr. BLACKMON'S qualities his capacity for friendship. He loved his friends deeply. There was a delicacy and self-sacrifice in his attachment to them akin to that found in women. He loved his friends unselfishly always. He was willing to prefer them, their wishes, their inclinations, and their interests above his own. He who would have friends must show himself friendly. No man who loves and cherishes his friends truly and with singleness of heart ever finds himself without friends. Small wonder that a vast concourse of friends gathered at Mr. BLACKMON'S grave.

Mr. BLACKMON'S third great quality was generosity. He cherished no ill will. He forgave all. He overlooked the errors and shortcomings of all. He ever turned the actions of others to the best light. He interpreted the conduct of men in the light of his own sincerity of purpose. No word of criticism of any fellow Member of Congress was ever heard from him. To him they were ever patriotic and good men. Over their faults and mistakes he drew the veil of charity. He was incapable of small, mean thoughts or petty criticism. He wanted men to be noble and true, and sought always to believe them to be so.

We shall miss him. Alabama will miss him. The House of Representatives will miss him. The Nation will miss him. His great district will send one of its splendid citizens as his successor. That he may be comparable to our departed friend in these great qualities that mean so much to public virtue and to private worth is my deep hope. No man can ask for more.

Mr. BOWLING. Mr. Speaker, our lamented friend, Congressman BLACKMON, and I were boys together down in the beautiful Choccolocco Valley in Calhoun County, Ala. We attended the same church and went to the same school. Together we entered into the sports and diversions of the time. To-day, as I stand in this Hall and with his many other friends do honor to his memory, many happy recollections of incidents in the days of our youth and young manhood come to my mind as memory brings the light of other days around me.

He lived in a fine old southern mansion, the abode of culture and the home of a generous hospitality. A grove of great oaks about the home is known far and wide in Calhoun County as the Blackmon Grove. In years gone by it was a noted meeting place for political orators, and many times there were staged fierce political discussions. To all of these forensic contests Mr. BLACKMON, as boy and man, was an interested listener, and in his front yard, as it were, he learned his first lessons in political battle, the influence of which served to shape his life and fix his destiny.

After a while our lines diverged and for a number of years I saw him but little. I knew, of course, that he was an honored Member of Congress, playing well his part and reflecting credit upon the State of his adoption.

It has been a personal satisfaction for me to hear his fellow Members to-day pay tribute to the sterling qualities of his manhood, and his great worth as a legislator. That he was a friend faithful and true all who knew him will attest; that he served the Nation well in a great crisis is a part of the written record of our country, passed on for the benefit and the admiration of those who shall succeed us here.

The last public appearance of Mr. BLACKMON in the Hall of Congress was three weeks ago, when he presided as Speaker pro tempore at the memorial session in honor of the late Senator Bankhead. He was a stricken man then, but no one dreamed that the end was so near. That night he left this city to visit his home in search of health. In a few days, hoping that the balmy air of Florida would benefit him, he went to that State, but death was fast upon his footsteps, and the end came within a few hours after reaching the home of a kinsman in the land of flowers.

Of the events of his last hours no extended account has come to us; but we do know that with characteristic fortitude and tender remembrance of those he loved, he gave his directions touching matters close to his home and his heart. Of his immediate family none were present except his little son, Fred, jr., to whom he spoke his final word of cheer and love.

I doubt not that in those last hours, when the world was receding, when the light of this world faded from his dying eyes, he caught the gleam of the light that streams from the eternal city; and when his dying ear no longer heard the sounds of earth, he caught the strains of music proceeding from the great throne. A noble man has gone. Peace to his ashes; God rest his soul; and may those he loved ever abide within the shadow of the everlasting wing.

Here Mr. HUDDLESTON took the chair as Speaker pro tempore.

Mr. RAMSEYER. Mr. Speaker, this hour has been set aside by order of the House of Representatives for memorial addresses on the life, character, and public service of Hon. FRED L. BLACKMON. In this way we preserve the memory of our distinguished and beloved colleague through the permanent records of our Government, a distinction he merits not alone because he was a Member of this body at the time of his death, but more on account of his achievements in both private and public life.

Hon. FRED L. BLACKMON came up from the lowly walks of life to a place of power and influence in our National Government. By toil, privation, and industry he educated himself and was admitted to the bar. By his ability, perseverance, and integrity he won early recognition and success in his chosen profession. He was public spirited. He became a student of public questions. He was large hearted and sympathetic. The common people trusted him and elected him to the greatest legislative body in the world.

As a Member of this body most of us first learned to know him and to admire and respect him for his sterling qualities, his devotion to the public service, and his fidelity to his constituents whom he served in this House so faithfully and so ably.

I served with Mr. BLACKMON on one of the most important committees of this House for nearly four years. I learned to know him well. His life and character will be an inspiration to the young men of his district, State, and Nation. It was the lives of men such as that of Hon. FRED L. BLACKMON that Longfellow had in mind in the following lines:

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

Footprints that perhaps another
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother.
Seeing may take heart again.

Let us, then, be up and doing
With a heart for any fate;
Still achieving, still pursuing,
Learn to labor and to wait.

EXTENSION OF REMARKS.

Mr. DENT. Mr. Speaker, I have been especially requested by the gentleman from Iowa [Mr. RAMSEYER], who is unavoidably absent, and who served with Mr. BLACKMON on the Committee on the Post Office and Post Roads, to secure permission for him to extend his remarks in the RECORD. And I ask unanimous consent that the request be granted.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. DENT. And, Mr. Speaker, I am also especially requested to ask the same consent for the gentleman from Georgia [Mr. BELL] and the gentleman from Kentucky [Mr. ROUSE], both of whom served with our late friend on the Committee on the Post Office and Post Roads.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. DENT. And, Mr. Speaker, I ask that all Members be permitted to extend their remarks in the RECORD on the life, character, and public services of the late Representative from Alabama, Mr. FRED L. BLACKMON.

The SPEAKER pro tempore. Without objection, it is so ordered.

ADJOURNMENT.

Mr. DENT. Now, Mr. Speaker, I move that the House do now adjourn.

Thereupon, in accordance with the resolution previously adopted, the House (at 2 o'clock and 12 minutes p. m.) adjourned until Monday, February 21, 1921, at 12 o'clock m.

SENATE.

MONDAY, *February 21, 1921.*

(*Legislative day of Monday, February 14, 1921.*)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	Lodge	Simmons
Borah	Gooding	McCumber	Smith, Ariz.
Brandegee	Gronna	McKellar	Smith, Ga.
Calder	Harris	McLean	Smith, Md.
Capper	Harrison	McNary	Smoot
Chamberlain	Heflin	Moses	Spencer
Culberson	Henderson	Myers	Sterling
Curtis	Jones, N. Mex.	New	Sutherland
Dial	Jones, Wash.	Norris	Swanson
Dillingham	Kellogg	Overman	Thomas
Fernald	Kendrick	Phelan	Townsend
Fletcher	Kenyon	Phipps	Trammell
France	Kirby	Pittman	Underwood
Frelinghuysen	Knox	Pomerene	Wadsworth
Gay	La Follette	Ransdell	Watson
Gerry	Lenroot	Sheppard	Willis

Mr. DIAL. Mr. President, I desire to announce that the Senator from Maine [Mr. HALE], the Senator from Washington [Mr. POINDEXTER], the Senator from Delaware [Mr. BALL], and the Senator from South Carolina [Mr. SMITH] are detained at a hearing before the Committee on Naval Affairs.

The VICE PRESIDENT. Sixty-four Senators have answered to their names. There is a quorum present.

TRANSPORTATION OF DIPLOMATIC AND CONSULAR OFFICERS, 1921 (S. DOC. NO. 411).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of State submitting a supplemental estimate of appropriation in the sum of $200,000, required by the Department of State for transportation of diplomatic and consular officers, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

SALARY OF ASSISTANT SECRETARY OF AGRICULTURE (S. DOC. NO. 412).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of Agriculture, submitting a paragraph of legislation authorizing the payment of the salary of the Assistant Secretary of Agriculture from June 12, 1920, to March 4, 1921, notwithstanding the provisions of section 1761, Revised Statutes, etc., which was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes; had agreed to the conference requested by the Senate; and that Mr. GOOD, Mr. CANNON, and Mr. EVANS of Montana were appointed managers of the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes; had agreed to the conference requested by the Senate; and that Mr. JOHNSON of Washington, Mr. SIEGEL, Mr. VAILE, Mr. SABATH, and Mr. RAKER were appointed managers of the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. McLEAN presented a memorial of sundry members of the First Church of Christ, Scientist, of Mystic, Conn., remonstrating against the enactment of legislation providing for physical education, which was referred to the Committee on Education and Labor.

He also presented memorials of the Woman's Club of Wallingford; the Cheshire Garden Club, of Cheshire; and the Women's Club of Norwalk, all in the State of Connecticut, remonstrating against commercializing the national parks, which were referred to the Committee on Commerce.

He also presented a telegram in the nature of a petition of the New Haven Auto Dealers' Association, of New Haven, Conn., praying for the enactment of legislation to include a Federal highway commission in proposed legislation to extend Federal aid to the several States in the construction of roads, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Woman's Christian Temperance Union of Torrington, Conn., protesting against an appropriation being made in the agricultural appropriation bill for the investigation of and improvement of tobacco, which was ordered to lie on the table.

He also presented petitions of Walter J. Smith Post, No. 511, Veterans of Foreign Wars, of New Britain, Conn., and W. T. Brooks, secretary of meeting of ex-service men of Waterbury, Conn., praying for the enactment of legislation paying a bonus to ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of Washington Camp, No. 4, Patriotic Order Sons of America, of New Haven, Conn., favoring legislation making armistice day a legal holiday, which was referred to the Committee on the Judiciary.

He also presented memorials of St. Mary's Holy Name Society, of New Britain; McSwiney Council, American Association for the Recognition of the Irish Republic, of Bridgeport; Campbell Council, No. 573, Knights of Columbus, of South Manchester; Valley Council, No. 23, Knights of Columbus, of Ansonia; Division No. 1, Ancient Order of Hibernians, of Rockville; and Division No. 8, Ancient Order of Hibernians, of Stafford Springs; Division No. 1, Ancient Order of Hibernians, of New London; Star of the Sea Branch, No. 681, Ladies' Catholic Benevolent Association, of New London; and Rev. P. H. McClean, of St. Mary's rectory, of Milford, all in the State of Connecticut, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. GORE presented a resolution adopted at a meeting attended by 500 Catholics at Tulsa, Okla., protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. KENDRICK presented a joint memorial of the Legislature of Wyoming, which was referred to the Committee on Post Offices and Post Roads, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled senate joint memorial No. 3, of the Sixteenth Legislature of the State of Wyoming, being original senate joint memorial No. 5, has been carefully compared with the original, filed in this office, and is a full, true, and correct transcript of the same and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 10th day of February, A. D. 1921.

[SEAL.]

W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

Enrolled joint memorial 3, Senate, Sixteenth Legislature of the State of Wyoming.

Memorial to the Senate and the House of Representatives of the United States requesting of Congress prompt action on H. R. 15873, for extension of Federal aid for highway construction.

Whereas the Federal Government has heretofore and during the past years extended Federal aid to the several States of the Union for the purpose of constructing permanent highways; and

Whereas by reason of such Federal aid many of the States have begun the construction of permanent State and interstate highways which have been completed in part and the completion of which will necessitate further Federal aid; and

Whereas heretofore on the 25th day of January, 1921, the Roads Committee of the House of Representatives of the United States did unanimously recommend an authorization for the appropriation of $100,000,000 for the fiscal year ending June 30, 1922, also the appropriation of $3,000,000 for the national forest roads and trails, which said recommendation is known as H. R. 15873, by the terms of which bill further Federal aid will be extended to the States of the Union for further permanent road construction and completion of roads under construction under the provisions of an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads and for other purposes," approved July 11, 1916; and

Whereas the Legislature of the State of Wyoming did heretofore pass and adopt a law assenting to and agreeing to conform to the provisions of an act of Congress entitled "An act to provide that the United States shall aid the States in the construction of rural post roads and for other purposes," together with all acts and legislation amendatory thereof or supplementary thereto, or which shall grant or authorize aid for the construction, improvement, maintenance, or repair of public roads or highways: Now, therefore, be it

Resolved by the Senate of the State of Wyoming (the House of Representatives concurring), That the Congress of the United States be memorialized to take favorable and prompt action and to pass H. R. 15873 as unanimously recommended by the Roads Committee of the House of Representatives of the United States; be it further

Resolved, that a copy of this memorial be sent to Senator FRANCIS E. WARREN, Senator JOHN B. KENDRICK, and Hon. FRANK W. MONDELL, Representative in Congress for the State of Wyoming.

W. W. DALEY,
President of the Senate.
L. R. EWART,
Speaker of the House.

Mr. WILLIS presented a resolution of the American Association of Flint and Lime Glass Manufacturers (Inc.), of Pittsburgh, Pa., favoring legislation to prohibit importation of products manufactured in whole or in part by child labor, which was referred to the Committee on Education and Labor.

He also presented a memorial of Company B, Old Guard, of Newark, Ohio, protesting against the enactment of legislation incorporating the Grand Army of the Republic, which was referred to the Committee on Military Affairs.

Mr. TOWNSEND presented a resolution of the Tri-State Development Congress, of St. Paul, Minn., favoring legislation extending the powers of the Mississippi River Commission as far north as the Twin Cities, which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Charlevoix, Mich., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the Exchange Club, of Grand Haven, Mich., favoring legislation for a deep waterway via the St. Lawrence River, which was referred to the Committee on Commerce.

He also presented a resolution of the Legislature of Michigan, which was referred to the Committee on Finance, as follows:

Senate concurrent resolution 11.

A concurrent resolution respectfully urging the Senate of the United States to enact legislation for the payment to each honorably discharged soldier, sailor, and marine of the bonus as passed by the United States House of Representatives.

Whereas there is a general desire on the part of an appreciative American public to show in a material way gratitude for the valiant work of our soldiers, sailors, and marines in the war against Germany and her allies; and

Whereas the general public feel that this Nation owes to its soldiers, sailors, and marines of the late war an everlasting debt of gratitude which financial aid can never repay; and

Whereas they believe there is justly due to those men who have made such noble sacrifices a greater measure of financial aid than provided for by existing laws; and

Whereas the subject of a soldier's bonus has been before the Federal Congress for some time, and the measure has passed the House of Representatives and will come up for consideration by the Senate of the United States: Therefore be it

Resolved by the senate (the house of representatives concurring) That the Legislature of the State of Michigan urge the Senate of the United States to pass the "bonus bill" as passed by the House of Representatives at Washington, D. C., at an early date, so that the boys who made such noble sacrifices may not have to wait any longer for this expression of the gratitude of the American people.

Resolved further, That copies of this resolution be forwarded to the United States Senators from Michigan.

Mr. TOWNSEND (for Mr. NEWBERRY) presented duplicate copy of the preceding resolution of the Legislature of Michigan, favoring legislation to pay an additional bonus to ex-service men, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented memorials of the St. Vincent de Paul Society, of Detroit, and the clergy of Ste. Anne de Detroit Catholic Church, of Detroit, all in the State of Michigan, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented a petition of Louisa St. Clair Chapter, Daughters of the American Revolution, of Detroit, Mich., praying for the enactment of legislation providing for the protection of maternity and infancy, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a resolution of the Michigan State Farm Bureau, of Lansing, Mich., protesting against the enactment of legislation placing a tariff on Canadian lumber, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a resolution of Sault Ste. Marie Civic and Commercial Association, of Sault Ste. Marie, Mich., favoring an amendment to the seaman's act relative to traffic on the Great Lakes, which was referred to the Committee on Commerce.

Mr. GOODING presented a resolution adopted by the Idaho Mining Association, at Boise, Idaho, favoring immediate steps being taken by the carriers and ore producers and shippers, jointly, to secure such readjustment and revision of the present ore rates as will permit of the continued operation of the metal mines, etc., which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (S. 5023) to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia, reported it without amendment and submitted a report (No. 807) thereon.

Mr. KENDRICK, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 13402) for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif., reported it without amendment and submitted a report (No. 808) thereon.

BILL INTRODUCED.

Mr. RANSDELL introduced a bill (S. 5030) authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks (with accompanying paper), which was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment providing for a survey and investigation of the channel and anchorage basin of New Bedford (Mass.) Harbor, with a view to obtaining a depth of at least 35 feet, intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and to be printed.

Mr. CALDER submitted an amendment proposing to pay Malcolm J. Hartman, lately a topographical draftsman in the Navy, $1,370.87 for actual expenses incurred while stationed at the naval ammunition depot, Iona Island, N. Y., etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment providing that the Secretary of Agriculture, in cooperation with the State agricultural colleges and experiment stations and the United States Council of the World's Poultry Congress and other organizations, be authorized on behalf of the United States to make suitable exhibits at the World's Poultry Congress of the International Association of Poultry Instructors and Investigators, to be held at The Hague, Holland, September 6 to 13, 1921, and appropriating $15,000 therefor, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and to be printed.

DISTRICT OF COLUMBIA MUNICIPAL COURT.

Mr. KELLOGG submitted an amendment intended to be proposed by him to the bill (H. R. 10074) to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes, which was referred to the Committee on the Judiciary and ordered to be printed.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. The pending question is the motion of the Senator from North Dakota [Mr. GRONNA] to proceed to the consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

Mr. GRONNA resumed and concluded the speech begun by him on Saturday. The speech entire is as follows:

Saturday, February 19, 1921.

Mr. President, when the bill providing for appropriations for the Postal Service was about to be taken up, I made an effort to call to the attention of the Senate the importance of passing the Agricultural appropriation bill. The bill reported by the Committee on Post Offices and Post Roads was permitted to be taken up; justly so, of course. Later on the chairman of the Committee on Appropriations asked that the first deficiency bill might be disposed of before the Agricultural appropriation bill was taken up, and in the meantime the bill which was passed to-day while I was absent, the immigration bill, was made the unfinished business. That measure has been disposed of.

The bill to which the Senator from Michigan [Mr. TOWNSEND] has referred is a House bill, no amendment having been made to it by the Senate committee. I take it, therefore, that very little time will be required, as it does not go to conference. It is not so with the Agricultural appropriation bill. More than 70 amendments have been added to that bill by the committee. How many more will be offered and agreed to in the Senate I do not know. It is reasonable to believe that there will be 70 or 80 amendments to dispose of. Some of them are provisions which in their nature are legislation. They have to go not only to the Committee on Agriculture, but the bill will have to go to the Committee on Appropriations under the new rules of the House.

I do not intend to take the responsibility for defeating the Agricultural appropriation bill, but I am going to place the responsibility where it justly belongs. I have been in Congress long enough to know that when Congress wants to defeat a certain measure there is always a possibility to find an excuse to do so. I personally certainly will suffer no more nor less by the strangling or the defeating of the Agricultural appropria-

tion bill than any other Member of this body, but the people of my State and the people of the entire drought-stricken area will suffer if the item providing for an appropriation of $50,000 is rejected, unless my bill can be passed as a separate measure.

But there are other provisions in the Agricultural appropriation bill in which I am deeply interested. Regardless of what may be said about the farmers of the West—how much wealth they possess and how much money they have made during the last few years—I find that in several sections of the West, in the drought-stricken area, they are not able to get even seed grain. Their credit is exhausted. The banks are unable to extend credit to them. On many occasions and in many localities the counties have extended credit for the purchase of seed grain, but in those localities they are no longer able to extend further credit, so that all these agencies have ceased to function.

I am glad to say the farmers are not affected in the eastern portion of North Dakota, or even in the central part of the State, but in the western part of the State, and over a large area in Montana, and in the western part of South Dakota, and in many other sections the farmers are absolutely helpless, and will not be able to purchase seed grain; and, of course, there will be vast areas in the spring-wheat belt, estimated all the way from two to four million acres, which will not be planted to any crops at all.

I can hardly believe that it is the wish of the Senate to continue those conditions, but, of course, it is for the Senate to take such action as it sees fit. But I do not want to shirk my responsibility, and I call attention to the absolute necessity of doing something for these people. There are many other things which I shall try to call attention to. I shall try to show that there is more urgency for the passing of the Agricultural appropriation bill than of the bill which the Senator from Michigan has referred to. I am not opposing that bill. But why did not the Senator bring up that bill instead of the Post Office appropriation bill if the country is to go to pieces without that legislation?

It seems to me to be unfair that just as soon as this measure, which affects the farmers throughout the entire country, is sought to be called up, we always find that some other measure is said to be more important. I do not believe that claim is proved. The time may come when the railroads who are now so poor, and who confess to this poverty-stricken condition, will have nothing to haul; they will have no tonnage. If we can not make conditions such that the people in the grain States and in the other sections of the country are able to carry on farming, it seems to me that the losses to the railroads will be greater from that cause than from the cause to which the Senator has called attention, because his bill only involves $350,000,000. Mr. President, that is not a drop in the bucket to be compared with the tremendous amount of freight, and the money involved in this bill.

It is true that the bill does not carry as large an appropriation as the bill now sought to be brought up by the Senator from Michigan, but the value of business which will be transacted through the operations of this bill amounts to many times more than the amount of money involved in the bill referred to by the Senator from Michigan.

I want for a few moments to take the time of the Senate to read a communication which I received this morning from a farmer in South Dakota, just to show the conditions throughout that section of the country. This letter is dated Britton, S. Dak., February 16, 1921, is addressed to me, and reads:

BRITTON, S. DAK., *February 16, 1921.*

Hon. A. J. GRONNA,
United States Senate Chamber,
Washington, D. C.

DEAR SIR: Probably the most widely discussed topic now engaging the attention of the public here in the West at the present moment is the farming problem, particularly as it relates to the marketing of wheat and its price movements.

The writer, by reason of years experience in the flour milling and grain shipping business, subsequent close contact with farm conditions here in northeastern South Dakota in connection with the real estate and farm-loan business—and himself owner of land farmed by tenants—feels qualified to analyze the situation which now confronts the American wheat grower; and in pursuance of such a purpose has prepared an article, copy of which is inclosed herewith, in which the aim of the writer is to depict the actual conditions under which the wheat grower is laboring, to point out a few of the glaring inconsistencies in the wheat trade and otherwise which handicap his progress, and to suggest a tentative plan, subject to amplification, as a remedy for the existing evils of our system of distribution.

As the writer is aware that you are vitally concerned in betterment of farm conditions, both from the standpoint of a farmer yourself, and by reason of your honorable position on the Agricultural Committee of the Senate, this article is being submitted for your consideration in the hope that some portion of it, or an idea expressed therein, may serve a practical use or purpose at such times when the question is under consideration by your committee, or is being discussed on the floor of the Senate.

Trusting that time is near at hand when the estate of the wheat grower shall be elevated to a plane where chance in the matter of value of his product is eliminated, I beg to remain,

Yours, very truly,

FREDERIC J. BROWN.

Mr. Brown has submitted an estimate, which I ask to be permitted to read, because it bears directly upon the question which I called attention to, namely, the necessity of passing the Agricultural appropriation bill in order that the amount provided for in the bill, namely, $5,000,000, shall be appropriated and loaned to farmers in small amounts not to exceed $300 to any one farmer to purchase seed grain. That very thing was done two years ago, when the people in western Kansas, in a portion of Montana, and, I believe, in a few instances in the western part of my State, availed themselves of the opportunity of getting seed from the Government, or through the credit of the Government.

Mr. President, nearly all those loans have been paid back to the Government. It was not a subsidy to the farmer, as the bill of the Senator from Michigan now proposes a subsidy to the railroads. It was not taken out of the Treasury and given to the farmer, but it was paid back with interest. That is possibly why it is more important to pass the Senator's bill.

This estimate does not refer to my own State, but to conditions in the splendid, rich agricultural State of South Dakota, our neighbor to the south, a State which, in part, I had the honor when a young man to represent when it was a Territory.

This estimate is entitled:

Wheat, the lifeblood of the nations, the "handball" of commerce, the enigma of the farmer—A problem in political economy, on the proper solution of which depends the stability of America's most vital industry. By Frederic J. Brown.

If this were an old document I might apologize for reading it, but it is so new, so fresh, that the ink has hardly had time to try on the paper. It is a living issue before the country.

I read from Mr. Brown's paper:

The problem is stated:

* * * * * * *

Assuming the case of a young man having a wife and small family settled upon an improved and fully cultivated half section of land in Marshall County, S. Dak., and engaged in raising small grains exclusively—primarily wheat, rotating alternately with a combination of oats, barley, and flax, it is proposed to show the cost of producing a bushel of wheat for the season of 1920, based on the market value—September 15, 1920—of the other grains produced on this farm, thrashing having been completed in this case on August 30, 1920.

It should be borne in mind that this young man belongs strictly to the wheat-raising class of farmer, has up until now made no attempt at diversified farming or the production on a commercial scale of beef cattle or finished hogs, nor is he engaged in pure-bred stock raising. Such would be aside the purpose of this cost survey, which, as stated, is to arrive at the cost of wheat when raised as the staple crop. What may be its cost under the varying conditions of farming where other lines are specialized in will not be here considered. In fact, the writer is free to admit that to enter upon a cost analysis of wheat when raised as a minor crop and involved with the production cost of pork, beef, and mutton on the hoof, together with butter fat, poultry, eggs, corn, potatoes, flaxseed and the like, without statistics applicable to local conditions, would be like trying "to sail a vessel on an uncharted sea"; that is to say, the question of wheat cost under conditions that obtain on many of our present-day farms is by far too complex a problem to admit of analysis without reference to and study of reliable data covering a period of three to five years under the conditions here prevailing.

But to return to the question: Our young farmer is the owner of 320 acres of land, fenced, improved with a fairly complete set of farm buildings, and an artesian well. It is not fully paid for, yet his equity therein is substantial, and with energy and thrift in his favor—and the elements favoring—he will eventually pay off the mortgage and thereby reduce his fixed charges. His equipment consists of eight good work horses and a full set of farming tools adequate to farm the acreage under plow. Also he enters upon the season of farming with a supply of required seed grain to sow the allotted fields, and with a stock of feed and hay sufficient to carry him through the harvest.

The value of his land is fixed for the accounting period by the sale within the 12 months of an adjoining quarter section of bare land—same quality of soil and equal in fertility—at $75 per acre—half cash, balance at 7 per cent interest.

The area of this farm is practically all under plow, save only 15 acres for building site, yard, garden plot, feed lots, and hog pasture; and the fields were sown this year: Oats, 40 acres; barley, 80 acres; flax, 30 acres; wheat (Pearson durum), 155 acres.

The season was exceptionally favorable to the growth of the straw; but as time for maturity approached, excessive hot weather prevented the heads attaining full growth, thus reducing the promised yield of wheat by one-third to a half. However, his oats made 40 bushels average yield; barley, 28 bushels; flax, 15 bushels, while the wheat yielded a 14-bushel average—the latter being of the amber durum grade.

Let me say that that is not a small yield in the spring-wheat area and it will be found upon close examination of the statistics that it is a fairly good average crop.

The quality of his wheat was good, showed a test weight of 59½ pounds per bushel, docked 4 per cent, and on September 1—the day he finished thrashing—the local grain buyer offered him 3 cents over card price, or $2.20 per bushel.

As our farmer had to help a neighbor with his thrashing, he concluded to let his grain lay in the elevator, at least for the period of free storage. Promptly then, on September 15, he came to town to cash in on his crop and to settle up running accounts. In the interim, grain prices had "bulged" a little, so that he was enabled to cash in at $2.25 for his durum, $2.89 for his flaxseed, 78 cents for his barley, and 47 cents for his oats.

I will say that these prices are at least 40 per cent higher than the prevailing prices to-day for the same grain and seed.

Having paid up all of his local bills and paid interest on his notes at the bank, also a payment on principal (of bank loans), he is now ready to cast up his account of the season's work, which, to summarize, is as follows:

Cost sheet.

[An exhibit of investment and expenditures required in production of durum wheat on the average Marshall County, S. Dak., farm, under conditions prevailing in 1920, and based upon market values of Sept. 15, 1920, on all other grains raised on the same farm in the same season.]

INVESTMENT.

Cost of land: 320 acres, at $75		$24,000.00
Artesian well		750.00
Fencing		750.00
Set of farm buildings		10,000.00
(Investment per acre, $110)		35,500.00
Equipment:		
8 work horses, at $125	$1,000	
4 sets harness	400	
Farming machinery	1,600	
4 wagons, haying tools, and manure spreader	1,500	
Seed supply, carried from year to year	800	
Feed and hay, average stock on hand	700	
		6,000.00
		41,500.00

CAPITAL.

Loan from rural credit board—First mortgage	$10,000.00
Loan—Balance of purchase price—Second mortgage	6,000.00
Temporary loans from bank on chattel security	4,000.00
Proprietor's equity	21,500.00
	41,500.00

Now, let us observe the income for 1920 and the cost account:

1920 income and cost account.

INCOME.

Proceeds of 1920 grain crop (land was cropped as follows, 15 acres being utilized for building site, etc.):		
Oats—40 acres; yield, 1,600 bushels; retained for seed and feed, 1,300 bushels; sold, 300 bushels, at 47 cents	$141.00	
Barley—80 acres; yield, 2,240 bushels; retained for seed, 160 bushels; sold, 2,080 bushels, at 78 cents	1,622.40	
Flax—30 acres; yield, 450 bushels; dockage 10 per cent, 45 bushels; retained for seed, 25 bushels; sold, 380 bushels, at $2.89	1,098.20	
Income, other than from wheat		2,861.60
Wheat—155 acres; yield, 2,170 bushels No. 1 durum; dockage 4 per cent, 87 bushels; retained for seed, 200 bushels.		
Leaving the net production yield of wheat on this farm for 1920, 1,883 bushels, at an average cost per bushel of $2.95¾.		
Costing to produce		5,567.40
		8,429.00

ANNUAL FIXED CHARGES.

Interest:		
First mortgage, $10,000, 7 per cent		$700.00
Second mortgage, $6,000, 8 per cent		480.00
Bank loans, $4,000, 10 per cent		400.00
Taxes:		
On real estate	$380.00	
On personal property	95.00	
		475.00
Fire and tornado insurance		50.00
Depreciation:		
On buildings, 3 per cent		300.00
On horses, machinery, and tools, 16 per cent		675.00
Total (annual overhead equal to $10 per acre)		3,080.00

OPERATING EXPENSES.

Rent of hay land, 32 acres, at $3		96.00
Blacksmithing		100.00
Veterinary and horse service		75.00
Repairs		225.00
Labor:		
Hired man, eight months		600.00
Harvest help		75.00
Board of men		250.00
Binder twine, 500 pounds, at 18 cents		90.00
Thrash bill:		
2,620 bushels, at 28 cents	$733.60	
3,840 bushels, at 16 cents	614.40	
		1,348.00
Amount chargeable to income for use of capital (farmer's net investment), at 6 per cent		1,290.00
For supervising and labor by proprietor (part)		1,200.00
		8,429.00

I might say that the price for flaxseed mentioned in these figures is more than $1 higher than the prevailing price for flaxseed.

I wish to assure the Senator from Michigan [Mr. TOWNSEND] that I am not talking against time. I wish to assure every Senator that I am not talking against time. But I have been in the Senate now for 10 years, and I have on several occasions made an honest effort to better conditions on the farm. The Senate has never seen fit to give to the farmer that to which the farmer is entitled. Questions affecting the farming industry are like Greek to most people, and the main reason is that they are not interested in the subject; but if we continue along the line we have been pursuing we may find ourselves in the condition that Rome was when that nation went to pieces simply because the people were unable to supply the necessary food. That is not an impossibility in this country, because conditions are being imposed under which it is impossible for the farmers to produce.

I am deeply interested in this question. I do not wish to refer to my State in any uncomplimentary way, but 36 banking institutions have closed their doors. Senators are calling attention to conditions which they claim are bringing about the ruination of the railroads, but if they will take the time to investigate the condition of the farmers they will find their situation such that any man who opposes helping the farmers and bringing them out of the chaos in which they now are will feel ashamed of his work.

I know the conditions in the United States, not only in my State but in every State in the Union. As chairman of the Committee on Agriculture, it has been my business and my duty to make an examination of those conditions. I know the conditions in the South, and while I know that many Senators on the other side are interested in the other bill, because purchases have been made, as the Senator from Michigan has said, and those from whom the purchases have been made want their bills paid, let me tell them that the real interest of the people of the South in the Agricultural appropriation bill is a hundred times greater than is their interest in the railroad bill.

It worries me somewhat, Mr. President, when a Senator gently and kindly suggests to me that I am talking against time when he does not even do me the honor to listen to the poor words which I am uttering. Of course, we in the West feel the situation more keenly perhaps than do the people in any other section, but it is also being felt in the South. If the Senators from that section will return to their homes, they will find that nine-tenths of their people will say, "You are not trying to help us in the present deplorable condition." That is what they will tell you; and yet I have it suggested to me when I am addressing myself to a question greater than that affecting all the railroads with all their property thrown in that I talking against time; it is not true.

Monday, February 21, 1921.

Mr. GRONNA. Mr. President, I hope that I may have the attention of every Senator, as I shall take only a very few minutes to present the conditions among the farmers of the drought-stricken area of the West.

When the Senate took a recess on Saturday I was reading from a letter of Mr. Frederic J. Brown, of Britton, S. Dak., setting forth the conditions prevailing in the Northwest. I do not intend to read further from the letter. It is a long letter, and I shall simply ask to have it printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The letter referred to is as follows:

OBSERVATIONS.

The market price on No. 1 durum wheat at Britton on September 15, 1920 (the date of reckoning above cost), being $2.25, the proceeds of this wheat crop amounted only to $4,236.75—whereupon the account being closed, the net result of the farming operations in this case, for the year, showed a loss of $1,330.65, thus depriving the farmer of any return on his investment, but leaving him $1,159.35 for the farmer's own time and labor in conducting the farming operations.

Under the existing marketing system, this farmer was obliged to accept the price for his wheat paid by the local buyer, which, as we have seen, entailed a loss for the year of $1,330.65. In turn, the price offered by the local buyer reflected the value of wheat at primary markets on the day of sale, September 15. In the determination of those values, which fluctuate wildly at times, and continually record variations, both wide and narrow, from day to day and from hour to hour, it does not appear the producer, or grower of wheat, at any time is taken into account, nor is there any consideration given as to how much or how little it cost to produce the grain.

True, there is a time between March 1 and August 1, when the new winter and spring wheat crops are in the making and indications point to a greater or lessened acreage and production of wheat above or below the 10-year average, that the price actually is affected by the position or course of the farmer as to the total area of farm land sown to wheat—if the same shows a variation from the preceding year of not less than and more than a half million acres sown to wheat. As to the factor of production (and yields), those are matters largely of climatic conditions and over which the farmer has no control.

Plainly, then, this fixing the value on wheat—the great staple food of the American people—by the traders in the commodity after it has passed from the producer's control is vicious, is inimical to the interests of the American farmer, and accounts for thousands upon thousands unprofitable ventures in wheat raising, not only in the past year but in preceding years as well. Going somewhat further into the economy now responsible for price making on wheat, all informed minds are obliged to admit that these market values for this commodity are to a very great extent, if not wholly, the concomitant effect (of trading in wheat futures, in the pits of our grain exchanges) of the relative value of two forces playing against each other. On one side are the elevator interests controlling line and terminal elevators and speculators who may on occasion see an advantage in buying futures in wheat, both aiming to boost prices to secure a profit on their lines or holdings. Opposed to them are the commercial millers and flour jobbers (selling futures as a hedge against their wheat and flour stocks) and the professional speculators, selling short upon the first sign of business depression or slackening of export demand or on crop reports, many of which are unreliable. To this class also belongs the exporter—all endeavoring to depress futures to secure profits on their short sales. The course of the futures markets being affected and influenced by a preponderance of selling orders—more sellers than buyers—the range of prices is downward, which is followed always by a corresponding decline in cash wheat prices.

It is just that very thing that is breaking the back of the wheat raiser, enslaved to the iniquitous system wherein the grain futures markets rules and dominates the cash-grain prices. A beautiful illustration of one phase of our economic system where "the tail wags the dog."

Of late there has been considerable discussion of the value and necessity of future trading in wheat, on one side; and on the other, of the evil effect thereof, some even advocating that short selling of wheat should be prohibited by law. Aside from the moral viewpoint of the question, the fact of the matter is the farmer, in the capacity of a producer, is not at all concerned in what happens to the pit trading of the grain exchanges, once the marketing system is reconstructed and founded upon a sound and rational basis.

Another distressing feature attending our marketing system is the practice of reselling wheat. It is not so much the weight of the original supply of wheat coming on to the market—that it is heavier than it should be in the months of September, October, and November, and which excess supply would be obviated under a regulated system—that breaks the market price, and at other times prevents the market advancing; but the constant reselling that is taking place, from first-hand to seventh and eighth hand. The shifting of wheat from country elevator to Minneapolis, then to Duluth or Chicago, then to Buffalo, then to New York, then to Philadelphia or Baltimore, then to the interior miller, then into export channels, means that that particular parcel has been sold and resold many times over and every such sale is a market price factor, and as such—at each stage of the process—directly competes against the producer's own supply. Manifestly it is unfair and unjust to place the producer of a staple and vital commodity in a position where upon entering the market with his product he must be assailed by supplies of a like kind held speculatively and which from the beginning to almost the end of every season hang as a saturated cloud over our grain markets.

If the scheme of trading and price movements now in use admirably reflects the working of the law of supply and demand, as so many of the supporters of our boards of trade do contend, it can not be denied that supply thereby is greatly magnified and that demand, especially during the first half of the crop year, is literally deluged by the paradoxical oversupply. The effect of such a condition is to adversely affect the producer by tending to depress prices during that period when fully 75 per cent of his commodity must be liquidated in meeting credit obligations.

Except for the facilities now at our command and which have accrued as a result of modern inventions as applied to transportation and communication, our present-day distribution of wheat and its products is less efficient and productive of greater economic waste than that practiced by the Egyptians in the days of the Pharoahs, away back at the starting point in history. Wheat then, as now, it seems, was one of the prime necessities for human existence. Joseph, the ruler, being a just man and devout, was inspired—possessed genius—to perceive that in the days of plenty wisdom and prudence required that stores of food be laid up against the day of famine. And further, the record informs us, he did build storehouses to store in all the cities great quantities of wheat—he gathered corn as the sand of the sea, very much, until he left numbering, for it was without number. So that when famine spread over the earth, as it inevitably does follow plenty as night follows day, the people from far and near, in searching for food, came to trade with the Egyptians for their wheat. Though Joseph had a monopoly of the visible supply of food of the then known world, history does not record that the exchange rate was boosted as a result of the "corner," or that he added to the price of wheat all the traffic would stand. On the other hand, this was not an organized charity that the Egyptian ruler was conducting, for, howsoever the motive was founded on a beneficent purpose, we are obliged to accept the view that this garnering of the world wheat supply and the distribution thereof was conducted as a commercial enterprise and marked the inauguration of a commerce with the surrounding tribes, extending even to the tribes far to the north, and which eventually alleviated the suffering and distress of the widespread famine.

In the flight of the centuries following the epoch referred to it is not discoverable that the customs and manner of wheat trading have made any progress, and the only variation in our modern system that is discernible is chiefly in this respect: Accretions in the way of practices and abuses that may be summed up as a cycle of evils originating, emanating, and descending from the days and times and manners of the freebooter, the buccaneer, and the pirate.

Instead of the fictitious values placed on cash wheat from time to time, resulting in market rigging, manipulated markets, and the minute-to-minute variations in price of the futures, causing price fluctuations of the commodity in the course of 24 hours, amounting in instances to 10 per cent of its value, such price changes often being due or ascribed to causes wholly outside the wheat and flour trade, the farmer now is demanding the privilege of dealing in, for, and with his commodity on an equitable, rational, and legitimate basis. The cardinal point of that idea and plan is a single basic price, that for spot wheat, the actual commodity itself, and not for the options on that grain or what it may be worth for future delivery. As to the relative value of so-called December, March, or May wheat as now traded in on the exchanges, that is a matter entirely in the realm of speculation, will be operated and patronized by that element within and without the grain and milling trades which insists upon being accorded the privilege of placing its money on a "play with chance," and in which the farmer, in his capacity as producer, is not at all interested or concerned.

Naturally, this basic-price idea contemplates and would approximate the minimum cost of production of wheat as raised under ordinary farm methods in the heavy wheat-producing areas plus certain arbitraries adequate to place the grain in storage at seaboard, lake port, or milling centers, and for storage and interest charges accruing from and after September 1 down to July 1 succeeding, according to when delivery to miller or exporter is made.

No one seriously contends that American manufacturers of grain binders, grain drills, and plows under normal conditions sell their machines in Russia, Argentina, or Australia at prices which, when freights, commissions, and selling costs are deducted, constitute the price plus freight on identical machines sold to American farmers or that those export sales at all times reflect the full cost of manufacturing. If that were the case—no differential as applied to the home market—it is pretty safe to say that either labor and other costs would have to be cut nearly to the European level or all of our factories in those lines inside of one or two years close down or go into the hands of receivers. Instead what actually does transpire is this: The farmer pays for his machinery the manufacturer's price, and that price invariably includes cost of manufacture plus a profit, with the addition of an excess or reserve through and by which the manufacturer is enabled to dispose of his surplus output—the overproduction beyond the home demand—in foreign markets in competition with machinery and goods built and produced on lower cost bases. Hence it is an established policy that goods and, generally, commodities supplied to the American trade are sold outright on a cost-plus basis, while the exportable surplus only is consigned for sale at world-market or bidder's prices, a notable exception being the case of the wheat of the American farmer.

It is manifest to anyone making a study of the situation that if our farming industry is ever to be lifted from its present low estate, and if for the future that great basic industry is to be put on a plane with our great manufacturing and mercantile enterprises and be conducted along sound, economic lines, the present marketing and credit systems governing the production and sale of wheat must be discarded and a wholly different conception thereof adopted. In its stead and place one of two alternatives must follow: Either the Government must take over and work out the problem of distribution of wheat, as was done during the war, or the wheat growers themselves must combine and pool their commodity under a charter from Congress. The latter plan would contemplate the formation of a national merchandising agency under the supervision of a Government commission or under direction of the Department of Agriculture. Its scope would be to serve as the medium between the producer or the local cooperative elevator companies and the millers and exporters, and in pursuance of that purpose would acquire by lease or purchase existing terminal storage facilities in so far as they are necessary and modern from the standpoint of utility. The capital stock would be underwritten by the farmers on a basis of their acreage production of wheat, it being required that upward of 50 per cent of the annual acreage sown to wheat be represented by stock subscriptions before effecting organization. The plan would provide that no wheat be purchased from members when same is delivered, except upon demand, and then at export level, with handling charges deducted. That wheat be sold and delivered only into direct channels of consumption, viz, to millers, food manufacturers, feed merchants, and to exporters. Settlement with members for wheat delivered would be in the order of delivery, upon sale and delivery being made by the corporation to the trade, less whatever cash had been advanced to a member while his wheat lay in store.

The regulation of the selling price of wheat would be identical with that in any other branch of commerce of international scope. Such procedure would be analogous to the following method: From statistics available, let it be ascertained what is the exact proportion of the several outlets for wheat for the last preceding year and for the average of the last three preceding years. Approximately, and for the purpose of illustration, the relative figures of distribution are as follows: Out of every 8 bushels of wheat raised in the United States 1 bushel is retained on farms for seed, 5 bushels enter into domestic consumption, leaving a surplus of 2 bushels to be sold in foreign markets. Under our present system it is the value of the 2 bushels sold in export trade that controls and establishes the price on the 8 bushels, which, in a figurative sense, is our entire supply. But is there any reason under heaven why that principle should continue to govern our domestic prices, aside from the force of long-established custom, which originated under vastly different conditions than now confront the farming industry? To revert to the illustration: The 1 bushel seed requirement may be safely eliminated as a factor entering into the selling price of wheat. We then have to consider the pro-

portion exported, 2 bushels, and the domestic proportion, or 5 bushels, and find the ratio there is 1 to 2½. Average production cost on farms can be determined for each season by September 1, and that cost, or base, would continue in effect for the ensuing 12 months, augmented month by month by carrying charges, commencing September 1. Then adding average freight to seaboard, elevating and cleaning charges, overhead charges, and profit to determine the seaboard base. Now, assuming our seaboard base is $2.60 per bushel and our export sales of wheat for a prescribed period of two weeks or four weeks average $2.40 per bushel at seaboard, then under our tentative formula the price of wheat to our domestic trade for a succeeding like period would have to be fixed at $2.68 per bushel at seaboard. Naturally there are other factors that affect the spread between export and domestic prices, and they would be given due value in determining prices for wheat sold to the domestic trade.

Here the question arises why should the American consumer thus pay tribute, or a tax, for the benefit of the farming industry? Is it not true that that same principle is invoked when we levy a protective tariff on our imports whereby our consumers are restrained from buying the cheaper foreign goods—except the tax thereon be paid—for the benefit of our manufacturing industries? Also, is it not a fact that labor is entrenched behind its trade-unions, with their collective bargaining, fixing their own wage scales and hours of labor per day, to which all employers, including the farmer, must submit and so pay a higher wage cost than if labor were unbound? In both cases cited our experience has proven that they are the concomitants of economic verities and are essential to the welfare of our industries and to the dignity of American labor. With equal force the same principle should be recognized and applied to the distribution of wheat—the prime food necessity of the white race—for the upbuilding of our American farm industry.

In the process of price deflation now going on in our country much superficial talk is going the rounds to the effect that manufacturers, jobbers, and retailers have taken their losses on shrunken inventories, and that therefore the farmer in this crisis should gracefully accept his loss as his quota of common fate. On the floor of the United States Senate, a Member is quoted as saying that losses of other lines of trade were equally as important as those of the farmer, and if the farmer was given a measure of relief, why not pension the unemployed. All such twaddle sounds fine and makes a hit with the unthinking; but pray when, in the past eight years, was there a year when the wheat raiser has not taken a loss from raising wheat, save and except the years 1915 and 1918, when, particularly in the latter year, wheat production reached the grand average of 15.6 bushels per acre throughout the United States, and prices of that year permitted cost and a profit to be realized on the basis of that year's yield.

The plain facts are that the farmer by practicing strictest economies in manner of living, with no indulgence in luxuries common to the middle class in other vocations, and by engaging in a multiplicity of operations all within the confines of his own domain has he succeeded at all in adding any increase to his invested capital; but not in all that period has such increase resulted from or could be attributed directly to a profit from raising wheat excepting in the two years mentioned.

Mr. GRONNA. On yesterday a representative from my State arrived in this city having credentials showing his appointment by the Legislature of North Dakota—the legislature now being in session—to present certain data with reference to the conditions in my State. I wish to say that the same conditions exist in the dry area in the State of Montana and in the western portion of the State of South Dakota. In order not to delay the Senate, I will merely state that the State administration of North Dakota has taken action and made a survey of the entire State. The commissioner of agriculture and forestry has taken up the matter with the officers of the various counties, namely, the county commissioners and the county auditors. I have a report covering the entire State showing that out of the 53 counties in my State that there are 35 counties where the farmers need aid in order to enable them to put in this year's crops. There are 53 counties in the State, and 18 counties are found not to be in need of aid. I do not say that all the farmers in the 35 counties need aid, but I have the exact number of farmers who do. There are 8,533 farmers who must have aid if they are to put in a crop this year at all, because the banks of the State are unable to give them further credit and the counties are bonded to the limit and are unable to extend any further aid.

I have here an estimate—and, of course, it is only an estimate—of the amount of money which will be required based upon this number of 8,533. I wish to say that the price for the grain seems to be a reasonable price. It is estimated that there will be required 675,000 bushels of seed wheat, at $1.65 a bushel, amounting to $1,084,075; 118,850 bushels of barley, at 60 cents a bushel, amounting to $71,310; 32,750 bushels of flax, at $2 per bushel, amounting to $65,500; 1,200 bushels of rye, at $1.30 per bushel, amounting to $1,560; and, together with other grain, the total estimate is $1,787,642.

Mr. POMERENE. May I ask the Senator a question?

Mr. GRONNA. If the Senator will permit me to complete the statement, I shall then gladly yield to him.

I have made an estimate as to what other States will require. It may not be absolutely correct, but I believe the State of Montana will require at least two and a quarter million dollars, the State of North Dakota will require one and three-quarter million dollars, and the State of South Dakota will require at least one million dollars to help out in this great emergency.

Mr. President, this is no guesswork. I have letters from all the counties in the State, which, of course, I shall not take time to read, but I wish to be permitted to read just one of them. Bottineau County, which a few years ago was the banner county of the State, now needs Federal aid. The Senator from Wisconsin [Mr. LA FOLLETTE] asks me when do the farmers put in the crops? Unless this measure can be passed very soon it will be too late for those people to put in their crops, because it will take some time for the Secretary of Agriculture to make the necessary arrangements with the county authorities to distribute the funds to provide for the purchase of the seed necessary for seed grain. The letter to which I have referred is as follows:

BOTTINEAU COUNTY,
Bottineau, N. Dak., February 17, 1921.

Senator A. J. GRONNA,
Washington, D. C.

DEAR SIR: On investigation our board of county commissioners find that a larger number of farmers need aid than at first supposed, 340 having asked for aid inside of one week. We estimate that the total number needing aid will be at least 600.

The situation will be desperate if we do not get Federal aid, as the banks are not in a position to loan a dollar. Aid must come from somewhere outside the State or thousands of farms in the spring-wheat belt will lay idle this season. Failure to raise a crop will send thousands of farmers out of the Northwest this coming season never to return.

On receipt of this, please wire me what the present prospect is of the bill going through that will give us aid. I ask this at the request of the chairman of our board.

Would wire you for this information, but the blizzard yesterday put the wires out of commission, and I can't get a message out for a day or so.

Hoping to hear from you favorably, I am,
Very truly,

WM. M. MARTIN,
County Auditor.

That is only a sample of the letters which I have received from the other counties of the State. Now I yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, the question I had in mind to ask the Senator from North Dakota was suggested by the figures which he gave out. He had stated certain estimates of the amount of wheat and flax and barley seed which would be needed. The question I intended to ask then was whether or not the estimate came from the Agricultural Department or what was the source from which the Senator gleaned the information?

Mr. GRONNA. The information comes from the agricultural department of the State of North Dakota, from our commissioner of agriculture and forestry. A representative was appointed by him, who came here yesterday morning and brought me these data. The name of this gentleman is M. O. Hall, of Mohall, N. Dak.

I have taken the matter up with the Agricultural Department, I will say to the Senator, and the Agricultural Department, of course, is favorable to it. I have the Secretary's letter, but I do not wish to take up the time of the Senate to read it now. I will only say that the Secretary states that it is for the Congress to take such action as it sees fit, but he also states that he knows an emergency exists and that something ought to be done to relieve the situation.

Mr. President, it is not a pleasant duty for a Representative from any State to acknowledge that his people are in such financial embarrassment as is here indicated; but this is the true condition, and unless aid is extended in the form of a loan, thousands of farmers will have to leave their farms.

I might add that the Government of Canada has men throughout the Northwest who are encouraging people to come to Canada, and statements have been made to them that the Government of Canada will not only furnish them seed but help them to purchase live stock. It seems to me that the Government of the United States ought to be willing to extend its credit to the extent of $5,000,000 to these poverty-stricken people.

Senators will all remember that two years ago the Senator from Kansas [Mr. CURTIS] and other Senators were interested in an exactly similar question. The western portion of Kansas at that time had suffered a number of crop failures. A loan was made to those farmers; and I wish to ask the Senator from Kansas if it is not true that practically all of that loan has been paid back into the Treasury of the United States?

Mr. CURTIS. Mr. President, in reply to the question of the Senator from North Dakota, I will say that I presented the data at the last session of Congress, and my recollection is that the contributions of those who produced over 15 bushels of grain to the acre practically made up the loss of those who produced less than 5 bushels to the acre. This was true in the division in which Kansas and Oklahoma were located. I did not have the data for the other districts.

Mr. GRONNA. Mr. President, that is as I understand it. All we ask for here is a loan of $5,000,000 to go to this vast area. In some counties the farmers have had a failure for the last five years.

Mr. President, if there is any other question that any Senator wishes to ask me, I am perfectly willing and glad to give any

information that I can, as I have a great deal of data here before me and a great many letters. In order to expedite the matter, however, I shall not take any more time of the Senate this morning, but simply ask for a vote upon my motion to take up the Agricultural appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from North Dakota.

Mr. TOWNSEND. On that I ask for the yeas and nays.

Mr. MYERS. Mr. President, I understand that there is a contest about which measure shall be taken up first—the Agricultural appropriation bill or the railroad indemnity bill. I know that both bills are very important, and I am in favor of the Senate remaining in continuous session until both the bills shall have been passed this week.

The VICE PRESIDENT. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). On this vote I am paired with the Senator from Texas [Mr. CULBERSON]. In his absence, I withhold my vote.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

The roll call was concluded.

Mr. OVERMAN (after having voted in the affirmative). I observe that my pair, the senior Senator from Wyoming [Mr. WARREN], is absent. Not being able to obtain a transfer, I withdraw my vote.

Mr. TOWNSEND (after having voted in the negative). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the junior Senator from New Hampshire [Mr. KEYES], and will let my vote stand.

Mr. WATSON (after having voted in the negative). My general pair, the senior Senator from Delaware [Mr. WOLCOTT], is absent, but I am informed that if present he would vote as I have voted. Therefore I will permit my vote to stand.

Mr. HENDERSON. Has the junior Senator from Illinois [Mr. MCCORMICK] voted?

The VICE PRESIDENT. He has not.

Mr. HENDERSON. Announcing my pair with that Senator, I transfer it to the Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the junior Senator from Massachusetts [Mr. WALSH] and will vote. I vote "yea."

Mr. HARRISON (after having voted in the affirmative). I find that I have a pair for the day with the junior Senator from West Virginia [Mr. ELKINS], and, as I am unable to obtain a transfer, I withdraw my vote.

Mr. KENDRICK (after having voted in the affirmative). Has the Senator from New Mexico [Mr. FALL] voted?

The VICE PRESIDENT. He has not.

Mr. KENDRICK. I have a pair with that Senator. In his absence, I am obliged to withdraw my vote.

Mr. POMERENE. I have a general pair temporarily with the senior Senator from Iowa [Mr. CUMMINS]. I transfer that pair to the junior Senator from Utah [Mr. KING] and will vote. I vote "nay."

Mr. SMOOT. I have been requested to announce that the Senator from Pennsylvania [Mr. PENROSE] is paired with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 35, nays 36, as follows:

YEAS—35.

Ashurst	Gore	La Follette	Sheppard
Borah	Gronna	Lenroot	Simmons
Capper	Harris	McCumber	Smith, S. C.
Chamberlain	Heflin	McKellar	Sterling
Fletcher	Henderson	McNary	Swanson
France	Johnson, Calif.	Norris	Thomas
Gay	Jones, N. Mex.	Phelan	Trammell
Glass	Kenyon	Pittman	Walsh, Mont
Gooding	Kirby	Ransdell	

NAYS—36.

Ball	Gerry	Nelson	Smoot
Beckham	Hale	New	Spencer
Brandegee	Jones, Wash.	Phipps	Stanley
Calder	Kellogg	Poindexter	Sutherland
Colt	Knox	Pomerene	Townsend
Dial	Lodge	Reed	Underwood
Dillingham	McLean	Shields	Wadsworth
Fernald	Moses	Smith, Ga.	Watson
Frelinghuysen	Myers	Smith, Md.	Willis

NOT VOTING—25.

Culberson	Edge	Harrison	Kendrick
Cummins	Elkins	Hitchcock	Keyes
Curtis	Fall	Johnson, S. Dak.	King
McCormick	Page	Smith, Ariz.	Wolcott
Newberry	Penrose	Walsh, Mass.	
Overman	Robinson	Warren	
Owen	Sherman	Williams	

So Mr. GRONNA's motion was rejected.

PAYMENTS DUE RAILROAD COMPANIES.

Mr. TOWNSEND. Mr. President, I move that the Senate proceed to the consideration of the so-called partial payment bill to the railroads, being the bill (H. R. 15836) to amend the transportation act, 1920.

Mr. GRONNA. Mr. President, in view of the action taken by the Senate, I hope I may have the unanimous consent of the Senate to pass as a separate measure the item carried in the Agricultural appropriation bill providing for a $5,000,000 appropriation. By a unanimous vote I was authorized by the Committee on Agriculture and Forestry to report out the bill, and also to insert the provision in the agricultural appropriation bill. I desire to be permitted to have the bill read at the desk. I do not think it will take any time at all.

Mr. TOWNSEND. Mr. President, I should like to have my motion put, and then, after the motion has been agreed to and while the bill is pending, I shall be willing to listen to what the Senator has to say. I have no disposition at all to delay any of the business of the Senate, and I do not propose that anything I shall do, or anything done by any other Senator, in so far as I can prevent it, shall delay matters, because I am just as much in favor of passing the Agricultural appropriation bill as is the Senator from North Dakota, and we are going to pass it. My object in moving to take up this bill was stated the other day, and stated in good faith.

Mr. GRONNA. I will say to the Senator from Michigan that what I am asking can be done only by unanimous consent.

Mr. TOWNSEND. Let us get the partial payment bill before the Senate. I should like to have a vote on that proposition, and then I shall be willing to yield for unanimous consent if there is no objection to the Senator's request.

The VICE PRESIDENT. The motion of the Senator from Michigan, of course, is the motion that is in order now.

Mr. TOWNSEND. Yes; that is what I understand.

The VICE PRESIDENT. The question is on the motion of the Senator from Michigan.

THE PATENT OFFICE—CONFERENCE REPORT.

Mr. NORRIS. Mr. President, I understand that that is a debatable question, and before the vote is taken I wish to say just a few words.

I have not been able to give to the bill that the Senator from Michigan has moved to take up the attention that I admit it deserves for the purpose of reaching a conclusion as to my own vote. I do not know now whether I shall vote for the bill or against it. I may not be able to be here when it is voted on; but I might say that for the reasons that I have stated, and that I shall give, I intend to vote against the motion, although it is perfectly apparent that it will prevail, because the Senate has just voted down a motion to take up an appropriation bill.

I have heretofore called the attention of the Senate to a conference report that is before the Senate on H. R. 11984, the bill providing for the reorganization of the Patent Office, to increase the force and the salaries of the employees of the Patent Office. The Patent Office is in a state of collapse right now. It is in a deplorable condition. The Patent Office bill has been under consideration by the Patent Committees of the House and the Senate for nearly a year. In all respects, until we reached the conference report, the action of the two committees was unanimous.

I realized a day or two after the conference report was made to the Senate that there was to be a filibuster against the conference report. It is very likely, perhaps probable, that the forces against it will defeat the conference report. It has been acted on by the House and approved by them.

I voted with the Senator from Michigan [Mr. TOWNSEND] to take up the Post Office appropriation bill. I was one of the Senators who believed from the beginning that we ought to clear the decks of the appropriation bills. The Senator from Michigan finally succeeded in getting up the Post Office appropriation bill, and it has been disposed of. I voted to-day to take up the Agricultural appropriation bill. The Senate has decided not to take it up. It has seemed to me, Mr. President, that in all fairness the Senate ought to vote on the conference report on House bill 11984, the Patent Office bill.

I do not ask, and can not be expected to ask, that the conference report be approved, but I have a right, in all fairness, it seems to me, to ask that it be voted on. I have said before, and I repeat now, I am willing, if a time can be fixed for voting on it, that those who are opposed to it may fix the time. I

am willing to vote on it without any argument whatever. I am willing to do anything which will bring about a decision of the question. It means a great deal to the Patent Office. Now, it seems that the Senator from Michigan, on the question of getting appropriation bills out of the way, has changed his mind.

Mr. TOWNSEND. Mr. President, I am sorry the Senator was not here last Saturday evening.

Mr. NORRIS. I am sorry too. I was not able to be here.

Mr. TOWNSEND. I explained my attitude fully on that question. I have been in favor of taking up appropriation bills. I was very much opposed to the wasting of the time of the Senate for days and weeks in the consideration of a bill which I knew, and everybody knew, was vain.

Mr. NORRIS. I agree with the Senator entirely.

Mr. TOWNSEND. Now, we have reached a point in the consideration of the legislative business of the Senate when the bill which I have moved to take up now must be acted upon promptly, the great majority of Senators feeling as I do about it, that it is necessary that it should be enacted now, if we are to get it on the statute books.

I have thought, too, to ask the Senate to remain in session, not only for the purpose of getting action on the conference report the Senator has in charge, but on any other measure which should be enacted, and if necessary to remain in continuous session. I am for that policy; but I have felt that this railroad bill ought to be taken up, because a large majority of the Senate are in favor of it, as was a large majority of the House, which has passed it. So I thought that if we got it before the Senate, those who felt they wanted to make long speeches upon the subject should be given an opportunity to do it, in order that we could pass it possibly by to-morrow night.

Mr. NORRIS. Mr. President, I am not finding fault with anything the Senator from Michigan has said. I do not know as to the merits of that particular bill, but I know that what he said, he said in good faith, and I am not complaining about it at all. But there has always been, I think, a justifiable feeling that when a bill has progressed so far that it has reached the stage of a conference report, it ought to be passed on. In the House of Representatives the motion to take up a conference report is a privileged motion; but it is not in the Senate. When a Senator says that he wants to take a conference report up, under ordinary circumstances that is done. This particular case is rather an exception to that rule.

All Senators have a general knowledge of most of the bills, but they have not so much of a detailed knowledge of the Patent Office bill. To some extent it is technical. The Committee on Patents of the Senate were unanimous in reporting the bill to the Senate practically in the form in which it now is. Since that time one of the members of the committee, who was one of the conferees, has changed his mind, so that the conferees agreed 5 to 1 on this report. If I were not able to be here, the Senator from Pennsylvania [Mr. KNOX] would perhaps be the only Member on this side of the Chamber who could take charge of the conference report, and if he felt that he was sufficiently familiar with the details of it, I would not care if it were taken up and debated as long as anyone wanted to debate it. But I think he feels that because of the greater time I have given to it, I ought to be here, and I realize that I should be here. When it is said that it will be taken up and continued from day to day, in this particular case, as far as I am concerned, it does not mean very much, because I can not be here every day, and if I knew when the vote was coming, I would arrange, if I could, to be here to vote.

I only appeal to the Senate that between now and the 4th of March there shall be a vote on this conference report. I am willing now, and I have been all the time, to agree that the vote should be taken on the 3d day of March or any other time between this and that. I do not believe we ought to take up the railroad bill when this conference report is ready to be taken up, as it has been for some time. I realize it would be useless to take it up after this bill is laid before the Senate.

So I feel that I am justified in breaking the policy of letting appropriation bills have their way all the time, since the Senate has refused to take up an appropriation bill for the purpose of taking up a bill that is not an appropriation bill.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. SMOOT. I want to say to the Senator that if he will recall the conference report and strike from it the old section 9, which is in the conference report section 11, referring to the Federal Trade Commission accepting patents and virtually entering upon the patent business, I will not have an objection to the conference report. If the Senator desires now to assist the Patent Office in getting the additional force and increased salaries and all they have been asking for, as far as I am personally concerned, if he will withdraw the conference report and the conferees will disagree to section 11 of the conference report, I shall not have any objection whatever to its passing immediately.

Mr. NORRIS. Mr. President, let me say a word in regard to section 9 of the bill and what in the conference report is section 11. It is a provision which when printed will not be much longer than a man's finger, and it provides that any employee of the Government having made an invention or obtained a patent can turn it over, if he desires, to the Federal Trade Commission.

The Federal Trade Commission is authorized to license corporations or individuals or partnerships to manufacture patents on the terms fixed in the license. The license fee is to be paid into the Treasury of the United States, and out of that sum so paid into the Treasury of the United States the President is authorized to give what, in his judgment, he thinks is a fair and proper compensation to the employee who made the invention.

It is not compulsory upon the part of the employee to turn it over. He can do it if he wants to, and need not do it if he does not want to. He can do what they do now, which means nothing, practically, on the part of the employees. If he desires to turn it over, the Federal Trade Commission can still refuse to accept it, if they think it would not be for the public benefit for them to do so. That, in substance, is the provision of section 11 in the conference report or section 9 in the bill.

Mr. President, in my judgment a great deal of good will come from that particular provision. Let me say, first, that a provision a little broader than I have stated it, and broader than that in the report, was passed as a separate bill in the Senate. That bill provided that any person, whether he was a Government employee or not, having such an invention, could turn it over, if he desired, and they desired to accept it. Later on, when this House bill was up for consideration in the Senate, I offered that amendment to the bill, a committee amendment. There was a unanimous report from the committee originally, when it was broader than it is now, after extensive hearings, and it was put into the bill, but narrowed down so that it applied only to employees of the Government. In that shape it went to conference. The conferees narrowed it still further, very properly, I think, by excluding from it the employees of the Patent Office. So that as it stands now it applies to employees of the Government excepting employees of the Patent Office.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. I yield.

Mr. JONES of Washington. While it does not strike me just right that the Federal Trade Commission should be permitted to take over patents, I want to ask the Senator if there is any provision in the bill under which, after it has taken a patent over, it can go to developing the patent. For instance, if it is a machine, is there anything that permits them to go to manufacturing it?

Mr. NORRIS. No; there is not.

Mr. JONES of Washington. Would it not have to come to Congress for appropriations and further authority before it could go into actual manufacture of a patent?

Mr. NORRIS. Yes. Mr. President, when the bill originally passed the House and came back, and that was offered as a committee amendment, that objection was made to it. The committee never had that idea. We did not believe that the language permitted it. But to show that we did not want to do anything of that kind ourselves, we struck out of the original bill the language which, it seemed to me and to other Senators, would raise the question at least whether it did give it. We struck that out, and we added an affirmative provision, which is now in the bill, which strictly provided that under no circumstances would anything herein give authority to them to manufacture a patent or go into the business in any way.

Mr. REED. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. REED. At the present moment Government employees have the same opportunity as the ordinary citizen to take out patents, have they not, outside of members of the Army and Navy?

Mr. NORRIS. Technically that is possibly true. Let me show what happens in that connection. The particular employees of whom the committee were thinking more than any others were those in the Bureau of Chemistry in the Department of Agriculture, in the Bureau of Mines, and the Bureau of Standards. Most of those men are wedded to their profes-

sions. They are scientists. In the Bureau of Chemistry, for example, an employee, we will say, discovers an improvement on existing conditions in some step in the manufacture of some article—fertilizer, for instance. Standing alone, it would not be a practical proposition, but must be used in connection with other things that are now used by those who manufacture fertilizer. These men do not care for the money, for, if they did, they would all resign from the Government service and all get increased compensation for their services in other fields. They are interested in having their improvements put into actual practice, and sometimes it comes about in that way.

But what happens? If they throw one of these open to the public, as they usually do, it may on the face of it be a laboratory proposition which will work out in the laboratory to perfection, but it is often found when they come to carry on the laboratory test in the commercial world and manufacture the product in commercial quantities that it does not work. It requires a great deal of experimentation and involves a great deal of expense. If it is open to the public, and some individual or corporation in the business expends the money, perhaps several hundred thousand dollars, in experimentation and in constructing the necessary machinery, and so forth, to manufacture it, and it works, it is open to their competitors to get the same advantage of it without expending any money. The result is that as a practical proposition a patent or an invention of that kind is not developed at all. Unless they will have some protection, a concern will not expend the money that is necessary to develop it.

If this particular proposition were a law, and the Federal Trade Commission were given the authority that is herein provided, they would protect the country and the people in it by proper license that would give to the person or the corporation that did develop it a monopoly, the same as a patent does, or a monopoly at least to the extent provided for in the license.

Mr. REED. Will the Senator yield again?

Mr. NORRIS. Certainly.

Mr. REED. I think that in asking the question a moment ago whether all employees of the Government except those in the Army and Navy could take out patents, I should have said all except the employees of the Patent Office.

I do not wish to prolong the debate, because there are bills here that ought to receive attention, but if the Senator will permit me just a moment I desire to say that every argument he has made with reference to the employees of the Government not being able to protect their patents or to have their patents tested out applies to every inventor in the country. He has exactly the same difficulty. He has the opportunity to take out a patent and the employees of the Government have the same opportunity. If the outsider, the ordinary citizen, takes out a patent which is a mere improvement, adopting the illustration of the Senator, then he has the same difficulty in having that improvement tested exactly as he would have, no greater and no less, if he happened to be an agent of the Government.

I wish to say this and then I shall not further interrupt the Senator. The bill will not go through at this session with section 11 in it if I can prevent it. I will not by my vote, so far as it counts, confer on the Federal Trade Commission any such authority as is here proposed. I will not, so far as my vote goes, confer this authority on the President. I am utterly dissatisfied, not to say disgusted, with the process of legislation which we adopted, perhaps not without reason, during the war, of Congress shifting all its burdens over on the President and saying that the President can do this or that or the other thing. If we propose to turn over to the President of the United States the details of looking after patents, it will not be very long until he will be required to examine nursing bottles and things of that kind. It is not his business and ought not to be imposed upon him.

I wish to see the Patent Office bill pass in so far as it permits payment of proper compensation to the men in the Patent Office, for I understand the pay there is very inadequate, at least as to certain of the experts whose services we need to retain; but I am not, so far as I am concerned, going to pay the price of putting the patent business into the hands of the Federal Trade Commission or into the hands of the President, and I am not, so far as I am concerned, going to adopt the principle of licensing by the Federal Government in this country, special licenses to special people, by a board as incompetent to pass upon patents as I am to pass upon music, and I could not to save my life whistle Yankee Doodle so that anyone could recognize it. The Federal Trade Commission has been a failure in everything it has undertaken except the mere collection of statistics, and we have to check those up.

Mr. NORRIS. Mr. President, the Senator makes one objection to the particular provision with which I agree. He does not want to confer upon the employee of the Government a privilege that he does not confer upon the ordinary citizen. As I introduced the bill originally, and as it originally passed the Senate, it was not limited to employees of the Government but applied to everybody. If I had my way, it would be that way still, although if Senators would take the time to look it up they would find that 90 per cent of the business with which this would have to do would apply to employees of the Government, and particularly those three branches I have mentioned. If they do not want to do it, they are not compelled by the bill to do it. It is done with the idea of putting into practical use thousands of inventions and patents that go into pigeonholes of corporations and individuals that already have a monopoly of their particular line, or nearly so. That is the object of it.

Now, the Federal Trade Commission, a year or perhaps longer ago, when the first joint hearings were held by the two committees, was considered in this connection. We realized that there was a prejudice in the Senate on behalf of some Senators against the Federal Trade Commission. I do not share that prejudice. I think it is one of the best commissions and has done some of the best work of any of our bureaus, commissions, or departments of the Government. I do not share in that feeling of prejudice.

We said all the way through, "Who will take it? Where shall this power be lodged?" It was suggested originally, when the bill was first up for discussion, I think by the Senator from Utah [Mr. SMOOT], that it ought to be given to the Secretary of the Interior. I would rather have it there than not have it at all; but everybody knows that in the various departments of the Government where these scientific bureaus exist there is a prejudice against other departments of the Government. If we put it in the control of the Secretary of the Interior there would be a certain prejudice existing in the Department of Agriculture from the Bureau of Chemistry, so it would not do to put it in either place. I have asked in the hearings where it could best be placed, and suggested that it go to various other places, and other members of the committee have done the same thing.

We did not care to place it in the Federal Trade Commission because of a desire to confer on the Federal Trade Commission more jurisdiction, but when we came to narrow it down it was found that there is no other place to put it unless we provided for a new and independent commission, which we did not think Congress wanted to do and which we did not want to do. The Federal Trade Commission is not under the jurisdiction of any department. It is under the jurisdiction of Congress. It is similar to the Interstate Commerce Commission, and everybody would concede that it ought not to go there.

Another thing. During the war, when we took over the German patents, this authority was by the trading with the enemy act lodged in the Federal Trade Commission, and they have had charge of that work from the time the act was passed until the work was completed, and have been successful in it. Those who have received licenses from them have, as far as I know, without any exception, testified to the efficiency that was manifested. It resulted in turning over to the Treasury in that short time fees of more than a million dollars.

Mr. REED. Were they not on foreign patents?

Mr. NORRIS. Yes; confined mostly to German dyestuffs.

Mr. REED. Approved foreign patents which our people had to use, and all they had to do was to select the one they wanted to use?

Mr. NORRIS. They had to do a little more.

The person to whom a license was issued had to do the experimenting that I have mentioned. Although they had before them the patent itself and everything pertaining to it, they often found it would not work when they endeavored to carry it out. The difference between success and failure might be in the mixing proposition, the difference between mixing at 200 revolutions a minute and 1,000 revolutions a minute. So there were a lot of experiments that had to be carried on. The licensees had to expend their money to do that, and I do not know that they succeeded even then in all cases. I am rather inclined to think that they did not. But there never was, so far as I have been able to discover, a single complaint made in the administration of that part of the trading with the enemy act by the Federal Trade Commission.

All that the Senator from Missouri has said or that anyone else can say does not do away with the proposition that the Senate ought to be permitted to vote on the proposition. If Senators think the conference report ought not to be agreed to, let it be voted down. If we had had a vote long ago when I had the matter up, there would have been plenty of opportunity for the conferees to get together and reach some agreement, but I have been blocked every place and every time I have tried to bring it up, not so much as to its consideration as to prevent a vote at all. In common justice that ought to take place, no

matter what Senators may think in regard to the merits of the measure.

Mr. President, it is not my purpose further to defend the Federal Trade Commission. If there were any other body in whom the power could be reposed where the objection would not apply, I should be glad to have that body selected. Let me call the attention of Senators now to the objection which was made by the Senator from Utah [Mr. SMOOT] and the Senator from Missouri [Mr. REED] and compare the objections made at the time we passed the bill with their present position. At the time we passed the bill with this amendment in it the objection made by the Senator from Utah and a few other Senators was practically confined to the increase of salaries and the increase of employees. Now, the same Senators say, "We have not any objection to that feature of the bill," although the provisions of the conference report in that respect are the same as those of the bill when it was originally reported to the Senate. It is now discovered, however, that, after all, the objection is to section 9 as the bill was originally framed, or to section 11 as it is now. At least that is an inconsistent attitude for Senators to assume.

The facts are, Mr. President, that when we had the hearings it was there disclosed, without any question, that the man who now makes an invention or an improvement in connection with some particular article that is being manufactured can be absolutely robbed of it under existing law unless he has sufficient money to back him up in making two trips to the Supreme Court of the United States. Those who are opposed to this legislation, including some patent attorneys representing great corporations which are opposed to it, admit that. If I make or some other person makes an invention as to the legality of which, let us assume, for the sake of argument, there is no question, and some very wealthy individual, partnership, or corporation infringes it with impunity, what is the remedy?

In the first place, the inventor would begin by an injunction restraining them. He would start in the district court of the United States; he would, we will say, win the case there. It would then be taken to the court of appeals. He would win it again, and the case would go to the Supreme Court of the United States. Admit that he wins his case there, then what? The next action is one of damages for the infringement. So he commences a new action in the district court of the United States. A commissioner is appointed to take testimony, and he follows him, perhaps, all over the United States. When he gets through there, the case is again taken to the court of appeals. After he wins it there it again goes to the Supreme Court of the United States.

One of the greatest patent attorneys of the United States in making an argument on the bill was asked the question, "What will a man who is not wealthy do with a valuable patent which is infringed with impunity by somebody who is wealthy?" He said—and they all agreed to that—there was only one thing for the inventor to do, and that was to sell his patent for whatever he could get, because otherwise he would be worn out in the courts, even though it were conceded that his patent was valid. While the hearing was going on a representative of the Bell Telephone Co. who was present immediately rose at that point and said: "I wish to give the assurance that anybody who makes an invention pertaining to the telephone may sell it to the Bell Telephone Co." In that case, however, the Bell Telephone Co. fixes the price; it is absolutely supreme. If it buys an invention and finds that it is more profitable to suppress it than it would be to use it, that company having, to a great extent, a monopoly of the telephone business, would suppress it. Therefore, the inventor will be compelled to accept whatever the telephone company will pay to acquire an invention and suppress it in order to prevent competition in their line; in other words, the very theory on which a patent is granted in this country is subverted to a purpose entirely contrary to that intended. The Government gives a monopoly to a man who makes an invention on the theory that it will be used by the people; but if some one who is already in the business can make more money by suppressing it than by utilizing it—and that is very often the case; there are thousands of patents which are now suppressed and have been suppressed for years—it is not used, and the very monopoly that the people give for their own benefit is used to their own detriment and expense.

This proposed legislation will not completely remedy the present situation, but it will do so to a great extent; it is one step in that direction.

I wish to say again that if the proposed legislation is passed as it now stands, increasing the salaries of those employed in the Patent Office, it will not cost the taxpayers of the United States a cent. The measure provides for an increase of fees that will more than cover the additional expense.

Of course, I can not find fault with Senators who are opposed to the legislation; that is their privilege and right; but I do again say, Mr. President, that the Senate ought to be allowed to vote on the proposition. It looks as though, in view of the fact that we were nearing the end of the session and there are a number of appropriation bills as yet not passed which ought to receive at least the fair consideration to which they are entitled at the hands of the Senate, that unless some agreement can be reached by which a vote may be had on the conference report, it will be defeated merely for the reason that we are not able to get a vote upon it.

Mr. REED. Mr. President, if what the Senator from Nebraska has just said is correct, namely, that patents are issued and then bought up and suppressed by interested parties, this bill will not remedy that difficulty. If the Senator's position is right in regard to the matter I have just mentioned, then this bill ought to provide that all patents applied for shall take the same course as the patents which may be applied for by a few Government employees. There is no argument the Senator has made in favor of taking over the patents of Government employees that does not apply to every patent application filed in the United States Patent Office. It is an attempt to take a class of people already in the employ of the Government and put them under a particular governmental protection, and to do that when, as a principle of equity, their inventions, made through their contact with the Government business for which the Government pays them, ought of right to belong to the Government. If an employee of the Bureau of Standards investigating a problem which the United States employed him to investigate discovers some improvement through the use of the very instruments and chemicals and materials of the Government, it is a question in my mind whether, under the law, that discovery does not belong to the Government. I would be perfectly willing to permit such a man to take out a patent, because it would stimulate him to exertion, but when he takes out his patent he ought to stand on the same footing as other men. If I draw a Government salary and John Smith is working in a garret, I ought not to take any advantage over John Smith because I already have the advantage of a Government place.

The talk about these men being too sensitive to apply for a patent or to sell it, is all right coming from the Senator from Nebraska, for whom I have the most profound respect; he is a man of such keen sensibilities and of such idealism that a consideration of that kind might interfere with him if he were working for the Government; but I think he stands in a class entirely by himself; I do not think there is another man of just that kind in the world. I should like to be introduced to the man who comes down to Washington and gets a Government job because it is the best job he can find—and that is the reason he comes here—and who then is suddenly lifted above the sordid sphere of earthly action so far that he would not take a patent on something he had invented and sell it to the highest bidder for cash in hand. I should like to be introduced to the gentleman; I should like to examine him and find out how far his wings have grown and how soon he will be ready to take his flight into the higher heavens. There is not anything in it.

If there is anything to this bill, it is the camel's nose under the tent; it is the proposition of initiating a system of governmental licenses which is being clamored for so much just now. There are men who would have every great business licensed, and that, of course, means in itself the control of all small business; but in a little while they will find the small business licensed, and in a little while this Government, founded upon the principle of individual liberty, will be a Government more thoroughly controlling the action of the individual than any tyranny that has ever disgraced the scroll of history.

There can be a tyranny under a republic in name just as well as under an autocrat. Tyranny consists in the Government depriving the individual of his natural rights. It does not make any difference whether that government is called a republic or a democracy or a monarchy or an empire. All such bills come forward as beneficences; they are supposed to be for the sake of some reform, some benefit; but when analyzed it comes down to this, that almost every time we pass a law we are taking over more power to the Government.

Now, let us see. The patent laws have been on our statute books since the very dawn of our national existence. Under them hundreds of thousands and millions of patents have been applied for. They are open to all the citizens of the United States alike, to the Government employee and to the man who has to make his own living by his own exertions. Why should the Government employee be singled out for special protection

and benefit? Above all, why should we vest in the Federal Trade Commission the authority that is placed in it by section 9 of this bill?

The Federal Trade Commission is to take over these patents. The Federal Trade Commission is to license and collect the fees and royalties. The President is to fix the amounts, and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, is to be reserved and set aside and appropriated as a special fund to be disbursed as directed by the President to remunerate the inventors.

Mr. President, if the Senator from Nebraska wants this bill passed in order to protect the Patent Office, to keep the experts who are there, I want to aid him in that; but this section has no business here. If this scheme is to be entered upon, let it be brought forward as a separate bill, and let the Congress have an opportunity to consider it upon its merits.

PURCHASE OF SEED GRAIN.

Mr. GRONNA. Mr. President, I wish to say another word with reference to the vote just taken. I assume that it was not a vote against the Agricultural appropriation bill, nor against any particular item in that bill, but that it was thought best to consider the railroad bill before the Agricultural appropriation bill is taken up.

Of course, I gracefully submit to the majority of one; but before the vote is taken upon the motion to take up this bill I want to say to the Senate that a serious emergency exists, and if the bill which I shall ask permission to report can be disposed of to-day and sent over to the other House we can be assured of its passage during this session of Congress. The Agricultural appropriation bill may or may not be passed. It may fail; but I hope there will be no objection to the report which I shall present, either now or after the bill has been laid before the Senate, because I know of no reason why there should be opposition to it.

There can not possibly be any good reason for opposition to an emergency bill such as this, where 8,533 farmers in one State alone are without seed grain. In the State west of us, the State of Montana, a more serious condition exists. In the State south of us a serious condition exists in the western portion of the State. All that we are asking is for the Government to loan its credit or its money for one year to supply these unfortunate people with seed grain.

Mr. THOMAS. Mr. President, may I ask the Senator what the States themselves have done, or are attempting to do, in supplying their citizens with seed grain?

Mr. GRONNA. I will say to the Senator that in certain counties in my State we have had a crop failure for five years. In the State of Montana I believe they have had a failure for some three years on account of drought. The counties, as I understand, during some of these years have furnished the settlers and the farmers with seed grain. The banks in many instances have furnished credit, not only for seed grain, but credit for other purposes; but the situation is such that the banks are absolutely unable to extend any further aid, and so are the counties, because they are bonded to the limit. It is proposed in this bill to take a seed lien, which in all these States becomes a prior lien.

Mr. THOMAS. Yes; I have read the bill.

Mr. GRONNA. And I do not believe that the Government will sustain any great loss.

Mr. THOMAS. I have no doubt that next year or the year after Congress will be besieged to release these liens. That is generally the next step in a matter of this sort. We had occasion in our State once before to meet this situation, and our people then themselves furnished the farmers with seed grain. It seems to me to be a purely local matter. While the need may be very great, and doubtless is, it is the establishment of another precedent here that will lead to the continued expansion of Government aid for all the misfortunes of mankind.

Mr. SMITH of Georgia. Mr. President, if the Senator will yield to me, I wish to assure him that the vote against taking up the Agricultural appropriation bill was not, on the part of a number of Senators who voted against it, in any spirit of hostility. I among others had promised to vote to take up the railroad bill next, not knowing that the Agricultural bill was coming up; and really I believed it was desirable to take up the railroad bill and get it out of the way, feeling absolutely sure that the Agricultural bill would come up promptly and be disposed of.

Mr. TOWNSEND. Absolutely.

Mr. SMITH of Georgia. I hope we will stay here with the railroad bill until we pass it if we have to sit all night, and if there is any effort on the part of Senators to check it by unnecessary talk, I hope we will sit and listen until they get tired. I want to say further that I shall vote next to take up the Agricultural appropriation bill.

Mr. GRONNA. I thank the Senator. I have just stated that I do not believe the vote recently taken was based upon any hostility to the Agricultural bill. It was simply because a majority of the Senate wanted to take up the railroad bill at this particular time.

Mr. KNOX. Mr. President, will the Senator yield for just a moment?

Mr. GRONNA. Yes.

Mr. KNOX. I want to say to my friend from North Dakota that in voting not to take up the Agricultural bill at this time I was inspired by no antagonism to that bill. The Senator, of course, does not pretend that he alone is sympathetic with the needs of the agricultural classes.

Mr. GRONNA. I have never made that statement.

Mr. KNOX. No; I am sure the Senator did not, and I do not think he assumes anything of the kind.

Mr. GRONNA. If I did, the farmer would be worse off than he is now.

Mr. KNOX. I think not; but that is all right. I want to say, however, that in my own State we have 202,000 farms, which I suppose is four or five times as many farms as there are in the State of North Dakota, and the value of the agricultural products of Pennsylvania is between four and five hundred million dollars.

There seems to be a rather superficial impression in some quarters about my great State. People imagine that it is practically a State of urban population. It is one of the greatest agricultural States of the Union. I think we raised, according to the last census, some 30,000,000 bushels of wheat. Of course, that is nothing like the fertile plains of North Dakota produce, but I presume North Dakota concentrates principally on the raising of wheat, whereas our agricultural products are varied.

I am going to support the Agricultural bill in practically every detail, and I want the Senator to understand it.

Mr. GRONNA. I thank the Senator. I am sure he will do so. I want to say to him, though, that the condition is somewhat different in my State. We raise grain and cattle exclusively. We have no manufacturing. We have very little mining. We shall in the future have mining, but we have not mining at this particular time; and for that reason this is a matter that affects every farmer and business in the State, because they all raise grain. In the State which the Senator so ably represents they have more diversified farming.

Mr. KNOX. I appreciate those difierences, and for that reason I am disposed to the utmost liberality in dealing with States so situated.

Mr. GRONNA. Then, if it is in order, I will ask unanimous consent——

The VICE PRESIDENT. We must put the motion first.

Mr. GRONNA. Very well.

PAYMENTS DUE RAILROAD COMPANIES.

The VICE PRESIDENT. The question is on the motion of the Senator from Michigan to proceed to the consideration of House bill 15836.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15836) to amend the transportation act, 1920.

Mr. TOWNSEND. Now, if the Senator wants to ask unanimous consent, I yield to him for that purpose.

Mr. GRONNA. I ask unanimous consent to make a report of the bill which I have sent to the Secretary's desk, and ask unanimous consent for its immediate consideration.

Mr. TOWNSEND. Mr. President, I have stated to the Senator from North Dakota that if it is true that there is to be no debate upon that bill, and the whole Senate is in favor of passing it, as I am willing to vote to pass it myself, I shall not object; but I can not consent to taking up any matter which will delay the consideration of the bill now before the Senate. I have discovered that the only way to legislate here is to legislate, and to proceed with the consideration of the matter before the Senate. I propose to ask, as early as possible, unanimous consent to fix a date, not later than some time to-morrow afternoon, when we can vote on the railroad bill. If that consent is granted, then Senators can proceed, when no one wants the floor on this measure, to discuss or dispose of any bill which they see fit; but until that is granted I can not consent to lay it aside for the consideration of any measure that is going to lead to any debate.

Mr. GRONNA. If I may be permitted to say so to the Senator, I do not believe it will lead to any extended debate. I realize that it is subject to a point of order, and that if one objection is made it will have to go over. I should like to have the bill read, so that Senators may know what it is, and then

if anyone wishes to object, of course he has that right under the rule.

Mr. TOWNSEND. I want to say one thing further in reference to the Agricultural appropriation bill. If that bill fails of passage at this session of the Congress, it will be because of the friends of the bill, those who advocate it. The Senate is not opposed to the Agricultural bill. The Senate wants to consider it, and will consider it if the Senate is willing to stay here and consider the business of the Senate.

Mr. HEFLIN. Mr. President, I suggest to the Senator from Michigan that he prefer now his request to fix a time certain on the railroad bill.

Mr. TOWNSEND. I should be very glad to do that, but the Senator from Wisconsin [Mr. LA FOLLETTE] told me that he does not want to have me to prefer that request at the very beginning, as he thought that after we had run along a little while we could agree to it. I should be glad and had intended to prefer the request now, but I have stated why I can not do so.

Mr. WALSH of Montana. I want to suggest that perhaps it would be agreeable to the Senator from Michigan to have a unanimous-consent agreement carrying a stipulation to the effect that if the bill should lead to debate, the bill would be laid aside on his suggestion.

Mr. SMOOT. Mr. President, I have just been in communication with the Secretary of Agriculture, and he advises me that there have been advanced for the purchase of seed wheat authorized three years ago $4,199,632.70. That is the amount advanced by the Government of the United States, to be paid back in one year. The United States has collected of that amount, to date, $1,436,450.51.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I yield.

Mr. GRONNA. The provisions of the bill which passed Congress three years ago were much broader than this. This provides only for the purchase of seed grain.

Mr. SMOOT. That will not make any difference in the payment back to the Government.

Mr. GRONNA. It will make a great deal of difference, because you can always get the best security. The seed lien is the best security you can get. It makes a great difference.

Mr. SMOOT. Mr. President, just one-third of the amount has been paid back in three years. The legislatures of nearly all the States are in session, and it seems to me the legislatures of the States ought to make appropriations for this purpose. My own State has done so in the past, and I can not see why they should not do it again, if there is a condition existing such as did exist about five or six years ago. Is it not proper and is it not right to have the States make the appropriations for this purpose, and not the Government of the United States?

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. HEFLIN. When the earthquake came to San Francisco the Federal Government went to the aid of the people there. When fire swept Salem, Mass., the Government appropriated money for the relief of the people there. Why should not the Federal Government go to the aid of people who have been afflicted by drought, and their property destroyed?

Mr. SMOOT. Mr. President, I shall not take the time of the Senate to discuss that question. There is quite a difference.

I might say, though, that one of the officials of the department told me that whatever money is advanced now for this purpose will go to the banks of the States in which the money is to be advanced to release the wheat they are holding now as security. I do not know whether that is true or not. I can not say whether it is.

Mr. GRONNA. I can not let that statement go unchallenged.

Mr. SMOOT. I have not made it as a positive statement, I will say to the Senator. I am simply saying that my informant was an official of the Agricultural Department.

Mr. GRONNA. Whoever made that statement is absolutely mistaken. It is intended that the Secretary of Agriculture shall prescribe such rules as he may see fit, and that it will all be done through the officers of the counties, the board of county commissioners, and I can not conceive any better agency than that particular agency. I can say that the official who reported to the Senator that it would release any wheat is absolutely mistaken. There is no such thing to be undertaken as that.

Mr. SMOOT. The Senator was just as positive that the money had been paid back, when I called his attention to it, as he is in this matter. I get it from one of the head officials of the Agricultural Department; but, as I say, I do not know whether it is so. But I do know the amount paid back, because I got it not only from the Agricultural Department but I asked the Treasury Department to let me know the exact amount, and these are the exact figures reported.

There is no use in objecting; it will pass, anyhow, so I shall not object to it. I simply want to record my position on such a matter as this, that I think the States ought to take care of questions of this character. I know that legislatures of most of the States are in session now, and I think it would be very much better for the people of the States to do it than to have it come out of the Treasury of the United States.

Mr. REED. I would like to ask the Senator from North Dakota a question, with the permission of the Senator from Utah. I am very kindly disposed toward this bill; I understand the awful condition which exists in North Dakota.

Mr. GRONNA. North Dakota, Montana, South Dakota, and possibly one or two other States; but it is most disastrous in the three States I have named.

Mr. REED. I would like to inquire whether the Nonpartisan League has not been in control in the State of North Dakota, and if that is not the organization which told the farmers that it would relieve them of all possible adversities for the future?

Mr. GRONNA. I will admit, Mr. President, that there is a troublesome condition; but I will also say for the State administration that they have taken a great deal of time and expended money to get the data.

The VICE PRESIDENT. The Chair ventures to suggest that the bill be read, and if there is to be discussion, the Senator from Michigan can object, and if not, the bill can be passed.

Mr. TOWNSEND. I just wanted to ask a question of the Chair, suggested by the Senator from Montana. If unanimous consent is given to take this bill up, would it be in order and effective for the Senator from Michigan to object to further consideration and ask that the regular order be laid before the Senate?

The VICE PRESIDENT. The Chair thinks that unanimous consent can be given to temporarily lay aside House bill 15836, with the understanding that the Senator from Michigan can call it up at any time he pleases.

Mr. TOWNSEND. Then the bill may be read, as far as I am concerned.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

PURCHASE OF SEED GRAIN.

The ASSISTANT SECRETARY. The Senator from North Dakota [Mr. GRONNA] reports from the Committee on Agriculture and Forestry favorably, with an amendment in the nature of a substitute, the bill (S. 2508) to appropriate $5,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen in the drought-stricken areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

Mr. TOWNSEND. I ask unanimous consent that the regular order may be temporarily laid aside for the purpose of considering the bill just reported, under the condition as stated by the Chair.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2508) to appropriate $5,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen in the drought-stricken areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, which had been reported from the Committee on Agriculture and Forestry with an amendment.

The amendment was to strike out all after the enacting clause and to insert:

That the Secretary of Agriculture is hereby authorized, for the crop of 1921, to make advances or loans to farmers in the drought-stricken areas of the United States, where he shall find that special need for such assistance exists, for the purchase of wheat, oats, barley, and flaxseed for seed purposes when necessary, to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $300. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $5,000,000, to be immediately available.

SEC. 2. That any person who shall knowingly make any false representation for the purpose of obtaining an advance, loan, or sale under this act shall, upon conviction thereof, be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding six months, or both.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to appropriate $5,000,000 for the purchase of seed grain to be supplied to farmers in the drought-stricken areas of the United States; said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture."

PAYMENTS DUE RAILROAD COMPANIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15836) to amend the transportation act, 1920.

Mr. KIRBY. Mr. President, I send an amendment to the desk and ask that it be read.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. Amend, by adding a new subdivision, after line 21, on page 2, as follows:

(c) Section 422, section 15a, of said transportation act approved February 28, 1920, is hereby repealed.

Mr. KIRBY. Mr. President, I opposed the passage of the transportation act throughout. I recognized that the condition was bad at the time, but knew the law would operate injuriously to the public. When the transportation act, turning the railroads back to their owners, was passed, States were thereby deprived of their regulatory powers, and the people were, in effect, deprived of their reciprocal and correlative rights under the law to reasonable and just rates of transportation.

Under the transportation act, as I understand it, the correlative and reciprocal rights of the public to reasonable and just rates for the transportation of freight and passengers has been absolutely and effectually destroyed. I do not believe that the transportation act has operated beneficially. That it has resulted injuriously and disastrously to the people of this country there is no question, and that it has resulted disastrously to the railroads themselves is conclusively shown by their appearance here to-day asking further favors of the Government.

We took the railroads over in the first instance, during the war, because the public necessity required it. The law guaranteed as an income to the railroads the average of three years' earnings before they were taken over, a period when the earnings of the railroads were higher than they ever were before in the United States. This income guaranty amounted to 10, 20, 30, 40, and I understand in one instance 65 per cent upon the capital invested in the railroad.

During the whole war that income was paid to the railroads. When it came time to release them to their owners the transportation act was proposed, and by that act Congress said to the railroad owners: "We will give you as a gratuity another six months' guaranty of this high rate of income after the roads have been turned over to you. In addition to that, we will give you 10 years in which to pay back the $900,000,000 the Government has expended in the betterment of your roads during Federal control. In addition to that, we will put in the Public Treasury, of the people's tax money, a revolving fund of $300,000,000, which you may come and borrow and use at your convenience."

In addition to that, the law provided that these railroads should be divided into certain groups throughout this country, that they should be valued in such groups, and then have the right to come to the Interstate Commerce Commission and demand under the law that freight and passenger rates be increased to such an extent that they should receive a guaranteed income of 6 per cent upon all the property invested in the particular business.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. KIRBY. I yield.

Mr. POMERENE. Certainly the Senator does not wish to misrepresent the facts in that behalf?

Mr. KIRBY. Certainly not.

Mr. POMERENE. There is no guaranty of any return under the railroad act. The only thing in it in that behalf is this: There is a rule laid down to guide the Interstate Commerce Commission in fixing the rates. It was provided in substance that in fixing reasonable rates they should be made so as to earn a fair return on the aggregate value of the railway property and named 5½ per cent as such fair return on the railroad property in the country as a whole or in sections. They can in their discretion arrange the rates so as to earn an income of 6 per cent, but if the returns should fall to 2 per cent or nothing, there is no liability on the part of the Government. In other words, there is no guaranty, and I think we ought to understand that as the debate proceeds.

Mr. KIRBY. I think my statement is accurate. I do not dispute the statement made by the Senator. The Interstate Commerce Commission under the law is required on the valuations made to allow them to levy such rates of transportation as will produce 5½ to 6 per cent net income. I believe the Senator will not dispute that. If that income is not produced, of course the Government does not have to pay it. I do not contend that it does, but under the law all the people of the United States are required to pay transportation charges that will produce 5½ to 6 per cent income upon the valuation of the roads in the separate sections or groups or upon the whole mileage. No one disputes that proposition.

When the bill was passed I said that if the legislation should be enacted the people of the United States under its operation would be charged $1,250,000,000 more for transportation than they were paying before. I objected to it then. Voted against its passage. What has been the effect of it? After the bill became the law the railroad executives went to the Interstate Commerce Commission and said, "Under the law we are entitled to a good increase in freight rates," and demanded and were given authority to put them into effect. The Director General of the Railroad Administration of the United States while the railroads were under Federal control testified and stated officially that if the 25 per cent increase in rates inaugurated and instituted during the period of Federal control had been instituted at the beginning of such control, there would have been no deficit from the Government operation of the railroads, and consequently no liability for a deficit upon the part of the Government. Those increased rates obtained when we turned the railroads back to their owners.

What has been the result? Notwithstanding the law provided for the revolving fund, that the railroads might be loaned tax money from the Treasury, notwithstanding it made provision for this particular method of 6 per cent guaranteed compensation to them, and notwithstanding the Interstate Commerce Commission under said provision taxed all the people of the United States, or rather allowed the railroads to do so, as was done by increased transportation rates levied to produce said income, now the railroads come to the United States Government and say, "We are broke. The plan has operated injuriously. We must have this money that you provided should be paid to us as a gratuity before it becomes due under the law giving it to us." Under the law we agreed to pay them the money only after it was finally determined by the Interstate Commerce Commission how much the Government ought to pay, how much it owed under the law providing six months' guaranty of income under private control, and until that has been determined the railroads can not be paid the gratuity. The law is clear. The law granted the railroads all these rights and privileges, made all these provisions that were expected to furnish adequate relief for them, and now they ask for this payment out of time.

I say here and now that I am not going to oppose the passage of this bill. I voted against the transportation bill because I thought it was unfair, unjust, iniquitous, and because the guaranties were all to the railroads and none to provide the people with reasonable and just rates of transportation nor protect them in the enjoyment thereof. I said it would operate injuriously to the people. What has been the effect of it? It has increased the rates to such an extent that the people are required to pay $1,250,000,000 more of revenue to the railroads. What net revenue has been produced? Has the Government or the people benefited at all? Let us see. I will read one section of the transportation act. There is a provision in the act requiring that the roads shall be grouped and that the Interstate Commerce Commission shall allow to be levied rates sufficiently high to produce 5½ to 6 per cent dividends upon the valuation of the roads grouped in a particular district. That was provided; yes; but it is true the law did not guarantee the Government would pay the roads the 5½ or 6 per cent income, but only that the Interstate Commerce Commission would permit them to charge such rates as were expected to produce that amount. We all knew that under this system of rates the great roads are carrying three-quarters of the traffic over their lines at such exorbitant rates as are manifestly unreasonable, unfair, and flagrantly unjust to the public; that the whole system of rates is so unreasonable and unjust as to be well-nigh prohibitive—more than the traffic will bear—and has brought ruin to the farmer and producer as well as to the carriers themselves.

There was a provision incorporated requiring the big lines to pay a certain amount of their income over the 6 per cent fixed by the law as reasonable into a trust fund to be loaned back to the railroads or to be distributed by the Government in accordance with the provisions of the act.

Let me read the section of the act. All recognized that it would be unfair to the public to allow the big lines to charge a system of rates that would produce a fixed net income of 6 per cent on all the valuation of all the roads in any particular group. Let us read this provision—subdivision 5, section 15a of the railroad transportation act, page 36:

(5) Inasmuch as it is impossible (without regulation and control in the interest of the commerce of the United States considered as a whole) to establish uniform rates upon competitive traffic which will adequately sustain all the carriers which are engaged in such traffic and which are indispensable to the communities to which they render the service of transportation, without enabling some of such carriers to receive a net railway operating income substantially and unreasonably in excess of a fair return upon the value of their railway property held for and used in the service of transportation, it is hereby declared that any carrier which receives such an income so in excess of a fair return shall hold such part of the excess, as hereinafter prescribed, as trustee for and shall pay it to the United States.

It was recognized by all in the consideration of the legislation that that would be manifestly unfair to the people for whose convenience the railroads are supposed to exist. What has been the result? Under the exorbitant rates that were conceded by all would produce more revenue than any large railroad was entitled to have, many of the big railroads having been guaranteed and paid during Federal control 10, 20, 30, 40, 45, and in one case as much, I think, as 65 per cent upon their invested capital, notwithstanding the rates were increased 25 per cent under Government administration, notwithstanding this further increase in rates under this transportation act of over 25 and 30 per cent, have we heard where even one big railroad in the whole United States of America has allowed one single cent to go into this trust fund? Is there one road that has done it? If there is, let some Senator rise in his place who knows about it and say which road it is. The law recognized under the rates allowed on the fixed percentage increase basis that there would of necessity be a surplus to be paid into said trust fund. It has been put into operation, but I challenge any Senator to rise in the Senate and name one single railroad that has laid aside one single dollar to go into that trust fund.

Mr. POMERENE. Mr. President, may I ask the Senator a question?

Mr. KIRBY. Certainly.

Mr. POMERENE. Will the Senator state what railroads have earned a surplus since the law has gone into effect?

Mr. KIRBY. I do not know what roads have, but I am telling what was said or provided or what would be the effect of the operation of the law and that no railroad had paid anything into said trust fund.

Mr. POMERENE. While the Senator is speaking of the increase in freight rates—and that is admitted—has he taken into account the increase in expenditures because of advance in material and advance in wages? I think when the Senator takes into consideration the other side of the ledger account he will find the situation somewhat different.

Mr. KIRBY. I do not say all those things should not be considered, but they do not have to be considered in connection with the proposition I am arguing here. That is the condition that we foresaw along that line. We recognized in passing the law that all of the great railroads would transport three-quarters of the traffic over their lines at greatly enhanced rates over what would be a fair and reasonable and just charge to the public, and not a single one has yet, as I understand, reported where it has laid aside one single penny for this trust fund. If one railroad has done so and any Senator knows it, I say let him rise in his place and name which one it is.

Mr. POMERENE. I am trying to trace it. I am interested in getting the facts. If the Senator can trace this for me and give me the names of roads that have earned a surplus, I would be most happy to know whether they have complied with the provisions of the law. If they have not, I am as much interested in having them comply as the Senator from Arkansas.

Mr. KIRBY. I have never been in the confidence of the railroads nor their operating boards. I do not know what their books will show, but I do understand that they have not paid anything into this trust fund, as I have stated. No Senator knows where one has done it. When the law providing this gratuity was passed—and I am not talking against paying it, but about another proposition—to guarantee the railroads for six months under private control the same rate of income paid them under Government operation there was only one railroad company in the United States that said, "No; the Government has done enough to us. Give back our railroad under the rates that are already established, and we will carry the public and its freight and risk making a proper compensation." That was the "Cotton Belt." The St. Louis-Southwestern Railway, that runs down through my country, accepted no Government guaranty, and it is not here to-day demanding any further gratuities or favors from the Government. If the Cotton Belt Railroad running through Arkansas and Missouri could do that—and it has done it—then why have not these great railroads that are carrying three times as much commerce as that road, at the 30 per cent increase in rates, been able to put something into this Government trust fund? There is something wrong somewhere.

I say that by the passage of the bill, section 15a of which I am asking to have repealed now, we absolutely destroyed the reciprocal rights of the public to have fair and just and reasonable rates of transportation established. There is no question that under the law the railroads are allowed to charge such rates as will yield a reasonable and just return upon the money invested in the transportation agencies; but there is an equal and correlative and reciprocal right upon the part of the public to have provided just and fair and reasonable rates of freight and transportation. Under the bill that right has been absolutely destroyed. It is said that we have only provided under the law that the railroads shall be divided into districts or groups and valued in that way, and that on the value of the property in the various districts the Interstate Commerce Commission shall allow them to levy such rates of freight as will produce 5½ to 6 per cent income, and when it exceeds that they will pay the overplus back into the trust fund of the Government.

Yes; and there we have provided by an unbending rule of law what is a reasonable rate of income for the railroad companies, and we have absolutely destroyed the possibility of the people having any consideration of the establishment of reasonable and just rates of transportation, unless and until the railroads first get their income as fixed by the law. Is there anyone here who will deny that? We have taken the power and discretion away from the Interstate Commerce Commission to treat the public fairly under the law, as it always has been administered before this section was enacted.

In addition to that the law destroys absolutely and effectively the power and the right to regulate rates by the States. That is done by this law, which I think is unconstitutional in that regard, but unless and until it is declared unconstitutional said rate-making agencies are absolutely destroyed. There is no hope of relief to the people from that source. There is no hope of relief to the people from the Interstate Commerce Commission. Why? Because it is bound hand and foot by the law which says that the railroads shall have the right to a certain fixed rate of return upon the valuations made. Is there anyone here who will dispute that proposition? Then, where are the public to get their relief?

What has been the effect of the operation of the law? As I said, this railroad down in Arkansas stated that they did not need the Government guaranty, that they did not want any favors from the Governmnet, but merely asked that their property be turned back to them and that they be given an opportunity to proceed under the law and they would make money. We have not heard any complaint from them. That is a little system, as compared with these others, and its guaranteed income during the war was low and small, as compared with the roads that had 10, 20, 30, 40, 45, and even 65 per cent return guaranteed, but that railroad has taken that position. Where are the public going to get any relief?

There is no relief unless the Supreme Court shall declare the other law unconstitutional on that point, or unless Congress shall repeal this section of the law and give the people an opportunity to be heard before the Interstate Commerce Commission, which I believe is the most beneficial agency that ever has been established by the Government for the protection of the people in these matters and for the protection of the carriers as well. Let us repeal this law and restore the status where the Interstate Commerce Commission shall be left discretion to fix reasonable rates both for the carriers and the people. Then the public will at least have a chance to complain that they have not been given just and fair and reasonable rates, and to have the matter tried by a tribunal which is established by law for that purpose. In that way they may secure some relief.

It is asked, however, Does the public need any relief? For the farmers of Texas and Oklahoma and other States of the Southwest and the farmers of the Northwest the freight rates have been increased so unreasonably high that their products in the market are hardly worth shipping. On account of the small net return under the conditions as they now exist, the farmers, the producers, and the stock raisers have been virtually

ruined by the increased robber freight rates which have been fixed directly by authority of this law of Congress.

What is the condition of the railroads? The railroads say, "We as well have been ruined; we are not making any money; we are broke; we come to the Congress and we ask Congress to give us this money before it is due, before under the terms of the gratuity we are entitled to receive it; we want this money; we have got to have it; we ask the Government now for that favor."

Senators know that the smoke from the chimneys of many factories does not any longer ascend; they know that the fire smolders in many forges in this country of ours; they know that the farmers in the South and West have been so handicapped, so injured, so discriminated against by the railroads that they face disaster.

What good has this legislation done the railroads? If they are reporting the truth, they, as well as the agricultural and industrial communities, are ruined. They come and say frankly, "We are ruined," and this is one of the prime factors contributing to their present condition.

Now, do not Senators think we had better repeal that section of the law? We have already passed the other law. I opposed it; I said it would operate in this way to the injury of all the public, who had a right to expect reasonable and fair freight rates, and that their Congress at least would not preclude them from the right which they had always enjoyed. Let us repeal this other section.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from North Dakota?

Mr. KIRBY. I yield to the Senator from North Dakota.

Mr. GRONNA. I wish to say to the Senator from Arkansas that what he has said with reference to the heavy freight charges on bulky freight is absolutely true, so far as it applies to the section of country from which I come.

Mr. KIRBY. I am glad to have the Senator say that.

Mr. GRONNA. In the case of hay, for instance, the hay market to the farmer in my section of the country has been destroyed by virtue of high freight rates, and, as the Senator from Arkansas has well said, the business does not seem to pay the railroads. In that aspect of the case, it seems that the whole machinery which was set up was unscientific and has produced deplorable conditions among farmers and, I understand, among the railroads.

Mr. KIRBY. I am glad to have the Senator's confirmation of my statement.

Senators will remember the live-stock situation and what representatives of the live-stock industry have stated. They will remember how live-stock men have stated that when they ship their stock to market, after paying transportation charges, they receive virtually nothing for the stock. The railroads say, "We, too, are broke." Then there is something wrong with the system.

Let us repeal section 15a of the law; let us hand back to this agency, the Interstate Commerce Commission, the power to say to the railroads, "You shall have reasonable and just rates for service," and also to say to the public, "You shall have reasonable and just rates of transportation."

But, it is asked, "Is it possible that the law operates in that way?" I have set forth the condition. It is further asked, "Will it operate in that way in the future?" It has so operated to this time, and why would it improve in the future?

Whenever the rates of carriage are fixed so high that commerce can not move, then commerce is destroyed and the carriers are destroyed. It is asked, "Is it possible that the carrier would so far disregard its own interest as that it would take the benefit of a provision of law that might prove injurious to the carrier?" The Government stood behind them here by a guaranty of 10, 20, 30, 40, or 45 per cent income for six months. The carrier took the chance in the other matter and said to the Government, "We want a guaranty under the law; we want such rates as we are entitled to prescribe under this 6 per cent income law," and we said, "We will see what can be done about it." Now the carriers come and say, "We are broke. What are you going to do about it?"

The Senate of the United States represents the whole people of the United States. The Government and the public do not exist for the benefit of the railroads; the Senate Chamber was not built for the benefit of Senators; the courthouse was not built for the benefit of the judges; the schoolhouse was not built for the benefit of the teachers. These are all agencies in the development of our progress and civilization; agencies for the service of the people and the promotion of their welfare. We are certainly as much obligated to protect the public interest as we are to protect the interest of any special class of our citizenship or corporations. Is that not true? Then, it has not been done and the law conclusively shows it by its having operated injuriously to the public and disastrously to the railroad companies.

I think these matters ought to be considered, and I think the time has come here and now when relief should be afforded. Just so long as we continue to have group rates and arbitrary valuations fixed and then allow the railroads by a system of bookkeeping to add two or three items, that long we are going to have this condition. There will be lethargy; yes, there will be disappointment to the public; there will be gloom among the producers. That is the condition which we have to-day, and we do not propose to remedy it one single farthing by taking the people's money out of the Treasury and handing it to the railroads. Why? Because the railroads are broke and because it is necessary that the people have transportation.

We have already passed that law, and having passed it I say let us go ahead—it will make but little difference—and give the railroads what we have said they are entitled to under the law; but let us remedy the condition, let us give the people an even and fair chance or some chance, at any rate, for the determination of their rights; give them an opportunity to have equal, fair, and just and reasonable rates of transportation, which never can be done under this section of the law.

Senators, I am not disposed to discuss this matter longer; I could say a great deal about it; but we have seen the effect of operation of that section, and you know what I have said here is true. I do not believe there is a single proposition that I have made that can be disputed; I think everything I have stated is in accordance with the facts and is definite and accurate, so far as the general matter and statement is concerned.

Now, there ought to be something done to bring relief. That can be done by the repeal of that particular section, which will leave the Interstate Commerce Commission where it has always been, with the power to fix just and reasonable rates to the public and with the power to grant rates that will provide reasonable and just compensation to the carriers. That is where it ought to be left; it ought to be left within the discretion of this agency which Congress has created for that purpose.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Arkansas.

Mr. TRAMMELL. I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 2, after line 21, it is proposed to amend by adding a new subdivision which will read:

(c) Section 422, section 15a, of said transportation act approved February 28, 1920, is hereby repealed.

Mr. TRAMMELL. Mr. President, I am very heartily in sympathy with the object and purpose of the amendment offered by the Senator from Arkansas. When we were considering the present law governing our railroads and transportation I was thoroughly impressed and convinced that its provisions in regard to rate making were going to operate very harshly; that in many instances they would result in the imposition of railroad rates which would be almost prohibitive and which in a great many instances would result in retarding certain industries, and more particularly agricultural industries. For this reason I opposed and voted against the present railroad law. My forecast upon that subject, so far as the State of Florida is concerned, has proven true. I have received a great many reports from those engaged in the citrus-fruit industry, those engaged in staple farming and in the production of vegetables and in other products, complaining most bitterly against the present rates imposed upon those industries. The difference between what may be reasonable rates and the rates that are being charged at the present time upon many of these products represent to the grower an element of safety against loss.

As an illustration of the excessive rates, I may call attention to a freight charge brought to my attention by a farmer from a small town near Tampa, the town of Wimauma. This farmer shipped to Philadelphia a carload of lettuce consisting of 374 hampers, and upon that carload of produce the freight was $411.11 for a haul of, say, from 1,200 to 1,250 miles. The freight charge, as I have said, on that haul was $411.11. Under the prewar rate, which was certainly sufficient, the farmer would have paid probably $300 for his freight, and he would have had $111.11 left to stand between him and an actual loss upon the fruit of his labor and his investment; but as a consequence of this excessive rate he received only $3.80 net for his carload of lettuce.

Another case brought to my attention was the shipment of a carload of cabbage from the same point to Philadelphia. On

396 crates of cabbage, constituting one carload, the freight was $434.15, and the farmer received $10.86 net.

Mr. President, the industries of the country will not prosper, will not be continued, and will not be enlarged if the freight rates are excessive. The result has been in my State, and doubtless in many other States, that they are plowing in their fields of lettuce, they are letting their fields of cabbage go to waste; and the producers of citrus fruits, with the present market and the present excessive freight rates, are hesitating about shipping a considerable part of the crop that has not yet been marketed. The rate burden has practically destroyed the production of watermelons.

I took up the question of obtaining a freight rate reduction with the Interstate Commerce Commission, and the commission took it up with the railroads, with a view to trying to get some amicable adjustment of the freight rates on citrus fruits and vegetables. The reply came back that the rates could not be made any less, and that the trouble was in the markets at the present time; that the products were not bringing a reasonable price in the markets. I frankly admit the market is bad, but, at the same time, that does not remove the fact that the freight rates and the express rates are excessive. That does not remove the fact that the railroads of the country could make reasonable returns upon the products of the grove and of the farm by imposing a reasonable rate and lessen the loss to the grower of my State and other States. The idea of one carload of cabbage requiring a freight charge of $434 for a distance of 1,200 miles! Anybody knows that that is not reasonable.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from South Carolina?

Mr. TRAMMELL. I yield to the Senator.

Mr. DIAL. In connection with what the Senator says I will say to him that I saw the other day a bill for a carload of merchandise shipped from Winston-Salem to Washington, a distance of about 400 miles, and the freight bill was around $445.

Mr. TRAMMELL. That is just in confirmation of my position that the rates are entirely too high. They are unreasonable. They result in retarding business, they result in reducing the tonnage to the railroads, and in that way affect the income of the railroads of the country and at the same time paralyze industry.

Take the express rates: Only this morning I received a letter from a farmer of my State saying that he had shipped 12 crates of vegetables to Savannah, Ga., a distance of some 500 miles, and that the charges upon the 12 crates were $24, $2 a crate. Why, the people that are carrying on the citrus-fruit industry and the farming industry of this country can not survive rates of that kind.

There are two different lines of thought among the railroad people of the country. Some seem to think that you can put on almost any kind of a rate charge you want and that that makes the railroad more prosperous; but, as stated by the Senator from Arkansas [Mr. KIRBY], it has been developed that that is not true. They asked for an increase of their rates, and they got an increase, and yet they claim that their roads are not prosperous, that they are not making money. Well, one thing is certain. The people who are furnishing the freight and paying the freight rates are not making money, and a great many of them are losing money on account of the excessive charges.

Among railroad people there is another line of thought—that if you make your rail rates reasonable you encourage industry, you encourage agriculture, you increase railroad tonnage, and that your railroad is made more prosperous by the adoption of a policy of that kind than by imposing such very high rates as are imposed under the present law.

I am thoroughly in sympathy with the amendment offered by the Senator from Arkansas.

Mr. POMERENE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Ohio?

Mr. TRAMMELL. I yield.

Mr. POMERENE. Assume that the amendment proposed by the Senator from Arkansas is adopted. Will the Senator explain how that will bring relief?

The commerce act provides, in substance, that the rates shall be just and reasonable. The only addition, so far as the particular section is concerned which it is proposed to repeal, is this: First, that the Interstate Commerce Commission shall have before them a rule in rate making which will net to the railroads in the entire country—or, if it is divided into groups—5½ per cent on the railway investment. This is for a period of two years only; and they can, in their discretion, if they think necessary, add to that another half of 1 per cent, which shall be used in the betterment of the railroads. Now, of course, the Senator must recognize the fact that we have good roads and we have bad roads and we have roads which are in an indifferent condition, considered from an earning standpoint; so we have provided, if there is an excess earning, how this excess earning shall be divided.

I am not prepared to discuss with the Senator the question as to whether or not the rates to which he refers are too high. I am impressed with the fact that they are somewhat exorbitant; but the Congress of the United States does not fix rates. The Interstate Commerce Commission fixes them. If they are too high, or higher than a given commodity ought to bear, of course they ought to be reduced; but surely the Senator is not going to take the position that we ought not to provide in some way for some return on investments in railroad property. Otherwise, you are going to wreck the entire system, and I should like to know how the Senator expects to improve the condition of the shippers by repealing this particular section of the railroad act.

Mr. TRAMMELL. Mr. President, it is somewhat a case of "any port in time of storm." It could not be any worse than it is at present, and we could only have a little ray of hope if we repealed the present limitations which allow them to make a certain percentage.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Arkansas?

Mr. TRAMMELL. Certainly.

Mr. KIRBY. I should like to make a suggestion there. If we repeal this law that says to the Interstate Commerce Commission, "You shall allow the railroads rates that will produce this amount of revenue," then the discretion will have been left with this agency just as it always was before we made a rule that operated as this one has been shown to have operated.

Mr. POMERENE. Does the Senator know that the rates have been made so as to produce this return?

Mr. KIRBY. Why, they said so.

Mr. POMERENE. I beg the Senator's pardon; they have not said so.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Minnesota?

Mr. KIRBY. Just a minute. The railroads came and asked rates that would produce an additional revenue of $1,250,000,000, and the railroads under this rule of law, I understand, were granted those rates.

Mr. POMERENE. Mr. President, I am afraid the Senator from Arkansas has not gone to headquarters to get information with regard to that matter.

Mr. KIRBY. Then will the Senator be so kind as to furnish the information from headquarters?

Mr. POMERENE. If the Senator had told me what he was going to discuss this morning, I should have tried to have it here. The Interstate Commerce Commission went into this subject for the purpose of improving conditions, and saw that certain increases in rates were necessary; but I challenge the Senator to point out one word which has been uttered by the Interstate Commerce Commission to the effect that under these rates these returns would be guaranteed.

Mr. KIRBY. Nobody claims that.

Mr. KELLOGG. Mr. President, will the Senator yield? I think I can give the Senator the information he asks for right now.

Mr. TRAMMELL. I yield.

Mr. KELLOGG. The commission did fix the value of the roads under the La Follette Act, they having reached a stage in their valuation where they could make a fair and reasonable estimate of it. They did make rates which they thought, under the existing conditions, would produce the 5½ per cent return.

Mr. KIRBY. In accordance with this law.

Mr. KELLOGG. As a matter of fact, they did not do it, and I will give the Senator the exact figures.

Mr. KIRBY. Will the Senator yield?

Mr. KELLOGG. I should like to complete the statement, if the Senator will allow me.

Mr. KIRBY. I just want to say to the Senator before he finishes his statement that I do not claim that the railroads made so much, but I say that under the law the Interstate Commerce Commission was bound to allow them rates that they thought would enable them to make that much.

Mr. KELLOGG. Yes; as nearly as may be.

Mr. KIRBY. And we took away from them the discretion to say that the rates should be reasonable to the public or to the railroad companies.

Mr. KELLOGG. But it was not a guaranty, and as a matter of fact the statistics of the Interstate Commerce Commission show that in September after these rates were fixed the roads earned 4.1 per cent upon the valuation fixed by the commission; in October, 4.6 per cent; in November, 3.3 per cent; in December, 1.1 per cent; or an average of 3.3 per cent; and the results for January are not as good as those for December. That is what they actually did earn.

Mr. TRAMMELL. That shows all the more necessity for repealing this law, because, if we do not repeal it, if they think it is the proper thing to do, they will be appearing before the Interstate Commerce Commission within a very short time asking for another advance of 25 per cent or 50 per cent in freight and passenger rates. I think it is all the more necessary to repeal this provision or else to cut down the rate of return they shall be allowed to make on their investment.

Mr. KELLOGG. I understand that it is not their intention to ask for any increase, and that the railroads themselves do not feel that any increase should be granted.

Mr. TRAMMELL. I think they have reached a very wise conclusion. If they pursue the present destructive policy of charging excessive rates, their tonnage is going to be very materially reduced; so, as a question of preserving a house that is rapidly tumbling, I hope they will see fit not to attempt to advance rates and, on the other hand, will reduce them.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from South Carolina?

Mr. TRAMMELL. I do.

Mr. DIAL. Is it not true that the railroads have already lost a great deal of the short-haul tonnage in favor of trucks? In my State the rates are so high now that on the short hauls they are hauling freight by truck.

Mr. TRAMMELL. That is true. They are losing in that way, and they are losing on account of curtailment in crop production; and if the present rates remain, judging from the situation in my State, their tonnage will be reduced probably 25 to 33⅓ per cent in another year, because the farmers of the country are growing weary of the idea of spending their time and giving their labor and their money in the production of crops when they have to contribute more than half of what they receive for them for freight charges.

Mr. President, I think it is high time that Congress was taking some action against the excessive freight charges that are in existence under the present law, and I hope that the amendment offered by the Senator from Arkansas [Mr. KIRBY] will be agreed to. I have sought to reach the same condition by introducing some three or four weeks ago a bill to reduce the percentage of earnings that the railroads are allowed under the existing law, but it seems now that they claim they are not making that percentage, so I am after the effective remedy for a reduction in freight rates and in express rates. If we do not get them our agricultural interest is going to be very much hampered and the business of the railroads is not going to be what it would be if they would make reasonable rates and do business upon a policy of "live and let live."

I hope the amendment of the Senator from Arkansas will be adopted.

The PRESIDING OFFICER. The question is upon the adoption of the amendment offered by the Senator from Arkansas [Mr. KIRBY].

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harris	McCumber	Smith, Ariz.
Ball	Harrison	McKellar	Smith, Md.
Borah	Heflin	McLean	Smith, S. C.
Brandegee	Henderson	McNary	Smoot.
Calder	Hitchcock	Moses	Spencer
Capper	Johnson, Calif.	Nelson	Sutherland
Chamberlain	Jones, N. Mex.	New	Swanson
Curtis	Jones, Wash.	Overman	Thomas
Dial	Kellogg	Phelan	Townsend
Fernald	Kendrick	Phipps	Trammell
France	Kenyon	Poindexter	Underwood
Frelinghuysen	King	Pomerene	Walsh, Mont.
Gay	Kirby	Ransdell	Watson
Gerry	Knox	Reed	Willis
Gooding	La Follette	Sheppard	Wolcott
Gronna	Lenroot	Shields	
Hale	Lodge	Simmons	

Mr. GERRY. I have been requested to announce the absence of the Senator from Kentucky [Mr. BECKHAM] and the Senator from Virginia [Mr. GLASS] on official business.

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, a quorum is present.

Mr. TOWNSEND. All I desire to say, Mr. President, is that the amendment offered by the Senator from Arkansas [Mr. KIRBY] is not pertinent to this bill; that it has not been considered by the committee; and it ought not to complicate the question which we are here trying to settle.

Mr. KIRBY. Mr. President, I wish to speak on the amendment very briefly, as only a few Senators were present when I offered it.

I do not think the objection raised by the Senator from Michigan is tenable. This is a House bill, general legislation, in effect, and I have offered an amendment to it, as I had a right to do, to repeal that section of the transportation act which requires the Interstate Commerce Commission to value the roads in groups, and to permit the railroads to levy enough additional freight rates to give them a return of 5½ to 6 per cent upon the property investment, as valued by the commission. That is the present law. Under that law the railroads were valued, and an increase of 25 to 30 per cent in freight rates was granted. I say the effect of that law has been ruin to the productive industries of the country and almost ruin to the carriers themselves.

It seems to me that under the old law, under the law as it is supposed to exist to-day, the railroads are entitled to only a reasonable return upon their investment. The law says that 5½ to 6 per cent upon the valuation is a reasonable return. Under the law, shippers are entitled to reasonable and just rates of transportation. Now, the Interstate Commerce Commission is precluded, by this section of the law, from considering the reasonable and just freight rates upon the part of the people until they have levied rates high enough to return 5½ and 6 per cent income upon the property as valued by the Interstate Commerce Commission. In other words, the public right to reasonable and just rates of transportation is absolutely destroyed unless and until the rates charged produce 5½ and 6 per cent income to the railroads as fixed by law and not by the Interstate Commerce Commission.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. KIRBY].

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], and in his absence am compelled to withhold my vote. If at liberty to vote, I would vote "yea."

Mr. KNOX (when his name was called). I have a pair with the senior Senator from Oregon [Mr. CHAMBERLAIN], but through the courtesy of that Senator I am released on this bill and all amendments thereto. Therefore I am at liberty to vote. I vote "nay."

Mr. POMERENE (when his name was called). While I have a general pair with the senior Senator from Iowa [Mr. CUMMINS], I understand that on this amendment he would vote as I intend to vote. I therefore feel privileged to vote. I vote "nay."

The roll call was concluded.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the junior Senator from Massachusetts [Mr. WALSH] and vote "nay."

Mr. TOWNSEND. I desire to state that I am paired with the senior Senator from Arkansas [Mr. ROBINSON], but I am confident that if he were present he would vote "nay" on this proposition. So I feel at liberty to vote. I vote "nay."

Mr. HARRISON. I am paired with the Senator from West Virginia [Mr. ELKINS]. Not being able to obtain a transfer, I withhold my vote.

Mr. MOSES. I desire to announce the absence of my colleague [Mr. KEYES] on official business. If present, on this question he would vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 14, nays 59, as follows:

YEAS—14.

Ashurst	Harris	La Follette	Sheppard
Fletcher	Kenyon	McKellar	Trammell
Gore	King	Overman	
Gronna	Kirby	Phelan	

NAYS—59.

Ball	Gooding	Myers	Spencer
Beckham	Hale	Nelson	Stanley
Brandegee	Heflin	New	Sterling
Calder	Henderson	Phipps	Sutherland
Capper	Hitchcock	Poindexter	Swanson
Colt	Jones, N. Mex.	Pomerene	Thomas
Curtis	Jones, Wash.	Ransdell	Townsend
Dial	Kellogg	Reed	Underwood
Dillingham	Knox	Shields	Wadsworth
Fernald	Lenroot	Simmons	Walsh, Mont.
France	Lodge	Smith, Ariz.	Warren
Frelinghuysen	McCumber	Smith, Ga.	Watson
Gay	McLean	Smith, Md.	Willis
Gerry	McNary	Smith, S. C.	Wolcott
Glass	Moses	Smoot	

NOT VOTING—23.

Borah	Fall	McCormick	Pittman
Chamberlain	Harrison	Newberry	Robinson
Culberson	Johnson, Calif.	Norris	Sherman
Cummins	Johnson, S. Dak.	Owen	Walsh, Mass.
Edge	Kendrick	Page	Williams.
Elkins	Keyes	Penrose	

So Mr. KIRBY's amendment was rejected.

Mr. TRAMMELL. Mr. President, I have just sent a page for an amendment which I desire to propose to the pending railroad law, reducing the authorization of return on rates from 5½ to 3 per cent.

We are passing now upon the question of a bill granting relief to the railroads. I was very forcibly impressed by the result of the last vote as to the attitude, upon the one hand, of granting relief to the railroads and, upon the other hand, of granting relief to the agricultural and shipping interests of the country. The railroads come to Congress and knock at the door, and they do not knock in vain, but, in a very large majority of the instances at least, the producers, the operators of industries of the country, when they appeal to Congress appeal to deaf ears. It seemed to be all right to pass legislation granting to the railroads financial assistance. They succeeded admirably; they got just what they wanted. I recall more or less railroad lobbyists being around the Capitol advocating bills providing for the return of the railroad properties to private ownership, and so far as suggestions made by them within my knowledge, they obtained from Congress everything they asked. They made a mistake as to what they would accomplish or what they thought they would accomplish. The imposition of the excessive rates has worked a great hardship upon the freight-shipping public of the country.

The railroads did not ask only for financial assistance, but also to be given very high rates, based not upon the actual value of the stock but upon the investment in the railroads. They said, "We are an infant industry in this country and will have to have financial assistance." Congress came to the rescue and gave them all the financial assistance they wanted. They made some miscalculation as to the length of time of the loan they desired. They only asked for three and one-half years at first, but some three or four weeks subsequent it dawned upon the railroads that they wanted the loan and the financial aid for a little longer period. Again they came and knocked at the door of Congress, asking that the period for the loan be extended. There was great responsiveness, and the request was promptly granted.

But when the agricultural interests of the country, the fruit growers of the country—of my section and other parts of the Union—appeal to Congress and try to get some relief against excessive freight and express rates, which are working so disastrously to those industries, then other business is too important and we have not time to conider those questions just at present. We can lay aside the Agricultural appropriation bill to provide some relief for the railroads, but the idea of laying aside a railroad bill to provide some relief to the overtaxed industries and agricultural interests of the country on account of excessive freight rates and express rates is thought preposterous, by some at least.

There is an upheaval of sentiment in the country against the present system of excessive rate making on the part of the railroads. From my own State I am receiving almost daily communications from farmers' organizations, commercial organizations, merchant associations, and from the private truck farmer and private citrous-fruit grower in protest against the present rates. It is asked here, "Are we not going to give the railroads a reasonable rate?" Yes; I think they are entitled to a reasonable rate, and that is what we are pleading for—reasonable rates; but we think also that the industries of the country, which are the support of the railroads, are entitled to reasonable rates, and that in the rate structure the condition of the industries should be considered and the rates should be so fixed as to allow those industries to prosper, instead of having rates fixed that will stifle them and destroy them.

Down in my State we produce great quantities of perishable products. Under the old régime of the railroads years ago, with high and excessive rates, the trucking industry and the citrous-fruit industry amounted to very little. It was only some 10 or 15 years ago, when the railroads adopted the wise policy of trying to give rates that would encourage those industries, that we began to see expansion and development in the citrous-fruit industry and in the truck farming of the State. Under the prewar rates, which are ample and sufficient for present conditions, our citrous-fruit industry was spreading most rapidly. Thousands and thousands of acres of additional groves were being planted each year. In localities suited for vegetable growing, instead of there being probably only 100 or 200 acres, we found the industry expanding until there were thousands and thousands of acres utilized in the production of all kinds of truck.

However, Mr. President, to-day, when the farmer has to pay $434 freight to get a carload of lettuce for a distance of 1,200 miles, there is but little hope for him; there is but little hope for the expansion; yea, there is but little hope for the maintenance of the existing conditions in my State, so far as truck farming is concerned. The same thing is true of the citrous-fruit industry.

The railroads of certain sections of this country exercise some wisdom in the fixing of their rates and try to accommodate themselves to the situation. As an illustration, take the rate upon citrous fruit from California to the East. I have had some tables compiled upon the subject.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Dakota?

Mr. TRAMMELL. I yield.

Mr. GRONNA. The Senator from Florida has called attention to the freight charge on a carload of fresh vegetables. Will the Senator kindly give us the information as to what the producer got out of that carload?

Mr. TRAMMELL. I have the report here giving that information. The producer received $10.86. He received less than 4 cents a crate for his cabbage and lettuce, and the railroad received for the freight on the cabbage and lettuce about $1.15 a crate.

Mr. President, I repeat the previous statement of my position, that the difference between the excessive rate and what would be a reasonable rate for the moving of such products gives an element of safety to the producer against loss. I think that a system of rates that would protect the producer and at the same time leave a reasonable return to the railroad operator for his service would be an equitable and just system, and one to which the industries of the country are entitled.

Mr. POMERENE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Ohio?

Mr. TRAMMELL. Certainly, Mr. President.

Mr. POMERENE. The Senator from Florida proposes by his amendment to change the rule which was fixed for the Interstate Commerce Commission in the determination of rates by reducing the net return from 5½ per cent on the aggregate value of their property to 3½ per cent. That 5½ per cent means the average rate on the aggregate value of the railway property in all the country or in groups. If the return is to be reduced to 3½ per cent, then there will be some railroads as to which the earnings will be very much less than 3½ per cent and a few, perhaps, whose earnings would be more than 3½ per cent.

As I recall, during the hearings it was established that there are railroad bonds maturing which are drawing from 4 to 5 per cent, which will aggregate during the current year something in the neighborhood of $300,000,000. Similar amounts will be maturing for some years in the future. If the Senator desires to reduce the average earnings of the railroads to 3½ per cent, can he tell the Senate where they would get money with which to refund those bonds now, and which draw 4 or 4½ per cent?

Mr. TRAMMELL. I should like to ask the Senator if he can tell me where the farmers and fruit growers in my State can get the money with which to pay for their fertilizer and to meet the obligations which they have assumed on account of their crops under the present existing freight rates?

Mr. POMERENE. Mr. President, the Senator from Florida knows he is not answering my question. My position is that

if freight rates are excessive, then there is an Interstate Commerce Commission whose duty it is to reduce them; and no doubt, if they are excessive, the Interstate Commerce Commission will reduce them. Of course, if the Senator from Florida has no concern for the transportation systems, if he would rather have the railroads in the hands of receivers so that there would be no means of shipment for citrus fruits—if that is the way he desires to serve his constituents, then I have nothing further to say.

Mr. TRAMMELL. Mr. President, I have not intimated that, but if we are to engage in conjecture I might as well indulge the thought, from the position taken by the Senator from Ohio, that if there is any crushing done he wants to crush the agricultural interests of the country and to preserve the railroad interests. So far as I am concerned, I say that if we are going to preserve any particular interest we should preserve the agricultural interest of the country and the other industries of the country. I know some seem to take the position that the railroads have built up the country. The railroads have been wonderful factors in its development, and on that account they have received decided advantages over the general public in a great many States of the Union; but, Mr. President, without the industries to support the railroads the railroads would necessarily go into bankruptcy. My idea is that we should harmonize the interests of both; that we must not place upon a pedestal the interests of the railroads of the country and entirely ignore the interests of the people upon whom the burden of their rates is imposed. This bill no more nor less than authorizes the railroads to become a taxing power against the American people. That is what it authorizes.

Senators talk about the returns to the bondholders and stockholders of the railroads. One of the difficulties we face to-day when it comes to the question of dealing with railroad rates is the overcapitalization of the railroads. There are many roads in the United States which are capitalized per mile at two, three, and even quadruple the actual expenditures on those properties; and yet, forsooth, when it is said that they should not have 5½ per cent on their watered stock, their speculative stock, and all other kinds of stock which they have authorized, then some one gets up and says that we wish to crush the railroads; we want to put them into bankruptcy. Nobody wants to put them into bankruptcy; but we want a fair deal for the people of this country who have to bear the burden of the maintenance of the railroads. I say that if under present existing rates the railroads are not earning more than 3½ per cent, then I propose to offer an amendment to the present bill to cut down their earnings to 3 per cent, and if it comes to a question of what will become of the stockholders of the railroads, they will take care of themselves; they will then, if we allow them 3 per cent, have more net earnings than the people of the country, generally speaking, who are supporting the railroads.

Take, for instance, the grower of agricultural products, citrus fruits and vegetables, in my State. When he ships a carload of his product and gets back a net return of $10.86, or $15 or $20, he is not receiving nearly as much as the railroad receives for hauling the car of freight.

Mr. KENYON. Mr. President, I should like to ask the Senator what has been done in his State in regard to intrastate rates? Has the Interstate Commerce Commission sought to fix intrastate rates in the State of Florida?

Mr. TRAMMELL. It is my understanding that they have sought to fix them, but I think our railroad commission has been resisting that effort. I understand the Senator has an amendment dealing with that aspect of the question.

Mr. KENYON. I offered an amendment to the original railroad bill in the form of a new bill, but I do not know whether or not I shall offer it to this bill; I think, perhaps, I shall.

Mr. TRAMMELL. Mr. President, I am heartily in sympathy with that; I think that the Interstate Commerce Commission should not control intrastate rates.

Mr. KENYON. Does the Senator believe that it was the intention of Congress in passing the Cummins-Esch bill to give the Interstate Commerce Commission the power to fix intrastate rates?

Mr. TRAMMELL. I am quite sure that some of those who importuned me to support the bill and who themselves were supporting it said that that power would not be given in the case of intrastate rates. I expressed some apprehension at the time the bill was pending upon that very point, but I was assured by the advocates of the bill—at least, by some of them—that it would not interfere with intrastate rates. I hope that such an amendment will be adopted. In the case of my State, for instance, one of our largest railroad systems is entirely an intrastate railroad, and it is a great injustice for the Interstate Commerce Commission to come into my State and, dealing with one of our three largest systems, the largest one being entirely an intrastate carrier, to attempt to fix our intrastate rates.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Utah?

Mr. TRAMMELL. I yield.

Mr. KING. May I inquire of the Senator whether they attempt to fix rates where a railroad, or some of its branches, at least, passes beyond the boundaries of the State, but where the commodities have their origin within the State and are shipped to a destination within the State?

Mr. TRAMMELL. Mr. President, I am not familiar with the status in my State at the present time, but I know there has been some effort made to fix intrastate rates. As to the details I am not positive; I know the effort has been resisted by our State railroad commission.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, in the press reports, I think of yesterday, I saw that in the State of North Carolina it was reported that the Interstate Commerce Commission had fixed intrastate rates and in doing so had increased them over what they were previous to that action on the part of the Interstate Commerce Commission.

Mr. SMITH of Georgia. Their claim is, as I understand, that where the intrastate rates affect the interstate rates they have a right to control the intrastate rates. That is about the contention.

Mr. KING. I was about to inquire of the Senator from Florida, with his permission, if that view was not taken, how could they control the system and insure the returns which are provided in the Esch-Cummins bill? If they did not have control, then one State might establish such low freight and passenger charges as to make the operation of a road unprofitable, and an additional burden would then be laid upon people within other States. So it seems to me that the whole system as devised by the Esch-Cummins bill is wrong. It is foredoomed to failure, and we will soon be confronted with a railroad catastrophe the extent of which will exceed the gloomy forebodings of many persons to-day.

Mr. TRAMMELL. Mr. President, I will not attempt to go into the question of intrastate rates and the conflict which arises between State railroad commissions and the Interstate Commerce Commission. I will say, however, that prior to the existing law, or prior to the war, at least, when all control over intrastate rates by State railroad commissions was suspended, the policy of State control of intrastate rates was in existence in the country. In my own State and in other States of the Union the State commissions controlled the intrastate rates and the Interstate Commerce Commission controlled the interstate rates.

Mr. President, I was diverted a few moments ago when I had entered upon the question of the disposition, at least on the part of some of the railroads of the country, to act wisely in making rates and to try to make those rates conform somewhat to the needs of the industries involved; and yet sometimes when that is done it is in conflict with other particular sections of the country. As illustrative of what I mean, take the western roads.

The western roads haul oranges and grapefruit from the citrus-fruit centers of California to Philadelphia, New York, and the principal eastern markets at $1.53 a crate, when the railroads in the East and in the South charge an average of about $1.25 or $1.30 per crate for hauling a box of fruit for only about one-third of the same distance. So this demonstrates the fact that railroads can haul the citrus fruits, at least from my own section of the country, cheaper than they are doing it and pursue thereby a policy of "live and let live." If that is not true, why is it that they haul them from California clear across the continent to the eastern markets for about 20 or 25 cents a crate more than is charged from the citrus-fruit localities of the South, which are almost at the door of these eastern markets?

We have another illustration of what railroads can do when they want to try to assist the industries of the country, either agricultural or otherwise, in my own State. Take the Florida East Coast Railroad. The Florida East Coast Railroad, being desirous of encouraging tonnage from Cuba, fixes a rate upon pineapples and oranges and other products from Key West, Fla., to Jacksonville that is practically the same as it is from Miami, Fort Lauderdale, West Palm Beach, Fort Pierce, and other Florida towns ranging from 100 to 200 miles nearer to Jacksonville than Key West.

Mr. PITTMAN. Mr. President, will the Senator allow me to interrupt him there?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Nevada?

Mr. TRAMMELL. Certainly.

Mr. PITTMAN. That illustrates the necessity of depriving the Interstate Commerce Commission of the right to permit a greater charge for a short haul than for a long haul. We have been suffering from that discrimination in the West for years, and are now. I am very pleased to have the Senator from Florida recognize the same discrimination in his own State, and I think that if Senators will look over their own States they will find that this discrimination exists in every State.

I have introduced a bill, which is now before the Interstate Commerce Committee, striking out the proviso which grants authority to the Interstate Commerce Commission to permit railroads to charge more for a short haul than for a long haul along the same line of transportation. I have that bill here now, and it is my purpose to offer it as an amendment to this bill when the proper time arrives. If that amendment is adopted, then, under the general act, that discrimination could not be consummated.

Mr. TRAMMELL. Mr. President, I was just speaking about the disposition of railroads to accommodate themselves to conditions when they wish to do so, and to haul from Key West to Jacksonville as cheaply as they haul from points 100 or 200 miles north of that within our own State. Of course, in that instance the advantage is given to the products of Cuba as against the products of the United States. That is what that means. It means that the railroads can bring in the Cuban oranges, the Cuban pineapples, and any other products that they haul, and put them on the northern markets and the eastern markets at a freight rate that is about equal to what our Florida people have to pay upon their similar products—a discrimination against Florida and the United States in the interest of Cuba on the part of this railroad company.

Mr. President, I propose that a new section be added to this bill. I send to the desk the amendment that I desire to offer.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator desire its immediate consideration?

Mr. TRAMMELL. I desire to offer it to the bill.

The PRESIDING OFFICER. The Secretary will state the amendment.

Mr. TRAMMELL. I do not think this amendment accomplishes the purpose so well as the amendment presented by the Senator from Arkansas [Mr. KIRBY]. I believe that to repeal the law which fixes the amount that may be allowed would be better than to attempt to prescribe a maximum; but, as we can accomplish nothing along that line, I am intensely interested in the matter of trying to get better freight rates. Therefore I offer the amendment to cut down the percentage that they shall be authorized to make. If we can not get at this proposition in one way, then I want to get at it in another way, and therefore I propose this amendment.

Mr. President, I want it distinctly understood that there is no disposition on my part to keep the railroads from making a reasonable return upon their actual investment, but I do not believe that in order to have prosperity in this country you have got to allow the railroad interests to control and to dominate on the question of freight rates, on the question of passenger rates, and every other problem in which they are interested. I want to be fair with them, but I want them to be treated just as we treat every other interest in the country, and there are two sides to this question. You have got to consider the interests of the man who is to contribute the funds to support and maintain the railroads. If you crush him, if you crush his industry, then you have certainly killed and destroyed the goose that lays the golden egg.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Florida.

The READING CLERK. On page 2, after line 21, it is proposed to insert the following:

That paragraph 3 of section 15a of the Interstate Commerce act of February 4, 1887, as amended by an act approved February 28, 1920, be, and the same is hereby, amended as follows:

In paragraph 3, strike out the figure "5½" and insert in lieu thereof "3."

Mr. SMITH of Georgia. Mr. President, we can all remember the pressure under which the Esch-Cummins bill was passed. My recollection is that the President had announced a fixed purpose of returning the railroads to their owners on the 1st of March, and we were only two or three days from the 1st of March when this conference report came in.

I understood at the time that an effort was made to induce the President to postpone his order until July 1 that further time might be had to study this measure, and to put it in more satisfactory shape.

I found at the time many things in the bill that I did not approve, and the more I have studied it since the more things I have found in it that to me are very objectionable. I hope that Congress will take up that measure and remodel it in the near future under such circumstances that they can take their time and act in view of the experience we have had under the measure.

Passenger rates have gone up nearly 100 per cent above what they were in 1914. Freight rates have gone up enormously, and the freight rates now have almost passed the point where the traffic can bear them.

Passenger travel is lessening on account of the excessive rates, and I should not be at all surprised if the revenue of the railroads were decreased by the passenger rates charged. I know it must be decreased by the freight rates charged.

The freight rates on many commodities now are such that they can not be handled to market and be sold there. There are many commodities on which the freight rates are so high that the producer gets nothing if he ships them.

These are serious questions. If the railroads are obliged to have these excessive rates, then there is some trouble somewhere. On the one hand, it is charged that the managements are not efficient. We all know that the wages paid to some of the employees are excessive. If the employees, under a good management, are being paid more than the traffic can bear, then the employees ought to realize that they must be willing to reduce their compensation or give up their jobs, because the business will stop.

Mr. KELLOGG. Mr. President——

Mr. SMITH of Georgia. I yield to the Senator.

Mr. KELLOGG. The Senator is aware, is he not, that the rates of pay of the employees are fixed by the Railroad Wage Board?

Mr. SMITH of Georgia. Yes.

Mr. KELLOGG. And that the wages of employees on the railroads have increased since 1917 from $1,739,000,000 to $3,800,000,000—more than 100 per cent?

Mr. SMITH of Georgia. Yes.

Mr. KELLOGG. And that the railroads themselves have no control over those wages; that control is in the hands of the wage board?

Mr. SMITH of Georgia. Yes; but let me ask the Senator a question: Is not two-thirds of the wage board made up of employees and employers, or the majority, at least, made up of employers and employees?

Mr. KELLOGG. Two-thirds of the board were appointed from nominees by the employees and the employers; but there are three representatives of the public, and one of those must concur in order to raise wages, and they were raised last June $625,000,000 above what they were before.

Mr. SMITH of Georgia. Now, if we guarantee to the operators a certain per cent of profit, and the operators and the employees make up a majority of the board, can they not cooperate to put up the pay of both?

Mr. KELLOGG. I do not think any such thing has been done. I think they are doing everything they can to reduce them. In fact, many of the railroads have discharged something like 20 per cent of the extra employees. The number of employees during Government operation, without any increase of business, was increased 237,000, which means an added charge of over $300,000,000 a year, and those unnecessary employees are being discharged now.

Mr. SMITH of Georgia. Who did that?

Mr. KELLOGG. The Government operation increased the number something like 237,000 employees.

Mr. SMITH of Georgia. I have no doubt that many of the troubles grew out of Government operation. I never thought it necessary. I never thought there was any law under which they could be legally taken over.

Mr. KELLOGG. The Senator is aware that this 5½ per cent is not a guaranty. They are required to fix the rates as nearly as may be to produce that, but they do not produce such a sum, and I know that the commission and railroads realize that they can not make rates now which will produce 5½ per cent. As I suggested—and I do not know whether the Senator was in the Chamber or not—the actual income of the roads since the rates were increased last September is as follows:

In September, 1920, they earned 4.1 per cent upon the value fixed by the commission; in October, 4.6; in November, 3.3; in December, 1.1; or an average of 3.3 per cent.

Everybody realizes that they can not get the balance. Does the Senator believe Congress has any power to say that 3 per cent is a fair return upon property devoted to public use?

Mr. SMITH of Georgia. No.

Mr. KELLOGG. Has Congress any power to say that 3 per cent is a fair return?

Mr. SMITH of Georgia. No. But the Senator has been a student of this problem, and I want to ask him what the trouble is.

Mr. KELLOGG. Mr. President, I think if business in this country had kept up as it was in August and September and October of last year, the railroads would have been earning a fair and reasonable return. But, as the Senator knows, in November the bottom dropped out of business in this country. In my section of the country many of the roads' tonnage decreased almost 50 per cent. I think it is an extraordinary period, and I know that the railroads believe and the Interstate Commerce Commission believe that the traffic will come back, and when it comes back, with the gradual reduction of the operating expenses, they will be able and hope to reduce rates, and readjust the rates.

Mr. SMITH of Georgia. But does not the Senator think that the present rates are so high that they are an excessive burden upon commerce?

Mr. KELLOGG. I think in some instances they are, and I think they will be changed; but, as the Senator knows, we can not fix a schedule of rates by legislation.

Mr. SMITH of Georgia. Taking the whole scale of employees' pay, does the Senator think their pay is reasonable or excessive?

Mr. KELLOGG. I do not think the wages of some of the standard employees are too high, considering the cost of living. I think one of the great mistakes made by the director general was standardizing all wages of the United States. In other words, a man who is working upon the track in a country district in the South does not need, in order to live, the wages required by one working in New York City. A station agent on a railroad having one train a day should not be paid what a station agent who devotes his entire time to it in a thickly populated district having a heavy traffic gets. I think that has cost millions and millions of dollars, and that has to be readjusted. Of course, it is easy to look back and criticize, I realize, but another thing I think the director general made a mistake in was in unreasonably increasing the number of employees. Many of the heads of unions have told me and have written me that that was a fact, and many of the railroads have been enabled to largely cut down the number of their employees, some of them as high as 20 per cent, in certain branches of their business.

The standardization, which means in all industry stagnation, has cost the railroads of this country an enormous amount of money. But that can not be worked out in a day. They are doing all they can, I think, to work out that problem. This bill is to pay a debt which the Government owes.

Mr. SMITH of Georgia. I shall vote for this bill, although I find much to condemn in the Esch-Cummins Act.

Mr. KELLOGG. Furthermore, although I do not wish to take too much of the Senator's time, he must realize that when the roads were turned back, in March, 1920, they were practically not earning one dollar, and they were not allowed to decrease the pay of their employees for six months, or to increase their rates until the commission considered the whole subject. Not only that, but immediately after they were turned back, or a short time after, the wage board added $625,000,000 more.

Mr. SMITH of Georgia. Why was that done?

Mr. KELLOGG. The wage board thought that the class of employees who were embraced in their order ought to have an increase, as I understand, and they granted it.

The Senator must realize that when the roads were taken over, after nine months' operation by the Government during the war, they were earning a gross income of about $4,000,000,000 and a net income of $898,000,000, enough to pay the interest on all their bonds, and many of them enough to pay a reasonable dividend and some of them a large dividend. In two years every dollar of the net earnings had been taken up in operating expenses, so that they were turned back without practically a dollar's income. I think the last month they were in the Government's hands they earned 0.94 of 1 per cent of their value as fixed by the commission.

Mr. KIRBY. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Arkansas?

Mr. SMITH of Georgia. I yielded to the Senator from Minnesota.

Mr. KIRBY. I want to ask the Senator from Minnesota a question.

Mr. SMITH of Georgia. The Senator from Arkansas would like to ask the Senator from Minnesota a question, and if the Senator from Minnesota agrees I yield for that purpose.

Mr. KELLOGG. I will answer it if I can.

Mr. KIRBY. The Senator mentioned the wage board just now.

Mr. KELLOGG. Yes.

Mr. KIRBY. Is there any fair analogy between the wage board and the Interstate Commerce Commission, when this law required the Interstate Commerce Commission to allow the levy of rates high enough to pay 5½ per cent? Would the Senator think it was fair to say to the wage board that they should allow wages which would amount to a certain percentage? We did not prescribe anything in the wage law as to the percentage they should allow, but we prescribed in the case of the Interstate Commerce Commission that they should allow a rate which would return 5½ per cent, and that takes away the discretion of the Interstate Commerce Commission and destroys the right of the public to demand reasonable adjustments of compensation.

Mr. KELLOGG. The Senator will realize the fact that the 5½ per cent was put in for two years in order that the commission should have a standard to go by. Congress has power to provide that a public utility shall receive only a fair rate of income; for instance, we will say a fair rate of interest on its investment. That is the extent to which the power of Congress goes. Congress has no power to say that 2 per cent or 1 per cent or no per cent is a fair rate. The Wage Board was given power to consider all the wages and working conditions, and it did. I think perhaps they did not have the time to give it the careful study they should have given it, but they felt as though the increase which they gave in June, I think it was, was as to the class of employees which they considered entitled to a fair increase, and I am not in any position to dispute their judgment on that subject.

Mr. SMITH of Georgia. Mr. President, I agree with much the Senator from Minnesota has said. I realize the seriousness of the situation. I only wanted to emphasize, in behalf of those who are carried as passengers and those who furnish the freight, that they are now bearing burdens which they can not stand. Passenger travel is decreasing on account of excessive rates, and the freight traffic to-day can not stand the charges which are being put upon it. Transportation will be cut down and business be lessened unless rates are lowered.

It may be, it is entirely probable, that the Senator is right, that one of the blunders made was undertaking to standardize compensation everywhere. For instance, in the southern part of my State, where the climate is very mild and where but little coal is needed in the winter, and where lands are quite reasonable, section hands can pick up a living on a little piece of land almost while they do their regular work upon the roads, and yet they are being paid, I understand, over $100 a month, when the same labor works upon the farm for $30 a month.

If it was the standardization and unnecessary employments which have brought such burdens upon the traveling and freight-paying public, then there should be speedy changes to bring relief.

One thing is true, and owners and operatives of railroads might as well get it into their minds, something must be done to lessen the cost of carrying passengers and freight, or the business of the country will be paralyzed, and, in my opinion, part of the depression which rests upon business to-day is the excessive burden of transportation. I trust the railroad problem may at an early day receive full consideration, when the Esch-Cummins Act will be substantially changed. When that time comes I trust the rights of the great consuming and producing public may receive more consideration.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida [Mr. TRAMMELL].

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as on the previous vote, I vote "nay."

Mr. KENDRICK (when his name was called). Making the same announcement with reference to my pair with the Senator from New Mexico [Mr. FALL], I withhold my vote.

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I am advised that he would if present vote the same way that I intend to vote. I therefore feel privileged to vote. I vote "nay."

The roll call was concluded.

Mr. HENDERSON. Making the same announcement with reference to my pair, I transfer that pair to the junior Senator from California [Mr. PHELAN] and vote "nay."

Mr. TOWNSEND. I wish to announce again that it is my understanding that the senior Senator from Arkansas [Mr. ROBINSON], with whom I am paired, would vote "nay" on this question, and I therefore feel at liberty to vote. I vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 7, nays 61, as follows:

YEAS—7.

Ashurst	Gore	Harris	Trammell
Fletcher	Gronna	La Follette	

NAYS—61.

Ball	Hale	New	Stanley
Beckham	Heflin	Overman	Sterling
Brandegee	Henderson	Phipps	Sutherland
Calder	Hitchcock	Pittman	Swanson
Capper	Jones, N. Mex.	Poindexter	Thomas
Colt	Jones, Wash.	Pomerene	Townsend
Culberson	Kellogg	Ransdell	Underwood
Curtis	Kirby	Reed	Wadsworth
Dial	Knox	Sheppard	Walsh, Mont.
Dillingham	Lenroot	Shields	Warren
Fernald	Lodge	Simmons	Watson
France	McKellar	Smith, Ariz.	Willis
Frelinghuysen	McLean	Smith, Md.	Wolcott
Gay	Moses	Smith, S. C.	
Gerry	Myers	Smoot	
Gooding	Nelson	Spencer	

NOT VOTING—28.

Borah	Harrison	McCormick	Penrose
Chamberlain	Johnson, Calif.	McCumber	Phelan
Cummins	Johnson, S. Dak.	McNary	Robinson
Edge	Kendrick	Newberry	Sherman
Elkins	Kenyon	Norris	Smith, Ga.
Fall	Keyes	Owen	Walsh, Mass.
Glass	King	Page	Williams

So Mr. TRAMMELL's amendment was rejected.

Mr. TRAMMELL. Mr. President, I desire to offer the same amendment, limiting the income to 4 per cent instead of 3 per cent, as proposed in the last amendment.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator from Florida whether his amendment limits it to 4 per cent or limits the practical guarantee to 4 per cent?

Mr. TRAMMELL. It seeks to reduce the income from 5½ to 4 per cent.

Mr. SMITH of Georgia. It limits the figure at which the Interstate Commerce Commission must fix the freight rates so as to cover probably that amount?

Mr. TRAMMELL. That is my understanding of it. The present law does not prescribe a maximum, except in that it provides that after they earn more than a certain amount the excess shall be placed in the betterment fund. That is really the only maximum of limitation upon the amount that may be earned. The object of the law specifically sets forth that 5½ per cent would be considered a reasonable return, the standard being fixed, as I understood it, at the suggestion of the railroads of the country, doubtless because those interests were apprehensive that if this rate was not prescribed as a just and reasonable rate, then the Interstate Commerce Commission, exercising its jurisdiction in the matter of fixing just and reasonable rates, might see fit to fix a lesser rate. Of course, I know when we say the Interstate Commerce Commission may fix a rate as low as 3 per cent that they may, in their discretion, in the adjustment of rates, allow more than 3 per cent, and that means substantially more, as far as percentage is concerned.

I offer the amendment in the light of the disclosure here to-day that the railroads under the present rates claim they are not making more than 3 per cent. If they are not making over 3 per cent at the present time, we do not want to authorize them to extend or increase the existing rates. Instead, the rates, both freight and passenger, should be reduced.

It was based upon the information furnished by the Senator from Minnesota [Mr. KELLOGG] that the present rates were not producing 3 per cent, or very little over, that I offered the amendment to strike out 5½ per cent and to insert 3, and I now propose to strike out 5½ per cent and insert 4. I am not quibbling over percentages, but striking at the main issue involved, and that is whether the present existing rates shall be increased if the railroads desire to increase them. I say that it appears to me they can not increase them even if they have a desire to increase them. On the other hand, I insist, if the industries of the country which are supporting the railroads are to prosper, that the rates should be reduced, and if we bring about prosperity to the industries we contribute to the earnings of the railroads, and instead of crushing those industries we will benefit them and the railroads themselves will be more prosperous.

Mr. MYERS. Mr. President, I should like to ask the Senator a question.

Mr. TRAMMELL. I yield.

Mr. MYERS. A majority of the railroads in the country now are not paying expenses and are not making enough to meet running expenses and the interest on their obligations. If the Senator is going to cut down the amount of revenue that they may earn upon their business, where would he have the money come from to pay the railroads' expenses and a reasonable rate of interest? Where will it come from? Where will they get it?

Mr. TRAMMELL. I suppose the query is based on the thought of the Senator that it should be done by increased freight rates and passenger rates.

Mr. MYERS. I am asking where the Senator would get the money? In what way could it be gotten?

Mr. TRAMMELL. I am not a railroad expert or an expert in the matter of freight rates, but I know, from the object lesson that we have before us, that the greatly increased rates do not produce an increased net income to the railroads. The fact is stated here by the Senator from Minnesota [Mr. KELLOGG] that they have earned very little over 3 per cent under the present basis of increased rates. Some one else will have to find a remedy and a means whereby to increase the percentage of earnings of the railroads that will be more successful than the present exorbitant rates. They have not brought about that result. In my opinion more reasonable rates would increase the volume of railroad business and that would increase the net earnings of the roads. Certainly when the rates are so high that they cause a great reduction in the tonnage moved you do not help the finances of the roads.

Mr. MYERS. Does the Senator know the reason why the railroads are not making operating expenses and a reasonable rate of interest?

Mr. TRAMMELL. I do not know all the reasons why they are not doing it. One strong reason is their earnings have been very much reduced because they are paralyzing great industries, simply paralyzing them, by overtaxation in the nature of exorbitant rates. In my own State fields of lettuce and other crops are going to waste, and in some instances the farmers have become disgusted and disheartened and are plowing them up because they can not afford to pay $400 or $500 freight on a carload of produce shipped to Philadelphia or New York, a distance of twelve or fourteen hundred miles.

Mr. MYERS. I would suggest to the Senator that one very cogent reason is the fact that the railroads are paying their employees now more than $2,000,000,000 per year in excess of what they did before the Government took the railroads over before the war.

Mr. TRAMMELL. That is very true, and the railroads are wanting greater earnings than they ever had heretofore. They have more than doubled their rates. That seems to be the trend and tendency of the times, as I think it has been in all other times, for almost everybody to get everything they can. Of course, the employees have had their wages increased, and in a great many instances very justly so and probably in some instances not justly so, but that does not relieve the fact that a great part of the increase in freight rates does not go to the employees. Recently, in traveling, I have heard much complaint about passenger and Pullman charges. Those kicking almost invariably ascribe all of the increase absolutely to labor. It seems to me that that is the disposition of my friend from Montana; that is, I infer so from his suggestion.

Mr. MYERS. I named that as being one of the principal factors, and I think it is.

Mr. TRAMMELL. That is by no means the only one, but it is very seldom that I ever hear of others.

Mr. MYERS. If the Senator has in mind others, I wish he would name them.

Mr. TRAMMELL. The freight rates under the present law was increased ranging from 25 to 43 per cent, and, with juggling, I believe, in many instances, the increase ran up to 50 per cent, absolutely paralyzing many of the industries of the country. The whole increase has been ascribed to the burden imposed by the expense for labor; it was said by some that labor caused all the increase.

This can not be true. As a matter of fact, it was published in the Washington newspapers at the time that of the last rate increase about 16 per cent represented the increased wages of labor, and 84 per cent was due to other causes, such as expenditures for improvements, and engines, betterments, and I do not know what all; but, at any rate, labor was having to

answer for the whole hundred per cent increase, when it was demonstrated that only 16 per cent of it was due to the increased price of wages. Let us be fair.

I do not know the details of the amounts paid to the different employees of the railroads. I know that it is claimed that some of them are getting too much under present conditions; but in a great many instances, probably in a majority of instances, for the class of work they do, for the responsible positions which they occupy, for the danger to which they are subjected, they are not receiving too much compensation, considering the present high costs of living. I do not think that we should in protesting against excessive railroad rates assume that they are excessive because of the fact that the laboring man's wages have been increased. Every element bringing about the high rates should be considered. That is the only fair way to look upon the question.

Mr. MYERS. I do not think that any of them are getting too much, but I merely mentioned that fact to show that that is where more than $2,000,000,000 a year go in excess of the amount paid two years ago.

Mr. TRAMMELL. If we wish to take up the question of slicing wages, let us start at the head of the list; let us eliminate the salaries of $50,000 and $100,000 which are now paid to railroad presidents and directors. I hear talk about the flagman and the conductor and the engineer and the trainman, who occupy the more humble positions, getting too much wages, but for the first time I have to hear the Senator who complains at this rise in the Senate and condemn the practice of paying excessive salaries to the big officials of the railroads.

I believe in starting at the top of the list when we come to trim. I remember one instance during my official connection with a public position in my State. It was when the European war came on and the cry of the times was "Reduce wages; trim your sails and get ready for hard times." So it was suggested that wages on certain public work be reduced 10 per cent. We had probably 300 or 400 men engaged in that particular work. That is where they wanted to start. It was proposed to start by reducing the salaries of those poor fellows, a great many of them wading around in the mud, a great many of them sleeping with a lightwood knot for a pillow at night. They proposed a 10 per cent reduction in the wages of that kind of employees. I said, "Gentlemen, if you want to cut down wages 10 per cent, let us start at the top of the ladder, with those who are receiving the largest salaries. Suppose we reduce the salary of each one of the State officials, including myself, 10 per cent and put into the State treasury the amount thus saved. It goes without saying that the salaries were not reduced. I have not gone into the wage question of the railroads with any minuteness, but I say, Mr. President, that in justice and in fairness if we are going to talk about excessive amounts being paid for wages to those who are operating and maintaining our railroads, then we might say a little something with some sense of propriety about those receiving the enormous salaries of $50,000, $75,000, and $100,000 to direct these great enterprises; but we never hear anything about that.

I offer the amendment, Mr. President. I am not stickling on the question, as I have said, of percentages. I know 3 per cent sounds small, 4 per cent sounds small, but the present freight rates which are being imposed upon the people do not sound small, and in their burdens they are not light and frivolous, but they are imposing taxes upon the people of the country that are practically beyond endurance. I think the rates should be revised and made so equitable and reasonable that industry, agricultural and otherwise, would be encouraged instead of hampered as at present under existing rates.

It has been stated here upon the floor that the present schedule of rates earns but a very small fraction over 3 per cent. The question has been asked how are the railroads going to pay their bonds? Well, how are they paying them now? Is it proposed to increase the rates and decrease business? That has been about the result of it. We had better have a little decrease of rates and an increase of tonnage to the railroads and an increase of fostering and prospering of the industries of the country which necessarily have to contribute to the freight burden. Again I say I want to be fair to the railroads but I want them to be fair to those who pay the freight. The present high rates have not made the railroads prosper and I would like to see them prosperous, and with nothing accomplished for the companies disaster has fallen upon many of the industries of the country as a result of the high rates. We need a remedy.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Florida [Mr. TRAMMELL].

The amendment was rejected.

Mr. HARRIS. Mr. President, several weeks ago I took up the question of railroad rates with the Interstate Commerce Commission. I ask unanimous consent to be allowed to print in the RECORD the correspondence with the commission on the subject.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

DECEMBER 21, 1920.

Hon. EDGAR E. CLARK,
Chairman Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. CHAIRMAN: It has been brought to my attention by many people in Georgia and those whom I see here that the present high passenger and freight rates are doing more to decrease the amount of income received by the railroads than if a lower rate was in effect, which would cause more freight to move and more people to travel. In other words, the railroads are not carrying an average maximum of freight and passengers since the increase in rates. Of course, the commission doubtless has figures on this question which throw more light than I can by general observations.

It is needless for me to point out to you and the commission that the railroad situation is a problem which has not been solved to any great degree by the transportation act of 1920. The thing which I am greatly interested in is the matter of freight and passenger rates to be placed within reach of the average person, and at the same time give the railroads a reasonable income for their investment. Both the public and the roads deserve an honest living, but I fear that both are now suffering. Because of high freight rates there are products in my State which are now being shipped in such small quantities in comparison with production and demand.

I hope that an adjustment can soon be made which will bring down the rates, and I would thank you to let me have any information on the matter at your convenience which may have been gathered or published by the commission.

With high esteem, I am,

Very sincerely, yours,

WM. J. HARRIS.

INTERSTATE COMMERCE COMMISSION,
Washington, December 22, 1920.

Hon. WILLIAM J. HARRIS,
United States Senate.

DEAR SENATOR: I have your letter of the 21st, referring to expressions that have reached you to the effect that the existing passenger fares and freight rates are so high as to reduce travel and traffic, and consequently the revenues of the carriers.

Your expressed desire to see freight rates and passenger fares "placed within reach of the average person and at the same time give the railroads a reasonable income for their investment" is one in which we all cordially join. The railroad owners and managements naturally put the maximum estimate upon their necessities and deserts. The average shipper or traveler naturally minimizes the necessities and deserts of the roads and puts the maximum estimate upon his own interests and rights. It is no simple problem to strike the balance of right and equity as between the two. Times are abnormal and conditions generally are affected by the aftermath of the war. It is trite to say that the country must get back to a more normal condition and more normal bases for commerce, industry, and transportation. It is not to be expected that we will get back to prewar prices for labor, commodities, or for transportation, but it is to be expected and really is necessary to get back to a situation in which the prices of labor, commodities, and transportation will bear proper relative proportions.

The transportation act became law coincidentally with the termination of Federal control of the roads. The period within which the readjustment of rates contemplated by that act and recognized as necessary by everybody must be made was short, and the matter had to be dealt with in a broad and somewhat general way. The propriety of that line of action was recognized by those interested on both sides, as was also the necessity for readjustments. Naturally in those readjustments the interests of the carriers and of their patrons are in conflict and their views diverge. The financial results from operation of the roads by the Government are well known, as is also the fact that the level of operating expenses had risen out of all proportion to the revenues from the then existing rates. The operating ratios were and still are abnormally high, and it is by no means certain that even with the existing level of rates the carriers can under the existing level of operating expenses, the principal items of which are wages and

fuel, earn a "reasonable income for their investment." We are endeavoring to keep abreast of the situation. We are exercising our powers in so far as seems appropriate to prevent unreasonable or inappropriate increases in charges by the carriers and cooperating with the carriers and the shippers in bringing about appropriate readjustments through reductions in charges, especially where it appears that the existing charges are such as to prevent the movement of the traffic. I think you are entirely correct when you say "both the public and the roads deserve an honest living, but I fear that both are now suffering."

There has been a substantial reduction in the amount of freight offered for transportation. This has resulted in large part from the closing down of industries, prominent among which may be mentioned iron blast furnaces, woolen mills, and automobile factories, and to the shortening of time of operation in many other manufacturing and industrial enterprises. We know that the grain crop of the West has not moved this year in normal quantities, and that an unusual proportion of the crop remains on the farms. This is because of unsatisfactory prices and the holding back of grain in the hope of improvement. I think that in a general way the same is true with regard to the movement of the cotton crop.

On the question of whether or not readjustment is proceeding too rapidly or too slowly, diametrically opposed views are entertained by different ones. Many suggestions for relief through Federal aid and otherwise are brought forward, and each has its advocates and its opponents. The times are such as call for the best thought on the part of all thinking men in order that the best advice may be given to those who are not in a normal frame of mind and who are disposed to act without carefully thinking through the proposition which they support.

The commission has not published any information as to these matters other than that contained in its thirty-fourth annual report, which was submitted to the Congress in the early part of this month, excepting that which is contained in our statistical periodical reports relative to earnings, expenses, and movement of traffic by the railroads. Copy of our annual report was sent to you. If you would be interested in our statistical sheets, I shall be glad, upon such advice from you, to furnish you with them.

I thank you for, and cordially reciprocate, your good personal wishes, and I am,

Yours, very truly, EDGAR E. CLARK,
Chairman.

Mr. LA FOLLETTE. Mr. President, I offer an amendment to the pending bill.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, after line 21, it is proposed to insert the following:

(C) That no payment of money shall be made to any railroad company under this act except and until it shall be determined by the Interstate Commerce Commission, upon full investigation, and finding duly entered thereon, certifying (1) that such railroad company has not, since March 1, 1920, paid or contracted to pay unreasonable and extravagant prices for railway supplies, equipment, repairs, and renewals charged to its maintenance account, or (2) that it has not paid or agreed to pay unreasonable sums as salaries to its officers or directors, or (3) that it has not otherwise managed and conducted its business in a dishonest, inefficient, or uneconomical manner in violation of the terms of the transportation act of 1920.

Mr. LA FOLLETTE addressed the Senate. After having spoken for nearly an hour and a half, he said:

May I ask the Senator from Michigan how long he proposes to have the Senate sit this evening?

Mr. TOWNSEND. If I can have my way about it, I want the Senate to stay in session until this bill is disposed of, or until a unanimous-consent agreement is made to vote upon it some time to-morrow. I am willing to submit a proposed agreement at any time the Senator desires, if he will permit us to fix an hour to-morrow, however late. If we can agree upon an hour to vote, I am willing to lay the bill aside at any time when the Senator gets tired and wants to stop. But I do feel that unless such a consent agreement can be made the Senate ought to remain in session.

Mr. LA FOLLETTE. I am willing to go on for a while longer.

Mr. TOWNSEND. Mr. President, I feel, in deference to the Senator from Wisconsin, that I ought to ask the unanimous consent of the Senate at this time to fix an hour to vote to-morrow, and if I can do that, I shall be perfectly willing to take a recess, and allow the Senator from Wisconsin to proceed in the morning at 11 o'clock.

Mr. LA FOLLETTE. I shall be very glad to proceed at that time. I am a little weary.

[Mr. LA FOLLETTE's speech will be published after it shall have been concluded.]

Mr. TOWNSEND. I have not the form, but I think it will be well to determine first whether anyone is going to object to it. If not, I will submit the regular form, which will require, of course, a call of the roll, in order to take the sense of the Senate.

Mr. SMITH of South Carolina. What is the request?

Mr. TOWNSEND. To fix an hour to-morrow at which we can vote on this bill. I will try to fix the hour to accommodate the Senate, because it does not make a bit of difference to me what hour is fixed.

I ask unanimous consent that to-morrow at 5 o'clock this bill and all amendments made or pending thereto shall come to a vote.

Mr. POMERENE. Without further debate?

Mr. TOWNSEND. Without further debate after 5 o'clock.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there objection? The Chair hears none.

Mr. TOWNSEND. It is necessary that the roll shall be called.

Mr. GRONNA. Would the Senator from Michigan have any objection to the Senate taking up the Agricultural appropriation bill for an hour or so this evening, with the assurance that the railroad bill will be the unfinished business?

Mr. TOWNSEND. I have no objection at all.

Mr. GRONNA. I believe we could work for an hour to-day on the Agricultural appropriation bill.

Mr. TOWNSEND. I have no objection to that.

Mr. GRONNA. I assure the Senator that his bill will be put back as the unfinished business.

Mr. CURTIS. That can be done by temporarily laying the pending bill aside.

Mr. TOWNSEND. I shall ask to have the bill laid aside as soon as this unanimous-consent agreement is entered into, so that the Senate can take up the Agricultural appropriation bill.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent that at not later than 5 o'clock to-morrow the Senate shall vote on the pending bill and all amendments thereto. The Secretary will call the roll to ascertain the presence of a quorum.

The reading clerk called the roll, and the following Senators answered to their names:

Brandegee	Harris	Nelson	Spencer
Calder	Harrison	New	Stanley
Capper	Heflin	Overman	Sterling
Curtis	Johnson, Calif.	Owen	Sutherland
Dial	Jones, Wash.	Phipps	Swanson
Dillingham	Kellogg	Pittman	Thomas
Edge	Kendrick	Poindexter	Townsend
Fernald	Kirby	Pomerene	Trammell
Fletcher	Knox	Ransdell	Underwood
Frelinghuysen	La Follette	Reed	Wadsworth
Gay	Lenroot	Sheppard	Walsh, Mont.
Gerry	McKellar	Shields	Warren
Glass	McLean	Simmons	Willis
Gooding	McNary	Smith, Md.	Wolcott
Gronna	Moses	Smith, S. C.	
Hale	Myers	Smoot	

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. There is a quorum present.

Mr. TOWNSEND. I now present the following unanimous-consent agreement.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read.

The reading clerk read as follows:

It is agreed by unanimous consent that at not later than 5 o'clock p. m. on the calendar day of Tuesday, February 22, 1921, the Senate will proceed to vote without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 15836) to amend the transportation act, 1920, through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 20 minutes upon the bill, or more than once or longer than 10 minutes upon any amendment offered thereto.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. TOWNSEND. Mr. President, I now ask unanimous consent that the unfinished business be temporarily laid aside in order that the Senator from North Dakota [Mr. GRONNA] may move to take up the Agricultural appropriation bill. I do this on the assumption that no one wishes to speak on the railroad partial-payment bill this evening.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

Mr. UNDERWOOD. I would suggest to the Senator from Michigan, in order that the unfinished business may be before the Senate, that we agree at this time to take a recess instead of an adjournment.

Mr. GRONNA. I have assured the Senator from Wisconsin that I will move a recess.

Mr. UNDERWOOD. But we might fail to get a quorum later.

Mr. TOWNSEND. I ask unanimous consent that when the Senate concludes its session this evening, it will take a recess until tomorrow morning at 11 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AGRICULTURAL APPROPRIATIONS.

Mr. GRONNA. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill H. R. 15812, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. GRONNA. I ask unanimous consent that the formal reading of the bill be dispensed with and that the committee amendments be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. I should like to ask the Senator in charge of the bill if, without prejudicing the position that his bill occupies, he will allow me to call up now the motion made the other day by the Senator from Washington [Mr. JONES] to reconsider the vote whereby the Senate at that time unanimously authorized the Committee on Agriculture and Forestry to make certain investigations. I do not think it will take very long. The matter is of vital importance to the agricultural interests and will be in charge of the Committee on Agriculture and Forestry, and they will use such wisdom and discretion regarding the investigations as they may think the circumstances justify.

Mr. GRONNA. I wish to show all the courtesy possible to every Member of the Senate. Will it, in the opinion of the Senator, lead to any discussion?

Mr. SMITH of South Carolina. I think not. The Senator from Washington seemed the other day to feel that perhaps he had not been given an opportunity to express himself on the resolution. I wish to assure him now that I did not understand that he desired to have anything to say upon it.

Mr. JONES of Washington. If the Senate desires to consider the matter at this time, I shall not object to its coming up, and so far as I am concerned, I do not expect to take more than 5 or 10 minutes in discussing it.

Mr. SMITH of South Carolina. I hope the Senator from North Dakota will allow us to consider the motion to reconsider, and if it takes any length of time, of course, I will ask to have it postponed again.

Mr. GRONNA. I hope the Senator will not insist on considering the resolution and motion if it takes more than 10 or 15 minutes.

Mr. SMITH of South Carolina. I shall not, because I assure the Senator that I am as anxious for the passage of the Agricultural appropriation bill as he is, and it is in accord with that bill and in the interest of agricultural communities that I am asking that the resolution be disposed of now.

The PRESIDING OFFICER. Without objection, the Agricultural appropriation bill will be temporarily laid aside.

THE COTTON AND WHEAT SITUATION.

Mr. SMITH of South Carolina. I ask the Chair to lay before the Senate the resolution.

The PRESIDING OFFICER. The Secretary will read the resolution.

The READING CLERK. Senate resolution 443, by Mr. SMITH of South Carolina, agreed to on the 17th instant, and on the 18th instant the Senator from Washington [Mr. JONES] entered a motion to reconsider the vote by which the resolution was agreed to. The resolution is as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized to make an investigation to ascertain the amount and grades of cotton and wheat now held in this country; to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection therewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. JONES of Washington. Mr. President, when the resolution came up the other day I was in the Committee on Appropriations. I had had some talk with the Senator from South Carolina [Mr. SMITH] with reference to it. I had objected to the passage of the resolution when it was reported. Finally, I told the Senator from South Carolina that I would withdraw my objection to the consideration of the resolution, but I thought I made it perfectly plain to him that I desired to be present when the resolution was considered, because I wanted to ask some questions about it. He evidently misunderstood my position. I have no idea that he intended to take advantage of my absence at all, but I did desire to be here when the resolution was considered.

I wish to call the attention of the Senate to the character of the resolution and the scope of it, and then if the Senate thinks that it ought to be passed, or rather, that the motion to reconsider ought not to prevail, I shall have no complaint, so far as the action of the Senate is concerned.

In the first place, when I objected to the resolution, the Senator from South Carolina stated that it would expire with this Congress; that it could not cost very much; that it could not take very much time; and there could not be any very extended investigation made because it must expire with the present Congress. When it was called up it was amended so that the resolution as passed by the Senate is far more objectionable to me, so far as I am concerned, than it was in the first instance. It is now unlimited in time, and the committee may take all the time that it considers necessary in investigating the matter.

The resolution as passed authorizes the Committee on Agriculture and Forestry, or any subcommittee thereof, to make an investigation to ascertain the amount and grades of cotton and wheat now held in this country.

That is a broad authority—"to make an investigation to ascertain the amount and grades of cotton and wheat now held in this country." How long it will take them to do that nobody can tell; how many agents they may employ to gather this information no one can tell. They are authorized to employ all the agents they deem to be necessary to get the information that is desired.

Mr. President, in order to make this information of any particular value it must be complete and accurate. What use can be made of information that is not certain with reference to the amount of cotton in the country or that is not certain with reference to the amount of wheat there is in the country? What use of any value can be made of such information I can not see.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from South Dakota?

Mr. JONES of Washington. I yield to the Senator.

Mr. STERLING. I should like to ask the Senator from Washington if this work might not well be done, if it is reasonably necessary, by the Department of Agriculture rather than by a committee of the Senate?

Mr. JONES of Washington. I think so. As a matter of fact, I know that at certain intervals the Department of Agriculture gives out a statement as to the amount of wheat and the amount of cotton on hand. I am not a member of the Agricultural Committee; I do not know very much about the details of this matter. I have myself often thought instead of being a benefit that the giving out of such statements is an injury to the cotton growers and the wheat growers of this country, and that it simply plays into the hands of speculators and allows them to manipulate the market. I may be wrong about that; I do not know; but that is the way it has appeared to me.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES of Washington. I yield.

Mr. SMOOT. Does it not also appear to the Senator from Washington that if the reports to which he refers as being given out by the Agricultural Department are not correct, we ought entirely to stop appropriating money for them?

Mr. JONES of Washington. I think so.

Mr. SMOOT. If the Bureau of Markets, which collects these statistics, reports conditions which do not exist and their reports can not be relied upon, they are worse than no reports at all; and yet it costs thousands and tens of thousands of dollars to get those reports.

Mr. JONES of Washington. As I understand, the Department of Agriculture has agents in every county throughout the United States to send in reports with reference to the amount of wheat and cotton, and so forth, in the United States which is on hand. Now, what is it that is proposed to be done by this resolution? It is proposed by the resolution to authorize the Committee on Agriculture and Forestry to ascertain the same facts. If the Agricultural Department, represented by an agent in every county in the country, can not get accurate information, how many agents will the Committee on Agriculture have to employ in order to secure accurate information as to the amount

of cotton or the amount of wheat which is on hand? Mr. President, it seems to me that to do effectively and properly what the resolution calls upon the Agricultural Committee to do will cost thousands upon thousands of dollars.

Does the Senate desire in the closing hours of this Congress to authorize an investigation of that character? I did not think that it ought to be done; I did not think that the committee, even during the remainder of this session, should try to obtain this information; I did not think they could get information that would really be of value before this Congress closed; and it seemed to me that if the Agricultural Department, for which we have been furnishing appropriations for years and years—and I have always been glad to vote for those appropriations to perform these services in the interest of the farmer—could not secure the information which this resolution seeks, it would be impossible for the Committee on Agriculture to get the information, at any rate, at any reasonable expense.

By the resolution the Committee on Agriculture and Forestry is authorized to call for persons and books and papers and all that sort of thing; in other words, it is given all the power that we have given various committees in connection with investigations which have cost the Government many thousands of dollars. I do not know what showing was made to the Committee on Agriculture in reference to the resolution. I think I shall ask the Senator from South Carolina if the resolution was acted upon at a regular session of the Committee on Agriculture when there was a quorum of the committee present?

Mr. SMITH of South Carolina. Mr. President, I introduced the resolution in the Senate and asked for its immediate consideration. That was objected to by the Senator from Washington, who now occupies the floor. The resolution did not have to go to a committee, but it was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

I tried to point out at the time I introduced the resolution, as I have since pointed out, that there is such a duplication of work in our departments, such a conflict in the statistics that are given out, that the public at large, neither the consumers nor the producers of these two commodities—I know of my own knowledge as to cotton—nor anyone else knows accurately in reference to the matter. We have no information that is reliable on the subject.

As I pointed out here, they claim that among their sources of information are the Liverpool Gazette, the Liverpool Association, and the New Orleans Cotton Exchange.

Mr. JONES of Washington. Who claims that?

Mr. SMITH of South Carolina. The Bureau of the Census, which brings in these figures.

Mr. JONES of Washington. What about the Department of Agriculture?

Mr. SMITH of South Carolina. The Department of Agriculture furnishes some figures, the Bureau of the Census furnishes some, and the Bureau of Markets furnishes some. The result is that there is "confusion worse confounded." In the meantime those who are producing the crops have no accurate knowledge of what will be the condition of their market. I thought that an impartial body, like the Committee on Agriculture of the Senate, could obtain information from every source, could sift it down, find the facts, and let the public know them without fear of duplicating the work of anyone else. It was for that reason that I introduced the resolution.

I state here and now that I appreciate the position which the Senator from Washington takes; that having certain departments and bureaus we should call upon them for the desired information; but time and again I have called upon them and there would come in a report from one, and then it would be found that the source of their information was so unsatisfactory and the information itself was in such shape as to be of little, if any, value. Surely, the committee may call these officials and ascertain the sources of their information and get to the bottom of the situation, which spells millions upon millions of dollars to the people of the country.

Mr. JONES of Washington. I take it from what the Senator from South Carolina says that the resolution has not gone to the Committee on Agriculture at all?

Mr. SMITH of South Carolina. The resolution did not have to go to the committee.

Mr. JONES of Washington. I know it did not have to go to the committee, but often such resolutions very properly go to a committee; and a resolution that involves so much as this certainly ought to have gone to the Committee on Agriculture, and that committee ought to have considered whether or not it should pass, and whether there was such lack of information on the part of the Department of Agriculture as necessitated investigation by the Committee on Agriculture. The Senator from South Carolina would discredit the Department of Agriculture.

Mr. SMITH of South Carolina. The Department of Agriculture is not the agency that sends in these statistics; it is the Census Bureau.

Mr. JONES of Washington. The Bureau of Markets gathers such information, does it not?

Mr. SMITH of South Carolina. The Bureau of Markets does not cover this information except in part. The Bureau of the Census, the Bureau of Markets, and the Agricultural Department all contribute a part of the information.

Mr. JONES of Washington. Does not the Bureau of Markets give out estimates from time to time as to the amount of crops, the amount of corn, the amount of wheat, the amount of cotton, and all that sort of thing?

Mr. SMITH of South Carolina. Sometimes they give a preliminary estimate, but the Census Bureau is the organization charged with gathering the statistics as to the amount of the supply and the distribution of grain and other crops.

Mr. JONES of Washington. The Senator, then, would discredit the Census Bureau and the figures and facts which it reports?

Mr. SMITH of South Carolina. Precisely; but it is not a question of discrediting anybody; it is a question of the conflicting reports coming from the different agencies of the Government.

Mr. JONES of Washington. They are all discredited, then.

Mr. SMITH of South Carolina. Exactly; but by an investigation on the part of the committee the facts would be disclosed and that situation would be changed.

Mr. JONES of Washington. If the committee should bring in a report showing a different amount from that shown by the figures reported by any of the agencies named by the Senator, then they would all be discredited.

Mr. SMITH of South Carolina. The Department of Commerce is charged with the duty of investigating matters in connection with the coal industry; but at the present time the Senate has a special committee investigating that same subject. Does the Senator pretend to say that no good has come out of the investigation of the Senate committee?

Mr. JONES of Washington. Oh, Mr. President, that investigation was not to find the amount of coal on hand; the purpose of that investigation was entirely different from the purpose of the investigation proposed by the resolution of the Senator from South Carolina.

Mr. SMITH of South Carolina. I beg the Senator's pardon.

Mr. JONES of Washington. The purpose of the investigation proposed by the Senator is to ascertain the amount of certain products on hand.

Mr. SMITH of South Carolina. The investigation of the coal situation on the part of the Senate committee had to do with the supply and distribution of coal.

Mr. JONES of Washington. I understand that; but the purpose of that investigation was entirely different from the one proposed by the resolution of the Senator from South Carolina; it had an entirely different object, and its scope was of an entirely different character. I take it that the Senator has not very much confidence in these governmental agencies which we have been supporting here for so many years. If he desires an investigation of the Census Bureau, or an investigation of the Bureau of Markets, or an investigation of the Agricultural Department, that is another matter.

The Senator suggests that the Committee on Agriculture could call the representatives of the Department of Agriculture before it and ask them where they got their information. It can do that without adopting the resolution, and that is what ought to be done. Instead of coming in here and asking authority on the part of the Senate to make a nation-wide investigation to ascertain the amount of wheat and the amount of cotton on hand, we ought to let the Committee on Agriculture call in the representatives of the department and ask them how they got their information, where they got it, and whether or not it is reliable. Then would come the time to determine, if the committee was not satisfied with the sources of information or the manner in which it was gathered, whether or not it wanted to make an independent investigation itself.

Mr. President, I think that is all that I care to say. It looks to me as though the resolution proposes an unnecessary investigation, that it will be a very expensive one, and that when the information is obtained it will not be of any value.

Let me add a word further. Suppose the committee should report to-morrow that there are 100,000,000 bushels of wheat on hand in this country, what value would that be in a week from now, or two weeks from now, or a month from now? Suppose it should report in a month from now that there is so much

cotton on hand at that time, what value would that be in a month from that time or in two months from that time? What value would such information be to the man who raised wheat or cotton last year, and what value would it be to the man who will have cotton or wheat next October?

So, Mr. President, I can see nothing in the adoption of the resolution but expense to the Government of the United States, and then a further club in the hands of the speculator to manipulate the markets in these products when the committee's report shall be filed.

Mr. HEFLIN. Mr. President, I am sure the Senator from Washington does not understand the situation. I do not believe he would oppose this resolution if he did. There are so many conflicting reports and rumors as to the real cotton supply of the United States that they are injuriously affecting the price.

The Senator wants to know how we go about getting these statistics. I want to say to him that there are nearly a thousand of these agents regularly employed in the cotton-growing States to report the amount of cotton ginned and on hand at the factories and warehouses. This committee can work through these men, but there is no fund that could pay them for this small amount of extra work, because this is out of the season for that; and it would not take much. It would not take much to employ the same agents in the wheat-growing States to give that information. I submit to the Senator that when this report was made it would set at rest all of these conflicting rumors, because here would be a specific investigation of the subject, and the truth would be ascertained.

I want to read a resolution passed at a bankers' convention in the greatest cotton-growing State in the Union, and I call the attention of the Senator from Washington to it:

> Whereas there are many conflicting reports of the amount, kind, and quality of cotton carried over each year, called "surplus," and it is very vital to the South to know the exact amount of such carry-over and the quality of it: Therefore be it
>
> *Resolved by the Fifth District Bankers' Association of Texas, now in session,* That we most heartily indorse the action of Senators E. D. SMITH of South Carolina and J. THOMAS HEFLIN of Alabama in their efforts to have the National Government find the amount, kind, and quality of cotton on hand of American production, and that we urge our Senators and Congressmen and those of the entire South to support the efforts of Senators SMITH and HEFLIN in this important move.

This resolution was unanimously adopted by this convention of bankers in the State of Texas. It means a great deal to us, Mr. President. I do not think it would cost at the outside over $20,000, perhaps not half that amount, and I submit that it would be of value in this regard:

We know how much cotton of the American crop is consumed each year, and if these statistics give us the truth we will know how much of that cotton is now on hand. A great many linters were bought by the Government for powder-manufacturing purposes during the war. They are on hand. We charge that they are being counted in the cotton supply, and they are not spinnable. We charge that a vast deal of unspinnable cotton is being counted in the cotton supply, and it ought not to be. These agents of the Government can speedily ascertain the truth, and it will be of value to some thirty-odd millions of people in the cotton-growing States, and it will be of value to the people in the wheat-growing States to know the absolute truth.

I hope, therefore, the Senator will not oppose this resolution. I voted very cheerfully this morning to appropriate $5,000,000 to go to the rescue of the drought-stricken farmers of the Northwest, and I do not think the Senator from the State of Washington ought to oppose the expenditure of a few thousand dollars to get this valuable information for the farmers of the South and the great West. I trust, therefore, that he will withdraw his opposition.

Mr. STERLING. Mr. President, if there were no other means of getting the information provided for in this resolution, I should not oppose it; but the resolution calls for a duplication of work which is confided to another department of the Government—the Bureau of Markets of the Department of Agriculture.

It is only necessary for me to call attention to the present appropriation bill to show that, and I am sure that the language is exactly the language of the last Agricultural appropriation bill. I read from page 74, under the head of "General expenses, Bureau of Markets," and not alone the "Bureau of Markets" but the "Bureau of Markets and Crop Estimates":

> For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of live stock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, and seeds, and other agricultural products.

Mr. HEFLIN. That is for the next crop, if the Senator will permit me.

Mr. STERLING. The appropriation for that one item is $300,160. Now, let me call attention to this, which is really more pertinent to the resolution than what I have read. I read from page 76:

> For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and live-stock estimates, acreage, yield, grades, stocks, and value of farm crops, and numbers, grades, and value of live stock and live-stock products—

And so forth. An appropriation of $350,000 for this purpose is carried in the bill. Here is a total of three-quarters of a million dollars for the very purposes provided for in this resolution.

Mr. HEFLIN. That is to provide for the next crop, while this is for cotton that has been accumulated heretofore. We want to find out all that is on hand of the old crop.

Mr. STERLING. The Bureau of Markets and Crop Estimates is still functioning, I suppose, and I think if that information is not now in the possession of the Bureau of Markets you should have a resolution here that provides that the Bureau of Markets shall at once procure and furnish this information.

Mr. HEFLIN. Let me suggest to the Senator one thing that I am sure he does not know. When this cotton comes into the market they take big samples out of it; they cut through the bagging and they take out big samples. They throw them into a box or a basket. They accumulate a vast deal of this cotton, and after a while they repack it, bale it, and they call that the city crop. There are two hundred and odd thousand bales of that character taken out of the crop each year. A lot of that stuff has been accumulated, and it never has been counted by anybody, and we want to get at that.

Mr. STERLING. Can it not be counted by the Bureau of Markets and Crop Estimates?

Mr. HEFLIN. It can, if you provide for it.

Mr. STERLING. If their attention were directed to it, would they do it?

Mr. HEFLIN. They can do it, probably, in the future, for the next crop; but we want this done right now.

Mr. STERLING. I should think the Bureau of Markets could do it now and as quickly or more quickly than could the Committee on Agriculture and Forestry.

Mr. HEFLIN. We will use the present agencies to get these facts.

That is all I have to say.

Mr. JONES of Washington. Mr. President, just a word.

I take it from what the Senator from Alabama says that he expects this committee to employ the 1,000 agents who have been looking after cotton in the Southern States. That simply confirms the idea I have had as to the probable expense, as to what it is absolutely necessary to do in order to get accurate information. You have got to employ these men, and you have got to employ a thousand or more men in the wheat section and all over the country in order to get the information that this resolution calls for.

Mr. HEFLIN. Each one of these agents can report on the conditions in his county in a day.

Mr. JONES of Washington. Mr. President, the Senator appeals to me and suggests that I ought not to oppose this resolution because he did not oppose some bill that was passed this morning. I take it that Senators pass upon the merits of these propositions. I have acted on the different measures that have come up on the basis of what I thought was the proper thing to do. I do not ask any Senator to support any measure in which I am interested because I have supported some measure in which he may have been interested. I expect Senators on this floor to pass upon every proposition that comes up upon its merits. I am satisfied that the Senator from Alabama acts in that way with reference to these matters.

I have made no captious opposition to this resolution. I could have prevented the passage of this resolution. It could not have been called up if objection had been made. I did not see fit to object to it. I simply wanted to call these matters to the attention of the Senate. Then, if the Senate thinks the vote on this resolution should not be reconsidered, I shall accept the judgment of the Senate.

That is all I have to say about it.

Mr. HEFLIN. It is a very meritorious resolution, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider the vote whereby the Senate agreed to the resolution. [Putting the question.] The noes seem to have it.

Mr. JONES of Washington. I call for a division.

On a division, the motion to reconsider was rejected.

STEVENS INSTITUTE OF TECHNOLOGY.

Mr. FRELINGHUYSEN. Mr. President, I do not want to tax the patience of the chairman of the committee in charge of

the Agricultural appropriation bill, but I should like to ask him if he will consent to my asking unanimous consent to take up a small bill in which my State is deeply interested?

Mr. GRONNA. If it does not lead to any discussion. If it does, I hope the Senator will withdraw it.

Mr. FRELINGHUYSEN. If it leads to any extended debate I will not withdraw the bill, but I will ask that it go over.

Mr. GRONNA. I mean, I hope the Senator will not ask that it be considered now if it leads to any discussion.

Mr. FRELINGHUYSEN. If it leads to any discussion I shall ask that it go over.

Mr. JONES of Washington. Let the bill be read, Mr. President.

The PRESIDING OFFICER. What is the number of the bill?

Mr. FRELINGHUYSEN. It is Senate bill 3695, for the relief of the Stevens Institute of Technology, of Hoboken, N. J.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3695) for the relief of the Stevens Institute of Technology, of Hoboken, N. J., which had been reported from the Committee on Claims with amendments. It authorizes and directs the Secretary of the Treasury to pay to the trustees of the Stevens Institute of Technology, of Hoboken, N. J., out of any money in the Treasury not otherwise appropriated, the sum of $45,750, being the sum paid to the United States January 28, 1870, as a collateral inheritance tax upon the bequest which provided for the establishment and endowment of said institute.

The PRESIDING OFFICER. The Secretary will state the amendments of the committee.

The first amendment was, on page 1, after line 9, to insert a new section as follows:

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the corporations, associations, societies, or individuals as trustees or executors, such sums of money as have been paid by them as taxes upon bequests or legacies for uses of a religious, charitable, or educational character under the provisions of section 111 of the act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," approved July 1, 1862, and its amendments.

Mr. SMOOT. Mr. President, section 2 is an amendment that the committee has proposed to this bill. I do not object at all to the provisions of the bill as introduced, but I do object to this broad provision, not knowing what it is going to involve or where it is going to lead; and unless it is withdrawn, I shall object to the consideration of the bill.

Mr. FRELINGHUYSEN. Mr. President, I have no objection to the amendment being rejected.

Mr. SMOOT. Then I have no objection to the consideration and passage of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The committee has also reported an amendment to the title, which, in view of the rejection of the other committee amendment, should be rejected. Without objection, that will be done.

STANDING ROCK INDIAN RESERVATION LANDS.

Mr. SMOOT. Mr. President, I have been requested to ask unanimous consent to take up the joint resolution (H. J. Res. 346) extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota. I do not want to take up the time of the Senate to explain it other than to say that it is simply an emergency matter, recommended by the department, and the Senators from North and South Dakota are deeply interested in it. It ought to pass before the 4th of March.

Mr. BORAH. Mr. President, I have no objection to the joint resolution, but are we not going to have a calendar day some time?

Mr. SMOOT. Yes; we are.

Mr. BORAH. Then what is the use of picking out certain bills and passing them? I think I shall object, because that will give us an assurance that the Senator from Utah will see that there is a calendar day before the session closes.

The PRESIDING OFFICER. Objection is made.

REFERENCE OF ARMY NOMINATIONS.

Mr. WADSWORTH. Mr. President, I have just consulted with the Senator from North Dakota [Mr. GRONNA], and he has kindly consented, that I may make the unanimous-consent request which I am about to present.

Since my request the other day another batch of Army nominations has been sent to the Senate. The nominations affect officers from the grade of second lieutenant to colonel, inclusive, and involve a certain number of promotions, some transfers from one branch of the service to the other, and some appointments to the Regular Army. Nothing affecting general officers is involved in the request I am about to make. I ask unanimous consent that, as in open executive session, the nominations which I have described be referred to the Committee on Military Affairs.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the nominations are so referred.

AGRICULTURAL APPROPRIATIONS.

Mr. GRONNA. I ask now that the Agricultural appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

The PRESIDING OFFICER. The Secretary will read the bill.

Mr. SMOOT. Mr. President, has it been agreed that the committee amendments shall be considered first?

The PRESIDING OFFICER. It has.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Agriculture and Forestry was, in the item for salaries, office of the Secretary of Agriculture, on page 2, line 6, before the word "solicitor," to strike out "director of regulatory work, $5,000."

The amendment was agreed to.

The next amendment was, on page 3, line 6, to reduce the appropriation for salaries, office of the Secretary of Agriculture, from "$367,560" to "$362,560."

The amendment was agreed to.

The next amendment was, on page 3, line 10, to decrease the total appropriation for the office of the Secretary of Agriculture from "$467,560" to "$462,560."

The amendment was agreed to.

The next amendment was, on page 7, after line 11, to insert:

For investigations, observations, and reports, forecasts, warnings, and advices for the protection of horticultural interests from frost damage, $9,000.

The amendment was agreed to.

Mr. SMOOT. I ask that the amendments in lines 20 and 21, changing the totals, may go over, because I have an amendment to offer on lines 3 and 4, page 7, which will change the totals if that amendment is agreed to.

The PRESIDING OFFICER. The amendments changing the totals in lines 20 and 21 will, without objection, be passed over.

The next amendment was, on page 11, line 11, before the word "shall," to strike out "$978,000" and insert "$978,800," so as to read:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State, Territory, or county authorities, $1,978,800, of which $978,800 shall be set aside for administrative and operating expenses and $1,000,000 for the payment of indemnities.

The amendment was agreed to.

The next amendment was, on page 14, beginning in line 4, to insert the following additional proviso:

Provided further, That of the sum thus appropriated $8,000 is hereby made immediately available for the erection of necessary buildings at the United States sheep experiment station in Clark County, Idaho, to furnish facilities for the investigation of problems pertaining to the sheep and wool industry on the farms and ranges of the Western States.

The amendment was agreed to.

The next amendment was, in the items for the Bureau of Plant Industry, on page 16, line 7, after the numerals "$3,000," to insert "one administrative assistant in seed and plant distribution, $3,000."

Mr. JONES of Washington. I would like to know from the chairman what need there is for that official. I note that the committee has stricken out the item for congressional seed distribution, and I am very glad of it. I hope they will be able to keep it out and that the bill will be enacted into law without the item. It seems to me that if that is done there will be less need for an administrative assistant in seed and plant distribution.

Mr. GRONNA. I will say to the Senator that this item was estimated for to take care of one director, Mr. Jones. Even if the congressional seed distribution item is kept out of the bill, which we hope will be the case, there will still be plenty of

work for this man, because the Department of Agriculture collects rare and valuable seeds which must be distributed.

Mr. JONES of Washington. This man is there now, is he not?

Mr. GRONNA. The House struck out the provision entirely.

Mr. JONES of Washington. But Mr. Jones has been there for years. This is merely a proposition to increase his salary, is it not?

Mr. GRONNA. No; that is not the proposition. The House struck out the whole provision. So unless we incorporate this amendment in the bill, we shall have no one to do that particular work. It does increase his salary from $2,500 to $3,000.

Mr. SMOOT. I thought that was exactly the purpose of the amendment.

Mr. GRONNA. No; that is not altogether the purpose, because in the House the whole provision was stricken out. Whether we increase the salary from $2,500 to $3,000 or not we must have the language in the bill. If the Senator objects to the amount, $3,000, of course that is for the Senate to decide. It was estimated for by the department at $3,000.

Mr. JONES of Washington. It is in order; I understand that. There is a provision in the bill for assistant to the chief, $3,000. This is for another assistant.

Mr. GRONNA. It is not a new provision.

Mr. JONES of Washington. It involves the question of an increase in salary. That is really the matter involved?

Mr. GRONNA. Yes.

Mr. JONES of Washington. His salary at the present time is $2,500?

Mr. GRONNA. It is.

Mr. JONES of Washington. I will not oppose the amendment if the Senate will make it $2,500. It may be that he ought to have $3,000, but until we bring about a reclassification of salaries, when we raise the salary of one man here and another man there, we simply increase the inequalities about which there has been so much complaint.

Mr. GRONNA. Will not the Senator let it go to conference?

Mr. JONES of Washington. It will go to conference anyhow, if it is put in at $2,500.

Mr. GRONNA. Very well.

Mr. JONES of Washington. Then I ask that the amount be changed from three thousand to twenty-five hundred.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. On page 16, line 8, it is proposed to amend the committee amendment by striking out "$3,000" and inserting in lieu thereof "$2,500."

Mr. JONES of Washington. I want to say that I have met Mr. Jones. He is a very fine man, and a very good man in the position he fills; and the only reason why I make this objection is simply because we increase the inequalities by raising salaries here and there. I want to see Congress bring about a reclassification of salaries, and correct the inequalities which everyone admits exist.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment as amended.

Mr. SMITH of South Carolina. Before the question is put, may I inquire of the chairman of the committee if this relates to the salary provided for J. E. Jones, the gentleman who has had charge of the distribution of seed?

Mr. GRONNA. Yes; that is the item.

Mr. SMOOT. Of course, the House struck the item entirely out, because they expected there would be no distribution of seed for the coming year, and the Senate committee put the provision back in.

Mr. SMITH of South Carolina. Even without putting the provision back for seed distribution, I think we would need this man.

Mr. GRONNA. The Senator knows that we will have seeds to distribute, but we will not have what we call the congressional seed distribution.

Mr. SMOOT. We have had those rare seeds in the bill for years and years, and Mr. Jones has attended to that; but now, when the congressional distribution of seeds is to be taken out of the bill, he is to be given an increase in salary.

Mr. SMITH of South Carolina. Mr. President, I think the reason why the Agricultural Committee of the Senate recommended this increase for Mr. Jones was because those of us who have come in contact with him have found him to be certainly one of the most efficient Government employees in every respect, prompt, accurate, obliging, and, just as far as is legitimate, he would meet the requirements of a Senator with a zeal and an industry that were refreshing by the side of some of the treatment we get when we desire to have things done through the officials we have appointed to do those things. I think the committee recommended that his salary be raised in recognition of those very traits; and even if some one else must suffer, I think Mr. Jones has demonstrated the fact that he is well worthy to receive a salary of $3,000 if we are going to have anyone to look after the work he has been engaged in so long and so efficiently in that department. At the proper time I shall move that the salary shall be raised from the $2,500 now agreed upon to $3,000. What is the status of it now?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. SMOOT. If we are going to have a vote upon it, I do not want a vote taken with so few Senators in the Chamber.

Mr. SMITH of South Carolina. So far as that is concerned, I am not trying to take advantage of anyone. I have simply made my statement, and if the Senator thinks that the expression of the Senate could not be gained now we can just pass over this item and it can be brought up when there are more Senators present.

Mr. SMOOT. That will be all right. I understand we are to take a recess in a few moments, anyhow.

Mr. SMITH of South Carolina. I ask that this particular item may be passed over for future action.

The PRESIDING OFFICER. The amendment as amended will be passed over, together with the total in line 7 on page 17.

The reading of the bill was resumed.

The next amendment was, on page 18, line 3, after the word "survey," to strike out "$62,020" and insert "$72,000: *Provided*, That $10,000 of this amount shall be used for research in brown-rot and kindred diseases of peach trees," so as to read:

For investigations of plant diseases and pathological collections, including the maintenance of a plant-disease survey, $72,000: *Provided*, That $10,000 of this amount shall be used for research in brown-rot and kindred diseases of peach trees.

The amendment was agreed to.

The next amendment was, on page 19, line 17, to increase the appropriation for eradication or control of the white-pine blister rust, etc., from "$100,000" to "$214,000."

The amendment was agreed to.

The next amendment was, on page 20, line 2, to increase the appropriation for investigation of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants, from "$95,400" to "$100,000."

The amendment was agreed to.

The next amendment was, on page 20, line 5, to increase the appropriation for investigating the physiology of crop plants and for testing and breeding varieties thereof from "$51,860" to "$56,860."

The amendment was agreed to.

The next amendment was, on page 20, line 12, to reduce the appropriation for soil-bacteriology and plant-nutrition investigations, etc., from "$50,000" to "$40,000."

The amendment was agreed to.

The next amendment was, on page 21, line 23, after the word "production," to strike out "$359,705" and insert "$391,705," so as to read:

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $391,705.

The amendment was agreed to.

The next amendment was, on page 22, line 4, to insert the following additional proviso:

Provided further, That not less than $32,000 shall be used for investigating the wheat scab or blight.

The amendment was agreed to.

The next amendment was, on page 22, line 13, before the word "plant," to insert "several States and the"; in line 14, before the word "investigation," to insert "including"; and in the same line, after the word "investigation" to strike out "and control authorities of the several States," so as to read:

To enable the Secretary of Agriculture to meet the emergency caused by the existence in the United States of flag smut of wheat, take-all, helminthosporium, and other destructive soil and seed-infecting diseases of wheat and of other cereals, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, $30,000, to be used in cooperation with the several States and the plant disease survey, including investigation to prevent the further spread of and to eradicate or control these diseases.

The amendment was agreed to.

The next amendment was, on page 22, line 18, to increase the appropriation for investigation and improvement of tobacco and the methods of tobacco production and handling from "$32,000" to "$41,000."

The amendment was agreed to.

The next amendment was, on page 22, line 24, after the word "seed," to strike out "$94,115" and insert: "$100,000: *Pro-*

vided, That of this amount $7,000 shall be immediately available for the purpose of constructing a special greenhouse for sugar-cane investigations to be located on the Arlington Farm, Virginia," so as to read:

For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, $100,000: *Provided*, That of this amount $7,000 shall be immediately available for the purpose of constructing a special greenhouse for sugar-cane investigations to be located on the Arlington Farm, Virginia.

Mr. JONES of Washington. Mr. President, I wish to ask what is hoped to be attained by that investigation in a greenhouse here at Arlington?

Mr. RANSDELL. I will state to the Senator that the mosaic disease is said to be very injurious to sugar cane in Porto Rico and all over the South, especially in the State of Georgia, where a great deal of cane is grown for sirup purposes. The Department of Agriculture is very anxious to conduct an investigation with reference to some insects that are exceedingly dangerous. It was at first suggested that the greenhouse be located in Louisiana. I will say in this connection that we have at Baton Rouge a very fine chemical laboratory. We think it is the finest in the world. Students come from all over the world to study sugar chemistry at our State university. But we did not want this establishment put there, because of the danger of the same thing that happened when the gypsy moth was brought over by some scientists to Massachusetts and escaped through the window and did millions of dollars' worth of damage to the trees. We want the insects very carefully guarded. We want these things to be experimented on in a climate where, if they do escape, they can not do any harm.

Mr. JONES of Washington. How does the Senator know that this is that kind of a climate?

Mr. RANSDELL. The Agricultural Department has said so.

Mr. JONES of Washington. Where do they get their information, if they have not had these insects around here?

Mr. RANSDELL. I can not tell where they get it. They do not give me all the information they have, but they assure us it will do no harm.

Mr. JONES of Washington. I think the main thing is that they want $7,000 for a building over there.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee. Without objection it is agreed to.

Mr. JONES of Washington. It is not agreed to without objection.

The PRESIDING OFFICER. The Chair will put the question.

The amendment was agreed to.

Mr. BORAH. May I ask the chairman of the committee how long he expects to ask us to remain in session this evening?

Mr. GRONNA. I had hoped that we could go on for 10 or 15 minutes longer.

Mr. BORAH. I do not desire to interfere with the progress of legislation, especially when it is an appropriation bill, but I do not want to take up the forestry service or any part of it this evening, because I have some matters of information with reference to which I have been in communication with the department and about which I wish to ascertain certain facts before any steps are taken.

Mr. GRONNA. I suggest that we go on until we reach those items, and then take a recess.

Mr. BORAH. That will be agreeable to me.

The reading of the bill was resumed.

The next amendment of the committee was, on page 23, line 7, to increase the appropriation for investigation and improvement of methods of crop production under subhumid, semiarid, or dry land conditions from "$159,000" to "$169,000."

The amendment was agreed to.

The next amendment was, on page 24, line 2, to increase the appropriation for the investigation, improvement, encouragement, and determination of the adaptability to different soils and climatic conditions of pecans, almonds, etc., from "$20,000" to "$30,000."

The amendment was agreed to.

The next amendment was, on page 24, line 8, before the word "marketing," to insert the word "transportation," so as to read:

For the investigation and improvement of fruits, and the method of fruit growing, harvesting, and, in cooperation with the Bureau of Markets and Crop Estimates, studies of the behavior of fruits during the processes of transportation, marketing, and while in commercial storage, $83,200.

Mr. SMOOT. Mr. President, that is an innovation and I am wondering whether we ought to allow it.

Mr. GRONNA. The Senator from Oregon [Mr. MCNARY] can explain the amendment.

Mr. SMOOT. The question of an investigation of fruit while in process of transportation is entirely an innovation in our legislation.

Mr. MCNARY. Mr. President, it was thought that in the study of the behavior of fruit it was just as well to consider it while in transit as while in storage. It occurred to me from my small knowledge of the subject that a real investigation of the habits of fruit and its conduct during storage could well be considered in connection with the matter of transportation. For instance, in the West after the fruit leaves cold storage the change which occurs in climatic conditions frequently develops diseases in the fruit that cause the destruction of great quantities. I thought, as long as the department was considering the diseases that occur in the process of storage, it might as well include transportation. That is the reason why I asked to include the word "transportation," so as to take in the whole scheme of investigation of the behavior of fruit and vegetables and without increasing the amount of the appropriation whatsoever.

Mr. SMOOT. Of course, now it will not increase the appropriation; but do I understand that the Senator wants a representative from the Agricultural Department to go along in the fruit car where the fruit is located and study the fruit en route?

Mr. MCNARY. That is not necessary at all, as anyone conversant with the shipment of fruit will know. The fruit is put in a precooling place and then put in the refrigerator cars. Passing the high altitudes along the Cascade and Rocky Mountains, it will develop certain diseases when it reaches Chicago. It is then compared with the condition of the fruit when it left at the other end. There is no intention of having an officer ride with the fruit at the expense of the Government. It simply makes the whole idea complete.

Mr. SMOOT. It seems to me the wording of the amendment is broad enough to do that without the word "transportation." It makes no difference how the disease attacks the fruit or where, they can investigate it. I do not see why the Senator wants to investigate the fruit during the process of transportation. It seems to me perfectly useless.

Mr. GRONNA. Is it not true that under the old language the department really might have the authority, except that it is not made plain, because the word "marketing" is used? The Senator from Oregon wants to make it plain. It was fairly well considered by the committee, and we thought it would do no harm to make it perfectly plain that the Bureau of Markets should investigate the behavior of fruit from the time it was put into the precooling place until it reached the market. Of course, that might be done only in one instance out of a hundred.

Mr. SMOOT. It says here that the investigation is to be of the behavior of fruit during the "processes of transportation."

Mr. MCNARY. It reads, "while in the processes of transportation." The effect is evident from its condittion when it reaches the point of destination. It does not require a Government agent to follow along and keep in daily touch with the fruit. A reasonable interpretation should be given, and I think would be given by anyone familiar with the subject.

Mr. SMOOT. I do not see how that could be possible while the investigation was required during the processes of transportation. The only way that could be investigated would be while the fruit was in transportation. That is the way I read it. I do not see how any other construction could be put upon the language.

Mr. SMITH of South Carolina. The Senator from Oregon made it clear to the committee that his object, as I understood, was that when the fruit arrives at the point of destination from the point of shipment, upon its arrival it could then be ascertained what was the effect of the transportation on the fruit, and in order to obtain that we put in the word "transportation," so that they might immediately upon its arrival investigate just how it was affected.

Mr. SMOOT. That is what the Senator said; but I am reading the language just as it is and in the way the department will have to construe it.

Mr. MCNARY. I might give another concrete illustration which I thought would occur to the Senator from Utah: We on the Pacific coast are trying to employ to advantage the use of the Panama Canal. The fruit when it leaves the coast, the congenial climate of Oregon and Washington and the other Northwestern States, goes through a humid atmosphere. The fruit takes on a certain fungus growth and certain fungi will attach to it, whether it be in cans, dried, desiccated, dehydrated, or in original hard and ripe color. When the fruit reaches its destination at Baltimore or New York an inspection is made to ascertain what has occurred to the fruit in whatever form it may

have been shipped, and a report is made. Some scheme may be devised by which an improvement can be made in the handling of the fruit while in transportation. It requires no additional money. It is simply a study that will help the fruit men in getting their fruit to market in the most tasteful condition.

Mr. SMOOT. I do not think there is any question that the wording of the provision as it passed the House would accomplish that very object. What I am looking at is the wording as it will be if the bill becomes a law in this form. It seems quite inconsistent to me. If I were the Secretary of Agriculture and the bill should pass as it is, the only way I could construe it would be that investigations as to the behavior of fruit must be made, as this says, during the processes of transportation. That investigation can not be made unless it is made during transportation.

Mr. McNARY. "While in the processes of transportation."

Mr. SMOOT. No; it says "during the processes of transportation."

Mr. McNARY. In what line?

Mr. SMOOT. In line 7, page 24.

Mr. McNARY. I was looking at that part of the line where it says "while." I am not particular. My idea is to look at the whole matter from the standpoint of the desire to accomplish that which we intend, namely, the preservation of the fruit.

Mr. SMOOT. I am in sympathy with the Senator.

Mr. McNARY. If the distinguished Senator from Utah can word it better than the committee, and perhaps he can, I shall be very willing, so far as I am concerned, to accept that which he would have inserted in the clause.

Mr. SMOOT. What I say is that if the amendment is agreed to, I can not see how the Secretary of Agriculture is going to carry it out unless he has men following the fruit during its transportation, and the Senator does not want that.

Mr. McNARY. Certainly not, and that is what he would not do.

Mr. SMOOT. But that is exactly what the bill would require. It seems to me, from what the Senator desires to accomplish, that the wording of the provision as it passed the House will accomplish it.

Mr. McNARY. There was this thought at the time. I was afraid that a limited definition might be given to the term "marketing." I think the term "marketing" means from the time the fruit leaves the producer until it reaches the final consumer, but to make it certain to cover this one particular point to which the department has not given attention, I wanted to include the word "transportation."

Mr. SMOOT. The Senator knows that the word "marketing" includes not only the transportation, but the handling of the fruit to put it on the railroad.

Mr. McNARY. That is true.

Mr. SMOOT. Therefore it seems to me the amendment is perfectly useless.

Mr. WARREN. Mr. President, I have in mind a way to change the wording that will perhaps please the Senators. I suggest that it be amended to read, "Studies of the behavior of fruits during the processes of marketing, and while in commercial storage, and the effect of transportation." Would that accomplish the purpose?

Mr. McNARY. That would do it.

Mr. WARREN. Take out the word "transportation" and add it after the words "commercial storage."

Mr. SMOOT. There is no objection to that.

Mr. McNARY. That is very satisfactory so far as I am concerned.

Mr. WARREN. Then I move to amend by inserting after the words "commercial storage" the words "and the effect of transportation," so that it will read:

Studies of the behavior of fruits during the processes of marketing, and while in commercial storage, and the effect of transportation.

Mr. SMOOT. There is no objection to that, Mr. President.

Mr. McNARY. That would be very satisfactory, so far as I am concerned.

Mr. WARREN. With my proposed amendment added, it would read in this way, commencing on line 7, page 24:

During the processes of marketing and while in commercial storage, also the effect of transportation.

The same transposition should also be made in lines 21 and 22, on the same page. Of course, the word "also" could be used there or not, as desired.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. After the words "commercial storage," on line 8, page 24, it is proposed to insert the words, "also the effect of transportation."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 24, line 16, to decrease the appropriation for cultivation and care for the gardens and grounds of the Department of Agriculture, etc., from "$20,000" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 24, line 21, before the word "marketing," to insert "transportation," so as to read:

For horticultural investigations, including the study of producing and harvesting truck and related crops, including potatoes, and, in cooperation with the Bureau of Markets and Crop Estimates, studies of the behavior of vegetables while in the processes of transportation, marketing, and in commercial storage, and the study of landscape and vegetable gardening, floriculture, and related subjects, $71,940.

Mr. WARREN. I suggest the same amendment to that amendment that was made in line 7, page 24, in the item "for the investigation and improvement of fruits," and so forth.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 24, line 22, after the words "commercial storage," it is proposed to insert "also the effect of transportation."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, at the top of page 26, to strike out—

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $360,000. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same session been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SHEPPARD. Before the amendment is acted upon I desire to offer an amendment to a part of the amendment.

Mr. GRONNA. Mr. President——

Mr. SHEPPARD. Let me state my amendment, then I shall not have any objection to yielding.

Mr. GRONNA. I was going to ask that this amendment go over to-night.

Mr. SHEPPARD. I understood the Chair to put the question on agreeing to the amendment.

Mr. GRONNA. I ask that the amendment go over, and I shall move that the Senate take a recess until 11 o'clock to-morrow.

Mr. SHEPPARD. Then the committee amendment will come up for consideration the first thing to-morrow morning?

The PRESIDING OFFICER. That is the understanding.

Mr. KENYON. Why can not the Senator from Texas state his amendment to-night, so that we may know what it is?

Mr. SHEPPARD. I wish to move to amend the portion proposed to be stricken out by adding the words "the Resident Commissioner of Porto Rico," after the word "Congress," in line 8, on page 27, in order, if the seed distribution shall be provided for, that the Resident Commissioner of Porto Rico may share in it just as the Delegates from Hawaii and the Philippine Islands are now allowed to share in it.

Mr. GRONNA. I will say to the Senator from Texas that I do not think there will be any objection to his amendment. There will not be any, so far as I am concerned.

Mr. THOMAS. Mr. President, will the Senator from North Dakota withhold his motion for a moment?

Mr. GRONNA. I will withhold the motion.

W. C. STEWART.

Mr. THOMAS. I desire to ask unanimous consent for the immediate consideration of two bills on the calendar. They are a couple of small claims for reimbursement of the men who are named in the two bills on account of salaries previously earned for which no appropriation was made. They are very meritorious. I first ask for the consideration of Order of Business 767, being House bill 11945.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11945) for the relief of W. C. Stewart. It directs the Secretary of the Treasury to pay $285 to W. C. Stewart, an assistant engineer, working under the direction and supervision of the Department of State on the International Boundary Commission between the United States and Mexico, the payment being for services rendered as such assistant engineer for the months of March and April, 1915.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY P. CORBIN.

Mr. THOMAS. I now ask unanimous consent for the immediate consideration of Order of Business 768, being House bill 12005.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12005) for the relief of Henry P. Corbin. It directs the Secretary of the Treasury to pay $1,073.30 to Henry P. Corbin, a consulting engineer, working under the direction and supervision of the Department of State on the International Boundary Commission between the United States and Mexico, the payment being for services rendered as such consulting engineer for the years 1914, 1915, and 1916.

Mr. SMOOT. What is the object of the bill, I will ask the Senator from Colorado?

Mr. THOMAS. These are two bills, one for the relief of Henry P. Corbin and the other for the relief of W. C. Stewart, the consulting engineer and an assistant engineer of the International Boundary Commission with Mexico. The bills cover the salaries and work done by them, which has not been provided for in previous appropriation bills. The bills have been very carefully examined, and they have passed the Senate once or twice during the last two years. Finally they have come from the House of Representatives, and have been favorably reported by the Committee on Claims of the Senate. I assure the Senator from Utah that they are perfectly innocuous, to use the expression of the Senator from Mississippi [Mr. WILLIAMS].

Mr. SMOOT. Their passage will only take that much out of the Treasury.

Mr. THOMAS. They are bills for the payment of genuine and meritorious claims.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STANDING ROCK INDIAN RESERVATION LANDS.

Mr. SMOOT. The Senator from Idaho [Mr. BORAH] objected to taking up Order of Business 684, House joint resolution 346, in which the Senators from North Dakota are interested. If we are not going to proceed further with the consideration of the Agricultural appropriation bill, and the Senator from Idaho now has no objection to the measure I have named, I ask that it may be considered and acted upon before a recess is taken to-night.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 346) extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, page 1, after line 6, to strike out the words "act of Congress approved May 29, 1908 (35 Stats., p. 460), entitled 'An act to authorize the sale and disposition of surplus or unallotted lands of the Standing Rock Indian Reservation in the States of North and South Dakota, and for other purposes,' and the," so as to read:

That the Secretary of the Interior is hereby authorized, in his discretion, to extend for a period of one year the time for the payment of any annual installment due, or hereafter to become due, of the purchase price for lands sold under the act of Congress approved February 14, 1913 (37 Stats., p. 675), entitled "An act to authorize the sale and disposition of surplus or unallotted lands of the Standing Rock Indian Reservation in the States of North and South Dakota, and for other purposes," and any payment so extended may annually thereafter be extended for a period of one year in the same manner.

The amendment was agreed to.

The next amendment was, in the same section, page 2, line 15, after the word "hereof," to insert:

And provided further, That any entryman who has resided upon and cultivated the land embraced in his entry for the period of time required by law in order to make commutation proof, may make proof, and if the same is approved further residence and cultivation will not be required.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to insert:

SEC. 2. That the Secretary of the Interior is also hereby authorized, in his discretion, to extend for a period of one year the time for the payment of any annual installment hereafter to become due of the purchase price of lands in the Cheyenne River Indian Reservation in South Dakota and the Standing Rock Indian Reservation in the States of North Dakota and South Dakota, sold at public sale under the act of Congress approved May 29, 1908 (35 Stats., p. 460), under the same terms and on the same conditions as provided in section 1 of this act.

The amendment was agreed to.

The title was amended so as to read: "Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes."

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

RECESS.

Mr. GRONNA. I move that the Senate take a recess until to-morrow, the hour of meeting to-morrow having been already fixed at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 22 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 22, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 21 (legislative day of February 14), 1921.

REAPPOINTMENTS IN THE REGULAR ARMY.

CAVALRY.

Raymond Thomas Connell, late first lieutenant, Cavalry, Regular Army, to be first lieutenant with rank from February 14, 1921.

INFANTRY.

Fernand George Dumont, late first lieutenant, Infantry, Regular Army, to be first lieutenant with rank from February 14, 1921.

MEDICAL CORPS.

Maj. James Walter Bunce, Medical Reserve Corps, late major, Medical Corps, Regular Army, to be captain from February 14, 1921.

PROMOTIONS IN THE REGULAR ARMY.

To be majors.

Capt. Paul John Mueller, Infantry, from July 1, 1920.

Capt. Leland Stanford Hobbs, Infantry, from July 1, 1920.

Capt. John Frederick Kahle, Coast Artillery Corps, from July 1, 1920.

Capt. Edwin Bowman Lyon, Air Service, from July 1, 1920.

Capt. Reinold Melberg, Coast Artillery Corps, from July 1, 1920.

Capt. Clarence Brewster Lindner, Coast Artillery Corps, from July 1, 1920.

Capt. John Henry Cochran, Coast Artillery Corps, from July 1, 1920.
Capt. Logan Wellington Serles, Coast Artillery Corps, from July 1, 1920.
Capt. Carl Conrad Bank, Field Artillery, from July 2, 1920.
Capt. Charles Calvert Benedict, Air Service, from July 2, 1920.
Capt. Vernon Evans, Infantry, from July 2, 1920.
Capt. Roscoe Barnett Woodruff, Infantry, from July 2, 1920.
Capt. Joseph Jesse Teter, Coast Artillery Corps, from July 2, 1920.
Capt. Lewis Clarke Davidson, Infantry, from July 2, 1920.
Capt. Dwight David Eisenhower, Infantry, from July 2, 1920.
Capt. Harold William James, Infantry, from July 2, 1920.
Capt. George Hume Peabody, Air Service, from July 2, 1920.
Capt. Martin John O'Brien, Coast Artillery Corps, from July 2, 1920.
Capt. Joseph Cumming Haw, Coast Artillery Corps, from July 2, 1920.
Capt. James Basevi Ord, Infantry, from July 2, 1920.
Capt. Earl Larue Naiden, Air Service, from July 2, 1920.
Capt. Henry McElderry Pendleton, Cavalry, from July 2, 1920.
Capt. Iverson Brooks Summers, jr., Coast Artillery Corps, from July 2, 1920.
Capt. Edmund de Treville Ellis, Cavalry, from July 2, 1920.
Capt. Robert William Strong, Cavalry, from July 2, 1920.
Capt. Clifford Randall Jones, Coast Artillery Corps, from July 2, 1920.
Capt. John Beugnot Wogan, Field Artillery, from July 2, 1920.
Capt. Clesen Henry Tenney, Coast Artillery Corps, from July 2, 1920.
Capt. Clifford Barrington King, Field Artillery, from July 2, 1920.
Capt. Frank Edwin Emery, jr., Coast Artillery Corps, from July 2, 1920.
Capt. Edward Caswell Wallington, Coast Artillery Corps, from July 2, 1920.
Capt. Carl Ernest Hocker, Coast Artillery Corps, from July 2, 1920.
Capt. John William Leonard, Infantry, from July 2, 1920.
Capt. Richmond Trumbull Gibson, Coast Artillery Corps, from July 2, 1920.
Capt. John Aloysius McDermott, Infantry, from July 2, 1920.
Capt. Edward Campbell McGuire, Cavalry, from July 3, 1920.
Capt. Clyde Raymond Eisenschmidt, Infantry, from July 3, 1920.
Capt. Edward Bolton Hyde, jr., Coast Artillery Corps, from July 10, 1920.
Capt. John McDonald Thompson, Cavalry, from July 11, 1920.
Capt. James Alward Van Fleet, Infantry, from July 12, 1920.
Capt. Louis Alfred Merillat, jr., Quartermaster Corps, from July 12, 1920.
Capt. Edward Gill Sherburne, Infantry, from July 13, 1920.
Capt. Walter Wood Hess, jr., Field Artillery, from July 15, 1920.
Capt. Michael Frank Davis, Air Service, from July 16, 1920.

To be captains with rank from July 1, 1920.

First Lieut. William Mayer, Field Artillery, subject to examination required by law.
First Lieut. Arnold Richard Christian Sander, Infantry, subject to examination required by law.
First Lieut. Will Harley Evans, Infantry.
First Lieut. Charles Orval Thrasher, Quartermaster Corps.
First Lieut. Frank M. Moore, Infantry.
First Lieut. Edwin Kenneth Crowley, Infantry.
First Lieut. Earl Alva Hyde, Field Artillery.
First Lieut. Thomas Arthur Reiner, Infantry.
First Lieut. Horatio Gano Fairbanks, Infantry.
First Lieut. Edward Shippen West, Cavalry.
First Lieut. Bernard Joseph Finan, Quartermaster Corps.
First Lieut. George Bernard Wescott, Infantry.
First Lieut. Caesar Rodney Roberts, Coast Artillery Corps.
First Lieut. Hjalmar Bernhardt Hovde, Signal Corps.
First Lieut. Claire Elwood Hutchin, Infantry.
First Lieut. Walter Carl Claussen, Infantry.
First Lieut. John Summerfield Vincent, Quartermaster Corps.
First Lieut. George Nicholl Randolph, Infantry.
First Lieut. R. T. Walker Duke, Infantry.
First Lieut. Herbert William Schmid, Infantry.
First Lieut. Lloyd Leslie Hamilton, Infantry.
First Lieut. Eustace Maduro Peixotto, Infantry.
First Lieut. Watson Longan McMorris, Infantry.
First Lieut. Arthur Walter Penrose, Infantry.
First Lieut. Frederick DeCaro, Infantry.
First Lieut. Armin Ferdinand Herold, Air Service.
First Lieut. Joseph Church, Infantry.
First Lieut. Clinton Enos Fenters, Infantry.
First Lieut. Robert Trisch Willkie, Quartermaster Corps.
First Lieut. Elmer Royal Block, Field Artillery.
First Lieut. Nels Gustaf Sandelin, Quartermaster Corps.
First Lieut. Elmer Sharpe Van Benschoten, Infantry.
First Lieut. Ralph Pollock, jr., Quartermaster Corps.
First Lieut. John Graham Ardon, Infantry.
First Lieut. Otto Harwood, Quartermaster Corps.
First Lieut. Harold Harrison Barbur, Infantry.
First Lieut. Ellis Warren Butt, Coast Artillery Corps.
First Lieut. Otho Williams Budd, jr., Infantry.
First Lieut. Eugene Vincent Behan, Infantry.
First Lieut. Carl Christian Andersen, Infantry.
First Lieut. Cecil Claude Ray, Quartermaster Corps.
First Lieut. Charles Davis Vollers, Cavalry.
Second Lieut. John Edward Covington, Infantry.
First Lieut. Clyde Purcell Taylor, Infantry.
First Lieut. Willis Earl Simpson, Infantry.
First Lieut. George Franklin Davis, Infantry.
First Lieut. Hubbard Errette Dooley, Infantry.
First Lieut. Roye Pannebecker Gerfen, Cavalry.
First Lieut. James Jarlath Kelly, Infantry.
First Lieut. Willson Young Stamper, jr., Corps of Engineers.
First Lieut. George Harrison Stuts, Field Artillery.
First Lieut. Gordon Cushing Day, Corps of Engineers.
First Lieut. Charles Jesse Mabbutt, Quartermaster Corps.
First Lieut. Walter Andrewsen, Quartermaster Corps.
First Lieut. Ernest August Guillemet, Quartermaster Corps.
First Lieut. John Albion Chase, Infantry.
First Lieut. James Allen Ryan, Coast Artillery Corps.
First Lieut. Henry Edward Tisdale, Field Artillery.
First Lieut. Clyde Kelly, Infantry.
First Lieut. Herman Goodwin Halverson, Quartermaster Corps.
First Lieut. Leslie Norman Conger, Infantry.
First Lieut. Thomas Morris Jervey, Infantry.
First Lieut. Thomas Nottingham Williams, Infantry.
Second Lieut. Albert Joseph Beale, Quartermaster Corps.
First Lieut. William John Niederpruem, Infantry.
First Lieut. Eugene Nelson Frakes, Infantry.
First Lieut. John Russell Young, Infantry.
First Lieut. John Marvin Hagens, Infantry.
First Lieut. Morris Easton Conable, Coast Artillery Corps.
First Lieut. Robert Stuart Smith, Quartermaster Corps.
First Lieut. Charles Francis Sullivan, Infantry.
First Lieut. Paul Cassius Berlin, Cavalry.
First Lieut. Edward Avery Austin, Infantry.
First Lieut. Karl Minnigerode, Infantry.
First Lieut. Hartwell Newton Williams, Quartermaster Corps.
First Lieut. Harry Wright Hill, Corps of Engineers.
First Lieut. Robert Wilkin McBride, Coast Artillery Corps.
First Lieut. Charles Addison Pursley, Air Service.
First Lieut. Bert S. Wampler, Infantry.
First Lieut. Edmund Fitzgerald Hubbard, Infantry.
First Lieut. Henry Tureman Allen, jr., Cavalry.
Second Lieut. Halbert Eli Norton, Quartermaster Corps.
First Lieut. George Rankin, Infantry.
First Lieut. Charles Franklin Johnson, Infantry.
Second Lieut. Carl Herbert Odeen, Quartermaster Corps.
First Lieut. James Everett Snider, Cavalry.
First Lieut. Adam Richmond, Infantry.
First Lieut. Charles Jackson Sullivan, Infantry.
First Lieut. Winfield Orval Shrum, Infantry.
First Lieut. Paul Roy Guthrie, Quartermaster Corps.
First Lieut. Ernest Franklin Dukes, Cavalry.
First Lieut. Ira Edgar Ryder, Infantry.
First Lieut. Herbert Randolph Roberts, Infantry.
First Lieut. James Roger Kennedy, Infantry.
First Lieut. Harry Joseph Gaffney, Coast Artillery Corps.
First Lieut. Charles Francis Frost Cooper, Infantry.
First Lieut. Frank Ward, Infantry.
First Lieut. Harold Edward Potter, Infantry.
First Lieut. Rufus Boylan, Infantry.
Second Lieut. Warren Crouse Hurst, Quartermaster Corps.
First Lieut. Charles Clinton Griffin, Infantry.
First Lieut. Willard Lapham Smith, Infantry.
First Lieut. George Luke Usher, Air Service.
First Lieut. George H. Cushman, jr., Field Artillery.
First Lieut. Lester Abraham Harris, Infantry.
First Lieut. William Lackey Mays, Infantry.
First Lieut. John Partick Welch, Quartermaster Corps.
First Lieut. Thomas Almeron Bryant, Cavalry.
First Lieut. Daniel Bernard Cullinane, Cavalry.
First Lieut. Llewellyn de Waele Sharp, Infantry.

First Lieut. Harvey Watson McHenry, Quartermaster Corps.
First Lieut. Frank Lenoir Reagan, Infantry.
First Lieut. George Randall Wells, Infantry.
First Lieut. Thomas Ernest Campbell, Infantry.
First Lieut. John T. Boyle, Quartermaster Corps.
First Lieut. Peyton Winlock, Field Artillery.
First Lieut. Clarence Lineberger, Quartermaster Corps.
First Lieut. George Mortimer Couper, Infantry.
First Lieut. William Jasper Black, Infantry.
First Lieut. Homer H. Beall, Quartermaster Corps.
First Lieut. Abraham Max Lawrence, Infantry.
First Lieut. Frank Thornton Addington, Infantry.
First Lieut. Paul Ernest Leiber, Infantry.
First Lieut. William Bernard Lowery, Infantry.
First Lieut. James Francis Strain, Infantry.
Second Lieut. Albert Earle Matlack, Quartermaster Corps.
First Lieut. Francis Norton Neville, Quartermaster Corps.
First Lieut. Francis Curran Browne, Infantry.
First Lieut. Harry Lynn Henkle, Infantry.
First Lieut. Merrifield Graham Martling, Corps of Engineers.
First Lieut. Fred Stevens Byerly, Infantry.
Second Lieut. Austin Webb Lee, Quartermaster Corps.
First Lieut. Lewis Andrew Pick, Corps of Engineers.
Second Lieut. Oscar Stanley Smith, Infantry.
Second Lieut. Joseph Henry Davidson, Air Service.
First Lieut. John McDowall, Field Artillery.
First Lieut. Walter Cox Rathbone, Infantry.
First Lieut. Harry Watson Bolan, Infantry.
First Lieut. Alfred Clarence George, Air Service.
First Lieut. George Bagby Campbell, Infantry.
First Lieut. Harry Martin Andrews, Quartermaster Corps.
First Lieut. Chauncey McCullough Lyons, Infantry.
First Lieut. Edward Phillip Wadden, Infantry.
First Lieut. William Yeates, Cavalry.
First Lieut. Paul Miller Ellman, Corps of Engineers.
First Lieut. John Edward Doyle, Infantry.
First Lieut. Irvin Henry Zeliff, Field Artillery.
First Lieut. Ellis Wiswell Hartford, Quartermaster Corps.
First Lieut. Paul Jones Mathis, Air Service.
First Lieut Frank Ellsworth Brokaw, Cavalry.
First Lieut. Beverly Allison Shipp, Infantry.
Second Lieut. Walter Kendall Wheeler, jr., Infantry.
First Lieut. Charles Sherwood Gilbert, Infantry.
First Lieut. Robert Oliver Shoe, Infantry.
First Lieut. Charles Crisp Morgan, Infantry.
First Lieut. Ellis Edward Haring, Corps of Engineers.
First Lieut. Malcolm Everett Craig, Infantry.
Second Lieut. Roland Thorpe Fenton, Quartermaster Corps.
First Lieut. Milton Orme Boone, Quartermaster Corps.
First Lieut. Perry Edward Taylor, Cavalry.
First Lieut. John Samuel Schwab, Infantry.
First Lieut. Walter Daugherty McCord, Infantry.
First Lieut. James Esmond Matthews, Infantry.
First Lieut. William James Robertson, Infantry.
First Lieut. Harry Jefferson Farner, Infantry.
Second Lieut. John Lawrence Slade, Quartermaster Corps.
First Lieut. Samuel Lynn Dunlop, Infantry.
First Lieut. Charles Sydney Hammond, Coast Artillery Corps.
First Lieut. Joseph Wheeler Starkey, Infantry.
First Lieut. Harrington Willson Cochran, Coast Artillery Corps.
First Lieut. Fred Harry Enckhausen, Infantry.
First Lieut. Leo Joseph Dillon, Quartermaster Corps.
First Lieut. Alberto Eugene Merrill, Cavalry.
First Lieut. Thomas Jefferson Heald, Infantry.
First Lieut. John Merle Weir, Infantry.
Second Lieut. Samuel Clifton Cratch, Quartermaster Corps.
First Lieut. Hubert Ward Beyette, Quartermaster Corps.
First Lieut. Moore Alexander Stuart, Field Artillery.
Second Lieut. Evan Jervis Morris, Infantry.
First Lieut. James Monroe Morris, Infantry.
First Lieut. Elbridge Colby, Infantry.
First Lieut. Herbert Hatchett Blackwell, Coast Artillery Corps.
First Lieut. Richard Adams Knight, Field Artillery.
First Lieut. Samuel Stafford Wolfe, Infantry.
First Lieut. Cecil Oliver Temple, Quartermaster Corps.
First Lieut. Chester David Hilton, Quartermaster Corps.
First Lieut. Roy Victor Rickard, Infantry.
First Lieut. Alfred Volckman Ednie, Infantry.
First Lieut. John Wilmar Blue, Infantry.
First Lieut. Otto Gresham Trunk, Air Service.
First Lieut. Frank McCormick Nihoof, Infantry.
First Lieut. Edmund Gerald Steis, Chemical Warfare Service.
Second Lieut. William Russell Frost, Field Artillery.
First Lieut. Freeman Bozeman Daniel, Quartermaster Corps.
First Lieut. Frederick Wilhelm Tell Sterchi, Infantry.
First Lieut. Earl Le Verne Lyons, Infantry.
First Lieut. Kenneth Smith Wallace, Field Artillery.
Second Lieut. Howard Haines Cloud, Infantry.
First Lieut. Thomas Jefferson Jackson, Infantry.
First Lieut. Clarence Lloyd Midcap, Air Service.
First Lieut. Fred Martin Distelhorst, Infantry.
First Lieut. Gordon Hall Steele, Quartermaster Corps.
First Lieut. Harry Kuteman Adams, Infantry.
First Lieut. Louis William Eggers, Infantry.
First Lieut. Charlie Anthony Valverde, Infantry.
First Lieut. Francis Egan, Infantry.
Second Lieut. Neil Brown Simms, Quartermaster Corps.
First Lieut. Fred Ivan Gilbert, Ordnance Department.
First Lieut. John Leverett Farley, Infantry.
Second Lieut. Charles William Mays, Field Artillery.
First Lieut. James Carlisle Patterson, Field Artillery.
Second Lieut. John Joseph Nealon, Infantry.
First Lieut. Maurice Vernon Patton, Field Artillery.
First Lieut. Arthur Vanderpool Winton, Coast Artillery Corps.
First Lieut. Alexander Hill Cummings, Quartermaster Corps.
First Lieut. Blaisdell Cain Kennon, Infantry.
First Lieut. Leslie Johnathan Cartwright, Infantry.
First Lieut. Harland Fisher Seeley, Infantry.
First Lieut. Wallace Chace Steiger, Cavalry.
First Lieut. John Huston Church, Infantry.
First Lieut. Irving Marion McLeod, Infantry.
First Lieut. Frank Leslie Thompson, Infantry.
Second Lieut. Harold Baxter Crowell, Infantry.
First Lieut. Harold Eugene Eastwood, Cavalry.
Second Lieut. Gilbert Taylor Collar, Air Service.
First Lieut. Chester Carlton Westfall, Infantry.
First Lieut. William Langley Wharton, Infantry.
Second Lieut. Henry Herbert Cameron, Cavalry.
Second Lieut. William Otis Poindexter, Infantry.
First Lieut. Anthony Power Lagorio, Infantry.
Second Lieut. Andrew Paul Paulsen, Infantry.
Second Lieut. Benjamin Franklin Giles, Air Service.
First Lieut. Ernest Clifton Adkins, Infantry.
First Lieut. Moses Foss Cowley, Infantry.
First Lieut. Lee Huber, Infantry.
First Lieut. Arthur Hurd Lee, Field Artillery.
First Lieut. Lee Varnado Hunnicutt, Infantry.
First Lieut. Keith Kenneth Jones, Field Artillery.
First Lieut. Thomas Green Poland, Infantry.
First Lieut. Casper Ray Crim, Infantry.
First Lieut. Robert Henry Crosby, Field Artillery.
First Lieut. Chester Russell Fouts, Finance Department.
First Lieut. Thomas Deweese Davis, Infantry.
First Lieut. John Liggat Tunstall, Finance Department.
First Lieut. Frank George Rogers, Field Artillery.
First Lieut. George Lyman Prindle, Infantry.
Second Lieut. Philip Theodore Quinn, Field Artillery.
First Lieut. Leslie Walter Brown, Infantry.
First Lieut. Tobin Cornelius Rote, Infantry.
First Lieut. Fraser Hale, Air Service.
Second Lieut. Isaac Brown Mayers, Infantry.
First Lieut. Joseph English Hall, Air Service.
Second Lieut. John Beall Harvey, Infantry.
First Lieut. Owen Meredith Marshburn, Field Artillery.
First Lieut. Reading Wilkinson, Corps of Engineers.
First Lieut. Nicholas Hamner Cobbs, Finance Department.
First Lieut. William Allen Hale, Infantry.
First Lieut. David Eugene Barnett, Infantry.
Second Lieut. Earle Albie Johnson, Infantry.
First Lieut. Edgar Harland Keltner, Infantry.
First Lieut. Jesse Andrew Rogers, jr., Infantry.
Second Lieut. Furman Walker Hardee, Infantry.
First Lieut. Charlie Campbell McCall, Cavalry.
First Lieut. Robert Quail Whitten, Infantry.
First Lieut. Benjamin Haw Lowry, Field Artillery.
First Lieut. Charles Peter Lynch, Infantry.
First Lieut. Edward Crews Black, Air Service.
First Lieut. William Burbridge Yancey, Infantry.
First Lieut. Edwin Henderson Quigley, Infantry.
Second Lieut. Raymond Leroy Shoemaker, Infantry.
First Lieut. Shirley Wiggins McIlwain, Quartermaster Corps.
First Lieut. Charles Edward Richardson, Quartermaster Corps.
First Lieut. John Phillip Scott, Cavalry.
First Lieut. Charles August Hoss, Infantry.
First Lieut. Andrew Christian Tychsen, Infantry.
Second Lieut. George James Burns Fisher, Coast Artillery Corps.
First Lieut. Edmond Hugh Brown, Infantry.

First Lieut. Laurence Mickel, Infantry.
Second Lieut. Robert John Wallace, Infantry.
First Lieut. John Swan Moore, Infantry.
First Lieut. Henry Earl Minton, Ordnance Department.
First Lieut. Lovic Pierce Hednette, Infantry.
First Lieut. Arthur S. Champeny, Infantry.
First Lieut. John Hamilton Cochran, Infantry.
Second Lieut. Ralph Alfonzo Gibson, Air Service.
Second Lieut. John Benjamin Holmberg, Air Service.
First Lieut. Lloyd William Goeppert, Coast Artillery Corps.
Second Lieut. Henry William Robinson, Infantry.
First Lieut. William Michener, Field Artillery.
Second Lieut. Don Norris Holmes, Infantry.
First Lieut. Ernest Everett Boyle, Infantry.
First Lieut. Letcher Ogle Grice, Quartermaster Corps.
Second Lieut. William Millican Randolph, Air Service.
First Lieut. Alexander Jesse MacNab, Infantry.
First Lieut. Walter Hibbard, Infantry.
First Lieut. Ralph Leroy Ware, Infantry.
First Lieut. Chauncey Aubrey Bennett, Field Artillery.
First Lieut. Brisbane Hanks Brown, Infantry.
First Lieut. Charles Andrew Robinson, Infantry.
Second Lieut. Joe Shurlock Underwood, Quartermaster Corps.
First Lieut. Albert Charles Gale, Field Artillery.
Second Lieut. Elmer Douglas Campbell, Cavalry.
Second Lieut. Clarence John Blake, Quartermaster Corps.
Second Lieut. John Joseph Buckley, Infantry.
First Lieut. LeRoy F. Pape, Quartermaster Corps.
First Lieut. Harry Dennis Furey, Infantry.
First Lieut. Charles Henry Wilson, Infantry.
First Lieut. John George Pickard, Infantry.
First Lieut. Winfred Houghton, Cavalry.
Second Lieut. Richard Mathews Sandusky, Infantry.
First Lieut. Ernest Francis Boruski, Infantry.
First Lieut. Harold Mays Tague, Infantry.
Second Lieut. John Walker Henson, Infantry.
First Lieut. Eugene Arthur Regnier, Cavalry.
Second Lieut. William Grove Murphy, Infantry.
Second Lieut. Preston Wilson Gillette, Cavalry.
Second Lieut. James Lindley Coman, Coast Artillery Corps.
First Lieut. Joseph James Canella, Infantry.
First Lieut. Walter Alexander Wood, jr., Corps of Engineers.
First Lieut. Charles McKinley Kemp, Infantry.
Second Lieut. Howard Avil Worrell Kates, Infantry.
First Lieut. Raymond Cecil Hamilton, Infantry.
Second Lieut. Harold Albert Baumeister, Infantry.
First Lieut. Jasper Morris Groves, Infantry.
First Lieut. Norris Adron Wimberley, Infantry.
First Lieut. Orlen Nelson Thompson, Infantry.
Second Lieut. Joseph Aloysius St. Louis, Infantry.
Second Lieut. Joseph Saddler Dougherty, Infantry.
First Lieut. Richard James Kirkpatrick, Air Service.
First Lieut. Carey Ephriam Campbell, jr., Infantry.
First Lieut. Clarence Ronald Peck, Infantry.
First Lieut. Ray Milton House, Infantry.
First Lieut. Pierre Mallett, Field Artillery.
First Lieut. Overton Walsh, Field Artillery.
Second Lieut. Clarence Harvey Bragg, Infantry.
First Lieut. DeWitt Clinton Smith, jr., Infantry.
First Lieut. John Curtis Newton, Infantry.
First Lieut. Leslie Lancaster Heller, Infantry.
Second Lieut. Vaughan Morris Cannon, Cavalry.
Second Lieut. Wilson Stuart Zimmerman, Infantry.
First Lieut. Graeme Gordon Parks, Infantry.
First Lieut. Edwin Paull Ketchum, Corps of Engineers.
First Lieut. Frank Lee McCoy, Infantry.
First Lieut. George Lucius Blossom, Infantry.
Second Lieut. Cyril Clifton Chandler, Infantry.
Second Lieut. Fred Harold Norris, Infantry.
First Lieut. Raymond Emanuel Hoffman, Infantry.
First Lieut. James Francis Clark Hyde, Corps of Engineers.
First Lieut. Robert James Kirk, jr., Infantry.
First Lieut. James Edward Mendenhall, Infantry.
First Lieut. Leo Alexander Bessette, Infantry.
First Lieut. Kent Clayton Mead, Infantry.
Second Lieut. James Wellington Younger, Quartermaster Corps.
First Lieut. Amory Vivian Eliot, Infantry.
First Lieut. James Clarence Reed, Infantry.
First Lieut. Eugene Ferguson Hinton, Infantry.
Second Lieut. Oliver Wendell Broberg, Air Service.
First Lieut. Clarence Earle Lovejoy, Infantry.
Second Lieut. Richard Sylvester Gessford, Infantry.
Second Lieut. Benjamin Mills Crenshaw, Infantry.
Second Lieut. Curtis Loyd Stafford, Cavalry.
Second Lieut. Alexander Garrett Olsen, Cavalry.
First Lieut. Robert Kauch, Air Service.
First Lieut. Arthur Riehl Wilson, Field Artillery.
Second Lieut. John Major Reynolds, Field Artillery.
First Lieut. Basil Vernon Fields, Infantry.
Second Lieut. Bickford Edward Sawyer, Cavalry.
First Lieut. Irwin Samuel Dierking, Infantry.
Second Lieut. Donald Boyer Rogers, Field Artillery.
Second Lieut. Clinton Fisk Woolsey, Air Service.
First Lieut. Joseph Bartholomew Conmy, Infantry.
Second Lieut. William Randolph Watson, Infantry.
First Lieut. George Curtis McFarland, Coast Artillery Corps.
First Lieut. Collin Stafford Myers, Infantry.
First Lieut. John Peter Neu, Quartermaster Corps.
First Lieut. William Herschel Middleswart, Quartermaster Corps.
Second Lieut. Arden Clucas Miller, Field Artillery.
Second Lieut. Frank Sims Mansfield, Infantry.
First Lieut. Paul Clarence Spears, Field Artillery.
First Lieut. Ralph C. G. Nemo, Infantry.
First Lieut. Ross Franklin Cole, Air Service.
Second Lieut. Oakley Lefgh Sanders, Cavalry.
First Lieut. John Pinnix Lake, Infantry.
First Lieut. Heston Rarick Cole, Corps of Engineers.
First Lieut. Russel Burton Reynolds, Infantry.
Second Lieut. Harold Douglas Dinsmore, Infantry.
First Lieut. Paul Clarence Boylan, Field Artillery.
Second Lieut. Ralph Floyd Love, Infantry.
Second Lieut. William Irving Sherwood, Infantry.
First Lieut. Charles Wilkes Christenberry, Infantry.
Second Lieut. Charles Andrew Beaucond, Infantry.
Second Lieut. Horace William Mooney, Air Service.
Second Lieut. Robert Mansfield McCurdy, Infantry.
First Lieut. Stewart Franklin Miller, Field Artillery.
First Lieut. Hugh Campbell Parker, Infantry.
Second Lieut. Floyd Marshall, Infantry.
First Lieut. William Carey Lee, Infantry.
First Lieut. Leonard Henderson Sims, Infantry.
First Lieut. John Edwin Ray, Infantry.
Second Lieut. Roy Thomas Barrett, Coast Artillery Corps.
First Lieut. John Jeremiah Bachman, Field Artillery.
First Lieut. Raymond Jay Williamson, Infantry.
Second Lieut. Vere Painter, Quartermaster Corps.
First Lieut. Walter Julius Ungethuem, Infantry.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 21, 1921.*

The House met at 12 o'clock noon.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Blessed Heavenly Father, in Thy light we shall see light. Give unto us an open eye that we may follow its gleam, and may we not willingly allow it to die off of our pathway. This is the miracle of God and the ideal attainment of man. How we thank Thee. Through Jesus Christ our Lord. Amen.

The Journals of the proceedings of Saturday and Sunday were read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, had requested a conference with the House of Representatives on the bill and amendment, and had appointed Mr. COLT, Mr. DILLINGHAM, and Mr. GORE as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 8038) to provide for the establishment of a branch land bank in the island of Porto Rico, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.; and

H. R. 8692. An act authorizing the exchange of lands within the Montezuma National Forest in Colorado.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that on February 19 they had presented to the President of the United States, for his approval, the following bill:

H. R. 15130. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8692. An act authorizing the exchange of lands within the Montezuma National Forest in Colorado; and

H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4205. An act to amend section 4, chapter 1, of title I, of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

IMMIGRATION BILL.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 14461, disagree to the Senate amendments, and agree to the conference asked.

The SPEAKER. The gentleman from Washington asks unanimous consent to take from the Speaker's table, disagree to the Senate amendments, and agree to the conference asked by the Senate in reference to the bill which the Clerk will report by title.

The Clerk read as follows:

H. R. 14461. An act to provide for the protection of citizens of the United States by the temporary suspension of immigration, and for other purposes.

Mr. SABATH. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Washington if he expects a meeting of the conferees to-day?

Mr. JOHNSON of Washington. If possible, I shall try to arrange that after consultation with the gentleman.

Mr. SABATH. I will withdraw the reservation.

Mr. MASON. Mr. Speaker, reserving the right to object, or rather a parliamentary inquiry, do I understand that without making any special reservation we can have a separate vote on the Senate amendments, or if we have to give notice or make objection now?

The SPEAKER. The Chair does not understand the gentleman's inquiry.

Mr. MASON. We passed this bill and it went to the Senate and certain amendments were made in the Senate. What I wanted to know was if we would have a separate vote in the consideration of the Senate amendments. Of course, the conferees have not reported yet.

The SPEAKER. It has not gone to conference, but as the Chair understands, the Senate has reported an entirely new bill, and when the conferees' report will come back it will have to be approved by the House before it becomes a law.

Mr. MASON. I do not wish to delay the matter at all.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. JOHNSON of Washington, Mr. SIEGEL, Mr. VAILE, Mr. SABATH, and Mr. RAKER.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. To-day is suspension day——

Mr. MASON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his personal privilege.

Mr. McCLINTIC. Mr. Speaker, pending that, I think we ought to have a quorum here.

The SPEAKER. The gentleman from Oklahoma makes the point of order there is no quorum present. It is clear there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Baer	Bland, Mo.	Brumbaugh
Ayres	Bankhead	Bowers	Burdick
Bacharach	Bell	Britten	Candler
Cantrill	Focht	McGlennon	Sanford
Carew	Gallagher	McKinley	Scully
Casey	Ganly	McKinley	Sears
Clark, Fla.	Garner	McLane	Sells
Clark, Mo.	Goldfogle	Maher	Slemp
Classon	Good	Mann, S. C.	Small
Coady	Goodwin, Ark.	Mead	Smith, N. Y.
Copley	Graham, Pa.	Monahan, Wis.	Steele
Costello	Hamill	Moon	Stiness
Cramton	Harreld	Mooney	Stoll
Cullen	Harrison	Morin	Strong, Kans.
Curry, Calif.	Hutchinson	Mudd	Sullivan
Davey	James, Mich.	Neely	Taylor, Colo.
Dent	Johnston, N. Y.	Newton, Minn.	Thomas
Donovan	Kahn	O'Connell	Upshaw
Dooling	Kelley, Mich.	Perlman	Vare
Doremus	Kennedy, Iowa	Porter	Venable
Doughton	Kennedy, R. I.	Rainey, Ala.	Vestal
Dunbar	Kettner	Rainey, Henry T.	Vinson
Dunn	Kiess	Rainey, John W.	Volk
Eagan	Kitchin	Randall, Calif.	Webster
Eagle	Kleczka	Ransley	Wheeler
Echols	Kreider	Reavis	Wilson, Ill.
Edmonds	Layton	Riordan	Wise
Ellsworth	Lesher	Rowan	Yates
Emerson	Lonergan	Rubey	
Flood	McCulloch	Sanders, La.	

The SPEAKER. Three hundred and three Members have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. MASON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. MASON. I desire to reply to some false statements which were made in the Sun and New York Herald charging me with the violation of some of the laws of this country in regard to the transportation of public documents through the mails, and other statements which are absolutely false, to which I wish to reply.

The SPEAKER. Will the gentleman state to the Chair what gives him his privilege?

Mr. MASON. Yes. The first is a statement by the paper that they hold no brief for Bernard M. Baruch, but I have attacked him, and that it is very dishonorable to attack a man and take advantage of my position as a Member of Congress.

I purpose to show in answer to that that I have done no dishonorable thing, but that I have pursued the course which I thought was proper to protect the revenues and the money of my country.

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC. What is the date of that alleged publication?

Mr. MASON. It was published on June 4, after I went home following the last session of Congress.

The next point is that it states:

Some 23 years ago he shipped his personal belongings by mail under the Senate postal frank.

That is the charge of the violation of the laws of this country, and I want to brand it.

The SPEAKER. The Chair will recognize the gentleman. [Applause.]

Mr. MASON. Mr. Speaker and gentlemen, I shall be very brief if I am not interrupted, and I prefer not to be interrupted.

Mr. GARD. Do I understand that the Chair recognizes the gentleman on the second instance he has mentioned?

The SPEAKER. Not necessarily on the first.

Mr. MASON. I did not say "not necessarily on the first." I have a right to reply.

The SPEAKER. If the gentleman wishes to claim privilege on the first, the Chair wishes he would be a little more specific and state the language.

Mr. MASON. The language is this:

Bernard M. Baruch's reputation as a man of integrity in the business world, an efficient war administrator of honor, and a private citizen of distinguished position is not liable to suffer from the grotesque attack of WILLIAM E. MASON, Illinois Member at large of the House of Representatives and unequaled notoriety seeker in Congress. He first says that Mr. Baruch, as chairman of the War Industries Board, "stole $50,000,000 in copper alone," and then when called upon by Mr. Baruch to submit his evidence immediately to Congress and to the Attorney General of the United States refuses to do so now, but declares that he will amend his statement to read that "you and your associates stole $200,000,000 in copper alone."

We hold no brief for Mr. Baruch, but we must say that it is a shocking thing for a Member of the House, hiding behind his Congress privileges, to make such an assault upon anybody and then decline to back it up.

I purpose to back it up by quoting from the evidence already introduced as to my being guilty of the charge of slandering anybody in my position as a Member of the House.

Mr. WINGO. Mr. Speaker, I rise to a point of order. The only criticism in the article the gentleman read is that he took advantage of his position as a Member of Congress to make a charge and has refused to submit proof. The gentleman says he wants to rise to a question of personal privilege for the purpose of submitting proof. That is not a question of personal privilege, if the Speaker please. If that were possible, the time of this House would be taken up each day. I submit that a half dozen Members of the House are criticized each day along similar lines, and you can not treat as a question of personal privilege an expression of opinion of either newspaper or a citizen that a Member of Congress is not acting fairly in criticizing somebody from the floor who has no right to answer. And, after all, we recognize there is something in the charge that it is not fair for a Member of the House to attack a private citizen here, where he can not defend himself.

Mr. MASON. I recognize that as a rule of my life, here or anywhere else, but when a man lies about me, as this editor has done, I propose to answer the charge. If the gentleman wants to save time, he can do it, as I can finish my statement in a few minutes.

Mr. WINGO. I want to save the orderly procedure of the House regardless of time. The gentleman made a charge that Barney Baruch, by reason of his position with the Government, made $50,000,000. The newspaper says when the gentleman was called on for his proof he did not give any, but amended his charge by saying "you and your associates." The newspaper said——

Mr. MASON. I propose to show that that is a falsehood, and that I did offer the proof. I tendered to him the proof, and have it before the Graham committee, but when he asked me to take him before his own Attorney General I declined. And his statement is absolutely false, to the effect that I refused to produce the proof.

Mr. WINGO. That you refused to produce the proof?

Mr. MASON. Yes, sir. It is not true. The proof is here, and I propose to submit a brief statement by the chairman of this committee, showing that there was a corrupt conspiracy and that he was at the head of it.

Mr. WINGO. Has the gentleman sought to have him indicted?

Mr. MASON. Where? In New York?

Mr. WINGO. The gentleman said——

Mr. MASON. By the Attorney General in Washington. I have not sought to have him indicted, and I shall try to have him indicted after the 4th day of next month. He should be indicted.

Mr. WINGO. I mean a criminal indictment, not a political one.

Mr. MASON. I mean a criminal indictment, for he and his conspirators held this Government by the throat on the copper deal until they robbed and controlled the markets of this country as to copper.

Mr. WINGO. Will the gentleman tell me before what grand jury he presented his proof?

Mr. MASON. Does not the gentleman know enough about the law that the Attorney General can procure indictments, and a private citizen has no place there?

Mr. WINGO. I have known of men indicted for Federal offenses of whom the Attorney General never heard.

Mr. MASON. The gentleman may have had a very large practice, but as a rule——

Mr. WINGO. It does not require a large practice to learn that. Any man who has studied anything about Federal procedure in the courts knows that.

Mr. MASON. I will say to the gentleman that when I want instruction in legal matters I will try to get him and pay him for his trouble.

Mr. WINGO. The gentleman's age would command my respect, but I could not hope for him to accept my humble advice.

Mr. BLAND of Indiana. Mr. Speaker, I make the point of order that both gentlemen are not discussing the question of privilege.

The SPEAKER. The Chair supposes both the gentlemen were discussing the point of order.

The Chair will hear the gentleman on the point of order. The gentleman from Arkansas [Mr. WINGO] makes the point of order that what the gentleman states relative to Mr. Baruch does not come within the question of privilege. As the Chair understood the gentleman from Illinois [Mr. MASON], the newspaper said that he made charges and that he did not substantiate them?

Mr. MASON. Yes. That is what the paper says.

The SPEAKER. The Chair does not think that of itself constitutes a question of personal privilege. That is newspaper criticism.

Mr. MASON. It is a newspaper lie, and I have the right to answer it and brand it as such when it reflects upon my character and standing as a Member of this House.

The SPEAKER. The decisions are quite uniform that a mere criticism by a newspaper which does not impugn the motives of a Member of Congress does not give rise to a question of privilege. Will the gentleman send the article up to the Chair once more, so that the Chair can determine?

Mr. MASON. The whole editorial, if the Chair please, should be taken together.

The SPEAKER. The Chair does not think the gentleman is justified. Perhaps the Chair should read it in order to explain the rule, but in this same connection the gentleman from Illinois might object to the Chair reading it.

Mr. MASON. Not at all.

The SPEAKER. Here it says, "He is only living up to his own notorious reputation." [Laughter.]

Mr. WINGO. Mr. Speaker, I withdraw my point of order. I did not know that statement was in the article. [Laughter.]

Mr. MASON. There are a great many things you do not know. [Renewed laughter.]

It is very difficult, I say to my colleagues, to make a schedule and keep a strict bookkeeping account of the professional liar. But I purpose very briefly to answer the several and distinct lies made by the editor of this paper in his defense of Barney Baruch. He could have nothing personal against me and every one of the lies which he prints has been answered, some of them more than 20 years ago. They are dead and buried, and I have never yet found language to describe that sneaking, skulking animal that will rob the grave of a buried lie for purposes of defending his fellow scalawags who seek to rob this Government. [Laughter.]

First he says he "holds no brief for Barney Baruch." I know of no reason why he should have mentioned that. [Laughter.] Then he says:

> For in the Senate, in the House of Representatives, or anywhere, BILLY MASON, as he wants everybody to call him, was always that very sort of a joker. He was such a joker when at the close of his Senate career he shipped 20 tons of his personal belongings by mail under his Senate postal frank from Washington to his home in Waukegan, Ill.

They do not even give my home town right. They are such a bunch of liars that they can not get anything right. [Laughter.]

Now, as a matter of fact no man can or could ship his furniture by frank. No Congressman has done it in the last 50 years. I believe 75 or 80 years ago they did use to send their washing home by frank. [Laughter.]

But when this lie was originally told the man knew he was lying when he told it. It was shown to be an absolute lie from the beginning. It has been dead and buried for 20 years, and yet for purposes of defending Barney Baruch, the gentleman who contributes $83,000 to Brother Wilson's campaign fund and makes $470,000 on one little flurry in the market, in order to protect him, the man who said he had the greatest power during the war, they found it necessary to disinter these ancient and rotten lies about me that were buried when they were peddling our senatorships in the State of Illinois. The man who wrote it then knew he was lying, and the man who publishes it now knows he is lying, but they seek to get around it by saying this:

> The joke, as he saw it, was that he was credited by official Washington, by the Postal Service, and by the public with dead-beating his furniture, library, clothing, etc., home under his frank, when it turned out that he was only franking to Illinois 20 tons of his own speeches.

[Laughter.]

The statement is that official Washington thought I was sending it. Mr. Munsey seems to be prolific and progressive in the matter of originating lies, but unfortunately he is short of ammunition and seeks to disinter ancient lies that have been dead and buried for 20 years, for I never shipped an article of furniture, I never shipped a ton of my own speeches, but I am willing to confess in a moment of modesty that my speeches were sent broadcast over the United States, much to my satisfaction; but they were not sent by tons. There was not a word of truth in it, and it is republished now for the sole purpose of throwing a mean and nasty fling. And you will get it at any moment; any man on either side of this House will get it who stands where I hope to stand for two years, demanding that these thieves bring back some of the money that they have stolen from the Government, and not go unwhipped of justice.

Let me take his next lie.

He was such a joker when he permitted a Senate frank to be used by the champagne agent to send thousands of copies of champagne propaganda through the mails free, for, although the champagne man considered it to be an incomparable advertisement of his sparkling wares, it was also a "BILL" MASON speech on pure food.

The truth about it is that it has been admitted and uncontradicted for years that in my investigation of pure food I found the people who were adulterating almost everything, including wines, and those that made an honest wine bought copies or had copies of the evidence printed, showing just how they made it, and the cheap scoundrels that were advertising in the newspapers made the point that that was being sent out under congressional frank. Members of Congress and Senators sent it out not only for the purpose of showing adulterations in wine alone but for the purpose of showing adulteration of all the food that went on our tables.

I read further:

He was such a joker when he lent his picture and name to be used in a flaring patent-medicine advertisement, for he wasn't himself sick; he only wanted to promote the sale of the indorsed patent medicine to those who were sick.

I do not believe in lying. I quit it a long time ago, it was such a strain on my memory. [Laughter.] You may doubt my judgment in permitting the use of my name. My motive was all right, and I think my judgment was bad. But when he says I told what was not true, he is a liar, and he knew he was a liar when he wrote it.

He was such a joker when he incessantly, bitterly, and uproariously opposed our going to war against Germany, on the ground that he loved peace.

Well, you know whether I was joking about it. I did not agree with you gentlemen who declared war. That was my conviction then, and I stood for free speech then. After you had declared war I did all I could to help win it. I did not vote to go into it. I believed then it was a scramble to settle real estate titles between King William and King George. I have not changed my mind about it, and I have not apologized for it, and my people have returned me here twice since I took that position. After the war was declared I did as you did. I rendered all the service I could; but it is a part of the use these hired newspapers make to besmirch any man who calls attention to the robbery and the thievery that was going on during this war. He says:

He punched a hotel clerk's nose in Washington for refusing to give a room to the wife of one of his constituents.

That is a sneaking, contemptible lie, originated at that time when the legislature was Republican and the majority of them were instructed to return me to the Senate; an insult, a sly reflection, a reflection upon my family and my conduct. Every newspaper in Illinois that published any part of it retracted it, and this sneaking, snarling, groveling dog crawls in under the ground to disinter and unbury lies that have been dead and buried.

And for what purpose? For the purpose of discrediting me when I asserted that Barney Baruch, at the head of this Purchasing Board, was guilty of the greatest fraud. The evidence is here. They did get more than $200,000,000 profit in copper alone. They could have bought that copper under the law—they could have commandeered that copper as they did the soldiers of this country, as they did your boy and mine—but Barney Baruch, under the leadership of Mr. John D. Ryan, with 95 per cent of the copper producers, combined against and robbed your Government; and if I live under the incoming administration the incoming Attorney General will present the copper cases criminally or civilly or both. He will either do it or I shall endeavor to give you some good reason why. [Applause.]

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. MASON. I prefer not to be interrupted.

Mr. GARRETT. The gentleman has stated that he does not wish to do any injustice. The gentleman has referred to the Graham committee. I was a member of that committee and am able to state to the gentleman exactly what the proof showed of Mr. Baruch's connection with copper. Is the gentleman willing I should state it? It will be very brief.

Mr. MASON. I have heard your statement. I have the statement here. You can insert it in your own speech if you please, but not in mine. You have a perfect right to defend Mr. Baruch. I propose to state, as Mr. GRAHAM states here, what the effect of the proposition was.

Mr. GARRETT. Will not the gentleman be fairer if he states the proof and not what Mr. GRAHAM stated or what I state?

Mr. MASON. Yes; I will state the proof. I have it very clearly in my mind. The proof is that before the war was declared John D. Ryan and Barney Baruch were in Washington to arrange to sell copper to this Government. Is not that true?

Mr. GARRETT. Yes. Now, will the gentleman tell what further the proof shows——

Mr. MASON. Is that true?

Mr. GARRETT. Just a moment. The proof shows that Mr. Baruch——

SEVERAL MEMBERS. Regular order!

Mr. MASON. Go ahead.

The SPEAKER. The gentleman from Illinois has control of the time.

Mr. GARRETT. The proof shows that Mr. Baruch did bring about an arrangement whereby there was purchased for the Navy and War Departments 45,000,000 pounds of copper, at 16¾ cents per pound, the average price for the last 10 years, when in the markets of the world and the United States copper was selling at from 26 to 33 cents a pound; and that was all he did. [Applause.]

Mr. MASON. And then they bought nearly 600,000,000 pounds, and Barney Baruch fixed the price.

Mr. BUTLER. Twenty-six cents.

Mr. MASON. At 26 cents. I will show any of Mr. Baruch's friends here on this floor—he says I should put up or shut up. If he and Mr. John D. Ryan will bring their books and waive immunity, I will enter my appearance in any suit he may bring, and I will give a bond to secure him for any judgment he can recover against me. Let them bring their books here. Let them waive immunity. You know why they have not been examined, some of you. I quote from Mr. GRAHAM's statement, which will be sufficient for this purpose, and then I will sit down.

These distinguished, patriotic producers of copper came here and made an arrangement before war was declared. Maybe you can see where some of the tips came from when Brother Baruch made four hundred thousand and odd dollars. He says he could have made $3,000,000, I think, if he had had a real tip. He came here before the war, and they brought into it not the men who should have been brought into it, but in violation of the statute they began to deal with the sales company, and that sales company represented the producers of 95 per cent of the copper of this country, and Mr. GRAHAM puts it very frankly, and I congratulate his committee on the work they have done. I congratulate every man who tried to bring to light not the incompetency in the conduct of the war. We knew what to expect when we knew what party was in control of the Government. The old men knew what was coming, but I congratulate these men who have exposed the thieving that has been going on. And let nobody come here from the city of Chicago and tell you they do not want an investigation, who seek to prove that they are soldiers because they can swear. [Laughter.] Now this is the statement, winding up Mr. GRAHAM's statement here on the floor, and he has made a fair and conservative investigation of this matter.

Mr. Chairman GRAHAM said:

So the effect of the proposition was to feed this infernal trust which had its fingers on the throat of the country and let them make such inordinate profits as were entirely unjustified by the needs of the Government. There was no necessity for it and the Government with its strong hand at the throttle could have commandeered all the copper it needed and made them furnish it at reasonable prices.

Who was the Government on copper? Barney Baruch spoke for the President. He had absolute authority and power to speak for him. He himself said he had more power than any man in the United States. To show that I was justified—I have no personal feeling, I want to get some of this money back to the taxpayers, and I think I know how it can be done—the Utah Copper Co. in 1917 made a profit of $32,000,000, which was 200 per cent of its capital stock. In 1918 they made a profit of $24,000,000, which was 150 per cent of their capital stock. In other words there was $350 they got in dividends for every $100 they had invested in stock.

The Calumet & Hecla Mining Co. in 1917 made a profit of $9,500,000, or 800 per cent of its capital stock. In 1918 they made a profit of $3,500,000, or 300 per cent of their capital stock. Here is Barney Baruch and his pals sitting at the head of the Government, fixing the price with men who controlled the copper, and to charge these prices when they could commandeer and did commandeer everything from a railroad to a ship—they let this one company make 1,100 per cent profit in two years.

Mr. HUDSPETH. Will the gentleman yield?

Mr. MASON. Yes.

Mr. HUDSPETH. Did Barney Baruch have any stock in that company?

Mr. MASON. He did not need to. He represented them; he did not represent the Government; he had the power, but he did not wield it; he turned it over to these men; he did not represent the Government of the United States. [Applause.]

The Inspiration Consolidated Copper Co. made $12,000,000, or 55 per cent, and so on. Ah, Mr. Speaker, I have only gone thus

far into the examination of Mr. Baruch and the evidence to show that I was not seeking to take advantage of my position as a Member of Congress to slander any man. I hate a slanderer, and I hate a tale bearer. I have no use for them.

But I make this statement and I believe it to be true, and again I make the proposition that if Mr. Ryan and Mr. Baruch will bring their books here and waive immunity—they have not yet been fully examined, as stated by Mr. GRAHAM—and show you how they could make 1,100 per cent in two years in the way of dividends and yet claim to be in the patriotic discharge of their duties, I will give a bond to pay any judgment they get against me.

I do not know Mr. Baruch; I have no wish to know him. I do not know John D. Ryan, and I have no feeling about the matter; but when I think what we went through, what our wives went through, how they knit and sewed, and how every time you got a cablegram you said to yourself, "That is my boy that has gone," without the courage to open it; and when we were suffering and are suffering now from the effects of this war—when I think of these ghouls and cormorants that stood about waiting for Uncle Sam to go to war in order to rob him, it makes my blood boil. There is a double purpose; not only to relieve the taxpayers by compelling the men to bring back the money which they stole, but to give notice that hereafter the man who robs the United States shall not go unwhipped of justice. [Applause.]

Mr. NICHOLLS. Will the gentleman yield?

Mr. MASON. Yes.

Mr. NICHOLLS. I would like to ask the gentleman a question. He said that Baruch represented the copper people. I would like to know if he has any proof of that?

Mr. MASON. It was his conduct. Actions speak plainer than words. When you give my watch to your friend, you represent him and not me. Barney Baruch bore the commission from the President of the United States, but he betrayed the President and betrayed the people. His words represented the Government of the United States, but his conduct spoke loudly for the men who robbed your country. [Applause.]

Mr. NICHOLLS. I am afraid that the newspapers will accuse my colleague of making the same mistake which they accuse him of making before. I am asking in all seriousness——

Mr. MASON. The gentleman looks serious.

Mr. NICHOLLS. The gentleman from Illinois never looks serious. That is the reason they call him a joker.

Mr. MASON. What do they call you?

Mr. NICHOLLS. I do not know; but they do not call me the things that they call you.

Mr. MASON. Then the gentleman ought to be very happy. I am.

Mr. DYER. Mr. Speaker, I ask for the regular order.

Mr. NICHOLLS. I want to ask the gentleman if, aside from what he thinks about Mr. Baruch's conduct, he has any proof that Mr. Baruch represented the copper people?

Mr. MASON. I give you proof in his conduct; that is the only way you can prove the facts in reference to any man—by his conduct. I say that he held a commission from the President of the United States, the strongest power of any one man, to fix the price of copper. Now, that is not the only one; there are other rods in pickle for your friend Baruch. I do not care what he said with his mouth; he said by his conduct that he represented the copper producers of this country. [Applause.]

THE UNANIMOUS CONSENT CALENDAR.

The SPEAKER. To-day is suspension day. The Chair thinks it would be wise to notify Members of his purpose in regard to suspensions. The Chair will state that after a very brief time on the Unanimous Consent Calendar the Chair intends to recognize the gentleman in charge of the bill for incorporation of companies doing business in China, the bill to sell the Government's barges used on the Erie Canal, and also the bill of the gentleman from California [Mr. NOLAN] on patents. Possibly there are one or two others that will be brought up, but that is the program that the Chair has in mind. The Clerk will read the first bill on the Unanimous Consent Calendar.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. It has been suggested—and I am asking this in all seriousness, as some Members contemplate going elsewhere if a certain bill is not coming up—that possibly the packers bill may come up for consideration to-day under suspension of the rules. I am rising to ask if there is any prearrangement by which the packers bill will come up to-day?

The SPEAKER. The Chair does not know of any.

Mr. WINGO. Some of the friends of the bill have been told that there would be an effort made to suspend the rules. There is no such arrangement with the Speaker?

The SPEAKER. No. The Clerk will proceed with the call of the Unanimous Consent Calendar.

ARLINGTON MEMORIAL AMPHITHEATER.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, I reserve the right to object, for the purpose of asking the gentleman from New York [Mr. GOULD], who is in charge of the bill, and who reported it, whether this is intended to be a commission whose term will exist during the present year, or if it is to be in existence for a longer time? The bill provides that a commission shall be created and that possibly the Secretary of War and the Secretary of the Navy shall submit recommendations "annually" to the President, who shall transmit the same to Congress, and so forth. I see that in my first reading of the bill I inadvertently missed the word "annually." And I was about to suggest that it might be well to place that word before the word "December," but that is covered. The next point that I wish to call to the attention of the gentleman is as to just what the commission is now to do. As the bill was originally, before lines 20 and 21 on page 2 were stricken out of section 3, provision was made that applications for authority should be submitted through the commission created by this act; that the commission should pass on these applications and then report to Congress, Congress giving the final authority. The words "applications for such authority shall be submitted in all cases through the commission created by this act" have been stricken out of the bill by the amendment proposed by the gentleman's committee, so that as it is now—and I ask the gentleman whether I am correct or not—it would seem that the commission would have little or nothing to do, because the matter is determined now finally by the Congress. In other words, that language being stricken out of section 3, which provides that no inscription, tablet, box, or other memorial shall be erected, and so forth, unless specially authorized in each case by act of Congress, in each instance there would be required affirmative action or permission by the Congress.

Mr. GOULD. Yes.

Mr. GARD. Assuming that we do create a commission, what is the commission to do?

Mr. GOULD. If the gentleman will read section 5, I think that point will be cleared up.

Mr. GARD. Section 5 provides only as to the character, design, and location of tablets, busts, or other memorials, and that they shall be subject to the approval of the commission "herein created," which shall in each case obtain the advice of the Commission of Fine Arts.

Mr. GOULD. Yes.

Mr. MANN of Illinois. The gentleman will notice that section 1 directs the commission to make recommendations to Congress. While the provision that applications for such authority shall be submitted in all cases to the commission created by this act is stricken out of section 3, still the commission is required annually to submit recommendations to the President and through the President to Congress.

Mr. GARD. I understand that, but with the phrase that applications for such authority shall be submitted in all cases through the commission created by the act stricken out, how does the commission obtain any information as to what is to be placed in the amphitheater?

Mr. MANN of Illinois. I apprehend that will not be difficult at all. The commission will exercise its original jurisdiction of making recommendations.

Mr. GARD. Yes.

Mr. MANN of Illinois. Certainly the commission will be better informed than anybody else in reference to deceased members of the Army, Navy, and Marine Corps.

Mr. GARD. The point that I am endeavoring to get information on is, if we take out the language requiring applications to be submitted by the commission, then how does the commission obtain any evidence as to what is desired of any person or of anybody, as to placing proper inscriptions on tablets, or whatever it may be.

Mr. MANN of Illinois. I assume that the reason for the amendment striking out the provision that applications for such authority shall be submitted through the commission is because

that could not bind Congress in any event. There was no use of putting in a provision which will not be effective in any event. Applications may be made through the commission and probably will be made through the commission in any event.

Mr. GARD. Does not the gentleman think it would be better to retain the language stricken out in lines 20 and 21 on page 2, substituting the word "may" for the word "shall," so that these matters which are to be brought to the attention of Congress may first be brought to the attention of this commission, because I do not know how the commission is going to have information as to what it shall make recommendations for, unless the Secretary of War shall have information or the Secretary of the Navy shall have information and make those recommendations directly to Congress.

Mr. MANN of Illinois. I apprehend that in most cases in reference to this matter it will be done on the recommendation of the commission without application being made to the commission.

It ought not to be required that somebody should make formal application of the commission, but the commission, knowing the situation, could naturally enough make recommendations where they thought it ought to be done without having formal applications made to them. I do not think it ought to be left where individuals should make application to the commission before they can act.

Mr. GARD. Well, section 5 provides that the commission still shall have the power of approval of the character, design, and location of these matters?

Mr. MANN of Illinois. Oh, certainly.

Mr. GARD. So it would seem to me that the question of what these inscriptions, tablets, and busts are to be in nearly all cases should be vested in the commission primarily. Of course, I do not desire to take from the Congress the power of determining it; I think it should vest in Congress always.

Mr. MANN of Illinois. Practically, it would rest with the commission, but I do not think that the commission ought to be forbidden to act unless somebody has made an application to the commission. They ought to have original jurisdiction.

Mr. GARD. What is the gentleman's idea about changing the word "shall" to the word "may"?

Mr. MANN of Illinois. Well, personally, I can see no great objection to that.

Mr. BEE. Will the gentleman yield for a question? I am addressing the gentleman from Illinois.

Mr. MANN of Illinois. The gentleman from Ohio has the floor.

Mr. BEE. Do I understand when this act passes no inscription shall be made or any body entombed unless Congress expressly authorizes the said entombment of the body or the special inscription that is to be made?

Mr. MANN of Illinois. That is the case.

Mr. BEE. That is the intention?

Mr. MANN of Illinois. That is the intention.

Mr. BEE. You first create a commission composed of the Secretary of War and the Secretary of the Navy, to whom you intrust this work. Then in section 5 you say that before they shall do this they shall in each case obtain the advice of the Commission of Fine Arts. What is this Commission of Fine Arts?

Mr. MANN of Illinois. The Commission of Fine Arts is a commission appointed by the President which has jurisdiction over all matters relating to statuary inscriptions and things of that sort.

Mr. BEE. In fact, the Secretary of the Navy and Secretary of War are merely ex officio officers, and this is intrusted to the Commission of Fine Arts, because the Secretary of War and the Secretary of the Navy can do nothing until they get the permission of the Commission of Fine Arts. Is not that right?

Mr. MANN of Illinois. Here is the situation—it is perfectly plain: The original commission provided in the bill makes a recommendation to Congress for the erection of a memorial or the entombment of a deceased body. Congress provides that that shall be done. The design of the memorial or inscription is submitted, when prepared, to the Commission of Fine Arts for their approval before it is erected.

Mr. BEE. And then it must be submitted to Congress?

Mr. MANN of Illinois. Oh, Congress has already passed on it.

Mr. BEE. Then, what does section 3 mean? After the commission has written out the inscription, then it says that it shall not be erected until Congress authorizes it.

Mr. MANN of Illinois. The gentleman did not get what I stated. This will be the procedure: The commission recommends to Congress or to the President and that is transmitted to Congress—that the memorial shall be erected; a tablet or inscription or bust or that a body be entombed. The Congress provides that that shall be done, and if the bust is to be erected or the inscription or the memorial erected the design of that must first be approved by the Commission of Fine Arts.

Mr. BEE. Now, if the gentleman will yield—I see my distinguished friend from New York smile, and therefore I will propound this question again. Section 3—I will read it:

> That no inscription, tablet, bust, or other memorial shall be erected, nor shall any body be entombed, within the Arlington Memorial Amphitheater unless specially authorized in each case by act of the Congress.

In other words, the Commission of Fine Arts says that the body of John Smith shall be entombed. Then before the body of John Smith—I do not know where the body would be all that time—but before the body of John Smith can be entombed Congress must pass an act, the House and the Senate and the President must sign it, authorizing the entombment of the body of John Smith in this Arlington Amphitheater. Then it is not a question of procedure; it is a question of Congress acting in each individual instance, on every inscription, on every tablet, on every bust, on every memorial, on every body entombed; that the Congress of the United States must authorize by specific act, signed by the President, every one of these things to be done. Now, let me ask the gentleman: I understand the purpose of the bill, and I understand it is very meritorious, and it is to prevent caricature upon one hand or unworthy ones upon the other receiving a place in that great amphitheater. Is it possible that the Congress of the United States is not able to trust both the Secretary of War and the Secretary of the Navy, or, the Secretary of War and the Secretary of the Navy not having time to look after it, intrust it to this Commission of Fine Arts, who are presumed to be very gifted gentlemen in this particular line—Congress having incorporated them, having created them—that Congress is afraid to intrust them with whether John Smith or Paul Jones shall be buried in Arlington Cemetery unless it specially authorized it?

Mr. GOULD. That was the view of the committee, Mr. Speaker. Based on the practice and precedents which have been followed in connection with the Committee on the Library in handling matters of this sort, it was deemed advisable to have the legislation come before the House, and then the commission, composed of the Secretary of the Navy and the Secretary of War, with the approval and advice of the Fine Arts Commission, would then take care of the memorial as outlined in the act of Congress.

Mr. BEE. Will the gentleman yield further?

Mr. GOULD. Yes, sir.

Mr. BEE. I do not think the gentleman means to go that far. Suppose they want to buy the life of Countess du Barry or buy The Squaw Man, they must come to Congress for permission to buy such a book. How are you following the practice provided by the Library Commission?

Mr. GOULD. That is a very difficult question, Mr. Speaker. I do not know whether the gentleman is acquainted with the matter of jurisdiction of Government property.

Mr. BEE. In a way.

Mr. GOULD. For instance, there was a question up last week about the wisdom relative to statues or busts of some of the women leaders of the country, which the National Woman's Party hope to have a memorial for in the Rotunda of the Capitol. The statute puts the power of accepting such a piece of art or sculpture in the hands of the Joint Library Committee, and legally, unless a bust or piece of sculpture is accepted by the committee it may not even be brought on Government land. Following that similar procedure which has been followed here for a good many years, it was deemed advisable to have something along the line as proposed in this bill for the handling of memorials in the Arlington Amphitheater. That is the only explanation I can make.

Mr. BEE. If I understand you correctly, if this Congress chooses to pass on the question of whether John Smith shall be entombed at Arlington, of course it has the power to do so, but if necessity arises any kind of a caricature the joint committee provides could be put into the Capitol.

Mr. GOULD. I should think so.

Mr. PELL. That is absolutely so.

Mr. GOULD. I did not quite understand the gentleman.

Mr. PELL. I was saying that that is absolutely so. The Library Committee, if it does not choose to use intelligence and does choose to put in any sort of statue it wants to, can do it. That is the law as it is now. The practice is to consult the Fine Arts Commission. In this particular bill the question is not of putting groups of unknown men in the Arlington Memorial, but to select really important cases. No man should

be placed there unless his case appeals to the Congress. Then it is recommended.

Mr. BEE. I am quite inclined to agree to the gentleman's viewpoint on that. Let me say that I find objectionable section 4, to the effect:

That no inscription, tablet, bust, or other memorial as herein provided for shall be erected to commemorate any person who shall not have rendered conspicuously distinguished service in the United States Army, Navy, or Marine Corps.

In other words, the Fine Arts Commission, or the commission through the Fine Arts Commission, recommends that John Smith's body be entombed, and it then comes to the Congress of the United States to determine whether he rendered conspicuous service or not, and that raises a question of fact.

Mr. GOULD. May I suggest that any objection to the consideration of the bill might be withdrawn and that amendments might be offered which would be satisfactory?

Mr. BEE. Let me finish this further statement. Then you provide that no memorial shall be erected or any body be entombed therein until 10 years after the date of his death. What are you afraid of after a fellow is dead? I can understand not putting up a memorial to anybody alive, because he might turn into a horse thief before he dies. In other words, suppose Gen. Pershing should die to-morrow. You could not entomb him in the Arlington Amphitheater for 10 years.

Mr. GOULD. Not if this legislation passes.

Mr. BEE. And before you can entomb him, Congress must give specific authority, and those gentlemen who have repeatedly stated on the floor of the House that he was a very poor soldier would have the opportunity to fight his battles over again before the House before he is buried in Arlington.

Mr. McKENZIE. The gentleman from New York does not mean to infer that Gen. Pershing could not be buried in the Arlington Cemetery?

Mr. GOULD. No; in this amphitheater.

Mr. BEE. I am rather disinclined to capitalize, because my capitalization days are over; but I am disinclined to agree that the private soldier who fought the battles of the Republic and carried the bullets of his enemy all of his life shall by a Fine Arts Commission and by a membership in Congress be denied the right to lie in the Nation's graveyard.

Mr. MANN of Illinois. He can be buried in Arlington Cemetery.

Mr. BEE. I do not distinguish between the cemetery and the amphitheater.

Mr. FESS. The gentleman must do so.

Mr. BEE. I do not admit that there is any more sacredness around the amphitheater than around the cemetery. No distinction should be used against a private soldier because he was not particularly distinguished.

Mr. MANN of Illinois. Many a private soldier has rendered conspicuous service.

Mr. BEE. And he will never be heard of either.

Mr. FESS. I would like to have the ear of the gentleman from Texas. I think he is confused as to the purpose of the bill.

The Fine Arts Commission is going to be called upon if anything is to be done to adorn or to increase the art effects of that magnificent amphitheater, which has just been completed. That is all that the Fine Arts Commission is going to have to do with it. Congress would scarcely give its agreement or assent to some addition of art without first consulting the Fine Arts Commission. That is all I think it has to do with it.

Then, on the other hand, about the interment; that, of course, does not mean in the cemetery. That means in this amphitheater, and that becomes immediately historically significant, and it ought not to be up to the Fine Arts Commission, and never has been sought to be, but it ought to be left to the body of Congress, I think, rather than this commission, which will be made up by this act and who are temporary, you know, and more or less political. It would seem that that feature ought to be left to Congress as the proper body.

Mr. BEE. I understand the gentleman from Ohio, therefore, to contend, on the one hand, that we ought to leave in the Fine Arts Commission the question of what tablets shall be put there or else Congress becomes a committee of judges of fine arts?

Mr. FESS. The Congress would act, but it would act upon the judgment of the Fine Arts Commission.

Mr. BEE. That is, it might act upon it?

Mr. FESS. That is what we have been doing. We did it with reference to the recently authorized power plant in the city here, although we did not have to do it. I think my friend has been somewhat confused as to what has been the function of the Fine Arts Commission in this bill.

Mr. BEE. I find that the function of the Fine Arts Commission is to do nothing except to indicate to 435 Representatives and 96 Senators what they think ought to be done.

Mr. FESS. If the gentleman will yield a moment in regard to the tablets, it was generally conceded that nothing in the form of statuary should be placed in the Capitol here without consultation with the Fine Arts Commission.

Mr. BEE. Without the consent of Congress?

Mr. FESS. Congress is the final judge as to what is to go in the Rotunda. The Committee on the Library can accept it.

Mr. KING. Can the gentleman give us an idea of the activities of the Fine Arts Commission?

Mr. BEE. I am anxious to find out something about that, because we create them and then by this act cut their heads off.

Mr. KING. To show the patriotism they have, they were instrumental in taking down the magnificent monument to Abraham Lincoln which was located in front of the old City Hall and placing it in cold storage, where it has been for over a year, to the disgrace of every man in this House.

Mr. BEE. Does the gentleman say that the Fine Arts Commission is responsible for that?

Mr. KING. Yes. Col. Ridley is the agent of the commission, and he backs up his opinion with the opinion of the Fine Arts Commission.

Mr. BEE. Was not Congress consulted in regard to that?

Mr. KING. Congress was not consulted. An appropriation was put through here for $2,000, but it failed to state that it was for the removal of the statue of Abraham Lincoln. It simply said "for the removal of the statue." As a consequence the statue was taken down and put into cold storage, and it has remained there for two years.

Mr. BEE. We have heard a great deal about "jokers" this morning. That was the "joker" that was put in the bill?

Mr. KING. Certainly it was a "joker," because they knew that if Congress had known it, Congress never would have stood for it.

The SPEAKER. The time of the gentleman has expired. Is there objection?

Mr. BLANTON. I object.

The SPEAKER. Objection is heard.

PROMOTION OF TRADE IN CHINA.

Mr. DYER. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 16043.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 16043) to authorize the incorporation of companies to promote trade in China.

Mr. KING. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KING. Is this being taken up by unanimous consent?

The SPEAKER. Under suspension of the rules. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "China trade act, 1921."

SEC. 2. When used in this act, unless the context otherwise indicates——

Mr. KING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KING. This is the first reading of the bill, as I understand it?

Mr. MANN of Illinois. There is no other reading of the bill than this.

Mr. KING. Will it be necessary, then, to make a motion to amend at this time?

Mr. MANN of Illinois. There can be no motion to amend.

Mr. KING. It can not be amended? There can not be anything done with it?

Mr. MANN of Illinois. Oh, yes.

The Clerk resumed and concluded the reading of the bill, as follows:

The term "person" includes individual, partnership, corporation, and association;

The term "China" means (1) China including Manchuria, Thibet, Mongolia, and any territory leased by China to any foreign Government, (2) the Crown Colony of Hongkong, and (3) Province of Macao;

The term "Secretary" means the Secretary of Commerce;

The term "corporation" means a corporation chartered under the provisions of this act;

The term "Federal district court" means any Federal district court, the United States Court for China, and the Supreme Court of the District of Columbia;

The term "this act" includes all lawful regulations issued thereunder by the Secretary.

SEC. 3. The Secretary shall exercise all powers and perform all duties conferred on him by this act only through such officers or agents in China as he shall by regulation designate and authorize so to act, and for this purpose the Secretary may utilize such existing or create

such new offices or agencies as he deems necessary. For the purposes of this act, the action of any officer or agent so designated and authorized shall be made in the name and held to be the act of the Secretary: *Provided*, That upon appeal to the Secretary any such action may be affirmed, modified, or set aside by the Secretary, as he deems advisable.

SEC. 4. (a) Three or more individuals (hereinafter in this act referred to as the "incorporators"), a majority of whom are citizens of the United States, may in accordance with the provisions of this act from a corporation.

(b) Such corporation may engage in any business or enterprise conducted wholly within China and carried on with persons in China; except that the corporation—

(1) Shall not engage in any business or enterprise unlawful in the territory in which it is carried on; and

(2) Shall not engage in the business of discounting bills, notes, or other evidences of debt, of receiving deposits, of buying and selling bills of exchange, or of issuing bills, notes, or other evidences of debt, for circulation as money; nor engage in any form of banking business.

(c) The corporation shall not engage in any business or enterprise other than that authorized by subdivision (b), except that it—

(1) May purchase in the United States for transportation to China, goods, wares, or merchandise necessary to the establishment and conduct of a business or enterprise in which it is authorized to engage;

(2) May do in the United States and elsewhere any act which is incidental to the organization of the corporation or to the issue, sale, transfer, or redemption of its stocks, bonds, or other evidences of indebtedness; and

(3) May do in the United States and elsewhere any act which is approved by the Secretary as necessary to the establishment and conduct of any business or enterprise in which it is authorized to engage.

SEC. 5. The incorporators shall make application for a charter and file it with the Secretary in such manner and in such form as the Secretary shall by regulation prescribe. The application shall state—

(a) The name of the proposed corporation, which shall end with the legend, "Federal Inc. U. S. A.";

(b) The location of its principal office, which shall be in China;

(c) The purpose for which it is formed and the character of the business in which it is to engage;

(d) The amount of capital stock, the designation of each class of stock and the terms upon which it is to be issued, and the number and par value of the shares of each class of stock;

(e) The duration of the corporation, which may be permanent or for a limited time;

(f) The names, addresses, and designations of directors and officers, who shall be citizens of the United States, and who are hereby authorized to manage the affairs of the corporation until their successors are elected by the stockholders in accordance with the by-laws of the corporation;

(g) The fact that an amount equal to 25 per cent of the amount of capital stock has been in good faith subscribed and actually paid in cash, personal property, tangible or intangible, or real property, and is in the custody of the individuals specified in subdivision (f); and the name and address of each such subscriber. If any part of such payment is made in property other than cash, no charter shall be issued unless the Secretary finds that the property is described and its value stated in the same manner as provided in section 9, and that such value is the fair market value and is at least equal to the difference between 25 per cent of the capital stock and the amount of cash, if any, so paid in; and

(h) The time and place of the first stockholders' meeting, which shall be not later than one year after the issuance of the charter.

SEC. 6. No corporation shall have or use a corporate name which, in the opinion of the Secretary, is likely to mislead the public. No corporation shall maintain any office, including its principal, and home and branch offices, if any, at any place other than in China.

SEC. 7. The application for a charter shall be filed with the Secretary. If the Secretary finds that the application and statements therein conform to the requirements of, and that the incorporation is authorized by, this act, he shall, upon the payment of such fee as he shall by regulation prescribe, issue a charter authorizing the incorporators to act as a body corporate. The application shall thereupon constitute the articles of incorporation, and a copy of such articles shall be made a part of the charter and printed in full thereon. The Secretary shall, upon the payment of such fee as he shall by regulation prescribe, issue as many certified copies of the articles of incorporation or of the charter, as amended, as may be desired by any interested party. The corporation shall keep a copy of the charter, as amended, at the principal office specified in its articles of incorporation. Any failure, previous to the issuance of the charter, by the incorporators, or in respect to the application for the charter, to conform to any requirement of law which is a condition precedent to such issuance, may not subsequent thereto be held to invalidate the charter or alter the legal status of any act of the corporation thereunder, except in proceedings instituted by the Secretary to revoke the charter.

SEC. 8. (a) The corporation shall be a citizen of the United States invested with the powers and subject to the conditions and restrictions of this act. A majority of the voting shares issued by the corporation shall at all times be owned by citizens of the United States.

(b) The corporation—

(1) Shall have the right of succession;

(2) May use a corporate seal and alter it at pleasure;

(3) May sue and be sued;

(4) May make contracts and incur liabilities;

(5) May acquire and hold personal property, tangible and intangible, and real estate, necessary to effect the purposes for which it is formed, and dispose of the same when no longer needed for such purposes; and

(6) May borrow money and issue its notes, coupon or registered bonds, or other evidences of debt therefor, and secure their payment by a mortgage of its property.

SEC. 9. All shares of stock shall, when issued, be paid for in cash, personal property, tangible or intangible, or real property, at not less than their par value, and when so issued shall be held to be full-paid and nonassessable; but no stock shall be issued for personal property, tangible or intangible, or real property, unless (a) a description of the property for which the stock is to be issued and a statement of the value at which the property is to be received has been filed with the Secretary in such manner and upon the payment of such fee as he shall by regulation prescribe, and (b) the Secretary finds and has certified to the corporation that such value is not more than the fair market value of the property and is at least equal to the par value of the stock issued therefor.

SEC. 10. (a) The by-laws may provide—

(1) The time, place, manner of calling, giving notice, and conduct of, and determination of a quorum for, the meetings, annual or special, of the stockholders or directors;

(2) The number, qualifications, designations, and manner of choosing and fixing the tenure of office and compensation of all directors, officers, and employees: *Provided*, That the number of directors shall be not less than five, and the president, treasurer, and secretary, or corresponding officers, and a majority of the directors, shall be citizens of the United States resident in China;

(3) The designation of each class of stock and the terms upon which it is issued, the number and par value of the shares of each class of stock, the manner of calling for and collecting payments upon stock subscribed for, the penalties and forfeitures for nonpayment, the preparation of certificates of stock, and the manner of recording the sale or transfer of stock and its representation at stockholders' meeting.

(b) The by-laws of the corporatiton may be amended by the stockholders at a stockholders' meeting. No by-law or amendment thereto shall be in effect until (1) the corporation files a copy thereof in such manner and form and pays such fees in respect thereto as the Secretary shall by regulation prescribe, and (2) such by-law or amendment is found and certified by the Secretary to conform to the requirements of this act.

SEC. 11. The following questions shall be determined only by the stockholders at a stockholders' meeting: (a) amendments to the articles of incorporation or by-laws; (b) authorization of the sale of the entire business of the corporation or of an independent branch of such business; (c) authorization of the voluntary dissolution of the corporation. The adoption of any such amendment or authorization shall require a vote cast by at least a majority of the voting shares and the approval of at least three-fourths of such votes cast. No such amendment or authorization shall take effect until (1) the corporation files a statement of the action in such manner and form and pays such fees in respect thereto as the Secretary shall by regulation prescribe, and (2) such amendment or authorization is found and certified by the Secretary to conform to the requirements of this act.

SEC. 12. For the purposes of this act the fiscal year of the corporation shall correspond with the calendar year ending December 31. The corporation shall make and file with the Secretary, in such manner and form and at such time as the Secretary shall by regulation prescribe, a report of its business for each such fiscal year and of its financial condition at the close of the year. The corporation shall furnish a true copy of the report to each of its stockholders.

SEC. 13. Every dividend declared by the corporation shall be derived wholly from the surplus profits of its business, to be determined in such manner as the Secretary shall by regulation prescribe.

SEC. 14. It is hereby declared to be the purposes of this act (1) to promote trade and commerce with China and create and develop markets in China for articles of commerce exported from the United States; (2) to provide a means whereby citizens of the United States may form corporations therefor (3) so to regulate such corporations as to keep them at all times in control of individuals who are citizens of the United States, and (4) to provide for the proper conduct of such corporations. The Secretary of Commerce is authorized to prescribe and promulgate such regulations and issue such orders, not in conflict with the provisions of this act, as he deems necessary to carry into effect the provisions and purposes of the act, including the manner and form in which the corporation shall keep its records and accounts, and the amounts of any fees authorized to be prescribed by the Secretary. All fees paid to the Secretary shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 15. The Secretary may examine the business and affairs of the corporation whenever he has reason to believe that such business and affairs are being conducted in a manner (1) contrary to the provisions of this act or any other law or treaty of the United States, or of the articles of incorporation or by-laws of the corporation, or (2) detrimental to the business interests and good will of the United States. The cost of the examination shall be paid by the corporation upon the demand of the Secretary. If the corporation fails to pay such costs upon such demand, the Secretary may collect the amount of the costs in a civil suit against the corporation brought in the name of the United States.

SEC. 16. The Secretary may suspend the charter of a corporation whenever, with or without examination as provided in section 15, he becomes satisfied that the business and affairs of the corporation are conducted or have been conducted within the year last preceding in a manner (1) contrary to the provisions of this act or any other law or treaty of the United States, or of the articles of incorporation or by-laws of the corporation, or (2) detrimental to the business interests and good will of the United States. Such suspension shall not take effect until 10 days after the Secretary files suit in the United States Court for China for revocation of the charter of the corporation. Upon the petition of the corporation to the court at any time within 10 days after such suit is filed the court may, in its discretion, stay the suspension for such time up to its final decision in the suit as it deems advisable. The court shall revoke the charter of the corporation if it finds that the affairs and business of the corporation have been conducted in such manner.

SEC. 17. In case of the voluntary dissolution of the corporation or the suspension or revocation of its charter the directors of the corporation shall be the trustees of the creditors and stockholders of the corporation; except that upon application to the United States Court for China by any interested party, or upon the court's own motion in any proceeding pending before it, the court may, in its discretion, appoint as the trustees such individuals other than the directors as it may determine. In case of the voluntary dissolution or revocation of the charter of the corporation the trustees are invested with the powers and shall do all acts necessary to wind up the affairs of the corporation and divide among the stockholders according to their respective interests the property of the corporation remaining after all obligations against it have been settled. In case of the suspension of the charter of the corporation the trustees shall conduct the corporate affairs and are invested with the powers and subject to the liabilities and duties provided in this act for the corporation, its drectors, officers, and stockholders. For the purposes of this section the trustees may sue and be sued in the name of the corporation and shall be jointly and severally liable to the stockholders and creditors of the corporation to the extent of the property coming into their hands as trustees.

SEC. 18. For the efficient administration of the functions vested in the Secretary by this act he may requre, (a) by subpœna issued by him or under his direction the attendance of any witness and the production of any book, paper, document, or other evidence from any place at any designated place of hearing in China, or if the witness is actually resident or temporarily sojourning outside of China at any designated place of hearing withn 50 miles of the actual residence or place of sojourn of such witness, and (b) by the taking of a deposition before any designated person having power to administer oaths. In the case of a deposition the testimony shall be reduced to writing by the person taking the deposition or under his direction, and shall then be

subscribed to by the deponent. The Secretary may administer oaths and examine any witness. Any witnesses summoned before the Secretary and any witness whose deposition is taken shall be paid the same fees and mileage as are paid witnesses in the courts of the United States.

(b) In the case of failure to comply with any subpœna or in the case of the contumacy of any witness appearing before the Secretary he may invoke the aid of any Federal district court. Such court may thereupon order the witness to comply with the requirements of such subpœna and to give evidence touching the matter in question. Any failure to obey such order may be punished by such court as a contempt thereof.

(c) No person shall be excused from so attending and testifying or deposing, nor from so producing any book, paper, document, or other evidence on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no natural person shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing, as to which in obedience to a subpœna and under oath, he may so testify or produce in evidence, documentary or otherwise. But no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

(d) For the efficient administration of the functions vested in the Secretary by this act, he, or any officer, employee, or agent thereof, duly authorized in writing by the Secretary, shall at all reasonable times for the purpose of examination have access to and the right to copy any book, account, record, paper, or correspondence relating to the business or affairs of a corporation. Any person who upon demand refuses any duly authorized officer, employee, or agent such right of access or copying, or hinders, obstructs, or resists him in the exercise of such right, shall be liable to a penalty of $500 for each such offense. Each day during any part of which such offense continues shall constitute a separate offense. Such penalty shall be recoverable in a civil suit brought in the name of the United States, and shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 19. The Federal district courts shall have exclusive original jurisdiction of all suits (except as provided by the act entitled "An act creating a United States Court for China and prescribing the jurisdiction thereof," approved June 30, 1906, as amended) against a corporation, or a stockholder, director, or officer thereof in his capacity as such. Suit against the corporation may be brought in the United States Court for China, or in the district in which the cause of action arose or in which the corporation has an agent and is engaged in doing business. A Federal district court having jurisdiction of such suit is authorized to direct service of process by registered mail upon the corporation. Any judgment, order, or decree rendered by the court in any such suit shall, upon the presentation of a certified copy thereof to any other Federal district court, be enforced by such other court, as the judgment, order, or decree may require.

SEC. 20. No (a) individual, partnership, or association, (b) corporation not incorporated under this act or under a law of the United States, or (c) corporation of the District of Columbia, shall engage in commerce among the several States or with foreign nations under a name in connection with which the legend "Federal Inc. U. S. A." is used. Any person violating this section shall upon conviction thereof be fined not more than $100 for each violation. Each day or fraction thereof during which the violation continues shall be deemed a separate offense.

SEC. 21. No stockholder, director, officer, employee, or agent, of a corporation shall make, issue, or publish any statement, written or oral, or advertisement, in any form, as to the value or as to facts affecting the value of stocks, bonds, or other evidences of debt, or as to the financial condition or transactions, or facts affecting such condition or transactions, of any corporation which has issued or is to issue stocks, bonds, or other evidences of debt, if he knows or has reason to believe that any material representation in such statement or advertisement is false. No stockholder, director, officer, employee, or agent of a corporation shall, if all the authorized capital stock thereof has not been paid in, make, issue, or publish any written statement or advertisement, in any form, stating the amount of the authorized capital stock, without also stating as the amount actually paid in a sum not greater than such amount paid in. Any person violating any provision of this section shall, upon conviction thereof, be fined not more than $5,000, or imprisoned not more than 10 years, or both.

SEC. 22. The following acts, including administrative and penal provisions thereof, shall extend to the acts, failures, and omissions of a corporation or the stockholders, directors, officers, employees, and agents thereof, in their capacity as such, even though such acts, failures, or omissions occur without the territorial jurisdiction of the United States:

(a) The act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914;

(b) The national prohibition act of October 28, 1919; and

(c) The act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended.

SEC. 23. (a) Section 231 of the revenue act of 1918 is amended by striking out the period at the end thereof, inserting in lieu thereof a semicolon, and adding a new subdivision to read as follows:

"(15) A corporation organized under the China trade act, 1921, but only if and with respect to any taxable year for which (a) it files a return at the time and place provided in section 241, made in the manner provided in section 239, and containing such information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulation prescribe; (b) it declares dividends during the taxable year in an amount equal to one-third of its net income the payment of which not later than 60 days after the close of such taxable year is assured in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require; (c) it derives less than 5 per cent of its gross income from sources within the United States; and (d) the Secretary of Commerce certifies to the Commissioner of Internal Revenue that during the taxable year the corporation in all respects has complied with the provisions of the China trade act, 1921, and regulations made thereunder. The Commissioner of Internal Revenue with the approval of the Secretary of the Treasury shall make all regulations necessary for the determination of such exemption, and of the liability of shareholders or members to taxation in respect to dividends paid by such corporation."

(b) Section 1 of the revenue act of 1918 is amended by adding at the end thereof a new paragraph to read as follows:

"A corporation organized under the China trade act, 1921, shall for the purposes of this act be considered a domestic corporation."

(c) Sections 232, 233, and 234 of the revenue act of 1918 are amended by inserting in each of such sections, after the words "corporation subject to the tax imposed by section 230," the words "or organized under the China trade act, 1921."

(d) Section 240 of the revenue act of 1918 is amended by adding at the end thereof a new subdivision to read as follows:

"(d) A corporation organized under the China trade act, 1921, shall not be deemed to be affiliated with any other corporation within the meaning of this section."

(e) Section 254 of the revenue act of 1918 is amended to read as follows:

"SEC. 254. That every corporation subject to the tax imposed by this title, every personal service corporation, and every corporation organized under the China trade act, 1921, shall, when required by the commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him."

SEC. 24. The Congress of the United States reserves the right to alter, amend, or repeal the provisions of this act.

The SPEAKER pro tempore (Mr. WALSH). Is a second demanded?

Mr. McCLINTIC. I demand a second.

Mr. DYER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DYER] is entitled to 20 minutes, and the gentleman from Oklahoma [Mr. McCLINTIC] to 20 minutes.

Mr. DYER. Mr. Speaker and gentlemen of the House, this legislation at this time is brought to the attention of the House at the special request of the Secretary of Commerce and those who are interested in seeing preserved the trade which we have in China.

Several years ago this matter was brought to the attention of Congress by the President of the United States, and he urged that legislation be enacted to give to our country and its nationals the same opportunity for trade in China that other nations were then and are now enjoying. Bills were presented both to the Senate and to the House at that time; in the Senate by Senator FLETCHER and in the House by Congressman Alexander, now Secretary of Commerce. Those bills in the House went to the Committee on the Judiciary, and we have been considering them for quite a while. We took the matter up in special subcommittee and investigated it with care and to the best of our ability. We called to our assistance the officials of the Department of State and the Department of Commerce, and experts in matters of this kind, and out of it finally drafted the bill which has been presented to the House to-day.

We believe that it covers the situation, and that everything is taken care of that is needed to be done. Not only the Committee on the Judiciary itself gave to it the attention which I have indicated, but we have had referred to the Committee on Ways and Means that portion of the bill which refers to revenue. The Committee on Ways and Means, through a subcommittee and then in full committee, also gave careful attention to it and reported to the Committee on the Judiciary the provisions of the bill which are incorporated in it referring to the revenue.

In China we have a situation which does not exist in any other place in the world. We have there what is known as extraterritorial jurisdiction. The Americans there and their interests and business are governed and managed in the American courts and consular offices. Chinese laws and Chinese courts have nothing to do with our business there. It is the same also with reference to every other country whose nationals are in China. For that reason it is necessary that we have not only courts there to take care of the local conditions but that we have laws for the guidance of Americans. We have no law in this country that will permit Americans who are in China, in the extraterritorial jurisdiction, to operate as do the nationals of other countries. Great Britain has laws specially enacted for its nationals with reference to carrying on trade. In former years Americans with no other avenue have incorporated and done business under British laws. Less than two years ago the British Government issued orders in council which make it impossible now for Americans to carry on business under British law in China, for the reason that the British Government refuses to allow Americans to occupy positions of management in those companies.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. DYER. I yield to the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. I notice your bill provides that the United States courts shall have exclusive jurisdiction over there.

Mr. DYER. They do now.

Mr. JOHNSON of Mississippi. I am asking for information, because I really do not know. If a controversy should arise between a British subject and our Government, who would settle that, or would they take that up between the two countries?

Mr. DYER. We have mixed courts over there also.

Mr. JOHNSON of Mississippi. Mixed courts?

Mr. DYER. Yes. Where there is a matter between the nationals of two countries, it goes to what is known as a mixed court. Where it is exclusively American it goes to the American court.

Mr. JOHNSON of Mississippi. The Chinese courts have no jurisdiction at all?

Mr. DYER. No. We have mixed courts, composed of Chinese and Americans, where matters arise which involve Americans and Chinese; but where they involve only Americans they are tried in the American courts there.

How much time have I used, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has consumed five minutes.

Mr. DYER. Unless some one desires to ask me a question, I desire to yield some of my time to some of my colleagues on the committee and others.

Mr. McKENZIE. Will the gentleman yield?

Mr. DYER. I yield to the gentleman from Illinois.

Mr. McKENZIE. My attention was diverted during the latter part of the gentleman's statement, but if I understand one of the purposes of the bill is to put our nationals engaged in business in China on the same footing as the nationals of France and England and other countries so far as taxation is concerned, which enters into the transaction of the business as an element of expense. That is one purpose of the bill?

Mr. DYER. Yes; that is one purpose, and the other is to provide a uniform incorporation law, so that Americans may conduct their business under such a law, and have the good name of the United States ably and well protected by every possible safeguard, and at the same time give to Americans over there every proper assistance. That is one purpose, and the other is to give them the same rights that other nationals now have with reference to exemption from taxation on business done by those companies in China. It does not exempt any American from paying his incorporation tax.

Mr. JOHNSON of Mississippi. That is what I wanted to ask about. I wish the gentleman would explain subdivision (d) of section 23 on page 18. It will save a lot of time. It gives the Commissioner of Internal Revenue the right to say who shall pay taxes and who shall not. Would there be any danger of these people being exempted from taxes?

Mr. DYER. Individuals?

Mr. JOHNSON of Mississippi. Yes.

Mr. DYER. No; they can not be.

Mr. JOHNSON of Mississippi. Well, the stockholders in a corporation?

Mr. DYER. Only the corporation itself.

Mr. JOHNSON of Mississippi. It would be exempted from all taxation?

Mr. DYER. Under the provisions of this section, so far as its business is in China. I will say to the gentleman that this section was prepared in connection with the experts of the Treasury Department and is designed only for the purpose of exempting these proposed companies on the business which they do in China.

Mr. JOHNSON of Mississippi. I am very much interested in this thing and know very little about it. I understand that the Treasury Department has recently rendered a very radical ruling, exempting breweries, and so forth, from losses they have sustained, and I feared that there might be something in this that should be explained to the House before they voted upon it.

Mr. DYER. I am quite sure that there is not, and I will say to the gentleman that we have not only given our attention to it, but the Committee on Ways and Means as well and the Treasury Department.

I reserve the balance of my time.

Mr. McFADDEN. Will the gentleman yield?

Mr. DYER. Yes.

Mr. McFADDEN. On page 4, in section 5 (a), it is provided:

> The name of the proposed corporation, which shall end with the legend, "Federal Inc., U. S. A."

Mr. DYER. I will state that the purpose of that is to make plain that American companies, those who operate under this law, may be well known and that there may be no evasion. One of the reasons for a law of this kind is due to the fact that some people, other nationals, as well as some irresponsible people from this country, have organized companies under some State law, gone over there, advertised as American companies, and by that means, although the money was furnished and controlled by foreigners, they have used that to get trade under the guise of being Americans.

Mr. McFADDEN. Does not the gentleman think that this might be abused by incorporators in the same way?

Mr. DYER. No; we provide in the bill to punish, under direction of the Secretary of Commerce, very effectively any abuses.

Mr. JOHNSON of Mississippi. I would like to ask the gentleman another question. On page 15, section 20, you provide a penalty for anyone who uses the word "Federal" or "I. C.," meaning, I suppose, incorporated company.

Mr. DYER. That is what the gentleman from Pennsylvania was asking about.

Mr. JOHNSON of Mississippi. And you state that you provide a penalty for a violation which is only $100.

Mr. HAWLEY. If the gentleman will read the words at the top of the next page he will find that it is a continuing penalty.

Mr. DYER. Yes; it will mount up to considerable. We discussed that with care and attention.

Mr. CARAWAY. Will the gentleman yield?

Mr. DYER. Yes.

Mr. CARAWAY. I was looking at that a minute ago. Your language is so broad—suppose a citizen of Japan were to use those words in connection with his trade, how would you punish him? You could not make it an offense. You could not punish a citizen of some other country, because you have no power to do it. If you say a citizen of this country, you can punish him in China. You can not punish a citizen of Japan or a citizen of any other nation.

Mr. JOHNSON of Mississippi. All we can do is to legislate for our own people.

Mr. DYER. This provides that this will be an American corporation controlled by Americans.

Mr. McCLINTIC. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker and gentlemen, I am free to say that under ordinary circumstances I am not very much impressed with the wisdom of granting Federal incorporations, because I think the matter of incorporation of business concerns is properly vested in the power of the State. While I know the general power of incorporation has been given to a number of organizations, they are almost all of a semipublic character, and there has been extreme reluctance—a proper reluctance—on the part of Congress to confer its prestige as a Federal corporation upon a business enterprise.

When I first knew this bill its came from the Department of Commerce and was advocated by its solicitor and other witnesses, some of whom were Americans residing in China. The bill was submitted to the Committee on the Judiciary, and by that committee submitted first to the Attorney General and then to the Treasury Department and then to the Department of Commerce for further opinion. After the opinion was received the bill in its then form was determined not to be reported. After that a suggestion again came from the Department of Commerce that the question of American trade in China was of such pressing importance that it viewed it as a necessity that there should be Federal incorporation to aid commercial enterprises in China.

Now, it is a singular thing, but nevertheless true, that there is no law in China which has very much to do, as a matter of fact, with corporations. The question of incorporation in China, therefore, is under different Governments. In other words, the question of incorporation in China is largely a question of the nationality of those who seek incorporation.

So it was made apparent to the Committee on the Judiciary that the American trade in China was a trade which was developed and growing and which should have encouragement by the Government of the United States. We here all know that American corporations might possibly do business in China by being incorporated under the State laws of Connecticut, or Illinois, or Pennsylvania, or any other State in the American Union. The real facts concerning this incorporation are two. The first is for the benefit of American trade. It is necessary that instead of being known as a Connecticut corporation or a Pennsylvania corporation that it be known as a corporation of the United States of America.

Mr. KING. Will the gentleman yield?

Mr. GARD. I will.

Mr. KING. Does it make it a Federal corporation to give it this name and insignia "United States of America"? Does that make it a Federal corporation? Is it not, as a matter of fact, a corporation of the District of Columbia, after all?

Mr. GARD. Incorporation is made by the Congress of the United States, and, of course, designation is made as a Federal corporation. Under some bills I think that the gentleman's interpretation is correct, nevertheless the idea here is that it is a benefit to the corporation to have associated with it the name of the United States of America and have its power conferred by the American Congress.

That is one of the things, and that is the first thing the committee had to consider. We finally determined that it was wise to permit the Government of the United States to incorporate in this instance for the benefit of American companies in China because there had been a great extension of American trade, and there existed the possibility of a greater extension of American trade in that great country of China. So the bill came back for the purpose of being safeguarded in the grant of corporate powers.

The bill went to a subcommittee, and the subcommittee reported to the full committee, and the full committee had its meeting, and reference was again made to the Treasury Department and to the Committee on Ways and Means, so that I think that the present bill in the effort to determine that which was proper to be given to Federal incorporation has probably been better considered than any other similar bill. I for one thought to give this opportunity to American citizens in China to advance American trade in China and with China through the medium of this Federal incorporation.

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman from Ohio has expired.

Mr. McCLINTIC. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, the extension of our foreign trade is recognized universally as a matter of great importance to our economic welfare. The growth of that trade in the Pacific is increasing and its importance is acknowledged. There is no country in the Orient the trade of which is of larger value to the United States than that of China. The foreign trade of the United States with China largely depends upon the activities of Americans in that country, and those activities must, of course, be carried on almost exclusively by corporations. Heretofore those corporations have been such as were organized under the laws of the respective States, and they suffered under certain handicaps familiar to everyone. One purpose of this bill is to remove those handicaps and to provide for Federal incorporation. I am sure that the urgency is such as to remove any prejudice on the part of any Member against the authorization of Federal incorporations by Congress. To give them such an incorporation, surrounded by the simple but necessary limitations provided in this bill, will greatly enlarge the opportunity of such corporations to advance American trade in China. There is another handicap from which Americans suffer, and that is in the matter of taxation. Prior to the World War the United States enjoyed only about 6 per cent of the foreign trade of China. One of the results of the war was largely to increase American trade in China. Our greatest competitor, as in the past, is Great Britain, and in former times also France and Japan. The friendliness of China to Americans and their desire to trade with us is now recognized by everyone familiar with the attitude of the Chinese people. Great Britain and the other countries relieve their corporations engaged in trade in China from domestic income and excess-profits taxes. This bill simply puts American corporations upon a parity with British corporations and other foreign corporations. This bill is essential. Everyone who has studied the internal economic condition of China, or her friendliness toward the people of the United States, the large volume of products for export, the large amount of foreign production which her people consume, will realize in a moment the importance to the people of the United States of fostering in a manner such as this bill provides an enlarged opportunity of American corporations to increase American trade with China. While this bill comes up under a motion to suspend the rules, and therefore will require a two-thirds vote, its importance is so great that I hope no Member on either side of the House will vote against it.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. DYER. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, it is not possible to say very much in three minutes on a bill of this kind, but we all know that during this war, for the first time in our history, our country became organized upon an export basis. We have always needed foreign trade, and we need it now more than ever before. It is going to be impossible for us to sell our normal exports to Europe for years to come. We will certainly lose a large part of the business which we obtained in South America during the war. China, with a population equal to all of Europe, with its resources scarcely scratched, its industries undeveloped, offers us the greatest field for the development of our foreign trade, especially as the Chinese people are probably more friendly to us than they are to the people of any other nation of the world. There are just two things that stand in the way of the development of our trade in China. One is the fact that we have no Federal incorporation act. The Chinese people do not know what a Connecticut corporation is or a Delaware corporation or what a New York or Pennsylvania corporation is, but they do know and have confidence in the United States of America, and they are willing to do business with her under the most favorable terms at any time. There is another difficulty, and that is that our merchants in China—and they are men of the highest character and of the highest standing—are not able to do business with the Chinese on the same terms that citizens of other nations of the world do, and that is because of the matter of taxation. We have got to adjust that difference or our merchants are bound to lose the trade, because the cost of production is bound to determine in the long run. At the present time Great Britain has by far the largest share of the trade there; we have only about 10 per cent; but the Chinese are so friendly and our merchants are so aggressive and so able and so determined to capture that trade, that if we give them a fair opportunity they will certainly do so.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. McCLINTIC. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Speaker, this is a most important piece of legislation now before the House, and there is but a short time in which to debate it. We are by this act undertaking to extend our foreign trade, and by this act we are establishing a great corporation, a corporation that will probably have tremendous power. I trust that the committee which has in charge this bill has seen to it that there are such limitations and restrictions thrown around it that it will not get out of hand. That has been the trouble with corporations heretofore. Our domestic corporations have begun to grow powerful, and the more power they have the harder it is to control them, and that power reaches from one end of the Nation to the other. We see that manifested now in the five great corporations of this country that control the meat supply and the food supply of the country. When they come to exercise that power in a way inimical to the producers and the consumers of the Nation, and Congress is appealed to to pass legislation to restrict those powers, you can not get the bill on the floor of Congress to restrict it, and what are some of the means they use? It is propaganda that they use. When the bill gets here and is passed by the Senate and when it comes out on this floor from a committee of the House, these packing corporations no longer stand under their own name, but they disseminate their propaganda through concerns like the chamber of commerce.

I have here a letter of February 7, written from the chamber of commerce, located in the Mills Building, by a man by the name of Defrees. Every Member of Congress gets it. He sends them to the other chambers of commerce, in which he denounces this legislation that has passed the Senate and will pass the House if but the majority leader [Mr. MONDELL] will let us have an opportunity to vote upon it.

Mr. SIMS. What chamber of commerce?

Mr. YOUNG of Texas. Here in this city, located in the Mills Building. Now, furthermore, I want to say to you that this man Defrees who writes this letter on June 28, 1915, had this correspondence, as shown in the Senate investigation of the packers:

> Mr. L. A. CARTON. I attended a luncheon at the Midday Club on last Wednesday, June 23, at the request of Mr. Defrees.
>
> Mr. John Fahey, president of the National Chamber of Commerce, was there, together with some other parties, including Mr. Forgan, Mr. Thomas Wilson (president of one of the Big Five), and quite a few others.

A new organization here in this city, the Institute of Meat Packers, are getting up and spreading propaganda and lobbying before Congress. This same man Wilson is the president of this new concern. The writer of this letter goes on to say:

> Was considerably impressed with the program which they have laid out, and if they make any requests for financial assistance, we would like to know about it.
>
> They maintain a bureau in Washington and evidently get a good hearing on all legislation.

This is signed "Louis F. Swift, president," and Mr. L. A. Carton was treasurer for the Swifts. This was when the Borland resolution was under consideration. Again, on July 7, 1916, there is another piece of propaganda I am talking about showing why we can not control these corporations. That is

why I am appealing to this House now in reference to the new corporation you are fixing to establish. This is July 7, 1916:

Mr. F. A. White.

He is vice president of Armour Co.

We all agree that it is very important to flood the Judiciary Committee with telegrams from all over the country, and especially the districts where the Members come from, protesting against the passage of the Borland resolution—

That was the packer resolution, you will remember—

on the grounds live stock selling at very satisfactory prices and any investigation will only disturb present satisfactory conditions. Please arrange a meeting this morning with Veeder and Nelson Morris.

You know who they are—packers, of course.

Get a committee to work on this promptly. Presume banks and commission men—

Have you been getting letters from banks and commission men recently? I have—

feeders of cattle—

Mighty few have come.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCLINTIC. I yield the gentleman two additional minutes.

Mr. YOUNG of Texas (reading)—

And live-stock men generally, and anyone else you can think of that will be helpful. Messages should also be sent to Congressmen as well as members of the Judiciary Committee. The Congressional Directory can give you the list of their names and where they come from. I refer to the Judiciary Committee, not the subjudiciary committee. Please get as much action as you can on this, and promptly, and have the messages sent varied in language.

They did not want all of them written in the same language. [Laughter.] This is signed "Arthur Meeker," who is vice president of Armour Co. This is in the evidence before the Senate committee in the hearings on the Borland resolution. It is this kind of rot, it is this kind of propaganda, it is this kind of power that when a corporation gets as powerful as these corporations have gotten that they control the meat supply of the people of this Nation and wield such power it seems we can not get a bill off of this calendar that is put there in due course, and we can not get a rule, and yet a rule is brought in to give $400,000,000 to the railroads; you bring in rules for insignificant matters, and yet the gentleman from Kansas [Mr. CAMPBELL] is as dumb as an oyster when you make an appeal to have a rule brought in by which we can pass this law regulating packers within the next 12 or 24 hours.

Mr. McCLINTIC. Will the gentleman yield?

Mr. YOUNG of Texas. I will.

Mr. McCLINTIC. What reason does the gentleman have to believe that this legislation will not be considered at this session?

Mr. YOUNG of Texas. Well, I have appealed to everybody I know on the Republican side of the House to whom I could appeal on that side, and they are all as dumb as oysters. I noticed that a bunch of farmers and stockmen called on the majority leader the other day—Saturday—and they were rather emphatic in their conversation in an effort to have this bill considered, and these people said they had no hope, and I presume Mr. MONDELL gave the final decree.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. DYER. Will the gentleman use his time?

Mr. McCLINTIC. I believe I have a little more time.

Mr. DYER. Then will the gentleman use his? I have only one speech on this side.

Mr. McCLINTIC. I yield one minute to the gentleman from Pennsylvania [Mr. CAMPBELL].

Mr. CAMPBELL of Pennsylvania. Mr. Speaker and gentlemen of the House, all has been said in support of this measure except to say that I observed personally the necessity for such legislation as this during our visit to China last summer. We met as fine a crowd of Americans in China and in the Orient as you would care to meet anywhere. They were representative men from representative American concerns doing a wonderful business, but the opportunity is now open to us to extend our trade far beyond anything we have done in the past.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCLINTIC. Mr. Speaker, I yield one minute to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Speaker, unless we can spread that minute, I do not know whether I can read the paragraph or not. It says:

Hundreds of Chinese young men who have been educated in our colleges and universities and engineering schools are anxious to cooperate with Americans in the development of China, using American materials, but they are debarred by our failure to enact legislation providing the machinery for cooperation. In short we have educated these young men in our ways of doing business, but when it comes to actually doing the business we shortsightedly permit them to go to the British and Japanese.

That is the whole story, gentlemen. Unless we put our business enterprise in China upon a footing of equal advantage with that of England and Japan, we can do no business in that country, and this bill intends to bring about that equality there. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCLINTIC. Mr. Speaker, I yield the remainder of my time to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. DYER. Mr. Speaker, I yield the balance of my time to the chairman of our committee, the gentleman from Minnesota [Mr. VOLSTEAD].

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for five minutes.

Mr. VOLSTEAD. Mr. Speaker, in the five minutes I think I will have time enough to say all I have to say.

As a rule, I have been very strongly opposed to the policy of granting Federal charters. When this matter came up I considered it pretty carefully. I felt that there was real necessity for giving our people in China a chance to meet competition on equal footing with their competitors, and that to do that it would be necessary to draft a law something along the line of this bill. A charter under some State law will not do the business. There are several reasons why.

As has been adverted to, the Chinese are friendly to this country. But they know but very little about our States. What our people need in dealing with the Chinese is something that has on it the American stamp, and that as to taxation will place them on an equality with other people trading in China; and it is of the utmost importance when we invest our people with the power to do business in China we do it under restrictions of such a character that we may preserve the good will of the Chinese. That can not be done under State laws. They are not adapted to business in a country such as China, where there are practically no laws to control them.

Mr. WINGO. I read this provision:

No corporation shall maintain any office, including its principal and home and branch offices, if any, at any place other than in China.

Mr. VOLSTEAD. I do not have time to yield.

Mr. WINGO. That is a remarkable provision.

Mr. VOLSTEAD. That, as I understand, is a provision that is copied from the English law. These corporations will not function in the United States. We intend to make them practically domestic corporations of China, for the purpose of aiding our trade and commerce there. We considered that feature very carefully.

I want to call to your attention that we have in this bill a large number of very important restrictions upon the activities of these corporations. We put them under supervision that we could not put corporations created by a State law. We give to the Secretary of Commerce power, if they interfere with trade or cause dissatisfaction with the Chinese in carrying on such trade, to revoke the charters and to investigate these corporations from time to time on complaint or on the Secretary's own motion.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. VOLSTEAD. Yes.

Mr. CHINDBLOM. Is it not a fact that this legislation is particularly urgent now by reason of an order issued by the British Government in October of 1919 that prevents Americans from continuing business under the British ordinance?

Mr. VOLSTEAD. Yes. Up to within a recent date we have been able to operate under English law.

Mr. DEWALT. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. DEWALT. How will this exemption clause in the bill affect the revenues of the Government, so far as corporation tax and surplus-profit tax are concerned?

Mr. VOLSTEAD. I do not think it will seriously affect it. The Judiciary Committee did not undertake to decide that question. We left it to the Ways and Means Committee. I have always insisted that the Judiciary Committee ought not to determine questions of taxation. Now, it does not exempt from taxation to the extent, perhaps, that some people may imagine, but only as far as the corporation tax is concerned; but to get that exemption one-third of the net profit must be declared as a dividend each year, and that dividend pays a tax if it goes to an American citizen the same as if derived from any other corporation.

Mr. DEWALT. Then the gentleman thinks it would not materially affect the revenue of the Government in regard to that taxation?

Mr. VOLSTEAD. I do not believe it would to any great extent. But if we are going to carry on business in China, we must give our people the same opportunity as the English and other foreign people have. They are exempted from corporation taxes, but are not exempt from income taxes upon dividends derived from their corporations when the income reaches the hands of the stockholders.

Mr. STEELE. And is it not true that the tax features of this bill have been gone over by the Ways and Means Committee and that this meets with their approval?

Mr. VOLSTEAD. Yes.

Mr. KING. Mr. Speaker, I demand a division.

Mr. WINGO. Mr. Speaker, I appeal to the gentleman from Missouri to make some effort to get an extension of time.

Mr. DYER. It is impossible to do so under a suspension of the rules.

Mr. WINGO. By unanimous consent we can extend it. Here is a proposition that is remarkable, and the only justification for it is that England has tried it.

Mr. MANN of Illinois. Mr. Speaker, I ask for the regular order.

Mr. WINGO. It has some legislation in it that this House has repeatedly turned down in regard to banking and currency.

The SPEAKER. The regular order is called for.

Mr. WINGO. Mr. Speaker, I ask unanimous consent that the debate be extended for 40 minutes.

The SPEAKER. Is there objection?

Mr. MANN of Illinois. In the first place part of the time was used out of order. They did not even confine themselves to the bill.

Mr. WINGO. I did not speak on the bill at all.

Mr. MANN of Illinois. I am not talking about the gentleman from Arkansas. I am talking about the man who has only one thing on his mind.

Mr. WINGO. The gentleman must give him credit for that.

Mr. DYER. Mr. Speaker, reserving the right to object, I will state that there are a number of other matters that are to come up, and I feel constrained to object to any extension of time. This bill and the report and all have been sent to every Member of the House, and an endeavor has been made to acquaint them fully with it. I ask for a vote.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken.

Mr. WINGO. Mr. Speaker, I demand a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 114, noes 15.

Mr. WINGO. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. As many as are in favor of suspending the rules and passing the bill will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 262, nays 35, not voting 131, as follows:

YEAS—262.

Ackerman	Caraway	Fish	Howard
Anderson	Carew	Focht	Hudspeth
Andrews, Nebr.	Carss	Foster	Humphreys
Anthony	Carter	Frear	Husted
Ashbrook	Chindblom	Freeman	Igoe
Babka	Christopherson	French	Ireland
Barbour	Cleary	Fuller	Jacoway
Barkley	Coady	Gallivan	James, Va.
Bee	Cole	Gard	Jefferis
Begg	Cooper	Garrett	Johnson, S. Dak.
Benham	Crago	Goldfogle	Johnson, Wash.
Benson	Crisp	Goodall	Jones, Pa.
Black	Crowther	Goodykoontz	Jones, Tex.
Bland, Va.	Currie, Mich.	Gould	Juul
Blanton	Dallinger	Graham, Ill.	Kearns
Boies	Darrow	Green, Iowa	Keller
Bowers	Davis, Minn.	Greene, Mass.	Kelly, Pa.
Bowling	Davis, Tenn.	Greene, Vt.	Kendall
Box	Dempsey	Griest	Kettner
Brand	Denison	Griffin	Kiess
Brinson	Dewalt	Hadley	Kinkaid
Britten	Dickinson, Iowa	Hardy, Colo.	Knutson
Brooks, Ill.	Dickinson, Mo.	Hardy, Tex.	Kraus
Browne	Dominick	Hastings	Lampert
Brumbaugh	Dowell	Hawley	Langley
Buchanan	Drewry	Hayden	Lanham
Burroughs	Dyer	Hays	Larsen
Butler	Echols	Hernandez	Lea, Calif.
Byrnes, S. C.	Elliott	Hersey	Lee, Ga.
Byrns, Tenn.	Esch	Hickey	Lehlbach
Caldwell	Evans, Nebr.	Hicks	Linthicum
Campbell, Kans.	Fairfield	Hoch	Little
Campbell, Pa.	Fess	Hoey	Longworth
Cantrill	Fields	Houghton	Luce
Lufkin	Ogden	Rouse	Tillman
Luhring	Oliver	Rowe	Tilson
McAndrews	Olney	Sabath	Timberlake
McArthur	Osborne	Sanders, N. Y.	Tincher
McDuffie	Padgett	Sanford	Tinkham
McKenzie	Paige	Schall	Towner
McKeown	Park	Scott	Treadway
McKinley	Parker	Siegel	Upshaw
McLaughlin, Mich.	Parrish	Sims	Vaile
McLaughlin, Nebr.	Patterson	Sinnott	Volstead
McLeod	Pell	Small	Walsh
McPherson	Peters	Smith, Idaho	Walters
MacGregor	Phelan	Smith, Ill.	Ward
Magee	Pou	Smith, Mich.	Wason
Major	Purnell	Smithwick	Watkins
Mann, Ill.	Radcliffe	Snyder	Watson
Mansfield	Raker	Stedman	Welty
Mapes	Ramsey	Steele	Whaley
Mays	Randall, Wis.	Steenerson	White, Kans.
Merritt	Ransley	Stephens, Ohio	White, Me.
Michener	Rayburn	Stiness	Williams
Miller	Reber	Strong, Kans.	Wilson, Ill.
Milligan	Reed, N. Y.	Strong, Pa.	Wilson, Pa.
Mondell	Reed, W. Va.	Summers, Wash.	Winslow
Moore, Ohio	Rhodes	Sumners, Tex.	Woods, Va.
Moore, Va.	Ricketts	Sweet	Woodyard
Mott	Riddick	Swindall	Wright
Murphy	Robinson, N. C.	Swope	Yates
Nelson, Wis.	Robsion, Ky.	Tague	Young, N. Dak.
Newton, Mo.	Rodenberg	Taylor, Tenn.	Young, Tex.
Nicholls	Rogers	Temple	
Nolan	Rose	Thompson	

NAYS—35.

Almon	Johnson, Miss.	Nelson, Mo.	Steagall
Aswell	Kincheloe	O'Connor	Stephens, Miss.
Bland, Ind.	King	Oldfield	Stevenson
Briggs	Lankford	Quin	Venable
Collier	Lazaro	Rainey, Henry T.	Weaver
Connally	McClintic	Ramseyer	Wilson, La.
Dupré	Martin	Romjue	Wingo
Huddleston	Minahan, N. J.	Sherwood	Wood, Ind.
Johnson, Ky.	Moores, Ind.	Sisson	

NOT VOTING—131.

Andrews, Md.	Edmonds	Kahn	Rainey, John W.
Ayres	Ellsworth	Kelley, Mich.	Randall, Calif.
Bacharach	Elston	Kennedy, Iowa	Reavis
Baer	Emerson	Kennedy, R. I.	Riordan
Bankhead	Evans, Mont.	Kitchin	Rowan
Bell	Evans, Nev.	Kleczka	Rubey
Bland, Mo.	Ferris	Kreider	Rucker
Brooks, Pa.	Fisher	Layton	Sanders, Ind.
Burdick	Flood	Lesher	Sanders, La.
Burke	Fordney	Lonergan	Scully
Candler	Gallagher	McCulloch	Sears
Cannon	Gandy	McFadden	Sells
Casey	Ganly	McGlennon	Shreve
Clark, Fla.	Garner	McKiniry	Sinclair
Clark, Mo.	Glynn	McLane	Slemp
Classon	Godwin, N. C.	Madden	Smith, N. Y.
Copley	Good	Maher	Snell
Costello	Goodwin, Ark.	Mann, S. C.	Stoll
Cramton	Graham, Pa.	Mason	Sullivan
Cullen	Hamill	Mead	Taylor, Ark.
Curry, Calif.	Hamilton	Monahan, Wis.	Taylor, Colo.
Dale	Harreld	Montague	Thomas
Davey	Harrison	Moon	Vare
Dent	Haugen	Mooney	Vestal
Donovan	Hersman	Morin	Vinson
Dooling	Hill	Mudd	Voigt
Doremus	Holland	Neely	Volk
Doughton	Hulings	Newton, Minn.	Webster
Drane	Hull, Iowa	O'Connell	Welling
Dunbar	Hull, Tenn.	Overstreet	Wheeler
Dunn	Hutchinson	Perlman	Wise
Eagan	James, Mich.	Porter	Zihlman
Eagle	Johnston, N. Y.	Rainey, Ala.	

So, two-thirds voting in the affirmative, the rules were suspended and the bill passed.

The Clerk announced the following pairs:

Mr. MASON with Mr. KITCHIN.

Mr. KAHN with Mr. DENT.

Mr. FORDNEY with Mr. GARNER.

Mr. HARRELD with Mr. FERRIS.

Mr. REAVIS with Mr. CLARK of Missouri.

Mr. GOOD with Mr. FLOOD.

Mr. ZIHLMAN with Mr. SANDERS of Louisiana.

Mr. MADDEN with Mr. MONTAGUE.

Mr. HAUGEN with Mr. TAYLOR of Colorado.

Mr. MUDD with Mr. HOLLAND.

Mr. WHEELER with Mr. MCKINIRY.

Mr. KLECZKA with Mr. MAHER.

Mr. VARE with Mr. MOON.

Mr. PERLMAN with Mr. SEARS.

Mr. COSTELLO with Mr. THOMAS.

Mr. EDMONDS with Mr. CASEY.

Mr. BACHARACH with Mr. GANDY.

Mr. SINCLAIR with Mr. OVERSTREET.

Mr. VOIGT with Mr. HERSMAN.

Mr. ELSTON with Mr. EVANS of Nevada.

Mr. MCFADDEN with Mr. VINSON.

Mr. SNELL with Mr. FISHER.

Mr. ANDREWS of Maryland with Mr. BELL.

Mr. CANNON with Mr. RUBEY.
Mr. VESTAL with Mr. NEELY.
Mr. KENNEDY of Iowa with Mr. SULLIVAN.
Mr. VOLK with Mr. RAINEY of Alabama.
Mr. HILL with Mr. RANDALL of California.
Mr. MONAHAN of Wisconsin with Mr. WELLING.
Mr. WEBSTER with Mr. LESHER.
Mr. HULL of Iowa with Mr. DRANE.
Mr. BAER with Mr. MCGLENNON.
Mr. NEWTON of Minnesota with Mr. STOLL.
Mr. JAMES of Michigan with Mr. WISE.
Mr. SELLS with Mr. RIORDAN.
Mr. LAYTON with Mr. SMITH of New York.
Mr. SANDERS of Indiana with Mr. TAYLOR of Arkansas.
Mr. SLEMP with Mr. RUCKER.
Mr. HULINGS with Mr. DOREMUS.
Mr. BROOKS of Pennsylvania with Mr. O'CONNELL.
Mr. MORIN with Mr. JOHN W. RAINEY.
Mr. SHREVE with Mr. HULL of Tennessee.
Mr. HUTCHINSON with Mr. HAMILL.
Mr. BURDICK with Mr. GODWIN of North Carolina.
Mr. CURRY of California with Mr. GANLY.
Mr. PORTER with Mr. BANKHEAD.
Mr. CLASSON with Mr. GOODWIN of Arkansas.
Mr. KELLEY of Michigan with Mr. CLARK of Florida.
Mr. BURKE with Mr. EVANS of Montana.
Mr. GRAHAM of Pennsylvania with Mr. AYRES.
Mr. COPLEY with Mr. DONOVAN.
Mr. HAMILTON with Mr. MOONEY.
Mr. MCCULLOCH with Mr. DAVEY.
Mr. DUNBAR with Mr. BLAND of Missouri.
Mr. DUNN with Mr. HARRISON.
Mr. CRAMTON with Mr. GALLAGHER.
Mr. KREIDER with Mr. CULLEN.
Mr. DALE with Mr. MEAD.
Mr. KENNEDY of Rhode Island with Mr. EAGAN.
Mr. EMERSON with Mr. DOOLING.
Mr. GLYNN with Mr. CANDLER.
Mr. ELLSWORTH with Mr. DOUGHTON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. Two-thirds having voted in the affirmative, the rules are suspended, and the bill is passed.

NEW YORK STATE BARGE CANAL.

Mr. PARKER. Mr. Speaker, I move to take from the Speaker's table S. J. Res. 161 and suspend the rules and pass the same with the amendments which I send to the Clerk's desk.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the joint resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (S. J. Res. 161) to exempt the New York State Barge Canal from the provisions of section 201 of H. R. 10453.

Resolved, etc., That at the end of 30 days after the passage of this resolution the authority conferred upon the Secretary of War under section 201 of the transportation act, 1920, to operate for commercial purposes boats, barges, tugs, or other transportation facilities upon the New York State Barge Canal shall cease, and thereafter there shall be no such operation by the Secretary of War or any other agency of the United States. The Secretary of War shall as soon as is practicable dispose of boats, barges, tugs, and other transportation facilities purchased or constructed for use upon the said canal, and, pending final disposition, the Secretary of War may lease the same: *Provided*, That all the money obtained from the sale or lease of these boats, barges, and tugs shall be available until expended by the inland and coastwise waterways service of the War Department in the inauguration and development of other inland, canal, and coastwise waterways in accordance with the expressed desire of Congress in section 500 of the transportation act, 1920: *Provided further*, That not to exceed 25 per cent of the boats, barges, and tugs built or purchased for the United States, herein authorized to be sold, may be retained by the United States for the operation of other inland, canal, or coastwise routes of the United States until such equipment can be replaced by other equipment to be purchased from funds received from the sale prescribed above.

Amend the title so as to read: "Joint resolution to exempt the New York State Barge Canal from the provisions of section 201 of the transportation act, 1920, and for other purposes."

Mr. SIMS. Mr. Speaker, a point of order. I demand a second, but I want the point of order settled first. The bill has been reported with amendments, which are indicated on the face of the bill as reported by the Committee on Interstate and Foreign Commerce. The Clerk stopped reading with the word "same," in line 6, page 2, and did not read the words of the bill from that point on, ending with the word "final," in line 13, page 2. He omitted all the intervening words. I suppose the gentleman from New York [Mr. PARKER] proposes to move to pass the bill with the committee amendments and with the additional amendment, to wit, striking out all after the word "same," in line 6, page 2, down to and including the word "final," in line 13, page 2.

The SPEAKER. The gentleman from New York moves to pass the bill as it has been read.

Mr. SIMS. But the Clerk did not read the amendments.

The SPEAKER. He did not have to read them. He read the bill as the gentleman from New York moves to pass it.

Mr. PARKER. The motion I made was that the bill be passed with the amendments indicated as the bill was sent to the desk.

Mr. SIMS. But there was no indication of an amendment, as far as I could hear, touching the matter stricken out that I have just mentioned. He did not indicate the amendment striking out all after the word "same," in line 6, down to and including the word "final," in line 13, which were not called to our attention.

Mr. PARKER. The gentleman's attention was called to it, because it was not read. It was omitted.

Mr. SIMS. But the Clerk has no right, arbitrarily, to read in or read out anything. The committee has the right to do that and the gentleman has the right to make that motion.

The SPEAKER. The gentleman from New York was recognized to move to suspend the rules and pass the bill which was read, and that is the bill which is before the House.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Has a member of a committee authority to move to suspend the rules and pass a bill other than as he is authorized by the committee?

The SPEAKER. He certainly has.

Mr. SIMS. I know of no parliamentary rule by which a member of the committee without action by the committee can simply have a bill read in part, by way of amendment or having that effect. I make that point of order, Mr. Speaker.

Mr. MANN of Illinois. I should say that Speaker CLARK at least 40 times stated to the House when a Member was recognized to move to suspend the rules that he could send up any amendment he wanted to, and that the Clerk would read the bill as amended.

Mr. SIMS. That is it. The point is the Clerk should read the amendments, so as to show what is stricken out.

Mr. MANN of Illinois. Not at all. The Clerk reads it as it will be if amended. That is the universal practice on a motion to suspend the rules.

Mr. SIMS. I am heartily in favor of the amendment. I am not captious about it, but I did not want to have any question about it being so amended, because it has got to go back to another body.

Mr. WINGO. Regular order!

Mr. MANN of Illinois. You can move to suspend the rules and pass a bill without its ever having been printed at all or considered by any committee.

Mr. SIMS. I know; but this bill has got to go back to another body, and there ought to be a definite appearance or statement of what the amendments are that are included in the motion to suspend the rules.

Mr. MANN of Illinois. There is a definite appearance of what the amendments are.

Mr. WINGO. I infer that they are too definite for the gentleman.

Mr. SIMS. I demand a second.

Mr. PARKER. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from New York asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York [Mr. PARKER] has 20 minutes and the gentleman from Tennessee [Mr. SIMS] has 20 minutes.

Mr. PARKER. Mr. Speaker, please notify me when I have used 10 minutes.

This resolution now before the House is of the utmost importance to the people of New York State, or perhaps I should say that they they think it is, which is just the same thing.

Under the Federal control act which was passed to give the Director General control of the transportation of the country during the war there was included the water transportation on inland waters. When the transportation act of 1920 was passed, the Esch-Cummins bill, control of this inland water transportation was transferred to a bureau in the War Department.

There are three different systems that are being developed by the Federal Government. One is the Mississippi River, another is the Black Warrior River, and the third is the barge canal system of New York State. The conditions are not at all analogous on these various waterways. On the Mississippi River and on the Black Warrior River the channel is main-

tained by the Federal Government at Federal expense. The buoys are set at Federal expense, the lights are maintained at Federal expense. On the New York Barge Canal we have an artificial waterway, built entirely by New York State taxation, maintained entirely at the expense of the taxpayers of the State of New York.

We ask no favors, we simply believe that we should be allowed to develop these waterways in the way we think is for the best interests of the people of this country.

Mr. GARRETT. Will the gentleman yield?

Mr. PARKER. I will yield to the gentleman.

Mr. GARRETT. Most of us have the bill as printed, but we were unable to get the wording of the bill read by the Clerk. Will the gentleman indicate what change is made between the printed bill that we have and the bill the Clerk read? The gentleman can do it in his own time.

Mr. PARKER. I will be very glad to do it; I will do it when I finish my statement. This was submitted in a referendum. We in New York spent $200,000,000 in building the barge canal system, which is free to everybody in this country. The State of New York could not derive one dollar direct benefit from the expenditure. We do not expect to. It costs incidentally $2,000,000 a year to maintain this canal system.

I do not stand here claiming that we are altruistic, but we do expect that the freight that comes over the canal and comes down the Great Lakes will go to the port of New York and that port will be maintained as the supreme port of export in this country. That is where we expect to get our benefit. You gentlemen whose products go over the canal, if it is to be any advantage to the State must go through to the port of New York, and you get the low rates.

When these activities of the director general were turned over to the War Department, the boats that were built were operated last year with a deficit to the Federal Government of almost $200,000. We claim that the only hope of getting development of commerce on this great canal system, in any way that will be a practical benefit to us, by stimulating business in Buffalo and New York, will be to have it developed by private interests and let them take over the operation of our canal. There is very little opposition to that part of the resolution. The opposition comes to the disposition of the equipment.

I wish you would give close attention to the description I am going to give of the equipment. The Government has spent, in round numbers, $3,800,000 for equipment on the New York Canal. It has spent about $6,500,000 on equipment for the Mississippi River. It has spent $1,500,000 on the Black Warrior River. Now, we do not interfere or object in the slightest degree to the Government activities on the Mississippi and the Black Warrior Rivers. The gentlemen down there, representing their constituents, apparently want those boats on those rivers and we are willing that they should have them.

There are two types of boat built by the Government. One a barge with power in it, with part cargo and part power, and which tows behind it a loaded barge, and then there is the barge that is loaded. Those are the only two kinds of boats the Government has built.

The figures I am quoting come from the War Department. The type of boat that is used on the Erie Barge Canal is 150 feet long and 20 feet wide, with a loaded draft of 9½ feet, and with 400 horsepower. On the Mississippi River the boats are 250 feet long, 40 feet wide, with a loaded draft of 6½ feet, but with a horsepower of 1,800. On the Black Warrior River is the same type of boat, 280 feet long and 49 feet wide, 7 feet draft loaded, and 900 horsepower.

Why the difference? It is perfectly obvious to us the canal system is dead water with no current. The Mississippi River is shoal and the current runs swiftly and the boats can not proceed up the river unless they have a very much higher horsepower than the boats on the canal system. The same is true of the Warrior River. The barges are practically of the same size and dimensions as the power barges.

Gen. Hines, before our committee when this question was discussed, made the statement, which my friend is going to use in a moment, that this equipment can be used on these waters. Of course it can; anything can be used that can float; but it could not be used economically. Take a boat 20 feet wide, with a load of 9½ feet, and you are going to sink her down 6 feet. What will happen? The displacement will be 3 feet, and when you put her down the other 3 feet she is not loaded to half her capacity. We want the Government to sell the equipment, the same as it has sold other war equipments.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. PARKER. I will.

Mr. MOORE of Virginia. How many of these boats are there?

Mr. PARKER. There are 20 self-propelled barges and 21 concrete barges and 51 steel barges.

Mr. MOORE of Virginia. What are they supposed to be worth, roughly?

Mr. PARKER. I have stated that; I will give it again. The expenditure of the Government under war prices on the Erie Canal System was $3,800,000. The expenditure on the Mississippi was $6,500,000 and on the Black Warrior $1,500,000.

Mr. CRISP. To whom is it proposed to sell the equipment?

Mr. PARKER. We very much want it sold to private individuals, as it will be. One-quarter of the equipment is to be used between Baltimore and New Bern, N. C., where they believe they can use a little equipment advantageously. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. SIMS. Mr. Speaker, Federal operation on the New York Barge Canal began in September, 1918, and has continued ever since. At the time the Government commenced operation the new barge canal was not entirely completed. There were no large, well-organized lines operating thereon. The Government chartered what equipment there was then available and proceeded at once to organize a regular service. The equipment thus secured was inadequate and mechanically inefficient.

Realizing this fact, the Government, through the agency of the Railway Administration, investigated the special peculiarities of the New York canal and caused to be designed and constructed a fleet of cargo barges and self-propelled barges for use on the canal. This fleet had to be created from the design straight through to the driving of the last rivet by the Government. As a result of this action on the part of the Government there are to-day on the New York Barge Canal 20 self-propelled barges and 72 new cargo barges. Due to the fact that the Government was compelled to create this fleet, it was not until late in 1919 that the fleet of cargo barges made its effect felt, and it was not until 1920 that any of the self-propelled barges were actually put into service. Even to-day one of the self-propelled barges is yet to be delivered.

Bearing these facts in mind, I call attention to the following table, which gives briefly a statement of the performance of the Government fleet on the barge canal during 1919 and 1920:

Tonnage, revenue, expenses, and deficits, New York canal section, inland and coastwise waterway service.

	Tonnage.	Revenue.	Expenses.	Deficit.	Operating cost.
1919.					*Per cent.*
January		$3,479.20	$20,803.24	$17,324.04	597
February		3,776.43	17,172.52	13,396.09	454
March		[1] 16,541.36	[2] 1,546.13	14,995.23	
April		2,549.41	12,808.44	10,259.03	502
May	15,322	48,898.42	54,453.65	5,555.23	111
June	15,016	48,832.33	73,407.59	24,575.26	150
July	30,239	87,619.13	83,114.97	[3] 4,504.16	95
August	30,731	89,885.22	97,935.42	8,050.20	108
September	31,819	97,054.05	103,857.64	6,803.59	107
October	21,991	58,114.81	96,590.91	38,476.10	166
November	21,140	70,287.31	68,047.14	[3] 2,240.17	97
December		16,313.83	44,341.60	28,027.77	271
Total	165,258	510,268.78	670,983.99	160,718.21	131
1920					
January		4,278.18	14,170.72	[3] 8,892.54	331
February		[1] 183.48	11,568.42	11,751.90	
March		1,795.69	6,638.75	4,842.06	395
April		3,425.56	19,115.16	15,689.50	558
May	29,499	101,997.75	69,520.78	[3] 32,476.97	68
June	23,950	75,050.96	68,475.58	[3] 7,575.38	90
July	31,240	105,265.48	102,206.97	[3] 3,059.51	97
August	24,604	76,419.39	149,584.62	73,165.23	196
September	18,847	72,167.71	86,776.20	14,608.49	120
Total	128,140	441,219.24	528,057.20	86,837.96	119

[1] Deduction due to adjustment of demurrage charges, 1918, which were settled in December, 1920.
[2] Adjustment on account of overcharge for fuel, 1918, which was a credit to "expenses" in this month.
[3] Profit.

An inspection of these figures will show that up to October, 1920, there was still a total annual deficit in the operation of the canal. This, however, should not be surprising in view of the conditions under which the Government has been operating. It will be noted that the figures are continually improving. The tonnage is increasing and the cost of operation is decreasing.

It is doubtful whether any private enterprise could have accomplished what the Government has done in the way of developing a regular service on the barge canal in the face of the difficulties which this enterprise has had to meet. It is pioneer work from start to finish; the good will of the general public has to be secured, and at the same time numberless problems of varied character have to be worked out with the

rail carriers—carriers traditionally opposed to successful operation of inland waterway services.

It has been said that the Erie Canal has been a highway for inland water traffic for the past century. Such, to a certain extent, has been true, but the service which was found satisfactory 25 or 50 years ago will not meet present conditions. The day of the itinerant bargeman, owning and operating his own barges at rates established for the particular occasion, is past. Such service will not develop inland waterways nor hold traffic on waterways previously teeming with boats. The service of the future must approximate as nearly as possible the service of any other great trunk-line transportation company, either railway or steamship.

It was with this end in view that the Government established its barge line on the New York Canal, and it has been with this end constantly in view that operation has continued. As above outlined, it is not believed that any transportation company could have organized a barge line such as the one organized by the Federal Government on the New York Canal and have operated it under the adverse conditions that the Federal Government has operated while building up business and overcoming the other numerous obstacles. This work is not complete. It could hardly be expected that a commercial concern would be willing to take over its operation when as yet it still shows an annual deficit. I feel confident, however, that another year of operation with all the new equipment in active service, with the benefit of the experience of the past two years in heavy barge line operation, will enable Government operation to show conclusively that a real barge transportation service on the New York Canal is practicable and profitable.

Then it will be time to consider the means by which this service can be transferred from Federal to private control. I feel certain that any hasty steps taken now toward the discontinuance of Federal service on the New York Barge Line will merely lead to a dissipation of the magnificent Government fleet. The Federal Government will find itself in a position where, after expending vast sums of money in the creation of unexcelled barge-line equipment and operating for two years with increasing success, it discontinues this operation before the public in general can reap the benefit of the Government's efforts.

In considering this problem the people of the State of New York can not be considered as alone vitally interested in this canal. True, the canal is the property of the State of New York. The traffic on this canal, however, is only in a small part the traffic of that State. Equally, if not even more, interested in the success or failure of real operation on the New York Barge Canal are the producers of the great Northwest. Before taking any action of as far-reaching significance as is contemplated, the wishes of the people of the upper Mississippi Valley and Great Lakes region should be given weighty consideration.

This resolution unamended makes it mandatory on the Secretary of War, within 30 days after its passage, or as soon thereafter as practicable, to dispose of all boats, barges, tugs, and other transportation facilities purchased for use upon said canal; and as it passed the Senate gives to proposed purchasers who intend to use the same upon said canal the first opportunity to buy the property ordered to be disposed of by the Secretary of War, and provides for a method of arbitration if a proposed purchaser and the Secretary of War are unable to agree on the price to be paid. No discretion whatever is left with the Secretary of War as to the terms of sale. He must accept the bid offered or resort to the method of arbitration provided as to the bid offered; but in the meantime the Secretary of War may lease the property for which the unaccepted bid was made for use upon the canal; that is, upon condition of use upon the canal.

This is a departure from the usual method of disposing of Government property and is unfair and unjust to the United States. If these tugs, barges, and other property are to be sold, it should be done at public auction to the highest and best bidder, regardless of whether the highest and best bidder may or may not intend to operate the property so purchased, and the Secretary of War should be authorized to accept or reject all bids that may be made for all or any part of the property sold and be authorized to readvertise and resell the property until an acceptable bid or bids are received as may be necessary in the judgment of the Secretary to protect the public interest by securing a just and fair price for each and every piece or parcel of said property.

I do not regard it as being wise or in the public interest or in the interest of the people of New York State to sell said equipment at this time. I believe it is manifestly in the interest of the people of New York, and also to the best interest of the people who are adjacent to the Great Lakes, that the Government should retain this equipment during the shipping season on said canal for the year 1921.

In the hearings on this resolution expressions were loosely made that would leave the impression that the Government was actually in exclusive possession and control of the canal, and was monopolizing the use and operation of same to the detriment and damage of the people and State of New York, and to the exclusion of private owners of canal equipment. Such an impression is without the slightest foundation in fact. The Government operates its own barges and tugs on the canal, just as any private owner of such equipment can and does operate same, and enjoys no special privilege or benefit of any kind. The rates are prescribed for Government owned and operated barges and tugs by the identical same authority that prescribes rates for privately owned and operated craft. No tolls are collected for use of the barge canal from either the Government or private owners.

The Government has lost money in its operations on the canal, as shown above, but its losses are growing less all the time. It was necessary for the pioneer work to be done at an initial loss, whether done by the Government or by private ownership and operation.

Inasmuch as the cost of construction of this magnificent fleet and its operation so far has been borne by the public taxpayer, I earnestly insist that if the property is to be sold, it should be done in such manner and on such terms and conditions as will enable the Government to realize the highest and best prices possible for same, to the end that the Government may be reimbursed as fully as possible for the losses sustained by it in this great undertaking. This can not be done under the terms and conditions of this resolution even as amended by the committee.

Mr. Speaker, this is not a bill that should cause any feeling and I assure you there is none on my part. Neither the Black Warrior nor the Mississippi serve my section of the country, and undoubtedly the barge canal does not. But I am still a citizen of the United States and still a Member of the House and a member of the Committee on Interstate and Foreign Commerce that reported this bill. I had nothing to move me except the public interest.

As before stated the Railroad Administration during the war, under the war control act, did not take over the barge canal, did not get in the way of anybody else using it. The barge canal had hardly been completed at that time. The Railway Administration leased some equipment and made contracts for the construction of additional equipment. Some of the new equipment was the fine new steel barges, the fine and expensive self-propelled barges. The Government paid out in all about four and a half million dollars for equipment. The new barges were put on the canal as before stated to help the whole country, as well as the people of New York. The Government did not crowd out any other facilities. There are about 700 canal boats all told, as I understand it. When we passed the transportation act instead of repealing that part of the war control act, we put it under the War Department—the Black Warrior, the Mississippi, the barge canal, and other inland waterways—and the War Department took charge of the equipment as fast as it was completed, but it was not all completed at that time.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SIMS. No.

Mr. CLEARY. Mr. Speaker, will the gentleman yield?

Mr. SIMS. No.

Mr. CLEARY. Just a friendly inquiry.

Mr. SIMS. I know it is all friendly.

Mr. CLEARY. I want the truth to come out. The delegation of us came down to see Mr. McAdoo early in the game, when we found that he was making rates it was impossible for individual boats to reach, and he told us the reason he made those rates was because he wanted to make the railroads profitable, he did not want to allow us to carry by water as cheaply.

Mr. SIMS. Yes. While he had charge under war control. We had guaranteed the railroads a certain net return, whether it was made or not, and he made higher rates on the Government boats used on the canal than had before prevailed so that it would not take too much traffic from the railroads to which the Government had to pay certain rental regardless of whether they did business or not, but the equipment did not get in anybody's way, for much of it did not exist.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. BLACK. I see the resolution provides that in the sale of these boats, if they do not agree upon a price, the Secretary of War shall select one arbitrator——

Mr. SIMS. That has been stricken out.

Mr. BLACK. I thought that was an unwise provision.

Mr. SIMS. That has been stricken out—by neglect, not by any statement on the floor, except that it was not read.

Mr. PARKER. I wish to make the statement that that was done in committee. The gentleman will remember that.

Mr. SIMS. No; this part of it, the printed matter shows. I do not care to quibble about what is in the resolution.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. McCLINTIC. I notice that the money derived from the sale of these boats is reappropriated and is to be expended in the development of inland and coastwise waters.

Mr. SIMS. I shall come to that after a moment.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SIMS. No; I must proceed now until I make my preliminary statement—well, I will yield to the gentleman now.

Mr. MacGREGOR. I merely wanted to find out who slipped the Erie Canal into this transportation act? It was not in it when it passed the House. It got in somewhere along the line.

Mr. SIMS. I do not know who "slipped it in," but it was a burden to the United States Treasury to the extent of $4,500,000, and now comes this Senate joint resolution, brought up now under a motion to suspend the rules. How does the resolution begin? Does this resolution start out like a resolution or a bill that is intended to protect the public rights as well as private capital and its rights? No. This is the way it reads:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That at the end of 30 days after the passage of this resolution the authority conferred upon the Secretary of War under section 201 of the transportation act, 1920, to operate for commercial purposes boats, barges, tugs, or other transportation facilities upon the New York State Barge Canal shall cease, and thereafter there shall be no such operation by the Secretary of War or any other agency of the United States.

Why does it start out by providing for an embargo on the use of this equipment after 30 days that was paid for by the Government out of the taxes of the people and then provides for a disposition of it afterwards? How does the resolution read, even as amended? The Secretary of War is authorized to "dispose" of the boats, barges, and so forth. The resolution makes no provision as to how this property shall be sold. It is by inference only, and not otherwise, that the property is to be sold but not how; whether by competitive bidding, by public sale, with power in the Secretary of War to accept satisfactory bids and reject unsatisfactory bids and readvertise the property and resell it? He is compelled to "dispose" of it, with no power on earth to reject bids.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. SNYDER. The gentleman knows why that is fixed in that way. It is done because we want to dispose of the boats.

Mr. SIMS. You want it sold without power in the Government, through the Secretary of War, to protect itself against any kind of a grabbing combination of bidders. Why do you want to pass this resolution now? It passed the Senate last May.

Mr. PARKER. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Not for a moment. The hearings were completed on this resolution in May of last year, and the gentleman had all of the time between that time until Congress adjourned to have this resolution considered by the House. You could have brought the resolution up and passed it in the ordinary way. We have been here since the first Monday in December last, and you could have brought this resolution up and passed it in the ordinary way, open to amendment offered on the floor of the House. But no, you come in the last days of this Congress with a motion to suspend the rules and pass this resolution, with such amendments as are in it, by reason of leaving the language of the bill out, which clearly shows its purpose.

Mr. PARKER. Mr. Speaker, will the gentleman yield to one question?

Mr. SIMS. Yes.

Mr. PARKER. Did not the gentleman hold up the reporting of this bill by a no quorum call and delay it for a week?

Mr. SIMS. Not that I have any recollection of. If I did, I do not remember it. When? At the last session?

Mr. PARKER. I mean right within the last three weeks.

Mr. SIMS. In this Congress?

Mr. PARKER. Yes.

Mr. SIMS. The bill was not reported until a few days ago.

Mr. PARKER. I mean in the committee.

Mr. SIMS. Oh, the gentleman is doing something now which the Speaker once made me take my seat for doing, without a point of order, and that is telling what the committee did in executive session.

Mr. PARKER. Oh, I asked a question.

Mr. SIMS. It would be just as well to tell the balance of it.

Mr. PARKER. Oh, I asked a question; I did not make the statement.

Mr. SIMS. I think the gentleman is mistaken; I think it was on the Winslow bill.

Mr. JONES of Texas. Will the gentleman yield?

Mr. SIMS. Let me get through with my preliminary statement and I will answer questions if I have time. Now, why should I be prevented or you from offering amendments to provide that this property shall be sold as all other Government property is usually sold, to the highest and best bidder? Give the Secretary of War the right to accept or reject and readvertise and resell it. But you see the resolution starts by prohibiting the use of these barges after 30 days where they are of most use to the people and will not let them earn anything during the time the "disposal" takes place. Why do you want to do that? The value of this equipment consists in its use, consists in its earnings. Stop the use and earnings while the Government has to pay interest on the investment, and lose the value of its use by operating them until something is done in the way of sale or lease. Now, does that look like dealing fairly with the taxpayers of this country? Investigation after investigation, charge after charge, has been made on this floor that the administration has sold Government property at sacrificial prices. Is Congress going to approve such a course, such a proceeding by ordering the use of these vessels stopped? If you want to dispose of vessels owned by the Shipping Board, would you pass a resolution to stop operating those vessels until the disposition of them is made? If you do you would do great damage not only to the vessels but cause a great loss to the taxpayer and everybody else who has any property interest affected.

Mr. JONES of Texas. Will the gentleman yield now?

Mr. SIMS. I will.

Mr. JONES of Texas. I would like to know for information whether the fact railroads are granted water-competition rate has anything to do with this loss of money on these ship canals?

Mr. SIMS. The reason they lost was that it was a primary undertaking and business had to be built up and established.

Mr. JONES of Texas. But the gentleman is not answering my question.

Mr. SIMS. What is the question. I did not catch it.

Mr. HARDY of Texas. Will the gentleman yield for just one question?

Mr. SIMS. I will.

Mr. HARDY of Texas. On the first page of this joint resolution it seems that at the end of 30 days the Government can no longer use its own vessels.

Mr. SIMS. Can not operate them at all; I just stated that fact.

Mr. HARDY of Texas. Will not that leave the Government like a man with a horse eating his head off for the vessel to stand there idle and force their sale for a song?

Mr. SIMS. Yes; and at any price at which they might bid 75 per cent of these vessels must be sold, and it does not say 75 per cent of the tonnage or the number of barges, and so forth, to be sold. Are you going to sell these fine, expensive steel barges and self-propelled barges under such conditions as these before the Government has hardly got them paid for? The language is nebulous and uncertain. This is the last bill on earth that we ought to pass under a suspension of the rules. What will happen? It must go back to the Senate and go to conference, and in conference, if the Senate is still in favor of its bad bill—the bill is somewhat improved by the amendments offered, but if the Senate will not agree to these amendments then in the last days of this session it will be said that the people of New York are suffering to have these vessels sold, and they will bring in a conference report with possibly not one of these amendments in it and they will move to agree to the conference report, which only requires a majority vote with a quorum present to adopt it. Why not provide for the sale of this property like any other Government property, to the highest and best bidder, with discretion in the Government officers to reject all bids if not satisfactory and readvertise and resell, and let the vessels continue to be operated until they are finally disposed of? Now, if you are fair-minded men, you will think of the poor taxpayer, when it takes twice the amount of his labor, twice the amount of his products, to pay the same amount of taxes that it did when these barges were acquired or constructed. Why should we do this if not to get these boats out of competition with the New York Central Railroad?

Mr. PARKER. Oh, no.

Mr. SIMS. That is the effect it will have. But when you stop operation in 30 days, do not tell me anybody but the New York Central Railroad will be benefited by it.

Mr. PARKER. The canal has been frozen up for two months, and will be for two months more.

Mr. SIMS. Then why be in such a break-neck hurry to pass this bill if you can not use the canal for two months? Why not give the next Congress an opportunity to act, without a motion to suspend the rules?

Mr. CLEARY. Will the gentleman allow me to answer the question?

Mr. SIMS. I want the other gentleman from New York [Mr. PARKER] to answer the question; he is in charge of the bill. Now, I have no prejudice in this matter. Let us do in this case just what we always have done in a disposal of public property, make such provisions of sale as will have the effect of getting the best price, because the taxpayer loses by the amount we fail to get out of this sale.

Mr. CLEARY. Will the gentleman yield to me five minutes of time?

Mr. SIMS. Not to favor the bill, of course.

Mr. CLEARY. There are so many things to explain.

Mr. SIMS. There is great need of explanation, as the gentleman from New York has said, more than I ever saw with any other bill in my life of the same length. The way to explain the bill is to look at the effect of it. The effect is to stop these vessels from operating in 30 days and then dispose of them at leisure.

The gentleman from New York made a statement, but it does not explain the situation fully, about the Black Warrior River and the Mississippi River. The Mississippi from St. Louis to New Orleans has 14 feet depth of water nearly all the year. He did not explain that these small boats can be used in a tow and moved by a tug, and especially in doing business from landing to landing. The Black Warrior is a shallow stream, and the broader the vessel there the better. Four and one-half or five millions of dollars' worth of vessels are to be sold under this resolution, with no discretion, no right, in the Secretary of War to refuse any bid.

Mr. PARKER. Mr. Speaker, I yield two minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, this bill as it passed the Senate was subject to some objections, in that it did not protect the Government. In my judgment, the bill as amended removes these objections and ought to be passed.

Substantially this may be said about the subject of this legislation: Under section 500 of the railroad control act the President was authorized to build and operate barges upon inland waterways of the country. Barges and tugs were constructed for operation on the Erie Canal, as well as other inland waters. That activity was transferred in the transportation act of 1920 to the War Department. The people of the State of New York now wish the War Department to discontinue operation of boats on the canal. I think their wishes ought to be respected if the Government can be protected in doing so, and in my judgment this bill does protect the Government. The bill as passed by the Senate was unsatisfactory in that it gave the New York canal people a first opportunity to purchase these boats. This throws their purchase open to the public everywhere, and if the Secretary of War and the purchasers can not agree it provides that the price may be fixed by arbitration.

Mr. DEWALT. That is stricken out.

Mr. SMALL. That is stricken out, but it protects the Government to the extent that it gives an open field for the purchase of these boats. Only three-fourths of the boats may be sold, and the others operated wherever the War Department may deem desirable. I think the bill as a whole protects the Government and meets the wishes of the people of New York, and their wishes ought to be respected. [Applause.]

Mr. PARKER. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER. Mr. Speaker, I fully concur in the opinion expressed by the gentleman from North Carolina [Mr. SMALL] that the bill, as now amended, protects the interests of the Government and should pass. Unquestionably, it is not the policy of the Government to continue indefinitely the operation of boats on the inland waterways. The State of New York, speaking through the Representatives of that State, is opposed to the Government longer operating them on the canal, and this simply provides that after 30 days these boats shall be sold, and if they can not be sold to advantage the Government may lease them. And it provides that one-fourth of them can be retained by the Government for use on other streams. The proof shows that these boats were not designed either for the Mississippi or the Black Warrior Rivers. There was a naval architect who specially designed the boats for the Mississippi, giving to them a 600 horsepower; likewise, the boats for the Warrior, with lighter draft than those constructed for the New York State Barge Canal. It is my information that these boats can not be economically used on either of these streams, and I think it is to the advantage of the Government to dispose of the boats, since the State of New York desires they should be no longer used on the canal owned by the State. I hope the resolution as amended will pass. [Applause.]

Mr. PARKER. Mr. Speaker, I yield two minutes to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Speaker, when this resolution was before the Committee on Interstate and Foreign Commerce last May for consideration I appeared before that committee and voiced my own opposition to the resolution and registered the protest of the various commercial exchanges of the city of New Orleans, the State of Louisiana, and the Mississippi Valley generally. I stated at the time I had no objection to the primary object of the resolution, which was to return the New York Barge Canal to the control of the people of the State of New York, who had built that canal at tremendous expense. My objection was leveled at certain details in regard to the disposal of the equipment on the canal, which had been constructed by the Government at the expense of the taxpayers throughout the whole country. The two amendments that have been brought in here from the committee, and which I understand from the gentleman from New York [Mr. PARKER] are expressly included in his motion to suspend the rules and pass the bill, take away the objection I had. I hope this measure will pass the House. After all, the people of New York built that canal. It was all right for the Government to take it over during the time of emergency and exigency, but the emergency and exigency have passed away. The people of New York want the canal back, and the legislature of that State, as I recall, has memorialized the Congress to return it. And I think that Congress ought to heed their wishes, believing that the interests of the Government are properly safeguarded through the amendments that have been submitted by the committee.

Mr. PARKER. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. DEMPSEY].

The SPEAKER. The gentleman from New York is recognized for two minutes.

Mr. DEMPSEY. Mr. Speaker, the gentleman from Tennessee [Mr. SIMS] says that this bill is defective in two respects. He says, first, that this bill does not prescribe notice. The question of notice is intrusted to the Secretary of War, and he is invested with discretion as to how to sell and when to sell; and if he can not sell, then he is given the right to lease, so that you dispose of that question in that way.

Next, he says that during the time we are trying to sell the barges they are tied up and can not be used. The Secretary of War can not operate them, but he can not operate them anyway on account of weather conditions from now until May; and if he is unable to sell them by that time, he has the absolute right to lease. So there can be no objection on either ground submitted by the gentleman from Tennessee.

The State of New York has built the canal at an expense of $200,000,000. There should be 5,000 boats on that canal. As a matter of fact there are on it only 90 modern barges. You can not get private capital to invest in and build barges when the Government runs its barges at a loss, and it has run them at a loss for two years of over $100,000 each year. The instant that the Government ceases to operate barges upon the canal, that instant private capital is ready to place upon the canal the number of barges needed there to carry the grain and the other traffic from the West.

And what becomes of the money? The money that is resultant from the sale of these boats is to be used for your operations upon the Mississippi and upon the Black Warrior. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PARKER. Will the gentleman from Tennessee use his remaining one minute?

Mr. SIMS. Is there only one more speech on that side?

Mr. PARKER. Yes.

The SPEAKER. The gentleman from Tennessee is recognized for one minute.

Mr. SIMS. I again call attention to the fact that the Government never took over the canal for one hour. The testimony that was given by the gentleman from New York, Mr. Walsh, shows that there are about 700 canal boats of all kinds.

Mr. DEMPSEY. There is not a single barge designed for use on a canal of 12 feet. They are old-fashioned boats, intended to be run on a shallow canal.

Mr. SIMS. But they can be used in the canal even if not originally designed for such use.

Mr. PARKER. Mr. Speaker, I yield one minute to the gentleman from Wisconsin [Mr. ESCH].

The SPEAKER. The gentleman from Wisconsin is recognized for one minute.

Mr ESCH. Mr. Speaker, this bill is an improvement on the Senate bill. It provides that three-fourths of the boats shall be disposed of, and one-fourth to be placed elsewhere by the War Department. We believe, in view of the operations in 1919, with a deficit of $166,000, and in view of the deficit in 1920, when it was $128,000, with three of the lean months of the year not yet accounted for, that it is a wise thing for the Government to dispose of this property and turn it over to private interests. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired. The question is whether the House will suspend the rules and pass the bill.

Mr. BRIGGS. Mr. Speaker, may we have the amendments that were reported with this bill read?

The SPEAKER. The amendments were not reported separately. Does the gentleman wish the whole bill to be reported again?

Mr. BRIGGS. I would like to have the amendments again reported.

The SPEAKER. Without objection, the bill as reported will be again reported.

The bill with the amendments incorporated therein was again read.

Mr. PARKER. Mr. Speaker, I wish to make a correction on line 1, page 2. The Clerk made a mistake in reading, because the words "as soon" were not stricken out. I ask unanimous consent that he may read that section again.

The SPEAKER. That is the way it was read originally. The Clerk will read.

The Clerk read as follows:

The Secretary of War shall, as soon as practicable, dispose of boats, barges, tugs, etc.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds having voted in the affirmative——

Mr. SIMS. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The question was again taken.

The SPEAKER. On this vote the ayes are 147.

Mr. SIMS. Mr. Speaker, I intended to call for the yeas and nays.

The SPEAKER. The Chair misunderstood the gentleman.

Mr. HUDDLESTON. Mr. Speaker, pending that, I make the point of order that a quorum of the House is not present.

The SPEAKER. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. As many as are in favor of suspending the rules and passing the resolution will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 273, nays 16, not voting 139, as follows:

YEAS—273.

Ackerman	Cantrill	Esch	Hawley
Almon	Caraway	Evans, Mont.	Hayden
Anderson	Carew	Evans, Nebr.	Hernandez
Andrews, Nebr.	Carter	Fairfield	Hersey
Anthony	Chindblom	Fess	Hersman
Ashbrook	Christopherson	Fields	Hickey
Aswell	Cleary	Fish	Hicks
Ayres	Coady	Fisher	Hoch
Babka	Cole	Flood	Hoey
Barbour	Collier	Focht	Holland
Barkley	Connally	Foster	Houghton
Bee	Cooper	Frear	Howard
Begg	Crago	Freeman	Hudspeth
Benham	Crisp	French	Hull, Iowa
Benson	Crowther	Fuller	Hull, Tenn.
Bland, Va.	Cullen	Gallivan	Humphreys
Boles	Currie, Mich.	Gard	Husted
Bowers	Dale	Garrett	Igoe
Bowling	Dallinger	Glynn	Ireland
Box	Darrow	Goldfogle	Jacoway
Brand	Davis, Minn.	Good	James, Va.
Briggs	Dempsey	Goodykoontz	Johnson, Ky.
Brinson	Denison	Gould	Johnson, S. Dak.
Brooks, Ill.	Dewalt	Graham, Ill.	Jones, Pa.
Browne	Dickinson, Iowa	Green, Iowa	Jones, Tex.
Buchanan	Dickinson, Mo.	Greene, Mass.	Kearns
Burroughs	Dominick	Greene, Vt.	Kelly, Pa.
Butler	Dowell	Griest	Kendall
Byrnes, S. C.	Drewry	Griffin	Kettner
Byrns, Tenn.	Dupré	Hadley	Kiess
Caldwell	Dyer	Hardy, Colo.	King
Campbell, Kans.	Echols	Hastings	Kinkaid
Campbell, Pa.	Elliott	Haugen	Kleczka
Knutson	Montague	Reed, N. Y.	Taylor, Tenn.
Kraus	Moore, Ohio	Rhodes	Temple
Langley	Moore, Va.	Ricketts	Thompson
Lanham	Moores, Ind.	Robinson, N. C.	Tillman
Lankford	Mott	Robsion, Ky.	Tilson
Larsen	Murphy	Rose	Timberlake
Lazaro	Nelson, Wis.	Rowe	Tinkham
Lea, Calif.	Newton, Mo.	Sabath	Treadway
Lee, Ga.	Nolan	Sanders, Ind.	Upshaw
Lehlbach	O'Connell	Sanders, La.	Vaile
Linthicum	O'Connor	Sanders, N. Y.	Venable
Little	Ogden	Sanford	Volstead
Longworth	Oldfield	Schall	Walsh
Luce	Oliver	Sherwood	Walters
Lufkin	Olney	Shreve	Ward
McAndrews	Osborne	Siegel	Wason
McClintic	Overstreet	Sinnott	Watkins
McDuffie	Paige	Sisson	Watson
McFadden	Park	Smith, Idaho	Weaver
McKenzie	Parker	Smith, Ill.	Whaley
McLaughlin, Mich.	Parrish	Smith, Mich.	White, Kans.
McLaughlin, Nebr.	Patterson	Snell	White, Me.
McLeod	Pell	Snyder	Williams
McPherson	Peters	Steagall	Wilson, Ill.
MacGregor	Phelan	Stedman	Wilson, La.
Madden	Pou	Steele	Winslow
Magee	Purnell	Stephens, Ohio	Wood, Ind.
Mann, Ill.	Quin	Stevenson	Woods, Va.
Mapes	Radcliffe	Strong, Kans.	Woodyard
Martin	Rainey, Henry T.	Strong, Pa.	Wright
Mays	Raker	Summers, Wash.	Young, N. Dak.
Merritt	Ramsey	Sumners, Tex.	Young, Tex.
Michener	Randall, Wis.	Sweet	Zihlman
Miller	Ransley	Swindall	
Milligan	Rayburn	Tague	
Minahan, N. J.	Reber	Taylor, Ark.	

NAYS—16.

Black	Hardy, Tex.	Kincheloe	Sims
Blanton	Huddleston	Nelson, Mo.	Smithwick
Carss	Johnson, Miss.	Romjue	Welling
Davis, Tenn.	Keller	Rouse	Wingo

NOT VOTING—139.

Andrews, Md.	Elston	Lonergan	Rodenberg
Bacharach	Emerson	Luhring	Rogers
Baer	Evans, Nev.	McArthur	Rowan
Bankhead	Ferris	McCulloch	Rubey
Bell	Fordney	McGlennon	Rucker
Bland, Ind.	Gallagher	McKeown	Scott
Bland, Mo.	Gandy	McKiniry	Scully
Britten	Ganly	McKinley	Sears
Brooks, Pa.	Garner	McLane	Sells
Brumbaugh	Godwin, N. C.	Maher	Sinclair
Burdick	Goodall	Major	Slemp
Burke	Goodwin, Ark.	Mann, S. C.	Small
Candler	Graham, Pa.	Mansfield	Smith, N. Y.
Cannon	Hamill	Mason	Steenerson
Casey	Hamilton	Mead	Stephens, Miss.
Clark, Fla.	Harreld	Monahan, Wis.	Stiness
Clark, Mo.	Harrison	Mondell	Stoll
Classon	Hays	Moon	Sullivan
Copley	Hill	Mooney	Swope
Costello	Hulings	Morin	Taylor, Colo.
Cramton	Hutchinson	Mudd	Thomas
Curry, Calif.	James, Mich.	Neely	Tincher
Davey	Jefferis	Newton, Minn.	Towner
Dent	Johnson, Wash.	Nicholls	Vare
Donovan	Johnston, N. Y.	Padgett	Vestal
Dooling	Juul	Perlman	Vinson
Doremus	Kahn	Porter	Voigt
Doughton	Kelley, Mich.	Rainey, Ala.	Volk
Drane	Kennedy, Iowa	Rainey, John W.	Webster
Dunbar	Kennedy, R. I.	Ramseyer	Welty
Dunn	Kitchin	Randall, Calif.	Wheeler
Eagan	Kreider	Reavis	Wilson, Pa.
Eagle	Lampert	Reed, W. Va.	Wise
Edmonds	Layton	Riddick	Yates
Ellsworth	Lesher	Riordan	

So, two-thirds having voted in the affirmative, the rules were suspended and the joint resolution passed.

The Clerk announced the following additional pairs:

Mr. MONDELL with Mr. TAYLOR of Colorado.
Mr. TOWNER with Mr. SMALL.
Mr. MCKINLEY with Mr. DRANE.
Mr. RODENBERG with Mr. WELTY.
Mr. BLAND of Indiana with Mr. MANSFIELD.
Mr. MCARTHUR with Mr. JOHNSTON of New York.
Mr. ROGERS with Mr. MCKEOWN.
Mr. RAMSEYER with Mr. STEPHENS of Mississippi.
Mr. YATES with Mr. NICHOLLS.
Mr. HAYS with Mr. BRUMBAUGH.
Mr. STEENERSON with Mr. MAHER.
Mr. JOHNSON of Washington with Mr. EAGLE.
Mr. LAMPERT with Mr. ROWAN.
Mr. SINCLAIR with Mr. WILSON of Pennsylvania.
Mr. SCOTT with Mr. MANN of South Carolina.
Mr. JEFFERIS with Mr. CANDLER.
Mr. VOIGT with Mr. LONERGAN.
Mr. REED of West Virginia with Mr. VINSON.
Mr. STINESS with Mr. MEAD.
Mr. LUHRING with Mr. SCULLY.
Mr. TINCHER with Mr. MAJOR.

Mr. RIDDICK with Mr. PADGETT.

Mr. MONAHAN of Wisconsin with Mr. MCLANE.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. Two-thirds having voted in the affirmative the joint resolution is passed.

APPLICATIONS FOR LETTERS PATENT.

Mr. NOLAN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 15662) to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes, which I now send to the Clerk's desk.

The SPEAKER. The gentleman from California moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the rights of priority provided by section 4887 of the Revised Statutes, for the filing of applications for patent for inventions and designs, which rights had not expired on the 1st day of August, 1914, or which rights have arisen since the 1st day of August, 1914, shall be, and the same are hereby, extended until the expiration of a period of six months from the passage of this act in favor of the citizens of the United States or citizens or subjects of all countries which have extended, or which now extend, or which within said period of six months shall extend substantially reciprocal privileges to citizens of the United States, and such extension shall apply to applications upon which patents have been granted, as well as to applications now pending or filed within the period herein: *Provided*, That such extension shall in no way furnish a basis of claim against the Government of the United States: *Provided further*, That such extension shall in no way affect the right of any citizen of the United States, who, before the passage of this act, was bona fide in possession of any rights in patents or applications for patent conflicting with rights in patents granted or validated by reason of such extension, to exercise such rights by itself or himself personally, or by such agents, or licensees, as derived their rights from it, or him, before the passage of this act, and such persons shall not be amenable to any action for infringement of any patent granted or validated by reason of such extension.

A patent shall not be refused on an application coming within the provisions of this act, nor shall a patent granted on such application be held invalid by reason of the invention having been patented or described in any printed publication or in public use or on sale in the United States prior to the filing of the application, unless such patent or publication or such public use or sale was prior to the filing of the foreign application upon which the right of priority is based.

SEC. 2. That the time now fixed by law for the payment of any fee or for the taking of any action with respect to an application for patent, which time had not expired on August 1, 1914, or which commenced after August 1, 1914, is hereby extended until the expiration of one year from the passage of this act, without the payment of extension fees or other penalty in favor of the citizens or subjects of countries which have extended, now extend, or shall extend during a period of one year from the passage of this act substantially reciprocal privileges to citizens of the United States, provided that no extension herein shall confer such privileges on the citizens or subjects of a foreign country for a longer term than the term during which such privileges are conferred by such foreign country on the citizens of the United States, but nothing in this act shall give any right to reopen interference proceedings where final hearing before the examiner of interferences has taken place.

SEC. 3. That no patent granted or validated by reason of the extensions provided for in sections 1 and 2 of this act shall abridge or otherwise affect the right of any citizen of the United States, or his agent or agents, or his successor in business, to continue any manufacture, use, or sale commenced before the passage of this act by such citizen, nor shall the continued manufacture, use, or sale by such citizen, or the use or sale of the devices resulting from such manufacture or use, constitute an infringement.

SEC. 4. That all applications for patent filed since August 1, 1914, and prior to June 15, 1920, which were executed by an agent of the applicant, and in which a petition, specification, and oath, signed by the inventor, or his executor or administrator, had been filed or shall have been filed within a period of one year from the passage of this act, and the patents granted on such applications, shall have the same force and effect as if the papers signed by the inventor, or his executor or administrator, had been filed on the date on which the papers signed by the agent were filed.

SEC. 5. That all applications for patent filed since August 1, 1914, in which the oath was executed before or authenticated by a consular officer, or other representative qualified to administer oaths, of a Government acting in the interest of the Government of the United States, shall have the same force and effect as if said oath had been executed by the applicant before a consular officer of the United States.

SEC. 6. That where an invention was made by a person while serving abroad, during the war, with the forces of the United States, civil or military, the inventor thereof shall be entitled, in interference and other proceedings arising in connection with such invention, to the same rights of priority with respect of such invention as if the same had been made in the United States, and where an application became abandoned or forfeited, during the time the applicant was serving with the forces of the United States, by reason of his failure to take action or pay a fee within the time now required by law, such action may be taken, or the fee paid, within six months from the passage of this act.

SEC. 7. That no claim shall be made or action brought in respect of the use since August 1, 1914, up to the passage of this act, by the Government of the United States, or by any persons acting on behalf of, or under contract with, or with the assent of the Government of the United States or of Governments or their representatives associated with the United States, under any patent rights owned in whole or in part since August 1, 1914, by an alien enemy, nor in respect of the use of any process during such period, or the sale, offering for sale, or use, at any time, of any products, articles, or apparatus whatsoever manufactured during such period to which such patent rights applied.

SEC. 8. That nothing in this act shall affect any act done by virtue of the special measures taken during the war under legislative, executive, or administrative authority of the United States in regard to the rights of an enemy, or ally of an enemy, as defined by the trading with the enemy act of October 6, 1917, in patents for inventions and designs.

The SPEAKER. Is a second demanded?

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, I demand a second.

Mr. GARD and Mr. CALDWELL rose.

The SPEAKER. Is any gentleman asking for recognition opposed to the bill?

Mr. CAMPBELL of Pennsylvania. I am on the Committee on Patents. I do not oppose the bill.

The SPEAKER. The Chair thinks he ought to recognize a member of the committee. The gentleman from Pennsylvania demands a second.

Mr. NOLAN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from California asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from California [Mr. NOLAN] has 20 minutes and the gentleman from Pennsylvania [Mr. CAMPBELL] has 20 minutes.

Mr. NOLAN. Mr. Speaker, this bill, H. R. 15662, is a committee substitute for a bill which was recommended by the Commissioner of Patents, Mr. Newton, which was introduced in April of last year, H. R. 13681. As the title states, this bill is to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes.

Briefly, this bill is designed to meet a situation that results from nonratification of the peace treaty. Hearings were held on this measure, at which a large number of inventors and representatives of great industrial establishments in this country appeared and stated that unless a measure of this kind was passed prior to March 31 of this year inventors of this country and industrial establishments would lose rights that lapsed due to a condition that existed during the war, from August, 1914, to the present date. If the measure is passed it will give inventors whose rights have lapsed an opportunity prior to March 31 to take advantage of the Berne convention and revive those patent rights, providing other countries coming under the provisions of it give inventors in this country reciprocal rights. The statement was made by the then Commissioner of Patents, Mr. Newton, and the former Commissioner of Patents, Mr. Whitehead, that there are four or five Americans who have rights that are lapsed to one of those of foreign countries.

Early in this Congress somewhat similar legislation was enacted in relation to copyrights. This is considered very important, because if this Congress should adjourn and no legislation be enacted prior to March 31 of this year it would be impossible, except through special treaties or special agreement with each individual country, to take advantage of this situation and get for the inventors of our Nation the rights that are granted to the signatories of the Berne convention. Briefly, that is the purpose of this legislation. It is very important that it should be enacted into law, and that is the reason why we are asking the House to suspend the rules and pass this bill.

I yield five minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Speaker, I fully agree with the chairman of the committee [Mr. NOLAN] that this bill is a matter of very great importance to American inventors and business men.

Those of you who are familiar with patents know that a very important section of our patent law is what is called the right of priority. It is equally as important for Americans as it is for foreigners, because if an inventor wants to patent an article in the various countries of the world he has got to have a chance to get all his applications filed all around the world before he takes out his American patent, or else he is apt to invalidate his own American patent. That is called the right of priority, and, in brief, it is that when you file a patent in a foreign country you have a year within which to perfect your American patent, and that year is called the year of priority.

When the war came on it was impossible to get in touch with the patent offices, not alone of those nations which were at war but almost all the nations of the world. In fact, it disrupted all the patent systems of all civilized nations.

The object of this bill and of the Berne convention is practically to remove the disabilities to which inventors were subjected in consequence of the war. It is very much more important for Americans than it is for other people that this legisla-

tion be passed, for the reason that American inventors are more active than those of any other country. They take out patents all around the world, and if we do not extend this privilege to the nationals of other countries we shall not get it extended to our nationals.

I think this is a bill concerning which there can not be two opinions. All the officials of the Patent Office, all the manufacturers who have appeared before the committee, were in favor of it. You will find if you look at the bill that it safeguards all the rights that have been taken by the United States in foreign patents, all the rights of the citizens that have acquired interest in foreign patents, so that the bill is one solely for the protection and not of any danger to any American. I shall be glad to answer any questions; but I think that, so far as the argument goes, there is nothing to be said against the bill, and I hope the bill will pass.

Mr. NOLAN. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee.

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen, this bill is a very meritorious measure and very urgent, in the opinion of the Patent Committee. We held hearings, and about a dozen different gentlemen, including the Commissioner of Patents, the former commissioner, and the chairman of the committee on laws of the American Patent Bar Association, appeared before the committee and urged the passage of the bill. No opposition developed. The committee unanimously reported out the bill, and no opposition has developed since that time.

The bill reads as if it is in the interest of foreign inventors, and yet the purpose of the bill is to protect the interests of American inventors and manufacturers. In order to do that, however, it is necessary for the Congress to enact this bill granting these rights in order that we may obtain reciprocal rights from foreign countries. As explained by the chairman of the committee, this situation has grown out of war conditions during which foreign inventors in many instances did not take out patents on their own inventions in the United States, and innumerable American inventors failed to take out patents in foreign countries within the time limit. Furthermore, many foreign countries have an annual or biennial or quadrennial license system, and license fees have to be paid in order to keep the patents alive. Many American inventors and manufacturers did not keep alive their inventions in foreign countries. Since the war some of the foreign countries, notably Great Britain, for a time extended protection to the American inventors upon the belief that reciprocal rights would be granted, but as such a long time has elapsed without the United States granting reciprocal rights, practically all the countries have ceased granting extensions. The result is that thousands of American patents are in a precarious condition so far as protection in foreign countries is concerned. This legislation is vitally important and urgent, for the reason that the Berne convention meets March 31, and it is important for us to pass this legislation prior to that time in order to acquire these rights for America. If we do not do it before Congress adjourns it will be too late.

Mr. TILSON. Will the gentleman yield?

Mr. DAVIS of Tennessee. I will.

Mr. TILSON. If this bill is passed now, will the inventors of America benefit immediately under the Berne convention?

Mr. DAVIS of Tennessee. In some particulars they will; but most of the foreign countries have already made provision to grant like protection to American patents in consideration of reciprocal rights.

Mr. TILSON. This is to complete the reciprocity?

Mr. DAVIS of Tennessee. This completes the reciprocity. A reading of the bill will show that the American rights are not granted except upon reciprocal rights granted by foreign countries.

I wish to call your attention to the further fact that this bill expressly provides that if an American manufacturer has been in actual possession and manufacture of a foreign invention for the period of a year or more, they are still protected, not only for the past use of the invention but in the future use thereof, because they have acquired possessive rights, and this bill does not take them away.

Mr. MILLER. In what way does the Berne convention change the status of the American inventor in foreign patent rights other than in those countries with which we are at war?

Mr. DAVIS of Tennessee. The Berne convention is composed of nearly all the European countries as well as other countries in the world. They operate very largely through this convention, and it grants reciprocal rights to those nations that enact legislation of a like character with regard to patents. We can get the right in any of these foreign countries for our inventors as soon as we grant them like rights.

Mr. BARKLEY. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BARKLEY. This bill simply carries out the provisions of the Versailles treaty?

Mr. DAVIS of Tennessee. Yes.

Mr. BARKLEY. If that treaty had been ratified, it would not have been necessary for Congress to take up the time in passing this bill?

Mr. DAVIS of Tennessee. The situation would have been very much simplified.

Mr. NOLAN. Mr. Speaker, I will state to the gentleman from Kentucky that this is ratifying the peace treaty.

Mr. BARKLEY. By piecemeal?

Mr. NOLAN. No; in a more perfect form.

Mr. MERRITT. Mr. Speaker, will the gentleman from Tennessee yield?

Mr. DAVIS of Tennessee. Yes.

Mr. MERRITT. Is it not true that under administrative acts some countries—Great Britain, for instance—have granted our inventors rights upon the theory that we would enact this legislation, and if we do not they will take those rights away, so that men who think they have certain rights in Great Britain now will not have them?

Mr. DAVIS of Tennessee. That is true. I wish to further call the attention of the House to section 6 of the bill, which protects inventions which may have been made by members of the United States forces while in foreign service, during the war, and did not have the opportunity to take out or follow up their inventions within the time allowed by the present law.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. McLAUGHLIN of Michigan. The gentleman is referring to section 6?

Mr. DAVIS of Tennessee. Yes.

Mr. McLAUGHLIN of Michigan. To what war does section 6 refer?

Mr. DAVIS of Tennessee. It refers to the World War.

Mr. McLAUGHLIN of Michigan. Other sections of the act speak of August 1, 1914, and so forth, and section 7 speaks about alien enemies, and so on?

Mr. DAVIS of Tennessee. Yes.

Mr. McLAUGHLIN of Michigan. So that we may infer that it is the recent war that is intended?

Mr. DAVIS of Tennessee. Yes.

Mr. McLAUGHLIN of Michigan. It is the only place in the bill where the word "war" is mentioned, and it would seem to me, to make it entirely clear, there should be words of designation of the recent World War.

Mr. DAVIS of Tennessee. Perhaps that criticism is well taken, but I think section 7 and section 8, as well as the preceding sections, show that what is intended is the World War. In that connection I call attention to the fact that sections 7 and 8 expressly protect the Government of the United States against any claims or suits which might grow out of the use by the Government during the war of any foreign inventions or patents.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. NOLAN. Mr. Speaker, if no one desires to oppose the bill, I ask for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

TRADING WITH THE ENEMY.

Mr. MERRITT. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4897) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That subdivisions (2) and (3) of subsection (b) of section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, be, and hereby are, amended so as to read as follows:

"(2) A woman who, at the time of her marriage, was a subject or citizen of a nation which has remained neutral in the war, or of a nation which was associated with the United States in the prosecution of said war, and who, prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary and that the money or other property concerned was not acquired by such woman, either directly or indirectly, from any subject or citizen of Germany or Austria-Hungary subsequent to January 1, 1917.

"(3) A woman who, at the time of her marriage, was a citizen of the United States and who, prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary, and that the money

or other property concerned was not acquired by such woman, either directly or indirectly, from any subject or citizen of Germany or Austria-Hungary subsequent to January 1, 1917."

The SPEAKER. Is a second demanded?

Mr. GARD. Mr. Speaker, I demand a second.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Connecticut is entitled to 20 minutes and the gentleman from Ohio to 20 minutes.

Mr. MERRITT. Mr. Speaker, this bill is intended to correct certain errors which have been found to exist in the amendment to the trading-with-the-enemy act, which was passed in June of last year. It has to do with the return of property belonging to American women who married enemy aliens. The amendment of June 5, 1920, provided as follows:

A woman who at the time of her marriage was a citizen of the United States (said citizenship having been acquired by birth in the United States), and who prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary, and that the money or other property concerned was not acquired by such woman either directly or indirectly from any subject or citizen of Germany or Austria-Hungary.

It was found, as testified to by Mr. Garvan, the Alien Property Custodian, and concurred in by the Attorney General, as will be seen by letters in the report, that this worked a hardship. The Attorney General says:

A case was presented under this amendment in which the evidence disclosed the fact that the claimant was born an American citizen in Paris, and this department following the act felt that such claim was not covered by the above provisions, and the claim was accordingly disallowed. This feature was the only part of the evidence, which was incomplete.

The custodian, while recognizing that such a claimant did not come within the act, believed that such a case was one which Congress would have included had it been presented prior to the enactment of the amendment, and accordingly submitted to you the amendment which was introduced by you on December 16, 1920.

It now appears that there are certain other claims whose general nature is almost identical with those above referred to which arise by a slightly different set of facts, as the following: A claim has been filed by a woman who was born in Canada and married an American citizen. Her husband died leaving her considerable property, and she subsequently married a German citizen. All of this occurred prior to our entry into the war.

Now, notwithstanding the fact that had she remained in Canada and married a German, or had she been born in the United States and married a German she would have been eligible as a claimant, yet as she was born in Canada and changed her citizenship by marriage to an American citizen, and then marrying a German, she was neither a British subject at the time of her marriage as is required by subdivision 2 of subsection b of section 9, nor was she an American citizen whose American citizenship was acquired at the time of birth, and accordingly she would not be eligible as a claimant under the provisions of subdivisions 2 and 3 or of the amended subdivision 3 (as amended by your bill of December 16, 1920).

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. MERRITT. Yes.

Mr. MONDELL. The only change in the law, as I understand it, by the bill before the House is that it brings within the purview of the law women who are American citizens, whereas at the present time they are only recognized under the law if they are native-born citizens.

Mr. MERRITT. That is true. One case occurred where a daughter was born to diplomats in a foreign country. She afterwards married a German and was ruled out under the law as not being American born. This bill is favored by all of the Government officials, and it is simply an effort to correct an error in an amendment already passed and in favor of American citizens.

Mr. BARKLEY. This bill is indorsed by the Alien Property Custodian.

Mr. MERRITT. Yes; and by the Attorney General.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

NATIONAL HOME FOR DISABLED VOLUNTEERS.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for three minutes. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, upon what subject?

Mr. FIELDS. To fill a vacancy on the Board of Managers for the National Soldiers' Home.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FIELDS. Mr. Speaker, there is a vacancy on the Board of Managers of the National Soldiers' Home. The Committee on Military Affairs has reported House joint resolution 465, which is now upon the Unanimous Consent Calendar, which provides for the appointment of Capt. W. S. Albright, of Fort Leavenworth, Kans., to fill the vacancy. Mr. Wadsworth, a member of the Board of Managers and a former Member of this House, was here a few days ago and stated to me that it was the desire of the board to make its annual inspection trip, in fact, that it should be making the inspection now, but they were awaiting the action of Congress in filling this vacancy, because it was desirable that the new member be with the board in making its annual inspection. In view of the necessity for early action in filling this vacancy, it is my desire to move to suspend the rules and pass the bill, in the hope that a second will not be demanded. If a second is demanded, because of other business before the House, I shall withdraw my motion; but I sincerely hope that a second will not be demanded. Mr. Speaker, I move to suspend the rules and pass House joint resolution 465.

The SPEAKER. The gentleman from Kentucky moves to suspend the rules and pass the joint resolution which the Clerk will report.

Mr. BUTLER. Is it a unanimous report?

Mr. FIELDS. It is a unanimous report. He is a Spanish-American War veteran, a captain.

The Clerk read as follows:

Joint resolution (H. J. Res. 465) for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

Resolved, etc., That W. S. Albright, of Kansas, be, and he is hereby, appointed a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to fill the unexpired term of George Black, deceased.

The SPEAKER. Is a second demanded?

A second was not demanded.

The question was taken; and, two-thirds having voted in favor thereof, the rules were suspended and the House joint resolution was passed.

ERECTION OF MEMORIALS, ETC., ARLINGTON MEMORIAL AMPHITHEATER.

Mr. GOULD. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 8032.

The SPEAKER. The Clerk will report the bill.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Illinois will state it.

Mr. MANN of Illinois. Is the motion of the gentleman to pass the original House bill or the House bill with amendments incorporated in the copy which the gentleman sent to the Clerk's desk?

The SPEAKER. The Chair was not giving attention.

Mr. GOULD. There is a slight change in an amendment made. I gave the proper copy to the Clerk.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill as amended.

Mr. GOULD. In conformity with the copy which I sent to the Clerk's desk.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.

Be it enacted, etc., That a commission is hereby created, to be composed of the Secretary of War and the Secretary of the Navy, which shall submit annually to the President, who shall transmit the same to Congress by the first Monday in December, recommendations as to what, if any, inscriptions, tablets, busts, or other memorials shall be erected, and what, if any, bodies of deceased members of the Army, Navy, and Marine Corps shall be entombed during the next ensuing year within the Arlington Memorial Amphitheater, in the Arlington National Cemetery, Va.: *Provided*, That no memorial shall be placed and no body shall be interred in the grounds about the Arlington Memorial Amphitheater within a distance of 250 feet from the said memorial.

SEC. 2. That the Secretary of War shall be the chairman of the said commission and the officer in charge of public buildings and grounds in the District of Columbia shall be its executive and disbursing officer.

SEC. 3. That no inscription, tablet, bust, or other memorial shall be erected nor shall any body be entombed within the Arlington Memorial Amphitheater unless specifically authorized in each case by act of the Congress.

SEC. 4. That no inscription, tablet, bust, or other memorial as herein provided for shall be erected to commemorate any person who shall not have rendered conspicuously distinguished service in the United States Army, Navy, or Marine Corps, nor shall the body of any such person be entombed in the Arlington Memorial Amphitheater; nor shall any such memorial be erected or any body be entombed therein within 10 years after the date of the death of the person so to be commemorated.

SEC. 5. That the character, design, and location of any such inscriptions, tablets, busts, or other memorials when authorized as herein provided shall be subject to the approval of the commission herein created, which shall in each case obtain the advice of the Commission of Fine Arts.

The SPEAKER. Is a second demanded?

Mr. GARD. Mr. Speaker, I demand a second.

Mr. GOULD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

There was no objection.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. GOULD. I will.

Mr. GARD. I do not desire to take any time. I made the reservation in order to inquire as to the amendments made. The only amendment I can find from having heard the bill read was that in lines 5 and 6, page 3, the words "unless specifically otherwise provided by act of Congress in individual cases" were left out.

Mr. GOULD. Mr. Speaker, on page 3 those lines were left out according to the objection made.

Mr. GARD. That is the only change made from the bill as it was before presented?

Mr. GOULD. Yes, sir.

Mr. GARD. What is the object of leaving out this phraseology?

Mr. GOULD. It prevents repetition that is already covered in an earlier part of the bill.

Mr. GARD. I do not see where the phrase is covered.

Mr. GOULD. It is already in section 3.

Mr. GARD. Is it the idea of section 3 as it is now controls notwithstanding the provision in section 4 that there shall be no burial or entombment within 10 years after death, that notwithstanding section 3 provides an exception?

Mr. GOULD. Yes, sir.

Mr. GARD. I do not desire to use any time.

The question was taken; and, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will report the next bill on the Unanimous Consent Calendar.

Mr. BARKLEY. Mr. Speaker, will the Chair recognize me to move to suspend the rules and pass the Senate bill?

The SPEAKER. The Chair will not recognize any gentleman unless the Chair knows about the matter in advance.

Mr. BARKLEY. This is Senate bill——

The SPEAKER. The Chair will not recognize the gentleman unless he consults the Chair in advance.

Mr. McCLINTIC. Mr. Speaker, inasmuch as this is unanimous-consent day, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point that there is no quorum present. The Chair will count. [After counting.] The Chair thinks no quorum is present.

Mr. WALSH. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called; and the following Members failed to answer to their names:

Andrews, Md.	Eagle	Kettner	Reavis
Anthony	Echols	Kincheloe	Riordan
Bacharach	Edmonds	Kitchin	Rowan
Baer	Ellsworth	Kleczka	Rubey
Bankhead	Emerson	Kreider	Rucker
Bell	Evans, Nev.	Langley	Sabath
Bland, Mo.	Ferris	Layton	Sanders, La.
Britten	Flood	Lee, Ga.	Sanders, N. Y.
Brooks, Pa.	Gandy	Lesher	Scott
Brumbaugh	Ganly	Linthicum	Scully
Burke	Garner	Little	Sears
Byrns, Tenn.	Godwin, N. C.	Lonergan	Selis
Caldwell	Goldfogle	Luhring	Siegel
Campbell, Kans.	Goodall	McCulloch	Sims
Candler	Goodwin, Ark.	McDuffie	Sinclair
Cantrill	Goodykoontz	McGlennon	Slemp
Casey	Graham, Pa.	McKenzie	Small
Clark, Fla.	Green, Iowa	McKeown	Smith, N. Y.
Clark, Mo.	Hamill	McKiniry	Stedman
Classon	Hamilton	McKinley	Stiness
Cooper	Hardy, Tex.	McLane	Stoll
Copley	Harreld	Madden	Sullivan
Costello	Harrison	Maher	Swope
Cramton	Hays	Mann, S. C.	Taylor, Colo.
Crowther	Hersey	Mansfield	Taylor, Tenn.
Curry, Calif.	Hill	Mason	Thomas
Dale	Hoey	Mead	Towner
Davey	Hulings	Moon	Vare
Davis, Minn.	Hull, Tenn.	Mooney	Vestal
Dent	Humphreys	Morin	Voigt
Dewalt	Hutchinson	Mudd	Volk
Donovan	Igoe	Neely	Webster
Dooling	James, Mich.	Newton, Minn.	Welty
Doremus	Johnson, S. Dak.	Olney	Whaley
Doughton	Johnson, Wash.	Padgett	Wheeler
Drane	Johnston, N. Y.	Porter	White, Kans.
Drewry	Juul	Rainey, Ala.	Wise
Dunbar	Kahn	Rainey, Henry T.	Yates
Dunn	Kennedy, Iowa	Rainey, John W.	Young, Tex.
Eagan	Kennedy, R. I.	Randall, Calif.	Zihlman

The SPEAKER. Two hundred and sixty-seven Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Wyoming moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

DEFICIENCY APPROPRIATION BILL.

Mr. GOOD, from the Committee on Appropriations, submitted for printing, under the rule, the conference report and accompanying statement on the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and for prior years, and for other purposes.

The SPEAKER. The Clerk will report the next bill on the Unanimous Consent Calendar.

TERMS OF FEDERAL COURT AT NORWALK, CONN.

The Clerk reported the bill (S. 4682) to amend section 74 of the Judicial Code, as amended.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 74 of the Judicial Code, as amended, be amended to read as follows:

"SEC. 74. The State of Connecticut shall constitute one judicial district, to be known as the District of Connecticut. Terms of the district court shall be held at New Haven on the fourth Tuesdays in February and September, at Hartford on the fourth Tuesday in May and the first Tuesday in December, and at Norwalk on the fourth Tuesday in April: *Provided, however*, That suitable rooms and accommodations shall be furnished for the holdings of said court and for the use of the officers of said court at Norwalk free of expense to the Government of the United States."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Idaho. Mr. Speaker, reserving the right to object, I wish to ask for information from the gentleman from Massachusetts [Mr. WALSH], who reported the bill.

I observe that the report does not bear evidence of this bill having been referred to the Attorney General of the United States nor to any other Cabinet officer. It seems to have been the policy of the gentleman from Massachusetts, when bills have been under consideration, to inquire whether or not reports have been received from the department of the Government concerned in the legislation, and I notice that in this report there is no reference to any reply from the Attorney General with respect to this legislation.

Mr. MERRITT. Mr. Speaker, will the gentleman yield?

Mr. WALSH. It is a Senate bill, which originated in the Senate. When information is presented to the Senate committee and a bill comes over to the House, the Committee on the Judiciary does not usually go through the motions of asking the Attorney General of the United States if he had changed his mind since he informed the Senate that he had no objection to the enactment of the bill.

Mr. SMITH of Idaho. I have no doubt that the Committee on the Judiciary acted wisely in reporting this bill, but it seems to me the custom he insists upon with reference to bills reported by other Members ought to have been carried out.

Mr. WALSH. I have never insisted on that custom with respect to Senate bills.

Mr. SMITH of Idaho. A few days ago we had a bill under consideration in the House, reported upon favorably by the Secretary of the Interior, and the gentleman from Massachusetts objected to its consideration because the Member making the report did not have a report from the Secretary of the Treasury and the Secretary of Commerce. Why not be consistent?

Mr. WALSH. It was the gentleman from Illinois [Mr. MANN] who raised that question.

Mr. McCLINTIC. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from Oklahoma demands the regular order, which is, Is there objection?

Mr. MERRITT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Idaho. I want to make an inquiry. I notice in the latter part of the bill there is a proviso to the effect that suitable rooms and accommodations shall be furnished for the holdings of said court and for the use of the officers of said court at Norfolk free of expense to the Government of the United States.

Mr. WALSH. It is not Norfolk at all.

Mr. SMITH of Idaho. It is Norwalk. I am curious to know, if the Federal Government is not to pay the expenses of holding its own court, who is to pay the expenses?

Mr. WALSH. If the gentleman will read the language, he will see that is not what it says.

Mr. SMITH of Idaho. That is the language.

Mr. MERRITT. If the gentleman will allow me to answer the inquiry, this bill was passed in the Senate at the request of Judge Thomas, the district judge of Connecticut. The city of Norwalk will pay all the expenses, so there will be no extra expense at all to the United States.

Mr. SMITH of Idaho. Why does the city of Norwalk want to pay the expense of holding a Federal court? Is the court to be held there for the benefit of the city of Norwalk or for the benefit of the public service?

Mr. MERRITT. For the benefit of the citizens of the United States who live in that county.

Mr. SMITH of Idaho. Is it not unusual for a city to pay the expenses of a Federal court?

Mr. MERRITT. They do not pay the expenses of the court. All they do is to furnish the room. It is just simply for the convenience of the judge and the litigants in that district. There is no objection to it at all.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 74 of the Judicial Code, as amended, be amended to read as follows:

"SEC. 74. The State of Connecticut shall constitute one judicial district, to be known as the district of Connecticut. Terms of the district court shall be held at New Haven on the fourth Tuesdays in February and September, at Hartford on the fourth Tuesday in May and the first Tuesday in December, and at Norwalk on the fourth Tuesday in April: *Provided, however*, That suitable rooms and accommodations shall be furnished for the holdings of said court and for the use of the officers of said court at Norwalk free of expense to the Government of the United States."

Mr. WALSH. In order to make it perfectly clear to the gentleman from Idaho [Mr. SMITH], I will say that this follows the usual practice, that when additional sittings of courts are provided to be held in cities in which there is no Federal court building it is required that the particular district or city where the extra sitting is held shall furnish to the court accommodations for the holding of the sessions of court without expense to the United States. In some States—I do not say that it is so in the great Commonwealth so ably represented by the gentleman from Idaho—they provide that they get a new public building when they get an extra sitting of the court, but we have eliminated any such possibility in this case by providing that the city of Norwalk shall furnish these accommodations for the sitting of this court in one of the city buildings there.

Mr. SMITH of Idaho. I presume it will be necessary to have some additional employees in the city of Norwalk to take care of the business of the court. Will the city pay the salaries of those employees?

Mr. WALSH. We will let the city of Norwalk worry about that.

Mr. SMITH of Idaho. It is certainly unusual for a municipality to defray the expenses of a United States court.

Mr. WALSH. No; this is the usual way.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. MERRITT, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNITED STATES DEPOSITARIES IN PANAMA AND INSULAR POSSESSIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. CHINDBLOM. I should like to have it reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of the act approved December 24, 1919, known as the Edge Act, amending the Federal reserve act, be amended by adding at the end a proviso, so that the paragraph as amended will read as follows:

"SEC. 25. (a) Corporations to be organized for the purpose of engaging in international or foreign banking or other international or foreign financial operations, or in banking or other financial operations in a dependency or insular possession of the United States, either directly or through the agency, ownership, or control of local institutions in foreign countries, or in such dependencies or insular possessions as provided by this section, and to act when required by the Secretary of the Treasury as fiscal agents of the United States, may be formed by any number of natural persons, not less in any case than five: *Provided*, That nothing in this section shall be construed to deny the right of the Secretary of the Treasury to use any corporation organized under this section as depositaries in Panama and the Panama Canal Zone, or in the Philippine Islands and other insular possessions and dependencies of the United States."

The SPEAKER. Is there objection?

Mr. CHINDBLOM. Reserving the right to object, I should like to inquire what the difference is between the section as it is proposed to amend it and the original section?

Mr. McFADDEN. This bill is identical with H. R. 14021, reported to the House last May. It refers to the Government depositaries in Panama, the Panama Canal Zone, and the insular possessions of the United States, and it simply permits the Treasury Department to use the Edge corporations, which are incorporated under the laws of the United States, rather than to utilize corporations organized under State laws, as the Treasury Department is now doing.

Mr. CHINDBLOM. For depositaries?

Mr. McFADDEN. For depositaries.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

The SPEAKER. The Clerk will report the next bill.

TO AMEND SECTION 5146 OF THE REVISED STATUTES.

The next business on the Unanimous Consent Calendar was the bill (H. R. 11307) to amend section 5146 of the Revised Statutes of the United States in relation to the qualifications of directors of the National Banking Association.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. GARD. Reserving the right to object, the bill as I read it seems to me to be very local in its nature and application. I would ask the chairman of the committee what is the reason for the extension of this 25-mile limit in the first instance, and also I shall ask him in a moment about some of the provisions in the bill as it is now framed?

Mr. McFADDEN. The bill does provide for taking care of certain cities, such as St. Louis and East St. Louis, but it would apply to New York and Jersey City, St. Paul and Minneapolis, Philadelphia and Camden, and cities and towns located on the border or State line.

Mr. GARD. If located on the State line, why not follow that law and have the directors reside in the State?

Mr. McFADDEN. If the gentleman will read the report, the last section covers that very clearly. It reads as follows:

This section of the national banking act as it stands at present requires that at least three-fourths of the directors of a national bank must have lived for at least one year within the State, Territory, or District in which the bank is located and must continue in residence therein during their continuance in office. A number of cities, however, are located on or near State lines, and it sometimes happens that a manufacturing or business center may be in one State and the residence center belonging to the same city in another—as at East St. Louis and St. Louis. There seems no good reason why residence within 50 miles of the bank in these days of good roads and motor cars should not be allowed. The bank must in any event choose directors from among the business men of the town where located in order to obtain a quorum at its meetings, and the distance they travel to and from business is not material nor is the fact whether they live on one side or another of a State line.

Mr. GARD. That is what I had in mind. It simply is a matter that appertains to St. Louis and East St. Louis, as far as the report is concerned. Is it necessary to amend the act for one city?

Mr. WINGO. Let me say to the gentleman that in Texarkana in my district the State line is nothing but a street. Kansas City, Kans., is the same; and take the city of Fort Smith, and Oklahoma is just across the river. There are a good many cities besides St. Louis and East St. Louis that this will apply to. St. Louis and East St. Louis are typical of the larger cities like St. Paul and Minneapolis. There are many small cities throughout the Nation where it is necessary to permit this provision sought to be put in here. It is not a local bill, although it applies to St. Louis and East St. Louis.

Mr. GARD. It is a general bill, but its application, so far as the report is concerned, is to St. Louis and East St. Louis.

Now, on page 2, line 2, the language is that they must be residents of such State or within 50 miles of the territory of location of the association during their continuance in office. On page 1 a different expression is used—it says, "Within 50 miles of the location of the office of the association." Is there any difference between these two methods of expression?

Mr. McFADDEN. I do not think it was intended to make any distinction in that particular. The idea was to permit directors to serve who live within 50 miles of the bank.

Mr. GARD. It is a different expression about the same thing, but I have no desire to offer an amendment.

Mr. PHELAN. In one case it uses a verb, to reside, and in the other case it uses a noun, resident.

Mr. WINGO. The latter expression refers to the territory described in the first.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5146 of the Revised Statutes of the United States be so amended as to read as follows:

"SEC. 5146. Every director must, during his whole term of service, be a citizen of the United States, and at least three-fourths of the directors must have resided in the State, Territory, or District in which the association is located, or within 25 miles of the location of the office of the association, for at least one year immediately preceding their election, and must be residents of such State or within a 25-mile territory of the location of the association during their continuance in office. Every director must own in his own right at least 10 shares of the capital stock of the association of which he is a director, unless the capital of the bank shall not exceed $25,000, in which case he must own in his own right at least five shares of such capital stock. Any director who ceases to be the owner of the required number of shares of the stock, or who becomes in any other manner disqualified, shall thereby vacate his place.

With the following committee amendments:

Amend in lines 9 and 12, page 1, by striking out the words "twenty-five" in each line and inserting in lieu thereof the word "fifty."

The SPEAKER. The question is on the committee amendment.

Mr. BLACK. Mr. Speaker, I rise to oppose the amendment. I would like to ask the chairman what good reason there is for extending this limit from 25 miles, as provided in the bill passed by the Senate, to 50 miles, as now proposed. It occurs to me that there is a very substantial reason for requiring the board of directors of the bank to live in the community where the bank is located. The purpose of this bill, as I understand it, is to modify the law so that where a bank is located on the border of States three-fourths will not be required to live within the limits of the particular State where the bank is located.

Mr. CHINDBLOM. If the gentleman will yield, in the neighborhood of Chicago there are a number of suburban towns more than 25 miles away. The men that live there have business in Chicago. Why should they not be permitted to be directors?

Mr. BLACK. They would be if they lived within the State lines.

Mr. CHINDBLOM. It happens that some might live outside; they might live in Indiana.

Mr. BLACK. I think there is a very good reason why the directors should be familiar with local conditions. For us to extend this provision providing a 50-mile limit, it occurs to me, is going too far.

Mr. McFADDEN. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes.

Mr. McFADDEN. I will say to the gentleman that the committee felt that there was no trouble in that respect because of the improved methods of travel nowadays in these days of automobiles. Men who live within 50 miles of a bank are perfectly familiar with the affairs of the institution.

Mr. BLACK. I do not know whether that be true or not. Of course, they could get to a directors' meeting, but that is not the point. The point is that a director ought to be familiar with the local conditions in the district where the bank transacts business, and it occurs to me that we are about to do something that might not be wise from a sound financial standpoint.

Mr. PHELAN. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes.

Mr. PHELAN. A great many men doing business in New York City, for example, live across the line in New Jersey. There are many men living in places in New Jersey 25 or 30 miles from New York City who are really business men of the city of New York. Will the gentleman contend that they are not more familiar with the affairs of New York City than somebody living in Buffalo, for example, which is in the same State as New York City?

Mr. BLACK. My contention is that 25 miles is, perhaps, as far as we should go. There is no doubt in the world that a great many bank failures are due to the carelessness and lax supervision of directors. I think it is a very wise provision to require that a director of a bank shall keep in close personal touch with the bank, and if a great many of them would be more vigilant in that respect we would not have so many defaulting bank officials.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes.

Mr. KING. I might say to the gentleman that up along the Mississippi River similar conditions exist. For instance, take the town of Burlington, Iowa. There is a large city of 45,000 or 50,000 inhabitants, yet across the river, up on the hills of Illinois, many of those business men live, and they go over there every day. The same is true of Davenport and Rock Island. It requires a 50-mile limit to include them.

Mr. BLACK. Would not the 25-mile limit include places of that kind?

Mr. KING. I do not think it would at that point. There are a number of other places similarly situated. It is a local community just the same. They all do business together. The gentleman is thinking of those great, magnificent prairies in the State of Texas.

Mr. BLACK. Mr. Speaker, I merely want to direct attention to the fact that we might go too far in widening the limits proposed in the Senate bill.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. McFADDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, at the request of Mr. McFADDEN, the bill H. R. 14021, a similar bill, was ordered to lie on the table.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to print in the RECORD a short memorial from the Legislative Assembly of the State of Oregon offering on behalf of the people of that State quantities of food for the hungry people of the East and Near East and suggesting a method of transportation of food and supplies where needed.

The SPEAKER. The gentleman from Oregon asks unanimous consent to print a memorial from the State of Oregon in reference to the furnishing of food to the people of the Near East. Is there objection?

Mr. McCLINTIC. Mr. Speaker, I object.

The SPEAKER. The Clerk will report the next bill.

AMENDING SECTION 9 OF THE FEDERAL RESERVE ACT.

The next bill on the Unanimous Consent Calendar was the bill (H. R. 11918) to amend section 9 of the Federal reserve act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HUSTED. Mr. Speaker, this is a very important bill, which makes trust companies and State banks depositories of Government funds, and unless some very good reason can be shown why they are made so I will have to object. I reserve the right to object.

Mr. McFADDEN. Mr. Speaker, I will say to the gentleman that this bill only provides that the State banks shall be designated to be depositories when such banks are members of the Federal Reserve System. Inasmuch as national banks have that privilege, it has been thought by the committee and by the Secretary of the Treasury and by many banks throughout the country that the State banks should have that same privilege, inasmuch as they are under the supervision of the Federal Reserve System.

Mr. HUSTED. Well, I think that only national banks should be depositories of Government funds, and I object.

The SPEAKER. Objection is made.

AMENDING SECTION 10 OF THE FEDERAL RESERVE ACT.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 14386) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, this bill, if I understand it correctly, appropriates a million dollars to build a building here in Washington?

Mr. KING. Yes, sir.

Mr. McCLINTIC. Mr. Speaker, we have about 40 acres of buildings down here more than we need, and I object.

The SPEAKER. Objection is made.

AMENDING SECTION 11 OF THE FEDERAL RESERVE ACT.

The next bill on the Unanimous Consent Calendar was the bill S. 4683, an act to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLACK. Mr. Speaker, I ask that the bill be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919, be further

amended by striking out the words "December 31, 1920," at the end thereof and inserting in lieu thereof the following: "December 31, 1921."

The committee amendment was read, as follows:

Page 1, line 2, strike out all of lines 3 to 8, inclusive, and insert in lieu thereof the following:

"That section 11 of the act approved December 23, 1913, known as the Federal reserve act, as amended, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"'(m) Upon the affirmative vote of not less than five of its members, the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus: *Provided, however,* That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds or notes of the United States issued since April 24, 1917, for which the borrower shall in good faith prior to January 1, 1921, have paid or agreed to pay not less than the full face amount thereof, or certificates of indebtedness of the United States: *Provided further,* That the provisions of this subsection (m) shall not be operative after October 31, 1921.'"

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, the bill in its present form seems to be one sent over from the Senate with a rather immaterial amendment, changing December 31, 1920, to December 31, 1921, and this amendment of the House committee is an entire change.

Mr. McFADDEN. I will say to the gentleman in that connection, we consulted with the Federal Reserve Board and the counsel for the Federal Reserve Board, and this amendment as put into this bill is drawn by the counsel for the Federal Reserve Board, and was intended simply to cover the extension of loans under the provisions of the act. The Senate bill provided only that the terms of the bill should be extended for a year.

Mr. GARD. And this had the approval of the counsel of the Federal Reserve Board?

Mr. McFADDEN. It did.

Mr. GARD. And the Treasury Department?

Mr. McFADDEN. Yes; it has.

Mr. BLACK. Mr. Speaker, still further reserving the right to object, as I understand the situation this bill will permit banks rediscounting above the 10 per cent loan limit where the paper is secured by Liberty bonds or other obligations of the United States which they have purchased at their par value. In other words, it enables them to rediscount their own Liberty bonds which they bought during the Liberty loan campaign?

Mr. McFADDEN. That is the idea.

Mr. BLACK. And not to enable them to purchase bonds on the open market and other bonds that may have been purchased?

Mr. McFADDEN. It safeguards that. This bill is to stop any possible speculation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The bill and the amendments were again reported.

Mr. WINGO. Mr. Speaker, I desire to be recognized on the amendment. I want to take a few minutes to explain to the House what is done by this amendment. I think the RECORD ought to show it in connection with the bill. Under section 11 of the Federal reserve act, as amended September 7, 1916, and March 3, 1919, we authorized, for a period ending with the year 1920, the Federal Reserve Board to permit the Federal reserve banks to exceed the 10 per cent limit on the rediscount of paper that was secured by Government obligation. Of course, we all know why we did that. We had hoped that by the last of 1920 they would be sufficiently absorbed by the customers of the bank so that we could get back to the 10 per cent limitation. Now, the Senate amendment, as it comes over, simply extended this provision for the year 1921. It was the opinion of the Committee on Banking and Currency of the House that we ought not to extend this privilege to those who had been speculating in Liberty bonds, but to the bona fide holder of Liberty bonds who had found it impossible to pay their installments, where for any reason they had not been able to pay for them and pay their installments, and where for any reason they had not been able to liquidate that indebtedness, the bank would be permitted to take care of them, and yet we did not want to put a premium on speculating in bonds, or let those who had bought them for speculative purposes choke the portfolios of the Federal reserve banks. So we put in an amendment that simply means this, that this privilege is only granted upon the vote of five members of the Federal Reserve Board, and it shall not exceed in any case 20 per cent—the regular limitation is 10 per cent—and it shall only apply where the borrower in good faith had bought them prior to January 1, 1921. And we further provide that that provision shall expire and not be operative after October 31 of this year. In other words, we are extending the privilege to the bona fide holders of Liberty loan bonds that had rediscount privileges at the Federal reserve banks, to carry them up to such time as they will be able to liquidate that paper and take it from the Federal reserve banks. That was the idea.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read a third time, and passed.

On motion of Mr. McFADDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

LLOYD E. GANDY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13040) authorizing the Secretary of War to grant to Lloyd E. Gandy, of Spokane, Wash., his heirs and assigns, the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., on such terms as may be prescribed by the Secretary of War, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I note in the reading of the report on this bill, first, that there is some question about the overflow of this land and its effect upon the Spokane River. I read from the report on page 4, in which it says:

The sewage of the city of Spokane empties into the Spokane River at several points above the Fort Wright Reservation. Owing to the swift current the pollution of the stream is so low that property owners have no cause for objection. In case a dam is constructed below the reservation the water will become much deeper and the flow much less rapid. Inclosed is statement on the conditions that will follow, by Maj. Harry C. Ford, Medical Corps, post surgeon.

There is another vital objection which I note. In the last line on page 2 and the three lines on page 3 provision is made as follows:

That the Secretary of War be, and he is hereby, authorized to condemn, at the expense of the grantee herein, and, so far as may be found expedient, any land advantageous or desirable for target-range purposes.

In other words, we have the proposition here affording the Secretary of War unquestionable authority to condemn land at the request of the grantee, Gandy, in this case; in other words, to authorize the power of Federal condemnation for private purposes.

Mr. HULL of Iowa. If the gentleman will notice, the Secretary of War recommended that that provision be stricken out, and I assume there would be no objection to it. That was put in because some of the Army officers thought that it ought to be put in there.

Now, in regard to the pollution of the stream, it seems there is no objection at all by the people of Spokane along that line. Judge WEBSTER, who has this bill, is sick, and he investigated the matter. The bill was sent to the subcommittee, of which I am chairman, a year ago, and I asked him to thoroughly investigate it when he went out there. He did so, and when he came back he reported that there was no possible objection by the people of Spokane. In fact, all the people of Spokane are anxious for this water-power development.

Mr. GARD. I think the bill ought to go over in the absence of Mr. WEBSTER.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

DEPOSIT MONEY ORDERS IN THE CANAL ZONE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14739) to amend section 6 of an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916.

The title of the bill was read.

Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER. Objection is made. The Clerk will report the next bill.

PATENT RIGHTS OF HOMESTEADERS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3225) for the relief of bona fide settlers, who intermarry after having complied with the homestead law for one year.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. McCLINTIC. Reserving the right to object, I do this for the purpose of asking the majority leader how much longer he intends to run? I ask this question because I promised to notify some Members.

Mr. MONDELL. For 5 or 10 minutes, if there is no objection.

Mr. McCLINTIC. I promised to notify certain Members who have bills on the calendar in case it looked as if we would soon get through.

Mr. MONDELL. It is the intention to run just a little longer.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act providing that the marriage of a homestead entryman to a homestead entrywoman shall not impair the right of either to a patent, after compliance with the law a year, to apply to existing entries," approved April 6, 1914 (38 Stats., p. 312), be, and the same is hereby, amended by adding thereto the following: *Provided further*, That in the administration of this act the terms 'entryman' and 'entrywoman' shall be construed to include bona fide settlers who have complied with the homestead law for at least one year next preceding such marriage."

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BENHAM, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

RELIEF OF SUFFERING POPULATIONS OF THE WORLD.

The next business on the Calendar for Unanimous Consent was the resolution (H. Con. Res. 71) to designate a day on which our people may be urged to contribute to the need of the suffering populations of the world stricken by war, famine, and pestilence. The title of the resolution was read.

Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

DISCHARGES FROM THE ARMY, NAVY, MARINE CORPS, AND COAST GUARD.

The next business on the Calendar for Unanimous Consent was the resolution (H. J. Res. 428) to repeal section 8 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920.

The title of the resolution was read.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

NATIONAL FORESTS IN SOUTH DAKOTA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11118) authorizing the consolidation of lands in the national forests in the State of South Dakota.

The title of the bill was read.

Mr. McCLINTIC. Mr. Speaker, I make the point that there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. If the gentlemen will withhold for a moment, the Chair will submit some personal requests.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DUNN (at the request of Mr. PARKER), on account of death in his family;

To Mr. CLARK of Missouri, for to-day, on account of illness;

To Mr. BANKHEAD (at the request of Mr. ALMON), for three days, on account of the death of his sister;

To Mr. WEBSTER (at the request of Mr. HADLEY), for the day, on account of illness;

To Mr. REAVIS (at the request of Mr. ANDREWS of Nebraska), for two days, on account of sickness;

To Mr. EAGAN, for one day, on account of business; and

To Mr. CROWTHER, for four days, on account of business.

NATIONAL FORESTS IN SOUTH DAKOTA.

Mr. McCLINTIC. Mr. Speaker, I want to withdraw the point of no quorum, and ask unanimous consent that the pending bill, H. R. 11118, be passed over without prejudice until Mr. GANDY can get here.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill indicated be passed over without prejudice. Is there objection?

There was no objection.

LLOYD E. GANDY.

Mr. HULL of Iowa. Mr. Speaker, I ask unanimous consent, in behalf of Mr. WEBSTER, that the bill H. R. 13040 be retained on the calendar.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill H. R. 13040 be retained on the calendar. Is there objection?

Mr. GARD. The customary rule is that they shall go to the foot of the calendar, but I have no objection.

Mr. HASTINGS. The gentleman from Massachusetts [Mr. WALSH] is here. I hope that will be his rule now.

Mr. WALSH. It might just as well be at the foot of the calendar as elsewhere.

ADJOURNMENT.

Mr. MONDELL. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p. m.) the House adjourned until Tuesday, February 22, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

420. A letter from the secretary of Hawaii, transmitting a copy each of the laws and journal of the House of Representatives of the Legislature of the Territory of Hawaii; to the Committee on the Territories.

421. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Salmon River, Idaho, up to Salmon; to the Committee on Rivers and Harbors.

422. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Los Angeles and Long Beach Harbors, Calif. (H. Doc. No. 1013); to the Committee on Rivers and Harbors and ordered to be printed, with map.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KELLY of Pennsylvania, from the Committee on Indian Affairs, to which was referred the bill (S. 3307) authorizing the Ottawa and Chippewa Tribes of Indians of Michigan to submit claims to the Court of Claims, reported the same without amendments, accompanied by a report (No. 1344), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HADLEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 16118) to amend section 6 of an act approved January 17, 1914, entitled "An act to amend an act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909," reported the same with an amendment, accompanied by a report (No. 1345), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAWLEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 13335) for the relief of certain customs employees at the port of Philadelphia who served as acting customs guards during the war emergency, reported the same without amendment, accompanied by a report (No. 1343), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of South Dakota: A bill (H. R. 16133) granting longevity pay from and including August 5, 1917, to certain officers and enlisted men; to the Committee on Military Affairs.

By Mr. COLLIER: A bill (H. R. 16134) to authorize the sale of certain land within the Vicksburg National Cemetery Reservation, Miss.; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 16135) authorizing the Secretary of the Treasury to provide enlargements and improvements, etc., in connection with certain hospitals, etc., under the control of the United States Public Health Service; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: Resolution (H. Res. 692) authorizing the chairman of the Committee on Enrolled Bills to employ additional clerks; to the Committee on Accounts.

By Mr. ZIHLMAN: Resolution (H. Res. 693) making an appropriation for the restoration of decorations in the House wing of the Capitol Building; to the Committee on Accounts.

By the SPEAKER (by request): Memorial from the Legislature of the State of Oregon relative to the Atlantic and Pacific Highways and Electrical Exposition to be held in the city of Portland, Oreg.; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Idaho, favoring the passage of the Smith bill regarding the Fall River Meadows Reservoir site; to the Committee on the Public Lands.

By Mr. SINCLAIR: Memorial from the Legislature of the State of North Dakota, petitioning Congress to purchase a certain tract of land in Billings County, N. Dak., for the establishment of the proposed Roosevelt Park; to the Committee on the Public Lands.

By Mr. TINKHAM: Memorial of the Legislature of the State of Massachusetts, in connection with the proper distribution of coal; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota, favoring the establishment of a national park and game preserve in the Bad Lands of the State of North Dakota; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McKEOWN: A bill (H. R. 16136) for the relief of Dawes Columbus; to the Committee on Claims.

By Mr. RAKER: A bill (H. R. 16137) for the relief of the Indian Valley Railroad Co.; to the Committee on Claims.

By Mr. RICKETTS: A bill (H. R. 16138) granting an increase of pension to Lorilla Downhour; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5955. By the SPEAKER (by request): Petition of the Community Forum of New York City, requesting Congress to pass legislation to give relief to the starving children of Europe; to the Committee on Foreign Affairs.

5956. By Mr. BARBOUR: Petition of Farm Bureau of Solano County, Calif., relative to a tariff on olives and olive products; to the Committee on Ways and Means.

5957. Also, petition of the Milk Producers' Association of San Diego County, Calif., relative to a tariff on butter; to the Committee on Ways and Means.

5958. By Mr. CLASSON: Resolution from Holy Name Society, Little Chute, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5959. By Mr. DALLINGER: Petition of mass meeting of sundry citizens of the eighth congressional district of Massachusetts held under the auspices of the Cambridge Council, No. 74, Knights of Columbus, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5960. By Mr. ELSTON: Petition of Kiwanis Club, of Oakland, Calif., advocating the erection of a new post-office building at Oakland, Calif.; to the Committee on Public Buildings and Grounds.

5961. By Mr. FULLER: Petition of the Holy Name Society, of Domonick and Troy Grove, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5962. By Mr. GALLIVAN: Petition of the St. Margaret's Branch, Ladies' Catholic Benevolent Association, No. 1267, Mary E. Cavanagh, president, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5963. By Mr. LAMPERT: Letter from Frank H. Brown Post, No. 43, American Legion, Ripon, Wis., demanding the surrender of millionaire traitor and slacker, Grover Cleveland Bergdoll; to the Committee on Military Affairs.

5964. Also, petition from the Women's Catholic Order of Foresters, Fond du Lac, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5965. By Mr. MORIN: Petition of members of St. Augustine Casino, Pittsburgh, Pa., protesting against the Smith-Towner bill; to the Committee on Education.

5966. Also, petition of Retail Lumber Dealers' Association of Pennsylvania, W. B. Strayer, secretary, protesting against a duty on lumber imported from Canada; to the Committee on Ways and Means.

5967. Also, petition of West Pittsburgh Lodge, No. 70, Amalgamated Association of Iron, Steel, and Tin Workers of North America, protesting against an unjust trade embargo and urging that same be removed; to the Committee on Ways and Means.

5968. By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5969. By Mr. O'CONNELL: Petition of Wyckoff Heights Taxpayers' Association, of the Borough of Brooklyn, N. Y., opposing the cancellation of any of the debts owed to us by any foreign Government; to the Committee on Ways and Means.

5970. Also, petition of Benedict Joseph's Holy Name Society, of Richmond Hill, Long Island, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5971. By Mr. OLNEY: Memorial of the Quincy Catholic Club, Quincy, Mass., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5972. Also, memorial of St. Francis Court, No. 25, M. C. O. F., Quincy, Mass., protesting enactment of the Smith-Towner bill; to the Committee on Education.

5973. By Mr. RAKER: Petition of the Gilroy Chamber of Commerce, of Gilroy, Calif., urging the adoption of the 1-cent drop-letter rate in cities, towns, and on rural routes; to the Committee on the Post Office and Post Roads.

5974. Also, petition of Ira C. Flanders, of Murphys; John B. Conner, of Lewiston; Leslie T. Alward and four others of Redding; Thomas Campbell, of Hayfork; and Roy C. Barmore, of Newcastle, all rural mail carriers in the State of California, and letter from the California State Rural Letter Carriers' Association containing an itemized statement of expenses and income, in support of the increased compensation for rural mail carriers; to the Committee on the Post Office and Post Roads.

5975. By Mr. SINCLAIR: Petition of Samuel E. Hamilton Post, Plaza, N. Dak., asking for the passage of legislation for the relief of disabled soldiers; to the Committee on Ways and Means.

5976. Also, petition of Grand Forks Council, No. 1200 (North Dakota), protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5977. By Mr. TAGUE: Petition of Bishop Cheverus General Assembly, Knights of Columbus, Boston, Mass., against Smith-Towner bill; to the Committee on Education.

5978. Also, petition of Massachusetts Farm Bureau relative to Muscle Shoals nitrate plant; to the Committee on Agriculture.

5979. Also, petition of Albert C. Bunage, jr., of Boston, Mass., on appropriation for remounts in Army; to the Committee on Appropriations.

5980. Also, petition of Charlestown Branch, Ladies' Catholic Benevolent Association, of Boston, Mass., against Smith-Towner bill; to the Committee on Education.

5981. Also, petition of the governor of Massachusetts, concerning urgent deficiency appropriation; to the Committee on Appropriations.

5982. By Mr. TEMPLE: Petition of Octave Jacqmain, foreign manager of the Libby-Owens Sheet Glass Co., of Washington, Pa., favoring the passage of the Smith-Towner bill; to the Committee on Education.

5983. Also, petitions of Rev. Ansell Mueller, Rev. Alexius Staab, and Rev. Alphonse Hillenbrand, of Rochester; National Order of Daughters of Isabella, Branch No. 1269 of Ladies' Catholic Benevolent Association, and Woodlawn Council, No. 2161, Knights of Columbus, of Woodlawn, all in the State of Pennsylvania, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5984. By Mr. YOUNG of North Dakota: Petition of Harry Hardy Post, No. 47, American Legion, of Burnstad, N. Dak., favoring the enactment of legislation providing for better hospital facilities, etc., for disabled war veterans; to the Committee on Ways and Means.

SENATE.

TUESDAY, *February 22, 1921.*

(Legislative day of Monday, February 14, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gore	McKellar	Smith, Md.
Ball	Gronna	McLean	Smith, S. C.
Calder	Hale	McNary	Smoot
Capper	Harris	Moses	Spencer
Chamberlain	Henderson	Myers	Sterling
Colt	Johnson, Calif.	Nelson	Sutherland
Culberson	Jones, N. Mex.	New	Swanson
Curtis	Jones, Wash.	Overman	Thomas
Dial	Kellogg	Phelan	Townsend
Dillingham	Keyes	Phipps	Trammell
Fernald	Kirby	Pittman	Underwood
Fletcher	Knox	Pomerene	Wadsworth
Gay	La Follette	Ransdell	Walsh, Mont.
Gerry	Lenroot	Sheppard	Warren
Glass	Lodge	Simmons	Willis
Gooding	McCumber	Smith, Ga.	Wolcott

Mr. CURTIS. I desire to announce that the Senator from Washington [Mr. POINDEXTER] is absent on official business.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. There is a standing order of the Senate that upon the 22d day of February of each year, immediately following the reading of the Journal, Washington's Farewell Address shall be read to the Senate. This happens to be a recess and not an adjournment, and the reading of the Journal is not in order, but unless there is objection thereto the Chair will recognize the Senator from New York [Mr. WADSWORTH] to read the Farewell Address of the first President of the United States. Is there objection? The Chair hears none.

Mr. WADSWORTH read the address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight

shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expanded. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your Government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more com-

prehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the Government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundations of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favored nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous

sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, of a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. LODGE. Mr. President, owing to the absence of the Senator from Nebraska [Mr. HITCHCOCK] from the city, I ask the Chair to be kind enough to substitute as one of the conferees on House bill 15872, the Diplomatic and Consular appropriation bill, the Senator from Virginia [Mr. SWANSON] to serve in place of the Senator from Nebraska.

The VICE PRESIDENT. Without objection, that substitution will be made.

BERNARD M. BARUCH AND JOHN D. RYAN.

Mr. THOMAS addressed the Senate, but before concluding yielded the floor. His speech appears entire in to-day's proceeding under the above heading.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the following bills:

S. 3225. An act for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year;

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act; and

S. 4682. An act to amend section 74 of the Judicial Code, as amended.

The message also announced that the House had passed, each with an amendment, the following bills:

S. 4683. An act to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919; and

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

The message further announced that the House had passed, with amendments, the joint resolution (S. J. Res. 161) to exempt the New York State Barge Canal from the provisions of section 201 of House bill 10453.

The message also announced that the House had passed the following joint resolution and bills, in which it requested the concurrence of the Senate:

H. J. Res. 465. Joint resolution for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers;

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes;

H. R. 16043. An act to authorize the incorporation of companies to promote trade in China;

H. R. 8032. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; and

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States in relation to the qualifications of directors of the National Banking Association.

The message further communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. CHARLES F. BOOHER, late a Representative from the State of Missouri.

The message also communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. FRED L. BLACKMON, late a Representative from the State of Alabama.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 4205. An act to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes;

H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.; and

H. R. 8692. An act authorizing the exchange of lands within the Montezuma National Forest in Colorado.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN presented two joint memorials of the Legislature of Oregon, which were referred to the Committee on Commerce, as follows:

Senate joint memorial No. 10, introduced by Senator Ritner and Representative Bean.

To the honorable Senators and Representatives in Congress assembled:

Whereas the starving and destitute condition of untold millions of people in China and the equally deplorable plight of many other millions of men, women, and children in the nations of the Near East, have been brought to the notice of the friendly people of America; and

Whereas philanthropic men and women, working through various relief organizations, have undertaken to secure from the bounty and plenty of America money and food to save the hungry and succor the dying in the stricken and distressed countries of the Near and Far East; and have already obtained money and supplies, or the promise of them; and

Whereas the United States Government is operating, under the direction of its Shipping Board, a great fleet of merchant vessels to various parts of the world, and among them is a line of steamers maintaining regular service on the route from Portland to the ports of north China and return; and

Whereas it is reported that under the Government regulations the Shipping Board is powerless to assign free space in any of its vessels for the transport of food and other supplies to the impoverished, needy, and helpless millions of China or the Near East; and

Whereas the prosperous and liberal people of Oregon are ready to donate for dispatch to China or the Near East a fair share of their great stores of grain, flour, salmon, fruit, and other goods: Therefore be it

Resolved, That we appeal to Congress for immediate emergency legislation which will permit the employment of its vessels in the great and necessary service of furnishing transportation of supplies to China or the Near East, either through the dispatch of fully laden vessels direct to the ports of China or the Near East, or the assignment of free space on the vessels of established lines; and be it further

Resolved, That we especially urge the Oregon delegation in Congress to procure the enactment of such legislation.

Adopted by the senate February 8, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 8, 1921.

LOUIS E. BEAN,
Speaker of the House.

—

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 11 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 11, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 11th day of February, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

House joint memorial 11.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon (the Senate concurring), respectfully represent that—

Whereas there is a long strip of country along the southwestern coast of Oregon that has no adequate shipping facilities and the country is greatly retarded by lack thereof; and

Whereas the people of Port Orford, Curry County, Oreg., have organized a port district and have built a wharf at Port Orford at a cost of $40,000; and

Whereas by a small expenditure of money a breakwater of approximately 500 feet in length could be built from a point near the present wharf to a point of rock in the ocean that would allow the largest vessels afloat to land at the wharf at all seasons of the year; and

Whereas there is a great demand for Port Orford cedar, and southwestern Oregon is the only part of the world where said cedar grows, and there is at present no proper shipping facilities for this and other products in said vicinity: Therefore be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Congress of the United States of America be, and it is hereby, memorialized to take the necessary steps to have a survey made of the port of Port Orford with the view of making said breakwater or jetty.

Resolved, That the secretary of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate February 10, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 2, 1921.

LOUIS E. BEAN,
Speaker of the House.

[Indorsed: House joint memorial No. 11. Introduced by Mr. Peirce. W. F. Drager, chief clerk. Filed Feb. 11, 1921. Sam A. Kozer, secretary of state.]

Mr. CHAMBERLAIN presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Foreign Relations, as follows:

Memorial 1 of the Joint Assembly of the Senate and House of Representatives of the State of Oregon.

To the honorable Senate and House of Representatives of the United States of America:

Your memorialist, the Joint Assembly of the Legislature of the State of Oregon, respectfully represents that—

Whereas it is fitting and proper that the United States of America should commemorate the restoration of peace after the mighty conflict of the World's War and the triumph of democracy, which marks the beginning of what promises to be the greatest era of industrial activity and development that the world has ever known; and

Whereas it is essential to our national peace, strength, and unity that a strong line of defense be built along the western coast of the United States, to serve as a bulwark against intrusion or invasion from the west and the most effective line of defense is a highly developed, thickly populated section, supported by industries and agricultural lands; and

Whereas Oregon has vast undeveloped natural resources, consisting of timber, irrigable lands, water power, minerals, scenic beauty, and other attractions, which should be known to all the world and invitations extended to all to participate in their development and enjoyment; and

Whereas vast undeveloped water power of the streams of Oregon constitute a national asset, which should be developed and utilized for the national good, and the Columbia River and its tributaries, constituting one of the largest units of undeveloped power in the world to-day, should be called to the attention of our Nation and to those who may be interested in their development; and

Whereas through hydroelectric-power development and the resulting manufacturing and industrial expansion, the great markets of the Orient may be opened to the products of the United States; and

Whereas the discovery of the electromagnet in 1825 has opened the way to many new uses for electrical power and has made it one of the most important factors in industrial manufacturing and agricultural development; and

Whereas the desired results may best be accomplished through an exposition held on the Pacific coast at which all States and foreign nations may participate: Now, therefore be it

Resolved by the joint assembly of the senate and house of representatives, That the Congress of the United States be, and the same is hereby, memorialized to invite foreign nations to participate in the Atlantic-Pacific Highways and Electrical Exposition to be held in the city of Portland, State of Oregon, in the year 1925; and be it further

Resolved, That a copy of this memorial be forwarded to the President of the Senate and Speaker of House of Representatives of the United States of America.

Adopted by the senate, February 11, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house, February 12, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. CHAMBERLAIN presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Interstate Commerce, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 8 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 11, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 11th day of February, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

House joint memorial 8.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives and the Senate of the State of Oregon, in regular session assembled, respectfully represent that—

Whereas your honorable body has under consideration a bill compelling every manufacturer or handler or seller of woolen fabrics and woolen garments to place thereon a tag plainly stating the exact percentage of virgin wool and also how much and what other materials enter into such cloth; and

Whereas such a law will be of inestimable value to both those who wear clothing and also to producers of wool and mohair; and

Whereas Oregon is interested both as a producer and as a user of woolen goods: Therefore be it

Resolved by the house of representatives (the senate concurring), That the Congress of the United States be, and it is hereby, memorialized to enact such legislation; and be it further

Resolved, That the secretary of state be directed to transmit by mail a copy of this memorial to the President of the United States Senate and to the Speaker of the House of Representatives and to each of the Senators and Representatives from the State of Oregon.

Adopted by the senate February 10, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 2, 1921.

LOUIS E. BEAN,
Speaker of the House.

[Indorsed: House joint memorial No. 8. Introduced by Messrs. Egbert and Roberts. W. F. Drager, chief clerk. Filed Feb. 11, 1921. Sam A. Kozer, secretary of state.]

Mr. WOLCOTT presented a telegram in the nature of a memorial of the Fourth Degree Assembly, Santa Maria Council No. 195, Knights of Columbus, of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented memorials of St. Joseph's Council No. 1325, Knights of Columbus, of Hays, and St. Agnes Branch, No. 978, Ladies' Catholic Benevolent Association, of Leavenworth, both in the State of Kansas, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of Nimmons Local No. 3616, Farmers' Union, of Nimmons, Ark., favoring legislation to prevent gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Kansas State League of Local Building and Loan Associations, of Topeka, Kans., favoring an amendment to the income tax law, providing that incomes not exceeding $500 in any one case derived by a member from his investment of savings in shares of a domestic building and loan association or cooperative bank, shall be exempted from the operation of the law, which was referred to the Committee on Finance.

Mr. GRONNA. I present a concurrent resolution of the Legislature of North Dakota, which will be printed in the RECORD under the rule. It provides for setting aside the most wonderful and picturesque section of country in the world for a national park, namely, the Bad Lands, including the Petrified Forest.

The concurrent resolution was referred to the Committee on Public Lands, as follows:

Concurrent resolution introduced by Mr. Carl B. Olsen, of Billings County.

To the Senate and House of Representatives of the United States of America in Congress assembled:

We, the Seventeenth Legislative Assembly of the State of North Dakota, beg leave to represent to your honorable bodies:

First. That there is in the western part of this State, lying within the boundaries of Billings County, near the town of Medora, a wonderful petrified forest, consisting of thousands of petrified stumps ranging in size up to 8 and 10 feet high and as much as 14 feet in diameter. This prehistoric forest, appearing in a certain stratum of soil, is apparently in its original position. A large number of the stumps being erect while others are prostrate, due to the action of the elements in wearing away the soil on which this forest grew, while others appear as huge mushrooms on pedestals of firmer soil. That there is to be found among these petrified stumps the fossil leaves of these once giant trees. These fossils or petrified trees are found in the greatest profusion on four sections of land.

Second. That the surrounding country is a wonderful and picturesque section of Bad Lands along the Little Missouri River, being a distinct type of country, very interesting and alluring to tourists and sightseers, and of great scientific value.

Third. That there are groves of pines and quaking aspens which are found almost nowhere else within the State of North Dakota. Cedars, ash, cottonwood, boxelders, cherries, plums, and berry trees abound in the hills and in the draws and canyons and along the Little Missouri River.

Fourth. That our late President, Theodore Roosevelt, loved this country and made it his home and that his cattle ranged over every section of this country while he was engaged in the stock business in Billings County, N. Dak.

Fifth. That this is the natural home of deer, elk, antelope, and buffalo, and that there is now a considerable number of deer living on this tract of land. Bald and golden eagles are plentiful.

Sixth. That the above-mentioned features and points of interest, including Roosevelt's range, are all contained in 33 sections of land, including 21,945.04 acres, being sections 5, 6, 7, 8, 17, 18, 19, 20, township 140, range 101; sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24, township 140, range 102; sections 31, 32, 33, 34, 35, township 141, range 101; and sections 26, 27, 34, 35, 36, township 141, range 102, all west of the fifth principal meridian. Less than 5 per cent of this land is susceptible to cultivation.

Seventh. That, even though the southern border of this proposed park is but one-half mile from the town of Medora, which is located on the Northern Pacific Railroad and the Red Trail or National Park Highway, it is nearly all inaccessible under the more convenient modes of travel and a large part is only accessible with saddle horses. Due to this fact the scenic and scientific wonders of this region are almost wholly unknown except locally.

Eighth. That there are artesian wells and natural fresh-water springs at various points on this tract, which make possible the most delightful and ideal camping grounds.

Now, therefore, we, the Seventeenth Legislative Assembly of the State of North Dakota, believing that this wonderful fossil forest and this beautiful and fantastic section of Bad Lands, with its grotesque formation and its wonderfully colored buttes should be made accessible to scientists and sightseers and preserved inviolate for future generations, do hereby most respectfully petition your honorable bodies to take steps for the purchase of the above-described tract of land, and as much more as your honorable bodies may deem fit, and the establishment of a national park and game preserve. And we further respectfully request that the same shall be called Roosevelt Park as a lasting memorial to our beloved late President; and be it

Resolved, by the Seventeenth Legislative Assembly of the State of North Dakota, That our Senators and Representatives in Congress be and are hereby authorized and instructed to use all honorable means to induce the Congress of the United States to make the proposed Roosevelt Park a reality in the near future, under the care and supervision of the Federal Government. Also that the secretary of state of North Dakota be, and is hereby, requested and instructed to transmit a copy of this memorial to the President of the United States, the Secretary of the Interior, and to each House of Congress, to each of our national Senators and Representatives, and also a copy of this memorial, together with a blue print of this proposed park, to the chairman of the National Park Commission.

This is to certify that the foregoing concurrent resolution originated in the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, the Senate concurring therein, and was adopted.

L. L. TINCHELL,
Speaker of the House of Representatives.
H. LOOWSON,
Chief Clerk of the House of Representatives.
H. REEFOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.

Mr. GRONNA. I present a resolution adopted by the Knights of Columbus of the city of Grand Forks, which I ask may be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Resolution.

Whereas at a meeting of the Grand Forks Council, held at Grand Forks on the 14th day of February, 1921, a thorough discussion of the Smith-Towner bill was had by the members present; and

Whereas the said members unanimously voted to oppose the said bill for the following reasons:

1. Because it involves the menace of a Federal educational bureaucracy.

2. Because it destroys the constitutional principle by which rights reserved to the States or to the people are inviolate; in particular the educational independence of the States.

3. Because education, which is fundamentally local, it centralizes at the National Capital at Washington, thus subverting the whole traditional policy of the country.

4. Because centralized and "bureaucratized" education tends to become "ossified" education; involves the schools in the national curse of red tape, creates another army of Government employees, and substitutes the Federal official for the local superintendent.

5. Because it decreases educational efficiency and would throttle educational freedom.

6. Because it will add hundreds of millions of dollars to the country's already staggering financial burden for a wholly unnecessary, useless, and wasteful national department.

7. Because it is in reality taxing the North to educate the South.

8. Because it would work grave injustice to the schools and teachers of Massachusetts and all educationally progressive States.

9. Because notable educational authorities, with no personal interests to be served by the bill, see in it a menace to American education.

10. Because it is not an American ideal, but a foreign importation, wholly inconsistent with American ideals of freedom and liberty: Now, therefore, be it

Resolved, That the Grand Forks Council, for the reasons above stated, is unalterably opposed to the said bill and requests you as their Representative in Congress to use your influence in opposing its passage.

Dated February 14.

M. NORMAN,
Grand Knight.
EDWARD A. KETTER,
Recording Secretary.

Mr. KEYES presented a resolution of executive officers of the Grand Army of the Republic, Department of New Hampshire, of Concord, N. H., protesting against privileges to erect any monuments, statues, or portrait tablets within a radius of 200 feet of the National Memorial Arch at the intersection of Clay Street in the city of Vicksburg, Miss., which was referred to the Committee on the Library.

Mr. WARREN presented a joint memorial of the Legislature of Wyoming, which was referred to the Committee on Post Offices and Post Roads, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled senate joint memorial No. 3, of the Sixteenth Legislature of the State of Wyoming, being original senate joint memorial No. 5, has been carefully compared with the original filed in this office, and is a full, true, and correct transcript of the same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 16th day of February, A. D. 1921.

[SEAL.] W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS, *Deputy.*

Enrolled joint memorial 3, Senate, Sixteenth Legislature of the State of Wyoming.

Memorial to the Senate and House of Representatives of the United States requesting of Congress prompt action on H. R. 15873 for extension of Federal aid for highway construction:

Whereas the Federal Government has heretofore and during the past years extended Federal aid to the several States of the Union for the purpose of constructing permanent highways; and

Whereas by reason of such Federal aid many of the States have begun the construction of permanent State and interstate highways, which have been completed in part and the completion of which will necessitate further Federal aid; and

Whereas heretofore, on the 25th day of January, 1921, the Roads Committee of the House of Representatives of the United States did unanimously recommend an authorization for the appropriation of $100,000,000 for the fiscal year ending June 30, 1922, also the appropriation of $3,000,000 for the national forest roads and trails, which said recommendation is known as H. R. 15873, by the terms of which bill further Federal aid will be extended to the States of the Union for further permanent road construction and completion of roads under construction under the provisions of an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; and

Whereas the Legislature of the State of Wyoming did heretofore pass and adopt a law assenting to and agreeing to conform to the provisions of an act of Congress entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," together with all acts and legislation amendatory thereto or supplementary thereto, or which shall grant or authorize aid for the construction, improvement, maintenance, or repair of public roads or highways: Now, therefore, be it

Resolved by the Senate of the State of Wyoming (the House of Representatives concurring), That the Congress of the United States be memorialized to take favorable and prompt action and to pass H. R. 15873 as unanimously recommended by the Roads Committee of the House of Representatives of the United States: Be it further

Resolved, That a copy of this memorial be sent to Senator FRANCIS E. WARREN, Senator JOHN B. KENDRICK, and Hon. FRANK W. MONDELL, Representative in Congress for the State of Wyoming.

W. W. DALEY,
President of the Senate.
L. R. EWART,
Speaker of the House.

Mr. HARRIS presented a resolution of the board of directors of the Savannah Cotton Exchange, of Savannah, Ga., protesting against transferring the Hydrographic Office from the Navy Department to the Department of Commerce, which was referred to the Committee on Naval Affairs.

Mr. PHIPPS presented a resolution of the Legislature of Colorado, which was referred to the Committee on Agriculture and Forestry, as follows:

House joint resolution, by George R. Smith and George A. Pughe.

To the honorable COMMISSIONER OF INTERNAL REVENUE:

Whereas under date of January 20, 1921, the honorable Commissioner of Internal Revenue issued a ruling relative to the taxability of adulterated butter under section 4 of the act of 1902, thereby placing a tax of 10 cents per pound upon butter which is manufactured from cream which is high in acid and which has been neutralized with chemicals before churning; and

Whereas such ruling applies to approximately 80 per cent of the butter manufactured in Colorado and 75 per cent of the butter manufactured in the United States; and

Whereas the use of lime water for the purpose of neutralizing cream which is high in acid has been a recognized practice for many years' standing that has been carried on with the full knowledge of the Commissioner of Internal Revenue, and the various State and Federal authorities, and is in no way harmful or deleterious, and has in no degree ever been used as fraud or deception on any person or the public; Now, therefore, be it

Resolved by the House of Representatives of the Twenty-third General Assembly of the State of Colorado (the Senate concurring therein), That we are opposed to this excessive tax, and the new interpretation of the old established law which seriously interferes with the operation of a great industry in the State of Colorado, and which has been built up under the prevalent interpretation that such practice and custom were not in conflict with the act of 1902, and which new interpretation will destroy the present wide market which the farmers and manufacturers have heretofore enjoyed; be it further

Resolved, That a copy of these resolutions be sent to our Senators and Representatives in Congress and to the Secretary of Agriculture at Washington, D. C.

Mr. WILLIS presented a resolution of Sandusky City Lodge, No. 14, of the Licensed Tugmen's Protective Association, of Sandusky, Ohio, favoring legislation placing a protective tariff on fish, which was referred to the Committee on Finance.

Mr. BORAH presented a resolution of the Idaho Mining Association, of Boise, Idaho, favoring an amendment to the tariff law of 1913, "Schedule C of metals and manufactures of," as it relates to lead in ores, lead in mats, drosses or reguluses, lead in bullion or base bullion, lead in pigs or bars, lead in any other form or combination, etc., and also that a tariff on zinc and zinc ores be provided in conformity with the recommendations made by the American Zinc Institute, which was referred to the Committee on Finance.

He also presented a resolution of the Idaho Mining Association, of Boise, Idaho, favoring legislation for the protection of the gold-mining industry, which was referred to the Committee on Mines and Mining.

He also presented a resolution of the Idaho Mining Association, of Boise, Idaho, favoring a repeal of the 640-acre enlarged homestead grazing law, which was referred to the Committee on Public Lands.

He also presented a petition of the Idaho Mining Association, of Boise, Idaho, favoring the enactment of Senate bill 4571, to amend the United States mining laws, which was referred to the Committee on Mines and Mining.

He also presented a resolution of the Idaho Mining Association, of Boise, Idaho, favoring a reduction in freight rates on ores, which was referred to the Committee on Interstate Commerce.

OIL CONCESSIONS IN COSTA RICA.

Mr. BORAH. I offer a resolution and ask that it be read. If it leads to any debate I will not ask for its consideration.

The resolution (S. Res. 460) was read, as follows:

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interests, to transmit to the Senate such data and information as he may have relating to the acquisition of what is known as the Amory oil concession to certain subjects of Great Britain in Costa Rica, the time and manner of the acquisition of such concession, its extent, and the present status of the controversy between the Governments of Great Britain and Costa Rica relative to the same, including particularly a copy of a letter—if such is in the possession of our Government—written by a British subject to a certain Dr. Urribo in Costa Rica, purporting to give certain facts relative to the acquisition of said concession; also such data and information as may be available touching another oil concession known as the Pinto-Freulich concession, the time and manner of its acquisition, its extent, and its present status.

Secondly, such data and information as may be available relative to the visit of Mr. Bennett, British minister to Costa Rica lately made,

and the note which he dispatched to the Costa Rican Government demanding an adjustment of the Amory oil concession and certain other claims of British subjects.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. GORE. Mr. President, I hope the resolution will be agreed to.

The resolution was considered by unanimous consent and agreed to.

NATIONAL LOANS TO BELGIUM (S. DOC. NO. 413).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Foreign Relations:

To the Senate and House of Representatives:

I herewith call your attention to an agreement with Belgium made by the British and French premiers and myself, which is embodied in the following letter:

JUNE 16, 1919.

M. HYMANS,
Ministre des Affaires Etrangeres, Hotel Lotti, Paris.

SIR: The Reparation Clauses of the draft Treaty of Peace with Germany obligate Germany to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, on account of the violation by Germany of the Treaty of 1839. As evidence of such an obligation Germany is to make a special issue of bonds to be delivered to the Reparation Commission.

Each of the undersigned will recommend to the appropriate governmental agency of his Government that upon the delivery to the Reparation Commission of such bonds his Government accept an amount thereof corresponding to the sums which Belgium has borrowed from his Government since the war and up to November 11, 1918, together with interest at 5 per cent unless already included in such sums, in satisfaction of Belgium's obligation on account of such loans, which obligation of Belgium's shall thereupon be canceled.

We are, dear Mr. Minister,
Very truly yours,

G. CLEMENCEAU.
WOODROW WILSON.
D. LLOYD-GEORGE.

In recommending to you that Congress take appropriate action with regard to this agreement, certain facts should be brought to your attention.

The neutrality of Belgium was guaranteed by the Treaty of London of 1839. In considering the reparation to be made by Germany it was agreed that the action of Germany in grossly violating this Treaty by an attack on Belgium, obligated the German Government under international law to repay to Belgium the costs of war. On this principle the Treaty of Versailles (Art. 232) provided that in accordance with Germany's pledges already given as to the complete restoration for Belgium, Germany should undertake, in addition to the compensation for material damage, to make reimbursement of all sums which Belgium had borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at 5 per cent per annum on such sums. This obligation was to be discharged by a special issue of bearer bonds to an equivalent amount payable in gold marks on May 1, 1926, or at the option of the German Government on the 1st of May in any year up to 1926.

For various reasons the undertaking defined in the above letter was not embodied in the Treaty. Belgium's obligations to the United States for advances made up to the date of the Armistice amounted to approximately $171,000,000, and to England and France they amounted, I am informed, to about £164,700,000. In view of the special circumstances in which Belgium became involved in the war and the attitude of this country toward Belgium, it was felt that the United States might well agree to make the same agreement respecting pre-Armistice loans to Belgium as England and France offered to do.

Advances made by the Treasury to the Belgian Government from the beginning of the war to the Armistice amounted to $171,780,000. This principal sum, however, includes advances of $490,400 made to enable the Belgians to pay the interest due November 15, 1917, and $1,571,468.42 to enable the payment of the interest due May 15, 1918. The interest on the advances has been paid up to April 15, 1919, the interest due from May 15, 1918, to that date having been paid out of the Treasury loans for which the United States holds Belgian obligations, which, however, were made after November 11, 1918, the date of the Armistice. This latter advance would not come within the terms of the agreement above mentioned. If, therefore, the United States accepts payment of Belgian obligations given before the Armistice by receiving a corresponding amount of German obligations, it would seem that it should receive German obligations amounting to $171,780,000 with interest from April 15, 1919.

Although it is understood that England and France will take their share of the German bonds when received by Belgium, I am informed that the Reparation Commission has not as yet finally determined the details of the issuance of the necessary bonds by the German Government. A recommendation at this time that suitable legislative action should be taken may appear somewhat premature, but in view of the approaching termination of my Administration I have brought this matter to your attention, hoping that suitable action may be taken at the appropriate time.

WOODROW WILSON.

THE WHITE HOUSE,
22 February, 1921.

HOUSE BILLS REFERRED.

The following joint resolution and bills were severally read twice by their titles and referred as indicated below:

H. J. Res. 465. Joint resolution for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes; to the Committee on Patents.

H. R. 16043. An act to authorize the incorporation of companies to promote trade in China; to the Committee on the Judiciary.

H. R. 8032. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; to the Committee on the Library.

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States, in relation to the qualifications of directors of the National Banking Association; to the Committee on Banking and Currency.

AMENDMENT OF TRADING WITH THE ENEMY ACT.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4897) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, which was to strike out all after the enacting clause and insert:

That subdivisions (2) and (3) of subsection (b) of section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, be, and hereby are, amended so as to read as follows:

"(2) A woman who, at the time of her marriage, was a subject or citizen of a nation which has remained neutral in the war, or of a nation which was associated with the United States in the prosecution of said war, and who, prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary and that the money or other property concerned was not acquired by such woman, either directly or indirectly, from any subject or citizen of Germany or Austria-Hungary subsequent to January 1, 1917.

"(3) A woman who, at the time of her marriage, was a citizen of the United States and who, prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary, and that the money or other property concerned was not acquired by such woman, either directly or indirectly, from any subject or citizen of Germany or Austria-Hungary subsequent to January 1, 1917."

Mr. NELSON. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

WILHELM ALEXANDERSON—CONFERENCE REPORT.

Mr. SPENCER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12634) for the relief of Wilhelm Alexanderson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

SELDEN P. SPENCER,
HENRY W. KEYES,
Managers on the part of the Senate.
G. W. EDMONDS,
E. C. LITTLE,
Managers on the part of the House.

Mr. SPENCER. I ask that the report be agreed to.

The report was agreed to.

JOHN E. MOORE CO.—CONFERENCE REPORT.

Mr. SPENCER. I present one other conference report of the same type.

Mr. TOWNSEND. I do not object if it does not take any longer than the other report, but we have fixed an hour to vote to-day and there are several Senators who would like to have an opportunity to speak on the bill before the Senate. The Senator from Wisconsin [Mr. LA FOLLETTE] has not finished his address, and I do not feel that it is fair to the Senate to allow

business to intervene at this time which will at all interfere with the order.

Mr. SPENCER. I will say to the Senator that if it takes any time I will let it go over.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11572) for the relief of the John E. Moore Co. having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

SELDEN P. SPENCER,
HENRY W. KEYES,
Managers on the part of the Senate.

G. W. EDMONDS,
E. C. LITTLE,
Managers on the part of the House.

The report was agreed to.

PRIVATE PENSION BILLS.

Mr. McCUMBER. I ask unanimous consent that all private pension bills upon the calendar be rereferred to the Committee on Pensions.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The bills recommitted to the Committee on Pensions are as follows:

S. 4985. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors;

S. 5002. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors;

H. R. 15196. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15546. An act to repeal certain portions of an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved June 5, 1920;

H. R. 15661. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15900. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15901. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PAYMENTS DUE RAILROAD COMPANIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15836) to amend the transportation act, 1920.

[Mr. LA FOLLETTE resumed and concluded the speech begun by him yesterday. See Appendix.]

The PRESIDING OFFICER (Mr. CURTIS in the chair). The question is on the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE], which the Secretary will read.

The READING CLERK. The Senator from Wisconsin moves, on page 2, after line 21, to insert:

(c) That no payment of money shall be made to any railroad company under this act except and until it shall be determined by the Interstate Commerce Commission, upon full investigation, and finding duly entered thereon, certifying (1) that such railroad company has not, since March 1, 1920, paid or contracted to pay unreasonable and extravagant prices for railway supplies, equipment, repairs, and renewals charged to its maintenance account, or (2) that it has not paid or agreed to pay unreasonable sums as salaries to its officers or directors, or (3) that it has not otherwise managed and conducted its business in a dishonest, inefficient, or uneconomical manner in violation of the terms of the transportation act of 1920.

Mr. LA FOLLETTE. I demand the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer my pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. HARRISON (when his name was called). I am paired with the junior Senator from West Virginia [Mr. ELKINS]. I have been unable to get a transfer, and not knowing how the junior Senator from West Virginia would vote on the pending question, I withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS], but I understand that if present he would vote as I intend to vote. Therefore I feel privileged to vote and I vote "nay."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. I understand, however, that he would vote as I shall vote, and I feel at liberty to vote. I vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I think he would vote as I am going to vote, but I shall take no chances. I transfer my pair to the senior Senator from Vermont [Mr. DILLINGHAM] and vote "nay."

The roll call was concluded.

Mr. EDGE. I transfer my general pair with the junior Senator from Oklahoma [Mr. OWEN] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence I withhold my vote.

Mr. KIRBY. I have a general pair with the junior Senator from New Hampshire [Mr. KEYES]. In his absence I withhold my vote.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. McCORMICK], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. LODGE (after having voted in the negative). I have a general pair with the Senator from Georgia [Mr. SMITH], but on this bill and all questions pertaining to it I am at liberty to vote. I will, therefore, allow my vote to stand.

Mr. TRAMMELL. The Senator from Rhode Island [Mr. COLT], with whom I am paired, is not present. I transfer my pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

The PRESIDING OFFICER (Mr. CURTIS). I wish to announce that the Senator from New Hampshire [Mr. KEYES] is absent on official business. If present, he would vote "nay." He is paired with the Senator from Arkansas [Mr. KIRBY].

I desire also to announce that the Senator from New Mexico [Mr. FALL] is paired with the Senator from Wyoming [Mr. KENDRICK], and that the Senator from Pennsylvania [Mr. PENROSE] is paired with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 19, nays 47, as follows:

YEAS—19.

Ashurst	Gore	King	Sheppard
Borah	Gronna	La Follette	Simmons
Chamberlain	Harris	McKellar	Stanley
Culberson	Johnson, Calif.	Overman	Trammell
Fletcher	Kenyon	Phelan	

NAYS—47.

Ball	Hale	New	Sutherland
Beckham	Henderson	Phipps	Swanson
Calder	Jones, N. Mex.	Poindexter	Thomas
Curtis	Jones, Wash.	Pomerene	Townsend
Dial	Kellogg	Ransdell	Underwood
Edge	Knox	Reed	Wadsworth
Fernald	Lenroot	Shields	Walsh, Mont.
France	Lodge	Smith, Md.	Warren
Frelinghuysen	McLean	Smith, S. C.	Watson
Gay	Moses	Smoot	Willis
Gerry	Myers	Spencer	Wolcott
Gooding	Nelson	Sterling	

NOT VOTING—30.

Brandegee	Harrison	McCumber	Robinson
Capper	Heflin	McNary	Sherman
Colt	Hitchcock	Newberry	Smith, Ariz.
Cummins	Johnson, S. Dak.	Norris	Smith, Ga.
Dillingham	Kendrick	Owen	Walsh, Mass.
Elkins	Keyes	Page	Williams.
Fall	Kirby	Penrose	
Glass	McCormick	Pittman	

So Mr. LA FOLLETTE's amendment was rejected.

The PRESIDING OFFICER. The bill is still in Committee of the Whole and open to amendment.

Mr. STANLEY. I move to strike out subsection (b) of the bill after the words "Section 209," in line 10, page 2.

The PRESIDING OFFICER. The Senator from Kentucky offers an amendment, which will be stated.

The READING CLERK. On page 2, strike out lines 11 to 21, inclusive, which read as follows:

(b) In ascertaining the several amounts payable under either of such sections the commission is authorized, in the case of deferred debits and credits which can not at the time be definitely determined, to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items and, when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be prima facie but not conclusive evidence of their correctness in amount in final settlement.

Mr. STANLEY. Mr. President, it is admitted that 90 per cent of all claims made by the railroads may be definitely ascertained at this time—all operating charges, all contracts about which there is no contention. In addition to that there are a number of claims pending in the nature of lis pendens. There are thousands of cases now unadjudicated in the courts—damage suits, questions on the interpretation of contracts, on the value of services performed, or the quality of materials furnished. These are not questions cognizable for the Interstate Commerce Commission.

The great strength, the one thing upon which we depend in this hour of trial for the railroads, is the implicit faith of the country at large in the wisdom and the fairness and the justice and the incorruptibility of the Interstate Commerce Commission. The Interstate Commerce Commission has all that it can do. It can not, if it would, transform itself into a court, and, Mr. President, it should not if it could. Those who are familiar with the history of the growth of the jurisdiction of the Interstate Commerce Commission over the conduct of railroads remember the old contention that the Interstate Commerce Commission should not exercise a purely judicial function.

Now, to illustrate: A has suffered damage by reason of some personal injury and has sued corporation B for so many thousand dollars. This bill provides that the Interstate Commerce Commission shall go into a voluminous record touching the quantum of personal injuries and shall find out how much A ought to recover, and then shall determine that amount, and, if the railroad agrees to it, it shall be prima facie evidence that a case in court has been justly settled.

The Interstate Commerce Commission has no process whatever; it is not equipped to try such cases; it is not equipped to pass on the delicate questions of law; it is not equipped to cross-examine witnesses and to pass upon complicated questions of fact. To impose upon the Interstate Commerce Commission the stupendous task of sitting as a court and passing upon thousands of suits now pending in various parts of the country is, to my mind, absurd.

In addition to that, Mr. President, there is nothing to be gained by it. Under subsection (a) of this bill, just at the minute the railroad can definitely determine what is due it, we shall have established a method by which it can be paid without delay. If A has a suit against the Baltimore & Ohio or the Pennsylvania Railroad Co. and a judgment is rendered against them and the railroad agrees that that judgment is final, that judgment may be brought to the attention of the Interstate Commerce Commission, so much money due, and it can issue a certificate, and that settles it. As fast as the courts now instituted for that purpose pass without additional expense upon cases now pending before them, their judgment will automatically be filed with the Interstate Commerce Commission and those cases will be settled. To allow the Interstate Commerce Commission to exercise a purely judicial function, to usurp the province of the courts—a power that has never before been intrusted to it—would establish a dangerous precedent.

In addition to the viciousness of the precedent, it would be a waste of the valuable time of the commission and would not materially relieve the courts. All that has to be done under section (a), for which I voted and of which I heartily approve, is to permit the unliquidated damages to be determined, the undecided cases to be decided, and automatically the claims may be adjusted. To convert the Interstate Commerce Commission into a guessing school, to have it make estimates of the amounts that are due the various railroads or the amounts that the railroads owe to various litigants, if the matter is to be judicially determined, will involve as much additional work as the commission is now performing. If those amounts are to be roughly guessed at it will mean injustice either to the people or to the carriers. The railroads are, or ought to be——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STANLEY. I did not know there was a time limit. I ask unanimous consent to be allowed to proceed for five minutes longer.

The PRESIDING OFFICER. Under the unanimous-consent agreement the Senator from Kentucky is limited to 10 minutes.

Mr. STANLEY. Very well.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kentucky [Mr. STANLEY].

Mr. TOWNSEND. Mr. President, I do not think it is necessary for me to offer any answer to the argument which has been made, and I am as anxious as anyone can be to dispose of the pending measure in order that the Agricultural appropriation bill may be considered, but I will say that paragraph (b) was suggested by the Interstate Commerce Commission. The Senate committee included in its bill originally a provision to the effect that the Interstate Commerce Commission might negotiate an agreement with the railroads which should be conclusive. It went to the House, and the House changed "conclusive" to "prima facie," and your committee, knowing that if this bill is to become a law it must not be sent to conference and thus be subject to renewed discussion when the conference report comes to the two Houses, felt that it was the part of wisdom to agree to what the House had done.

This is the object of it—and I say this as applying to other suggestions that have been made on the subject: In the first place, the bill provides only for the certification of payment of amounts definitely determined as belonging to the railroads and appropriated therefor by Congress. That means that the Interstate Commerce Commission will offset every possible claim of the hundreds that the Senator from Wisconsin [Mr. LA FOLLETTE] has mentioned by withholding a sufficient amount from the railroads to cover any possible emergency that might involve the Government in loss. The commission felt that if it were authorized to negotiate with the railroads, if it had the right to consider all of the proposed claims which might be pending or which were at all probable, it could thus secure a quick and final settlement—the very thing which the Senator from Wisconsin most desires.

This provision only gives the commission the right to negotiate with the railroads on their pending claims or any proposition for a claim and thus determine as to what amount should be paid in final settlement of all of these claims. This plan can not result in loss to the Government. It is possible it may result in gain.

Your committee believed, Mr. President, that it was a wise thing for us to do, and I repeat, unless there is great and fundamental objection to this kind of a proposition, those Senators who desire to terminate this measure at this session of Congress can not well afford to send it to conference and thus subject it to the debate which will occur in both Houses by the minority who are opposed to the pending legislation under any conditions. Therefore I ask, unless it is clearly shown to be necessary for good legislation, that no amendments shall be adopted at this time.

Mr. KELLOGG. Mr. President, I desire to say merely a word or two. Your committee spent many days considering this subject. This provision of the bill, subdivision (b) was not suggested by the railroads, but was urged by the Interstate Commerce Commission. Mr. Commissioner Clark explained that there were damage suits for personal injuries and suits for overcharges of freight and for damage to freight pending or which might be pending in the courts. Of course the total amount would be small as compared with the total due to the railroads.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Kentucky?

Mr. KELLOGG. I will answer a question, but I have not much time.

Mr. STANLEY. I hope the interruption will not be taken out of the Senator's time. The Senator is a great lawyer and I wish to ask him this question: Has any act of Congress creating the Interstate Commerce Commission or enlarging its powers ever authorized it to exercise a purely judicial function and pass on the relative rights of the railroad and a litigant in a damage suit?

Mr. KELLOGG. I can not yield further, but I will answer that question. The original act taking over the railroads gave the President a greater power to settle with the railroads in regard to disputed claims than this bill gives to the Interstate Commerce Commission in settling such questions with the railroads.

Mr. STANLEY. That is not my question.

Mr. KELLOGG. I can not yield further to the Senator; I am sorry.

The PRESIDING OFFICER. The Senator from Minnesota declines to yield.

Mr. KELLOGG. Mr. Commissioner Clark explained that the total amount of the claims was small as compared with the total amount due the railroads; that the amount of these claims would not decrease the amount due the railroads but would only increase it, and it was in the interest of the public to give the commission power, instead of holding these small claims up through years, perhaps, of litigation, to make an adjustment, which they could make with absolute safety to the public. Of course they would not pay over any money to the railroads without reserving a sufficient sum to protect the Government against all possible claims. When we remembered that these claims would only increase the amount due the railroads instead of decreasing it, we felt as though it was in the interest of economy and in the interest of the public to permit this power to be reposed in the commission. It is not as great a power as we conferred upon the President and his Director General to settle with the railroads the disputed claims during the two years of Government operation.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kentucky. [Putting the question.] By the sound the "noes" seem to have it, and the amendment is rejected.

Mr. STANLEY. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. POMERENE. Mr. President, I beg the indulgence of the Senate for just a few minutes.

The question here, the principal question, is simply this: Assuming that there is a debt of $10,000,000 concededly due from the Government to a railroad company, and there is another debt of $100,000, which is disputed, and honestly disputed, should the Government refuse to pay any of the $10,000,000 until after the other $100,000 claim is settled?

Under the holding of a local court the Government was not obliged to and could not, so it was claimed, pay any part of it until the entire indebtedness was determined. The pending bill is simply for the purpose of enabling the Government to pay its debt as it is known and determined. As a result of the failure to pay these debts the railroads have not been able to pay their material men; they have not been able to pay for new equipment; they have not been able even to pay for their coal.

I have in my office a letter from one of the large coal companies of Cleveland in which they tell me that the New York Central Railroad Co., the Pennsylvania Railroad Co., and the Baltimore & Ohio Railroad Co. owe them very large sums of money, and they are not able to get a dollar upon these claims. As a result they are very much embarrassed.

And now, if I may take a moment to answer some of the statements which were made here yesterday and perhaps to-day with regard to the enormous profits, and so forth, which the railroads have made under existing freight and passenger rates, I want to call the Senate's attention to a statement which I received this morning from the Secretary of the Interstate Commerce Commission. It comes in answer to a telephonic message from me. The figures have been tabulated by Dr. Lorenz, Chief of the Bureau of Statistics of the Interstate Commerce Commission. I expect to introduce into the RECORD this statement as it comes to me from the Interstate Commerce Commission, but before I do so I want to call the attention of the Senate briefly to just a few figures contained in the statement to indicate the earnings and the expenditures of the railroads.

In 1917 the operating revenues of all of the class I roads were $4,050,463,579.

In 1920 the operating revenues were $6,213,489,049.

In 1917 the operating expenses were $2,858,212,210.

In 1920 they were $5,810,970,021.

In 1917 the ratio of operating expenses to operating revenues was 70.57 per cent.

In 1920 the ratio of operating expenses to operating revenues was 93.53 per cent.

In other words, of their gross earnings there would be less than 7 per cent with which to pay taxes and interest on bonds and possible dividends.

If I may go further, figured on the basis of the traffic of 1917, the increase in operating revenues for the year 1920 over 1917 was $2,600,000,000; but let us look at the other side of the ledger.

The increase in wages alone for the year 1920 over 1917 was $2,156,417,594.

The increase in the cost of fuel to the railroad companies in 1920 over 1917 was $200,000,000.

The increase in taxes for 1920 over 1917 was $60,000,000.

So you see that nearly the entire increase in revenues was consumed by the increase in wages, the increase in coal, and the increase in taxes; and I have said nothing whatsoever about the increase in materials.

Mr. President, I do not care to take further time; but I think that if Senators want to know what the facts are they will be interested in having this communication read, and I therefore send it to the desk and ask that it may be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

INTERSTATE COMMERCE COMMISSION,
BUREAU OF STATISTICS,
February 21, 1921.

Memorandum regarding increases in revenues and expenses of steam roads since 1917.

The revenues and expenses as shown by the monthly reports of Class I roads, 1917 to 1920, are as follows:

Calendar year.	Operating revenues.	Operating expenses.	Net operating income.	Operating ratio.
1917	$4,050,463,579	$2,858,212,210	$974,778,937	70.57
1918	4,926,593,957	4,017,209,501	693,111,170	81.54
1919	5,184,230,244	4,419,988,750	515,793,287	85.26
1920	6,213,489,049	5,810,970,021	67,823,711	93.53

It will be seen that in spite of an increase of over $2,000,000,000 in operating revenues, the net return has been nearly eliminated because of an increase of about $3,000,000,000 in operating expenses. This is reflected by the increase in the operating ratio.

The volume of traffic in 1917 was slightly below that of 1918 and 1920, but somewhat greater than that of 1919. The principal source of the increased revenues is from the increase in rates. Certain increases granted by the commission in 1917 became operative for the full year 1918, but the general increase effective in June, 1918, of 25 per cent in freight rates, was reflected in the revenues of that year for only the last half of the year. In 1919 no general increases were made. In the calendar year 1917 Class I roads received an average revenue per ton mile of 7.15 mills, while in 1919 the corresponding figure was 9.73 mills, an increase of 2.58 mills per ton mile. Applied to the total freight traffic of 1917, namely, 394,465,400,493 ton miles, the increased freight charges per annum over the basis existing in 1917 amounted to approximately $1,017,720,000. In 1920 the increase in freight rates was made applicable late in August. While this increase has been estimated at 33⅓ per cent, the statistics do not indicate that the increase realized has been as great as that. Taking an increase over 1919 of 30 per cent for illustration, the increase would be 2.019 mills per ton mile, which when applied to the traffic of 1917 would produce approximately $1,151,440,000.

Passenger fares were also increased in June, 1918, and again in August, 1920. In 1917 the average revenue was 2.000 cents per passenger mile, as against 2.541 cents in 1919, an increase of 4.51 mills. Applied to the traffic of 1917, or 39,476,858,549 passenger miles, this amounts to approximately $178,000,000 annually. The increase allowed in 1920 was 20 per cent. Reports available at this time indicate that an average increase of 4.6 mills per passenger mile was realized. Applied to the 1917 traffic as above, the increased annual revenue amounts to $181,589,000. There has also been added a surcharge on Pullman travelers for the benefit of the railroads, amounting to perhaps $25,000,000 annually, and an increase in compensation for carrying the mail yielding about $45,000,000 annually.

The increases above mentioned total nearly $2,600,000,000 annually on the basis of the traffic of 1917.

On the side of expenses, wages are the principal source of increase. Increases were granted in 1918 and made retroactive to January 1 of that year. Further increases were granted from time to time by the Director General of Railroads, and there was an increase of about 22 per cent in July, 1920, granted by the United States Railroad Labor Board, the increase being made retroactive to May 1, 1920. According to statistics published by the Interstate Commerce Commission for the first six months of 1920, the pay roll of Class I roads without any of the increase granted by the Labor Board was $1,596,680,268, which, for 12 months would have been $3,193,360,536. The actual pay roll in 1917 was $1,739,482,142, an increase of $1,453,878,394. Twenty-two per cent of the $3,193,360,536, is $702,539,200. This added to the $1,453,878,394 gives a total increase in wages over the 1917 basis of $2,156,417,594.

It may further be assumed that the fuel consumed in 1917 would, at the prices paid by railroads in 1920, have cost $200,000,000 additional annually. Increased taxes account for about another $60,000,000. In addition there were increases on materials, the amount of which can not be given at this writing.

It should be said that all of the figures showing the results of increases in rates and costs are subject to revision, and are given at this time merely to illustrate roughly where the increased revenue came from and where it went. No statement can be made at this time as to the extent to which the roads were under or over maintained during 1920.

If the rates granted in August had been in effect during the whole year 1920, the roads would have made a better showing. What showing will be made in 1921 depends so much on the extent to which traffic revives and to what extent economies in expenditure can be effected that it is quite impossible to make a prediction. It may be noted, however, that in October, 1920, the best month under the new rates and fares and under the new wage schedules, the net railway operating revenue was $86,455,487.

The PRESIDING OFFICER. Are there further amendments as in Committee of the Whole? If not, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S.

4683) to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919, which was, to strike out all after the enacting clause and insert:

That section 11 of the act approved December 23, 1913, known as the Federal reserve act, as amended, be further amended by striking out the whole of subsection (m), and by substituting therefor a subsection to read as follows:

"(m) Upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus: *Provided, however,* That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds or notes of the United States issued since April 24, 1917, for which the borrower shall in good faith prior to January 1, 1921, have paid or agreed to pay not less than the full face amount thereof, or certificates of indebtedness of the United States: *Provided further,* That the provisions of this subsection (m) shall not be operative after October 31, 1921."

Mr. McLEAN. I move that the Senate concur in the House amendment.

Mr. GRONNA. Mr. President, as a member of the committee, I should like to know from the chairman of the committee what changes were made by the House.

Mr. McLEAN. I will say to the Senator that this bill merely extends the time for which the Federal reserve banks may discount eligible paper that is secured by Government bonds. In the Senate bill the time was extended to the 1st of January, 1922. This amendment extends it to the 31st of October next.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut that the Senate concur in the House amendment.

The motion was agreed to.

AGRICULTURAL APPROPRIATIONS.

Mr. GRONNA. Mr. President, I move that the Senate resume the consideration of the Agricultural appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

BERNARD M. BARUCH AND JOHN D. RYAN.

Mr. THOMAS resumed and concluded the speech begun by him earlier in the day. The entire speech is as follows:

Mr. President, the CONGRESSIONAL RECORD of yesterday contains a very bitter attack upon two prominent and reputable citizens of the United States, whose services to their country during the late war were conspicuous and invaluable. The details of this attack have been distributed all over the United States by the Associated Press, and the people of the country are by this time familiar with them. The substance or basis of this attack reveals nothing of a novel character, but consists of a repetition of charges made heretofore, and its alleged justification rests upon a newspaper criticism of the author of the attack, who has seen fit to resent and to denounce it by turning his own vocabulary of abuse upon these two gentlemen. I regret very much, Mr. President, that any Member of either House should take advantage of his high position and under its privileges to spread in the RECORD of congressional proceedings charges which, if true, should be exposed and their authors punished by the proper authority; charges which, if false, inflict cruel, unjust, unwarrantable, and incalculable pain and injury upon their victims.

I am morally certain that these charges can not be true, and but for the obvious rules of propriety, which limit criticisms of Members of either House by Members of the other, I should be constrained to speak more strongly concerning this subject than under the circumstances is possible; as strongly, indeed, Mr. President, as I do characterize it as a private citizen, beyond the confines of the Senate Chamber.

A few days ago the country was startled by the charge that Mr. Charles M. Schwab, who had been requested to assume and who had assumed charge of our shipping construction activities, had received for personal expenses the sum of $269,000 from the public funds, and that the voucher or the account had either strangely disappeared or could not be accounted for, or had been mysteriously manipulated. That furnished a 10-days' sensation to the press, and this man's good name was bandied from lip to lip in terms of disgust and contempt. In many instances he was denounced as a thief, and it is not surprising that upon his appearance before the committee to vindicate himself he lost control of his emotions and burst into tears as he mentioned the cruel reflection upon his good name and business reputation.

Mr. President, modern public opinion seems to have reversed the old presumption of innocence, and has placed the burden of proof upon every man charged with criminal misconduct, however malicious the charge or however irresponsible the maker of it, who must pass the rest of his life with a blasted reputation unless he is able to sustain the burden and vindicate himself beyond reasonable doubt. Even then he must listen to the whisperings of malice and of enemies to his dying day. I do not believe that a more sincere patriot exists in America than Charles M. Schwab, nor a man who did more for his country and made greater sacrifices during the war, the soldiers alone excepted, than this distinguished citizen of the great State of Pennsylvania. The committee of investigation unanimously exonerated him from the charge, Democrats and Republicans alike joining in this tribute to his integrity and his character, and the Nation has approved that vindication. If they have not, they should do it forthwith. The ignominy cast upon him was more than an affront. It was a moral and political crime.

Mr. Schwab is a Republican. I do not mean to say that his vindication was due to that circumstance, but it is a singular fact that Bernard M. Baruch and John D. Ryan, equal in their patriotism and integrity to Mr. Schwab, both of whom have also been investigated, have not been similarly acquitted, as they should be, affiliate with the Democratic organization. Can it be that the investigations of the conduct of the war which have microscopically examined everything of a semisuspicious character, whether of fact or of rumor, are too eager to discover mere political material to do justice to the good name of every man prominently concerned for his country during the world conflict and whose reputations are the most precious of all their possessions?

More than a year ago I placed in the CONGRESSIONAL RECORD the answer of Mr. John D. Ryan to the charges and insinuations then made against him, a fact which the public has long since forgotten, while the charges against his integrity are still active and in public circulation. I have known Mr. Ryan ever since he was a young man just starting out in the world to earn a living. He was then a citizen of my State engaged in the oil business and representing an independent oil concern. He was then clean and capable as he has been ever since. From that humble position through the sheer force of his abilities and his energy as a man and as a citizen he advanced from post to post until he has become one of the great business captains of his generation, and a shining mark for the envenomed shafts of malice and falsehood.

Mr. President, I have just been informed of an arrangement for the morning of which I was ignorant; hence I shall yield the floor in a moment. But I shall resume the subject before the session closes. Let me say before I take my seat that I know of no more patriotic class of citizens evolved by the war than the dollar-a-year men, men who left their own enterprises and their own businesses and flocked to the city of Washington, who freely gave their time, their experience, their intelligence to the welfare of the Nation, and with one or two exceptions so performed their duties as to demand the grateful appreciation of their countrymen. Before I take my seat I must also pay my tribute to the high character, the spotless integrity, and the disinterested patriotism of Mr. Baruch. I do not hesitate to say that he contributed individually as much as, if not more, than any single individual to the vigorous and successful prosecution of the war. In discharging the great responsibilities placed upon him he met all personal expenditures out of his own pocket. He is millions of dollars poorer with the close of the war than at its beginning, and he would disdain to make any claim against the Government for his disbursements. He is able because of the men who know and believe in him to bear with serene composure these monstrous charges against his integrity as a man and an administrator. No man enjoying the immunity of privilege should from his high position denounce the helpless citizen—who has neither recourse to the courts against him for the vindication of his character nor for damages to his reputation—unless he be justified by personal knowledge of the facts, and only then because required in the discharge of an inexorable public duty to do so.

This is especially true when the object of the charge is personally unknown to him who makes it. And that is here an expressly admitted fact. It is easy to loosen the floodgates of denunciation, to accuse others of crimes, of treason, and official misprision; yet wholly impossible to restrain their consequences albeit their victim be guiltless and wholly wronged. Yet all of us are prone to do this. Hardly a day passes that we do not denounce some nation or some official in terms of opprobrium which our sober reflection condemns. It is wrong, it is indefensible, it is cowardly, and in the case of nations it may prove dangerous.

Mr. President, the specific charge reiterated against Mr. Baruch yesterday is that his—

Baruch's reputation as a man of integrity in the business world, an efficient war administrator of honor, and a private citizen of distinguished position is not liable to suffer from the grotesque attack of WILLIAM E. MASON, Illinois Member at large of the House of Representatives and unequaled notoriety seeker in Congress. He first says that Mr. Baruch, as chairman of the War Industries Board, "stole $50,000,000 in copper alone," and then when called upon by Mr. Baruch to submit his evidence immediately to Congress and to the Attorney General of the United States refuses to do so now, but declares that he will amend his statement to read that "you and your associates stole $200,000,000 in copper alone."

It so happened, Mr. President, that in 1917 my attention was drawn to an agreement which had been entered into between Mr. Baruch, as chairman of the War Industries Board, and representatives of the copper industry of America, some time during the early summer of 1917, which fixed the price for Government consumption at 16¾ cents per pound, as against the then prevailing rate of over 26 cents per pound.

That arrangement, while beneficial to the Government, which had become the great consumer, threatened to close a number of small mining concerns which were making a small profit at the prevailing price, owing to the enormous increase in the cost of production. One of those mines was situated in the State of Utah, and, being requested by Mr. SMOOT, the senior Senator from that State, to accompany him, we interviewed Mr. Baruch, calling his attention to this drastic consequence of the fixation of that price for copper.

A few great companies would profit, not unduly, but profit considerably, under that arrangement, while a number of small concerns would necessarily go to the wall, and it was that condition, Mr. President, quite as much as any other, which resulted in a subsequent elevation of the price to a point under which the smaller producer could exist. The Senator from Utah, well posted regarding the industry, laid the facts and figures before the chairman, who reluctantly acknowledged their correctness. As a matter of course, he could not establish one price for the large and another price for the small producers.

I have no doubt, Mr. President, that the copper companies profited after the Government and its allies became practically the sole consumer of that metal.

The assertion, however, that the chairman of the War Industries Board was an owner of shares in any of these copper companies is wholly unfounded, for he divested himself of every interest the possession of which might conflict with the proper discharge of his duties in that great position, with the single exception of an interest in certain tungsten properties in the State of California, then regarded as of nominal value. This stock, however, earned large dividends during the year 1918, every dollar of which belonging to the chairman of the War Industries Board was by him turned over unconditionally to and impartially divided between those great semipublic organizations, like the Young Men's Christian Association, which were then ministering to the welfare and endeavoring to supply many of the needs of the American Expeditionary Force.

My recollection is that Mr. Ryan was identified with the Red Cross from the commencement of the war, and became actively identified with the Government, when, at the request of the President of the United States, he assumed control of aviation production. He also resigned his positions in those great business organizations with which he had long been identified, and in the upbuilding of which he had been largely conspicuous, to the end that he might devote his time unremittingly to the service of the Government. From that time on he, too, was disinterestedly engaged in doing his part toward the successful prosecution of the war.

During all that time many of those now hounding the administration were then engaged in obstructing the operation of the Government, were denouncing our war activities, and sometimes predicting its ultimate defeat.

Mr. President, what must be the effect of these malign reflections upon the public spirit of America, when, unhappily, we shall hereafter be engaged in other great conflicts involving the Nation's life, if men of genius and business ability and practical experience, who give their time to the service of their country, and serve it well, must encounter subsequent venomous denunciation, arraigned as criminals, investigated with microscopic avidity, and held up to the contempt, the indignation, and the hatred of mankind? I do not complain of fair, complete, impartial, and nonpolitical investigation. Such action is always helpful. But what possible inducement can be offered to the disinterested patriotism of the average citizen if, forsooth, he is to assume public activities in the public interest he must thereafter expect to be denounced as a scoundrel, branded as a criminal, and held up to the indignant contempt of the present and other generations? But one consequence can result from this malign practice. It must inspire the indifference of the men sorely needed in the hour of national travail not only to their own obligations, but to the country which they would but dare not serve.

Our allies do not treat their great men, either civilian or military, in that manner. On the contrary, for their great services they are rewarded by the grateful recognition of an appreciative country. I do not hesitate to say that if men like Schwab and Baruch and Ryan had been citizens of France or of Italy or of England, they would long ago have been knighted for their services and justly rewarded by a grateful people. At the close of the war Britain elevated Field Marshal Haig to the peerage.

Every honor, civic and military, was paid him. He received a stipend sufficiently large to make him comfortable for life. Thus France rewarded her great heroes Joffre and Foch, and she honored herself thereby. But when the gallant Pershing returned, flushed with victory, the pride of the entire Nation, the living embodiment of militant Americanism, the Congress of the United States met in joint session and permitted him to address them for half an hour. Has it ever done anything else? His promotion to the rank of General was grudgingly bestowed.

Such is the contrast between the reception and the treatment of our own great men and that of their compeers across the sea. Our civilians are flouted, suspected, accused, and libeled. Why, Mr. President, I can conceive of no more ignominious spectacle than the appearance before the assembled Senators and Representatives of the United States of the victorious General of our Armies, the hero of the greatest conflict known to history, and essaying the rôle of humble speaker to the Nation's Legislature, which up to this time have not even honored him with a sword or other material symbol in acknowledgment of his services and as a reward for the victories which he and the Army under him achieved.

Of course, corruption abounded during the war. That is true of every war in history and of every country engaged in war. It is an inescapable epidemic. I was reading a few nights ago some rather disgraceful chapters of the Civil War in Rhodes's history of the United States. He reveals a condition then prevailing more corrupt and more demoralizing than anything that has yet been revealed by a partisan investigating committee anxious to secure material aspersing the men then in charge of public affairs, military, naval, and political, during the war just ended. At that time a major general of the United States Army was involved. He used his high command to speculate in contraband goods. A Secretary of War was so involved that his resignation, if not demanded, was thankfully received. Contracts for materials were more shamelessly profiteered in than anything that has been revealed thus far in the recent war; but they have been forgotten. It is the immediate situation which inspires interest and arouses condemnation.

The main fact, which always survives inferior events in history, is the splendid result of that tremendous conflict. It vindicated the cause of the Union and changed us from a loose federation of States to a unified and splendid Republic. The time is not far distant when the outstanding fact that this administration fought and won the greatest war in history will overshadow every consideration, and the pestiferous insects infesting the country, stinging and goading the great figures of contemporary history, will have perished with the poisonous atmosphere that gave them birth. If they are remembered at all, they will be remembered as are a few traducers of the immortal Lincoln, whose history requires their occasional mention.

Mr. President, I have said all and perhaps more than is necessary. These men can not speak here for themselves. Albeit they can be traduced, vilified, and misrepresented with impunity, and the RECORD which embalms these charges should carry with it some remonstrance and some feeble words in appreciation of the services which they have rendered their country. It is their only recourse, as has been suggested by my friend the Senator from Ohio [Mr. POMERENE]. I would be recreant not only to my sense of justice but to the high opinion and the warm friendship which I entertain for both these great Americans if I sat silent at a time when their good names and their reputations are being assailed.

Mr. WALSH of Montana. Mr. President, as the name of a very distinguished citizen of my own State is coupled with the one who was the subject of the very eloquent address just concluded by the Senator from Colorado [Mr. THOMAS], I feel impelled to say a word.

Mr. John D. Ryan is charged jointly with Mr. Baruch in this theft of "$50,000,000 in copper alone," as it is expressed. If Mr. John D. Ryan and his associate had had their way, I never would have been a Member of this body at all. They succeeded in keeping me out of it for two years. I am under no obligation to them whatever; but that fact does not deter me from saying that in my estimation Mr. Ryan, as well as Mr. Baruch, gave to it in the time of stress of the Government most valuable services in a spirit of the most exalted patriotism, for

which they are entitled to better treatment than has been accorded them.

From the time he quit after more than a year's arduous labor down to this day Mr. Ryan, particularly, has been hounded and assailed with accusations touching his motives in entering the public service and his acts while he was devoting himself unstintedly to it. The plain truth is that, like many other men of great capacity and success in business, moved by patriotic considerations when the war broke out, Mr. Ryan came to Washington and placed his great talents as a business organizer at the disposal of the American Red Cross, becoming its business manager, a position which would scarcely be chosen by one seeking an opportunity to profit, legitimately or otherwise, by the calamity into which the Nation had been plunged. He occupied that position until he was invited, when the country was aghast at the apparent collapse of the effort to produce aircraft in quantity, to take charge of the business end of the Air Service. If the results in that branch did not meet expectations, it was through no fault of his. Just as soon as the armistice was signed he tendered his resignation as Assistant Secretary of War and returned to his private business, having, as he thought, done all the service that he could in the crisis which was before us. The most urgent invitation was extended him to remain in the public service. I speak knowingly with respect to the matter. Yet he declined to do so, and the reward that has come to him has been as detailed by the Senator from Colorado. Not a word of recognition or appreciation has come from any source, except as some Members of the Senate or House have been moved by the attacks made upon him to say a word in commendation of his faithful service and of his devotion to the cause of his country.

So far as accusation touching copper is concerned, the plain truth has been repeatedly exposed upon the floor of both Houses of Congress. Copper was commanding in the market 32 or 33 cents a pound at the time a price on that commodity was fixed. By the ordinary procedure that was then being observed in the adjustment of prices, in order that the Government should not be subject to unjust exactions, an arrangement was made by which copper was offered to the Government at 23 cents a pound, and upon that basis purchases were made. Purchases, of course, were made from the company with which Mr. Ryan had been associated, the greatest producer of copper in the United States, as well as from other companies; but it is conceded that he had absolutely nothing to do with fixing the price, and if he did have anything to do with it there is no one who can assert that the price under all conditions was not fair and reasonable. Yet these gentlemen are subjected to these continued and continuing attacks upon the floor of one House of Congress where immunity is enjoyed. It is time that those who really appreciate the services that were rendered by the great big business men of the country during the war to marshal the assets and call out the material resources of the country for its successful prosecution should have something said in their defense and in their praise as well.

Mr. MYERS. Mr. President, I very heartily indorse all that the distinguished Senator from Colorado [Mr. THOMAS] has said about the treatment that has been accorded some of the great men, great leaders of industry, of the country who came to the aid of our country in its dark hour of distress during the World War, and the injustice that has been done them by accusations made in connection with the proceedings of some congressional committees and some words reported to have been spoken at times on the floor of the House of Representatives. I also agree very heartily with what the Senator from Colorado has said about the treatment that has been accorded by Congress to Gen. Pershing, who I am sure occupies a very warm spot in the hearts of true and loyal American citizens. I think it a very poor recompense for the great services that Gen. Pershing rendered and the high and responsible position that he occupied in the affairs of the world during that great conflict. I have felt a sense of shame about it ever since Gen. Pershing's return to this country, and I feel that it is treatment of which Congress should be ashamed. Gen. Pershing is entitled a great deal more honor and recognition than he has received at the hands of Congress.

I am sure that all the Senator from Colorado [Mr. THOMAS] said about Mr. Baruch and Mr. Ryan is merited, and they merit much more than could be said of them. I know the tribute of the Senator from Colorado is merited, because I am acquainted with both of the gentlemen, Mr. Baruch and Mr. Ryan. I have no doubt that what the Senator from Colorado said about Mr. Schwab is merited, too, although I do not have the honor of his acquaintance. I agree also with the very just tribute which my able colleague [Mr. WALSH of Montana] has paid to the high standing and integrity of Mr. John D. Ryan, a resident of the State of Montana, whom I have long known, and the very able and distinguished services which he rendered his country most unselfishly in time of war at a great personal sacrifice to himself. Mr. Ryan is a gentleman of the highest standing; one whose integrity is beyond question with all who know him. I have never heard of it being questioned at any time or place or in any manner, except through indirection and implication in the proceedings of a congressional investigating committee that very apparently and evidently for political purposes went out of its way to cast reflections upon Mr. Ryan, which I am sure are keenly resented by all who know Mr. Ryan and his high standing, his great integrity, and his untarnished honor in all business and personal matters, and, in fact, in every phase of life. I have previously referred several times upon the floor of the Senate to this subject and expressed my opinion of this unjust treatment of Mr. Ryan, and I shall not have much more to say about it now. Indeed, Mr. Ryan's reputation is such that it does not need much defense, and none at all with those who know him. However, I am again impelled to express my condemnation of the unjust treatment he has received at the hands of some persons under the guise of official authority, and I shall ever be ready to do so when the subject may be mentioned at any time or place.

I think one of the most deplorable results of the late war has been the very evident disposition on the part of congressional committees in some instances to conduct investigations of war operations from a bitterly partisan standpoint and to make politics out of official investigations of the conduct of the war in its various branches. I think it is very blameworthy and exceedingly deplorable and I deeply regret it. I was glad to see that during the progress of the war there was very little politics displayed in either branch of Congress. I was glad to see that the Republican Senators and Representatives as a rule stood behind the President and behind all branches of the administration in the conduct of the war just as loyally and unselfishly as did Democratic Senators and Representatives; but, in my opinion, since the cessation of hostilities there has been a very plain disposition in some instances in investigation of the conduct of the war by congressional committees to inject politics into the investigation instead of trying to obtain facts and produce beneficial results. That was strikingly shown, I think, when a congressional committee which conducted a long and exhaustive investigation of some phases of the conduct of the war encountered in the course of its proceedings some charges of dishonesty against Mr. Charles M. Schwab, who, I believe, is a Republican. Mr. Schwab took the stand and simply denied the charges in toto and, I have no doubt, denied them truthfully. I am satisfied there was no foundation for them and that they were very grossly unjust to Mr. Schwab. The committee, however, as reported by newspaper accounts, without having any proof for or against, other than the charges and denial, immediately and on the spot accepted Mr. Schwab's denial and issued a statement with much publicity acquitting Mr. Schwab of all guilt and wrongdoing preferred in the charges. I have no doubt Mr. Schwab deserved the acquittal. However, equally wrongful charges of misconduct were made before a congressional investigating committee against Mr. Baruch and Mr. Ryan, both of whom are prominent Democrats, and both of whom denied in the most unequivocal manner those charges, just as Mr. Schwab denied the charges against him. In addition, Mr. Ryan, at least, I know brought much proof to corroborate his denial, but so far as I know to this day that committee has never, either officially or unofficially, denied or retracted any of the charges against Mr. Ryan or Mr. Baruch, nor have any members of that committee individually, so far as I know, other than the one member who is a Democrat, denied or repudiated any of the charges made against those gentlemen or either of them. One member, who is a Democrat, was vigorous in his denunciation of the charges against Mr. Ryan. It is a singular and significant proceeding and something that I do not relish at all. It shows partisanship, and I think it very unfair and unjust.

So far as I am concerned, I acquit all of those gentlemen of any wrongdoing. Reflections upon them are undeserved. I am sure they all rendered very valuable services to their country when their services were badly needed, and that they did so at great sacrifice to themselves. They deserve credit for what they did. They contributed very largely to the winning of the war. I believe that Mr. Ryan and Mr. Baruch are entitled to the same clearance of malevolent charges as was given to Mr. Schwab. Whether it is ever officially granted or not, I am sure they will have it in the hearts of those of their countrymen who know them and know their integrity, character, and worth and the services which they rendered to their country in time of war. Their records are such that political quibbling and accusations can not besmirch them.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

Mr. ASHURST. Mr. President, I ask the attention of the chairman of the Committee on Agriculture and Forestry [Mr. GRONNA]. I have no disposition to delay this bill. On the contrary, I have reasons to urge its immediate passage. The able Senator from North Dakota [Mr. GRONNA], the chairman of the committee, has patiently waited for several days, indeed for four weeks, with this bill on the calendar, seeking an opportunity to have it considered. To-day his son graduates from the academic department of George Washington University. That young man entered the Great War as a private, but such skill, courage, and efficiency did he exhibit that he soon became a first lieutenant in the heavy artillery, which means, of course, that he has a profound knowledge of higher mathematics and the physical laws governing the hurling of projectiles. The chairman on the committee sits in this Chamber to-day when he should be elsewhere, for I think he owes it to his son to be present at the graduation, but the Senator deems his duty to the country to be paramount. In view of these circumstances, of course, no Senator should or would delay this bill a moment beyond what debate is actually necessary to give the reasons for the appropriations made herein. At the risk, however, of consuming 15 minutes of the time of the Senate, I will ask the chairman of the committee to recur to page 20 of the bill. I desire to propose an amendment to the committee amendment at that point.

Mr. GRONNA. Mr. President, consent was given to take up committee amendments first, but I will say to the Senator I have no objection to the reconsideration of those amendments. I know the Senator is deeply interested in them.

Mr. ASHURST. I will be brief. I do not intend to go out on any unreturning parabola in the short speech that I am going to make supporting my amendment.

Mr. President, I propose the amendment which I send to the desk to the committee amendment. I will ask the Secretary to read the same.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Without objection, the vote whereby the committee amendment on page 20, line 5, was agreed to is reconsidered. The Secretary will now state the amendment proposed by the Senator from Arizona to the amendment reported by the committee.

The ASSISTANT SECRETARY. On page 20, line 5, where the committee proposes to strike out "$51,860" and insert "$56,860," the Senator from Arizona proposes to insert in lieu thereof the figures "$66,860."

Mr. ASHURST. Mr. President, my amendment proposes to increase the appropriation by $10,000, making the total $66,860, which is the sum estimated by the Department of Agriculture. This is the item "for investigating the physiology of crop plants and for testing and breeding varieties thereof." The Department of Agriculture estimated for that work the sum of $66,860, whereas the Committee on Agriculture of the Senate has granted only $56,860.

This is an important item; it is the item which carries the money with which the Bureau of Plant Industry under the Department of Agriculture has conducted the remarkably interesting investigations of the mysteries of plant life.

It was from appropriations carried in such an item that the Department of Agriculture began the cultivation of the Deglet Noor date and the caprified Smyrna fig.

I read as follows from the estimates:

The date industry is fast becoming established in this country. At the present time nearly a quarter of a million dollars a year is being invested in new plantings. The industry is centered upon the culture of the Deglet Noor variety, a date of highest quality, which, however, deteriorates in storage, so that it is desirable that other varieties be established. Offshoots of an Egyptian variety, the Saidy, which improves in storage, and of the Hayany variety, a soft date suitable for home use in Arizona, have been secured and should be tested out. As the result of a bag method of ripening dates, the percentage of fancy dates of the Deglet Noor variety as grown in the Coachella Valley of California has been more than doubled and the number of pickings reduced from 12 to 2. In addition, the final curing of the fruit is greatly simplified, being accomplished by proper handling in a moist, warm chamber for only a few hours. With the new introduction of offshoots and the discovery of this bag-ripening method, it becomes essential to conduct demonstration gardens in the more promising localities in southern California, Arizona, and Texas. Of the increase requested, $10,000 will be necessary for adding proper facilities at the Indio date garden; $7,000 for conducting testing and demonstration gardens in the Imperial Valley of California and the Salt River Valley of Arizona, and for enlarging the capacity of the garden at Laredo, Tex., and $3,000 for experimental work in the warm valleys of Nevada and Utah in order to determine the possibilities of commercial date culture in such localities, and certain greenhouse experiments in connection with the working out of the most satisfactory methods for rooting date offshoots.

Mr. President, the Deglet Noor dates to-day will grow in alkali soil, which is deleterious, if not deadly, to most vegetation, and the date trees are able to withstand the terrific simoons, or desert sandstorms.

I have here a small box of these Deglet Noor dates [exhibiting]. When first produced in this country this date cost $2 a pound, but the investments have been so great that the cost of producing the dates has been reduced so that they may be sold at a price where they are within reach of people of moderate means. I ask consent to print in the RECORD at this point a statement as to these dates.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD.

The statement referred to is as follows:

DEGLET NOOR DATES M'ZAR VARIETY, FROM MECCA, CALIF.

Grown on very sandy soil at the Cooperative Date Garden, Mecca. Ripened by the Trabut-Drummond bag method, which increases percentage of fancy dates at Mecca from 30 per cent to 64 per cent, cuts the number of pickings from 12 to 2, shortens and simplifies final maturation in the curing room. This method will doubtless extend date culture throughout the Imperial, Yuma, Salt, and Gila River Valleys in California and Arizona, and the middle section of the Rio Grande Valley in Texas. This new discovery, together with the definite recognition of three distinct strains of Deglet Noor and the fruiting of at least four Deglet Noor seedlings of high quality and full Deglet Noor flavor, puts an entirely new face on the date industry in the Southwest and makes it perhaps the most promising fruit industry for the irrigated valleys of the Southwest having a subtropical desert climate.

Mr. ASHURST. In order that these dates may be sampled by various Senators, I will ask a page to pass them around from one Senator to another, so that Senators may ascertain for themselves how delicious they are.

Mr. President, I will take up the question of the caprified Smyrna fig.

Mr. PHELAN. Mr. President, do I understand the Senator to say that the dates of which he has invited Senators to partake are California dates?

Mr. ASHURST. Yes.

Mr. PHELAN. Dates are produced in Arizona, are they not?

Mr. ASHURST. Oh, yes; and of the same quality; they are grown in large quantities in Arizona; but my modesty precludes me from passing around Arizona dates as specimens.

Mr. POMERENE. I will ask the Senator which are the better, the California or the Arizona dates?

Mr. ASHURST. The Arizona date is the better.

Mr. SHEPPARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Texas?

Mr. ASHURST. I yield.

Mr. SHEPPARD. A number of similar experiments have also been made in Texas.

Mr. ASHURST. Similar experiments have been made in Laredo, Tex.; and $3,000 of this $10,000 increase asked for is for the purpose of proving that these dates may be grown in Laredo, Tex.

I now pass on to another very interesting subject, the caprified Smyrna figs. I have on my desk a box of Smyrna figs.

Mr. SMITH of South Carolina. Mr. President, will the Senator allow an interruption?

Mr. ASHURST. With pleasure.

Mr. SMITH of South Carolina. I should like to know if the Senator from California [Mr. PHELAN] expects to exhibit some Arizona dates. I understand that the Senator from Arizona is exhibiting California dates, and I wanted to know if the Senator from California would return the courtesy, and on what day we might expect him to do so.

Mr. PHELAN rose.

Mr. ASHURST. Let him pass around California wine. [Laughter.]

Now, Mr. President, I must proceed. I do not want to take too much time, but I wish to be heard for a moment on this question. Let me say again that this item is the appropriation under which was discovered the practicability of planting and cultivating in this country the Egyptian cotton, and for every dollar that the Government has appropriated for purposes carried in this item the income-tax returns, mark you, are each year twenty times the amount of the appropriation. In other words, for every $100,000 that was invested by the Government for such purposes the Government receives annually $2,000,000 in income taxes.

These Smyrna figs which I now exhibit are figs of the drying type, such as are grown about Smyrna, in Asia Minor, and also in California and somewhat in Arizona. This type of fig begets no fruit unless the flowers are pollinated by a minute wasp—the so-called fig insect—which carries the pollen from the caprifig to the cultivated Smyrna fig when in flower.

The insect was introduced into California by the Department of Agriculture in the spring of 1899, and caprifig orchards were established by the Bureau of Plant Industry in order to enable

Smyrna fig growers to be sure of a supply of the indispensable fig wasp when their orchards came into bearing. The present production is about 500 cars a year and is rapidly growing. Thousands of acres of new plantings of Smyrna figs are being made every year.

These sample figs are of the Lob Ingir variety, sometimes called Calimyrna, and were grown at Fresno, Calif., cured in the best California process perfected by Mrs. Fred Hansen.

For several years the Department of Agriculture has been testing a number of crosses of varieties of citrus fruits, and has produced, for example, the Sampson Tangelo and the Thornton Tangelo, a fruit which is a cross between the orange tangerine and the grapefruit. This fruit has a pale, orange-colored juice and highly flavored pulp. It may be eaten out of hand like a tangerine, but is better when halved and eaten like a grapefruit. Moreover, there is no tendency to squirt its juice into a human eye when a spoon is inserted into its segments.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from North Dakota?

Mr. ASHURST. Certainly.

Mr. GRONNA. I realize, as do all the members of the committee, having had this item under very careful consideration, that it is a very important item, and a very wonderful showing has been made both in California and in Arizona. Will not the Senator reduce the amendment which he has offered from $10,000 to $5,000? So far as the committee are concerned, we will have no objection to allowing the $5,000 to go to conference.

Mr. ASHURST. Mr. President, that is kind on the part of the chairman, and, of course, I am glad to agree to that. I will ask leave, therefore, to modify my amendment so as to strike out "ten" and insert "five."

Mr. SMITH of South Carolina. Mr. President——

Mr. ASHURST. I yield for a minute.

Mr. SMITH of South Carolina. I just want to ask the chairman of the committee what amount we allowed? As I see it, we increased the amount $5,000 over the House item.

Mr. GRONNA. Yes.

Mr. SMITH of South Carolina. What is the amount that the representative of this interest asked for when he appeared before us?

Mr. GRONNA. The representative asked for $15,000 more. The committee gave him $5,000 more.

Mr. SMITH of South Carolina. And now the Senator's proposition is to agree, as far as he may under the circumstances, to $5,000 additional?

Mr. GRONNA. Yes; so as to increase the appropriation $10,000 above what the House allowed.

Mr. ASHURST. Mr. President, I ask unanimous consent at this point to include in the RECORD a pamphlet by Mr. Walter T. Swingle, with respect to these fruits, and other memoranda and pamphlets on the subjects to which I have referred.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

THE FIG IN CALIFORNIA.

(By Walter T. Swingle, physiologist in charge of Plant Life History Investigations, United States Department of Agriculture.)

SOME POINTS IN THE HISTORY OF CAPRIFICATION AND IN THE LIFE HISTORY OF THE FIG.

As some of my hearers may not be familiar with the figs of the Smyrna type, I shall preface my remarks with a short account of this remarkable fruit tree.

OUTLINE OF THE LIFE HISTORY OF THE FIG.

The fig, like the cottonwood, the carob, the pistache, and some others, exists in two forms, male and female. The female trees alone bear fruit, and the male trees, or caprifigs, as they are called, produce pollen, which when carried to the flowers of the female trees cause the fruits to set and fertile seeds to develop.

From this point on, the complications begin that make the life history of the fig one of the most interesting chapters in natural history. The pollen is carried from the male flowers of the caprifig tree to the female flowers of the ordinary fig tree exclusively by a very small wasplike insect, the *Blastophaga psenes*. The fig tree is absolutely dependent on the visits of this insect for a crop of seeds, and in its turn the *Blastophaga* can live and breed only in the caprifigs. This mutual dependence, or symbiosis as naturalists call it, is one of the most striking cases known and dates back to somewhat remote geological epochs.

The caprifig tree bears fruits that at first sight much resemble ordinary figs, and which, though seldom edible, finally soften and fall off. If a caprifig be cut open before it ripens fully it will be seen to be full of grains that look much like seeds. These grains are minute galls, each one of which contains a fig insect. Finally, when the insects are ready to cut their way out of the galls, the mouth of the caprifig opens and a ring of male flowers, situated just below, begins to shed pollen abundantly. The female *Blastophagas* (which alone issue from the caprifigs) get coated with this pollen as they crawl out and carry it to the female flowers which line the young budding figs on the female trees. The dusting of the female flower with pollen causes the fruit to set and to bear fertile seeds.

Now, the caprifig tree in order to support the *Blastophaga* must bear a succession of caprifigs; in most fig-growing countries there are three generations of caprifigs, called, respectively, the winter, spring, and summer generations, often known by the Neapolitan names—*mamme*, *profichi*, and *mammoni*. Though it is a deciduous tree, the caprifig must carry a crop of nearly ripe but dormant caprifigs through the winter on its bare branches.

The true nature of the fig and caprifig trees as outlined above has been obscured by the fact that many varieties of the female or ordinary fig tree bear abundant crops without any pollination, and hence the *Blastophaga* is not needed in growing such varieties (which happen to be just the ones which alone are grown in central and northern Europe and in the New World). Ordinary figs are analogous to navel oranges, which, having no pollen, likewise produce fruit without being pollinated, and, like navel oranges, have no fertile seeds.

It was only when the culture of Smyrna figs was attempted in this State, a quarter of a century ago, that it was realized that something was wrong, and it was only 18 years ago that it was finally proved that figs of this class set no fruit unless pollinated.

In the orchards about Smyrna, in Greece, about Naples, in Algeria, in Portugal, and in many other localities in the Old World caprifigs containing *Blastophagas* ready to come out are suspended in the branches of the fig trees to facilitate the transfer of pollen by the insect. This operation is called caprification.

ANCIENT HISTORY OF CAPRIFICATION.

The operation of caprification dates back to remote antiquity. Already in the time of Herodotus, in the fifth century B. C., caprification was so well known as to be used as a self-evident example in explaining (falsely, as it happened in this case) the artificial pollination of the date palm as practiced in ancient Babylon.

Aristotle, in a little-known chapter of his History of Animals (bk. 5, ch. 26), written about 340 B. C., gives a short account of the process that could scarcely be improved to-day. He said:

"The fruits of the caprifig contain small animals called *psenes*. These are at first small grubs, and when their envelopes are broken, *psenes*, which fly, come out; they then enter the fruits of the fig tree and the punctures they make there prevent these fruits from falling before they are ripe. So the countrymen take the trouble to put branches of the caprifig in the ordinary fig trees, and also plant caprifigs near the common fig trees."

Theophrastus, a pupil of Aristotle, gave a still fuller account of the operation, and was the first writer to mention that some sort of figs set fruit without being caprified. All of the later Greek and Latin writers on natural history refer to caprification as a well-known horticultural process.

Recent studies of Solomon Reinach, the celebrated oriental scholar, go to show that caprification was very well known in the earliest Greek times before written history began. His researches led him to think that in the earliest times there was a sacred mystery play—a cult of the fig tree and of caprification analogous to the Eleusinean mystery play—in which the wheat head played the principal rôle. He thinks that the word sycophant, still a part of all modern languages, originated in these rites, and was, indeed, applied to the priest who at the critical moment during the ceremonies showed the fig branch (*syco*=fig, *phanein*=to show) just as the analogous priest, the hierophant, in the rites of Demeter, showed the wheat head. The cult of the fig he supposes to have degenerated in early times, so that the sycophant, once respected and feared, came to be a cheap charlatan; hence, the modern significance of the word. If Reinach's views are correct, the cult of the fig must have been of great antiquity for it to have become degenerated and almost forgotten before the classic Greek period.

Again, in ancient Rome, there are traces of important ceremonies that date back to the semimythical times of Romulus and Remus wherein caprifig branches were in a midsummer festival (about the time caprification would be practiced in that latitude). Now caprification is unknown in central Italy, and has doubtless been forgotten for many centuries about Rome (the great naturalist, Pliny, did not have any personal knowledge of caprification), yet at the very dawn of history we find signs that caprification was once practiced there.

Strabo, the great Greek geographer, attended school when a lad some 2,000 years ago near the present town of Aidin, the center of the Smyrna fig industry. Now, Strabo reports that in his day the figs of that region were highly esteemed and brought the highest price in the markets. This record goes to show that fig culture has been the principal industry in this region for two millennia, the oldest fruit industry of which we have any record, for the date orchards that were the admiration of Herodotus at Palmyra and Babylon perished ages ago.

These few examples suffice to show that in beginning the practice of caprification the fruit growers of California are reviving an operation older than the record history of mankind.

HISTORY OF CAPRIFICATION IN CALIFORNIA.

As noted above, it was not until the culture of Smyrna figs was attempted in California as a result of Mr. G. P. Rixford's introduction of cuttings, in 1880 and 1882, that it was realized that something was lacking, and not until Mr. George C. Roeding, in 1890, and Dr. Gustav Eisen and Mr. E. W. Maslin, in 1891 (Dr. Gustav Eisen informs me, since this lecture was delivered, that as early as 1874 his attention was called to the necessity for caprification for figs of the Smyrna type by Dr. John Bleasdale, a Catholic priest, who had been educated in Portugal, and who was familiar with caprification. Becoming convinced of the need of caprification, Dr. Eisen read a paper before the Fruit Growers' Convention as early as November, 1885, describing the operation. His views led him into a controversial correspondence with Dr. H. H. Behr, of the California Academy of Sciences, during the years 1881 to 1885. The artificial pollination of Smyrna figs was discussed as a means of proving the necessity for caprification, then strenuously denied by Behr and many others, including Mr. E. W. Maslin. Dr. Eisen "had no opportunity of trying direct pollination (from want of caprifig pollen) until 1891, in the last days of July." At his request, Mr. E. W. Maslin accompanied him to the orchard of James Shinn at Niles, Calif., where pollen from a "Bulletin" caprifig tree (introduced in 1880 or 1882 by Mr. G. P. Rixford) was transferred to young Smyrna figs, causing them to "come to perfection as large, ripe and luscious figs, in every way perfectly developed, with numerous perfect seeds." The experiments of Dr. Eisen at Niles were, therefore, the outcome of discussions begun many years before, first, artificially pollinated Smyrna figs that it was proved that caprification was absolutely necessary with this type of figs. This new California point of view was first published in convincing form by Dr. Gustav Eisen in a bulletin of the California Academy of Sciences issued January 11, 1896 (Eisen, Gustav, Biological Studies on Figs, Capri Figs and Caprification, in Bull. Cal. Acad. Sci. (2) 5: 897-1003, Jan. 11, 1896), which attracted wide attention both in this country and in Europe. It should be noted that after the elaborate investigations of Gasparrini made at

Naples from 1845 to 1865, which resulted in his denying the efficacy of caprification, botanists and educated men generally the world over had come to consider caprification to be merely a peasant's superstition analogous to the hanging of horseshoes in favorite fruit trees to make them fertile.

The result of Eisen's memoir was to change all this and convince the scientific world that caprification was after all no idle folly, but a vitally necessary operation in the culture of drying figs of the Smyrna type. As I shall show later on, the successful introduction of the *Blastophaga* into California was brought about largely through Dr. Eisen's memoir.

INTRODUCTION OF BLASTOPHAGA INTO CALIFORNIA.

The first introduction of the *Blastophaga* was made by H. E. Van Deman, then pomologist of the Department of Agriculture, who, in the spring of 1890, imported caprifig cuttings from Asia Minor, some of which had fruits attached from which issued the first fig insects ever seen in the New World. Some of these cuttings, and doubtless some of the *Blastophagas*, were sent to California.

The second introduction was made in the spring, and the third in the summer, of 1891 by Mr. James Shinn, of Niles, who received from a missionary resident in Smyrna caprifigs from which the insects issued after arrival. They failed to get established, though they were liberated in a large "Bulletin" caprifig growing on Mr. Shinn's place at Niles.

The fourth introduction was made in 1892 by Mr. George C. Roeding, of Fresno, who received from Mr. Thomas Hall, of Smyrna, in June and July, several shipments of caprifigs from which *Blastophagas* issued but failed to get established.

The fifth introduction was made in the early spring of 1895 by Mr. George C. Roeding, who received from Mr. Anthony C. Denotovitch, then traveling in Asia Minor, a package of caprifigs in good condition, from which, however, the insects never issued.

The sixth introduction was made in March and April, 1898, by me. I was studying caprification at Naples at the time, and sent a number of packages of caprifigs to the Department of Agriculture at Washington, D. C., from where they were forwarded to Mr. George C. Roeding at Fresno. The earliest shipment reached Fresno on April 15, but though the *Blastophagas* came out, they failed again to establish themselves.

The seventh and last, the finally successful introduction, was made by me in March, 1899, when I sent from Algiers a number of packages of caprifigs, the first of which reached Mr. George C. Roeding on April 6, 1899. These insects entered the young caprifig buds on a number of trees bred there and established themselves permanently in California.

HISTORY OF THE FINAL AND SUCCESSFUL INTRODUCTION OF BLASTOPHAGA INTO CALIFORNIA.

(In this sketch I have not considered the introduction of the fig insect, which occurs in the wild figs of Mexico, as these insects can not live in the caprifig.)

As there has been some misunderstanding as to how my introductions came to be made, I thought the fruit growers of this State would perhaps be interested to know just how they happened.

I spent the spring of 1896 in Naples, and while there had the pleasure of making the acquaintance of Prof. Paul Mayer, one of the foremost European students of caprification. I was busy with other work at that time, however, and did not attempt any detailed work on the fig.

However, in March of 1898 I was again in Naples, where I enjoyed the facilities of the International Zoological Station through the courtesy of the director, Prof. Anton Dohrn. In the meantime I had read Dr. Eisen's memoir on caprification, and happening to see the operation being carried out on a caprifig tree a day or two after my arrival, I decided to study anew the whole subject of caprification in a region where it was a standard horticultural practice. At that time I had never been in California, and all I knew about California conditions I learned from Eisen's paper. I was abroad on leave of absence, paying my own expenses, and undertook the work wholly on my own initiative and at my own expense. During the course of my work I never received any suggestions from California or from anywhere in America, for the simple reason that I did not myself know when I sailed, early in March, just what I would do at Naples, and after I went into the work there was not time for any letters to reach me, even if any had been sent. I had at that time not yet seen the now famous letter of the State board of trade, signed by Mr. E. W. Maslin, Mr. J. A. Filcher, and Mr. B. N. Rowley, and received no instructions from the Secretary of Agriculture or anyone else. I am forced to make this public disclaimer in view of the mistaken statements that have been published in this State as to the inception and conduct of my work.

While working at Naples I did have the benefit of the advice of Prof. Paul Mayer and of Count Solms Laubach, also a famous student of figs and caprification.

After looking into the matter for a few days I decided to try to send the *Blastophaga* to California in the firm winter generation caprifigs, which could be shipped in March, when the weather at Naples was still cool. My first shipment, containing caprifigs whose cut stems had been waxed and which were wrapped simply in tin foil and shipped by samples post, was sent to Washington and reshipped from there, reaching Mr. George C. Roeding in Fresno on April 15. Insects issued from the caprifigs, and as soon as I learned this I was sure I could succeed in establishing the *Blastophagas* by my method, for I had found, on studying the matter, that there was a great range in the time of ripening of the winter generation caprifigs, which could be had all the way from the oases of the Sahara Desert to Botzen, in southern Tyrol. I did not hope to strike the right season in California the first time, and as a matter of fact the winter generation caprifigs from Naples and Smyrna ripen too late in spring to reach California at the proper time.

In July, 1898, I entered the service of the newly established section of seed and plant introduction, of which Mr. David G. Fairchild was in charge.

My letter of instructions from Secretary of Agriculture James Wilson authorized me to continue my work on caprification, and accordingly, in March, 1899, I went to Algiers, where, with the amiable cooperation of Dr. L. Trabut, Government botanist of Algiera, I soon found abundant caprifig trees laden with the nearly ripe winter generation caprifigs. I shipped them in the same manner as the spring before, and my first shipment reached Washington, D. C., on March 31, when it was reshipped by Dr. L. O. Howard, reaching Mr. George C. Roeding on April 6. A caprifig tree at Fresno was covered with cheesecloth and the insects liberated inside the tree.

Little attention was paid to the tree after this until June 23, 1899, when Mr. John C. Jones in collecting pollen from caprifigs for the artificial fertilization of a few Smyrna figs found a caprifig containing male *Blastophagas* and still unopened galls containing female *Blastophagas*. Of course, the tented tree was now given immediate attention. Most of the insects had escaped, but a few caprifigs were found still full of *Blastophagas*, some more were found on an adjoining tree and a few in distant parts of the orchard, proving that some of the insects had escaped from the tent when liberated in April and had found other caprifig trees, in which they had bred.

The insects managed to get established in the summer generation caprifigs, and by November 10, when I visited the orchard, thousands of *Blastophagas* were present and were then entering and laying eggs in the young buds of the winter generation caprifigs. During the following year, 1900 (from the middle of March to the end of September, 1900, Mr. E. A. Schwarz, a most competent and conscientious entomologist and naturalist, stayed at Fresno studying the *Blastophaga* and caprification. These studies, published in part only in Dr. L. O. Howard's paper "Smyrna Fig Culture in the United States" (Yearbook, U. S. Department of Agriculture, 1900, pp. 79–106, pl. 1–8), are the most complete ever made on the life history of the fig insect, and have also cleared up many points in the natural history of the fig and caprifig), the *Blastophagas* were abundant enough to be of use in caprifying and producing the first crop of figs ever produced by the splendid Smyrna fig orchard which had been for many years kept up at a total loss—a standing monument to Mr. Roeding's faith in the ultimate success of the industry.

I might say that after making my first efforts to introduce the *Blastophaga*, in the spring of 1898, I received many suggestions, but neither the California growers nor the entomologists of Washington had any faith in my system, being of the opinion that a small tree covered with caprifigs should be dug up and shipped over. The trouble was, as I soon found, that it was impossible to find young and small caprifig trees bearing winter generation caprifigs. Only large trees bore them, and the expense of moving them would have been enormous.

Another drawback, not realized by its adherents, of this plan is that for reasons to be given later only rarely, if ever, can the *Blastophaga* breed the year around on a single tree, and the chances of its living in a tree weakened by a long voyage would be almost nil. The net result of sending over a large rooted tree bearing winter generation caprifigs would therefore have been merely to land the *Blastophaga* in this country. It would still have had to seek breeding places in other caprifig trees, so that, after all, nothing more would have been accomplished than by sending a half dozen caprifigs wrapped in tin foil by samples post at a cost of a few cents.

"It's an ill wind that blows nobody good," and one good result of the lack of faith in my method of introducing the *Blastophaga* and subsequent neglect of the infected tree was that the principal parasite, or, rather, messmate of the fig insect, *Philotrypesis ficaria*, which in the Old World often takes up one-third or even one-half the space in the caprifigs (and which can not caprify the figs at all), failed to get established in this country, so California has the only simon-pure colony of *Blastophaga* in the world. It would be a calamity if any further introductions were made, as there would be grave risk of introducing *Philotrypesis*, which, if once here, could not be exterminated.

NEW POINTS IN THE LIFE HISTORY OF THE FIG AND CAPRIFIG.

In a lecture on caprification, delivered before the Marine Biological Association at Woods Hole, Mass., on August 14, 1899, and again in a paper published in October, 1899 ("The Dicœcism of the Fig in its Bearing upon Caprification," in Science, new series, vol. 10, pp. 570–574, No. 251, Oct. 20, 1899), I called attention to the fact that the *Blastophagas* that issue from the spring generation caprifigs (in June in most countries) enter the young budding figs of the female or fertile fig tree, though they can not breed or even lay their eggs there. However, if the female *Blastophaga* were intelligent enough to discriminate between the budding caprifigs in which she can deposit eggs and the ordinary fig buds in which she can not, then no figs would be caprified, no seeds would be formed, and soon the fig species would die out, and with it the *Blastophagas*, that can breed only in the caprifig.

EXPLANATION OF THE BREAK BETWEEN THE SPRING AND SUMMER GENERATIONS OF CAPRIFIGS.

Just here is to be found the explanation of the decided break that all observers have noticed between the ripening of the spring generation caprifigs (*profichi*) and the budding out of the young summer generation caprifigs (*mammoni*). This break is so pronounced that when I began studying caprification one very acute observer, who had spent several years studying horticulture in countries where caprification was practiced, assured me that I must seek some other host plant for the *Blastophaga* at this critical season, and suggested that it would be found breeding in some of the bushes that clothe the hills in the Mediterranean region. The ink-gall insect, somewhat related to the *Blastophaga*, does go from one species of oak to another in its home in Syria.

However, already in 1882 Dr. Paul Mayer had pointed out that the insects that issue from very late *profichi* or late varieties can enter the very first *mammoni* buds to push on the earliest varieties of caprifigs. (Mayer, Paul, Zur Naturgeschichte der Feigeninsecten (The Natural History of the Fig Insect) in Mittheilungen a. a. Zool. Station zu Neapel, 3 : 551–590, pls. 25, 26, Nov. 4, 1882.)

Countless thousands of *Bastophagas* do, however, come out of the spring generation caprifigs too early to enter even the earliest summer generation caprifigs (*mammoni*), though just in season to enter and pollinate the young buds on fertile fig trees. (It was a realization of this fact which caused me to rely entirely on winter generation caprifigs (*mamme*) in attempting to introduce the *Blastophaga* into this country. They arrive early in spring, and, if sent at the right time, find abundant spring generation caprifigs in receptive condition, whereas the spring generation caprifigs if shipped to California arrive just during the break between the spring and summer generation of caprifigs and stand a very small chance of finding a breeding place. Then, too, such spring generation caprifigs must be shipped during hot weather, whereas the winter generation caprifigs make the voyage in March. When I began to ship the winter generation caprifigs to California I found there was no adequate realization here of the great advantage of sending this generation rather than the more abundant and better known spring generation.)

BLASTOPHAGAS FORCED TO ENTER YOUNG FRUIT OF THE FERTILE FIG.

Natural selection has, therefore, brought about that even an intelligent *Blastophaga* would find no suitable caprifig to enter, but must finally in desperation crowd into an ordinary fig bud, propelled, doubtless, by a powerful instinct prompting it to deposit its eggs.

The break between the spring and summer generations of caprifig fruits has, therefore, the object of compelling the *Blastophagas* to enter

and pollinate the young buds of the fertile fig tree, then pushing in the greatest abundance.

It must be remembered that in a state of nature wild fig trees of both sexes would grow intermixed and that the break between the spring and summer generations of caprifigs would in the absence of artificial caprification be a powerful aid in causing the fertile trees to be pollinated.

Now, in orchard culture of figs of the Smyrna type, where all caprification is performed artificially, the female *Blastophagas* have no choice but to enter the Smyrna fig buds. In commercial fig culture it would be an advantage to have caprifig trees that did not show any break between the spring and summer generations of insects, as it would be much easier to keep up a full supply of the *Blastophaga*.

NEW TYPE OF CAPRIFIG TREE ORIGINATED BY MR. E. W. MASLIN.

By a most curious coincidence, within a few days after I first thought out this point, in August, 1906, and communicated it to Prof. S. C. Mason, who was then studying caprification in California, he found just such a caprifig in the Maslin orchard, at Loomis, Placer County, Calif.

In 1885 Mr. E. W. Maslin planted the seeds of the best grade of Smyrna figs to be obtained in the market. Several hundred of these seedlings were set out in orchard form on his place at Loomis. This orchard was not a commercial success, and it was soon noticed that many of the trees were more like caprifigs than Smyrna figs. In the fall of 1899 I found several promising caprifigs there, and in the summer of 1906 Prof. Mason found a very curious variety, a sort of hermaphrodite tree, that had enough of the qualities of a caprifig to support the *Blastophaga* and enough of those of the fertile fig tree to produce an abundant crop of summer generation buds just as the spring generation caprifigs were ripening. It also bears numerous fertile seeds mingled with the insect-bearing galls.

By planting this variety among the other caprifigs the *Blastophaga* will be able to breed uninterruptedly throughout the year and not, as is now the case, almost completely die out in midsummer.

THE CAPRIFIG ORCHARD.

It is clear from what has preceded that *Blastophagas* has a very much better chance of breeding in a special caprifig orchard composed of a number of varieties. Some sorts of caprifigs not particularly valuable for use in caprification may, nevertheless, be extremely valuable in furnishing suitable breeding places for the insect at some critical season, as, for instance, the new variety noted above from Mr. Maslin's seedling fig orchard.

Since March, 1898, I have realized the importance of securing all obtainable varieties of caprifigs, and this object has been kept steadily in view ever since. A number of caprifigs were secured by me in Naples in 1898 and others in 1899 in Algeria, Greece, and Asia Minor, and in 1901 Mr. Carl S. Scofield made a special trip to the fig region in the Kabylie Mountains of Algeria to secure the many caprifigs that occur there. I secured some of the Italian sorts in 1902. In the meantime the Maslin seedling orchard has pointed out a way to obtain still more and ultimately still better sorts.

BREEDING NEW AND SUPERIOR FIGS AND CAPRIFIGS.

There is nothing to indicate that the Smyrna type of fig is very highly bred or very widely different from the wild type of figs. On the contrary, among even the few dozen edible figs secured by Mr. Maslin, there are several that are equal, if not superior, to the commercial Smyrna variety.

This being the case, there is every reason to expect to secure very superior varieties of drying figs and of caprifigs by growing large numbers of trees from seeds of the best varieties pollinated by all the different caprifigs. It must be remembered that the hereditary character of the caprifig comes into play in this breeding work, and that we might as well expect to improve the grade of Durham cattle with a scrub bull as to breed new and superior types of drying figs while using a poor type of caprifig. The heredity character of caprifig can be seen only in the offspring, so we are forced to try as many different caprifigs as possible in the hope of securing one that yields progeny of the highest order of excellence. This is another reason for securing all obtainable varieties of caprifigs, as it by no means follows that the caprifigs best adapted for artificial caprification on a commercial scale will be those yielding the best new sorts among their progeny.

NEW TYPES OF FIGS TO FIT AMERICAN CONDITIONS.

It is confidently expected that within a few years many of the several thousand seedling figs now growing will have fruited, and that comprehensive plans will be matured that will permit of the breeding of types of figs and caprifigs especially well adapted to American conditions. In such work use will be made of the 17 species and subspecies of figs of the Carica group known to botanists. Some of these wild figs are hardy in the climate of Washington and others are extremely drought resistant. In other words, the improvement of the fig has only just begun and fig culture is still in its infancy in this country.

THE MASLIN SEEDLING FIG ORCHARD AT LOOMIS, CALIF., AND ITS BEARING ON THE SMYRNA FIG INDUSTRY OF THIS COUNTRY.

By Walter T. Swingle, physiologist, plant life history investigations, Department of Agriculture.

I had the pleasure of presenting to the Thirty-fourth Fruit Growers' Convention, held at Riverside last spring, a paper (Some Points in the History of Caprification and in the Life History of the Fig, by Walter T. Swingle. In the official report of the Thirty-fourth Fruit Growers' Convention of the State of California, held at Riverside, Calif., Apr. 28 to May 1, 1908, pp. 178–187. Sacramento, Calif., 1908) on the history of the caprification of the fig, in which I referred to interesting new varieties of caprifigs that have originated in the seedling fig orchard planted by Mr. E. W. Maslin at Loomis, Placer County, Calif., some quarter of a century ago.

Since then I have spent some time investigating this remarkable fig orchard, and it is my purpose to give you briefly the principal results of this study.

The planting of the Maslin fig orchard: In 1885, when Mr. Maslin first started out to grow Smyrna figs from seeds, true Smyrna figs of the standard variety, Lob Ingir, had been growing in California for five years, the cuttings having been introduced by Mr. G. P. Rixford for the San Francisco Bulletin, through Consul E. J. Smithers, of Smyrna. These trees had borne no fruit, and many believed that the Smyrniots had not sent the regular Smyrna fig at all, but had maliciously substituted some sterile and worthless variety. It was while the matter was in this state that Mr. Maslin resolved to grow some true Smyrna figs from seed. We now know that the failure of the Bulletin Smyrna fig trees to bear fruit was due to the absence of the *Blastophaga*, or fig insect, but in 1885 the need for caprification was not recognized by anyone except Dr. Gustav Eisen.

Mr. Maslin gave an account of the planting of this orchard in a paper read before the twelfth session of the California State Fruit Growers' Convention, at Fresno, Calif., November 5, 1889, and I can not do better than quote those portions of his article giving the history of the plantation up to 1889:

"In the spring of 1885 I bought in San Francisco a box of the largest Smyrna figs I could find and sowed the seeds in a hotbed, letting the growth remain until 1888, when the trees were planted on a hillside in deep, warm, granite soil. They made a wonderful growth, the trunks being from 4 to 6 inches in diameter and the trees 10 to 15 feet high. They have never been irrigated, but have been cultivated. They have borne this year an abundance of fruit, while it remains on the trees not matured. The figs are about the size of a pigeon's egg, the receptacle well filled with flowers, but so far I have not observed any seeds. My impression is that the forces of the trees have been expended in making wood instead of fruit.

"Determined to have the best fig in the country, I wrote, in January, 1886, to H. K. Thurber, of New York, one of the leading importing merchants in the United States, requesting him to obtain for me a box of the very best Smyrna figs, telling him my purpose. He replied as follows:

"NEW YORK, *February 1, 1886.*

"The best grades of Smyrna figs are sometimes described as 'Eleme,' 'Imperial,' 'Choice Layers,' or 'London Layers.' I have ordered sent to you a box of 'Imperial,' which are the best in the market. There is no charge for them. I should be only too glad if in your wonderful soil and climate you should successfully raise a fig equal to the Smyrna fig.

"Very respectfully, yours,

"H. K. THURBER."

"The seeds of these figs I sowed in a hothouse; fully a month elapsed before there was a sign of growth. Later in the spring of 1886 the young trees were transplanted to a nursery and planted in rows 2 feet apart and 8 inches apart in the rows, and immediately covered with straw to shield them from the sun. They received no irrigation. In the spring of 1887 they were set out in orchard 25 feet apart, hexagon or triangular form. They were allowed to grow as many branches and trunks as came for the purpose of inducing extensive root growth. In the spring of 1888 they were cut down close to the ground, and of the sprouts which came, one, the strongest, was selected, and the others removed. As the stem or trunk grew, the lateral branches were pinched back, but not removed; pinched only that the stocky growth might shade the trunk, and not allowed to grow that the forces of the sap might be concentrated to make a leading shoot and a stocky trunk. * * *

"These trees bore fruit this year upon the wood growth of 1889. I have 10 acres planted altogether, 7 acres of the sowing of 1886, and 3 acres of the first sowing. The fruit did not drop, but remained on the trees until the late storm. A few days after the storm began I found on four of the trees about a dozen perfectly ripe figs. They were about the size of a pigeon's egg, cuneate or wedge shape, but rather flatter than the White Adriatic, with a short stem. Their color was a lively yellow, the flesh amber, decidedly sweet. The other and immature fruit was well packed with tissue, and except that it was green did not differ in appearance or shape from the ripe fig.

"One fact to which I wish to call attention, and a very important one in relation to the necessity of caprification, is that the leaves of all the fig trees grown from the seed obtained from Mr. Thurber are identical in type. There is not the slightest indication of the cross-fertilization by the wild fig, such as wild or scraggling growth or difference in the color of the bark. The growth of the tree is very upright, and the color of the wood is the same. The small size of the ripe fruit I ascribe to the lateness of maturing and the growth of the tree. I have brought with me some of the leaves of the trees which bore the ripe figs, to which I invite your attention."

From his manuscript notes and orchard plats, kindly placed at my disposition by Mr. Maslin, I am enabled to supplement in a few particulars the account he published in 1889. In the first place, the 7-acre orchard planted with seedlings of the Thurber figs in quincunx was so severely injured by a very heavy pruning given in 1890 that it was abandoned, and all the trees are now dead. However, a tract of about an acre was planted in square with seedlings of the Thurber figs alongside of the 2 acres planted the previous year with seedlings grown from figs purchased in San Francisco. In all, 100 trees were planted in 1886 and 53 in 1887. Of these 153 seedlings, 147 are alive now and 139 are bearing trees.

Recent history of the Maslin fig orchard: Mr. Maslin continued to take notes on these trees until the summer of 1891, by which time it had become apparent that these seedling trees would not yield edible figs in commercial quantities. This was because these figs are all of the Smyrna type, and require caprification in order to set fruit. Partly because of these expensive experiments, Mr. Maslin found his ranch unprofitable, and about this time disposed of it, no further care being given to the orchard for more than a decade. In 1893 Mr. Gustav Eisen found gall flowers and male flowers in the fruits of one of the Maslin seedlings, which must, of course, have been a caprifig. In the late autumn of 1899 I made my first visit to the orchard in company with Mr. Maslin, and in photographing the larger trees, noted the presence of a very promising caprifig, which has since proven to be one of the best in the orchard. In the spring of 1899 I had sent the *Blastophaga* from Algiers, which became established in Mr. George C. Roeding's orchard at Fresno. A year or two later Mr. Roeding noticed the Maslin orchard from the car window while riding through Loomis on the train. He then took steps to introduce the *Blastophaga* into the orchard, sending profichi full of insects ready to emerge to Mr. J. C. Mazal, whose father was then the tenant on the Maslin ranch. In examining the trees carefully a few days after the profichi had been suspended in the trees, Mr. Mazal was surprised to find that the *Blastophaga* was already established in the orchard, being found by him in two caprifig trees, both, curiously enough, bearing purple profichi, and the only two bearing purple fruit at this time. The *Blastophaga* were found by Mr. Mazal ready to issue in three profichi on the two trees, so, of course, they must have developed from eggs laid by the *Blastophagas* that entered in early spring, long before the profichi were sent from Fresno. Mr. J. C. Mazal is of the opinion that the *Blastophaga* reached the orchard from Mr. Van Lennep's place at Auburn, some 12 miles to the northeast, where the *Blastophaga* had been introduced the year previously. It has since been found that the *Blastophaga* is able to spread to considerable distances, probably by being caught and car-

ried by strong winds. Since preparing the paper I have received a letter from Mr. Van Lennep that throws some light on the history of the introduction of the *Blastophaga* into the Maslin orchard at Loomis. The part of the letter concerning this matter is as follows:

"AUBURN, CALIF., *January 18, 1903.*

"Mr. WALTER T. SWINGLE,
"Monterey, Calif.

"DEAR SIR: Your letter of January 7 is before me. The caprifigs containing *Blastophaga* were sent me by Mr. George C. Roeding in April, 1901, since which time they have been established here.

"Possibly those found by Mr. Mazal before receiving from Mr. Roeding were blown from here, as we know they have been carried in that direction half that distance to trees taken from our nursery.

"My [caprifig] trees were from cuttings sent me from Smyrna by my brother, Reinhard Van Lennep, Dutch consul in Smyrna (my native city), in the spring of 1884.

"For years they set abundance of fruit, but would fall to the ground at a certain size, as did also the Erbili, until the insect was obtained.

"Yours, respectfully,

"DAVID VAN LENNEP."

As soon as the *Blastophaga* was introduced into the Maslin orchard it was seen that there were valuable caprifigs among the seedlings. Accordingly the chaparral, that at the time of my first visit in 1899 had nearly choked out some of the trees, was now cleared away, and the fig trees were pruned and cultivated by Mr. L. May, who had leased the ranch from November 1, 1903, on. Mr. Roeding sent a man to Loomis to attend to the packing and shipping of the profichi crop during the two seasons he rented the orchard from Mr. May. Considerable numbers of mamme, or winter generation caprifigs, were also sent to Fresno by Mr. May. During the past two summers the orchard has been rented to an Armenian, Mr. K. Arakelian, interested in fig culture at Fresno, and in 1908 no fewer than 452 boxes, each containing 20 pounds of caprifigs, were shipped from the Maslin orchard to Fresno. Of these, 21 boxes were mamme gather in April, and the rest profichi harvested at the end of June or early in July.

Maslin fig orchard leased by the Department of Agriculture: As a result of an investigation made in the spring of 1908, I found that exorbitant prices were being charged for profichi and mamme, and many fig growers had become doubtful as to the possibility of ever growing an adequate supply of *Blastophaga* on their own places, because of rumors as to the dependence being placed on imported caprifigs by the Fresno growers. If the part played by the Maslin seedling fig orchard had been explained publicly by those who knew about it, there would probably have been no such deep-seated distrust aroused. As it was, I found many of the growers were discouraged, and some had even dug up orchards of Smyrna figs just coming into bearing, because they were uncertain as to ever being able to get profichi when they needed them to caprify their trees, or without paying exorbitant prices.

This being the state of affairs, it was decided by the Bureau of Plant Industry to lease the Maslin seedling fig orchard and place it at the disposal of the Smyrna fig growers of this country. This was accomplished largely through the good offices of Mr. Andrew Ryder, of Loomis, and since November 1, 1908, the orchard has been in the possession of the Department of Agriculture.

Valuable new varieties of figs and caprifigs found in the Maslin orchard: In August, 1906, Prof. S. C. Mason, of the Bureau of Plant Industry, had found very promising Smyrna figs among the seedlings, and at his request Mr. Ryder cured a few sample figs from half a dozen of the best trees in September, 1906. I was very much impressed with the quality of some of these dried figs, and in September, 1908, I made a trip to Loomis to be able to see these figs in the fresh state, and to make observations on the possibility of curing them on a commercial scale. Mr. G. P. Rixford very kindly gave me the benefit of his experience by looking over with me the new varieties found in the Maslin orchard. Of the 130 trees in bearing, 74, or slightly over half, are caprifigs, and 65 are Smyrna figs. A number of these edible figs are very promising new varieties. At least 1 in 10 of these figs is worthy of careful trial with a view to commercial culture, and at least 2, and possibly more of them, show a very valuable characteristic not known in any fig of the Smyrna type now cultivated—the fruits become sealed automatically as they ripen.

The Rixford self-sealing fig: The best studied of these self-sealing varieties I have named the Rixford, in honor of Mr. G. P. Rixford, who first introduced Smyrna figs and caprifigs into California. It is a medium-sized, thin-skinned fig, with light amber-colored pulp of good flavor. As it ripens a drop of pellucid gum gradually hardens in the mouth of the fig, effectually sealing it against filth, beetles, and all other insects. This variety does not sour, because the germs that cause fermentation can not effect an entrance. The tree is very fruitful, and is of immense size; 2,600 cuttings were taken from it in the fall of 1908 without crippling it seriously. These cuttings are available for free distribution throughout the country, as will be explained below.

Another self-sealing variety was discovered on October 20, 1908, by Mr. A. H. Brydges, of Loomis, because its fruits had withstood without injury two soaking rains that had ruined the fruits of all other varieties growing in this part of the orchard.

The Maslin orchard a capital breeding place for *Blastophaga:* Probably the greatest value of the Maslin orchard lies in the fine assortment of caprifigs it contains. A score or more of these caprifigs are valuable for planting in Smyrna fig orchards to provide a breeding place for the *Blastophaga.* Some of the new caprifigs are valuable because of their large profichi full of insects and pollen; others, as was noted in my paper read at the Riverside meeting last spring, because they support the fig insects in midsummer, when few can find lodgment on the ordinary varieties of caprifigs; still others are of value in producing mamme very late in spring, when they are very useful in infecting profichi buds that push late. All of these varieties are available for free distribution on the same terms as the new fig.

It may be readily imagined what a splendid breeding place for *Blastophaga* is made by the Maslin orchard, containing, as it does, 74 different varieties of caprifigs, and being the largest caprifig plantation known in the world.

Distribution of young seedling figs by the Department of Agriculture: In view of the remarkably large proportion of valuable figs and caprifigs that have been found among the seedlings planted by Mr. Maslin, it becomes evident that the Lob Ingir (Bulletin Smyrna, Commercial Smyrna, Calimyrna) fig is not a highly bred variety, but is, doubtless, merely a chance seedling that originated in the Meander Valley in Asia Minor perhaps many hundreds of years ago. The foothills in the vicinity of Aidin have been celebrated for the high quality of the figs they produce for at least 2,000 years.

The Bureau of Plant Industry has grown several thousand seedling figs from the best obtainable Smyrna figs, including the Lob Ingir and the Rixford varieties, and these 1-year-old pot-grown trees are now available for free distribution to all who apply. In order to encourage the planting of seedling figs, and thereby the breeding of new varieties of figs and caprifigs especially well adapted to California conditions, the Department of Agriculture will give one cutting of a new fig or new caprifig from the Maslin orchard for every three seedling figs set out at least 25 by 8½ feet apart. Those who plant out seedling figs under these terms will be considered as cooperating in the fig breeding work of the department, and will be preferred in the distribution of new varieties that may be originated in the experimental fig orchards of the Bureau of Plant Industry, besides receiving all publications on fig culture of fig varieties to be issued by the bureau. Cuttings from the Maslin seedling fig orchard will be sent only to such cooperators.

Mamme and profichi from the Maslin orchard placed at the disposition of fig growers: One of the chief objects of the Department of Agriculture in leasing the Maslin orchard was to prevent anything like a corner in caprifigs. The mamme and profichi produced by the orchard will, for the present at least, be placed at the disposition of fig growers who do not have enough profichi to caprify their own orchard, and who wish an additional supply for their own use and not for sale. So far as possible mamme will be sent in small boxes by mail free of all charges, but the profichi must be shipped by express, and the grower must arrange to gather them himself, or else pay the caretaker the actual cost of picking and packing. Cooperators who have planted out seedling figs will be preferred in the distribution of mamme and profichi.

Names of all fig growers desired by the Department of Agriculture: A concise circular and a fuller bulletin are being prepared for distribution to fig growers by the Bureau of Plant Industry. These publications will give detailed information as to how to grow caprifigs, and will explain fully how to secure the new figs and caprifigs as a bonus for planting seedling figs.

All fig growers are therefore requested to send at once their names and full addresses to the Department of Agriculture in Washington, so they can be placed on the mailing lists to receive the circulars mentioned above.

Now, the reason I wish to speak to you is just this, that in view of the fact that the ranch is offered for sale, that it is leased for only a single year at a time, it was uncertain as to the future of this orchard, and the Department of Agriculture has taken over a lease of this seedling fig orchard and will run it for the benefit of the fig growers of California; that is to say, the cuttings of the valuable caprifigs will be distributed to fig growers under certain conditions, and those who need a supply of the fig insects will be furnished free of charge. Those who wish to use the caprifigs for caprifying their orchards can obtain them at the actual cost of picking, packing, and shipping. When I tell you that 452 boxes, weighing 20 pounds each, were shipped last season, you will realize that quite a large bulk is involved, too large a bulk for the department to ship free of all charges; but for the growers who need these caprifigs for their own use—not for sale—they will be furnished at the actual cost of picking and packing.

Now, as to the condition under which the Government will do this. Years ago I was shown conclusively that it is necessary to maintain an abundant supply of fig insects that have an abundant assortment of male figs. It is not sufficient to buy one or two of the best caprifigs—that is, the largest insects and the most pollen—you must have those, too, but you must also have other varieties in which the insect can live throughout the other months of the year. Every fig grower should plant in his orchard a small caprifig orchard. They can be planted thickly, and he should have at least 8 or 10 varieties. We have been for years collecting in the Old World cuttings of all the best-known caprifigs. We have 65 varieties in the orchard at Loomis. These cuttings of capri trees will be distributed free to all growers throughout this State and other States upon application, upon this condition, that for every fig tree they receive they agree to plant out 10 seedling fig trees, which the department will furnish free of all cost. To tell you why I make this condition, it is to prevent the miscellaneous request for free trees with which we would be overwhelmed otherwise; and, secondly, to encourage the planting of seedling fig trees. Mr. Rixford and I have been fortunate in having been able to make an investigation of the fig trees in Mr. Maslin's orchard, and we assume that at least 10 per cent of these figs are excellent new varieties of high value; that is, I mean edible figs. At least 10 per cent of the caprifigs are also very satisfactory varieties. So, in asking the grower to plant 10 seedling trees, we are not asking him to throw his money away but to carry on one step further the experiment Mr. Maslin made years ago; and I think you will find it interesting to watch these new varieties as they come into bearing. They can be planted rather thickly. I am making this announcement primarily to ask the fig growers in this State to send their names and addresses to Walter T. Swingle, Bureau of Plant Industry, United States Department of Agriculture, Washington, D. C., in order that they may receive circulars giving the exact conditions of this distribution and explaining in detail why we are leasing this orchard.

Now, I want to ask the permission of the chairman that Mr. Rixford explain something of the value of the variety of edible figs found in this orchard. I am not myself an expert on edible figs. I want to say just one word, which I am sure your chairman will be interested in. Through chance we have secured the finest strain of the fig insect there is in the world. I say this because I visited the fig centers of the Old World several times, and all through there the fig trees are infested by two fig insects, the *Blastophaga,* the true fig insect, and the *Philotrypesis,* which occupies a space that the fig insect should have occupied. In some places in north Africa I found that more than one-half the insects were these worthless *Philotrypesis,* the messmate of the *Blastophaga,* and the value in the Old World is partly governed by the value of this insect. Fortunately, in California we have simon pure strain of *Blastophaga.* It has no parasite; and I wish to make this public announcement to discourage any further attempt to introduce new *Blastophaga* from the Old World, an attempt fraught with the danger of introducing the *Philotrypesis.* We have countless millions of *Blastophaga* in the State. There is, of course, no earthly reason for reenforcing. I give this as a warning to not reimport the fig insect.

Mr. ONSTADT. When were those insects introduced up here at Maslin's place?

Mr. SWINGLE. They were introduced by Mr. Roeding, I think, in 1891. That is a few miles up the road. They were introduced a few years later to Mr. Maslin's place through Mr. Mazel, then the tenant; but in putting the insects on the trees Mr. Mazel noticed that there were a few insects there. They had extended from another place about 13 miles away.

Mr. ONSTADT. I am about 35 miles away from Maslin's. How did the insects get there?

Mr. SWINGLE. They were blown through the air. It is an insect which can stay in the air for several hours.

President JEFFREY. I would like for Mr. Rixford to make it clear what trees are benefited by this. There are some fig orchards, of course, where there is no use for the insect.

Mr. RIXFORD. Speaking of caprifying different varieties of figs, Dr. Swartz in 1893 at Fresno found several varieties that do not actually require caprification were greatly benefited when caprified. There is a certain flavor to the seeds which contain the kernels that is beneficial to the fig as an eating fig. You perhaps may not be aware that in all of the ordinary California figs that do not require caprification the seeds are empty shells, contain no kernels, and will not germinate. I have gathered recently about 60 varieties of seeds from the London horticultural collection, and a large number of those had not been caprified—the seeds would float on the water—and those that were growing in the neighborhood of the capri trees were all heavy, so it was very easy to tell the fertile ones from the infertile ones. We have given considerable attention to the Loomis orchard, and have found several varieties that are of superlative merit. There is one fig in particular which Mr. Swingle's sharp eye detected first. It is a fig that he calls a self-sealer. We found that the figs laying upon the ground—those that had been caprified—generally had the eye quite open, so that after lying on the ground a short time beetles of different kinds entered them, laid their eggs, and in a few days they were full of maggots. There are two trees here in the fruit of which the opening is stopped up by a little drop of sirup. We have an idea that it may be quite an advantage to propagate that variety. I have some samples here of two of them. These figs have undergone no treatment; they are just as we picked them off the ground.

Mr. SWINGLE. I might say that the ordinary fig with the open mouth is entered by all kinds of insects, and frequently it carries bacteria. This fig is protected. I have been asked if cuttings of this variety can be obtained under the terms and conditions I spoke of. They can. I will state that we will distribute a limited number of the cuttings of this variety. This is the Rixford fig, named in honor of Mr. Rixford, the first to introduce the Smyrna fig into this State. In regard to the pistache nut, we sent an expert to Sicily, who got the first commercial varieties of pistache nuts. The entomologist at Washington discovered a new—and, they believed, a very dangerous—pest, a beetle burrowing in the buds, and no shipments were allowed to be sent out. We dug up trees, and they were shipped back to Washington and repotted. Out of the 500 we only saved 6 or 8; and I make this explanation. You will obtain them. We have some up at Chico; they are growing rapidly, but we are, unfortunately, unable to supply the buds at the time stated. It was the discovery of this unknown pest, which had not been known in the world at all.

TANGELOS: WHAT THEY ARE—THE VALUE IN FLORIDA OF THE SAMPSON AND THORNTON TANGELOS.

[United States Department of Agriculture, Bureau of Plant Industry, crop physiology and breeding investigations.]

For a number of years the Department of Agriculture has been testing a large number of crosses between different varieties of citrus fruits, one of these crosses (between the tangerine orange and the grapefruit) producing a new type of fruit, which has been named the tangelo. As a class these fruits resemble round oranges more than either of their parents and are exceedingly variable, sister fruits from seeds of a single cross-pollinated fruit often being very unlike. Second-generation seedlings, however, reproduce the parent variety almost as closely as though grown from a bud of the parent tree.

Two well-recognized varieties of these fruits have been thoroughly tested and for a number of years past have been distributed to cooperators for further trial. These tangelos are called the Sampson and the Thornton. They have been grown in a small way only and, until recently, chiefly for home use. Failure to appreciate their proper stage of maturity has served to disappoint many who have experimented with this new type of fruit. When eaten before fully ripe the fruit is disappointing, the flavor being disagreeably acid. It colors up early and externally appears mature long before it is really ready for consumption.

The Sampson tangelo is under normal conditions a decidedly late fruit, maturing in Florida about the time of the Tardiff orange, through March, April, and May. The Thornton is considerably earlier, the time of ripening, however, seeming to vary in different sections, though it usually is not mature before January or February. Some trees, however, have lately come to notice, the fruit of which is distinctly early, ripening in November and December.

As commercial plantings are being made at several places in Florida, it is important that citrus growers should have a clear understanding of the characteristics of the two types now available.

The Sampson tangelo is a slightly pear-shaped, thin-skinned, smooth, and shining fruit, of variable size, though usually larger than an average orange, pale orange in color, with a rather acid, sprightly flavored, aromatic, soft, and juicy, deep orange-colored pulp. If properly grown and picked when fully mature, it is a delicious fruit. It is liable, however to dry out on one side before fully ripening, a fault assumed to be due to sun scald. This tendency will probably preclude its culture on an extensive scale except by experts for a special market. It has in some cases been necessary to throw away as culls a large percentage of the crop of this variety even in the regions where it grows best. There is some evidence going to show that the tendency of the fruit to sun scald is less pronounced in occasional trees. Care should be taken to secure bud wood from such trees for further propagation.

The Thornton tangelo is of a different type—a rather rough, thick-skinned fruit of good size, with light or very pale orange-colored juice and sprightly flavored pulp. It has little acidity and resembles a tender, good-flavored orange more than a grapefruit or tangerine. When fully ripe it is so tender that extra care may be necessary in packing it for shipment. In this regard and in its rather free rind it resembles the tangerine. It may be eaten out of hand, like a tangerine, but is doubtless better when halved and eaten like a grapefruit. It requires no sugar, and the pulp is so tender it can be removed with a spoon without cutting the segments; moreover, there is little or no tendency for the juice to squirt when the spoon is inserted in the segment. While the Thornton fruit is not as attractive in appearance as the Sampson, it is milder in flavor and by some is preferred on this account. The fruit of both sorts should receive thorough spraying to produce clean, bright tangelos. Citrus scab is especially disfiguring on the Sampson tangelo, which seems to be rather susceptible to this disease. All foliage affected with scab should be carefully pruned away.

An early-maturing tangelo of good quality is desirable to furnish a supply throughout the shipping season and in some locations to avoid the danger of freezing before maturity. Buds from the early Thornton trees referred to above will be thoroughly tested in different localities to see if this tendency is inherent or due to local conditions. With the large number of similar hybrids still to be fruited, there is little doubt that desirable fruits will be obtained, ripening throughout the whole season, from November to July.

The success of these first two hybrids, using the tangerine and grapefruit as parents, has led to the creation of hundreds of additional hybrids between all the Mandarin types of oranges, including several varieties of tangerines, the King and Satsuma oranges, and the better types of grapefruit and pummelo. Among the tangelos resulting from such crosses are some of much promise, but further testing is necessary before any of these can be recommended for general planting.

For the canker-infested portions of the Gulf Coast States west of Florida there is reason to believe that some of these tangelos will be found of marked canker resistance. These will serve as substitutes for the very susceptible grapefruit largely grown for home use in this region. Tests now being made at the College of Agriculture, Los Banos, P. I., using a large number of tangelos supplied from material under test in this country, show a wide range of susceptibility, some of the tangelos being apparently canker resistant.

The fact that the Natsu-mikan, a fruit similar to a tangelo and possibly a spontaneous hybrid of an orange of the Mandarin type with a Japanese pummelo, seems to be decidedly canker resistant both in Japan and in this country confirms the belief that canker-resistant tangelos may be with reason expected from Mandarin-pummelo crosses, especially when one or, preferably, both of the parents are canker resistant, as would be the case with a cross between the Satsuma orange and the Hirado pummelo.

Hybrids between canker-resistant pummelos and other citrus fruits were made in Japan in 1915 and subsequent years through the cooperation of several of the imperial and provincial agricultural experiment stations. The resulting crosses are being tested for canker resistance both in Japan and in the Philippine Islands.

WALTER T. SWINGLE,
Physiologist in Charge.
T. RALPH ROBINSON,
Crop Physiologist.

Approved:

WM. A. TAYLOR,
Chief of Bureau.

APRIL 18, 1918.

MEMORANDUM IN REGARD TO THE ESTABLISHMENT OF THE DATE INDUSTRY IN THE SOUTHWESTERN UNITED STATES.

Twenty years of experimental work in cooperation with the State experiment stations of Arizona and California have shown that the hot irrigated valleys of the Southwest are well adapted to commercial date culture. For 10 years date culture was problematical and no marketable dates ripened. Just at the beginning of the Great War marketable dates began to be produced in both the Coachella Valley in California and the Salt River Valley in Arizona, but because of the war this promising new industry attracted little attention. At the present time the date industry is attracting much attention and abundant capital stands ready to push this new fruit industry just as fast as the experimental work of the Department of Agriculture blazes the way.

In many ways the date palm is unique. It stands large amounts of alkali in the soil, is not affected by hot winds or sand storms, and is strikingly adapted to culture under extreme desert conditions, provided water for irrigation is available. On the other hand, the date palm reproduces with extreme slowness and the best varieties produce on the average only a dozen offshoots during the whole lifetime, producing only one or two a year until the offshoot bearing age is past. In the second place, the date palm can not, like all other fruit trees, be budded or grafted. If the wrong variety is planted the trees must be dug up at great expense and destroyed and offshoots of better varieties set in their place.

This new industry is in a critical condition, therefore, having been proven to be adapted to the Southwest, but having unusual handicaps which interfere with its power of rapid expansion which are not inherent to any other fruit industry.

Preliminary experiments give promise that new methods of rooting offshoots will make possible considerably greater offshoot production, and at the same time experiments in date breeding have shown the possibility of originating new and very choice varieties especially adapted to local conditions, provided the single choice trees so produced can be multiplied rapidly until plantings can be made on a commercial scale. Also it is very desirable to introduce under proper safeguards additional choice offshoots from the Old World, since substitution later on is impossible. The right variety must be planted at the start.

In the present stage of the date industry in the United States the $10,000 increase requested for this work in the appropriation for the Office of Crop Physiology and Breeding, Bureau of Plant Industry, is really to be considered as a high-class investment. There can be no doubt that from now on the money invested in the scientific study of the date industry will revert to the Federal Government in tenfold amount in the form of income-tax returns.

This same Office of Crop Physiology and Breeding 10 years ago established in the Southwest the Peruvian alfalfa through scientific investigation. This alfalfa yields two more cuttings than the ordinary alfalfa grown in the Southwest and is rapidly replacing all other varieties in this region. This same office, in cooperation with four other offices of the Department of Agriculture, established in the Salt River Valley the culture of Pima cotton, the longest-fibered Egyptian cotton in the world.

In the case of the Peruvian alfalfa and the Egyptian cotton the returns to the Federal Government in the form of income taxes exceed each year twentyfold the total cost of the work by the Department of Agriculture. It will undoubtedly prove to be true also in the case of the date palm, and it is not economy, but rather the reverse, to withhold the small amount necessary to push this industry and establish it on a flourishing basis in the next few years.

There is every reason to expect the date industry to grow rapidly until a capital of from twenty-five to fifty million dollars is invested. It will supply the whole of America with the cleanest and best dates that are to be found in any part of the world and will prove beneficial not only to the growers but to the consumers as well.

JANUARY 19, 1921.

MEMORANDUM ON NEW TYPES OF CITRUS FRUITS.

Experiments in the breeding of citrus fruits which have been under progress for the last 10 years have shown beyond question that it is possible to originate new types of citrus fruits and of stocks upon which to graft citrus fruits which are better adapted to the soil and climatic conditions than any of the citrus fruits or stocks now grown commercially. This type of work is particularly important for Arizona and Texas and California, where the attempt is being made to grow citrus fruits under unusual conditions—that is, where the climate is exceptionally dry and the soil markedly deficient in humus.

The Sampson tangelo is a sample of one of the new types of citrus fruits being originated by cross breeding. It is a hybrid of the grapefruit and tangerine, but is quite different from either parent, and has, where it can be grown, proved to be extremely profitable to the grower and very popular with the consumer.

The work on breeding new fruits is carried on in the office of Crop Physiology and Breeding Investigations. The work of bud selection of fruits which have entered commercial culture is carried on in Investigation and Improvement of Fruits, particularly by Mr. A. D. Shamel, stationed at Riverside, Calif., and the investigation of the limiting climatic factors, the understanding of which are so highly important in successful orange culture in Arizona and the hotter parts of California, is carried on by the office of Biophysical Investigations. All three of these offices are in the Bureau of Plant Industry.

Crop Physiology has been allowed $5,000 increase out of $20,000 asked for in the estimates; Investigation and Improvement of Fruits has been allowed no increase out of $26,800 asked for, of which $15,000 would go to Mr. Shamel for his bud-selection work; Biophysical Investigations has been allowed the full amount asked for, $32,500.

FEBRUARY 5, 1921.

The PRESIDING OFFICER. The amendment of the Senator from Arizona, as modified, to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. In lieu of the sum proposed to be inserted by the committee, on page 20, line 5, it is proposed to insert "$61,860."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Agriculture and Forestry was, beginning at the top of page 26, to strike out:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required in the city of Washington and elsewhere, $360,000. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same session been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. SHEPPARD. Mr. President, I renew the amendment I offered shortly before adjournment on yesterday. It is an amendment to which I believe the chairman of the committee said he had no objection.

Mr. GRONNA. May we have the amendment stated?

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 27, line 8, it is proposed to amend the text of the part proposed to be stricken out by inserting, after the words "Delegates in Congress," the words "and the Resident Commissioner of Porto Rico."

Mr. GRONNA. I will say to the Senator from Texas that I believe that amendment ought to go in, regardless of whether the seed provision is restored or not, because we ought not to discriminate against Porto Rico.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, the same amendment should be made at two other places in the part proposed to be stricken out.

After the word "Delegate," in line 16, page 27, I move to add the words "or to the Resident Commissioner of Porto Rico."

The amendment was agreed to.

Mr. SHEPPARD. And on line 25, page 27, after the word "Congress," I move to insert the words "and to the Resident Commissioner of Porto Rico."

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on striking out the House provision as amended.

Mr. KENYON. Mr. President, a parliamentary inquiry. The Senate committee proposes to strike out the House provision. Is not the question on adopting the Senate amendment? I am trying to get at the parliamentary situation.

The PRESIDING OFFICER. The parliamentary situation is that the question is on striking out the House provision as amended.

Mr. THOMAS. Mr. President, is the amendment now pending the one which is designed to restore the seed provision?

Mr. GORE. To strike it out.

Mr. THOMAS. I shall vote "aye."

Mr. HARRISON. Mr. President, for several years the House has placed this item in the bill. The Senate generally comes along and strikes it out, and then the matter goes to conference, and I know of no time when the Senate has had its way about it. It has always acceded to the wishes of the House, and the bill then became a law, and the people of the country got their free seeds.

I see no reason in sending the matter to conference. There is no use in trying to economize by keeping these seeds from the farmers. We have heard a great deal about the farmers at this session of Congress. A great many Senators thought it would aid the farming element a great deal to pass a so-called emergency tariff bill here, which was a species of hypocrisy the like of which has never been seen in Congress before. Now you propose to take away from the farmers a small pittance of seeds that they have received before. I am opposed to that kind of hypocrisy and that kind of economy.

Yesterday we passed a bill to loan to the farmers in the drought-stricken areas of the Northwest some money with which to purchase seeds—a very appropriate piece of legislation. I see no wisdom in appropriating $5,000,000 to loan to farmers in drought-stricken areas to purchase seeds and then eliminating from this bill a provision for the purchase of seeds to be sent to farmers everywhere.

I am in favor of treating the farmers all over the country alike; and it seems to me that the Senate committee's recommendation in this matter should be overruled, and that we should incorporate this seed provision in this bill, because in the end we know that the Senate will have to accept the provision.

Mr. GRONNA. Mr. President——

Mr. HARRISON. I yield to the Senator.

Mr. GRONNA. The Senator is consistent. He opposed striking out this provision in the committee——

Mr. HARRISON. Yes.

Mr. GRONNA. And of course he has the right to oppose it now.

The Senator asked if it was consistent to appropriate money for the purchase of seeds for farmers. The Senator would not for a moment allow the seeds which we were supposed to purchase under the bill passed yesterday to be shipped either by mail or by express. The Senator knows that we are paying out enormous sums of money because these seeds go through the mails. I believe that we could help the farmers a great deal more by furnishing them rare and valuable seeds from some other source; and I want to say to the Senator, as chairman of the committee, that if I am appointed one of the conferees I shall insist that the free-seed provision shall stay out of the bill.

Mr. HARRISON. I am opposed to that. I hope we will not instruct the Senator from North Dakota and his colleagues in conference to insist on striking the provision for these seeds from the bill and withhold them from the farmers of the country. It is very little we can do for them in appropriating this seed money, and let us do this small thing. Let us not have Congress adjourn and have anyone say we did nothing for the farmers.

Everybody seems to concede, at least on the other side of the aisle, that the so-called emergency tariff bill will not become a law. It is said in the newspapers that a great many of the Senators on the other side voted for the so-called emergency tariff bill because they thought the President would veto it, and that it therefore could not become a law.

Mr. BORAH rose.

Mr. HARRISON. Of course, the Senator from North Dakota never said that, and the Senator from Idaho did not say that.

Mr. GRONNA. If the Senate should instruct the conferees to keep the provision in the bill, of course there would be nothing else for the conferees to do than to insist that it should remain in the bill.

Mr. HARRISON. I am very anxious to see legislation expedited in every way, and if we agree to what the House has done, we will be following precedent after precedent of past Congresses and it will relieve the conferees from much discussion.

Mr. GRONNA. When the bill is sent back to the House, it will go to the Committee on Appropriations first, and I believe it is possible to get an agreement with the conferees of the House to leave out this provision.

Mr. HARRISON. I am opposed to that. That is why I want the Senate to instruct the conferees to accept the House bill; because I am afraid that if we get it before the steering committee of the House, which steering committee is made up of gentlemen who live in large cities of the country, we may not be able to do something for the farmers we now have an opportunity to help.

Mr. GRONNA. The committee of the House, of course, left this provision out. I believe it was put in on the floor of the House.

Mr. HARRISON. Yes; the House of Representatives put it in, and it seems to me the Senate should leave it in, so that this Congress will not adjourn and let it be said by the country at large that we have done nothing for the farmers. Let us give them a little pittance of a few seeds, if nothing else. So I ask for a record vote on this proposition.

Mr. CAPPER. Mr. President, I would like to say to the Senator from Mississippi that, as far as Kansas is concerned, the farmers do not want these seeds.

Mr. HARRISON. May I say to the Senator that if Kansas does not want them, and they will give to Mississippi the pro rata part of Kansas, we will take it.

Mr. CAPPER. I would like to read to the Senator a few lines of a communication from the head of the agricultural department of Kansas, Mr. J. C. Mohler. He attaches to his letterhead a clipping from the daily newspaper announcing that the House of Representatives had appropriated $365,000 for seeds, and then he writes:

> If you could have this free-seed provision eliminated, it would be a fine service and a big saving. We think this free-seed distribution is bad business and a waste of funds.

I think he speaks for about ninety-nine out of one hundred of the farmers of Kansas.

Mr. JONES of Washington. The Senator from Mississippi [Mr. HARRISON] has advocated free seeds for the farmers of the country. I simply want to read what some real farmers say.

I have here a letter from the Mayview Farmers' Union, No. 4, present membership 52, their motto being "Justice, equity, and the Golden Rule." This is written from Mayview, Wash., a small country place, and is dated February 3, addressed to the United States Senate, and reads as follows:

> MAYVIEW FARMERS' UNION, No. 4,
> *Mayview, Wash., February 3, 1921.*
>
> *To the United States Senate:*
>
> Whereas commercial depression, poverty, and starvation are abroad on this earth, taxation has reached the limit, and every dollar of public money should be spent for the best purpose possible; and
>
> Whereas the "free distribution of garden seeds" is of very doubtful utility, and under these conditions we would be ashamed to accept them: Therefore
>
> We, Farmers' Union, No. 4, in session to-day (19 present), respectfully and earnestly urge you to defeat the garden-seed appropriation, thereby saving for a more useful purpose the $360,000 cost, the clerical labor placing them in the mail, and the expense of transporting and delivering them.
>
> Unanimously passed.
>
> J. L. HORRELL, *President.*
> C. W. COTTON, *Secretary.*
>
> Presented through the courtesy of Senator JONES.

That, Mr. President, is the voice of real farmers.

Mr. BORAH. I want to ask the chairman of the committee how much this seed distribution amounts to in the way of an appropriation.

Mr. GRONNA. The appropriation carried in this bill is $365,000, but it costs the Government many, many times that for carrying them through the mails. I have not been able to figure out exactly the cost, but it runs into the hundreds of thousands of dollars, because we have to pay for carrying the seeds through the mails.

Mr. TOWNSEND. After we buy the seed.

Mr. GRONNA. We buy the seed for $365,000, but it costs a great deal more than that to transport them through the mail.

I want to say to the Senator from Idaho and to the Senate that the committee thought there was more need for the preservation of our forests throughout the entire country, and the committee increased the appropriation for cooperative work in the saving of the forests from $125,000 to $625,000, so that the increase in the Forest Service is only a little more than the amount appropriated for free seeds.

Mr. BORAH. Mr. President, I have not taken the floor to debate in favor of the free-seeds proposition. I simply desired to inform myself as to how much the Senate could save by cutting out the distribution of seeds, while the Committee on Military Affairs and the Committee on Naval Affairs are contemplating seriously raising the appropriations some $150,000,000.

Mr. SMOOT. Mr. President, I think the Senator from Washington will have to write back to his constituents and tell them that even though the seed distribution item goes out of the bill, the appropriation for paying those who distribute the seed will remain. While the provision for the free seeds is going out, the committee thought that the salary of the man who is in charge of the distributing of the seed should be increased. So they went to work and increased it from $2,500 to $3,000.

Mr. President, I think we ought to cut the item for free seeds out, and I hope it will go out, as far as the farmers are concerned, because the farmers care nothing about it whatever. The only good that can come from it would be the distributing of the seed to the school children of the country, to inspire them to start little gardens, and get them to raising some vegetables instead of playing around and getting into mischief. But in this bill the same expense for distributing the seed is provided for as if they were going to continue the distribution of seed hereafter.

Mr. SMITH of South Carolina. Mr. President, of course it is a matter of indifference to me whether this item stays in or goes out. But I do not think there will be any added expense whatever, under the present machinery of our Government, beyond the $365,000, because our postal regulations are such that the same force which is there now will transmit the seed, and we have so much space rented and engaged on the basis of weight, that is determined when seed are not weighed in. Therefore it will make practically no additional expense.

What I rose to remark is that I do not propose to let pass unnoticed the statement that if this item for free seed is cut out the officer who has charge of the distribution should go. The real truth is that with the provision for free seed cut out we provided that the officer who has the distribution in charge should not only be retained but increased in salary.

I was one who insisted that that should be done, for the reason that we have other seed and rare varieties of trees and shrubs which we provide for. I have had some experience with Mr. Jones, and, as I said yesterday, and I take this occasion to repeat now, it would be an investment on the part of the Agricultural Department to keep such an official as he is. Because of his efficiency and the universal recognition of it, we provided a place for him that would not depend upon the going out of the seed provision. That is the reason we kept him and placed him in a position where his services could be utilized.

Mr. KENYON. Mr. President, for 10 years I have heard very powerful pleas on the floor of the Senate to retain this seed distribution, none, I think, so powerful as the plea in behalf of the farmer just delivered by the distinguished Senator from Mississippi [Mr. HARRISON]. During every one of the 10 years this hoary-headed old graft has marched into this Chamber, and the Senate most of the time has thrown it out. Now it is presented again.

There is not much use talking about economy in this Congress if we are to appropriate $360,000 for such a farce as this free-seed distribution is. It is the laughing stock of everybody who receives any of the seed, and a humiliating thing to anybody who ever plants any of it.

Mr. Jones's salary has been referred to by the Senator from South Carolina. I can see some reason for increasing Mr. Jones's salary, even if we eliminate the seed distribution. Heretofore Mr. Jones has had the delightful association of Members of Congress, rushing to him to find out about beet seed, and turnip seed, and carrot seed. He spent a large part of his time conversing with Members of Congress. That was a delight, and that should be taken into consideration in fixing his salary. He was willing to serve for less in view of that.

Now that we are to take this charming duty away from him it is very proper that, as he is not in the future to have the pleasure of mingling with Members of Congress who are chasing for seeds to send out to their constituents to make them think what they are doing for them, his salary ought to be increased, and I think it is a very proper thing to do, as he is a valuable man.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. KENYON. Certainly.

Mr. KELLOGG. Has the Senator consulted Mr. Jones about this "pleasure"?

Mr. KENYON. No; because I do not send out these seeds. I am reminded of a meeting in my State one time when a Congressman, whose name I will not mention, and I addressed the meeting, and I denounced this procedure of sending out garden seed. I received a letter two days afterwards saying that evidently as I did not want my allotment of seed he would like to have them.

Seriously, however, it seems to me, Mr. President, such a silly performance, with the condition of the Public Treasury, to be sending out, at a tremendous expense, little packages of seed, and then talking about them being for the benefit of the farmer. I am inclined to think the Senator from Mississippi was talking in a Pickwickian way, of which he is such an able master. I hope that the conferees on the part of the Senate this year, especially in view of the fact that the House, if I understand it, only adopted this by 7 majority on the floor, will stand firmly and let this bill fail, if necessary, rather than let this provision stay in. It would add to the respect the people of the United States have for the American Congress, and at least would lead them to think that we were going to save some money, even in small ways. It is about time that the process of economy commence. This garden-seed appropriation has always been a farce and always will be. Let us end it now, once and for all.

Mr. SMOOT. Mr. President, from what the Senator from South Carolina has stated, the inference may be drawn that I am opposed to Mr. Jones. I wish to inform him that I have no opposition to Mr. Jones. I know the gentleman and know him to be a very fine man, but he has had certain duties to perform in the past, and the greater part of those duties, together with the numerous employees that he had under him to perform them, have been taken away largely through the elimination of the seed for distribution. There is no new work put upon him or those employees. The distribution of rare seeds has been going on for years, and has been carried on by Mr. Jones in connection with the seeds that were supposed to go to the farmers and that cost $365,000 a year for the seeds alone. So there is no more work for the future, as far as rare seeds are concerned, than there has been in the past.

I could not help believing that taking that work away from Mr. Jones and his assistants—preparing millions of packages of seeds to be sent to all parts of the country, all the addresses to be placed upon them, and gathered together and sent to the post office, and all that sort of work—should enable us to cut out some of the employees provided for in the past. That is the object I had in saying what I did. I think Mr. Jones could well be used, perhaps, in some other work in the department, and perhaps with greater responsibility than sending seeds out to the farmers. He may be all that the Senator says he is, and I have not any doubt that that is true, but if we are going to relieve the taxpayers of the United States—I say "if," but we have got to do it. I wish to say frankly that there is no "if we are going to do it." We have got to do it or there is going to be trouble in the United States. I think we ought to begin with the small things and carry it up through all the appropriations of the Government and cut out every unnecessary expense. The American people expect us to do it.

Mr. GORE. Mr. President, the history of the seed provision in the House sheds some light on the action of the Senate Committee on Agriculture and Forestry. The House committee in reporting the Agricultural appropriation bill to the House left out the appropriation for seeds. Having left out the appropriation for the purchase of seeds, they also left out the appropriation for Mr. Jones, who is charged with the distribution of the seeds. On the floor of the House the appropriation for the purchase of seeds was restored. I take it that through an oversight the appropriation for Mr. Jones's salary was not restored. So as the bill came to the Senate it contained an appropriation for the purchase of seeds and made no provision for their distribution.

The Senate committee struck out the provision for the purchase of seeds and restored the appropriation for Mr. Jones, charging him with the distribution of rare seeds and plants, a duty which ought to be carried forward regardless of the free garden-seed provision. I think the free garden-seed provision ought to be stricken out, because there are other duties remaining for Mr. Jones to perform, and this provision in his behalf ought to be carried, but we find ourselves in this situation: No one can foresee the eventualities of a conference, and even though the Senate strikes out the provision for the purchase of seeds, if by any chance it should be restored in conference and the Senate should make no permanent provision for Mr. Jones, we would find ourselves in the position of having a provision for the purchase of seeds and no appropriation for any officer to make their distribution.

I think Mr. Jones is a very capable officer, and for my own part I hope that the recommendation of the committee to increase his salary to $3,000 will prevail.

Mr. HARRISON. Mr. President, it is late in the afternoon, and I shall not ask for a quorum nor shall I demand the yeas and nays. I shall content myself with merely asking for a division on the proposition.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

On a division, the committee amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 28, line 24, to reduce the appropriation for general expenses of the Bureau of Plant Industry from "$2,568,770" to "$2,394,235."

The amendment was agreed to.

The next amendment was, on page 29, line 1, to reduce the total appropriation for Bureau of Plant Industry from "$3,067,270" to "$2,895,735."

The amendment was agreed to.

The next amendment was, on page 42, line 5, after the word "lands," to strike out "$50,000" and insert: "$115,000: *Provided*, That not less than $25,000 shall be used for the study of forests on farms and for advising farm owners as to the planting of forest trees, the establishment and care of windbreaks, shelter woods, and woodlots," so as to read:

For silvicultural, dendrological, and other experiments and investigations independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forests and forest lands, $115,000: *Provided*, That not less than $25,000 shall be used for the study of forests on farms and for advising farm owners as to the planting of forest trees, the establishment and care of windbreaks, shelter woods, and woodlots.

Mr. BORAH. Mr. President, I desire to offer an amendment to the amendment. On page 42, line 9, after the word "woodlots," I move to insert:

And provided further, That not less than $15,000 shall be used for forest investigation in Idaho and the inland empire.

Mr. GRONNA. Mr. President, I have no objection to the amendment offered by the Senator from Idaho, but I believe we would have to increase the appropriation, because $40,000 is allotted for experiments at forest stations and $25,000 for the purpose provided in the committee amendment.

Mr. BORAH. Very well. I further move to amend by increasing the amount of the appropriation, on page 42, in line 6, from $115,000 to $130,000.

Mr. WALSH of Montana. Mr. President, I am not sufficiently acquainted with geography to have in mind the exact boundaries of "the inland empire." I should like to inquire of the Senator from Idaho if it includes Montana?

Mr. BORAH. It includes Montana.

Mr. WALSH of Montana. Is this an official designation?

Mr. BORAH. I offered the amendment in the language which was furnished me by the Forestry Bureau. It is particularly for the purpose of maintaining a forestry station at Priest River, from which they make investigations in Montana, Idaho, the Dakotas, and parts of Washington, and so forth.

Mr. WALSH of Montana. I move to amend the amendment offered by the Senator from Idaho by adding the words "including the State of Montana."

Mr. BORAH. I have no objection to having that included, because it is already included in the manner in which it has been explained to me. I intended it to be included.

Mr. SMOOT. Mr. President——

Mr. BORAH. I yield to the Senator from Utah.

Mr. SMOOT. It seems to me the appropriation of $25,000 for the study of forests on farms and for advising farm owners as to the planting of forest trees and the establishment and care of windbreaks, shelter woods, and wood lots is going a

long way. No doubt it was estimated for and asked for, but to me it seems perfectly useless. I know, of course, that it will give employment to as many people as $25,000 will cover, but there are so many other things that ought to be done by the Government which would bring greater returns to the American people than this that I think the Senate ought to hesitate before spending money for this purpose.

It may be that some of this money will be expended in the State of Utah, but, so far as I am concerned, I would not care whether all of it was to be expended there, I would be opposed to the provision at this time. I do not know that it is worth while to ask for a separate vote on the amendment, but I do believe that it is unnecessary, and the expenditure of $25,000 for this purpose during the coming year I do not believe ought to be authorized.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Idaho to the committee amendment, which will be stated.

The READING CLERK. The Senator from Idaho offers the following amendment to the committee amendment: On page 42, line 6, strike out "$115,000" and insert "$130,000," and following the word "woodlots," in line 9, add the following additional proviso:

And provided further, That not less than $15,000 shall be used for forest investigation in Idaho and the inland empire.

Mr. SMITH of South Carolina. May I ask the Senator from Idaho if the expression "inland empire" is a local designation, or is it official?

Mr. BORAH. It is the designation which has come to be applied to a certain territory in the Northwest, and what it means is well understood. I should not have used the language myself; I think it should have designated the particular States, but the Forestry Bureau know their business in regard to it, and they suggested this language. I am perfectly willing for the sake of clarity to mention the particular States. I mentioned Idaho because the Forestry investigation bureau is in Priest River, Idaho, and the inland empire itself, it is well understood, includes certain territory in which they operate from that point. However, if other Senators desire to be more specific I have no objection.

Mr. SMITH of South Carolina. Is it the opinion of the Senator from Idaho that that terminology would better fit the case that he has in mind rather than naming the States?

Mr. BORAH. I think it is preferable to naming the States.

Mr. SMOOT. Mr. President, if the States are named, including the State of Montana, will not that be construed to mean that other States not specifically named in the bill are to be excluded?

Mr. WALSH of Montana. The way in which it is expressed does not make any difference to me.

Mr. BORAH. I could put into the RECORD the letter of the Forestry Bureau, which would show precisely what the appropriation is for and what territory it is expected to cover. It would be an explanation of the language which would not admit of any misconstruction, in my judgment.

Mr. WALSH of Montana. I should be very glad to hear the letter to which the Senator refers.

Mr. BORAH. I said I was going to ask to have the letter inserted in the RECORD. It is very long. Does the Senator from Montana desire me to read it?

Mr. WALSH of Montana. No; I am perfectly willing to take the Senator's statement; but, of course, even the letter would not be an official interpretation of the measure. I think I shall insist upon the amendment which I have suggested, if the language "inland empire" is retained in the amendment, because the term "inland empire," if I have the correct understanding, is one which originated in the city of Spokane, which is supposed to be the capital of the "inland empire," and the interpretation of the term depends upon where one is located. I apprehend very likely that the gentleman who first used the terminology considered tributary to the city of Spokane territory which is clear over in Montana. We in Montana have a somewhat different idea about it. We scarcely regard ourselves as commercial or otherwise tributary to Spokane.

Mr. BORAH. Mr. President, the Priest River Forest Experiment Station covers a certain territory, which has been designated by the Forestry Bureau apparently as the territory of the "inland empire." The way the Forestry Bureau use the terminology and the way the people of Spokane use it may be quite different, but the Forestry Bureau understands it to include certain territory, and a part of it, at least, that I know of is in Montana; but if we include Montana, of course, we must include the other States, and I would not know just exactly how to designate them.

Mr. McNARY. Mr. President, I think there is some force in the argument presented by the Senator from Montana [Mr. WALSH]. Of course, I am interested in experimental work to be conducted in sections of my State, but the term "inland empire" never has included the territory lying west of the Cascade and Sierra Nevada Mountains and would not reach that part of the States of Oregon, Washington, and California which is densely covered with a growth of trees and the particular section which needs reforestation. If the Senator from Idaho conceives this amendment to include all of the northwestern section of the country, I think he is greatly mistaken, and I would not want the amendment to refer to the State of Montana without also including Utah, Oregon, Washington, and California.

Mr. BORAH. Very well, we will put in those States instead of "inland empire."

Mr. McNARY. And North Dakota also should be included.

Mr. BORAH. What I am more particularly after is the $15,000. [Laughter.]

Mr. HENDERSON. I will ask the Senator why exclude Nevada?

Mr. JONES of Washington. I suggest that we insert "in the United States."

Mr. BORAH. Of course, the experiment station at Priest River under the operation of the Forestry Bureau covers certain territory, and I do not know whether or not it includes Nevada, but if the Senator from Nevada wishes Nevada included we will also put in Nevada.

Mr. OVERMAN. Mr. President, may I ask the chairman of the committee whether or not this appropriation provides for the establishment of forestry experiment stations wherever and whenever the Department of Agriculture thinks they ought to be established?

Mr. GRONNA. Yes.

Mr. BORAH. This particular experiment station is already established and has been running for some time.

Mr. SMOOT. Mr. President, I ask the Senator from Idaho if he will not withhold his amendment, in order that we may vote upon the committee amendment? I recognize there is merit in the Senator's amendment and it ought to be adopted, but I desire to vote against the committee amendment, which provides:

That not less than $25,000 shall be used for the study of forests on farms and for advising farm owners as to the planting of forest trees, the establishment and care of windbreaks, shelter woods, and wood lots.

I should like to have an opportunity to vote on that amendment, because I think it ought to go out. The Senator from Idaho could then offer his amendment to the committee amendment if it is agreed to, and if it goes out he could offer his amendment when the committee amendments shall have been disposed of. Will the Senator from Idaho allow us first to have a vote upon the committee amendment?

Mr. BORAH. Of course, I am in favor of whatever the committee desires, and I will withhold my amendment to the committee amendment if the committee amendment is first to be voted on.

Mr. SMOOT. I should like to have that procedure followed.

Mr. McNARY. Mr. President, I should exceedingly regret if the desire of the Senator from Utah [Mr. SMOOT] should be accomplished by a vote of this body. As a western representative and one interested in tree culture and reforestation, I desire to say that I think it is essential that the fundamentals of reforestation be taught to farmers. It is my opinion that in the future we are going to look to the small wood lots and to the small farms for our timber and our lumber. But very few farmers who live in the Western States or in the pine-growing States of the South, or in the other States, know anything about tree culture. It is a science unto itself.

We must abandon the idea that a tree grows merely because there happens to be a seed thrown on the soil. There must be protection from fires and from certain animals that devastate the young forests. Men must be taught how to cultivate the trees and to protect them from the vandal ways of children. I think the forestry literature which is circulated by reason of this appropriation is doing a very commendable work. I think it would strike at the basis of the great scheme to plant more trees and conserve our forests should we strike out this humble little provision which only appropriates $25,000.

The taproot of the whole scheme of reforestation certainly rests with the individual, the home, and the wood lot. To strike at it now in this small way, in order to save $25,000, would be a matter of regret in the future, in my opinion.

On page 352 of the House hearings on the Agricultural bill for 1922 there is a brief but interesting statement by the department on this subject, which I ask that the Secretary may read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The reading clerk read as follows:

FOR THE STUDY OF FORESTS ON FARMS, ETC.

No. 76, page 136, is a new item, proposing an appropriation of $25,000 for the study of forests on farms and for advising farm owners as to the planting of waste lands with forest trees, the establishment and care of windbreaks, shelter woods, and wood lots, and also the most advantageous marketing of forest products grown upon such farms. The Forest Service has done a considerable amount of investigative work bearing upon farm wood lots and has published its results from time to time in farmers' bulletins, and in other publications designed to give the farmer practical suggestions of taking the best care of his wood lots and also on marketing his products to the best advantage. We have been unable, however, to do nearly as much work of this character as should be done. The farm wood lots embrace about one-third of the entire area of forests in the United States, and particularly in the Eastern States they form an important part of our remaining timber supply. East of the Mississippi River about 40 per cent of the standing timber is attached to farms as a part of farm holdings.

The farmer is the type of timber owner who should be most interested in reforestation, because, as a rule, he represents a more permanent ownership than the lumber company and he has a more permanent interest in keeping up the value of his property.

We have proposed this item because we wish to enlarge the extension work which we have done hitherto from time to time in advising the farmers, by regions, where forest conditions are the same, as to the best method of handling their timberlands and wooded areas which are useful as an adjunct to their property. The field for this sort of work is enormous. We want not only to advise the farmer how to grow trees on his poorer land but also to advise him on the best methds of disposing of his timber after it has grown. The farmer is proverbially a poor timber seller; he does not get the value of his timber, because he does not know what its value is. We have seen from the results of our work hitherto that a large field lies available for practical reforestation if we have the funds to take this matter up. Without this item we can still do something, but we should have a small group of men—14 if this money is appropriated—who will specialize in this field of farm forestry and carry on the work as a continuing project, for it will continue indefinitely. I do not know of any way in which $25,000 could be expended to better advantage to encourage reforestation than under this item.

Mr. SMOOT. Mr. President, the item at the top of page 21 provides an appropriation "for silvicultural, dendrological, and other experiments and investigations," and so forth. That means, of course, the development of trees. That item has been in the Agricultural appropriation bill for many years. All that the Senator from Oregon has said as to the growing of trees and the necessity of it is true, but the department has been carrying on that work now for a long time, and I have no doubt that it will continue to do so for years to come. Every time, however, I hear testimony given to one of the committees of the Senate, for instance, along the line of that we have just heard read by the Secretary, the thought occurs to me that the officials of the Agricultural Department think that the farmer has not sense enough to carry him to the table; that he does not know anything; that he has to have somebody from the department at Washington teach him when to eat and how to eat and how to get what he needs to eat, and what he shall raise and what he shall sell. I do not believe in such rot. I think the farmer of this country is well able to care for himself, and I think he knows just about as much how to raise wood on his farm and when it is necessary to provide a windbreak as does some fellow who is sent out there all the way from Washington to tell him. I do not think the farmer is such an ignorant person as he is pictured to be here; but whenever the department wants an appropriation to do something, and thereby increase the expenditures of our Government, they base their demands on the needs of the farmer.

Mr. President, the Senate can do as it pleases about it, but this appropriation is simply opening another avenue of expenditure, and when it once goes into the bill it will never go out; it will be estimated for like all of the other items that go into such bills every year. It will be said that as it is existing law and was appropriated for the previous year, of course it must be appropriated for again and again.

Mr. President, there are now over $100,000,000 of permanent appropriations that never come before Congress, and, in fact, during the last few years there have been about a billion dollars annually of such appropriations. Nobody ever knows what they are; nobody every inquires into them; they are appropriations to be made year after year, and when they get upon the statute books they never are eliminated. Many of them are hoary with age. I am going in the next few months, if I can find the time, to examine all the permanent appropriations, and I am going to see if many of them can not be eliminated. We do not know to whom we are to-day paying salaries all over the United States to do things that were appropriated for 25 years ago.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question in that connection?

Mr. SMOOT. I yield.

Mr. SHEPPARD. Has a summary of those appropriations ever been published?

Mr. SMOOT. The total amount of them is published.

Mr. SHEPPARD. I mean a summary giving the character of the appropriation, as well as the amount.

Mr. SMOOT. I have never seen a full summary of them. As I say to the Senator, I am going into all the details of them.

Mr. SHEPPARD. I trust the Senator will.

Mr. SMOOT. I started to do it about six months ago, but I found it was a mighty long road to travel; but it has to be done, and I have learned enough already to know that there are appropriations under which money is being paid out every year that we appropriated for by law a quarter of a century ago, and not a dollar of good has come to the country from them.

Mr. PHELAN. Mr. President, does the Senator refer to continuing appropriations?

Mr. SMOOT. Yes; I do. We pass a law here, and as a result of simply putting in the little words "hereafter it shall be," it goes into the permanent appropriations, and the law is signed by the President of the United States and we never think of it thereafter. Even in these yearly bills, when we put a new item into the bill, see how hard it is to take it out?

Mr. OVERMAN. Mr. President, some four years ago I called for a list of these permanent appropriations to be sent to the committee, and a good many of them were stricken out; but since the war I suppose a great many more have crept in, and there ought to be a publication of these permanent appropriations again. Four years ago, as I say, they were called for, and some were cut down as far as it could be done.

Mr. SMOOT. I will say to the Senator that just at the time we were going to do that the war came on and examinations of all kinds ceased, but in studying the appropriations that were reported as permanent appropriations we found items that no man living in the United States, unless it is the man who draws the check, ever thought were being drawn from the Treasury of the United States.

Mr. President, if the Senate wants to begin this, well and good, although the provision itself says it is for silviculture; so I shall not say anything more about it. If the Senate wants to put it in, let it go in.

The VICE PRESIDENT. The question is on the amendment of the committee. [Putting the question.] The Chair is in doubt.

Mr. GRONNA. I call for a division.

On a division, the amendment was agreed to.

Mr. BORAH. Mr. President, I have modified the language of the amendment which I offered and have submitted it generally to the Senators that were interested in the matter as members of the committee, and it seemed to be satisfactory. After the words "wood lots" I propose to add:

Provided further, That not less than $15,000 be used for forest investigation throughout the territory covered by the operations and the work carried on from the Priest River, Idaho, Forest Experiment Station.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Idaho.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 42, line 22, after the word "*Provided*," to strike out the word "*further*," so as to read:

Provided, That not to exceed $50,000 may be expended for the construction and maintenance of boundary and range division fences, counting corrals, stock driveways and bridges, the development of stock watering places, and the eradication of poisonous plants on the national forests.

The amendment was agreed to.

The next amendment was, on page 43, line 2, after the word "forests," to strike out "*And provided*" and insert "*Provided further*," so as to read:

Provided further, That no part of any funds appropriated for the Forest Service shall be used to pay the transportation or traveling expenses of any forest officer or agent except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized by law.

The amendment was agreed to.

The next amendment was, on page 43, line 8, before the word "*further*," to strike out the word "*also*," so as to read:

And provided further, That no part of any funds appropriated for the Forest Service shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article; but this shall not prevent the giving out to all persons, without discrimination, including newspapers and magazine writers and publishers, of any facts or official information of value to the public.

The amendment was agreed to.

The next amendment was, on page 43, line 15, to insert the following additional proviso:

And provided also, That the grazing fees payable under existing law for the use of national forests during the calendar year 1921 may be paid, at the option of the holder of a permit, in two equal installments, the first half of said fees on the 1st day of August, 1921, and the re-

maining half on the 1st day of October, 1921, and in the event of such payments are not made on or before such deferred dates penalties shall be thereafter imposed in accordance with the provisions of existing law.

The amendment was agreed to.

Mr. BORAH. Mr. President, I want to recur to page 42, and ask if there was an amendment adopted increasing the figures from $115,000 to $130,000 in line 6, page 42?

The VICE PRESIDENT. There was not.

Mr. BORAH. I desire to recur to that and offer an amendment to that, if there is no objection. It is necessary in order to deal with the situation as it now is. I offer an amendment to the effect that the figures "$115,000" be increased to "$130,000."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Idaho.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 43, line 24, to increase the appropriation for general expenses of the Forest Service from "$3,924,282" to "$3,989,282."

The amendment was agreed to.

Mr. SMITH of South Carolina. Mr. President, in view of the fact that the amendment of the Senator from Idaho [Mr. BORAH] has been adopted, the $15,000 will have to be added to the total. The total here will have to be so amended as to include the $15,000, or it will not be allowed. I refer to the item at the bottom of page 43:

In all, for general expenses, $3,989,282.

I suggest that the Secretary be instructed to add $15,000 to that total.

The VICE PRESIDENT. The present occupant of the chair has universally held that it is part of the business of the Secretary to correct the totals.

Mr. SMITH of South Carolina. Very well.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 44, line 14, to increase the total appropriation for Forest Service from $6,389,302 to $6,454,302.

The amendment was agreed to.

The next amendment was, on page 45, line 19, after the words "District of Columbia," in line 18, to insert "including cooperation with such persons, associations, or corporations as may be found necessary," so as to read:

General expenses, Bureau of Chemistry: For all necessary expenses, for chemical apparatus, chemicals and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside of the District of Columbia, including cooperation with such persons, associations, or corporations as may be found necessary, for carrying out the investigations and work herein authorized as follows:

The amendment was agreed to.

The next amendment was, on page 46, after line 6, to insert:

For investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish, shrimp, oysters, and other shellfish, and for experimental shipments of these products, for the utilization of waste products, and the development of new sources of food, $20,000;

Mr. SMOOT. Mr. President, I want to call the attention of the Senate to the fact that this item is a duplication of work. In order to be sure of it, I asked for a report on the matter. I have here a letter on the subject, reading as follows:

I desire to suggest the following amendment to the Agricultural appropriation bill (H. R. 15812) reported to the Senate on February 9, 1921. On page 46, lines 7 to 11, inclusive, strike out the following (under Bureau of Chemistry):

"For investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish, shrimp, oysters and other shellfish, and for experimental shipments of these products, for the utilization of waste products, and the development of new sources of food, $20,000."

The Agricultural act for 1921 carried an appropriation of $52,880 for the Bureau of Chemistry—

"for investigating the handling, grading, packing, canning, freezing, storing, and transportation of poultry, eggs, fish, shrimp, oysters and other shellfish, and for experimental shipments of these products, for the utilization of waste products, and the development of new sources of food."

In its estimate for the fiscal year 1922 the Department of Agriculture (Bureau of Chemistry) asked for the appropriation of $52,880 for the same purpose (p. 270, Estimates of Appropriations, 1922).

The House of Representatives, however, eliminated this item in preparing the Agricultural bill for 1922.

The Senate committee inserted in the place of this item the item first quoted above, which limits the work to fish, shrimp, oysters and other shellfish, and reduces the appropriation from $52,880 to $20,000. The committee's report (p. 10) states that the reason for this limitation is that the Bureau of Markets and the Bureau of Crop Estimates have taken over that portion of the work previously performed by the Bureau of Chemistry which relates to poultry and eggs.

It is the opinion of this office that the work lately undertaken by the Bureau of Chemistry of the Department of Agriculture in investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish, shrimp, oysters and other shellfish constitutes an out-and-out duplication of the work of the Bureau of Fisheries of the Department of Commerce. From the organization of the office of the Commissioner of Fish and Fisheries in 1871, the Fish Commission (later the Bureau of Fisheries) has done work of this character. The investigation of problems of preservation and utilization of the products of the fisheries has been recognized as a function of the Bureau of Fisheries from its inception, and an examination of the publications of that bureau reveals that for 40 years it has been giving as much attention to these matters as its limited appropriations would allow. In recent years it has conducted a continuous, intensive investigation into the utilization of the waste products of fisheries and into the development of new sources of aquatic foods. It has all along been conducting experiments in canning, freezing, and otherwise preserving aquatic food products; and not the least of its achievements has been the introduction of improved packing methods in the processes of commerical fisheries in all parts of the country.

The Bureau of Fisheries has a fishery-products laboratory in Washington, D. C., which has facilities for handling investigations in this particular field which are superior to those of any laboratory in the world. The bureau also has another laboratory on the Pacific coast installed to facilitate the handling of similar problems in that territory. The Bureau of Fisheries is not only the proper agency to perform the functions under discussion, considering the organic laws of the Department of Agriculture and the Department of Commerce, but it is, moreover, much better equipped to do this work than the Bureau of Chemistry at the present time.

I am informed that on December 21, 1920, a conference was held between representatives of the Department of Commerce and representatives of the Department of Agriculture, with respect to the overlapping of certain of the activities of the two departments. This conference was attended by the following persons, among others:

For the Department of Commerce: Secretary Alexander; Assistant Secretary Sweet; Dr. Stratton, Director of the Bureau of Standards; and Dr. Smith, Commissioner of Fish and Fisheries.

For the Department of Agriculture: Secretary Meredith; Dr. Alsberg, Chief of the Bureau of Chemistry; and Mr. Taylor, representing the Bureau of Plant Industry.

In the course of the discussion Dr. Smith, Commissioner of Fish and Fisheries, stated that the work being done by the Bureau of Chemistry in the field of fishery technology was the proper function of the Bureau of Fisheries, and that the latter bureau was better equipped for the work than the Bureau of Chemistry. Dr. Alsberg, Chief of the Bureau of Chemistry, agreed that this was the case, stating that he had taken up the work only with the acquiescence of the Bureau of Fisheries and for the reason that the Bureau of Fisheries lacked the funds with which to do the work. He stated, furthermore, that the Bureau of Chemistry was prepared to withdraw from this field if such action was desired by the Department of Commerce. It was pointed out by the Commissioner of Fish and Fisheries that the fact that two governmental agencies were asking for appropriations to do work in this field increased the difficulties of the Bureau of Fisheries in obtaining adequate appropriations for its work; and Dr. Alsberg, Chief of the Bureau of Chemistry, agreed to accompany Dr. Smith, Commissioner of Fish and Fisheries, in appearing before the Appropriations Committees to ask that the appropriation for this work be stricken from the Agricultural bill and given to the Bureau of Fisheries.

In view of these facts, I have suggested that the item in question be eliminated. No additional appropriation for the Bureau of Fisheries will be necessary since the work of that bureau has already been adequately provided for in the sundry civil appropriation bill.

Mr. HARRISON. Mr. President, may I ask whom that letter is from?

Mr. SMOOT. It is from the Chief of the Bureau of Efficiency, who made an investigation of the matter at my request.

Mr. HARRISON. Is it a recent letter?

Mr. SMOOT. It is a recent letter. It is dated just the other day.

Mr. McNARY. What is the date?

Mr. SMOOT. It is dated February 21, 1921.

Mr. HARRISON. Has the Committee on Appropriations ever made an appropriation to carry on this work?

Mr. SMOOT. Yes; it has been a duplication of work in the past.

Mr. HARRISON. In what bill?

Mr. SMOOT. In the sundry civil appropriation bill; and I think it was inserted in the Agricultural appropriation bill at the request of the Senator from Florida, if I am not mistaken.

Mr. HARRISON. This appropriation has been carried for several years in the Agricultural appropriation bill.

Mr. SMOOT. Yes; I am aware of it.

Mr. HARRISON. Then why did the Appropriations Committee provide a similar appropriation for similar work?

Mr. SMOOT. Mr. President, it came before the Appropriations Committee years and years ago when the appropriations were first made for the Bureau of Fisheries. We have already appropriated for this purpose, though, perhaps, not a sufficient amount, as Dr. Alsberg said. It was put in the Agricultural appropriation bill, as I remember, upon the motion of the Senator from Florida, and, of course, when once an item gets in the bill it never goes out.

Mr. HARRISON. But this money has not been appropriated this year.

Mr. SMOOT. No; the House left it out of the bill this year.

Mr. HARRISON. The House did?

Mr. SMOOT. Yes.

Mr. HARRISON. But the Appropriations Committee, either in the sundry civil bill or the legislative bill, has carried an appropriation for this very work?

Mr. SMOOT. Not for the Agricultural Department; but we have for the Bureau of Fisheries.

Mr. HARRISON. To carry on this same work?

Mr. SMOOT. Absolutely the same work.

Mr. HARRISON. How much was that appropriation?

Mr. SMOOT. I do not remember what increase was made; I can not say; but that is where the appropriation ought to be. It is conceded that we have a laboratory here in the Bureau of Fisheries, better than any in the world, and this is a duplication of work, done by two departments of our Government, and it ought to cease in one of the departments.

Mr. HARRISON. Of course, the same work should not be done by both departments, but the work should be carried on in some way, and it would seem to me that the Committee on Agriculture is the proper committee to handle this proposition, and it should be incorporated in the Agricultural appropriation bill.

Mr. SMOOT. Why should we have the Bureau of Fisheries, then? Why not abolish it entirely?

Mr. HARRISON. As I just stated, I think there should be a single appropriation carried for this work; but I was of the opinion, and I am sure the Committee on Agriculture was, that the Department of Agriculture is doing this work in a very efficient manner.

Mr. SMOOT. They are not doing it in the same manner the Bureau of Fisheries is.

Mr. HARRISON. Is that letter all the information the Senator has on the subject?

Mr. SMOOT. Yes; but it is plenty, I think.

Mr. HARRISON. That is one man's view, and the Committee on Agriculture has had representatives of the department before it on this proposition.

Mr. WOLCOTT. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Delaware?

Mr. SMOOT. I yield.

Mr. WOLCOTT. If I caught the reading of the letter correctly, the subject matter of eggs and poultry was originally embraced in this amendment.

Mr. SMOOT. Yes.

Mr. WOLCOTT. The shipping of eggs and poultry, and so forth?

Mr. SMOOT. Yes.

Mr. WOLCOTT. Those two things have been eliminated from the amendment providing for shrimp, oysters, and so on. What particular bureau handles eggs and poultry now?

Mr. SMOOT. The Agricultural Department; but I think that appropriation is in another place.

Mr. WOLCOTT. The Agriculture Department?

Mr. SMOOT. Yes. I want to say to the Senator that this provision was first made, as I stated—I do not know whether the Senator was in the Chamber when I stated it or not——

Mr. WOLCOTT. Yes; I was in the Chamber.

Mr. SMOOT. On a motion from the floor by the Senator from Florida, and at that time it went in the bill for last year, and I think poultry was included in the appropriation that was made at that time.

Mr. WOLCOTT. If I may have the attention of the Senator from Utah, it may be that eggs and poultry were carried under the Fisheries Bureau, and fish carried under the Agricultural Department.

Mr. SMOOT. No; it is not quite that bad, but it would not have been surprising if it had been done.

The VICE PRESIDENT. The question is on the committee amendment.

Mr. HARRISON. I ask for a division.

On a division, the amendment was rejected.

Mr. GRONNA. Mr. President, I give notice that I shall offer this amendment in the Senate, and I shall take time to give the justification of the Department of Agriculture.

Mr. HARRISON. I want to congratulate the Senator from Utah on the spirit of economy he is showing and the great power he is exercising over the Senate in the matter of cutting out a small appropriation of $20,000 which is in the interest of developing new sources of food. That seems to be carrying out the spirit of the Senator, however, in sponsoring recently the alleged emergency tariff bill, which would increase the burdens upon the people of the country in the matter of increased cost of living, and at the same time fighting this bill, which proposes to spend $20,000 to develop new sources of food for the people of the country.

The Senator has read, in justification for striking this proposition out, a letter from some man by the name of Brown. I have looked into this, and I have not been able to find in the sundry civil bill where that provision is carried for this year. If it is not carried in that bill, and if the Senator can not show us that provision—I hope he can—then the Senate would be convinced that this appropriation is not made, and this work not provided for, and then the Senate should make adequate provision for it.

Mr. JONES of Washington. I have here the sundry civil act for this current year. The Bureau of Fisheries is a bureau in the Department of Commerce.

Mr. HARRISON. Yes.

Mr. JONES of Washington. Here are two and a half pages of appropriations for fish stations throughout the country. Then here is an item:

Propagation of food fishes: For maintenance, equipment, and operations of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, $400,000.

I do not remember just what the amount in the pending sundry civil bill is.

Mr. GRONNA. Is there any provision for chemical investigation in the bill? I think the Senator from Utah is somewhat confused over this matter. This item is for chemical investigations. I do not know that there is any such thing in the Bureau of Fisheries as a chemical department.

Mr. JONES of Washington. This provides for investigating the marketing. That surely is not a chemical matter. It provides for packing. That is not a chemical matter.

Mr. HARRISON. It is under the Department of Agriculture, the Bureau of Markets.

Mr. JONES of Washington. But the whole fish proposition is under the Bureau of Fisheries.

Mr. HARRISON. Yes; the fish proposition is under the Bureau of Fisheries, naturally so; but the proposition of marketing the fish and utilizing them for food purposes is under the Agricultural Department, and should be under that department.

Mr. JONES of Washington. Here is a $400,000 item in the sundry civil act.

Mr. HARRISON. Not for carrying out this idea.

Mr. JONES of Washington. Yes; covering the propagation and the distribution.

Mr. HARRISON. That is to care for fish hatcheries throughout the country.

Mr. JONES of Washington. No; there are separate items for fish hatcheries.

Mr. SMITH of South Carolina. This proposition in the Agricultural appropriation bill is for investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish; that is, after they are in a state for food. The proposition the Senator is referring to is for the transportation of live fish, which have been propagated, and are sent out for the purpose of stocking ponds and rivers throughout the country.

Mr. SMOOT. I want to say to the Senator that Secretary Redfield has been many times before the Committee on Appropriations and has shown his samples of fish food, telling what it had saved to the American people, and all of the processes that were discovered by that department through the appropriations made in the sundry civil bill.

Mr. SMITH of South Carolina. I am not aware of that.

Mr. SMOOT. If the Senator from Mississippi doubts that there is an appropriation for this matter, I will read two or three pages of the bill for the next fiscal year.

Mr. HARRISON. I have looked for it, and I can not find it.

Mr. SMOOT. I can find it.

Mr. HARRISON. I hope the Senator can. It would save $20,000.

Mr. SMITH of South Carolina. I want to call attention to the fact that the remarks I made were directed to what the Senator from Washington had said in reference to the Bureau of Fisheries. He has read nothing that substantiates the assertion that an appropriation was made for any such work as is provided for in the Agricultural appropriation bill.

Mr. SMOOT. I will say to the Senator that the work has been going on for a year.

Mr. SMITH of South Carolina. If that can be found, it would be a different proposition.

Mr. SMOOT. One of the provisions in the sundry civil bill for the next fiscal year is as follows:

Propagation of food fishes: For maintenance, equipment, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels, and necessary expenses connected therewith, $400,000.

Mr. HARRISON. Does the Senator think that covers the provision just stricken from the Agricultural appropriation bill? That provides—

For investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish, shrimp, oysters, and other shellfish, and for experimental shipments of these products, for the utilization of waste products, and the development of new sources of food.

It has nothing in the world to do with the item in the sundry civil bill, which merely applies to fish hatcheries and fish-cultural stations.

Mr. SMOOT. Mr. President, the Senator is mistaken. There is a specific appropriation in the sundry civil bill for every fish station in the United States.

Mr. SMITH of South Carolina. Mr. President, the language quoted by the Senator from Utah is identical with the language which the Senator from Washington read, and that $400,000 is for the purpose of securing different varieties of fish, to propagate them in the waters of the United States. Every Senator is more or less familiar with the fact that requests come for different kinds of small fish to be sent from the Bureau of Fisheries, to put in ponds for the purpose of stocking and in the streams of the country. It has no reference whatever to preparing the fish after it is grown and ready for food, for the purpose of food.

Mr. SMITH of Georgia. This does not apply simply to fish raised for propagating through the Bureau of Fisheries; it applies to shellfish.

Mr. SMITH of South Carolina. The Senator means the provision in the Agricultural appropriation bill?

Mr. SMITH of Georgia. Yes.

Mr. SMITH of South Carolina. Of course, this applies to the food products.

Mr. SMITH of Georgia. It applies solely to the preparation of foodstuffs, whether raised as the result of the activities of the Bureau of Fisheries, which produces fish, or found on the seacoast.

Mr. SMOOT. Mr. President, that is not the only appropriation that is made. I know what has been done by the Department of Commerce, as reported to us by the former Secretary of that department. But in this same bill we make a provision under the heading, "Inquiry respecting food fishes."

If the Senator from Georgia will listen, I would like to tell him about the other provision.

Mr. SMITH of Georgia. If the Senator knows what he is going to tell me, I would be glad to hear it.

Mr. SMOOT. If the Senator knows—if he is ready to listen—the Senator will tell him what is in the bill. It provides:

For inquiry into the causes of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to aquatic animals, plants, and waters, in the interest of fish culture and the fishery industries, including expenses of travel, $45,000.

Mr. HARRISON. Does the Senator think that embraces this?

Mr. SMOOT. It further provides:

For collection and compilation of statistics of the fisheries and the study of their methods and relations and the methods of preservation and utilization of fishery products, including compensation of temporary employees, travel, and preparation of reports, including personal services in the District of Columbia and in the field, and all other necessary expenses in connection therewith, $20,000.

It provides for sponge fishes. We have plenty of fishes provided for.

Mr. HARRISON. In view of the statement of the Senator, which has convinced the Senate that that provision was not incorporated in the sundry civil bill, will he not allow us to reconsider and incorporate this provision?

Mr. GRONNA. Mr. President, I want to read a statement from the Agricultural Department to show what this money is used for. It is not being used for the purposes stated either by the Senator from Washington [Mr. JONES] or the Senator from Utah [Mr. SMOOT]. This statement is as follows:

The fish investigations of the Bureau of Chemistry have been under way for three or four years. In the act for 1920 the work was provided for under a separate item of $20,000, but in the preparation of the bill for 1921 the House committee combined the paragraph with the appropriation for poultry and egg investigations.

I shall not read more of that paragraph.

Mr. SMOOT. Read all of it.

Mr. GRONNA. Very well. It continues:

Since it is the evident desire of the House committee that the work relating to poultry and eggs be transferred to the Bureau of Markets, and as the department had already planned to carry this change into effect, there is no further need to make further provisions under the Bureau of Chemistry.

Mr. SMOOT. That is what I said.

Mr. GRONNA. It continues:

The Bureau of Markets, however, has no facilities at present for carrying on the fish work.

I am reading now with reference to poultry.

And, furthermore, it is not believed that they have the authority to do so, inasmuch as these investigations are limited to the investigation, handling, shipping, and storing of farm products.

The work which the Bureau of Chemistry is doing in improving methods of handling, packing, shipping, and storing fish is already yielding valuable results, and marked improvements have been made. Much work, however, remains to be done in developing the most practical, efficient, and economical methods for shipping and storing these highly perishable products. Small experimental laboratories have been opened at San Diego, Calif., and Pensacola, Fla.

This is an appropriation for an entirely different class of work. What the Senator from Utah has read has reference to the propagation of fish for the raising of fish. This is for the handling of fish, and it necessarily must be done under direction of the Bureau of Chemistry.

Mr. SMITH of Georgia. That has reference to the handling simply preparatory to the raising of fish. This provision has reference, without any regard to fish raised in the special ponds, to putting in shape all manner of fish whether caught out of the ocean or elsewhere, and the only place where we have the splendidly organized chemists for that purpose is in the Department of Agriculture, where they conduct the study and furnish the information.

Mr. GRONNA. The committee gave this very careful consideration, and I believe every member of the committee considers it a very important item. I ask unanimous consent that the vote by which the action was taken be reconsidered.

Mr. JONES of Washington. I object.

The VICE PRESIDENT. Objection is made.

Mr. GRONNA. Then I give notice that I shall offer the amendment in the Senate.

Mr. JONES of Washington. Mr. President, I wish to say just a word. I do not think there is a specific appropriation in the sundry civil bill probably embracing just the language of the bill here, but it seems to me that whatever we desire to do with reference to fish should be estimated for by the Department of Commerce and should be cared for under that department. It is not an agricultural product at all.

The Department of Commerce has been turning down estimates with reference to these very matters. They have been before the Appropriations Committee, I will not say with reference to this particular thing, but I have in mind one estimate that they sent down. They appeared before the Appropriations Committee this year and urged us very strongly to incorporate in the sundry civil bill an item for the conduct of demonstrations in fish cookery. I take it that that would come about as near agriculture as anyone would think in dealing with fish, yet that is an estimate sent down by the Department of Commerce to the Committee on Appropriations for inclusion in the sundry civil bill. There was another one for the conduct of demonstrations and instruction in the care of cheap and wholesome methods of preparing and cooking fish; that is, not carrying living fish around and distributing them, but wholesome methods of preparing and cooking fish.

Mr. SMITH of Georgia. Does the Senator think that really belongs under the head of the Department of Commerce? Does it not belong under the head of farm economics, which is all in the Department of Agriculture?

Mr. JONES of Washington. This is where it has been for two years anyhow. The estimates always come down that way, and I will say to the Senator if he will examine the Book of Estimates for several years back he will find that to be the case.

Mr. SMITH of Georgia. So far as I have come in contact with the practical work, it has been in connection with the Agricultural Department.

Mr. JONES of Washington. If the Senator will examine the Book of Estimates for several years back he will find these same estimates coming down, and I know they have been appearing before the Committee on Appropriations and urging this sort of appropriation for inclusion in the sundry civil bill.

Mr. SMITH of Georgia. What I said to the Senator was that where I have found any practical work being done along this line—I did not say appropriations, but I said work being done—it was under employees of the Department of Agriculture.

Mr. SMOOT. I will say to the Senator that the former Secretary of Commerce not only told us what they had accomplished to save millions of dollars to the American people on account of the preparation of these fish, but he brought samples down and showed us what had been accomplished. They were there upon the table before the members of the Committee on Appropriations. He called attention to a fish that had been worthless, as far as food value was concerned, but made valuable through

investigations. He not only called attention to it, but he brought samples to show us that he had succeeded in making such fish a food product, the value of which amounts to millions of dollars to the American people.

Mr. SMITH of Georgia. What Secretary did that?

Mr. SMOOT. Secretary Redfield.

Mr. SMITH of Georgia. Secretary Redfield was an extreme advocate of the study of household economics, and they did a great deal of it under his administration, but the work that has been done in the past nine years has been in the Department of Agriculture.

Mr. SMOOT. The Department of Agriculture never had an appropriation for this purpose until two years ago.

Mr. SMITH of Georgia. The Department of Agriculture has been conducting studies and work in instruction in household economics and it has had appropriations for specialists in that line in connection with the State colleges of agriculture.

Mr. SMOOT. That is a far-fetched proposition, and this appropriation—if that statement be true—is a duplication of work.

Mr. SMITH of Georgia. No it is not far-fetched. It is very near home.

Mr. SMOOT. There was an appropriation made two years ago in this bill.

Mr. HENDERSON. Mr. President, a parliamentary inquiry. What amendment is before the Senate?

The VICE PRESIDENT. A rejected amendment.

Mr. SMITH of South Carolina. Mr. President, I wish to say to the Senator from Utah [Mr. SMOOT] and the Senator from Georgia [Mr. SMITH] that there is a total misapprehension of what the Secretary of Commerce is doing. He is charged with finding out and propagating that variety of fish that is good for food. Of course, the only way he could find it out was when he got a new variety, or when it was shown to be worthless, then by proper breeding and proper crossing he had to test it and in that way find the fish that was good for food. He did not go into the business of finding out about packing and storing and putting fish on the market. He was simply demonstrating that he had developed or discovered a fish that was good for food, and that was strictly within his line of work.

Mr. SMOOT. He used part of the appropriation made for fish to demonstrate that leather could be made out of alligator skin.

Mr. SMITH of South Carolina. Of course; and therefore he recommends the raising of alligators for the skins. That is what he is there for.

The VICE PRESIDENT. Let the reading of the bill be continued.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 47, line 24, to decrease the appropriation for carrying into effect the provisions of the act approved March 2, 1897, entitled "An act to prevent the importation of impure and unwholesome tea," etc., from "$38,000" to "$30,000."

Mr. SMITH of South Carolina. Mr. President, I should like to call the attention of the chairman of the committee to that item.

Mr. GRONNA. I ask that the amendment may go over for the present.

The VICE PRESIDENT. It will be passed over.

The next amendment was, on page 48, after line 11, to strike out:

For the study and improvement of methods of dehydrating materials used for food, in cooperation with such persons, associations, or corporations as may be found necessary, and to disseminate information as to the value and suitability of such products for food, $23,500.

Mr. FRANCE rose.

Mr. GRONNA. May I ask that this amendment go over?

Mr. FRANCE. Mr. President——

Mr. GRONNA. I will say to the Senator from Maryland that this can be taken up after other committee amendments have been agreed to. I ask that it go over.

Mr. FRANCE. I will say to the Senator that I am compelled to be away shortly, and I should like to offer my amendment if it is agreeable to the Senator.

Mr. GRONNA. Very well; I have no objection.

Mr. FRANCE. I desire to offer an amendment to the portion to be stricken out, and then I wish to say something in that connection. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. On page 48, in line 16, in lieu of the amount printed in the House bill, $23,500, insert $100,000.

Mr. FRANCE. Mr. President, I desire to explain very briefly why I have offered the amendment. In 1917 and 1918, when the committee was making a study of new sources of food supply and methods of preservation and transportation of food, it became very deeply interested in the subject of dehydration of food products, particularly fruits and vegetables. As a result of the study made by the committee and as the result of hearings upon the subject, the committee inserted in the bill of 1918 an item of $250,000 for the carrying on of educational and demonstrational work upon the subject of dehydration.

Representatives of the Department of Agriculture went to a group of gentlemen and explained to those gentlemen the importance of the subject and urged them to raise the money for the building of a plant to demonstrate the feasibility of this method of dehydration on a commercial scale. As a result of the representations of those gentlemen from the department, those who had been approached, among them being some very prominent bankers of Baltimore, consented to undertake to build a plant for demonstration of the feasibility of dehydration upon a commercial scale. These gentlemen were unwilling to go into the enterprise unless they could be assured, not by the division of dehydration but by the Department of Agriculture itself, that the department would stand back of them in the work. Upon the 27th of June, 1919, they were assured by the Department of Agriculture in a letter that the department was very deeply interested in the work and that they should proceed to organize a company for the building of a plant. This group of gentlemen—and I will say of them that they are men who had become very deeply interested in the question of food supplies during the war—then organized a million-dollar company and began the erection of a plant. There was no delay in the erection of the plant, except such natural delays as were necessary because of strikes and the labor and material supply conditions at that time, and the plant was completed within the year.

However, in April of 1920, after $750,000 had been expended by the company, the Government notified the gentlemen that no funds were available for the carrying on of the educational work which the Government had promised to carry on if the gentlemen would build the plant. Not only were they informed that no funds would be available for the carrying on of the work, but the Department of Agriculture was compelled to cancel orders which they had placed for the dehydrated products with which they were to make the demonstration and with which they were to carry on the educational campaign.

Now, the Department of Agriculture is very deeply interested in the question of dehydration, and after extensive laboratory studies this anhydrous method which is to be employed by the company was found to be superior to any method which has been used abroad. It is considered to be of the utmost importance to the farmers and to the producers of the country, and particularly to the producers of vegetables, fruits, and other perishable foodstuffs, as well as to the consumers, that the fund for demonstration work be appropriated. The Secretary of Agriculture has asked for $100,000. The amount is estimated for in the estimates to carry on educational work which, it seems to me, in view of all the circumstances, the Government is under a moral obligation to carry on.

These gentlemen are now in possession of a plant which cost them about $900,000, the investment in the plant having been made at the solicitation of the Government, and the Government is not in a position to carry on the educational work really necessary if the value of the methods of dehydration is to be demonstrated to the farmers and shippers of the country.

In view of this situation which I have attempted very briefly to call to the attention of the Senate, I hope that the chairman of the committee will consent to the amendment to the portion to be stricken out and that he will not insist upon the committee amendment. I feel, as a member of the committee, that this is a matter which the committee did not have an opportunity of looking into and upon which we were not informed at the time we reported favorably the committee amendment.

Mr. GRONNA. Mr. President, the Senator from Maryland is a very valuable member of the Committee on Agriculture, but he did not happen to be present when this action was taken. Would not the Senator be satisfied if the amendment were disagreed to and the amount allowed by the other House left in the bill? I will say to the Senator, I do not believe that the committee would agree to an appropriation of $100,000. That, I think, is a larger amount than ought to be agreed to.

Mr. FRANCE. I will say to the Senator that when I spoke to him about this matter the other day I felt that $50,000 might be enough, but upon looking into the whole question it seems to me that what the Secretary of Agriculture has asked for, the sum of $100,000, is about the minimum, for it is very apparent that this new method could scarcely be demonstrated over the country with a lesser amount than would be available from an appropriation of $100,000. If $23,000 were appropriated,

only about $2,000 of it would be available for demonstration purposes and for the carrying on of a campaign of education.

It seems to me that the Government is under moral obligations, in view of the representations made to the gentlemen to whom I have referred, to appropriate money for the carrying on of this demonstration work. Those gentlemen were of the opinion at the time they were persuaded to build the plant that $250,000, or a large portion thereof, would be available for carrying on the educational and demonstrational work.

Mr. JONES of Washington and Mr. McNARY addressed the Chair.

Mr. FRANCE. I yield to the Senator from Washington.

Mr. JONES of Washington. In addition to the particular situation which the Senator from Maryland has in mind, does not the Senator think that this is splendid work for the Government to do?

Mr. FRANCE. Mr. President, I am most enthusiastic about the process of dehydration. It has been found, for example, that perishable vegetables and portions of beef which were not available under ordinary circumstances may be dehydrated and made into a dehydrated soup in Chicago which can be sold at a profit for a penny a plate in New York, thus utilizing materials which otherwise would be wasted.

Mr. JONES of Washington. And dehydrated material can be kept almost indefinitely, can it not?

Mr. FRANCE. It can be kept indefinitely, and very large quantities of it can be transported in very small bulk and at very low cost compared with the cost of transportation in its original form.

Mr. JONES of Washington. I should like to know why the committee struck this item out. It seems to me that it is an appropriation for a work which is very desirable to carry on until it is brought to perfection.

Mr. McNARY. Mr. President——

Mr. FRANCE. I yield to the Senator from Oregon.

Mr. McNARY. Mr. President, there is no doubt that excellent results are being accomplished through this process. It is not a new one, however; it is only new in the sense that it was not practiced prior to our entrance into the World War. Its feasibility has been demonstrated in several localities in the West. The item was stricken out by the committee on motion of one of the members. Very little was said about the subject. I think we all agree with the chairman of the committee that there should be a restoration of some part of the sum which has been estimated for by the department, though not the full sum. The amount which the House appropriated was $23,500; the department's estimate was $100,000. I think the chairman of the Agricultural Committee and its other members would be very willing, so far as I know their state of mind, to restore the provision carrying an appropriation of $50,000, which is half of the estimate, and a little more than double the amount carried by the House bill.

Mr. FRANCE. I should be very glad to see that amount incorporated in the bill, although I feel that $100,000 should be appropriated for the purpose.

This is the situation: A million-dollar plant has been built at Chicago, and if the Government should cooperate in carrying on a campaign of demonstration and should make dehydration a popular method of preserving food, and if, as a result of that, the company should make a success of its Chicago plant, it would then plan to erect plants in different parts of the country where vegetables of a perishable character are grown.

The Senator from Georgia [Mr. SMITH] has called my attention to the fact that sweet potatoes may profitably be dehydrated. It is quite possible that the Chicago dehydration plant might be duplicated in the region where sweet potatoes are grown.

Mr. SMITH of Georgia. I will say to the Senator from Maryland that through the advice of the Agricultural Department dehydration work has been begun and is going on profitably, as I am advised. It was first suggested, I think, about three years ago during the war, and I think has proven to be very successful. I should like to ask the Senator from North Dakota, the chairman of the Committee on Agriculture and Forestry, if it will be agreeable to him for the Senate to reinstate this item with an appropriation of $50,000?

Mr. GRONNA. Mr. President, there was considerable opposition to this appropriation in the Committee on Agriculture and Forestry, but since our meeting the committee has had information which I believe would warrant the committee asking that the amendment be disagreed to; but I will say to the Senator from Maryland and to the Senator from Georgia that they will endanger their purpose if they seek to make the appropriation larger than $50,000.

Mr. SMITH of Georgia. I think that is all the Senator from Maryland insists upon.

Mr. GRONNA. I think, then, that the amendment ought to be disagreed to.

Mr. WALSH of Montana. Mr. President, I am very glad to hear the chairman of the committee signify his purpose to have the committee amendment disagreed to and to indicate his favor of the appropriation carried by the bill as it came from the House. I should like to see a more liberal amount appropriated. I was favored only a few months ago with an opportunity to witness the process of dehydration of a great many fruits, vegetables, and other food products, and I was impressed with the limitless possibilities the process offered. Not only that, but it was represented to me, and apparently upon perfectly solid ground, that the process could be carried on by machinery costing comparatively little; indeed, those who were interested in the proposition had it in mind to construct dehydrating plants, inexpensive in character, to be set up by cooperative associations in the fruit-growing sections and in sections where vegetables are produced in considerable quantities or where fish are caught and placed upon the market. I was astonished at the perfect state of preservation of the flavor of fruits by the process which was exhibited to me. I thought it not at all unlikely that cooperative fruit associations and cooperative vegetable associations and similar associations could easily construct dehydrating plants which, as it seemed to me from the reports which were made, would not cost more than from five to ten thousand dollars to erect. I think that it would be an excellent thing if the Department of Agriculture carried on more experimentations with respect to the various processes that are about to be offered to the public, so that definite information could be given the public concerning the reliability of the processes, whether they will, in fact, accomplish the results which are promised, and otherwise to conduct operations which will demonstrate their great practicability.

Take the item of potatoes, for instance. Potatoes are a crop that can ordinarily be transported but a short distance. The soil of the Northwest is particularly adapted to the production of the potato, but it is next to impossible to transport the potatoes grown there because of weather conditions. They are not harvested in the State of Montana, for instance, until the cold season is upon us, and then it becomes impossible to transport them except in artificially heated cars, the expense and difficulty of which makes transportation practically prohibitive. They could be dehydrated and put upon the market, affording an abundant and perfectly palatable and wholesome food that would otherwise go to waste, and it would help both the producer and the consumer in a very marked degree. I am very glad to know that we shall have an appropriation of at least the amount carried in the House bill for this purpose.

Mr. THOMAS. Mr. President, I shall not object to this appropriation; it would not do any good if I should object. There was a time, however, when experiments of this kind were eagerly carried on by private enterprise, and they were generally carried on successfully, much more successfully than they will be carried on under the prevailing species of paternalism which refers everything both established and to be established to the consideration of the Government plus an appropriation.

The dehydration of vegetables and fruits is not a new thing; private enterprise discovered the process and demonstrated its utility. Some years ago, I think during the war, an appropriation was made for this identical purpose. I then thought that, inasmuch as private capital was engaged in the business, the appropriation was unnecessary, but it was granted nevertheless.

We are getting to a point, Mr. President, when we expect the Department of Agriculture to take upon its shoulders at public expense the burden not only of things needed but of things supposed to be needed. Yesterday we considered one or two small appropriations intended to enable the Department of Agriculture to observe the behavior and other qualities of vegetables in transit and after arriving at the market. I have no doubt that this will mean an addition to our civil-service force and an addition to our permanent expenditures. Of course, I do not know how vegetables behave or how fruits behave when they are in course of transit; but I know how California lemons behave. After they leave the Pacific coast and reach Salt Lake City and Denver they command $6.50 a box; as they proceed eastward, however, their behavior is more modest, and by the time they reach the Atlantic coast they are readily obtainable at from $4.50 to $5 a box. If appropriations could investigate that behavior and correct it, I should feel more disposed to view with equanimity these constantly increasing and inflated appropriations; but if we leave the process of dehydration to private enterprise and to private capital it will be de-

veloped much more effectively and more satisfactorily, in my judgment, than by creating another little bureau in Washington and setting a lot of so-called scientists at work in the department.

Mr. SMITH of Georgia. Mr. President, I was not present in the committee when this provision was stricken out, or I should have urged that it be retained, and that the appropriation be increased. It may be true that private enterprise discovered the process of dehydration, but it is also true that it was used to very little extent and only by a few large companies until the Department of Agriculture was authorized, a few years ago, to carry to the public information with reference to the process. There are now being built, as the Senator from Montana has said, machines to be used in this work. The Agricultural Department has helped substantially in bringing about a larger use of the process, and I believe an enormous saving of fruits and vegetables can be accomplished if knowledge is furnished to the people generally or to those who could use the process. I think it will be of great value and will result in a great saving, and it is one of the very activities in which it is proper for the Agricultural Department to engage. I am glad the chairman of the committee agrees that the House provision shall be restored, and I hope the amount will be substantially increased.

Mr. LA FOLLETTE. Mr. President, I request that this item be passed over for the day. I have some communications upon the subject which I should like an opportunity to examine with a view of laying them before the Senate.

The VICE PRESIDENT. Is there any objection to passing over the item?

Mr. GRONNA. No; there is no objection to passing it over.

The VICE PRESIDENT. It will be passed over then.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 15836) to amend the transportation act, 1920, and it was thereupon signed by the Vice President.

RECESS.

Mr. GRONNA. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 23, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 22, 1921.*

The House met at 12 o'clock noon.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, to-day is great because yesterday was great. In grateful remembrance the past rises before us in a bold and in a distinct outline. How we thank Thee for the chivalry and traditions of our forefathers who carried a millennium in their breasts and a republic in their brains. They challenge our intellect and our hearts because they still minister unto our country and unto the world. This day may we reconsecrate ourselves to those fundamentals on which the sleepers of our free institutions must forever rest for their glory and for their perpetuity. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ROGERS presented a conference report on the bill H. R. 15872, the Diplomatic and Consular appropriation bill, for printing under the rule.

ADDRESS OF MR. CAMPBELL OF KANSAS.

The SPEAKER. By special order of the House the gentleman from Kansas [Mr. CAMPBELL] is recognized to address the House for one hour.

Mr. CAMPBELL of Kansas. Mr. Speaker, governments do not spring up; they are created. They do not endure; they may be perpetuated. Is history a picture gallery containing few originals and many copies? Do the people of former periods set the example for the people of periods that follow? Is there a destiny that shapes our ends? An independent and free people may be original, make and follow their own plans, and determine their own destiny. This hour is full of interest to those who are concerned with questions affecting the welfare of the people and the future of the Republic.

So it is not my purpose to-day to attempt to extend the fame or add to the renown of Washington. His fame is secure even to the earth's remotest bounds; his renown will grow as the centuries unfold the scroll of the ages. While men care for wisdom and honor and patriotism and appreciate the achievements of those who have served mankind, Washington will have a place in the minds and hearts of men in all countries and in all ages. [Applause.] I shall therefore take occasion on this anniversary of his birth to note the Government established by the fathers, the achievements made under it by the American people and its benefits to mankind, and at the same time consider the departures that have been made from its fundamental principles and purposes that endanger its perpetuity.

It is safe to say that the creation and adoption of the Constitution of the United States mark the world's greatest achievement in the art of self-government. The fathers under the leadership of Washington undertook the delicate and difficult task of creating a Government with such enduring principles as would make it susceptible of being perpetuated. It was provided that each citizen who lived under it should for all time be the political equal of every other citizen and that every man should have the opportunity of obtaining individual reward for individual effort. The Government created was of the people, by the people, and for the people. Its purposes and powers are simple, plain, and direct. It offers protection to the citizen in his right to life, liberty, property, and in the pursuit of his happiness. The powers granted are enumerated with such other powers as may naturally be implied from the written instrument.

These powers impose upon the Government created the duty of dealing with national and international questions affecting the life, the character, and the honor of the Republic and its people in their national and international relations. The right and duty of dealing with such questions as affect the individual citizen are left to the States and the smaller political subdivisions. Under this division of political authority and duty the people of the United States have through a hundred and thirty years enjoyed the freest and best government in all the world. Under the simple guaranties of government that make the individual secure in his natural rights the American citizen has been developed. He is self-reliant, resourceful, courageous, inventive, ambitious, patriotic, and appreciative of his heritage of freedom. There runs through his veins the best blood of every people north of the Mediterranean Sea. From the days of the fathers every generation has offered and freely given life and property for the maintenance of the honor, the preservation of the integrity, and the advancement of the glory of the Republic. It is ours. We must preserve it. We must not impose duties upon it that it can not perform. We must not ask the exercise of functions for which it was not created. We must not indulge in the hope of things from it that it can not give. We must not invite disappointments in the operation of its activities. It is enough that it shall always offer protection to all that man holds dear and shall continue to afford opportunities to the individual citizen to obtain rewards according to his individual ambitions and efforts.

The hope of winning individual reward has won for the American citizen the foremost place in every trade, in every business, in every industry, and in every profession. The humble but ambitious and industrious youth of our land have realized their highest hope and achieved their loftiest ambition. They have risen, step by step, from the job of the plainest laborer in the varied industries and occupations of our country to the highest executive positions in them. Our great physicians, financiers, captains of industry, ministers, lawyers, and statesmen have been recruited from the humble homes of the country. Inventions and discoveries, improvements in the arts and sciences that aid the health, add to life, and better the conditions of living are all the achievements of individuals seeking individual reward. A youth born in a cabin without a floor and without furniture, unprovided with a simple washbasin or the plainest infant's clothing, and amid all the indications of squalor and want, rose without the solicitude of a bureau or the aid of the Government to the Presidency of the Republic and left a greater name to history and mankind than any prince born to the purple in 30 centuries. [Applause.] Let not governmental solicitude or paternal care close to the ambitious youth of the future that door of opportunity.

Now, let me refer to some of the national assets acquired by the American people as a result of the individual efforts of the individual citizen. In advancing civilization westward from the sea forest and prairie yielded to individual industry and

became fertile and fruitful fields. Hillside and valley were covered with flocks and herds; rivers were bridged; mountains were tunneled; and railroads crossed the continent eastward and westward and traversed it northward and southward, touching its harbors in all the waters that wash its remotest borders on every side. Mill and shop and factory followed the growth of population and supplied in abundance the commodities that met the demand for necessities and gratified the taste for luxuries among our people. The continent from sea to sea has been covered with prosperous and happy homes, with populous and rich cities, all busy with industry and commerce. While making these achievements our people have cultivated the accomplishments that enlarge and ennoble life. The school, the church, the college, the university, and the eleemosynary institution have kept pace with the growth and progress of the people.

It is safe to say that no other people at any other time or in any other country have made such rapid and splendid growth as has been made by the American people under the protection of the Constitution in all that makes a Nation powerful or a people great. But let me call attention to some startling facts that further emphasize our high relative position among the nations of the world: We have 6 per cent of the world's population; we have 7 per cent of the world's landed area, but we produce 20 per cent of the world's gold, 25 per cent of the world's wheat, 40 per cent of the world's iron and steel, 40 per cent of the world's lead, 40 per cent of the world's silver, 50 per cent of the world's zinc, 52 per cent of the world's coal, 60 per cent of the world's copper, 60 per cent of the world's cotton, 70 per cent of the world's oil, 75 per cent of the world's corn; we operate 40 per cent of the world's railroads, refine 80 per cent of the world's copper, and manufacture 85 per cent of the world's automobiles. These achievements are all monuments to individualism. But, again, when the nations allied to resist the advance and conquest of the greatest military power of ancient or modern times came to our Government and people for men, for food, for war materials, and for money to meet the demands of that awful hour we supplied the men, the food, the materials, and the money. The allied nations in their hour of need did not appeal to other countries with area and natural resources equal to ours. Vast empires rich in every variety of resources lacked development because they lacked a simple constitution that protected the lives, the liberties, the property, and the pursuits of the people while they worked for their own advancement and sought rewards for their own efforts. They came to us because our institutions and laws had given our people a chance to develop their resources, make themselves strong, and our country great, while the individual citizen worked for his own advancement.

Our men, though untrained in the art of warfare, had the individuality and ability necessary to meet the demands of that day on land and sea, under the sea, in the air, in the trenches, over the top, and in no man's land. They were all fit; they were the marvel of allied armies and civil populations. From our abundant resources food and materials went to military and civil populations in allied and neutral countries. We were able in two short years to raise forty billions of dollars—fifteen billions by taxing our people and twenty-five billions by the sale to them of certificates and bonds. No other people in all the annals of time were ever able to accomplish what was done by the American people in that short period. [Applause.] The accumulations of individualism and the achievements of the individual citizen gave our country a place of imperishable glory in the annals of mankind. [Applause.]

It is not necessary that I should enumerate further the marvelous achievements and the great progress of our people under the simple guaranties of the Constitution. It is enough to say in addition that they have advanced in manhood, in character, in fortune, and in fame while working out their own destinies under that great instrument.

This leads me to call attention to the important duties of this hour that require us to take our bearing and to ascertain how far we have already been beguiled to divert and multiply the activities of the Government in matters foreign to its original purposes, and to contemplate the effects of such departure on the life of the Republic and on the opportunities of the individual citizen.

It would be difficult to enumerate all the departments, bureaus, and commissions of the Government at Washington that have been created to exercise bureaucratic authority and paternal guardianship over the people in every part of the Republic. There is no activity, business, social, or domestic condition that is not the object of their supervision, their solicitude, or their authority. Over 690,000 civilian employees make up the army that oversees and directs the affairs of the people and assumes guardianship over them. Government agents and inspectors, exercising every variety of authority, are found on every Pullman out of and into Washington. Government reports on every subject from adenoids to rat traps fill the files of offices that cover acres of floor space in Washington. The mahogany and quarter-sawed oak office furniture already installed has cost many millions of dollars, and more is being constantly purchased.

If a yearling dies of foot-and-mouth disease on a farm in Kansas, the Government at Washington acts on the case. If a shote dies of the cholera in a hog lot in Iowa, the Government at Washington takes charge. If a weevil bores through a boll of cotton on a plantation in Texas, the Government at Washington is stirred to action. Nothing escapes the vigilant eye of the Government and its innumerable functionaries. If the price of one article goes up, let the Government take charge of the seller; if the price of another article goes down, let the Government take charge of the buyer. And thus the carnival of Government activities goes merrily on. Government control is assumed to be the remedy for every ill, and Government regulation the source of every good.

The people pay all the expenses. In some instances they pay it all through the Government at Washington. In the case of other activities they pay half through the Government at Washington and the other half through the governments of the States. But the people pay all the expenses of this complicated machinery of Government, that has its agents looking over the shoulders of every business man and directing the affairs of every citizen. This use of Government is not without deplorable precedent. The disappointment and despair of the people of France growing out of the delay in the inauguration of the millennium by the activities of the Government at Paris led to the French Revolution. The French Government at Paris undertook the control and the direction of everything that concerned the French people. It was assumed that the people could do nothing for themselves and that the Government could do everything. Failure, disappointment, and revolution followed.

The fathers embodied with rare wisdom those elements of strength and endurance which were essential if the Government was to be perpetuated through the ages. They avoided with the foresight of statesmen the things that lead to disappointment and discontent among the people. The fathers studied the experience of mankind in self-government. They studied the lessons and profited by the teachings of history. They sought and found the causes of failure by other peoples in the experiment of self-government. They did not wander into the realms of fancy. They were creating a Government for human beings whose nature has remained the same through all the centuries of time. They knew that the things that in other ages had invited criticism, provoked discontent, and resulted in disappointment and revolution would lead to the same end in future ages. They therefore created a Government adapted to the nature of man, a simple Government of laws to be enacted and enforced by the chosen representatives of a free people. The purpose of the Government was to protect them in their natural rights, and to enable them to meet their national and international duties and obligations.

The fathers did not contemplate a bureaucratic government at any time under the Constitution they gave us. It was not in the scheme of the fathers that the people should even be beguiled into using the Government at Washington for supervising or directing their purely personal, local, and domestic affairs. They knew that in a government of free people no man is big enough or wise enough or good enough to command another, his political equal, in what he may or may not do. It is fundamental that a free people may not be expected long to endure the annoyances, the vexations, the arbitrary regulations, the restrictions, or the disappointments that are incident to government by men acting as the functionaries of a central authority, directing the affairs of and exercising police powers over the people in the remotest parts of their territorial limits. Even the assurances of Government bureaus that the authority exercised over the liberty of the citizen is for his own good will not long beguile the citizen into a surrender of his right to live under a government of laws enacted by his authority and consent that merely protect him from injury by others and protect others from injury by him.

There is no word in the discussion by the fathers of the powers and duties of the Government they have handed down to us that leads to the belief that it was contemplated in their plan that the head of any department or the chief of any bureau or the agent of any commission should at any time make restrictions or arbitrary regulations affecting the life, liberty, property, or the pursuit of happiness of the citizen. Such restrictions upon the individual as were contemplated were to be

made only by the States, and the lesser political subdivisions having immediate jurisdiction, and then only by the plain terms of statutes enacted by the representatives of the people. The rapidly growing and alarming tendency to-day is toward a centralization of all authority and power incident to government in Washington.

Let me call attention to some of the things the fathers have said upon this subject.

Chief Justice Marshall said:

The genius and character of the whole Government seems to be that its action is to be applied to all external concerns of the Nation and to those internal concerns which affect the States generally.

Madison said:

It is to be remembered that the General Government is not to be charged with the whole power of making and administering laws. Its jurisdiction is limited to certain enumerated objects which concern all the members of the Republic, but which are not to be attained by the separate provisions of any.

Jefferson said:

It is not by the consolidation or concentration of powers but by their distribution that good government is effected.

We have already ignored the admonition of the fathers; we have defied the laws of human nature, which never change; we have overlooked the lessons of history. All these have admonished us that only governments of simple laws can properly serve or long endure in a country of free people. We have already been led by the delusion that Government bureaus, exercising bureaucratic authority and police power not authorized by the terms or implied by the provisions of the Constitution, are better for the people than a Government that lays down rules of action in plain statutes. We have been lured by the promise that Government agents would lead the citizen by the hand into green pastures, beside still waters, into elysian fields, then on into the millenium. Already the citizen looks about him and finds himself in the midst of a fool's paradise, entirely surrounded by Government bureaus. So many of the numerous bureaus of the Government are exercising bureaucratic authority and police power that they meet the citizen everywhere he turns—in his fields, in his mills, in his mines, in his shops, in his factories, in his places of business, great and small—everywhere substituting the will and judgment of a Government agent for the will and judgment of the individual citizen. No matter in what direction the citizen may turn, lo, the agent of the Government is there to forbid or to command. Instead of remaining his protector, the Government has become his guardian.

This is a wide departure from the Government founded by the fathers. Let me call attention to some admonitions of publicists and to dangers recorded by historians that await in the direction in which we are rapidly going.

Fiske, in his Critical Period of American History, says:

If the day should ever arrive (which God forbid) when the people of the different parts of our country should allow their local affairs to be administered from Washington * * *, on that day the progressive political career of the American people will have come to an end, and the hopes that have been built upon it for the future happiness and prosperity of mankind will be wrecked forever.

This is at the same time a prophecy and a solemn warning.

De Tocqueville, the great commentator upon governments, in speaking of governmental conditions in France which immediately preceded the French Revolution says—I read excerpts:

They—

Referring to the government in Paris—

attempted a bureaucracy to administer, a democracy to govern. Collectively the nation was sovereign, individually citizens were confined in the closest dependence. Yet in the former were expected the virtues and experience of a free people, from the latter the qualities of a submissive servant. During the period which preceded the revolution a host of schemes for new societies and government were brought to light. These schemes sought various ends, but the means by which they were to be reached were invariably identical. All the schemers wanted to use the central government for the destruction of the existing system and the substitution of their new plan in its stead. They all assumed the rights and powers of the State ought to be unlimited, and that the only thing needed was to persuade it to use them aright. Mirabeau relied on the central power alone for the realization of his chimerical schemes.

Already in those days ministers were seized with a mania for seeing with their own eyes the details of everything and managing everything at Paris. The mania increased with time and practice. Not content with aiding the peasantry in times of distress, the Central Government undertook to teach them the art of growing by giving good advice and occasionally by resorting to compulsory methods. The Government distributed certain charitable donations among the various parishes on condition that the inhabitants should on their part make certain alms. A very extensive machinery was requisite before the Government could know everything and manage everything at Paris. The Government had suddenly changed all its agents and all its principles. Not a man but was affected, either in his rank or in his habits or in his business. No one knew whom to obey, where to apply, how to act. Every part of the nation being thus thrown off its level one final blow was enough to set the whole in motion and produce the greatest convulsion and the most terrible disorders that were ever witnessed.

This awful parallel in the experience of mankind should cause us to stop and look and listen. We have already departed from the Government of the fathers into the same governmental activities over the personal affairs of the people that led to the greatest calamity in human history—the French Revolution.

We should be admonished not to follow their steps further in the direction of discontent, disorder, disappointment, and the destruction of government. It is already said that thousands of liberty-loving citizens are leaving our country because they allege it is no longer a Government of free people. Our people, with a majority of many millions, have recently repudiated a once popular leader of a great party, who was acclaimed throughout the world as the most popular Executive on earth. The sudden revolt against that leadership was in large part due to the fact that Government agents throughout his administration appeared everywhere, exercising bureaucratic authority and police powers over the people. There was an emphatic protest against such bureaucratic authority even in time of war. It is not improbable that like protest will be repeated against one administration of our governmental affairs after another if such bureaucratic powers are continued with all the burdens and vexations incident to their exercise. It must not be forgotten or for a moment overlooked that the agent of a bureau is neither wiser nor better nor more concerned in the welfare of the individual over whom he exercises his authority than the individual himself. Governments that depend upon the confidence and affection of the whole people for their perpetuation should use great care in giving rise to hopes of benefits that Governments can not give.

There are many matters that require more than individual attention, matters in which cooperation is not only desirable but necessary. In all such matters the smaller political subdivisions and the States should be resorted to. In that way the portion of the public directly concerned are able to observe and intelligently determine whether those they have employed to do the particular things they require are rendering a service that justifies the continuance of the activity and the expense involved in carrying it on. It is a profound truth that that government is best that governs least.

The increase of governmental activities by the Government at Washington naturally leads here to brief comment on the question of taxation necessary for their support. The cost of the Government at Washington to-day runs into many billions. It must be paid by the people through taxation. No tax or system of taxation is popular. The taxgatherer has been unwelcome in all ages and in all countries. As the tax increases the criticism of the activity for which it is imposed is multiplied. Even benefits that are local are not always looked upon as compensation for the heavy tax imposed for their maintenance. When the benefits are remote criticism becomes emphatic protest. Many bureaus and commissions created to lighten the burdens or better the conditions of the people have only resulted in increasing the burden of taxation they bear. There is a warning in these words:

He has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat our substance.

This was one of the charges made by the fathers against George III in their Declaration of Independence.

The Government of the United States is of so great national and international importance to our people even unto the remotest township and hamlet of the Republic that its place in their affections should not be imperiled, nor should it be made the object of common criticism for failure to do for the citizen what the citizen alone can do for himself. A solemn responsibility and a great duty immediately confront us here. We are the chosen representatives of the American people, sworn to protect and defend the Constitution against all enemies, foreign and domestic. It is time to begin the process of restoring a government of laws under the Constitution. It is time to limit the activities and reduce the expenses of Government at Washington. [Applause.] The process of eliminating every element of weakness with which the Government has been burdened and which now make it the object of criticism should be gradual but persistent, until we can again look upon it as the simple government of laws, given us by the fathers for the purpose of guaranteeing life, liberty, property, and the pursuit of happiness by the people. We must give assurance to the hope that under God our children and their children from generation to generation may have in the centuries as they come and go the same guaranties and the same opportunities that we and our ancestors have enjoyed under the Constitution of the United States. [Applause.]

EXTENDING PROVISIONS OF THE FARM LOAN ACT TO PORTO RICO.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8038, and agree to the Senate amendments.

The SPEAKER. The gentleman from Pennsylvania calls up from the Speaker's table a bill of which the Clerk will report the title.

The Clerk read as follows:

H. R. 8038. An act to amend section 4 of an act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico.

The Senate amendments were read.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. WINGO. Reserving the right to object, Mr. Speaker, I understand the gentleman asks unanimous consent to agree to the Senate amendments.

The SPEAKER. The Chair thinks it does not require unanimous consent to take it from the Speaker's table.

Mr. WINGO. How is it a privileged matter?

The SPEAKER. It is a House bill with Senate amendments on the Speaker's table.

Mr. GARD. Was not the request of the gentleman from Pennsylvania for unanimous consent?

The SPEAKER. It was.

Mr. WINGO. Mr. Speaker, would not the gentleman ask unanimous consent to disagree to the Senate amendments and send the bill to conference? The Senate amendments involved proposals that have been rejected by the House Committee on Banking and Currency when it reported this bill. I have no desire to delay the carrying out of the judgment of the House, although it be contrary to my judgment. I was against the bill when the House reported it. The House limited the bill to the bank in Springfield, Mass., which they contend is the financial center where their business is done. The Senate goes further and authorizes any land bank in the United States to establish a branch in Porto Rico. There is the case pending in the Supreme Court involving the provisions of the farm-loan act. There are numerous applications for amendment to the law. I think the wiser course is to wait until the farm-loan system is tried out before you make any amendment to it. If the Senate amendments are immaterial they can be shown to be immaterial.

Mr. MONDELL. Will the gentleman yield?

Mr. WINGO. I will.

Mr. MONDELL. My understanding from a hurried reading of the Senate amendments is that whereas the House bill provides that the bank at Springfield shall be the parent bank, so to speak, the Senate amendments provide that the parent bank of Porto Rico will be such a bank in the United States as may be designated by the board. That is my understanding.

Mr. GARRETT. By the Federal Land Bank Board here.

Mr. MONDELL. That is correct. It is a question whether it is going to be the Springfield bank or some other bank somewhere in the United States.

My understanding of the reason for that change is this: It seemed entirely possible that conditions might arise which would make it wise to have some other bank, rather than the Springfield bank, act in this capacity, and that could have been done by a change of designation by the Farm Loan Board without coming back to Congress.

Mr. WINGO. That is the very danger which men who voted for the original bill but who are now opposed to this assigned to me. I am not carrying out my own personal wishes. The gentleman knows that I am against the whole thing for the present, but gentlemen who supported the bill on both sides of the aisle have suggested to me that there is the danger that we were careful in the House bill to limit this branch bank to one Federal land bank, which the proponents of the bill themselves say is a bank in the territory where the Porto Ricans do their business, but under the Senate amendments this Farm Loan Board down here, willy-nilly, without consulting Congress, might transfer that liability from one Federal land bank to another one in another part of the United States. Congress is going to be in session at all times, and if that is going to be done I think that Congress could be trusted to act intelligently on the proposition. My objection goes to the procedure. We have 10 days yet before the end of the present session. Let the gentlemen follow the customary course, take up the bill, disagree to the Senate amendments, and ask for a conference. I shall not object to that. Then if they can not agree, gentlemen can come in and press for a concurrence in the Senate amendments. Why lay down and let the Senate have its way without any other protest at all?

Mr. McFADDEN. This is a very minor suggestion. The controlling thought in the committee, as I remember, when the bill was considered, was the fact that the Springfield bank was doing less business than any of the other of the farm-loan banks, and it was thought that because of that fact this branch should be a branch of the Springfield institution, and this designation in the amendment leaving this in charge of the Federal Farm Loan Board does not materially change the effect of the bill.

Mr. WINGO. The gentleman may be right as to what governed him, but the gentleman will remember that that is one of the objections that I offered to putting it up there.

Mr. BLAND of Indiana. Mr. Speaker, I demand the regular order.

Mr. WINGO. But whatever may have been the motive that governed different gentlemen, it is true that the judgment of the committee was against this, and the judgment of the committee being against it, the House should insist on a conference.

The SPEAKER. The gentleman from Indiana demands the regular order. The regular order is, Is there objection?

Mr. WINGO. Mr. Speaker, I shall object for the present. I shall not object to unanimous consent to sending it to conference.

Mr. McFADDEN. Mr. Speaker, then I move to take from the Speaker's table the bill H. R. 8038, an act to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico, with Senate amendments thereto, and to concur in the Senate amendments.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to take from the Speaker's table and to concur in the Senate amendment to the bill which has just been reported.

Mr. STEVENSON. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. McFADDEN. I have not yielded the floor. Upon that motion I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. WINGO) there were—ayes 83, noes 33.

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on ordering the previous question.

The question was taken; and there were—yeas 207, nays 104, not voting 117, as follows:

YEAS—207.

Ackerman	Fish	Kleczka	Patterson
Andrews, Nebr.	Focht	Knutson	Pou
Anthony	Fordney	Kraus	Purnell
Ashbrook	Foster	Lampert	Radcliffe
Barbour	Frear	Langley	Ramsey
Bee	Freeman	Lankford	Ramseyer
Begg	French	Layton	Randall, Calif.
Bell	Fuller	Lee, Ga.	Randall, Wis.
Benham	Gandy	Lehlbach	Ransley
Bland, Ind.	Garrett	Little	Rayburn
Boies	Glynn	Longworth	Reed, N. Y.
Bowers	Godwin, N. C.	Luce	Reed, W. Va.
Brand	Good	Lufkin	Rhodes
Brinson	Goodall	Luhring	Ricketts
Britten	Goodykoontz	McAndrews	Riddick
Brooks, Ill.	Graham, Ill.	McArthur	Robinson, N. C.
Browne	Greene, Mass.	McFadden	Robsion, Ky.
Buchanan	Greene, Vt.	McKinley	Rodenberg
Burroughs	Griest	McLaughlin, Mich.	Rose
Butler	Hadley	McLaughlin, Nebr.	Rowe
Campbell, Kans.	Hardy, Colo.	McLeod	Sanders, Ind.
Carss	Haugen	McPherson	Sanders, La.
Chindblom	Hawley	MacGregor	Sanders, N. Y.
Christopherson	Hays	Magee	Schall
Cole	Hernandez	Major	Scott
Cooper	Hersey	Mann, Ill.	Sinnott
Crago	Hersman	Mansfield	Slemp
Cramton	Hickey	Mapes	Small
Currie, Mich.	Hicks	Martin	Smith, Idaho
Dale	Hoch	Mason	Smith, Ill.
Dallinger	Hoey	Merritt	Smith, Mich.
Darrow	Hudspeth	Michener	Snell
Davis, Minn.	Hull, Tenn.	Miller	Snyder
Dempsey	Husted	Monahan, Wis.	Stedman
Denison	Hutchinson	Moore, Ohio	Steenerson
Dowell	Ireland	Mott	Stephens, Ohio
Dyer	Johnson, S. Dak.	Murphy	Stiness
Echols	Johnson, Wash.	Nelson, Wis.	Strong, Kans.
Elliott	Jones, Pa.	Newton, Minn.	Strong, Pa.
Elston	Juul	Nolan	Summers, Wash.
Emerson	Kearns	Ogden	Summers, Tex.
Esch	Kelly, Pa.	Osborne	Sweet
Evans, Nebr.	Kendall	Overstreet	Swindall
Fairfield	King	Park	Swope
Fess	Kinkaid	Parker	Taylor, Tenn.

Temple	Upshaw	Wason	Williams
Thompson	Vaile	Watson	Wood, Ind.
Tilson	Voigt	Weaver	Wright
Timberlake	Volstead	Welling	Yates
Tincher	Walsh	Whaley	Young, N. Dak.
Towner	Walters	White, Kans.	Zihlman
Treadway	Ward	White, Me.	

NAYS—104.

Almon	Dickinson, Mo.	Jones, Tex.	Rainey, Henry T.
Aswell	Dominick	Kettner	Rainey, John W.
Babka	Drane	Kincheloe	Raker
Barkley	Drewry	Lanham	Romjue
Benson	Evans, Mont.	Larsen	Rouse
Black	Ferris	Lea, Calif.	Rucker
Bland, Va.	Fields	Lesher	Sabath
Blanton	Fisher	Linthicum	Sims
Bowling	Flood	McClintic	Sisson
Box	Gallivan	McDuffie	Smithwick
Briggs	Gard	McKeown	Steagall
Byrnes, S. C.	Goldfogle	McKinley	Steele
Byrns, Tenn.	Griffin	Mays	Stephens, Miss.
Caldwell	Hardy, Tex.	Milligan	Stevenson
Caraway	Hastings	Minahan, N. J.	Stoll
Carew	Hayden	Montague	Tague
Carter	Holland	Moore, Va.	Taylor, Ark.
Cleary	Howard	Nelson, Mo.	Tillman
Coady	Huddleston	O'Connell	Venable
Collier	Humphreys	Oldfield	Vinson
Connally	Igoe	Oliver	Welty
Crisp	Jacoway	Padgett	Wilson, La.
Cullen	James, Va.	Parrish	Wilson, Pa.
Davis, Tenn.	Jefferis	Pell	Wingo
Dent	Johnson, Ky.	Phelan	Woods, Va.
Dewalt	Johnson, Miss.	Quin	Young, Tex.

NOT VOTING—117.

Anderson	Dunn	Kitchin	Riordan
Andrews, Md.	Dupré	Kreider	Rogers
Ayres	Eagan	Lazaro	Rowan
Bacharach	Eagle	Lonergan	Rubey
Baer	Edmonds	McCulloch	Sanford
Bankhead	Ellsworth	McGlennon	Scully
Bland, Mo.	Evans, Nev.	McKenzie	Sears
Brooks, Pa.	Gallagher	McLane	Sells
Brumbaugh	Ganly	Madden	Sherwood
Burdick	Garner	Maher	Shreve
Burke	Goodwin, Ark.	Mann, S. C.	Siegel
Campbell, Pa.	Gould	Mead	Sinclair
Candler	Graham, Pa.	Mondell	Smith, N. Y.
Cannon	Green, Iowa	Moon	Sullivan
Cantrill	Hamill	Mooney	Taylor, Colo.
Casey	Hamilton	Moores, Ind.	Thomas
Clark, Fla.	Harreld	Morin	Tinkham
Clark, Mo.	Harrison	Mudd	Vare
Classon	Hill	Neely	Vestal
Copley	Houghton	Newton, Mo.	Volk
Costello	Hulings	Nicholls	Watkins
Crowther	Hull, Iowa	O'Connor	Webster
Curry, Calif.	James, Mich.	Olney	Wheeler
Davey	Johnston, N. Y.	Paige	Wilson, Ill.
Dickinson, Iowa	Kahn	Perlman	Winslow
Donovan	Keller	Peters	Wise
Dooling	Kelley, Mich.	Porter	Woodyard
Doremus	Kennedy, Iowa	Rainey, Ala.	
Doughton	Kennedy, R. I.	Reavis	
Dunbar	Kiess	Reber	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. GRAHAM of Pennsylvania with Mr. KITCHIN.
Mr. CROWTHER with Mr. GOODWIN of Arkansas.
Mr. VARE with Mr. MOON.
Mr. HARRELD with Mr. SHERWOOD.
Mr. WINSLOW with Mr. BANKHEAD.
Mr. WHEELER with Mr. RIORDAN.
Mr. DICKINSON of Iowa with Mr. WISE.
Mr. TINKHAM with Mr. O'CONNOR.
Mr. MUDD with Mr. THOMAS.
Mr. KIESS with Mr. SULLIVAN.
Mr. ROGERS with Mr. TAYLOR of Colorado.
Mr. KAHN with Mr. DUPRÉ.
Mr. EDMONDS with Mr. CASEY.
Mr. HOUGHTON with Mr. NEELY.
Mr. MONDELL with Mr. OLNEY.
Mr. KENNEDY of Rhode Island with Mr. GANLY.
Mr. DUNBAR with Mr. WATKINS.
Mr. REAVIS with Mr. CLARK of Missouri.
Mr. MCKENZIE with Mr. CAMPBELL of Pennsylvania.
Mr. PAIGE with Mr. AYRES.
Mr. ELLSWORTH with Mr. SMITH of New York.
Mr. PORTER with Mr. NICHOLLS.
Mr. MORIN with Mr. RUBEY.
Mr. PETERS with Mr. BRUMBAUGH.
Mr. BACHARACH with Mr. GARNER.
Mr. SHREVE with Mr. SCULLY.
Mr. BROOKS of Pennsylvania with Mr. DAVEY.
Mr. CLASSON with Mr. DOREMUS.
Mr. BURDICK with Mr. CANDLER.
Mr. ANDERSON with Mr. MCLANE.
Mr. DUNN with Mr. GALLAGHER.
Mr. BURKE with Mr. MOONEY.
Mr. CURRY of California with Mr. HAMILL.
Mr. CANNON with Mr. CLARK of Florida.
Mr. GOULD with Mr. MEAD.
Mr. COPLEY with Mr. RAINEY of Alabama.
Mr. REBER with Mr. LAZARO.
Mr. GREEN of Iowa with Mr. EAGLE.
Mr. HILL with Mr. JOHNSTON of New York.
Mr. SIEGEL with Mr. MANN of South Carolina.
Mr. KREIDER with Mr. MCGLENNON.
Mr. HULL of Iowa with Mr. DONOVAN.
Mr. SELLS with Mr. MAHER.
Mr. WOODYARD with Mr. DOUGHTON.
Mr. JAMES of Michigan with Mr. CANTRILL.
Mr. KELLER with Mr. ROWAN.
Mr. PERLMAN with Mr. SEARS.
Mr. NEWTON of Missouri with Mr. HARRISON.
Mr. KELLEY of Michigan with Mr. EAGAN.
Mr. SINCLAIR with Mr. EVANS of Nevada.
Mr. VOLK with Mr. LONERGAN.
Mr. MADDEN with Mr. DOOLING.
Mr. MOORES of Indiana with Mr. BLAND of Missouri.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors. The question is on the motion.

Mr. WINGO. Mr. Speaker, there are 20 minutes of debate on a side. Is the gentleman from Pennsylvania going to discuss it?

Mr. McFADDEN. I did not intend to do so unless the gentleman wants some time.

Mr. WINGO. I am going to take the 20 minutes allowed under the rule.

Mr. CANNON. Why does not the gentleman take some time and explain it?

Mr. WINGO. Of course, the gentleman is entitled to first recognition; and I presume the House wants to know something in reference to the bill.

Mr. McFADDEN. I will wait and hear from the gentleman. I reserve my time.

Mr. WINGO. Mr. Speaker, so those who came in may understand what the situation is, the gentleman from Pennsylvania [Mr. McFADDEN], chairman of the Committee on Banking and Currency, called from the Speaker's table the bill H. R. 8038 and moved that the House concur in the Senate amendments and moved the previous question. This bill is a bill to amend the Federal farm loan act so as to extend its provisions to the island of Porto Rico. As the bill passed the House, we authorized the Springfield, Mass., Federal farm land bank to establish a branch in Porto Rico. The Members are familiar with the arguments which were made in favor of the bill and the justification that was made for the passage of the bill through the House, limiting it to the one bank that took in the territory through which the people of Porto Rico did their business. My position is that we should have followed the customary and usual practice—that is, the gentleman ask that we disagree to the Senate amendments and send the bill to conference. I should not object to that. The conferees who would have been appointed by the Speaker would have been in favor of the Senate amendments. I believe that I can go before the conferees of the Senate and I can make them agree to an amendment to their own amendments. They are going to do more than they intend and more than this House intends. But I appreciate the dilemma of my friend from Pennsylvania—he is between two cross fires. His natural impulse is first to follow the customary course and next to be courteous to the Democrats on the committee; but the insistence of the leaders who are at the back urge him on to put things through, whether or not the House understood them or whether the House cared, so I do not blame my friend; but I can say to the leaders and Members that you will never gain any time by doing it. I have never yet on the floor of this House wasted any time on banking and currency matters, except to give what little information I had in my humble way. Now, gentlemen, let us see what is the position of the Committee on Banking and Currency and what is the position I have urged on that committee, even when my own constituents came before the committee and insisted on amendments which would extend the privilege of the farm loan act to people in the United States who did not now have it.

That position has been this, and this House has ratified it time and again, that we wait until this farm loan system is tried out and give it a chance, and amend it only as time and experience shows is necessary, and along safe and sane lines. Now, I can understand how men voted for the original House bill to authorize the Springfield bank to establish a branch down there, and I would be willing to do it if you would put some limitation on it that you remember I offered on the

floor; but I tell you this Senate amendment on the bill as it is now will authorize the establishment of an original farm land bank in Porto Rico, and there is no lawyer on this floor who will sit down and study this language who will jeopardize his reputation as a lawyer who would say that is not true. That is what it is going to do. Now, why not vote down this proposition and send this bill to conference? Will we lose anything——

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WINGO. I will.

Mr. CHINDBLOM. Will the gentleman analyze the language in the amendment so as to show what will result in the establishment of a new bank?

Mr. WINGO. If I have time I will; but there is the trouble. I have got some colleagues who want some time. You have voted to shut off debate in this House. I have given the gentleman the provision that he as a lawyer can analyze. I could not get a copy of the bill from the Clerk. I had to borrow one, and the gentleman may have the same trouble. That is the trouble in ramming this thing through——

Mr. CHINDBLOM. But the gentleman has reached a conclusion and announced that conclusion, and I ask him briefly for his reasons.

Mr. WINGO. The gentleman listened to me. I think there are gentlemen sitting before me who know that I have already called your attention to one specific provision of the bill. I am not going to waste time by repeating it. You get the bill. You can read it while I am talking, and if you do not come to the conclusion that I have mentioned I will be surprised, for I have a great respect for the gentleman's legal ability. The gentlemen have not told us anything about it. The principal objection I have to the whole thing is that you have got this matter already up in the Supreme Court now, and do not know what they are going to decide. Men who bought these bonds in good faith are entitled to not have their security disturbed, and just as sure as you put through this wide-open measure authorizing the Federal land bank to establish a Porto Rican branch and attach it to an inland bank of the United States, whenever that land bank goes out or when the Farm Loan Board goes out and floats bonds in the future, bring it home to yourself that if you are going into the market to buy bonds what effect would that have on the security in your eye as a safe investment?

It is not fair to the farmers of America to jeopardize their security and depreciate it in the market in order to do your duty to Porto Rico. You can do your duty to Porto Rico by providing for a separate, independent system down there for which the Federal land banks of the United States are not responsible.

I will go further with you and say that I will not only be with you in recognizing our duty to Porto Rico but I will be willing for the Federal Treasury to put up all the stock and carry it all; but what I object to is to saddle this risk on all the farm loans and bonds of the United States, and making every farmer in the United States who has a loan in this bank directly responsible to the extent of his stock in that bank, which is 5 per cent of his loan, for the loans in Porto Rico.

Mr. BEE. Will the gentleman yield?

Mr. WINGO. I will.

Mr. BEE. I am very much interested in that statement, because it is a controlling factor in my mind. I have not been able to tell how the stockholders in this country would be rendered liable.

Mr. WINGO. You can not get a loan at a farm loan bank unless you subscribe to 5 per cent of the capital stock through your local association. That is a stockholder's liability. It is true that it is a very remote one.

Mr. BEE. You mean the stockholders there?

Mr. WINGO. The farmer who borrows.

Mr. BEE. In the United States?

Mr. WINGO. Yes; in the United States.

Mr. BEE. He would be liable for the bad loans in Porto Rico?

Mr. WINGO. Certainly. Because these bonds are going to be issued, and if there is any deficit at all the whole system will be responsible. The gentleman says that is a remote possibility. I concede that is true; but, gentlemen, even if it is remote, it is a factor in the sale of bonds, is it not? I am talking to men some of whom have invested in bonds. Human nature is human nature. The point I am making is not antagonistic to Porto Rico.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. WINGO. I would suggest that the gentleman get time from the gentleman from Pennsylvania [Mr. MCFADDEN], as I have little time.

Do not jeopardize the farm loan system in the United States. God knows it has enough tax on it now. Give the Porto Ricans a system if you want to do so; subsidize it out of the Federal Treasury if it is necessary to the Porto Ricans; but I object to depressing the farm loan bonds issued to take care of loans in Kansas, Michigan, Pennsylvania, or in Arkansas, in order to discharge our duties to the Porto Ricans and saddle that liability on the loans made by the farmers of the United States. [Applause.]

Mr. McFADDEN. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker and gentlemen of the House, this bill was considered in the House and passed by an overwhelming majority, notwithstanding the strenuous opposition of my friend from Arkansas [Mr. WINGO]. There is not anything of danger in it; there is not anything in it that could possibly disparage the system in the United States. He speaks about the 5 per cent guaranty. The 5 per cent guaranty is created for the protection of the particular members of the particular association that a man joins. That in Porto Rico would, of course, be the guarantee for the Porto Ricans, and Porto Ricans alone. He says that to extend the act to Porto Rico would injuriously affect the bonds of the United States. I doubt that any such result can possibly occur.

Mr. BEE. Will the gentleman yield for a question?

Mr. TOWNER. If the gentleman will be very brief.

Mr. BEE. I understand the gentleman's statement that this 5 per cent guaranty would only apply to the members of the farm-loan bank in Porto Rico and not in the United States?

Mr. TOWNER. It would only apply to the particular association.

Mr. JUUL. Will the gentleman yield to me?

Mr. TOWNER. I will.

Mr. JUUL. The bill states that no loan shall be made in the island of Porto Rico to run for a longer term than 20 years. Will the gentleman tell us whether that is an increase of the period of time or a decrease upon the grant already existing?

Mr. TOWNER. It is a decrease in the farm-loan system.

Mr. JUUL. What is the limit of time?

Mr. TOWNER. That is fixed by the Farm Loan Board.

Mr. JUUL. And this is a limitation?

Mr. TOWNER. This is a limitation.

Mr. DEWALT. Will the gentleman yield to me?

Mr. TOWNER. I will.

Mr. DEWALT. The gentleman from Arkansas referred to litigation now pending in the Supreme Court. Will the gentleman briefly state what that is, or whether that would affect this matter at all?

Mr. TOWNER. I presume it may affect it, as it might affect the whole system. The suit attacks the constitutionality of the law. But it would not affect this particular case any more than it would affect all the others. That is sufficient, I presume, for the purpose of this consideration.

Now, gentlemen, this bill passed the House; it went to the Senate with the provision in the bill that the branch bank in Porto Rico should report to the Springfield, Mass., regional bank. The Senate committee and the Senate thought that it would be better not to fix it permanently in Springfield, Mass., because it might be desirable to make them report to the New York bank or to the Charleston bank, or some other bank along the Atlantic coast. So they thought it better on the whole to leave it to the Farm Loan Board. I have not any doubt but that the first regional bank that will be selected will be the Springfield bank. However, it will then be subject to change.

It will be seen that this amendment which was made in the Senate was not a material amendment at all. I do not think it affects the bill injuriously in any way to agree to the Senate amendment. If it had been a material change, of course there would have been time or opportunity offered for a longer discussion, and I will say to the gentleman from Arkansas [Mr. WINGO] that it was with no object of cutting off discussion, except that we might have it discussed only as long as it would be just to do so. Forty minutes is long enough to discuss this proposition. We might have cut it off to a very few minutes by commencing the discussion and then moving the previous question and putting it to a vote.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. McFADDEN. Mr. Speaker, the gentleman from Arkansas [Mr. WINGO] made a particular point that the passage of this bill would mean the establishment of another farm loan bank in Porto Rico. In answer to his question I want to read from the bill the following, from page 2, line 2:

Subject to the approval of the Federal Farm Board and under such conditions as it may prescribe, the provisions of this act are extended to the island of Porto Rico; and such Federal land bank as may be

designated by the Federal Farm Loan Board is hereby authorized to establish a branch bank at such point as the Federal Farm Loan Board may direct on the island of Porto Rico.

I can not for the life of me understand how the gentleman can construe that language to mean that the passage of this bill will establish another Federal farm loan bank. If the gentleman can make that language say any such thing, I can not understand how he succeeds in doing it.

Now, there was no attempt on the part of the chairman of the committee to force this legislation through. The reason why I proceeded in the manner I did is because we are in the closing days of Congress. This is an important measure to the people of Porto Rico, and if it was referred to conference, as the gentleman suggested, it would mean delay, because we all know the congested condition at the other end of the Capitol, and it simply means that the bill would be defeated if it were handled in the manner he suggests. The gentleman is opposed to the bill, and he is using these methods for the purpose of defeating the legislation.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes; I yield to the gentleman.

Mr. McKENZIE. I simply want to ask the gentleman from Pennsylvania whether, under the provisions of this bill, the proceeds received from the sale of these bonds in this country could be loaned in the island of Porto Rico to the people there, or does it provide that the people of Porto Rico must buy a certain number of bonds?

Mr. McFADDEN. The people of Porto Rico can buy, and the people of the United States can buy these bonds.

Mr. McKENZIE. Yes. But will it be possible under this legislation to sell these farm loan bonds in this country and then use the proceeds derived from such sale and make loans in Porto Rico?

Mr. McFADDEN. If the Federal Farm Loan Board sees fit to do that it will.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield to me?

Mr. McFADDEN. Certainly.

Mr. STEVENSON. I want to direct the gentleman's attention to the fact that, apropos the gentleman's remark about the gentleman from Arkansas [Mr. WINGO], I was one of the most enthusiastic supporters of this bill and helped to get it out of committee and helped to get it before the House. I agree with the gentleman from Arkansas that this bill should go to conference. I do not think it will endanger the enactment of the bill. I think it will benefit the bill.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. JUUL. As I understand this bill, the House and Senate have passed it, and the only change there is in it, compared with the way it existed before, is that instead of the land bank in Massachusetts being in control, the Federal Board is in control?

Mr. McFADDEN. Yes. The Federal Board, in spite of this, may designate the Springfield bank, or the Baltimore bank, or any one of the 12 Federal land banks.

Mr. JUUL. And we have already practically passed the bill, with the exception of that feature?

Mr. McFADDEN. Exactly. The gentleman can easily understand that if we send this bill to conference the conferees will have very little to stand on in conference in exacting the things that the gentlemen propose.

Mr. BRAND. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. BRAND. Does the gentleman entertain the same opinion as Judge TOWNER does in regard to liability in case of a loss on these loans, to-wit, that no one but people who belong to the institution in Porto Rico are in anywise responsible for losses that may be sustained, if any?

Mr. McFADDEN. That applies to the 5 per cent stock subscription?

Mr. BRAND. No. Would the farmers of this country not in the system be responsible as taxpayers for any loss on account of the operations of the branch bank in Porto Rico? If any loss occurs——

Mr. McFADDEN. Only in case of the failure of the farm loan system, I will say to the gentleman.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Certainly.

Mr. BEE. Every other farm loan bank is responsible and liable, is it?

Mr. McFADDEN. You are liable on account of your stock subscription.

Mr. BEE. Everybody is now.

Mr. McFADDEN. We are extending to the Porto Ricans the same privilege, the right to borrow up to $5,000 for a period of 20 years.

Mr. HAUGEN. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. HAUGEN. The language at the top of page 2 reads:

Any Federal bank may establish branches within the land bank district.

Is that for the purpose of establishing a branch bank? What is the object in establishing branch banks?

Mr. McFADDEN. To accommodate borrowers, the farmers who are borrowing.

Mr. HAUGEN. Would it not entail considerable expense?

Mr. McFADDEN. I do not think so. All the expense has to be paid under the law by them.

Mr. HAUGEN. Is it necessary for the establishment of these banks?

Mr. McFADDEN. Yes. It may be in some instances to accommodate farmers who want to borrow.

Mr. HAUGEN. For what reason? I am speaking about branch banks. Why is it necessary to establish branch banks? Is it to pile up the expenses?

Mr. McFADDEN. No. The object is to accommodate the borrowers in the various localities.

Mr. HAUGEN. Are they not being accommodated by the present branch bank?

Mr. McFADDEN. In some instances they are not in Porto Rico, and this bill provides for that.

Mr. HAUGEN. How many branch banks are contemplated?

Mr. McFADDEN. One in Porto Rico.

Mr. HAUGEN. It says:

Any land bank may establish branches within the land bank district.

Does this apply only to Porto Rico?

Mr. McFADDEN. I will say that this bill is a specific bill for the relief of the situation in Porto Rico.

Mr. HAUGEN. Does the gentleman contend that it limits it to one branch bank, and no more?

Mr. McFADDEN. It is limited to one branch and one bank.

Mr. WINGO. Will the gentleman yield there?

Mr. McFADDEN. Yes.

Mr. WINGO. Does the gentleman agree with the gentleman from Iowa [Mr. TOWNER] that if the Porto Rico branch bank should fail and there is a loss it would only fall on the stockholders of the branch bank in Porto Rico, and not on the farm borrowers in Kansas or any other district in the United States?

Mr. McFADDEN. It would fall on the stockholders of the farm loan system.

Mr. WINGO. The entire system?

Mr. McFADDEN. The entire system, as I understand.

Mr. WINGO. The gentleman from Iowa [Mr. TOWNER] is in error in his conclusion, and I felt sure that the gentleman from Pennsylvania would say that.

Mr. TOWNER. I think the gentleman from Iowa is not in error. The 5 per cent which is paid into the guaranty fund does not extend beyond the immediate association.

Mr. WINGO. With all respect for the gentleman's knowledge—and I have great respect for it—I candidly assure the gentleman that he is in error.

Mr. TOWNER. I candidly assure the gentleman from Arkansas that he is in error regarding the matter. The guaranty of the 5 per cent only extends to the immediate association which is organized when these farm loan associations are organized. The only possible loss that could occur would be for the failure of some of the bonds that are issued, or something of that kind. That, of course, would be equally borne by all the people of the United States; but no loss could occur so far as the 5 per cent guaranty fund is concerned, outside of Porto Rico. That certainly is true.

Mr. WINGO. The gentleman is speaking about one thing and I am talking about another. I am talking about the stock liability.

Mr. TOWNER. The gentleman in his remarks said the 5 per cent contribution which must be subscribed by the men when they enter the system——

Mr. WINGO. Sure; and I remember very distinctly that I made a fight to limit the act when it was written—to limit it to the gentleman's viewpoint—but I lost out, and I know that the stock liability extends to every stockholder to the extent of his stock.

Mr. TOWNER. The gentleman is still talking about stock liability.

Mr. WINGO. I am talking about the 5 per cent subscription. What is the gentleman talking about?

Mr. TOWNER. About the liability these men take with regard to guaranteeing the loans in their own association.

Mr. WINGO. I do not know anything about that fund. The only thing I know anything about is the 5 per cent stock subscription. I never heard of the other.

Mr. STEAGALL. Will the gentleman from Pennsylvania yield for a question?

Mr. McFADDEN. I have only a few minutes. I will yield if the gentleman will be brief.

Mr. STEAGALL. Is not this the fact, that in case of a loss it will fall, first, on the farmers and be paid out of their 5 per cent liability? If not, it will then fall on the other 12 loan banks to make it good, and if they can not pay it, the bondholders who hold the bonds would be the folks who would lose the money?

Mr. McFADDEN. The gentleman is practically correct.

Mr. HAUGEN. Will the gentleman yield for another question?

Mr. McFADDEN. Yes.

Mr. HAUGEN. I understood the gentleman to say that the establishment of branch banks is limited to one, to Porto Rico?

Mr. McFADDEN. It is, under this bill.

Mr. HAUGEN. I think the gentleman is in error about it. Any land bank may establish branches, not one, but "branches," in the plural.

Mr. McFADDEN. With the approval of the Federal Farm Loan Board?

Mr. HAUGEN. Exactly, with the approval of the Federal Farm Loan Board; so with the approval of the board they may establish a thousand or any number.

Mr. McFADDEN. I can not imagine the Farm Loan Board doing that in Porto Rico. This is a specific bill for the relief of the farmers in this island.

Mr. HAUGEN. I am talking about the language of the bill.

Mr. TOWNER. That is in the original bill.

Mr. HAUGEN. It is the original bill I was talking about, as to the number of branch banks that could be established.

Mr. TOWNER. What has been done with regard to the Porto Rican matter is entirely different from that and outside of that. That is the original law now, and it is not changed at all in the slightest particular.

Mr. HAUGEN. It is the law now that they may establish any number of branches.

Mr. TOWNER. Yes; that is the exact language of the law.

Mr. WINGO. I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Speaker, I am not taking a position against this because I oppose the bill. I was one of the most enthusiastic supporters of this measure. I am opposed to it because this amendment of the Senate gives the Federal Farm Loan Board the right to attach Porto Rico to any land district it sees fit, anywhere in the United States, in the language of the gentleman from Iowa [Mr. TOWNER]. It not only does that, but it gives them the right, having first attached it to Springfield, then to attach it to Baltimore, and having left it there for a year, then to attach it to Columbia, and having left it there for a year, to attach it to the Pacific coast. The result is that when you come to determine where the liability is for the Porto Rican bonds, for the Porto Rican bank, you will need a committee to send for persons and papers to ascertain to what division it was attached when the bonds were issued. Now, if this House thinks that it should go to Springfield, which was the place stated in the hearings to be most convenient and suitable, and the bank that had the least business and therefore needed some extension, and which is the place where we fixed it, I am in favor of leaving it where this House fixed it, and have it determined once for all what bank is primarily liable for the bonds of that institution.

Something has been said about the liability. I think some gentlemen here need to know more about the farm loan act. When a man borrows a thousand dollars from a Federal land bank, he immediately out of that thousand dollars pays $50 to the local association, of which he is a member, for stock therein. That $50 is invested by that association in the stock of the Federal farm loan bank from which the loan is obtained. And when the man finishes paying his loan he gets his money back with which he is credited. Meanwhile he gets his part of the dividends on that stock credited on his interest account, and when he finishes paying his loan, the last thing that is done is to credit him on his loan with the $50 which he has paid into the stock of the Federal farm loan bank. Now, you say that because the bank is liable to lose money it will not hurt the stockholders. It hurts the stockholder directly, and it lessens the investment he made in the stock of the bank. Whenever you render anything uncertain, as you render it uncertain by switching this bank from one place to another, you render the bonds less desirable in the power to do business as it was done before. The beginning of the abdication of power in this Congress to determine what shall constitute the district in which these outlying provinces are to be embraced is the beginning of the turning over of autocratic power to the Federal Farm Loan Board and putting it where it will render uncertain and unsafe many of the investments in bonds, and it will depreciate the value of the stock of the owners in the farm-loan system of this country.

Mr. BEE. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BEE. What I have not been able to understand is the sanctity of this Springfield bank.

Mr. STEVENSON. The sanctity of the Springfield bank is shown in the hearings. It is shown there that the transportation trade and business relations was between Springfield and the district of Porto Rico, and that is why they ask to be put there. In addition to that, the smallest amount of business was being done by the Springfield bank, and it was the only one that had not attained the basis that it was supposed to, and therefore we placed it in this territory.

Mr. DEWALT. Have they a branch in either Hawaii or the Philippines?

Mr. STEVENSON. No; this was done by special statute, and when we do it we ought to say what bank it shall be attached to. This is an attempt to take it away from us and give it to the Farm Loan Board.

Mr. WINGO was recognized.

Mr. MOORE of Virginia. Before the gentleman begins his remarks I would like to have him give us the reason or the motive in making this change, and what is the object of the Senate committee amendments?

Mr. WINGO. I can not answer all of the question without violating the rules of the House. There is nothing very serious about it. I should not take the time of the House any further except for two reasons: First, to answer the error into which the gentleman from Iowa has fallen, and also to correct that error in the RECORD, because a great many people have the same erroneous idea.

I take issue with the gentleman from Iowa [Mr. TOWNER] with a great deal of diffidence, because I have great respect not alone for his character but also for his ability as a lawyer. The gentleman is in error about the stock liability, and if it were an ordinary statute I would not say it with so much seriousness, but I remember distinctly that my political fortunes were wound up in that question in one campaign and I made the fight of my life to keep out the very stock liability that is in the act.

What is it? Under the law local farm associations are formed. No man can get a loan unless he is a member of the local association. No man can belong to an association unless he is a stockholder and owns capital stock. The capital stock of the local associations is divided into $5 shares. For every hundred dollars borrowed by a farmer he must own one share of stock. When he wants a loan from the farm loan bank his association has to subscribe to a like amount of stock of the Federal land bank.

Section 8 of the law provides:

Any person desiring to borrow on farm land mortgage through a national farm loan association shall make application for membership and shall subscribe for shares of stock in such farm loan association to an amount equal to 5 per cent of the face of the desired loan, said subscription to be paid in cash upon the granting of the loan.

Section 7 of the law provides:

Whenever any national farm loan association shall desire to secure for any member a loan on first mortgage from the Federal land bank of its district it shall subscribe for capital stock of said land bank to the amount of 5 per cent of such loan, such subscription to be paid in cash upon the granting of the loan by said land bank.

Section 9 of the law provides:

Shareholders of every national farm loan association shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such association to the extent of the amount of stock owned by them at the par value thereof, in addition to the amount paid in and represented by their shares.

That is a customary stock liability which every lawyer will easily comprehend. What is the liability of the farm loan association to the land bank? It is identical. What is the liability of each of the Federal land banks? Section 21 provides:

Every Federal land bank issuing farm loan bonds shall be primarily liable therefor, and shall also be liable, upon presentation of farm loan bond coupons, for interest payments due upon any farm loan bonds issued by other Federal land banks and remaining unpaid in consequence of the default of such other land banks; and every such bank shall likewise be liable for such portion of the principal of farm loan bonds so issued as shall not be paid after the assets of any such other land banks shall have been liquidated and distributed: *Provided*, That such losses, if any, either of interest or of principal, shall be assessed by the Federal Farm Loan Board against solvent land banks liable therefor in proportion to the amount of farm loan bonds which each may have outstanding at the time of such assessment.

There can be no dispute about this stock liability, can there? It is so clear that it does not require a lawyer to see it. The point I make is this, that we are in error when we favor joining Porto Rico business to the United States. If Porto Rico business proves unprofitable, if there is a loss by the Federal loan bank that issues bonds and furnishes money for the loans in Porto Rico and the Federal land bank should default it could not fail; why? Because under the law the Federal Loan Board can call on every other Federal land bank in the proportion provided in the statute to make the losses good. Each land bank calls on its stockholders, the local associations, for their proportions of the liability, and the association calls on each of its stockholders, the farm borrowers, to make good the loss; so you see that in the last analysis each borrower is liable under the law to lose not only the amount paid in for his stock but also may be assessed in addition thereto in a like amount in order to make good losses.

So if you pass this law each land bank, and in turn each local association, and in turn each borrower, through stock liability is liable to the extent of 10 per cent of the amount of his loan if it became necessary to make good any loss in Porto Rico. Gentlemen tell me that that will not depress the market for farm loan bonds. Well, if investors still retain common horse sense at all it will. That is the thing against which I protest. In any event, this bill should go to conference.

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. McFADDEN. Mr. Speaker, in answer to what was said by the gentleman from South Carolina [Mr. STEVENSON] there is nothing in this bill to indicate that the Springfield bank will not be designated. It simply gives the right to designate to the Farm Loan Board. I believe, as a matter of fact, that the Farm Loan Board intends to designate the Springfield bank, but it reserves to them the right to say which bank they shall designate.

I yield the remainder of my time to the gentleman from Iowa [Mr. TOWNER].

The SPEAKER. The gentleman from Iowa is recognized for three minutes.

Mr. TOWNER. Mr. Speaker, I have not been able to secure a copy of the law, but gentlemen will understand that under this system the farmers must first make an effective association among themselves before they can obtain their loans.

Mr. STEAGALL. Mr. Speaker, will the gentleman yield briefly?

Mr. TOWNER. Yes.

Mr. STEAGALL. That is true of the system as it operates in this country, but is it not true that under this bill loans are authorized to be made directly to the farmers?

Mr. TOWNER. Yes.

Mr. STEAGALL. The thing which this Congress without hesitation refused to allow in the original bill, as it applies to the farmers of this country?

Mr. TOWNER. Yes; but the only effect of that is to strengthen rather than to weaken it, for that reason. The guaranty fund then becomes effective for all the loans made in the island. The gentleman understands that the island is small; it is not much larger than our smallest States. It is different from the large region or section that is under the regional banks. A branch bank in Porto Rico can take care of all of the conditions that exist there. The guaranty which they must make in Porto Rico of 5 per cent will go to support all of the losses that may occur within the island of Porto Rico, and they are not liable for all losses, nor are we liable to them on account of losses made. The gentleman should understand that this guaranty has not anything whatever to do with the stock and bond question. The 5 per cent guaranty is made for the purpose of supporting or sustaining or guaranteeing against losses that are made in each particular association by reason of a failure to pay the loans when due.

Mr. STEVENSON. Suppose the association which puts that money right into stock of the farm loan banks loses its stock, how does it respond to its stockholders?

Mr. TOWNER. It has the money; it has the guaranty.

Mr. STEVENSON. But if it loses it, what becomes of it?

Mr. TOWNER. It can not lose it when it is deposited in the Federal banking system. That is the supporting point; that is the real guaranty against losses in the whole system.

Under the provisions of the farm loan act 10 or more farmers unite to form a farm loan association. They each make application for a farm loan, not more than $10,000 and not less than $100, and in the aggregate not more than $20,000. Five per cent must be taken from each loan and placed with the land bank under whose jurisdiction the association is formed. Stock is issued for this amount and held as collateral security for each and all of said loans. That is the manner in which the 5 per cent is held as a guaranty, and the guaranty does not extend beyond the loans in each particular association.

The SPEAKER. The time of the gentleman from Iowa has expired. The question is on the motion of the gentleman from Pennsylvania to concur in the Senate amendments.

The question was taken; and on a division (demanded by Mr. WINGO) there were—ayes 77, noes 35.

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on concurring in the Senate amendments.

The question was taken; and there were—yeas 214, nays 76, not voting 138, as follows:

YEAS—214.

Ackerman	Elston	Langley	Robinson, N. C.
Almon	Emerson	Larsen	Robsion, Ky.
Andrews, Md.	Esch	Layton	Rose
Andrews, Nebr.	Evans, Nebr.	Lea, Calif.	Sanders, Ind.
Ashbrook	Fairfield	Little	Sanders, N. Y.
Aswell	Ferris	Luce	Schall
Barbour	Fess	Lufkin	Scott
Bee	Flood	Luhring	Shreve
Begg	Focht	McArthur	Sinclair
Benson	Foster	McClintic	Sinnott
Black	Freeman	McDuffie	Smith, Idaho
Bland, Ind.	French	McFadden	Smith, Ill.
Bland, Va.	Fuller	McKeown	Smith, Mich.
Boles	Garrett	McLaughlin, Mich.	Snyder
Bowers	Glynn	McLaughlin, Nebr.	Stedman
Box	Godwin, N. C.	McPherson	Steenerson
Brand	Goodall	MacGregor	Stephens, Ohio
Brinson	Goodykoontz	Magee	Stiness
Britten	Graham, Ill.	Mann, Ill.	Strong, Kans.
Brooks, Ill.	Green, Iowa	Mansfield	Strong, Pa.
Browne	Greene, Mass.	Mapes	Summers, Wash.
Buchanan	Greene, Vt.	Martin	Sumners, Tex.
Burke	Griest	Merritt	Sweet
Burroughs	Griffin	Michener	Swindall
Butler	Hadley	Miller	Swope
Byrnes, S. C.	Hardy, Colo.	Monahan, Wis.	Taylor, Tenn.
Byrns, Tenn.	Haugen	Montague	Temple
Caldwell	Hawley	Moore, Ohio	Thompson
Campbell, Kans.	Hayden	Moore, Va.	Tilson
Carss	Hays	Murphy	Timberlake
Chindblom	Hernandez	Nelson, Wis.	Tincher
Christopherson	Hersey	Newton, Mo.	Towner
Cleary	Hersman	Nolan	Treadway
Coady	Hickey	Ogden	Upshaw
Cole	Hicks	Osborne	Valle
Cooper	Hoey	Overstreet	Voigt
Crago	Holland	Padgett	Volstead
Cramton	Hull, Iowa	Parker	Walsh
Crisp	Hull, Tenn.	Parrish	Walters
Currie, Mich.	Humphreys	Patterson	Ward
Curry, Calif.	Husted	Phelan	Wason
Dale	Hutchinson	Pou	Watson
Dallinger	Ireland	Purnell	Welling
Darrow	James, Va.	Radcliffe	Welty
Davis, Minn.	Johnson, Wash.	Raker	Whaley
Davis, Tenn.	Juul	Ramseyer	White, Me.
Dempsey	Kearns	Randall, Calif.	Williams
Denison	Keller	Randall, Wis.	Wilson, Pa.
Dickinson, Iowa	Kelly, Pa.	Ransley	Woods, Va.
Dowell	Kendall	Reed, N. Y.	Woodyard
Drewry	Kinkaid	Reed, W. Va.	Young, N. Dak.
Dyer	Kleczka	Rhodes	Zihlman
Echols	Knutson	Ricketts	
Elliott	Lampert	Riddick	

NAYS—76.

Babka	Gallivan	Lesher	Sabath
Barkley	Gard	Linthicum	Sherwood
Blanton	Hardy, Tex.	McAndrews	Sims
Bowling	Hastings	Major	Sisson
Briggs	Hoch	Mays	Smithwick
Cannon	Howard	Milligan	Steagall
Cantrill	Huddleston	Minahan, N. J.	Stephens, Miss.
Caraway	Hudspeth	Nelson, Mo.	Stevenson
Carew	Igoe	O'Connell	Stoll
Carter	Jacoway	Oldfield	Tague
Collier	Johnson, Ky.	Oliver	Taylor, Ark.
Connally	Johnson, Miss.	Park	Tillman
Culien	Jones, Pa.	Pell	Venable
Dewalt	Jones, Tex.	Quin	Weaver
Dominick	Kincheloe	Rainey, Henry T.	White, Kans.
Drane	Kraus	Rayburn	Wilson, La.
Evans, Mont.	Lanham	Romjue	Wingo
Fields	Lankford	Rouse	Wright
Fisher	Lee, Ga.	Rucker	Young, Tex.

NOT VOTING—138.

Anderson	Burdick	Dent	Edmonds
Anthony	Campbell, Pa.	Dickinson, Mo.	Ellsworth
Ayres	Candler	Donovan	Evans, Nev.
Bacharach	Casey	Dooling	Fish
Baer	Clark, Fla.	Doremus	Fordney
Bankhead	Clark, Mo.	Doughton	Frear
Bell	Classon	Dunbar	Gallagher
Benham	Copley	Dunn	Gandy
Bland, Mo.	Costello	Dupré	Ganly
Brooks, Pa.	Crowther	Eagan	Garner
Brumbaugh	Davey	Eagle	Goldfogle

Good	Lazaro	Newton, Minn.	Siegel
Goodwin, Ark.	Lehlbach	Nicholls	Slemp
Gould	Lonergan	O'Connor	Small
Graham, Pa.	Longworth	Olney	Smith, N. Y.
Hamill	McCulloch	Paige	Snell
Hamilton	McGlennon	Perlman	Steele
Harreld	McKenzie	Peters	Sullivan
Harrison	McKinley	Porter	Taylor, Colo.
Hill	McKinley	Rainey, Ala.	Thomas
Houghton	McLane	Rainey, John W.	Tinkham
Hulings	McLeod	Ramsey	Vare
James, Mich.	Madden	Reavis	Vestal
Jefferis	Maher	Reber	Vinson
Johnson, S. Dak.	Mann, S. C.	Riordan	Volk
Johnston, N. Y.	Mason	Rodenberg	Watkins
Kahn	Mead	Rogers	Webster
Kelley, Mich.	Mondell	Rowan	Wheeler
Kennedy, Iowa	Moon	Rowe	Wilson, Ill.
Kennedy, R. I.	Mooney	Rubey	Winslow
Kettner	Moores, Ind.	Sanders, La.	Wise
Kiess	Morin	Sanford	Wood, Ind.
King	Mott	Scully	Yates
Kitchin	Mudd	Sears	
Kreider	Neely	Sells	

So the motion to concur was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. LONGWORTH with Mr. BELL.

Mr. SNELL with Mr. CLARK of Florida.

Mr. ANTHONY with Mr. GANDY.

Mr. YATES with Mr. DOUGHTON.

Mr. WOOD of Indiana with Mr. MCKINIRY.

Mr. FORDNEY with Mr. HAMILL.

Mr. SLEMP with Mr. DICKINSON of Missouri.

Mr. HAMILTON with Mr. GOLDFOGLE.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. MASON with Mr. STEELE.

Mr. ROWE with Mr. MOONEY.

Mr. VESTAL with Mr. ROWAN.

Mr. GOOD with Mr. JOHN W. RAINEY.

Mr. FISH with Mr. VINSON.

Mr. HARRELD with Mr. KETTNER.

Mr. FREAR with Mr. HARRISON.

Mr. JAMES of Michigan with Mr. EAGLE.

Mr. LEHLBACH with Mr. SMALL.

Mr. MOTT with Mr. EVANS of Nevada.

Mr. JOHNSON of South Dakota with Mr. WISE.

Mr. JEFFERIS with Mr. SCULLY.

Mr. KING with Mr. DONOVAN.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCARTHUR). A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. MCFADDEN, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

RESTRICTION OF IMMIGRATION.

Mr. JOHNSON of Washington. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. JOHNSON of Washington. Mr. Speaker, I desire to present a conference report on the disagreement to the amendments of the Senate to the bill H. R. 14461, to be printed under the rule.

The SPEAKER pro tempore. The gentleman from Washington presents a conference report which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14461) to provide for the protection of citizens of the United States by temporary suspension of immigration, and for other purposes.

The SPEAKER pro tempore. Ordered printed under the rule.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 11945. An act for the relief of W. C. Stewart;

H. R. 12005. An act for the relief of Henry P. Corbin; and

H. R. 15836. An act to amend the transportation act, 1920.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2508. An act to appropriate $5,000,000 for the purchase of seed grain to be supplied to farmers in the drought-stricken areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture; and

S. 3695. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 4683. An act to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919; and

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 12634. An act for the relief of Wilhelm Alexanderson; and

H. R. 11572. An act for the relief of the John E. Moore Co.

The message also announced that Mr. HITCHCOCK had been excused on his own request from further service as a conferee on the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, and Mr. SWANSON had been appointed in his place.

The message also announced that the Senate had passed with amendments joint resolution (H. J. Res. 346) extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, in which the concurrence of the House of Representatives was requested.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15836. An act to amend the transportation act, 1920.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2508. An act to appropriate $5,000,000 for the purchase of seed grain to be supplied to farmers in the drought-stricken areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture; to the Committee on Appropriations.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing was received from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 21, 1921:

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes; and

H. R. 12157. An act to amend an act of Congress approved June 30, 1913.

On February 22, 1921:

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county;

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma; and

H. R. 15130. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

POST OFFICE APPROPRIATION BILL.

Mr. MADDEN. Mr. Speaker, I desire to present a conference report on the Post Office appropriation bill for printing under the rule.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER pro tempore. Ordered printed under the rule.

IMMIGRATION.

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SABATH. The gentleman from Washington, the chairman of the Committee on Immigration, has just handed in a conference report, and I desire to make this inquiry: The House conferees have adopted a new bill in place of the bill which passed the House. I understand it will be treated as an amendment notwithstanding it is a new bill, and that the Senate bill has several sections. Now, I desire to know, will we have the right in the House, when the conference report is called up, to secure a separate vote on the different sections, or will it be treated as one amendment?

The SPEAKER pro tempore. The question will be upon agreeing to the conference report.

Mr. SABATH. Under the rules will we be precluded from asking for a separate vote on the different sections?

Mr. JOHNSON of Washington. If the gentleman will permit, the conference report is an amendment to the Senate amendment and naturally goes as one amendment, to be adopted by the House and voted up or down.

Mr. SABATH. The entire bill?

Mr. JOHNSON of Washington. I think so.

INDIAN APPROPRIATION BILL.

Mr. ELSTON. Mr. Speaker, I call up the conference report on the Indian appropriation bill in order to proceed further in the consideration of the Senate amendments submitted in that report.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Page 42, line 10, strike out "$109,600" and insert in lieu thereof "$184,600."

Mr. ELSTON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment. This will merely restore the House total which the Senate increased by reason of the amendment which was voted down by the House on Saturday.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 49, at the top of the page, insert:
"That the provision in the Indian appropriation act for the fiscal year ending June 30, 1921, authorizing the expenditure of not exceeding $50,000 from unexpended Osage tribal funds heretofore appropriated for construction of a fireproof office building for Osage Agency is hereby amended to provide that not exceeding $100,000 of such unexpended Osage tribal funds may be used in the construction of such fireproof building, including the removal of the present office building and rearrangement of the interior of same for employees' quarters, said amount to be immediately available."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. This amendment increases by $50,000 the amount which the House allowed for the construction of the office building for the Osage Indians. The increase is necessary to complete the building and it will come out of the tribal funds and not from the Treasury of the United States.

Mr. SNYDER. Mr. Speaker, I rise to ask the gentleman if he has made any investigation to be able to say that he knows that this additional amount is required?

Mr. ELSTON. Hearings were had before the subcommittee of the House, and they tended to show that $100,000 was absolutely needed. It appears, however, that the limit of cost had previously been fixed by act of Congress at $50,000, and it seemed advisable, by reason of the limited jurisdiction of the appropriation subcommittee, to leave the item out of the bill. The Senate had hearings, and it appears that the preparations for building were completed to such a stage that $100,000 would be needed.

Mr. SNYDER. The gentleman recalls that when the committee visited the Osage Agency last year there was no evidence anywhere that any building had been started for that purpose. If it has commenced, it must have commenced since then. While I have no particular objection to the increase of this item, due to the fact that there is a tremendous business activity there to be handled, and the quarters they were operating in were really very inadequate, in my judgment, this is an item like all the others—legislation—and should have been thoroughly investigated before this action was taken. I do not propose to offer any serious objection to its going through, but I am calling attention again to the fact that this is an increase of appropriation without proper investigation on the part of anyone.

The SPEAKER. The gentleman from California moves to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, after line 22, insert: "That the provisions contained in the Indian appropriation act approved March 2, 1917 (39 Stat. L., 983), authorizing the use of $5,000 of Osage tribal funds for appraisement of lands in Osage County, Okla., for the purpose of adjustment and settlement of claims for or on behalf of any Osage Indian with respect to assessments theretofore or thereafter made, is hereby amended to provide that an additional sum of not exceeding $17,500 is hereby appropriated from Osage tribal funds for the purpose of employing expert accountants, clerks, and special attorneys, under the direction of the Department of Justice, in pending suits in the Federal courts on behalf of Osage Indians in connection with such assessments, such amounts, or so much thereof as may be necessary, to be expended in the discretion of the Secretary of the Interior."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment; and I yield two minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker, if I may have the attention of the House, let me say that the surplus lands of the Osage Indians are taxable. It was contended by the members of the Osage Tribe that their lands were assessed too high some three or four years ago. A suit was brought in the Federal court in Oklahoma and carried to the Supreme Court of the United States, and the Supreme Court upheld the contention of the Osages to the effect that the lands were assessed too high. But they are taxable. Now, this amendment is for the purpose of allowing an additional amount of money out of the Osage funds to insure a correct assessment, or to employ accountants and others to see that correct and fair assessments are made. And I want to say that after this amendment was placed on this bill, which, I understand, was at the suggestion of the Interior Department, as a Senate amendment, the chief of the Osages, with certain members of his council, who are here in the city, together with the attorney for the Osage Tribe and with other prominent members of the Osage Tribe, came to us and insisted that this was a proper amendment, payable out of the Osage funds, and that it ought to be allowed. And for that reason the motion was made to recede and concur in the amendment.

Mr. SNYDER. Mr. Speaker, it seems to be the policy that, inasmuch as the Osages have plenty of money and plenty of opportunity to get more, anything that is suggested that will spend more of their money is perfectly right to place in these various items.

Now, what the gentleman said is undoubtedly true. It may be so. But to my mind this is just a contention of increasing the amount of work that people can be employed in.

Mr. HASTINGS. Will the gentleman yield? The purpose of this amendment is to save them money.

Mr. SNYDER. I know. That is the proposition that is brought to all committees for the purpose of increasing appropriations, and increase the number of people on the pay roll. Now, this may be all right, but I do not know anything about it. I have had no opportunity to investigate it. No member upon the legislative committee has had any opportunity to investigate it, either, and therefore I am opposed to it. I do not think it is a proper item to be in this bill.

Mr. HASTINGS. If the gentleman will yield for a moment further, let me say that the amount the Osages would have to pay if they had not brought this to the Supreme Court was a very large amount. It ran up toward $100,000. I do not have in mind now the exact figures, but this is to correct that excessive assessment and to have it reduced. It is in the interest of the Osages, and they want it.

Mr. SNYDER. What I want to get before the membership of this House is the very statement I made in the beginning, that because the Osages have money very little care is being used with the expenditure of that money so far as it can be used to increase buildings and size of equipment, so that more people can be employed to use their money. That is exactly what this item is intended to do here.

Mr. HOWARD. I want to say that this matter grew out of the fact that there is a contention between Osage County and the tribe as to these valuations. The county has already made arrangements to hire experts to make a survey, and so the Indians think it necessary to be made on their behalf.

Mr. SNYDER. This is the usual thing. You will notice these Osage items here doubled over last year, because the appropriation that was made last year was not used, with the understanding that they would come this year and get another appropriation and increase the old one and go ahead. And next year they will come in for another for the same purpose, not having spent any of the money so far appropriated.

Mr. HASTINGS. I will say to the gentleman from New York that we did not allow a single dollar except what the Osages themselves asked for.

Mr. SNYDER. The gentleman knows the Osage Council comes down here, and anything that the Interior Department wants is a very simple matter to get the Osages to agree to.

Mr. ELSTON. Mr. Speaker, this item has been explained as an item necessary for the Osages and their benefit. I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 92, page 46, line 21, insert: "For dining hall and equipment, $40,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. And I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker, this is for a dining hall and equipment for the Cherokee Training School. This is the only school of the kind in the United States, so far as I know. It is for the orphan Indian children. The original building was erected in 1875, having a capacity of some 65 or 70. I refer to the dining-room capacity and the dormitory capacity. Some 10 years ago the Government of the United States bought this plant and property. Since that time an additional dormitory has been built, which increased the capacity of this school from 65 to 70, so that last year it had a reported capacity of 155. Since then, Mr. Speaker and gentlemen of the House, another dormitory has been provided, for which a foundation has been built, payable out of the remaining funds of the Cherokee Nation, amounting to about $63,000. When the dormitory now in the course of construction is erected the capacity of this school will be about 250. This will be completed by September, 1921. Now, we have a dining-room capacity, as I say, of about 60 or 70, so that when this new dormitory now in the course of construction is completed there will be about 250 in this school, with the dining-room capacity of only 60 or 70. Hence, there is very urgent need for this additional dining room at this school.

Mr. ELSTON. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 93: On page 46, line 22, strike out "$53,000" and insert in lieu thereof "$93,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. It merely corrects the total to correspond with the additional amount.

The SPEAKER. The question is on the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 94: Page 50, line 8, insert "for heating plant, $40,000; for boys' dormitory, $70,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and agree with an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from California moves that the House recede and concur with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment 94, and agree to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following: "for heating plant, $40,000."

Mr. ELSTON. Mr. Speaker, I yield to the gentleman from Oregon [Mr. HAWLEY].

The SPEAKER. The gentleman from Oregon is recognized for five minutes.

Mr. HAWLEY. Mr. Speaker, I regret that the committee of conference did not see its way clear to agree to both of these items. But the one they have agreed to recommend favorably is of the utmost importance to this school.

This heating plant was installed many years ago, when the number of buildings to be heated was much fewer than now. It has done good service in its time, but it is now worn out by long use. I know of my own personal knowledge that the heating plant should be replaced, because I have been at the school during the inclement portion of the year, in the early spring, and the rooms where the children were studying and the dormitories and classrooms were all too cold for comfort, and too cold for the children to live in.

Mr. ELSTON. Mr. Speaker, I move that the House concur with the amendment.

The SPEAKER. The question is on agreeing to the motion of the gentleman from California to recede and concur with the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 95: Page 50, line 9, strike out "$147,400" and insert in lieu thereof "$257,400."

Mr. ELSTON. Mr. Speaker, I move that the House recede and agree to the same with the amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 95 and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$187,400."

Mr. ELSTON. Mr. Speaker, this merely corrects the total, to correspond with the item stricken out and the additional items which have been placed in, which would decrease the Senate total and increase the House total.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 101, page 52, after line 21, insert "Texas":
"For support of Alabama and Coushatta Indians in Polk County, Tex., $5,000."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to this amendment and concur. I yield five minutes to the gentleman from Texas [Mr. BRIGGS].

Mr. BRIGGS. Mr. Speaker, this is a band of Indians in my State and district, numbering about 213. They are Alabama Indians who moved to Texas at a very early date. They are practically a deserving band, and particularly in need of some help at this time, and I hope that the amendment will be adopted. I reserve the balance of my time.

The SPEAKER. The question is on the motion to recede and concur.

Mr. ELSTON. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, this is the most indefensible amendment in the bill. Here it is proposed to pick up a band of Indians who have no possible claim upon anybody, possibly, outside of the State of Texas. During the six years that I have been connected with Indian affairs periodically this item has been brought to the committee by one or two Members from the State of Texas. There is absolutely no justification for it, except that the United States is asked to start out and take over bands that have no call upon it whatever, bands that have been released for more than a hundred years. That is true of this band of Indians in Polk County, Tex. They are as well off in many instances as many of the Indians are in other sections of the country now.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Certainly.

Mr. CARTER. Do not these Indians have lands themselves?

Mr. SNYDER. They have.

Mr. CARTER. And has not the State of Texas already appropriated money for them?

Mr. SNYDER. Yes.

Mr. CARTER. How much of an appropriation has been made for these Indians, if the gentleman knows? How much is it expected they will spend for them with this $5,000, which is nothing else than a camouflage for charity?

Mr. SNYDER. The gentleman has it right. A few years ago, through the energy of some Members from Florida, we took on a band of Seminoles, and we are now regularly appropriating for those Indians, who have been discharged from the Government for over a hundred years. Now they come here with a proposition from the State of Texas. If there is one thing in this bill that is unjustifiable and that ought to go out, and that would not be here except by this amendment and which could not get into the Indian bill by any other method, it is this; and if the membership of this House has any confidence at all in its Committee on Indian Affairs it ought to go out by a vote.

Mr. ELSTON. I yield two minutes to the gentleman from Texas [Mr. BRIGGS].

Mr. BRIGGS. Mr. Speaker, about two years ago Congress appropriated $5,000 to build a school for these Indians. Therefore this is not the first effort which has been made on their behalf. That school is about to be started for these Indians by the Indian Bureau. They are a band known as one of the lost tribes. They have never had any of the gratuities of the

Government. The Bureau of Indian Affairs have recommended them as particularly deserving, and have recommended an appropriation of something like $120,000 for them.

Mr. SNYDER. Will the gentleman point out to the House anywhere in any printed record where anything has been recommended for these Indians by the Indian Bureau?

Mr. BRIGGS. Certainly.

Mr. SNYDER. I mean anything besides the school.

Mr. BRIGGS. In 1918, in the hearings on the Indian appropriation bill, the recommendation was made strongly in behalf of these Indians not only by the Indian Commissioner but by the investigator who went down there and made a personal investigation and a long detailed report about these Indians.

Mr. SNYDER. The gentleman will not find anything in the Indian appropriation bill except for that school.

Mr. BRIGGS. As a result of that investigation the Commissioner of Indian Affairs urged three things. He urged that they be given an appropriation for education, that they be given stock and agricultural equipment, and that they be given an appropriation for the purchase of additional land to give them an opportunity to earn their livelihood, and a better opportunity for developing and sustaining themselves. There is no request in this bill for any land. It simply asks a small appropriation of $5,000 to give these Indians an opportunity to help sustain themselves.

Mr. WALSH. Does the State of Texas appropriate anything for these Indians?

Mr. BRIGGS. The State of Texas gave them about 1,100 acres of land.

Mr. WALSH. Does it appropriate anything for their support?

Mr. BRIGGS. I think the State of Texas has made a small appropriation for them.

Mr. WALSH. And this is simply to transfer that burden to the Federal Treasury.

Mr. BRIGGS. No, sir; it is not.

Mr. WALSH. Does the gentleman think we should make an appropriation to buy upright pianos for them?

Mr. BRIGGS. They are not asking for pianos, but for a school, which this Government is constructing, and for which provision has been made, and for an opportunity to get instruction to support and sustain themselves.

Mr. ELSTON. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I have always been under the apprehension that one of the main reasons why the Government appropriated money for the support of the Indians was because in the course of the progress of civilization the whites had taken away from the Indians the lands which the Indians formerly owned. Of course, that is not true of lands in the State of Texas, so far as the General Government is concerned. We never took any lands away from the Indians in Texas. The General Government has never owned any lands in Texas. I do not know just what the plea is here why we should now contribute to the support of these Indians, when the State of Texas has taken the land away from them. Of course, everywhere else in the United States, in one way or another, we have deprived the Indians of their lands.

Mr. BRIGGS. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BRIGGS. These Indians are not really Texas Indians. They are Alabama Indians. They migrated from Alabama to Louisiana in the early part of the nineteenth century, and from Louisiana they first came into Texas about 1816, then moved away in 1836 and returned in about three or four years later.

Mr. MANN of Illinois. Then the gentleman's theory is that these Indians having voluntarily moved away from Alabama, we should pay them for the land which they voluntarily moved away from?

Mr. BRIGGS. No; they have been recognized as one of the lost tribes. The Indian Bureau called special attention to that.

Mr. MANN of Illinois. They certainly have been lost, as far as I was concerned.

Mr. BRIGGS. The United States Government has never done anything for these Indians except to make a small appropriation for this school building.

Mr. MANN of Illinois. I suppose next we will have a request to appropriate money for the Indians in Massachusetts and in Maine.

Mr. DEMPSEY. How about the Tammany Tribe? [Laughter.]

Mr. BRIGGS. These Indians are not like other Indians in the United States who have been receiving the bounty of the Government for years and years.

Mr. MANN of Illinois. What we propose to do by this is to make paupers out of Indians who could be self-supporting.

Mr. BRIGGS. On the contrary, if the gentleman will allow me, I propose to offer an amendment to add after the word "support" the words "and education." The purpose is to obtain some education for these Indians along industrial lines in connection with the Government school which is being erected there.

Mr. MANN of Illinois. After all, that is what it comes to. They have their land now.

Mr. BRIGGS. They have 1,100 acres which the State of Texas gave them.

Mr. MANN of Illinois. I say they have their land now.

Mr. BRIGGS. But the land is so poor that they can not make a living on it; and without being instructed in more intensive cultivation they have no chance whatever of increasing the present meager yield from the soil. What is most needed is more land.

Mr. MANN of Illinois. That is a reflection on the State of Texas. I am sure the gentleman would not want to reflect on his own State.

Mr. BRIGGS. I do not think it reflects on the State of Texas. It simply reflects on the fact that the Indians have not had the aid and instruction from the Federal Government that other Indians have had. It was stated in these hearings by the present chairman of the Indian Committee [Mr. SNYDER] that the Indians ought to be given an opportunity to learn how to develop this land more intensively before additional land is given them.

Mr. MANN of Illinois. It all comes back to the proposition that we have got to support the Indians when we have taken their land away from them, and in this case they are Texas Indians. All the ones that are alive there now, I suppose, were born in Texas. Texas had all the public lands in that State, but it wants Uncle Sam now to bear the burden of caring for these Indians.

Mr. BRIGGS. Texas only wants the United States to do its part. These Indians came from Alabama and other States. The State of Texas ought not to be charged with their support any more than any other State is charged with the support of the Indians within their borders.

Mr. CARTER. Mr. Speaker, this is a remnant of what once was one of the most warlike tribes of Indians in the Southern States. They were called originally Alibamu Indians, and were a part of the ferocious aborigines encountered by De Soto during the bloody carnage enacted at the Battle of Maubilia near the present site of the city of Mobile, Ala. Originally they must have been a part of the Choctaw Tribe, because they speak a very similar language. After the States of Alabama and Mississippi began to settle up with whites they moved on to Louisiana, and from there finally to Texas. Reaching Texas at an early day when land was cheap the State of Texas generously set aside a tract of land for them which, I think, was finally reduced to about 1,100 acres. Since that time they have been living on the land and subsisting as best they could, getting along perhaps not as well as a great many people of that splendid State, but existing nevertheless as self-supporting Indians.

Now, I think my friend from Texas makes a most serious mistake when he takes a self-supporting man with all the liberties he gets as a United States citizen and undertakes to place him under the tutelage of the Federal Government or the Indian Bureau, thereby destroying his initiative, impairing his integrity, and placing him in a position where he will be a perpetual charge of the Federal Government.

Mr. BRIGGS. Let me say to the gentleman that the Commissioner of Indian Affairs states that that is exactly what the Indian Bureau does not want to do—to take charge of them. They will furnish a teacher and some supervision and direction of the proposed instruction, but the Indians will not be put under the control of the Federal Government. These Indians bear an excellent reputation for industry, peacefulness, and uprightness of character.

Mr. CARTER. The language of the amendment says "for support of the Alabama and Coushatta Indians." How is the Government, the Secretary, the Indian Bureau, or any other agency to support them unless it takes charge of them? I have as much sympathy for the advancement of the Indians as any man in the country; I have as much sympathy with the education and development of the Indians as any man; I have as much sympathy with his comfort and his welfare; but I also have some sympathy with his manhood, therefore I do not be-

lieve that this appropriation, putting these people under paternalistic control when they have shown that they are able to sustain themselves, will be a good thing for these Indians.

Mr. BRIGGS. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. BRIGGS. I want to say that the purpose of this appropriation is to give these Indians some instruction and education in connection with the Government school which the Government has provided. This provision ought to be amended, and the word "education" substituted for the word "support" as used by the Senate, and I shall offer that amendment, and I hope the Chairman and House will accept it.

Mr. CARTER. Oh, if the item had read "for the education of the Coushatta Indians" it might not be necessary to vote on it in this way, because it would not have been subject to a point of order under the rules of the House, for the law authorizes the education of the Indians, but the only thing that we can be guided by is the language of the amendment itself, and again, this item reads "for the support of the Coushatta Indians." I am afraid that in his zeal to help these people the gentleman from Texas is making a very serious mistake when he undertakes to place self-supporting Indians under the control of and on the support of the Government.

Mr. BRIGGS. I have no objection to substituting the word "education" for "support," and have stated it was desired to use the money for instruction so that the Indians might be taught vocational agriculture and given industrial training.

Mr. WALSH. Is there any State law or anything in the constitution of Texas that prevents the State from making an appropriation to take care of these Indians?

Mr. CARTER. As a matter of fact, Texas has been furnishing for years a specified amount for their education and turning it over to the school district comprised by this little reservation.

Mr. RAYBURN. Is there any law in any State that prevents a State from educating the Indians?

Mr. CARTER. Indeed there is not, and our own State, Oklahoma, appropriates and spends thousands of dollars every year for the education of Indian children.

Mr. BRIGGS. Mr. Speaker, I offer an amendment to strike out the word "support" and substitute the word "education."

Mr. ELSTON. I have no objection to that.

Mr. WALSH. Let the amendment be reported. I want to make a point of order.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the word "support," line 24 of the printed bill, and insert in lieu thereof the word "education."

Mr. BRIGGS. Mr. Speaker, I move to recede and concur with the amendment that the Clerk has just read.

The SPEAKER. The question is on the motion to recede and concur with the amendment.

The question was taken; and on a division (demanded by Mr. WALSH) there were 71 ayes and 21 noes.

So the motion to recede and concur with an amendment was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

For the aid of the public schools in Uintah and Duchesne County school districts, Utah, $12,000, to be expended under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That Indian children shall at all times be admitted to such schools on an entire equality with white children.

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 102 and concur in the same with the following amendment: In line 2 of the matter inserted by said amendment, strike out "$12,000" and insert in lieu thereof "$6,000."

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. Yes.

Mr. CHINDBLOM. Is this money to be used for the maintenance of schools which are open to the white children and to the citizens of Utah, so that we are in fact in an Indian appropriation bill contributing to the maintenance of schools in the State of Utah, part of which may be used for the education of Indians?

Mr. ELSTON. The situation is quite different. This is a school that is maintained by the white settlers. It was built by the white settlers and they are paying all of its expenses. It is situated in the heart of the Indian country, and all of the Indian children are privileged to attend the school and do attend the school in almost equal numbers with the white children. The Indians are contributing nothing to the school. The whites are paying all of it.

Mr. CHINDBLOM. And what is the total expenses of schools in this district?

Mr. ELSTON. Mr. Speaker, I yield two minutes to the gentleman from Utah [Mr. WELLING].

Mr. WELLING. Mr. Speaker, I am not able to say what the total expenses of schools in this complete district are. All of the schools in the county are consolidated into one school district, and this is one school of a number of schools in the county. The total would approximate perhaps $50,000 a year.

Mr. CHINDBLOM. What proportion of the population is Indian?

Mr. WELLING. In this particular school?

Mr. CHINDBLOM. Yes.

Mr. WELLING. I should say at least 50 per cent of the population that attend this particular school are Indians.

Mr. CHINDBLOM. And the expense of the school is $50,000?

Mr. WELLING. No; the expense of all of the schools in the entire district, which includes the whole county unit.

Mr. CHINDBLOM. What I am trying to get at is whether the $6,000 proposed as an amendment is a fair amount in the proportion which the number of Indian children bears to the total number of children attending that school.

Mr. WELLING. In my judgment it is not fair. The appropriation since I have been in the House has been $12,000, but it has been reduced to $6,000, and I am quite willing to accept the responsibility for the State to maintain the rest of the cost of this school.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. WELLING. Yes.

Mr. BEE. Are these Indians wards of the Nation?

Mr. WELLING. Absolutely.

Mr. BEE. They are not now contributing anything to this education, but it is all maintained by the white citizens of Utah?

Mr. WELLING. The Indians have not contributed a cent of taxes, never have.

Mr. BEE. And this proposed amendment contributes on the part of the Government its share to the education of its own wards.

Mr. WELLING. Yes; and it has sought to do that in the past.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. WELLING. Yes.

Mr. SNYDER. Can the gentleman tell us how many Indians there are attending this school now.

Mr. WELLING. There are on this reservation——

Mr. SNYDER. I am speaking about this school.

Mr. WELLING. I know. There are on this reservation about 1,080 Indians and I can not say how many children there are in the school.

Mr. SNYDER. It is a fact that this is a white school, is it not?

Mr. WELLING. It is a fact that it was built by the white people living there.

Mr. SNYDER. It is largely for the children of the employees of the Indian Service?

Mr. WELLING. That is true.

Mr. SNYDER. So it is not an Indian school at all, and that is about the size of it.

Mr. WELLING. I take issue with that. The Indian children are there with the white children.

Mr. SNYDER. I do not know why the United States should furnish schools for Utah or Texas or any other State where the burden should be wholly on the State.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. WELLING. Yes.

Mr. CARTER. Are these Indians United States citizens?

Mr. WELLING. They are not.

The SPEAKER. The time of the gentleman from Utah has expired.

Mr. ELSTON. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. CARTER. Are these schools supported by taxes or by subscription?

Mr. WELLING. They are supported by State taxes.

Mr. CARTER. State and county taxes upon the property within the school district, the same as other schools?

Mr. WELLING. Yes; but I will say this, that 90 per cent of the property in this school district is either public land or lands belonging to these Indians, and the remaining 10 per cent of land in the entire county is levied upon to maintain the total school system, and it is an intolerable burden upon the county.

Mr. CARTER. Are not most of the white children in these schools children of employees of the agency?

Mr. WELLING. They are.

Mr. SNYDER. I would have no objection to this if this were an Indian school, but it is not.

Mr. BEE. Let me say to the gentleman from New York this: He says he does not want the United States educating the children of Utah or of Texas. That statement is not fair.

Mr. SNYDER. I qualify that by saying that the United States Government ought not to take the burden of a State to instruct and educate the people of a State for whose education the State is responsible.

Mr. BEE. The United States Government ought not to put upon the people of a State the burden of educating the wards of the people of the United States, and that is what you are doing here.

Mr. SNYDER. This particular project that we are talking about is not an Indian school.

Mr. BEE. But Indian children are going to it and getting the benefit without contributing anything. It is the same as the Texas proposition.

Mr. ELSTON. Mr. Speaker, I move the previous question on the motion to recede and concur with an amendment.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 54, line 24, insert:

"That the Secretary of the Interior is authorized to convey to the State of Utah all the right, title, and interest which the United States has in and to the bridge across the Duchesne River near the town of Myton, and to convey to the county of Duchesne, in said State, the bridge across the Duchesne River near the town of Duchesne, which said bridges were constructed with appropriations contained in the acts of August 5, 1909 (36 Stat. L., 124), and March 3, 1911 (36 Stat. L., 1074): *Provided*, That the State of Utah and county of Duchesne consent to this arrangement and agree to at all times in the future maintain, repair, and keep in good condition said bridges free from all expense to the United States or the Indians of the Uintah and Ouray Reservation in Utah."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment.

This bridge was constructed across the Duchesne River near the town of Myton, Utah, from an appropriation of $25,000 made by the act of August 5, 1909 (36 Stat. L., 124), which bridge is now a part of the State highway system through the former Uintah and Ouray Reservations, and is used but very little by the Indians, being used principally for the benefit of the white people. A similar bridge was constructed several years later across the said river near the town of Duchesne from an appropriation of $15,000 in the act of March 3, 1911 (36 Stat. L., 1074), which is not a part of the State highway system, but is really a county bridge, and is also used but very little by the Indians.

The Indian Service has been put to some expense in the past for the repair and upkeep of the above bridges, which the limited use made thereof by the Indians does not longer justify. It is, therefore, deemed advisable to turn these bridges over to the State and county, respectively, on condition that the said State and county shall at all times maintain and keep the said bridges in repair without expense to the United States. The State highway commission of Utah has already expressed its willingness to take over the Myton Bridge on the conditions mentioned, and efforts are now being made to have the county take similar action with respect to the Duchesne Bridge.

Mr. Speaker, this is briefly the substance of the justification furnished me by the Indian Bureau, indicating that the United States Government and the Indian moneys are charged for the upkeep and repair of this bridge. It is part of the State highway system in this part of the State, and the State and county are perfectly willing to take it and keep it in repair hereafter, and relieve the Government and the Indians of any charge whatever. It seems to me it is a very proper amendment.

Mr. TILSON. Will the gentleman yield for a question?

Mr. ELSTON. I do.

Mr. TILSON. How does it happen that this appropriation was made to build a bridge—two of them, it seems—for the Indians, that the gentleman says are not now used by the Indians?

Mr. ELSTON. Of course, that is somewhat ancient history. That was in 1909.

Mr. TILSON. It goes back of the gentleman's time in this House; but I did not know but what he could tell me if the same degree of care was being exercised now and we occasionally build a bridge for a county in a State which the Indians themselves use very little?

Mr. ELSTON. I think there is some improvement going on since 1909. The gentleman from Utah can answer the gentleman perhaps more accurately, and I will yield him a minute.

Mr. WELLING. The bridge was contracted for when this entire area was Indian territory inside of an Indian reservation and it was entirely proper that it should be built there. It was built originally for the Indians. After the bridge had been constructed a large portion of this area was thrown open to public settlement. The bridge thereupon naturally connects the territory that belongs to white people. It was built properly. It ought to have been built by the Indian Bureau when it was built, and it is entirely proper now that the State should maintain and care for it.

Mr. TILSON. And it is at present a white elephant on the hands of the United States Government?

Mr. WELLING. No; not at all.

Mr. TILSON. And we ought to get rid of it, is not that the best reason for voting for this amendment?

Mr. WELLING. It is not a white elephant.

Mr. TILSON. As far as the United States Government is concerned.

Mr. WELLING. It is now outside of the reservation.

Mr. SNYDER. Will the gentleman yield for a question or two?

Mr. ELSTON. I will.

Mr. SNYDER. The information which the gentleman read here was handed him from the Indian Bureau?

Mr. ELSTON. It was.

Mr. SNYDER. Did the gentleman make any investigation of this item in the preparation of this appropriation bill?

Mr. ELSTON. As I remember, this item was not submitted to the subcommittee of the Appropriations Committee when we had the Indian bill in hand.

Mr. SNYDER. Does the gentleman know whether it was submitted by the bureau to the Committee on Indian Affairs of the Senate?

Mr. ELSTON. It certainly was, and was considered by them.

Mr. SNYDER. That is the reason the item was put on in the Senate?

Mr. ELSTON. As to that I am not absolutely certain, but I believe it was put on by the Indian Committee of the Senate.

Mr. SNYDER. So the gentleman as chairman of the subcommittee made no investigation of this item at all?

Mr. ELSTON. The item speaks for itself, and it appealed to my good judgment. I believe it to be a proper thing. I think if the gentleman will read it he will agree with me, and I do not think the gentleman can make very much out of his line of questions.

Mr. SNYDER. I have read it several times, and what I am asking is to show that I have tried to show——

Mr. TILSON. Does the gentleman object to the item or the policy?

Mr. SNYDER (continuing). That it is legislation on an appropriation bill without any investigation on the part of any committee of the House.

Mr. ELSTON. Mr. Speaker, I will say this in respect to the gentleman's statement: Last year the gentleman brought in his own conference report, with something like 130 amendments, that went through here without any discussion whatever, and there were no doubt many legislative items put on by the Senate. I do not remember that any gentleman got up then and made any observations such as the gentleman from New York is making with respect to the matter. We took his word. In this case you do not have to take my word. You can read the amendment and decide for yourself.

Mr. TILSON. Will the gentleman yield?

Mr. ELSTON. I will.

Mr. TILSON. Does the gentleman know any reason why the Committee on Indian Affairs should not have brought legislation in here on this subject and had it out several months ago?

Mr. ELSTON. I am not going to make any criticism about that.

The SPEAKER. The question is on the motion to recede and concur.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 56, line 4, insert:

"Stevens and Ferry Counties, Wash.: For payment to Stevens and Ferry Counties, in the State of Washington, of their claims under section 2 of the act of July 1, 1892, relating to the payment of local taxes on allotted Colville Indian lands, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, $115,767.67, to be immediately available, of which amount the Secretary of the Interior is authorized and directed to pay to said Stevens County $44,309.67, and to pay to said Ferry County $71,458: *Provided*, That there may be deducted from said amount by the Secretary of the Interior such sums as he may find have been paid to said counties for Indian tuition; also the excess, if any, where the rate, based on the value of Indian allotments, may be found to be in excess of the rate on taxable land."

Mr. ELSTON. Mr. Speaker, I move that the House further insist on its disagreement to this amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 57, line 20, insert:

"Satus Creek irrigation project, Yakima Reservation, Wash.: For beginning the construction of diversion dams and distributing systems for irrigat'ng 40,000 acres of land adjacent to Satus Creek on the Yakima Indian Reservation, Wash., $50,000, the total cost of the project not to exceed $2,500,000: *Provided*, That the cost of this irrigation system shall be reimbursed to the United States by the owners of the land irrigable thereunder in not to exceed 20 annual payments and the Secretary of the Interior may fix annual operation and maintenance charges, which shall be paid as he may direct: *Provided further*, That if any allottee shall receive patent in fee to his allotment before the amounts so charged against him shall have been paid to the United States, then such amount remaining unpaid shall be and become a lien upon his allotment, and the fact of such lien shall be recited in such patent and may be enforced by the Secretary of the Interior by foreclosure as a mortgage, and should any Indian sell any part of his allotment with the approval of the Secretary of the Interior, the amount of any unpaid charges against the land sold shall be and become a first lien thereon and may be enforced by the Secretary of the Interior by foreclosure as a mortgage, and delivery of water to such land may be refused within the discretion of the Secretary of the Interior until all dues are paid: *And provided further*, That no right to water or to the use of any irrigation ditch or other structure on said reservation shall rest or be allowed until the owner of the land to be irrigated as herein provided shall comply with such rules and regulations as the Secretary of the Interior may prescribe, and he is hereby authorized to prescribe such rules and regulations as he may determine proper for making effective the foregoing provisions, and to require of owners of lands in fee such security for the reimbursement herein required as he may determine necessary, and to refuse delivery of water to any tract of land until the owners thereof shall have complied therewith."

Mr. ELSTON. Mr. Speaker, I move that the House further insist on its disagreement to this amendment, and I yield 15 minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Speaker and gentlemen of the House, the integrity and the honor of the Nation are involved in this amendment.

Let me go into the history of the situation. Prior to 1855 the Yakima Indian Tribe owned millions of acres of land in the Territory of Washington. In 1855 the Federal Indian agent, Gov. Stevens, the governor of the Territory of Washington, called a great council together at what is now the city of Walla Walla, and a treaty was made with the Yakima Indians by which they relinquished millions of acres of their lands to the Federal Government and restricted their residence and their rights to the Yakima Indian Reservation, consisting of something over a million acres of land. The Indians themselves accepted this treaty in good faith. They have never been accused, so far as I know, of in any way violating or attempting to violate the terms of that treaty.

As time went by the white settlers on the river above and across the river appropriated the waters that otherwise might have been used for the irrigation of Indian lands. This led to a prolonged controversy, and finally it reached a point in 1913 where there was a joint congressional committee named, which went out to the reservation and made an investigation, and held lengthy hearings, a copy of which I hold in my hand. They found that the Indians had been deprived of their just water rights. They also found, and recommended to Congress, that of each allotment of 80 acres of land that was subject to irrigation they were entitled to a free water right for 40 acres.

Mr. SWINDALL. Will the gentleman yield for a question?

Mr. SUMMERS of Washington. I will.

Mr. SWINDALL. What is the value of this land without irrigation?

Mr. SUMMERS of Washington. Without irrigation this land is worth probably $3 to $5 an acre; with irrigation it would be worth $300 to $500 an acre.

Mr. SWINDALL. Do the Indians live upon it and support themselves from it?

Mr. SUMMERS of Washington. The testimony shows they are having a very difficult time in supporting themselves upon it.

Mr. MILLER. Will the gentleman yield?

Mr. SUMMERS of Washington. I will.

Mr. MILLER. What proportion of these Indian lands has been irrigated?

Mr. SUMMERS of Washington. If the gentleman will permit, I will lead up to that.

Upon the recommendation of the congressional committee, in August, 1914, it was agreed there should be water furnished adequate for the irrigation of 40 acres of each Indian allotment. Pursuant to that, and because the United States as the guardian of the Indians' rights had permitted this water right to be utilized by other settlers, it became necessary that the United States purchase another water right, and the commission so recommended. The law of August 1, 1914, recognizes the necessity and makes the provision for the purchase of a water right for $635,000, and the money has been appropriated year by year, and that amount has been paid for a water right on the Wapato project, which is a part of the Yakima Reservation.

Mr. HAYDEN. Does that $635,000 include all the money which has been expended on the Wapato project?

Mr. SUMMERS of Washington. It does not. There has been money expended for ditches that distribute water to the land.

Mr. HAYDEN. What is the aggregate amount which has been expended?

Mr. SUMMERS of Washington. It is $1,600,000; and the testimony of the Commissioner of Indian Affairs before the subcommittee shows that in the year 1919 there was produced on that project $11,000,000 worth of products.

Mr. HAYDEN. As I understand the contention of the gentleman from Washington, Congress has carried out about half of the project recommended by the joint committee of investigation, of which Senator ROBINSON was chairman. The gentleman claims that each of these Indians is entitled to have an irrigated allotment of 40 acres, and half of them have been provided with such allotments at a total cost of $1,600,000, and that it will take an additional expenditure of $2,500,000 to care for the remainder.

Mr. CARTER. As I recall, $635,000 was spent for water storage.

Mr. SUMMERS of Washington. That is correct.

Mr. CARTER. Spent at Lake Kechelus?

Mr. SUMMERS of Washington. At Kechelus and other points. If the gentleman will permit me to explain, the $635,000 provided a water right for a part of these Indians, and in the law of June, 1919, it was specified that this water right should apply to the Wapato project. Now, adjacent to the Wapato project comes the Toppenish-Simcoe irrigation project, and we made an appropriation a year ago, and the water has been filed on, and work begun so as to supply the Indians on that part of the reservation. But immediately adjacent exactly the same tribe of Indians, with the same land and of the same value, resting under the same treaty rights and same Federal statutes, we have the Indians who live along Satus Creek, for whom we have never done anything. There is flowing by and through that part of the reservation at this time ample water in the way of return flow from irrigation higher up and from tributary streams to the Yakima River—water sufficient for the needs of these Indians.

Mr. HAYDEN. I would like to ask whether the Indians are liable to lose their rights to the water for irrigation if this new work is not promptly undertaken?

Mr. SUMMERS of Washington. That is my point. The water right is now there and available. But there are going to be irrigation activities begun, probably within the year, lower down the river, and if that water is filed on and appropriated then we will have a part of this reservation not supplied with a water right. We are carrying an obligation by our treaty and by the law of 1914, and a reiteration of a part of that law on almost every Indian appropriation we have made since, to go out and secure a water right for this part of the reservation. The water right so far has cost $635,000. The distribution is another question.

Mr. SNYDER. Will the gentleman yield?

Mr. SUMMERS of Washington. In a minute, if the gentleman will permit. It will cost probably a very large sum in order to secure another water right if we let this slip away from us.

This bill carries $50,000 for beginning the diversion, so that we can hold onto the water rights. I know it also carries an authorization for the expenditure of a larger amount, but this amount Congress can distribute over as many years as it will. But I insist as a matter of economy and as a matter of justice to these Indians that we should conserve the water right which is now on their lands.

Now, I yield to the gentleman from New York.

Mr. SNYDER. The gentleman considers this as a twin project to the Wapato project?

Mr. SUMMERS of Washington. I consider it part of the Yakima project.

Mr. SNYDER. Does the gentleman consider it an Indian project?

Mr. SUMMERS of Washington. I consider it an Indian project.

Mr. SNYDER. The gentleman is familiar, of course, with how many Indians there are owning farms on the Yakima project. The gentleman is advocating this one, based on the Wapato project being a success?

Mr. SUMMERS of Washington. It is.

Mr. SNYDER. Yes; but it is not an Indian project at all. It is a white man's project; and if the gentleman will permit, I will state that the number of Indians engaged is 150 and the number of whites engaged, owners, 500, and the number of whites engaged, lessees, 750. The number of acres cultivated by Indians is 5,800; the number cultivated by white owners, 28,540; and by white lessees, 34,158. Now, I am asking the gentleman if this project which he is now advocating will be equally an Indian project as this one?

Mr. SUMMERS of Washington. I think it would be apropos here to put in the figures on that. Of this land, 32,000 acres is allotted to 400 Indians. That is 80 acres each. There are 2,145 acres that have been sold to 30 white families, so there we have the proportion.

This is almost wholly, regardless of what Wapato may be, an Indian project. There is no one connected with the Indian Service, and there is no one connected with the Committee on Indian Affairs, and I dare say no Member of Congress who is familiar with the subject who will not agree with me that the reclamation done on the Yakima Indian Reservation has been the most productive of results of any Indian project in the United States. That is the testimony, over and over again, by the Indian Department.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. BLAND of Indiana. Was this project considered by the House when the House originally passed this bill?

Mr. SUMMERS of Washington. Very late in the afternoon, when many Members were going out, I offered an amendment along this line. However, since then it has been considered in the Senate, and it has been considered by the committee. This was originally recommended by the department.

Mr. BLAND of Indiana. Was it rejected by the House before the Senate tacked it on to this bill?

Mr. SUMMERS of Washington. It was rejected here by a group of men, perhaps one-fourth of the number who are here at this time.

Mr. SNYDER. This item came up on an estimate from the bureau. It being legislation, the Committee on Appropriations did not discuss it at all. They dismissed it without discussion. It went over to the Senate and was put on there.

Mr. TILLMAN. Mr. Speaker, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. TILLMAN. Has the gentleman got a copy of the bill?

Mr. SUMMERS of Washington. Yes.

Mr. TILLMAN. I call to the gentleman's attention what seems to be a clerical error on page 58, which should be corrected, assuming, of course, that you want the Senate amendment to remain in the bill. On line 21, page 58, the word "rest" should be stricken out and the word "vest" inserted in lieu thereof.

Mr. SUMMERS of Washington. I agree.

Mr. TILLMAN. With the gentleman's permission, Mr. Speaker, I move that the word "rest" on line 21 of page 58 be stricken out, and the word "vest" be substituted therefor.

Mr. SUMMERS of Washington. Yes; that is satisfactory to me, if it is satisfactory to the chairman of the committee.

Mr. CURRY of California rose.

Mr. SUMMERS of Washington. I yield to the gentleman from California.

Mr. CURRY of California. In the treaty entered into between the United States and the Indians in 1855 the Indians reserved the water rights in this Yakima country?

Mr. SUMMERS of Washington. They so understood it.

Mr. CURRY of California. Some of the Indians had these water rights, and some have not been given to them. Now, as the treaty is part of the supreme law of the land, and it was entered into with the Indians, it seems to me these Indians would be entitled to the same water rights as the others; and this really is not legislation on an appropriation bill, and if it had come in as an item from the Committee on Appropriations it would not have been stricken out on a point of order. Not only as a matter of honor the United States Government ought to keep its contract with the Indians, but we ought to be as honest in dealing with the Indians and with each other as the Government can compel the Indians and other people to be in dealing between themselves.

Mr. SUMMERS of Washington. Let me tell you what the Indians say Gov. Stevens said to them:

> As long as the sun is in the sky, as long as the streams are still flowing, as long as the white mountains are still there, so long your rights will be maintained and be supported.

Gentlemen, it is the question to-day whether we are going to make good that treaty which we made with a helpless tribe of Indians, who surrendered millions of acres of their own land and their own rights, at the instigation of the agents of the Government, or whether we are going to make that treaty to-day a "scrap of paper" and let these Indians try to grow a crop on land as bare as the top of this table.

Mr. FRENCH. Mr. Speaker, will the gentleman yield?

Mr. SUMMERS of Washington. I yield.

Mr. FRENCH. Is not this little group of Indians, in fact, a part of a larger group that we helped a few years ago?

Mr. SUMMERS of Washington. They are a part of the Yakima Tribe, and we have taken care of the other group, and these are immediately adjacent. The question is whether we shall do the thing that we agreed to do for all of them or let the water rights slip away and then have this controversy come before us for years and years.

Mr. FRENCH. It is a continuation of the same project?

Mr. SUMMERS of Washington. It is a continuation of the same project.

Mr. FRENCH. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from California [Mr. ELSTON] has control of the time. The gentleman from Washington [Mr. SUMMERS] makes the preferential motion to recede and concur in the Senate amendment.

Mr. ELSTON. Mr. Speaker, the House considered this item once, and in its good judgment decided that it should not be put upon this appropriation bill. In addition to that, this is a new project, that goes right in the face of a policy adopted by the Indian Affairs Committee of not continuing this practice of reclaiming Indian land for white settlers. These Yakima Indians are not poor Indians. They are rich Indians. They have a tremendously rich property; and if this second unit goes according to the first unit, within one year from the time it is started it will be practically in the hands of white settlers. The House has approved the policy already adopted by the Indian Affairs Committee of cutting short right now this practice of appropriating for reclamation projects under the guise of projects for the supposed benefit of the Indians, when, as a matter of fact, they are for the benefit of the whites.

This whole subject should be turned over to the jurisdiction of the Reclamation Service. The gentleman from New York [Mr. SNYDER] has introduced a bill in this House to take care of a situation just like this and to cover it into the Reclamation Service, where it can be developed, and where money can be provided for it.

I hope that the House will not vote in favor of the preferential motion just made by the gentleman from Washington [Mr. SUMMERS]. This project may be very meritorious, but the House has set itself against appropriating millions out of the Treasury on projects of this kind.

I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, all that the very efficient chairman of the subcommittee [Mr. ELSTON] has said about this project is true. We have now already expended on irrigation projects through the Indian Bureau nearly $25,000,000. The estimates for the completion of those projects already started amount to an additional $25,000,000. Nearly all of those projects that have been started, with the exception of this Wapato project, are almost indefensible as irrigation systems, because of the fact of the dual relation between the Indian Bureau and the Reclamation Service. The Indian Bureau supervises and directs and draws the plans for these projects and the most of the work is done by the Reclamation Service, under the direction of the Indian Bureau, which, to my mind, is absolutely indefensible.

Mr. SUMMERS of Washington. Will the gentleman yield for a question?

Mr. SNYDER. Yes.

Mr. SUMMERS of Washington. Is there any criticism of the Yakima project—that part of it which has been constructed?

Mr. SNYDER. No; so far as I have been able to discover—and I have made careful investigation—the Yakima system is the best one that we have in existence to-day; but, speaking about the treaty, the Yakima system has had more done for it in the matter of furnishing the money than has been stated here. The gentleman said $1,600,000 had been expended upon that project. He overlooks $500,000 that has been expended upon maintenance and operation. He also overlooks the fact that this is the first year since the project was started that there has ever been one penny paid back, even for operation and maintenance, to say nothing of paying anything back on the principal. Mind you, all of these projects were started under the guise of reimbursable; but, so far as this committee has been able to find after an intensive investigation covering a year and a half, not one penny has been reimbursed to the Government of the principal of any of these amounts, even on

this splendid project up in Washington known as the Wapato project.

Now, what I object to here is that while this may be an absolutely meritorious project—and no man in this House favors irrigation more than I do, because my eyes were opened to that subject last summer, and I know the advantage of it—it must be done under proper regulations, and I am absolutely and unalterably opposed to this House and this Government installing so-called Indian projects which are wholly for the benefit of the white man, with the possible exception of indirectly being some little help to some few Indians. The difficulty today with all these projects that we have been able to find where there has been more than $50,000 or $60,000 spent is that there are no Indians farming them at all. The statement is made here that there are 5,800 acres in the Yakima project which are being cultivated by Indians. If that were investigated carefully it would be found that the Indians are not working them. At least that is what we found everywhere else. It was very difficult to find an Indian anywhere doing work upon a farm or anywhere else. And so, in addition to what I have said, I am opposed to this because there has been no investigation of the project on the part of anybody connected with this House or with the other body, so far as I have been able to determine. Therefore I hope this amendment will not prevail.

Mr. DEWALT. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. DEWALT. How is this proposed reimbursement secured to the Government, if secured at all?

Mr. ELSTON. It is in the nature of a lien on the project itself and on the land, and as the land comes in after it is irrigated, the settlers are supposed to be in a position to repay the Government for its outlay.

Mr. DEWALT. The gentleman from New York [Mr. SNYDER] just said that there had been no reimbursement whatever. Is the gentleman correct in so stating?

Mr. ELSTON. The time when reimbursement should begin, prior to a proviso put into the Indian bill last year, was practically left to the Indian Bureau to decide, and in their good judgment they had not up to that time decided that it should begin at all. That is the way the situation lay.

Mr. SNYDER. And the reason was that we believed that the return from the $25,000,000 already invested, if properly collected, would furnish the capital required for continuing the projects in the future.

Mr. ELSTON. I yield five minutes to the gentleman from Washington.

Mr. DEWALT. Will the gentleman yield for another question before he does that?

Mr. ELSTON. Yes.

Mr. DEWALT. The gentleman from Washington speaks of the treaty rights; what is the chairman's opinion as to the rights of these Indians under the treaty as to that water?

Mr. ELSTON. I have never heard that there was any obligation on the part of the Government to provide a project of this magnitude involving the expenditure of $2,500,000. There may be some clause in the treaty which I have no doubt has been fully met by the Government long ago in what it has done for these Indians.

Mr. DEWALT. Regardless of the cost, this treaty is a valid treaty, and the Indians should be entitled to the value of it.

Mr. ELSTON. I never heard of such a proposition in the treaty.

Mr. SNYDER. I think the gentleman is following up a wrong sentiment. I do not think he will find that the Indians are clamoring for this proposition at all. The Indians are the last ones who are yelling for irrigation.

Mr. ELSTON. Mr. Speaker, I yield three minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Speaker, in regard to this last suggestion that the Indians are not clamoring for this project, I refer to the hearings before the subcommittee, in which the Commissioner of Indian Affairs says that the Indians are demanding this. In regard to the $25,000,000 expended at other places, that has nothing to do with keeping the treaty between the United States Government and the Yakima Indians. In regard to the question as to whether this is for whites or for Indians, I make the statement, and am prepared to verify it, that there are 400 Indians and 33 white families.

Mr. DEWALT. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes. I yield to the gentleman from Pennsylvania.

Mr. DEWALT. What I want to get at is, does this treaty stipulate that the Indians shall have a right to use this water?

Mr. SUMMERS of Washington. If the chairman will give me a half a minute's time, I will say that in 1855 irrigation was but little known, but they were given the waters of that reservation, the fish, the timber, and the game, and all those things. By the time the treaty was ratified in 1859 they were beginning to do some work on irrigation, and they have been doing it ever since. So, under the broad terms of the treaty, the waters are reserved to them. Gentlemen of the joint congressional committee went out and held extensive hearings, made investigations, and investigated the treaty and then reported back.

Mr. DEWALT. What did they report?

Mr. SUMMERS of Washington. They reported that they should have water sufficient to irrigate one-half of each 80-acre allotment on said reservation. Then, pursuant to that report, on August 1, 1914, the statute provides for the same thing. It says "adequate for irrigation of 40 acres on each Indian allotment."

Mr. DEWALT. Let me ask the gentleman another question. Who is to decide what is adequate—the Government itself or the Indians?

Mr. SUMMERS of Washington. I am willing that the Government should decide.

Mr. DEWALT. It is said that $25,000,000 has been appropriated.

Mr. SUMMERS of Washington. That is not for these Indians; that is all over the United States.

Mr. ELSTON. Mr. Speaker, I will close with this statement. This is a new project counter to a policy adopted by the committee and counter to the suggestion that propositions of this kind be put into the Reclamation Service. That will be done if the bill introduced by the gentleman from New York [Mr. SNYDER] passes the House. The Government can then recognize its obligations to these Indians, and the project will be in the branch of the service where it belongs.

If there is any equity to be considered in this case, there are many important projects where the equities are much stronger. There are as many as five States pressing this committee to continue work on projects already started that may deteriorate for want of further appropriations. The committee can not respond because it may involve the expenditure of many millions of dollars. Here is something new upon which we have not started. If we are going to launch out on these projects, let us go back and finish the projects upon which we have already spent money. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question now is on the motion of the gentleman from Washington that the House recede and concur.

The question was taken; and on a division (demanded by Mr. SUMMERS of Washington) there were 23 ayes and 48 noes.

So the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from California that the House further insist on its disagreement.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Provided, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation, and under a like appropriaton of $10,000 made for the same purpose in the act approved February 14, 1920, may be paid in cash.

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. This amendment makes no appropriation of any kind. It merely distributes in cash the appropriation already made to such of these Indians as do not wish to take land by reason of the fact that they already have land. The appropriation was made in such a way as to authorize the Secretary of the Interior to purchase lands for all of the Indians. Now it appears that this appropriation need not be used for the purchase of farms for such Indians as have farms. This is to authorize the payment in money to these Indians who have farms of their quota of the appropriation. I move the previous question on the motion to recede and concur.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 109: Page 61, line 10, insert: "The Secretary of the Interior is hereby authorized, in his discretion, to withdraw from the Treasury of the United States the sum of $180,000, or so much thereof as may be necessary, of the tribal funds of the Menominee Indians of Wisconsin, arising under the acts of June 12, 1890 (26 Stat. L., p. 146), and March 28, 1908 (35 Stat. L., p. 51), and to make therefrom a per capita payment or distribution of not to exceed $100 to said Indians entitled thereto under such rules and regulations as he may prescribe to be immediately available."

Mr. ELSTON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur

in the same with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. ELSTON moves that the House recede from its disagreement to Senate amendment No. 109, and agree to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following: "The Secretary of the Interior is authorized, in his discretion, to withdrow from the Treasury of the United States, so much as may be necessary of the tribal funds of the Menominee Indians of Wisconsin, arising under the acts of June 12, 1890 (26 Stat. L., p. 146), and March 28, 1908 (35 Stat. L., p. 51), and to make therefrom a per capita payment or distribution of not to exceed $50 to such Indians entitled thereto under such rules and regulations as he may prescribe. And the authority granted in this paragraph shall be effective immediately upon the approval of this act."

Mr. ELSTON. Mr. Speaker, the effect of this amendment is to decrease the per capita payment from $100 to $50. I have a memorandum here which shows that these Indians have to their credit in the Treasury at this time $1,800,000. This per capita payment of $50 involves a withdrawal of about $90,000.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. Yes.

Mr. SNYDER. Where did the gentleman get the figures that the Menominee Indians have a million dollars and upward on hand?

Mr. ELSTON. From the Indian Bureau.

Mr. SNYDER. The report of the commissioner as of June 30, last year, shows that they had at that time only $157,000. If they have one million and upward, why is it necessary to decrease the amount of the per capita payment from $100 to $50? There is no reason in the world why they should not be paid the $100, if that is so.

Mr. ELSTON. The amendment seems proper in view of the information given to me as to the immediate needs of the Indians for cash. They do not need more than $50 per capita, and it would be better to keep the balance of the money in the Treasury for their benefit than to give them more than they require and have them waste it.

Mr. SNYDER. I have no objection to the reduction, only I wondered why. When I investigated the matter myself I found a reason for the reduction. There was on the 1st of June, last year, according to the report of the commissioner, $157,000 in the Treasury to the credit of the Menominee Indians. They first attempted to appropriate $180,000, which they did not have. Having discovered that, it appeared to me it was necessary to reduce the amount to $50. I was in communication this morning with the bureau, notwithstanding the fact that they are on a holiday to-day, and all of the money that we could find to the credit of the Menominee Indians is $157,000. If the gentleman's amendment prevails, there will be money enough to pay it.

Mr. ELSTON. I would state to the gentleman that I can not controvert the statement that he makes in regard to the amount in the Treasury, but I have memoranda which has been handed to me, and that is all I know about it.

Mr. SNYDER. I do not state that the memorandum is not correct, but that is the type of information that we get all of the time.

Mr. ELSTON. Mr. Speaker, I move the previous question on the motion to recede and concur with an amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 129: Page 65, line 9, insert:

"SEC. 26. That section 1 of the act of Congress approved March 2, 1895 (28 Stat. L., p. 907), in so far as the same relates to the allotments of land to the Quapaw Indians and to restrictions against alienation of said allotments, be, and the same is hereby, amended so as to provide that the restrictions which now exist against the alienation of the lands allotted to and allotted lands inherited by the Quapaw Indians named in the letter of January —, 1921, of the Secretary of the Interior, to wit: John Beaver, Mah-hunk-a-zhe-ka, now Beaver; Anna Beaver, now Bear; Arthur Buffalo, Lizzie Cedar, Peter Clabber, Minnie Greenback, now Clabber; Harry Crawfish, Thomas Crawfish, Mary Crawfish, now Skye; Francis Quapaw Goodeagle, Wat-tah-nah-zhe Goodeagle, Khah-Daah, or Grandeagle, now Quapaw; Antoine Greenback, Joseph Greenback, Ho-gom-me, or Goodeagle; Mis-kah-get-tah, Amos Newhouse, John Quapaw, Nellie J. Ball, now Quapaw; Ta-mee-heh, or Quapaw; Benjamin Quapaw, Solomon Quapaw, Frances Quapaw, now Gokey; Julia Stafford, now Shapp; Hah-dah-ska-tun-ka, or Track; Mes-kah-tun-ka, or Track, now Slagle; Flora Young Greenback, now Whitebird; James Xavier, Anna Xavier, now Collins; Wah-she-mah-tah-het Track, now Martha Track Quapaw; Henry Buffalo, Clara May Buffalo, Hazel L. Buffalo, now McDunner; Nora Buffalo, now Brook; William Buffalo, James Amos Valliere; Georgia Alice Valliere, now Hampton; Iva Amelia Valliere, Jesse Daylight, Clayton C. Daylight, Emma Louise Blansett, Alphonso Greenback, jr., Lulu May Greenback, Mary Mollie Greenback, Amy Greenback, Woodrow Wilson Greenback, John Greenback, Alphonso Greenback, sr., Beatrice C. Peters, now Shapp; Juanita Alma Dawes, Agnes Track, Dennis Wilson, Erwin Wilson, Martin Wilson, Mary Wilson, Louise Wilson, Robert A. Whitebird, Helene Irene Whitebird, Thomas Xavier, Elnora Quapaw, and Lucy Lottson Beaver; and including any Quapaw allotted or inherited lands in which any of the said named Indians have any undivided interests, be, and the same are hereby, extended for the further and additional period of 25 years from the date of this act: *Provided, however*, That the Secretary of the Interior may, with or without application of the Indian owner, remove such restrictions, wholly or in part, after he has found such Indian owner to be as competent as the average white man to conduct his own business affairs with benefit to himself, under such rules and regulations as he may prescribe in regard thereto, and concerning terms of sale and disposal of the proceeds for the benefit of the respective Indians: *Provided further*, That all said lands allotted to or inherited by the Quapaw Indians may, when subject to restrictions against alienation, be leased for mining purposes for such period of time and under such rules, regulations, terms, and conditions only as may be prescribed by the Secretary of the Interior, and said lands while restricted against alienation may be leased for mining purposes only as provided herein: *And provided further*, That the production of minerals on said lands may be taxed by the State of Oklahoma in all respects the same as that produced on unrestricted lands, and the Secretary of the Interior is hereby authorized and directed to cause to be paid from out of the individual Indian funds held under his supervision, belonging to the Indian owner of the land, the tax so assessed against the royalty interests of the respective Indian owner in such production: *Provided, however*, That such tax shall not become a lien or charge of any kind or character against the land or other property of said Indian owner."

Mr. HASTINGS. I suppose the gentleman wants to recede and concur with an amendment there by inserting the figures "15" in line 16, page 65, after the word "January."

Mr. ELSTON. Yes. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment by inserting in line 16, page 65, after the word "January," the figures "15."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ELSTON moves to recede and concur in amendment 129, with an amendment as follows: In line 16, page 65, after the word "January," insert the figures "15."

The SPEAKER. The question is on the motion of the gentleman from California to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 68, line 1, insert:

"SEC. 27. That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Clarence W. Turner and Mrs. William B. Hord, widow of William B. Hord, deceased, one-half to each, out of any funds in the Treasury of the United States belonging to the Creek Nation, the sum of $6,967.50, being in full settlement of the claim of the said Clarence W. Turner and William B. Hord, deceased, against the said Creek Nation growing out of services performed by them under an act of the National Council of the Creek Nation approved January 31, 1895, in an effort to secure appropriation by the Congress of the United States of $600,000 of the Creek funds, the same to be made available for the immediate use of the Creek Nation, and of which amount there was appropriated by Congress the sum of $200,000 by the act of March 2, 1895 (28 Stats., p. 894), the said sum of $6,967.50 having been appropriated in favor of said Turner and Hord for said services by an act of the National Council of the Creek Nation, approved November 5, 1900, but not paid."

Mr. ELSTON. Mr. Speaker, I move that the House recede and concur in this amendment. It is a tribal item, payable out of tribal funds.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. I shall yield to the gentleman from Michigan in a moment. Before a vote is taken on this amendment, I wish to give a résumé of the result accomplished by the House on this bill and inform the House as to the aggregate of appropriations carried in the conference report and involved in the motions made by me on the floor of the House. If the motion which I have just made is agreed to, the totals of the present bill will substantiate my claim to the House that this bill when completed would still be lower in totals than the record-breaking low bill of last year, in respect to which the Indian Appropriation Committee justly claimed a great deal of credit. Last year the gentleman from New York [Mr. SNYDER] brought into this House a bill which was the lowest bill for five years. He was congratulated upon the floor of the House by the gentleman from Illinois [Mr. MANN]. I feel that the present subcommittee has no excuses to make in closing its work to-day. We have completed the bill and we have furnished to the House a bill carrying a smaller total than last year.

Mr. CARTER. What are the totals?

Mr. SNYDER. Mr. Speaker, I desire to say that the chairman of the Committee on Indian Affairs concurs in the statement the gentleman has made and believes every word he has said, and congratulates him upon his efforts in finally passing a bill even lower than the bill passed last year, and I think he is entitled to the congratulations of the House on his efforts.

Mr. CARTER. The gentleman did not give the totals.

Mr. ELSTON. The totals are as follows:

Gratuities, $7,550,669.67; reimbursables, $1,584,985; treaty, $906,620; tribal, $2,728,974; making a grand total of $12,771,278.67, nearly $100,000 lower than last year's bill.

Some question has been made in regard to the propriety of amendments which I have proposed here. The increases involved in my motions, so far as sums coming out of the Treasury are concerned, amount to a little over $500,000. Of that sum nearly $400,000 has been for school purposes. We have used our best judgment in selecting emergency cases. That explains in a degree what has been done with the increases——

Mr. SNYDER. Will the gentleman yield for a question?

Mr. ELSTON. Yes.

Mr. SNYDER. The gentleman, of course, can not help but say that the Committee on Indian Affairs has assisted him in every possible way in keeping down the amount.

Mr. ELSTON. The Committee on Indian Affairs did not assist in carrying the various motions—at least, it opposed some of them.

Mr. SNYDER. The gentleman misunderstands me. The gentleman does not mean to say that at least the chairman of the Committee on Indian Affairs has not tried in every way to keep items down in the bill, and also other members of the Committee on Indian Affairs?

Mr. ELSTON. I misunderstood the gentleman. I have had absolutely the full cooperation of the gentleman in keeping down efforts to increase the amounts in the bill.

Mr. SNYDER. That is what I want to bring out.

Mr. ELSTON. I give the gentleman credit for absolute sincerity and give him credit for a desire to protect the jurisdiction of his committee. I may differ from him in regard to the merit of many of his criticisms and strictures on the course of this subcommittee in the House. It is a mere matter of difference of opinion, where I believe the gentleman is absolutely sincere. I hope he accords me the same thing.

Mr. SNYDER. I certainly do.

Mr. ELSTON. Now, Mr. Speaker, statements have been made in the House in regard to Senate amendments in the nature of legislation. Mr. Speaker, I have here a list of the legislative items involved in my motions which have been carried in the House. There is not one of them that does not involve some necessary incident in the way of legislation for the aid and help of the Indian Service, and there is hardly one of them that the gentleman from New York himself would not have approved. There are some which he has opposed, but I believe that 90 per cent of the legislation involved in my motions would have been agreed to by the gentleman from New York had the matter came up before his committee. I will not take up the time of the House to analyze other legislative items put upon the bill. They are mostly minor adjustments in the law for the betterment of the Indian Service and are similar to amendments usually carried in the current Indian appropriation bills.

Mr. HAYDEN. Mr. Speaker, I would like to discuss the pending amendment, and I direct attention to line 10, page 68. It seems to me that all after the date 1895 is mere argument as to why this appropriation should pass, and while it is entirely proper to pay this claim, and I believe it to be a just claim, I do not like the idea of enacting into the statutes of the United States a statement that it is a payment for services in an effort to secure an appropriation by Congress.

It seems to me if the gentleman would concur with an amendment striking out all after "1895" in this amendment it would be just as effective.

Mr. ELSTON. Will the gentleman propose his amendment?

Mr. HAYDEN. Mr. Speaker, I move to concur with an amendment striking out all in the Senate amendment after "1895," in line 10.

Mr. ELSTON. Mr. Speaker, I move the previous question on that.

The SPEAKER. The gentleman from California proposed a motion to recede and concur, and——

Mr. ELSTON. I have no objection to the amendment.

The SPEAKER. The question is on the motion of the gentleman from Arizona to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Page 68, line 10, after the figures "1895," strike out the comma and insert a period, and strike out the remainder of the paragraph.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

HOUR OF MEETING TO-MORROW.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. TILSON. Mr. Speaker, reserving the right to object, will the gentleman state what it is proposed to do to-morrow?

Mr. MANN of Illinois. If the deficiency bill is not disposed of to-day, that will come up to-morrow. The conference report on the Diplomatic bill, I take it, will follow that.

Mr. TILSON. The day will be used in conference reports, so far as the gentleman knows?

Mr. MANN of Illinois. As far as conference reports are ready, and I presume they will probably take the day. I do not know.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The SPEAKER. The gentleman from Iowa calls up the conference report on the bill H. R. 15962, which the Clerk will report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 15, 29, 34, 65, and 74.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 24, 27, 31, 32, 36, 38, 39, 44, 46, 47, 48, 49, 50, 51, 57, 58, 59, 60, 61, 63, 66, 67, 68, 69, 70, 77, 78, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, and 98; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$10,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: After the matter inserted by said amendment, insert as a separate paragraph the following:

"Sixty per cent of the foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States."

And on page 3 of the bill strike out lines 23 to 26, inclusive.

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,200,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$225,000"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,000"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$10,000"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$400,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of

the sum proposed insert "$70,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$100,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 6, 14, 20, 25, 26, 28, 33, 35, 37, 40, 41, 42, 43, 45, 52, 53, 54, 55, 56, 62, 79, 80, 81, 82, and 83.

JAMES W. GOOD,
J. G. CANNON,
JOHN M. EVANS,
Managers on the part of the House.
F. E. WARREN,
CHARLES CURTIS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Appropriates $10,000, instead of $20,000 as proposed by the Senate, for expenses of the Bureau of Efficiency.

On Nos. 2 to 5, 7 to 13, 15 to 19, and 21 to 23, inclusive, relating to the District of Columbia: Strikes out the authority, inserted by the Senate, for payment of the salary of Commissioner Hendrick, notwithstanding the provisions of section 1761, Revised Statutes; inserts the following appropriations in the amounts proposed by the Senate: District of Columbia employees' compensation fund, $2,000; coroner's office, for contingent expenses, $1,700; operation and maintenance of the sewage pumping plant, $18,000; allowance to principals of public schools, $2,980; maintenance of motor vehicles of the police department, $1,900; repair and improvement of the fire boat, $700; enforcement of the acts to provide for the drainage of lots, $500; expenses incident to the enforcement of the food and drug acts, $400; maintenance of the tuberculosis and venereal disease dispensaries, $500; Home for the Aged and Infirm, $5,500; Board of Children's Guardians, administrative expenses, $1,000, and maintenance of feeble-minded children, $2,500; care of the insane, $100,000; deportation of nonresident insane, $1,500; and payment of judgments, $5,373.95. Appropriates $50,000, as proposed by the House, instead of $25,000, as proposed by the Senate, for the support of convicts.

On No. 24: Strikes out, as proposed by the Senate, the appropriation of $1,000,000 for the valuation of property of carriers.

On No. 27: Inserts the appropriation of $470.80, proposed by the Senate, for the transportation of currency for the office of the Comptroller of the Currency.

On No. 29: Strikes out the sum of $315.44, inserted by the Senate, for the reimbursement of John M. Rogers, paying teller in the assistant treasurer's office at Chicago.

On No. 30: Appropriates $1,200,000, instead of $1,000,000, as proposed by the House, and $1,400,000, as proposed by the Senate, for the enforcement of the national prohibition act.

On No. 31: Increases by $1,000,000, as proposed by the Senate, the amount authorized to be used for the refunding of internal-revenue taxes illegally collected.

On No. 32: Increases from $825,000 to $1,000,000, as proposed by the Senate, the amount for payment of medical and hospital services for war-risk insurance patients cared for by the Public Health Service.

On No. 34: Strikes out the appropriation of $200,000, inserted by the Senate, for improvements at the New York quarantine station.

On No. 36: Appropriates $8,000, as proposed by the Senate, for the repair of a bridge in the Chickamauga and Chattanooga National Park.

On Nos. 38 and 39: Appropriates $1,200.11 for the payment of river and harbor damage claims adjusted by the War Department in accordance with law.

On No. 44: Increases the appropriation for pay of the Army from $24,000,000 to $30,000,000, as proposed by the Senate.

On Nos. 46 to 51, inclusive, relating to the National Home for Disabled Volunteer Soldiers: Increases the appropriation for household for the Eastern Branch from $36,000 to $54,000, as proposed by the Senate; increases the appropriation for subsistence for the Southern Branch from $57,000 to $76,500, and the appropriation for household from $80,000 to $95,000, both as proposed by the Senate.

On No. 57: Insert the paragraph, proposed by the Senate, making the appropriations for the fiscal year 1921 for the Quartermaster Department of the Marine Corps payable from balances of appropriations for similar purposes for the fiscal year 1920.

On No. 58: Appropriates $25,000, as proposed by the Senate, for stationery for the Interior Department.

On Nos. 59 to 61, inclusive, relating to the Indian Service: Appropriates $290,000, as proposed by the Senate, for the support of Indian schools; and appropriates $258,585.21 for the payment of audited claims allowed by the accounting officers of the Treasury Department on account of the Indian Service.

On No. 63: Appropriates $3,000, as proposed by the Senate, for repairs in connection with the power plant in the Yosemite National Park.

On No. 64: Appropriates $10,000, instead of $8,500, as proposed by the House, and $12,806.69, as proposed by the Senate, for Freedmens Hospital.

On No. 65: Strikes out the increase of $500, inserted by the Senate, for the purchase of books for the Post Office Department.

On Nos. 66 to 69, inclusive, relating to the Postal Service: Inserts the appropriation of $63,575,832.03 to pay the obligations of the Post Office Department to the Railroad Administration for carrying the mails during the period of Federal control of railroads; inserts the following appropriations proposed by the Senate: $1,900,000 for railroad transportation for the fiscal year 1920; $90,500 for transportation of foreign mails, fiscal year 1920; and $1,303,000 for inland transportation by star routes, fiscal year 1921.

On Nos. 70 to 73, inclusive, relating to the Department of Agriculture: Appropriates $100,000, as proposed by the Senate, for fire protection in the Olympic National Forest; appropriates $225,000 instead of $150,000, as proposed by the House, and $300,000, as proposed by the Senate, for preventing the spread of moths; appropriates $85,000 instead of $75,000, as proposed by the House, and $100,000, as proposed by the Senate, for eradication of the pink bollworm; and appropriates $10,000 instead of $19,435.52, as proposed by the Senate, for fuel for the power plant for the Department of Agriculture.

On No. 74: Strikes out the appropriation of $10,000, inserted by the Senate, for the investigation of Pacific coast fishes.

On Nos. 75 to 78, inclusive, relating to the Lighthouse Service: Appropriates $400,000, instead of $300,000, as proposed by the House, and $468,000, as proposed by the Senate, for general expenses; appropriates $70,000, instead of $50,000, as proposed by the House, and $83,000, as proposed by the Senate, for personnel for lighthouse vessels; and increases the amount for the payment of damage claims authorized by law from $362.85 to $436.12, as proposed by the Senate.

On No. 84: Inserts the language, proposed by the Senate, to furnish two sets of Hinds' Precedents to the Legislative Drafting Service.

On No. 85: Appropriates $100,000, instead of $200,000, as proposed by the Senate, for printing and binding for the Post Office Department.

On Nos. 86 to 89, inclusive: Appropriates for judgments of United States courts certified to Congress after the bill had passed the House.

On Nos. 90 to 96, inclusive: Appropriates for the payment of judgments of the Court of Claims certified to Congress after the bill had passed the House.

On No. 97: Appropriates $2,613,385.33 for the payment of audited claims certified to Congress after the bill had passed the House.

On No. 98: Corrects a section number in the bill.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 6: Appropriating $2,200 for advertising notice of taxes in arrears to the government of the District of Columbia, and reduces the number of such notices to be printed from 2,000 to 1,000.

On No. 14: Appropriating $150 to enable the juvenile court to transport absconding probationers.

On No. 20: Appropriating $15,000 for board and care of children under the jurisdiction of the Board of Children's Guardians.

On No. 25: Appropriating $100,000 for transportation of diplomatic and consular officers.

On No. 26: Increasing the number of sheets of customs stamps to be printed during the fiscal year 1921 by the Bureau of Engraving and Printing.

On No. 28: To pay the claim of Walston H. Brown, the Philadelphia & Reading Coal & Iron Co., and the estate of Henry A. B. Post.

On No. 33: Increasing by $350,000 the appropriation for repairs to Coast Guard cutters.

On No. 35: Appropriating $285,141.41 to pay certain claims arising from the explosion at the plant of the T. A. Gillespie Co., Morgantown, N. J.

On No. 37: Appropriating $30,843.45 to pay the claim of the Leavenworth Bridge Co.

On No. 40: Appropriating $362,140.98 to pay various claims for the readjustment of contracts on river and harbor work entered into prior to the war.

On No. 41: Appropriating $204,307.98 to pay the claim of Roach, Stansell, Lowrence Bros. & Co.

On No. 42: Appropriating $123,569.03 to pay the claim of H. B. Blanks.

On No. 43: Appropriating $15,561.23 to pay the claim of George F. Ramsey.

On No. 45: Appropriating $714,007.39 to pay the claim of the McClintic-Marshall Construction Co.

On No. 52: Authorizing the construction of medical officers' quarters at various of the branches of the National Home for Disabled Volunteer Soldiers.

On Nos. 53, 54, 55, and 56, relating to the Naval Establishment: Reappropriating $1,700,000 for maintenance under the Bureau of Supplies and Accounts; authorizing the transfer of certain unexpended balances for the Naval Establishment for the fiscal years 1919 and 1920, to settle accounts under certain appropriation for the Naval Establishment for those fiscal years; making $5,000,000 of the appropriation for maintenance, Quartermaster's Department, Marine Corps, for the fiscal year 1919, available for freight under the Bureau of Supplies and Accounts for the fiscal year 1921; and authorizing materials purchased at war prices to be issued at reduced prices.

On No. 62: Appropriating $312,811.27 for payment to the Pawnee Tribe of Indians in Oklahoma.

On Nos. 79, 80, 81, 82, and 83, relating to the Senate: Authorizing the Secretary of the Senate to pay the clerk of Senator HEFLIN from November 3, 1920, to December 5, 1920; appropriating $4,844 for reporting and transcribing debates of the Senate during the fiscal year 1922; appropriating $1,200 additional compensation to Robert W. Farrar; and appropriating $200 for additional services to Charles A. Webb.

JAMES W. GOOD,
J. G. CANNON,
JOHN M. EVANS,
Managers on the part of the House.

Mr. GOOD. Mr. Speaker, a great many of the amendments in the bill were estimated for after the Committee on Appropriations of the House had concluded its work on the bill. After we had finished the hearings a large number of estimates went to the Senate, and we have receded on a great many of these items. They are items where there are actual deficiencies which were not considered by the House committee.

Among the principal items included in the report which we have agreed to is an item for the Indian day boarding schools and industrial schools of $290,000. This item is made necessary very largely to take care of the increased cost of coal and provisions in the boarding schools. The amount appropriated for that purpose in the Indian appropriation bill of last year was $1,600,000. The estimated deficiency was $375,000. The Senate has adopted an amendment carrying $290,000 for that purpose, and it seemed to the managers on the part of the House that if any criticism could be leveled at the item at all, it might be that the amount will be found sufficient to do the work. But in view of the rapidly decreasing price of coal I think this amount would be sufficient for the rest of the year.

The audited claims in the Indian Bureau amount to $258,585.21. They are audited as required by law, are actual debts, and there is nothing to do but to pay them, and we have agreed to that amendment.

Then, the large increase that has been added is in the Senate amendment which carries $65,575,832.03 for the Postal Service. When the Railroad Administration appeared before the Committee on Appropriations at the last session of Congress and asked for an appropriation to pay the loss growing out of Government operation of railroads, they listed as one of the assets, one of the collectible assets, $65,000,000 from the Postal Service for the increase in the cost of carrying the mails while the roads were under Federal control. Now, the trouble was that the Post Office Department did not have this $65,000,000, and therefore the Postmaster General has made an estimate that came to Congress after the House acted on the bill, and the Senate has placed in the bill the provision carrying $65,575,832.03, which will enable him to pay the Railroad Administration what it owes that administration for transportation. The House conferees were unwilling to agree to this amendment until we first ascertained the fact that the Railroad Administration would need the money. When we made inquiry we were advised that they would not only need this sum, but that it would require an aditional appropriation to enable it to pay its debts. That administration has cash assets of $200,000,000. It owes approximately $295,000,000. This appropriation will leave the administration still short of funds to pay its debts by $30,000,000. Some day, but not now, we will know the amount of losses growing out of Federal operation and control of the railroads.

Then there is an actual deficiency in the transportation of the mail for the year 1920 of $1,900,000. The amount is necessary and was estimated for after the bill left the House, agreed to by the Senate, and there seemed to be nothing to do but to appropriate the money.

There is also, for transportation of foreign mails, an appropriation of $99,500 for the year 1920. There is also carried in that bill $1,363,000 for star route transportation in 1921. The Postmaster General has requested the appropriation and says the additional funds are needed and the Senate have given it and the conferees have agreed to it. Since the bill left the House there has been a very severe storm, a tornado, out in the Olympic National Forest. The timber destroyed covers an area stretching some 35 miles in width to about 75 or 100 miles long. The timber destroyed is very fine timber. Some very large trees in great numbers have been blown down, and this forest now, according to the estimate made by the department, is in danger of a forest fire. The department requested $100,000 in order to protect the timber until they can sell it. They propose immediately to take steps to sell the timber to some commercial organization that is equipped to remove this timber that is blown down, and we have agreed to the Senate amendment.

The House bill carried an appropriation of $150,000 to prevent the spread of the gypsy moth. The Senate bill carries $300,000 for that purpose. The estimate, as I recall, was for $300,000, although it was stated before the committee that there should be an appropriation of $400,000. The committee has agreed upon $225,000 instead of $150,000 as carried by the House bill and instead of $300,000 as appropriated by the Senate.

For the control of the pink bollworm we carried $75,000 in the House bill. The Senate appropriated $100,000, and insisted very strongly that that amount would be required for the rest of the year. We have agreed on $85,000 as a compromise on that item, and by agreeing to both of these items we place ourselves rather in harmony with the provisions carried in the House bill for the same purposes next year.

For general expenses of the Lighthouse Service we carried an appropriation of $300,000 and the Senate carried an appropriation of $468,000. This deficiency seemed necessary, very largely on account of the increased cost of coal in the Lighthouse Service. Because of the fact that the stations are widely scattered all along our coast line, it is necessary to buy the coal from the local dealers, and the price this year has been increased almost 100 per cent in many instances. A large part of this appropriation was necessary because of the excessive prices demanded for coal. The House conferees in going over the hearings in this matter have come to the conclusion that perhaps our reduction was a little severe, and we have agreed to the Senate amendment with an amendment, appropriating $400,000 instead of $300,000, as carried in the House bill, and instead of $468,000, as carried in the Senate bill.

The additional judgments of the United States courts amount to $3,499.93; the additional judgments of the Court of Claims amount to $65,698.94; and the additional audited claims amount to $2,613,385.33, and these we have, of course, agreed to.

The House bill carried for the enforcement of national prohibition $1,000,000. The Senate bill carried $1,400,000. The conferees have agreed upon an appropriation of $1,200,000. The Senate conferees felt that the full amount carried by the Senate bill should be appropriated. The House conferees felt that although this was a new work, which is beset with a great many obstacles, Congress should treat it just as it treats all other appropriations, and that those intrusted with the expenditure of these appropriations should also obey the law, just as all other administrative officers intrusted with the administration and expenditure of money should respect and enforce the law. It was the duty of the officers intrusted with the enforcement of national prohibition to so allot their funds, $5,500,000, so that there would be no deficiency at all. But because Congress either in its wisdom or lack of wisdom saw fit last year to reduce the estimate for that appropriation, as

it reduced other estimates, in this matter the officers intrusted with the enforcement of the law first set about to violate the law and to commence to spend the money, not on the basis of the appropriation as required by law, but upon the basis of their estimates. Now, the committee was willing to help them out of the dilemma, because the committee believes that this law should be enforced; it believes that there should be a rigid enforcement of the law. The committee, however, believes also that there are a great many men not only in the bureau in Washington but throughout the various States as agents who are employed to enforce the law who are winking at its violation. They are known to the men who are at the head of the service, who are not favorable to the enforcement, and they ought to be weeded out. If they weed out these men, they will have more money in this appropriation, more money available, than they can possibly spend.

We want good service, and notwithstanding the fact that the officers intrusted with the enforcement of the law have gone beyond the provisions of the law and created a deficiency without reporting it to Congress, yet we are willing that they shall have all the money that is necessary to enforce this law in a most vigorous way, and we believe that by reducing this appropriation the enforcement of the law will be strengthened, and that there will be thrown about the enforcement of the law a healthier atmosphere than is found there now.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield to the gentleman.

Mr. McLAUGHLIN of Michigan.. Has there ever been a prosecution under that law which forbids the creation of a deficit?

Mr. GOOD. I do not know of a single prosecution.

Mr. McLAUGHLIN of Michigan. It is done so frequently by many departments that it seems to me it might be well to institute a prosecution, and it would save a lot of money.

Mr. GOOD. I agree with the gentleman; and I believe that one of the first things that the incoming President should do is to notify every Cabinet official that that is the law of the United States and it must be enforced. It should be enforced, but it has not been enforced, and it leaves the committees of Congress, and Congress itself, in a position where if they refuse to give the money to carry on a needed service for a portion of the year the service, no matter how badly needed it is, can not be furnished at all, and the employees will be discharged unless Congress comes to the rescue and supplies the money necessary to carry on the work.

Mr. McLAUGHLIN of Michigan. It would not mean that all the employees would have to quit their jobs, but only a part of them, and it seems to me if we got after these men who are guilty and who are responsible for this deficit it would be a good thing to clean up in that way.

Mr. GOOD. I will say to the gentleman that we have done that all the way through. Where an officer did not follow the law, and spent more money than was necessary, when he came back and asked for a fund sufficient to carry on the force according to his present organization we cut the estimate and compelled him to cut the force, thereby showing him the necessity for the enforcement of that law. But take the prohibition act. If we had not given any money at all, then for the months of May and June there would not be much left.

Mr. McLAUGHLIN of Michigan. I hope the suggestion made by the gentleman from Iowa will be carried out, and that those who are responsible for deliberately allotting this money in an improper way and deliberately creating deficits will be punished for it and wiped off the books.

Mr. TILSON. If there never has been an indictment under it, does not the gentleman think there ought to be one where by violating the law for a part of the year executive officers force Congress either to wink at that violation of the law or stop the necessary service of the Government?

Mr. MANN of Illinois. As a matter of fact has there been any technical violation of the law?

Mr. GOOD. Yes; I think there have been technical violations. The law provides that no executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property. All appropriations made for contingent expenses or other general purposes except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefore shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof. Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than $100 or by imprisonment for not less than one month.

Mr. MANN of Illinois. Was there not a waiver in this case?

Mr. GOOD. I do not think there was a waiver in this case at all. If there was a waiver, it was not communicated to Congress. The law provides that it shall be communicated to Congress and in that case there is a violation.

Mr. MANN of Illinois. In the estimates.

Mr. GOOD. In the estimate for the additional appropriations. Now, I will say to the gentleman that in the case of the Interstate Commerce Commission the transportation act threw additional burdens on that commission, equal almost to its original burden. It threw upon that commission the burden of looking into the question of the issuance of stocks and bonds and things of that kind. Now, Mr. Chairman Clark of that commission was unwilling to commence that work. He not only did not waive the allotment but he was unwilling to commence the work until Congress made the appropriation for the same, and in this bill we are carrying an appropriation for that. In the case of a great many of these appropriations there are waivers, but in a great many other cases no attention whatever is paid to that provision of the law that they shall make a waiver in writing and that that waiver shall be communicated to Congress.

Mr. MANN of Illinois. I was under the impression that in all of these cases they did comply with the law by making a waiver and including the waiver in the Book of Estimates.

Mr. GOOD. The gentleman knows that these appropriations for deficiencies do not come in the Book of Estimates. They come in as House documents, and that is where the waiver should come; but if the gentleman will look through them he will find in many of these cases that there is no waiver communicated to Congress as required by law, and I think it should be done.

Mr. MANN of Illinois. It could be communicated in the special estimate, or it could be communicated in the Book of Estimates, as far as that is concerned.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Speaker, I want to say a word in reference to whether the prohibition unit in the Internal Revenue Bureau ought to be punished because it has permitted this deficiency. This was a new service; they were just building it up when it was discovered that the money already appropriated would not be sufficient. The Commissioner of Internal Revenue as soon as it was possible went to the chairman of the Appropriations Committee and called his attention to the fact that they were spending in excess of the appropriation and that it was necessary to do that. There was no objection on the part of the chairman; at least no objection appears in the hearing, though the chairman was present when this statement was made. The necessity of the service was explained, and so was the necessity for this additional money, and thus with the tacit, if not express, consent of the chairman he went on and formed this organization. It is not a case where an advantage has been taken of Congress. There is no question as to the situation. If this appropriation of $1,200,000 shall stand, it means that about one-third of the field force, the police force that is absolutely inadequate to-day, must be discharged forthwith unless you pass another deficiency appropriation in the near future.

I have a letter from the prohibition commissioner calling my attention to the situation. It seems to me the House should understand what is going on. The chairman does not pretend that this money is sufficient and admits that many of the en-

forcement personnel must be discharged if this conference report is approved. Complaint is made that some of them are wet. There may be men in the service who ought to be discharged, but there is no pretense that the number of men are more than needed. Not at all; the fact of the matter is that the Commissioner of Internal Revenue and the prohibition commissioner insist that they have to have their present force. Everybody knows there is a constant complaint from every quarter that the force is not large enough. I want the House and the country to understand the situation. There is no pretense that they are appropriating enough for the service. They are turning it down, and propose to throw it down, and that is all there is to it.

Mr. UPSHAW. Did the gentleman go before the conferees and make a statement of the great need of this money?

Mr. VOLSTEAD. I was assured that I would have an opportunity to go before the conferees and explain the situation to them. I was given no such opportunity, but instead of that they simply went on and brought in this report, refusing to give this House an opportunity to be heard.

Mr. UPSHAW. Does not the gentleman think that that is playing with fire?

Mr. VOLSTEAD. I do not believe that the incoming administration can afford to take this stand. I do not believe that it ought to go before the country with the declaration that has been made by the chairman to-day that it is willing to have prohibition made a farce, because that is what is going to be done if this report is adopted. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, when this bill was before the House a few days ago a deficiency appropriation of $1,000,000 was provided for. The prohibition enforcement department was asking for $1,400,000, and stated that unless that amount was appropriated it would be necessary to discharge some of the force of agents now scattered over the country enforcing the prohibition law. That argument had force in the Senate, and they adopted an amendment providing for $1,400,000 as a deficiency appropriation to carry the prohibition enforcement on from now until the 30th of June, with the same force that it now has.

It is a notorious fact that there are not enough agents to enforce the law. In many States the agents of the Government are receiving no cooperation whatever from the States. I think in 10 States they have no enforcement law compelling the State officers to act with the Federal officers in that regard. It is a farce to undertake to enforce the law with one lonesome agent traveling over one, or, in some cases, two congressional districts as they do in many parts of the United States. The enforcement of the ordinary State laws requires a sheriff in every county and a police force in every community. But here we have only enough money to provide in some instances one agent to a congressional district, and in some cases one agent to two congressional districts. It is a notorious fact that one man can not enforce the law in such a large territory.

The prohibition commissioner states that there is no question but what it is a fact that if this amount is reduced from $1,400,000, as provided in the Senate amendment, to $1,200,000, that two or three or four hundred of these agents throughout the United States must be discharged. In the legislative, executive, and judicial appropriation bill there is $7,500,000 provided for the enforcement of prohibition after the beginning of July 1 for the next fiscal year. This appropriation of $1,400,000 is for the simple purpose of keeping the present force on the same basis until July 1, and then the legislative bill for $7,500,000 is to support it for the next fiscal year.

If we reduce the amount and are compelled to discharge two or three hundred agents, the result is that for two or three months, from along about April until the 1st of July, there must be a serious reduction of the force, estimated by the prohibition commissioner at about one-third, and then after July 1 these men must be taken back or new men must be appointed in their places. So it seems to me the part of wisdom that we should keep the force intact, as it is now, so that the $7,500,000 appropriation that will be available after the 1st of July will carry on the force without any interruption as it now exists.

The gentleman from Iowa [Mr. GOOD] states that some of these men who are in the force are incompetent, that some of them have paid no attention to their duties in some respects. That may be true, but that is not an indictment of the system; it is not an indictment of the law. If there are incompetent men, they should be fired, but that is no reason for crippling the department. We have appropriated already in this Congress $5,000,000,000 for the next year. In the next legislative year we have provided seven and a half million dollars, or 7 cents and a half for every man, woman, and child in the United States, to enforce an amendment that was put into the Constitution by an almost unanimous vote of the States.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. GOOD. Mr. Speaker, I yield two more minutes to the gentleman from Kentucky.

Mr. BARKLEY. Mr. Speaker, it seems to me, if we are to pare expenses and are to practice economy, in which I have great sympathy, we ought not to begin economy by crippling and hamstringing a new department, which is honestly seeking to enforce an amendment to the Constitution of the United States. If the Speaker will recognize me for that purpose, I desire to move to recommit the conference report to the conference committee with instruction to the House conferees to concur in the amendment of the Senate providing for $1,400,000 instead of $1,200,000 provided in the conference report. This bill must go back to the conferees in any event, and there are other amendments that have to be agreed to, and there will be no loss of time in so far as the conference report is concerned by recommitting the report to the conference committee, nor so far as the passage of the bill is concerned. This enforcement division should not be curtailed and the enforcement of the law hampered, as will result if this conference report is agreed to as it now stands. [Applause.]

Mr. GOOD. Mr. Speaker, it will be necessary to discharge some of the men who are engaged as agents and paid out of this appropriation. The gentleman from Kentucky [Mr. SWOPE] on the floor of this House tells me that some of these agents during the recent campaign in Kentucky were out making speeches all of the time. I know that a great many of the 2,000 men who are empowered to enforce the prohibition law are not in favor of enforcing the prohibition act at all. I know and you know and everybody knows that these men are winking at the law, and every man here in the Chamber to-night knows the same thing. It is not even suggested that there be a strict enforcement, otherwise there would not have been issued permits to withdraw 40,000 gallons of spirits during the year.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I have talked with some of you who favor larger appropriations for this purpose, and I have talked with even Wayne B. Wheeler who sends his commission to this House, and you have said to me, as has Mr. Wheeler, that there are more wets than there are drys engaged in this enforcement, and yet men will nod to Mr. Wheeler, just as they nod to Mr. Gompers, and vote money out of the Treasury at their command whether it is needed or not. I have refused to do that, and I still refuse, and I say to you that if we are going to do what the people of America, the taxpayers, want us to do we will answer to but one voice, and that is the voice of our own conscience. I can not find it in my conscience, believing as I do in the enforcement of prohibition, voting for the amendment, presiding over the deliberations of the committee when the bill was before the House, believing that the law should be enforced—I can not find it in my conscience to vote to take more money out of the Treasury for this purpose at this time, when we already know that too many men are paid out of this appropriation who are winking at violations of the law. Mr. Wheeler will tell you the same thing that was told to me. He told me there were more wets down in the bureau entrusted with the enforcement of prohibition than there are drys; and yet gentlemen come here and ask us to open up the Treasury of the United States and place more money in the hands of such men.

Mr. Speaker, we took this appropriation just as we have taken every estimate that came before us. We tried to look at it in a businesslike way, believing that the law ought to be enforced. There was not a man on the subcommittee on deficiencies who was not in favor of the most vigorous enforcement of this law. That has been the position all along. There has been no other suggestion before this committee, and I resent the charge that the Committee on Appropriations or its members have not been in favor of a vigorous enforcement of this law. We have given every penny that we believe this organization can expend for the rest of this year in a vigorous enforcement of the law, but it will require the dismissal of some men who ought to be dismissed.

I move the previous question on the conference report.

The SPEAKER. The question is on ordering the previous question on the conference report.

The previous question was ordered.

Mr. BARKLEY. Mr. Speaker, I move to recommit the conference report to the committee of conference with instructions to the House conferees to concur in Senate amendment No. 30.

Mr. TINKHAM rose.

The SPEAKER. Is the gentleman from Kentucky opposed to the bill?

Mr. BARKLEY. I am opposed to it in its present form.

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. TINKHAM. To offer a motion to recommit, being a member of the committee.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TINKHAM. I am.

The SPEAKER. The Chair will recognize the gentleman from Massachusetts to offer his motion to recommit.

Mr. TINKHAM. Mr. Speaker, I offer the following motion to recommit, which I send to the desk.

The Clerk read as follows:

Mr. TINKHAM moves to recommit the conference report to the committee of conference with instructions to recede from the disagreement of the House to Senate amendment No. 30, and agree to the same with the following amendment: In lieu of the sum proposed in said amendment insert "$1,100,000."

Mr. GOOD. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. BARKLEY. Mr. Speaker, I desire to offer a motion to the motion to recommit.

The SPEAKER. The gentleman from Iowa moves the previous question, which is a preferential motion, of course.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. BARKLEY and Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 57, noes 51.

Mr. BARKLEY. Mr. Speaker, I ask for the yeas and nays.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 93, nays 205, not voting 130, as follows:

YEAS—93.

Andrews, Md.	Goodall	McGlennon	Rodenberg
Babka	Greene, Vt.	McKinley	Rouse
Benson	Griffin	McLane	Sabath
Brand	Hicks	McLaughlin, Mich.	Sanford
Britten	Hull, Iowa	McPherson	Sherwood
Burke	Husted	MacGregor	Small
Burroughs	Jefferis	Magee	Snyder
Byrnes, S. C.	Juul	Mann, Ill.	Stephens, Ohio
Cannon	Keller	Martin	Tague
Carew	Kelley, Mich.	Mead	Tilson
Casey	Kettner	Merritt	Tinkham
Cleary	Kleczka	Minahan, N. J.	Treadway
Crisp	Knutson	Moores, Ind.	Voigt
Cullen	Kraus	Newton, Mo.	Walsh
Curry, Calif.	Lampert	Nolan	Ward
Dempsey	Lea, Calif.	O'Connell	Wason
Dominick	Lee, Ga.	O'Connor	Watson
Dupré	Lehlbach	Ogden	Whaley
Evans, Mont.	Lesher	Patterson	White, Me.
Freeman	Linthicum	Pell	Winslow
Gallagher	Longworth	Phelan	Wood, Ind.
Gallivan	Lufkin	Radcliffe	
Glynn	McAndrews	Ramsey	
Good	McArthur	Ransley	

NAYS—205.

Ackerman	Dale	Hastings	Luce
Almon	Darrow	Haugen	Luhring
Andrews, Nebr.	Davis, Tenn.	Hawley	McClintic
Ashbrook	Denison	Hayden	McDuffie
Aswell	Dickinson, Mo.	Hernandez	McFadden
Barbour	Dowell	Hickey	McKenzie
Barkley	Drane	Hoch	McKeown
Bee	Drewry	Hoey	McLaughlin, Nebr.
Begg	Dunbar	Holland	McLeod
Benham	Echols	Howard	Major
Black	Elliott	Huddleston	Mansfield
Bland, Va.	Emerson	Hudspeth	Mapes
Blanton	Esch	Hull, Tenn	Mays
Boies	Evans, Nebr.	Humphreys	Michener
Bowers	Fairfield	Hutchinson	Miller
Bowling	Ferris	Jacoway	Milligan
Box	Fess	James, Va.	Monahan, Wis.
Briggs	Fields	Johnson, Ky.	Moore, Va.
Brinson	Fish	Johnson, Miss.	Nelson, Mo.
Brooks, Ill.	Fisher	Johnson, S. Dak.	Nelson, Wis.
Browne	Flood	Jones, Pa.	Newton, Minn.
Buchanan	Focht	Jones, Tex.	Oldfield
Butler	Foster	Kearns	Oliver
Byrns, Tenn.	Frear	Kelly, Pa.	Osborne
Campbell, Kans.	French	Kendall	Overstreet
Cantrill	Fuller	Kiess	Padgett
Caraway	Gandy	Kincheloe	Paige
Carss	Garrett	King	Park
Carter	Goodykoontz	Kinkaid	Parker
Chindblom	Graham, Ill.	Langley	Parrish
Christopherson	Green, Iowa	Lanham	Purnell
Cole	Greene, Mass.	Lankford	Quin
Collier	Griest	Larsen	Raker
Connally	Hadley	Layton	Ramseyer
Cramton	Hardy, Colo.	Lazaro	Randall, Calif.
Currie, Mich.	Hardy, Tex.	Little	Randall, Wis.
Rayburn	Sisson	Swope	Welling
Reed, N. Y.	Smith, Idaho	Taylor, Ark.	White, Kans.
Reed, W. Va.	Smith, Ill.	Taylor, Colo.	Williams
Rhodes	Smith, Mich.	Taylor, Tenn.	Wilson, La.
Ricketts	Smithwick	Temple	Wilson, Pa.
Riddick	Steagall	Thompson	Wingo
Robinson, N. C.	Stedman	Tillman	Woods, Va.
Robsion, Ky.	Steenerson	Timberlake	Woodyard
Romjue	Stephens, Miss.	Tincher	Wright
Rose	Stevenson	Upshaw	Yates
Sanders, Ind.	Stoll	Vaile	Young, N. Dak.
Schall	Strong, Pa.	Venable	Young, Tex.
Shreve	Summers, Wash.	Volstead	Zihlman
Sims	Sumners, Tex.	Walters	
Sinclair	Sweet	Watkins	
Sinnott	Swindall	Weaver	

NOT VOTING—130.

Anderson	Doughton	Kahn	Riordan
Anthony	Dunn	Kennedy, Iowa	Rogers
Ayres	Dyer	Kennedy, R. I.	Rowan
Bacharach	Eagan	Kitchin	Rowe
Baer	Eagle	Kreider	Rubey
Bankhead	Edmonds	Lonergan	Rucker
Bell	Ellsworth	McCulloch	Sanders, La.
Bland, Ind.	Elston	McKiniry	Sanders, N. Y.
Bland, Mo.	Evans, Nev.	Madden	Scott
Brooks, Pa.	Fordney	Maher	Scully
Brumbaugh	Ganly	Mann, S. C.	Sears
Burdick	Gard	Mason	Sells
Caldwell	Garner	Mondell	Siegel
Campbell, Pa.	Godwin, N. C.	Montague	Slemp
Candler	Goldfogle	Moon	Smith, N. Y.
Clark, Fla.	Goodwin, Ark.	Mooney	Snell
Clark, Mo.	Gould	Moore, Ohio	Steele
Classon	Graham, Pa.	Morin	Stiness
Coady	Hamill	Mott	Strong, Kans.
Cooper	Hamilton	Mudd	Sullivan
Copley	Harreld	Murphy	Thomas
Costello	Harrison	Neely	Towner
Crago	Hays	Nicholls	Vare
Crowther	Hersey	Olney	Vestal
Dallinger	Hersman	Perlman	Vinson
Davey	Hill	Peters	Volk
Davis, Minn.	Houghton	Porter	Webster
Dent	Hulings	Pou	Welty
Dewalt	Igoe	Rainey, Ala.	Wheeler
Dickinson, Iowa	Ireland	Rainey, Henry T.	Wilson, Ill.
Donovan	James, Mich.	Rainey, John W.	Wise
Dooling	Johnson, Wash.	Reavis	
Doremus	Johnston, N. Y.	Reber	

So the previous question was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. DYER (yea) with Mr. MOORE of Ohio (nay).

Until further notice:

Mr. MONDELL with Mr. BELL.

Mr. TOWNER with Mr. MONTAGUE.

Mr. ANTHONY with Mr. DEWALT.

Mr. SLEMP with Mr. HENRY T. RAINEY.

Mr. HARRELD with Mr. IGOE.

Mr. MURPHY with Mr. VINSON.

Mr. WEBSTER with Mr. AYRES.

Mr. REBER with Mr. CAMPBELL of Pennsylvania.

Mr. STRONG of Kansas with Mr. WISE.

Mr. ELSTON with Mr. HARRISON.

Mr. KAHN with Mr. DENT.

Mr. IRELAND with Mr. COADY.

Mr. DALLINGER with Mr. BANKHEAD.

Mr. ANDERSON with Mr. WELTY.

Mr. STINESS with Mr. RUCKER.

Mr. KREIDER with Mr. EAGAN.

Mr. DAVIS of Minnesota with Mr. GARD.

Mr. MCCULLOCH with Mr. DONOVAN.

Mr. SANDERS of New York with Mr. CALDWELL.

Mr. BLAND of Indiana with Mr. BLAND of Missouri.

Mr. JOHNSON of Washington with Mr. SCULLY.

Mr. HERSEY with Mr. GODWIN of North Carolina.

Mr. EDMONDS with Mr. MCKINIRY.

Mr. HAYS with Mr. DOUGHTON.

Mr. SCOTT with Mr. HERSMAN.

Mr. COOPER with Mr. SANDERS of Louisiana.

Mr. GOULD with Mr. SULLIVAN.

Mr. DUNN with Mr. JOHN W. RAINEY.

Mr. CRAGO with Mr. POU.

The result of the vote was announced as above recorded.

Mr. BARKLEY. Mr. Speaker, I offer the following amendment to the motion to recommit.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. BARKLEY offers the following amendment to Mr. TINKHAM's motion to recommit: Moves to recommit the conference report to the conferees with instructions to the House conferees to recede from their disagreement to Senate amendment No. 30, and to agree to the same.

The SPEAKER. The gentleman offers that as a substitute, I suppose?

Mr. BARKLEY. Yes. And on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment offered by way of substitute.

The amendment was agreed to.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts [Mr. TINKHAM] to recommit as amended.

The motion to recommit as amended was agreed to.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to have until 12 o'clock midnight to file a conference report. Otherwise it can not be called up.

The SPEAKER. Upon this bill?

Mr. GOOD. H. R. 15962.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

COLD-STORAGE FOODS IN INTERSTATE COMMERCE—CONFERENCE REPORT.

Mr. HAUGEN. Mr. Speaker, I call up the conference report on the bill H. R. 9521.

The SPEAKER. The gentleman from Iowa calls up a conference report, which the Clerk will report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That this act may be cited as the 'United States cold-storage act.'

"SEC. 2. Whenever used in this act—

"(a) The term 'person' includes an individual, partnership, corporation, or association;

"(b) The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation;

"(c) The term 'cold storage' means the storage or keeping of any article of food at or below the temperature of 45° above zero (Fahrenheit) in a cold-storage warehouse; but does not include the first 10 days of the time during which the article of food is so stored or kept;

"(d) The term 'article of food' means—

"(1) Meat, meat products (including all edible portions of food animals), poultry, and game whether drawn or undrawn, poultry products, game products, fish, fish products, shellfish, oysters, and clams;—if fresh, cooked, prepared, cured, or frozen;

"(2) Eggs or portions thereof;—if in shell, dried, or frozen;

"(3) Butter, oleomargarine, lard, lard substitutes, butter substitutes, and cheese;

"(4) Oils for food purposes; and

"(5) Milk, evaporated or powdered;—

but does not include any such article not intended or designed for food purposes which is plainly and conspicuously marked in such manner as correctly to show the fact in accordance with such regulations as the Secretary of Agriculture shall prescribe;

"(e) The term 'cold-storage warehouse' means any place, including a car, vessel, or other vehicle, in which the temperature is artificially cooled to or artificially maintained at or below 45° above zero (Fahrenheit); but does not include a place used exclusively for storage of any article of food for the sole use of the occupant, owner, or maintainer thereof (1) for consumption by himself or his family or guests, or (2) in his business of serving meals, or (3) in connection with his retail business only, except that such place shall, in respect to any article of food held therein for more than 30 days in connection with such retail business, be deemed a cold-storage warehouse for the whole of the period of storage therein of such article;

"(f) The term 'warehouseman' includes any person maintaining or operating a cold-storage warehouse; and any person who rents and controls a room or space therein; and

"(g) The term 'mark' includes stamp, brand, tag, and label, and the term 'marked' includes stamped, branded, tagged, and labeled.

"SEC. 3. (a) It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale, in commerce, any article of food that is or has been in cold storage, or to hold in cold storage in commerce any article of food, or, having received in commerce, to sell or offer for sale, in the original, unbroken package any article of food that is or has been in cold storage, unless such article of food is plainly and conspicuously marked, in accordance with this act and the regulations thereunder, in such manner as correctly to show (1) the words 'Cold storage,' except that these words may be removed immediately preceding a sale for consumption before the expiration of 30 days following the date when such article of food was first placed in cold storage, (2) all the dates when put in and when taken out of cold storage, except that if the Secretary of Agriculture finds it to be commercially impracticable to mark any article of food with the exact date, the day, but not the month or year, may be omitted, in which case the date when the article of food is placed in cold storage shall for the purposes of this act be deemed the first day of the month, and (3) the names and locations of all the cold-storage warehouses in which stored, or suitable distinguishing designations thereof approved by the Secretary of Agriculture for the purpose.

"(b) If any article of food which is required by subdivision (a) of this section to be marked is subdivided, or is in or is placed in a container, or is transferred to a different container, the person who is liable under this act for any failure to have such article of food marked, shall mark the subdivision or the container thereof in the same manner as provided by subdivision (a).

"(c) If (1) an article of food that has not been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage, or (2) the containers of such articles of food are mixed or mingled, or (3) an article of food that is or has been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage during a different period of time, or (4) the containers of such articles of food are mixed or mingled; then for the purposes of subdivisions (a) and (b) of this section and for the purposes of section 6, the dates required to be placed upon the article of food, if any, resulting from such mixing or mingling, or upon the containers so mixed or mingled, and from which the 12 months' period referred to in section 6 is to be computed, shall be those of that one of such articles of food which was first placed in cold storage, and the names and locations of cold-storage warehouses shall be those of all such warehouses in which each of such articles of food is or has been held in cold storage.

"SEC. 4. If the Secretary of Agriculture finds that the proper and customary manner of handling any article of food is such that it is commercially impracticable to mark the same or the container thereof in accordance with this act, the person otherwise required under this act to have the same so marked shall furnish or display, as the Secretary of Agriculture may require, to the receiver of such article of food a written statement, or an invoice or bill of lading or other shipping document, which shall describe such article of food, shall correctly state the facts otherwise required by this act to be marked, in the manner prescribed in the regulations under this act, and shall be preserved and be subject to examination by an officer, employee, or agent duly authorized under this act, for such reasonable length of time as the Secretary of Agriculture deems necessary for the purposes of this act; except that, in the case, under this section, of a sale at retail to the consumer, the facts required by clauses (2) and (3) of subdivision (a) of section 3 may be omitted unless otherwise requested by such consumer.

"SEC. 5. Except as otherwise permitted by this act, it shall be unlawful for any person (a) to alter, mutilate, destroy, obscure, obliterate, or remove any mark required by this act to be placed on any article of food or the container thereof, while it is in commerce or, having been transported in commerce, remains unloaded, unsold, or in the original, unbroken package, or (b) to alter, mutilate, destroy, obscure, or obliterate any statement, invoice, or document or portion thereof, required to be furnished or displayed, during the time the same is required to be preserved under section 4.

"SEC. 6. It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale, in commerce, or to hold in cold storage in commerce, any article of food, or having received

in commerce, to sell or offer for sale, in the original, unbroken package any article of food, after the expiration of 12 months following the date when such article of food was first placed in cold storage; except (1) that the Secretary of Agriculture may in such instances in respect to frozen eggs and portions thereof as he deems advisable, extend such period of time to not more than 18 months following the date when such eggs or portions thereof were first placed in cold storage, and (2) that the above provisions of this section shall not apply to cheese held for the purpose of ripening and improving the quality thereof.

"SEC. 7. The provisions of sections 3, 4, 5, and 6 shall not apply to any article of food shipped or sold or delivered for shipment to any foreign country, if in respect to the requirements of such section the article of food complies with the specifications and directions of the purchaser or consignee in such foreign country and is not in contravention of the laws of such country; but if the article of food be not actually exported this section shall not exempt such article of food from the operation of sections 3, 4, 5, and 6.

"SEC. 8. (a) No person shall receive in commerce any article of food for cold storage after the cold-storage warehouse in which it is to be stored is found by the Secretary of Agriculture, after due notice and hearing, to be insanitary or otherwise unfit for the storage of any such article of food. Such finding shall remain in force until the Secretary shall, after further hearing, determine that such condition has been remedied.

"(b) No person shall receive in commerce any article of food for cold storage in a cold-storage warehouse if such person has refused inspection, when requested under this act, of such warehouse; nor shall any person ship in commerce any article of food if he has refused inspection of such article of food when requested under this act.

"SEC. 9. In order to carry out the provisions of this act, the Secretary of Agriculture or any officer, employee, or agent specifically authorized by him in writing for the purpose may, on any business day during the usual hours of business, enter any cold-storage warehouse which receives, or from which is shipped or delivered, any article of food, in commerce, and may inspect such warehouse and the contents thereof, and any statements, books, papers, letters, or documents relating thereto.

"SEC. 10. (a) In order to carry out the provisions of this act and to provide information for the Congress, every warehouseman shall keep such records and accounts and make such reports, in such manner or form, verified under oath or otherwise, monthly and at such other times as the Secretary of Agriculture may require, as to the amounts, kinds, and ownership of any foodstuffs received, held, transported, or delivered by such warehouseman, loans made by such warehouseman upon the security of such foodstuffs, charges made by such warehouseman for storage and other services rendered by him, and the size or capacity of his warehouse. Any information obtained by the Secretary of Agriculture under this act shall be available for the use of either House of Congress, and the Secretary of Agriculture shall cause such information as may be of public interest to be published from time to time.

"(b) No person shall willfully (a) fail or refuse to make full and true entries or make any false entry in the accounts or records of his business required to be kept pursuant to this section, or (b) alter, mutilate, conceal, or destroy any such account or record, or (c) make any report required under this section which is false or fraudulent in any material particular, or (d) fail or refuse to make any report required under this section.

"SEC. 11. No person shall willfully hinder, obstruct, or resist the Secretary of Agriculture or any duly authorized officer, employee, or agent in the performance of his duties under this act.

"SEC. 12. Any person who violates any provision of sections 3, 4, 5, 6, 8, 10, 11, or 16 shall upon conviction thereof be punished by a fine not exceeding $1,000 or imprisonment not more than one year, or both. After judgment of any court with respect to any violation of this act, the Secretary of Agriculture may give notice thereof by publication in such manner as he by regulation may prescribe. A person shall not be prosecuted for any violation of sections 3, 4, and 6, resulting from the act, omission, or failure of any other person not acting for or employed by him, prior to the time when the article of food involved came into his possession or control, if he shows that such violation was not knowingly committed by him and also (except in such cases as the Secretary of Agriculture deems necessary and advisable and shall by regulation prescribe), establishes a written guaranty signed by such other person who shall be a resident of the United States, from whom he obtained the possession or control of such article of food, to the effect that such article of food has not been in cold storage or that if it has been in cold storage and is apparently marked or represented in accordance with subdivision (d) of section 2 or sections 3 or 4 the marks or representations are true. The guaranty shall contain the address of the person required to sign it, and such person shall be amenable to the prosecution, fine, penalty, or imprisonment which would otherwise attach to the person to whom he delivered the possession or control of the article of food.

"SEC. 13. (a) When construing and enforcing the provisions of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case also be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

"(b) If any person acting for or employed by any individual, partnership, corporation, or association, negligently or willfully omits personally to perform any necessary act or properly to supervise or apportion duties among his subordinates, in the execution of the authority or functions vested in him, and by reason of such omission a violation of this act directly results, he shall be liable to all the penal and other provisions of this act with respect to such violation; but nothing in this subdivision shall be held to relieve the individual, partnership, corporation, or association from such provisions.

"(c) The provisions of this section shall be held to extend and not to limit the application of section 37 or 332 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, as amended.

"SEC. 14. (a) Whenever in the case of any article of food being offered for importation, the Secretary of Agriculture has reason to believe that any provision of this act is being violated with respect to such article of food, he shall give due notice and opportunity for hearing thereon to the owner or consignee, and certify such fact to the Secretary of the Treasury, who shall thereupon (1) refuse admission and delivery to the consignee of such article of food, or (2) deliver such article of food to the consignee pending examination, hearing, and decision in the matter on the execution of a penal bond to the amount of the full invoice value of such article of food, together with the duty thereon, if any, and to the effect that on refusal to return such article of food for any cause to the Secretary of the Treasury when demanded, for the purpose of excluding it from the country or for any other purpose, the consignee shall forfeit the full amount of the bond.

"(b) If, after proceeding in accordance with subdivision (a) of this section, the Secretary of Agriculture is satisfied that any provision of this act is being violated with respect to such article of food, he shall certify the fact to the Secretary of the Treasury, who shall thereupon notify the owner or consignee and cause the sale or other disposition of such article of food refused admission and delivery or entered under bond, unless it is exported by the owner or consignee within three months from the date of such notice, under such regulations as the Secretary of the Treasury may prescribe. All charges for storage, cartage, or labor on any such article of food which is refused admission or delivery or is entered upon bond shall be paid by the owner or consignee.

"SEC. 15. Whenever it appears that any article of food in cold storage in commerce is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, the Secretary of Agriculture may cause the immediate seizure of such article of food and thereupon shall at once cause notice of the facts to be given to the United States district attorney for the district in which the article of food is seized. Such district attorney shall proceed without delay against such article of food in any court of the United States in such district for confiscation by process of libel for condemnation. If in the opinion of the court the article of food is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, it shall be immediately disposed of by destruction or sale as the court shall direct, but such disposition shall not be contrary to any law of the United States, or of the State, Territory, or District where such destruction or sale takes place. The proceeds of any sale under this section, less legal costs and charges, shall be paid to the person entitled thereto. The proceedings in such libel for condemnation shall conform as nearly as may be to proceedings in admiralty and shall be at the suit and in the name of the United States. For the purposes of this section the Secretary of Agriculture may cause investigations, inspections, analyses, and tests to be made and samples to be collected of any article of food in commerce. The Department of Agriculture shall pay to the person entitled, upon his request, the reasonable market value of any such samples.

"SEC. 16. The Secretary of Agriculture is authorized to designate in writing specifically officers, employees, and agents of the Department of Agriculture to administer oaths for the purpose of this act. All such officers, employees, and agents are authorized and empowered to administer to or take from any person an oath, affirmation, or affidavit for the purposes of this act, or for use in prosecutions or proceedings thereunder. Any such oath, affirmation, or affidavit, authenticated by the official seal of the Department of Agriculture, shall, when offered for use in any proceeding under this act or in any court of the United States, have like force and effect as if administered or taken by or before the clerk of such court, without further proof of the identity or authority of such officer, employee, or agent. No such officer, employee, or agent shall demand or accept any fee or compensation whatsoever for administering or taking any oath, affirmation, or affidavit under the authority conferred by this act.

"SEC. 17. For the enforcement of this act, the sum of $200,000 is hereby appropriated, to be available until expended, out of any moneys in the Treasury not otherwise appropriated, and the Secretary of Agriculture (a) is authorized to prescribe and promulgate such regulations as may be necessary; (b) may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and (c) shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere.

"SEC. 18. This act shall take effect and be in force from and after its passage; but no penalty, fine, forfeiture, or imprisonment shall be enforced for any violation occurring within 90 days after its passage.

"SEC. 19. No provision of this act shall be deemed to repeal or limit the operation of any provision of any other act of Congress, unless directly in conflict therewith.

"SEC. 20. If any provision of this act or the application of such provision to certain circumstances is held unconstitutional, the remainder of the act and the application of such provision to circumstances other than those as to which it is held unconstitutional shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"An act to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce; and for other purposes."

And the Senate agree to the same.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.

A. J. GRONNA,
E. D. SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding, deterioration of and deception in respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and submitted in the accompanying conference report.

The amendment of the Senate strikes out all after the enacting clause in the House bill. The House recedes from its disagreement therewith with an amendment which is a substitute for the Senate amendment:

Section 1: This section gives the short title of the bill, "United States cold-storage act." The title is the same in the House bill and the Senate amendment.

Section 2: This section contains the definitions:

(a) The House bill defines "person" to include an individual, partnership, corporation, and association. The Senate bill varies the language describing associations. The subdivision as agreed to by the conferees retains the House language.

(b) The House bill defines "commerce" so as to include interstate and foreign commerce. The Senate amendment and the subdivision as agreed to by the conferees retains the House definition.

(c) The House bill defines "cold storage" to include all storage in a cold-storage warehouse. The Senate amendment limits such storage to storage at or below the temperature of 45° above zero Fahrenheit in the warehouse and excludes storage space used for chilling or precooling for not more than 30 days for manufacture, sale, or transportation. The subdivision as agreed to by the conferees retains the Senate provision with the exception of verbal changes and the reduction of the period of 30 days to 10 days.

(d) The House bill defines "article of food" to include all foods except liquids, no matter what their condition or form. The Senate amendment limits the definition to fresh meat, including all fresh edible portions of food animals, fresh fish, fresh poultry drawn or undrawn, fresh game, eggs in shell or frozen, butter, oleomargarine, and butter substitutes. The subdivision as agreed to by the conferees makes verbal changes and adds to the Senate list cooked, prepared, cured, or frozen meats, meat products, fish, fish products, poultry products, and game products, and also shellfish, oysters, clams, dried eggs, lard, lard substitutes, cheese, oils for food purposes, and milk in other than in liquid form.

(e) The House bill defines "cold-storage warehouse" as any establishment artificially cooled to or below the temperature of 45° above zero Fahrenheit, and excludes from the definition an establishment used exclusively for the storage of food for the sole use of the owner for consumption by himself or his family or guests, in connection with his business of serving meals or his retail sale business. The House bill also excludes refrigerator vehicles from its definition of cold-storage warehouse; but a separate definition was provided bringing "refrigerator vehicles" within the act and including in the term any car, vessel, or other vehicle. The Senate amendment excludes refrigerator vehicles completely from its definition of cold-storage warehouse, and thereby from the act, and also excludes places used for chilling or precooling for manufacture, sale, or transportation. The Senate amendment limits the exception as to places used for storage in connection with retail sale business to places so used in respect to any particular article of food for 30 days only. The subdivision as agreed to by the conferees retains the provisions of the House bill including refrigerator vehicles and not exempting chilling and precooling space and the provisions of the Senate amendment limiting the exception as to retail sale business to 30 days.

(f) The House bill defined "warehouseman" to include any person owning a warehouse or renting or controlling any space therein. The Senate amendment contained no such provision. The subdivision as agreed to by the conferees retains the House provision.

(g) The House bill defines the term "mark" to include stamp, brand, tag, and label, and the term "marked" to include stamped, branded, tagged, and labeled. The Senate amendment and the subdivision as agreed to by conferees contains this provision with verbal alterations.

Section 3: The House bill makes it unlawful for any person to ship or hold in interstate or foreign commerce an article of food that is or has been in cold storage, unless marked with the words "Cold Storage," the dates when placed in and taken out of cold storage, and the names of the warehouses in which stored. The House bill further permits the removal of the words "Cold Storage" if the article is sold to the consumer within 30 days after it is first placed in cold storage, and makes provision as to the adjustment of marks in case of the commercial impracticability in marking any particular type of food, the mixing or intermingling of the articles of food, the subdivision of an article of food, or the placing of it in a container. The Senate amendment contains similar provisions with many verbal changes, and provides that the words "Cold Storage" may be omitted in the first place, as well as removed, in case an article of food is sold within 30 days after it is first placed in cold storage. Further, the Senate amendment did not limit such sale to the consumer. The section as agreed to by the conferees retains the House provision permitting removal but not the omission of marks in case of sale within 30 days after the article of food is first placed in cold storage, and also retains the provision of the House bill limiting such sale to the consumer. The section as agreed to by the conferees also retains, with the verbal changes necessary for clarification and rearrangement, the provisions of the House bill and the Senate amendment with respect to the commercial impracticability of making marks and the adjustment of marks in case of mixing or intermingling, subdivision, or placing in a container.

Section 4: The House bill provides that in case it is found commercially impracticable to mark any article of food or container, then the Secretary of Agriculture may permit a written statement or document accompanying the article of food to state the required facts as to the times and places of storage. The Senate amendment contains a similar provision with verbal changes and the limitation that in case of a sale to a consumer the dates and the names of the warehouses but not the words "Cold Storage" may be omitted from the statement or document. The section as agreed to by the conferees retains the Senate provision.

Section 5: The House bill makes it unlawful to alter or destroy any marks upon cold-storage food while in interstate or foreign commerce. The Senate amendment has a similar provision, which is retained in the section as agreed to by the conferees.

Section 6: The House bill makes it impossible for any person to ship in interstate or foreign commerce an article of food except cheese after the expiration of 12 months from the time when it was first placed in cold storage. The Senate amendment contains a similar provision, omitting the exception as to cheese, but providing different time limitations and restrictions in respect to imported eggs. The section as agreed to by the conferees retains the House provision with exceptions as to cheese and permits the Secretary of Agriculture to extend, in his discretion, the time limit from 12 to not more than 18 months for frozen eggs.

Section 7: The House bill exempts from the requirements of the act articles of food shipped in compliance with specifications and directions of foreign purchasers. The Senate amendment and section as agreed to by the conferees retains the same provision.

Section 8: The House bill prohibits the placing of articles of food in a warehouse found insanitary by the Secretary of Agriculture, after due notice and hearing. The Senate amendment has no provision upon this subject. The section as agreed to by the conferees retains the House provision with verbal changes.

Section 9: The House bill permits any authorized officer of the Department of Agriculture to inspect a warehouse, its contents, and books relating thereto. The Senate amendment and the section as agreed to by the conferees retain the same provision.

Section 10: The House bill requires monthly reports by each warehouseman as to the amounts of food and their ownership held in cold storage by him. The Senate amendment leaves the time of such reports to the discretion of the Secretary of Agriculture and extends the subject matter of the reports to the charges for the warehouseman's services and the loans made upon the security of foodstuffs stored. The section as agreed to by the conferees retains the Senate provision, together with the House requirement of monthly reports.

Section 11: The House bill forbids the obstruction of the Secretary of Agriculture or his officers in the performance of duties under the act. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Section 12: The House bill provides a penalty of $1,000 or imprisonment for one year or both for violation of the act, but exempts from liability any person whose act, omission, or failure in violation thereof results from his reliance in good faith upon the act, omission, or failure of any other person with respect to marks or absence of marks upon the article of food or container. The Senate amendment provides the same penalties, but requires a guaranty certificate from previous holders of the article of food, in order to be exempt from liability because of their errors as to marking. The section as agreed to by the conferees retains the provision of the Senate amendment with verbal changes, and a provision permitting the Secretary of Agriculture to omit the guaranty certificate if he deems it advisable.

Section 13: The House bill and the Senate amendment contain comprehensive provisions varying in detail and language as to the liability of corporate officers for acts of their subordinates and of the corporation itself for the acts of its officers. The section as agreed to by the conferees contains a clarifying substitute to the same general effect for both the House and Senate provisions.

Section 14: The House bill provides for the exclusion from this country of imported articles improperly marked or otherwise shipped in violation of the law. The Senate amendment and the section as agreed to by the conferees retain the same provision.

Section 15: The House bill provides for the seizure and condemnation, by proceedings in rem, of articles of food held in cold storage which are likely immediately to become or are unsound, unwholesome, or unfit for food. The Senate amendment has no provision upon this subject. The section as agreed to by the conferees retains the House provision with verbal changes.

Section 16: The House bill provides that oaths and affidavits administered by officers of the Department of Agriculture may be used in court proceedings without further proof of the identity or authority of such officer. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Section 17: The House bill provides for appointments and expenditures for the administration of the act, the issuance of regulations by the Secretary of Agriculture, cooperation with State agencies, and makes an appropriation of $50,000 for the fiscal year. The Senate amendment varies the House provision in extending the appropriation to $200,000, to be available until expended, and omits a requirement that preference in appointments be given to members of the military and naval forces. The section as agreed to by the conferees adopts the Senate provision.

Section 18: The House bill provides that no penalty shall be enforced for a violation occurring within 90 days after the passage of the act. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Section 19: The House bill provides that the United States cold-storage act shall not be deemed to repeal or limit the operation of any other act of Congress unless directly in conflict therewith. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Section 20: The House bill contains a provision as to the separability of the provisions of the act in case of the unconstitutionality of one provision. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Amendment to the title: The Senate amendment amends the title so as to refer to foreign as well as interstate commerce. The title as agreed to by the conferees retains the Senate provision.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.

Mr. HAUGEN. Mr. Speaker, among the controverted questions in the two bills is the definition of the "articles of food." The House bill defines "articles of food" to include all foods except liquids. The Senate amendment limits the definition to fresh meat, including all fresh edible portions of food animals, fresh fish, fresh poultry drawn or undrawn, fresh game, eggs in shell or frozen, butter, oleomargarine, and butter substitutes. By excluding the cooked, prepared, cured, or frozen meats, and so forth, as suggested by the Senate, it would practically eliminate about 95 per cent of the articles that enter into cold storage. It would seem that to write a bill excluding 95 per cent would, of course, not meet the requirements. In that matter there is a compromise.

The other contention is as to the time limit. Objection has been made to the 10 days' limit for marking the goods. There seems to be a misconception as to this provision of the bill. The bill allows 10 days for marking articles of food for shipment, and if they are sold to a retailer the retailer has 30 days in which to dispose of the article without marking. If the article goes into cold storage, however, and it is withdrawn within 30 days after the 10 days first allowed, the mark may be removed.

Mr. McCLINTIC. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. McCLINTIC. I want to ask the gentleman a question. In case a shipment from California or anywhere in the Southwest did not reach its destination until 12 days had elapsed, what effect would this law have upon that shipment?

Mr. HAUGEN. If over 10 days, it would have to be marked unless sold to a retailer. If sold to a retailer, no mark would be required, for a retailer has 30 days in which to dispose of it.

Mr. McCLINTIC. But even if it took over the 10 days' limit to reach destination——

Mr. HAUGEN. On page 2, subdivision (e):

The term "cold-storage warehouse" means any place * * * in which the temperature is artificially cooled * * * but does not include a place used exclusively for storage * * * in connection with his retail business * * * held therein for more than 30 days.

On page 1, subdivision (c):

The term "cold storage" means the storage or keeping of any article of food at or below the temperature of 45° above zero (Fahrenheit) in a cold-storage warehouse; but does not include the first 10 days of the time during which the article of food is so stored or kept.

Hence, the producer has 10 days to ship and sell to the retailer. The retailer has 30 days to sell to the consumer; all told, 40 days before marking is required.

Section 3 provides that the words "cold storage" may be removed immediately preceding a sale for consumption if before the expiration of 30 days following the date when such article of food was first placed in cold storage. In that way 10 days are given for cooling and transportation and 30 days are given to the cold storage by the jobber to sell to the consumer with the privilege of removing the mark.

Mr. RAKER. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. RAKER. For instance, a shipload of oranges and lemons was sent from California a month or so ago around by the way of the Panama Canal and it reached Baltimore in 21 days. If during that time they were in cold storage, would that be applicable to this bill?

Mr. HAUGEN. We have left fruits out entirely. They are not included in the bill.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. DAVIS of Tennessee. Some of the produce dealers are protesting against this provision on the theory that it would take them several days to assemble, we will say, a carload of eggs, and at the time it reached destination in Chicago, Philadelphia, or New York the 10 days' limit would have expired, so that it would be necessary for them to be marked for storage; and then it gives the wholesale purchaser an advantage, in that while he can remove the storage mark if sold within 30 days, yet the small retailer is compelled to sell those eggs as cold-storage products.

Mr. HAUGEN. Objection is made by some to all marking whatsoever. Some believe that food products should be marked the first day they enter cold storage, some that they should be marked months afterwards, and others contend all marking is unnecessary. As the bill passed the House it required the marking the first day the product was placed in cold storage. The conference report gives 10 days for shipment and 30 days for sale by the retailer before marking is required. And if the foods are placed in cold storage and are removed from cold storage within 30 days the mark can be removed, giving altogether 40 days' time in which to dispose of them.

Mr. SUMMERS of Washington. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. SUMMERS of Washington. Did not the bill as it passed the House only provide for the marking of goods after they are placed in cold storage? In other words, you could put eggs produced in the West into a cold-storage car, and they are shipped to New York, and reach New York as fresh eggs; but under this bill they are to be considered cold-storage eggs when they get to New York, because they were shipped in a refrigerator car.

Mr. HAUGEN. The New York law requires that they be marked "cold storage" on the very first day they are placed in storage. That is the objection some have to this bill. In New York it is required that they be marked from the first day, because of the difficulty experienced by inspectors in ascertaining the time that they were placed in cold storage. They contend that the only safe way would be to mark them on the first day. We have compromised, however, and have given them 10 days for shipment and 30 days for disposal; but under the State law the first day such goods enter cold storage in New York they must be marked, notwithstanding the provisions carried in this bill.

Mr. SUMMERS of Washington. When they are shipped in a cold-storage car, how can they be marked the instant they reach the State line?

Mr. HAUGEN. They are then in commerce. As soon as they are in cold storage it is required that they be marked. If you ship and store in Minnesota, you must mark them the first day.

That seems to be the safest way to legislate against fraud and deception. But we compromised. It was the very best we could do. I believe it is a very liberal bill. I think it as liberal as it should be. The packers contend that it requires two or three days for precooling and shipping. So if the meat is precooled and disposed of to the retailer within 10 days the retailer will have 30 days in which to dispose of it without marking.

Mr. SUMMERS of Washington. How are these goods to be marked when they cross the State line? They are in cold storage in the car, which we designate as a place of cold storage. Are they stamped there?

Mr. HAUGEN. The bill provides for rules and regulations to be prescribed by the Secretary to cover such matters.

Mr. SUMMERS of Washington. But they must necessarily be cold-storage eggs when they enter the market?

Mr. HAUGEN. When they first enter cold storage in New York and other States they are required to be marked "cold storage."

If you will refer to the reports of the hearings before the committee, you will find the State laws require:

(P. 475.) New York, section 336. "It shall hereafter be unlawful for any person * * * in the business of cold-storage warehousemen * * * to receive any kind of food unless the said food is in an apparently pure and wholesome condition, and the food or the package containing the same is branded, stamped, or marked in some conspicuous place with the day, month, and year when the same is received in storage or refrigeration."

And also makes it unlawful to allow it—

"To be taken from their possession without first having branded, stamped, or marked said foodstuff, or the package containing the same, in a conspicuous place, the day, month, and year when said foodstuff or package was removed from cold storage or refrigeration."

(P. 467.) Massachusetts, section 4. All articles of food when deposited in cold storage shall be marked plainly with the date of receipt on the container in which they are packed, or if not packed in a container, on or in connection with the articles, except fish.

SEC. 6. It shall be unlawful to sell or offer or expose for sale articles of food which have been held in cold storage without notifying the persons, etc.

(P. 468.) Minnesota, section 1. No person * * * shall sell, agree to sell, or advertise for sale any cold-storage eggs without making it known to the purchaser * * * that the eggs are cold-storage eggs, and all boxes or other receptacles in which cold-storage eggs are sold or delivered, in wholesale or retail, shall be stamped in a conspicuous manner with the words "cold-storage eggs."

(P. 479.) Ohio, section 11. All food shall at the time it is deposited in any cold-storage warehouse bear the date of such deposit plainly stamped thereon. Such food shall also bear a stamp indicating the date of removal.

SEC. 12. It shall be unlawful for any person * * * to sell or offer or expose for sale * * * any cold-storage food unless there shall be placed on each container thereof in a conspicuous place in full view of the purchaser a placard with the words "wholesome cold-storage food." * * * In addition all such food shall be marked with the date when it is withdrawn.

Mr. GOODYKOONTZ. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GOODYKOONTZ. I observe that this bill provides for an authorization of an appropriation of $200,000 for the purpose of administering the law. Does not the gentleman think it would take a great deal more than that to administer this law, and is not this merely the beginning of future great appropriations for regulation in an extensive manner of practically a private business?

Mr. HAUGEN. The enforcement of every law requires expenditures. We can not get away from that. The question is, Is it worth the price? Are the consumers entitled to the information that this bill would give or are they to be imposed upon as they have been in the past? Are they to continue to consume cold-storage food that has deteriorated and has become unfit for food?

Mr. GOODYKOONTZ. Does not the gentleman think that in addition to the great amount of money that the Government will have to spend in the administration of this act it will involve large expenditures on the part of the men who conduct this business, and thereby add largely to the cost of living?

Mr. HAUGEN. We are spending millions every year for enforcement of the laws. Money is required to enforce any law.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. MILLER. In transit between the Pacific coast and New York it would be impossible, would it not, under the provisions of this bill to mark poultry or eggs or anything as fresh products in the New York market?

Mr. HAUGEN. The New York law and this one would require that they be marked. If the gentleman can tell me how we can move one coast closer to the other, possibly we may overcome it. I take it that 10 days will give ample time in most instances.

Mr. MILLER. Does not the gentleman know that it takes more than 10 days to ship from the Pacific coast to New York?

Mr. HAUGEN. Yes, by freight; but generally it is not shipped by freight, as I understand it. It might take more than 10 days in some instances.

Mr. GOODYKOONTZ. Does not the gentleman think a bill of this sort, if enacted into law, will add to the advantage of the great packers and impede the transactions of small people, who will not want to go to the expense involved and into the detail made necessary under administrative rules and regulations promulgated under the law?

Mr. HAUGEN. In the last few days a great interest has apparently been manifested in the farmers and the small producers. For that reason I referred the conference report to the

representative of the National Dairy Union. Let me read you what he says. This letter is from Mr. Loomis, the secretary of the National Dairy Union. I believe the letter speaks for the dairy people. I take it that many of you have received telegrams from a number of dairies and creameries. The National Dairy Union speaks for the creameries throughout the United States, and it would indicate that they are satisfied with it. I do not know from where this deep interest emanated, but I do know that the dairy people's representatives are satisfied. It is so indicated in this letter, which follows:

THE NATIONAL DAIRY UNION,
OFFICE OF THE SECRETARY,
Washington, D. C., February 16, 1921.

Hon. GILBERT N. HAUGEN,
Chairman Committee on Agriculture,
House of Representatives, Washington, D. C.

DEAR SIR: I looked over the report of the conference committee on the cold-storage bill with some care and can find no reason for opposing the immediate passage of this bill.

There has long been need for regulation of cold storage in interstate commerce, bringing the Federal law up somewheres nearly to the level of public protection which is provided by the better State laws, and I am certain that this bill is a step in the right direction.

Yours, sincerely,

A. M. LOOMIS, *Secretary.*

Mr. WALSH. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. WALSH. Is it true that under the definition of cold storage as written by the conferees in their bill, after an article has been in cold storage for eight days it may then be shipped without any regard to the provisions of this measure?

Mr. HAUGEN. I do not quite understand what the gentleman is aiming at. We do not propose to prevent the shipping or require the marking of articles held less than 10 days. If an article of food is held in storage more than 10 days and is shipped in interstate commerce, it comes under the regulations of the bill.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. HAUGEN. Certainly.

Mr. MANN of Illinois. In section 3 of the bill, where it provides for marking, there is this provision:

Except that if the Secretary of Agriculture finds it to be commercially impracticable to mark any article of food with the exact date, the day, but not the month or year, may be omitted, in which case the date when the article of food is placed in cold storage shall for the purposes of this act be deemed the first day of the month.

What character of food is contemplated, where it says a character of food that it is found impracticable to mark the exact date upon it?

Mr. HAUGEN. Where articles are shipped in bulk. For instance, there might be a number of articles of food——

Mr. MANN of Illinois. Eggs are shipped in bulk.

Mr. HAUGEN. They are shipped in cases.

Mr. MANN of Illinois. In cases, yes; but in bulk.

Mr. HAUGEN. It requires that the container of the eggs shall be marked.

Mr. MANN of Illinois. What character of food is referred to? I suppose the conferees had something in mind when they inserted the language. What character of food is it, where it is found impracticable to mark the exact date?

Mr. HAUGEN. For instance, in a shipment of fresh meat there might be a number of pieces placed in storage at different dates, so that it might be impracticable to mark each article.

Mr. MANN of Illinois. Poultry, for instance?

Mr. HAUGEN. Yes; poultry.

Mr. MANN of Illinois. That is frequently shipped in bulk.

Mr. HAUGEN. Wherever the Secretary finds it commercially impracticable to mark any article of food with the exact date he may permit them to omit the day, but not the month or year, in which case the article of food shall be considered to have been placed in storage as of the first day of that month, instead of the exact day; but bear in mind that it is optional on the part of the person so placing it in storage.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. HAUGEN. Yes.

Mr. CHINDBLOM. A case of eggs would have to be marked with the date when it was put in storage.

Mr. HAUGEN. Yes.

Mr. CHINDBLOM. Is there anything requiring the former to show when the eggs were laid?

Mr. HAUGEN. The bill does not cover that.

Mr. CHINDBLOM. The eggs might be very old when placed in cold storage. How does this prevent that?

Mr. HAUGEN. We are only dealing with cold storage in this bill.

Mr. McFADDEN. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. McFADDEN. I understood the gentleman to say that when the goods were put into cold storage at the end of the journey, then they were cold-storage property. Is it not a fact that they are cold-storage property if they are in transit in excess of 10 days? They do not have to go into actual cold storage to make them cold-storage property, do they?

Mr. HAUGEN. They are cold-storage products at the expiration of the 10 days. They have 10 days before they are required to be marked as cold storage.

Mr. McFADDEN. Suppose there is a shipment of eggs from the gentleman's State, fresh eggs, to New York, and it gets there in 12 days. The shipper would stand the loss because the eggs would then be sold as cold-storage eggs.

Mr. HAUGEN. They would have to be marked under the New York law and this bill. How would he stand a loss?

Mr. McFADDEN. Because they are cold storage.

Mr. HAUGEN. No; they are not required to be marked unless they have not been in cold storage 10 days or in the hands of the retailer more than 30 days. But if marked, the certificate of the date is a certificate of the quality. From now on it will not be possible to sell eggs that have been in cold storage a year or more as fresh eggs.

Mr. McFADDEN. If any of the component parts have been in cold storage in the process of manufacture, the storage record must follow clear through to the consumer. So that candy manufactured from butter and sugar must be marked clear through.

Mr. HAUGEN. Candy? No; that is not included.

Mr. McFADDEN. Not if the butter is included in it?

Mr. HAUGEN. No; if it is not mixed with any article of food that is included in cold storage.

Mr. McFADDEN. Like sausage, for instance?

Mr. HAUGEN. Sausage is a meat product and must be marked.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. DAVIS of Tennessee. I notice that the gentleman stated a while ago that they had 30 days during which the cold-storage marks might be removed. And section 3 provides that cold-storage words may be omitted in the event that before the expiration of 30 days, following the date when such article of food was first placed in cold storage, it may be removed in order to be sold.

Mr. HAUGEN. And that is 30 days after the 10 days. The first 10 days' period can not be counted as cold storage.

Mr. DAVIS of Tennessee. That is true; but is not that a change, is it not inconsistent?

Mr. HAUGEN. The goods are not called cold storage until 10 days have elapsed, or they are not cold storage for an additional 30 days. If they are in a refrigerator owned by a retail dealer, then no mark is required. If placed in cold storage after 10 days and removed within 30 days, the words "cold storage" may be removed.

Mr. DAVIS of Tennessee. But later on, in section 3, you expressly provide that except that on these goods the marks may be removed immediately before the expiration of 30 days of the date when such goods were placed in cold storage. It occurs to me that there is a conflict.

Mr. HAUGEN. No; there is no conflict there, because under the definition of cold storage the goods are not in cold storage until after 10 days.

Mr. BRIGGS. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. BRIGGS. Under the provisions of this bill would it not be that the buyer of eggs from the poultry man or farmer after 10 days buys them at a price that is based on cold-storage goods? And would not the consumer who buys eggs up to 30 days have to pay the full price for such eggs as fresh eggs? In other words, the middleman gets a rake-off to which he is not entitled and which belongs fairly to the farmer.

Mr. HAUGEN. I imagine that from now on the consumer will ask for the marks and will know exactly when the goods were put in cold storage. He will know whether they have been there 30 days or 12 months.

Mr. BRIGGS. Under this provision is it not a fact that the dealer within 30 days can rub off the marks?

Mr. HAUGEN. If in cold storage, if he sells to the consumer, he may remove the marks. If in the hands of the retailer, no mark is required.

Mr. BRIGGS. If the eggs have been in cold storage 10 days, is it not true that the price the dealer will give the poultry man or the farmer for those eggs will be only the price of the cold-storage product, and then, within 30 days, sell them to the public as fresh eggs with the cold-storage mark removed?

Mr. HAUGEN. The marks indicate the date when they went into cold storage and——

Mr. BRIGGS. Why did the conferees prescribe 10 days for the dealer and 30 days for the consumer? In other words, why should the eggs remain in cold storage 30 days as far as the consumer is concerned and be fresh goods, and as far as the dealer is concerned only be fresh eggs for the first 10 days?

Mr. HAUGEN. When the bill passed the House it required the marking the first day the goods were placed into cold storage. The Senate provision gave 30 days; we compromised on 10 days for shipment and 30 days in selling by retail dealers.

Mr. BRIGGS. Does not the gentleman think the Senate provision is more equitable than the conference provision?

Mr. HAUGEN. Ten days seems to be all that should be required.

Mr. MANN of Illinois. Will the gentleman give me five minutes?

Mr. HAUGEN. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, this bill defines cold storage as the keeping of any article of food at or below the temperature of 45° above zero in a cold-storage warehouse, and then says it does not include the first 10 days of the time during which the article of food is so stored or kept. Catch that. Cold storage—article of food in a cold-storage warehouse, which is subsequently defined not to include the first 10 days. Then it defines a cold-storage warehouse as any place where food is kept under artificial temperature of 45°, and that includes a car in transit as well as a real warehouse. It then provides that the retailer who receives the food within 30 days from the date marked upon it may remove the marks, and provides further that all the dates when put in and when taken out of cold storage shall be marked upon the food, except that if the Secretary of Agriculture finds it commercially impracticable to mark any article of food with the exact date, the day, but not the month or the year, may be omitted. The day may be omitted, but the month or the year must be marked, in which case the date when the article of food is placed in cold storage shall for the purposes of this act be deemed as the 1st day of the month.

If an article of food is placed in cold storage on the 30th day of January, in a case where it is impracticable to mark the date, it will be presumed for the purposes of this act that it was placed in cold storage on the 1st day of January, and then no part of the bill that exempts the 10 days applies, and no part of the 30-day provision applies, because for the purposes of this act it was placed in cold storage 30 days before it actually was placed in cold storage; and any article that is shipped by rail after the 10th day of the month, no matter how quickly it gets to the market, goes to the market as a cold-storage product, where it is commercially impracticable to mark the exact date on the article.

I confess I do not know just what that provision applies to, but the gentleman from Iowa [Mr. HAUGEN], as far as I could gather, thought it would apply to any article shipped in bulk—poultry, not alive; butter, in many cases; eggs, perhaps; meat, perhaps. Any article which can not be definitely marked with the date because it is commercially impracticable can not be shipped a minute after the 10th day of the month without being marked cold storage. I have no doubt that that was an inadvertence on the part of the conferees. I have no doubt that they did not see that result. It is not fair to give a man who places an article in a refrigerator car on the 1st day of the month preference over a man who places his in a car on the 11th day of the month. They both ought to come under the same terms. If one is to have his goods marked cold storage, the other ought to have his goods marked cold storage, but under the terms of this bill the man who places his goods in the car on the 1st day of the month does not have to mark them cold storage, and during a 30-day period he can tear off the marks in the hands of the retailer; but if he puts them in after, then it is presumed that they have been in cold storage for 10 days before he has put them in cold storage at all. That is not fair.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 15836. An act to amend the transportation act, 1920.

ADJOURNMENT.

Mr. TREADWAY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. Evidently there is not.

Mr. MANN of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 4 minutes p. m.) the House adjourned, in accordance with the order heretofore made, until to-morrow, Wednesday, February 23, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV,

423. A letter from the Secretary of the Navy, transmitting a protest against House bill 15976 in connection with the uniform selection and purchase of coal and other fuel for use by the Federal Government was taken from the Speaker's table and referred to the Committee on Mines and Mining.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16091) for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis., reported the same without amendment, accompanied by a report (No. 1349), which said bill and report were referred to the House Calendar.

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16065) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, reported the same with an amendment, accompanied by a report (No. 1352), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HASTINGS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 15672) granting a deed of quitclaim and release to J. L. Holmes of certain land in the town of Whitefield, Okla., reported the same with amendments, accompanied by a report (No. 1347), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15913) granting a pension to Charles Henry Mosher, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HULL of Iowa: A bill (H. R. 16139) for the establishment of a corps of cadets and for other purposes; to the Committee on Military Affairs.

By Mr. RANDALL of California: A bill (H. R. 16140) to authorize the Postmaster General to establish a post office of the second or third class at Glendale, Calif.; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: Memorial of the Legislature of the State of Idaho recommending a fixed and comprehensive national policy of reclamation of arid and swamp lands and soliciting the immediate enactment by Congress of legislation designed and adapted to the needs of this great work; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Idaho, indorsing House bill 12466, by Addison T. Smith, giving authority to the Secretary of the Interior to grant right to construct Fall River Meadows Reservoir, Yellowstone National Park; to the Committee on the Public Lands.

By Mr. KAHN: Memorial of the Legislature of the State of California, relating to the protection of citrus fruits and their by-products; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, relative to the indorsement of the McFadden bill to conserve the gold-ore resources of the Nation in the interest of monetary security; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of California, relative to the World War adjusted compensation act; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of California, relative to the protection of the dairy industry; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, relative to a tariff on certain agricultural products; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CURRIE of Michigan: A bill (H. R. 16141) granting a pension to Sarah E. Howe; to the Committee on Invalid Pensions.

By Mr. HOEY: A bill (H. R. 16142) granting a pension to Roderick R. Burrow; to the Committee on Pensions.

Also, a bill (H. R. 16143) to compensate Levi Buckner for the time he was omitted from the pension roll; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 16144) granting a pension to Patrick William O'Donnell; to the Committee on Invalid Pensions.

By Mr. EMERSON: Joint resolution (H. J. Res. 475) to pay the city of Cleveland, Ohio, for work done in front of Government property; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5985. By the SPEAKER (by request): Petition of the unemployed of Miles City, Mont., favoring a resumption of friendly trade relations with soviet Russia; to the Committee on Foreign Affairs.

5986. By Mr. ASHBROOK: Petition of Mrs. Ralph Wilson and 243 other members of the Delaware, Ohio, Daughters of the American Revolution, favoring the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5987. By Mr. COOPER: Petition of Mahoning Chapter, Daughters of the American Revolution, of Youngstown, Ohio; to the Committee on Public Buildings and Grounds.

5988. By Mr. CRAMTON: Petition of the Michigan Potato Producers' Association, asking for a protective tariff on potatoes imported into this country; to the Committee on Ways and Means.

5989. Also, petition of the Women of the Auxiliary of American Legion Post No. 16, Lapeer, Mich., asking for the passage of the McLeod resolution; to the Committee on Public Buildings and Grounds.

5990. Also, petition of Rev. W. J. O'Rourke and the members of St. Elizabeth's Church, Reese, Mich., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5991. By Mr. CULLEN: Petition of the St. Augustine Holy Name Society, of Brooklyn, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5992. By Mr. EMERSON: Petition of the Cleveland Grays, of Cleveland, Ohio, favoring the Rogers-Capper bill; to the Committee on Interstate and Foreign Commerce.

5993. By Mr. FRENCH: Petition of the Idaho Mining Association of Boise, Idaho, requesting readjustments and revisions of the ore transportation rates; to the Committee on Interstate and Foreign Commerce.

5994. Also, petition of the Idaho Mining Association, of Boise, Idaho, recommending to Congress that the 640-acre enlarged homestead-grazing act be repealed; to the Committee on the Public Lands.

5995. Also, petition of the Idaho Mining Association, of Boise, Idaho, urging adequate protection of the lead and zinc industry by tariff; to the Committee on Ways and Means.

5996. By Mr. GALLIVAN: Petition of the Massachusetts department, the American Legion, favoring the passage of the Kenyon bill during present session of Sixty-sixth Congress; to the Committee on Military Affairs.

5997. Also, petition of several hundred citizens of Dorchester, Mass., at a meeting held at Dorchester High School, Dorchester, Mass., under the auspices of the St. Mark's Catholic Club of Dorchester (Inc.), February 20, protesting against the passage of the Smith-Towner bill; also petition of Bishop Cheverus General Assembly, Knights of Columbus, Boston, Mass., protesting against passage of the Smith-Towner bill; to the Committee on Education.

5998. By Mr. CASEY: Petition of Mrs. Mamie Higgins, Edward Hanks, and 100 other citizens of Ashley, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5999. Also, petition of Rev. J. J. Hussie, J. J. Kerrigan, and 150 other citizens of Ashley, Pa., and Rev. Father George F. Forve, Jacob Gable, Harver Norhoff, and 125 other citizens of Luzerne County, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6000. By Mr. MACGREGOR: Petition of the Winfield Scott Council, No. 137, of the Junior Order of United American Mechanics (Inc.) and the James Madison Council, No. 73, of the Junior Order of the United American Mechanics, Buffalo, N. Y., indorsing the Smith-Towner bill; to the Committee on Education.

6001. Also, petition of the Licensed Tugmen's Protective Association, Local Union No. 4, Buffalo, N. Y., favoring a duty of not less than 2 cents on all fresh-water fish imported into this country from any foreign land; to the Committee on Ways and Means.

6002. By Mr. MANN of Illinois: Petition of certain citizens of Chicago, Ill., favoring an amendment to the prohibition act; to the Committee on the Judiciary.

6003. By Mr. MOONEY: Petition of the Cleveland Chamber of Commerce, of Cleveland, Ohio, favoring the passage of House bill 14961 and Senate bill 4613; to the Committee on Interstate and Foreign Commerce.

6004. By Mr. NEWTON of Missouri: Petition of 195 citizens of St. Louis, Mo., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6005. By Mr. RAKER: Petition of Ohio State Conference on Americanization, relative to legislation on naturalization; to the Committee on Immigration and Naturalization.

6006. Also, petitions of William and Sylvester Mears, contractors on star route No. 76608, and 105 citizens, of Shasta County; H. O. Carter and 56 others, of Nevada County; John J. Daily and 36 others, of Trinity County; F. H. Kissner and 56 others; W. C. Brown and 23 others, of Siskiyou; and C. L. Brown and 78 others, of Trinity County, all in the State of California, in support of increased compensation for star-route mail contractors; to the Committee on the Post Office and Post Roads.

6007. By Mr. RIDDICK: Petition of residents of Daniels County, Mont., urging Congress to extend financial aid to the farmers; to the Committee on Banking and Currency.

6008. By Mr. ROGERS: Petition of the Particular Council of the St. Vincent de Paul Society, of Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6009. By Mr. SHREVE: Petition of the Ladies' Catholic Benevolent Association, Branch 3, of Titusville, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6010. By Mr. SINCLAIR: Petition of North Dakota Society of Engineers, favoring the creation of a department of public works; to the Committee on the Judiciary.

6011. Also, petition of Jamestown, N. Dak., Council No. 1853, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6012. Also, resolution introduced in the Senate of the North Dakota Legislature by Mr. O. C. Gross, and passed by that body, favoring the adoption of the metric system; to the Committee on Coinage, Weights, and Measures.

6013. By Mr. SMITH of Illinois: Petition of St. Paul Court No. 618, Catholic Order of Forresters, of Odell, Ill., and the Odell Council No. 895, Knights of Columbus, of Odell, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6014. By Mr. STINESS: Petition of Central Labor Union of Newport, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6015. By Mr. SUMMERS of Washington: Petition of Susie C. Barragy, of Seattle, Wash., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6016. By Mr. TEMPLE: Petition of Council No. 819, Ladies' Catholic Benevolent Association, Monaca, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6017. Also, petitions of Beaver Valley Council, No. 604, Knights of Columbus, Beaver Falls, Pa., and Ambridge Council, No. 1780, Knights of Columbus, Ambridge, Pa., protesting against the enactment of the Smith-Towner bill (H. R. 7); to the Committee on Education.

6018. Also, petition of Cross Creek Grange, No. 954, Cross Creek, Washington County, Pa., protesting against enactment of daylight savings law; to the Committee on Interstate and Foreign Commerce.

6019. By Mr. TINKHAM: Petition of the executive board of the Boston League of Women Voters, disapproving of any increased appropriation for armament; to the Committee on Appropriations.

6020. By Mr. VARE: Petition of the G. R. C. State League of Pennsylvania, relative to social reform and labor questions; to the Committee on Interstate and Foreign Commerce.

6021. Also, petition of the advisory board of the Philadelphia and Camden Federations, Pennsylvania system lines, asking an investigation of the Pennsylvania system conditions; to the Committee on Interstate and Foreign Commerce.

6022. By Mr. YOUNG of North Dakota: Petition of the Grand Forks Council, No. 1260, Knights of Columbus, of Grand Forks, N. Dak., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6023. Also, petition of sundry citizens of Osnabrock, N. Dak., protesting against the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *February 23, 1921.*

(Legislative day of Monday, February 14, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gay	Lenroot	Simmons
Brandegee	Gerry	Lodge	Smith, Ariz.
Calder	Gooding	McCumber	Smith, Ga.
Capper	Gronna	McKellar	Smith, S. C.
Chamberlain	Harris	McLean	Smoot
Culberson	Harrison	McNary	Spencer
Cummins	Heflin	Myers	Sterling
Curtis	Henderson	Nelson	Sutherland
Dial	Jones, N. Mex.	New	Thomas
Dillingham	Jones, Wash.	Owen	Trammell
Edge	Kellogg	Phipps	Underwood
Elkins	Kenyon	Pittman	Wadsworth
Fernald	Keyes	Pomerene	Walsh, Mont.
Fletcher	Kirby	Robinson	Williams
France	Knox	Sheppard	Willis
Frelinghuysen	La Follette	Shields	Wolcott

Mr. BALL. I wish to announce that the Senator from Maine [Mr. HALE] and the Senator from Washington [Mr. POINDEXTER] are in attendance upon a hearing before the Committee on Naval Affairs.

Mr. HENDERSON. I desire to announce the absence of the Senator from Michigan [Mr. TOWNSEND] and the Senator from New Hampshire [Mr. MOSES] on official business.

Mr. SMOOT. I wish to announce the absence of the senior Senator from Wyoming [Mr. WARREN] and the junior Senator from North Carolina [Mr. OVERMAN] at a conference on the sundry civil appropriation bill.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922; that the House had receded from its disagreement to sundry amendments of the Senate to the bill and agreed to the same; that the House receded from its disagreement to certain sundry amendments of the Senate and agrees to the same with amendments; and that the House insists upon its disagreement to the amendments of the Senate Nos. 53, 65 83, 104, and 106, and requests a further conference with the Senate.

The message also announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes; that the House insisted upon its disagreement to the amendments of the Senate to the bill, and requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. YOUNG of Texas were appointed managers at the further conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. McNARY presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Commerce, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of House joint memorial No. 11 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 11, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 11th day of February, A. D. 1921.

[SEAL.] SAM A. KOZER,
Secretary of State.

House joint memorial 11.

To the honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon, the Senate concurring, respectfully represent this:

Whereas there is a long strip of country along the southwestern coast of Oregon that has no adequate shipping facilities and the country is greatly retarded by lack thereof; and

Whereas the people of Port Orford, Curry County, Oreg., have organized a port district and have built a wharf at Port Orford at a cost of $40,000; and

Whereas by a small expenditure of money a breakwater of approximately 500 feet in length could be built from a point near the present wharf to a point of rock in the ocean that would allow the largest vessels afloat to land at the wharf at all seasons of the year; and

Whereas there is a great demand for Port Orford cedar, and southwestern Oregon is the only part of the world where said cedar grows, and there is at present no proper shipping facilities for this and other products in said vicinity: Therefore be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Congress of the United States of America be, and it is hereby, memorialized to take the necessary steps to have a survey made of the port of Port Orford with the view of making said breakwater or jetty.

Resolved, That the secretary of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate February 10, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 2, 1921.

LOUIS E. BEAN,
Speaker of the House.

Indorsed: House joint memorial No. 11. Introduced by Mr. Peirce.
W. F. DRAGER, *Chief Clerk.*

Filed February 11, 1921.

SAM A. KOZER, *Secretary of State.*

Mr. McNARY presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Interstate Commerce, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 8 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 11, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 11th day of February, A. D. 1921.

[SEAL.] SAM A. KOZER,
Secretary of State.

House joint memorial 8.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives and the Senate of the State of Oregon, in regular session assembled, respectfully represent that:

Whereas your honorable body has under consideration a bill compelling every manufacturer, or handler, or seller of woolen fabrics and woolen garments, to place thereon a tag plainly stating the exact percentage of virgin wool and also how much and what other materials enter into such cloth; and

Whereas such a law will be of inestimable value to both those who wear clothing and also to producers of wool and mohair; and

Whereas Oregon is interested, both as a producer and as a user of woolen goods: Therefore be it

Resolved by the house of representatives (the senate concurring), That the Congress of the United States be, and it is hereby, memorialized to enact such legislation; and be it

Further resolved, That the secretary of state be directed to transmit by mail a copy of this memorial to the President of the United States Senate and to the Speaker of the House of Representatives and to each of the Senators and Representatives from the State of Oregon.

Adopted by the senate February 10, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 2, 1921.

LOUIS E. BEAN,
Speaker of the House.

Indorsed: House joint memorial No. 8. Introduced by Messrs. Egbert and Riberts.

Filed February 11, 1921.

W. F. DRAGER,
Chief Clerk.
SAM A. KOZER,
Secretary of State.

Mr. McNARY. I present a resolution of the Lincoln Club of Jackson County, of Medford, Oreg., in relation to compensation of ex-service men of the World War, which I ask may be referred to the Committee on Finance and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE LINCOLN CLUB OF JACKSON COUNTY,
Medford, Oreg.

Whereas the World War, like the great Civil War, was one fought to determine whether nations conceived in liberty and dedicated to the proposition that all men are created free and equal can longer endure; and

Whereas the millions of splendid young Americans who made it possible for the allied nations to be successful willingly offered their lives, if need be, and sacrificed business careers and chances for advancement in their chosen work; and

Whereas the difficulties of readjustment are causing in many instances suffering and privations to those patriotic young citizens: Therefore be it

Resolved, That we, the Lincoln Club of Jackson County, the representative Republican organization of southern Oregon, place ourselves on record as being heartily in favor of any feasible plan to recompense, as much as we possibly can, the ex-service men of the last war; that we appreciate what they have meant to America and to the world; and that we feel that all of them should have the care and protection which this great Nation can afford; and be it further

Resolved, That we favor the fourfold plan of adjusted compensation, the one most likely to furnish these men quickest and most comprehensive relief.

THE LINCOLN CLUB OF JACKSON COUNTY,
By J. E. VINING, *President.*

Mr. CAPPER presented a memorial of sundry citizens of Decatur and Sheridan Counties, in the State of Kansas, remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a petition of the National Association of Dyers and Cleaners, of Indianapolis, Ind., favoring the truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Council of Clubs of Kansas City, Kans., protesting against commercializing the national parks, which was referred to the Committee on Commerce.

He also presented a resolution of Todsville Local, No. 3560, Farmers' Union, of Marmaduke, Ark., favoring legislation to prevent gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented a resolution of Local No. 5, Licensed Tugmen's Protective Association, of Cleveland, Ohio, favoring legislation placing a protective tariff on fish, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Sulphur Springs, Ohio, praying for the enactment of legislation for the protection of maternity and infancy, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Columbus, Ohio, remonstrating against commercializing the national parks, which was referred to the Committee on Commerce.

Mr. BALL presented a telegram in the nature of a memorial from the Fourth Degree Assembly of Santa Maria Council, No. 195, Knights of Columbus, of Wilmington, Del., and a memorial of Anthony Giammatteo, of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. MYERS presented a resolution of Chief Ignace Chapter, Daughters of the American Revolution, of Kalispell, Mont., protesting against commercializing the national parks, which was referred to the Committee on Education and Labor.

Mr. TOWNSEND presented a resolution of the Constantine Grange, No. 236, of Constantine, Mich., protesting against the Nolan land bill taxing all farm property over $10,000 1 per cent, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Detroit Butter and Egg Board, of Detroit, Mich., favoring the use of limewater for the pasteurization of cream, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Lansing Trades and Labor Council, of Lansing, Mich., favoring the release of political prisoners now confined in Federal prisons, which was referred to the Committee on the Judiciary.

He also presented resolutions of the Baraga Council, No. 1585, Knights of Columbus, of Iron Mountain, and Owosso Council, No. 1139, Knights of Columbus, of Owosso, both in the State of Michigan, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented memorials of Owosso Council, No. 1139, Knights of Columbus, of Owosso, and Grayling Council, No. 1382, Knights of Columbus, of Grayling, both in the State of Michigan, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented a resolution adopted at a meeting of the Lansing Trades and Labor Council, of Lansing, Mich., favoring the abandonment of further prosecution and imprisonment of violators of the espionage act, which was referred to the Committee on the Judiciary.

He also (for Mr. NEWBERRY) presented a memorial of the Muskegon Coal Dealers' Association, of Muskegon, Mich., remonstrating against the enactment of the so-called Calder bill, to regulate the coal industry, etc., which was referred to the Committee on Manufactures.

Mr. FLETCHER presented a petition of sundry citizens of Jacksonville, Fla., praying for the enactment of House bill 13334, to prohibit, for the purpose of canning and export from Alaska, the fishing of salmon in the Yukon River, its tributaries and adjacent waters, which was referred to the Committee on Territories.

He also presented a petition of Suwanee County Watermelon Growers' Association, of Live Oak, Fla., praying for readjustment of freight rates on shipments of watermelons from Florida to the northern and eastern markets, etc., which was referred to the Committee on Interstate Commerce.

He also presented a telegram in the nature of a petition of Jackson County Farmers' Union, of Marianna, Fla., favoring the adoption of the emergency tariff bill in its present form, which was ordered to lie on the table.

He also presented a resolution of the Rotary Club of Key West, Fla., favoring House bill 14899, making an appropriation of $150,000 for the promotion of safety in the navigation of Key West waters, etc., which was referred to the Committee on Commerce.

COLORADO RIVER IMPROVEMENT.

Mr. PITTMAN. I ask leave to present a report sent me by the State engineer of Nevada relative to a bill that was introduced by me and referred to the Committee on Public Lands, dealing with the utilization of the Colorado River. I ask to have it published in the RECORD and referred to the Committee on Public Lands. It is not very long. I merely wish to have it appear in the RECORD for the benefit of Senators who are interested in the matter.

There being no objection, the matter referred to was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF NEVADA,
ENGINEER'S OFFICE,
Carson City, February 16, 1921.

Hon. KEY PITTMAN,
Senior Senator from Nevada, Washington, D. C.

DEAR MR. PITTMAN: Attached find certain data on the Colorado River situation which may be of interest to you. Please inform me as to your progress in interesting the Senators from the affected States in forwarding our proposed measure, copy of which is also inclosed.

Yours, truly,
J. G. SCRUGHAM,
State Engineer.

(Inclosures, 3.)

Memorandum relative to the distribution of costs and benefits resulting from the proposed construction of a large storage reservoir on the Colorado River.

NOVEMBER 17, 1920.

The Kinkaid Act, passed by Congress in May, 1920, entitled "An act to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California," instructed the Secretary of the Interior to formulate a policy for this great enterprise, and particularly to make recommendations to Congress as to the extent to which in his opinion the United States should contribute to the cost of carrying out the plan; also the approximate proportion of the total cost which should be borne by the various irrigation districts or organizations now formed, or which may organize in the future and the manner in which their contribution should be made.

The Kinkaid Act carried an appropriation of $20,000 for further investigations of Imperial Valley irrigation possibilities, conditioned on provision for at least one-half the cost of the investigations being provided for by associations and agencies interested in the lands of the Imperial Valley. The Imperial irrigation district has made a

contribution of $40,000, and the board of public service of the city of Los Angeles has offered additional funds that may be necessary for the adequate completion of the study in time for report to Congress during the present winter.

Borings are being made for a dam site in what is known as Boulder Canyon, a narrow granite gorge through which the Colorado River passes situated near the extreme southern end of the State of Nevada. If the foundations prove satisfactory, it is proposed that a dam be constructed at this point for a possible maximum height of 600 feet, which would provide a storage capacity of approximately 25,000,000 acre-feet—sufficient to regulate the flood flow of the Colorado River above that point and provide a water supply sufficient to irrigate all lands reached by gravity below it, either in the United States or Mexico.

The importance of the problem can scarcely be overestimated. A conference was called to consider this subject in August, 1920, by Arthur P. Davis, Director of the United States Reclamation Service. About 100 delegates were present who were in favor of proceeding with the construction of the dam if it is found feasible to build it.

The writer has been requested to prepare this memorandum for the Colorado River committee of the Los Angeles Chamber of Commerce as to an equitable manner of distributing the costs and benefits that might result from this enterprise.

Fundamentally the main and controlling feature of this project should be considered as the irrigation of arid lands. The power that will be produced, which will be of great volume and value, should be generated in accordance with the irrigation demands. The various irrigation districts, mutual water companies, and corporate holdings of lands situated in California, Nevada, Arizona, and Mexico, should ultimately be the owners or holders of the title to the dam and reservoir, together with its accessories.

A study should be made of the necessities of each of these various units for additional water supplies based (a) upon the amounts which they respectively now have available from the natural flow of the river, and (b) the additional amount which they will require when each is fully developed. The relation of the additional irrigation water, if any, which each of these different units will require to the aggregate regulated water needed for the entire area, including all lands in Arizona, Nevada, Colorado, and Mexico, would represent the proportionate benefit which each unit would receive from the reservoir project and also their relative contribution or liability for the cost of the work. This association of units, which could be called a conservation district, either directly or through the agency of the United States Reclamation Service, would install and operate the power plant connected with the project, wholesaling in block the electric energy so developed, both to the units themselves as required, to distribution companies, transportation companies, and to municipalities. The revenues derived from this sale of power should be considered as a credit to the enterprise which would tend to substantially reduce the cost of the irrigation water supply to the conservation district.

If this great reservoir is constructed on the Colorado River, it will practically control the danger from flood damage for the irrigated areas between such reservoir and the mouth of the Gila River. The Gila, however, would not be controlled by this reservoir, and this stream is subject to extreme and violent floods almost equal in volume to the flood flows of the Colorado River itself above the Gila. The floods of the Gila do not synchronize, except upon rare occasions, with those of the Colorado. The high-water stages of the Colorado occur in May, June, and July, which, fortunately, is the period when irrigation water is most required, while those of the Gila are apt to occur in the early spring or later in the summer.

It is suggested that the flood-protection problem for each one of the units should be separately considered and an estimate made on the cost of completing the works under present existing conditions for their protection against flood damage. When the dam is built, or at the time of its completion, a separate estimate should be made for each unit of the cost of flood protection for it with the stream regulation that will follow the completion of the dam. In the units above the mouth of the Gila this saving will be shown to be substantial, but below the mouth of the Gila it will be relatively much less, because these lower areas still will have to be protected against the erratic and violent floods of the Gila. The saving in the cost of these flood-protection works that will result from the construction of the large reservoir should be assessed against the various units and credited to the cost of the project for the benefit of the conservation district.

The problem of the distribution of the irrigation water on the various units is local and one to be solved by each one of these communities separately and administered by them individually.

These various units should be so organized as to have the power of issuing bonds. They should be called upon to contribute to the conservation district bonds in an amount sufficient to cover their benefits as outlined above. The conservation district in turn should deposit these bonds together with any securities or assets that might be available in the form of power contracts with the proper officials of the United States Government as security for funds to be advanced by the Government for the construction of the works. The contribution of the Federal Government to the enterprise would thus consist in obtaining a low rate of interest, perhaps 5 per cent, on the money that is necessary for the installation of the works.

In addition the Federal Government will be interested in obtaining a water supply for many acres of arid public lands, especially around the perimeter of the Imperial Valley and in the Colorado River Indian Reservation in Arizona. In this capacity it should contribute toward the enterprise on the ratio of the benefits received by such unit areas for a complete water supply therefor. Under the provisions of existing laws these public lands can be included in a State irrigation district, and can only be taken up from the United States subject to the bonded debt of the district in which they are situated. This offers the opportunity for the Government to obtain a refund for the moneys advanced for the irrigation and flood protection of these public lands.

According to this program the older districts on the river which at present have a fair water supply will only be assessed on the basis of such additional water as they may require for periods of the year when such supply is now insufficient, and districts that have completed their levee systems, so that they are satisfactory, as in the case of the Yuma project, will have little, if any, assessment against them for the construction of such flood-protection works.

In conclusion, the controlling feature of the enterprise should be considered as irrigation and the costs should be distributed according to benefits received.

J. B. LIPPINCOTT.

NEW YORK STATE BARGE CANAL.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 161) to exempt the New York State Barge Canal from the provisions of section 201 of H. R. 10453, which were, on page 1, in lines 10 and 11, strike out "within said 30 days, or as soon thereafter" and insert "as soon"; on page 1, in line 11, after "as," where it occurs the second time, insert "is"; on page 1, in line 11, strike out "all"; on page 1, in line 13, after "canal," strike out all down to and including "buy," in line 15; and on page 2, in line 1, strike out all after "same" down to and including "final," in line 8, and insert:

Provided, That all the money obtained from the sale or lease of these boats, barges, and tugs shall be available until expended by the inland and coastwise waterways service of the War Department in the inauguration and development of other inland, canal, and coastwise waterways in accordance with the expressed desire of Congress in section 500 of the transportation act, 1920: *Provided further*, That not to exceed 25 per cent of the boats, barges, and tugs built or purchased for the United States, herein authorized to be sold, may be retained by the United States for the operation of other inland, canal, or coastwise routes of the United States, until such equipment can be replaced by other equipment to be purchased from funds received from the sale prescribed above.

Amend the title so as to read: "Joint resolution to exempt the New York State Barge Canal from the provisions of section 201 of the transportation act, 1920, and for other purposes."

Mr. WADSWORTH. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, reported it with amendments and submitted a report (No. 809) thereon.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 663) fixing the term of service of Elijah C. Putnam during the Civil War, reported it without amendment and submitted a report (No. 810) thereon.

Mr. McCUMBER, from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (H. R. 13944) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 811); and

A bill (H. R. 14063) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors (Rept. No. 812).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

A bill (S. 5031) for the relief of the heirs of Robert E. L. Rogers; to the Committee on Claims.

By Mr. LENROOT:

A bill (S. 5032) for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.; to the Committee on Commerce.

By Mr. PITTMAN:

A bill (S. 5033) for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.; and

A bill (S. 5034) to authorize the Secretary of the Interior to convey title to certain lands in the State of Nevada; to the Committee on Indian Affairs.

INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS. I present a conference report on the Indian appropriation bill. I do not wish to call up the report at this time, but merely submit the report in order that it may be printed in the RECORD.

CLASSIFICATION OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, on March 22 last Senate bill 4106, to provide for the classification of civilian positions within the District of Columbia and the standardization of compensation therefor, and for other purposes, was introduced by the Senator from New Mexico [Mr. JONES], of the Congressional Joint Commission on Reclassification of Salaries. The bill on being introduced, together with the report of the Reclassification Commission, was referred to the Committee on Appropriations. I was not present in the Chamber when the bill was

introduced and the report of the commission presented or I should have asked that the bill and report be referred to the Committee on Civil Service and Retrenchment, where they properly belong.

The bill provides for legislation in regard to the various branches of the civil service in the District of Columbia. I call attention to just two or three of the subjects covered in the bill. First, "allocation," providing that "the commission shall, as soon as practicable, designate the class within which the position of each employee should be placed in accordance with the duties of such position." Another subject is "amendments to classification." Another subject is "compensation." Other subjects are "efficiency ratings," "promotion appointments," "hours of service," "transfers," and other kindred subjects pertaining to the civil service.

I think it very obvious that the bill should go to the Committee on Civil Service and Retrenchment. It was not properly referred to the Committee on Appropriations. I ask unanimous consent that the Committee on Appropriations be discharged from the consideration of the bill and report and that they be referred to the Committee on Civil Service and Retrenchment.

Mr. SMOOT. I shall object to that request.

Mr. STERLING. Then, Mr. President, I move——

Mr. SMOOT. I call for the regular order.

Mr. STERLING. I move, then, that the bill and the report be referred to the Committee on Civil Service and Retrenchment.

Mr. SMOOT. Mr. President, I call for the regular order.

Mr. STERLING. I desire to say that at the earliest opportunity I shall renew my motion that the bill and report be referred to the Committee on Civil Service and Retrenchment.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. The regular order is the Agricultural appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

The VICE PRESIDENT. The Secretary will state the next amendment of the committee.

The next amendment of the Committee on Agriculture and Forestry was, on page 48, after line 16, to insert:

For the investigation and development of methods for the prevention of grain-dust, smut-dust, and other plant-dust explosions and resulting fires, including fires in cotton gins and cotton oil mills, $25,000.

The VICE PRESIDENT. The amendment is agreed to, without objection.

Mr. FRANCE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Maryland will state his parliamentary inquiry.

Mr. FRANCE. Mr. President, my inquiry has really been answered by glancing at the RECORD, although I was of the impression that the Senator from Wisconsin [Mr. LA FOLLETTE] had asked that the first amendment on page 48 go over, with the understanding that it would be taken up this morning. May I ask if the Senator from Wisconsin would object to taking the amendment up now? It would be a very great accommodation to me, I will say to the Senator, as I have an important conference waiting for me, and I should be glad to have the item now disposed of. I ask unanimous consent, with the permission of the Senator from Wisconsin, that the first amendment on page 48 may be now considered.

Mr. LA FOLLETTE. I am willing that the item shall be disposed of this morning. I only expressed the wish that it go over until this morning.

The VICE PRESIDENT. The Chair understood from the discussion last night that the committee was willing that the amendment striking out the item should be disagreed to, and if the Senate thought proper, that the appropriation should be increased from $23,500 to $50,000. If there is no objection, the Chair will put the question on agreeing to the amendment to the amendment striking out "$23,500" and inserting "$50,000."

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question recurs on striking out the House text as amended.

The amendment was rejected.

The VICE PRESIDENT. The House text now stands in the bill, with $50,000 appropriated.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 48, after line 20, to insert:

For the study of processes and methods of home tanning of lace and other leathers used on the farm, $15,000.

Mr. SMOOT. Mr. President, I wish to ask the Senator from North Dakota as to the preceding amendment, the one which was just agreed to, whether there was an estimate made for the item which reads:

For the investigation and development of methods for the prevention of grain-dust, smut-dust, and other plant-dust explosions and resulting fires, including fires in cotton gins and cotton oil mills, $25,000.

Mr. GRONNA. Yes; I will say to the Senator there is a larger estimate than the sum appropriated. I think the estimate was for $100,000. I will look it up in just a moment.

Mr. THOMAS. I should like to inquire what lace leather is? I know there was a species of "home tanning" in vogue when I was a small boy, but that was some time ago. Since then home tanning of lace and other leathers seems to need recognition. What is the home tanning of lace leather? Who knows?

The VICE PRESIDENT. The Chair is not artistic.

Mr. GRONNA. There was an estimate made for the item.

Mr. THOMAS. It is not the estimate about which I am inquiring. I want to know what lace leather is.

Mr. GRONNA. I was trying to answer the inquiry of the Senator from Utah [Mr. SMOOT].

Mr. THOMAS. I beg the Senator's pardon.

Mr. SMOOT. I had asked the Senator from North Dakota if there had been an estimate for the item beginning in line 17, on page 48.

Mr. GRONNA. There was an estimate for $100,000 for this purpose this year. Last year's bill carried $23,500 and the House inserted a like provision in this bill for $23,500.

Mr. SMOOT. I did not mean the item in regard to dehydrating materials. I referred to the item "for the investigation and development of methods for the prevention of grain-dust, smut-dust, and other plant-dust explosions."

Mr. GRONNA. I will say to the Senator that there is an estimate for that purpose.

Mr. SMOOT. It seems to be a new item in the bill, and I was wondering whether we were going to enter upon that line of work.

Mr. THOMAS. That is a superfluous inquiry. We are.

The VICE PRESIDENT. We have, according to the impression of the Chair.

Mr. THOMAS. We have.

Mr. SMOOT. I was fearful of it.

Mr. GRONNA. Mr. President, I will read from the letter of the department in regard to the item for the prevention of grain-dust explosions. This is a new item; it was recommended and estimated for, but was not included in the House bill. The department says:

Plant-dust explosions and fires have resulted in large losses of life and property. The educational work based on the department's researches, which has been carried on during the past three years in cooperation with the United States Grain Corporation, was terminated July 1, 1920. The results of the campaign were very gratifying, and during the three years that the Grain Corporation operated it suffered no extensive explosion or fire losses. The fact that at practically no time was the value of stocks in storage less than $100,000,000, and that at certain times it reached approximately $500,000,000, shows the importance of the saving thus effected, to say nothing of the safeguarding of human life.

I will say to the Senator that the estimate was for $50,000.

Mr. SMOOT. There was, then, an estimate for it?

Mr. GRONNA. Yes; the estimate was for $50,000, as will be found in the Book of Estimates, on page 276. We cut that estimate in two, however, as the Senator from Wisconsin [Mr. LA FOLLETTE] suggests.

Mr. SMOOT. I wish to ask the same question as to the amendment found on page 48, lines 21 and 22, reading as follows:

For the study of processes and methods of home tanning of lace and other leathers used on the farm, $15,000.

Mr. GRONNA. The Senator will find the estimate on page 276 of the Book of Estimates, as follows:

For investigating the utilization of agricultural raw materials in the production of leather, tanning, and leather-making materials, and for developing and demonstrating improved methods or processes for producing leather, $15,000.

The committee changed the wording a little, but the item was estimated for.

Mr. SMITH of South Carolina. Mr. President, the Senator from Colorado [Mr. THOMAS] made an inquiry a moment ago as to what was meant by lace leather. It is leather derived from a peculiar form of tanning available for lacing belts, shoes, and so forth.

While I am on my feet I wish to call attention to the fact that I do not believe there is an item in this bill that is possibly fraught with more benefit to the country at large than the item which will enable the department to attempt to find some method by which people can relieve themselves of the intolerable burdens placed upon them in connection with the purchase of their leather and leather supplies, including shoes, and so forth. I do not believe there is a Senator on this floor who does not

recognize that of all the oppressive and iniquitous combinations in this country, the shoe and leather combine is perhaps the worst. I understand that there is being worked out a system of tanning by which local and small industries and possibly the home may be afforded some kind of relief from this intolerable burden.

We were told that we had an oversupply of hides, and so we took the duty off of hides; we took the duty off of leather and shoes, but the price went up, showing that there is no relief from this iron-bound combination.

Mr. THOMAS. The Senator must be mistaken about that; he can not mean that following the removal of the duty the price of leather went up.

Mr. SMITH of South Carolina. Surely.

Mr. THOMAS. That is a political impossibility.

Mr. SMITH of South Carolina. It may be a political impossibility, but it is a commercial fact.

Mr. GRONNA. Mr. President——

Mr. SMITH of South Carolina. I yield.

Mr. GRONNA. Mr. President, the Senator from Colorado directed to me an inquiry as to what lace leather is.

Mr. THOMAS. The Senator from South Carolina gave me the information, which is perfectly satisfactory.

Mr. GRONNA. I will say to the Senator, if he will permit me, that this is an item in which the farmers generally are very much interested. The Senator from Louisiana [Mr. RANSDELL] is very anxious to have this provision in the bill. Lace leather is used very largely in the sewing together of belts of all kinds, and is also used in mending and repairing harness. I farm on a somewhat large scale, and, of course, perhaps I use more of this leather than does the ordinary farmer; but I will say to the Senator from Colorado and to the other Senators that sometimes I use in connection with my farm work $25 worth of lace leather in a single day.

The hides that the farmers produce are worth practically nothing to them. I received an invoice of hides shipped by a farmer in South Dakota a few days ago, which I put into the RECORD, and from which it appears that the hides netted the farmer less than 1 cent a pound. Lace leather costs the farmer from $1.50 to $3 a pound. If by the expenditure of $15,000 we can teach the farmers how to tan the hides in a practical manner—and calfskins and light-weight hides are being used for lace leather—and to use them on the farm, there will be a saving of millions of dollars to the farmers throughout the country. It is a practical proposition, and I can not see why there should be any objection to it.

Mr. THOMAS. Mr. President, my comment upon the item was not an objection, because I have long ago ceased to make objections to items in the Agricultural appropriation bill. I simply wanted some information with regard to the character of material which the Government is to study at a cost of $15,000 a year to the taxpayers.

Long ago we reached the point where any activity upon a farm, no matter where it may occur or what the activity is, at once proceeds with lightning speed to the city of Washington for an appropriation and for paternal investigation by the Government at so much per year. In the good old days when farming was farming, when farmers were not farmed as they are nowadays, the methods of securing for themselves needed articles both of production and of manufacture proceeded quite as well as if not better than since it has become what might be called an appropriation industry.

If it be true that the placing of leather upon the free list has resulted in its increase of price, then it must follow that the chief benefit to be derived by legislation in that regard is to put a high duty upon it and bring down the price. If that result would follow I might be induced to vote for a very high rate of protection. It is, of course, very important, if possible, to develop methods for the prevention of grain-dust and other explosions and resulting fires; but the destruction of gins and other factories engaged in the treatment of cotton by the incendiary fires that have punctuated the Associated Press dispatches for some time, and which seem to be designed to compel a restriction in cotton production, might also become the subject of investigation by an appropriate amount to be devoted for that purpose by the Congress, and which, perhaps, might also produce some very startling if not beneficial results.

I was greatly struck yesterday by a new method of securing appropriations in this bill. That is to produce some samples of the particular subject that is sought to be sweetened by an appropriation and pass them around to Senators. We had some figs and some dates yesterday, which cost the people of the United States just $10,000. Hereafter I have no doubt that when this bill is to be considered the Senate Chamber will be converted into a delicatessen store, and each Senator will have behind him his wares, goods, and merchandise to be passed around and sampled by the lawmakers, whose votes will be influenced to some degree by the palatable nature of the commodity which is sought to be protected. I hope that will not be extended to the animal department of this bill. You know we now make large appropriations for the purpose of exterminating predatory animals. There is one predatory animal whose presence in the Chamber might change its atmosphere and result in a stampede instead of an appropriation, so I hope the line will be drawn by those who desire to secure appropriations hereafter by confining the exhibits entirely to vegetables and fruits.

These two appropriations, Mr. President, will become permanent from now on. We shall be investigating and developing methods for the prevention of grain-dust and other dust explosions and resulting fires in the good year of our Lord 2222, provided always the Treasury has anything to appropriate by that time; and from now on the Agricultural Department will make a perpetual study of the processes and methods of home tanning of lace and other leathers.

It is one of those perpetual-motion investigations which has one beginning, but no end; and 50 years from now the aggregate amount of the appropriations made for these purposes, which, of course, will increase in constant progression, will be sufficient at least to make us realize that something has been done by the Government in that direction.

Mr. President, I have received a letter from a man who professes to be a farmer, and I think he makes his profession good. He seems to take a different view of the status of the farmer and of his financial condition from that which prevails in this Chamber, and which is always dwelt upon with eloquent unction whenever an appropriation is desired to assist the agricultural industry. I ask leave, as part of my remarks, to introduce it in the RECORD, together with a communication of this gentleman to the Nebraska State Journal of December 16, 1920, entitled "Ill-advised legislation." It will be a sort of an oasis in this desert of widespread and constantly increasing items of appropriation for the farmer. While it will do no good, it will serve to relieve my mind just a little.

The VICE PRESIDENT. Without objection, the letter and communication will be printed in the RECORD.

The matter referred to is as follows:

VILLAGE FARM,
Funk, Nebr., December 25, 1920.

Senator THOMAS.

DEAR SIR: I am inclosing a letter that was published in the Lincoln State Journal recently, inasmuch as so much is being said about the "distress of the farmer" which is purely buncombe. I believe you will be interested in the history contained in this letter. I want to say that if anyone will come here in this country that has been cursed in past years with almost repeated crop failures I will show him many men, renters in the past, who 10 years ago were worth practically nothing, who are comparatively rich now, and so with every farmer who made the most of his opportunities, like the laboring man, who by the big wages has gotten a taste of the better things of life and becomes discontented because he fails in the full fruition of his ambition. So the farmer, urged on by the professional agitator, is discontented because he is checked in his onward advance toward large wealth. I am a Republican, have entertained Senator NORRIS in my home, he and I once were very good friends, but I do not send this to him because he is the "farmers' friend," from a vote-getting standpoint, and facts and logic would have little weight with him. I send it to you because I have always admired your courage and fearlessness in standing against the fads and foolishness put up by the dreamers and theorists and would-be wreckers of this country. I am extremely sorry that you are not going back, as in times of stress and turmoil our country needs such men as you.

Yours, truly, L. T. BROOKING.

P. S.—This section of country I speak of lies between Hastings and Oxford, and Funk is 200 miles west of Omaha.

THE PUBLIC MIND—ILL-ADVISED AGITATION.

FUNK, NEBR., *December 14.*

To the EDITOR OF THE STATE JOURNAL:

With the governors and senators in our West talking about conditions being "critical" and "tragical" for the farmers, and demanding that something must be done immediately for their relief, with some of the farmers talking the same way, we may begin to wonder to what condition of mind are we drifting. When men seem to have lost either their reason or their memories.

I built the first house in our little town 33 years ago, and being in the grain-elevator business for 18 years was in constant touch with the farmers, and in conditions surrounding them. I am now trying to make a living on 6 acres of land, and in a position to prosper or otherwise, the same as the farmers, by the rise and fall of prices. I have a good remembrance of past crops and prices, hence I believe I am fairly well qualified to take an impartial view of the present conditions. I can well remember the struggle for existence the farmers of this community had, and myself as well, through the period of 1894 and 1895, years of crop failures and low prices. I can well remember the bumper crop of corn, and the disastrous hailstorm that destroyed the small-grain crop of 1896; how I bought 140,000 bushels of corn at 9 cents per bushel of that crop—1897 and 1898 came with fairly good crops, but the price was still extremely low; 1899, 1900, and 1901 came with almost total failures, much corn had to be bought at advanced prices and the freight to pay. The big crop of 1902 came and the wheat was sold at an average price of around 50 cents per

bushel. The corn was frozen the 12th of September and little or none marketed; good crops followed until 1907, and from this period we had eight dry years with short crops and much corn shipped in.

This brings us up to the wet year of 1915. During all these years of short crops, with the exception of one year when wheat reached the dollar mark, price for wheat was considerably below $1, and very little corn to sell, and some years it was shipped in. Just how our farmers managed to get through all these years of failure and low prices and at the same time reconstruct this country from a country of sod houses and sod outbuildings to a country of the finest farm properties the sun ever shone upon is a story well worth the efforts of some historian to tell, but not for me to undertake in this article; but they did it, and under the most adverse conditions.

The period from 1915 up to the present I need not dwell upon, it speaks of prices; prices that in the past periods were never dreamed of even by the wildest agitator, but when we consider the crops and prices of the years up to 1915 and all that was accomplished by the sturdy industry, the undying grit and tenacity of our pioneers, and consider the good crops and in a comparative sense the fabulous prices that all farm products have been bringing for the last five years, it is beyond my comprehension how any man can be so lost to the true condition as to use the terms "critical" and "tragical."

While our crops in this section of the State for the past five years could be called good, they have been better both east and west of us, and this section can well be taken as a criterion if any real distress was apparent. Outside of some who may have mismanaged and some who may have had a large share of ill luck, the situation is not "critical" or "tragical"; it is not even serious; a large majority of the farmers will not make the usual money this year and are doomed to disappointment, but all those who have not gotten deeply in debt by buying more land and who have conducted their business in a prudent way can pay every dollar they owe and have money left. During the war the Government officials spoke in terms of billions instead of millions, and so we have gotten the habit of speaking in terms of thousands where we formerly spoke of hundreds, and sums that formerly seemed large seem very small to us now, and added to this is the politician who wants to pose as the "farmers' friend" for the votes there is in it, and knows that the shortest route to this consummation is to be constantly taking the part of the dissatisfied farmers, whether there is any basis for the discontent or not. Then we have the promoter who adds to the farmers' discontent with the hope of getting $18 for this, $10 for that, and $2.50 for the other. Surely the millennium is dawning for the farmer if he gets the one-hundredth part of what is promised him. A lot of these agitators—and some may be sincere, but, in my judgment, shortsightedly—seem to think that the only way the farmers can get justice is to organize a gigantic farmers' organization, with the express object of entirely controlling legislation. This is what the Federation of Labor has been striving for, and to which we have all so strenously objected. If carried out according to promise, we have a government by class and not a government by all the people, and threaten the downfall of our Republic or a state of class and business demoralization. No class, whether labor, farmer, or business, can be trusted with power; it at once becomes autocratic; and even the class in power would not prosper as under our present government by all the people.

If the agitator would go to work and earn an honest living without trying to make it out of the people's discontent, this period of reconstruction would work out, as water finds its level; so would prices eventually. We know there is much injustice and inequality; too many making too much and too many making too little. Some have too much and some not enough. We know all these things, and if any remedy that is safe and sane and in justice to all classes can be applied we can all favor it, but let us look with suspicion upon all agitation that tends to upset the order of things and to bring about class power. The credulous man who is in poor health and has failed to get the expected relief from his old reliable family physician falls an easy victim to the traveling quack, who has a remedy for every ill and who promises relief at so much per bottle; and so the dissatisfied, credulous man is quick to patronize the political quack who has a remedy for every economic ill, and hence the stock in trade of these political charlatans is to create discontent by enlarging upon existing evils, and many that do not exist, and I believe if these agitators did not exist there would be but little discontent at the present time; that they are the chief cause, and not because any appreciable number of farmers are in distress. I am in daily touch with many farmers, retired and active, many of them are not discontented, but inclined to compare the present prosperous times with times past, that I have mentioned.

They take a philosophic view of conditions. They are proof against the traveling charlatan and take a hard-headed, sensible view of the situation. This agitation is not caused by the present depressed prices of farm products, but was started when wheat was $2.30 and corn around a dollar. This is a very significant fact, and plainly shows the hand of the element I have mentioned. The best friend of the farmer is the man who is trying to get all classes to pull together in a united effort to keep this Nation of ours big in a big way. To keep business going, to keep labor employed, thus making a market for his products, to discourage all efforts to tear down and upset the order of things, for as all classes depend upon each other, so distress to either one reacts upon the other, who preaches contentment to him instead of inflaming his passions, who encourages him to have faith in himself and in our institutions, to have faith in the future of his business, to have faith in the men selected to handle the big affairs of the Nation, and not to put a blind faith in the ax-grinding politician and promoter who is after his earnings and who fattens upon his discontent. Let us all get rid of this "get-rich-quick" notion and settle down to business; let us try and reason out this problem in a spirit of unselfishness, as nearly all wars are the result of selfishness; so this organizing of class against class is based upon selfishness, and while many favor it who are in favor of exact justice, the level-headed man knows that class power will never stop at that and that class power means autocracy and nothing else in the practical application. I have never had any political aspirations and am not guided in my expressions by how many votes of any class that I may get, hence I am free to say what I believe to be true, and I believe that the men who are so freely expressing themselves about the distress of the farmers are not guided by the true facts, but are either political demagogues or have not gotten the real facts of the situation. I have observed that the farmers who are the loudest in expressing their discontent are the ones that have made the big money in the last five years. When this reconstruction period is over it will be found that a hundred business men will have gone bankrupt to every one farmer, we will all be thinking in terms of hundreds instead of thousands, will be burning a little less gas, will be satisfied with a little less profit, and the people of this part of the State, who changed this from a country of sod houses in a period of adversity to a country of the finest farm homes in America, will not go bankrupt, will not suffer any distress as long as we have reasonable production and prices we can reasonably expect. Some may be induced to take the medicine mixers' medicine, but in the long run his industry, his tenacity to stick and farm, his desire to own good homes for himself and stock, his capacity for economizing when necessary, is going to take him through all emergencies, regardless of all the calamity howlers on earth. I have this faith in a big majority of the farmers, whose condition is not "critical" or "tragical."

Respectfully,

L. T. BROOKING.

Mr. GRONNA. Mr. President, I ask that the estimate of the department be read from the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The reading clerk read as follows:

LEATHER AND TANNING INVESTIGATIONS.

Page 46, between lines 22 and 23, insert:

"For investigating the utilization of agricultural raw materials in the production of leather and tanning and leather-making materials and for developing and demonstrating improved methods or processes for producing leather, $15,000."

This is a new item. It was proposed in the estimates but not included in the bill reported from the House committee.

Work on leather and tanning materials has been carried on in a small way by the Bureau of Chemistry for many years, but the desirability of making special provision for an investigation of this type is particularly important in view of the scarcity of leather and leather-making materials at the present time. The long-used vegetable tanning materials, which are direct products of the forest and farm, are totally inadequate under present conditions to supply the country's needs and others should be sought and developed. No investigations of leather and leather-making materials can be properly organized and completed which do not consider the composition and effect of the various tanning materials on the wearing qualities of leather.

Large quantities of hides, skins, and tanning materials are imported annually, much of which would be unnecessary if all the leather made in this country were of better quality. About one-third of the hides and skins used in this country are now supplied by country butchers and farmers. Owing to carelessness and lack of knowledge in curing these hides and skins, it is estimated that the farmers and country butchers lose annually $15,000,000, while the loss to the country in leather value is probably more than double that amount.

The work contemplated under this item has primarily an agricultural significance. The interests of agriculture in raw materials for leather making, in tanning, and in leather and leather substitutes are paramount, since the agricultural industry supplies nearly all the raw material and the farming population is the largest single class of consumers of the finished products. There are few industries more closely related to agriculture than that of tanning, and any research work in the field of tanning must be based primarily on agriculture. Owing to the discrepancy between the present low price of hides and the continued high price of leather, the department is now flooded with inquiries from farmers and others regarding the possibility of home tanning in a small way. The department desires, if this item is approved, to make some experiments along the line of developing processes for tanning on the farm. Whether or not such processes are practicable can not be determined without experimentation. If such a process can be worked out, it would result in a great saving to the farmers of the country, either by permitting them to do a great deal of their own tanning or by exerting its influence in maintaining a more equitable relation between value of raw material and of finished product.

Other countries have found it necessary to undertake investigations of the character proposed under this item.

Mr. RANSDELL. Mr. President, I should like to say just a word in support of this item. I was one of the Senators on the Agricultural Committee who were responsible for the insertion of the item.

I doubt if there is in the bill any small item like this $15,000 which will do more practical good to the farmers than this one, and I speak as a farmer—not that I dig in the ground myself, but I have a plantation, and use a good deal of leather. On one of my recent statements of current expenses I noticed that hame strings were charged at 50 cents each—50 cents for a single hame string!—and there are a great many hame strings used on every farm every year. We use a great deal of farm machinery now, and in that machinery and connected with it are a number of belts. It is absolutely necessary to lace the leather belts with lace leather. The belts themselves are made of leather, and they are laced with lace leather. There is a very large quantity of leather used on every farm, and leather is one of the most expensive things that farmers have to buy.

There is hardly a farm that does not slaughter every year a few head of cattle for home consumption, and at the present time, when the farmers are unable to sell their hides, I see no reason why they should not tan or dress on the farm leather for home consumption. It would save them a very material sum every year. In the aggregate, on the millions of farms in this country, it is my candid belief that millions and millions of dollars would be saved if the farmers could be taught how to tan the leather at home, especially lace leather. I am certain, from my practical knowledge and experience on that subject, that it would be very beneficial; and I do not believe there is a single item in this bill that would be of more substantial, practical, everyday benefit to the farmers than this. I sincerely hope it will be kept in the bill.

Mr. SMOOT. I have not any doubt but that the item will be kept in the bill. But I have not the same faith the Senator from

Louisiana has with reference to its great benefits. Of course, I know, Mr. President, that under it there will be some people employed to run around the country. But the idea of appropriating $15,000 to find out some new process for tanning leather, when America is renowned the world over for the best processes of tanning leather. There is no secret about it. Everybody interested knows how it is accomplished.

Mr. RANSDELL. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Louisiana?

Mr. SMOOT. I yield.

Mr. RANSDELL. I would appreciate very much if the Senator would give me his recipe for doing it. I have been trying to get one. I have a number of hides on my plantation which I could not sell for anything. I do not believe I could give them away. I believe they would be in the same class as the sheep sent from Montana the other day, which netted 32 cents a head in the Chicago market after paying all expenses. I believe I would have to give my hides away in just exactly that same manner. I have been trying to get a recipe for tanning so that I could send it down to my manager, and I finally got a long document from the Department of Agriculture, which is so difficult to understand and apply that I am not going to ask my plantation manager to try to understand it.

The Senator says everybody knows how to do it. I ask him right now to please send me his recipe, so that I can use it on my plantation.

Mr. SMOOT. Everybody does not know a process by which one hide can be successfully and profitably tanned, nor will anybody ever find such a process. Mr. President, this is going back to the ages when every housewife knit her husband's socks, and darned them with the wool taken from the sheep's back, when she washed it and carded it and spun it into yarn, and then wove it into cloth and then made the cloth into suits. Nobody could possibly take one hide and make leather out of it profitably to himself or to anyone else.

The Senator is speaking of the letter from the Agricultural Department, which nobody could understand, in answer to one sent by him, a letter which will not be clarified by the item under consideration. Continue this appropriation of $15,000 for the next hundred years for the same purpose, and increase it each year if you will, and at the end of the hundred years there would be nobody in all the world who could understand it any better than the Senator does to-day. So, Mr. President, this is but the beginning of a new appropriation to employ certain people to run around the country to pay a visit to the farmer and talk as to how the weather is and how the children are——

Mr. THOMAS. Not the weather, but the leather.

Mr. SMOOT. No; the weather. Leather will be very, very far removed from the discussion that will take place. If there was any real chance of getting any benefit for the farmer or anyone else, I would not object to the appropriation. But the idea is absurd that a farmer will kill a calf and have it skinned and take that skin and try to tan it under any process that was ever known or ever will be known. Business is not carried on to-day on that scale. It would cost him more than its weight in silver dollars.

Mr. GRONNA. Mr. President, for the information of my friend the Senator from Utah I want to inform him that there are quite a number of people in my State, and I expect a few in his State, who are doing that now. I refer to the American Indians. They know how to tan, and they are doing it.

Mr. SMOOT. Mr. President, the American Indians take a buck's skin and tan it, and that is about the only thing they have ever tanned and they have given that work up lately.

Mr. THOMAS. Mr. President, if the American Indian knows how to do this, should not this appropriation be made for him, and should we not set him to work on the plantations in Louisiana and in North Dakota?

Mr. RANSDELL. If the American Indian could be induced to give the recipe for tanning buckskin to the Department of Agriculture, and the Department of Agriculture could issue a plain, simple bulletin, not to send men all around the country, as the Senator from Utah suggests, but just issue a plain, simple bulletin giving the home recipe of the American Indian, that would be fine, it seems to me. I know when I was a boy we used to kill a good many deer in my section, and we would get the nearest Indian to dress the deer skins for us. They were wonderfully useful. I have not seen a dressed deer skin for many years, but if I could get cow hides or calf hides dressed as well as those deer skins were dressed, it would answer my purpose.

Mr. SMOOT. No Indian ever tanned a cowhide or a calf hide. The only reason the Senator sent his deer skin to the Indian was that it did not cost him anything for the Indian to treat it, for he simply made a frame and stretched the skin to the size of the frame and dried it out. Neither the Senator nor anyone else living in his State could afford to take the time to follow that slow process. The Indian did not make a cent a day out of it. All he got out of it was that at the end he sold it for 50 cents or a dollar, and the Indian considered himself that much ahead.

The American people are not going back to the Indian style of making buckskin. No Indian ever made any leather. I know, of course, the prices charged for lace leathers, which has been referred to by the Senator from North Dakota. Mr. President, I was superintendent of a woolen mill, which had all of the machinery necessary for an 8-set mill requiring 400 employees. Some of the belts required were over 24 inches wide and all of the machinery was driven from the main shaft by belts, and the lace leather never cost us $75 for a whole year running 24 hours every day. I can not understand why the Senator was compelled to pay $25 for lace leather for a few thrashing machines running a few weeks each year.

Of course, it is perfectly useless trying to get an appropriation cut out of the bill, but I did want to say that if the Senator from Mississippi [Mr. HARRISON] remains in the Senate for 30 years, at the end of 30 years he will find this item in the Agriculture appropriation bill, if it goes in now, except that it will be for an increased amount.

Mr. President, on page 48 of this very bill the first item we find is:

> For investigating the grading, weighing, handling, transportation, and uses of naval stores, the preparation of definite type samples thereof, and for the demonstration of improved methods or processes of preparing naval stores, in cooperation with individuals and companies, including the employment of necessary persons and means in the city of Washington and elsewhere, $10,000.

I remember when the Senator from Florida [Mr. FLETCHER] stood upon the floor of the Senate and asked for that appropriation about six years ago. He said he thought the appropriation ought to be made, and it would not take more than $10,000. As I remember, two years ago, when a similar appropriation was under discussion, he said, "Well, just let it go in once more." It went in once more. It is in again once more, and, Mr. President, as long as the Senate will vote for this appropriation it will remain in once more.

I do not know any reason why such an investigation of naval stores should be made now, nor why it should have been extended beyond the first appropriation. I can not see why we should throw $10,000 away for that purpose. I only point to this item to show that whenever an appropriation gets in the bill it will remain in, no matter whether it is necessary or whether it is unnecessary.

I am not saying this particularly as affecting the pending bill. It is about the same in every appropriation bill. This is no different from the other appropriation bills in that respect. When once the items get into the bill, Mr. President, it is almost impossible to make a change. Of course, if the Senate wants to put this item in, well and good.

Mr. GRONNA. Mr. President, I do not wish to delay the adoption of this amendment, but I can not help feeling that there seems to be a disposition among some of the Senators here to attack every little item in this particular bill. I realize as much as anyone here does that we are perhaps trespassing upon the great industries of the country if we are to teach the farmers of the country how they will be able to manufacture some of the leather to be used on the farms.

I realize that if we do that we will take from the profits of tremendous concerns, and I am not trying to prevent these huge corporations from making profits. I am not trying to legislate so as to prevent them from going on and making profits. But only yesterday we passed a bill which involves at least $350,000,000, according to the statement of the junior Senator from Minnesota [Mr. KELLOGG]. We had to limit the time in order to pass that little bill.

I know that the large corporations in the country will attack anything we are trying to pass in this body which affects their interests. I know there is not a single paragraph in the Agricultural appropriation bill where it affects the packers which they do not oppose. I do not guess on this, because I have talked with them.

You may ridicule a provision in the bill appropriating a small amount to teach the farmers how to tan lace leather and other kinds of leather, but let me say to you that if conditions do not change the only way the farmers will get leather will be to tan it themselves. They will not have the money to pay $3 a pound for lace leather tanned by the big packers.

Mr. President, this question deserves much more than simply ridicule. It involves the welfare of at least 7,000,000 farmers of

this country, because they all use this product more or less. I am somewhat sick and tired every time an item of this kind is brought before this body to hear some of these very able Senators, who are all friends of mine, attack it by ridiculing it. I very often myself ridicule things with which I am the least familiar, but I find by a careful study of the matters which I attempt to ridicule that they have merit in them.

I have no more interest in this item than anyone else, but the Senator from Utah is attacking this proposition. In his first statement he said, "Everybody knows about it now," and then when the Senator from Louisiana [Mr. RANSDELL], who was deeply interested in it and who is really the father of the amendment, asked him for a recipe, the distinguished Senator from Utah was unable to give it.

Mr. SMOOT. Oh, no, Mr. President; the Senator from Utah can give a recipe very easily. It used to take a year, when the people first went to Utah, to tan a piece of leather, but that was absolutely necessary, as we could not get leather in any other way, and that is the length of time it will take the Senator from Louisiana with the processes to be investigated under this appropriation.

Mr. GRONNA. Then perhaps the Senator from Louisiana and the Senator from Utah can get together, and if they can I will ask that this item be passed over. Perhaps we can save $15,000.

Mr. RANSDELL. Mr. President, I would like action on it now. I am afraid the Senator from Utah and the Senator from Louisiana would never get together on a simple, practical little item like this. We want it for the benefit of the farmers.

The Senator from Colorado [Mr. THOMAS] suggests to me we could not get together unless it was on sugar. I do not know about that; but if that is the case, I am glad there is one thing on which the Senator from Utah and the Senator from Louisiana can get together.

Mr. SMOOT. Mr. President, I do not know whether we could get together on sugar.

Mr. RANSDELL. Well, I am a little disappointed then.

Mr. SMOOT. I, too, get a little tired, the same as the Senator from North Dakota gets a little tired, when he and other Senators take the floor and rant and rave about the industries of the country. As to this item, there will be no more competition with the packers than there would be for a baby a day old competing with a man in the full bloom of manhood. I do not know what the Senator from Louisiana wants to do, but if he thinks that leather is made the same as buckskin is made by the Indians, of course I have not any complaint to offer as far as he is personally concerned. His judgment may be that he can get something out of the appropriation of $15,000. I have no doubt that perhaps there will be men visiting his city and stopping at hotels and drawing $4 per diem, with a salary attached of $1,800 or $2,000. That would happen, and there is no doubt about that. So far as the results of their labors are concerned, little would come from them. I expect to live for at least a quarter of a century, but I have no more idea of ever seeing favorable results come from this appropriation than that I shall die to-morrow morning.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Agriculture and Forestry was, on page 48, after line 25, to increase the appropriation for general expenses of the Bureau of Chemistry from "$944,561" to "$973,061."

The amendment was agreed to.

The next amendment was, on page 48, line 26, to increase the total appropriation for the Bureau of Chemistry from "$1,275,251" to "$1,303,751."

The amendment was agreed to.

The next amendment was, on page 50, line 6, to increase the appropriation for chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical properties of soils, etc., from "$23,110" to "$33,110."

The amendment was agreed to.

The next amendment was, on page 50, line 13, after the word "supply," to strike out the word "of" and insert "and methods of obtaining," so as to read:

For exploration and investigation within the United States to determine possible sources of supply and methods of obtaining potash, nitrates, and other natural fertilizers, $86,840.

Mr. WALSH of Montana. Mr. President, I am very much surprised to see such an item in the Agricultural appropriation bill. Is not that amply taken care of by the appropriation for the Geological Survey and the Bureau of Mines? I know that both those branches of the Government are engaged in that work, and I can not see any possible use of the appropriation here.

Mr. SMOOT. Not only that, but we have our nitrate plant built now ready to operate. However, the item went in once and it must remain in the bill.

Mr. WALSH of Montana. If it were not otherwise provided for I should say that the appropriation was a most commendable one, but we are engaging in a branch of work here, embarking the Agricultural Department in a line of investigation, that is certainly not appropriate at all to its functions and is peculiarly appropriate to the functions of the Geological Survey and the Bureau of Mines.

Mr. FLETCHER. I think the Department of Agriculture have been making investigations in the same field. They were instructed to do so. In 1916 they made a report on the fertilizer situation and the report ought to be on the desks of Senators to-day, just submitted by the Department of Agriculture, showing the sources of supply and the materials entering into commercial fertilizers. They are actually making experiments.

Mr. WALSH of Montana. The Geological Survey have issued numerous bulletins concerning the supply of potash and nitrates in the country, many of which have been referred to from time to time on the floor here. Bear in mind, I commend the investigation as one that ought to be encouraged, but we are certainly embarking the Agricultural Department in investigations that are particularly appropriate to mining operations.

Mr. FLETCHER. In some respects it pertains to mining operations, but in other respects I think the investigation does not, because the Agricultural Department is making experiments now in the matter of developing potash, nitrates, and acids for reducing potash into sulphate of ammonia, ammonium potash, and so forth. I think they are doing a very important work in that line. I believe it will be well to keep it up for the present at least. I am sure that it is a splendid work.

Mr. SMITH of South Carolina. Mr. President, there was an appropriation carried several years ago in the Agricultural appropriation bill to enable the Department of Agriculture to determine the commercial value of kelp on the Pacific coast. They have made extensive investigations and their reports from time to time have given to the public full knowledge of the possibility of the different processes of obtaining potash from the kelp weed.

Mr. WALSH of Montana. If the Senator from South Carolina will permit me, that is entirely proper. Kelp is an agricultural product, it is a plant, and the chemists of the Bureau of Agriculture might very properly take into consideration the question of how they could extract from plants this useful basis of fertilizer. That, I think, might find some justification, but it is proposed here to conduct explorations for the purpose of locating deposits, mineral deposits, deposits of nitrate and of potash. I am a little surprised that phosphates, in which the Senator from Florida would be interested, are not included in this, except in the basket clause, as well as nitrates and potash. It seems to me that an appropriation to determine the availability of kelp, a plant, as a source of material for fertilizer would form no justification whatever to carry on mining explorations for the purpose of locating other sources of supply.

Mr. SMITH of South Carolina. I do not understand that this means an investigation of the mining possibilities. As the Senator from Montana knows, the sources of supply of these ingredients are limited. Nitrates and potash are items that are not found in any great abundance like the phosphates are in the great mines in Florida and Tennessee. No investigation would improve that situation, because they are easily obtainable and in almost inexhaustible quantities. But the other two ingredients are more or less difficult to find.

As to the potash situation, I understand there is quite a source of potash obtainable from the by-products in the process of manufacturing sugar. There is also a considerable quantity of potash discovered in the process of reducing coal to coke. There are vast fields open for investigation in the legumes. As I understand the proposition, it is not to restrict nor to any great extent to go into the question of our mineral supplies, but it is the broad question of ascertaining where the supply may be obtained from other than and including that if they shall find it is profitable to do so.

I think the Senator from Montana will appreciate the fact that this is a field that is germane to the Department of Agriculture and in no sense would it necessarily duplicate the work of the Geological Survey and the Bureau of Mines and Mining. It leaves it open for them to find the ingredients, whether from a vegetable source or a mineral source, as they may have oppor-

tunity so to do. The kelp beds, the legumes, and other sources that would not fall within the field of the Geological Survey and the Bureau of Mines and Mining should be left open. In my opinion the appropriation should be granted.

Mr. McNARY. Mr. President, I do not think the Senator from South Carolina correctly understands the situation if he intends to convey the impression that the appropriation means any work in connection with the study of the process of obtaining potash from kelp. That is covered by another item in the bill. There is a plant now operating in the State of California. Ample appropriation has been made for the study of that source, I am informed, at the top of the next page of the bill. I think the appropriation in the item under discussion is not even used for the purpose of studying the habits of the nitrates that may be obtained from leguminous plants. I think it is used perhaps in connection with some other department of the Government to ascertain and locate and work out certain mineral deposits in the Western States that may contain these elements. For instance, in the State of Utah and in the eastern part of the State of Oregon and in other Western States there are large deposits containing some of the nitrates, and I know that the Government, through this department, has been working with those minerals to ascertain if it is feasible to use the rock product and elements as a plant food. I think to that extent only is this contemplated, and I think the appropriation should be made for the very great service that the department is rendering the Government in that line.

Mr. SMOOT. There is no question at all that it is a duplication of work. The work ought to be done by the Bureau of Mines and the Geological Survey. Those are the agencies that have the whole subject matter in charge. Potash deposits are frequently found on public lands, for instance.

Mr. FLETCHER. Neither of the services actually makes experiments, as I take it. They merely locate deposits and map and plat them, and that sort of thing, and show where the product possibly can be obtained, but the Department of Agriculture has a bureau which actually experiments with these different elements to determine the commercial value of the product.

Mr. SMOOT. The Bureau of Mines make experiments in every way, shape, and form. In the West they have a little experimental plant built in the State of Utah. There was a company formed in Utah for the purpose of extracting potash from the waters of the Great Salt Lake. I think they spent about $600,000, but potash has dropped so now in price that all of their investment is lying idle. There is not a thing being done at that plant. Unless the price of potash increases, of course, they will lose all their money.

The Bureau of Mines was created for the very purpose of working out plans for the extraction of valuable minerals, and they are doing it successfully. They are doing it as far as nitrates are concerned. No one can secure title to a piece of land containing nitrates unless he complies with the laws of the United States. Not only that; a patent will never be issued, but a lease might be secured, but not until an examination and ascertainment is made of the value of it for minerals, and that examination is made by the Geological Survey. We have nearly all of the lands of the West classified now as to whether they are grazing lands or whether they are mineral lands, or whether they are agricultural lands, and each class can only be utilized by complying with the laws affecting each class of land.

The Bureau of Mines, I understand, have spent hundreds of thousands of dollars for the investigation of certain rock deposits in New Jersey for the purpose of demonstrating the feasibility of extracting potash from the same. They had all sorts of experiments made, and I know they have done similar work as far as the West is concerned. Take the item of extracting oil from shale. Who is doing that work? The Congress is appropriating the money and giving the authority to the Bureau of Mines to do the work, and I think the Bureau of Mines is doing the work just as well as it is possible to be done. They have spent thousands of dollars in experimenting in extracting oil from shale. They spent thousands and tens of thousands of dollars in developing the nitrate deposits in America.

Mr. GRONNA. I will say to the Senator that Congress for many years has appropriated large sums of money for experimental plants to develop the potash industry, and especially the extraction of potash from kelp. This year there is no appropriation for that purpose, except $5,000 to take care of the machinery. If the Senator will permit, I wish to show to the Senate the large sum of money that is being saved. The only paragraph of which I know in this bill that contains any reference to this particular subject is this item.

Mr. SMOOT. I understand that thoroughly. Let me ask the Senator, before he interrupts me, why is not the department asking for an appropriation for investigations in regard to extracting potash from kelp?

Mr. GRONNA. I want to say to the Senator that they are asking for an appropriation for that purpose. In the Book of Estimates, on page 169, it will be found that the department has made an estimate for $208,500 for that purpose. If the Senator will allow me, I will say that there was an appropriation in 1919 of $127,600 for that purpose; in 1920 there was a like amount; in 1921 there was appropriated $192,900, and this year the estimate is for $208,500. All these paragraphs have been combined; there is only this one appropriation of $86,000, and an appropriation on the next page, which the Senator will observe, of $5,000. That is only to take care of the machinery in the kelp plants. It seems to me that the least we can do is to give the department this one appropriation, for they certainly must have it.

I wish to say to the Senator that I have gone into this question quite thoroughly. The Department of Agriculture has some very able and distinguished scientists who are now working on the question of developing potash, and no one knows better than does the Senator from Utah how important that question is.

Mr. SMOOT. Yes; but the Senator from Utah also knows that the Geological Survey has the best scientists that it can get in the world, and so has the Bureau of Mines, and they are doing exactly the same work.

So far as the extraction of potash from kelp is concerned, I am very glad that that appropriation has been eliminated. They have succeeded in producing potash from kelp, which is a vegetable substance, and nobody objected to that originally being in the Agricultural bill; but this item proposes to have the Agricultural Department enter the domain of the Bureau of Mines and of the Geological Survey.

Mr. GRONNA. Does the Senator from Utah object to the appropriation? It is a House appropriation. The only amendment which the Senate committee made was to insert certain words.

Mr. SMOOT. When the time comes I hope that some Senator will move to strike out the whole provision.

Mr. FLETCHER. May I call the Senator's attention to a report which was just laid on our desks in reference to this subject?

Mr. SMOOT. I have a copy of that report.

Mr. FLETCHER. I knew the subject was going to come up this morning, and I asked to have the report distributed. It is a report from the Secretary of Agriculture, and the Senator will find, on page 16, just what has been done by the Department of Agriculture under the heading:

IV. A report on investigations made and results since the publication of Senate Document No. 262, Sixty-fourth Congress, first session, on January 26, 1916—

I find this statement:

When President Taft took cognizance of American dependence on Germany for all of the potash entering American fertilizers through serious difficulties which had arisen regarding contracts and prices between American manufacturers and the Government-controlled potash syndicate in Germany, Congress granted an appropriation for the Bureau of Soils to make investigations of the fertilizer resources of the United States, including a search for potash.

Following that is a statement which shows that they have done a very important work.

Mr. SMOOT. Yes; they claim that they should have credit in connection with the work done at Searles Lake and also in connection with the extraction of potash from the salt waters of Nebraska; but I want to say to the Senator that they have done nothing in that respect that the scientists in the Geological Survey and the Bureau of Mines have not done.

Mr. FLETCHER. I take it they use all the information they can get from the Bureau of Mines and from the Geological Survey as well as from all other sources.

Mr. SMOOT. That is the trouble about it. There should be but one Government agency for the collection of this information, and there ought not to be any other source. There should be no further appropriations other than for that one source which should collect the information.

Mr. FLETCHER. Does not the Senator from Utah think that the matter of fertilizer is one which peculiarly pertains to the Department of Agriculture, determining the source of fertilizers, the elements which enter into plant food, and the way to develop them and to make them available for the producers of the food of the country on reasonable terms? That, it seems to me, belongs to the Department of Agriculture.

Mr. SMOOT. The Senator from Utah believes that the great bulk of potash produced in the United States—and this statement will be true as to the future—has come from the extraction of potash or nitrates from the rocks which are found in the everlasting hills of the West. That whole question is in the hands

of the Geological Survey and the Bureau of Mines. They have the scientists there, and they pay them for the purpose of making these investigations.

It seems to me that this work should not be placed under the Department of Agriculture, for the scientists in that department who have been educated to study questions relating to plant life, growth, and development, and other matters connected with products of the soil are not the proper ones to handle it. It takes men who have studied for years and years along a particular line, who have studied the geology of the country, and more than likely have spent their early lives in the mines of the West. It takes practical men, and when such men are hired by the Geological Survey and the Bureau of Mines, if we can not get the information from them, there is no need of the Government expending money to have a duplication of the work in the Agricultural Department.

Mr. WALSH of Montana. Mr. President, reference has been made by the Senator from Florida [Mr. FLETCHER] to the report just issued by the Department of Agriculture pursuant to the resolution of the Senate No. 435, as follows:

Resolved, That the Secretary of Agriculture is hereby authorized and directed to ascertain as nearly as possible, and to report to the Senate as soon as practicable, the following: The amount of commercial potash, nitrogen, and phosphoric acid available for fertilizer purposes, and the price of each of these articles as compared with the prices for 1913, as shown by data in the office or that can be secured without material expense.

Reference was made then to the report at page 16, from which I read, as follows:

The Bureau of Soils made a thorough investigation of surface indications of potash salts and nitrate of soda deposits in the Western States and a more general investigation of the salt deposits of the Northern States. These surveys, with the exception of Searles Lake and some of the smaller lakes, gave indications of no workable deposits of potash salts occurring as such or of nitrate of soda. The bureau reported, however, on the possibilities of the commercial production of potash from the giant kelps of the Pacific coast, the deposits of Searles Lake, Calif., the saline lakes of western Nebraska, the dust from cement mills and from blast furnaces, the feldspars, green sand marls, wool waste, alunite, beet-sugar waste, and distillery waste. The bureau pointed out that the commercial success of extracting potash from all of these sources at prewar prices depended upon the utilization of by-products.

Mr. President, if the Department of Agriculture did make any such investigation as that, the money expended on it was practically thrown away, because the Geological Survey had years ago undertaken and carried out with its able corps of assistants exactly that kind of an investigation. It has located as accurately as it can all of these deposits in the Western and Northwestern States, and the information they have obtained is available to any Member of Congress in bulletins of value published by the Geological Survey.

Now, with reference to Searles Lake, the deposits there have not only been made the subject of repeated reports by the Geological Survey, but investigations by Congress have been conducted time and again as to that remarkable deposit, and the information thus derived is available.

Mr. SMOOT. And special legislation was passed by Congress in order that the salt deposits there might be worked.

Mr. WALSH of Montana. Precisely, and we need only to turn to the reports of the Bureau of Mines and of the Geological Survey to ascertain from that source that this work is being conducted by them. I refer to the last report of the Geological Survey, and I find among bulletins published during the year just passed, Bulletin No. 715-A, Potash Deposits in Spain, by H. S. Gale. A memorandum says:

Potash was discovered accidentally in the salt deposits of the Province of Barcelona, in the northeast corner of Spain, in 1912, though the salt deposits themselves had been known for a hundred years.

The memorandum proceeds with a brief description of what is contained in the bulletin.

Then, Bulletin 715-B, The Potash Deposits of Alsace, by H. S. Gale.

That bulletin describes the potash deposits of Alsace.

Turning now to the report I read as follows:

Field studies of reported deposits of potash and nitrate in the Pacific Coast States and in the Southwest, by H. S. Gale, L. F. Noble, and G. R. Mansfield, not only contribute to our knowledge of the potash and nitrate resources of the United States but combine to form an analytical determination of the physiographic, climatic, rock soil, and water conditions that control the mode of occurrence of nitrates and potash salts in the western Pleistocene and Recent lake basins.

Then turning to the report of the Bureau of Mines, on page 55 it appears that they are considering methods of securing potash. I read:

At the Berkeley station a study of methods used in potash recovery at Searles Lake was completed and a report was prepared.

At the Salt Lake City station laboratory experiments on the recovery of potash from the low-grade alunite ores of southern Utah showed that concentration and recovery by calcination, leaching, and electrical precipitation was feasible. The Aluminum Potash Co. continued experimental work in the station laboratories, using the bureau's furnace, leaching plant, and electrical treaters.

So, Mr. President, the whole subject is being taken care of, and there is no occasion whatever, so far as I can see, of making this appropriation and turning the work over to the Agricultural Department.

Mr. SMOOT. Mr. President, I want to refer to the report to which the Senator from Florida has called our attention. If the Senator from Florida has read the report, he knows that while in this bill the appropriation for the extraction of potash from kelp is cut out, this report asks that it be continued; and what is the result? I ask Senators to read the report in full, but I want to call the attention of the Senate particularly to page 17:

When it was found that the giant kelps of the Pacific coast carried a high percentage of potash salts, surveys were made by the Bureau of Soils of the kelp beds lying in that coastal region of the United States and its Territory, Alaska. The enormous tonnage found represented a source of potash of great potential value. This material offered the possibility of valuable by-products obtainable with potash. Upon the outbreak of the war the facts established by the department were taken advantage of by private enterprises and a considerable number of plants were erected on the west coast, principally in southern California and Puget Sound, for the manufacture of potash from this material.

Potash now has declined in price. It went sky-high during the war. It was not a question of what the purchasers would pay; it was simply a question of getting the potash. The price went so high that they could extract it from the salt waters of the great Salt Lake, they could extract it from the brackish waters found in Nebraska, they could extract it from kelp, and they could extract it from almost any article in which potash was found, because when it was extracted the price of potash was so high that there was hardly a limit to the price paid.

I continue:

At the same time Congress appropriated money for the erection and operation by the Bureau of Soils of an experimental and demonstrational kelp-potash plant with a view to determining the commercial feasibility of producing potash and the by-products which can be gotten from kelp, and with the hope that this information could be established in time to enable the private concerns operating to so develop their processes that they could continue the manufacture of potash from kelp upon restoration of normal conditions.

As far as the price of potash is concerned, it is nearly back to normal conditions, and that develops the fact that they can not extract potash profitably from this source.

The early termination of the war made this impossible, but subsequent experiments in this demonstrational plant have established by-products of sufficient value to carry the manufacturing cost of the potash. The results as they now stand show the commercial feasibility of extracting potash from kelp with by-products and selling the potash, where freight rates are not prohibitive, in competition with potash from any other sources.

While it is felt that the commercial feasibility of recovering by-products of sufficient value to carry the cost of extracting potash has been demonstrated, it is the desire of this bureau to continue the operation of this plant until the efficiency of these processes has been increased to the point where the economic features will persuade outside concerns to reenter the industry.

Then they ask for an appropriation. In this bill that appropriation has been cut out, and the appropriation that is left in the bill simply means a duplication of the work in the Bureau of Mines and in the Geological Survey.

Mr. McNARY. Mr. President, a word more has been said on this subject by Dr. Whitney, who is Director of the Bureau of Soils.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me a moment? The Senator from Utah says that the provision for continuing this kelp plant has been cut out. Is not that a mistake?

Mr. GRONNA. There is no appropriation for the continuation of the kelp plant. There is only an item of $5,000 in the bill to take care of the machinery, but the $208,000 asked for was cut out by the House.

Mr. WALSH of Montana. Mr. President, of course this appropriation for the care of the machinery is only to care for it until an opportunity is had to dispose of it. The situation, I take it, is that private enterprise is now invading the kelp field. There are manufactories of very considerable extent, one very large one at San Diego, Calif., and they conduct extensive operations. They have machines by which the kelp is cut out in the ocean, loaded by machinery upon scows, and transported to the plant; so that private enterprise is now engaged in the experimentation and development of this source of supply of nitrate, and it is not necessary for the Government to carry it on any longer.

Mr. McNARY. Mr. President, that may be true. That perhaps was the attitude of the Senate Committee on Agriculture and Forestry. That is the reason why the appropriation was cut out, and the $5,000 carried for maintenance; but, as showing the limitations which the Senator from Utah has placed

upon this item, I want to call the attention of the Members of the Senate to Dr. Whitney's testimony before the House committee:

There is the investigation of garbage as a source of fertilizer. Through the work of the Bureau of Soils city garbage has come into quite a prominent place as a fertilizing material. We contributed quite materially to that. We are still looking for deposits of nitrate of soda in this country. We have not very much reason for believing that we will get workable deposits, but we should continue the search. We are still looking for possible deposits of potash, and we are working on phosphates and the economic use of our phosphate-rock deposits. That is being carried on now under the item for fertilizer resources. These investigations have gone so far, they have gone to the point where they are about ready to be taken up by commercial interests. Because we have them in definite shape we want to have an appropriation now to finish the work.

There is a clear, positive statement of the Chief of the Bureau of Soils that this work is getting so nearly completed that it embraces subjects far afield from what the Senator from Utah was discussing. I think it would be a mistake, in the interest of the agricultural people of the country, to discontinue further investigation of this subject, which is so very important to the farmers of the country.

Mr. SMITH of Georgia. Mr. President, let me ask the Senator a question. Is it not true that the Bureau of Mines and the Geological Survey do not handle at all the work to which he has referred?

Mr. McNARY. That is precisely my understanding; and all the private concerns engaged in the manufacture, distribution, and sale of fertilizer will profit by the investigations made by the Government.

Mr. WALSH of Montana. Mr. President, of course the question addressed to the Senator from Oregon by the Senator from Georgia draws out only a kind of a general statement; but what is the fact? This is an appropriation to locate sources of supply of potash and nitrates. The Geological Survey is undoubtedly conducting investigations for the purpose of locating those sources of supply.

Mr. SMITH of Georgia. In minerals.

Mr. WALSH of Montana. Yes; in minerals.

Mr. SMITH of Georgia. But not generally, outside of what would fall within the scope of geological and mining work.

Mr. WALSH of Montana. No; that is not quite true, I am able to say to the Senator, because the Bureau of Mines are obliged to carry on experimentations with respect to the manufacture of coke, and they are conducting experiments for the purpose of utilizing the gases escaping from coke ovens, and they are conducting experimentations in relation to smelting, for the purpose of utilizing the gases contained in the fumes that go up from the smelters, and all that kind of thing.

Mr. SMITH of Georgia. As I understand, a line of work is being done by the Agricultural Department in this respect which the Bureau of Mines and the Geological Survey do not handle, theirs being more technically mining and mineral investigation.

Mr. WALSH of Montana. That is what I am looking for. If there is any such thing, I should like to know it.

Mr. SMITH of Georgia. That is what I was asking the Senator from Oregon.

Mr. WALSH of Montana. Of course, the Senator from Oregon gives the testimony of the Director of the Bureau of Soils, who tells just exactly what they are doing. He tells in the report to which I have invited your attention. Now, if there is any line of investigation, any field that they can occupy, that is not occupied by the other governmental establishments, I should think we ought to have it.

I referred to the report made by the Department of Agriculture just a day or two ago, to which the Senator from Florida has referred. They tell us in that report that they are conducting investigations in the regions out in the West and in the Northwest where it is supposed that deposits of potash and of nitrates might be found; and apparently the only other source suggested is the fumes arising from coke ovens and from smelters of various kinds, and that investigation undoubtedly is being conducted by the Bureau of Mines.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, would it be appropriate at this time to move to strike out the paragraph?

The VICE PRESIDENT. The Chair understands that the committee amendments are first to be considered.

The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 50, line 23, after the words "agricultural lands," to insert "in the national forests," so as to read:

For examination of soils to aid in the classification of agricultural lands, in the national forests, in cooperation with other bureaus of the department and other departments of the Government, $15,000.

The amendment was agreed to.

The next amendment was, on page 51, line 20, to increase the appropriation for general expenses of the Bureau of Soils from "$314,375" to "$324,375."

The amendment was agreed to.

The next amendment was, on page 51, line 21, to increase the total appropriation for the Bureau of Soils from "$393,615" to "$403,615."

The amendment was agreed to.

The next amendment was, on page 52, line 24, after the word "nuts," to strike out "$178,500" and insert "$188,500, of which $10,000 shall be immediately available," so as to read:

For investigations of insects affecting deciduous fruits, orchards, vineyards, and nuts, $188,500, of which $10,000 shall be immediately available.

Mr. JONES of Washington. Mr. President, I want to ask the chairman of the committee if there is any special purpose for which this $10,000 is to be used; and I will state to the Senator the reason why I ask the question.

I have received several telegrams from people in my State, and in other States in the West interested in apple production, in which they refer to the cutting out by the House of an appropriation of $10,000 to take care of the codling-moth situation, and I wondered if the $10,000 which the committee has put in here was intended to take care of that situation?

Mr. GRONNA. The Senator from Oregon will answer.

Mr. McNARY. It was the intention of the committee to care for the suggestion made by the Senator from Washington at another place, under the general subject of the destruction and study of the habits of moths, I think on page 54.

Mr. JONES of Washington. I remember that I spoke to the Senator with reference to taking care of this item there, yet when I saw the language in this place—"for investigation of insects affecting deciduous trees, orchards, vineyards, nuts, and so forth"—and then saw this appropriation of $10,000, to be immediately available, I wondered if the committee, in considering the matter, was really intending to take care of that situation by this appropriation. I thought it would be a very good place to do it, and a very proper way to do it.

Mr. McNARY. I can say to the Senator from Washington that the committee thought it should be inserted on page 54, after line 16, which deals with the prevention of the spread of moths. That covers the subject of the gypsy moth and the brown-tail moth, and it was thought the codling moth might well come in there, and out of that appropriation, without increasing it a dollar, three pests would be cared for.

Mr. JONES of Washington. I have a notation made of that kind, and that is where I was intending to offer an amendment until I saw this provision.

Mr. SMOOT. I want to ask the Senator having this matter in charge if the increase of $10,000, which is made immediately available, is not to cover a deficit that has already been made?

Mr. GRONNA. Mr. President, I have the notes of the department here as to that.

Mr. SMOOT. Will the Senator read them, please?

Mr. GRONNA. Which particular item is it to which the Senator refers?

Mr. SMOOT. For investigation of insects affecting deciduous fruits, orchards, vineyards, and nuts, at the bottom of page 52.

Mr. McNARY. That is for peach blight.

Mr. GRONNA. That is an additional amount for peach blight. It is for an insect investigation in the South and in California, wherever they raise peaches.

Mr. SMOOT. I expected that was what the money was to be used for; but what I wanted to know was whether this $10,000, to be made immediately available, is not to take care of money they have already expended over and above what was appropriated last year?

Mr. McNARY. Mr. President, if I may interject, I understand it is not for that purpose, but it is to be available immediately to be used for the extermination of the peach blight, which affects the tender leaves of peach trees along early in the spring, after the blossoming period; and that season is approaching in the Southern States and in California. The money was to be made immediately available, on the passing of this measure, so that it could be used in experimentation and study of the destruction caused by that blight.

Mr. GRONNA. I might say to the Senator from Utah that the Senator from Georgia [Mr. HARRIS] introduced a special bill appropriating $10,000 for this purpose. But I will read what the department has to say on it:

It is understood that this item has already been covered by an amendment to H. R. 15812, an amendment introduced by Senator HARRIS, of Georgia, for investigation of peach insects in Georgia. An appropriation was originally requested by the department in order to undertake work against the plum curculio in Georgia. The situation is acute, and unless energetic measures are taken to meet it the pest will undoubtedly cause serious injury to the Georgia peach-growing industry.

So it can not be said to be a deficiency at all. It is for new work.

Mr. FLETCHER. Was not the estimate $198,500?

Mr. GRONNA. That is correct.

Mr. FLETCHER. I think we ought to increase it by $10,000.

Mr. SMOOT. It has been increased by $10,000.

Mr. SMITH of Georgia. This additional $10,000 was added to meet a recommendation of the Department of Agriculture on an appeal from the agricultural department of Georgia to give active help at once to meet insect attacks upon peach orchards. This provision making it immediately available was, I think, inserted at my request in the committee, and it was done in compliance with the request of the State authorities. The Department of Agriculture recommended it and the department of Georgia had brought to their attention the necessity for immediate action, the loss last year having exceeded $2,000,000.

Mr. GRONNA. As I understand it, the work must be done now or there will be no crop this year.

Mr. SMITH of Georgia. I can not go into it technically, but I read the appeal from the State and I read the report of the Department of Agriculture, and was satisfied it was entirely meritorious.

Mr. SMOOT. Of course, all I wanted to know was that this $10,000 was not added to the appropriation and made immediately available to cover a deficit. I will say to the Senator that that often happens. Departments spend all their appropriations, then they find themselves short ten, twenty, thirty, forty, or fifty thousand dollars, and in some appropriation made for that same specific purpose in the coming fiscal year they say so much shall be appropriated and made immediately available.

Mr. SMITH of Georgia. That was not the case with reference to this appropriation. I presented the evidence from the agricultural department of the State and the peach growers' association, and I also called attention to the recommendation of the Agricultural Department here. They asked for more, but the view in my own State was that $10,000 was all that could be used. They have raised a fund for the purpose also. The peach growers have raised a fund, and by supplementing that with the appropriation of $10,000 the work can be done.

Mr. GRONNA. It is not for a deficiency; it is for new work.

The amendment was agreed to.

The next amendment was, on page 53, line 3, after the words "chinch bug," to strike out "$175,660" and insert "$200,000," "*Provided*, That not less than $50,000 shall be used for investigating methods for the control and eradication of the grasshopper;" so as to read:

For investigations of insects affecting cereal and forage crops, including a special investigation of the Hessian fly, grasshopper, and the chinch bug, $200,000: *Provided*, That not less than $50,000 shall be used for investigating methods for the control and eradication of the grasshopper.

Mr. POMERENE. I would like to ask the chairman of the committee how he expects to control grasshoppers?

Mr. GRONNA. This is not a new question to those who have been unfortunate enough to have grasshopper... Instead of $50,000, we ought to have $200,000.

Mr. POMERENE. I am calling attention rather to the phraseology than anything else. I believe in the eradication of the grasshopper; I believe in doing anything to destroy him, but why the word "control"? I move to strike out the words "control and," so that it will read: "Methods for the eradication of the grasshopper."

Mr. GRONNA. This is the language which is always used to provide appropriations for controlling and eradicating insects and pests. It is not new language at all. Of course, I have no serious objection to the Senator's amendment, if you can eradicate them. That is the only way you can control them.

Mr. MCNARY. Mr. President, I take issue with the chairman. I think it is proper language. When you control a pest you localize it, or keep it within a zone. That is all "control" means. If you can keep it in a particular district, so that it will not spread, you are controlling it, and the prevention of its spread is sometimes the most effective way of eradication.

Mr. GRONNA. The Senator knows that we appropriated $500,000 for the control and eradication of the corn borer, and no one found any fault with that. We are appropriating a large sum of money this year for the control of the corn borer.

Mr. POMERENE. I do not know whether the word "control" is proper or whether it was used. I am not finding fault with the appropriation here; I am simply calling attention to the phraseology.

Mr. GRONNA. I hope the Senator will withdraw his amendment to the amendment.

Mr. POMERENE. I do not care anything about it, either one way or the other.

Mr. SMOOT. Mr. President, we have a great many grasshoppers in the State of Utah, and the only way to get rid of them is to get the men out to fight them and eradicate them. You can not do it by appropriating money and talking about it. You must just get out a machine and go to work in the field at the proper time, when they come, and drive them in the creek and drown them, or else drive them into a trench and cover them over, or catch them and burn them up. Those are the only methods by which you can eradicate them.

The VICE PRESIDENT. The question is on the committee amendment.

The amendment was agreed to.

The next amendment was, on page 53, line 10, after the words "Argentine ant," to strike out "$150,000" and insert "$175,000," so as to read:

For investigations of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, sugar cane, etc., and the cigarette beetle and Argentine ant, $175,000, of which sum $25,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 53, line 12, after the word "forests," to strike out "$40,000" and insert "$65,000," and also the following proviso: "*Provided*, That $25,000 shall be used for preventing and combating infestations of insects injurious to forest trees on and near the national forests, independently or in cooperation with other branches of the Federal Government, with States, counties, municipalities, or with private owners," so as to read:

For investigations of insects affecting forests, $65,000: *Provided*, That $25,000 shall be used for preventing and combating infestations of insects injurious to forest trees on and near the national forests, independnetly or in cooperation with other branches of the Federal Government, with States, counties, municipalities, or with private owners.

Mr. WOLCOTT. If I may have the attention of the chairman of the committee, I would like to inquire why this amendment is inserted?

Mr. GRONNA. I will ask the Senator from Oregon to explain it to the Senator from Delaware. It was his amendment.

Mr. MCNARY. I offered the amendment in the committee for the purpose of meeting a very serious situation which obtains in the Pacific Coast States. Recently a new bug has appeared in the forests, known as the pine beetle. It is found in the national forests to a very large extent. I have sufficient data to convince the Senator from Delaware that this beetle is doing more to destroy the mature and partially mature forests of the West than any other insect or any other cause, save the loss by fire.

A few years ago this beetle was not known, but now it is a very common infestation; in fact, 15 per cent of the trees of the forests of the West are infected with this disease. Private industry is doing a tremendous lot to control the disease and to eradicate it. This appropriation is to be used in cooperation with private institutions, individuals, and States in the eradication of the pine beetle upon Government land.

Mr. WOLCOTT. The language is:

That $25,000 shall be used for preventing and combating infestations of insects injurious to forest trees on and near the national forests.

It struck me, upon the reading, that this was a proposition to appropriate Federal money to protect forest trees of private individuals, and why should the Government do that?

Mr. MCNARY. I will say to the Senator from Delaware that the term "national forests" does not include the Indian reservations and other places owned by the Government. In the southern part of Oregon are to be found some of the finest agricultural lands in the world. That is found not in the national forests but on the Indian reservations, and I think the Senator can recall, on a moment's reflection, how near an Indian reservation comes to being governmental property.

Mr. WOLCOTT. Oh, yes; but may I ask the Senator if it is the purpose of this amendment to have the money spent only upon forests that are on Government property?

Mr. MCNARY. The Senator must well know, on further reflection, that when the private interests are spending more money than the Government to prevent the spread from the forests owned privately to the Government forests it becomes a national enterprise.

Mr. WOLCOTT. I did not catch that.

Mr. McNARY. I say, private interests are spending thousands of dollars to eradicate and control the pine beetle and other pests which affect the forests, and if it is discovered on private property, the Government will join with the private individuals to prevent it from spreading to the Government forests.

In the fire-prevention provision of this bill, and all other agricultural appropriation bills which have come before Congress for years, the Government, in cooperation with the States and individuals, has expended thousands of dollars to prevent the spread of fires on private lands; upon the theory that that is protecting directly the national forests, and protecting one of the great resources of the country. So, in this instance, when there is infestation on private land located near Government land, it is proper for the Government to cooperate with the individuals to prevent the spread of this injurious beetle to the Government forests. It is an assurance against great destruction, and that is the reason upon which a provision of this kind is founded.

Mr. WOLCOTT. I can very readily see, then, some rather plausible reason for the insertion of the amendment. When the Senator stated to me that the forests on which it was proposed to spend the appropriation were forests upon Indian reservations, and therefore upon Government property, and the appropriation therefor eminently proper, it seems to me he was not exactly representing the whole situation, because it turns out upon further inquiry from the Senator that it is contemplated that some of the money shall be spent to do work upon private property. There may be some justification for that in the reason the Senator has suggested, namely, that the private property is contiguous to the Government-owned property.

Mr. McNARY. Let me call the Senator's attention to an appropriation which follows, a part of which is undoubtedly used in his State, for preventing the spread of moths, $400,000.

Mr. WOLCOTT. But the sum appropriated in the amendment to which I am referring is only $25,000.

Mr. McNARY. I am calling the Senator's attention to an item on page 54, to prevent the spread of moths, all of which money is used in the Eastern States on privately owned lands, the appropriation being $400,000. Has the Senator any objection to that item? Does he desire to change the policy of the Government?

Mr. WOLCOTT. The Senator certainly can not understand English if he confuses such language as that. The language in the paragraph on page 54, starting with line 16, is:

> To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths, by conducting such experiments as may be necessary to determine the best methods of controlling these insects.

Whereas the amendment he is seeking to have incorporated asks the United States Government to spend money to fight, by fumigation or whatnot, insects on private property.

Mr. McNARY. I will state to the Senator from Delaware that if he understood the proposition he would not make that statement.

Mr. WOLCOTT. I understand what has been referred to.

Mr. McNARY. That provision refers to localizing the gypsy moth, which is infesting privately owned shrubbery and trees in the East and is something to be eradicated by spraying, but no one is advocating the saving of the wonderful forests in the West by spraying.

Mr. WOLCOTT. I do not know the method. The Senator is proposing an appropriation of $25,000, not to study methods of exterminating the pest, but to spend $25,000 to prevent and combat the pest. If this were an appropriation of $25,000 for the purpose of investigating methods of exterminating the pest, then the appropriation would be in entire harmony with the whole scheme of the pest investigation.

I will state what prompted me to make the inquiry. There is an item in the bill "for investigations of insects affecting deciduous fruits, orchards, vineyards, and nuts." My contention is that the amendment under consideration should be worded the same, and not "for preventing and combating infestations of insects." There is another item for the investigation of insects affecting truck crops, and an item for the investigation of insects affecting southern field crops, including insects affecting cotton, and so forth, but when we come to the amendment under consideration we find "that $25,000 shall be used for preventing and combating infestations of insects." In the other cases the appropriation is for studying methods to combat, but when we come to these insects attacking the forests we are asked to appropriate money not for the purpose of investigating methods to combat the insects, but to appropriate $25,000 for the purpose of preventing and combating infestations and to provide that the Government may do so independently or in cooperation with States, counties, municipalities, or private interests.

Therefore, it occurs to me that this particular appropriation is somewhat out of line with the whole series of appropriations. I can see why the United States Government, if it has a valuable forest or reservation, should in the protection of its property perhaps go on the property of private individuals and spend some money combating the advance of an insect which, if it comes over on the Government property, will cause an impairment of Government values there. But at the same time the Government is protecting its property, it is doing a benefit to the private individual who owns the adjoining property, and why should not that private individual pay something, too?

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Delaware yield to the Senator from Montana?

Mr. WOLCOTT. I yield.

Mr. WALSH of Montana. I think, if the Senator will reflect, he will find no objection whatever to the appropriation. Out West we are obliged to combat destructive forest fires. There is a forest fire raging in the vicinity in which I have some property, for instance. It is not on my property at all, but it may reach there, and so I join with all my neighbors and we throw in together and establish a fund and go out to put out that fire. It is not raging on our properties or on the property of any of us, but nevertheless we have contributed. So the Government of the United States contributes jointly with the States and individual owners of property to extinguish forest fires lest they should destroy property of the Government.

So with the insect pests. They spread, they multiply, they are upon property adjacent to the national forests, property regarded as highly valuable. If they are allowed to spread without restriction, they will undoubtedly eventually embrace and include in their devastations the forests belonging to the Government upon the forest reserves. Why is it not entirely proper for the Government to make an appropriation to join with sums appropriated by the owners of private lands and by the States, the owners of lands also, to combat this peril?

Mr. WOLCOTT. I will say that exactly the last reasoning of the Senator has occurred to me, and I do not take issue with him, but I wish to call the Senator's attention to one fact. This is not a proposition that the Government must, if it does anything at all, cooperate with these particular bodies, because the language is that the Government may independently of private owners do this work. I say, regardless of the high opinion I have for the Senator's judgment, that if the United States Government is going to go out and clean up the forest lands of private parties of an infectious insect, that while it is protecting itself and benefiting itself, it is doing a great good to the private party and it ought to be a cooperative scheme. Therefore I desire to move to eliminate from the amendment the words "independently or," and make it purely a cooperative situation.

Mr. McNARY. If that amendment should prevail it would prevent the Government from exterminating the beetle on its own land.

Mr. WOLCOTT. Let the Government fight it when it gets on its own lands, then. If private parties have forests and will not help the Government exterminate the beetle until it advances, then let it eat up the private forests and let the Government fight it when it gets on the Government property.

Mr. McNARY. I wish to state to the Senator from Delaware that it affects thousands and millions of trees on Government lands of the West to-day, and in fighting the amendment he is causing a great loss to the country.

Mr. WOLCOTT. I am not attacking the amendment. I am sure the amendment will go through, regardless of what I may say or do. The Senator stated that private parties have spent a great deal of money in this work. What I object to is that they do not spend it in cooperation with the Government.

Mr. McNARY. That shows the Senator's spirit. A spirit is found in the West in all these cooperative movements which can not be found in all the States of the East. I have a letter from the Klamath County Chamber of Commerce, in Oregon, where Government timber is located, from which I read:

> The timbermen state that investigations covering this country show that from 1 to 10 per cent of the standing timber is being destroyed and that the ravages of this pest are rapidly gaining. For instance, in 10 years preceding 1918 there was perhaps 6 per cent of the timber killed, while during the last 2 years the amount has been increased to 15 per cent. The timbermen state that they are willing to take care of the destroying of this pest on their own land, but that this work is almost useless unless they receive the cooperation of the Government on the Government lands and on the Indian reservations and the national forest reserves.

Mr. WOLCOTT. May I ask the chairman of the committee if the appropriation is estimated for?

Mr. GRONNA. I will say to the Senator that I find that there was an estimate for $67,000. I wish to ask the Senator from Delaware if it is his understanding that the amount appropriated for the eradication of the corn borer is not expended on private lands and that it is only for the study of it and not for the actual eradication of the insect?

Mr. WOLCOTT. The language of the corn-borer appropriation is:

To enable the Secretary of Agriculture to meet the emergency caused by the spread of the European corn borer, and to provide means for the control and prevention of spread of this insect throughout the United States, in cooperation with the States concerned, including employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $275,000.

The language there is "in cooperation with States concerned." I am asking that this appropriation be put on the same basis. Let it be done in cooperation with private owners. I am not opposing the idea of the appropriation going through, but let it be put on the same terms with other appropriations in the same category. I object to the words "independently or" in this particular appropriation.

Mr. GRONNA. The Senator must know that this is a different situation. A large portion of the appropriations will, of course, be expended in the national forests, but suppose there is vacant Government land adjoining a national forest not owned by individuals but owned by the National Government? That would not be a national forest; and there are hundreds of thousands of such cases as that. I am really surprised that the Senator from Delaware should criticize the language. Of what value would it be to the forests if the Federal Government should destroy the insects in the national forests and then have them attacked again by the same class of insects located on the lands surrounding them, either other Government lands or privately owned lands?

Mr. WOLCOTT. It is entirely proper, I will say to the Senator, for the Government to be allowed to spend money on the forests and upon Indian lands owned by the Government adjoining forest reservations. I would not object to a change to that effect.

Mr. GRONNA. What about Government lands?

Mr. WOLCOTT. What I am objecting to is that the language leaves it open for the Government of its own accord to spend money to eradicate the pest on privately owned lands. That is all I am objecting to. I want to make it so as to keep it particularly within the idea that the Government shall make expenditures on its own property, or, if it does it on property owned by private individuals, they shall bear some part of the expense. Therefore I move to strike out the words "independently or."

Mr. FLETCHER. Mr. President, I believe——

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota has the floor. Does the Senator from North Dakota yield?

Mr. FLETCHER. I did not know the Senator from North Dakota had the floor.

Mr. GRONNA. Yes; I yield.

Mr. FLETCHER. I was going to suggest that it does not seem possible that a case could arise where there would not be cooperation in this work, for an individual owning a forest adjoining a national forest or a Government reservation would certainly be willing to cooperate with the Government to the extent of his own labor and time anyway. This leaves it wide open for the Government to say what sort of cooperation it will require. I do not believe the Senator from North Dakota would find that striking out the words "independently or" would hamper the operation of the section.

Mr. WOLCOTT. I have some further amendments which I desire to offer if the amendment to the amendment now being considered should be adopted.

Mr. GRONNA. The Senator from Delaware is evidently not familiar with the conditions in some of the Western States. There are still Government lands, and perhaps on some of those Government lands are homestead settlers, but the land still belongs to the Government until the claims have been proven up.

Mr. WOLCOTT. May I call the attention of the Senator from North Dakota to the fact that eliminating the words "independently or" from the amendment would not prevent the employment of these funds for combating pests on other Government-owned land; that is to say, on Indian-reservation land.

Mr. GRONNA. But a national forest is one thing and Government land is another.

Mr. WOLCOTT. I understand, but the elimination of the words I am suggesting would not prevent the employment of this money for combating pests on Government lands at any time.

Mr. GRONNA. I will say to the Senator that it might if the lands were held by homestead settlers.

Mr. WOLCOTT. If the title to the land which the homestead settlers occupy is still in the Government, then, I say to the Senator, he is wrong in his point of view, because the language of the amendment is:

* * * for preventing and combating infestations of insects injurious to trees on and near the national forests.

I have moved to amend by striking out the words immediately following "independently or"—

in cooperation with other branches of the Federal Government—

And so forth.

The money may still be spent "in cooperation with other branches of the Federal Government" under the express terms of the amendment. So, with all due deference to the Senator's judgment, I think he is in error when he thinks that eliminating the words which I suggest to strike out would prevent the expenditure of money on other Government-owned lands within the national forests.

Mr. GRONNA. Mr. President, I have the highest regard for the Senator from Delaware; I know he is a good lawyer, and, as a common, ordinary hayseed, I dislike to oppose him or to put up my judgment against his; but I am more familiar with this situation than is the Senator from Delaware.

Let me say to the Senator from Delaware that we are appropriating in this bill $400,000—for what? For the control and eradication of insect pests on Government land? No; but on lands in the New England States for the control and eradication of the gypsy moth and the brown-tail moth. The bill also carries $100,000 for the white pine blister rust. Where is white pine blister rust found? In the New England States. The Committee on Agriculture and Forestry of the Senate increased the appropriation for white pine blister rust to $214,000. So I will say to the Senator that I hardly think we can split hairs as to the dotting of an "i" or the crossing of a "t" when it comes to small appropriations of $25,000 for the protection of national forests. I hope that the amendment of the Senator from Delaware will be voted down, and that the committee amendment may then be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware [Mr. WOLCOTT] to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on the committee amendment.

The committee amendment was agreed to.

Mr. FLETCHER. In the next item, beginning in line 19, on page 53, when it is in order, I propose to submit an amendment increasing the appropriation from $110,000 to $150,000. I am calling attention to the clause now, and I will ask the chairman of the committee in the meantime to consider the amendment which I intend to propose. I think a mistake has been made by confining the appropriation to the sum of $110,000. As I have stated, the amendment is not now in order, but when it is in order I am going to move to increase the appropriation from $110,000 to $150,000.

The PRESIDING OFFICER. Only committee amendments are in order at this time.

Mr. FLETCHER. I understand that, but I wanted to give the notice of my intention to move to amend the text of the bill in that respect at the proper time.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 54, line 2, after the word "subtropical," to strike out "plants" and insert "fruits, including plants," and in line 5, after the word "Board," to strike out "$51,500" and insert "$60,000," so as to read:

For investigations of insects affecting citrus and other tropical and subtropical fruits, including plants, and for investigations and control of the Mediterranean and other fruit flies and the camphor thrip, in cooperation with the Federal Horticultural Board, $60,000.

Mr. THOMAS. Mr. President, I should like a word of explanation regarding the proposed amendment which has just been stated, from which it appears that some insect is interfering with the production of camphor.

Mr. GRONNA. I will ask the Senator from Florida [Mr. FLETCHER] to give a satisfactory explanation of the amendment to the Senator from Colorado.

Mr. FLETCHER. Mr. President, the insect referred to in this amendment, the camphor thrip, is one which threatens the young camphor trees as they grow up. It is something on the same order as the white fly, the black fly, and insects of that kind, which attack the leaves and the body of the young trees. The camphor industry has gotten to be quite an important one. As the Senator from Colorado knows, we have been very largely dependent on Formosa and Japan for camphor.

Mr. THOMAS. We produce it now synthetically.

Mr. FLETCHER. It is now being produced synthetically to a considerable extent; but in Florida we have several groves of 2,000 or 3,000 acres, and I believe one contains 10,000 acres, where they are producing the trees. They clip the young growth of the tree each year and distill from that the gum. They do not cut down the tree, as is done in Japan, and distill the tree itself, but they clip off the young growth each year and distill that, so as to make the camphor gum. That has got to be quite an important industry. The camphor thrip is an insect which has appeared and which is seriously threatening the growth of the industry. The State, I will say to the Senator from Colorado, and private industry are cooperating with the Government. A very small portion of this appropriation goes to the investigation of the camphor thrip. I think the estimate was for $66,500 for the items covered by the paragraph.

Mr. THOMAS. I am not objecting to it; but I was a little curious to know what it meant.

Mr. FLETCHER. I think the estimate was for $66,500. I will ask the chairman of the committee if he does not think we ought to increase the appropriation to $66,500? The committee has only raised the House appropriation by $8,500.

Mr. GRONNA. No; I do not think we should increase the appropriation. The committee considered this matter very carefully and was unanimously of the opinion, as I remember, that the $60,000 would be sufficient for this year.

Mr. FLETCHER. I am willing to abide by the judgment of the committee, although I really think they should have made it $66,500.

Mr. THOMAS. It seems to have been a narrow escape for me.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 54, line 10, after the word "insects," to strike out "$52,330" and insert "$70,000: *Provided*, That $17,000 shall be used for investigations of the blow fly and screw worm," so as to read:

For investigations, identification, and systematic classification of miscellaneous insects, including the study of insects affecting the health of man and domestic animals, household insects, and the importation and exchange of useful insects, $70,000: *Provided*, That $17,000 shall be used for investigations of the blow fly and screw worm.

The amendment was agreed to.

The next amendment was, on page 54, line 15, to increase the appropriation for general expenses of the Bureau of Entomology from "$795,670" to "$906,180."

The amendment was agreed to.

The next amendment was, on page 55, line 22, to increase the total appropriation for the Bureau of Entomology from "$1,599,940" to "$1,710,450."

The amendment was agreed to.

The next amendment was, on page 57, line 11, after the word "appropriated" in line 10, to strike out "$5,000" and insert "$7,500"; and in line 11, after the word "expended," to insert "of which $2,500 shall be used for the construction of new buildings," so as to read:

For the improvement and maintenance of the game preserve in Sullys Hill National Park, in the State of North Dakota, including the construction of all fences, sheds, buildings, corrals, roads, shelters, and other structures which may be necessary for the protection of game or for the use of visitors, in addition to the amount heretofore appropriated, $7,500, the same to be available until expended; of which $2,500 shall be used for the construction of new buildings.

The amendment was agreed to.

The next amendment was, on page 57, line 20, after the words "ground squirrels," to insert "jack rabbits"; and, in line 24, after the word "animals," to strike out "$452,240" and insert "$550,000," so as to read:

For investigating the food habits of North American birds and other animals in relation to agriculture, horticulture, and forestry; for investigations, experiments, and demonstrations in connection with rearing fur-bearing animals; for experiments, demonstrations, and cooperation in destroying mountain lions, wolves, coyotes, bobcats, prairie dogs, gophers, ground squirrels, jack rabbits, and other animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and for the protection of stock and other domestic animals through the suppression of rabies in predatory wild animals, $550,000.

The amendment was agreed to.

The next amendment was, on page 59, line 7, to increase the appropriation for general expenses of the Bureau of Biological Survey from "$714,755" to "$815,015."

The amendment was agreed to.

The next amendment was, on page 59, line 8, to increase the total appropriation for the Bureau of Biological Survey from "$795,825" to "$896,085"; also on page 59, line 14, before the words "of class 4," to strike out "4" and insert "5"; in line 15, before the words "of class 1," to strike out "13" and insert "14"; and in line 17, after the words "in all," in line 16, to strike out "$51,220" and insert "$54,020," so as to read:

Salaries, Division of Accounts and Disbursements: Chief of division and disbursing clerk, $4,000; supervising auditor, $2,250; cashier and chief clerk, $2,250; deputy disbursing clerk, $2,000; accountant and bookkeeper, $2,000; clerks—2 of class 4, 5 of class 3, 7 of class 2, 14 of class 1, two at $1,000 each; messenger, $720; messenger boy, $600; in all, $54,020.

Mr. SMOOT. Mr. President, I should like to ask the Senator if he does not think it is about time to stop increasing the number of employees in the departments. In the legislative, executive, and judicial appropriation bill, in which the salaries of a great majority of the employees are provided for, we tried to begin to retrench a little and cut off employees where that was possible, and in no case did we add to their number. I know, of course, that the head of the Division of Accounts and Disbursements will ask for more clerks and will continue so to do just so long as the Government lasts; but really does not the Senator believe that we ought to decrease the number of employees in the District of Columbia? There are about 87,000 of them now, whereas before the war the number ran from forty to forty-three thousand.

Mr. GRONNA. Mr. President, I am in perfect accord with the Senator from Utah, and he knows from my work on the Committee on Appropriations with him, that I make every effort possible to save every dollar that can be saved; but this item—and I want to be frank with the Senator—is for Mr. Zappone. He can not possibly do the work unless the additional help is given him. I sent a special representative to his division, and I am absolutely certain from the information that was brought to me that the additional employees are necessary. They were estimated for, but were not allowed in the House. I hesitated, and the committee hesitated, to insert the provision, but after investigation it was found that it was necessary. I do not believe it is economy to deny the head of this division the proper help; I believe it is rather in the interest of economy to grant him what he needs. The Senator knows that there ought to be a reorganization of all the executive departments and that it is a difficult matter for us to .it in these particular places; but until the general reorganization is brought about we must give the head of this division the help which is absolutely required.

Mr. SMOOT. Mr. President, nobody wants to deprive any department of the help that is really required, but that does not mean to give them what they ask for. If we gave all the departments of the Government the number of clerks which they ask we would have 150,000 employees in the District of Columbia. We will never get rid of any of them so long as we continue to appropriate for them; that is one thing sure. I thought now that conditions are getting back to normal, the war having been over for two years and a half, that we ought, while providing an adequate number of employees, to make those who are employed do a fair day's work.

Mr. GRONNA. Mr. President, I wish to say for Mr. Zappone that during the present winter he and and his force have, to my knowledge, worked as late as 2 o'clock in the morning. I know that to be a fact.

Mr. SMOOT. Was that for once or more than once?

Mr. GRONNA. Oh, no; that happens very frequently. There is a tremendous amount of work for these men to do.

Mr. SMOOT. What has caused that extra work, I will ask the Senator?

Mr. GRONNA. There is nothing new about it. These men have been overworked not only during this session of Congress, but during the last session of Congress.

Mr. SMOOT. I am going down to that division of the department, for I should like to see it.

Mr. GRONNA. I hope the Senator will do so.

Mr. SMOOT. If what the Senator says is true, it is the only place under the Government departments that I know anything about where the employees are overworked.

Mr. GRONNA. The Senator knows I would not state it if it were not so.

Mr. SMOOT. I take the Senator's statement for granted, and that is the reason I am going down there, because I should like to see one department of our Government whose clerks are overworked. I do not know but that it would take my breath away to find such a condition. I know that I got a letter the other morning saying that when I entered one of the departments the other day a man who stood at the door immediately telephoned to every division there, "Get to work, and be at your typewriters. Senator SMOOT is coming."

Mr. President, I know one division of our Government where it is absolutely true that the ladies of the department made their trousseaus in the office during working hours. If the work is to be done in the same way that it is now going on, and there

is to be no change, we might just as well make up our minds that we can double the number of employees. Washington is a delightful place to live in. Girls receiving salaries of sixteen and eighteen hundred dollars, with a $240 bonus, have plenty of time to go to the theater and do fancy work during working hours. Who would want to give it up?

I am glad, however, to hear the Senator from North Dakota say that in this division it is different. I think if they are we ought to make special provision for them and give everyone of them a chromo.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 59, line 20, in the items for salaries for Division of Publications, to insert "assistant editor, $2,000."

The amendment was agreed to.

The next amendment was, on page 60, line 17, to increase the salaries for the Division of Publications from "$252,180" to "$254,180."

The amendment was agreed to.

The next amendment was, on page 61, line 20, after the numerals "$11,380," to insert "of which sum $3,000 shall be used for salaries of employees engaged in the distribution of bulletins," so as to read:

For extra labor and emergency employments in the District of Columbia, $11,380, of which sum $3,000 shall be used for salaries of employees engaged in the distribution of bulletins.

Mr. WADSWORTH. Mr. President, I regret exceedingly that I have to ask a question about this amendment, due to the fact that I could not attend the later meetings of the Committee on Agriculture and Forestry. What is the nature of the work of these employees with respect to distribution? The amendment says "engaged in the distribution of bulletins."

Mr. GRONNA. This does not increase the appropriations, as the Senator will observe, but it is for the purpose of furnishing extra help to distribute the bulletins. As it is to-day, what may be called picture shows have been held. I have no objection to that if it does not cost too much money and if it is for the purpose of educating the people throughout the country.

Mr. WADSWORTH. These people are employed in the District of Columbia, however, are they not?

Mr. GRONNA. Yes; these people are employed in the District of Columbia, and for that reason the committee saw fit to direct that so much money shall be used for this particular purpose, because we thought it would be of more benefit to the people all over the country to get these bulletins, and to have the extra help required to distribute them, than to have these shows that I have mentioned.

Mr. WADSWORTH. I see. Then, as I understand, these people would be employed in keeping track of the mailing lists, folding, and sending out bulletins?

Mr. GRONNA. Yes; that is what the amendment is for.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 61, line 24, to increase the total appropriation for Division of Publications from "$380,110" to "$382,110."

The amendment was agreed to.

The next amendment was, on page 65, line 12, after the words "District of Columbia," to strike out "$61,500" and insert "$81,500," so as to read:

To enable the Secretary of Agriculture to enforce the provisions of the above acts and the act approved May 8, 1914, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," relative to their administration and for the administration of agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, $81,500.

Mr. SMOOT. Mr. President, I should like to ask the Senator why that increase is granted

Mr. GRONNA. The increase is to take care of certain matters in the dependencies. The Senator from Iowa [Mr. KENYON] can explain the need for it better than I can. Some of it goes to the island of Guam, I believe, but I think most of it goes to the Virgin Islands. I will turn to the estimates.

Mr. KENYON. Mr. President, I do not understand that most of it goes to the Virgin Islands.

Mr. GRONNA. I refer to the increase.

Mr. KENYON. The appropriation was raised last year to enlarge the experiment station in the Virgin Islands. I do not remember now whether it was $5,000 or $10,000.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 68, line 24, to increase the appropriation for general expenses of the States Relations Service from "$4,640,980" to "$4,660,980."

The amendment was agreed to.

The next amendment was, on page 68, line 25, to increase the total appropriation for the States Relations Service from "$4,837,300" to "$4,857,300."

The amendment was agreed to.

The next amendment was, on page 69, line 3, before the word "draftsman," to strike out "one," and in line 11, before the word "mechanician," to strike out "one," so as to read:

Salaries, Bureau of Public Roads: Chief of bureau, $6,000; purchasing agent, $2,500; draftsman or clerk, $1,920; clerks or editorial clerks—1 $1,600, 1 $1,200; clerks or photographers—1 $1,440, 1 $1,200, 1 $1,000; clerk or instrument maker, $1,200; clerk or skilled laborer, $1,000; instrument maker, $1,800; model maker, $1,800; clerks—1 $1,900, 4 of class 4, 7 of class 3, 3 at $1,500 each, 6 of class 2, 9 at $1,320 each, 7 of class 1, 4 at $1,100 each, 2 at $1,000 each; mechanician, $1,680; mechanics—1 $2,100, 1 $1,800, 1 $1,500, 1 $1,200; skilled laborer, $1,200; skilled laborer or mechanic, $840; laboratory aid, $960; telephone operator, $720; mimeograph operator, $840; 2 laborers at $900 each; messengers or laborers—2 at $840 each, 2 at $660 each, 4 at $600 each; 4 messengers, laborers, or laboratory helpers at $720 each; fireman, $720; messenger boys—3 at $600 each, 8 at $480 each; 11 charwomen at $240 each; in all, $114,460.

Mr. SMOOT. Mr. President, is not the word "one" necessary there? It says in the case of the first amendment "draftsman or clerk," and I notice that a number of them read in the same way.

Mr. GRONNA. That was a mistake of the printing office. We just struck out the word "one."

Mr. SMOOT. I presume it will amount to the same thing.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 70, line 11, to increase the appropriation for inquiries in regard to systems of road management and economic studies of highway construction, operation, maintenance, etc., from "$50,000" to "$61,000."

The amendment was agreed to.

The next amendment was, on page 71, line 9, to increase the appropriation for investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice, etc., from "$62,440" to "$72,000."

Mr. WADSWORTH. Mr. President, may I ask the chairman of the committee whether or not the $72,000 appropriated for investigating and reporting upon the utilization of water in farm irrigation belongs under the Bureau of Public Roads? This appropriation and the one at the bottom of page 71 and the one at the top of page 72 are all printed under that heading in the bill.

Mr. GRONNA. Yes.

Mr. SMOOT. In the totals, too.

Mr. WADSWORTH. Yes; and they are in the totals.

Mr. GRONNA. I will say to the Senator that it seems that these items have been carried under the heading "Bureau of Public Roads."

Mr. WADSWORTH. Does the director of the bureau supervise this work in farm irrigation?

Mr. GRONNA. I presume he does.

Mr. WADSWORTH. What is he supposed to know about it?

Mr. GRONNA. It would take quite a while to tell the Senator what he is supposed to know about it. The Senator was present last year when the Agricultural bill was taken up, and he will remember how very much the Senator from Nebraska [Mr. NORRIS] was interested in this very item. He considered it very valuable and of very great importance. I confess that I do not know as much about it as other Senators do, but it is not a new item. It has been carried in the bill for a number of years.

Mr. WADSWORTH. I realize it is not a new item.

Mr. McNARY. I think the criticism of the Senator from New York goes to the propriety of carrying it under this head.

Mr. WADSWORTH. Yes. I want to know who supervises this work.

Mr. McNARY. It comes under the Bureau of Public Roads. That may be unfortunate. It is for arid lands, where water is

not available. We often impound water in large reservoirs in the mountains. It is for the purpose of discovering water veins and bringing them to the surface and irrigating dry lands. It is an increase of $9,560 over the House appropriation. A wonderful work is being done in some of the semiarid States, and it was thought that it should be continued. Possibly it is unfortunate that it comes under this head, but it would be more unfortunate, in my judgment, knowing something of western conditions, if this item should be decreased or omitted from the bill. But I repeat that I think the objection of the Senator from New York is as to its location in the bill.

Mr. SMOOT. All this money is spent under the Bureau of Public Roads. It is only another example of the duplication of work that is going on. I do not think Senators know that we have 27 engineering divisions in our Government instead of having one. I hope the reorganization commission will rectify some of it, but I do not know how long, even if it is rectified, it will remain so. Somebody on the Committee on Agriculture thought they wanted a little more money for the utilization of water on farms in farm irrigation, and this is about the only place they could put it in this bill, and therefore it went in under the Bureau of Public Roads.

Mr. McNARY. Mr. President, let me ask the Senator from Utah, who certainly is conversant with western irrigation projects, if he thinks the chief engineer of the Reclamation Service should do this work on farms rather than the Bureau of Farm Management in the Department of Agriculture?

Mr. SMOOT. This subject ought to be under the Interior Department. All of it ought to be appropriated for under that department and all of it ought to be done by one engineering board.

Mr. McNARY. That may be true, but it is not so handled.

Mr. SMOOT. I know it is not, and that is why I am complaining about it.

Mr. McNARY. Does the Senator want to stop a good and meritorious work simply because it is not classified as he thinks it should be?

Mr. SMOOT. No; I want to take it out of this place and put it where it belongs, not having two different bureaus, with different employees, making different reports about the same project. The Senator from New York is perfectly right in asking the question as to why this is under the Public Roads Bureau. It never ought to be there. It ought to be under the Interior Department, and the appropriations ought to be made under that department, and they should be increased, if necessary, to cover the work; but the work should be done under the control of one department.

Mr. GRONNA. Mr. President, perhaps both the Senator from New York and the Senator from Utah are right, that it ought to be done in the Department of the Interior; but it is not done there. This is an increase of only $9,560 over the bill as passed by the House, and I want to read what the department has to say with reference to this item:

The States are also contributing funds and cooperating with the department, and this fact is indicative of the practical value of these investigations to the States which have to depend largely upon irrigation for the production of foodstuffs. The Department of Agriculture is the only Federal agency engaged in research work in irrigation practices and methods. Studies of the movement of soil moisture so far made have revealed the fact that there is a great dearth of information regarding this subject. These investigations, the results of which are of such great practical value to the irrigation farmer, should be resumed and extended. In the past several years an investigation of the flow of water in various forms of irrigation conduits has been made to determine the friction losses, the results of which have had valuable application to irrigation systems. These studies so far have covered irrigation canals, wood pipe, and concrete pipe, and should be enlarged to include various kinds of metal pipes and flumes. Problems in the handling of silt-laden irrigation water and the removal of silt deposits should be investigated, and greater attention should be given to the proper design and economical operation of pumping plants.

I think that is a justification for it.

Mr. SMOOT. Mr. President, I can go now to the public-document room and get reports from the Reclamation Service, from the Forest Service, and from the Geological Survey, and in those reports will be found statements that they are making just such examinations as are recorded here. Who is there from the West who does not know that the Forest Service have had men taking the flow of the streams every day in the month for years and years past? Who is there who does not know that the question of the friction caused in a water power pipe line is not being considered by the Reclamation Service, and also now by the Water Power Commission?

Mr. GRONNA. This is for the whole country.

Mr. SMOOT. So are the other appropriatoins for the whole country. It can only apply, however, where there is irrigation.

Mr. GRONNA. May I ask the Senator where he wants it placed in the bill, then, if it is in the wrong place?

Mr. SMOOT. It is not in the proper bill. But I am not going to propose a change now. I hope, however, that some time or other we will have a complete reorganization and prevent the granting of appropriations to three or four different departments to do exactly the same work. It is too costly. If the Senator ran his farm or his bank or his business that way, he would go broke; and there is no difference between the business of a Senator of the United States and the Government of the United States, except as to the size and the resources. I want to say that the way we are going now, Mr. President, in dividing up the work that ought to be done by one department into four or five, perhaps the Government will go broke in the end.

Mr. McNARY. Let me ask the Senator from Utah, is there any means available for this in the reclamation fund? What is the purpose of that fund? It is to bring water on the land, and not to study these farm problems, which properly come under farm management.

Mr. SMOOT. Mr. President, every reclamation project is gone into thoroughly before it is ever recommended by the Reclamation Service. They stay upon every stream, they gauge it for years and years. I can go into the Reclamation Service to-day and find a record of the flow of every stream they have ever recommended for reclamation projects for the last 20 years.

Mr. McNARY. Mr. President, the Senator from Utah shows again that he is not familiar with the purpose of this amendment. I think I know as much about one subject as he does, and that is reclamation, and how it is practiced in the West; and I say to the Senator with absolute confidence and certainty that there is no work done by the Reclamation Service comparable to this work outlined here, which carries $72,000.

Mr. BORAH. What is this work?

Mr. SMOOT. To determine the flow of water.

Mr. McNARY. Let the Senator from Utah tell the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. McNARY. I have yielded to higher and more experienced authority.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. SMOOT. I simply desire to say, Mr. President, that the chairman of the committee read a statement from an official of the Government what this appropriation was for and what was to be done with it, and that showed that it was for ascertaining the flow of water in the streams; and I say that not only does the Reclamation Service collect that information and have it at the disposal of every citizen of the United States who may ask for it, but so has the Forest Service and so has the Geological Survey.

Mr. BORAH. Does the Reclamation Service collect this data outside of the arid region?

Mr. SMOOT. This is only for irrigation purposes. It says:

For investigating and reporting upon the utilization of water in farm irrigation.

So it could be only where there was irrigation.

Mr. BORAH. There is no motion to transfer it, is there?

Mr. SMOOT. No; not at all.

Mr. McNARY. Farm irrigation, as it is practiced, includes grouping of farms into units known as irrigation districts. That is one kind of farm irrigation about which these studies are made. This item includes farm irrigation on the farm as a unit, where the water can not be brought upon it through reservoirs or conduits, but must be had through springs or through the piping of water from the direct flow of rivers and streams or the boring of wells. It is a different proposition, not comprehended in any way under the general scheme of reclamation by the Secretary of the Interior or his subordinates, and is properly a function of the Department of Agriculture, in my judgment.

Mr. SMOOT. Mr. President, in the sundry civil appropriation bill which has just passed this body there was an appropriation made specifically for boring wells in the arid States of the West. The first appropriation made for that purpose was in the State of Nevada, and the appropriations have grown from that time, so that it covers all of the intermountain States—that is, the semiarid States of the West. The money is being used for that purpose.

The amendment was agreed to.

The next amendment was, on page 72, after line 11, to insert:

For supervising the preparation, distribution, and use of picric acid, trinitrotoluol, trojan powder, and such other surplus war explosives as may be made available for use in clearing stumps and stones from agricultural land, independently or in cooperation with agricultural colleges and other agencies, and for investigating and reporting upon the results obtained from the use of the explosives, $15,000.

Mr. THOMAS. Mr. President, I would like to inquire of the Senator having charge of the bill why the word "preparation," in line 12, was inserted?

Mr. GRONNA. This item was inserted at the request of the Senators from Minnesota, Wisconsin, and Michigan. As I understand it, there are large quantities of explosives owned by the Government——

Mr. THOMAS. That is the reason why I am making the inquiry. What is the need of the Department of Agriculture preparing as well as distributing and using?

Mr. GRONNA. They have to be prepared especially for this purpose. As I understand it, they will be used for blowing out stumps in what we call the cut-over land in those States, and possibly for blasting rock.

Mr. THOMAS. I am not objecting to the appropriation, but the word "preparation" seems to me to be broad enough to include the manufacture of these explosives, which, of course, is beyond the jurisdiction of the Agricultural Department, or it ought to be. The distribution and use of picric acid is all right. The preparation of the acid is the equivalent of its manufacture, or it can be so construed, and it will be so construed if you give the department half a chance.

Mr. SMOOT. There is no doubt about that.

Mr. GRONNA. I will read from the department's report, if the Senator will permit me:

The War Department has a surplus of approximately 12,500,000 pounds of picric acid, which is available for distribution by the Department of Agriculture. This explosive is suitable for land-clearing operations, in that it is both effective and safe to handle.

Mr. THOMAS. I am entirely in favor of the amendment so far as the purpose goes. I shall not make any objection, but I think the word "preparation" ought to be eliminated.

The PRESIDING OFFICER. Does the Senator move to strike out that word?

Mr. THOMAS. Yes; I move to strike out the word "preparation," in line 12.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado to the amendment of the committee. It will be agreed to in the absence of objection.

Mr. MYERS. Mr. President, I must object to that. I desire to be heard on it before it is passed upon, and wish to express briefly my objections.

That, I think, is a very important item. I happen to know something about it. I know that the Bureau of Roads has been conducting very important investigations along the line of those provided for in the committee amendment.

Mr. THOMAS. The Senator understands that I propose to strike out only one word?

Mr. MYERS. I understand, the word "preparation"; but I assume that the bureau has gotten up the amendment and worded it as it thinks will fit its needs, and as the Bureau of Public Roads has had considerable experience along this line and knows what its needs are for the future it seems to me it would be unwise to interfere with the wording of the amendment. I do not know just how they desire to prepare the explosives, but if they think there is some preparation necessary for the investigations it seems to me it would be wise not to limit them. I do not want the amendment to be adopted unanimously without objection. I wish to vote against it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado to strike out the word "preparation."

Mr. MYERS. I call for a division.

On a division, the amendment to the amendment was rejected.

The amendment was agreed to.

The next amendment of the Committee on Agriculture and Forestry was, on page 72, line 19, to increase the appropriation for general expenses of the Bureau of Public Roads from "$329,500" to "$365,060."

The amendment was agreed to.

The next amendment was, on page 72, line 20, to increase the total appropriation for Bureau of Public Roads from "$443,960" to "$479,520."

The amendment was agreed to.

The next amendment was, on page 73, line 10, before the words "custodian of supplies," to strike out "one."

The amendment was agreed to.

The next amendment was, on page 74, line 11, to strike out "$20,000" and insert "$40,000," so as to read:

That not less than $40,000 shall be used for a study of the methods of prevention of losses by deterioration, decay, and freezing of fruits and vegetables in storage and in transit in refrigerator cars, heater cars, and ocean vessels, including demonstrations of such methods, etc.

The amendment was agreed to.

The next amendment was, on page 75, line 6, after the word "received," to strike out "in interstate commerce"; after line 8 to insert "or at points which may be conveniently reached therefrom"; and in line 13, after the word "certificates," to insert "covering interstate shipments," so as to read:

For enabling the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality and condition of fruits, vegetables, poultry, butter, hay, and other perishable farm products, when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates covering interstate shipments issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, $175,000.

Mr. SMOOT. Does the chairman of the committee believe that that amendment ought to be agreed to, striking out the words "in interstate commerce"? In other words, would it not have to be in interstate commerce before we would have any power over it?

Mr. GRONNA. There are times when shipments are made only within the States.

Mr. SMOOT. Within the State it would be intrastate commerce.

Mr. GRONNA. Yes.

Mr. SMOOT. Does the Senator think we have any right to do that?

Mr. JONES of Washington. Let me suggest to the Senator from Utah that it is not an exercise of power or of right. It is simply an investigation on the part of agents of the department. We are not attempting to interfere with the commerce, except to give a certificate as to the condition in which the product may be. We are not confining the activities of the agents of the Department of Agriculture to interstate or intrastate work, so far as that is concerned. I do not think there is any question of power involved.

Mr. SMOOT. The only question in my mind was whether there was a power involved or employed.

Mr. GRONNA. I can read what the department has to say about it.

Mr. SMOOT. I do not say that it is not proper. All I say is that if there is a power or even an implied power involved, then it would be wrong to strike out the words.

Mr. JONES of Washington. May I suggest to the Senator that in the amendment in line 13, on the same page, relating to certificates which are authorized to be issued, the committee have amended it so that it only covers interstate shipments?

Mr. SMOOT. I think that amendment clears up the one under consideration.

Mr. GRONNA. I have a full explanation if the Senator wants to have it read.

Mr. SMOOT. I think the succeeding amendment will clear it up, although I should like to have the Senator read the explanation and see what it is.

Mr. GRONNA. I read from the report of the committee as follows:

The language of this paragraph has been amended by striking out the words "in interstate commerce," in lines 6 and 7, and inserting the words "or at points which may be conveniently reached therefrom," in line 9, and the words "covering interstate shipments," after the word "certificates," in line 13.

The words "in interstate commerce" are recommended to be omitted and "covering interstate shipments" added for the following reasons:

(1) The food products inspection service is permissive and in no way regulatory or mandatory. On this account it in no way interferes with the rights of the citizens of any State. Inspections are made only upon application by interested parties, who gladly pay for the service in order to secure a disinterested statement of the true quality and condition of the product in dispute. No one is compelled to request inspections. Those who have no need for such a service or who do not seek it are not required to accept it.

(2) The fundamental purposes of the inspection service are to facilitate the distribution and marketing of farm produce and to the settlement of disputes as to the quality and condition of the produce and hastening the release of cars used in transporting it. When the service is restricted to interstate shipments, these purposes can be accomplished only in a partial way.

(3) When the service is once established in a market, practically no additional expense is necessary to make inspections of intrastate shipments. The present restriction decreases the fees received and proportionately increases the cost per car inspected.

(4) This service was intended for the protection of all producers who ship their products to distant markets and desire to have the benefit of a reliable disinterested report on their condition upon arrival at market. By restricting inspections to interstate shipments many producers are denied a highly useful service for which they are willing to pay. The reason for such discrimination is not obvious when no such limitation is applied to most of the other activities of the department, through which valuable services are rendered to producers and others.

The insertion of the words "or at points which may be conveniently reached therefrom" is desired in the interest of efficiency and convenience. Many inspections can be made at small towns at short distances from large central markets. A service of this character would be a great accommodation to shippers, although in most cases it might not be desirable formally to designate such points as important central markets at which inspections could be made.

Mr. SMITH of South Carolina. Mr. President——

Mr. SMOOT. If the Senator will permit me, after reading the full paragraph of the bill and noticing the amendment in line

13 of the same paragraph, and taking the two together, it seems to me it is all right.

Mr. SMITH of South Carolina. That is the very point to which I wished to call the attention of the Senator.

Mr. SMOOT. No matter what question arises, that takes care of it.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. THOMAS. Mr. President, turning back for a moment to the amendment on page 74, line 11, there is a proviso that not less than $40,000 of the previous appropriation shall be used for the study of the methods and prevention of loss by deterioration, decay, or freezing in fruits, vegetables, and so forth, in storage and in transit. On page 24 there is an appropriation for the investigation and improvement of fruits, the study of the behavior of fruits during the processes of transportation, marketing, and while in commercial storage, $83,200. That would seem on the face of it to be a duplication of appropriations for practically the same purpose. I call the attention of the chairman of the committee to that fact. If it is intentional that they should be duplicated, of course, that is a different matter.

Mr. GRONNA. I will ask the Senator from Washington [Mr. JONES] to explain it, as the increase was made at his request.

Mr. JONES of Washington. The Senator from Colorado is not questioning the increase. He is calling attention to what he thinks is a duplication. I did not clearly catch his statement, however.

Mr. THOMAS. The proviso beginning on line 11, page 74, seems to cover, although in different phraseology, the same purpose for which the appropriation is made on page 24, beginning with line 4, extending down to line 16.

Mr. GRONNA. The item on page 24 is for the investigation and improvement of fruit, and the method of fruit growing, harvesting, in cooperation with the Bureau of Markets and Crop Estimates. Is that the item to which the Senator refers?

Mr. THOMAS. Yes; and then it is followed by the words "studies of the behavior of fruit during the processes of transportation, marketing, and while in commercial storage." The language is different, but the purpose seems to be the same.

Mr. GRONNA. It is for this particular purpose, as I understand it. On the Pacific coast a carload of fruit is loaded, we will say at Seattle. As I understand it, a great deal of that fruit is lost either through chilling or freezing. The appropriation is to be used purposely to study and find out what kind of cars, what kind of lining of cars, and what kind of equipment should be used in shipping the fruit from the West over the Rocky Mountains to the East.

Mr. THOMAS. The purpose may be a good one, and I am not quarreling with that, but I do not think we should make a duplicate appropriation for the same purpose and cover it under a different phraseology.

Mr. JONES of Washington. May I call the Senator's attention to the fact that the provision on page 24, I think, was changed when the word "transportation" came out?

Mr. THOMAS. It was changed by the transposition of the word "transportation" to another place in the sentence.

Mr. JONES of Washington. I do not remember just what the language was as changed.

Mr. THOMAS. I can give it to the Senator from memory. The word "transportation" was stricken out where it now appears and then inserted after the word "storage" so as to read, "while in commercial storage and transportation."

Mr. WARREN. No; the words inserted were "also the effect of transportation," after the words "commercial storage."

Mr. THOMAS. Yes; that is correct.

Mr. JONES of Washington. I think it applies to a different proposition. It is for a specific purpose. The language on page 74 is more of an enumeration, specifying the particular things that they have in mind to guard against. It may be that the general language might be construed of course to cover it, but there is a great deal of that in the bill.

Mr. THOMAS. The word "behavior" on page 24 as applied to fruits and vegetables of course is susceptible of wide application.

Mr. JONES of Washington. Yes; that is true.

Mr. THOMAS. But it is certainly wide enough to include any of the specific purposes for which the $40,000 appropriation is made.

Mr. JONES of Washington. It is either wide or narrow, if anyone wishes to place a narrow construction on it.

Mr. THOMAS. Yes; but the department never puts a very narrow construction upon an appropriation.

Mr. JONES of Washington. I agree with the Senator in that.

Mr. WADSWORTH. Mr. President, may I take this opportunity to point out something in the structure of this bill which, I think, is exceedingly faulty. The Bureau of Markets and Crop Estimates is not supposed to be a scientific bureau; it is not supposed to carry on scientific investigations. It was established by Congress to diffuse among the people of the United States useful information on subjects connected with the marketing and distributing, and so forth, of farm products, and to collect, publish, and distribute by telegraph, mail, and otherwise timely information on the market supply and demand. It is a statistical bureau. Now we find, however, that on page 74 the bureau is directed to go outside of its sphere as originally intended and to make studies of chemical reactions of fruits and vegetables while in transportation. That duty belongs to the Bureau of Plant Industry, and this appropriation should not be here—it should be under the Plant Industry Bureau—for it is the Plant Industry Bureau that employs the chemists and the laboratory experts and the so-called scientists, all of whom are called "doctor"; but the men under the Bureau of Markets and Crop Estimates are statisticians; they are reporters of market conditions. They are not supposed to go into laboratories and inspect a rotten apple to find out how it became rotten in transit. That is a chemical undertaking, and should be under the Plant Industry Bureau. We are building up here another bureau of scientific investigation under the heading "Bureau of Markets and Crop Estimates," although we already have a bureau of scientific investigation in the department as it is.

I think it very unfortunate that the other House appropriated $326,000 under this heading. It should go under the other heading. Certainly to increase the appropriation $40,000 and simply employ a new group of scientists to investigate the very matter that, according to the Senator from Colorado, is being investigated by another branch of the service is a foolish waste of money. I have no objection whatsoever to the purpose of the appropriation.

Mr. GRONNA. I hardly think the Senator from New York will criticize the whole paragraph because the paragraph is very plain. It reads:

> For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products—

Of course, it would be proper to criticize the proviso.

Mr. WADSWORTH. The proviso is what I am criticizing.

Mr. GRONNA. The Senator, I think, referred to the whole paragraph. Of course, the Senator knows that this is a very important provision?

Mr. WADSWORTH. Oh, yes.

Mr. GRONNA. It has to do with the furnishing of crop and market reports, especially as to vegetables. While we are discussing this question, for the good of the order—for that seems to be what it is—I was about, if the Senator from New York is through, to read a letter which I received this morning from one of my constituents. It is a criticism of the work done by the Bureau of Markets, and calls attention to the fact that only certain stations are designated for the purpose of inspection. My correspondent calls attention to certain towns in Illinois. I desire to have the letter read, because it bears directly upon the subject, and I ask that the Secretary read the letter, because he reads so much better than I do.

The PRESIDING OFFICER. The Secretary will read as requested.

The reading clerk read as follows:

GRAND FORKS, N. DAK., *February 18, 1921.*

Senator GRONNA,
Washington, D. C.

DEAR SENATOR: In our business of shipping potatoes, of which we ship between 500 to 1,000 cars each season, we run across many people who take advantage of the market and refuse potatoes on arrival if the market is less than when they purchased them. Then, again, there are others who refuse potatoes because they think they can buy them at a reduction.

Under the Bureau of Markets there has been established what is known as the inspection bureau, which keeps inspectors at the larger trade centers, and which will send inspectors out from these trade centers to inspect potatoes at various points they name. They put out a list of what they call "designated points," to which inspectors will be sent from their regular established office in trade centers.

We do a very large business in the State of Illinois. We run across considerable trouble there. Last fall we had a car refused at Lincoln, Ill., a station about 25 miles north of Springfield, directly intermediate between Springfield and Chicago. The inspection bureau would send a man to Springfield but not to Lincoln, although to reach Springfield he had to go through Lincoln. To go to Chicago he had to go through Lincoln from Springfield.

To-day we have three cars that we have had refused at Decatur. Decatur, by the way, is one of the largest potato markets in the United States. We wired an inspector to go to Decatur from Chicago to inspect these cars. We are advised, as we were last fall, that Decatur is not a designated point, therefore they can not send an inspector; but they would send the same inspector through Decatur to Springfield, a distance of 45 miles farther. To-day we are doing as we did last fall—diverting the cars from Decatur to Springfield, at an expense of about $40 per car.

The object of this letter is to call your attention to the ridiculous ruling of the Bureau of Markets. There is no reason why they should send a man to one point in Illinois and not to another. It is ridiculous that we should have to send a car from Decatur to Springfield to have it inspected. It can not possibly make a difference in the service as long as they have to send an inspector from Chicago.

I feel justified in calling your attention to this and request that you use your best efforts to apply intermediate points between the inspector's office and the designated markets as places where inspections may be made, and that inspections be applied much as freight rates are. For instance, the rate to Chicago on a car of potatoes by the Chicago & Northwestern is 48 cents per hundred. This is a terminal rate, but the same rate applies not only to Chicago but to all intermediate points between Chicago and St. Paul. The same action should be taken as regards inspections, and the rule should be made, and made promptly, to serve shippers justly and equitably, that inspectors may be sent from Chicago to Springfield or any intermediate points, where the time for the inspector to be away from his office would not exceed the time necessary to go from Chicago to Springfield.

Now that the potato movement is in full swing, we would urge that you take this up immediately and see if we can not have some remedy.

Yours, respectfully,

O. J. BARNES CO.
By O. J. BARNES, *President*.

Mr. WADSWORTH. Mr. President, again for the purposes of the RECORD—I do not mean to detain the Senate unduly—let me call the attention of the Senate to a provision on page 75. Let us remember that we are appropriating money for the Bureau of Markets and Crop Estimates, but we find there this proviso:

That of the sum thus appropriated $30,000 may be used for testing the waste, tensile strength, and bleaching qualities of the different grades and classes of cotton.

Surely that belongs under the Bureau of Plant Industry; it has no business here. We are building up another bureau of plant industry under the heading of "Bureau of Markets and Crop Estimates."

Mr. SMITH of South Carolina. Mr. President, the Senator surely is mistaken as to that, for the reason that the item is for the purpose of determining the relative value in the market of the different grades of cotton. It should not come under the heading "Bureau of Plant Industry." The same cotton plant produces different grades of cotton, arising from the fact that the cotton is gathered at different times and that which remains in the field any length of time has a different color from that which is promptly harvested. It is desired to make tests, so as to ascertain whether or not the tensile strength of the cotton, which may be somewhat discolored, its bleaching qualities, and its market value are not equal to those of the cotton of the better quality. So this item pertains exactly to the Bureau of Markets, and has nothing to do, as the Senator seems to intimate, with developing a plant that will produce different grades. It has to do with the market value of the article, as expressed in the different grades, some of us believing that there was no appreciable difference on account of the accident of color or of foreign matter in the cotton, as to its tensile strength, its bleaching qualities, and its cloth-making qualities.

I should like to say to the Senator that we had a preliminary investigation of some of the grades in connection with which the dealers had made quite a difference, but as tested out by the Government it was demonstrated that in tensile strength, in bleaching qualities, and in yarn-making and cloth-making qualities the alleged inferior cotton was equal to what were claimed to be higher grades, for which there was a better price obtained.

Mr. WADSWORTH. If the Senator from South Carolina is right, then there are some items under the head of the Bureau of Plant Industry that ought not to be there.

Mr. SMITH of South Carolina. I do not know as to that; I have not investigated that.

Mr. WADSWORTH. I am trying to get similar items under one head——

Mr. SMITH of South Carolina. I understand; but I merely wanted to correct the Senator as to the cotton items.

Mr. WADSWORTH. And to protest against the duplication of work and the needless spreading around of the different pieces of work.

Let me call the attention of the Senate to page 24. There we direct the Bureau of Plant Industry to study the behavior of fruits in process of transportation. Of course, if they are in process of transportation they are on the way to market. Therefore, according to the Senator's contention, that work should be done by the Bureau of Markets, because it affects the market value of the fruit.

Again, on lines 20 and 21 of the same page, we provide that the Bureau of Plant Industry shall study the behavior of vegetables in the process of transportation and marketing. Either those two items should be placed under the heading "Bureau of Markets" or the two items which I have pointed out, on pages 74 and 75, should be put under the Bureau of Plant Industry.

Mr. SMITH of South Carolina. As to the item on page 24:

For the investigation and improvement of fruits, and the method of fruit growing, harvesting, and, in cooperation with the Bureau of Markets and Crop Estimates, studies of the behavior of fruits during the process of transportation, marketing, and while in commercial storage—

The first part of that paragraph, the Senator from New York must admit, rightfully comes under the heading "Bureau of Plant Industry." If I understood the Senator from Oregon correctly, he stated that certain diseases were sometimes made manifest in the processes of shipment, and it was to study, as I understood him to say, the appearance of that fungus, the brown and black rot that occurred in this fruit. I want to give my understanding of this, for the Senator from New York is a member of the committee, and I am also a member of it. The point made by the Senator from Oregon was that there is no dispute about the first part of the paragraph to which the Senator from New York refers, on page 24, belonging to the work of that bureau.

Mr. WADSWORTH. None at all.

Mr. SMITH of South Carolina. The Senator from Oregon called the committee's attention to the fact that certain fungous diseases made themselves apparent during the time of shipment, and that he desired to have the Bureau of Plant Industry clothed with the power of investigating the reasons for it and all that was necessary to find out just what might be done to prevent the appearance of that disease in transportation.

The language may be somewhat unfortunate, but I understand that to be the object, and it seemed to me that this was a very pertinent place for it to appear. As to its being a duplication of the other work, I do not see any analogy whatever. Just what lines did the Senator say were a duplication on pages 24 and 75?

Mr. WADSWORTH. The direct duplication is between page 24 and page 74; but there is another item on the bottom of page 75, which, while not duplicated elsewhere, seems to me to provide for work which ought to be done by a scientific bureau. We have a number of scientific bureaus in the Department of Agriculture, but now we find that the Bureau of Markets and Crop Estimates is gradually absorbing scientific investigational functions.

Mr. SMITH of South Carolina. Mr. President, there is no scientific work whatever connected with the testing of bleaching qualities. That is a mechanical process. There is no scientific work at all on an electric device for testing the tensile strength of the fiber. It is just like weighing a pound of meat or a pound of butter. You have your instrument; you put upon it yarns of so many counts, and have the weights put upon it, and it automatically registers the breaking point; so that all you have to do is to get the scientists to make the standard, and then the test is made, and there is no science in it. It is simply testing the intrinsic commercial value of the material and the work of giving us that information belongs entirely to the Bureau of Markets.

Mr. SMOOT. I think the Senator is perfectly correct as to the item on the bottom of page 75, but not correct as to the item on page 74. That I think, is an out-and-out duplication of work.

Mr. SMITH of South Carolina. Will the Senator from Utah point out to me where he thinks there is a duplication? I should like to say that I think duplications in our departments ought to be corrected wherever possible, and for that reason I am asking him to point out in what particulars he thinks these two items are duplications.

Mr. SMOOT. If the Senator will read the proviso beginning on line 11, page 74, down to and including line 15, and then read the provision on page 24, beginning with line 4 and including line 8, as amended, I think he will see that there is no question but that there is a duplication there; and, furthermore, I think the objections of the Senator from New York apply to these provisions. There will be built up in the Bureau of Markets a scientific personnel in these two cases. It will be exactly that. It can not help but be that if the work is to be done. If the Bureau of Markets do not give any more correct information upon these items than the Senator from South Carolina thinks they have given on the cotton crop, I do not think we ought to rely upon them at all, and I think if we did we would be running into an alley with nothing but a blank wall at the end of the alley.

Mr. SMITH of South Carolina. Mr. President, I do not desire to take up the time of the Senate, but I want to say for the RECORD that in reading this paragraph on page 74 I can not understand how anyone can question the fact that that work belongs to the Bureau of Markets, for it says that no less than $40,000 shall be used for the study of methods of prevention of losses.

Mr. SMOOT. By what?

Mr. SMITH of South Carolina. By deterioration and decay. It does not enter into any scientific field. Suppose you are shipping a carload of watermelons and you find that by piling them up on each other, not crating them, they break down and are ruined. You have not scientifically investigated anything. You have investigated the mechanical process by which this loss was incurred. Therefore, if you can find some carriage that will prevent it, you have prevented the loss.

Mr. SMOOT. Suppose it were a case of grapefruit or a case of apples, and they were not piled up on each other and the dimensions of that case were regulated by law. Suppose the law said that it must be just so long and so wide and so high. The only way to find the cause of deterioration or decay would be to make a chemical analysis, and they would have to have a specialist for that purpose; and that is what this provides for.

Mr. SMITH of South Carolina. Oh, no.

Mr. SMOOT. But it says here—

Methods of prevention of losses by deterioration, decay, and freezing of fruits and vegetables in storage and in transit in refrigerator cars, heater cars, and ocean vessels.

Mr. SMITH of South Carolina. I think that is entirely pertinent to the work of the Bureau of Markets, in so far as they can find what has been the cause by virtue of improper crating, by virtue of improper refrigerating, and all of the incidents that would help the producer or the shipper to know what were the causes. I think that comes clearly within the purview of the work of this bureau, and I think there is no duplication of work.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 75, line 22, before the word "may," to strike out "$25,860" and insert "$30,000," so as to read:

For investigating, demonstrating, and promoting the use of standards for the different grades, qualities, and conditions of cotton, and for investigating the ginning, grading, stapling, baling, marking, compressing, and tare of cotton, $38,400: *Provided*, That of the sum thus appropriated $30,000 may be used for testing the waste, tensile strength, and bleaching qualities of the different grades and classes of cotton in order to determine their spinning value and for demonstrating the results of such tests.

The amendment was agreed to.

The next amendment was, on page 76, line 15, after the word "agencies," to strike out "$250,000" and insert "$350,000," so as to read:

For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and live-stock estimates, acreage, yield, grades, stocks, and value of farm crops, and numbers, grades, and value of live stock and live-stock products on farms, in cooperation with the States Relations Service and other Federal, State, and local agencies, $350,000.

The amendment was agreed to.

The next amendment was, on page 76, after line 15, to insert the following proviso:

Provided, That not less than $100,000 shall be used for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals as may be necessary in connection with this work.

Mr. THOMAS. Mr. President, I think the proposed amendment is one of the most desirable, one of the most needed, and one which will prove perhaps the most beneficial of any proposition which this measure contains.

Heretofore the information which has been gathered and disseminated by the Agricultural Department has informed consumer of the probable extent and amount of the crops, but it has not given any reciprocal information to the producer, who gropes in the dark, so to speak, as regards markets, the demand for products here, there, and yonder, and the probable effect upon his produce of corresponding production in other parts of the world.

This is something for which the public money can be well expended. Inasmuch as I have been prone to object to a great many of the appropriations in this and preceding Agricultural bills—objections which I think are well founded—it is a source of pleasure for me to be able to give my unqualified approbation to an object such as is here sought to be subserved. I am satisfied that it will be productive of immense benefit, and I certainly would not complain if the amount appropriated for the purpose were much in excess of what is stated.

Mr. SMOOT. Mr. President, I fully agree with the Senator from Colorado as to the wisdom of securing this information, but here, again, we are duplicating the work that is done by the Bureau of Foreign and Domestic Commerce, for which we appropriate hundreds of thousands of dollars; and in the hearings before the Appropriations Committee on the sundry civil appropriation bill we found that they were doing the exact work and collecting the information that we anticipated the Tariff Commission were collecting, and it was shown that the Tariff Commission came to that bureau and secured the information upon which they based some of their figures and reports. The very information asked for by this amendment is already collected and can be secured from that bureau, and it is a mere duplication of work.

I know that the work ought to be done; I know that this information ought to be in the possession of the Government; but if the testimony that has been given to the Committee on Appropriations is to be relied upon that information is being collected from all parts of the world to-day by our commercial attachés. If it is not being collected, what are they doing, and why are we spending the hundreds of thousands of dollars in salaries paid to them and expenses for the purpose of collecting all information that affects our foreign trade?

I do not know whether the chairman of the committee has had his attention called to that matter or not.

Mr. GRONNA. Yes, Mr. President; I am a member of the Appropriations Committee, and I remember very well when that matter was taken up; but the Senator, I believe, will agree with me that the amount appropriated in the other appropriation bill is for manufactured products.

Mr. SMOOT. Oh, no, Mr. President.

Mr. GRONNA. I believe I am safe in saying that 90 per cent of that money is not used for agricultural products.

Mr. SMOOT. I do not say what it is used for, but it is not for that purpose; it is for all purposes.

Mr. GRONNA. I do not say it is for that purpose, but I do say that not to exceed 10 per cent of it is used for any such purposes as we are providing for here.

Mr. SMOOT. The Senator does not deny that they claimed that this information that they were collecting affected all of the foreign trade of the United States.

Mr. GRONNA. I agree with the Senator. I am not in disagreement as to what is claimed for it; but the Senator from Colorado [Mr. THOMAS] has explained this paragraph much better than I can, and I am very glad to have his approval of it. The committee thought that they really had done good service in being able to work out this proposition.

The Senator from Utah knows that there was a large estimate for this particular work; that is, for the Bureau of Markets the estimate was $590,741. The House allowed $250,000 only. The Senate committee increased that $100,000 and inserted this particular provision, and I am very glad to have the absolute approval of the Senator from Colorado [Mr. THOMAS], and also to have the partial approval of the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Mr. President, I said in my opening statement that this information ought to be collected, but if the testimony before the Appropriations Committee was correct we have this information. The Senator from North Dakota was present, I think, when it was testified before the committee that the information which we thought the Tariff Commission was collecting as to this foreign business was really being collected by the Bureau of Foreign and Domestic Commerce.

Mr. GRONNA. I am sure the Senator will admit, because he is always fair and reasonable, that, if we do have it, the language in this provision is so broad that there will be no necessity for the expenditure of any money for obtaining that part of it. There will be no duplication.

Mr. SMOOT. There certainly will be duplication and extra expense, if we send men to foreign countries and at the expense which it takes to send them there, and pay them, together with what has to be paid for their keep when away from Washington, to collect this information. If they are going to collect any they ought to be there to collect it all, and that is what we have the Bureau of Foreign and Domestic Commerce for. I have not any doubt but what this money will be spent, even if it is necessary to send them on a junketing trip, before the end of the fiscal year 1922.

Mr. FLETCHER. Does it not involve to some extent rather strengthening our representation on the International Institute of Agriculture? There is an agency for gathering information as to the world supply of various products, the prices, conditions, and that sort of thing.

Mr. SMOOT. We make another appropriation for that. That is an institute which has headquarters in Rome, and Mr. Lubin was there for years, but he is now dead, so we have to send somebody else there.

Mr. FLETCHER. Now we are simply paying the salary of one man in that position.

Mr. OVERMAN. I am very much interested in the Department of Commerce, which has commercial attachés to furnish information to the people of this country. I do not agree with the Senator from Utah that they gather the information provided for under this provision. I agree with the Senator from North Dakota, who is a member of the committee, who recalls that tradesmen of the United States, members of the chambers of commerce, urged appropriations in order that they might get this information, so that they would know what could be furnished, how it would be furnished, and all about it, but nothing as to farm products.

Mr. SMOOT. All foreign commerce, farm and everything else. If we go on this way we might just as well give notice to all of the departments of the Government, "If the Appropriations Committee will not give you what you want, come to the Committee on Agriculture, and you can get it." I do not think that would be proper; I do not think it would be right.

Mr. President, in what I have said to-day I have an object in view. I think that when the next Secretary of Agriculture is inducted into office he ought to go through the appropriation bill before making estimates for the next year—that is, I mean for the fiscal year following the one for which this bill provides—and ought to take everything out of it that leads to a duplication of work done in other departments. I am going to ask the new Secretary of Agriculture that that be done, and then let all of the departments understand that they can only secure an appropriation from one committee, and let it be understood that it must be in one appropriation and for one specific purpose.

Mr. WADSWORTH. I hope the Senator will carry out that theory with respect to Army appropriations, because the Appropriations Committee to-day is spending money for the Army, and so is the Military Affairs Committee.

Mr. SMOOT. Absolutely; and the Senator knows that. Many a time, if we did not have a member of the Military Affairs Committee as chairman of the Appropriations Committee, there would be brought into this Chamber duplication after duplication, as the Senator from New York knows. We have tried to work together, and tried to eliminate those duplications, as far as the Military Affairs Committee and the Appropriations Committee are concerned.

Mr. GORE. I want to suggest to the Senator from Utah that he offer an amendment to this bill requiring the Secretary of Agriculture to submit to Congress a report at the next regular session embodying that information.

Mr. SMOOT. I think more than likely when the time arrives for the making of the next appropriation bill the commission on reorganization may have made some kind of a report, and I express the hope that the Senate will support the recommendations of that commission wherever they eliminate duplication of work in any of the departments of the Government. That is all that commission will undertake to do, and before a recommendation is ever made to Congress the members of that commission have to make a study of it. They have to go into the details of it. They have to themselves know whether it is a duplication of work, and if I had my way that commission would work in full accord with the head of every department of our Government. But whenever it is found to be a fact that there is duplication of work in any form whatever, then that ought to be eliminated from the Government appropriations.

Mr. GORE. I suggest to the Senator from Utah that we had better undertake to eliminate this service and lop off these powers pretty early in the next administration before the pride of power on the part of the heads of departments attaches.

Mr. SMOOT. That is a very wise suggestion on the part of the Senator from Oklahoma, because past experience has demonstrated that after they get in and really find out how many employees they have they will keep every single one of them. They are just as tenacious about keeping their employees and their authority as an individual would be if he owned an interest in a great corporation and desired it to be not only as large as it was but to increase every year.

Mr. HEFLIN. Mr. President, I have no objection to the Senator from Utah [Mr. SMOOT] taking this matter up with the Secretary of Agriculture and providing against a duplication of work in any bill that may be presented to the next Congress. I am in favor of that. I do hope that the amendment to this bill offered by the committee, which has been supported so ably by the Senator from Colorado [Mr. THOMAS], will be adopted, because this work ought to be done. The present provision in the law which has been referred to does not extend to this character of work, and I trust this amendment will be agreed to.

Mr. JONES of Washington. Mr. President, I think the statement of the Senator from Utah as to what he intends to do shows a mighty good purpose. I want to suggest that in doing that the Secretary of Agriculture should go outside of his department and get about three men who are not interested in the work of the department, as departmental work, and have them suggest a reframing of this bill, because he will never do away with these duplications if he leaves it largely to the chiefs of the bureaus, as he will have to do unless he goes outside of the department.

But this is what I rose to call attention to. The Committee on Agriculture has condemned this provision on page 76, the first part of the paragraph, for collecting and filing and getting estimates, and so forth. The Committee on Agriculture itself has condemned that provision and the Senate has indorsed that condemnation. We passed a resolution the other day directing the Committee on Agriculture to investigate and ascertain the amount of wheat and cotton and things like that on hand throughout the country, and the reason for it was that the estimates and reports and the work of the department are not reliable—are not worth anything, and if it had been discussed by those in favor of the resolution before the Senate as they discussed it with me, they would have denounced in unmeasured terms the work of the department. They said it was not reliable, could not be depended upon, was not worth anything, and therefore it was necessary for the Agricultural Committee to investigate it. Yet here we are appropriating $350,000 for doing that work. We will probably have another resolution of investigation at the end of the year to find out the amount of these things on hand.

I do not share to a certain extent the opinion of the work of the department in this respect the Committee on Agriculture apparently had and that the Senate apparently had, but I do doubt its correctness and reliability.

Mr. McNARY. I want to say to the Senator from Washington that his inference is too broad. I do not know any member of the Committee on Agriculture who has criticized these departments or duplicated the reports they have sent in. If any members of the committee have done so, it has been as individuals. This item has been carried for a number of years, and been extended by reason of the provision found in line 15. The question someone raised here the other day, speaking as a Senator, was that he wanted the Agricultural Committee to investigate the sources upon which these estimates were made. But no member of the Agricultural Committee, or the committee itself, has ever duplicated the work of this department or any of the departments connected with and doing this great service to American farmers.

Mr. JONES of Washington. I may have made the statement a little too broad. I believe that resolution was not referred to the Committee on Agriculture. But, Mr. President, I find members of the Committee on Agriculture are supporting that resolution on the floor of the Senate. There was not one of them who questioned the desirability of having this investigation made, and the Senator from South Carolina [Mr. SMITH] stated to me that this work of the department, and these reports they were getting out, and the information they had, were not reliable at all. I agree with him. I do not think they were, and I do not think we will get any more reliable information by the investigation of the committee, as far as that is concerned.

I am not opposing this proposition. I just wanted to call attention to the resolution of investigation, and I presume we will have another one at the end of the coming fiscal year, condemning the information furnished by the department under this appropriation.

Mr. SMITH of South Carolina. Mr. President, this is another occasion when a Member of the Senate is not well informed on the matter to which he speaks. Those of us who have been affected, and have investigated, find that the statistics affecting one particular thing are gotten up by every department, and come in different phases, and the Senator was speaking about my offering a resolution and inveighing against the Bureau of Markets. That was only a part of the source of information. The Bureau of the Census was the particular one I had reference to. The Census Bureau is charged with gathering the statistics as to the supply and distribution of wheat and other grain, and of cotton.

I asked for their sources of information as to the world's supply and the American supply. They gave me their estimates and the sources of their information. The Bureau of Markets comes along and makes an estimate of the supply, but not of the distribution, and the two are more or less conflicting. Both of them, I believe, were incorrect. The sources of information might have been satisfactory to them but were not to me. I do not believe they were satisfactory to the members of the Agricultural Committee, although I do not know.

I have nothing to say about this particular department, because they were not charged under the law with gathering the figures as to the supply and distribution of any particular crop in a statistical way, but the Bureau of the Census was, and it was their method and the result of that method that I called into question, and incidentally the Bureau of Markets only in so far as they pertained to it.

I thought the other day when the Senator from Washington [Mr. JONES] was discussing the matter that he had an idea that the Bureau of Markets were the ones who gathered the information and disseminated it, when as a matter of fact it is the Bureau of the Census. I said the other day, and repeat now, that we ought not to have duplications along such lines of work but should have one department to do a specific work and hold them responsible for that specific work.

In conclusion I wish to say, as to the criticism of the Senator from Utah [Mr. SMOOT] about duplication of work, that whatever pertains to the agricultural interests of the country ought to be carried in an agricultural bill, and if some of the departments duplicate the work that rightfully belongs to the Department of Agriculture, that other department ought to be cut out and there should not be a restriction of the work of the Department of Agriculture. The thing he criticizes is about us demanding that, if we are to give to the world the products of this country, then we should know what are the market conditions that the producers of the country have to meet. It is restricted to agricultural products, the production and the effect of the supply in the world of those things that we have to meet in competition, and therefore rightfully belongs in this bill. If there is any criticism as to duplication, let it go out of the other department that is duplicating the work of the Agricultural Department and leave the Department of Agriculture equipped to serve the farmer.

Mr. JONES of Washington. What the Senator says confirms me in the belief that I did know what I was talking about. The Bureau of Markets is called the Bureau of Markets and Crop Estimates. That does not confine it to potatoes or corn or barley or rye or oats. That includes wheat and includes cotton. They have been getting out their reports. I have seen what is called the Crop Reporter coming out from time to time. It purports to give estimates, and so forth, and I have not any doubt that it is all compiled under the language of the bill. The language of the bill is just as broad as it could be made for the collecting of such information.

Mr. SMITH of South Carolina. If the Senator from Washington will allow me, they give out estimates, but that is not the question that I was complaining of most, nor was it the basis, particularly, of the resolution that I offered. The Bureau of the Census is one that gives out an official report of the supply and distribution of the standard crops in this country. I have in my desk their annual report. The Bureau of Markets is practically in its beginning. The Census Bureau has been established for years and years.

Mr. JONES of Washington. The other reports are just as official as the reports gotten out by the Bureau of the Census. They are both provided for by law. The language has been carried in the bill for some time.

Mr. SMITH of South Carolina. They do not pertain to the same subject.

Mr. JONES of Washington. They may cover the subject. Here is the way it reads:

> For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and live-stock estimates—

If that does not cover wheat and cotton and all that sort of thing and estimates for them provided by law and make the reports just as official as any reports of the Bureau of the Census, I can not understand language or the effect of legislative provisions. It continues:

> acreage, yield, grades, stocks, and value of farm crops, and numbers, grades, and value of live stock and live-stock products on farms.

I do not complain if the Senator has no confidence in the reports. What I complain of is that we will appropriate two or three hundred thousand dollars for getting the reports, and then probably spend one or two hundred thousand dollars for the Committee on Agriculture to go around over the country and show that the reports are no good.

Mr. SMITH of South Carolina. No; I did not have a word to say about the particular item that the Senator has read. They estimate how much, and that is all right, but the Bureau of the Census is charged not only with estimating how much we make but how much we consume, how much the world consumes of that article, what stock is left over after one consumption year to be carried into the next consumption year, and then as to the world's supply of a like product and how much of that is carried over, including American production. This only pertains to our domestic crop as to production, estimate of production, and so forth.

Mr. JONES of Washington. If that is correct, then we ought to do away with the item entirely and let the Bureau of the Census furnish the information, or else we ought to take away the right of the Census Bureau to do that and let the other organization do it.

Mr. SMITH of South Carolina. Just how far they duplicate is a matter that the Senate ought to correct. I agree thoroughly with that. I think the Department of Agriculture ought to get the ginners' report for cotton, the thrashers' report for wheat, and then give out the bulletins stating how much has been produced, how much consumed, how much exported, and how much of the world production of like things have been imported into this country, consumed abroad and here, and what is the probable supply, in order to enable farmers of the country to govern themselves in the production of the crop. I do claim that that duplication ought to be cut out. The Census Department ought to quit this work or the Department of Agriculture ought to quit it. I agree thoroughly with the Senator in that respect, but I claim that the Census Bureau has not given us a satisfactory account.

Mr. JONES of Washington. That is the reason why it ought to be cut out.

Mr. SMITH of South Carolina. I am not quarreling with that. I am stating that there has been, in my opinion, a disastrous result, either from this duplication or a lack of money or something else, in getting the proper figures and putting them in proper shape.

Mr. HEFLIN. Mr. President, lack of information about the various provisions in the Agricultural appropriation bill, I think, is responsible for the attacks that are being made upon them by various Senators. The Senator from Washington [Mr. JONES] does not seem to understand that the matter of gathering certain statistics of farm products is different from the reports of the amount of cotton ginned. The Bureau of Markets looks out for places in the country where certain products are demanded and for places in the country where certain farm products are grown. The Bureau of Crop Estimates estimates the number of acres planted in certain crops, grain or cotton, and it estimates the size of the crop according to the information that it obtains. The Census Bureau reports the amount of cotton coming into the market that has been produced by the cotton farmer, hauled to the gin, separated from the seed, and the lint packed into a bale. The ginner's report accounts for this cotton. That is what we had in mind the other day when we supported the resolution to gather the information about the amount of cotton on hand in the United States, all kinds of cotton, unspinnable cotton, linters, and spinnable cotton.

The Senator from Washington has this matter all confused in his mind when he reads the provision about the Bureau of Crop Estimates and the Bureau of Markets. They are two separate departments. One gives information as to the marketing of the products and the other estimates the amount of acres planted and the size of the crop to be produced, and I repeat all this is separate and distinct from the gathering of reports as to cotton ginned. I hope that some time during the discussion on the bill we will get the matter clear in the mind of the Senator from Washington.

Mr. JONES of Washington. I wish to call the Senator's attention to a fact that he apparently does not know, and that is that the Bureau of Markets and Crop Estimates is one bureau, and that the one bureau not only looks after markets but the making of crop estimates.

Mr. HEFLIN. The Senator is mistaken about that. The Bureau of Markets may be connected with the Bureau of Crop Estimates, but there is a bureau that looks after the estimating of crops separate and distinct from the Bureau of Markets itself.

Mr. JONES of Washington. I wish to ask the chairman of the committee why the appropriation is made for the Bureau of Markets and Crop Estimates as one bureau? Why does he not designate it as two bureaus if there are two bureaus?

Mr. GRONNA. I will say to the Senator from Washington that the chairman of the committee did not draw the bill.

Mr. JONES of Washington. I ask the chairman of the committee if there are two bureaus.

Mr. GRONNA. Mr. Esterbrook, if I may name the man——

Mr. JONES of Washington. I do not care anything about the names of the men. I want to know where the appropriation is in the bill for the Chief of the Bureau of Crop Estimates.

Mr. McNARY. Page 72, line 22.

Mr. JONES of Washington. That is for the Chief of the Bureau of Markets and Crop Estimates. I want to know where the appropriation is for two bureaus under this head of Bureau of Markets and Crop Estimates. That is what I want to know, and why it is not called bureaus if there are two bureaus.

Mr. GRONNA. There is a division. One is a division and the other is a bureau.

Mr. JONES of Washington. Oh, well, that is a different proposition. There is only one bureau.

Mr. GRONNA. There is a division, if the Senator will permit me to answer. If not, of course he can go on.

Mr. JONES of Washington. I should like to have the Senator answer me. I want to know.

Mr. GRONNA. If the Senator will give me time, I will answer him.

Mr. JONES of Washington. I am asking the Senator if there is one bureau or if there are two bureaus?

Mr. GRONNA. There is one bureau known as the Bureau of Statistics. There are two divisions, the Division of Crop Estimates and the Division of Markets.

Mr. JONES of Washington. I hope the Senator from Alabama will listen to this explanation. The chairman of the committee says there is only one bureau.

Mr. SMITH of Georgia. That is true.

Mr. JONES of Washington. That is what I said.

Mr. SMITH of Georgia. But there is a division which does the work of crop estimates.

Mr. JONES of Washington. Oh, there may be two divisions or four divisions or five divisions.

Mr. SMITH of Georgia. Their work is entirely different.

Mr. HEFLIN. It is a matter of construction.

Mr. JONES of Washington. The Senator said there were two bureaus.

Mr. HEFLIN. I may be mistaken about the two bureaus, but there is another division in there that has to do with crop estimates, separate and distinct from the Bureau of Markets.

Mr. JONES of Washington. I do not dispute that, but it is all under one bureau and under one head.

Mr. HEFLIN. I believe that the Senator is about to get this matter straight in his mind.

Mr. HARRISON. Of course, it is all agreed that there is one bureau and two divisions.

Mr. JONES of Washington. Good.

Mr. HARRISON. So the Senator from Washington is right and the Senator from Alabama is right.

I want to read the provision which the Committee on Agriculture has unanimously reported and which, it seems, every Senator on the floor is in favor of, merely to call the attention of the Senate to it before we finally vote upon it:

Provided, That not less than $100,000 shall be used for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government.

We are trying here to help the American producer to obtain data and information to enable him to sell his goods, wares, and products in foreign countries; in other words, to help promote, in our export trade, the sale of our agricultural products. I am a little amused that some Senators should favor this provision under the peculiar circumstances which have developed at this session of Congress. I can understand how we may save $100,000 in the event certain contingencies arise. If the so-called emergency tariff bill should become a law and a sufficient number should be corralled in the Senate and in the other House to override the President's veto, for which Senators on the other side of the aisle are praying, we would not need make this appropriation, because if that bill should become a law other countries would set up such methods of reprisal that we would not have any export trade and we could not ship anything to them. For instance, if that bill should become a law, placing a duty on wheat of 40 cents per bushel, and thereby making Canada mad with us and causing the Canadians, then, to place an embargo on the goods which our farmers may raise in this country for export to Canada and sale there, we would not need to go into Canada to collect any data and disseminate them among the agricultural producers of the country in the hope that they could sell anything in Canada, because if we are going to place an embargo, as we propose to do in that bill, of 40 cents a bushel on wheat imported from Canada into the United States, naturally, if we read correctly what the newspapers say, Canada will place an embargo against our shipments, not only of agricultural products but of manufactured products into Canada. The same thing would apply touching farm products being exported to Argentina, to countries in Europe, and to other countries. Therefore, if the so-called emergency tariff bill should become a law, we could save this $100,000; it then would not be needed at all, because the collection of data for the American producers to enable them to send their farm products to foreign markets for sale would not be necessary.

Of course, we all believe that the emergency tariff bill is a failure. I understand the conditions bear out that statement; that Senators on the other side of the Chamber have already given up all hope of it ever becoming a law. A few weeks ago Senators on the other side of the Chamber got very enthusiastic and persistent and insistent about passing the bill in a few days. First, they tried to have a day set for a vote on it.

Then, when they could not do that they tried to cram down our throats a cloture rule for the second time in the history of the United States Senate and to pass the bill right through. However, they could not get a two-thirds majority, and the effort to secure cloture failed; but eventually the bill did pass. One week from to-day the bill passed the Senate of the United States. It is now in the hands of the Senator—I think I am correct in giving the names of the conferees—from Pennsylvania [Mr. PENROSE], who showed so much enthusiasm for the bill, who was so persistent in forcing it through the Senate, who believed in it so whole-heartedly and sincerely; of the Senator from North Dakota [Mr. MCCUMBER], of the Senator from Utah [Mr. SMOOT], and other Senators, whose names I do not at the moment recall, and who have been in conference on the bill since last Wednesday—seven days ago. The end of Congress is approaching, only a few more days remaining. Those Senators have known all the time that unless the bill got to the President within a certain date—10 days before adjournment—he might kill it by a pocket veto; that it had to get to him by a certain time in order, if he should veto it, that the Senate and House might try to pass it over his veto. But they are afraid that the Senate and the House might pass the bill over the President's veto. So the Senator from Pennsylvania, the Senator from Utah, and the Senator from North Dakota—I think they are the conferees on the part of the Senate—for a week have sat in conference, holding the bill away from the Senate and the House, keeping us from taking action on it, in order that the President might either approve it or veto it.

Mr. WARREN. May I interrupt the Senator?

Mr. HARRISON. I shall conclude in a moment.

So if the emergency tariff bill should become a law there will be no need for this $100,000 appropriation; but if it should not become a law, then it would be a wise measure, and the appropriation should be voted.

Now I yield to the Senator from Wyoming.

Mr. WARREN. Mr. President, let me say to the Senator from Mississippi that he is bringing news to this side of the Senate when he says we do not want the emergency tariff bill to be passed. I am inclined to doubt his authority as to that, because of his observation to the effect that we shall not need to protect our foreign markets if the bill be passed. I have heard that same cry whenever we have passed a protectionist tariff bill; it is not new at all. It has always been said, "We can not trade with other countries unless we buy of them and let them have free access to our markets," and so forth. That is not very persuasive after all these years, when we have been fortunate enough to be able to accumulate sufficient money and credit to carry on a World War involving the expenditure of these billions of dollars.

Mr. HARRISON. But the party of the Senator from Wyoming never had the audacity to impose such high tariff rates as are proposed in the emergency tariff bill. That bill, for instance, proposes a duty of 40 cents a bushel on wheat, and the Senator's party has never before thought of imposing a duty of over 20 cents a bushel on wheat. On wool—and the Senator is well versed on the question of wool—we find that in the Payne-Aldrich bill there was only a duty of 11 or 12 cents a pound on wool and not 45 cents a pound as is proposed in the emergency tariff bill.

Mr. WARREN. That is true, but in the arrangement of proportions a different tariff is called for.

Mr. HARRISON. The Senator is bound to admit that while one rate may be a matter of protection the other one operates as an embargo. I will not take up the time of the Senate by reading the quotations, but I have here articles from Argentina and Canada and other countries which show that they are going to retaliate by placing an embargo against the products and goods and wares shipped from this country into theirs if we pass the emergency tariff bill.

Mr. WARREN. No one who knows the Senator from Mississippi believes that he is cowardly enough to think that a tariff to last for a few months will put us in that position.

Mr. HARRISON. I sincerely hope not.

Mr. WARREN. He has too much courage for that. I am willing to admire the readiness with which he enters into these political matters whenever we talk about tariffs, and so forth, but when the time comes we shall have that all out as to our not being able to sell, and we shall have the same old threat.

Mr. HARRISON. Does not the Senator think that this matter is remaining in conference too long, it having been there a week, notwithstanding the fact that it was proposed so enthusiastically and persistently a short time ago to cram it down our throats by a cloture rule here.

Mr. WARREN. I think the Senator himself has served for many weeks on conference committees in connection with legislative matters. I know that I have been very many times. We are in conference now on three different bills, and we have been in conference for several days and nights. There is not any outcome yet, but I think we shall have one.

Mr. HARRISON. If the other side are not going to give us another chance to vote on the emergency tariff bill, very well. I merely thought I would call the attention of the Senate to these glaring features; that is all.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 77, line 8, to increase the appropriation for general expenses of the Bureau of Markets and Crop Estimates from "$1,339,560" to "$1,439,560."

The amendment was agreed to.

The next amendment was, on page 77, after line 8, to insert:

That hereafter the powers conferred and the duties imposed by law on the Bureau of Statistics and the Bureau of Crop Estimates of the Department of Agriculture shall be exercised and performed by the Bureau of Markets and Crop Estimates.

The amendment was agreed to.

The next amendment was, on page 77, after line 22, to insert the following proviso:

Provided, That any moneys received from or in connection with the sale of cotton purchased for the preparation of practical forms of the official cotton standards and condemned as unsuitable for such use may be expended by the Secretary of Agriculture during the fiscal year ending June 30, 1922, for the purchase of other cotton for such use.

The amendment was agreed to.

The next amendment was, on page 78, line 17, to increase the appropriation for administration of the United States warehouse act from "$65,000" to "$100,000."

The amendment was agreed to.

The next amendment was, in the item for completion of wool work, on page 79, after line 9, to insert:

And to continue, as far as practicable, the distribution among the growers of the wool clip of 1918 of all sums heretofore or hereafter collected or recovered with or without suit by the Government from all persons, firms, or corporations which handled any part of the wool clip of 1918, which said regulations are hereby legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed.

The amendment was agreed to.

The next amendment was, on page 79, line 19, to increase the total appropriation for Bureau of Markets and Crop Estimates from "$2,939,444" to "$3,074,444."

The amendment was agreed to.

The next amendment was, on page 80, line 15, after the word "purposes" to strike out "$115,400" and insert "$125,000," so as to read:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes," $125,000.

The amendment was agreed to.

The next amendment was, on page 80, line 17, to increase the total appropriation for enforcement of the insecticide act from "$146,910" to "$156,510."

The amendment was agreed to.

The next amendment was, on page 82, line 19, to increase the appropriation for cooperative fire protection of forested watersheds of navigable streams from "$125,000" to "$625,000," so as to read:

Cooperative fire protection of forested watersheds of navigable streams: For cooperation with any State or group of States in the protection from fire of the forested watersheds of navigable streams under the provisions of section 2 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," $625,000.

Mr. McNARY. Mr. President, I wish to speak briefly on this item. I do not think the bill contains a more deserving or more meritorious provision than this one. I shall attempt to condense what I have to say into a few words so that I shall not weary the Senators present.

The estimate of the Department of Agriculture as to the amount necessary to perform efficiently the work required was $1,000,000. In the House the amount was decreased to $125,000, a sum comparable to that which was used last year. When the matter came before the attention of the Senate Committee on Agriculture and Forestry, I offered an amendment increasing the appropriation $500,000, making the total appropriation $625,000, which was adopted by the committee.

Mr. President, I think it is generally conceded that the prevention of forest fires is the most important test of forestry to-day. It is going to be impossible to initiate and carry into execution a reforestation policy that does not embrace the subject of forest-fire prevention. It will be observed that this item contemplates cooperation with the several States; and it is to that subject and that particular phase that I want to address myself at this time.

During the past fiscal year the Forest Service cooperated with 25 States in the protection of approximately 150,000,000 acres of State and privately owned land from forest fires. As against the Federal appropriation of $100,000, the expenditures of the cooperating States aggregated $860,000, making a total of nearly $1,000,000, and the expenditures of private forest owners within these States aggregated about $700,000. The Federal Government thus furnished but $100,000 for the protection from fire of the State and private forests of the country out of a total expenditure for this purpose of $1,660,000. The States themselves spent over eight times as much as the Federal Government for the protection of this splendid resource.

By the terms of the law the expenditure in any State may not exceed the State expenditures for the same purpose. In fact, Federal expenditures were uniformly very much less than State expenditures. The Federal Government's maximum expenditure during the fiscal year in any one State was $10,432, in Maine, as against an expenditure by the State of $116,844. It spent $5,150 in New York as against a State expenditure of $132,528, $25,450 in Montana as compared with a State expenditure of $51,549, and $6,067 in Minnesota as compared with a State expenditure of $104,096, and in my own State the Government spent $6,306 as compared with a State expenditure of $28,787.

In the case of every cooperating State appeals for additional aid were made and had to be rejected because Government funds would go no further. This fund is expended only in accordance with a specific plan for fire protection which meets with the approval of the Forest Service, and the actual use of the money is checked up in the field by inspectors from the Forest Service. The money is spent exclusively for personal services, for patrolmen, lookout watchmen, and rangers in accordance with the fire-protection plan of the State concerned.

The 25 States with which the Forest Service has cooperated contain 65,000,000 acres of forest land which are still largely unprotected. There are 14 additional States, with which there has been no cooperation hitherto, which contain important forest areas aggregating 110,000,000 acres now almost wholly unprotected. In the 39 States, all told, where the prevention of forest fires is an essential public activity, there are approximately 325,000,000 acres of timbered and cut-over lands requiring protection from fire as a first essential to a continuous supply of timber for the United States. The estimates submitted by a large number of States show that this land can not be protected on an average for less than 2½ cents per acre yearly, or an aggregate of $8,125,000. As against this requirement the sums available from all sources, public and private, aggregated during the last fiscal year about $1,625,000; and in this the Federal Government was represented by an appropriation of but $125,000.

The private expenditures for the protection of forest lands are increasing from year to year; and can be largely increased if public agencies take the lead in organizing forest protection over large areas and then encouraging private owners to participate in its cost on a just basis.

The protection of forest lands from fire is an activity whose cost should be shared by the public and the private landowner. The private owner has a direct interest in the protection of his property, particularly lands containing merchantable timber. But the private owner can not equitably assume the full burden of protecting his property from the forest-fire hazard which goes far beyond the immediate boundaries of his land and to

which the whole community contributes. It is not only the duty of the public to assume a share of the protection of forest lands from fire corresponding broadly to the fire hazard which is of general or regional origin; but the public has a very large interest in maintaining the productivity of forest lands as a means of perpetuating one of our basic natural resources. This interest is shared alike by the local public, represented in the State, and by the Nation at large. Our densely populated agricultural and industrial States are dependent upon other States for their supply of timber. They have a very direct economic interest in maintaining the supply of timber being grown elsewhere on the areas logically adapted to that purpose.

It is therefore just and desirable that the National Government should share in the cost of fire protection, not relieving the owner of the land or the State from their responsibilities but sharing the enterprise with them, and by its participation encouraging them to do a great deal more than they otherwise would.

An expenditure of $625,000 by the Government is about one-third of the cost of protecting these forest lands from destructive fires. It is considerably less than the States are now appropriating for this purpose, and will undoubtedly be much less than the State appropriations for the purpose during the next fiscal year. The benefit of this appropriation is not merely the additional funds which are available and which make it possible to extend fire protection over much larger areas, but Federal participation enables the Federal Government, as in the construction of public roads, to fix the standards and to maintain the work done with State funds as well as with its own at high efficiency. The money asked for will be spent in the 25 States which have previously qualified for Federal cooperation and in as many of the 14 additional States having important forest areas as meet Federal qualifications. In no case will Federal expenditures exceed those of the State itself, and in no case will Federal money be spent in a State unless the Forest Service is satisfied that the State laws and administrative system are adequate to get good results in the protection of forest areas through the investment of Federal funds.

This appropriation does not mean that the Federal Government relieves the owner of valuable timber from protecting his property. In the allotments to the States the chief emphasis is placed upon using the Federal funds so as to extend the protection organization of the State to culled, logged-off, and other denuded areas which contain little or no timber of present commercial value and whose owners have the least incentive to incur the cost of protection. These are the very areas whose protection is of the utmost importance in the general public interest, because upon them must we depend for our supply of timber after the present virgin forests are exhausted.

Mr. President, we have used up three-fourths of our original forests, and the supply of timber remaining is becoming less and less adequate for the requirements of the country, both in quantity and in location. Sixty-one per cent of what is left lies west of the Great Plains, whereas the bulk of lumber and paper consumption is east of the Great Plains. I might state here that over 50 per cent of the standing timber to-day is found in the three Pacific Coast States and 61 per cent is found in that great western country lying west of the Mississippi River. Our eastern forested States one after another have been cut out, and ceased to be important producers of timber because their virgin forests have been but very partially and inadequately replaced by second growth after logging. With the exhaustion of these old sources of lumber, paper, and other forest products and with the increasing distance which lumber must be hauled from the sawmill to the consumer, much of it now across the width of the continent, there is a growing scarcity of forest products, which in no great length of time will become critical. Markets may fluctuate one way or another owing to financial and other temporary conditions, but behind it lies a steady decrease in the supply of timber, which has a very vital bearing upon our national housing situation, our national paper situation, and many industries which use lumber in manufactures; and I might say, Mr. President, that the statistics show that one in every twenty persons in this country finds his livelihood in occupations directly connected with lumbering or in industries that are associated therewith.

The greatest cause of this situation is forest fires. We have enough land unfit for agriculture to grow all the timber which this country requires; but a large part of it has been made idle through destructive methods of logging and particularly through repeated forest fires. There are 81,000,000 acres of such land to-day that are unproductive, as far as timber crops of economic value are concerned; and forest fires are largely responsible for their condition. We still have upward of 200,000,000 acres of forest land which has been cut over, but contains cull or second-growth timber or is partially stocked with young trees. The small timber and young growth on this enormous area is a forest asset of the utmost value. A considerable part of this area lies in thickly populated States within a stone's throw of large centers of timber consumption. And yet enormous acreages of such young forest are being destroyed by fire every year.

The private owner can be relied upon, by and large, to protect timber areas which have present commercial value; but these enormous stretches of young forest growth which will not mature without protection and of devastated land which can not be restored to forests without keeping fires out can be protected only by aggressive public action. The protection of these 315,000,000 acres adequately represents the greatest single forestry problem in the country, and of itself will go a long way toward assuring a future supply of timber.

Mr. President, I ask unanimous consent at this point to insert in the RECORD a list of States showing cooperative expenditures for the fiscal year 1920 from Federal appropriations and appropriations by the States for protecting forested watersheds of navigable streams from fire.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Cooperative expenditures, fiscal year 1920, from Federal appropriations and by the States for protecting forested watersheds of navigable streams from fire.

State.	Federal.	State.	Total.
Maine	$10,432.25	$116,844.11	$127,276.36
New Hampshire	6,073.02	24,739.15	30,812.17
Vermont	1,978.00	5,879.46	7,857.46
Massachusetts	3,840.75	39,333.60	43,174.35
Rhode Island	294.00	1,762.45	2,056.45
Connecticut	932.25	4,839.27	5,771.52
New York	5,150.37	132,528.56	137,678.93
New Jersey	2,120.41	21,703.83	23,824.24
Pennsylvania	4,024.24	56,768.61	60,792.85
Maryland	1,790.55	4,585.84	6,376.39
Virginia	4,650.00	6,886.23	11,536.23
West Virginia	5,085.00	10,654.01	15,739.01
North Carolina	1,851.04	3,011.13	4,862.17
Kentucky	1,739.50	1,705.00	3,444.50
Louisiana	1,365.50	2,821.35	4,186.85
Texas	2,361.31	4,350.27	6,711.58
Michigan	2,110.00	60,586.46	62,696.46
Wisconsin	3,518.57	21,942.28	25,460.85
Minnesota	6,067.34	104,096.03	110,163.37
South Dakota	94.00	3,501.00	3,595.00
Montana	254.50	51,549.50	51,804.00
Idaho	5,415.50	92,524.37	97,939.87
Washington	5,206.00	48,951.34	54,157.34
Oregon	6,306.23	28,787.86	35,094.09
California	1,995.96	10,196.53	12,192.49
Administration and inspection	8,181.57	.....	8,181.57
Total	92,837.86	860,548.24	953,386.10
Unexpended balance	7,162.14	.....	.....
Appropriation	100,000.00	.....	.....

Mr. McNARY. I also ask permission to insert in the RECORD as a part of my remarks a statement of additional States which should undertake forest-fire protection with Federal cooperation, but which to-day are not cooperating with the Government.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Additional States which should undertake forest-fire prevention with Federal cooperation:

South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Missouri, Tennessee, Ohio, Indiana, Illinois, Colorado, New Mexico, and Arizona.

Mr. McNARY. Mr. President, as a final word, much could be said upon the newsprint paper shortage, which is a serious problem to-day, and a committee of which I was a member undertook last year to study and prescribe a remedy; and much could be said about the threat of a great timber shortage in this country. I am not going to speak upon that general subject, but have limited my remarks to that phase which concerns cooperation of the States in the prevention of fires.

It may be said that this increase from $125,000 to $625,000 is a very large increase. In comparison with the expenditures of the States doing the same kind of work it is indeed a very modest increase, and is only one-half the sum asked by the department. Further, Mr. President, this is not a direct tax upon the Treasury of the country. None of this money, in fact, is directly appropriated for the splendid purpose for which it is intended, for the reason that the work of the Forest Service shows a very large profit each year, and this sum of money simply comes out of that fund.

To-day I was supplied by the Bureau of Forestry with a statement showing that the income derived from the forests in

the last year—that is, the Government forests—was $4,793,482, whereas the total expense of protecting this great valuable natural resource was $1,773,409, leaving a profit of $3,000,000 to the Government. I sincerely hope, Mr. President, on behalf of the people who are interested in the protection of forests, that the Senate will agree with the action of the Senate committee.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Alabama?

Mr. McNARY. I shall be happy to yield.

Mr. HEFLIN. I have listened with a great deal of interest to the splendid speech of the junior Senator from Oregon, and I am thoroughly convinced as to the merits of the proposition which he presents. I want to ask the Senator if this amount is as much as the department estimated would be necessary to do this work?

Mr. McNARY. The department estimated, I am pleased to tell the Senator from Alabama, $1,000,000. The House allowed $125,000. I asked the Senate committee to add a half million, so that the total amount is $625,000 against an estimate of a million dollars made by the department.

Mr. HEFLIN. It strikes me that if the Government derives more than $3,000,000 profit from its national forests, the Government ought to expend whatever amount of money is necessary to protect these forests from destruction by fire. I feel like voting not only for the proposition carried in the bill but, if the other amount is really needed, I think that it ought to be granted. We ought to provide whatever is necessary to protect our national forests from destruction by fire.

The VICE PRESIDENT. The question is on the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 83, after line 17, to insert:

Field station, Woodward, Okla.: For the establishment in connection with the Woodward, Okla., field station of a live-stock department, through which experiments and demonstrations in live-stock breeding, growing, and feeding, including both beef and dairy animals, may be made, $10,000.

Mr. GORE. I offer the amendment which I send to the desk, to be inserted at the conclusion of the words just read.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. After the words "ten thousand dollars" insert a comma and the words "of which said sum the Secretary is hereby authorized to use not exceeding $3,000 for the purpose of building additional sheds, stalls, and pens for the protection and care of said animals."

Mr. THOMAS. Mr. President, has any estimate been made for that appropriation?

Mr. GORE. The amendment I offered, I will say to the Senator, does not increase the amount reported by the committee.

Mr. THOMAS. I am asking in regard to the committee amendment.

Mr. GORE. This appropriation was made last year; but no provision was made for the construction of sheds, and so forth, and this is simply to continue it. It was not deemed advisable, as I am informed, to embark on the plan without the necessary sheds for the protection of the animals. There is a dry-farming station there, and this is supplemental to that.

Mr. THOMAS. I do not think that quite answers the question. The question is whether an estimate has been made for the appropriation carried by this amendment.

Mr. GORE. I could not answer that question. The chairman of the committee probably can.

Mr. THOMAS. I was asking the chairman.

Mr. GRONNA. I do not remember whether there was anything said about the buildings. The amount carried in the bill was estimated for.

The VICE PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 87, line 23, after the name "Alabama," to insert "and other States," so as to read:

Control and prevention of spread of the Mexican bean beetle: To enable the Secretary of Agriculture to meet the emergency caused by the recent introduction and rapid multiplication of the Mexican bean beetle in the State of Alabama, and other States, and to provide means for the study, experimentation in eradication, and for the control and prevention of the spread of this insect in that State and to other States, in cooperation with the State of Alabama and other States concerned and with individuals affected, including the employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $100,000, of which sum $25,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 88, after line 14, to insert:

Purchase of farm loan bonds: The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act, three years from the date of purchase shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

Mr. WARREN. Mr. President, of course that language, in the same amount, is carried in another bill which has passed the Senate and which is now in conference. The conferees have met, and the conferees on the part of the House have stated they were unable to accept it without submitting it back to the House as legislation. It has gone back to the House, and it will come out within one or two days. I take it for granted that we do not expect to carry the same legislation in two bills, and in more than the amount here stated.

Mr. GRONNA. If the item is agreed to in the legislative bill, of course it will come out of this bill.

Mr. WARREN. Then I understand if the bill comes out of conference containing that provision, on notification of the conferees to the Senator from North Dakota, this item will be taken out?

Mr. GRONNA. It will be eliminated.

Mr. THOMAS. Mr. President, if this amendment is subject to a point of order I shall make one against it. I make it on the ground that no estimate has been made for the item; also, that it is general legislation upon an appropriation bill.

Mr. SWANSON. Before the point of order is ruled on, I want to suggest that the rule says that where an item in an appropriation bill has been reported by a standing committee of the Senate it is not subject to a point of order.

Mr. THOMAS. It is general legislation.

Mr. SWANSON. It simply carries out the present law.

The VICE PRESIDENT. It is entirely new matter, and the point of order is sustained.

The next amendment was, on page 89, after line 10, to insert:

Purchase of seed grain for drought-stricken areas: That the Secretary of Agriculture is hereby authorized, for the crop of 1921, to make advances or loans to farmers in the drought-stricken areas of the United States, where he shall find that special need for such assistance exists, for the purchase of wheat, oats, and barley for seed purposes when necessary, to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $300. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $5,000,000 immediately available.

SEC. 2. That any person who shall knowingly make any false representation for the purpose of obtaining an advance, loan, or sale under this act shall, upon conviction thereof, be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding six months, or both.

Mr. THOMAS. I wish to inquire of the chairman of the committee having charge of the bill if this amendment is a duplication of the bill passed a few days ago?

Mr. GRONNA. It is exactly the same language that was in the bill that was passed last Monday.

Mr. THOMAS. If that bill is accepted by the House, this will go out?

Mr. GRONNA. This provision will go out if that passes.

The amendment was agreed to.

The ASSISTANT SECRETARY. The total for the estimate is changed on lines 14 and 15. After the numerals insert the following words:

and an authorization for the Secretary of the Treasury to purchase farm loan bonds, $100,000,000, during the fiscal year 1921, and $100,000,000 during the fiscal year 1922.

The amendment was rejected.

The VICE PRESIDENT. That completes the consideration of committee amendments, except those passed over. The Secretary will state the first amendment passed over.

The ASSISTANT SECRETARY. The first amendment passed over is on page 7, passed over at the instance of the Senator from Utah [Mr. SMOOT]. In the changing of the totals on lines 20 and 21 the amendments were passed over relating to general expenses of the Weather Bureau.

Mr. GRONNA. Mr. President, I have an amendment which I offer to be inserted at that point. The Senator from Utah has approved the amendment, and I know of no objection to it.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 7, after line 3, insert the following paragraph:

For the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications, including the pay of additional employees when necessary, $11,450: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said bureau.

Mr. THOMAS. I should like to inquire how the printing has been done in the past.

Mr. GRONNA. I believe it has been done by the Weather Bureau. The Senator from Utah is quite familiar with this matter. I have the estimate here. It is rather lengthy, but I shall have it read. I think perhaps that will give the information desired. I will ask the Secretary to read what the department has to say with regard to it.

The Assistant Secretary read as follows:

This item was eliminated through a point of order when the bill was under consideration in the House. The point of order was raised by Mr. KESS, as he regarded a change in the language of the item necessary to avoid conflict with the provisions of section 11 of the legislative, executive, and judicial act approved March 1, 1919.

The Weather Bureau plant is admitted to be indispensable to the work of the bureau, and it is essential that the appropriation carried by the item be restored. A slight change in the language of the proviso will meet the wishes of the Joint Committee on Printing and also make the proviso conform to that passed by the House as an amendment of Representative Barnhart, then chairman of the Joint Committee on Printing, during a debate on the bill for 1915. The amendment was agreed to by the Senate with the words "in the judgment of the Secretary of Agriculture" added. It is this added language that is now suggested omitted. The proposed language of the proviso is as follows:

"*Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said bureau."

In view of the authority conferred upon the Joint Committee on Printing by the provisions of section 11, it is believed that the omission of the words mentioned will in no way restrict the Secretary of Agriculture or the Chief of the Weather Bureau in the supervision and administrative control of this plant, nor will it in fact increase the powers of the Joint Committee on Printing, which are now very specifically defined in section 11 and other laws.

From conferences with members of the Joint Committee on Printing, it is the understanding of the department that the modified provision is not objectionable to them. Therefore, the restoration of this item in the following language is recommended, to be inserted on page 7, between lines 3 and 4:

"For the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications, including the pay of additional employees, when necessary, $14,450: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said bureau."

The amount submitted is the same as was included in the estimates, but $3,000 in excess of the item as reported to the House. The increase of $3,000 is needed for the purchase of supplies, equipment, and repairs, due to expanded costs. There has been no increase in this subappropriation for six years.

Mr. SMOOT. I ask that the amendment be read.

The Assistant Secretary again read the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The totals will be changed to correspond with the amendment just agreed to. The next committee amendment passed over will be read.

The ASSISTANT SECRETARY. On page 16, under the heading "Bureau of Plant Industry, salaries," the amount passed over was where the committee proposes to insert in line 7, after the numerals "$3,000," the following:

One administrative assistant in seed and plant distribution, $3,000.

The amount was reduced by the Senate from $3,000 to $2,500.

Mr. SMOOT. That was the increased salary for Mr. Jones.

Mr. GRONNA. The present law allows a salary of $2,500. This would provide an increase of $500.

Mr. SMOOT. With a great deal less responsibility.

The VICE PRESIDENT. The amount has already been reduced to $2,500 by the action of the Senate.

Mr. SMOOT. So I understood.

Mr. SMITH of South Carolina. I think the record will show that I asked, before the final vote was taken, that the matter be passed over, and I understood the chairman of the committee that it would be passed over and taken up later, before a final vote was had upon it.

The VICE PRESIDENT. The present occupant of the chair was not here at the time. He knows only what the RECORD shows.

Mr. SMITH of South Carolina. I think the RECORD will show that fact.

Mr. SMOOT. In order that the Senator may have a chance to have a vote upon it, I ask unanimous consent that the vote by which the reduction was agreed to may be reconsidered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the vote rejecting the amendment of the committee inserting "$3,000" at the end of the clause is reconsidered.

Mr. SMITH of South Carolina. I think the action of the committee ought to be sustained, because the matter was gone into thoroughly. I have said all I care to say about the work of this officer. Evidence of the estimate which the committee places upon him is recorded in the action taken by the committee, and I sincerely hope that $3,000 will be retained, as well as the official.

Mr. GORE. Mr. President, I wish to add to what the Senator from South Carolina has said, that for a number of years the seed appropriation has gone out of the bill in the Senate almost every year. There has been only one exception that I remember for six or seven years. When the appropriation for the purchase of free seed went out, the appropriation for Mr. Jones went out with it. It as uniformly returned to the bill in conference.

Of course, the conferees were powerless to increase the salary of Mr. Jones. He is an old, faithful, efficient, and, I may add, a very obliging employee of the Government. I think many Senators will bear testimony to his character and reputation in that respect. It has been impossible to increase his pay under the parliamentary situation in which we have found ourselves year after year. It is possible that the seed appropriation may return in conference. I hope not. But we have arranged it so that Mr. Jones will remain in office in any event, charged with other duties of less responsibility. I hope the slight increase in his compensation will be made as a reward for his long and faithful service.

Mr. SMITH of South Carolina. I wish to say just one word more. I appreciate fully the contention made on the floor of the Senate about the great number of employees who may not be essential and the contention against the raising of salaries. There is little encouragement to an employee of the Government who is faithfully serving the Government, giving efficient service, using thrift and all the ability that he has to render that service, and who then receives no recognition at the hands of those who have charge of the affairs of the Government.

The Department of Agriculture complain that in their scientific work they can not keep the efficient scientific men who are rendering such splendid service, because the Government can not and will not meet the competition of private interests, whereas the interests of the Government are paramount to any private interests. Here is one man who has proven himself capable and efficient, tried for years and never found wanting, and we have the opportunity of giving him the pitiful sum of $3,000 a year, and yet there is a question as to the wisdom of that proceeding. It is small encouragement for men to give efficient work when those who have met the requirements that have been placed upon them efficiently have this kind of treatment at our hands.

Mr. SMOOT. Mr. President, I wish to add merely one word. I am not going to say anything about Mr. Jones. We have many hundreds and thousands of employees who are just as loyal as Mr. Jones. He has been drawing $2,500 a year for years and years. Among the duties devolving upon him was the distribution of valuable seeds, millions of packages of seeds. I have no doubt that the seed provision is going to remain out of the bill if the bill becomes a law at this session of Congress.

Now, we are taking away from Mr. Jones at least three-fourths of the responsibility that was placed on him previously, and increasing his salary $500—I should say increasing his salary $260, because with the salary of $2,500 he gets a $240 bonus, making $2,740. The increase of salary now is to $3,000, which, of course, under the law, would carry no bonus, and therefore the increase is $260 instead of $500, as stated.

So we have been treating this employee like we have been treating everybody else in the Government service. I can not see any reason why, now that this immense amount of work has been taken away from him, three-quarters of all of the responsibilities that the man has had, his salary should be increased. It is for that reason that I hope that the $3,000, as reported by the committee, will be reduced to $2,500.

Mr. GRONNA. Mr. President, I hope the Senator from Utah will let this go to conference. If I am appointed a member of the conference committee, I will assure the Senator that if the congressional seeds provision does not go back into the bill, the salary of Mr. Jones will not be increased over $2,500, but if

it does go back, which we hope it will not, then I hope we can have the $3,000 provision remain in the bill.

Mr. SMOOT. With that understanding, I shall not object.

Mr. GRONNA. I move that "$3,000" be substituted for "$2,500."

The VICE PRESIDENT. The pending question is to reduce the amount to $2,500.

Mr. SMOOT. I withdraw that motion, with the understanding contained in the statement just made by the Senator from North Dakota.

Mr. SMITH of South Carolina. Then the question will be upon agreeing to the committee amendment?

The VICE PRESIDENT. That is the question now pending.

The amendment was agreed to.

The VICE PRESIDENT. The next committee amendment passed over will be stated.

The ASSISTANT SECRETARY. On page 47, at the foot of the page, the committee proposed to strike out "$38,000" and insert "$30,000," for enabling the Secretary of Agriculture to carry into effect the provisions of the act approved March 2, 1897, entitled "An act to prevent the importation of impure and unwholesome tea," and so forth.

Mr. GRONNA. I hope that the committee amendment will be rejected. We labored under a misapprehension. I have a letter from the department which I will ask to have read.

The VICE PRESIDENT. The Chair hears no objection and the Secretary will read as requested.

The reading clerk read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, February 15, 1921.

For the fiscal year 1921 the Agricultural appropriation bill carried an item under appropriation for the Bureau of Chemistry of $40,000 for the enforcement of the tea act of March 2, 1897, which was less than was asked for at the time of the transfer of the tea law to this department. However, by strict economy and reorganization of this work under the Bureau of Chemistry, and with excellent cooperation from the Customs Service of the Treasury Department, this work has been carried on satisfactorily and efficiently, so that in making up the estimates for the fiscal year 1922, notwithstanding the higher cost of everything connected with the service, we were able to place our estimates at the same figures, $40,000, but recommended that the lump sum be reduced about $3,500 by shifting one clerk at $1,500 per annum, one at $1,400 per annum, and a messenger at $600 per annum to the statutory roll of the bureau, thus reducing the lump sum to $36,500.

The Appropriations Committee of the House transferred one clerk at $1,400 per annum and the messenger at $600 per annum to the statutory roll of the bureau, but did not transfer the clerk at $1,500 per annum, but recommended that the lump sum for the enforcement of the tea act be $38,000, which would have taken care of the clerk at $1,500 per annum. These items as reported from the committee passed the House, but the Senate Agricultural Committee reported the bill out with the item for the enforcement of the tea act reduced to $30,000, exclusive of the two positions transferred to the statutory roll, or at a net decrease of $8,000, or 24 per cent.

If this reduction prevails, it will be absolutely impossible to enforce this act as Congress intended it should be enforced at the time of its passage, and as it has been enforced up to the present time.

Without the full enforcement of this law, the consumer can not be protected from impure and unwholesome tea, as the act provides, and uniformity of inspection of all teas entering the United States can not be continued. This latter condition, if allowed to occur, would bring about unfair competition among importers of teas, because teas below the physical standards of "purity, quality, and fitness for consumption" as fixed by the law, would gain entrance and go into competition with teas equal to the fixed standards, which would work to the detriment of the honest importer who lived up to the standards.

A policing measure of this kind to give full protection to the consumer as well as to the tea merchant must be enforced in its entirety, and any lack of enforcement in any direction nullifies the purposes for which the act was drawn, namely, to protect the consumer from impure and unwholesome teas.

The amount of money absolutely necessary to pay the salaries of the tea-examining force, exclusive of the two men on the statutory roll, which force can not be reduced without destroying the proper functioning of the service, is $28,950. The difference between this amount and the amount proposed by the Senate bill is $1,050, which would not cover the cost of fixing the Government standards, much less take care of the seven tea-examining offices, the drawing of samples, which must be taken from every line and grade and every shipment of tea, and for the traveling expenses of the inspectors and the maintenance of the United States Board of Tea Appeals.

It can be readily seen from these estimates that the reduction proposed in the bill now before the Senate can not spell anything but ruin to a law that protects the consumer from a food product that is one of the easiest to sophisticate and which, before the law was passed, was the most sophisticated and adulterated of any food product entering the United States; in fact, the United States was known as the dumping ground for all trashy and spurious teas.

Respectfully,

GEO. F. MITCHELL,
Supervising Tea Examiner.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The VICE PRESIDENT. The bill is still before the Senate, as in Committee of the Whole, and open to further amendment.

Mr. OVERMAN. I should like to have the attention of the chairman of the Committee on Agriculture and Forestry. As he will remember, I introduced an amendment to establish an experimental forestry station at Asheville, N. C. I understand the committee rejected the amendment, so far as it concerned the establishment of such a station at one particular place, but that the committee increased the appropriation under the head of "Silvicultural, dendrological, and other experiments and investigations" by a sufficient amount to enable the department, if it saw proper, to establish the station at such place as it should determine.

Mr. GRONNA. Yes; I will say to the Senator from North Carolina that that is my understanding of the matter.

Mr. HARRISON. When we had the matter under consideration we had the amendment of the Senator from North Carolina before the committee.

Mr. JONES of Washington. I desire to offer an amendment.

Mr. GRONNA. We have not yet finished the committee amendments.

The VICE PRESIDENT. The Chair understood that the committee amendments had been concluded.

Mr. GRONNA. On behalf of the committee I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The ASSISTANT SECRETARY. On page 54, line 17, after the word "Agriculture," it is proposed to insert the following:

to develop the best methods and means of dealing with and spraying against the coddling moth and.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GRONNA. I offer another amendment.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The ASSISTANT SECRETARY. On page 54, between lines 5 and 6, it is proposed to insert the following:

For investigations of insects affecting greenhouse florists' stock and other ornamental plants, $20,000.

Mr. SMOOT. Does that amendment increase the amount of the appropriation for the investigation of insects?

Mr. GRONNA. Yes; that increases the amount by $20,000. I have very voluminous estimates for it, which I shall not take the time of the Senate to read, but it is a very important proposition, I will say to the Senator from Utah. I am sure he will not object to it.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. GRONNA. I offer another amendment.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The ASSISTANT SECRETARY. On page 70, between lines 17 and 18, it is proposed to insert:

For investigations of the chemical and physical character of road materials, for continuing laboratory and field experiments, and for studies and investigations in road design, independently or in cooperation with the State highway departments and other agencies, $148,200, payable out of the administrative fund provided by the Federal aid road act of July 11, 1916, as amended.

Mr. SMOOT. Was that estimated for?

Mr. GRONNA. Yes; and I will say for the information of the Senate that the member of the Appropriations Committee in the other House who had the bill in charge, Mr. SYDNEY ANDERSON, brought this amendment over to me and said that it should go into the bill. I think it went out on a point of order or in some such way in the other House. We are spending $400,000,000 for the construction of roads, and it seems to me that we ought to allow a sufficient amount to the Bureau of Roads to enable them to ascertain what sort of material ought to be used in road construction. I think it is a very important amendment.

Mr. THOMAS. Why can not a part of that large appropriation be used for the purpose?

Mr. GRONNA. This does not enlarge the appropriation, I will say to the Senator from Colorado. It only permits taking out of the appropriation this amount.

Mr. THOMAS. The Senator from North Dakota said that we had appropriated several hundred million dollars for the building of roads. My question was why a part of that appropriation could not be used, and legitimately used, for this identical purpose?

Mr. GRONNA. As I understand, it can not be taken from that particular fund.

Mr. SMOOT. Mr. President, perhaps it would be interesting to the Senate to know that when the first appropriation was made for this purpose, a number of years ago, it was $10,000. Senators who have gone out to Chevy Chase will remember that a little wooden house, a road experimental station, was constructed in that vicinity. A part of the first appropriation was

spent for the building of that box house. Each year since we have had an appropriation for the purpose, until it has now reached the aggregate of $148,000. I do not know what work that would cover, but I remember that one of the Senators from Colorado—not the present senior Senator from Colorado [Mr. THOMAS], however—was very much interested in the subject. The appropriation to which I have referred was the beginning of the proposition, and, I repeat, the appropriation has now grown to $148,000.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota.

The amendment was agreed to.

Mr. GRONNA. I offer the amendment which I send to the desk. It involves merely the correction of a word.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The ASSISTANT SECRETARY. On page 90, line 12, it is proposed to strike out the word "by" and insert the word "be."

The amendment was agreed to.

Mr. GRONNA. On behalf of the committee, I offer another amendment.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The ASSISTANT SECRETARY. On page 90, between lines 13 and 14, it is proposed to insert the following:

That the President be, and is hereby, authorized and requested to extend invitations to foreign Governments to be represented by delegates in a world's dairy congress to be held in the United States in 1922: *Provided*, That nothing herein contained shall be construed to create any pecuniary obligation on the part of the Government of the United States.

Mr. GRONNA. I will say that this is a matter which was overlooked by the committee.

Mr. THOMAS. I can not object to the amendment, but it will be followed by an appropriation to entertain the delegates while here.

Mr. SMOOT. As has uniformly been the case in the past.

Mr. THOMAS. As always is the case. Such invitations are accompanied by an express announcement that they will not cost anything, and then we are accused of inhospitality if we do not make the cost as much as the entertainment requires.

Mr. GRONNA. I wish to say to the Senator from Colorado that this amendment is asked for by the President of the United States in a message which is contained in Document No. 347, of which I have a copy.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NEW. Mr. President, if we are through with the committee amendments——

Mr. GRONNA. There is one more committee amendment to be offered.

Mr. NEW. Then, I shall withhold my amendment until the committee amendments shall have been concluded.

Mr. GORE. Mr. President, I am requested by the chairman of the committee to present the amendment which I send to the desk to be inserted as a new section of the bill.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. At the end of the bill it is proposed to insert a new section, as follows:

To enable the joint committee of the two Houses on short-time rural credits, constituted and appointed in pursuance of Public, No. 234, Sixty-sixth Congress, an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, to continue and complete its labors and report, $5,000.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. NEW. Mr. President, I should like to have the attention of the chairman of the committee while I suggest an amendment. On page 7, in line 19, I move that the figures "$81,020" be amended to read "$181,020."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 7, line 19, it is proposed to strike out "$81,020," and insert "$181,020," so as to read:

For the maintenance of stations, for observing, measuring, and investigating atmospheric phenomena, including salaries, travel, and other expenses in the city of Washington and elsewhere, $181,020.

Mr. NEW. Mr. President, the purpose of the amendment is to enable the Weather Bureau to perform a necessary function for the aeronautical service, both in relation to the Army and to the Post Office Department. It is necessary for that service to be supplied with accurate reports of weather conditions, and the Weather Bureau naturally can supply them better and more cheaply than can any other agency. While the amendment apparently involves an increase of $100,000 in the expense of conducting this service, as a matter of fact it involves no increase at all, for if the work is not performed by the Weather Bureau it will have to be performed by the Army and by the Post Office Department; so that the money will be expended whether by one agency or the other. It is merely a question of whether it shall be spent by two services, the Army and the Post Office Department, or whether it shall be spent and the service performed by the Weather Bureau, which can carry on the work to much better effect and advantage than can the other services.

Mr. SMOOT. Mr. President, why will not the three services do the same work and follow out the duplications which are apparent in so many other branches of the Government service? Does not the Senator think that the Army and the Post Office Department will do the same work, no matter whether we give this appropriation or not?

Mr. NEW. No; not if the work is done by the Weather Bureau.

Mr. SMOOT. I will watch the result with a great deal of apprehension. If the Post Office Department has the money for the work and the Army has the money for it, they are going to do the work, no matter whether the Weather Bureau does it or not.

Mr. HEFLIN. If the Senator's amendment shall be adopted, then will the work be done by one agency and be paid for only once by that one?

Mr. NEW. I think so; that is, at least, the purpose of the amendment and of the paragraph in the bill which covers the matter.

Mr. HEFLIN. The work will be done by one department, and paid for by one department, where it is now being paid for and being performed by two?

Mr. NEW. The work that will be done by the Weather Bureau under my amendment will be done by the Army and by the Post Office Department in case the amendment is not adopted. It can be done better by the Weather Bureau, and much more satisfactorily and accurately than if done by the other two services.

Mr. GRONNA. Mr. President, I will say to the Senator from Indiana that the Department of Agriculture sent in an estimate for $281,000. The present law carries $81,000 for this purpose, the same as the amount in the pending bill. As one of the members of the committee, I should have no objection to allowing the amendment to go to conference, increasing the amount as reported by $100,000. I can not see that it will be an increase in appropriations if the work is not to be done by any other department, and as the Senator has assured that it will not be so done, I should be very glad to let the amendment go to conference, and we shall do the best we can to retain it.

Mr. NEW. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Indiana.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I offer an amendment on page 53, and invite the attention of the chairman of the committee to the proposed amendment.

On page 53, line 22, I move to strike out "$110,000" and insert in lieu thereof "$160,000."

The reason for that is that unless the appropriation carried in the bill is increased to that extent an important portion of the work intended to be accomplished by that provision in the bill will not be done. I have here a letter on the subject from Dr. Howard, the chief of the bureau, in which he says:

I thought that possibly you might desire to know that a mistake has evidently been made. The failure of the Senate committee to include in its report this increase as recommended by the Secretary of Agriculture might be due to the fact that the increase of $10,000 was asked to the stored-products item of the bill for truck-crop and stored-product insect investigations, making a total of $40,000 for this subappropriation, which is identical in amount with the increase requested for the sweet-potato weevil work. Furthermore, the House committee might be under the impression that, inasmuch as it has recommended that $15,000 be immediately available, this covers the amount desired. Without this amount of $40,000 additional for sweet-potato weevil work, we will be in a very bad way for next year, as the $15,000 to be made immediately available would scarcely more than cover our operations for the present fiscal year in eradicating this pest from northern Florida and that small portion of Georgia where it is now practically under control, owing to our efforts.

They have practically controlled the trouble in Georgia, but they have not reached it in Florida. It was through the efforts of the department in connection with this insect which destroys the sweet potato that it was eradicated in Georgia. Now they want to carry on the work in Florida, and they can not do it unless this appropriation is increased.

It is therefore suggested that in the act making appropriations for the Department of griculture for the fiscal year ending June 30, 1922, page 53, line 22, $110,000 be struck out and $150,000 be substituted.

Mr. GRONNA. Mr. President, I will say to the Senator from Florida that I am in thorough sympathy with the Senator in

getting liberal appropriations to eradicate these insects; but the estimate is only $120,000, and we could not go above the estimate.

Mr. FLETCHER. I think, perhaps, just as Dr. Howard says, the Senator confuses this estimate with some others. For instance, under two other subappropriation heads the amount estimated for was some $50,000, and it was, perhaps, supposed that that was intended to cover this section, but it does not cover it. My impression is that the estimate for this item is $160,000 or $150,000. The committee took care of the other subappropriation items but they did not take care of this provision. They might have thought that the $15,000 being immediately available would be sufficient, but that will be expended before this year is out.

Mr. GRONNA. The Book of Estimates shows an estimate of only $120,000.

Mr. FLETCHER. Does not the $120,000 apply to the one item of sweet-potato insects?

Mr. GRONNA. It applies to the paragraph on page 53, beginning with line 19, which reads as follows:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products.

The House allowed $110,000, and then the item reads:

Of which sum $15,000 shall be immediately available.

Mr. FLETCHER. Then the estimate is for $120,000?

Mr. GRONNA. One hundred and twenty thousand dollars. I have no objection to increasing that to $120,000 and letting it go to conference.

Mr. FLETCHER. Then I can not ask to go beyond the estimate. I will ask that the amendment be changed from $110,000 to $120,000.

The VICE PRESIDENT. The Secretary will state the amendment as modified.

The ASSISTANT SECRETARY. On page 53, line 22, it is proposed to strike out "$110,000" and in lieu thereof to insert "$120,000."

Mr. SMITH of Georgia. Mr. President, I only want to say that my information is that the department has done very valuable work in my own State toward eradicating this trouble, and this is clearly one of the cases in which the appropriation made a year ago has brought valuable results.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. FLETCHER], as modified.

The amendment was agreed to.

Mr. McNARY. Mr. President, I offer the amendment which I send to the desk. I do so at the suggestion of the junior Senator from California [Mr. JOHNSON], who is absent.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 42, after line 9, it is proposed to insert:

For the establishment and maintenance of a forest experiment station in cooperation with the University of California, $25,000.

Mr. McNARY. The reason for supporting this amendment is set forth very strongly by the chief forester, and I ask permission that his statement may be read, unless the chairman desires to dispose of the amendment otherwise.

Mr. GRONNA. Mr. President, this was not estimated for. I have no objection to having the statement of the chief forester read, but I regret to say that I can not approve it, as one member of the committee, and I hope it will not be agreed to.

The VICE PRESIDENT. Does the Senator make the point of order?

Mr. GRONNA. I should be very glad to submit it to a vote.

Mr. RANSDELL. Mr. President, I should like to say a word on this subject.

Mr. THOMAS. I will make the point of order against the amendment, if it is not estimated for.

The VICE PRESIDENT. Does the Senator from Colorado make the point of order?

Mr. THOMAS. If it is not estimated for.

The VICE PRESIDENT. The point of order is sustained.

Mr. WALSH of Montana. Mr. President, I move to strike out lines 12, 13, 14, and 15, on page 50, which is the item that was the subject of some discussion this afternoon.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 50, it is proposed to strike out lines 12 to 15, both inclusive, which read as follows:

For exploration and investigation within the United States to determine possible sources of supply and methods of obtaining potash, nitrates, and other natural fertilizers, $86,840.

Mr. WALSH of Montana. Mr. President, I have letters from the Director of the Geological Survey and the Director of the Bureau of Mines, both of whom concur in the views expressed here this morning to the effect that this is a mere duplication of the work of those two branches of the Government.

Mr. Smith's letter is as follows:

I regard the work of the Bureau of Soils under the item "For exploration and investigation within the United States to determine possible sources of supply of potash, nitrates, and other fertilizers" as duplicating work being done by the United States Geological Survey under current law. Since 1912 appropriations made for the Geological Survey have provided for "researches with a view of determining geological conditions favorable to the presence of deposits of potash salts," and the search has been made in the deserts of the West for potash minerals, including potash nitrate. Such exploration for supplies of mineral raw materials is essentially geologic and the recognized province of the Geological Survey, irrespective of what use is made of the raw materials. For 10 years this is the position I have held in every conference with representatives of the Bureau of Soils, and, while cooperating with them, I have regretted this duplication of effort.

The investigation of methods of mining potash minerals, their manufacture, and especially the recovery of potash as by-products in metallurgical processes, is a subject outside the work of the Geological Survey, except the annual collection of the statistics of production. Since 1910 the technological investigations of mineral products have come under the Bureau of Mines, and with the technologic work of that bureau on potash the survey's geologic work on the same subject has been coordinated without duplication.

Yours, very cordially,

GEO. OTIS SMITH, *Director.*

So, Mr. President, the first part—that is, the part in the bill as it came from the House—is a straight duplication of the work of the Geological Survey. The part which originated with the Senate committee—the methods of obtaining the potash from the minerals in connection with which it is found—is a part of the work of the Bureau of Mines, as disclosed by the following letter from the Director of the Bureau of Mines:

In answer to your telephone call, in which you state that the Agricultural appropriation bill carried a clause "for exploration and investigation within the United States to determine possible sources of supply and method for obtaining potash, nitrates, and other natural fertilizers, $86,840," and inquiring if this came within the work of the Bureau of Mines:

The organic act of the Bureau of Mines charges it "with the province and duty to conduct inquiries and scientific and technologic investigations concerning mining and the preparation, treatment, and utilization of mineral substances."

Further, in the act providing for the establishing and maintenance of mining experiment stations, it was stated that they were "for the purposes of making investigations and disseminating information * * * in the mining, quarrying, metallurgical, and other mineral industries * * * preventing unnecessary waste of resources, and otherwise contributing to the advancement of these industries." Accordingly, the Bureau of Mines has carried out considerable work in the mining, treatment, and utilization of the so-called nonmetallic minerals, which include potash, nitrates, phosphates, and other natural fertilizers. In addition, the bureau is planning to enlarge this work, having already placed in the hands of the mining committees of Congress for their consideration a bill to increase the appropriation to the Bureau of Mines for this very purpose, and such bill is now being considered by the Mines and Mining Committee of the House.

The bureau has been working on the recovery of potash and alumina from low-grade alunite at its Salt Lake station, and at the present time a branch of the nonmetallic work which has just been established at Tuscaloosa, Ala., will carry on investigations in connection with raw materials, both as regard potash and phosphate rock. In addition, during the war the Bureau of Mines was actively engaged in the metallurgical end of the manufacture of nitrates, this work being under Dr. C. L. Parson, then chief chemist of the bureau. Also, the Bureau of Mines, through its connection with the Anaconda Commission, detailed an engineer to study and report on the manufacture of phosphates and sulphuric acid, and this work has been partially published in a bureau bulletin.

Finally, the work of inspection and conservation of the mining operations on Government land, including phosphates and sodium minerals, under act of February 25, 1920, has been placed in the Bureau of Mines for administration.

The Geological Survey has carried out a great deal of work in connection with the geology, occurrence, and resources of these nonmetallic minerals, and functions closely with the Bureau of Mines without duplication.

Accordingly, it is my belief that the clause which provides for carrying on this work by the Agricultural Department does duplicate and overlap the work delegated to and now being carried out, so far as funds permit, by the Bureau of Mines.

Cordially, yours,

E. A. HOLBROOK,
Acting Director.

Accordingly it does not seem to me that there is any justification whatever for this item.

Mr. SMITH of South Carolina. Mr. President, I can understand clearly how the two departments to which the Senator refers do the work to which he has called attention, but that is incidental to their work. It is almost like the coking of coal. Incidental to that there are certain by-products, but the Agricultural Department is charged with the specific duty of promoting agriculture, and I submit that one of the most important functions that it can discharge is to locate all possible sources of fertilizers and to give to the agricultural interests of this country that information. My interpretation of this clause would be that they are not restricted to the mineral sources alone but that they may go to any and every source that would tend to increase the supply of these necessary ingredients and inform the agricultural public of that fact.

It may be possible that in some respects the work of the Geological Survey and the Bureau of Mines may be in extension

of or may be helpful to the work of the Agricultural Department. But they are hunting minerals, and they are hunting them for general purposes, and for all purposes for which potash may be used, for which phosphorus may be used, or for which nitrates may be used. But the specific and definite purpose with which this department is charged is to find the sources of supply for agriculture, and if these departments can aid them in this work, well and good; but we should not strike from an Agricultural appropriation bill an appropriation which gives to the Department of Agriculture the duty and power to investigate and find the sources of a thing upon which agriculture depends.

It seems to me, Mr. President, that if there is to be an appropriation made, if we will not allow even incidental and unavoidable duplication, that the appropriation should be taken from these two departments and that work left with the Agricultural Department. But that can not be done, because the Bureau of Mines and the Bureau of Soils are charged with hunting out the minerals and the soil, perhaps, of this country for the benefit of the general public. Incidentally, they find potash, and that is for the use of the general public. They find nitrates, and that is for the use of the general public. But this department is charged with searching for these minerals and other organic and inorganic substances for the purpose of making fertilizer, and the two are in distinct fields, only where one incidentally laps unavoidably the other. The purpose of that department is not to hunt fertilizer. That is only incidental.

The purpose of this is to search for the source, not only in the mineral field, in the inorganic field, but in the organic field, and I submit that we should not abate this appropriation, when we charge them with one of the prime elements upon which agriculture rests. I concede that there might be an incidental overlapping. I suppose that would occur in any department charged with a general duty and another with a specific or definite duty.

Mr. WALSH of Montana. If the Senator is quite willing to amend it so as to exclude mineral sources, I shall not have the slightest objection to it. If he will make it "sources of natural fertilizer other than mineral," then he would have the situation just as he wants it.

Mr. SMITH of South Carolina. Perhaps the Senator would be more willing to agree with my standpoint if he would take into cognizance the fact that two years ago there was discovered a sort of potash in this country. I do not know just which one of the several departments promulgated that fact. The potash was bought by farmers all through the country and applied to the crops with disastrous results, so much so that some crops were a total loss. Upon investigation it was found that it was rich in potash content, but also had a percentage of borax, which, when applied to the soil, absolutely killed the plants.

The Bureau of Mines were hunting potash. They had found potash. The bureau of the Agricultural Department wanted a potash suited for agriculture. In some of the industries throughout the country that potash might have been all-sufficient; the borax might not have been deleterious. But when we bought the potash in good faith, tobacco, corn, and cotton were starved.

Have you charged in your law that when they develop and find this potash, and publish abroad that they have a rich potash content available for the farm, they are to go into it and prepare it as a fertilizer? It is quite a different proposition. When the Bureau of Mines discovers a source of potash, under this the Department of Agriculture can go and test to find whether it is a sulphate or a muriate, or whether it contains deleterious chemicals which make it unfit for fertilizer.

Mr. WALSH of Montana. The Senator from South Carolina is not unacquainted with the geological conditions under which these deposits are found. These nonmetallic substances are always found associated, and they are made useful for commercial purposes by a process of refining. That is the case with phosphates, that is the case with potash, that is the case with nitrates. That is a different thing altogether from discovering the source. To make these sources available by manufacture for the purpose desired is quite a different thing, not covered by this item of the appropriation bill at all.

Mr. SMITH of South Carolina. But the Senator will notice that the language says for exploration and investigation of the sources of and supply of fertilizer, not of chemicals, not of minerals, which in themselves may be ultimately reduced and adapted for fertilizer purposes, but they are charged with the specific duty of finding amongst the chemicals that the Bureau of Soils and the Bureau of Mines finds, which ones are adapted to fertilizer purposes. Therefore it is a distinct field in which this department is called upon to work, and I think it would be a disaster for us to strike from the bill this provision, which guards and guarantees, through investigation, the people who must depend upon commercial fertilizers for the production of crops.

Mr. WALSH of Montana. Mr. President, I desire to add just one word. It is true that the explorations made by the Bureau of Mines and the Geological Survey for the purpose of discovering these minerals are to discover them for any use to which they may be put, not especially for the use in fertilizer. But if the argument of the Senator from South Carolina is correct, we ought to put a provision in the Army bill authorizing the Army to make explorations with a view to finding nitrates and potash for use in the manufacture of powder and other explosives.

Mr. SMITH of South Carolina. I think we do that identical thing, and that is part of the Army process. It is part of the building up of the Army.

Mr. WALSH of Montana. Up to the present time the Army has not conducted any explorations for the purpose of finding sources of supply.

Mr. SMITH of South Carolina. It had the chemists, who were all ready to take the sources and do what we propose these people shall do, find out what of the chemicals discovered are fit for explosives, and that is what we are doing, providing that they shall explore and find out, through investigation, what is fit for agriculture. I do not know what other language you could use which would protect the people of this country in the use of artificial fertilizers.

The VICE PRESIDENT. The question is on agreeing to the amendment.

On a division, the amendment was rejected.

Mr. TRAMMELL. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. On page 75, line 2, strike out "$390,160" and insert in lieu thereof "$750,000," so that it will read:

For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of live stock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, $750,000.

Mr. TRAMMELL. Mr. President, I offer this amendment in an effort to try to make the appropriation in accordance with the recommendation of the department. I know of no more important undertaking of the Department of Agriculture, or one that is fraught with greater possibilities for benefit, than that covered by this particular paragraph, which provides for information to be furnished to the agricultural interests of the country upon market conditions.

The most serious problem of our producers of fruits and of vegetables is the one of markets. Many of the States, even, have established marketing bureaus, because it has been realized that there was such great necessity along this line. Under the policy which has already been inaugurated by the Federal Government, a great deal of good has been accomplished, and at this particular time to curtail the appropriation would very much hamper the department in furnishing information to the agricultural interests of the country regarding marketing conditions. The department estimated that $750,000 would be necessary to carry on this important work, but for some reason the House thought proper to cut it down to $390,000, and now the Senate committee recommends only that amount.

I know it is getting late in the day, Mr. President, and I shall not attempt to discuss the question at length, but I am fully convinced that there is great merit in the recommendation of the department that the appropriation should be $750,000, and I have therefore moved that it be amended so as to grant the amount requested by the department.

On a division, the amendment was rejected.

Mr. GORE. Mr. President, I offer the amendment which I send to the desk as a new section to be added at the end of the bill. I think the chairman of the committee will be willing to accept it.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. Add a new section at the end of the bill, as follows:

SEC. —. The Secretary of Agriculture is directed hereafter to submit to Congress at the beginning of each regular session a report showing what investigations devolved upon the Department of Agriculture have been completed during the preceding fiscal year, and also showing what

services, if any, devolved upon the department are being performed or duplicated, in whole or in part, by any other department, bureau, or agency of the Government.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, on page 41, line 18, I move to strike out "$250,000" and insert in lieu thereof "$400,000."

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 41, line 18, strike out "$250,000" and insert in lieu thereof "$400,000," in the item "for the investigation of methods for wood distillation and for the preservative treatment of timber," and so forth.

Mr. LA FOLLETTE. Mr. President, this is an increase of $150,000 for the forest-products laboratory. Besides the forest-products laboratory which is located at Madison, Wis., there are four offices maintained in lumber-producing States, and there is also a small testing laboratory at Seattle, in Washington.

There is not a State in the Union where lumber is produced that has not as deep an interest in the maintenance at its fullest capacity for experimentation of the laboratory located at Madison, Wis., as have the people of Wisconsin and their Representatives. I have received many letters from lumbermen, not only in the State of Wisconsin but over the country, asking that the appropriation might be brought to the amount of the estimate of the department.

The work that is being done there in the elimination of waste is a perfect marvel. I know it was a great surprise to me, and I doubt if many Senators upon the floor know, that 75 per cent of a tree is absolutely wasted before it is converted into wrought lumber and put in the yard. Only 25 per cent of it is saved. Between 40 and 60 per cent of the material that goes from the lumber yard to be manufactured into furniture is wasted and lost.

In the matter of handles for tools made from hickory, two tons of that wood—and it is rather a precious wood, being used up very rapidly—when made into the finished product result in only 400 pounds of finished material. It is unnecessary that this waste should go on. It is wrong that it should go on.

I do not wish to take the time of the Senate. I believe the amendment will carry without any speech from me in support of it, but if Senators are interested I have many facts and arguments that I would be glad to submit in support of it. I am very anxious to see it added to the bill. I do not wish to see expenditures made from the Treasury at this time that can not be justified, but every dollar invested under the amendment which I have proposed will be paid back an hundredfold, a thousandfold, to the people of the country.

Mr. WILLIS. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Ohio.

Mr. WILLIS. I desire to invite the attention of the Senator to the fact that the matter to which he has referred is by no means of merely local interest. I have received a large number of letters from lumbermen in my State. Ohio is not a great lumbering State, but the lumbermen there are interested in this proposition. If the Senator will permit me, I will read what one of them said in a letter to me:

WINCHESTER LUMBER CO.,
Winchester, Ohio, February 21, 1921.

Hon. FRANK B. WILLIS,
Washington, D. C.

DEAR SENATOR: It is our belief, in common with the majority of the wood-using industries of the United States, that the Forest Products Laboratory at Madison, Wis., has been of great service to the woodworking industries, because it serves our need by promoting conservation of our basic raw material.

We note that Congress plans to dispose of the appropriation bills before March 4. We note also that the Secretary of Agriculture has decided to ask Congress for only $400,000 for the laboratory for the coming year in place of the $500,000 originally asked for by the Chief of the Forest Service. It is possible that this appropriation may again be cut in the House or the Senate unless its Members are made to appreciate the value and need of research in forest products, both from the standpoint of the industries themselves and general public welfare.

We believe that an appropriation of $500,000 for the Forest Products Laboratory would be money well expended, and we are taking the liberty of calling this matter to your attention, with the thought that you will be glad to lend the appropriation bill your support and personal influence. We would appreciate your letting us know what action you may be able to take in this matter.

Yours, very truly,

WINCHESTER LUMBER CO.
H. H. MEDELIN.

Our people are in favor of the amendment proposed by the Senator from Wisconsin, and I hope that it will be agreed to.

Mr. LA FOLLETTE. I thank the Senator.

Mr. WALSH of Montana. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Montana.

Mr. WALSH of Montana. I should like to add to what the Senator from Ohio has said, that we have been profiting out in the State of Montana by the operations of the experiment station at Madison, and the work in connection with it has been called to my attention.

Our mountains are covered with a dense growth of small pine, generally known as lodge-pole pine, which rarely attains a size greater than 12 or 18 inches in diameter, and is of practically no value for timber purposes. It was then thought that it ought to be made available in some form for wood pulp, but the abundance of pitch in the timber forbade its use for that purpose.

The station at Madison has been conducting extensive experiments for the purpose of devising some plan by which this vast amount of timber can be utilized for the production of wood pulp. They have made very excellent progress, and the experimentations promise the highest degree of success. It would be a boon to the country if the paper supply could be augmented by that great source, and it is not at all improbable that it will be made wholly so by the operations of this valuable plant of the Government at Madison.

Mr. RANSDELL. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LA FOLLETTE. Certainly.

Mr. RANSDELL. I wish to add just this word to what has been said. At Bogalusa, La., there is what Louisianians claim to be the largest sawmill on earth. The principal stock is held by some people in Buffalo, N. Y., known as the Bogalusa Lumber Co. It has been going forward very rapidly in the most progressive manner. The general manager is Mr. W. H. Sullivan. Recently they decided to add an $8,000,000 addition to their pulp-manufacturing plant. Mr. Sullivan has several times called to my attention the invaluable service rendered to his enterprise and to the lumber industry in Louisiana by the laboratory at Madison, Wis. He has appealed to me to assist in securing an increased appropriation for this purpose.

I agree with the Senator from Wisconsin and the Senator from Ohio, and the Senator from Montana, that it would be a most wise addition to the bill. In my own State we are denuding the forests of timber very rapidly. We are trying to grow new forests. I do not know that the amendment would apply particularly to the loblolly pine that we are growing in the new forests, but I believe it would, because that pine, which grows very rapidly, is used largely for pulp, and the Madison wood products laboratory is finding new uses of lumber for pulp.

It is also training the people of Louisiana how to convert into paper pulp all the limbs and the refuse material. They are pretty nearly as good about that down there as they are in Chicago, where it is said they lose nothing of the hog but the squeal. Down in my State, as the result of the work of the Wisconsin Products Laboratory, some of the mills are losing literally nothing but the bark. They are also exhibiting great results there from the investigation of the stumps. The stumps of the pine trees contain very valuable products in the way of pitch, tar, turpentine, and resin, and other things that are immensely valuable. It is a very difficult problem for us now to get enough out of the stumps to make it pay to take them from the soil. It costs from $30 to $40 an acre to get rid of the stumps, and the Wisconsin laboratory is rapidly showing us how to get rid of them with profit.

I do not believe we could do more wisely than to agree to the amendment offered by the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I am not inclined to take further time of the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. On page 90, after line 8, insert:

That the Secretary of Agriculture, in cooperation with the State agricultural colleges and experiment stations and the United States Council of the World's Poultry Congress and other organizations, be, and he hereby is, authorized on behalf of the United States to make suitable exhibits at the World's Poultry Congress of the International Association of Poultry Instructors and Investigators to be held at The Hague, Holland, September 6 to 13, 1921, and there is hereby authorized to be appropriated for this purpose, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, to be expended by the Secretary of Agriculture, under such regulations as he shall prescribe, for the preparation, assembling, transportation, maintenance, and demonstration of the exhibits, which exhibits, upon their return to the United States, shall be the property of the United States and remain under the control of the Department of Agriculture. And the Secretary of Agriculture is also authorized to select and, out of the appropriation authorized hereunder, defray the expenses of three delegates who are officials or employees of the Department of Agriculture to attend the said congress and of investigating and reporting in connection with said congress on poultry conditions and methods of poultry production and marketing.

Mr. GRONNA. Mr. President, the hour is getting late, and there is no objection to the amendment so far as the committee is concerned.

Mr. THOMAS. May I ask the chairman in charge of the bill whether any estimate was made for the appropriation?

Mr. GRONNA. I do not believe there was an estimate made for it, but I was about to say that so far as the committee is concerned we are willing to let it go to conference.

Mr. THOMAS. If no estimate has been made for it, I wish to submit a point of order against it.

Mr. CALDER. I will not press the amendment, as I believe no estimate has been made.

Mr. THOMAS. I make the point of order against it if there has been no estimate for it.

The VICE PRESIDENT. There having been no estimate, the Chair sustains the point of order.

Mr. ASHURST. Mr. President, I move to add at an appropriate place in the bill the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. Insert in the proper place in the bill the following:

That the sum of $30,000 is hereby appropriated, to be immediately available for expenditure and to continue available during the fiscal year ending June 30, 1922, to enable the Secretary of Agriculture to establish and maintain a forest experiment station at such place in the State of Arizona as he may select, for the purpose of conducting in Arizona and adjacent States silvicultural, dendrological, and other experiments and investigations, independently or in cooperation with other branches of the Federal Government, with State, county, and municipal agencies, educational institutions, business organizations, and individuals, in order to determine the best methods for the management of forest lands.

Mr. ASHURST. In support of the amendment I will state that I introduced it as a separate bill and sent a copy to the chairman of the Senate Committee on Agriculture and Forestry [Mr. GRONNA] who in turn transmitted my letter to the Secretary of Agriculture. I also sent a copy to the department and have received the following letter from the Secretary, which I will read. The letter reads as follows:

DEPARTMENT OF AGRICULTURE,
Washington, February 2, 1921.

Hon. HENRY F. ASHURST,
United States Senate.

DEAR SENATOR ASHURST: I have your letter of January 29 inclosing a copy of the bill introduced by you for the establishment and maintenance of a forest experiment station in Arizona. A letter of the same date was also received from Senator GRONNA, chairman of the Committee on Agriculture and Forestry, to which your bill was referred, asking for a report from this department on it. I take pleasure in inclosing for your information a copy of my reply to Senator GRONNA, from which you will see that the department recognizes the urgent need for the establishment of such a station and recommends the passage of the bill which you have introduced.

May I also take advantage of this opportunity to express my appreciation of your interest in the matter and the hope that you will be successful in securing favorable action?

Very sincerely, yours,

E. T. MEREDITH, *Secretary.*

The Secretary transmitted a copy of his letter to the Senator from North Dakota [Mr. GRONNA], pointing out at some length the advisability, indeed, the necessity, of establishing the experiment station. I ask for a vote on the amendment.

Mr. THOMAS. Mr. President, I shall have to be consistent. I made a point of order against a similar amendment offered by the Senator from Oregon [Mr. MCNARY] a few moments ago, and I shall have to make one against this if no estimate was made for it.

The VICE PRESIDENT. Was there an estimate?

Mr. ASHURST. I have read the letter from the Department of Agriculture, and being frank with the Senate I doubt if that is an estimate under the law.

The VICE PRESIDENT. That is not an estimate. The point of order is sustained.

Mr. ASHURST. I shall be very brief. I offer another amendment, which I ask to have read.

The VICE PRESIDENT. The amendment proposed by the Senator from Arizona will be stated.

The ASSISTANT SECRETARY. It is proposed to insert at the proper place in the bill the following:

That there is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $100,000, or so much thereof as may be necessary, to reimburse landowners residing on Yuma project, Arizona-California, for all moneys they have heretofore paid into the United States Reclamation Service for the operation and maintenance of the Colorado River front work and levee system of said project.

That there is also hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $100,000, or so much thereof as may be necessary, to be placed to the credit of the United States Reclamation Service and expended under the direction of the Secretary of the Interior for the purpose of paying the operation and maintenance costs of said Colorado River front work and levee system on said Yuma project, Arizona-California, for the fiscal year ending June 30, 1921, and an additional sum of $100,000 per annum, or so much thereof as may be necessary, for the operation and maintenance of said Colorado River front work and levee system, it being hereby declared to be the policy of the United States to assume the obligation of caring for said river front work and levee system on said Yuma project, Arizona-California, and not to have the same charged to said project as any part of constructing or maintaining the reclamation work of said Yuma project, Arizona-California.

Mr. ASHURST. Mr. President, a word in explanation of the amendment. The Reclamation Service constructed in Arizona-California a reclamation project near Yuma. Some forty-five or fifty thousand acres of land are irrigated there under this reclamation project. The third largest river in the United States, the Colorado River, which drains about 245,000 square miles, debouches into the point where the irrigated farms are. The result is that the water users there for many years past have been charged the enormous expense incurred by the Reclamation Service in revetting the banks and controlling that river. I am sure that ultimately, if not at this time, the Congress will declare that the farmers there—few in number, comparatively—should not and ought to be required to pay the expense of holding within a fixed channel a river which is not only interstate but which is international in character, and is, as I have said, the third largest river in the United States.

It will shock the conscience of a humane man to say that a few farmers must hold within its channel at that point the third largest river of our country, one that in July rises and whose cutting edge destroys many farms. That is my reason for offering the amendment to this bill. I offer the amendment, and hope that no Senator will make a point of order against it, although I know it is subject to a point of order.

Mr. THOMAS. Mr. President——

Mr. ASHURST. Will the Senator withhold his point of order until I put into the RECORD some figures?

Mr. THOMAS. Yes.

Mr. ASHURST. The water which comes down each year, the run-off which passes Yuma, where these farms are located, amounts to an average of 19,000,000 acre-feet; in other words, it is enough to cover 19,000,000 acres with water 1 foot deep.

Mr. THOMAS. Mr. President, I am in thorough sympathy with the argument of the Senator from Arizona; I think that the Government of the United States has imposed upon it the duty of protecting that section of the country from river inundations; but I do not think this is the way to get at it, and particularly as there has been no estimate of the amounts of money expended or of the extent to which attempted revetment of the river by private enterprise has gone. I am therefore compelled to make the point of order against the amendment, there being no estimate for the expenditure.

The VICE PRESIDENT. The point of order is sustained.

Mr. ASHURST. I shall thank the Chair and the Senate for indulging me long enough to offer another amendment. I ask the Secretary to recur to page 23, line 20, of the bill. Commencing with line 17, on that page, the language reads as follows:

For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation act, and other areas in the arid and semiarid regions, $70,000.

I propose an amendment to increase the numerals in line 20 from $70,000 to $94,420.

I was recently traveling through the West, not in my own State but in another State, and some of the citizens appealed to me to assist their Senators, if possible, in securing an investigation of a valley there the soil of which would be very fertile, and if water could be placed upon it would produce abundant crops. The citizens directed a letter to the Reclamation Service, but the reply was to the effect that the service did not have adequate funds with which to make an investigation as to the suitability or the feasibility of a reclamation project at that point. In Arizona I was recently appealed to by the citizens of the town of Winslow, which is on the Little Colorado River, with vast tracts of land adjacent, upon which practically no crops are grown, which is wholly a desert, and yet with the Little Colorado River running through it. So the Representative of Arizona in Congress, Mr. HAYDEN, telegraphed or wrote to the Chief of the Reclamation Service and simply asked him to send some person from the Reclamation Service to investigate the soil and water supply in order to ascertain the suitability or the feasibility of a project at that point. The Reclamation Office replied to Mr. HAYDEN to the effect that they had no funds with which they could make such an investigation.

The estimate of the department for this item is $94,420. It will simply give the Reclamation Service an adequate fund with which that service may examine into the feasibility or the suitability of reclamation projects at a particular point. No more worthy appropriation could be made, as citizens of our country are entitled to have some governmental agency tell them offi-

cially from a scientific standpoint whether or not a project could successfully be established at a particular point.

When we speak of irrigation we must not forget that there are 18,000,000 acres in the United States now under irrigation, but only 2,000,000 acres are irrigated by the Government, whilst 16,000,000 acres are irrigated by private enterprise, and I can not at the moment conceive of an appropriation more worthy or more beneficial to the country than one that will provide adequate moneys to the department to enable it to ascertain whether or not the physical features here or there are such as to encourage farmers and home builders in indulging any further hope for a Government project.

Mr. GRONNA. Mr. President——

Mr. ASHURST. I yield the floor.

Mr. GRONNA. I merely wished to ask the Senator from Arizona a question.

Mr. ASHURST. I yield.

Mr. GRONNA. This is a very meritorious amendment, undoubtedly, but the present law carries $52,380, I believe. The House increased that amount and made it $70,000.

Mr. ASHURST. Yes; the House fixed the sum at $70,000.

Mr. GRONNA. I will say that the committee did not go into this particular case in any minute detail, but I have no objection to letting the amendment go to conference, inasmuch as it proposes to appropriate the amount estimated for.

Mr. ASHURST. I thank the Senator. The amendment is not subject to a point of order, as it was estimated for by the department.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arizona.

The amendment was agreed to.

Mr. HARRISON. Mr. President, this is the bill that provides for the construction of public roads, and it is very proper that the Bureau of Road Construction should be under the Agricultural Department, and that provisions respecting appropriations and policies in connection with road building should be incorporated in this bill. There is pending in the Senate a bill to which a majorty of the Senate have already recorded themselves as favorable. I believe on the motion to suspend the rule to make in order as an amendment to the Post Office appropriation bill the road bill appropriating $100,000,000 to carry on road construction in the United States the vote was 42 yeas to 33 nays, so that there was a majority of 9 in favor of that bill. The same bill has already passed the House by a vote of 230 to 30.

Of course, the Post Office appropriation bill was not as appropriate a measure to carry a piece of legislation such as the road bill which passed the House as is the Agricultural appropriation bill. It is undenied, I imagine, at least it is not a controverted proposition, that the road bill as passed by the House should be considered at this time in connection with a general appropriation bill for agricultural and road-construction purposes. Since the Senate has already declared itself as favorable to the road bill, even under the peculiar circumstances of having to vote to suspend the rules to place it on an appropriation bill, certainly no Senator would object or would make a point of order, and thereby prevent the placing of this piece of legislation providing $100,000,000 for road construction on a general appropriation bill for agricultural purposes.

So I am going to offer as an amendment to the pending bill, a bill which has already passed by such a tremendous vote the House of Representatives, which has already been sanctioned by a majority of 9 in the Senate, 42 Members of the Senate saying that even the rules of the Senate should be suspended in order that this proposed legislation might be passed. I sincerely hope that no point of order will be made against it, and that no objection will be made to it, because not only what I have narrated is true, but on the 4th of March this Congress will adjourn; there are many bills on the calendar; we are trying to expedite the passage of all the general supply bills, and practically no other legislation will come up from now until the 4th of March, there being only a very few working days remaining. So unless we incorporate in the pending appropriation bill the very important piece of legislation to which I have referred, appropriating $100,000,000 to carry on this general road construction policy, the bill which was passed by the House will die on the 4th of March. I am sure the Senate does not desire that the measure shall die during this Congress which will necessitate our going to work at the next session and passing it through both House and Senate at that time. So I offer as an amendment to the pending appropriation bill, the road bill which has been championed by the Senator from Virginia [Mr. SWANSON] and which has already received the indorsement of the Senate by a majority of 9 votes.

The amendment proposed by Mr. HARRISON is, in line 18, page 72, to insert:

That for the purpose of carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums:

The sum of $100,000,000 for the fiscal year ending June 30, 1922.

The aforesaid additional sum shall be expended in accordance with the provisions of such act: *Provided*, That the aforesaid additional sum, together with any sums apportioned to any State under the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto and not heretofore withdrawn from the principal fund, as provided by section 6 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919, shall be available for expenditure in that State for the purpose set forth in such acts until two years after the close of the respective fiscal years for which any such sums become available, and any amount so apportioned remaining unexpended at the end of the period during which it is available for expenditure under the terms of such acts shall be reapportioned in accordance with the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916: *Provided further*, That in each State in which the percentage of total land area to which the title of the United States is unqualified or exempt by act of Congress from taxation in said State exceeds 10 per cent of the total area of all lands in the State the Secretary of Agriculture may reduce the ratio of cooperation required, but not to below one-half that which the total of the patented, tax exempt, and national forest land bears to the total area of all lands in the State.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000,000 for the fiscal year ending June 30, 1922, for national forest roads and trails.

The said appropriations for national forest roads and trails to be available until expended by the Secretary of Agriculture for the survey, construction, and maintenance of roads or trails within, partly within, or contiguous to the national forests when such roads or trails are necessary for the use and development of the resources of the national forests or desirable for their proper administration, protection, and improvement or for the extension of important main highways.

SEC. 3. That any person, firm, corporation, member of any highway commission, or employee thereof that makes any false statement or representation as to the character of material used or quality of work performed in the construction of any project approved by the Secretary of Agriculture under the provisions of said act with the intent to defraud the United States shall upon conviction be imprisoned not to exceed five years or pay a fine not to exceed $10,000, or be punished by both imprisonment and fine.

SEC. 4. That the Secretary of Agriculture shall make annual report to Congress of the amounts expended hereunder.

Mr. THOMAS. Mr. President, I shall have to disappoint my friend from Mississippi. It is true that there was a vote on the motion to suspend the rules so as to make in order the measure which the Senator from Mississippi now presents, and on that motion the bill commanded a majority, but not two-thirds. It is a disagreeable duty, of course, to perform when such a vast sum as $100,000,000 is so near and with a point of order becomes so far. I think, however, that the country will get along and road building will continue under existing appropriations if this measure goes over until the next Congress, when a Republican Senate and a Republican House may pass it, and not only get all the prestige out of it, if there be any, but may also refer to the fact that it would have passed the Senate but for the objection of a Democrat. I make the point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 59, line 25, after the numerals "$2,000," it is proposed to strike out the remainder of the line, and on page 60, line 1, it is proposed to strike out the numerals "$1,800" where they first appear and to insert in lieu thereof, on page 59, line 23, after the numerals "$3,000," the following:

One chief cinematographer, $2,500.

Mr. CALDER. Mr. President, this place was estimated for. The amendment provides a different title for the man who makes all the important moving pictures for the Department of Agriculture. At present he is paid under the title of "assistant in document section, $1,800." This amendment provides that he shall get $2,500.

I know of no better recommendation for this man than to read just a brief statement of the Chief of the Division of Publications when he appeared before the House Committee on Agriculture. He said:

As I have said, gentlemen, he is an excellent motion-picture photographer, and he is a man who could unquestionably demand a very much higher salary outside of the department. Incidentally, he was pretty severely injured last year in getting some pictures for the department and was laid up for a considerable length of time. I feel that it is particularly important that we pay this man more money

if we are going to retain his services. We can not hope to keep him for the money we now can pay him and we could not replace him for twice the salary he is now getting. I regard the promotion * * * for this man as * * * most important.

Mr. President, I know this man. I know that he has made several important inventions and given them to the Government, and I believe that the Government would do well to give him this increase of $700 per annum. I am afraid that if we do not, outside moving-picture concerns will take him, and the Government will lose a good man and have difficulty in replacing him.

Mr. SMOOT. Mr. President, I suppose the object of changing this man's title is to increase his salary. If we do this with one man, I think we will have to do it with all engaged in this business, and there are a great many of them in the Government service at the present time. I should think, for example, we would want to increase the salary of the photographer who takes pictures for the O'Connor Stock Co.

I noticed the other day in the paper an advertisemment of the O'Connor Stock Co. I never had heard of that stock company before, and I read the advertisement down, and I found that the performance was to be held in the conference room of the Post Office Building. A couple of years ago I called attention to the fact that we had a theater down here, and that we ought to use the space for employees of the Government, but that that whole space was set aside for a theater in the Post Office Building down on Pennsylvania Avenue; and immediately after I called the attention of the Senate to it the name of the theater was changed to the "conference room." I see now that the O'Connor Stock Co. is to be playing at the conference room of the Post Office Building, Eleventh Street and Pennsylvania Avenue. It says what they are going to be interested in and what the play is to be.

I think the time has come when this ought to stop. I received, I think, three letters last week from employees of the Government complaining bitterly because they were called, after they had worked in some cases and in some cases during their work, to go and attend social functions in the departments. I do not know where we are drifting, and I want to know if this item was estimated for at $2,500.

Mr. GRONNA. Yes; I will say to the Senator that it was estimated for at $2,500.

Mr. SMOOT. This man is drawing $1,800 now?

Mr. GRONNA. He is drawing $1,800 now; yes. The committee did not see fit to approve the recommendation, and I hope it will not prevail.

Mr. SMOOT. I hope the Senate will not adopt the amendment.

Mr. WARREN. Mr. President, was there not an estimate for a general increase of salaries at this time?

Mr. GRONNA. There was an estimate for a general increase, but it was not allowed.

Mr. WARREN. It was estimated, however?

Mr. GRONNA. Yes.

Mr. WARREN. They estimated for increases all the way through?

Mr. GRONNA. In a great many instances they did, I think.

Mr. CALDER. Mr. President, this man has nothing whatever to do with the O'Connor Stock Co., to which the Senator from Utah has referred. I will say to the Senate that there is no more efficient man in the Government employ than this man. Last year he was borrowed by the Navy Department to take overhead pictures from aircraft of the fleet in the Chesapeake. The plane from which he was taking pictures fell, and he was nearly killed, and was laid up for three months in the hospital. Subsequently, when he recovered his health, he was sent to Minneapolis to take pictures in flour mills there for the Department of Agriculture. There, again, through an explosion, he was very nearly killed.

Mr. President, I repeat that there is no more efficient public servant than this man, and I say to the Senate that if they fail to increase his pay in all probability they will lose him, and then they will have an estimate next year for $5,000 for a man to fill his place.

I hope the Senate will agree to my amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York.

The amendment was agreed to.

Mr. RANSDELL. Mr. President, I offer an amendment on page 46 of the bill, to which I call the attention of the chairman of the committee. It is advocated by the Secretary of Agriculture, Mr. Meredith. It is, on line 20, after the word "sirup," to add the words "and sugar," so that it will read:

For the investigation and development of methods for the manufacture of table sirup and sugar and of methods for the manufacture of sweet sirups—

And so forth.

I do not wish to make any speech. I ask to have published as a part of my remarks the letter of the Secretary of Agriculture. It is addressed to Chairman GRONNA, on the 18th instant, and it says, in substance, that—

It is not the intention to divert to the study of sugar production any funds which are needed for the development and improvement of methods of producing table sirups. The amendment proposed will merely permit the Bureau of Chemistry to apply in the most effective manner the information and knowledge gained as a result of its investigation—

And so forth.

I will ask the chairman if he has investigated the matter?

Mr. GRONNA. Mr. President, so far as I can, I shall be glad to accept the amendment.

Mr. RANSDELL. It does not add a cent of expense.

Mr. SMOOT. It will next year.

Mr. RANSDELL. I ask to have the letter to which I refer published in the RECORD.

The VICE PRESIDENT. Without objection, that will be done.

The letter is as follows:

FEBRUARY 18, 1921.

Hon. ASLE J. GRONNA,
United States Senate.

DEAR SENATOR GRONNA: I desire to suggest, for your consideration, the insertion of the words "and sugar" in line 20, page 46, of the Agricultural appropriation bill as reported to the Senate, so that the provision (lines 19 and 20) will read:

"For the investigation and development of methods for the manufacture of table sirup and sugar and of methods for the manufacture of sweet sirups * * *."

The proposed change will greatly facilitate the work of the Bureau of Chemistry in applying to processes of sugar production the information gained in connection with the study of the production of table sirups, of which cane sirup has been the principal subject of investigation. The production of cane sirup and of cane sugar are very closely related, inasmuch as the clarification of the juice is the principal feature of both these processes, and the Bureau of Chemistry has found that much of the information acquired in connection with the production of cane sirup can be very readily applied with profit to the production of sugar. The insertion of the words "and sugar," as suggested, will give that bureau greater freedom in applying this knowledge, without interfering in any way with the work on cane sirup. It is not the intention to divert to the study of sugar production any funds which are needed for the development and improvement of methods of producing table sirups. The amendment proposed will merely permit the Bureau of Chemistry to apply, in the most effective manner, the information and knowledge gained as a result of its investigation. The application of this information to the production of sugar is, of course, merely incidental and subsidiary to the study of the production of cane sirup and table sirups in general.

Very truly, yours,

E. T. MEREDITH, *Secretary.*

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Louisiana.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, for the Senator from California [Mr. PHELAN], who is unavoidably absent, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The Assistant Secretary read as follows:

That the Secretary of Agriculture be, and he is hereby, authorized to purchase and acquire the lands occupied by the department's experiment vineyards near Fresno and Oakville, Calif., now maintained under contracts with the owners of said lands: *Provided*, That the land purchased for the Fresno vineyard shall not exceed 20 acres at a cost not to exceed $12,000 and for the Oakville vineyard not to exceed 20 acres at a cost not to exceed $15,000.

Mr. SMOOT. Mr. President, there has been no estimate for that appropriation, and I make the point of order against it.

Mr. WALSH of Montana. Mr. President, the Senator will see that no appropriation is made.

Mr. LODGE. Yes; $12,000 and $15,000.

Mr. WALSH of Montana. It is simply an authorization to buy.

Mr. SMOOT. That is the same thing.

Mr. WALSH of Montana. Oh, no. There is no appropriation made, so that that point of order, I take it, would not lie.

Mr. SMOOT. Then it is general legislation on an appropriation bill, and not reported by a standing committee of the Senate.

Mr. HARRISON. Yes; it has been authorized to be reported by the Senate Agricultural Committee as a separate bill, though not as an amendment to this bill.

The VICE PRESIDENT. The Chair does not think a thing can be purchased without paying for it in some way. The point of order is sustained.

Mr. SMOOT. Mr. President, on page 48, I move to strike out lines 1 to 7, as follows:

For investigating the grading, weighing, handling, transportation, and uses of naval stores, the preparation of definite type samples thereof, and for the demonstration of improved methods or processes of preparing naval stores, in cooperation with individuals and companies, including the employment of necessary persons and means in the city of Washington and elsewhere, $10,000.

That item was put in the bill a number of years ago, for one year. It has been running now for several years, and I can not see that there is any use whatever in the appropriation. The last time when the question arose it was said: "Well, let it go in for one more year." It went in that year and I think it ought to go out now.

Mr. FLETCHER. Mr. President, I do not think this has been a useless appropriation at all. I think the department has been doing very good work under it. They now have rosin, for instance, classified, and they have naval stores standardized in a way, and they are doing first-rate work under this appropriation. I think it is quite an important appropriation. The industry of naval stores, including rosin and turpentine, is a very considerable one. The appropriation is small, and I think it ought to be continued.

Mr. SMOOT. Three years ago, at the time the question came up, it was asked that it should go in for that year, and at that time the committee did not report it out.

Mr. SMITH of Georgia. Mr. President, it was not limited to one year at that time. I presented the original provision.

Mr. SMOOT. It was limited because all the appropriations were limited for one year.

Mr. SMITH of Georgia. But it was not limited according to the suggestion of the Senator. As he says, all appropriations are made for one year.

Mr. SMOOT. No; but on the floor of the Senate, when the question arose as to whether it should be put into the bill, they said: "Well, let it go in for one more year," and that was three years ago.

Mr. SMITH of Georgia. That may be true, but it is an important appropriation. The industry is a very large one. The appropriation has been used to do excellent work; the men interested are very numerous; the amount of our exports of naval stores is very large; the standardization and the other work that is being done by the Department of Agriculture is helping our foreign commerce, and is of value to the producers.

Mr. HARRISON. Mr. President, I want to tell the Senator what this work is. I am afraid he does not know. They have recently discovered a new way of making rosin out of turpentine stumps, and the colors shift and change, and they tell the value of the rosin by the colors. They have people working on these standards of various colors. They have standardized it a good deal like they have cotton.

Mr. SMOOT. Just exactly.

Mr. HARRISON. The work has not been finished yet. It has been estimated for. I do not know when it will be finished, but it is rendering valuable service to a big industry in this country, and the appropriation should be made.

Mr. SMOOT. My information is that the work is completed, and that they have prepared these samples showing the colors. They are about 3 inches in circumference and show the colors of all the different grades.

Mr. SMITH of Georgia. Mr. President, the information of the Senator is inaccurate.

Mr. SMOOT. I think I got my information pretty straight.

Mr. SMITH of Georgia. I received mine directly from the head of the naval stores organization at Savannah, Ga., and I am assured by them that the work is still progressing and is still necessary.

Mr. FLETCHER. Not only that, but the item covers the question of the use of naval stores. It can never be done in one year.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

On a division, the amendment was rejected.

The VICE PRESIDENT. Are there further amendments to be proposed? If not, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. SMITH of Georgia. There was one amendment which the chairman of the committee said he would offer again.

Mr. GRONNA. That is true; but it was with reference to the preparing and packing of fish and sea food of all kinds. The Senator from Utah has some information showing that it is really a duplication, and I said to the Senator from Utah that I would not press the amendment. The Senator from Utah promised that he would have the information inserted in the RECORD.

Mr. SMOOT. So that the record may be complete, I ask that a letter I received from the Secretary of Commerce, dated February 23, 1921, sent to me this morning, be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, February 23, 1921.

MY DEAR SIR: My attention has been called to the debate on the Agriculture appropriation bill, reported on pages 3616 to 3619 in the CONGRESSIONAL RECORD of February 22. In order to clear some points which appear to have been in doubt I am inclosing herewith a copy of a letter recently sent to Mr. SYDNEY ANDERSON, of the House Committee on Appropriations, in response to an inquiry from him. This letter states briefly the character of the work which the Bureau of Fisheries has been conducting for a number of years in the preparation of fishery products for food.

I may state that in a conference held in my office on December 21, with the Secretary of Agriculture and several officials of his department, Dr. Alsberg stated that the work of the character described was properly the function of the Bureau of Fisheries, and that the Bureau of Chemistry was willing to withdraw from investigations of the character indicated. He volunteered to make a statement to that effect to the Appropriations Committee.

Very truly, yours,

J. W. ALEXANDER,
Secretary of Commerce.

Hon. REED SMOOT,
United States Senate.

—

FEBRUARY 18, 1921.

DEAR SIR: In reply to your letter of February 14, you are informed that the problems of preservation and utilization of the products of the fisheries have been recognized as functions of the Bureau of Fisheries from its inception and have received attention dating back to its very early history when the demand and need for such work was not so fully appreciated as now. For example, in the report of the Commissioner of Fish and Fisheries for 1882, pages 44 to 45, is to be found an outline or plan for investigation of the fisheries of the United States, then about to be undertaken, which included "VI. Preparation, care of, and manufacture of fishery products. Here were to be considered the methods and the various devices for utilizing fish after they are caught, with statistics of capital and men employed, etc.: (a) Preservation of live fish; (b) refrigeration; (c) sun drying; (d) smoke drying; (e) pickling; (f) hermetically canning; (g) fur dressing; (h) whalebone preparation; (i) isinglass manufacture; (k) ambergris manufacture; (l) fish-guano manufacture; (m) oil rendering, etc." Section 5, in three volumes, of the monumental work "Fisheries and Fishery Industries of the United States, 1884–1887," contains considerable descriptive matter and illustrations of the methods of preservation and utilization of fishery products.

An examination of the subject matter contained in the publications referred to in the inclosed memorandum will serve to illustrate some phases of the bureau's work in this field in past years.

In recent years there has been an increasing demand for research work in fisheries technology for effecting improvements in the methods of preservation, distribution, and utilization of fishery products, including by-products. The bureau has endeavored to meet this demand as fully as the limited appropriations would permit. It has in Washington a fishery-products laboratory, excellently equipped, for investigations in the preservation of fish by canning, freezing in air and in brine, smoking, and drying, a constant temperature room for testing the keeping qualities of preserved products, and a research laboratory for such necessary incidental physical and chemical tests as may be required. In southern California it has a temporary laboratory well equipped for the solution of the practical problems of the fisheries of that region, particularly those problems common to that region which can be more efficiently handled at the center of operations.

The bureau has recently completed an investigation on the preservation of fish by salting in which certain improvements in commercial practices have been made, particularly in the salting of fish at high temperatures and therefore in warm climates, and has had practical application made of the results. This work was done in part in Washington, D. C., and several States on the Atlantic seaboard, particularly Florida, North Carolina, Virginia, Maryland, and Massachusetts.

Its plant for freezing in brine was the first of its kind to be imported into this country and has been employed to demonstrate this method of brine freezing fish to the trade and trials given of freezing fruits and vegetables and meats, poultry, etc., for the benefit of investigators in the Bureaus of Plant and Animal Industry of the Department of Agriculture. In fact, it is understood that one of these bureaus has since arranged to employ this method in its particular field of operation. The bureau's investigations in this field have been interfered with during the current fiscal year for lack of adequate funds and technologists. It now appears that this condition will be remedied with respect to the next fiscal year.

In southern California extended investigations have been made for the purpose of developing methods of canning fish for which satisfactory methods were lacking, in effecting improvements in common practice, and in solving the practical problems of the canners. Special attention has been devoted to the canning of mackerel, barracuda, bonito, pilchard, sea bass, smelt, tuna, and yellowtail, and to the recovery of fry-bath oil, means of avoiding objectionable flavor in bonito, and the like. This work has been centered chiefly at San Pedro.

The bureau's work in the utilization of the by-products of the fisheries has been particularly fortunate. It has been instrumental in greatly extending the production of fish meal for use as a stock feed within the last few years, in the establishment of fisheries for sharks and other unutilized aquatic animals, in the use of the hides for tanning into leather, the saving of dried fins for the oriental trade, in determining the special properties of particular fish oils, the more extended use of fish waste and waste fish, and the like. This work has been done in Washington and the field.

Among its other activities, mention may be made of its investigations as to the causes of reddening of salt fish, study of the causative organisms and possibilities of preventing the heavy losses resulting from this source of infection. This work has been done chiefly in New England. Mention may also be made of the investigations concerning the feasibility of deriving from marine algæ a gelatin suitable for use in the preservation of fish, which was conducted in Massachusetts.

It is scarcely practicable to cover the bureau's work in this field within the scope of a letter, but there are being mailed to you a copy of Bureau of Fisheries Document 892, "Fishery Industries of the United States," a report summarizing on pages 9 to 17 some of the work done in the calendar year 1919; a copy of Document 896, "Prog-

ress in Biological Inquiries," on page 27 of which you will find additional information on the reddening of salt fish, and page 29 reference to the deriving of jelly from seaweeds.

As the particular phases of the work mentioned in your letter present only parts of its activities, it is difficult to furnish a statement for the specific items because of their interrelations and overlapping other activities. It is hoped the following statement will serve your purpose:

Items for fiscal year ended June 30, 1920.

Investigations of the fishery-products laboratory in Washington and necessary work in field connected therewith, including maintenance of laboratory	$3,165.79
Practical application of methods evolved in salting of fish	326.04
Utilization of the waste products of the fisheries	1,130.07
Preservation of fishes and standardization of methods in southern California	3,389.37
Investigations in reddening of salt fish, dehydration of fish, and derivation of jelly from seaweeds (approximately)	700.00

In closing I may state that the work of the Bureau of Fisheries for the fishing industry is comparable to the work of the agricultural bureaus mentioned in their respective fields, that it is working in close touch with them, cooperating where cooperation is for the best interests of the people whom they are intended to serve, and avoiding duplication of work.

Very truly, yours, J. W. ALEXANDER, *Secretary.*

Hon. SYDNEY ANDERSON,
United States House of Representatives,
Washington, D. C.

Mr. FLETCHER. Mr. President, I offer the amendment originally offered by the committee.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 46, after line 6, insert:

For investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish, shrimp, oysters, and other shellfish, and for experimental shipments of these products, for the utilization of waste products, and the development of new sources of food, $20,000.

Mr. FLETCHER. Mr. President, it is probably a part of the function of the Bureau of Fisheries, under the Department of Commerce, to investigate the sources of fish-food supplies, new varieties of fish, and that sort of thing; but it is no part of the functions of that department to investigate the handling, grading, packing, canning, freezing, storing, and transportation of fish, shrimp, and oysters; and I think that ought to be done by the Department of Agriculture. Fish is an important food supply of the country. The Department of Commerce undertakes to investigate and ascertain the varieties of fish which may be used for food. A few years ago Secretary Redfield did discover that the tilefish had come back into the ocean, and he exploited that, and people began to use the tilefish a good deal, and I think changed the name of it so as to make it a little more palatable. At any rate, the work of the department had to do with discovering new edible fish; but it did not have to do with informing the people themselves, who catch the fish in the lakes and in the rivers and in the seas, and who get the oysters and shrimp, how to pack, how to preserve, and how to take care of those fish, and how to ship them. That is work for the Department of Agriculture.

Mr. SMOOT. Mr. President, may I read the letter from the Secretary?

Mr. LODGE. Before the Senator reads that, I understand he is going to oppose this item on the ground that the work is already being done?

Mr. SMOOT. Yes.

Mr. LODGE. The Senator overlooks the real point and value of the item. It is to employ two men to do what one man can do.

Mr. MCNARY. Mr. President, I think perhaps I can save the time required in reading the letter. I talked with Dr. Alsberg over the phone to-day, and he said this is very important work, but it can probably be transferred to the Bureau of Fisheries, and that he had no objection if that were done, if provision was made for its support in another bureau, and I understand from the Senator from Utah that it is taken care of in another appropriation bill.

Mr. SMOOT. Mr. President, I have here the bulletins showing the work that has been done. I will not take the time to read the letter, but the Secretary says it is a duplication of work.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Florida.

The amendment was rejected.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. GRONNA. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees.

The motion was agreed to; and the Vice President appointed Mr. GRONNA, Mr. KENYON, Mr. MCNARY, Mr. GORE, and Mr. SMITH of South Carolina conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATIONS.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of House bill 15935, the river and harbor appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

EXTENSION OF DAUPHINE STREET, NEW ORLEANS, LA.

Mr. FLETCHER. I am authorized by the Committee on Military Affairs to report back favorably without amendment the bill (S. 5030) authorizing the city of New Orleans, La., to extend Dauphine Street, in said city, across the United States military reservation known as the Jackson Barracks. This is a bill in which the senior Senator from Louisiana [Mr. RANSDELL] is interested and to which there is no opposition. I ask unanimous consent for its passage.

Mr. RANSDELL. It merely authorizes the extension of Dauphine Street, in New Orleans, through a military reservation in that city. The bill was drawn by the Secretary of War, recommended by him, and is now favorably reported by the Committee on Military Affairs.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the city of New Orleans, in the State of Louisiana, be, and it hereby is, authorized to extend Dauphine Street, in said city, across and through the property of the United States known as the military reservation of Jackson Barracks, said extension to be of the same width and a continuation of the same lines as said street at its juncture with Delery Street upon the easterly side of said reservation, upon condition that said street shall be improved and maintained by said city of New Orleans as a public street and without cost to the United States: *Provided, however*, That there is hereby expressly reserved to the United States the right to construct and maintain over, under, and across that said street water, gas, and sewer mains, electric lights, and telephone wires and cables, and any other requisite utilities which the use of said military reservation may require.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT.

Mr. JONES of Washington. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 24, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 23, 1921.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee for every new born day, for every new born soul, for every new born idea that brings us and the world in closer communion with Thee, that we may enter the kingdom of heaven and be indeed Thy children, led by Thy wisdom, by Thy power, and by Thy love into a larger, purer, nobler, and sweeter life; that we may be all for Thee, with Thy spirit our guide and Thy council our thought; that the world may be better that we have lived and wrought. Give us Thy best convictions that we may do ever well here and now and evermore. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

REGULATING SHIPMENT OF COLD-STORAGE FOODS IN INTERSTATE COMMERCE.

Mr. HAUGEN. Mr. Speaker, I call up the conference report on the bill H. R. 9521.

Mr. MCCLINTIC. Mr. Speaker, pending the request I would like to make the point of order of no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order of no quorum present. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Benson	Burdick	Casey
Bacharach	Bland, Mo.	Byrnes, S. C.	Clark, Fla.
Baer	Boies	Byrns, Tenn.	Clark, Mo.
Bankhead	Britten	Caldwell	Classon
Bell	Brumbaugh	Candler	Coady

Costello	Hamilton	Mann, S. C.	Rubey
Crowther	Hardy, Tex.	Mead	Rucker
Curry, Calif.	Harreld	Merritt	Sanders, La.
Davey	Hersman	Minahan, N. J.	Sanders, N. Y.
Donovan	Hill	Monahan, Wis.	Sanford
Dooling	Howard	Moon	Scully
Doremus	Hulings	Mooney	Sears
Doughton	Hull, Tenn.	Morin	Small
Dunn	Igoe	Mudd	Smith, Mich.
Eagan	James, Mich.	Nicholls	Smith, N. Y.
Eagle	Jefferis	Patterson, jr.	Steagall
Ellsworth	Johnson, S. Dak.	Pell	Steele
Evans, Nebr.	Johnston, N. Y.	Perlman	Stiness
Evans, Nev.	Kahn	Phelan	Sullivan
Ferris	Kennedy, Iowa	Porter	Swope
Flood	Kinkaid	Rainey, Ala.	Tague
Focht	Kitchin	Rainey, Henry T.	Thomas
Frear	Kleczka	Rainey, John W.	Upshaw
Gallagher	Lonergan	Ramsey	Vare
Ganly	Longworth	Randall, Calif.	Vestal
Garner	McCulloch	Randall, Wis.	Voigt
Garrett	McGlennon	Reavis	Watkins
Goldfogle	McKenzie	Reber	Webster
Goodwin, Ark.	McKinley	Reed, W. Va.	Wheeler
Graham, Ill.	MacGregor	Riddick	Wilson, Ill.
Graham, Pa.	Magee	Riordan	Wise
Hamill	Maher	Rowan	

The SPEAKER. Two hundred and ninety-six Members have answered to their names, a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

NATIONAL LOANS TO BELGIUM (S. DOC. NO. 413).

The SPEAKER. Last evening the point of no quorum was raised which prevented the Chair from laying before the House a message from the President, which came yesterday afternoon, and which he now presents.

The Clerk read as follows:

To the Senate and House of Representatives:

I herewith call your attention to an agreement with Belgium made by the British and French Premiers and myself, which is embodied in the following letter:

JUNE 16, 1919.

M. HYMANS,
Ministre des Affaires Etrangeres, Hotel Lotti, Paris.

SIR: The Reparation Clauses of the draft Treaty of Peace with Germany obligate Germany to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, on account of the violation by Germany of the Treaty of 1839. As evidence of such an obligation Germany is to make a special issue of bonds to be delivered to the Reparation Commission.

Each of the undersigned will recommend to the appropriate governmental agency of his Government that upon the delivery to the Reparation Commission of such bonds his Government accept an amount thereof corresponding to the sums which Belgium has borrowed from his Government since the war and up to November 11, 1918, together with interest at 5 per cent unless already included in such sums, in satisfaction of Belgium's obligation on account of such loans, which obligation of Belgium's shall thereupon be canceled.

We are, dear Mr. Minister,
Very truly, yours,

G. CLEMENCEAU.
WOODROW WILSON.
D. LLOYD-GEORGE.

In recommending to you that Congress take appropriate action with regard to this agreement, certain facts should be brought to your attention.

The neutrality of Belgium was guaranteed by the Treaty of London of 1839. In considering the reparation to be made by Germany it was agreed that the action of Germany in grossly violating this Treaty by an attack on Belgium, obligated the German Government under international law to repay to Belgium the costs of war. On this principle the Treaty of Versailles (Art. 232) provided that in accordance with Germany's pledges already given as to the complete restoration for Belgium, Germany should undertake, in addition to the compensation for material damage, to make reimbursement of all sums which Belgium had borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at 5 per cent per annum on such sums. This obligation was to be discharged by a special issue of bearer bonds to an equivalent amount payable in gold marks on May 1, 1926, or at the option of the German Government on the 1st of May in any year up to 1926.

For various reasons the undertaking defined in the above letter was not embodied in the Treaty. Belgium's obligations to the United States for advances made up to the date of the Armistice amounted to approximately $171,000,000, and to England and France they amounted, I am informed, to about £164,700,000. In view of the special circumstances in which Belgium became involved in the war and the attitude of this country toward Belgium, it was felt that the United States might well agree to make the same agreement respecting pre-Armistice loans to Belgium as England and France offered to do.

Advances made by the Treasury to the Belgian Government from the beginning of the war to the Armistice amounted to $171,780,000. This principal sum, however, includes advances of $499,400 made to enable the Belgians to pay the interest due November 15, 1917, and $1,571,468.42 to enable the payment of the interest due May 15, 1918. The interest on the advances has been paid up to April 15, 1919, the interest due from May 15, 1918, to that date having been paid out of the Treasury loans for which the United States holds Belgian obligations, which, however, were made after November 11, 1918, the date of the Armistice. This latter advance would not come within the terms of the Agreement above mentioned. If, therefore, the United States accepts payment of Belgian obligations given before the Armistice by receiving a corresponding amount of German obligations, it would seem that it should receive German obligations amounting to $171,780,000 with interest from April 15, 1919.

Although it is understood that England and France will take their share of the German bonds when received by Belgium, I am informed that the Reparation Commission has not as yet finally determined the details of the issuance of the necessary bonds by the German Government. A recommendation at this time that suitable legislative action should be taken may appear somewhat premature, but in view of the approaching termination of my Administration I have brought this matter to your attention, hoping that suitable action may be taken at the appropriate time.

WOODROW WILSON.

THE WHITE HOUSE,
22 February, 1921.

The SPEAKER. Referred to the Committee on Ways and Means and ordered printed.

REGULATING SHIPMENT OF COLD-STORAGE FOODS IN INTERSTATE COMMERCE.

Mr. HAUGEN. Mr. Speaker, I call up the conference report on the cold storage bill.

The SPEAKER. The gentleman from Iowa calls up the conference report on the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes.

The SPEAKER. The gentleman from Iowa has used 28 minutes.

Mr. HAUGEN. Mr. Speaker, I yield eight minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Speaker and gentlemen of the House, it is not my purpose to enter into a discussion of this bill. That there is necessity for this legislation there is not a doubt in my mind. The cold-storage industry in this country is a growing one; it is a very essential one, and being an essential one to the health of the people regulation of cold-storage places is highly important, in that we may be assured when articles of food pass through them that same is not deleterious to health. Cold-storage institutions have also become engines of power. That power can be used to manipulate the markets of the country in any product that passes through these institutions, and I have not a doubt that that power has been so used. There are certain great interests in this country that are dependent upon cold-storage facilities for their control of the market of the meat supplies of the Nation, and I have not a doubt that they are bringing all the power of their influence possible to forestall this legislation. I refer to the Big Five packing institutions. The legislation should be enacted. There is hypercritical criticism being raised against it, but the underlying principles are sound. I shall vote with great pleasure for this legislation. I yield the remainder of my time to the gentleman from California [Mr. LEA]. [Applause.]

Mr. LEA of California. Mr. Speaker, this conference report involves matters of great importance and well deserves the most serious consideration of this Congress. It affects millions of our people and transactions involving millions of dollars. No legitimate cold storage bill can be enacted in this country that will do justice to the producers and the consumers that does not recognize the difference between articles placed in refrigeration for temporary current sales and those placed in cold storage to be placed on a delayed market. This bill recognizes that principle; but this bill, in my judgment, makes a monumental mistake in that it places the limit at 10 days.

This bill is so framed that cold-storage products placed in refrigeration in a distant part of the country can not be placed on the market at the opposite side of the country without being damned by being classified as "cold-storage" stuff. Yesterday

in argument it was contended that this provision would not injure the producer. In order to find out whether or not that is true I have secured the current market reports from New York. In yesterday's reports of the market in New York butter classified as "cold storage" was selling for 5 cents less than the fresh article. On the 13th day of January of this year eggs on the New York market of the same quality were sold at a difference of 8 cents a dozen, depending on whether or not they were cold storage or otherwise.

Now, gentlemen, it is utterly absurd to ask this country to adopt a cold-storage measure that condemns half of these foods that go into the current market as "cold-storage" products. What would be the practical operation of this 10-day limitation? Out in the Central West and on the Pacific slope this material is shipped to the East at a temperature of 33° to 43°. It is never frozen, and is absolutely in good condition when it reaches your market. Yet this bill requires it to be shipped, marked, and sold as "cold storage."

Mr. McARTHUR. Is it not true that we are getting large importations of Chinese eggs in this country that will enjoy a preferential status over the eggs shipped from the Pacific coast?

Mr. LEA of California. That is true.

Mr. McARTHUR. And if this bill becomes a law there will be no embargo against Chinese eggs that may be sold as fresh eggs on the market, while our Pacific coast eggs will be sold as cold-storage eggs?

Mr. LEA of California. Yes; if the Chinese eggs are not shipped in refrigerator vehicles. They can come in as fresh, while our 10-day shipments in refrigerator cars or vessels will be classed as cold storage.

Now, gentlemen, I want to call your attention to a very important feature, about which I am sure you have a wrong impression. Yesterday it was stated to you that the bill as it passed this House was practically the same in reference to marking as it is in this bill. That is not true. The bill that passed this House provided that it should not apply to articles being transported from one part of the country to another, and in order that there can be no doubt about that provision I want to call your attention to the bill as it originally passed this House. Section 3 provided that no article could be placed in the commerce of this country or could be offered for sale without being marked showing that it was cold storage, provided that it "is or has been in cold storage." Section 2 defined "cold storage" to mean "storage in a warehouse as defined herein." Subsection (f) defined a warehouse to mean any establishment, structure, or portion thereof, and so forth, "except a refrigerator vehicle."

In other words, this House passed a bill which did not include a refrigerator vehicle, and which required no marking in shipment in refrigerator vehicle within 30 days. The Senate passed a similar bill. And then the conferees, in defiance of what the Senate had done and in defiance of what this House had done, wrote into this bill the 10-day limitation.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LEA of California. Yes.

Mr. CHINDBLOM. The House bill further safeguards it by saying "refrigerator vehicle used as such," but they could not take a refrigerator vehicle and use it temporarily for a warehouse?

Mr. LEA of California. Exactly. Our own conferees have written into this a 10-day limitation, which works injustice.

Mr. JOHNSON of Washington. Is not the point exactly this: That perishable products placed in a refrigerator car as far away from New York as 1,500 miles or farther, if 10 days or more in shipment, are bound to be branded as cold storage, marked down in price, and sold as inferior?

Mr. MADDEN. And that is not all. Anything that is placed in the chill room of a slaughterhouse is treated in that way.

Mr. LEA of California. That is true and important. You people of the Central West are affected, and if this bill becomes a law every pound of butter sent from your creameries is going to receive a less price on account of it. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LEA of California. Mr. Speaker, I ask unanimous consent that I may continue three minutes.

Mr. HAUGEN. I have not the time to yield.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Iowa [Mr. HAUGEN] be extended three minutes.

Mr. SNELL. Reserving the right to object, make it 20 minutes.

Mr. MANN of Illinois. Mr. Speaker, I ask for the regular order.

Mr. SNELL. I object, unless we can have more time than three minutes.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent that the time for the discussion of this matter be extended 20 minutes. It is a very important one. Evidently there is a lack of understanding of it by the membership of the House, as indicated by those who have spoken on the measure.

The SPEAKER. The gentleman from Michigan asks that the time be extended 20 minutes. Is there objection?

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC. Who is going to control the time?

The SPEAKER. The gentleman from Iowa [Mr. HAUGEN].

Mr. McCLINTIC. I think it ought to be controlled by those who are for the bill and those against the bill, so that we may have an opportunity to discuss this matter.

The SPEAKER. Does the gentleman object?

Mr. McCLINTIC. I do not object.

Mr. MANN of Illinois. Mr. Speaker, reserving the right to object, practically all the time so far consumed has been by those in favor of the conference report.

Mr. HAUGEN. No.

Mr. MANN of Illinois. That is the case with the exception of about 10 minutes. The gentleman must have used in the neighborhood of 50 minutes.

Mr. HAUGEN. Oh, no. About 40 minutes have been used.

Mr. MANN of Illinois. I want to know if those who are opposed to the bill will get time? Apparently those in favor of the bill are getting all the time.

Mr. HAUGEN. I will yield to the gentleman from New York [Mr. SNELL]. I now yield to the gentleman from New Jersey, [Mr. HUTCHINSON] for five minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. McLAUGHLIN]? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry. Is the gentleman from Iowa [Mr. HAUGEN] going to yield the gentleman from California three minutes now?

Mr. HAUGEN. Very well.

The SPEAKER. The gentleman from California is recognized for three minutes more.

Mr. RAKER. Now, will the gentleman from California yield for a question? [Laughter.]

Mr. LEA of California. I yield.

Mr. RAKER. Will the gentleman be satisfied with a conference report if in section 3 the time is extended to 30 days instead of 10?

Mr. LEA of California. That is the primary thing I ask, and if this House will vote down the conference report the bill will be thrown into conference. The Senate has already agreed to provisions that are substantially satisfactory, and there is not any reason why a conference report can not be promptly brought back that would improve this situation and secure action on this bill.

Mr. JONES of Texas. Mr. Speaker, will the gentleman yield?

Mr. LEA of California. Yes.

Mr. JONES of Texas. Does the gentleman understand that this conference report provides that if fresh butter is put in a car and stays there 10 days it becomes classified as cold-storage food?

Mr. LEA of California. Absolutely so, and to a large extent the fresh butter from the Central West would likewise be condemned to the cold-storage class. Several days are required by the ordinary creamery before butter accumulates in sufficient quantities for carload shipments. According to this bill all of the shipment must bear the earliest date of butter placed in the car. Therefore when your butter from the Central West reaches the market it would commonly be in the cold-storage class.

I am informed that there are some interests in the East who have deliberately supported this 10-day proposition, thinking that they would gain an advantage over the western country thereby. I want to say that I do not know of any man in this House who would do that, and I know that there is not a man among the conferees that would think of taking that position for one moment. But nevertheless that is what this bill would accomplish.

Mr. HAUGEN. Mr. Speaker, will the gentleman yield?

Mr. LEA of California. Yes.

Mr. HAUGEN. Is it not a fact that that is the kind of marking that the people of the West are insisting on as to eggs?

Mr. LEA of California. We made no objection to marking in the original bill.

Mr. HAUGEN. It was insisted that every egg should be marked. Now, they are objecting because we give them 40 days.

Mr. LEA of California. You give only 10 days. I do not object to the marking of these foods that are dealt in for ordinary purposes of cold storage. I object to marking wholesome foods promptly placed on the current market.

Mr. SNELL. Mr. Speaker, will the gentleman yield there?

Mr. LEA of California. Yes.

Mr. SNELL. What provision interests in the East have asked that this 10-day provision be placed in the bill?

Mr. LEA of California. I understand producers and dealers have done so.

Mr. SNELL. Can you say so with propriety? You have made the statement that interests in the East have tried to have that provision put in the bill.

Mr. LEA of California. I am not going into that phase of that matter now. I say there is not a man in this House who would do that.

Mr. SNELL. Then do not lay it to the East.

Mr. LEA of California. I am not censuring this House. I would not charge anybody in this House with doing that, but I want to call your attention to the fact that such is the operation of this bill as now framed.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. LEA of California. Yes.

Mr. BLACK. In this bill as originally passed the House a refrigerator car was not defined as a cold-storage warehouse?

Mr. LEA of California. Not for purposes of marking. For the purpose of sanitary regulation, but not for the purpose of marking.

Mr. BLACK. Now, as agreed upon in conference the bill provides that this refrigerator car is held to be a warehouse, and therefore the goods have to be marked as cold-storage goods if they were in transit 10 days?

Mr. LEA of California. Yes. It takes from 15 to 17 days to transport them from the Pacific coast to the East.

Mr. BLACK. Then that would practically make them cold storage?

Mr. LEA of California. Yes; it would.

The SPEAKER. The gentleman from New Jersey is recognized for five minutes.

Mr. HUTCHINSON. Mr. Speaker, the first cold storage bill was introduced in the House on July 29, 1919, by myself. In preparing this bill I made investigations of the laws of the different States. Everybody will agree that we want a uniform cold storage bill. Out of the 48 States about one-fourth have cold storage acts, and most of them exempt their principal industry that goes into cold storage. For instance, the State of New York, one of the largest States in the Union, rents rooms which anyone can hire and there keep their products as long as they want to without any regulation. The State of Delaware exempts the fish industry, which is the principal industry of that State.

Now, this bill contains four elements: The marking, the time limit, the sanitary condition, and the reports that are made to the people. Those are the most important elements of this bill. Of course, the bill does not suit everybody.

When the bill was drafted we drafted three or four, and it was not the intention of myself or the committee to impose any hardships on anybody. But it is somewhat of a trouble to make a bill, because there are only two ways in which it can be done; first, by the use of the taxing power, which at present is a very unpopular one, and the other is by utilizing the interstate commerce provision of the Constitution. This bill does not seek to regulate the selling of any products of cold storage. It only affects goods while they are in interstate commerce, and Congress has no right to say or order that goods to be sold to the consumer shall be marked as "cold-storage" goods, as the very moment it leaves the control of the interstate commerce law it is out of the control of this law, so that the matter of condemning goods by putting the mark "cold storage" on them is not its true purpose or practical effect. That is not affected by the bill in any shape.

As to the matter of the time limit, it takes 12 months before the bill becomes really effective to anybody except the consumer. The man who stores goods in cold storage for 12 months, including the 10 days and the 30 days, and the man who holds the goods in cold storage can sell them to the consumer without marking them as cold-storage goods.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. Yes.

Mr. SNELL. What becomes of the goods that have been kept in storage for the 12 months' period?

Mr. HUTCHINSON. They can not be sold if at the end of the 12 months they are still kept in storage.

Mr. SNELL. Is it the idea that these goods are deteriorated and therefore unfit for food?

Mr. HUTCHINSON. No. The idea is that anybody keeping goods will begin to sell them within 8 months or 10 months, before the 12 months is up. Under the present conditions they are keeping goods for an unlimited time, in some cases for as long as two or three years.

Mr. SNELL. Then, the idea is not that the goods after that are unfit for food?

Mr. HUTCHINSON. The only idea is to force the goods out of storage in one season. It is the opinion of everyone connected with cold storage that 12 months will carry the products from a time of plenty through the time of scarcity, and will prevent the profiteer from carrying cold-storage goods until he can force prices to suit his wishes.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. HAUGEN. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

The SPEAKER. The gentleman from New York is recognized for five minutes.

Mr. SNELL. Mr. Speaker, having had some experience in the cold-storage proposition, I desire to say just a word in regard to this bill. As far as I know none of the cold-storage companies are opposed to the passage of this bill. But as I look at the proposition, the only people who would be harmed in any way by it would be the producer and the ultimate consumer. When we pass a regulatory measure like this, I suppose it is for the definite purpose of conveying some knowledge to the consumer that will be of benefit to him when he purchases goods; and from the statement made by the chairman of the committee [Mr. HAUGEN] yesterday I take it that that is the principal desire of the committee in passing this legislation. I think this is purely a regulatory measure that will add to the price that the ultimate consumer will pay for his goods, but that it will not really convey any information to him that will be of definite use in determining the value of the goods he is purchasing. For instance, I think probably butter and eggs are sold under regulatory cold-storage rules or restrictions more than any other articles of food, unless it is meats. This bill starts with the assumption that length of time in storage is the only thing to be considered, while, as a matter of fact, the important question is the condition of the goods when they went into cold storage. The question of good or bad eggs or quality of eggs resolves itself more into a proposition of what was the condition of the eggs when they went into the cold storage and the time of the year when they went into the cold storage, rather than the one, three, or six months that they have been in cold storage. In this respect the bill absolutely overlooks the vital point. According to this bill, if you are going to carry it to the final analysis—that is, convey information to the ultimate consumer—what would be the result if a retail grocer had two baskets of eggs on his counter in the month of November, and he said one basket had been in storage 30 days and the other six months? The average consumer would take the eggs that had been in storage only 30 days, when, as a matter of fact if the eggs were equally fresh when they went in, the April eggs would be very much better as an article of food than the August or September eggs; and everyone who knows about this will bear me out in that statement. So by carrying into effect the actual wording and intent of this bill you injure rather than aid the ultimate consumer, whom you want to help.

Mr. HUSTED. Will the gentleman yield?

Mr. SNELL. I yield for a question.

Mr. HUSTED. What does the gentleman think of the provision which forces the goods upon the market within 12 months from the time when they first go into storage?

Mr. SNELL. I will answer that question in just a minute. I want to finish up this other proposition. A great deal more depends upon the condition of the eggs when they went into cold storage than the mere length of time that they have been there. Of course, there is no question but that all eggs should come within the 12 months limit, but the mere proposition of whether eggs have been in cold storage 30, 60, or 90 days or 6 months has nothing whatever to do with it. But to carry out the provisions of this bill you must actually mark each egg, not case of eggs, with the time it has been in storage if you want even this information to reach the ultimate consumer, whether it is of value or not.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. SNELL. I yield to the gentleman from Virginia.

Mr. MONTAGUE. Take the illustration of the two baskets of eggs. How is the consumer to know how long they have been in cold storage?

Mr. SNELL. I do not know how he can know, unless the grocer puts up a sign, "These eggs have been in cold storage 30

days," and another sign, "These eggs have been in cold storage six months."

Mr. MONTAGUE. Can we enact a law that will compel the retailer to disclose that?

Mr. SNELL. I do not think you can, and the point I want to make is this: That the marks do not really amount to anything, only as between the wholesaler and retailer. They are on the outside of the case of the eggs, and the consumer never sees it .

Mr. MONTAGUE. On the unbroken package?

Mr. SNELL. On the unbroken package, but very few consumers buy them in unbroken packages or see the package itself. When the retailer buys the eggs of the wholesaler, he knows the marks, buys on quality and regardless of when they went into storage.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SNELL. May I have two or three minutes more?

Mr. HAUGEN. Does the gentleman contend that the New York law has injured the people of New York?

Mr. SNELL. If you will yield me a little time, I will answer that.

Mr. HAUGEN. I will yield the gentleman time enough to answer that question. [Laughter.] I will yield two minutes to the gentleman. Does the gentleman think that the New York law has injured the people of New York, requiring, as it does, the marking of cold-storage articles with the day when the package enters into cold storage, and limiting the time to 12 months? This bill limits the time to 12 months and 10 days. Some States limit it to shorter periods, but this bill limits it to 12 months and 10 days.

Mr. SNELL. That does not affect us. I am not particularly concerned about the passage of this law. I am perfectly willing it should be passed; but I am talking about it as a matter of practical common sense, that is all. I think that it does not do any good to the ultimate consumer, and the reason that the committee has given for passing such regulatory acts as this is that they will benefit the ultimate consumer.

In regard to the question of my friend from New York [Mr. HUSTED] about the value of goods that have been in cold storage for 12 months, I know as a positive fact that the United States Government is selling several thousands packages of butter that have been in cold storage for nearly two years, and I know also that that butter is in fine condition at the present time, and will grade higher on any market than the average creamery butter of winter make that is coming on the market in this city at the present time. Now, what will become of that butter if this bill is passed? Of course, there is no sense in this section of the bill.

Mr. HUTCHINSON. Will the gentleman yield for a question?

Mr. SNELL. Yes.

Mr. HUTCHINSON. Have you any idea that if that butter was sold it would reduce the price of butter?

Mr. SNELL. I will say that they have tried to put that butter on the market at practically any price, but there has been such a howl raised against cold-storage food that people, not knowing the condition of the butter or its real value, and knowing that it has been in cold storage for nearly two years, with all the talk against cold-storage articles, think it is unfit for food, while as a matter of fact I doubt if there are three gentlemen on the floor of this House who could tell that it was cold-storage butter if it were presented here at the present time. These regulatory acts go so far that they prejudice people against good food, and people have to pay more for it than they would under other conditions.

The SPEAKER. The time of the gentleman has expired.

Mr. SNELL. I am sorry I have not the time to discuss fully all the provisions of this bill.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, this bill should be denominated "A bill to reduce the value of the products in the hands of the producer and increase the cost to the ultimate consumer." It ought not to pass. I do not think anybody will claim that you could preserve fresh meat without chilling it, and it sometimes happens that you have to put it in a chill room and keep it more than 10 days, and if you do, you will be selling cold-storage meat instead of fresh meat, and everybody that buys will have to pay more because of the added cost.

The presumption is that this bill is intended to help the producer and the consumer, but the truth is it does neither; it embarrasses both. The Agricultural Department authorities say that it is impossible to administer this law without an added cost of four or five million dollars a year to the Agricultural Department alone, and that is a condition that we ought to investigate before we pass laws of this sort, for the people pay that cost. It seems to me that when we pass a law to regulate food products we should be certain that we have not regulated them in such a way as to compel the buyer to pay more and the producer to get less. If this is intended to embarrass the packers, you are not embarrassing them at all; you are simply embarrassing the people that are raising the food supply and who pay the taxes into the Treasury of the United States. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Iowa [Mr. SWEET].

Mr. SWEET. Mr. Speaker, I have not given the time to the consideration of this bill that is required on account of other matters, but I listened to the remarks of the gentleman from Illinois [Mr. MANN] yesterday, and I think he is right in his contention. On the other hand, I do not wish to be at variance with my good friend, the gentleman from Iowa [Mr. HAUGEN], for I am in favor of legislation of this character. But this morning I received a letter from W. A. Wentworth, secretary of the Iowa Creamery Secretaries' and Managers' Association, in which he says:

> It has come to my attention that the conference report on the cold storage bill may be adopted almost any day, and that this requires the branding of butter 10 days after the date of manufacture. If this is sold within 30 days, the brand may be removed.
>
> In view of the fact that transportation is rather questionable, in so far as prompt delivery to the market is concerned, and especially if the conditions of the past two summers are not improved, the Iowa creameries will be faced with the situation of having a very large share of their butter go onto the market labeled as cold-storage product, even in the flush season. There have been times when the railroads did not deliver Iowa butter to New York in less than two weeks, and many shipments are as much as 20 days on the road under the conditions last summer. It seems to me that such labeling would work an especial hardship on butter which is placed on the market during the winter, and which butter is practically as good as when it was manufactured. I can not help but view this as something which would further curtail the consumption of butter and assist, to some extent at least, the sale of butter competitors. We know that the market for these competitors is altogether too favorable from the viewpoint of the dairy industry, and also from the viewpoint of public health and child welfare.

I think the bill should be sent back to the conference committee for correction.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. HAUGEN. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen, I heartily indorse the general purposes of this legislation, but it will work a hardship upon the producers and initial dealers of the country unless the bill reported by the conferees is amended so as to extend the fresh-storage period from 10 days to 30 days; in other words, unless it is provided, as it is in subsection (c) of section 2 of the Senate bill, that "cold storage * * * does not include chilling or precooling therein for not more than 30 days, for manufacture, sale, or transportation." There are thousands of produce dealers, dairy products dealers, and cooperative dairy associations in various towns throughout the country who buy poultry and dairy products direct from the farmers and the dairymen. Ordinarily it takes two or three weeks within which to assemble a carload of such products for shipment. In the summer season such products are ordinarily kept in coolers in order to keep them fresh and in good condition; then they are shipped in refrigerator cars, and frequently one or two additional weeks are consumed in transit. Consequently, under the 10-days provision, such products would have to be marked "cold storage," and would only be paid for as cold-storage products. In all the markets there is a material and well-recognized difference in price between fresh and cold-storage products. As the initial shippers would thus be compelled to sell the products as "cold-storage" products, they could in turn only pay the farmers and dairymen cold-storage prices, with the result that the producer would be the sufferer.

It is insisted by the conferees that this situation would be remedied by the provision in section 3 (a) (1)—

> that these words ("cold storage") may be removed immediately preceding a sale for consumption before the expiration of the 30 days following the date when such article of food was first placed in cold storage.

However, the large dealers in the cities, in purchasing from the produce dealers and dairy associations, would insist that they could only pay cold-storage prices, as the goods would be marked "cold storage," and that it was not at all certain that they would be able to reach the consumer within the 30 days. The provision referred to is clearly in the interest of the big middleman, who would get a rake-off to which he would not be entitled, and which fairly belonged to the farmer; in other words, the farmer would be compelled to sell at cold-storage

prices, and yet the consumer would be compelled to pay fresh prices, provided the product should reach the consumer within 30 days after being marked "cold storage." In this connection, I wish to further submit that the provision permitting the erasure of "cold storage" marks is a dangerous provision, as it would furnish unscrupulous dealers an easy avenue to defraud; if permitted to erase a "cold storage" mark on products that had been in cold storage less than 30 days, they could likewise erase marks on products that had been in cold storage for 6 or 12 months, and it would subsequently be practically impossible to detect the fraud. The conference report bill should be amended so as to conform to the Senate provision of 30 days' precooling period without the products being marked "cold storage" and the provision permitting erasure of cold storage marks should be entirely eliminated. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Nebraska [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Nebraska. Mr. Speaker and gentlemen, in the main I am in favor of this legislation, but it occurs to me that the conferees have brought in a provision, the one now under discussion, that will work an injustice and a hardship to a good many people. I believe that the remedy can be had by an amendment which, if I am recognized for the purpose, I shall offer in a motion to recommit at the proper time, providing in section 2, subdivision (e), after the word "place," to strike out the words "including a car, vessel, or other vehicle," and at the end of paragraph (e), add the following:

Provided, That the term "cold-storage warehouse does not include a car, vessel, or other vehicle used in transit."

It seems to me that will meet the objection and make the bill fair and remove the injustice. There is no question but that a car loaded in the West with fresh produce and shipped to New York in many instances will not arrive in 10 days, and the persons shipping it will have to label it "cold storage." At the other end of the line the cold-storage tax may be removed and the produce sold as fresh goods at a better price, the retailer profiting by the transaction by virtue of the fact that he purchased for less and sold for more, as a result of the provisions of this bill. The original purpose of the bill was to benefit both the producer and the consumer. Certainly the conferees can and will correct the report by eliminating this objectionable provision and report the bill back to the House in time to pass the same before the close of this Congress.

Mr. HAUGEN. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Michigan. Mr. Speaker, there is and for a long time has been a general and very proper demand for cold-storage legislation. Mr. HUTCHINSON, of New Jersey, introduced the first bill, for months the committee considered it, and the conference report is the result of their efforts. I have had considerable to do with the framing of bills during my service here, but this beats them all as far as complexity and difficulty are concerned. We wanted the bill, of course, to cover everything that should be covered and not to cover anything that ought not to be covered. We wanted everyone reached and regulated and controlled who ought to be, without disagreeable and onerous and unnecessary conditions. It was very difficult to write this bill just as we thought it ought to be written, but I believe it is in good shape now, and that arguments urged against it are without force.

"Cold storage" is, to an extent, a disagreeable phrase. Cold-storage goods are at some disadvantage in the market. People do not wish them if they can get fresh goods, and why? Because up to this time no one has been able to tell how long goods have been in cold storage—a few days, a few months, a few years—no one knows. This bill proposes a method by which the length of time can be stamped upon the goods so that everyone who has to do with them will know how long they have been in cold storage.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. The gentleman will pardone me, but my time is very limited.

Mr. HAUGEN. Mr. Speaker, I yield the gentleman five minutes more time.

Mr. McLAUGHLIN of Michigan. Butter and eggs coming from a distance everyone knows must be stored for some time.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Some time must elapse in which to cover the time of gathering and storing and shipping. How much time? At present no one knows, but if a certificate is issued under Federal regulations to the effect that the butter and eggs are only 10 days old, it will be a recommendation in the mind of anyone who knows anything about business methods respecting them. It is a detriment now to have goods marked cold storage, because the mark signifies that they have been in cold storage, no one knows how long.

We are criticized for including the chilling rooms. It develops that goods are kept in chilling rooms 5 days, 30 days, 6 months, and moved from there perhaps to other chilling rooms. All of that time ought not to be included, according to the opinion of some gentlemen, in determining or limiting the period of cold storage. The committee were of the opinion when they listened to the testimony and knew the facts that it would not be proper or safe to eliminate the time that goods are kept in chilling rooms. If we were to eliminate it, it would offer opportunity for and be an invitation to a practical violation if not a nullifying of this law, so far as those products are concerned.

We are criticized for including refrigerator cars and vessels. If we exclude them, we take out the period of shipment—a few days, 10 days, 30 days, or a month—during which there would be no control whatever over the products, and it would open the door to all kinds of evasion and violation of the law. The only safe thing to do is to include them all, and it will work no hardship.

The gentleman from Illinois [Mr. MANN] yesterday raised an objection to the bill, and from the manner in which he presented it, and knowing him as well as we do, we were satisfied he was sincere, and it seemed to those who heard it for the first time to have force, but I believe it to be without force or virtue. He said in case a product can not reasonably be marked, or if "impracticable" to mark it, it must be marked as of the first day of the month in which it goes into cold storage, although he says it may have been in cold storage only one day. The fact is this bill expressly provides that if it has been in one day, or less than 10 days, or not more than 10 days, it does not have to be marked at all. He points out to his own satisfaction that the definition of what cold storage is does not apply to such a situation as he describes, but I wish to point out that the 10 days he refers to, which he says do not cover the proposition, are a part of the definition of cold storage, and apply to everything, to every line of this bill wherever the matter is mentioned, and therefore completely answers his objection.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I do.

Mr. MANN of Illinois. Does not the bill say the first day of the month shall be presumed, for the purposes of this act, to be the day the goods were put in cold storage?

Mr. McLAUGHLIN of Michigan. Yes; in cold storage, after the expiration of 10 days.

Mr. MANN of Illinois. Oh, no.

Mr. McLAUGHLIN of Michigan. What is the description or definition of cold storage?

Mr. MANN of Illinois. I know, but the bill says it shall be presumed, for the purposes of this act, to be in cold storage the first day of the month. That regulates the 10-day period.

Mr. McLAUGHLIN of Michigan. I have answered the gentleman's objection, but I shall speak further of it. There is a clause in the bill giving the Secretary of Agriculture power to deal with exceptional cases, where it is "impracticable" fully to mark goods. That may be in case of mixtures. There is another section which fully takes care of mixtures, and a case of it being impracticable to mark would not arise in the cases cited by the gentleman from Illinois yesterday at all. He has not grasped the situation. It would arise largely in the case of mixtures, where a man gathers a little to-day and a little to-morrow and along through the month and finally gets enough for a shipment, but does not know when he gathered particular amounts, or has not kept a record of them, so it is to be marked as of the first of the month. If he has kept a record of the portions composing the mixture, he is required to mark the mixture with the date of the portion that has been in cold storage the longest, but if none of them have been in 10 days there will be no necessity for marking any of them.

Mr. MANN of Illinois. Mr. Speaker, the statement I made as to the articles was based on a question propounded to the gentleman from Iowa [Mr. HAUGEN], in charge of the bill, and his answer. It was the articles he mentioned that I referred to. I do not know whether he was correct or not.

Mr. McLAUGHLIN of Michigan. I differ from the gentleman from Iowa in his answer to the gentleman from Illinois as to what articles this impracticability would be applied to. In my judgment it could not be applied to the articles he named.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. McLAUGHLIN of Michigan. My time is very limited. What is it?

Mr. SNELL. How would you mark tinned cheese that is made up of several varieties, some held in cold storage and some in different storages?

Mr. McLAUGHLIN of Michigan. There is, I believe, a provision in this bill in regard to cheese which may be kept in cold storage longer than anything else for the purpose of ripening. The bill passed the House September 30, 1919, a year and a half ago, so I have not now all its provisions in mind—can not recall all of them offhand.

Mr. SNELL. That would not apply to tinned cheese.

Mr. McLAUGHLIN of Michigan. So that the question would have no application to the bill.

Mr. SNELL. The gentleman will excuse me——

Mr. McLAUGHLIN of Michigan. The gentleman is taking too much of my time. I have answered it, saying that there is a provision in the bill which makes the question inapplicable.

Mr. LINTHICUM. Will the gentleman yield for a short question?

Mr. McLAUGHLIN of Michigan. There is another thing in regard to these mixtures. There is a mingling of goods which the gentlemen of the House perhaps do not understand. There was strenuous objection to the requiring of the marking "cold storage" of a new product that resulted by mixing and mingling. That objection came in the first instance from the makers of sausage, saying that sausage is a new product, fresh, and it should not be marked. But what is sausage made of? It is made from scrap material lying in cold storage for months, perhaps for years, which finally is taken out and converted into sausage. Made as it is, largely of old material, it is not a new product, and therefore should be marked "cold storage." This bill covers that because when anything has been in cold storage and put into a mixture it must be marked with the date when the first ingredient went into cold storage.

Mr. LINTHICUM. Will the gentleman now yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. LINTHICUM. There has been a good deal of talk about the 10-day period, about being 10 days in cold storage. Does not section 3, under the heading (1), say that if it is not in there more than 30 days the words can be removed?

Mr. McLAUGHLIN of Michigan. Yes; in the hands of a retailer sold to a consumer. Now, I insist, gentlemen, that this idea that the marking of an article as being of cold storage is detrimental; I insist when this law is in proper working order a mark showing a short period of storing will be a recommendation of the goods to the trade and to the consumer. Cold-storage goods now have a black eye; they are a drug on the market, because people do not know their age or condition, because there is no law regulating these things and cold-storage stuff is kept for years and then is put upon the market. This 10-day provision would be a guaranty to the dealer and the consumer that goods are just as fresh as they can be.

Now, we are asked why we are providing a limit of 12 months. One idea of cold storage is to provide the storage of goods during a time of plenty to carry them over to a time of scarcity. Limitation of time and regulation must be provided because the health of the people is involved. It should be limited to 12 months, so that there can be no hoarding, so that there can be no cornering of the market, so that the crops of one year will not be carried over in large quantities to another year.

Mr. MADDEN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. And everybody who has examined the situation, as I understand it, believes that that is a good plan. The object of making this 12 months was that the products of the year must be turned over before the products of another year come upon the market. I yield to the gentleman.

Mr. MADDEN. Does the gentleman know how much it will cost to administer this law?

Mr. McLAUGHLIN of Michigan. I do not, but I think it is a very necessary law, and I believe it will be administered economically. And I will say to the gentleman from Illinois in regard to this chilling business that the packers have been interested in that and they objected to the requirement that goods in the chilling room should be considered as in cold storage, but when the entire matter was gone into they receded from their position, and their only objection now is that it will cost them more than they think they ought to pay in order to do the marking of goods in chilling rooms.

Mr. MADDEN. Will the gentleman yield for a further question?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MADDEN. The authorities from the Agricultural Department say that it will cost $4,000,000 to administer this law, and, of course, the people will pay for it, farmers and everybody.

Mr. McLAUGHLIN of Michigan. That is many times the amount I have heard or believe will be necessary.

The SPEAKER. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. DAVIS of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAVIS of Tennessee. Is the parliamentary situation such that a motion to recommit the conference report with instructions will be in order?

The SPEAKER. The Chair is informed the Senate has already agreed to the conference and consequently the motion to recommit would not be in order. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced the noes appeared to have it.

On a division (demanded by Mr. HAUGEN) there were—ayes 51, noes 139.

Mr. HAUGEN. Mr. Speaker, I ask for the yeas and nays. I also make the point of order there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Much more than a quorum are present.

Mr. HAUGEN. I demand the yeas and nays.

The SPEAKER. The gentleman from Iowa demands the yeas and nays. Thirty-six gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

So the conference report was rejected.

Mr. MANN of Illinois. Mr. Speaker, I move to reconsider the vote and I move to lay that motion on the table.

The motion was agreed to.

Mr. HAUGEN. Mr. Speaker, I ask for a further conference on the disagreeing votes of the two Houses.

The SPEAKER. Is there objection?

Mr. WALSH. Was the motion to reconsider and to lay upon the table agreed to?

The SPEAKER. It was. The gentleman from Iowa asks that the House insist on its disagreement to the Senate amendment and send the bill to conference. Is there objection?

Mr. WINGO. Mr. Speaker, as I understand it, the Senate has already agreed to the conference report and discharged the conferees. Can we ask a further conference?

The SPEAKER. Ask for a further conference. The Clerk will announce the conferees.

Mr. WALSH. Let us have the request in the RECORD. A parliamentary inquiry Mr. Speaker?

The SPEAKER. The gentleman will state it.

Mr. WALSH. What is the request of the gentleman from Iowa?

The SPEAKER. The gentleman requests a further conference.

Mr. WALSH. Upon what?

The SPEAKER. That the House disagree to the Senate amendments and ask for a further conference.

Mr. WALSH. I did not understand that there was a Senate amendment.

The SPEAKER. There was one amendment, as the Chair remembers. The Chair appoints the following conferees.

Mr. DAVIS of Tennessee. Mr. Speaker, I make a motion to recommit and to instruct the conferees.

The SPEAKER. The Chairs thinks that is in order. The gentleman moves to instruct the conferees with the following motion, which the Clerk will report.

The Clerk read as follows:

Mr. DAVIS of Tennessee moves to instruct the conferees to recede from the disagreement of the House to the Senate amendment embodied in subsection (c) of section 2, and agree to the same, and with further instructions to amend section 3 (a) (1) by striking out the words:

"Except that these goods may be removed immediately preceding a sale for consumption before the expiration of 30 days following the date when such article of food was first placed in cold storage it is removed in order to be sold."

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that the motion to recommit is not in order. You can not instruct the conferees on the part of the House to recede from an amendment that the House has already further insisted on disagreement with.

Mr. WINGO. I understand the gentleman's objection goes——

The SPEAKER. The Chair would like the gentleman from Illinois to state his point of order again.

Mr. WINGO. As I understood the motion it was directing the House conferees to recede from the disagreement to the Senate amendment.

Mr. MANN of Illinois. The House has just disagreed to the Senate amendment. Now you can not instruct conferees to recede and instruct the conferees what they are to do. You can not recede from a portion of the amendment. I think what the gentleman has in mind is not in the Senate amendment at all.

Mr. WINGO. Mr. Speaker, the language the gentleman from Illinois refers to, as I now recall the reading of it, instructs the House conferees to recede to the disagreement and concur. Is that the language?

The SPEAKER. To recede from the disagreement to the Senate amendment and agree to the same.

Mr. WINGO. To instruct the conferees to do that?

Mr. MANN of Illinois. What his language should have been was to instruct the House conferees to agree to the Senate amendment. He is now instructing them to carry out the action of the House. The form is technically incorrect. The effect of it is just the same, namely, to instruct the conferees to agree to a Senate amendment.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to modify my motion.

The SPEAKER. The gentleman can modify it.

Mr. DAVIS of Tennessee. However, I think, Mr. Speaker, that the conferees understand the purpose of the House, anyhow, and I withdraw my motion.

The SPEAKER appointed the following conferees: Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. YOUNG of Texas.

DEFICIENCY APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, the managers on the part of the House have had further conference on the bill H. R. 15962, as instructed by the House, and have agreed to amendment No. 30, agreeing to $1,400,000 instead of $1,200,000. That is the only change made in the conference report, and I ask unanimous consent that the reading of the conference report be dispensed with. It has already been read once.

The SPEAKER. The gentleman from Iowa asks unanimous consent to consider the deficiency appropriation conference report, and that the reading of the full conference report be dispensed with.

Mr. WINGO. Reserving the right to object, there is so much confusion I am not sure I understood the gentleman. I understood the gentleman to say that the only change from the conference report of yesterday is that they have carried out the instructions of the House on the prohibition enforcement amendment and have brought in the amendment the House directed yesterday?

Mr. GOOD. Absolutely. The conference report has already been made with that in.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conference report by title.

The Clerk read as follows:

Conference report on the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

Mr. GOOD. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment disagreed to.

The Clerk read as follows:

Amendment No. 6: Page 3, line 9, insert: "For advertising notice of taxes in arrears July 1, 1920, as required to be given by act of March 19, 1890, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, $2,200: *Provided*, That hereafter no more than 1,000 copies of the pamphlet of taxes in arrears shall be printed, and a charge of not less than cost plus 10 per cent shall be made and collected from each person furnished with a copy of such pamphlet, the moneys to be covered into the Treasury of the United States to the credit of the revenues of the United States and the District of Columbia in the same proportions as appropriations for printing the pamphlet are paid from such revenues."

Mr. GOOD. Mr. Speaker, Senate amendment No. 6 is legislation. If the House conferees had had authority to agree to this item, they would have agreed to the Senate amendment. The amendment carries $2,200 for printing the advertising pamphlets wherein is advertised the sale of real estate in the District of Columbia on which the taxes have not been paid. These pamphlets are desired chiefly by those who attend these sales and purchase property at such sales. It was thought that these pamphlets, therefore, being largely for the benefit of the buyers, should be paid for by the buyers at not less than the actual cost of the pamphlets. Now, it is going to cost about $2,082 more than the appropriation or allotment of $4,500 for printing the pamphlets. I therefore move——

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. MANN of Illinois. Under this provision only a thousand copies of this tax advertisement is to be printed, as I understand it?

Mr. GOOD. Yes.

Mr. MANN of Illinois. Every wise man who owns real estate ought to know whether his property is advertised for taxes, because frequently, or occasionally, property is sold at a tax sale where the taxes have been paid. Under this provision they can not get this copy unless it comes within the thousand copies printed. Are there not more than a thousand copies used in the District of Columbia?

Mr. GOOD. Under the law the Commissioners of the District are now required to print 2,000 copies, and they always have more than a thousand copies that are not distributed. They are largely called for, first, by the men who attend these sales and who buy the property, and, second, by large owners of property and big real estate firms. The ordinary owner of property does not call for them.

Mr. MANN of Illinois. Every real-estate owner who owns much real estate, if he is wise, looks to see if the property is advertised for tax sale.

Mr. GOOD. That would require over $100,000. The pamphlets are quite large, and it costs a great deal to print them. They are about 3 inches thick and cover several hundred pages. Of course, the Government would not pass one of these out to a man who owns a single lot.

Mr. MANN of Illinois. Everywhere else in the country, I think, property for sale for taxes is advertised in the newspapers, so that everybody has a chance to get a copy there.

Mr. GOOD. I so understand.

Mr. MANN of Illinois. Here it is proposed to limit the number of copies printed and make people pay for them. Frequently mistakes do occur about selling property where the taxes have been paid. I should think that my office would be derelict if it did not examine every year the property advertised for tax sale; not because of the property I own, however.

Mr. GOOD. The experience has been that it has not been called for to the extent of carrying out the law, and if we printed 2,000 copies, practically a thousand of them would go into the wastebasket.

Mr. Speaker, I move that the House recede and concur in the Senate amendment No. 6.

The SPEAKER. The gentleman from Iowa moves to recede and concur. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 14: Page 5, line 20, insert:

"COURTS.

"Juvenile court: For transportation and traveling expenses to secure the return of absconding probationers, $150."

Mr. GOOD. Mr. Speaker, this is legislation. About two years ago for the first time Congress appropriated money to pay for transportation and traveling expenses to secure the return of absconding probationers. This last year there was $250 appropriated for that purpose. While there was no law for it, that is the practice at the present time, and they will need to bring back three persons who have absented themselves, and they will need almost, as I recall, $100, and to cover other contingencies for the rest of the year they have estimated $50 additional.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARD. What will be the total amount allowed?

Mr. GOOD. Four hundred dollars, if this amendment is agreed to.

Mr. Speaker, I move that the House recede and concur in Senate amendment No. 14.

The SPEAKER. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 20: Page 7, line 17, insert: "For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $7,500 (in lieu of $1,500 heretofore

authorized) to institutions adjudged to be under sectarian control and not more than $400 for burial of children dying while under charge of the board, $15,000."

Mr. GOOD. Mr. Speaker, there are about 2,000 children in the District of Columbia that are under the care of the board of children's guardians. There is an appropriation for this year of $160,000 for that purpose. The law authorizes the expenditure of money for the care of these children, but there are words in the Senate amendment similar to those carried in the present law that make the amendment subject to a point of order. Under the wording of the amendment this money can be expended in paying for the care of these children who are committed to sectarian institutions. Many of these children are cared for in homes in near-by States, mostly in Virginia and Maryland and some in New Jersey, but some of them are in schools conducted by some sectarian institutions. That language has always been carried in the bill. The department asked for $23,000 deficiency. The Senate amendment carries $15,000 for that purpose. If any criticism can be made, it might be that the $15,000 will not be sufficient. If it had not been for the fact that the language in the amendment makes it subject to a point of order, the conferees would have agreed to it.

Mr. SISSON. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. SISSON. That does not change the present law, which makes it unlawful to appropriate money to a sectarian institution direct?

Mr. GOOD. No.

Mr. SISSON. It simply authorizes the use of $15,000 by the board of children's guardians to care for these children?

Mr. GOOD. Yes; that is correct.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARD. What is the history of the language on line 21, "in lieu of $15,000 heretofore authorized"?

Mr. GOOD. The current law placed a limitation of $1,500, and the Senate increased that amount by $6,000, and that is because they have found that in some of these institutions they can care for the children more economically than they can be cared for in private homes or other institutions. They are only using these institutions where the cost of caring for these children is less than they can be cared for elsewhere.

The SPEAKER. The gentleman from Iowa moves to recede and concur. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 25: Page 11, line 13, insert: "For transportation of diplomatic and consular officers, including the same objects specified under this head in the Diplomatic and Consular appropriation act for the fiscal year 1921, $100,000."

Mr. GOOD. Mr. Speaker, there is no law which authorizes the payment of transportation expenses of diplomatic and consular officers. There is an appropriation this year of $145,000 to pay such traveling expenses. That amount has already been expended. There is not a penny remaining to pay for transportation expenses of diplomatic and consular officers. The State Department made an estimate that went to the Senate for $200,000 for this purpose.

The Senate adopted an amendment carrying $100,000 for that service. I understand that by a Senate amendment the item which went out on the floor of the House for next year was restored, to the extent of $300,000 for next year. If the amount of the Senate bill, $100,000, is agreed to, they will have for this purpose for this year $245,000, with the prospect of $300,000 for next year. I move that the House recede and concur in Senate amendment numbered 25.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Illinois.

Mr. MANN of Illinois. Is it not expected—or, at least, hoped—that there will be a considerable transportation of diplomatic and consular officers now in Europe, coming home between the 1st of March and the 1st of July, and some expense for others going from here abroad?

Mr. GOOD. I think so. I think the State Department recognized that fact when they asked for $200,000.

Mr. MANN of Illinois. I see that it is apparently desired to postpone most of that good work until after July 1. I think it would be highly desirable to have it sooner.

Mr. GOOD. Does the gentleman want to bring them all back?

Mr. MANN of Illinois. I think it would be highly desirable to make this appropriation of $200,000 for the remainder of this year and only $200,000 for the next fiscal year. I should be enthusiastic for that. [Laughter.]

Mr. GOOD. Well, the committee thought it would be necessary to appropriate the $100,000, and therefore I move to recede and concur in Senate amendment numbered 25.

The SPEAKER. The gentleman from Iowa moves to recede and concur in Senate amendment 25.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 26: Page 12, line 22, insert: "The limitation for the fiscal year 1921 as to the number of delivered sheets of customs stamps is increased from 276,000 to 520,000."

Mr. GOOD. Mr. Speaker, the sundry civil act carried an authorization to issue 276,000 sheets of customs stamps for this year. The Bureau of Printing and Engraving have already exceeded this amount, and have already issued 302,500 sheets. That is necessary because of the increased work in the Customs Service. I therefore move that the House recede from its disagreement to Senate amendment No. 26 and agree to the same.

The SPEAKER. The gentleman from Iowa moves that the House recede and concur in Senate amendment 26.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 28: Page 13, line 23, insert:

"PAYMENT TO WALSTON H. BROWN AND OTHERS.

"To pay Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., $65,792.53; to the Philadelphia & Reading Coal & Iron Co., $26,400.30; and to the estate of Henry A. V. Post, $50,359.35, as adjudged by the Court of Claims upon its findings of fact."

Mr. GOOD. Mr. Speaker, these are old claims. They have been in Congress for 20 years. A great many claims similar in most respects have already been allowed and paid. So far as three of these claims are concerned, my understanding of the situation is that the claimants failed to take advantage of their legal rights and to take certain appeals. They have no legal status whatever. They are not claims that are authorized by law. There is no authority of law for the payment of them.

The Committee on Appropriations have refused to sit as a Committee on Claims. I think the Committee on Claims have on numerous occasions reported out these items, but they have never passed the House. In 20 years they have been buffeted about, first reported to the House and kicked out of the House, and now they appear in a Senate amendment. The committee therefore felt that we should not agree to these claims, and that we should ask the House to insist on its disagreement to Senate amendment 28.

Mr. WINGO. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Arkansas.

Mr. WINGO. What is the basis of the claims? I do not know anything about them.

Mr. ESCH. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Wisconsin.

Mr. ESCH. This claim arises out of the payment of an excess of customs duties upon steel blooms that were imported in 1879 under the then existing customs law.

Mr. WINGO. How did the Court of Claims get jurisdiction?

Mr. ESCH. The claims were sent to the Court of Claims by an act of 1903 and a subsequent act of 1905.

Mr. WINGO. Congress authorized their consideration by the Court of Claims?

Mr. ESCH. Yes; and the Court of Claims has filed its findings of fact and of law, and finds that while they are not legal claims they are equitable claims, and that some 20 of these claims arising out of the exactions of the Treasury Department under that old customs law have already been paid by acts of Congress. There are only three of them that still remain. Two of them are contained in this item. This matter has been favorably reported four times by the Senate committee and once prior to this Congress reported favorably by the House committee.

Mr. EDMONDS. These bills are reported favorably by the House committee again this year.

Mr. GANDY. Mr. Speaker, I want to make a preferential motion.

Mr. GOOD. I yield to the gentleman from New York [Mr. SNELL] for a question.

Mr. EDMONDS. These bills have been reported favorably by the House committee again this year.

Mr. GOOD. I know that.

Mr. EDMONDS. And the case is as stated by the gentleman from Wisconsin.

Mr. GOOD. The Court of Claims did not say that they are equitable claims; that is, quite to that extent. They say they are equitable in a sense. This is the statement of the Court of Claims:

Upon the foregoing findings of fact the court concludes that the claim is not a legal one. It is equitable in the sense that the United States exacted of claimant sums in excess of the legal rate of duty under the tariff law, aggregating (here follows the amount in each

case, being sums named in the pending bill). (See court findings S. Docs. 415 and 416, 63d Cong., 2d sess.)

This is not a claim against the Government in the sense that money of the Government is to be paid by it to the claimants; the money asked is the claimants' own money, paid by them to the Government, which the Government never should have collected.

Mr. ESCH. The Government has had this money for 40 years.

Mr. EDMONDS. I want to call attention to the fact that these are just as equitable claims as the $700,000 that have already been paid.

Mr. GOOD. That may be true as far as the money collected, but these claimants absolutely slept on their rights and did not do the things that the other claimants did to protect their rights.

Mr. EDMONDS. I agree with the gentleman that they did not.

Mr. GOOD. Mr. Speaker, the committee has no judgment in regard to these matters. This is purely a legislative matter. It is a matter over which the Committee on Appropriations does not believe it should exercise judgment at all, and under the rules we bring the matter back here. These claims should never have been brought in on a great appropriation bill like this. They ought to be considered in the House with time to consider them, when the merits of the claims can be gone into and every phase of the question discussed and analyzed. That was the reason that moved the conferees on the part of the House to ask that the House insist on its disagreement to the Senate amendment. I will yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I am not going to discuss the merits or demerits of the proposition contained in the Senate amendment to pay these claims. I have wondered if this odd circumstance is not going to become the practice of the House under the new rule. Under the old practice of the House these claims inserted in a deficiency bill would have been disagreed to in conference and never have come before the House for a vote unless some one had demanded a vote when it first came in, because it is almost the invariable practice for the House conferees on a deficiency bill to refuse to agree to a claim inserted by way of amendment in the Senate.

Mr. GOOD. I will say to the gentleman that the conferees in this case under the old rules of the House would not have been able to secure recession on the part of the Senate conferees, because they absolutely refused to recede and said they intended to put it through.

Mr. MANN of Illinois. They absolutely refused to recede this time, because they knew that under the rules of the House it would have to come to a vote in the House and the House would have a chance to have a motion to concur in the amendment.

The House conferees are not supposed to know the merits of claims presented either to the House or the Senate. The House conferees on a deficiency bill have much to do without investigating the character of all the claims. But if it shall become the practice of the House without much knowledge and without a chance for much consideration to agree to claims inserted by way of amendment in the Senate I can see a very ready way of getting a great many Senate amendments. The Senate under its practice will insert almost anything concerning a claim as an amendment on a deficiency bill at the request of a Senator. They leave these matters mainly to be determined by the House, and everyone who has a claim will be asking the Senate to add it as a Senate amendment to a deficiency bill. If the House is going to act upon the bare statement of some Member of the House, where the House has not considered the claim at all, there is no limit to it. I do not know whether that is going to be one of the effects of the new rule or not, but if we start to pay these claims on a deficiency bill, that is the inevitable effect of it. It might be an additional reason for changing the rule.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Speaker, I hold in my hand a judgment of the Court of Claims upon these three claims. That judgment holds that these claims, while not legal claims, are equitable claims. The judgment in this case recites certain facts, and the judgment of the Court of Claims is based on these facts. These men were importers of steel blooms. Customs officers charged them 45 per cent ad valorem duty despite the contention that 30 per cent was the correct duty. One of the party that was importing steel blooms refused to pay the 45 per cent duty, claiming the duty was 30 per cent ad valorem. The United States District Court for the Southern District of New York held that the ad valorem duty was not 45 per cent, but 30 per cent, and the Treasury Department, without taking any appeal, accepted the ruling and thereafter held that the duty was 30 per cent.

Thereafter, 24 claimants, situated exactly as these claimants, were authorized by Congress to present their claims to the Court of Claims. The Court of Claims found in their favor, and upon those findings of fact and the conclusions of law their claims were allowed by Congress and were paid out of the United States Treasury. The claims of the Illinois Steel Co. and two or three other Illinois companies were paid in full, and all the claimants except the three named in this amendment received the amount due them. Thereafter these three claimants asked the same redress from Congress that the other 24 claimants had asked, and went through the same process exactly and have had their claims up here before Congress for the last eight years. These three claims have passed the Senate six different times. They have been approved by every committee that they have been before. I have before me an exhaustive report of the Committee on Claims of this House, made at this session, finding that these claims are just claims and unanimously recommending that they should be paid. The bills are on the Private Calendar, but the trouble is that we will never get up to the Private Calendar. The Private Calendar is a dead calendar for the session, at least. These claims were up in the Sixty-third and Sixty-fourth Congresses. The Committee on Claims reported in favor of them, and they were put upon the Private Calendar, but we never got to the consideration of that calendar, so far as these claims were concerned, and that will be the result here. The fact is that no one disputes the justice of the claims. These people paid 15 per cent more ad valorem on the steel imported than the courts held they should pay. The custom officers compelled them to pay this excessive and illegal charge or have their goods confiscated. The United States Government now has this money derived from this excessive charge, which the Court of Claims has adjudged belongs to these claimants. It is their money.

This amendment is not like an ordinary rider put on an appropriation or a deficiency appropriation bill. A committee of this House has not only passed upon it at this session of Congress, and I have the report here, an exhaustive report following every single step that has been taken, but other Committees on Claims of this House in other Congresses have passed on these claims, and all of them have been unanimous in finding that they were honest and just claims. The matter has been fully considered by the committees of both Houses, and we should not simply refuse to consider them now because of a technicality, because it was brought in at this time and in this way, the only way it could be brought into this House for consideration. The House can consider it as long as it wants to at this time. This exhaustive report of the Committee on Claims of both the House and Senate which I have here give the findings of fact and the conclusions of law of the Court of Claims, and also the decision of the Supreme Court, holding that these people were overcharged at the customhouse. There is no dispute but that the United States Treasury has this money which belongs to these people. The only way to reach this matter and give these people back their money, as in common honesty every Member of this House would do if it were brought up before him as an individual matter, is to pass this amendment at this time, which the Senate has fully considered, and in the report of the Senate committee will be found the report of the Treasurer of the United States, who says that these are just claims. I do not see why we want any more evidence on the question.

Mr. LAYTON. What is the amount of money involved?

Mr. BROWNE. In the three claims the aggregate amount is $140,000. There are 24 claims just like these that have all been paid, having been passed upon by Congress. These are the last of the claims resulting from the erroneous rulings of the custom officer.

Mr. LAYTON. Is that the original principal?

Mr. BROWNE. It is; without interest, as found by the Committee on Claims.

Mr. BEE. What is the date of the judgment?

Mr. BROWNE. Nineteen hundred and fourteen. They have had it up in every Congress since that time. It has been put off just the same as it will be put off now if you hold that we can not consider it on this deficiency appropriation bill. When it was up in the Sixty-fourth Congress the gentleman from Mississippi [Mr. STEPHENS] made an elaborate statement upon it, and it was thrown out because of some point of order that was raised against it.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BROWNE. Mr. Speaker, I move that the House recede from its disagreement to this Senate amendment and concur in the Senate amendment.

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from New Hampshire [Mr. WASON].

Mr. WASON. Mr. Speaker, I have no interest in these claims, nor has any constituent of mine in my State that I know of. I happen to know about one of these claims through a friend of mine, a native of New Hampshire, who is an eminent lawyer and a former Member of this House from Wisconsin, now living, with whom I have been acquainted for a number of years. He has been counsel in the case and has furnished me with the facts.

The question before us to-day is not whether under our rules a few Members can hold back payments of honest claims. Here is a question of honesty on the part of the Government. I want to suggest to my good friend from Illinois [Mr. MANN] that some years ago some good people in the State of Illinois whose money had been taken from them at practically the same time and under the same law recovered and have been paid $208,000, and they are a part of the 28 claims the gentleman from Wisconsin [Mr. BROWNE] referred to. I do not see any reason to-day why the $65,000 that was unlawfully taken from Browne Howard & Co. in 1881 at the port of New York as customs duty, which has been lying in the Treasury of the United States from that time to this, should not be returned to them forthwith. There is no man on the floor of the House who believes that when money is unlawfully extorted by a Government agent wrongfully from an individual restitution should be delayed a single moment. I hope that the technical rules of this House will not longer prevent us from paying these claims and add still further to the 38 years that have passed before we restore to these people what they paid this Government under duress in 1882.

The SPEAKER. The time of the gentleman from New Hampshire has expired.

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Speaker, the gentleman from Illinois [Mr. MANN] has just called attention to the many legislative features added to this bill in the Senate. Is it not perfectly natural under the rules now effective in the House that the Senate must become the legislative body on Capitol Hill? The rules have got to be changed or the Senate must legislate. There is no question about that. The Indian appropriation bill was brought in here by the Committee on Appropriations. It left the House in a lacerated condition and, of course, came back with lots of legislation upon it, put there by the Senate. There is a request pending in the Committee on Rules for a rule to bring up the Indian legislation necessary to make effective appropriations in that bureau, but consent will not be given, and the Indian legislative bill will die on March 4. I call attention in the bill now before the House to Senate amendment numbered 53, legislation for the Navy Department. It is very necessary and important legislation. It ought to go through. If it does not become law, it will be necessary for the House to appropriate some $114,000,000 before the 1st of the coming April in order to care for the Bureau of Supplies and Accounts.

Mr. GOOD. Oh, no; that will not be required at all.

Mr. BRITTEN. I am told so by the chief of the bureau.

Mr. GOOD. It will not be necessary at all.

Mr. BRITTEN. Oh, yes; it will, or else the department will have to violate the law after that date. This legislation slightly changed is carried in the legislative bill reported by the Committee on Naval Affairs. There is no possible way that the Committee on Naval Affairs can get its bill up in the House any more than can the Indian Affairs Committee get its bill up. Until the rule is changed the Senate will naturally be the legislative body on Capitol Hill.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, I desire to speak in opposition to the preferential motion made by the gentleman from Wisconsin [Mr. BROWNE] and against the consideration of this measure. The Private Calendar which the House started to consider the other day, and which will doubtless be considered again, carries a number of bills for the relief of certain persons in certain amounts, and carries the identical claim referred to here, the Walston H. Brown claim, the Henry A. V. Post claim, and a number of others, which are included in this deficiency appropriation bill.

So that it seems we are now engaged in transferring the business of the Committee on Private Claims to the Committee on Appropriations by reason of an amendment or a series of amendments offered in the Senate of the United States. It is a remarkable procedure, gentlemen, that here we have added to this deficiency bill over a million and a half dollars picked up from the Private Calendar. Now, the Private Calendar contains many, many items of merit. They should be considered. They have a right to be considered, and considered separately and upon their merits, but to say that anybody should have the right to take from the Private Calendar preferential claims, in its own mind, of a million and a half dollars to large manufacturers in these United States and ask action upon them and defer action upon a multitude of other private claims, as I say, seems to me strikes at the very basis of proper legislation. Now, that is what is being done here, because this claim, a claim since 1880, 1881, 1882, is pending upon the Private Calendar, and other claims in the aggregate of a million and a half dollars on this bill are likewise pending on the Private Calendar that have not been considered by this House, that have not been considered by the Senate of the United States so far except that they have been added by this amendment. There has been no report of the Committee on Claims in this House except the adoption of Senate Report No. 244 of the Sixty-sixth Congress, first session, on this so-called Brown claim——

Mr. BROWNE. Will the gentleman yield? The gentleman is mistaken. The Committee on Claims of this Congress and in the Sixty-fourth Congress have considered this matter thoroughly, and they have reported unanimously in favor of those three claims.

Mr. GARD. I hold in my hand the report of the committee of February 19, 1920, which adopts Senate Report No. 244, Sixty-fourth Congress, which purports to be a history of the Brown claim, because it is a stale claim, stale since 1879. It has a right to be considered, but it should be considered upon its merits.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. GARD. I will yield.

Mr. JOHNSON of South Dakota. The gentleman does not raise any question of the merits of this claim, does he?

Mr. GARD. I do.

Mr. JOHNSON of South Dakota. Does not the gentleman think the claimants are entitled to be paid this money?

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. STEPHENS].

Mr. STEPHENS of Mississippi. Mr. Speaker, it appears to me there is no merit attaching to the argument made by the gentleman from Ohio [Mr. GARD] when he says these matters should not be considered to-day, because there are numerous other claims on the Private Calendar to be reached. That is not the point in this case. The question is, Does this Government owe this money and should it be paid? I have served for several years as a member of the Committee on Claims, and I recall the exhaustive examination into this case. My recollection is that there was a unanimous report that the amount should be paid. The gentleman says that he raises the question as to the merit of the proposition. Two courts, the Federal court in the State of New York and the Court of Claims, have passed upon this matter. They have passed upon the merits of the proposition, they have held in effect that the Government wrongfully took this money away from these people, and that it should be paid. The importers thought they should pay only a duty of 30 per cent. The custom officers demanded 45 per cent. At first the importers refused to pay this amount, but they were told that unless they did pay the 45 per cent that they would be required to pay 180 per cent, and therefore in passing upon this matter the courts held that these men made a payment of this money under duress. I say to the House that you have an opportunity to right a wrong, and you should do it regardless of how many matters would be left undisposed of on the Private Calendar.

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman has expired.

Mr. GANDY. Will the gentleman yield me some time?

Mr. GOOD. How much time does the gentleman wish?

Mr. GANDY. Three minutes.

Mr. GOOD. I yield the gentleman three minutes.

Mr. GANDY. Mr. Speaker, the gentleman from Ohio [Mr. GARD] may regard this as a remarkable proceeding, and yet I appeal to this House, to the fairness of the Members, whether it is not a remarkable proceeding that men should be kept out of money which rightfully belongs to them for nearly 40 years. They paid this money under protest; if you please, they paid it under duress. They were told if they refused to pay the 45 per cent it would be 180 per cent. There is no doubt of that. It went then to the court in the southern district of New York, and that court said the Government was wrong and fixed the amount at 30 per cent. The Treasury Department of the United States appealed to the Supreme Court, and the Supreme Court of these United States dismissed that appeal. Then these men tried to get back the 15 per cent which the Government wrongfully retains of the money that it collected. Is it not remarkable that through these years this wrong should

not have been righted? The Senate of the United States, in 1912, by resolution transferred this matter to the Court of Claims, and it comes back to you to-day, gentlemen, with this amount as fixed by that court. There is not any doubt about the obligation. There is not any doubt as to the amount. No interest has been added for the use of this money during all of these years. Now, let us not say because of some rule, because of some red tape, because of something or other, we will do wrong again. Let us do right to-day, let us pay back this money that belongs to these men who ought to have been paid years ago. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOOD. Mr. Speaker, as I stated a while ago, the managers on the part of the House have no opinion with regard to these claims. We concede that the Court of Claims has found they are equitable claims, but to make the claim here on the floor of this House that this matter was brought back because of the change of the rules is foolish.

Always at the short session of the Congress the conferees on the part of the House have been compelled to take claims that have been kicked around for years, and the only reason why now these three claimants are active is because an eminent lawyer up in Wisconsin, formerly living up in New Hampshire, has been employed and has stirred up the members on the part of the House and the Senate, and the Senate absolutely refuses to recede on this amendment. Take last year: We had the Thomas Keller claim pending here for more than eight years without any basis for it at all. It ought never to have been paid. Before you changed the rules of the House the House conferees were held up and compelled to sign a conference report agreeing to the Thomas Keller claim of four or five thousand dollars or allow the conference report to be defeated.

Mr. DEWALT. Will the gentleman yield for a moment?

Mr. GOOD. For a question.

Mr. DEWALT. If unfortunately the House made a bad rule, is that any reason why a just claim should be defeated?

Mr. GOOD. I am not conceding that the House has made a bad rule. If the House wants this claim paid it now has an opportunity to say so, and it would not have had, as the gentleman has said, that opportunity without this rule. But it also has the right now to pass upon some of these matters that the Senate heretofore has exercised exclusive jurisdiction over. They would have been in the conference report just the same.

Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. GOOD] moves that the House insist on its disagreement.

Mr. GOOD. There is a preferential motion, that the House recede and concur.

Mr. BROWNE. My motion is that the House recede and concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin moves that the House recede and concur in the Senate amendment. The question is on the motion of the gentleman from Wisconsin.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes a point of no quorum. The Chair will count. [After counting.] One hundred and ninety-six gentlemen are present, not a quorum.

Mr. GOOD. It is an automatic call.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Wisconsin that the House recede and concur in the Senate amendment. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as are in favor of the motion will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken, and there were—yeas 253, nays 66, answered "present" 4, not voting 105, as follows:

YEAS—253.

Ackerman	Brooks, Pa.	Clark, Fla.	Denison
Almon	Browne	Cleary	Dent
Andrews, Md.	Buchanan	Coady	Dewalt
Andrews, Nebr.	Burke	Cole	Dickinson, Mo.
Aswell	Burroughs	Collier	Dominick
Babka	Butler	Connally	Dooling
Barbour	Caldwell	Cooper	Doremus
Barkley	Campbell, Kans.	Crago	Drane
Bee	Campbell, Pa.	Cullen	Drewry
Bell	Cantrill	Currie, Mich.	Dunbar
Benham	Caraway	Curry, Calif.	Dupré
Bland, Ind.	Carew	Dale	Dyer
Briggs	Carss	Dallinger	Eagan
Brinson	Carter	Darrow	Edmonds
Britten	Chindblom	Davis, Minn.	Elliott
Brooks, Ill.	Christopherson	Dempsey	Esch
Evans, Mont.	Kearns	Murphy	Small
Fairfield	Keller	Nelson, Mo.	Smith, Idaho
Fess	Kelly, Pa.	Nelson, Wis.	Smith, Mich.
Fields	Kendall	Newton, Minn.	Smithwick
Fish	Kennedy, R. I.	Nolan	Snell
Fisher	Kettner	O'Connor	Stedman
Focht	King	Ogden	Steenerson
Fordney	Kinkaid	Oldfield	Stephens, Miss.
Frear	Kraus	Olney	Stephens, Ohio
Freeman	Kreider	Osborne	Stevenson
Fuller	Lampert	Padgett	Stoll
Gallivan	Lanham	Park	Strong, Pa.
Gandy	Lankford	Parker	Summers, Wash.
Glynn	Layton	Parrish	Sumners, Tex.
Godwin, N. C.	Lazaro	Pell	Swindall
Goodykoontz	Lea, Calif.	Peters	Swope
Graham, Ill.	Lehlbach	Phelan	Taylor, Ark.
Green, Iowa	Lesher	Pou	Taylor, Colo.
Griest	Linthicum	Purnell	Taylor, Tenn.
Griffin	Longworth	Quin	Temple
Hadley	Luce	Radcliffe	Thompson
Hardy, Colo.	Lufkin	Raker	Tillman
Hardy, Tex.	Luhring	Ramsey	Tilson
Harrison	McAndrews	Ramseyer	Timberlake
Hastings	McArthur	Randall, Calif.	Tincher
Hawley	McDuffie	Randall, Wis.	Tinkham
Hayden	McKenzie	Ransley	Treadway
Hays	McKeown	Rayburn	Upshaw
Hernandez	McKinley	Reed, N. Y.	Vaile
Hersey	McLane	Reed, W. Va.	Venable
Hickey	McLaughlin, Mich.	Rhodes	Vestal
Hicks	McLeod	Riddick	Volgt
Hill	McPherson	Robsion, Ky.	Walters
Holland	Madden	Romjue	Wason
Houghton	Magee	Rose	Weaver
Howard	Major	Rowe	Welling
Hudspeth	Mansfield	Rucker	Welty
Hull, Iowa	Mapes	Sabath	Whaley
Humphreys	Martin	Sanders, Ind.	White, Me.
Husted	Mays	Sanders, La.	Wilson, La.
Hutchinson	Merritt	Sanders, N. Y.	Wilson, Pa.
Ireland	Michener	Sanford	Winslow
Jacoway	Minahan, N. J.	Schall	Woodyard
Jefferis	Monahan, Wis.	Shreve	Young, N. Dak.
Johnson, Miss.	Montague	Sinclair	Young, Tex.
Johnson, S. Dak.	Moore, Va.	Sinnott	
Johnson, Wash.	Moores, Ind.	Sisson	
Jones, Pa.	Mott	Slemp	

NAYS—66.

Anderson	Dickinson, Iowa	Knutson	Siegel
Ashbrook	Dowell	Langley	Steagall
Begg	Elston	Larsen	Strong, Kans.
Black	Emerson	Lee, Ga.	Sweet
Bland, Va.	Evans, Nebr.	McClintic	Tague
Blanton	Flood	McLaughlin, Nebr	Towner
Boies	Foster	MacGregor	Volk
Bowling	French	Mann, Ill.	Volstead
Box	Gard	Miller	Watkins
Brand	Good	Milligan	White, Kans.
Brumbaugh	Hoch	O'Connell	Williams
Byrnes, S. C.	Huddleston	Oliver	Wilson, Ill.
Byrns, Tenn.	James, Va.	Ricketts	Woods, Va.
Copley	Johnson, Ky.	Robinson, N. C.	Wright
Cramton	Jones, Tex.	Rogers	Yates
Crisp	Kelley, Mich.	Rouse	
Davis, Tenn.	Kincheloe	Sherwood	

ANSWERED "PRESENT"—4.

Greene, Mass.	Juul	Sims	Walsh

NOT VOTING—105.

Anthony	Garner	McFadden	Rodenberg
Ayres	Garrett	McGlennon	Rowan
Bacharach	Goldfogle	McKiniry	Rubey
Baer	Goodall	Maher	Scott
Bankhead	Goodwin, Ark.	Mann, S. C.	Scully
Benson	Gould	Mason	Sears
Bland, Mo.	Graham, Pa.	Mead	Sells
Bowers	Greene, Vt.	Mondell	Smith, Ill.
Burdick	Hamill	Moon	Smith, N. Y.
Candler	Hamilton	Mooney	Snyder
Cannon	Harreld	Moore, Ohio	Steele
Casey	Haugen	Morin	Stiness
Clark, Mo.	Hersman	Mudd	Sullivan
Classon	Hoey	Neely	Thomas
Costello	Hulings	Newton, Mo.	Vare
Crowther	Hull, Tenn.	Nicholls	Vinson
Davey	Igoe	Overstreet	Ward
Donovan	James, Mich.	Paige	Watson
Doughton	Johnston, N. Y.	Patterson	Webster
Dunn	Kahn	Perlman	Wheeler
Eagle	Kennedy, Iowa	Porter	Wingo
Echols	Kless	Rainey, Ala.	Wise
Ellsworth	Kitchin	Rainey, Henry T.	Wood, Ind.
Evans, Nev.	Kieczka	Rainey, John W.	Zihlman
Ferris	Little	Reavis	
Gallagher	Lonergan	Reber	
Ganly	McCulloch	Riordan	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. MONDELL with Mr. CLARK of Missouri.

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. MASON with Mr. KITCHIN.

Mr. BACHARACH with Mr. RIORDAN.

Mr. HARRELD with Mr. FERRIS.

Mr. WALSH with Mr. GARRETT.

Mr. LITTLE with Mr. AYRES.

Mr. REAVIS with Mr. JOHN W. RAINEY.

Mr. WHEELER with Mr. SEARS.
Mr. PERLMAN with Mr. THOMAS.
Mr. MUDD with Mr. RAINEY of Alabama.
Mr. ANTHONY with Mr. IGOE.
Mr. KAHN with Mr. HENRY T. RAINEY.
Mr. BOWERS with Mr. NEELY.
Mr. WOOD of Indiana with Mr. MOON.
Mr. NEWTON of Missouri with Mr. MEAD.
Mr. WEBSTER with Mr. DOUGHTON.
Mr. BURDICK with Mr. CANDLER.
Mr. KIESS with Mr. EVANS of Nevada.
Mr. RODENBERG with Mr. HOEY.
Mr. GRAHAM of Pennsylvania with Mr. GARNER.
Mr. HULINGS with Mr. SCULLY.
Mr. VARE with Mr. RUBEY.
Mr. MCCULLOCH with Mr. DONOVAN.
Mr. ZIHLMAN with Mr. BENSON.
Mr. CANNON with Mr. WINGO.
Mr. KLECZKA with Mr. DAVEY.
Mr. PAIGE with Mr. STEELE.
Mr. CROWTHER with Mr. GANLY.
Mr. ECHOLS with Mr. LONERGAN.
Mr. KENNEDY of Iowa with Mr. NICHOLLS.
Mr. PATTERSON with Mr. MCGLENNON.
Mr. MOORE of Ohio with Mr. ROWAN.
Mr. SMITH of Illinois with Mr. EAGLE.
Mr. HAMILTON with Mr. GOODWIN of Arkansas.
Mr. CLASSON with Mr. SMITH of New York.
Mr. WATSON with Mr. CASEY.
Mr. DUNN with Mr. HERSMAN.
Mr. WARD with Mr. MCKINIRY.
Mr. SNYDER with Mr. OVERSTREET.
Mr. PORTER with Mr. MANN of South Carolina.
Mr. MORIN with Mr. SULLIVAN.
Mr. JAMES of Michigan with Mr. WISE.
Mr. ELLSWORTH with Mr. VINSON.
Mr. STINESS with Mr. MAHER.
Mr. MCFADDEN with Mr. HULL of Tennessee.
Mr. HAUGEN with Mr. GALLAGHER.
Mr. GOULD with Mr. JOHNSTON of New York.
Mr. SCOTT with Mr. MOONEY.
Mr. REBER with Mr. HAMILL.
Mr. GREENE of Vermont with Mr. GOLDFOGLE.
Mr. SELLS with Mr. BLAND of Missouri.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The House agrees to the Senate amendment. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 33, page 19, line 8, strike out "$75,000" and insert "$425,000, including not more than $300,000 for rebuilding the Coast Guard cutter *Onondaga*."

Mr. GOOD. Mr. Speaker, there was an estimate of the Coast Guard Service of $425,000 for repairing Coast Guard cutters. The House has given $75,000 to repair these cutters where the repair items are comparatively small. The *Onondaga* is a large boat. I do not know what it cost; it cost possibly $200,000 or $300,000 to build; not more than that. The boat has been tied up for 18 months. It has not been in the service at all during the past year, and if we gave this amount of money the Goast Guard Service would not be able to use this boat unless we increased the appropriation for the pay of the men. The Coast Guard Service has been growing by leaps and bounds. We are the only country in the world that has a Coast Guard Service, and this year the estimate came in for more than $16,000,000 for the Coast Guard Service next year, or almost half the amount of the total appropriations for the Navy Department during the first year of the McKinley administration.

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CAMPBELL of Pennsylvania. I was going to ask if this could not be obviated by transferring the Coast Guard to the Navy Department? They have the facilities for that purpose.

Mr. GOOD. This refers only to the repair of Coast Guard cutters. The committee has cut the estimates very materially, and there is absolutely no rhyme or reason at this time in spending $300,000 on reconditioning this vessel. That is more than its original cost.

I move, therefore, to insist on our disagreement to amendment No. 33.

The SPEAKER. The gentleman from Iowa moves to insist on the disagreement of the House to Senate amendment No. 33. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Amendment No. 35: Page 22, line 9, insert the following: "Payment to the T. A. Gillespie Loading Co.: For payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J., which have been determined by the Secretary of War and agreed to by the claimants and in amounts not exceeding those enumerated in the letter of the Secretary of War as submitted to Congress at the present session in Senate Document No. 363, $285,141.41."

Mr. GOOD. Mr. Speaker, Congress has authorized the Secretary of War to investigate into that disaster where a great many lives were lost and much property destroyed in the explosion at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J. The authority of Congress was not given to pay the claims or to adjust the claims, but only to ascertain what amounts were justly due. There have been several reports by the Secretary of War, and we have appropriated because of damages growing out of that explosion $1,646,576.93.

These claims that are now reported in Senate Document 363 are for damages to property that was detained in freight cars standing on the tracks of the Pennsylvania Railroad. The property consists largely of freight cars—about 40 or 60 freight cars. The Pennsylvania Railroad Co. has settled with all of the railroad companies which had delivered freight to the Pennsylvania Railroad Co. and whose cars were on the tracks and destroyed.

This amount is not authorized by law, but is in the same class as the other property that was destroyed and for which appropriations have been made.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield to the gentleman.

Mr. WALSH. This damage was done to property in the cars of the Pennsylvania Railroad. How is it that these payments are made to the T. A. Gillespie Loading Co.?

Mr. GOOD. That is the heading only. The T. A. Gillespie Loading Co. were the agents of the United States. I think all the disbursements heretofore have been made in that way.

Mr. WALSH. Has the gentleman seen Senate Document 363?

Mr. GOOD. I have; I have examined it. It is here.

Mr. WALSH. Is there any claim that the property listed in Senate Document 363 was property destroyed, and which it was expected that Congress was to pay for at the time we passed this previous authorization?

Mr. GOOD. No. There is no claim here except for the property which was destroyed which was in the possession of the Pennsylvania Railroad Co. and the Delaware Dredging Co.

Mr. WALSH. Well, it is not the character of the property that was in contemplation when we passed the previous act.

Mr. GOOD. I think it was.

Mr. WALSH. I think the gentleman will find on examination that it was not.

Mr. GOOD. There certainly is no difference in principle in regard to this property and the property there which was shipped from the gentleman's State in a freight car on the tracks of the Pennsylvania Railroad Co. That property was destroyed. It seems to me it was the intention of Congress to make investigation as to all property. That has been the attitude of the War Department.

Mr. WALSH. How much more is there that has not been reported on? When shall we get through with digging up the fragments of this gunpowder explosion and paying out money?

Mr. GOOD. We are advised that this is the end, with the exception of those claims made by insurance companies, where they had insured property that was destroyed by the recent explosion. Those claims have all been eliminated.

I move, Mr. Speaker, to concur in Senate amendment No. 35.

The SPEAKER. The gentleman from Iowa moves to recede and concur in Senate amendment No. 35. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. WALSH. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 80, noes 13.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 37: Page 23, line 1, insert the following:

"PAYMENT TO LEAVENWORTH BRIDGE CO.

"To pay the Leavenworth Bridge Co., of the city of Leavenworth, Kans., the sum of $30,843.45, in settlement for extra expense in the building of the bridge across the Republican River at Fort Riley, Kans., such extra expense being the increased cost of labor due to direct Government competition in the local labor market and overhead costs during the period subsequent to the original completion date, which extra was required because such labor as was available was incompetent."

Mr. GOOD. Mr. Speaker, the Committee on Appropriations knows very little about this claim. There were no hearings on it anywhere, unless the Committee on Claims has had hearings upon it. There were no hearings before the Senate. The claim involves the sum of $30,843. It is at present on the Private Calendar, S. 2934. It has been up in the House several times and has been objected to. It is a claim of that character which the House ought to act upon. We ought not to have coming in, as there were a few minutes ago on the other roll call, Members by the score asking what the item was about. This matter should be taken up in a reasonable and sensible way, in a businesslike way, and if we are to maintain any semblance of economy the House must recognize those plain, homely principles of economy, and demand that the Committee on Claims shall have its day and be permitted to discuss these matters, and as we get into the discussion of them we ought to take an hour or two on a claim of this kind, with the report of the Committee on Claims before us, and then determine whether or not Congress shall appropriate the money.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield to me a couple of minutes?

Mr. GOOD. I yield to the gentleman two minutes.

Mr. MACGREGOR. Mr. Speaker, I agree with the chairman of the Appropriations Committee. I passed on this particular claim as a member of the Claims Committee. I think in itself it is a perfectly proper and just claim, but I do think this method of passing claims should not be permitted by this House. If it is to be permitted, you might just as well abolish the Claims Committee. What is the use of any Member presenting a claim to the Claims Committee and going all through the labor incidental to having it considered, when instead of that, if he has a friendly friend at the other end of the Capitol, he can have it placed upon this deficiency bill without the claim ever having been considered. I think this House ought to preserve its rights to pass upon the justice of these claims. The decision of the Committee on Claims ought to be considered by this House, to the end that no unjust claim and no error of judgment be ratified by this House or action taken without proper consideration. I trust that the House will not permit this method of legislation with reference to claims to prevail.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Ohio.

Mr. GARD. Mr. Speaker, this claim is more indefensible than the one upon which we had the last roll call. It is another step in the new history of legislation, by having bills taken from the calendar and inserted as amendments to the deficiency bill at the request of some one who may have a little more interest in one bill than in others. I am very happy to see the attitude taken by the chairman of the subcommittee [Mr. GOOD] and by the gentleman from the Committee on Claims [Mr. MACGREGOR], because the calendar of the Committee on Claims is an important one to the people of the United States. It should have its day and its frequent day for the consideration of proper claims and for the votes of the House.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question?

Mr. GARD. I have not very much time, but I yield to the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. It would be entirely possible to consider this claims calendar and get action upon these bills, would it not, if the time of the House was not taken up in trying to promote generals?

Mr. GARD. I am not concerned with that, but I think we have plenty of time and have had plenty of time to discuss the Private Calendar, which is of such importance to the people of the United States, because it is the only way in which claimants against the United States can get the money properly due them. This new way of getting these claims inserted on the deficiency bill is, to my mind, indefensible.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House insist on its disagreement to the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 40: Page 23, line 17, insert: "Readjustment of contracts: For amounts found to be due various contractors under the provisions of section 10, river and harbor act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, as fully set forth in Senate Document No. 384, reported to Congress at its present session, $362,140.98."

Mr. GOOD. Mr. Speaker, section 10 of the river and harbor act approved March 2, 1919, provides:

That the Secretary of War is hereby authorized to ascertain whether any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforeseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts, should in justice and equity be paid to contractors for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided*, That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further*, That when such amount shall have been ascertained, the Secretary of War shall transmit to Congress for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts.

It will be observed, Mr. Speaker, that nowhere in this section 10 of the river and harbor act approved 1919 is there any authority for the payment of any of these claims. There was only the authority that the Secretary of War should investigate and ascertain what the losses were that were due to war conditions and report them to Congress.

Now, it is true that Congress has already appropriated $2,000,000 in the river and harbor act for the payment of such claims. That was an appropriation carried in the act of the year previous. Subsequently in deficiency bills we have carried for this class of contractors appropriations aggregating $368,000. There were Senate amendments also. This class of claims is a little different class than some claims that we shall presently come to. These were claims for losses growing out of war conditions. While there is no authority in law for the payment of them we have already paid about $2,370,000 of such claims. But, Mr. Speaker, here again are claims that another committee of this House has authority to consider in detail. Besides, we can not recede and concur in this amendment, because the amendment of the Senate is bad. It refers to Senate Document 384. These claims are not reported in Senate Document 384; only a part of them are reported in that document. I will read from that report. It says "the ascertainment herein reported is $167,398.38."

Now, these claims were reported in House Documents Nos. 986 and 997 of this session of this Congress, and they are not reported at all except to the extent of $167,000 in the Senate document.

They had been referred to the River and Harbor Committee for this reason, in order that the House might act on the claims that I assume will some time be paid if we follow the practice we have already adopted. I think that they ought to be considered in the light of the new rules of the House by the committee that has jurisdiction of these claims and let them have their day in court, and let them come before this body of intelligent men who can consider them on their merits and not have them tied to an appropriation bill.

Mr. SMALL. Will the gentleman yield?

Mr. GOOD. I will.

Mr. SMALL. I think the gentleman from Iowa is entirely right, regardless of whether the claims are meritorious they have no part in a deficiency bill. They ought to be reported on a river and harbor bill after the committee has had full opportunity to consider the evidence of the engineers. They certainly have no place in a deficiency bill. They ought to come from the River and Harbor Committee or the subcommittee on appropriations. I think the gentleman is entirely right in insisting on a disagreement.

Mr. LUHRING. Will the gentelman yield?

Mr. GOOD. I will.

Mr. LUHRING. Did not the deficiency act of 1920 make provision for claims similar to this?

Mr. GOOD. It did.

Mr. LUHRING. Does the gentleman think it fair to make the payment of those claims and not pay these?

Mr. GOOD. That was a Senate amendment, and under the old rules of the House they said "You take that amendment or you will have no bill." We had to take it. We say under the new rules we want a square deal and we do not want three men sitting in a committee to make this legislation; we want the members of the other committee that had jurisdiction to have the right to consider the claims and act as legislators.

Mr. LUHRING. Would not the same investigation that has already been made by the engineers be reported to whatever committee that considered it?

Mr. GOOD. I think that is true.

Mr. LUHRING. And therefore you would have the same result no matter what committee considered it.

Mr. GOOD. This amendment can not be agreed to in this form, it will have to be rewritten, and I think the Committee on Claims should investigate and report to the House.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in the amendment with the amendment which I send to the desk.

The Clerk read as follows:

Mr. WOOD of Indiana moved to recede and concur in the Senate amendment with the following amendment: In the matter inserted by said amendment, before the word "Senate," insert the following: "House Documents Nos. 986 and 997 and."

Mr. GARD. Will the gentleman explain what this additional amendment is?

Mr. WOOD of Indiana. There was a mistake in the Senate amendment. Some of the claims were not included in Senate Document No. 384 and some of them were. Some of the claims are in House Document No. 986 and House Document No. 997. They have already been passed upon by the War Department and some have already been appropriated for.

Mr. LAYTON. How will this amendment of the gentleman change the total of $362,000?

Mr. WOOD of Indiana. It will not change it at all.

The SPEAKER. The gentleman from Iowa moves that the House insist on its disagreement, and the gentleman from Indiana makes the preferential motion that the House recede and concur. The question is on the motion of the gentleman from Indiana to recede and concur with an amendment.

The question was taken; and on a division (demanded by Mr. WOOD of Indiana) there were—ayes 44, noes 59.

Mr. SANDERS of Indiana. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from Indiana demands tellers. Those in favor of ordering tellers will rise and stand until counted. [After counting.] Twenty-six, not a sufficient number, and tellers are refused.

Mr. LUHRING. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Indiana makes the point of order that there is no quorum present. The Chair will count.

Mr. LUHRING (interrupting the count). Mr. Speaker I withdraw the point.

So the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from Iowa that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 41: Page 24, line 1, insert the following: "Payment to Roach, Stansell, Lowrance Bros. & Co.: To pay the sum of $204,307.98 to Roach, Stansell, Lowrance Bros. & Co., of which $150,110.07 is for themselves and $14,953.84 is for the use and benefit of their subcontractors, L. Lowrance & Bros.; $5,376 is for the use and benefit of the estate of their subcontractor, George F. Ramsey, and $15,822.82 is for the use and benefit of their subcontractor, Rodgers Construction Co., and $18,045.25 is for the use and benefit of their subcontractors, H. N. Rodgers & Bro., being the aggregate losses incurred by said Roach, Stansell, Lowrance Bros. & Co. and their subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection with said contracts."

Mr. GOOD. Mr. Speaker, Senate amendment No. 41, Senate amendment No. 42, and Senate amendment No. 43 are amendments of the same general character. Not only is there no law authorizing the payment, but there is no law authorizing the Secretary of War to make an investigation. The Senate passed a resolution asking the Secretary of War to make an investigation, and after Senate bills numbered 4326, 4327, and 4328, which, as I recall, are these same amendments, had passed the Senate and were messaged over to the House they went to the Committee on Claims. The Committee on Claims referred these claims to the War Department. The other amendment which we have just passed over is, as I have said, of a different class altogether. Congress has already recognized the fact that after we entered the war there were a lot of contractors who had contracts to construct public buildings, contractors on river and harbor work and other kinds of work, where the price went up very materially after the contracts were made. When the contract was made the contractor had no thought and the Government had no knowledge that we would be in war during the time the contract was being performed. Therefore Congress in the case of public buildings passed a law providing for the payment to the contractor of his losses because of war conditions in respect to a contract for the erection of public buildings; and in the case of river and harbor work the river and harbor appropriation act carries section 10, which authorized the Secretary of War to ascertain what the losses were and report them to Congress. But these contracts are different and were made after the war began. These claims in Senate amendments 41, 42, and 43 are for losses arising on contracts entered into after we engaged in war. I want now to read to you what the Secretary of War says with regard to these claims.

He says in his report:

7. "The appropriations covered by S. 4326, S. 4327, and S. 4328 would relieve the contractors from the losses sustained by them as a result of a failure to properly estimate the consequences of the selective draft on labor, the disturbance of transportation, the shortage of supplies caused by the military activity, and other results of the war, and would put a premium on the neglect of these contractual obligations in favor of yielding to the incentive to engage in more lucrative work at current and war-stimulated prices.

8. "Other contractors engaged on Mississippi River levee work, and many other contractors for various other works throughout the United States, were similarly circumstanced, and unless the Congress is prepared to grant relief to all on equitable terms, involving in all probability great appropriations from the Treasury, these acts should not be favorably considered by the Committee on Claims, and thus show discrimination and favoritism for which no warrant is known."

9. The views and conclusions of the Chief of Engineers are concurred in, and it is recommended that the said acts be not passed by the House of Representatives.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BEE. Is it not true that, although these contracts were entered into after the war began, the trouble that the contractors got into which caused their losses was because of governmental activities during the war?

Mr. GOOD. That is what is claimed.

Mr. BEE. Is not that the fact?

Mr. GOOD. They will always find some trumped-up claim if we recognize this class of claims. When the war was on these contractors knew that we were in a condition of war; they could not tell what the labor market would be, but they went into a competitive market and they took these contracts, and now, like men, they must stand up and take the consequences of their own contracts.

If we relieve this class of contractors, then we must come to the relief of every man who had a contract with the Government if he sustained a loss, and if we take care of these big contractors, the corporations named in the three amendments, what will we do for the men who were drafted into the Army who were compelled to leave their business and suffer a loss? [Applause.] What will we do for the farmers who were urged by the Government to plant more acres but who were compelled to market their crops at a loss? Are you going to make good those losses? If you make good this loss, then let us open the doors of the Treasury to all comers, and first come first served.

Mr. BEE. Mr. Speaker, will the gentleman yield to a further question?

Mr. GOOD. Yes.

Mr. BEE. Is there not a distinction where the loss occurred by reason of the activities of Government agencies that deprived the contractors of the opportunity of carrying on their work where the Government was responsible?

Mr. GOOD. That is the worst piece of bunk I have ever heard of. There is nothing to it.

Mr. BEE. That is the testimony before the hearings.

Mr. GOOD. It is pure bunk. I move that the House insist on its disagreement to Senate amendment No. 41.

Mr. HUMPHREYS. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 41.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi.

Mr. HUMPHREYS. Mr. Speaker, the gentleman from Iowa [Mr. GOOD] says that these contractors ought to stand up like men. I will call attention now to the facts. In 1917 these contractors entered into a contract amounting approximately to a million dollars to build levees on the Mississippi River. That contract was to be completed by December of 1918. In December of 1917 we began our activities at Muscle Shoals and at the nitrate plant in Nashville. These gentlemen assembled their laborers and began the work. The Federal Government, through its agents, went to Memphis and employed a labor agent there who was in the habit of getting laborers for the levee contractors. All of the laborers of these levee contractors were negroes, and this labor agent was a negro. The Government went to him and told him that he could not engage further as a labor agent for private enterprise, and told him that they would employ him to get laborers for the Government work at Muscle Shoals and Nashville. He accepted the employment, put on his badge, immediately went down to the camps where these contractors were working. This is his testimony. He admits this in an affidavit. He went into this camp and he said to these negroes, "We want you to quit these contractors now

and go over to Nashville and Muscle Shoals and work for the Government, and instead of paying you a dollar and six bits a day we will give you $3.50 a day. We will pay your transportation to Nashville and pay it back. You do not have much work to do. It is an easy job; you work only 8 hours a day and we pay you for 11 hours, and furnish you entertainment." Now, listen to this: "We give you moving pictures, furnish you a big dance hall, plenty of craps and plenty of women." That is the testimony of this labor agent. [Laughter.] Well, as a matter of course, with that promise held out, the negroes followed him off like the rats followed the Pied Piper. [Laughter.] Now, it depleted these contractors of labor absolutely. They went to the Government employment service at Memphis and said, "What shall we do? You have taken all of our help. You have left us with nothing but teams. We need some help." They said, "The Government needs all the laborers it can get, and you can not even go out and solicit labor." Then they said, "We will go to Mexico and get Mexicans." They said, "You can not do that, because the Government has work down on the Mexican border." Then they proposed to go down 200 miles into Mexico below the border and get Mexicans that the Government could not reach. The Government agent told them that they could not do that. They said, "What shall we do? We have nothing left but teams." "Well," they said, "we will employ your teams. You go and we will give you work for your teams and we will pay your way over there and back," which the Government did not do.

The SPEAKER. The time of the gentleman has expired.

Mr. HUMPHREYS. Will the gentleman yield me five additional minutes?

Mr. GOOD. I will yield the gentleman five additional minutes.

Mr. HUMPHREYS. They took the teams over there and were paid $7 a day for a team which consisted of two mules, a wagon, and a driver. The Government fixed the pay of the driver at $3.50 a day, so there was left only $3.50 for the team, two mules and the wagon, and they had to maintain the mules, and the Government gave them nothing for their own time while there. They had permission from the Mississippi River Commission for a leave of absence for 60 days and at the end of that time they said, "Now, we must go back upon the contract." They said, "You can not go; you will have to stay here with your teams." They insisted that they were losing money, that they could not afford it, that they must go back, but they had to stay. They were told that if they went back they would have them arrested as enemies of the Government. Now, think of that in time of war. They were advised by lawyers that there was no such law as that, but we were at war, and no patriotic citizen wanted to be arrested in time of war as an enemy of his country. They did stand up like men and stayed there until that summer and finally were relieved upon their insistence and went back to their contract, and, according to the Government's own report, they were never able to secure more than 43 per cent of their crews. After that the other contractors on the river laid down and said "We will not undertake to live up to our contract under such circumstances; let the Government sue us on our bond."

Mr. BEE. Will the gentleman yield?

Mr. HUMPHREYS. They laid down on their contract. The Government then relet those contracts and relet them at a difference in some instances of 50 per cent at the lowest and in other instances 120 per cent higher than the rate that the contractors had originally made. These men said, "We will not lay down on our contract. We will," as the gentleman from Iowa said, "stand up like men and finish the job," and instead of finishing up in December, 1918, they were forced to continue at work until December, 1919, and they finished the work. We passed a resolution calling upon the Secretary of War to audit their accounts and see what was actually lost, and he reported $343,000—these others are the same kind of contracts—but that did not cover their loss. They lost more than that; the books showed more than that. That is, what it showed was due to Government interference, $343,000. Then they came here and went before the Claims Committee of the Senate. They had a bill here. But in spite of the inequitable, unjustifiable, and unwarrantable report of the Secretary, the committee, upon a hearing, reported it favorably and the Senate passed it. Then they took it before the Committee on Claims of the House and had a full hearing, and the Claims Committee, after a full hearing, despite the Secretary of War, made a unanimous report favorable to the claim, and over in the Senate the other day it was taken up over there and considered by the Appropriations Committee and put on in the Senate and passed.

It is here now, and the question, and the only question, is whether the men who kept the faith in those trying times, who lived up to their contracts, shall now be made whole or whether the reward shall go to the contractors who did not keep the faith but who laid down on the job, and who thereby cost the Government an increase of from 50 to 120 per cent. If this appropriation is allowed, it will amount to an increase of 35 per cent. Gentlemen, I insist that there never was a more just claim presented to this House, and I hope very much that the motion which I have made will prevail.

Mr. BEE. Then, as I understand the gentleman from Mississippi, these men stood up like men——

Mr. HUMPHREYS. Yes, sir.

Mr. BEE. And fulfilled their contracts and did not lay down on the job?

Mr. HUMPHREYS. And the question is whether they shall receive the reward of the faithful, or shall it go to the contractors who laid down on the job.

Mr. COLLIER. Will the gentleman yield for one question?

Mr. HUMPHREYS. I will.

Mr. COLLIER. If these contractors had laid down on the job and the work had been given out under new contracts, how much more would it have cost the Government?

Mr. HUMPHREYS. Anywhere from 50 to 120 per cent more. In my district there are levees, in the construction of which the Government did not participate, where we voluntarily raised the price of the contractors 120 per cent.

Mr. STEPHENS of Mississippi. Mr. Speaker and gentlemen of the House, I can add but very little to what the gentleman from Mississippi [Mr. HUMPHREYS] has said about this matter. He has made a splendid presentation of the case. Having only five minutes, I want to talk to you hurriedly about two phases of the matter.

In June, 1919, the Senate passed a resolution asking that the War Department investigate this matter and determine the amount and the causes of the loss sustained by these contractors. In response to that resolution the War Department put auditors on the books, made a complete and thorough investigation of the matter, and reported the very sums that are contained in these items in the bill. Now, some gentlemen have argued these matters ought not to be considered on appropriation bills because of the fact that they do not have the opportunity to give careful consideration to such matters. I want to say this, that these items have been considered and, no doubt, carefully considered; because, first, the matters went to the Committee on Claims of the Senate; they took the report of the Secretary of War; they considered the matter, and reported the bill unanimously from that committee. The matter was then considered in the Senate and passed there. Then it came to the Committee on Claims of the House, and it was considered there. A unanimous report came from that committee. Then the matter was presented to the Committee on Appropriations of the Senate. It was considered there, and then later considered by the Senate itself, and placed as amendments on this deficiency bill. So this matter has been considered by two committees of the Senate; it has been considered by the Senate itself twice; it has been considered by one committee of the House, and favorable action had on each occasion. So five times the matter has been presented. And I want to say that the other day when this deficiency bill was before the Senate the Senator from Utah [Mr. SMOOT], the careful guardian of the Treasury of the United States, rose and said that this matter was subject to the point of order, but that he would not make the point, but would allow it to go into the appropriation bill. And it did go in without any objection and without anybody making the point. Why? Because it had been carefully considered by the Committee on Claims; it had been before the Senate at one time; it had been carefully considered by the Committee on Appropriations, and there was no doubt in the mind of Senator SMOOT or any other gentleman, I imagine, as to the merits of the matter.

Now, gentlemen, the question is just this: Shall these men who stuck to the job, who performed their duties, who were unwilling to lay down on their contracts, be forced into bankruptcy simply because it is suggested that we should have more time to consider the matter? Gentlemen, the only honest thing to do, if this is a meritorious claim, the only honest and just thing to do if it is due, is to pay these men now. It is not right that they shall be allowed to become bankrupt simply because they, as many others refused to do, carried on their work and performed their contract.

Just another word. The gentleman from Mississippi [Mr. HUMPHREYS] referred to the fact that these men were threatened; that they were told if they left Muscle Shoals and the nitrate plant and other governmental activities they would be arrested. Gentlemen, according to the proof in this case, two of the contractors were actually arrested when they endeavored to go back to their work. Remember, they were under contract

with the Government. The Government is the party that refused to allow them to complete their contract in time, and it put them to this great loss. I submit it is unfair and unjust not to require the Government, which is the sole cause of the loss, to pay these claims. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. Mr. Speaker, the gentlemen have talked a good deal about the man who stood up during the war. Every one of these contractors had a bond, and they had to stand up or do just as every other contractor does—pay the damages.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. HUMPHREYS. All the contractors had bonds.

Mr. GOOD. Of course they did. All of the contractors on the Mississippi River laid down except these, and the Government, realizing that they could not recover, has not proceeded against one of them on his bond.

Now, Mr. Speaker, there are hundreds and thousands of claims that will appear just the minute we commence to announce this kind of a policy. I am unwilling that three or four contractors in Mississippi or Tennessee shall go to their Senators and have a special bill put in for them, without taking care of all the contractors and everybody who suffered loss when their contracts were entered into after we engaged in the war. We have taken care of the contractors whose contracts were entered into before we engaged in the war. These contracts were all made in the light of war conditions. The war was on. The contractors knew what would be expected of them. I say to you that if you put on these favored claims, worked up by contractors and lawyers, what are you going to do with the thousands of contractors throughout the United States who suffered a loss under war conditions? Now, I tell you what we ought to do. If this is a just claim, it can just as well afford to wait until we bring in a general law that will take care of all contractors who suffered under like conditions. Here is no place for it, on an appropriation bill. Let it be considered, and if it is a meritorious claim let it stand or fall on its merits.

Mr. Speaker, I ask for a vote.

The SPEAKER. The gentleman from Iowa moves that the House further insist on its disagreement, and the gentleman from Mississippi [Mr. HUMPHREYS] makes the preferential motion that the House recede and concur in the Senate amendment. The question is on the motion of the gentleman from Mississippi [Mr. HUMPHREYS].

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. HUMPHREYS. Division, Mr. Speaker.

The House divided; and there were—ayes 102, noes 57.

Mr. WALSH. Mr. Speaker, I make a point of order there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order there is no quorum present. Evidently no quorum is present. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees. Those in favor of the motion of the gentleman from Mississippi will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 178, nays 143, answered "present" 2, not voting 105, as follows:

YEAS—178.

Almon	Dent	Howard	McKeown
Aswell	Dewalt	Hudspeth	McLane
Babka	Dominick	Hulings	Madden
Barbour	Dooling	Hull, Iowa	Major
Barkley	Doremus	Humphreys	Mansfield
Bee	Drane	Ireland	Martin
Black	Dunbar	Jacoway	Mason
Bowers	Dupré	James, Va.	Mays
Bowling	Eagan	Johnson, Ky.	Miller
Box	Edmonds	Johnson, Miss.	Milligan
Brand	Elliott	Johnson, Wash.	Minahan, N. J.
Brinson	Evans, Mont.	Jones, Tex.	Monahan, Wis.
Browne	Evans, Nev.	Kahn	Montague
Buchanan	Fairfield	Kearns	Moore, Va.
Burke	Fields	Kelly, Pa.	Moores, Ind.
Byrnes, S. C.	Fisher	Kendall	Mudd
Byrns, Tenn.	Flood	Kennedy, R. I.	Nelson, Mo.
Caldwell	Gallivan	Kettner	Nolan
Campbell, Pa.	Gandy	Kincheloe	O'Connell
Caraway	Garrett	King	O'Connor
Carew	Glynn	Langley	Oldfield
Carss	Griffin	Lanham	Oliver
Carter	Hadley	Lankford	Olney
Cleary	Hardy, Tex.	Lazaro	Osborne
Coady	Harreld	Lea, Calif.	Padgett
Collier	Hastings	Lesher	Park
Connally	Hawley	Linthicum	Parker
Crisp	Hayden	Little	Parrish
Cullen	Hays	Luhring	Pell
Curry, Calif.	Hernandez	McAndrews	Phelan
Darrow	Hill	McArthur	Pou
Davis, Tenn.	Hoey	McClintic	Quin
Denison	Holland	McDuffie	Rainey, Henry T.
Raker	Sims	Stoll	Watkins
Randall, Calif.	Sisson	Summers, Wash.	Weaver
Ransley	Slemp	Sumners, Tex.	Welling
Rayburn	Smith, Ill.	Swindall	Whaley
Robinson, N. C.	Smith, Mich.	Tague	Williams
Romjue	Smithwick	Taylor, Ark.	Wilson, La.
Rose	Steagall	Taylor, Colo.	Wilson, Pa.
Rouse	Stedman	Tillman	Wingo
Sabath	Steele	Upshaw	Woods, Va.
Sanders, Ind.	Steenerson	Vaile	Young, Tex.
Scott	Stephens, Miss.	Venable	
Sells	Stephens, Ohio	Vinson	

NAYS—143.

Ackerman	Fess	Lufkin	Schall
Anderson	Fish	McFadden	Sherwood
Andrews, Md.	Focht	McKenzie	Shreve
Andrews, Nebr.	Foster	McLaughlin, Mich.	Siegel
Ashbrook	Frear	McLaughlin, Nebr.	Sinclair
Begg	Freeman	McLeod	Sinnott
Bell	French	McPherson	Smith, Idaho
Benham	Fuller	MacGregor	Snell
Bland, Ind.	Gard	Magee	Snyder
Bland, Va.	Good	Mapes	Strong, Kans.
Blanton	Graham, Ill.	Merritt	Strong, Pa.
Boies	Greene, Vt.	Michener	Sweet
Briggs	Griest	Mondell	Temple
Brooks, Ill.	Hardy, Colo.	Moore, Ohio	Thompson
Brooks, Pa.	Harrison	Mott	Tilson
Burroughs	Hersey	Murphy	Timberlake
Butler	Hickey	Nelson, Wis.	Tincher
Campbell, Kans.	Hicks	Newton, Minn.	Tinkham
Cannon	Hoch	Ogden	Towner
Chindblom	Houghton	Paige	Treadway
Christopherson	Huddleston	Peters	Vestal
Cole	Husted	Purnell	Volk
Cooper	Hutchinson	Radcliffe	Volstead
Copley	Jefferis	Ramseyer	Walsh
Crago	Johnson, S. Dak.	Randall, Wis.	Ward
Cramton	Jones, Pa.	Reber	Wason
Currie, Mich.	Keller	Reed, N. Y.	Watson
Dale	Kelley, Mich.	Reed, W. Va.	White, Kans.
Dallinger	Knutson	Rhodes	White, Me.
Davis, Minn.	Kraus	Ricketts	Wilson, Ill.
Dickinson, Iowa	Kreider	Riddick	Winslow
Dowell	Lampert	Robsion, Ky.	Wood, Ind.
Echols	Larsen	Rogers	Wright
Emerson	Layton	Rowe	Yates
Esch	Lehlbach	Sanders, N. Y.	Young, N. Dak.
Evans, Nebr.	Luce	Sanford	

ANSWERED "PRESENT"—2.

Greene, Mass.	Lee, Ga.

NOT VOTING—105.

Anthony	Ellsworth	Kitchin	Rodenberg
Ayres	Elston	Kleczka	Rowan
Bacharach	Ferris	Lonergan	Rubey
Baer	Fordney	Longworth	Rucker
Bankhead	Gallagher	McCulloch	Sanders, La.
Benson	Ganly	McGlennon	Scully
Bland, Mo.	Garner	McKinley	Sears
Britten	Godwin, N. C.	McKinley	Small
Brumbaugh	Goldfogle	Maher	Smith, N. Y.
Burdick	Goodall	Mann, Ill.	Stevenson
Candler	Goodwin, Ark.	Mann, S. C.	Stiness
Cantrill	Goodykoontz	Mead	Sullivan
Casey	Gould	Moon	Swope
Clark, Fla.	Graham, Pa.	Mooney	Taylor, Tenn.
Clark, Mo.	Green, Iowa	Morin	Thomas
Classon	Hamill	Neely	Vare
Costello	Hamilton	Newton, Mo.	Voigt
Crowther	Haugen	Nicholls	Walters
Davey	Hersman	Overstreet	Webster
Dempsey	Hull, Tenn.	Patterson	Welty
Dickinson, Mo.	Igoe	Perlman	Wheeler
Donovan	James, Mich.	Porter	Wise
Doughton	Johnston, N. Y.	Rainey, Ala.	Woodyard
Drewry	Juul	Rainey, John W.	Zihlman
Dunn	Kennedy, Iowa	Ramsey	
Dyer	Kiess	Reavis	
Eagle	Kinkaid	Riordan	

So the motion of Mr. HUMPHREYS was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FORDNEY with Mr. RUCKER.

Mr. MANN of Illinois with Mr. SMALL.

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. WALTERS with Mr. CLARK of Missouri.

Mr. LONGWORTH with Mr. CLARK of Florida.

Mr. KIESS with Mr. GOODWIN of Arkansas.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. DYER with Mr. DICKINSON of Missouri.

Mr. COSTELLO with Mr. GOLDFOGLE.

Mr. BRITTEN with Mr. AYRES.

Mr. GOODYKOONTZ with Mr. WELTY.

Mr. KINKAID with Mr. STEVENSON.

Mr. WOODYARD with Mr. DREWRY.

Mr. JUUL with Mr. CANTRILL.

Mr. BAER with Mr. LEE of Georgia.

Mr. VOIGT with Mr. OVERSTREET.

Mr. TAYLOR of Tennessee with Mr. MOON.

Mr. SWOPE with Mr. MCKINLEY.

Mr. MCKINLEY with Mr. FERRIS.

Mr. GREEN of Iowa with Mr. CASEY.

Mr. ELLSWORTH with Mr. NEELY.

Mr. RAMSEY with Mr. BRUMBAUGH.
Mr. DEMPSEY with Mr. HULL of Tennessee.
Mr. ELSTON with Mr. KITCHIN.
Mr. GOODALL with Mr. RAINEY of Alabama.

Mr. GREENE of Massachusetts. Mr. Speaker, I am paired with the gentleman from Alabama, Mr. BANKHEAD. I voted "nay." I wish to withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The ayes have it, and the motion is agreed to. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 42: Page 24, after line 20, insert: "Payment to H. B. Blanks: To pay H. B. Blanks, levee contractor, the sum of $123,569.03, of which $40,720.95 is for the use and benefit of his subcontractors, Roach, Stansell, Lowrance Bros. & Co., and $82,848.08 is for the use and benefit of the estate of his subcontractor, George F. Ramsey, being the aggregate losses incurred by said subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contract mentioned in said resolution: *Provided*, That the Secretary of the Treasury, before paying said sums, shall require evidence satisfactory to him that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection therewith."

Mr. GOOD. Mr. Speaker, this amendment is similar to the one we have just voted upon. That amendment is one which the Secretary of War said would put a premium on the neglect and inefficiency of contractors. It places a premium on extravagance. Quoting his words, he says:

Unless the Congress is prepared to grant relief to all on equitable terms, involving in all probability great appropriations from the Treasury, these acts should not be favorably considered.

There is not a word on the statute books, not a word anywhere, authorizing the payment of these claims. The vote we have just taken is not on the merits of these claims. It is not on the merits of this class of claims, which the Secretary of War said would place a premium on the neglect of duty of contractors, but it is a tribute to the genial companionship, the wonderful ability of the gentleman from Mississippi [Mr. HUMPHREYS]. [Applause.] That is what you voted for; and when you open the doors of the Treasury to the genial companionship of a Member of the House or the Senate you are doing a dangerous thing.

I recognize the gentleman from Mississippi [Mr. HUMPHREYS] as one of the ablest Members of this House; but I did not know until we had the last vote that he held in the hollow of his hand the vote of practically every Member on that side of the House and many on this side. I did not look for any degree of economy from that side of the House on these matters, but to this side of the House, that went to the polls in November and said they were going to vote for economy, I did look for some degree of economy, but I have failed to find it. [Applause.] Yet by this vote you have taken out of the Treasury without warrant of law $204,000. You have placed a premium on the waste and extravagance of contractors. You have opened the doors of the Treasury wide to all classes of claims. Here is another opportunity for you to duplicate that performance, if you so desire.

I move to insist on the disagreement of the House to Senate amendment 42.

Mr. HUMPHREYS. Mr. Speaker, I have a preferential motion. I move that the House recede and concur in Senate amendment 42. Will the gentleman yield me some time?

Mr. GOOD. I can not refuse the gentleman time, even though I am compelled to refuse to vote the money. I give the gentleman five minutes.

Mr. HUMPHREYS. Mr. Speaker, I thank the gentleman for the very frank and accurate manner in which he has delineated my characteristics. [Laughter.] Much as I appreciate the compliment, I know that the gentleman has overstated them.

This amendment stands exactly on all fours with the one we have just adopted. Amendments 41, 42, and 43 are alike in principle, and in my humble judgment no more righteous proposition has been before this House during this session or will come before it than is embraced in these three amendments. There is nothing partisan about it. I am sorry that we did not get all the votes on that side or on this side, but we did not get them all on either side. There is nothing partisan in this. There is nothing partisan in the membership of this firm. As a matter of fact, it is bipartisan, if that has anything to do with it.

I understood we were to return to normalcy, and normalcy in this Government means to pay its honest debts. [Applause.] The unwarranted interference of Government agents well-nigh wrecked this firm of contractors, the only firm on the river that were willing to stand up and take the gaff, relying upon the good faith of the Government to make them whole when the facts were all adduced.

This matter comes before the House in absolute order. It has been before the Committee on Claims and a full hearing had, and that committee, composed, as all the committees in this House are composed, of a majority from this side, unanimously recommended its payment. It was put on the calendar. It went before a committee in the Senate, and another hearing was had, and that committee there unanimously recommended that it be paid. It is put on now as an amendment which is now in order. Nobody denies that it is a righteous claim. Nobody denies that the Government ought to reimburse these men. The only claim is that this is not the proper day of the week. I hope, gentlemen, that you will not be led off by partisan considerations but that you will give to these men absolute and equal justice. They went through with their contracts. They are the only contractors on the river who did. The men who laid down cost the Government 50 to 120 per cent when the contracts were relet, but these men, who kept the faith, who lived up to the terms of their contracts, who trusted to the good faith of Congress to reimburse them—they are the ones to be penalized. These men are not millionaires, neither are they paupers; but, gentlemen, when you take from any firm $343,000 you well-nigh wreck them. I do not believe this House will do it. I ask you to vote again for this amendment.

Mr. GOOD. I ask for a vote.

Mr. CHINDBLOM. Will the gentleman yield time for a question?

Mr. GOOD. I yield to the gentleman half a minute.

Mr. CHINDBLOM. With reference to the proviso that the Secretary of the Treasury, before paying this sum, shall require evidence satisfactory to him that the contracts have been completed——

Mr. HUMPHREYS. They have actually been completed.

Mr. CHINDBLOM. But the legislation says that the Congress does not know whether they have been completed or not, but wants the Secretary of the Treasury to determine whether they have been completed.

Mr. HUMPHREYS. They have been completed. There is no doubt about it, absolutely no question about it, and the contractors have received their pay and been discharged a year ago.

Mr. CHINDBLOM. If, as a matter of fact, these contracts have not been completed, then these sums are not correct, are they?

Mr. HUMPHREYS. No.

Mr. CHINDBLOM. Now, you leave it to the Secretary of the Treasury to determine whether the contracts have been completed.

Mr. HUMPHREYS. Oh, no. The contracts have been completed, and the Secretary has paid them and the men have gone hence.

Mr. CHINDBLOM. But that is in the bill.

Mr. HUMPHREYS. It does not make any difference.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, the war damaged everybody except a few people who had cost-plus contracts. [Laughter.] I take it that almost everyone suffered. Take it in my State of Illinois, for example, and in my own county, before the war we were building good roads under contract. When the war broke out there were hundreds of contracts made on the cost of labor and material for their construction before the war began. Many men were ruined by that and lost their property. They were good citizens. Everywhere everybody suffered. Thousands and hundreds of thousands were made bankrupt on account of the war because labor was impossible to get. If you could get it at all it was at an enhanced price. You could not get supplies, you could not get transportation, you could not get gravel and you could not get cement. Now, I think that all that class of people are entitled to relief if we are going to enter a campaign of relieving everybody who suffered. [Applause.]

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from South Dakota [Mr. JOHNSON.]

Mr. JOHNSON of South Dakota. Mr. Speaker, it seems to me that the Members of the House ought to realize something about the settlement of war contracts under the so-called Dent Act and other acts. Settlement of claims were made under those laws, and up to the present time $24,000,000 has been recovered back as overpayment. When settlements have been made under those laws the money can be recovered back for overpayment. If the Republican House desires to settle claims in this way and overpayments are made, none of that money can be recovered. I say without hesitancy that in the

settlement of these claims of $3,000,000,000 under the Dent Act and other acts there will be $50,000,000 recovered back. If you lay down the rule to-day that we are to settle matters by legislation, not one dollar will ever come back to the Government. It seems to me that it is time the Republican Members of this House remember their campaign promises. To-day when the Government is recovering back money that has been overpaid on these claims, if amendments of this kind are voted for without consideration you will close the door for the incoming administration to recover back any money wrongfully paid.

It seems strange that you are willing to pay the money on these claims when it is not possible to give the soldier adjusted compensation and take care of some of the men who perhaps suffered in other ways than by losing their money in the war. Until these claims are settled I do not believe these matters should be settled by legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MANN of Illinois. How have the $24,000,000 been recovered, by suit?

Mr. JOHNSON of South Dakota. By threatened suit.

Mr. MANN of Illinois. And the money actually paid back after the Government settled with them?

Mr. JOHNSON of South Dakota. Actually paid back to the Government. That will come in in some of the reports of the war investigating committee, I will say to the gentleman.

Mr. MANN of Illinois. Those reports will be so long they will never be read.

Mr. GOOD. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Mississippi to recede and concur.

The question was taken; and on a division (demanded by Mr. GOOD) there were 107 ayes and 101 noes.

Mr. GOOD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 146, answered "present" 3, not voting 126, as follows:

YEAS—153.

Almon	Fields	Lazaro	Rose
Ashbrook	Fisher	Lea, Calif.	Rouse
Aswell	Gallivan	Lesher	Sabath
Babka	Gandy	Linthicum	Sanders, Ind.
Barbour	Garrett	Little	Sanders, La.
Barkley	Glynn	Luhring	Sells
Bee	Griffin	McClintic	Sherwood
Black	Hadley	McDuffie	Sims
Bowers	Hardy, Tex.	McLane	Sisson
Bowling	Harrison	Major	Smith, Mich.
Box	Hastings	Mann, Ill.	Smithwick
Brand	Hayden	Mansfield	Steagall
Brinson	Hays	Martin	Stedman
Browne	Hernandez	Mays	Stephens, Miss.
Buchanan	Hersman	Milligan	Stevenson
Burke	Hill	Minahan, N. J.	Stoll
Byrnes, S. C.	Hoey	Montague	Sumners, Tex.
Byrns, Tenn.	Holland	Moore, Va.	Sweet
Campbell, Pa.	Howard	Moores, Ind.	Swindall
Candler	Hudspeth	Nelson, Mo.	Tague
Caraway	Hulings	Nolan	Taylor, Ark.
Carew	Hull, Iowa	O'Connell	Taylor, Colo.
Carter	Hull, Tenn	O'Connor	Taylor, Tenn.
Cleary	Humphreys	Oldfield	Tillman
Collier	Ireland	Oliver	Venable
Connally	Jacoway	Osborne	Vinson
Crisp	James, Va.	Overstreet	Weaver
Curry, Calif.	Johnson, Ky.	Padgett	Welling
Dent	Johnson, Miss.	Park	Whaley
Dewalt	Johnson, Wash.	Parker	White, Me.
Dominick	Kearns	Parrish	Williams
Doremus	Kelly, Pa.	Pell	Wilson, La.
Drane	Kendall	Quin	Wilson, Pa.
Dupré	Kennedy, R. I.	Raker	Wingo
Eagan	Kettner	Randall, Calif.	Woods, Va.
Edmonds	Kincheloe	Ransley	Young, Tex
Elliott	King	Rayburn	
Evans, Mont.	Lanham	Robinson, N. C.	
Evans, Nev.	Lankford	Romjue	

NAYS—146.

Ackerman	Chindblom	Evans, Nebr.	Hersey
Andrews, Md.	Christopherson	Fess	Hickey
Andrews, Nebr.	Coady	Fish	Hicks
Begg	Cooper	Focht	Hoch
Bell	Copley	Foster	Houghton
Benham	Cramton	Frear	Huddleston
Bland, Ind.	Currie, Mich.	Freeman	Husted
Bland, Va.	Dale	French	Hutchinson
Blanton	Dallinger	Fuller	Jefferis
Boies	Darrow	Gard	Johnson, S. Dak.
Briggs	Davis, Minn.	Good	Jones, Pa.
Brooks, Ill.	Dickinson, Iowa	Gould	Keller
Brooks, Pa.	Dowell	Graham, Ill.	Kelley, Mich.
Burroughs	Dunbar	Greene, Vt.	Knutson
Butler	Echols	Griest	Kraus
Campbell, Kans.	Emerson	Hardy, Colo.	Kreider
Cannon	Esch	Hawley	Lampert
Langley	Mondell	Robsion, Ky.	Tinkham
Larsen	Moore, Ohio	Rogers	Towner
Layton	Mott	Rowe	Treadway
Lehlbach	Mudd	Sanders, N. Y.	Vaile
Luce	Murphy	Sanford	Vestal
Lufkin	Nelson, Wis.	Schall	Voigt
McFadden	Newton, Minn.	Shreve	Volk
McKenzie	Ogden	Siegel	Volstead
McLaughlin, Mich.	Paige	Sinclair	Walsh
McLaughlin, Nebr.	Peters	Sinnott	Ward
McLeod	Purnell	Slemp	Wason
McPherson	Radcliffe	Smith, Idaho	Watson
MacGregor	Ramsey	Snyder	White, Kans.
Madden	Ramseyer	Strong, Kans.	Winslow
Magee	Reber	Strong, Pa.	Wood, Ind.
Mapes	Reed, N. Y.	Summers, Wash.	Woodyard
Merritt	Reed, W. Va.	Temple	Wright
Michener	Rhodes	Thompson	Young, N. Dak.
Miller	Ricketts	Tilson	
Monahan, Wis.	Riddick	Timberlake	

ANSWERED "PRESENT"—3.

Greene, Mass.	Lee, Ga.	Snell

NOT VOTING—126.

Anderson	Dunn	Kitchin	Riordan
Anthony	Dyer	Kleczka	Rodenberg
Ayres	Eagle	Lonergan	Rowan
Bacharach	Ellsworth	Longworth	Rubey
Baer	Elston	McAndrews	Rucker
Bankhead	Fairfield	McArthur	Scott
Benson	Ferris	McCulloch	Scully
Bland, Mo.	Flood	McGlennon	Sears
Britten	Fordney	McKeown	Small
Brumbaugh	Gallagher	McKinley	Smith, Ill.
Burdick	Ganly	McKinley	Smith, N. Y.
Caldwell	Garner	Maher	Steele
Cantrill	Godwin, N. C.	Mann, S. C.	Steenerson
Carss	Goldfogle	Mason	Stephens, Ohio
Casey	Goodall	Mead	Stiness
Clark, Fla.	Goodwin, Ark.	Moon	Sullivan
Clark, Mo.	Goodykoontz	Mooney	Swope
Classon	Graham, Pa.	Morin	Thomas
Cole	Green, Iowa	Neely	Tincher
Costello	Hamill	Newton, Mo.	Upshaw
Crago	Hamilton	Nicholls	Vare
Crowther	Harreld	Olney	Walters
Cullen	Haugen	Patterson	Watkins
Davey	Igoe	Perlman	Webster
Davis, Tenn.	James, Mich.	Phelan	Welty
Dempsey	Johnston, N. Y.	Porter	Wheeler
Denison	Jones, Tex.	Pou	Wilson, Ill.
Dickinson, Mo.	Juul	Rainey, Ala.	Wise
Donovan	Kahn	Rainey, Henry T.	Yates
Dooling	Kennedy, Iowa	Rainey, John W.	Zihlman
Doughton	Kiess	Randall, Wis.	
Drewry	Kinkaid	Reavis	

So the motion was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. POU (for) with Mr. SNELL (against).

Until further notice:

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. HARRELD with Mr. FLOOD.

Mr. BAER with Mr. LEE of Georgia.

Mr. MASON with Mr. STEELE.

Mr. YATES with Mr. MCANDREWS.

Mr. KINKAID with Mr. CALDWELL.

Mr. ANDERSON with Mr. PHELAN.

Mr. WILSON of Illinois with Mr. EAGLE.

Mr. CRAGO with Mr. DREWRY.

Mr. DENISON with Mr. CARSS.

Mr. MCARTHUR with Mr. HERNY T. RAINEY.

Mr. STEPHENS of Ohio with Mr. JONES of Texas.

Mr. RODENBERG with Mr. MCKEOWN.

Mr. SMITH of Illinois with Mr. MOON.

Mr. TINCHER with Mr. BRUMBAUGH.

Mr. BURDICK with Mr. DOOLING.

Mr. DEMPSEY with Mr. ROWAN.

Mr. SCOTT with Mr. WATKINS.

Mr. DUNN with Mr. UPSHAW.

Mr. STEENERSON with Mr. CULLEN.

Mr. DAVIS of Tennessee with Mr. HAMILL.

Mr. FAIRFIELD with Mr. OLNEY.

Mr. RANDALL of Wisconsin with Mr. MOONEY.

Mr. KAHN with Mr. BLAND of Missouri.

Mr. COLE with Mr. SMALL.

Mr. RANDALL of Wisconsin. Mr. Speaker, I desire to vote "present."

The SPEAKER. Was the gentleman present, listening, when his name should have been called?

Mr. RANDALL of Wisconsin. No.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. SNELL. Mr. Speaker, I wish to withdraw my vote of "no" on account of a pair that I have with the gentleman from North Carolina, Mr. POU, and vote "present."

The name of Mr. SNELL was called, and he answered "Present."

Mr. COLE. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present, listening, when his name should have been called?

Mr. COLE. No.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. GREENE of Massachusetts. Mr. Speaker, I voted "no." I am paired and wish to withdraw my vote and vote "present."

The name of Mr. GREENE of Massachusetts was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 43: Page 25, line 11, insert the following:

"Payment to the estate of George F. Ramsey: To pay the sum of $15,561.23 to the estate of George F. Ramsey, levee contractor, of which $13,602.27 is for the estate of George F. Ramsey and $1,958.96 is for the use and benefit of W. H. Dennison, his subcontractor, being the aggregate losses incurred by said George F. Ramsey and his subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contract has been completed and that there are no other subcontractors who claim loss for work in connection with said contract."

Mr. GOOD. Mr. Speaker, this amendment is similar to amendments numbered 41 and 42. It is on all fours with those two amendments, the only difference being that this amendment carries the amount of $15,561.23, while Senate No. 41 carries $204,307.98, and No. 43, $123,569.03. The Secretary of War, whom we have criticized on this side as being very extravagant, said that to vote for this class of claims was to put a premium upon extravagance. Those are his exact words. The House having twice voted to-day to put a premium upon extravagance and to open the doors of the Treasury wide for all kinds of unjust and extravagant claims, I assume that it will desire to vote for this amendment. However, to keep the record true, I move that the House insist upon its disagreement to Senate amendment No. 43.

Mr. HUMPHREYS. Mr. Speaker, I move that the House recede from its disagreement from Senate amendment No. 43, and concur in the same.

The SPEAKER. The question is on the motion of the gentleman from Mississippi, to recede and concur.

The question was taken.

Mr. BLAND of Indiana. Mr. Speaker, I demand a division.

Mr. BEGG (while the House was dividing). Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 152, nays 147, answered "present" 5, not voting 124, as follows:

YEAS—152.

Almon	Fisher	Lesher	Sabath
Ashbrook	Focht	Linthicum	Sanders, Ind.
Aswell	Gallivan	Little	Sanders, La.
Babka	Gandy	Luhring	Scott
Barbour	Ganly	McClintic	Sells
Barkley	Garrett	McDuffie	Sherwood
Bee	Glynn	McKeown	Sims
Black	Griffin	McLane	Sisson
Bowers	Hadley	Major	Smith, Mich.
Bowling	Hardy, Tex.	Mann, Ill.	Smithwick
Box	Harrison	Mansfield	Steagall
Brinson	Hastings	Martin	Stedman
Browne	Hayden	Mason	Stephens, Miss.
Buchanan	Hays	Mays	Stevenson
Burke	Hernandez	Milligan	Stoll
Byrnes, S. C.	Hersman	Minahan, N. J.	Summers, Wash.
Byrns, Tenn.	Hill	Montague	Sumners, Tex.
Caldwell	Hoey	Moore, Va.	Sweet
Campbell, Pa.	Holland	Moores, Ind.	Swindall
Candler	Howard	Nelson, Mo.	Tague
Caraway	Hudspeth	Nolan	Taylor, Ark.
Carew	Humphreys	O'Connell	Taylor, Tenn.
Carter	Ireland	O'Connor	Tillman
Cleary	Jacoway	Oldfield	Upshaw
Coady	James, Va.	Oliver	Venable
Collier	Johnson, Ky.	Osborne	Vinson
Connally	Johnson, Miss.	Padgett	Watkins
Curry, Calif.	Kearns	Parker	Weaver
Davis, Tenn.	Kelly, Pa.	Parrish	Welling
Dewalt	Kendall	Quin	Welty
Dominick	Kennedy, R. I.	Raker	Whaley
Dupré	Kettner	Randall, Calif.	Williams
Eagan	Kincheloe	Ransley	Wilson, La.
Edmonds	King	Rayburn	Wilson, Pa.
Elliott	Lanham	Robinson, N. C.	Wingo
Evans, Mont.	Lankford	Romjue	Woods, Va.
Evans, Nev.	Lazaro	Rose	Young, Tex.
Fields	Lea, Calif.	Rouse	Zihlman

NAYS—147.

Ackerman	Bland, Va.	Butler	Currie, Mich.
Andrews, Md.	Blanton	Campbell, Kans.	Dale
Andrews, Nebr.	Boies	Cannon	Dallinger
Begg	Briggs	Chindblom	Darrow
Bell	Brooks, Ill.	Christopherson	Dickinson, Iowa
Benham	Brooks, Pa.	Cole	Dowell
Bland, Ind.	Burroughs	Cramton	Dunbar
Echols	Husted	Monahan, Wis.	Sinclair
Emerson	Hutchinson	Mondell	Sinnott
Esch	Jefferis	Moore, Ohio	Slemp
Evans, Nebr.	Johnson, S. Dak.	Mott	Smith, Idaho
Fairfield	Jones, Pa.	Mudd	Snyder
Fess	Keller	Murphy	Stephens, Ohio
Fish	Kelley, Mich.	Nelson, Wis.	Strong, Kans.
Foster	Kinkaid	Newton, Minn.	Strong, Pa.
Frear	Knutson	Ogden	Temple
Freeman	Kraus	Paige	Thompson
French	Kreider	Perlman	Tilson
Fuller	Lampert	Peters	Timberlake
Gard	Langley	Purnell	Tinkham
Good	Larsen	Radcliffe	Towner
Goodykoontz	Layton	Ramsey	Treadway
Gould	Lehlbach	Ramseyer	Vaile
Graham, Ill.	Luce	Randall, Wis.	Vestal
Greene, Vt.	Lufkin	Reed, N. Y.	Voigt
Griest	McFadden	Reed, W. Va.	Volk
Hardy, Colo.	McKenzie	Rhodes	Volstead
Harreld	McLaughlin, Mich.	Ricketts	Walsh
Haugen	McLaughlin, Nebr.	Riddick	Ward
Hawley	McPherson	Robsion, Ky.	Wason
Hersey	MacGregor	Rogers	Watson
Hickey	Madden	Rowe	White, Kans.
Hicks	Magee	Sanders, N. Y.	Winslow
Hoch	Mapes	Sanford	Wood, Ind.
Houghton	Merritt	Schall	Wright
Huddleston	Michener	Shreve	Young, N. Dak.
Hull, Iowa	Miller	Siegel	

ANSWERED "PRESENT"—5.

Greene, Mass.	Lee, Ga.	Snell	Steenerson
Juul			

NOT VOTING—124.

Anderson	Donovan	Kahn	Rainey, Ala.
Anthony	Dooling	Kennedy, Iowa	Rainey, Henry T.
Ayres	Doremus	Kiess	Rainey, John W.
Bacharach	Doughton	Kitchin	Reavis
Baer	Drane	Kleczka	Reber
Bankhead	Drewry	Lonergan	Riordan
Benson	Dunn	Longworth	Rodenberg
Bland, Mo.	Dyer	McAndrews	Rowan
Brand	Eagle	McArthur	Rubey
Britten	Ellsworth	McCulloch	Rucker
Brumbaugh	Elston	McGlennon	Scully
Burdick	Ferris	McKinley	Sears
Cantrill	Flood	McKinley	Small
Carss	Fordney	McLeod	Smith, Ill.
Casey	Gallagher	Maher	Smith, N. Y.
Clark, Fla.	Garner	Mann, S. C.	Steele
Clark, Mo.	Godwin, N. C.	Mead	Stiness
Classon	Goldfogle	Moon	Sullivan
Cooper	Goodall	Mooney	Swope
Copley	Goodwin, Ark.	Morin	Taylor, Colo.
Costello	Graham, Pa.	Neely	Thomas
Crago	Green, Iowa	Newton, Mo.	Tincher
Crisp	Hamill	Nicholls	Vare
Crowther	Hamilton	Olney	Walters
Cullen	Hulings	Overstreet	Webster
Davey	Hull, Tenn.	Park	Wheeler
Davis, Minn.	Igoe	Patterson	White, Me.
Dempsey	James, Mich.	Pell	Wilson, Ill.
Denison	Johnson, Wash.	Phelan	Wise
Dent	Johnston, N. Y.	Porter	Woodyard
Dickinson, Mo.	Jones, Tex.	Pou	Yates

So the motion was agreed to.

The Clerk announced the following additional pairs:

Mr. POU (for) with Mr. SNELL (against).

Additional pairs:

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. GOODALL with Mr. LEE of Georgia.

Mr. JOHNSON of Washington with Mr. TAYLOR of Colorado.

Mr. WHITE of Maine with Mr. PELL.

Mr. BROWNE with Mr. CRISP.

Mr. COPLEY with Mr. DOREMUS.

Mr. ANDREWS of Nebraska with Mr. DENT.

Mr. REBER with Mr. BENSON.

Mr. MCLEOD with Mr. BRAND.

Mr. COOPER with Mr. DRANE.

Mr. HULINGS with Mr. PARK.

Mr. BRAND. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. BRAND. No, sir; I just came in.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. CRISP. Mr. Speaker, I was not present, and if I can not answer "present"——

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. CARSS. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. CARSS. No; I just——

The SPEAKER. The gentleman does not qualify.

Mr. UPSHAW. Mr. Speaker, I would like to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. UPSHAW. I wanted to; I was right here all the time.

The SPEAKER. The Chair will explain, as he often has with reference to allowing gentlemen to vote on a roll call. It is on the theory that his name, by a mistake of the Clerk, was not called, and if the gentleman was present and listening and his name was not called, he had no opportunity to vote.

Mr. UPSHAW. I was listening.

The SPEAKER. The Chair must, of course, always leave it to the conscience of the gentleman answering. Was he present and listening when his name was called?

Mr. UPSHAW. I did not hear it called; I would have answered if I had; but I was present and listening.

The SPEAKER. The Chair must leave it to the gentleman. Was he present and listening when his name was called? If he answers he was, he can vote.

Mr. UPSHAW. Yes; and I desire to vote "aye."

Mr. GREENE of Massachusetts. Mr. Speaker, I voted "no." I have a pair with the gentleman from Alabama [Mr. BANKHEAD], and I desire to withdraw my vote and answer "present."

The name of Mr. GREENE of Massachusetts was called, and he answered "present."

Mr. REBER. Mr. Speaker, I came in after my name was called, and I would like to answer "present."

The SPEAKER. It is not allowed.

The result of the vote was announced as above recorded.

Mr. WOOD of Indiana. Mr. Speaker, I move that the vote on Senate amendment No. 40 be reconsidered and that the amendment be placed before the House for further consideration.

The SPEAKER. The gentleman from Indiana moves to reconsider the vote by which the House disagreed to Senate amendment No. 40. The question is on the motion to reconsider.

The question was taken, and the motion was agreed to.

Mr. WOOD of Indiana. Mr. Speaker, I offer the following amendment.

The SPEAKER. The question before the House is, that the House further insist on its disagreement, and the gentleman from Indiana offers a motion, which the Clerk will report.

Mr. WOOD of Indiana. I offer the same preferential motion that I originally offered for that purpose—that the House concur in the Senate amendment with an amendment.

The SPEAKER. The gentleman from Indiana moves that the House concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WOOD of Indiana moves to recede, and concur in Senate amendment No. 40 with an amendment as follows: In the matter inserted by said amendment, before the word "Senate," insert the following: "House Documents Nos. 986 and 997."

Mr. WOOD of Indiana. Mr. Speaker, I just want to say one word. The appropriation carried by this amendment is upon the adjusted contracts made by the War Department under the law passed by this body for that purpose upon contracts which were entered into before the war and the loss occurred by reason of the Government's action in reference to labor and in reference to the increased cost of material. The amount involved in this item has been agreed upon and adjusted by the War Department. It is the actual losses as provided in the recommendation of the War Department. There is no one who knows anything about the facts in this case in reference to this item but knows that there is no dispute whatever in reference to the adjustment of these claims. The only objection that could be possibly made is in reference to the fact that it is legislation upon an appropriation bill, and in view of the action of this House with reference to other claims just had and feeling that we misunderstood this item when it was up for consideration before, I am asking for this reconsideration, and I trust to be sustained by an affirmative vote upon this amendment.

Mr. GOOD. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Indiana that the House recede and concur with an amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 27, after line 5, insert:

For the payment to the McClintic-Marshall Construction Co. as recommended in the report made to Congress under date of February 11, 1916, by the commission appointed under the act of June 24, 1914, and approved by the governor of the Panama Canal (H. Doc. No. 906, 64th Cong., 1st sess.), $714,007.39, said amount to be chargeable as part of the construction of the Panama Canal and reimbursed to the Treasury of the United States out of the proceeds of the sale of the bonds authorized by section 8 of the act approved June 28, 1902, and section 39 of the tariff act approved August 5, 1909.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] is recognized.

Mr. GOOD. Mr. Speaker, this claim involves $714,007.39. It is at present on the House Calendar, H. R. 6092, and also in Senate bill 1353, which has already passed the Senate, on April 20, 1920. I understand in previous Congresses it has passed the House once or twice, and at other times it has passed the Senate. It is an item growing out of the construction of the gates on the Panama Canal. The gentleman from Pennsylvania [Mr. KELLY] has some detailed information, and I yield him five minutes.

Mr. KELLY of Pennsylvania. I did not understand whether or not the gentleman made any motion.

Mr. GOOD. I have not yet. I am going to move to insist.

Mr. KELLY of Pennsylvania. Mr. Speaker, I make the preferential motion that the House recede from its disagreement with Senate amendment 45, and concur with the same.

Mr. Speaker and gentlemen of the House, this claim deals with the cap sheaf of the greatest engineering triumph of the world's history—the lock gates of the Panama Canal.

The fulfillment of the dream of Columbus—a western passage to the Far East—was made possible by the Panama Canal, and the Panama Canal depends upon the gates made by the McClintic-Marshall Construction Co.

The building of these gates was an epoch in construction. The contract was the largest ever let to a steel fabricator in the world.

It must be remembered that it was a launching out into unknown seas, and no living man knew exactly the nature of the task when bids were asked for the construction of the lock gates at Panama.

The whole colossal task was approached by America in the spirit of that great leader, Theodore Roosevelt, whose name will be forever linked with the uniting of the Atlantic and Pacific at Panama.

He visited Panama to personally inspect the Isthmus and the plans, and on his return sent to Congress the first illustrated message in American history. In that message he said:

After most careful consideration we have decided to let out most of the work by contract, if we can come to satisfactory terms with the contractors. The whole work is of a kind suited to the peculiar genius of our people; and our people have developed the type of contractor best fitted to grapple with it. It is, of course, much better to do the work in large part by contract than to do it all by the Government, provided it is possible, on the one hand, to secure to the contractor a sufficient remuneration to make it worth while for responsible contractors of the best kind to undertake the work; and provided, on the other hand, it can be done on terms which will not give an excessive profit to the contractors at the expense of the Government. The plan we have promulgated is tentative; doubtless it will have to be changed in some respects before we can come to a satisfactory agreement with responsible contractors—perhaps even after the bids have been received.

Mr. Speaker, that far-sighted President expressed the situation exactly. It was the great feat of the ages. It was expected that shipbuilders would respond, but not a single shipbuilder in America would attempt it. The McClintic Marshall Co., one of the great bridge builders in the country, had the nerve and the faith to say that the task was not impossible and that they would undertake it.

The contract was awarded to them and they began the mighty undertaking. There were difficulties, unexpected and unforeseen. The drawings were not approved by the Government, in some cases, for 21 months after they were submitted. There was an inspection which caused much waste in material and which sent the cost up $4 a ton higher than the average cost of the year before or the year after in the same plants. The gates were ordered absolutely water-tight, although that was not in the specifications. Then when the material was being assembled at Panama, the Canal Commission had not provided storage space.

The bolt holes ordered at the shops were enlarged, a task which in itself cost the contractors more than half a million dollars. The plates had to be ground to meet the action of the sun. Bitumastic enamel had to be used instead of bitumastic solution. There were numberless changes and complications.

But the contractors went ahead. Gen. Goethals testified before the Claims Committee that he feared many times the contractors would give up in desperation. They did not give up; they had the determination to succeed, which is the "genius of our people." They lost $2,802,765, but they finished the task ahead of time and left, according to Gen. Goethals and the commission, "the finest lock gates in all the world."

Then they laid the facts before Congress. In 1914, Congress passed an act, Public 119, requiring that a commission of Government employees, acting under Gen. Goethals, should determine what sum was in justice, fairness, and equity, owing to the McClintic-Marshall Co.

That commission was composed of Admiral Rousseau, engineer of terminal construction at Panama; H. A. Smith, auditor; and B. F. Harrah, examiner of claims for the Panama Canal Commission.

They spent months in investigating the claims. They went to Panama and to Pittsburgh. They saw every page of cost records from beginning to end.

Then this commission of Government employees, earnestly seeking the Government's interests, came back to Congress with the official declaration that $714,007.39 is in justice, fairness, and equity due to this company.

I introduced the claim bill and it went to the Claims Committee and was given the most painstaking attention. Gen. Goethals and the members of the commission were called and questioned. They insisted that every cent of the amount provided was in all justice due the contractors, and Gen. Goethals repeatedly declared that he would have approved a larger amount in view of the facts of the case.

The bill was favorably reported by the Claims Committee by a unanimous vote and was placed on the calendar. That was a year ago, and there has not been a time since then that it could be considered on its merits. Always it was subject to unanimous consent, where the whim of a single Member could prevent consideration.

Now, it comes back to us on the deficiency appropriation bill, having been placed there by the Senate. If you say that it is bad practice to put such provisions on an appropriation bill, I will agree with you, but I will also say that it is still worse practice to prevent consideration of such meritorious claims as this in regular order.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield.

Mr. YOUNG of North Dakota. I recall very distinctly that this bill had very long and careful consideration before the Committee on Claims when I was a member, and I think that it is a just and fair claim and ought to be paid.

Mr. KELLY of Pennsylvania. I thank the gentleman, and will say that never has there been a claim more thoroughly considered than this one. Mr. Speaker, this is a bill which in all justice should be paid, and I ask the House to vote with me to concur in the Senate amendment. It will be a square deal to the men who proved the impossibility of impossibility and who won new laurels for America in the successful accomplishment of the mightiest feat of engineering ever undertaken by mortal men.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I do not believe in carrying claims on a deficiency bill, and if it had not been for what the House has already done to-day, I would not appear on the floor now.

I have had longer service in connection with the work about the Panama Canal than any other Member of the House. I served on the committee that had the legislative jurisdiction over the Panama Canal, and I have visited the canal half a dozen times or more. I had a great many conversations about the operation of the locks, as well as other portions of the canal, with officials in charge during the process of construction. These lock gates, which, I believe, this firm constructed, constitute the finest piece of machinery to be found in the world on a large scale.

There were a great many problems connected with the construction of the canal, and there was a great deal of doubt as to the form of the gates, and whether they could construct gates of the size that had to be constructed which would operate successfully. I talked frequently with the engineer in charge of that work on the canal, and although I knew nothing about such things I went over the plans in reference to the gates a number of times with him. There were many changes made, necessarily; many things were required which they had not originally thought of; and we knew while this work was being constructed that the contractors were being requested to go ahead with this work on the statement that the authorities of the Panama Canal would recommend that they be paid extra, more than the contract price.

They went ahead. They did this work. There was nobody else in the country who was willing to attempt it. These men did the work, and they did it perfectly. You who go down to the canal during the vacation will find that these monstrous gates are so finely geared that you could not begin to stick the point of a needle between the bottom of the gate and the floor sill below it.

It was recommended by the canal authorities that we pay the claim. Congress did not want to act without knowledge, and we provided by law that the canal authorities should investigate the claim and report to Congress. I do not know how carefully they did it, of course, but I apprehend they did it carefully, as they did all the work on the canal, and when they made their report they asked Congress to appropriate this sum of money as in justice due to these people because they had done work at the solicitation of the officials of the canal which they were not required to do. The work is there. It is a monument to America; the finest piece of work in the world, done by the only people in the country who were willing to attempt it. The changes and other things were made at the request of our officials there. They scaled down the claim from two or three millions to three-quarters of a million. I believe we ought to pay it. [Applause.]

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLY] moves that the House recede and concur. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. BLANTON. Mr. Speaker, a division. I make the point that there is no quorum present.

Mr. BUTLER. Get a division first.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members; a quorum is present.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas asks for the yeas and nays. As many as favor the taking of the vote by yeas and nays will rise and stand until they are counted. [After counting.] Three gentlemen have arisen, not a sufficient number.

So the yeas and nays were refused.

The SPEAKER. The ayes have it, and the motion is carried. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 52: Page 30, line 6, insert:

"So much as may be necessary of that part of the $46,000,000 appropriated in the sundry civil appropriation act for the fiscal year 1921 for medical and hospital services of the Bureau of War Risk Insurance allotted to the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby made available for the erection of 19 sets of double quarters at not exceeding $10,000 each for the medical staff at the various branches of the National Home for Disabled Volunteer Soldiers."

Mr. GOOD. Mr. Speaker, so much has been said in the public press in criticism of Congress with regard to what we have done in providing hospitals for our disabled soldiers of the recent war that I think it might be well to state a few facts in regard to what Congress has done and what the situation is regarding hospitals.

I do not know why a young man about 26 years old, down in the Treasury Department, an Assistant Secretary of the Treasury, does not send men who are wounded or sick to the hospitals and stop whining about there not being hospital facilities. Certain it is that he is asking for large appropriations to build new hospitals, when he absolutely refuses to send men who were disabled in this war to the best hospitals that money can build.

Out of an appropriation of $46,000,000 there was allotted to the Board of Managers of the Soldiers' Homes almost $5,000,000 to reconstruct these hospitals. They took the Johnson City hospital in Tennessee, for example, from which the old soldiers of the Civil War and the Spanish-American War were taken and sent to other hospitals. That hospital was rebuilt at an expense of more than $1,000,000 as a tuberculosis sanitarium, and it was rebuilt under the plans and specifications provided by the National Tuberculosis Society of America. That society says it is the finest tuberculosis hospital in all the world. It has a total bed capacity of 1,000, and yet to this very hour they have sent to that hospital only 223 tubercular patients from the Bureau of War Risk, and because they have not sent more of them there they have allowed the Vocational Board to use part of that hospital, and that board have 303 trainers there at present.

Take the soldiers' home at Marion, Ind. That was remodeled at an expense of $1,000,000, and it is the most modern sanitarium for the treatment of nerve diseases. That hospital to-day is partly completed. More than 500 beds are ready for use; and if there are boys discharged from this war who need hospital treatment along those lines I am sorry that our Treasury Department has not sent them there, because to this day it has sent to that hospital only 71 patients, while the hospital has a bed capacity to-day of 500 patients, and will have a bed capacity by the 1st of July of 1,000 patients, and it is the most modern sanitarium in all the world for the treatment of nerve cases.

To-day we find that we have 24,560 war-risk patients in these hospitals. There are to-day in the hospitals under the control of the Government vacant beds aggregating 3,858. That is the

report right up to this day. Yet men will stand before committees or go before newspaper reporters and make the statement that Congress has not provided beds—statements that are absolutely unfounded in fact. We have appropriated so much money that the departments that have had the appropriations to spend to provide for additional hospitalization have not been able to spend the money. The criticism is absolutely unjust and unfounded so far as Congress is concerned, and lies at the door of the executive department that does not send these men to these hospitals if there are men who need hospital treatment. I hope that the statement will go forth that we have provided the hospitals, that we have them now, that hospital beds are vacant numbering about 4,000, so that the young men of the country who have been discharged and are suffering from some disease entitling them to treatment may have that treatment to which they are justly entitled, and they should have the best.

The amendment passed by the Senate placed a limitation on the amount that could be expended for building some double quarters for the medical staff at some of these soldiers' homes, where we have provided for hospitals aggregating about 5,000 beds for the soldiers of this war. The Senate amendment limited the amount to $10,000 for a double quarters or $5,000 for each single quarters. The board of managers say they can not build quarters at that price. We are asking to recede and concur with an amendment striking out the number—19—and striking out the limitation, so that the medical quarters may be provided for in such numbers as may be necessary to provide proper quarters for the medical staff to take care of the men.

I move to recede and concur in the Senate amendment with an amendment.

The SPEAKER. The gentleman from Iowa moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. GOOD moves that the House recede from its disagreement to Senate amendment No. 52 and agree to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following:

"So much as may be necessary of that part of the sum of $46,000,000 appropriated in the sundry civil appropriation act for the fiscal year 1921 for medical and hospital services of the Bureau of War Risk Insurance allotted to the Board of Managers of the National Home for Disabled Volunteer Soldiers is made available for the erection of quarters for the medical staff at the various branches of the National Home for Disabled Volunteer Soldiers."

Mr. GOOD. Oh, yes; the gentleman has heard propositions of that kind before. We made the appropriation so that the Board of Managers of the Soldiers' Home received an allotment of $4,000,000 without limitation to improve the hospitals, and I think they have expended it wisely and economically.

Mr. MANN of Illinois. We gave to one department $46,000,000 last year, and they allotted $5,000,000 to the Board of Managers of the Soldiers' Homes, and even with that nobody dreamed at that time of allotting them $5,000,000 to build officers' quarters.

Mr. GOOD. I will say that the estimate of Gen. Wood was that these quarters were to be built of hollow tile and could not be built at the present price, quarters of seven rooms, for less than $18,000 for double quarters or $9,000 for a house.

Mr. MANN of Illinois. I have no dispute about that. I have no knowledge of what it costs, and have no objection to that. The gentleman from Iowa must know from observation that while it may not always be abused, usually an authority of this sort is abused. I do not know that the Board of Managers of the Soldiers' Homes would abuse it, but if you grant authority of this sort everyone connected with every one of these homes will see the chance to get a new building to live in.

Mr. GOOD. No; it is only to build medical quarters. The fund is only available to build additional facilities for officers, and is not to be expended at homes where they are not making provisions for soldiers of the late war.

Mr. MANN of Illinois. It is for the National Homes for Volunteer Soldiers. It makes no difference what the fund is for, this authorizes the construction of medical quarters without limit, and I hope the gentlemen will change it in conference.

Mr. GOOD. Gen. Wood says that it is going to cost $9,000 per single quarter, but if you put that limit in he could not get it done for less, and they are going to let the construction of these quarters by competitive bids, by advertising, and I think that if they are going to do that the gentleman will agree that we ought not to hold up these thousands of beds in the hospitals and not send men there because we did not have quarters for the doctors to live there.

Mr. MANN of Illinois. The gentleman knows that the Army in erection of officers' quarters got in the habit, when there was no limitation, to build palaces for officers of the Army. We had to resort in the end to a limitation on the cost of the quarters for officers. All men are alike when they have the power to do the same thing.

Mr. GOOD. They have not done it at the soldiers' homes, and they will not do it.

Mr. MANN of Illinois. They have not had the opportunity to do it; they have not had the money; they have not had the authority; but now you propose to give them money unlimited, authority unlimited, and unlimited quarters for medical officers. If I were one of the medical officers, I would want a fine house to live in at the Government expense.

Mr. GOOD. They will not get it from the board of managers.

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 82 ayes and 15 noes.

So the motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read Senate amendment 53, as follows:

Provided, That the sum of $1,700,000 is hereby transferred from the appropriation "Provisions, Navy" to the appropriation "Maintenance, supplies and accounts," for the fiscal year 1921, and the limitation specified for pay of classified employees under the latter appropriation is correspondingly increased.

That deficiencies under appropriations for the Naval Establishment for the fiscal year 1920 and prior years shall be charged to a naval supply account fund, which is hereby established and to which shall be transferred the unexpended balances of annual appropriations for the Naval Establishment for the fiscal years 1919 and 1920, after two years from the expiration of the fiscal year for which made, and, out of any funds in the Treasury not otherwise appropriated, an amount equal to the value of all stores in the naval supply account on March 31, 1921, preliminary adjustments on account of stores to be made upon the certificate of the Secretary of the Navy that stores to the value certified are on hand; and from and after said date the naval supply account fund shall be charged with the cost of all stores procured for and credited with the value of all issues or sales made from the naval supply account, necessary adjustments being made on account of outstanding contracts or orders.

Mr. GOOD. Mr. Speaker, I move to concur in amendment 53 with an amendment.

The Clerk read as follows:

Mr. GOOD moves that the House recede from its disagreement to Senate amendment No. 53 and agree to the same with the following amendment: In lieu of lines 1 to 7, inclusive, of the matter inserted by said amendment, insert the following:

"*Provided*, That the limitation specified in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year 1921, under 'Maintenance, supplies and accounts,' is increased by $750,000."

Mr. GOOD. Mr. Speaker, the House bill carried a provision increasing the limit for clerical services by $750,000. That item went out on the point of order. The limit fixed by law for this year was $3,500,000. The Senate provision not only increased the limit that can be used for clerical purposes by $1,750,000 but it appropriates $1,750,000. The amendment I have sent to the Clerk's desk cuts out the appropriation for clerk hire and reduces the limit from $1,750,000 to $750,000.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. WALSH. What does the gentleman's motion do with the rest of the Senate amendment?

Mr. GOOD. We do not touch that. The rest of the Senate amendment takes care of two things. It takes care of the book deficit in the general account of advances in the Navy Department, and it takes care also in part of the Navy supply account. The rest of the Senate amendment has to do only with the general account of advances for the years 1919 and 1920. In the Navy Department it is different from all other departments, except now in the War Department. When we make an appropriation for a great many different objects in the Navy bill, there is set up in the Treasury Department a single account, and that is the general account of advances. This is not the case in other appropriations. All checks drawn on any naval appropriation go to the Treasury Department, to the general account of advances.

What happened in 1919 and 1920 was this: While the appropriation bills carried enough money, those intrusted with the expenditure of the money did not expend it as provided by Congress. In some items they expended more than Congress appropriated, but it was paid out of the general account of advances in the Treasury Department. In other appropriations in the Navy Department there was a surplus, and this amendment simply permits them to use such surplus to wipe out the deficiency. It is a bookkeeping transaction, and that only. It carries no money out of the Treasury Department, but permits them to adjust their accounts.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CAMPBELL of Kansas. The Navy Department has a very large amount of materials on hand.

Mr. GOOD. Yes.

Mr. CAMPBELL of Kansas. I think I saw as much as two blocks of porcelain bathtubs, refrigerators, and things of that sort. Naturally those items are to the credit of the Navy Department?

Mr. GOOD. Yes.

Mr. CAMPBELL of Kansas. In what way do they charge themselves up to the fiscal year 1921 or 1922, for instance, for materials of that kind used in construction?

Mr. GOOD. That is carried in the Navy supply account. This amendment deals with that in conjunction with amendment No. 56, and those two amendments treated together were intended to bring about this condition of affairs. A great many of those supplies for the Navy were purchased at a high price. When it comes to issuing them they issue them to various bureaus under reduced appropriations at the old price at which they were purchased. The position of the Navy Department, as provided for by this amendment and amendment No. 56, if adopted, will permit that department to issue the stores and supplies not at what they are carried for on the books but at the current price at which they could purchase them. It means, of course, a loss, and it provides for charging off that excess of cost.

Mr. CAMPBELL of Kansas. As a matter of bookkeeping?

Mr. GOOD. As a matter of bookkeeping.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNES of South Carolina. The first provision of this second paragraph provides for taking care of the deficiencies amounting to $114,000,000, does it not?

Mr. GOOD. In a way it does take care of deficiencies for $114,000,000, but it takes care of them only out of the surplus.

Mr. BYRNES of South Carolina. Yes.

Mr. GOOD. In the total appropriation for the Navy Department there was enough appropriated for all purposes, and the gentleman, I think, is well aware of the actual situation, that if the department had spent the money just as it was appropriated there would be no booking deficiency at all.

Mr. BYRNES of South Carolina. Yes.

Mr. GOOD. But the Secretary, after he got the money, found that by spending more for one bureau or service than he had appropriation for could pay for it out of the general account of advances and still not exceed his appropriation. So, in the sense that the appropriation bill for the Navy Department for the years 1919 and 1920 fell short, the gentleman can see there is no actual deficiency.

Mr. BYRNES of South Carolina. Yes.

Mr. GOOD. There really is no deficiency.

Mr. BYRNES of South Carolina. It just means that on July 1 the $114,000,000 will be covered into the Treasury unless we enact this legislation. Is not that true?

Mr. GOOD. No; they would simply have overdrawn some accounts, that is all; but they would have had the money.

Mr. BYRNES of South Carolina. Two years after the appropriation was made.

Mr. GOOD. Yes; for those two years they had a surplus of $127,000,000, and they had only $114,000,000 of booking deficit. So if we subtract the deficit from the surplus they still would have a surplus, as the gentleman can see, of $13,000,000.

Mr. BYRNES of South Carolina. On July 1, $127,000,000 was covered into the Treasury.

Mr. GOOD. Well, it can not be covered into the Treasury, because it has already been paid out. Everybody has had his money. It would leave the Secretary of the Navy in a rather embarrassing position.

Mr. BYRNES of South Carolina. With $127,000,000——

Mr. GOOD. This could better be called, instead of a deficit, an item to relieve the Secretary of the Navy from embarrassment.

Mr. BYRNES of South Carolina. But if you do not enact this legislation you would be embarrassed to the extent of appropriating $114,000,000?

Mr. GOOD. No; the Secretary of the Navy would be embarrassed.

Mr. BYRNES of South Carolina. Will the gentleman tell the House, because from reading the section nobody would know, in reference to the language beginning on line 18, "and, out of any funds in the Treasury not otherwise appropriated, an amount equal to the value of all stores in the naval supply account on March 31, 1921." How much money does that make available?

Mr. GOOD. Oh, I do not know.

Mr. BYRNES of South Carolina. Is it not a fact that it makes $280,000,000 available?

Mr. GOOD. The value of the stores at the price at which they were purchased is about $280,000,000.

Mr. PADGETT. It does not mean the expenditure of any money out of the Treasury, but it is simply bookkeeping altogether.

Mr. GOOD. The gentleman is correct.

Mr. PADGETT. It is adjusting the account of the advances and naval supplies account on account of the purchase of more material in one line and less in another. It does not take any money out of the Treasury.

Mr. GOOD. No.

The SPEAKER. The gentleman from Iowa moves to recede and concur in the amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 35, line 6, insert: "For the sum of $5,000,000 of the appropriation 'Maintenance, Quartermaster's Department, Marine Corps,' for the fiscal year 1919 is hereby reappropriated and made available for."

Mr. GOOD. Mr. Speaker, I move to recede and concur in the Senate amendment. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOOD. Does the word "for" precede the amendment?

The SPEAKER. Yes.

Mr. GOOD. Now, the House provision carried $5,000,000 direct appropriation. The Senate amendment is simply a reappropriation of balances that are found in this appropriation unexpended, and therefore will cut down the balance I referred to a minute ago of $127,000,000 by $5,000,000.

The SPEAKER. The Senate amendment strikes out the word "for"?

Mr. GOOD. I understand the word "for" does not exist in the original appropriation.

The SPEAKER. The question is on the motion to recede and concur.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 35, line 12, strike out "$5,000,000."

Mr. GOOD. Mr. Speaker, I move to recede and concur in the Senate amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 35, line 17, insert:
"The prices at which material is to be expended from the naval supply account shall be fixed by the Paymaster General of the Navy, subject to the approval of the Secretary of the Navy, and materials purchased during the war shall be issued at reduced prices in all cases appropriate, such differences in values and losses to be charged to the respective funds; and hereafter no charges on this account shall be made to naval appropriations."

Mr. GOOD. Mr. Speaker, this item goes to the last paragraph of amendment 53. It is the same language that was reported by the Naval Affairs Committee in a revised form. The amendments were prepared in the Navy Department and have been submitted to and are, I understand, in exact accord with the desire of the Committee on Naval Affairs. I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 41, line 18, insert: "To pay the Pawnee Tribe of Indians of Oklahoma in full and final settlement for the purchase by the United States of 169,368.02 acres of surplus land belonging to said Pawnee Tribe, under the act of Congress approved March 3, 1893 (27 Stat., pp. 612–644), the sum of $312,811.27, with interest thereon from September 3, 1920, at the rate of 5 per cent per annum, as provided in said act of Congress of March 3, 1893, and in pursuance of the findings of the Court of Claims of December 6, 1920, as set forth in Senate Document No. 311, Sixty-sixth Congress, third session, $312,811.27."

Mr. GOOD. Mr. Speaker, I move to insist on the disagreement to Senate amendment No. 62.

Mr. HOWARD. Mr. Speaker——

Mr. GOOD. I will yield to the gentleman five minutes.

Mr. HOWARD. Mr. Speaker, I desire to make a preferential motion to recede and concur in this amendment.

Mr. GOOD. Will the gentleman yield there?

Mr. HOWARD. Yes, sir.

Mr. GOOD. If the gentleman is going to do that he should also include in his amendment to strike out the figures in line 4, page 42, "$312,811.27," for the same amount appears in line 24, on page 41.

Mr. HOWARD. Yes, sir.

Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The question is on the preferential motion to recede and concur.

Mr. GOOD. Let it be reported.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. HOWARD moves to recede and concur in Senate amendment 62 with an amendment as follows: In the last line of the amendment, after the words "third session," strike out the figures "$312,811.27."

Mr. GOOD. Mr. Speaker——

The SPEAKER. The question is on the motion to recede and concur.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GOOD. Mr. Speaker, I was trying to get the ear of the Chair.

The SPEAKER. The Chair will recognize the gentleman. He was on his feet.

Mr. GOOD. The situation is as follows in regard to this item: The committee could not agree to it. It is the amount, I assume, that Congress is going to appropriate. The whole matter has by Congress been referred to the Court of Claims, and that court has made its findings. It was not empowered to render a judgment; and on December 6, 1920, the findings of the court were made, and I quote the last paragraph from the findings of the court:

Neither this principal sum of $132,916.71 nor any interest thereon has been paid. A claim is thus presented under the terms of said agreement the payment of which rests in the judgment of Congress. The jurisdiction of the Court of Claims does not extend to claims growing out of treaties with Indians.

Now, Mr. Speaker, more than half of this claim is for interest. I do not know anything about the claim. I feel about this claim just as I felt about these other claims the House has agreed to—that they all ought to go in the regular course to the Committee on Claims. That is the sensible thing to do.

Mr. HOWARD. Will the gentleman from Iowa yield?

Mr. GOOD. I yield five minutes to the gentleman.

Mr. HOWARD. Just for a brief history of this claim. In 1893 the United States Government bought from the Pawnee Indians their surplus lands in the Pawnee Reservation in Oklahoma. The Government sold these surplus lands to homesteaders for $2.50 an acre, having agreed to pay the Pawnees $1.25 per acre for them. The Government at that time paid the Pawnees $80,000. The balance has never been paid. The Government agreed to pay $1.25 per acre for the land and sold it for $2.50. Up to now only a part payment has been made to the Pawnees. The homesteaders have lived on it for 27 years. Homes have been built on this surplus land. The white homesteaders have become wealthy in farming it and producing oil therefrom, and yet the Indian has never been paid his full total according to that agreement, and this fact has been established in the Court of Claims.

Now, the situation with the Indians is this, gentlemen: Some of them need at this time to educate their children. Others need this money to build up the farms that they are trying to make. Some of them are living in comparative poverty. There are included in those who will benefit by this, gentlemen of the House, 11 old scouts who fought for this country as scouts in the northwestern Indian wars back in the sixties and seventies. This money is due them, and the financial depression in this country at this time makes it more necessary that we pay them. The Court of Claims has decided, after a thorough search, that the Indians are entitled to this money. Interest is accumulating against the United States Government, and more than half of the claim as now presented is in interest that has accumulated. I hope the House will see fit to pay this money to these Indians at this time, when they need it, the claim being a just one.

Mr. HASTINGS. Will the gentleman yield two minutes to me?

Mr. GOOD. I yield two minutes to the gentleman.

Mr. HASTINGS. I want to say that there is no more just claim than this one. When it was submitted to Congress a few years ago it was referred to the Court of Claims, and at that time, as this record shows, the Assistant Attorney General appeared for the Government on one side and the attorneys for the Indians appeared upon the other side, and a judgment was rendered for the amount that is put in this amendment. The reason why interest is allowed upon it is because when they agreed to pay the Indians the $1.25 an acre for this land and paid them $80,000 upon account the Government agreed to place the rest of the money in the Treasury of the United States to the credit of the Indians, to bear 5 per cent interest. And that is the reason the court allowed the interest on it. There is no more just claim in this bill than this one. As I have already stated, it has been referred to the court and the court has made the finding that this amount is due, after both sides were represented, the Government by the Assistant Attorney General and the Indians by their attorneys. This is a tardy act of justice to an Indian tribe and the amendment should be agreed to.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma to recede and concur with an amendment.

The motion was agreed to.

Mr. LINTHICUM. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. Will the gentleman withhold until the Chair can lay before the House a report from the Committee on Enrolled Bills?

Mr. LINTHICUM. Certainly.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8038. An act to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico;

H. R. 11945. An act for the relief of W. C. Stewart; and

H. R. 12005. An act for the relief of Henry P. Corbin.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4682. An act to amend section 74 of the Judicial Code, as amended;

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended;

S. 3225. An act for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year;

S. 4683. An act to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919; and

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. CLARK of Missouri, for to-day, on account of illness;

To Mr. WEBSTER (at the request of Mr. HADLEY), for the day, on account of illness;

To Mr. MCKINLEY, indefinitely, on account of serious illness in his family; and

To Mr. REAVIS, for one day, on account of illness.

DEFICIENCY APPROPRIATION.

Mr. LINTHICUM. Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 79: Page 59, line 11, insert the word "Senate."

Mr. GOOD. Mr. Speaker, I move to recede and concur.

The SPEAKER. The gentleman from Iowa moves to recede and concur. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 80: Page 59, line 12, insert "To enable the Secretary of the Senate to pay from the appropriation for 1921 for compensation of officers, clerks, messengers, and others, to Mark L. Black for services rendered as clerk to Hon. J. THOMAS HEFLIN, Senator from the State of Alabama, from November 3, 1920, to December 5, 1920, at the rate of $2,500 per annum and additional compensation at the rate of $240 per annum."

Mr. GOOD. Mr. Speaker, this is simply to make provision for the clerk to Senator HEFLIN from the time he was elected to the Senate to the time he was sworn in. I move to recede and concur.

The SPEAKER. The gentleman from Iowa moves to recede and concur. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Amendment No. 81: Page 59, line 19, insert: "For additional expenses of reporting and transcribing the debates and proceedings of the Senate and to equalize more nearly the amounts paid by the Senate and House of Representatives for reporting their respective proceedings from July 1, 1921, to June 30, 1922, payable in equal monthly installments, $4,844."

Mr. GOOD. Mr. Speaker, this is to take care of the contract of the Senate reporters, Messrs. Murphy and Shuey. I believe there is a contract with them for about $25,000. It is a Senate item. I move to recede and concur.

The SPEAKER. The gentleman moves to recede and concur. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 82: Page 60, line 1, insert: "To pay to Robert W. Farrar for extra and expert services rendered to the Committee on Pensions during the sessions of the Sixty-sixth Congress $1,200."

Mr. GOOD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 83: Page 60, line 4, insert: "To pay to Charles A. Webb for extra services rendered as clerk of the Committee on Privileges and Elections, $200."

Mr. GOOD. Mr. Speaker, I move to recede and concur.

The SPEAKER. The question is on agreeing to that motion.

The motion was agreed to.

Mr. MACGREGOR. Mr. Speaker, I move to reconsider the vote whereby amendment No. 37 was disagreed to, and direct the conferees to recede and concur.

The SPEAKER. The Clerk will report the motion of the gentleman from New York.

Mr. WALSH. How did the gentleman vote?

Mr. MACGREGOR. I voted "aye."

The SPEAKER. Was there a roll call on that?

Mr. MACGREGOR. No.

The SPEAKER. The gentleman has the right to make the motion.

The Clerk reads as follows:

Mr. MACGREGOR moves to reconsider the vote by which the House further insisted on its disagreement to Senate amendment No. 37, and moves to recede and concur.

Mr. WALSH. You can not have two motions together.

Mr. MANN of Illinois. The motion to reconsider is all that the gentleman can make.

Mr. MACGREGOR. Mr. Speaker, I move to reconsider.

The SPEAKER. The Chair's attention was diverted for a moment. What is the gentleman's motion?

Mr. MACGREGOR. I move to reconsider the vote to disagree.

The SPEAKER. The gentleman moves to reconsider the vote by which the House disagreed to amendment No. 37. The question is on agreeing to that motion.

Mr. HUDDLESTON. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Alabama makes the point of order that no quorum is present. It is clear that there is no quorum present.

Mr. GOOD. I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the door. The Clerk will call the roll.

Mr. HUDDLESTON. Mr. Speaker, the point of no quorum was made pending the vote on the motion.

The SPEAKER. The gentleman is mistaken.

Mr. HUDDLESTON. The Speaker stated it to the House.

The SPEAKER. But no vote had been taken.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Doughton	Kahn	Nolan
Bacharach	Drewry	Kennedy, Iowa	O'Connor
Baer	Dunn	Kennedy, R. I.	Olney
Bankhead	Eagle	Kiess	Patterson
Barkley	Echols	Kincheloe	Pell
Bee	Ellsworth	Kitchin	Perlman
Benson	Elston	Kleczka	Peters
Bland, Mo.	Esch	Langley	Porter
Boies	Evans, Nev.	Layton	Pou
Britten	Ferris	Lee, Ga.	Rainey, Ala.
Brumbaugh	Fish	Lesher	Rainey, Henry T.
Burdick	Flood	Lonergan	Rainey, John W.
Butler	Frear	Luhring	Ramsey
Byrns, Tenn.	Freeman	McAndrews	Reavis
Caldwell	Fuller	McCulloch	Reber
Campbell, Pa.	Gallagher	McDuffie	Rhodes
Candler	Gard	McGlennon	Riordan
Cantrill	Garner	McKenzie	Rodenberg
Casey	Godwin, N. C.	McKeown	Rowan
Clark, Fla.	Goldfogle	McKiniry	Rubey
Clark, Mo.	Goodall	McKinley	Sanders, La.
Classon	Goodwin, Ark.	Maher	Scully
Coady	Graham, Pa.	Major	Sears
Cooper	Hamill	Mann, S. C.	Sells
Copley	Hamilton	Martin	Sherwood
Costello	Hardy, Tex.	Mays	Sims
Crisp	Harreld	Mead	Sinnott
Crowther	Hayden	Monahan, Wis.	Slemp
Davey	Hill	Montague	Small
Davis, Minn.	Hulings	Moon	Smith, Ill.
Dempsey	Hull, Iowa	Mooney	Smith, N. Y.
Dent	Igoe	Morin	Stedman
Dewalt	James, Mich.	Mott	Steele
Dickinson, Mo.	Johnson, Ky.	Mudd	Stephens, Miss.
Donovan	Johnson, S. Dak.	Neely	Stiness
Doremus	Johnston, N. Y.	Nicholls	Sullivan
Swope	Voigt	Welty	Wood, Ind.
Thomas	Watkins	Whaley	Yates
Towner	Watson	Wheeler	
Vare	Webster	Wilson, Ill.	
Vinson	Welling	Wise	

The SPEAKER. Two hundred and sixty-seven Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. MACGREGOR] to reconsider the vote by which the House disagreed to amendment numbered 37.

The motion was agreed to.

Mr. ANTHONY. Mr. Speaker, I move to recede and concur n the Senate amendment.

The motion was agreed to.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. MADDEN. Mr. Speaker, I call up the conference report on the Post Office appropriation bill, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman calls up the conference report on the Post Office appropriation bill (H. R. 15441) and asks unanimous consent that the statement of the House conferees be read in lieu of the report. Is there objection?

Mr. MANN of Illinois. I object.

The SPEAKER. The gentleman from Illinois objects. The Clerk will read the report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 8, 16, and 17.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 11, 15, and 21, and agree to the same.

The committtee of conference have not agreed upon the amendments of the Senate numbered 3, 7, 9, 10, 12, 13, 14, 18, 19, and 20.

MARTIN B. MADDEN,
CHAS. F. OGDEN,
E. E. HOLLAND,
Managers on the part of the House.

CHAS. E. TOWNSEND,
GEO. H. MOSES,
LAWRENCE C. PHIPPS,
J. C. W. BECKHAM,
CHARLES B. HENDERSON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Strikes out, as proposed by the Senate, in the appropriation for salaries of post-office inspectors, the words "as authorized in the act approved June 5, 1920."

On No. 2: Strikes out, as proposed by the Senate, in the appropriation for compensation of clerks at division headquarters, the words "as authorized in the act approved June 5, 1920."

On No. 4: Strikes out the proviso, inserted by the Senate, authorizing in post offices where the receipts are $9,000,000 and less than $20,000,000, a superintendent of delivery at the same salary provided for superintendents of mail in offices of this grade.

On Nos. 5 and 6: Restores the word "temporary," stricken out by the Senate, in the appropriation for temporary and auxiliary clerk hire and substitute clerk hire at first and second class post offices and at summer and winter resort post offices.

On No. 8: Restores the word "temporary," stricken out by the Senate, in the appropriation for pay of substitutes for letter carriers and auxiliary and temporary letter carriers.

On No. 11: Increases from $4,100 to $7,000, as proposed by the Senate, the appropriation for street car collection service.

On No. 15: Increases from $3,000,000 to $3,089,931, as proposed by the Senate, the appropriation for travel allowances to railway postal clerks and substitute railway postal clerks.

On No. 16: Strikes out the increase of $1 per day, proposed by the Senate, in the per diem in lieu of subsistence allowance of mechanicians engaged in the repair of labor-saving devices and mail-handling apparatus.

On No. 17: Strikes out the proviso, inserted by the Senate, making basic pay the two bonuses granted to the employees in the mail equipment shops.

On No. 21: Changes a section number in the bill.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 3: Authorizing the Postmaster General to designate temporarily some person to act as postmaster when a post office becomes vacant through death, resignation, or removal of the postmaster.

On No. 7: Providing that marine letter carriers on the Detroit River postal service shall be paid $300 per year in excess of the highest grade for carriers in the City Delivery Service.

On No. 9: Providing that postal employees who served in the military or naval forces during the World War shall receive credit for the time engaged in such service if they have not reached the maximum grade of salary.

On Nos. 10 and 18: Appropriating $1,500,000 for village delivery service.

On No. 12: Authorizing the Postmaster General to deliver special-delivery matter without obtaining a receipt.

On No. 13: Authorizing the Postmaster General to contract for airplane mail service and to pay for the same out of the appropriation for transportation by railroad routes.

On No. 14: Appropriating $1,500,000 for the airplane mail service between New York and San Francisco.

On No. 19: Authorizing the Secretary of War to loan tractors to the various States for highway-construction purposes.

On No. 20: Extending until June 30, 1922, the joint commission to investigate the Postal Service.

MARTIN B. MADDEN,
CHAS. F. OGDEN,
E. E. HOLLAND,
Managers on the part of the House.

Mr. MADDEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. MADDEN. Mr. Speaker, there are some amendments in disagreement.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment No. 3: Page 3, line 13, after the figures "$42,300,000," insert:

"*Provided*, That hereafter, whenever the office of a postmaster becomes vacant through death, resignation, or removal, the Postmaster General shall designate some person to act as postmaster until a regular appointment can be made by the President in case the office is in the first, second, or third class, and by the Postmaster General when the office is in the fourth class; and the Postmaster General shall notify the Auditor for the Post Office Department of the change. The postmaster so appointed shall be responsible under his bond for the safekeeping of the public property pertaining to the post office and the performance of the duties of his office until a regular postmaster has been duly appointed and qualified and has taken possession of the office. Whenever a vacancy occurs from any cause the appointment of the regular postmaster shall be made without unnecessary delay."

Mr. MADDEN. I move to recede and concur.

The SPEAKER. The gentleman from Illinois moves that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 7: Page 5, after the figures "$70,000" insert:

"*Provided*, That hereafter the marine letter carriers assigned to the Detroit River postal service shall be paid $300 per annum in excess of the highest grade for carriers in the City Delivery Service, and that those in the service on July 1, 1920, who have continued in the service be paid such salary from July 1, 1920."

Mr. MADDEN. Mr. Speaker, I move to recede and concur. I wish to say in this connection that when the transportation act was passed adjusting the compensation of postal employees the Post Office and Post Roads Committee omitted inadvertently the marine letter carriers, who had always theretofore been paid $300 a year more than the other carriers. This is to rectify the mistake that was made.

Mr. STEENERSON. If the gentleman will permit me, as a matter of fact, was it not the commission that made the mistake instead of the Committee on the Post Office and Post Roads?

Mr. MADDEN. Yes; this is simply to rectify the error.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

That that portion of the act reclassifying salaries of postmasters and postal employees, approved June 5, 1920, which provides "that hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of 1 year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1" shall be amended by adding the following: *Provided*, That clerks in first and second class post offices and letter carriers in the City Delivery Service and substitute clerks and substitute carriers who served in the military or naval service during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military or naval service on the basis of one day's credit of eight hours in the Postal Service for each day served in the military or naval service and be promoted to the grade to which such clerk or carrier or substitute clerk or substitute carrier would have progressed had his original appointment as substitute been to grade 1.

The provisions herein shall be effective as of date of passage of the original act of June 5, 1920.

Mr. MADDEN. Mr. Speaker, this amendment is to provide in effect for substitutes in the Postal Service who were drafted or volunteered for the service in the World War that they shall be given credit for eight hours for each day on their military service, so that when they return from the military service if they reenter the Postal Service they will take the place they would have taken had they continued in the Postal Service.

Mr. BLACK. Will the gentleman yield for a question?

Mr. MADDEN, Yes.

Mr. BLACK. Is not the situation just this? Here are two men who were in the Postal Service when they entered the Army; one lives in New York and the other in Chicago. They served two years; they come back and the Chicago clerk receives a permanent appointment and gets credit for the two years' advancement, which would mean $200. The New York clerk continues as a substitute and does not get permanent appointment, and he does not get anything under a proposition of this kind.

Mr. MADDEN. The substitute would continue to be a substitute until appointed to a regular position, and would then take his place in the grade to which his war service entitled him.

Mr. BLACK. He would get nothing until he received an appointment.

Mr. MADDEN. If he went into the military service, under the provisions of this bill, he would get what I have stated. Mr. Speaker, I move to recede and concur with an amendment.

Mr. STEENERSON. Mr. Speaker, I ask for a division of the question.

The SPEAKER. The Chair will have the amendment reported first.

The Clerk read as follows:

Amendment 9: Mr. MADDEN moves that the House recede from its disagreement to Senate amendment 9 and agree to the same with the following amendment: Strike out all of the matter inserted by said amendment, commencing with the word "provided," in line 12, and insert in lieu thereof the following:

"*Provided*, That postal employees and substitute postal employees who served in the military, marine, or naval service of the United States during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military, marine, or naval service on the basis of one day's credit of eight hours in the Postal Service for each day served in the military, marine, or naval service, and be promoted to the grade to which such postal employee or substitute postal employee would have progressed had his original appointment as substitute been to grade 1. The provisions herein shall be effective as of date of passage of the original act of June 5, 1920."

The SPEAKER. The gentleman from Minnesota demands a division on the motion to recede and concur. The question is first on receding.

The question was taken, and the motion was agreed to.

Mr. STEENERSON. Now, Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Mr. STEENERSON moves that the House recede from its disagreement to the amendment of the Senate No. 9, and agree to the same with an amendment, as follows:

Strike out all of Senate amendment No. 9, and in lieu of the matter so stricken out insert the following:

"That that portion of the act reclassifying salaries of postmasters and postal employees, approved June 5, 1920, which provides 'that hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of 1 year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1,' shall be amended by adding the following: '*Provided*, That clerks and carriers in the intermediate or automatic grades who were appointed to regular positions before June 5, 1920, and are receiving less than the maximum grade of salary shall receive credit for all time served as substitute on a basis of 1 year for each 306 days of 8

hours served as substitute and be promoted to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1, effective as of July 1, 1921: *Provided further*, That clerks in first and second class post offices and letter carriers in the City Delivery Service and substitute clerks and substitute carriers who served in the military or naval services during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military or naval services on the basis of 1 day's credit of 8 hours in the Postal Service for each day served in the military or naval service and be promoted to the grade to which such clerk or carrier or substitute clerk or substitute carrier would have progressed had his original appointment as substitute been to grade 1, effective as of June 5, 1920.'"

Mr. MADDEN. Mr. Speaker, I reserve the point of order.

Mr. WALSH. Mr. Speaker, I reserve the point of order.

Mr. MANN of Illinois. Mr. Speaker, I reserve the point of order and want to make a parliamentary inquiry. The gentleman from Illinois [Mr. MADDEN] offered an amendment to the Senate amendment, which is now pending before the House. Does not that have to be disposed of?

Mr. STEENERSON. I offer this as a substitute.

Mr. MANN of Illinois. But this is not a substitute for this amendment. We have already receded. The gentleman proposes to strike out all of the amendment and insert other language. The gentleman from Illinois [Mr. MADDEN] has proposed to strike out part of the Senate amendment and insert other language in the way of perfecting the Senate amendment. What I want to get at is, if the motion is in order, how this amendment will be voted upon?

The SPEAKER. The Chair would think that the amendment of the gentleman from Illinois would take preference, being a perfecting amendment, whereas the amendment of the gentleman from Minnesota is a substitute.

Mr. MANN of Illinois. It is not a substitute to that amendment.

The SPEAKER. It is a substitute for the whole Senate amendment.

Mr. MANN of Illinois. It is a substitute for the entire Senate amendment, but is not a substitute for the amendment offered by the gentleman from Illinois.

Mr. STEENERSON. I have another draft here to offer as an amendment to the gentleman's motion.

The SPEAKER. Does it make any difference to the gentleman from Minnesota which comes first?

Mr. STEENERSON. I think so. I would like to explain the effect of it. It does not change his motion, so far as that goes.

The SPEAKER. The only difference the Chair sees that it makes is as to which amendment shall be voted on first.

Mr. STEENERSON. The amendment I propose to offer is the amendment to the motion of the gentleman from Illinois by inserting additional language.

The SPEAKER. The gentleman from Minnesota will correct the Chair if he is wrong in his statement of the situation. The gentleman from Illinois [Mr. MADDEN] offered an amendment to the Senate amendment which perfected that amendment. The Chair understands the amendment of the gentleman from Minnesota to strike out the whole of the Senate amendment and to offer an entire substitute.

Mr. STEENERSON. That was my substitute which I offered, but I now offer an amendment that adds simply to the Senate language—additional language.

The SPEAKER. Then the gentleman means to withdraw his first amendment and wishes to offer another?

Mr. STEENERSON. That is correct.

The SPEAKER. The gentleman from Minnesota offers an amendment, which the Clerk will report. Is this an amendment to the amendment of the gentleman from Illinois?

Mr. STEENERSON. Yes; an amendment to the gentleman's motion.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

After the word "provided," on page 6, line 14, insert as follows—

Mr. MANN of Illinois. The reference should be to the Senate amendment and not to this point.

Mr. STEENERSON. It is line 12, according to the way the Clerk read it.

The SPEAKER. Line 12 of the House print?

Mr. STEENERSON. Line 12 of the Senate amendment, after the word "provided."

The SPEAKER. The gentleman is referring to the engrossed copy?

Mr. STEENERSON. I have not been favored with a copy of the engrossed copy.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

After the word "provided" on page 6, line 14, insert the following: "That clerks and carriers in intermediate or automatic grades who were appointed to regular positions before June 5, 1920, and are receiving less than the maximum rate of salary, shall receive credit for all time served as substitutes on a basis of one year for each 306 days of eight hours served as a substitute, and be promoted to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade one: *Provided further.*"

Mr. BLACK. Mr. Speaker, I make the point of order that the amendment is an amendment in the third degree and is not in order.

The SPEAKER. The Chair does not think it is in the third degree.

Mr. BLACK. We are considering a Senate amendment. The gentleman from Illinois moves to concur with an amendment and then the gentleman from Minnesota moves to amend that amendment.

The SPEAKER. The Senate amendment is not considered as an amendment here.

Mr. BLACK. In that case I presume the amendment would be in order.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Minnesota?

Mr. MADDEN. I yield five minutes to the gentleman from Minnesota.

Mr. STEENERSON. Mr. Speaker, would I not be entitled in my own right to the floor?

The SPEAKER. No; the Chair thinks the gentleman from Illinois is entitled to the time.

Mr. STEENERSON. Mr. Speaker, the Senate amendment gives the substitute clerks and carriers credit for the time they served in the war and makes that retroactive to June 5, 1920, so that if a substitute has been appointed clerk or carrier he will, if this passes, if he served two years in the war, be given two years' promotion—that is, $200, or $100 a year. The substitutes that did not go into the war who were appointed clerks before the passage of the classification act of June 5, 1920, get no credit for the substitute service. They may have served five years as substitutes, but having been appointed before the act was passed, as construed by the Comptroller of the Treasury, they get no credit, but those who were appointed since the act was passed, who were substitutes before that appointment, are given credit, so we have in many of the large cities like Chicago, Cincinnati, New York, and Washington substitute carriers appointed since June 5 who have been given credit for two or three years' substitute service, whereas alongside of them are men working who served five or six years as substitutes but do not get the credit. They are appointed simply to grade 1, so the junior employee gets more than the senior employee.

Mr. WALSH. Will the gentleman yield?

Mr. STEENERSON. I do.

Mr. WALSH. Not that it is of very much importance, but I think as a matter of interest I would like to know what the expense of this proposition would be?

Mr. STEENERSON. If this is made effective as of July 1, 1921, which I had intended to put in, it would cost about $700,000.

Mr. WALSH. We will not have much money left in the Treasury after the performance of this afternoon.

Mr. STEENERSON. If it is retroactive, like the soldiers' provisions, it will cost a million and a half at least, and with the provision that the Senate has put on, according to the department's figures to me, it will cost $2,000,000 additional the first year, and perhaps a little more the next year. For that reason I think we are laboring under a difficulty if we do not include these clerks and carriers now. There will be an unjust discrimination. The Committee on the Post Office and Post Roads had this matter under consideration, but they have not determined what to do. We have the bill under consideration and intend to report, as I understand, to give them all credit for substitute service. It should not be retroactive but simply operative for the next fiscal year. That is the intention, as I understand, of a majority of the committee. But here comes the Senate under this new rule to legislate this in favor of the military service, and they leave this off for clerks and carriers, who will labor under this discrimination I have described. My amendment leaves the provision of the Senate as to soldiers unchanged.

Mr. STEPHENS of Ohio. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. STEPHENS of Ohio. Will this correct the situation in regard to letter carriers who have served as substitutes for five, six, or seven years and under the reorganization part of the Post Office have been discriminated against in such a way that those who have come in the service some three or four years after they have are now drawing more salary?

Mr. STEENERSON. That is exactly what this was intended to remedy and will remedy.

Mr. STEPHENS of Ohio. Then I think we ought to remedy it.

Mr. STEENERSON. I think if we give credit to these substitutes that have military service we certainly ought to give it to these substitutes who actually served.

The SPEAKER. The time of the gentleman has expired.

Mr. STEENERSON. Will the gentleman give me a few more minutes?

Mr. MADDEN. I yield the gentleman two additional minutes.

Mr. STEPHENS of Ohio. I would like to say to the gentleman that I know in Cincinnati we have a great many carriers who have served for six or seven years as substitutes and they came in as regular carriers, and other substitutes later under the reorganization bill have passed by them, drawing $300 or $400 more.

Mr. STEENERSON. That is not the worst of it.

Mr. HARDY of Colorado. This does not affect that case at all; it only affects military cases.

Mr. STEPHENS of Ohio. As I understand, the amendment takes in those carriers.

Mr. STEENERSON. Yes; my amendment does. The worst discrimination is, here is a substitute who might be on the substitute list at New York or Boston, where there are probably five or six hundred on the list, and would never be called, yet if he went to the war this gives him constructive time. Unless we give the substitutes who actually performed service also credit they can justly claim they have been unfairly discriminated against. My amendment equalizes the matter and deals fairly with all of them, and if we do not do it now, why, we will have to do it at some other time.

Mr. MADDEN. Mr. Speaker, if the amendment of the gentleman from Minnesota is adopted, this will be the effect of it: It will advance every substitute in the Postal Service, regardless of whether he served in the war or not. And my proposition is to provide credit for the period men who were substitutes in the Postal Service served in the war. That is all.

Mr. STEENERSON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. STEENERSON. Is not this the exact provision that was in the bill that is known as the Madden bill that was before the Committee on the Post Office and Post Roads?

Mr. MADDEN. It is not pending now. And I want to say to the Members of the House that the men who served as substitutes during the war and did not get to the war are not entitled to any consideration in this bill. This is a proposition to do something for the men who offered their lives for their country. If they had served in the Postal Service during the period of the war instead of in the Army, it is altogether likely they would have been advanced. Now, all I am asking is to advance them to the place they would have advanced to if they had not gone into the war.

Mr. BLACK. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. BLACK. Is it not true that a substitute who, we will say, did not go to the war but remained at home, if he was reached by appointment, was appointed? Is it not true that a man who went into the war was correspondingly advanced on the substitute list by reason of the law we passed during the war that provided that he should not lose any grade or advancement on account of his services?

Mr. MADDEN. I do not know what happened to the substitutes after they came back from the war. It may be that some of them did not come back into the service. If they did not, this will not apply; if they did, they ought to be carried for the period of the war service. That is all we are seeking. If you adopt the amendment of the gentleman from Minnesota you advance every man who has been a substitute over a period, whether it be one, two, three, four, or five years, regardless of whether he had military service or not, and nobody is seeking to do that. And I say it does not cost any such sum to do the thing we propose as it would cost to do the thing the gentleman from Minnesota proposes, and it does not cost any such sum to do the thing we propose as the gentleman from Minnesota says it does. Nobody knows how many men will be affected by this. It can not be more than three or four thousand at the outside. If it should happen by any chance that it should be three or four thousand, and they should be advanced to the first grade instead of being substitutes, they would probably get $100 apiece on account of the advancement.

Mr. STEENERSON. I have the testimony of the First Assistant Postmaster General——

Mr. MADDEN. He wrote to me and said over his own signature that he could not tell how many men will be affected, but whatever number may be affected, whether great or small, if it is right it is the thing to do. Is it right? I ask you gentlemen whether it is right or wrong to provide credits for the period a man served in the war and offered his life to his country, while the other men were sitting idly by living in luxury? Are we going to provide for those men or provide for the men that did not serve?

Mr. STEENERSON. This amendment includes soldiers as well as others.

Mr. MADDEN. I know.

Mr. STEENERSON. What are you talking about, then?

Mr. MADDEN. The others ought not to be included.

Mr. PURNELL. Just for information, I would like to know how, for the purpose of carrying this out, you will determine what is military and naval service?

Mr. MADDEN. The record of the man in the service. His honorable discharge will determine that.

Mr. PURNELL. I have a particular case in mind that causes me to ask the question. Suppose a man were in the Y. M. C. A. service?

Mr. MADDEN. That is not military service.

Mr. PURNELL. But handling the mail for the military service?

Mr. MADDEN. He was in the mail service, then. He was not in the Army. He was simply doing Postal Service work on the front, or wherever he might have been sent. Many postal men were sent to France who were not in the Army.

Mr. PURNELL. You would not regard him as in the military service?

Mr. MADDEN. Not at all.

Now, Mr. Speaker, I call for a vote.

Mr. BLACK. I want five minutes in which to oppose both amendments.

Mr. MADDEN. I yield to the gentleman five minutes.

Mr. BLACK. Both of these amendments ought to be discussed, and unless you have 10 minutes you can not make much headway. You can not discuss these two amendments adequately in five minutes.

Mr. MADDEN. Well, I will yield to the gentleman 10 minutes.

The SPEAKER. The gentleman from Texas is recognized for 10 minutes.

Mr. BLACK. Mr. Speaker, I think both of these amendments should fail of adoption, and both of them illustrate the disadvantages of the rule we adopted at the last session of Congress. What are we doing? For the last two or three days these committees have been bringing in here item after item of legislation which has been put on these appropriation bills in the Senate, and we have less opportunity to consider them now and discuss them than we would have had if they had been riders on the appropriation bills when they were first considered by the House. How many Members in the House now understand the effect of these two amendments? They will, if adopted, cost several hundred thousand dollars, at least, and very probably much more than that.

Mr. STEENERSON. Two millions.

Mr. BLACK. Now, in order that we may understand the effect of these amendments, let us take into consideration these facts: We have in the Postal Service, as to letter carriers and postal clerks, a classified service and a substitute list. In the classified service there are five grades—grades 1, 2, 3, 4, and 5. A man is not in the Postal Service as a permanent employee until he is given a permanent appointment to one of these grades. He is appointed first to grade 1. He serves in that grade a year, and then automatically he goes to grade 2 and serves in that grade for one year and then automatically goes to grade 3, and the next year into grade 4, and the next year into grade 5. But when he is a substitute he works only when he may be needed in the service. That may be six days in a year. It may be 52 days. It may be 100 days. It might be that he would work 306 days. Of course, in such instances as the last one cited he would probably get a permanent appointment.

Now, what is the situation? In July, 1920, we reclassified the postal employees and raised their salaries to what I think was a generous and liberal figure, considering present conditions, making the salary of grade 1, $1,400; that of grade 2, $1,500; grade 3, $1,600; grade 4, $1,700; and grade 5, $1,800, and providing for automatic promotions until the top grade was reached. We also provided in that bill that hereafter substitute clerks in first and second class post offices and substitute carriers in City Delivery Service, when appointed as regular clerks and carriers, shall have credit for actual time served in the substitute service.

The intention of the committee—and I believe that every member of the committee will say that such was the intention of the committee—was that when a substitute was appointed

after the passage of the law, he should be given credit for the substitute service he had put in after the date of the enactment of the law, but not before. But the comptroller, in construing that provision of the law, held that "hereafter" meant that the Post Office Department should go back and take up the substitute's whole record and figure out how much time he had served as a substitute since he originally entered the service and give him credit for it.

Now, the result of this ruling was that when an appointment was made from the substitute list after July 1, 1920, the Postmaster General was required to take up his record, and if it was found that he had served as much as one year of 306 days a year the substitute so appointed went into grade 2 instead of going into grade 1, and if he had served two years as a substitute went into grade 3. Now, the complaint is—and here we are getting down to the point—that clerks who were appointed before July 1, 1920, did not get this retroactive credit for substitute service, and therefore a man may have been appointed on or before July 1, 1920, and still be in grade 1, nothwithstanding he may have seen considerable substitute service. But the answer to this whole proposition is: It was not the intention of the committee to make the original provision in the reclassification law retroactive in its effect, and because that has been done should we go and do the illogical thing and broaden it out still further, merely because it was given an interpretation not intended to be done in the one case? I do not think we ought to do it. If we adopted a consistent course, we ought to amend the law and make it conform to the original intent of Congress, which was that substitute service which was eligible for credit was that which was to be performed after the passage of the law. That was the intent of Congress. Why not perform it? Is the taxpayer ever going to receive any consideration in making up these appropriation bills?

Now, then, as to Mr. MADDEN's amendment, what is the effect? We all remember that some time during the war we put a provision on one of the appropriation bills to the effect that any postal employee who served in the military service should receive credit for such time and be advanced automatically just as if he had remained at home doing his regular work in the Postal Service. That provision of law was as follows:

Employees, including substitute employees, of the Postal Service who have entered the military or naval service of the United States or who shall hereafter enter it during the existence of the present war, shall, when honorably discharged from such service, be reassigned to their duties in the Postal Service at the salary to which they would have been automatically promoted had they remained in the Postal Service, provided they are physically and mentally qualified to perform the duties of such positions.

What was the effect of that? The effect of that was that if a young man was a substitute when he went into the Army and was reached for regular appointment he was appointed, and if he remained in the service he would not lose his automatic promotion, and when he got back home he was appointed into grade 2 or 3, as the case might be.

Anything wrong about that? No; it was just what Congress intended. They were not permanent employees until regularly reached for appointment. Until appointed they were advanced on the substitute list under the regular rules. If a man was No. 100, for instance, at the Boston, Mass., office, he went right on up notwithstanding he was in the military service, and maybe he was up to No. 1 on the substitute list when he went out of the Army, or, indeed, he may have already received a permanent appointment.

Mr. STEENERSON. But, then, he would have been appointed clerk or carrier and would have been given leave of absence because of military service.

Mr. BLACK. I am glad the gentleman stated that leave of absence was given in such cases. If a substitute was reached for appointment he was not discriminated against because of being in the military service. But what will the amendment of the gentleman from Illinois [Mr. MADDEN] do? It will go very far beyond what Congress intended to do in the original provision. It will say to the man who was a substitute in the Postal Service, "We will say by law that every day that you serve in the military service shall for the purpose of promotion count as one day as a permanent employee in the Postal Service."

Now, what does that amount to? It will amount to this: If a man served two years in the military service and gets a permanent appointment, then, instead of going into grade 1 at $1,400 he will go into grade 3 at $1,600. Now, that is a bonus, and you can not call it anything else, a bonus of $200 to a man because he happened to be a substitute in the Postal Service. I have already shown that under existing law his advancement on the regular substitute list and subsequent appointment, if his name was reached, was not in the least interfered with by his military service. If we are going to pay a bonus to the soldiers, that is a question of general policy, and if adopted should apply to all ex-service men alike. If we are going to give a bonus for military service—and that will certainly be the effect of the Madden amendment—then the farmer boys in my district, the boys who work on the railroads, the boys who work in the stores, the boys who work in the banks are entitled to the $200 bonus as much as the substitutes in the Postal Service. Now, who can tell how much actual service a substitute would have rendered if he had not gone to the Army? It must be remembered that he was not an employee serving 306 days in the year. He was only serving as a substitute when called upon. He might have served 2 days. He might have served 50 days. He might not have served any, and I submit that we ought not to adopt either one of these amendments, because I do not believe the House would adopt them if we had time to consider them fully and measure their full effect. I may say that the Post Office Committee has not recommended either one of these propositions. They are legislative provisions and should not be adopted in this hurried and ill-considered manner on this appropriation bill.

Mr. MADDEN. I yield a minute to the gentleman from Iowa [Mr. GOOD] to present a conference report.

SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD presented the conference report on the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, for printing under the rule.

POST OFFICE APPROPRIATIONS.

The SPEAKER. The House will proceed with the consideration of the Post Office appropriation bill.

Mr. MADDEN. I ask for a vote, Mr. Speaker.

The SPEAKER. The question is on the motion of the gentleman from Minnesota [Mr. STEENERSON] amending the motion of the gentleman from Illinois [Mr. MADDEN].

The question was taken; and on a division (demanded by Mr. STEENERSON) there were—ayes 8, noes 76.

Accordingly the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MADDEN] that the House recede and concur with an amendment.

The question being taken, on a division (demanded by Mr. MADDEN) there were—ayes 60, noes 21.

Accordingly the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 10: Page 7, line 3, insert the following:
"For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,500,000."

Mr. MADDEN. This is simply a transposition from its place in the bill when it was reported and passed by the House. It carries the same amount. I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Senate amendment No. 12:
"*Provided*, That the Postmaster General may, under such rules and regulations as he shall prescribe, authorize the delivery of special delivery matter without obtaining a receipt therefor: *Provided further*, That nothing herein contained shall be construed as excusing the delivery of special delivery matter by messenger in the first instance.

Mr. MADDEN. Mr. Speaker, I move that the House recede and agree to the Senate amendment with the following amendment:

The Clerk read as follows:

Strike out all the matter inserted in the said amendment commencing with the colon, in line 5, down to and including the word "instance," in line 7.

Mr. MANN of Illinois. What is left? The amendment strikes out all of the Senate amendment, even the colon.

Mr. MADDEN. This is amendment No. 12, and it strikes out the proviso.

Mr. MANN of Illinois. That is all there is, is the proviso.

Mr. MADDEN. No; this is the second proviso.

Mr. WALSH. What is the idea of striking out the proviso? It says that it shall not be considered an excuse for delivery.

Mr. MADDEN. It does not mean anything, because they do make the delivery just the same.

Mr. WALSH. It gives him the authority to issue regulations?

Mr. MANN of Illinois. Under the first proviso he can make regulations. He may make regulations that the special delivery matter shall be delivered by the ordinary carrier when he makes his rounds, and I would not be surprised if he did make such regulations.

Mr. MADDEN. This does not mean a thing.

Mr. MANN of Illinois. For instance, in the parcel post law we gave without knowing it authority to the Postmaster General to change the law—make an absolute change of law. Nobody knew it was in the law, but it was. The Postmaster General discovered it and has entirely revised the law in reference to the parcel post. I am not criticizing that.

Mr. MADDEN. Well, if there is no objection, I will withdraw the amendment and move to concur.

Mr. STEENERSON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. STEENERSON. I would like to know where the original proposition came from in amendment 12?

Mr. MADDEN. It came from the Senate. Of course, it was carried in the last appropriation bill.

Mr. STEENERSON. Without the second proviso.

Mr. MADDEN. Yes.

Mr. STEENERSON. And the gentleman's proposition is that we leave it as it is in the existing law?

Mr. MADDEN. Yes.

Mr. WINGO. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WINGO. As I understand, the current law carries the same provision and this is a proposition to make it permanent.

Mr. MADDEN. No.

Mr. WINGO. For another year.

Mr. MADDEN. Yes.

Mr. WINGO. I have been keeping track of this special delivery. I have one once a week, and in the majority of cases the special delivery does not give any quicker service than the regular service. They do not deliver it. A letter written Saturday evening for the purpose of reaching its destination Sunday morning is not delivered until 3 o'clock Monday afternoon.

Mr. MADDEN. It does not mean that it gets a quicker transit, but after it reaches the post office at the point of destination it is delivered quicker.

Mr. WINGO. That is the trouble; it lies in the post office down in Virginia——

Mr. MADDEN. I am very sorry.

Mr. WINGO. All day Sunday, and goes out with the regular delivery to a suburb of a Virginia city on Monday.

Mr. MANN of Illinois. Under the law they do not sort incoming mail in the post offices on Sunday, and they ought not to.

Mr. WINGO. They ought not to take pay for special delivery.

Mr. MANN of Illinois. The gentleman ought to send his letter out on Friday night.

Mr. WINGO. But I can not send it out under the circumstances.

Mr. MANN of Illinois. That is a misfortune.

Mr. WINGO. If they do not propose to give special delivery, they ought not to accept money for it.

Mr. STEENERSON. Has the committee heard any testimony about the operation of this provision put in last year?

Mr. MADDEN. No.

Mr. STEENERSON. The gentleman does not know whether it has been a success or whether it is open to the criticism of the gentleman from Arkansas [Mr. WINGO].

Mr. MADDEN. No. Mr. Speaker, I withdraw my motion to recede and concur with an amendment, and move to recede and concur.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WINGO. I hope the gentleman will not insist upon that. I have not had a single special-delivery letter delivered to my apartment in the last 12 months. They stick it in the box downstairs.

Mr. MANN of Illinois. Oh, we will have a better mail service after the 4th of March.

The SPEAKER. The question is on the motion to recede and concur.

The question was taken.

Mr. WINGO. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 59, noes 11.

Mr. McCLINTIC. Mr. Speaker, this is a very important subject and I think we ought to have a quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. Evidently there is not.

Mr. LARSEN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion that the House do now adjourn.

The question was taken, and the motion was rejected.

Mr. RAKER. Mr. Speaker, does not this call come as an automatic call on the motion?

The SPEAKER. It does. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the motion to recede and concur.

The question was taken; and there were—yeas 160, nays 32, answered "present" 1, not voting 236, as follows:

YEAS—160.

Almon	Fish	Lampert	Reed, W. Va.
Andrews, Nebr.	Flood	Langley	Ricketts
Ashbrook	Foster	Lanham	Riddick
Babka	French	Lankford	Romjue
Barbour	Gallivan	Larsen	Rose
Begg	Ganly	Linthicum	Sabath
Bell	Glynn	Little	Sherwood
Benham	Good	McArthur	Shreve
Bland, Ind.	Goodykoontz	McDuffie	Siegel
Bowling	Gould	McKenzie	Sinclair
Briggs	Graham, Ill.	McKeown	Sinnott
Brinson	Greene, Vt.	McLane	Smith, Idaho
Brooks, Ill.	Hadley	McLaughlin, Mich.	Smith, Ill.
Buchanan	Hardy, Colo.	McLeod	Smith, Mich.
Burke	Hardy, Tex.	MacGregor	Smithwick
Byrnes, S. C.	Harrison	Madden	Steagall
Campbell, Pa.	Haugen	Magee	Steenerson
Cannon	Hayden	Mapes	Stephens, Ohio
Chindblom	Hays	Mason	Stoll
Clark, Fla.	Hernandez	Michener	Strong, Kans.
Cleary	Hersey	Miller	Sumners, Tex.
Cole	Hersman	Minahan, N. J.	Sweet
Collier	Hickey	Moore, Ohio	Swindall
Connally	Hoch	Murphy	Swope
Crago	Hoey	Nelson, Wis.	Taylor, Colo.
Cramton	Holland	Newton, Minn.	Temple
Cullen	Huddleston	O'Connell	Thompson
Currie, Mich.	Hudspeth	Ogden	Tilson
Dale	Ireland	Osborne	Timberlake
Darrow	Jacoway	Paige	Tincher
Denison	Jefferis	Park	Upshaw
Dominick	Johnson, Wash.	Phelan	Vaile
Drane	Kearns	Purnell	Vestal
Dupré	Keller	Quin	Voigt
Eagan	Kelley, Mich.	Radcliffe	Volk
Emerson	Kettner	Raker	Watkins
Esch	King	Ramseyer	Wood, Ind.
Evans, Nebr.	Kinkaid	Randall, Calif.	Woods, Va.
Evans, Nev.	Knutson	Randall, Wis.	Zihlman
Fairfield	Kraus	Reed, N. Y.	The Speaker

NAYS—32.

Ackerman	Dallinger	Hastings	Ransley
Anderson	Dickinson, Iowa	Hutchinson	Rogers
Black	Dowell	Kreider	Rouse
Bland, Va.	Dunbar	Lufkin	Tillman
Blanton	Edmonds	McClintic	Tinkham
Box	Fields	Moore, Va.	Volstead
Brooks, Pa.	Focht	Oliver	Walsh
Carter	Griest	Parrish	Wingo

ANSWERED "PRESENT"—1.

Greene, Mass.

NOT VOTING—236.

Andrews, Md.	Dunn	Kelly, Pa.	Oldfield
Anthony	Dyer	Kendall	Olney
Aswell	Eagle	Kennedy, Iowa	Overstreet
Ayres	Echols	Kennedy, R. I.	Padgett
Bacharach	Elliott	Kiess	Parker
Baer	Ellsworth	Kincheloe	Patterson
Bankhead	Elston	Kitchin	Pell
Barkley	Evans, Mont.	Kleczka	Perlman
Bee	Ferris	Layton	Peters
Benson	Fess	Lazaro	Porter
Bland, Mo.	Fisher	Lea, Calif.	Pou
Boies	Fordney	Lee, Ga.	Rainey, Ala.
Bowers	Frear	Lehlbach	Rainey, Henry T.
Brand	Freeman	Lesher	Rainey, John W.
Britten	Fuller	Lonergan	Ramsey
Browne	Gallagher	Longworth	Rayburn
Brumbaugh	Gandy	Luce	Reavis
Burdick	Gard	Luhring	Reber
Burroughs	Garner	McAndrews	Rhodes
Butler	Garrett	McCulloch	Riordan
Byrns, Tenn.	Godwin, N. C.	McFadden	Robinson, N. C.
Caldwell	Goldfogle	McGlennon	Robsion, Ky.
Campbell, Kans.	Goodall	McKinley	Rodenberg
Candler	Goodwin, Ark.	McKinley	Rowan
Cantrill	Graham, Pa.	McLaughlin, Nebr.	Rowe
Caraway	Green, Iowa	McPherson	Rubey
Carew	Griffin	Maher	Rucker
Carss	Hamill	Major	Sanders, Ind.
Casey	Hamilton	Mann, Ill.	Sanders, La.
Christopherson	Harreld	Mann, S. C.	Sanders, N. Y.
Clark, Mo.	Hawley	Mansfield	Sanford
Classon	Hicks	Martin	Schall
Coady	Hill	Mays	Scott
Cooper	Houghton	Mead	Scully
Copley	Howard	Merritt	Sears
Costello	Hulings	Milligan	Sells
Crisp	Hull, Iowa	Monahan, Wis.	Sims
Crowther	Hull, Tenn.	Mondell	Sisson
Curry, Calif.	Humphreys	Montague	Slemp
Davey	Husted	Moon	Small
Davis, Minn.	Igoe	Mooney	Smith, N. Y.
Davis, Tenn.	James, Mich.	Moores, Ind.	Snell
Dempsey	James, Va.	Morin	Snyder
Dent	Johnson, Ky.	Mott	Stedman
Dewalt	Johnson, Miss.	Mudd	Steele
Dickinson, Mo.	Johnson, S. Dak.	Neely	Stephens, Miss.
Donovan	Johnston, N. Y.	Nelson, Mo.	Stevenson
Dooling	Jones, Pa.	Newton, Mo.	Stiness
Doremus	Jones, Tex.	Nicholls	Strong, Pa.
Doughton	Juul	Nolan	Sullivan
Drewry	Kahn	O'Connor	Summers, Wash.

Tague	Vinson	Welty	Wilson, Pa.
Taylor, Ark.	Walters	Whaley	Winslow
Taylor, Tenn.	Ward	Wheeler	Wise
Thomas	Wason	White, Kans.	Woodyard
Towner	Watson	White, Me.	Wright
Treadway	Weaver	Williams	Yates
Vare	Webster	Wilson, Ill.	Young, N. Dak.
Venable	Welling	Wilson, La.	Young, Tex.

Mr. GREENE of Massachusetts. Mr. Speaker, I voted "aye." I desire to withdraw my vote, as I am paired with the gentleman from Alabama, Mr. BANKHEAD.

The name of Mr. GREENE of Massachusetts was called, and he answered "Present."

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow——

The SPEAKER. The Chair can not entertain any motion in the absence of a quorum.

Mr. McCLINTIC. Mr. Speaker, I move that the House do now adjourn.

Mr. MADDEN. But I am asking unanimous consent.

The SPEAKER. On this vote the ayes are 159, the noes 32, "present" 1; 192, not a quorum.

Mr. McCLINTIC. Mr. Speaker, I withdraw my motion, as I understand the gentleman from Illinois desires to make a unanimous-consent request.

The SPEAKER. The Chair can not entertain it.

Mr. MADDEN. Mr. Speaker, would it be in order to ask unanimous consent to make a unanimous-consent request?

The SPEAKER. No.

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn——

Mr. WINGO. Mr. Speaker, the gentleman can do this—he can move a recess until an hour certain.

The SPEAKER. The gentleman can order the bringing in of absentees or he can move to adjourn.

Mr. MONDELL. Mr. Speaker——

Mr. MADDEN. Mr. Speaker, I withdraw my motion.

The SPEAKER. In the absence of any motion, the Speaker will issue warrants to bring in absent Members.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Thursday, February 24, 1921, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 460) to change the name of the Grand River, in Colorado and Utah, to the Colorado River, reported the same with an amendment, accompanied by a report (No. 1354), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DICKINSON of Iowa: A bill (H. R. 16145) to amend sections 2, 7, 9, 11, 12, 13, and 32 of the Federal farm loan act, approved July 17, 1916, as amended, and to amend sections 2, 3, 4, 9, 11, 12, 13, 16, 17, 18, 20, 21, 22, 23, and 24 of the United States warehouse act, approved August 11, 1916, as amended; to the Committee on Banking and Currency.

By Mr. LONGWORTH: A bill (H. R. 16146) to reduce taxes, to repeal the war-profits and the excess-profits tax, to simplify the revenue act of 1918, and for other purposes; to the Committee on Ways and Means.

By Mr. ESCH: Memorial from the Legislature of the State of Wisconsin, favoring the French-Capper "truth in fabric bill"; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon, favoring the appointment of ex-service men to the various public health offices; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Oregon, regarding the exchange of lands in the State of Oregon; to the Committee on the Public Lands.

By Mr. NELSON of Wisconsin: Memorial from the Legislature of the State of Wisconsin, favoring the passage of the French-Capper bill; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Memorial from the Legislature of the State of North Dakota, favoring the adoption of the metric system; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 16147) granting a pension to Mary F. Zuill; to the Committee on Invalid Pensions.

By Mr. BURROUGHS: A bill (H. R. 16148) granting a pension to Harrietta C. Dickey; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 16149) granting a pension to Mary A. Hicks; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6024. By Mr. ASHBROOK: Petition of Company B, of the Old Guard, of Newark, Ohio, protesting against any attempt to incorporate the Grand Army of the Republic; to the Committee on the Judiciary.

6025. By Mr. BARBOUR: Petition of the Milk Producers' Association of Central California (Inc.), Modesto, Calif., asking that a tariff of not less than 8 cents per pound be placed on all imported butter; to the Committee on Ways and Means.

6026. By Mr. DARROW: Petition of 80 members of the Olney Post, No. 388, the American Legion, urging the passage of the Rogers-Capper bill for the consolidation of ex-service agencies; to the Committee on Interstate and Foreign Commerce.

6027. By Mr. EMERSON: Petition of the Licensed Tugmen's Association of Cleveland, Ohio, favoring a duty on imported fish; to the Committee on Ways and Means.

6028. By Mr. ESCH: Petition of residents of Sauk and Richland Counties, Wis., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

6029. By Mr. FULLER: Petition of the Mendota (Ill.) Council, No. 2090, of the Knights of Columbus, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6030. By Mr. KELLEY of Michigan: Resolutions of the Lansing (Mich.) Trades and Labor Council, favoring release of all political prisoners confined in Federal prisons; to the Committee on the Judiciary.

6031. By Mr. LUHRING: Petition of Right Rev. A. J. Schmitt, president of St. Meinrad College and Seminary, and others, protesting against the Smith-Towner bill; to the Committee on Education.

6032. By Mr. MICHENER: Petition of the Michigan State Farm Bureau, Lansing, Mich., regarding the tariff on lumber, etc.; to the Committee on Ways and Means.

6033. Also, petition of teachers in the public schools of Adrian, Mich., indorsing the Smith-Towner bill; to the Committee on Education.

6034. By Mr. NEWTON of Minnesota: Petition of sundry women of Minneapolis, protesting against deleting from sundry civil appropriation bill item for aid to the States in combating venereal disease; to the Committee on Appropriations.

6035. By Mr. SNELL: Petition of sundry citizens of Au Sable Forks, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6036. Also, petition of sundry citizens of Constable, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6037. Also, petition of sundry citizens of the town of Waddington, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6038. By Mr. YOUNG of North Dakota: Petition of Alfred Carlson and other residents of Bismarck, N. Dak., protesting against the passage of the Sunday blue laws; to the Committee on the Judiciary.

6039. Also, petition of the North Dakota Society of Engineers, Bismarck, N. Dak., urging appropriations for public improvements, and also favoring the national adoption of the metric system; to the Committee on Ways and Means.

6040. Also, petition of Harry Hardy Post, No. 47, of the American Legion, of Burnstad, N. Dak., favoring the enactment of legislation to provide for better hospital facilities for our disabled war veterans; to the Committee on Ways and Means.

SENATE.

THURSDAY, *February 24, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, for our land we pray. For all who bear official trust under the Government, or of a State, or city, we pray, asking for each direction and wisdom and guidance continually. Grant to our citizenship that there may be realized higher and holier motives and impulses. Through Christ our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, February 14, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

AMERICAN ACADEMY OF ARTS AND LETTERS

The VICE PRESIDENT laid before the Senate a communication from the acting secretary of American Academy of Arts and Letters, transmitting a report of its activities during the year ended December 1, 1920, which was referred to the Committee on the Library.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 6, 14, 20, 25, 26, 28, 35, 37, 41, 42, 43, 45, 54, 55, 56, 79, 80, 81, 82, and 83 to the bill, and had agreed to the same; that the House had receded from its disagreement to the amendments of the Senate numbered 40, 52, 53, and 62 to the bill, and had agreed to each thereof with an amendment; and that the House insisted upon its disagreement to the amendment of the Senate numbered 33.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3225. An act for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year;

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act;

S. 4682. An act to amend section 74 of the Judicial Code, as amended;

S. 4683. An act to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919;

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended;

H. R. 8038. An act to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico;

H. R. 11945. An act for the relief of W. C. Stewart; and

H. R. 12005. An act for the relief of Henry P. Corbin.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Public Lands, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of House joint memorial No. 9 with the original thereof adopted by the senate and house of representatives of the thirty-first legislative assembly of the State of Oregon and filed in the office of the secretary of state February 15, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 17th day of February, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

House joint memorial 9.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the legislative assembly of the State of Oregon, respectfully represent that—

Whereas that heretofore by act of June 9, 1916, the Congress of the United States revested the titles to what is commonly known as the Oregon and California land grant in the Federal Government, which said grant consisted of over 2,000,000 acres of lands in the State of Oregon; and

Whereas by the terms of said revestment act provision was made for the sale and disposition of said granted lands by the Federal Government, the proceeds from the sales of said lands to be divided between the Federal Government and the State of Oregon, the common school fund of the State of Oregon to receive 25 per cent of the proceeds from the sale of said lands, and the counties within which the revested lands are situate to receive 25 per cent of the proceeds from the sale of said lands, to be apportioned to the common schools, the roads and highways and the port districts within said respective counties; and

Whereas the Congress of the United States by act of May 31, 1918, authorized and empowered the Secretary of the Interior, in his discretion, to exchange lands formerly embraced within the grant to the Oregon-California Railroad Co., and revested in the United States by said act of June 9, 1916, for privately owned lands of approximately equal value, within or contiguous to the former limits of the said Oregon and California grant; and

Whereas it has come to the attention of this body that numerous and divers applications have been filed with the Secretary of the Interior by individuals and corporations, proposing to exchange lands held in private ownership for lands title to which was revested in the Federal Government by said act of June 9, 1916, and that said applications are now pending before the Department of the Interior; and

Whereas some of such individuals and corporations are endeavoring by said exchange of lands to procure from the Federal Government the best and most available timbered lands within said grant, tendering in exchange therefor widely scattered, inaccessible, and unmarketable holdings, and these exchanges have been tentatively recommended by the local Government agent; and

Whereas by the terms of said original revestment act it is provided that the timber on said grant lands shall be sold for cash by the Secretary of the Interior to citizens of the United States, associations of such citizens and corporations, at such times and in such quantities, and under such plan of public competitive bidding as, in his judgment, may produce the best results. And, provided further, that said timber shall be sold as rapidly as reasonable prices can be secured therefor in a normal market; and

Whereas much of those grant lands sought to be procured by some of said citizens and corporations, under their applications now pending, are situate along railroads and water routes of transportation, are now in demand by sawmills, now operating, and others wanting to operate, but are withheld from sale by the Department of the Interior pending consideration of applications for exchanges; and

Whereas it is apparent that the Government has made no careful and detailed cruise of the timber standing upon the revested lands as a basis for determining the respective values of the lands sought in said applications for exchange. The records of the Commissioner of the General Land Office show a report from a Government cruiser as to one particular body of timber in Lane County, to the effect that the estimated quantity of timber on the revested lands in this section as originally cruised by the Government is not to exceed 60 per cent of the true amount of timber standing upon said lands; and

Whereas a large quantity of these revested lands has been set aside and withdrawn from sale and settlement, under the provisions of said revestment act, as power-site lands without due or any consideration as to their real value for water-power purposes; that the said lands so withdrawn are mostly timbered lands lying along the streams, and much of which is good agricultural land after the timber has been removed; that the withdrawal from sale and settlement of these power-site lands are materially obstructing the development of our streams for logging purposes and the logging of privately owned timber situate on said streams; and

Whereas the State of Oregon and its political subdivisions have a pecuniary interest in the disposition and sale of the timber on said revested lands, and is entitled under said revestment act to one-half of the sales price of said lands, after payment of certain charges provided for in said act; and

Whereas a conservative estimate of the merchantable timber on said lands is approximately 40,000,000,000 feet, board measure, which at present market value, is reasonably worth $60,000,000; and

Whereas on November 12, 1918, the Coos Bay Lumber Co. and the Pillsbury Lumber Co. filed applications for exchange under said act of Congress of May 31, 1918; and

Whereas it appears that the lands of the United States involved in such exchange have been fully and finally cruised, and that the application of the Coos Bay Lumber Co. was on July 8, 1920, approved for advertisement for objection thereto, and that such advertisement was had and concluded on November 25, 1920, and no objection thereto filed, and that part of the land to be surrendered by the Coos Bay Lumber Co. is to be acquired by the Pillsbury Lumber Co., and it appearing that delay in said application might embarrass refinancing efforts of the Coos Bay Lumber Co.; and

Whereas these two applications were not in contemplation at the time of the introduction of this memorial: Therefore be it

Resolved, That we, your memorialists, the senate and house of representatives of the State of Oregon, do respectfully and urgently protest against the granting of all of the other applications now pending before the Department of the Interior for the exchange of privately owned lands, for lands belonging to the Federal Government, as now recommended; and be it further

Resolved, That the Congress of the United States take some action by amendment of the exchange act of May 31, 1918, H. R. 5489, to protect the interest of the State of Oregon, so as to provide that in all applications for exchange under said act the State of Oregon shall be a party to such exchange and given the right to ratify or disapprove all exchanges; and be it

Resolved further, That action be taken by the Congress of the United States to confer jurisdiction upon the Department of the Interior with full power and authority over the lands heretofore withdrawn and set apart as water-power reserves, to the end that the Secretary of the In-

terior may cause a reclassification of said lands to be made and to eliminate from said water-power withdrawals all lands more valuable for the timber standing thereon or for agricultural purposes than for water-power sites; and further

Resolved, That the secretary of state be, and he is hereby directed, to forward a copy of this joint memorial, under the certificate and seal of his office, to the Vice President of the United States, the Chief Clerk of the House of Representatives, and to each Senator and Representative in Congress from the State of Oregon; and further, that a copy be sent to the Secretary of the Interior and the Commissioner of the General Land Office, requesting from said officers that further action on such other applications for exchange now pending be withheld pending further investigation by the Department of the Interior, and by the State of Oregon, and pending action by Congress on this memorial.

Adopted by the senate February 14, 1921.

(Signed) ROY W. RITNER,
President of the Senate.

Adopted by the house January 26, 1921.

(Signed) LOUIS E. BEAN,
Speaker of the House.

Indorsed: House joint memorial No. 9. Introduced by Mr. Bean.

W. F. DRAGER,
Chief Clerk.

Filed February 15, 1921.

SAM A. KOZER,
Secretary of State.

Mr. McNARY presented duplicate copy of the preceding joint memorial of the Legislature of Oregon, favoring a reclassification of lands heretofore withdrawn and set apart as water-power reserves, so as to eliminate from water-power withdrawals all lands more valuable for the timber and for agricultural purposes than for water-power purposes, which was referred to the Committee on Public Lands.

Mr. CHAMBERLAIN presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Military Affairs, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 11 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 17, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 17th day of February, A. D. 1921.

[SEAL.] SAM A. KOZER,
Secretary of State.

Senate joint memorial 11.

To the honorable Senators and Representatives in Congress assembled:

Whereas many of the men and women from the State of Oregon who served in the military or naval service during the late war received injuries or suffered impairment of health while in such service; and

Whereas many of those so suffering are being referred by the Government authorities to the various public-health officers and boards of pension examiners and hospitals for reconstruction work; and

Whereas many physicians and dentists entered the military service for the period of the war: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives concurring), That the Congress of the United States be, and it is hereby, memorialized to pass at the earliest possible moment some legislation which shall direct the United States Bureau of Public Health and the United States Commissioner of Pensions to appoint physicians and dentists who are now in the military service or who have been honorably discharged from the same as public-health officers and on board of examining surgeons in preference to those who are not in the military or naval service, or have not so served and been honorably discharged; be it further

Resolved, That the United States Bureau of Public Health and the United States Commissioner of Pensions are urged, irrespective of such legislation, to give preference in the making of appointments as hereinabove stated; and be it further

Resolved, That the secretary of state of the State of Oregon be, and he is hereby, authorized and directed to transmit a copy of this memorial to each of the Senators and Representatives in Congress from the State of Oregon, and also a copy to the United States Bureau of Public Health and a copy to the United States Commissioner of Pensions at Washington, D. C.

Adopted by the senate February 12, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 15, 1921.

LOUIS E. BEAN,
Speaker of the House.

Endorsed: Senate joint memorial No. 11. Introduced by Senators Jap Upton and J. B. Bell.

JNO. P. HUNT,
Chief Clerk.

Filed February 17, 1921.

SAM A. KOZER,
Secretary of State.

Mr. McNARY presented a duplicate copy of the preceding joint memorial of the Legislature of Oregon, favoring legislation directing the United States Bureau of Public Health and the United States Commissioner of Pensions to appoint physicians and dentists who are now in the military service, or who have been honorably discharged therefrom, as public health officers and on boards of examining surgeons in preference to those who are not in the military or naval service or have not so served and been honorably discharged, which was referred to the Committee on Military Affairs.

Mr. ROBINSON presented a memorial of sundry members of St. Peter and St. Paul congregations of Morrison Bluff, Ark., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented a memorial of sundry members of St. James's Church of Augusta, Kans., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a petition of the Indiana State Association of Dyers and Cleaners, of Marion, Ind., favoring enactment of the truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of Local Union No. 821, Farmers' Educational and Cooperative Union of America, of St. Libory, Ill., favoring legislation prohibiting gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented a memorial of sundry citizens of Cleveland, Ohio, remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry women members of the First Methodist Church of Van Wert, Ohio, praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the Farmers' Institute of Ottoville, Ohio, protesting against the enactment of legislation creating a department of education, and favoring a barge canal connecting Cincinnati, Toledo, and Chicago, etc., which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Cleveland, Ohio, remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. TOWNSEND (for Mr. NEWBERRY) presented memorials of sundry citizens of Detroit, Vassar, Plymouth, Ypsilanti, Houghton, Owosso, Royal Oak, Three Rivers, Grand Rapids, Niles, Sturgis, Newaygo, and Otsego, all in the State of Michigan, remonstrating against the enactment of legislation providing for physical education, which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 10105) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes, reported it with amendments and submitted a report (No. 813) thereon.

Mr. LA FOLLETTE, from the Committee on Manufactures, to which was referred the bill (S. 4828) to promote the general welfare by gathering information respecting the ownership, production, distribution, costs, sales, and profits in the coal industry and by publication of same, and to recognize and declare coal and its production and distribution charged with public interest and use, and for other purposes, reported it with amendments and submitted a report (No. 815) thereon.

Mr. KENYON, from the Committee on Appropriations, to which was referred the joint resolution (S. J. Res. 260) appropriating $500,000 to convey cereals for the relief of China, reported it with amendments.

SUSPENSION OF NAVAL BUILDING PROGRAM.

Mr. KING. I submit a minority report (Rept. No. 766, pt. 2) in relation to the suspension of the naval building program for a period of six months and ask that it be printed with the majority report.

The VICE PRESIDENT. Without objection, it will be so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SUTHERLAND:

A bill (S. 5035) authorizing the Director of the Census to collect and publish statistics of the production, consumption, and stocks of animal and vegetable fats and oils in addition to those now being collected and published on cotton seed and cottonseed products, authorized by the act of August 7, 1916; to the Committee on the Census.

By Mr. TOWNSEND:

A bill (S. 5036) to transfer officers of the Coast Guard to the regular line of the Navy (with accompanying papers); to the Committee on Naval Affairs.

By Mr. PHELAN:

A joint resolution (S. J. Res. 262) authorizing the preservation of noteworthy motion-picture films and graphophone, phonograph, and talking-machine records; to the Committee on Education and Labor.

AMENDMENTS TO ARMY APPROPRIATION BILL.

Mr. CHAMBERLAIN submitted an amendment proposing to authorize the issuance of the distinguished service cross or medal to certain officers in certain contingencies, intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and be printed.

Mr. ROBINSON submitted an amendment providing that payments heretofore made by disbursing officers of the United States to the Lonoke (Ark.) Chamber of Commerce, under and pursuant to a lease dated March 20, 1919, providing for the use and occupation by the United States of certain lands near Lonoke, Ark., for aeronautical purposes and for an increased rental from January 1, 1919, be ratified and confirmed, intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and be printed.

SALE OF SHIPS.

Mr. KING submitted the following resolution (S. Res. 461), which was referred to the Committee on Commerce:

Whereas the merchant marine act of 1920 directs that the United States Shipping Board shall sell the vessels belonging to the Government to establish a privately owned permanent American merchant marine; and

Whereas it is claimed that the said Shipping Board intends allocating ships to various corporations which now have a large number of ships under their control and upon a basis which would prove unprofitable to the Government of the United States and to the Shipping Board; and

Whereas, on February 21, 1921, a hearing was held by said board for the reallocation of certain ships to corporations which own and control a large number of ships, and it is claimed that said corporations, appearing at said hearing, stated that they expected to operate these ships which they sought to have reallocated to them at a loss to the Government; and

Whereas it is claimed that at said hearing and prior thereto application had been made by other persons and corporations for the purchase of a portion of said ships, the reallocation of which was sought at said hearing on said February 21, 1921, and that by the terms submitted by said proposed purchasers it is claimed the Government and the board would have received a considerable sum of money immediately and that the sale of such ships would have been profitable to the Government and advantageous to the public; and

Whereas it is alleged that the sales division of said Shipping Board recommended that a sale of at least five of said vessels so sought to be reallocated be made to said parties who sought to purchase the same; and

Whereas said board has not acted upon said application to purchase, and it is claimed that said board intends to reallocate said ships upon a basis which will result in loss to the Shipping Board and to the United States: Therefore be it

Resolved, That said Shipping Board be directed to immediately inform the Senate of all matters hereinbefore set forth, and particularly to inform the Senate whether it intends to reallocate said ships, and whether in so doing the Government and the Shipping Board would sustain an annual loss; and also whether a bona fide offer for the purchase of said ships, or any of them, was submitted, the reason for its rejection, if said offer has been rejected, and also what the policy of the Shipping Board is with respect to the sale of ships when suitable offers are made by private corporations or individuals to purchase the same.

COLD-STORAGE FOODS.

Mr. GRONNA. I ask the Chair to lay before the Senate the action of the House of Representatives on House bill 9521.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GRONNA. I move that the Senate accede to the request of the House of Representatives for a further conference and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GRONNA, Mr. MCNARY, and Mr. SMITH of South Carolina conferees on the part of the Senate at the further conference.

PENSIONS AND INCREASE OF PENSIONS—CONFERENCE REPORTS.

Mr. MCCUMBER. I ask the Chair to lay before the Senate the conference reports on the pension bills previously submitted by me and which were ordered to lie on the table.

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on House bill 11554, which will be read.

The reading clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 12, 14, 16, 39, 66, 67, 71, 76, 80, 85, 87, 91, 96, 97, 101, 111, 140, 151, 152, 156, 172, 192, 194, 196, and 197.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 81, 83, 84, 86, 88, 89, 90, 92, 93, 94, 95, 98, 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 195, and 198, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Emma R. Foster, widow of Benjamin Foster, late of Company I, Eighteenth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Charles H. Heimlich, alias Charles H. Henderson, late of Company E, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of May A. Sanders, widow of William J. Sanders, late of Company F, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of the said William J. Sanders until they reach the age of 16 years."

And the Senate agree to the same.

P. J. MCCUMBER,
REED SMOOT,
Managers on the part of the Senate.
SAM R. SELLS,
EDGAR R. KIESS,
Managers on the part of the House.

The report was agreed to.

The reading clerk read the following conference report previously submitted by Mr. MCCUMBER:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 8, 12, 16, 18, 19, 26, 28, 29, 30, 42, 43, 48, 67, and 73.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 7, 9, 10, 11, 13, 14, 15, 17, 20, 21, 22, 23, 24, 25, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41,

44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 69, 70, 71, 72, and 74, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Sophie Reimuller, widow of George Reimuller, late of Company C, Forty-seventh Regiment New York Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of the said George Reimuller until he reaches the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant of Company A, First Regiment Oklahoma Infantry, National Guard, border defense, and pay her a pension at the rate of $17 per month and $2 per month additional on account of each of the minor children of the said Ernest S. Roach until they reach the age of 16 years."

And the Senate agree to the same.

P. J. McCUMBER,
REED SMOOT,
Managers on the part of the Senate.
SAM R. SELLS,
EDGAR R. KIESS,
Managers on the part of the House.

The report was agreed to.

The reading clerk read the following conference report, previously submitted by Mr. McCUMBER:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 22, 28, 30, 34, 35, 40, 50, 55, 57, 61, 66, 79, 83, 85, 92, 98, 99, 102, 106, 112, 113, 127, 130, 142, and 148.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 26, 27, 29, 31, 32, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 56, 58, 59, 60, 62, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 80, 81, 82, 84, 86, 87, 88, 89, 90, 91, 93, 95, 96, 97, 100, 101, 103, 104, 105, 107, 108, 109, 110, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 132, 133, 134, 135, 136, 137, 139, 140, 141, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, and 161, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Jasson Adkins, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Martha E. Waldsmith, widow of William A. Waldsmith, late of Twenty-first Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said William A. Waldsmith until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Ethel A. Kane, widow of William M. Kane, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of said William M. Kane until she reaches the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Fanny Weill, widow of Julius Weill, late of Battery M, Fifth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Julius Weill until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Susan J. Purcell, widow of John J. Purcell, late of Company F, Twenty-first Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said John J. Purcell until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Katherine G. Manning, widow of Michael Manning, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Michael Manning until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Sarah J. Holley, widow of Charles W. Holley, late of Tenth Company, United States Coast Artillery, and Company M, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles W. Holley until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Alice F. Travis, widow of Charles T. Travis, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles T. Travis until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Christine E. Geiger, widow of Austin Geiger, late of the Fortieth and Eighty-fifth Companies, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Austin Geiger, until she reaches the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Mary Michel, widow of John N. Michel, late of Company A, Twelfth United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said John N. Michel, until she reaches the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Anna M. Neill, widow of Jesse A. Neill, late of Company E, Eleventh Regiment, United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Jesse A. Neill until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Bridget Reynolds, widow of James C. Reynolds, late of Company F, Thirty-fifth Regiment, Michigan Infantry,

and Company H, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said James C. Reynolds, until they reach the age of 16 years."

And the Senate agree to the same.

P. J. McCUMBER,
REED SMOOT,
Managers on the part of the Senate.
SAM R. SELLS,
EDGAR R. KIESS,
Managers on the part of the House.

The report was agreed to.

The reading clerk read the following conference report previously submitttd by Mr. McCUMBER:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 12, 21, 22, 34, 53, 64, 66, 91, 94, 104, and 107.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 108, 109, 110, and 111, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Islay T. Pittman, widow of George L. Pittman, late first lieutenant, Second Regiment North Carolina National Guard Infantry, border defense, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the minor children of said George L. Pittman until they reach the age of 16 years."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Mary Furfey, widow of Edward A. Furfey, late Battery I, Seventh Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Edward A. Furfey until they reach the age of 16 years."

And the Senate agree to the same.

P. J. McCUMBER,
REED SMOOT,
Managers on the part of the Senate.
SAM R. SELLS,
EDGAR R. KIESS,
Managers on the part of the House.

The report was agreed to.

RELIEF OF DISTRESS ABROAD.

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and with accompanying papers referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

To the Senate:

In further reference to Senate resolution No. 416 I transmit a report by the Secretary of State, inclosing additional information on the subject of "actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies," as contained in copies of dispatches from the American minister at Belgrade and the American commissioner at Berlin, dated January 18 and January 26, respectively.

WOODROW WILSON.

THE WHITE HOUSE,
24 February, 1921.

DEPARTMENT OF STATE,
Washington, February 17, 1921.

The PRESIDENT,
The White House:

In further reference to Senate resolution No. 416, requesting the Secretary of State "to obtain at once, through the consular or other representatives of the United States in foreign lands, accurate information as to the actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies and transmit the same to the Senate at the earliest possible moment," the undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate if the President approve thereof, additional information concerning this matter as contained in dispatches from the American minister at Belgrade and the American commissioner at Berlin, dated January 18 and January 26, respectively.

Respectfully submitted.

BAINBRIDGE COLBY.

Inclosures: Two as above.

(Dispatch No. 695.)

BELGRADE, *January 18, 1921.*

The honorable the SECRETARY OF STATE,
Washington.

SIR: Your circular telegram of January 7, 7 p. m., received through the embassy in Paris on the 9th instant, instructed me to forward by dispatch a statement regarding conditions in the country where I am stationed, regarding what legitimate calls might be made on charity, regarding the efficiency and economy of the administration in this country of funds being received from the United States, and regarding the steps being taken by the Government and local organizations to meet the need. On the 15th instant I received a further telegram from the embassy at Paris stating that the department now instructed me to telegraph immediately a summary of the relief situation and of the needs. On the 17th instant I accordingly telegraphed the department (telegram No. 5, of January 17, 3 p. m.) giving such a summary. I now avail of the courier to send to the department a somewhat fuller report on these subjects. I confine my reply to Serbia and Montenegro, as I understand the department's inquiry to refer to these portions of Jugoslavia which have especially suffered during the war and as American relief has practically been limited to them.

CONDITIONS IN SERBIA.

It is generally admitted that conditions in Serbia have greatly improved during the two years which have followed the armistice. As usually happens in a primitive agricultural country, two years of good crops have to a great extent set the country on its feet again. There is still shortage and want in certain remote districts, but this is owing to the still extremely defective means of transportation. There is no longer any need for general relief measures.

While this is undoubtedly so, the frightful destruction of human life and of national wealth occasioned by the war has left burdens which have by no means been provided for and which require greater resources to provide for them, except after a number of years, than Serbia possesses. These burdens are of many kinds, but the most important and urgent of them are (1) the care of the war orphans; (2) the repair and equipment of schools; and (3) the repair, equipment, and maintenance of hospitals and dispensaries.

CONDITIONS IN MONTENEGRO.

My information as to conditions in Montenegro is less detailed, but, judging from a number of reports, conditions there show the need for the same specific relief as in Serbia, and also a general shortage of food. Montenegro has never been self-supporting, and added to the usual shortage there is now a still greater one because of the poor crops of the last two years. The Jugo-Slav Government is, however, making efforts to supply this general food shortage and has already accomplished a good deal. Whether it will be able to supply Montenegro adequately is chiefly a question of administration and transportation, as ample supplies of foodstuffs exist in Jugoslavia.

WAR ORPHANS.

Official statistics of the Jugoslavia department of child welfare, which, although probably not very accurate, are the best obtainable, give the total number of war orphans in Serbia and Montenegro as 200,000, classified as follows:

Ninety-five thousand living with relatives.

Forty thousand living with families, the Government contributing to their support.

Ten thousand living in institutions either established by foreign relief missions or by Serbian private initiative; many of these institutions are now closing for want of funds.

Five thousand living in families who receive compensation for their support from the American Commission to Serbia of the Serbian Child Welfare Association of America.

Fifty thousand as yet wholly unprovided for, most of whom have been taken in by very poor peasants. These peasant families are generally too poor to support the children adequately. In most of them the children perform such tasks as they can for their living, thus being unable to attend a school, and live in extreme poverty and neglect.

I am, of course, unable to vouch for the accuracy of this classification, and some well-informed persons with whom I have talked consider that the estimate of 50,000 unprovided orphans is too high. Dr. R. R. Reeder, the director here of the Serbian Child Welfare Association, I understand, considers this classification to be fairly correct. The Jugo-Slav Government is now undertaking a more accurate census of the orphans, which will also give considerable detail regarding their condition. What in any case is certain is that there are many thousands of war orphans in extreme poverty and living in conditions very detrimental to their health and future usefulness.

SCHOOLS.

A very large number, probably practically all the schools of Serbia and Montenegro, suffered more or less during the war. A large number of the buildings were totally destroyed or seriously damaged and probably an equally large number were completely stripped of their furniture and equipment. During the last two years much has been done to repair and reequip these schools, but much still remains to be done. The preliminary survey recently made by the ministry of public instruction states that there are still 130 schools in Serbia entirely unequipped. This figure is probably too low and leaves out of account a considerable number of schools in Montenegro. The ministry of commerce and industry reports that there are 95 trade schools whose normal number of students is 3,805, whose work is wholly or partially stopped through lack of equipment. The ministry of agriculture reports that of the 14 agricultural schools in Serbia, several (number not given) are unable to resume work for want of equipment and repairs.

In this connection it should be remembered that even before the war schools in Serbia and Montenegro were far too few for the population and that the percentage of illiteracy was high.

HOSPITALS AND DISPENSARIES.

I have been unable to obtain figures as to the destruction of hospitals and dispensaries in Serbia and Montenegro during the war. Such destruction has, however, undoubtedly been great, and a large number have not yet been replaced in operating condition. A number of districts, containing many thousand inhabitants, are without a single hospital or dispensary. This situation, however, existed, though to a less extent, before the war, as Serbia was then also very short of hospitals and dispensaries. There is also a shortage of physicians, nurses, and medicines. Serbia had too few physicians before the war, and it is generally estimated that nearly one-half of them died or were killed during the war. Trained nurses were unknown in Serbia before the war, and even now there are practically no really trained Serbian nurses.

ADMINISTRATION OF FUNDS RECEIVED FROM THE UNITED STATES.

As stated in my telegram No. 5, my duties in Belgrade have made it impossible for me to see much of the actual administration and expenditure of the funds sent from the United States, the bulk of which are expended in central and southern Serbia and in Montenegro, where the needs are greatest. The American consuls at Belgrade and Zagreb, the only consuls in Jugoslavia, are similarly situated in this respect. Nevertheless, through conversations with members of charitable societies I have been able to follow their work to a considerable extent, and I have also had the advantage of numerous conversations with disinterested persons, both Americans and Serbs, concerning their activities. From these conversations I have gained the impression that present administration of the funds received from the United States is as a whole efficient and economical. The problem of conducting relief for orphans, schools, and hospitals on so large a scale and under such conditions as are found here is an extremely difficult one and one requiring experience, which was lacking at first, not only for foreigners but even for the Serbs themselves. Efforts have been made to determine the best methods for relief, and as a result of these and of the experience gained great improvements in efficiency have resulted.

As of probable interest in this connection, I may give here a brief statement regarding the activities of the various organizations working with funds received from the United States. These organizations are the following:

Serbian Child Welfare Association of America: This organization is now the largest private relief organization in Serbia. It began by establishing an orphanage, but has now given up the policy of placing orphans in institutions in favor of placing them in private families, who receive 50 dinars per child per month on condition that the children are sent to school. Children pensioned in families are registered through the regular Government child welfare committees, through which also the pensions are paid. The registration and payments are, however, supervised by the organization. The organization is also repairing and equipping schools wherever it is necessary, so that registered children can go to school. It is also establishing child-welfare centers for groups of from 300 to 500 children, which look after their health. Each center has two nurses—one for the dispensary or center and one for visiting—with two or three Serbian apprentices. Every four centers are grouped together into a unit, to each of which a physician and dentist are attached, who give one-fourth of their time to each center. In all its work the Child Welfare Association has adopted the principle of cooperating with the Government in such a way that eventually the association can gradually withdraw and leave its work wholly in Serbian control. The director of the association, Dr. R. R. Reeder, has created a committee, including representatives of the interested Government departments and leading Serbian health and social welfare organizations to advise him. Similar committees have been formed at all the centers to assist in their operation.

In addition the association is planning to reequip agricultural and trade schools and to found a training school for nurses.

American Women's Hospitals: Maintains a hospital of 40 beds and a children's hospital of 150 beds at Veles; another hospital of 50 beds at Prishtina, a further hospital of 40 beds at Prilep, and dispensaries at Prishtina, Podeavo, Gilane, and Ferisovic. Its director is Dr. Etta Gray.

Serbian Aid Fund: This society aids by small monthly grants some 2,400 children, including the children of officers, State officials, 400 children of the laboring class, and the children under 15 years of the priests who were killed during the war. The money is administered by the Serbian society, known as the Society of Serbian Sisters (Serpski Kola Sestra), which distributes the money through its local chapters or the local child-welfare committees of the Government. Its director is Mrs. Slavko Grouitch.

Serbian American Children's Orphanage: Maintains an orphanage for 150 children at Kamenitza, near Novi Sad. Its president is Mr. John W. Frothingham, and its director in Serbia is Mrs. Darinka Grouitch.

American Red Cross: Maintains an orphanage for 150 children at Podgoritza and an orphanage and trade school for 150 children at Danilograd, both in Montenegro. The representative of the Red Cross in Montenegro, Capt. Whiting, is cooperating with the child-welfare department of the Government in feeding 1,100 children in Montenegro, 5,000 in Herzegovina, and 7,000 in Dalmatia.

Methodist Episcopal Church, European relief: Is contributing about $500 a month to the support of the Anglo-Serb Hospital in Belgrade and has just purchased for £2,000 a building at Novi Sad for a trade school. The director for Europe is Bishop Edgar Blake, and the representative in Serbia is the Rev. Samuel W. Irwin.

The American Friends' Service Committee, Serbian section: Is maintaining a hospital of 40 beds at Petsch, has constructed about 110 small houses for refugees, and has given exhibitions in model farming. The representative in Serbia is Mr. Andrew R. Pearson. It is understood that this mission will soon retire.

The Serbian and American Hospital and Relief Association: The object of this society is said to be to assist the children of the district of Stepojevatz, to extend agricultural work there, and establish a hospital and carry on instruction along public-health lines. The president of the association is the Rev. C. S. Knight. Field directors are Mr. and Mrs. Paul Yeftich. The latter is in the United States, and the former is at Stepojevatz. I am informed that this association has as yet not begun any activities.

STEPS BEING TAKEN BY THE GOVERNMENT OR LOCAL ORGANIZATIONS.

As stated in my telegram, the Jugo-Slav Government is probably doing about as much as it can at present to meet the needs. It should be borne in mind that the Government is confronted with many great problems of State organization resulting from the union of Serbia with the Jugo-Slav Provinces of the former Austro-Hungarian monarchy and with Montenegro. At the same time great calls upon its resources are being made

for many other than charitable or educational objects. Among these may be mentioned the railroads and roads which will have practically to be rebuilt. Moreover, all these problems and expenses are thrust upon the Government at a time when the country has only partly recovered from the physical and financial exhaustion of seven years of war.

The Government has created for the especial care of children the child welfare department, which is attached to the ministry of social reform. Very considerable grants of funds have been made to this department, which has committees and inspectors throughout Serbia. This department, as above stated, is, among other matters, already contributing to the support of 40,000 orphans. American workers with whom I have talked speak favorably of the zeal of many members of the child welfare department. The Government has also repaired and reequipped a large number of schools, hospitals, and dispensaries.

Regarding private local organizations, there are a number of such which have grown up all over the country. Among them may be mentioned the Serbian Red Cross, which, however, confines itself to military relief, and the Society of Serbian Sisters, above mentioned, which already existed before the war and which has now largely extended its work. Such private organizations are, however, comparatively new in Serbia and without much experience. They have gained considerable experience from associating with foreign missions, but they can not as yet be said to fill the same large place in charity work as similar societies do in less primitive countries.

Undoubtedly in time the Government would be able fully to care for all the needs of the country without foreign help, but these needs are so extensive that in its present situation the Government would not be able to care for them fully at present or for some time to come. Meanwhile, unless outside help is given, irreparable injury will result to thousands of children and sick persons whose needs are immediate and can not be postponed. The means at the Government's disposal are undoubtedly increasing, and it should accordingly also be able to increase its activity for relief progressively and in the near future considerably.

I have the honor to be, sir,
Your obedient servant,

H. PERCIVAL DODGE,
American Minister.

(File No. 848/Quin.)

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(No. 836.)

AMERICAN COMMISSION,
Berlin, January 26, 1921.

The honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: In compliance with the department's unnumbered circular telegraphic instructions of January 7, 1921, I have the honor to give below information regarding conditions in Germany, a brief report on the American organizations now operating in Germany, and particulars as to German efforts for alleviating distress.

Actual living conditions, as demonstrated by a comparison of income and expense, are shown by figures given in Annex "B," which have been prepared for me by one of the largest private relief organizations in Berlin. These figures I have also checked up with the monthly bulletin of statistics for Berlin, prepared by Dr. Silbergleit, which gives the cost of food supplies necessary for the sustaining of life—in other words, based on the usually accepted norm of 3,000 calories.

That the whole population of Germany is still suffering greatly from undernourishment due, principally, to the effect of the blockade as well as the present financial situation can not be questioned. This fact, however, is best proved by the following statistics on the death rate, indicating particularly the resisting power of the individual.

Up to October 1, 1920 (later statistics are not yet available), in 375 German towns with a population of 15,000 or more, totaling 27,700,108 inhabitants, the maximum number of deaths occurred in the month of February, totaling 47,738. Of these 15 per cent were children under one year of age, 9 per cent were tubercular cases, and 35 per cent due to various lung troubles. The births in this month amounted to 51,822, of which 1,988 were stillborn. The minimum number of deaths occurred in the month of September, totaling 25,903, of which 22 per cent were children under one year of age, 11 per cent tubercular cases, and 8 per cent from various lung diseases. The births in this month totaled 46,273, of which 1,562 were stillborn. This latter figure represents also the minimum number of births in any one month up to October 1. The maximum number of births occurred in the month of March, totaling 55,692, of which 1,985 were stillborn. The deaths in this month reached the figure of 46,885.

I must point out early in this report that all statistics are not only difficult to obtain, due to disorganization following the revolution, as well as shortage of funds for preparing compilations, but also lack certain comparative value until analyzed and revised. For example, the population of Germany decreased during the war from 67,000,000 to 60,000,000 (the loss of the districts of Alsace-Lorraine and Posen must be taken into consideration), the hardships of the war affected particularly the old people and the young children, all of which facts particularly change the interpretation of statistics. Again, tuberculosis mortality figures show a decrease over those of 1917 and 1918 (the high point), while actually the extent of the disease is increasing. According to experts, this is due to the fact that only deaths are recorded, and the weaker citizens died off during the most difficult years of the war. No system exists in Germany to-day for officially recording the number of those afflicted with the disease.

Undernourishment is playing a large part in the spread of disease, particularly tuberculosis and rickets among the smaller children. It is reported from Berlin that in 1920 one-third of all children entering the orphan asylums were tubercular, as against one-twelfth before the war. Other figures show a 67 per cent increase of deaths from tuberculosis in Prussia between 1913 and 1918. In Prussian cities alone it reached 72.6 per cent.

Another contributing condition to be considered is the congestion in the large cities and shortage of dwellings. Before the war it was figured that there was a yearly increase in the population of Germany of 800,000, thus necessitating the yearly construction of 200,000 dwellings. As in other countries during the war, little or no building was done in Germany, and in 1919 only 30,000 houses were built. In the city of Berlin alone there are 100,000 families without homes, 22,000 of which are urgent cases requiring immediate relief. Steps have been taken by the authorities to meet this situation, but during the year it has only been possible to build 10,000 additional dwellings, many of which are of only a temporary character. It must be realized that building costs are estimated as having increased fourteenfold. For instance, where before the war there were 18,000 brickyards in operation, there are now but 300. This is due largely to the high cost of coal as well as that of labor. While there is a general movement of people throughout the world to the large centers, Germany has particularly suffered in this respect through enormous emigration from the east and also from the west, where many German families have left Alsace-Lorraine and come to other parts of Germany. It can be safely said that this congested condition plays also a large part in the alarming spread of tuberculosis. I have seen several families crowded into small quarters where oftentimes parents and children are forced to sleep together in the same bed. Furthermore, cases have been reported to me of such shortage of beds that mothers have been forced to give birth to children in the same bed in which their other children were also lying. Before the war such conditions were almost unheard of in Germany.

I can safely say that the most serious condition exists among the children who are suffering not only from lack of proper clothing, but principally from a shortage of milk and proper foodstuffs. The coming generation is truly threatened. From figures prepared by the Quaker Mission, now feeding children throughout Germany, it is shown that the maximum milk ration distributed through official sources in Munich is as follows:

Liters per day:

Age:	
0–2 years	1½
2–6 years and nursing and expectant mothers, on an average	⅛

The minimum ration in Elberfeld is as follows:

Liters per day:

Age:	
0–2 years	½
2–6 years	¼
Nursing and expectant mothers	½

In this city the schedule calls for a distribution of 9,000 liters, of which only 7,500 liters are available.

In an average of 131 cities with a total population of 13,350,000, of which 440,000 were children up to 2 years of age and 565,000 children from 2 to 6 years of age, the following quantities of milk were distributed:

Liters per day:

Age:	
0–2 years	1
2–4 years	½
4–6 years	¼
Nursing and expectant mothers	½

In 500 cities of 10,000 or more inhabitants, the following percentage of the scheduled milk ration was reached:

Seven cities, 80 per cent.
Seventy cities from 50 to 80 per cent.
Thirty-eight cities from 30 to 50 per cent.
Thirteen cities less than 30 per cent.

Of 193,692 sick people in the city of Berlin, 188,244 were allotted no milk at all. In explanation of this great shortage, it may be added that there are no doubt many cases included in these figures of unscrupulous people, who have claimed sickness in order to obtain a small supply of fresh milk. This lack of milk in Germany can be attributed not only to fewer milk cows but also to lower productivity of these cows. For example, figures show that in 1913, 2,700 liters per cow per year were produced as against 1,100 liters per cow per year in 1919. Shortage of fodder has contributed materially to this result. Furthermore hoof-and-mouth disease is raging throughout Germany at the present time, 99,272 head of cattle being reported as infected on December 30, 1920, of which 9,833 were recently reported as new cases.

The German Government is taking all possible steps to meet this milk shortage, but the lack of purchasing power of the mark prohibits the necessary importation of both condensed and fresh milk and fodder from abroad. However, from January 1, 1920, to November 1, 1920, the following quantities of milk were imported into Germany:

	Liters.
Fresh milk	12,251,749
Condensed, evaporated, and powdered milk (about)	97,000,000
Additional through philanthropic organizations (about)	16,000,000

These figures represent an average increase over the importation of condensed milks in 1913 of 361,000 liters of milk daily, of which figure 50,800 liters come from philanthropic sources.

Naturally, the basis of these conditions described above is that of economic and financial difficulties. With the decrease in the purchasing value of the mark, the purchase of raw materials for importation for German factories has become extremely difficult, if not in many cases impossible. The coal deliveries set under the Spa agreement of July have necessitated considerable reduction in manufacture and transportation. The great decrease in domestic demand due to high prices and the lack of markets, especially Russia, has greatly crippled manufacturing industries. All of this has contributed to an increase in unemployment, figures for which, including the total payments made by the German Government, were on December 15, 1920, as follows:

Men	290,911
Women	74,396
Total	365,307
Dependents	380,384
	Marks.
Total payments made from December 1–15, 1920	49,540,420

The maximum number out of employ of men and women during 1920 was:

January 15	men	347,783
August 1	women	109,017

and the minimum was:

January 1	men	209,930
May 15	women	59,983

In cities of 200,000 population or over, on December 15, the number of unemployed per 1,000 was as follows:

Greater Berlin	24.6
Neukoeln	39.0
Berlin	27.0
Leipzig	22.2
Hamburg	20.3
Koenigsberg	22.3
Dresden	17.5
Munich	16.2
Chemnitz	15.6

Only the first seven on the list are given, and it is interesting to note that in the coal regions of Dortmund, Essen, and Dusseldorf, the figures run, respectively, but 0.1, 0.4, and 2.8. It is from this district that most of the coal is being delivered to the Allies under the Spa agreement.

In quoting figures on unemployment it must be pointed out that to meet the situation the Government has taken on many more employees than are actually needed, many industries have done the same, or are working several short shifts in order to keep men employed and others are finding it cheaper to pay their men than attempt to manufacture at present cost prices. Even so, the figures for December 15, given above, indicated 0.06 per cent of the total population of Germany actually out of employment, and including their families and dependents, 1.24 per cent of the population are affected thereby.

I have had many people passing through Germany ask why it is that Germany's agriculture is not meeting the needs of the country more successfully. According to Prof. Warmbold, German agriculture before the war furnished (deducting the food produced by the aid of imported fertilizers and feeds) about 90 per cent of her vegetable foods, 67 per cent of her meats and fats, 50 per cent of her milk and dairy products, and 70 per cent of her poultry. In other words, about one-sixth of the population depended on foreign countries for food.

First, it must be remembered that under the peace treaty, Germany lost 25 per cent of her former grain crops, from 10 to 12 per cent of cattle raised, 14.9 per cent of the total farm lands as against but 7.5 per cent of her population. Although the blockade during the war brought about more intensive cultivation of agricultural lands, the impossibility of importing necessary fertilizing phosphates and nitrates caused the productive character of the lands to decrease. Figures show the following decline in agricultural productivity from 1913 to 1919:

1913:		
Grains	million tons	30.7
Potatoes	do	50.0
Raw sugar	do	2.7
1919:		
Grains	do	15.1
Potatoes	do	20.0
Raw sugar	tons	700,000

While it can rightfully be said that since the armistice there should have been sufficient opportunity to bring in the necessary fertilizing materials, it must again be remarked that the purchasing power of the German mark is so low that such importations are practically prohibited.

To the conditions described above a line on the general demoralization of the people should be added. First, one sees a decline in physical vigor due to the hardships and lack of nourishment during the war. It has been estimated that human efficiency has declined at least 30 per cent. Second, the youth of Germany has markedly deteriorated, due to lack of home discipline during the war. Petty thefts are rife, committed particularly by juvenile offenders. The chief of police of the city of Berlin recently made the statement to a member of my staff that unless a reported theft was over 200,000 marks it was impossible for his office to take up the matter, as they had so much more work than they could possibly accomplish. Third, the revolution removed the former head of the German machine, and the result has been that the machine has only been carrying on through its own inertia, without efficient central direction, and the former famous organization has gradually been crumbling and becoming ineffective. This is evidenced by the willingness on the part of officials of all classes to accept bribes, and by the thefts of baggage in railway trains, hotels, etc. To the German who took such pride in his former efficiency and honesty this has a most disheartening effect. Fourth, the desperate financial and economic situation, the uncertainty of the reparations to be demanded under the Versailles treaty, all of which result in a constant fluctuation of exchange with the consequent difficulty of making and maintaining contracts and purchasing raw materials in foreign countries. In explanation of this last point, I am attaching hereto (Annex "A") four examples of the burden of taxation to be borne by German citizens, and am giving the following brief statement of the financial situation of the country:

On December 1, 1920, the total debt of the Commonwealth was estimated at 233,000,000,000 marks. In this fiscal year the estimated income (37,700,000,000 marks) was calculated to cover the ordinary expenses. The extraordinary expenses (39,000,000,000 marks) was left uncovered. The income for the first seven months of the year falls short of the estimated income by 8,600,000,000 marks for the entire fiscal year. The shortage of 8,600,000,000 marks is already included in the 233,000,000,000 marks mentioned above. Therefore we must add to this amount the uncovered extraordinary expenses of 39,000,000,000 marks and the sum of 7,500,000,000 marks representing the deficit on the estimate from November 1 to March 31, or a total of 35,500,000,000 marks. The total debt therefore at the end of this fiscal year, exclusive of indemnity and expenses of troops of occupation will be approximately 279,500,000,000 marks.

On December 31 the total note circulation of commonwealth bank notes and loan bank notes amounted to 80,838,300,000 marks, as against on December 31, 1919, 49,279,600,000 marks and in June, 1914, 2,500,000,000 marks. Thus the amount of paper money in circulation during 1920 showed an increase of over 60 per cent. In addition to the above notes are 313,000,000 marks of Reichskasse notes and 200,000,000 marks notes issued by individual banks, such as the Bavarian, Saxon, and so forth. Therefore the total amount of paper money in existence—in circulation and held in the Reichsbank reserve—at the close of the year 1920 was approximately 105,000,000,000 marks. In

December, 1920, the reserve of precious metals held by the Reichsbank equaled but 1,097,409,000 marks.

The most important of the American relief organizations operating in Germany is the American Friends' Service Committee, or better known as the Quaker Mission for Child Feeding, working in conjunction with the American Relief Administration European Child Feeding Fund. This committee is feeding to-day in Germany over 600,000 children daily and 30,000 nursing and expectant mothers. Of these children those between the ages of 6 and 15 years are selected from schools and those under 6 years of age from institutions and day nurseries. The means of selection for feeding is through a medical test, standardized as nearly as possible by a central committee of leading child specialists of Germany, meeting regularly for this purpose, this test being applied by the local city or school doctor. It consists roughly of measuring the height and weight of the child and determining the general condition of the fat layers on the body. The following four general class have been drawn up:

Class 1. Normal children.
Class 2. Slightly undernourished.
Class 3. Badly undernourished.
Class 4. Dangerously undernourished.

Only the children in classes 3 and 4 are fed, and in most districts sufficient food is provided to entirely cover the children in class 4 and in many districts class 3 as well. In some districts the need is completely covered. The period of feeding is limited to three months, at the end of which time the children are reexamined and reclassified. The feeding consists of one daily ration averaging 667 calories. This ration is given as a supplementary meal, and supposed to be one-third of the normal 2,000 calory ration for children. The Quaker work is now so organized as to cover all cities of 10,000 inhabitants and over and a few rural districts, such as the industrial districts of the Ruhr and Saxony. Otherwise small towns and agricultural districts are not included.

Besides the child-feeding work the Quakers are giving one meal a day of 800 calories to 30,000 nursing and expectant mothers. This feeding begins three months before confinement, and is continued as long during the nursing period as the doctor in attendance believes necessary.

I realize that this is but a brief sketch of an enormous task, and I can not speak too highly of the quiet, tactful, and efficient manner in which the representatives of the American Friend' Service Committee have carried on their work during the past year in Germany. I hear nothing but praise from officials of the German Government as well as from the various German societies cooperating or assisting the Quakers in their work, and I believe that there is no doubt but that this feeding of German children has had far-reaching effect in preventing a further spread of radicalism, particularly among the working classes and unemployed.

The next American effort of importance is that of the American Relief Administration Warehouses with headquarters in Hamburg and delivery stations in Berlin, Dresden, Frankfurt-on-Main, Munich, Stuttgart, and Leipzig. A station will also be opened shortly at Breslau. The details of this package distribution system are no doubt already known to the department, but it is of interest to give here a few general figures regarding the work accomplished by this organization since its beginning in January, 1920. Up to December 16, 1920, $1,679,850 worth of drafts had been sold for Germany. These drafts are divided among the four categories of packages, as follows:

$10, "A"	89,881
$50, "B"	13,130
$10, "C"	9,866
$50, "D"	1,020

In the month of December in Berlin alone the following number of packages were delivered:

"A"	1,693
"B"	161
"C"	268
"D"	6

It is interesting to note that while the German American Relief Association Warehouses now stand only second to Vienna in size, at first considerable difficulty was experienced in getting this scheme started in Germany. This was due particularly to the pride of the German people and a certain reluctance to ask for assistance from friends in America, as well as hesitation in making a general appeal in the United States for fear of possible rebuff. This hesitancy has now been successfully overcome and, besides the personal drafts, the warehouses here are receiving so-called "general-distribution" drafts as well. These drafts come from individual organizations in America, without specification of a particular beneficiary, distribution being left to the discretion of the American Relief Association representatives in Germany. In such cases the German Red Cross is generally asked to suggest beneficiaries, such as needy orphan asylums, etc. It is interesting furthermore to note that many drafts are purchased by casual travelers in Germany who have become so impressed with the general need that they wish to contribute in some way. The case was quoted of one gentleman in particular who had bought well over 100 food drafts in this way.

The American Red Cross, while maintaining an office in Berlin, is doing no relief work in Germany at the present time. The office here is purely one for transmission of mail and telegrams to the Red Cross units working farther to the east.

The American Young Men's Christian Association, while having a considerable staff in Germany, is devoting its efforts entirely to assisting the Russians confined in the prison camps of Germany and cooperating with other organizations in the general relief of prisoners being exchanged by the bolshevist and German Governments. No direct relief of the German civilian population is undertaken by this organization.

Another American activity that has shown considerable development recently is that of the feeding of university students. This work was originally organized by the British Quakers, who contributed most of the funds, but who are now being assisted by the American Quakers. At the present time 16,000 students in 31 universities and technical high schools (technische hoehschulen) throughout Germany are being helped to obtain one good meal daily. This help consists of giving to the messrooms of the universities raw food to the value of 1.50 marks per day per student, this food to increase the value of the meal already being given. The great need of these university students has not received the publicity that has been given to the condition of the children in Germany, but as many of these students are sons of the middle and professional classes, who are, perhaps, suffering most under present conditions, it goes without saying that they have but scant means with which to pursue their education. Many are existing on as little as 200 marks a month or less, out of which sum must come expenses for food, clothing, academic fees, etc.

The work now being conducted by the British and American Quakers is to be turned over some time in March to the World's Student Christian Federation, an organization formed in 1894, representing 42 countries and having headquarters in Switzerland. At a meeting of this federation in August, 1920, at which all countries were represented, it was voted to undertake the relief of students, and to raise a tentative budget of $1,000,000 for this purpose. The American representatives of the federation pledged themselves to $800,000, and, as I understand, have joined in the relief campaign now being conducted in the United States under the direction of Mr. Hoover. Through agreement, they are to make use of the Hoover stores and organizations in Europe and to take over any student feeding that is now being conducted by such organizations. Two hundred thousand dollars worth of these stores have been guaranteed for immediate use, it being understood, however, that where these stores are used the work will be under American supervision. The effort of the federation in Germany will be to make use of existing organizations as much as possible, and the first step has been to unite the two big German associations—the student unions and the German Christian student movement.

Other large German charitable organizations are the Caritas Verband, representing the Catholic effort, the Zentral Wohlfahrtsstelle der deutschen Juden, representing the Jewish effort, and the Deutscher Hilfsbund. These organizations are receiving contributions directly, supplies simply passing through the hands of the central committee as a matter of record and in order to obtain entry free of duty.

Mention should be made of the work of the Central Committee for the Relief of Distress in Germany and Austria, headed by Dr. Lieber. This organization, working to a large extent through the American relief section of the German Red Cross, had up to October 15, 1920, sent gift packages to Germany amounting to approximately 350,000,000 marks. At the present time the contributions from this committee are passing through the hands of the Central Committee for Foreign Relief, the organization which I shall speak of later.

Other American organizations are the American Welfare Association (Charity Bazaar Association of Milwaukee), which, with a fund of approximately $2,000,000, have been distributing milk, money, etc., throughout Germany. This association does not work in conjunction with other associations and has no particular office. Die Deutsch-Amerikanische Frauenhilfe (quarterly collection) had up to May 20 distributed about 480 cases of clothing and placed $21,000 at the disposal of the German Red Cross, through which organization they are working. I understand, however, that this arrangement with the Red Cross is

not entirely satisfactory to the members of the Frauenhilfe. Other funds from America have come from the Methodist, Catholic, and Jewish associations, this relief being paid over directly to the corresponding religious organizations in Germany. From these sources gifts amounting to approximately 13,000,000 marks had been recorded in the central committee up to October 15, 1920.

A word should be added as to the part that the German Government has played not only in assisting these American philanthropic efforts, but also in attempting itself to meet the situation.

Perhaps the most satisfactory effort toward meeting the situation has been the organization of a semiofficial committee for foreign relief (Zentral Ausschuss fuer Auslands Hilfe). This body was formed in the beginning of 1920 for the purpose of coordinating foreign relief for Germany and collecting information from the various parts of Germany as to general conditions and need of relief. To this central committee belong members of most of the large charitable organizations in Germany, and there are representatives of the committee in every district throughout the country. From the Government the committee has obtained free import for all supplies passing through their hands and assurance of financial support providing current expenses are not covered by the slight charges added to the insurance and transport costs on the various goods received. Unfortunately, at the start the central committee came into conflict with the efforts of the German Red Cross, but matters have now been smoothed out, so that I consider the former the most efficient organization for the distribution of future relief supplies. A good example of their activity is shown by the recent gift of 700,000 yards of flannel cloth by the American Red Cross to the American Quakers for distribution in Germany. The Quaker organization, which works through the central committee and is also an ardent supporter of this organization, immediately placed the disposition of this flannel cloth in the hands of the central committee, and in the weekly meeting of this committee the reports of needs for clothing throughout Germany were gone over carefully and the flannel cloth distributed where the need was greatest.

By a recent agreement with the American Friends' Service Committee, the German Government contracts, beginning October 1, 1920, and lasting until June 1, 1921, to add to the child-feeding supplies flour and sugar necessary for the rationing of an average of 500,000 children. This represents approximately 45 per cent of the total feeding costs, as based on American prices. In addition to this, the German authorities pay for the unloading of the food supplies in Germany, the warehousing of these supplies, the freight charge across the interior of the country, insurance, expenses of local warehousing, transferring supplies from local warehouses to the individual kitchens, and the cooking and serving of all meals. This work, of course, is done under Quaker supervision. One-third of the cost of the first four items is paid by the national Government, one-third by the State governments, and one-third by the local city organizations. Twenty-five thousand Germans are employed in this work, of whom one-fourth are volunteers. The others are paid by the cities and local organizations. To help toward the payment of these charges, those children who can afford it pay from 25 to 40 pfennigs per meal to the various local German organizations. It is estimated that the cost per meal is approximately 35 pfennigs. No child, however, is refused food on account of inability to pay.

In the case of the American Relief Administration the German Government gives free entry of all food supplies, free transportation on all bulk shipments to the local American Relief Association delivery stations, and has modified postal regulations so as to accept the small type "A" and type "C" packages.

Among the various measures for relieving distress, perhaps the most important is the effort of the German Government to reduce the price of rationed foods. During the fiscal year 1919–20 7.75 billion marks were appropriated for this purpose, and 3,000,000,000 marks in 1920–21. This total of 10.75 billion marks is divided as follows:

[In billions.]	Marks.
Bread, flour	4.50
Meats	3.20
Fats	2.20
Local potatoes	.70
Other foodstuffs	.15
	10.75

In view of the bad harvest, it will now be necessary to make up the unexpected deficiency in bread flour with larger purchases from abroad and an additional appropriation of 7,000,000,000 marks is anticipated, thus making a total of 10,000,000,000 marks for the year 1920–21. Future developments in the exchange rates will naturally affect this expenditure.

The general laws for social betterment or assistance of the German population are as follows:

(1) Commonwealth law for the assistance of citizens: A law dating back to 1870, which provides for the care of the poor and destitute.

(2) Weekly aid: Introduced in 1919, providing assistance for nursing and expectant mothers with incomes under 4,000 marks per year. Under this law, for 10 or 12 weeks, each mother receives 1.50 marks per day, 75 pfennigs for nursing her child, and 50 marks for expenses of birth.

(3) Assistance to unemployed: A law introduced in 1918, shortly after the revolution, providing for payments to all people out of employ. The rates of payments vary in different localities.

(4) Assistance for the war maimed and war widows and orphans: A law introduced in 1920 providing for a definite monthly pension, a certain percentage of which is paid to the beneficiaries according to the merits of their case. Under this law also is a provision covering the care of health and the education of children. This law affects 1,500,000 cripples and 3,500,000 widows, orphans, etc., a total of 5,000,000.

(5) Care of cripples: A law introduced in 1920, providing no pension, but care and training for cripples of daily life. This law cares for those not provided for under No. (4).

(6) Social insurance—a law introduced in the nineties, but recently revised. This is a straight insurance system to which monthly payments are made. It covers three classes:

(a) Sickness insurance bureau, allowing pensions for a maximum of 26 weeks yearly.

(b) Invalid insurance, providing pensions for the permanently injured.

(c) Employees' insurance—a revision of the law of 1913, providing separate insurance for salaried officials.

(7) Colonization law of 1920—to assist in the building of dwellings. This assistance was designed for use particularly in the industrial districts, and to date has been put into effect only in the coal regions.

(8) Law for child protection—this law is under discussion at the present time, and contemplates measures assuring every child attention and instruction necessary for its development. This will, however, involve considerable expense, and for this reason there is much opposition thereto.

Aside from these general laws it may be added that the public throughout Germany has made a general attempt to meet the distressing situation of the children by collecting by general subscription a children's fund. This fund to-day stands at 20,000,000 marks. A particularly interesting development is one started by the workmen in several districts, in which two extra hours of work per week are advocated, devoting the funds thus obtained to philanthropic purposes, with the object of making workmen's philanthropic organizations self-supporting. This movement is now already in effect in the district of Waldenburg, Silesia.

In closing this report I should like to make several suggestions for possible relief in Germany. In the first place, I trust that the American Friends' Service Committee will receive sufficient funds to enable them to complete their schedule as outlined to June 1, 1921. If, however, funds could be provided enabling them to increase their feeding to cover 1,000,000 children, they would then be fully supplying the needs of classes 3 and 4. Further relief should then take the form of shoes and clothing.

In the city of Gratz, to take an example at random, of 1,842 school children, 50 per cent had but two shirts, 25 per cent had but one shirt, 7 per cent had no shirt, 25 per cent had but two pairs of stockings, 30 per cent had but one pair of stockings, 15 per cent had no pair of stockings, 30 per cent had neither coat nor warm jacket, 8 per cent had but wooden or cloth shoes, 1 per cent had no shoes whatever.

In the case of the American Relief Administration warehouses, I believe that the idea of general distribution drafts could be further increased to great advantage, for in this way the middle class, which is severely affected by present conditions, could be most successfully reached. I have had brought to my particular attention the cases of various musicians, who have profited by a fund of this sort raised by Kreisler in America.

As to further efforts, a member of one of the largest private relief organizations in Berlin informed me that at the present time above all cash funds were necessary. It seems that many private institutions have been forced to close their doors, and of the Caritas Verein, the great Catholic organization comprising all Catholic charitable undertakings, 800 institutions

caring for 17,000 children are in immediate danger of bankruptcy. In this connection I made inquiries into the overhead costs of a large charitable institution, and found that where in 1913 administration expenses were 80,000 marks, during 1920 it was necessary to pay out 500,000 marks. Even with this tremendous increase many special statistical bureaus had to be given up as it was impossible to pay for the necessary clerks and secretaries. Where before the war a clerk received 250 marks monthly, he now receives from 1,000 marks to 1,100 marks. Stenographers' wages have increased from 200 marks to 1,000 marks monthly, and secretaries from 400 marks to 1,500 marks.

I have pointed out above the great shortage of milk, which, of course, carries particular hardship for the children and diminishes the successful chances of fighting sickness and disease. In passing, I also mentioned in connection with the congestion in cities the shortage of beds. This point was particularly brought out by the charitable organization referred to above. The minimum cost to-day for one complete bed is 700 marks, a sum quite beyond the reach of the great majority of the people.

While I realize that the demands for assistance from all parts of the world to-day are very great, I nevertheless desire to emphasize the particular importance of the part that Germany plays in the general European reconstruction problem and the consequent advisability of assisting these people. Normal tasks and normal ways must be resumed at the earliest possible moment in order that the economic "switchboard" of Europe, as Germany has been so aptly called, may again start functioning. With the switchboard in shape, it is fairly safe to say that the distress in the surrounding countries, caused largely by the upset of normal trade and commercial conditions, will be all the sooner alleviated.

I have the honor to be, sir, your obedient servant,

ELLIS LORING DRESEL,
American Commissioner.

ANNEX A.

EXAMPLE 1.

A private man owns on June 30, 1919, property worth 100,000,000 marks; hereof 25,000,000 marks are an increase during the war. The tributary dies in the year 1920 and bequeaths his property in equal parts to his two nephews. One of them has no property, while the other possesses 1,000,000 marks. Assessment will be as follows:

	Marks.
Property on June 30, 1919	100,000,000
1. Tax on property increase during the war	24,828,000
Remainder	75,172,000
2. Commonwealth sacrifice levy on property	47,779,550
	27,392,450
3. Tax on inheritance	1,332,622
4. Tax on legacy to be paid by the nephew who hitherto had no property	5,032,245
5. Tax on legacy to be paid by the nephew who owns property worth 1,000,000 marks	7,548,367
Total of tax on inheritance and legacy (3, 4, and 5)	13,913,234
Remainder of the property of 100,000,000 marks	13,479,216

EXAMPLE 2.

A private individual owns property worth 10,000,000 marks, whereof 4,000,000 marks are invested with an industrial company which could have declared a 20 per cent dividend for 1920 were it not subjected to a corporation tax. The remaining property capital bears 5 per cent. No increase of property. Without taxes this man would have a yearly income of 1,100,000 marks.

Taxes.	Marks.
Commonwealth sacrifice levy	5,417,750.00
Property remaining	4,582,250.00
Virtual income (income without taxes from remaining property):	
Dividends	800,000.00
Interest on capital	29,112.50
	829,112.50
This income is diminished by—	
Corporation tax	160,000.00
Tax on capital yield	64,000.00
Income tax	315,160.00
	539,160.00
The income remaining amounts to	289,952.50

As a consequence of the new taxes, the property is diminished from 10,000,000 marks to 4,582,250 marks, and the income from 1,100,000 marks to 289,952.50 marks.

EXAMPLE 3.

A private individual owns property worth 1,000,000 marks. No war profits. The invested capital bears 5 per cent interest. One-third of the Commonwealth sacrifice levy (rounded up to 82,250 marks) is paid and 6½ amortization for the remainder.

	Marks.
Commonwealth sacrifice levy	244,250.00
Hereof paid one-third	82,250.00
Debt remaining	162,000.00
Remaining amount of property	917,750.00
Income therefrom	45,887.50
From this income are to be deducted—	
1. 6½ per cent of M. 162,000 annual amortization	10,530.00
2. Levy on capital yield	4,588.00
3. Income tax	7,272.00
	22,390.00
Income remaining	22,497.50

This man, who prior to the war had an income of about 45,000 gold marks, after deduction of taxes, now, if the depreciation of German currency is estimated at 10.1, after deduction of taxes, disposes of an income of only 2,250 gold marks, which is what an ordinary workman earned before the war.

EXAMPLE 4.

Assessment of companies.

[E. g., joint-stock company.]

	Marks.
Invested capital	200,000,000
Value of the whole property of the company	300,000,000
Net profit	50,000,000
Hereof 10,000,000 marks are placed in the reserve fund; 40,000,000 marks, or 20 per cent, remain.	
The company has to share in the commonwealth sacrifice levy with 10 per cent of the property exceeding the invested capital. Accordingly the company pays:	
Commonwealth sacrifice levy	10,000,000
Corporation tax, 10 per cent of net profit	5,000,000
Corporation tax, 10 per cent of dividend distributed	4,000,000

The total corporation tax amounts to 9,000,000 marks.

Apart from the above taxes there must be taken into account additional taxes on yield of property, i. e., ground and building taxes and license taxes, which are levied by the various States and communities and differ in amounts.

ANNEX B.

Income tax rates on the income of an unmarried workman.

Income (marks):	Tax rate (per cent).
15,000	14.6
16,000	15.2
17,000	15.7
18,000	16.2
19,000	16.7
20,000	17.2
21,000	17.6
22,000	18.1
23,000	18.5
24,000	19.0
25,000	19.5

Married workmen are accorded abatements inconsiderable in figure.

THE ACTUAL BUDGET OF FOUR DIFFERENT HOUSEHOLDS IN BERLIN.

(1) A man injured in war, who is now employed in a gas plant, supporting a sickly wife and three daughters of 11, 13, and 14 years. Living quarters consist of one small, dark room with kitchen, and with but three beds for the five people. Children have but two much-patched skirts apiece and no shoes, two wearing wooden clogs and one felt shoes:

Expenses for five persons:	Marks.
Food	725
Heat and light	50
Soap	45
Rent	30
Total (against receipts of 710 marks)	850
Receipts:	
Wages	600
War pension	110
	710

(2) A man out of work, with wife and eight children. Wife is partially incapacitated by one lame arm. This family have but three beds for the 10 people, and quarters consisting of two rooms and a kitchen. Clothing is particularly lacking:

Expenses for 10 persons:	Marks.
Food	1,450
Heat and light	80
Soap	90
Total (against receipts of 910 marks)	1,620

Receipts:	Marks.
Unemployment allowance	740
Earnings of wife	20
Earnings of daughter	150
	910

(3) A widow and two children largely dependent on charity:

Expenses for three persons:	Marks.
Food	435.00
Heat and light	34.50
Soap	27.00
Rent	29.00
Total (against receipts of 460 marks)	525.50

Receipts:	
Charity	70.00
Invalidity pension	80.00
Earnings of son	160.00
Earnings of wife	150.00
	460.00

(4) A widow without family:

Expenses for one person:	Marks.
Food	550.00
Heat and light	30.00
Soap	18.00
Rent	32.50
Total (against receipts of 520 marks)	630.50

Receipts:	
Salary	500.00
Orphan pension	20.00
	520.00

These figures given above are simply for the bare expenses of existence, taxes, car fare, shoes or clothing being out of the question, and in all four cases—and they are typical of many thousands of families—the earnings fall short of expenses, so that unless help comes from other sources some of the necessities have to be gone without.

Dr. Silbergleits's figures on food costs for Berlin, based on the calorie norm of 3,000, are as follows:

Per week.

	Man.	Man and wife.	Man, wife, and 7 to 12 year old child.
Ration	$15.43	$30.86	$48.48
Open market	46.06	75.23	82.88
Total December, 1920	61.49	106.09	131.36
In August, 1920 (lowest month)	57.20	97.64	116.32
In April, 1920 (highest month)	71.43	121.25	138.37

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 15, 29, 34, 65, and 74.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 24, 27, 31, 32, 36, 38, 39, 44, 46, 47, 48, 49, 50, 51, 57, 58, 59, 60, 61, 63, 66, 67, 68, 69, 70, 77, 78, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, and 98; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$10,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: After the matter inserted by said amendment, insert as a separate paragraph the following:

"Sixty per cent of the foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States."

And, on page 3 of the bill, strike out lines 23 to 26, inclusive.

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,200,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$225,000"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,000"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$10,000"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$400,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$70,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$100,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 6, 14, 20, 25, 26, 28, 33, 35, 37, 40, 41, 42, 43, 45, 52, 53, 54, 55, 56, 62, 79, 80, 81, 82, and 83.

F. E. WARREN,
CHARLES CURTIS,
Managers on the part of the Senate.

JAMES W. GOOD,
J. G. CANNON,
JOHN M. EVANS,
Managers on the part of the House.

Mr. WARREN. Mr. President, the list of disagreements which the Secretary has just read covers 25 or 26 matters which were taken back to the House under the House rule. The House has agreed to every one of that lot, with the exception of five. Four of the five are simply little changes of language and do not change the effect or the amount. That leaves only one which they have disagreed to that carries any amount of money or is of any significance, and that one is with reference to repairs of the Coast Guard ship *Onondaga*. Since the House must be advised of our action, I move that the Senate agree to the amendments of the House to Senate amendments numbered 40, 52, 53, and 62, which are simply changes of language, and that the Senate recede from its amendment numbered 33, being the disagreement of the House on the repairs of the ship *Onondaga*.

The VICE PRESIDENT. The Chair thinks the first motion should be on agreeing to the conference report so far as agreed to.

Mr. WARREN. I ask that the report be agreed to.

The report was agreed to.

Mr. WARREN. I now renew my motion with reference to the amendment referred to.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming, but the Chair thinks the action of the House should first be read.

Mr. WARREN. Very well; let it be read.

The Assistant Secretary read as follows:

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 6, 14, 20, 25, 26, 28, 35, 37, 41, 42, 43, 45, 54, 55, 56, 79, 80, 81, 82, and 83 to the bill (H. R. 15962) entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," and agrees to the same.

That the House recedes from its disagreement to the amendment of the Senate numbered 40, and agrees to the same with an amendment as follows: In line 7 of said amendment, after "in," insert "House Documents Nos. 986 and 997 and."

That the House recedes from its disagreement to Senate amendment numbered 52, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following:

"So much as may be necessary of that part of the sum of $46,000,000 appropriated in the sundry civil appropriation act for the fiscal year 1921 for medical and hospital services of the Bureau of War Risk Insurance allotted to the Board of Managers of the National Home for Disabled Volunteer Soldiers is made available for the erection of quarters for the medical staff at the various branches of the National Home for Disabled Volunteer Soldiers."

That the House recedes from its disagreement to Senate amendment numbered 53, and agrees to the same with the following amendment: In lieu of lines 1 to 7, inclusive, of the matter inserted by said amendment insert the following: ": *Provided*, That the limitation specified in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year 1921, under 'Maintenance, Supplies and Accounts,' is increased by $750,000."

That the House recedes from its disagreement to the amendment of the Senate numbered 62, and agrees to the same with an amendment as follows: In line 12 of said amendment strike out ", $312,811.27."

That the House insists upon its disagreement to the amendment of the Senate numbered 33.

Mr. ROBINSON. Mr. President, I wish to understand the effect of the motion of the Senator from Wyoming. Is it the purpose of the Senator by the motion to bring the two Houses into accord? Will a further conference be necessary if the motion prevails?

Mr. WARREN. If my motion prevails no further conference will be necessary.

Mr. ROBINSON. There was an amendment referred to in the action of the House read relating to a fund appropriated last year of $46,000,000 in connection with the treatment of sick and disabled soldiers. I desire to understand the effect of that amendment. Was it a Senate amendment or a House provision or an amendment inserted in conference?

Mr. WARREN. There was a Senate amendment which provided that of that sum, $46,000,000, a certain amount could be used to build quarters for the physicians who are in the service of caring for those unfortunates. The comptroller has ruled that the language as carried would provide for the soldiers themselves, but that legislation is required in order to give quarters to the surgeons. The amendment was to take out the sum which the Senate said should not be exceeded in building each set of quarters; that is all.

Mr. ROBINSON. Mr. President, this bill carried a provision on page 43 for completing the Government free bathhouse at Hot Springs, Ark.

Mr. WARREN. Yes.

Mr. ROBINSON. The sundry civil bill carried a similar provision, inserted as a Senate amendment, and an additional provision changing the name of the reservation to the Hot Springs National Park.

Mr. WARREN. Yes.

Mr. ROBINSON. Am I correct in the assumption that the appropriation stays in the urgent deficiency bill, and the provision changing the name to the Hot Springs National Park remains in the sundry civil bill?

Mr. WARREN. The amount appropriated happens to be in one of the two bills. I have forgotten which one of the two, but it is in one bill and has been taken out of the other.

Mr. ROBINSON. Clearly the appropriation goes out of the sundry civil bill?

Mr. WARREN. Yes.

Mr. ROBINSON. That was the proper bill in which to carry it, although it makes no difference so far as the results are concerned which bill carries it. The sundry civil bill, in addition to the appropriation, also contained a provision in which I am interested.

Mr. WARREN. The Senator refers to the provision changing the name of the reservation?

Mr. ROBINSON. I refer to the provision changing its name.

Mr. WARREN. That stands in the sundry civil bill.

Mr. ROBINSON. Very well.

Mr. WARREN. So that both the matters in which the Senator from Arkansas is interested have been favorably acted upon. One of the two—the one for building the bathhouse—was left in this deficiency bill so as to render it immediately available.

Mr. ROBINSON. But one of them is cared for in the urgent deficiency bill and the other in the sundry civil bill.

Mr. WARREN. Yes.

Mr. ROBINSON. In view of the explanation of the Senator from Wyoming, I have no objection to the motion made by him.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming [Mr. WARREN].

The motion was agreed to.

INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS. I ask unanimous consent that the Senate proceed to the consideration of the conference report on the Indian appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, which was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 9, 11, 19, 28, 33, 39, 50, 56, 57, 66, 67, 71, 75, 78, 79, 88, 90, 91, 99, 107, 110, 111, 113, 114, 118, 119, 120, 121, 122, 123, 124, and 126.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 12, 15, 16, 29, 30, 35, 41, 47, 52, 54, 55, 63, 68, 69, 70, 72, 73, 74, 80, 84, 85, 86, 98, 100, 105, 115, 116, 117, 125, 127, and 128, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$35,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$375,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$13,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$65,000, of which sum $15,000 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$273,000"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$380,000"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,222,004"; and the Senate agree to the same.

The committee of conference have not agreed upon the amendments of the Senate numbered 3, 4, 5, 6, 13, 14, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 36, 37, 40, 42, 43, 44, 45, 46, 48, 49, 53, 58, 59, 60, 61, 62, 64, 65, 76, 77, 81, 82, 83, 87, 89, 92, 93, 94, 95, 101, 102, 103, 104, 106, 108, 109, 129, and 130.

CHARLES CURTIS,
A. J. GRONNA,
HENRY F. ASHURST,
Managers on the part of the Senate.

J. A. ELSTON,
S. WALLACE DEMPSEY,
W. W. HASTINGS,
Managers on the part of the House.

Mr. CURTIS. I move the adoption of the conference report.

The report was agreed to.

The VICE PRESIDENT. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The reading clerk read as follows:

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, 13, 18, 21, 22, 23, 24, 31, 34, 36, 37, 44, 45, 46, 48, 49, 58, 59, 76, 77, 81, 87, 89, 92, 93, 103, 108 to the bill (H. R. 15682) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922," and agrees to the same.

That the House recedes from its disagreement to the amendment of the Senate numbered 14, and agrees to the same with the following amendment: In lieu of the sum of $460,000 named in said amendment insert "$400,000."

That the House recedes from its disagreement to Senate amendment numbered 17, and agrees to the same with the following amendment: In lieu of the sum of $200,000 named in said amendment insert "$150,000."

That the House recedes from its disagreement to Senate amendment numbered 20, and agrees to the same with the following amendment: Restore the matter stricken out by said amendment and after the word "Oklahoma" in the matter as restored insert a colon and the matter inserted by said amendment.

That the House recedes from its disagreement to the Senate amendment numbered 25, and agrees to the same with the following amendment: In line 9 of the matter inserted by said amendment strike out "hereafter."

That the House recedes from its disagreement to the amendment of the Senate numbered 26, and agrees to the same with an amendment as follows: After the word "prescribed," at the end of said amendment, insert: "*Provided*, That this provision shall not apply to the Five Civilized Tribes."

That the House recedes from its disagremeent to Senate amendment numbered 27, and agrees to the same with the following amendment: In line 2 of the matter inserted by said amendment, after the word "buildings," insert "at the Indian School, Phoenix, Ariz."

That the House recedes from its disagreement to Senate amendment numbered 32, and agrees to the same with the following amendment: In lieu of the sum $1,000 named in said amendment insert "$500"; and at the end of said amendment, after "United States," insert "and if authorized to be paid, to be reimbursed from the tribal funds of the Navajo Indians."

That the House recedes from its disagreement to the amendment of the Senate numbered 40, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert:

"IOWA.

"SEC. 5a. For the construction, maintenance, and operation of a drainage system for lands of the Sac and Fox Indians in Iowa, $10,000, payable from the tribal funds of such Indians: *Provided*, That the Secretary of the Interior is authorized to enter into agreements, or make other suitable arrangements, with owners of adjacent lands benefited by the construction of such drainage system as will insure from such owners payment, on a per acre basis, of a proportionate part of the construction, operation, and maintenance of said drainage system."

That the House recedes from its disagreement to the Senate amendment numbered 42, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert "for new heating and power plant, $55,000; for repairs and construction of drain, ditches, and dikes on the Haskell School farm, $18,000, to be immediately available and to remain available until expended."

That the House recedes from its disagreement to Senate amendment numbered 43, and agrees to the same with the following amendment: In lieu of the sum proposed in said amendment insert "$245,600."

That the House recedes from its disagreement to the amendment of the Senate numbered 60, and agrees to the same with an amendment as follows: After "necessary," at the end of said amendment, insert "and reimbursable from any fund of said Blackfeet Tribe that may be now or hereafter placed in the Treasury of the United States to their credit."

That the House recedes from its disagreement to Senate amendment numbered 61, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert "for improvement of domestic water supply and irrigation system, $5,000."

That the House recedes from its disagreement to Senate amendment numbered 62, and agrees to the same with the following amendment: In lieu of the sum proposed in said amendment insert "$99,000."

That the House recedes from its disagreement to Senate amendment numbered 64, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert ", to be immediately available, and the amount of $7,000 heretofore appropriated for this purpose shall be available until expended."

That the House recedes from its disagreement to Senate amendment numbered 82, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert "the Secretary of the Interior is authorized and directed to report to Congress at the beginning of the next regular session what necessity there is, if any, for new buildings and the enlargement and remodeling of present buildings at the Chilocco Indian School, Oklahoma, and if he finds such necessity to exist to make such recommendations therefor as he may deem appropriate, together with a statement of the cost of carrying them into effect."

That the House recedes from its disagreement to Senate amendment numbered 94, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert "for heating plant, $40,000."

That the House recedes from its disagreement to the amendment of the Senate numbered 95, and agrees to the same with the following amendment: In lieu of the sum proposed in said amendment insert "$187,400."

That the House recedes from its disagreement to the amendment of the Senate numbered 101, and agrees to the same with an amendment as follows: In line 2 of said amendment, strike out "support" and insert "education."

That the House recedes from its disagreement to Senate amendment numbered 102, and agrees to the same with the following amendment: In line 2 of the matter inserted by said amendment, strike out "$12,000" and insert "$6,000."

That the House recedes from its disagreement to Senate amendment numbered 109, and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert:

"The Secretary of the Interior is authorized, in his discretion, to withdraw from the Treasury of the United States, so much as may be necessary of the tribal funds of the Menominee Indians of Wisconsin, arising under the acts of June 12, 1890 (26 Stat., p. 146), and March 28, 1908 (35 Stat., 51), and to make therefrom a per capita payment or distribution of not to exceed $50 to such Indians entitled thereto under such rules and regulations as he may prescribe. And the authority granted in this paragraph shall be effective immediately upon the approval of this act."

That the House recedes from its disagreement to the amendment of the Senate numbered 129, and agrees to the same with an amendment as follows: In line 8 of said amendment, after "January," insert "15."

That the House recedes from its disagreement to the amendment of the Senate numbered 130, and agrees to the same with an amendment as follows: In line 10, after the figures "1895," insert a period and strike out the remainder of said amendment.

That the House insists upon its disagreement to the amendments of the Senate numbered 53, 65, 83, 104, and 106.

Mr. CURTIS. I move that the Senate agree to the amendments of the House to the Senate amendments numbered 14, 17, 20, 25, 26, 27, 32, 40, 42, 43, 60, 61, 62, 64, 82, 94, 95, 101, 102, 109, 129, and 130.

The motion was agreed to.

Mr. CURTIS. I now move that the Senate recede from its amendments numbered 53, 65, 83, 104, and 106.

I will state to the Senate that two of these amendments involve items in regards to totals; one relates to an item of $50,000 for irrigation in Montana; another to an item of $50,000 pertaining to an irrigation project in Washington; and another to a claim of Stevens and Ferry Counties, in Washington, amounting to $115,000. At first it was my intention to ask that these items go back to conference, but I have been informed by the House managers that unless the conference report be agreed to to-day it is very doubtful if the Indian appropriation bill can be enrolled in time. These items were discussed for more than a day in conference; they were then taken back to the House, and there voted on. The vote against them was about two to one. So that I feel it will be useless to again take them back to conference. Therefore I ask that the Senate recede from the amendments, which will bring the two Houses together on all of the items. I may add that the items which have been left out may very well go over until the next session without any great harm being done.

Mr. McNARY. Mr. President, I desire to inquire of the chairman of the Committee on Indian Affairs as to the item pertaining to the Chemawa Indian Training School at Salem, Oreg.

Mr. CURTIS. That amendment was agreed to by the House with an amendment, which has already been adopted, eliminating one of the items inserted by the Senate and retaining the other item.

Mr. McNARY. Did the item which has been eliminated embrace the construction of the boys' dormitory?

Mr. CURTIS. The dormitory item was the one that was eliminated, while the other item was retained; but the officials of the Department stated that they thought they could get along wihout the dormitory for another year.

Mr. JONES of Washington. As I understand the Senator, it is his judgment that the House would not recede from its disagreement to the two Senate amendments covering Washington items to which he has referred, and that if an agreement should not be reached upon the bill to-day the entire bill is likely to fail.

Mr. CURTIS. That is my information.

Mr. JONES of Washington. Is that the Senator's opinion?

Mr. CURTIS. That is my opinion. I am satisfied from the contest made in conference that the conferees on the part of the House would not agree, especially in face of the vote of two to one against the items in the House.

Mr. JONES of Washington. While I am very anxious to see those two items agreed to, I do not feel, of course, that I should retard the passage of the bill on that account under the circumstances.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to.

The VICE PRESIDENT. The Chair understands that concludes the Indian appropriation bill.

CLASSIFICATION OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, I submit the following motion, which I ask may be read.

The VICE PRESIDENT. The Secretary will read as requested.

The reading clerk read as follows:

I move that the Committee on Appropriations, to which, on March 22, 1920, was referred Senate bill 4106, to provide for the classification of civilian positions within the District of Columbia and the standardization of compensation therefor, and for other purposes, together with the report of the Congressional Joint Commission on Reclassification of Salaries, be discharged from the further consideration of said bill and report, and that said bill and report be referred to the Committee on Civil Service and Retrenchment.

The VICE PRESIDENT. Is there any objection?

Mr. KING. I object.

Mr. WARREN. Mr. President, I object. I understand that that is a proposition to discharge the Committee on Appropriations from the further consideration of the reclassification bill and papers in connection therewith which have been referred to that committee. I do not wish to work against the ambition or the good work of my friend from South Dakota. I hope that his committee, as well as other committees, may enter upon a work which has been neglected to some extent, first, because of the short session; second, because of the amount of work that has been imposed upon the different committees; and, third, because of the changes up and down in the matter of salaries, living expenses, and so forth.

It has become necessary for the Appropriations Committee, in connection with the matter of the bonus which has been before that committee, to declare what is its intention hereafter in regard to the bonus and additional payments to Government employees. I have been instructed by that committee to declare that after the present session we will not entertain further the proposition of granting bonuses in addition to the regular pay. That, of course, will necessitate a rearrangement, so far as may be necessary, of the salaries paid Government employees, and such rearrangement will, of course, require a great deal of attention from several directions.

All of the salaries paid the Government employees are known to the Committee on Appropriations, because it is their duty to recommend the appropriations for the various employees, with only small exceptions. That committee has to inform itself as to the salaries paid to thousands of men and women which are not stated in terms, because the persons affected do not occupy what are called statutory positions. Of course, there should be some coordination and some consideration as between the salaries of the two classes of employees.

The Appropriations Committee has stated that, unless other committees having it in charge shall present a bill, the Appropriations Committee expects to be obliged to take up the reclassification work and bring in at the next session some proposition covering this matter. We have already expended considerable work on it, and, since it makes no difference to any committee, with the exception perhaps of the Appropriations Committee, where the technical possession of the papers may be, for they are all printed and at the disposition of any committee which may require them, and inasmuch as some additional help has been asked for and received by the Committee on Appropriations, it is rather necessary, in order to avoid expense and for other reasons, that the matter should remain where it is for the present. In the meantime, the Appropriations Committee will welcome any and all bills drawn or suggestions, information, and help in working out the problem.

So I hope, Mr. President, that the motion of the Senator from South Dakota will not prevail, and that for the present the matter may rest where it now is, with the Committee on Appropriations.

Mr. CURTIS. Mr. President, I should like to ask the Senator from Wyoming a question, if I may. It is my understanding that there was placed in one of the appropriation bills an item to aid and assist the committee, or one of the organizations of the Government, in securing data with reference to this very matter. Is that so?

Mr. WARREN. That is true.

Mr. CURTIS. And a report is to be made to the Committee on Appropriations?

Mr. WARREN. That is true.

Mr. STERLING. Mr. President, I understand that there is no objection to the present consideration of this motion.

Mr. KING. I objected to its consideration.

Mr. SMOOT. It is out of order now, anyhow.

Mr. WARREN. I could have made the objection.

Mr. STERLING. The Senator from Wyoming, who is the chairman of the Committee on Appropriations, could have made the objection, but I understood that he waived the objection.

Mr. WARREN. I can waive nothing which would prevent other Senators from making the point of order.

Mr. STERLING. I know that the motion must go over until to-morrow unless there is consent to its present consideration, but I inferred that the Senator from Wyoming was willing that it might be considered now.

Mr. KING. I call for the regular order.

The VICE PRESIDENT. The motion will lie over one day under Rule XXVI. The regular order is the presentation of petitions and memorials.

Mr. McCUMBER. I move that the Senate proceed to the consideration of H. R. 14063, the private pension bill.

The VICE PRESIDENT. Let the Chair orient himself. There was just a call for the regular order.

GREAT FALLS WATER-POWER PROJECT.

Mr. MOSES. I present a favorable report from the Committee on Printing and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The report will be stated.

The ASSISTANT SECRETARY. The Senator from New Hampshire asks that the vote by which Senate resolution 452 was adopted be reconsidered. It is to print as a public document the report of the Federal Water Power Commission.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the motion to reconsider is agreed to.

Mr. MOSES. I ask that the amendment reported by the committee to the resolution may be read.

The ASSISTANT SECRETARY. The committee report to strike out all after the resolving clause and to insert:

That the report of the chairman of the Federal Water Power Commission, submitting plans and estimates of costs necessary to secure an increased and adequate water supply for the District of Columbia, laid before the Senate and referred to the Committee on Commerce on February 16, 1921, and the report on the investigation of the Great Falls water-power project and plans by Maj. M. C. Tyler, United States Army, submitted to the Senate by Senator NORRIS and referred to the Committee on Printing on February 15, 1921, be printed as a document, together with accompanying illustrations.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

UINTAH RESERVATION, UTAH.

Mr. MOSES. From the Committee on Printing I make a favorable report, which I send to the desk and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The report will be read.

The ASSISTANT SECRETARY. The Senator from New Hampshire, on behalf of the committee, reports an original Senate resolution (S. Res. 462), as follows:

Resolved, That the report of the Secretary of the Interior on leasing of irrigable Indian land on the Uintah Reservation, Utah, be printed as a Senate document.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

REPORT OF DAUGHTERS OF AMERICAN REVOLUTION.

Mr. MOSES. I ask unanimous consent that the Senate reconsider the vote whereby Senate resolution 456 was agreed to on February 18.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the motion to reconsider is agreed to.

Mr. MOSES. I offer the amendment to the resolution which I send to the desk, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. The committee reports to strike out all after the resolving clause and to insert:

That the Report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1920, transmitted to Congress by the Secretary of the Smithsonian Institution pursuant to law, be printed as a Senate document, with illustrations.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution? The Chair hears none. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

APPLICATIONS FOR LETTERS PATENT.

Mr. BRANDEGEE. Mr. President, from the Committee on Patents I report back favorably House bill 15662, and ask that the Secretary may read the title of it, and then I desire to make a brief statement and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the title of the bill.

The SECRETARY. A bill (H. R. 15662) to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes.

Mr. BRANDEGEE. Mr. President, this is an emergency measure arising out of the war. During the war applications for patents of course were entirely interrupted between the various countries. No alien enemy could file an application for a patent in this country, nor could we file application for patents abroad. In many cases the applications were made to foreign countries with which we were at peace, and the ships on which the applications were being transported were destroyed.

The general effect of this bill, which has been passed by the House, is to extend the time within which applications for patents may be made in various countries. It is the outgrowth of a treaty made by some of the foreign nations with each other, in which they have agreed, provided different countries adopt reciprocal legislation, to extend the time within which applications may be made. The time is extended by the bill for a period of only six months, and the bill is conditioned upon the fact that other countries pass similar legislation.

The point of the entire bill is simply to extend the time within which applications for patents may be made. The report is a unanimous one from the Committee on Patents, a quorum being in attendance. I see that the Senator from Minnesota [Mr. KELLOGG] is here now, but he was unable to be present at the committee meeting. The Senator from Pennsylvania [Mr. KNOX] was there, and I am making this request on behalf of the chairman of the committee.

Mr. KIRBY. Mr. President, does this affect the provisions of the bill that is in conference now?

Mr. BRANDEGEE. Oh, no.

Mr. KIRBY. This is a different matter?

Mr. BRANDEGEE. It is an entirely different matter. As I say, it grows out of this treaty made by the foreign powers. In order for us to avail ourselves of their promise to extend the time within which Americans may make their applications in foreign countries, we must do it also for them. It is a reciprocity measure. Unless foreign countries pass similar legislation, this bill does not operate as to them.

Mr. FLETCHER. Mr. President, may I ask the Senator whether this is a Senate bill or a House bill?

Mr. BRANDEGEE. It is a House bill, unanimously reported by the House committee. I have here the hearings. It is unanimously supported by all the patent-law associations, the Patent Commissioner, the patent lawyers, and, in fact, every person who has to do with the patent situation in the country. If it is not passed before Congress adjourns untold losses will result to American citizens who were unable to complete the process of obtaining a foreign patent because the war interrupted the procedure between the different countries.

Mr. FLETCHER. I think it a very, very wise measure. I was wondering, however, whether we were not just taking up unnecessary time, because if it is a Senate bill we would never get it through anyhow. If it is a House bill we may be able to complete the legislation.

Mr. BRANDEGEE. Yes; it is a House bill.

Mr. KNOX. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wanted to inquire whether the testimony did not disclose that this bill is more for the advantage of American inventors than for foreign inventors, because there are about four applications abroad by Americans for patents to one by foreigners in this country.

Mr. BRANDEGEE. Yes; that was the testimony of the former Commissioner of Patents this morning before the committee.

Mr. SMITH of South Carolina. Mr. President——

Mr. BRANDEGEE. I yield.

Mr. SMITH of South Carolina. I am a member of the committee, but on account of other duties I have not been able to meet with the committee as I should. As I understand, this bill simply extends the time for filing those applications that were interrupted by the war, and that under the treaty would lapse if this extension of time were not granted.

Mr. BRANDEGEE. Yes; but it also extends the time within which applications may be made, as I understand, although they have not been actually made. It is an endeavor to accord to our citizens principally, as the Senator from Pennsylvania says, the right to complete their applications which were interrupted by the war, where they have made applications for patents in foreign countries.

Mr. President, before I weary the Senate with making any further explanation, except the reading of the House report, or the Commissioner of Patents' testimony, if that be required—if not, I shall ask to have it printed in the RECORD—I want to know whether I have unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15662) to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes.

Mr. BRANDEGEE. Mr. President, I send to the desk the Revised Statutes of the United States and ask the Secretary to read section 4887, which is the basis of this whole proceeding.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

SEC. 4887. No person shall be debarred from receiving a patent for his invention or discovery, nor shall any patent be declared invalid, by reason of its having been first patented or caused to be patented in a foreign country, unless the same has been introduced in public use in the United States for more than two years prior to the application. But every patent granted for an invention which has been previously patented in a foreign country shall be so limited as to expire at the same time with the foreign patent, or, if there be more than one, at the same time with the one having the shortest term, and in no case shall it be in force more than 17 years.

Mr. BRANDEGEE. Mr. President, the pending bill extends the provisions of that section. The Senate passed a bill somewhat similar to this on June 19, 1918—S. 3524—but it did not get through the House.

I ask that the testimony of the Commissioner of Patents contained in the House report which I have sent to the desk, and also the House report itself, be printed in the RECORD in connection with what I have said.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

Mr. NOLAN, from the Committee on Patents, submitted the following report (to accompany H. R. 15662):

The Committee on Patents, to whom was referred the bill (H. R. 15662) to extend temporarily the time for filing application for letters patent, for taking actions in the United States Patent Office with respect thereto; for the reviving and reinstatement of applications for letters patent, and for other purposes, respectfully report that they have had the same under consideration and recommend that the bill do pass.

The bill H. R. 15662 is a committee substitute for H. R. 13681, introduced April 19, 1920, at the request of the then Commissioner of Patents, Hon. James T. Newton.

Hearings were held on this measure, at which time a large number of people interested in the passage of this measure appeared before the committee. Among them the Commissioner of Patents, Mr. Whitehead; former Commissioner of Patents, Mr. Newton; Mr. Otto R. Barnett, Monadnock Block, Chicago, Ill.; Mr. William S. Pritchard, Mr. Thomas E. Robertson, chairman of the committee on laws and rules of the American Patent Law Association; Mr. John H. Brickenstein, Washington, D. C.; Mr. Wilson J. Vance, New York, representing the Azrec Yarn Spinning & Manufacturing Co.; Mr. Felix Stern, of Chicago, Ill.; Mr. William W. White, editor and publisher of the Patent and Trade Mark Review, New York City; Mr. W. A. Darby, New York City; and a number of other gentlemen, all in favor of the passage of the measure, but suggesting certain modifications. At the request of the Patents Committee, these gentlemen held a meeting and submitted certain amendments, which have been incorporated in the bill H. R. 15662 and reported to the House favorably.

Summed up, the following statement by Mr. Whitehead, then Commissioner of Patents, gives the substance of the bill as it relates to sections 1, 2, and 3:

"STATEMENT OF HON. ROBERT F. WHITEHEAD, COMMISSIONER OF PATENTS.

"Mr. WHITEHEAD. The first three sections of the bill were drafted on the lines of sections 307 and 308 of the peace treaty to carry into effect the provisions under which patents which had lapsed or which could not be availed of during the war could be taken advantage of. Foreign countries have granted extensions, have made rules or regulations under which extensions were granted.

"My information is (not official) that in certain countries our citizens have been granted extensions, and in certain other countries they have not because we have made no provision for granting extensions to the citizens of those countries.

"Section 4887 of the Revised Statutes provides at the present time for what is known as the right of priority; that is, it provides that an application filed in this country within 12 months after the filing of an application in a foreign country shall have the same force and effect as though application had been filed in this country on the same day as the application was filed in the foreign country, provided it was filed within 12 months from that date. That 12 months is usually referred to as the period of priority, or, as is referred to in here, the right of priority.

"During the war it was impossible in many instances for applications to be filed within that period, and the first clause of this section provides that priority which had not expired on the 1st day of August, 1914—that is, where the 12 months was running at that time—or which had arisen since that date—that is, where the foreign application has been filed since that date—should be extended to six months from the passage of this act. That period of six months from the passage of the act was taken because article 308 provided for six months for the going into force of the treaty, which date is fixed by the treaty itself as being the date when the treaty had been ratified by Germany on the one hand and three of the principal allied and associated powers on the other. My understanding is that that date was the 10th of January, 1920; so your period of six months, according to that, has really run out.

"Certain of the European countries subsequently entered into a treaty in which they made arrangements along this same line, fixing the time as from the 30th of September, I think it is, in 1920, to make the six months expire the 30th of March, 1921. This treaty also provided that that right should be extended to favor citizens or subjects of countries which have extended, or which shall extend within that period of six months, substantial reciprocal privileges to citizens of those countries.

"So far as the citizens of this country are concerned, the important thing in this bill is to enable them to revive their lapsed patents, or to get these rights of priority in the foreign countries; and my understanding is that there are numbers of cases in which rights of American citizens have lapsed and which can be restored only by the passage of some reciprocal legislation.

"The question was raised by one or two people as to whether the first section of the bill would apply in cases where the patents had already been granted in this country—not in the case where the patent had

been granted particularly and rights were pending, but where patents had been granted. I have proposed an amendment, or I will propose an amendment, to make it specifically apply to that case. The question was raised in view of the decision of the Supreme Court of the United States in the Cameron Septic Tank Co. against the people of Knoxville, in which there was discussion as to whether certain phases of private property would apply to patents already granted. So I see no objection to making that clear, and for the same reason they suggested that throughout the bill the word 'validated' be added after 'patents granted' in certain places, not to take care of any new patents which may be granted hereafter, but patents which have been granted and which are validated by the bill."

Sections 4 and 5 are supplementary in reference to the filing of applications.

Section 6 provides for the protection of those persons who served abroad during the war with either the civil or military branches of the Government and gives them the same rights of priority with respect to their inventions as if they had been made in the United States, and extends the time for this protection for six months from the passage of this act.

Section 7 protects the Government from any action by an alien enemy regarding the use of any patent or process used by the Government during the war.

Mr. BRANDEGEE. Mr. President, this can be made a long story if anybody wants to make it long. I think the Senate will understand the situation when the Secretary reads the bill, and I shall not attempt to make any speech about it. I am doing what I am doing at the urgent request of the Senator from Nebraska [Mr. NORRIS], the chairman of the Senate Committee on Patents, who is detained at his home by illness. If, after the Secretary has read the bill, Senators want to ask any questions, I shall do my best to answer them.

The VICE PRESIDENT. Does any Senator desire the bill read?

Mr. BRANDEGEE. I think the bill should be read, not because I want to hear it, but because I think it is an important matter. If the Senate is willing to pass it without its being read, I have no objection.

The VICE PRESIDENT. Does any Senator desire it read?

Mr. PITTMAN. I should like to have the bill read.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That the rights of priority provided by section 4887 of the Revised Statutes, for the filing of applications for patent for inventions and designs, which rights had not expired on the 1st day of August, 1914, or which rights have arisen since the 1st day of August, 1914, shall be, and the same are hereby, extended until the expiration of a period of six months from the passage of this act in favor of the citizens of the United States or citizens or subjects of all countries which have extended, or which now extend, or which within said period of six months shall extend substantially reciprocal privileges to citizens of the United States, and such extension shall apply to applications upon which patents have been granted, as well as to applications now pending or filed within the period herein: *Provided*, That such extension shall in no way furnish a basis of claim against the Government of the United States: *Provided further*, That such extension shall in no way affect the right of any citizen of the United States, who, before the passage of this act, was bona fide in possession of any rights in patents or applications for patent conflicting with rights in patents granted or validated by reason of such extension, to exercise such rights by itself or himself personally, or by such agents, or licensees, as derived their rights from it, or him, before the passage of this act, and such persons shall not be amenable to any action for infringement of any patent granted or validated by reason of such extension.

A patent shall not be refused on an application coming within the provisions of this act, nor shall a patent granted on such application be held invalid by reason of the invention having been patented or described in any printed publication or in public use or on sale in the United States prior to the filing of the application, unless such patent or publication or such public use or sale was prior to the filing of the foreign application upon which the right of priority is based.

SEC. 2. That the time now fixed by law for the payment of any fee or for the taking of any action with respect to an application for patent, which time had not expired on August 1, 1914, or which commenced after August 1, 1914, is hereby extended until the expiration of one year from the passage of this act, without the payment of extension fees or other penalty in favor of the citizens or subjects of countries which have extended, now extend, or shall extend during a period of one year from the passage of this act substantially reciprocal privileges to citizens of the United States, provided that no extension herein shall confer such privileges on the citizens or subjects of a foreign country for a longer term than the term during which such privileges are conferred by such foreign country on the citizens of the United States, but nothing in this act shall give any right to reopen interference proceedings where final hearing before the examiner of interferences has taken place.

SEC. 3. That no patent granted or validated by reason of the extensions provided for in sections 1 and 2 of this act shall abridge or otherwise affect the right of any citizen of the United States, or his agent or agents, or his successor in business, to continue any manufacture, use, or sale commenced before the passage of this act by such citizen, nor shall the continued manufacture, use, or sale by such citizen, or the use or sale of the devices resulting from such manufacture or use constitute an infringement.

SEC. 4. That all applications for patent filed since August 1, 1914, and prior to June 15, 1920, which were executed by an agent of the applicant, and in which a petition, specification, and oath, signed by the inventor, or his executor or administrator, had been filed or shall have been filed within a period of one year from the passage of this act, and the patents granted on such applications, shall have the same force and effect as if the papers signed by the inventor, or his executor or administrator, had been filed on the date on which the papers signed by the agent were filed.

SEC. 5. That all applications for patent filed since August 1, 1914, in which the oath was executed before or authenticated by a consular officer, or other representative qualified to administer oaths, of a Government acting in the interest of the Government of the United States, shall have the same force and effect as if said oath had been executed by the applicant before a consular officer of the United States.

SEC. 6. That where an invention was made by a person while serving abroad, during the war, with the forces of the United States, civil or military, the inventor thereof shall be entitled, in interference and other proceedings arising in connection with such invention, to the same rights of priority with respect of such invention as if the same had been made in the United States, and where an application became abandoned or forfeited, during the time the applicant was serving with the forces of the United States, by reason of his failure to take action or pay a fee within the time now required by law, such action may be taken, or the fee paid, within six months from the passage of this act.

SEC. 7. That no claim shall be made or action brought in respect of the use since August 1, 1914, up to the passage of this act, by the Government of the United States, or by any persons acting on behalf of, or under contract with, or with the assent of the Government of the United States or of Governments or their representatives associated with the United States, under any patent rights owned in whole or in part since August 1, 1914, by an alien enemy, nor in respect of the use of any process during such period, or the sale, offering for sale, or use, at any time, of any products, articles, or apparatus whatsoever manufactured during such period to which such patent rights applied.

SEC. 8. That nothing in this act shall affect any act done by virtue of the special measures taken during the war under legislative, executive, or administrative authority of the United States in regard to the rights of an enemy, or ally of an enemy, as defined by the trading with the enemy act of October 6, 1917, in patents for inventions and designs.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRIDGE OVER THE RIO GRANDE.

Mr. SHEPPARD. I am authorized by the Committee on Commerce to report back favorably without amendment the bill (H. R. 15769) authorizing the construction of a bridge over the Rio Grande, between the cities of Del Rio, Tex., and Las Vacas, Mexico, and I submit a report (Rept. No. 814) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Del Rio and Las Vacas Bridge Co., a corporation organized and created under and by virtue of the laws of the State of Texas, be, and is hereby, authorized and empowered to construct, maintain, and operate a bridge and approaches thereto over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico, at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the consent of the proper authorities of the Republic of Mexico shall have been obtained before said bridge shall be built or commenced.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DIRECTORS OF NATIONAL BANKS.

Mr. CALDER. From the Committee on Banking and Currency I report back favorably without amendment the bill (H. R. 11307) to amend section 5146 of the Revised Statutes.

The bill proposes to amend section 5146 of the Revised Statutes in relation to the qualification of directors of national banks. Under the present law not more than 25 per cent of the directors of national banks can live outside the State. The bill amends the statute so that they may live outside the State if living within 50 miles of the place where the bank is located. It has passed the House, and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That section 5146 of the Revised Statutes of the United States be so amended as to read as follows:

"SEC. 5146. Every director must, during his whole term of service, be a citizen of the United States, and at least three-fourths of the directors must have resided in the State, Territory, or District in which the association is located, or within 50 miles of the location of the office of the association, for at least one year immediately preceding their election, and must be residents of such State or within a 50-mile territory of the location of the association during their continuance in office. Every director must own in his own right at least 10 shares of the capital stock of the association of which he is a director, unless the capital of the bank shall not exceed $25,000, in which case he must own in his own right at least 5 shares of such capital stock. Any director who ceases to be the owner of the required number of shares of the stock, or who becomes in any other manner disqualified, shall thereby vacate his place."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FIRST NATIONAL BANK OF SHARON, PA.

Mr. KNOX. I ask unanimous consent for the present consideration of the bill (H. R. 10598) for the relief of the First National Bank of Sharon, Pa. It is a House bill, having passed the House.

The nature of the case is that a certificate of indebtedness of the United States amounting to $10,000 was destroyed, and the bill authorizes the Treasury Department to pay the certificate

without presentation. The bill is drawn in the usual way, requiring that a bond shall be given to the United States in double the amount of the certificate, with sureties to be approved by the Secretary of the Treasury.

Mr. SMOOT. Would not the Senator just as soon wait until the morning business is closed, and call up the bill then?

Mr. KNOX. If it provokes any discussion, I will withdraw it. It can be passed in less time than we can talk about it, if there is no objection to it.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificate of indebtedness of the United States of America, No. 3240, of the denomination of $10,000, of the issue dated April 10, 1918, and maturing July 9, 1918, with interest from April 10, 1918, to July 9, 1918, in favor of the First National Bank, Sharon, Pa., without presentation of said certificate, the certificate of indebtedness having been lost or destroyed: *Provided*, That the said First National Bank of Sharon, Pa., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal and interest of said certificate of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed certificate of indebtedness hereinbefore described.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOMINATIONS OF EX-SERVICE MEN.

Mr. FLETCHER. Some days ago, as Senators will recall, the President sent to the Senate a number of nominations for postmasters, among them the names of some former service men, and widows of former service men. A resolution of the Senate was passed calling on the Postmaster General to furnish a list of those nominations, and that list was furnished and published in the CONGRESSIONAL RECORD of February 5. The list of the former service men and widows of former service men appointed as postmasters appears on pages 2621, 2622, and 2623 of the CONGRESSIONAL RECORD. I ask unanimous consent that, as in open executive session, those nominations be confirmed.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. I object.

The VICE PRESIDENT. There is objection.

LOUISA FROW.

Mr. TRAMMELL. I ask unanimous consent for the present consideration of the bill (S. 3129) for the relief of Louisa Frow.

Mr. SMOOT. I was hoping that we could take the calendar up after the morning business is closed.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Florida?

Mr. SMOOT. I object.

Mr. TRAMMELL. If the bill provokes any discussion I will withdraw it.

Mr. SMOOT. I object because if we take the calendar up, the bill will be reached in its regular order.

Mr. TRAMMELL. I do not know whether it will be reached or not. The Senate has just passed a bill for the relief of a bank for the loss of a certificate, and this measure provides for compensating the widow of a man who was killed by a seaplane of the Navy. It is a unanimous favorable report of the committee.

Mr. SMOOT. There may be no objection to the bill at all when it comes up in its regular order.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Yes; I object.

INTERNATIONAL NAVAL BUILDING PROGRAM.

Mr. BORAH. Is the morning business closed yet?

The VICE PRESIDENT. Not yet.

Mr. BORAH. I give notice of a suspension of the rules under Rule XL.

The VICE PRESIDENT. It will be considered given.

Mr. JONES of Washington. I would like to hear it read.

The VICE PRESIDENT. The Secretary will read.

The READING CLERK. The Senator from Idaho [Mr. BORAH] gives the following notice:

I hereby give notice that under Rule No. XL, I will move to suspend paragraph 3 of Rule No. XVI, in order that I may propose to the act (H. R. 15975), making appropriations for the Naval Service for the fiscal year ending June 30, 1922, and for other purposes, the following amendment:

"The President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval."

OFFICERS OF COAST GUARD CUTTER "TAMPA."

Mr. UNDERWOOD. Mr. President, there were four officers killed in line of duty on the *Tampa* in Bristol Channel, and at the time they died they were entitled to promotion, but promotion had not gotten to them.

There is on the calendar House joint resolution 215, authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel, September 26, 1918, to receive pay and allowances that would have accrued to said officers. The joint resolution appropriates a small amount, the difference in their wages, which amount will go to the widows of the men killed. It has been passed by the House, unanimously reported favorably by the Senate committee, and I ask for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Will not the Senator let us take up the calendar, and then have the joint resolution acted on?

Mr. UNDERWOOD. I do not often make a request of this kind, but this is a joint resolution relating to four men who died in line of duty in the Bristol Channel on an American ship. The session is about to expire and the joint resolution has not been passed. We have let a bank bill go through this morning and bills for the relief of individuals who are living. If any Senator wants to take the responsibility of saying that justice can not be done to the dead, I have nothing more to say.

Mr. SMOOT. There is no objection to the joint resolution that I know of.

Mr. UNDERWOOD. We could have passed it in less time than we have taken to talk about it.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That the appropriate accounting officers are authorized to pay to the legal heirs of the following-named officers of the Coast Guard, late of the Coast Guard cutter *Tampa*, which was destroyed in Bristol Channel September 26, 1918, the pay and allowances which would have accrued to said officers to and including September 26, 1918, had said officers received and accepted the temporary commissions on the respective dates that they became eligible for advancement, as follows: First Lieutenant of Engineers John Thomas Carr to be a temporary captain of engineers from and including July 1, 1918; Second Lieut. John Farrell McGourty to be a captain from and including July 1, 1918; First Lieut. Roy Ackerman Bothwell to be a temporary captain from and including September 21, 1918; Second Lieut. James Marsden Earp to be a temporary first lieutenant from and including July 1, 1918, and to be a temporary captain from and including September 21, 1918.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed.

Mr. SMOOT. I ask unanimous consent to take up the calendar under Rule VIII, beginning with No. 659, where we left off.

Mr. SMITH of South Carolina. Before unanimous consent is given, I want to ask if the bill the Senator from Florida [Mr. TRAMMELL] desires to call up will be included in the order?

Mr. SMOOT. Yes; it is beyond No. 659.

Mr. KELLOGG. I ask the Senator from Utah why he does not ask unanimous consent to take up all the bills on the calendar?

Mr. SMOOT. The only reason is that these bills never would be reached if we did not begin at No. 659. As far as I am concerned, I hope that when the hour of 2 o'clock comes the Senator having the rivers and harbors bill in charge will agree to lay it aside and let us go through the calendar to-day, because it will be perfectly useless to pass any bills which are on the calendar at a later time than to-day.

Mr. JONES of Washington. I desire to say that, as far as I am personally concerned, I shall be perfectly willing to ask unanimous consent, when 2 o'clock comes, to lay aside the unfinished business temporarily, in order that we may go through the calendar and take up any of the bills we have passed over that are unobjected to.

Mr. SMOOT. All bills unobjected to.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the calendar will be proceeded with.

The bill (H. R. 11377) for the relief of Warren V. Howard was announced as first in order on the calendar.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired was announced as next in order.

Mr. FLETCHER. Let that go over.

The VICE PRESIDENT. There is objection, and the joint resolution will be passed over.

Mr. STERLING. I do not know what Senator objected, but I hope there will be no objection. This is a House joint resolution, amended by the Senate Committee on the Judiciary, and I hope it may be considered and passed.

The VICE PRESIDENT. There is objection; that is the trouble.

Mr. STERLING. I should like to address the Senator who made the objection and ask him to withdraw his objection.

Mr. SMITH of South Carolina. May I inquire of the Senator to what the joint resolution pertains?

Mr. STERLING. To all the war-time legislation, or emergency legislation, as it was called, with certain exceptions; and then it provides distinctly for the repeal of section 3 of the espionage act as amended.

Mr. SMITH of South Carolina. Is it a lengthy measure?

Mr. STERLING. No; it is not lengthy.

Mr. SMITH of South Carolina. May we not have it read?

Mr. STERLING. I should like to have it read.

Mr. SMITH of South Carolina. I think the legislation is important.

Mr. STERLING. I want to suggest a verbal amendment to the joint resolution.

Mr. BORAH. Mr. President, unanimous consent has not yet been given.

The VICE PRESIDENT. According to the rule, upon a single objection a measure goes over.

Mr. BORAH. I do not desire to object, but I understand the Lever Act is not included in this joint resolution?

Mr. STERLING. It is excepted from the resolution.

Mr. BORAH. I should want to have it included. At the same time I do not wish to prevent the passage of the joint resolution so far as the other laws are concerned. If unanimous consent is given, I shall attempt to have it included.

Mr. SMITH of South Carolina. I have asked that the joint resolution may be read, so that we can be informed as to just what is included in it.

Mr. STERLING. I assume that the Senator from Florida, who made the objection, will not insist upon it.

Mr. FLETCHER. I objected mainly for the reason that I supposed the consideration of the joint resolution would lead to some discussion, and for that reason we would not have time to consider it. I am willing to withdraw the objection, but I think we are going to spend all the forenoon on it.

Mr. SMOOT. I hope not.

The VICE PRESIDENT. The Chair announces that he is going to enforce the five-minute rule if the Senate is going to take up such measures.

Mr. THOMAS. Mr. President, I have hastily looked at the substitute for the House joint resolution, and it is a very important matter. I do not think we can consider it under the rule limiting debate to five minutes. I shall therefore object.

The VICE PRESIDENT. Objection is made.

Mr. SMITH of Georgia. A motion to proceed, notwithstanding the objection, would be in order?

The VICE PRESIDENT. It would.

Mr. SMITH of Georgia. The only reason why I do not make the motion is because there are a number of other measures which we can dispose of to-day. But this joint resolution ought to be disposed of in the next day or two. I do not think there is a more important question now pending than that of getting rid of the war legislation.

Mr. THOMAS. I think that is true, but we must be very careful not to be too hasty about the consideration of a joint resolution which is reported as a substitute for the one referred to the committee.

Mr. SMOOT. My request was that we take up the calendar under Rule VIII and consider those bills to which there was no objection.

The VICE PRESIDENT. But a Senator can move to proceed to the consideration of a bill notwithstanding the objection.

Mr. SMOOT. Not after it is objected to.

Mr. SMITH of Georgia. I was listening carefully to the Senator from Utah and would have objected if that had been included in his request. I was unwilling to have that limitation put on it.

Mr. SMOOT. I was very careful in putting it that way because I wanted to get through to-day with all the bills on the calendar to which there is no objection.

The VICE PRESIDENT. The Chair will state the request again. Is there objection to proceeding to the consideration of the calendar, no bill to be considered to which there is an objection?

Mr. SMITH of Georgia. I object.

The VICE PRESIDENT. Objection is made.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. Mr. President, the hour of 1 o'clock having arrived, I now move that the Senate proceed to the consideration of the bill (H. R. 14063) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

I wish to say in reference to the bill that it embraces the bill which passed the Senate last May, went over to the House, but which could not be considered by the House because they have had no pension day there of late. Therefore I asked that the House bill, which was on the calendar, be rereferred to the Committee on Pensions, and I attached as an amendment thereto the bill which passed the Senate at the last session.

I will say, while the bill may appear to have a large number of names in it, between one-third and one-half of the names have been stricken out because the parties interested have either died or are included under the general bill.

Mr. THOMAS. Mr. President, the bill, as I understand, is one which is designed for the relief of members of the Regular Army and the Regular Navy. I have not been very conspicuous here as an advocate of pension legislation, but I think that legislation designed for the relief of soldiers and sailors of the Regular Army and their widows is entitled to the same consideration at least which is given to pension bills for other classes of military and naval service.

At the last session of Congress several pension bills were passed by the Senate and went to the House. If my information is correct, the House has passed all those bills except the one which covered the class of military service which I have mentioned. This bill is designed to make effective the bill which we passed then, and which will die in the House if this bill is not passed.

I have personal knowledge of one of the items of this pension bill, which I know to be more than meritorious. It gives a small pension of $50 to the widow of a brigadier general who gave his life to the service of his country, and who died leaving practically nothing for her support. In view of the fact that the bill was passed last year by the Senate and failed in the House, I sincerely hope that the Senate will consent to take it up at this time.

Mr. BRANDEGEE. Mr. President, I am in favor of the motion of the Senator from North Dakota and agree with the Senator from Colorado that the bill ought to be disposed of. I wish to ask the Chair, however, in the event the Senator's motion should prevail, after the Senate has acted upon the pension bill would the calendar, under Rule VIII, be the regular order?

The VICE PRESIDENT. Yes; before 2 o'clock.

Mr. JONES of Washington. Mr. President, I think, in view of the statement I made awhile ago with reference to the unfinished business, I ought to say that I made the statement with the understanding that we were to proceed with the calendar and consider bills not objected to. I could not agree, at this time at any rate, to ask unanimous consent at 2 o'clock to lay aside the unfinished business if bills are to be taken up on motion.

Mr. KING. Mr. President, I should like to ask the Senator from North Dakota whether the bill that he proposes now to consider covers Senate Calendar No. 729, Calendar No. 730, and Calendar No. 328?

Mr. McCUMBER. Of the last calendar that is on the Senator's desk to-day.

Mr. KING. I understand the Senator from North Dakota now moves to proceed to the consideration of Calendar No. 780, being H. R. 14063.

Mr. McCUMBER. I will say to the Senator that the bill as now reported contains the items reported by the committee originally, shown by Senate Report No. 760, and there have been added to the bill H. R. 15900 (Rept. 780), and Senate bill 4985 (Rept. 759), and Senate bill 3747 (Rept. 375). It does not contain the others. I do not recall that the Senator mentioned any of the reports which cover the items in this bill.

Mr. KING. As I understand the Senator, and I desire to be put right if I am in error, the items embraced within the bill for which he is now asking consideration were passed upon a former occasion by the Senate.

Mr. McCUMBER. Yes; I do not know just what proportion, but a large proportion of them were passed at the last session.

Mr. KING. The Senator will recall that at the last session we had up Calendar No. 730.

Mr. McCUMBER. No; that is not in this bill.

Mr. KING. May I inquire of the Senator what items are included within Calendar No. 730? Is that a different list?

Mr. McCUMBER. There is no Calendar No. 730. That bill was recommitted to the Committee on Pensions.

Mr. SMITH of Georgia. If the Senator from North Dakota will yield a moment, I understand that he will not press his motion if we can go on with the calendar and dispose of unobjected bills. I understand also that there are a number of Senators who have measures on the calendar that they wish disposed of, and I withdraw my objection to the unanimous-consent request.

Mr. KING. May I inquire of the Senator from North Dakota, because I do have the Calendar No. 730 before me in a very voluminous report, to what bill it refers?

The VICE PRESIDENT. Calendar No. 730 was disposed of several days ago. It was recommitted to the committee.

Mr. McCUMBER. A portion of it is in this bill.

Mr. KING. Then, if I understand the Senator, the bill which we are about to consider if his motion prevails embraces items found within Calendar No. 730?

Mr. McCUMBER. I think that is correct.

Mr. ROBINSON. Will the Senator allow me to submit a request for unanimous consent? In view of the statement just made by the Senator from Georgia [Mr. SMITH], I renew the request made by the Senator from Utah [Mr. SMOOT] some time ago.

Mr. McCUMBER. I have a motion pending now to proceed to the consideration of a bill.

The VICE PRESIDENT. And under the rule the motion is not debatable, notwithstanding it has been debated for 10 minutes.

Mr. ROBINSON. I understand that. My object was to expedite the consideration of bills on the calendar and to reach the bill suggested by the Senator from North Dakota. I am satisfied we will reach that bill much more quickly by proceeding with the call of the calendar where we left off on the last occasion when the calendar was considered. Of course, the Senator has the floor, and I can not submit the request unless he yields for that purpose.

Mr. McCUMBER. It will take no more time to dispose of the pension bill now. I do not think it would be reached before 2 o'clock under that arrangement.

The VICE PRESIDENT. The question is on the motion of the Senator from North Dakota to proceed to the consideration of House bill 14063.

On a division, the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14063) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

Mr. ROBINSON. I ask unanimous consent that the formal reading of the bill be dispensed with.

Mr. KING. I hope the Senator will not make that request. I think we ought to be advised as to the character of the pension sought. There are hundreds of items here.

Mr. ROBINSON. That settles it.

The VICE PRESIDENT. The bill will be read.

The reading clerk proceeded to read the bill.

Mr. ROBINSON. Mr. President, I ask the attention of the Senator from Utah [Mr. KING]. To read the bill will require practically the entire day and prevent the consideration of other bills on the calendar. Of course, if Senators desire to accomplish that purpose they can do it, but there are a large number of bills on the calendar that have never received any consideration. I ask unanimous consent that the reading of the bill be dispensed with.

Mr. KING. What the Senator states, perhaps, may be true as to the length of time that would be consumed in reading the bill, but, Mr. President, we have passed during the last year a pension bill under which persons who have suffered no disability whatever receive $50 per month and their widows receive large sums.

Mr. McCUMBER. If there are any such cases they are not included in this bill.

Mr. KING. That law is so comprehensive that it seems to me that substantially all who should receive pensions could find relief under it.

Mr. McCUMBER. The Senator from Utah is mistaken. This bill covers those who served in the Regular Establishment, none of whom are receiving $50 a month under the law to which the Senator refers. This is not a bill that relates to the veterans of the Civil War, but it relates only to those of other wars and who served in the Regular Establishment.

Mr. KING. Mr. President, if the Senator will pardon me, the law to which I have referred carried provisions for the relief of those who served in the Mexican War, and we also passed a bill providing for those who served in the Spanish-American War.

Mr. McCUMBER. None of those are included in this bill.

Mr. KING. Although they may have seen no service they are entitled to $30 per month pension. Now, let me inquire of the Senator, with all of those comprehensive measures which have been enacted, under which we are appropriating more than $200,000,000 annually, and I think the bill this year will carry, perhaps $230,000,000—the Senator from Colorado [Mr. THOMAS] advises me it will carry $265,000,000—what persons or what classes of individuals should now receive attention and be paid pensions?

Mr. McCUMBER. Those who were not in the Civil War at all; those who were not in the Mexican War; those who derive no benefit whatever under the law to which the Senator has referred under which we granted to the veterans of the Civil War and their dependents certain sums. This bill covers only the Regular Establishment and the Spanish War veterans, but not those of the Civil War.

Mr. KING. May I not inquire of the Senator concerning the Spanish-American War pension bill which we passed if provision was not made that all persons who had been in that war and had served 90 days, notwithstanding they had never left the United States, perhaps, but had only been in an Army camp a few weeks, should be pensioned at $30 per month?

Mr. McCUMBER. Oh, no.

Mr. KING. That is my recollection of the bill.

Mr. McCUMBER. The pension bill passed at the last session was for the widows of soldiers of the Spanish-American War who had an income of less than $250 per annum.

Mr. KING. The Senator knows that the Sells bill, as it was called, grants a pension to those who were in the Spanish-American War regardless of injuries.

Mr. McCUMBER. No. It grants a pension to those who were injured; but that pension ranges from $12 to $30 per month; and it does not cover those who were in the regular service.

Mr. KING. Now, may I inquire of the Senator——

Mr. McCUMBER. I may be mistaken. I am told that I am in error; but the pension, I think, runs from twelve to thirty dollars a month.

Mr. KING. My understanding is that that bill practically covered all who served in the Spanish-American War.

Mr. McCUMBER. Yes.

Mr. KING. So we have made provision for those who were in the Spanish-American War, for those who were in the Mexican War, and for those who served in the Civil War. May I inquire of the Senator what other classes are there to be cared for by way of pensions?

Mr. McCUMBER. The Regular Establishment.

Mr. KING. That is, those who are now in the Army?

Mr. McCUMBER. No; those who have been members of the Army from 1865 but who were not in the Spanish-American War and who were not in the World War.

Mr. KING. Then, do I understand the Senator to mean that it is the policy of the Government, regardless of the fact that they have not participated in any war, to grant pensions to those who served in the Army between the close of the Civil War and the breaking out of the Spanish-American War, but who did not participate in either?

Mr. McCUMBER. Yes; if they were injured in the service.

Mr. KING. May I inquire what wars there were between the close of the Civil War and the Spanish-American War in which any injuries could have been suffered?

Mr. McCUMBER. The Senator asks me as to those who were not in any war, and I say that if they suffered any disability by reason of their service the bill covers them.

Mr. KING. Then, do I understand the Senator to announce that it is the policy of the Government to grant a pension to every person who has been in the Army, though such person may never have been in any military undertaking or expedition?

Mr. McCUMBER. It has always been the policy of the Government to do that.

Mr. KING. Persons who enlisted 20 or 30 years ago for a year and immediately after their service went back to private life and have been engaged in private activities from that time until the present are to be pensioned?

Mr. McCUMBER. No.

Mr. KING. Does not the Senator's statement imply that?

Mr. McCUMBER. No; if a person was injured in the service, he would be entitled to a pension.

Mr. KING. Does the Senator aver that all of the persons named in the pending bill of 112 pages come within the class that would be covered by the statement just made by the Senator?

Mr. McCUMBER. Yes.

Mr. KING. Take, for instance, the first name which my eye falls upon in the bill, on page 29:

The name of Richard J. Weaver, dependent father of John T. Weaver, late of Company M, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

What service did John T. Weaver render that would entitle his father to a pension during the remainder of his life?

Mr. McCUMBER. I will turn to the report to obtain that information. The report is very voluminous, but I find in connection with the case referred to by the Senator the following statement:

H. R. 11787. Richard J. Weaver, Hillsboro, Ky., dependent father of John T. Weaver, who served in the Regular Establishment, Company M, First United States Infantry, from January 13, 1910, to February 9, 1911, when he died from pulmonary tuberculosis contracted in service and line of duty. He had prior service which was continuous almost from April 15, 1901, to December 30, 1909. (F. O. 985611.)

The claimant filed a claim for pension as soldier's dependent father April 27, 1912. The reviewer approved the claim for admission but the re-reviewer would not concur and it was rejected on the ground that claimant, soldier's father, was not dependent within the meaning of the law, as he was in possession of some property and was still able to earn an adequate support.

The evidence submitted with the claim showed that the soldier was never married and that his mother died in 1889, that claimant owned a farm worth about $600, being disqualified for work about two-thirds of the time, and that he was about 56 years of age (now 64), and that he had an invalid wife to provide for, who is now 67 years of age.

With this bill claimant files his sworn statement to the effect that his property is valued at about $350 and that he has an income of about $100 per annum. Lay witnesses verify his statement as to property and income and further testify that he has no children or other relatives who contribute to his support, and that he has no income except from what little he can earn on his small farm. A physician testifies that he is totally unable to perform any manual labor by reason of rheumatism and disease of heart.

A pension of $12 per month is recommended.

That is the report.

Mr. KING. Mr. President, then, if I understand the Senator, we are committing the Government to this sort of a policy—that as to every person who has served in the Army, no matter how limited that service may have been, and though it may have been entirely in time of peace, if he dies his widow or dependents shall receive a pension if it may be averred that the soldier received injuries or incurred some disability while in the service which proximately contributed to his death.

Mr. McCUMBER. That is the law now. We are not changing the law; we are not creating any new law. The only question in this case was whether the soldier came under the law. The Pension Bureau first found that the father was dependent, but on a rehearing it was decided the other way. Additional evidence was submitted to the Committee on Pensions of the House, upon which that committee acted, in which action the Senate committee concurred, to the effect that the father was dependent and that he should receive the $12 provided by law.

Mr. KING. May I inquire of the Senator whether pensions would be granted under existing law to persons who died after a few months of service in times of peace and whose death could not by any possibility be traced to their service?

Mr. McCUMBER. No; not in the Regular Establishment.

Mr. KING. Are there any other establishments under which in cases of the character to which I have just referred pensions would be granted?

Mr. McCUMBER. In the case of a veteran of the Civil War the widow would be entitled to a pension or the dependent child or mother and father would be entitled to a pension.

Mr. KING. Then, as I understand the Senator, this bill is merely for the purpose of interpreting existing law more liberally in behalf of pension claims than the officials of the Government have interpreted the law.

Mr. McCUMBER. No; the bill does not interpret the law at all. The bill, so far as it relates to this particular item, finds that the father is dependent and is entitled to a pension under the terms of the existing law. It is the finding of a fact rather than the construction of the law.

Mr. KING. Then, as I understand the Senator, the officials of the Government have found differently from the committee.

Mr. McCUMBER. They have found both ways; they have found with the committee and they have found contrary to the finding of the committee; but the conclusion of the committee was that the father was dependent, and the evidence which sustains the committee has just been read to the Senator.

Mr. KING. Does the Senator think that it is a wise thing, after we have established tribunals for the purpose of hearing evidence and deciding controversies and have authorized them to reach conclusions, for the legislative branch of the Government in an ex parte way to overrule their decisions and to legislate for the purpose of overturning their decisions?

Mr. McCUMBER. It has been done, I will not say thousands of times, but probably hundreds of thousands of times. I do not think that even the finding of a bureau here should preclude a committee of the Senate from finding differently from the bureau. I think practically every day in our legislation we are overruling their decisions and their views in a great many matters, and I think the Senator has joined with the other Members of the Senate in overruling their conclusions.

Mr. KING. Mr. President, I confess that the decisions of bureaus and executive officials do not have very much sanctity, so far as I am concerned. Prima facie, the decisions of many of these bureaus are wrong, judging from the multitudinous efforts which have been made, and successfully made, to overturn them. Yet where we have set up a Pension Bureau, and the Pension Bureau, so far as I can determine, has acted wisely and with due consideration in the determination of the cases which have been brought before it, it seems to me that it is a rather unfortunate precedent to overturn them, and we find evidences of the results of that course in the constant importunities made to the House and to the Senate to pass private and special pension bills.

Mr. McCUMBER. Let me say to the Senator that it is only in cases where the committee finds that the bureau has acted unwisely that it overturns its decisions. Remember that the action of Congress does not affect a decision in one case, perhaps, out of one hundred thousand that is passed upon by the bureau.

Mr. KING. Mr. President, it is so seldom that Government bureaus act in the interest of economy and fail to respond to demands which are made for contributions from the Treasury of the United States, that when they do take that course I am inclined to follow them and to assume that there must be merit in their decision, because the Senator knows the disposition on the part of Government officials to grant, and grant still more, and to contribute still more from the Treasury of the United States.

Mr. McCUMBER. Take the case that the Senator has just brought up. I read the testimony. From that testimony which I read, would the Senator draw the conclusion that the father was dependent? If he would, he must agree with the committee. If he would not, of course he would disagree with the committee. Now, it is assumed that the committee has acted fairly and justly in the matter.

Mr. KING. Of course, it depends upon the construction which is placed upon the word "dependent." I fancy that if the view of the Senator, as I understand it, should prevail, the majority of fathers and mothers would be found to be dependent because of the lack of any great resources and the fact that work is required on their part for sustenance, so that they are in a sense dependent.

Mr. McCUMBER. I have an idea that in most cases where the son is over 65 years of age, which would probably bring the father over 85 years of age, the father would be more or less dependent.

Mr. KING. Of course, this legislation will mean that within the next 25 years the Government of the United States will be compelled to pay not $1,000,000,000, but, in my opinion, the Government of the United States during the next 25 years will be compelled to pay from $20,000,000,000 to $30,000,000,000 in pensions.

Mr. McCUMBER. In how many years?

Mr. KING. In 20 or 25 years.

Mr. McCUMBER. I think the figure is somewhat exaggerated. There is no question but that they will pay a large sum.

Mr. KING. With the demands that are being made and with the statements which are attributed to the distinguished chairman of the Committee on Finance, the able Senator from Pennsylvania [Mr. PENROSE], it seems to me the statement I have made is in the interest of verbal exactitude rather than exaggeration. I think the total will, perhaps, exceed that stupendous sum, so that the cost of the war is just beginning instead of being nearly over.

Mr. McCUMBER. I am satisfied that during the next 25 years the American people will be taxed to the limit to pay the costs resulting from this war and the other appropriations and extravagances of Congress. There will not be much question about it. We will pay all we can.

Mr. KING. I should like to ask the Senator how many items there are in this bill and what is the amount that it will cost the Government per annum? I have examined the report, and it furnishes no information on the subject.

Mr. McCUMBER. I think there are in the neighborhood of 500 items, with an average of about $12 each, as nearly as we can estimate it offhand, without counting them.

Mr. KING. The average, I think, if the Senator will examine the report, will be found to be very greatly in excess of $12.

Mr. McCUMBER. Possibly $15.

Mr. KING. I find that most of them are $17, $20, and $25.

Mr. McCUMBER. Most of them, I think, are $12.

Mr. KING. Mr. President, I am opposed to this bill. I have been opposed to a number of the pension bills which we have passed. It seems to me that we are pursuing a policy which will impose upon the American people burdens that will be almost intolerable. We talk about the burdens imposed upon Germany under her military system. Those burdens are light in comparison to the burdens which the American Congress is placing and will continue to place upon the shoulders of the men who toil in this Republic.

Mr. President, we are pursuing a course which within a few years will result in a pension list so large that no country in the world has ever dreamed of approximating it. We will have upon our pension rolls within the next five years not 1,000,000, but 3,000,000 or 4,000,000 or 5,000,000 of names, and the burdens resting upon the American people will not be $200,000,000 or $300,000,000, as they were last year and year before, but they will annually exceed $1,000,000,000, possibly $2,000,000,000.

Mr. McCUMBER. I do not think the bills that we pass in special legislation will amount on an average now to a difference of $200,000 a year. Some time ago I had occasion to make the estimate, and the amount was about $225,000 then; but the number that we are now putting through the two branches of Congress is much less than we put through at that time. What I mean by that is, that much is in addition to what is being paid without the special legislation.

Mr. KING. Under general appropriation bills we are appropriating substantially two hundred and fifty or two hundred and sixty million dollars, and that does not include any of the pensions that may have resulted and will result from the World War.

Mr. McCUMBER. Yes; there are some of the pensions of the World War within those figures.

Mr. KING. Very few.

Mr. McCUMBER. All those that were injured in any way were entitled to a pension prior to the time that we enacted the war risk insurance law.

Mr. KING. The Senator will recall that in 1917 the general pension bill—that was before the World War—carried substantially $220,000,000.

Mr. McCUMBER. Yes.

Mr. KING. Since then we have increased the pensions I do not remember how many millions of dollars.

Mr. McCUMBER. Anyway, enough so that it now amounts to $265,000,000.

Mr. KING. And we added to that general bill what was called the Sells bill, providing for those who were in the Spanish-American War, so that those general pension acts carry appropriations aggregating about $265,000,000 annually. Then, in addition, appropriations are being made, and larger ones will be made in the future, to cover cases arising out of the World War. So I can only repeat to my friend, the Senator, that he is participating in legislation which will impose upon the American people within a very short time pensions, in my opinion, of approximately $750,000,000 to $1,000,000,000 per annum.

Mr. McCUMBER. Of course, we can get little comfort out of deaths; but the soldiers of the Civil War, for whom the vast amount of pensions is being paid out, can last but a very few years longer. I think now they are all getting along about 80 years of age, while the widows, of course, are somewhat younger; but a few years will remove entirely this vast sum of, say, two hundred and forty or two hundred and fifty million dollars that is being paid to the veterans of the Civil War and their dependents.

Mr. NEW. Mr. President, if the Senator from North Dakota will permit me as to that, I should just like to add that the deaths which occur annually now are sufficient to remove from the pension rolls enough to take care of half a dozen such bills as the one which is now under consideration. Not only that, but the Senator from Utah speaks of the $265,000,000, and then to that he adds the so-called Sells bill, the Spanish-American War bill, this bill, and various other bills, as though the expenditures under them were added to the total of $265,000,000. They are not. The $265,000,000 includes everything. It is the gross amount.

Mr. KING. If I conveyed that impression, I did not so intend. When I stated the maximum amount of $265,000,000, I intended to state, and think I did state, that that embraced the pensions that came under the general legislation; and in the general legislation I included the Sells bill as well as the bill which we passed at the last session providing $50 per month for the veterans of the Civil War.

Mr. NEW. The $265,000,000 was the gross amount.

Mr. KING. But let me say to the Senator from Indiana that there appears to be no diminution. When President Garfield was a great factor in public life, just before he became President, he made the prophecy that the pension roll would never exceed, as I recall, $27,000,000 per annum. President Garfield was a great statesman, but he did not have in mind the voracious appetites of the American people for pensions. Twenty-seven million dollars! Why, we have swollen those figures until, as stated by the Senator, the appropriations under general legislation will carry $265,000,000, and then the appropriations directly and indirectly from the World War for the coming fiscal year I think will aggregate three or four hundred million dollars.

Mr. McCUMBER. The time of which the Senator speaks was the good old time when we used to think in pennies and make appropriations in hundreds of dollars. We are now thinking in hundreds of dollars and making appropriations in millions.

Mr. WALSH of Montana. Mr. President, I should like to say to the Senator that some of us are interested in some important legislation upon the calendar, and probably no other opportunity will be afforded to consider it; and I trust these general discussions may be postponed until some other time.

Mr. McCUMBER. I thank the Senator for his good and timely suggestion.

Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment.

Mr. ROBINSON. There is a request pending to that effect, and it has been pending for some time. I submitted the request.

The PRESIDING OFFICER (Mr. STERLING in the Chair). Is there objection? The Chair hears none. The Secretary will read the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Pensions was, on page 1, to strike out lines 6 to 9, both inclusive, in the following words:

The name of Robert S. Hansbury, late second lieutenant Company L, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, to strike out lines 1 to 3, both inclusive, in the following words:

The name of William Bogen, late of Company M, Tenth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, to strike out lines 14 to 24, both inclusive, in the following words:

The name of Susan M. Gregory, former widow of John R. Sherry, alias John Fitzgerald, who served in Troop F, Fifth Regiment United States Cavalry, Regular Establishment, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Fountain Tankersley, late of Company L, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Fred C. Sawin, late of Company F, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, to strike out lines 5 to 13, both inclusive, in the following words:

The name of Socrates P. Battle, late of Company D, First Regiment Louisiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Henry M. Agenbroad, late of Company L, Second Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sarah M. J. Bertram, widow of Francis Bertram, late of the United States Navy, War with Mexico, and pay her a pension at the rate of $35 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 18 to 22, both inclusive, in the following words:

The name of Louisa H. Highley, dependent mother of Robert A. Highley, late of Company M, First Regiment Missouri Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, to strike out lines 3 to 6, both inclusive, in the following words:

The name of James M. Vint, late of Company H, One hundred and fifty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 10 to 13, both inclusive, in the following words:

The name of Frank R. Wall, late of the First Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 21 to 24, both inclusive, in the following words:

The name of George W. Mason, late of Troop A, First Regiment Kentucky Cavalry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, to strike out lines 1 to 4, both inclusive, in the following words:

The name of Benjamin Hammonds, late of Company C, Sixth Regiment United States Volunter Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on the same page, line 23, to strike out "$12" and insert "$30," so as to make the paragraph read:

The name of Seaburn D. Wray, late of Troop M, Fourth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 6, to strike out lines 1 to 10, both inclusive, in the following words:

The name of Carey O. Amsbaugh, late of Company L, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles W. Ranger, late of Company D, Third Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Tom S. Bailey, late of Company F, Third Regiment Tenessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 21 to 23, both inclusive, in the following words:

The name of Charles M. Walker, late of Company F, First Regiment Montana Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 8, to strike out lines 13 to 19, both inclusive, in the following words:

The name of John D. Jones, late of Company A, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Elmer C. Wilcox, late of Company K, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 24 and 25, and, on page 9, to strike out lines 1 to 6, both inclusive, in the following words:

The name of Marianne H. D'Arcy, former widow of Abraham Edmunds, late of Company E, Third Regiment Ohio Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Henry Lee, late of Company K, Second Regiment Oregon Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 11 to 16, both inclusive, in the following words:

The name of Patrick J. Blake, late of the Tenth Company, United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Jackson, late of Company I, First Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 9, line 17, after the words "widow of," to strike out "the late" and, after the word "Hart," to insert a comma and the words "late of the," so as to make the paragraph read:

The name of Mary Hart, widow of James Hart, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said James Hart until they shall reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 10, to strike out lines 4 to 6, both inclusive, in the following words:

The name of John J. Sharp, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 22 to 24, both inclusive, in the following words:

The name of Roger I. Wershing (insane), late of Company D, Second Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 11, to strike out lines 8 to 12, both inclusive, in the following words:

The name of George W. Robinson, late of Company E, Second Regiment Arkansas Infantry, and Company E, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, to strike out lines 3 to 21, both inclusive, in the following words:

The name of Charles J. McCarthy, late of Battery B, Seventh Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Clarance E. West, alias Earl West, late of Company M, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Marguerite B. Fitzgerald, widow of John Fitzgerald, late of Signal Corps, United States Army, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William H. Troxell, late of Company B, First Battalion Engineers, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles E. Hodges, late of Company F, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, to strike out lines 1 to 3, both inclusive, in the following words:

The name of Harry W. Feldman, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, to strike out lines 13 to 15, both inclusive, in the following words:

The name of Walter E. Crackel, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 20 to 22, both inclusive, in the following words:

The name of William Bays, late of Company E, First Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, to strike out lines 5 to 11, both inclusive, in the following words:

The name of Milton L. Stover, late of Company F, Eleventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jacob P. Marling, late of Company C, First Regiment Maryland Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, to strike out lines 11 to 13, both inclusive, in the following words:

The name of Rush W. Burnside, late of Company C, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 18, to strike out lines 22 to 24, both inclusive, in the following words:

The name of Conrad C. Kalber, late of Company A, First Regiment Connecticut Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, to strike out lines 1 to 4, both inclusive, in the following words:

The name of Thomas J. Stevens, late of Company D, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 8 to 14, both inclusive, in the following words:

The name of George J. Molloy, late of Company D, Ninth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Julius A. Nemitz, late captain and regimental quartermaster Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 19 to 25, both inclusive, in the following words:

The name of John A. Lovett, late of Company B, Third Regiment Mississippi Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Roy C. Murray, late of Company I, Fourteenth Regiment, and Company I, Eleventh Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, to strike out lines 20 to 23, both inclusive, in the following words:

The name of Dell W. Stinchcomb, late first lieutenant Company A, Seventh Regiment Ohio Infantry, War with Spain, and pay her a pension at the rate of $12 per month, in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, to strike out lines 4 to 10, both inclusive, in the following words:

The name of August H. Knippenberg, late of Company M, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charley Thomas, late of Company L, Eighth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on the same page, to strike out lines 15 to 18, both inclusive, in the following words:

The name of James B. Bristow, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, after line 8, to strike out:

The name of Alexander Emory, late of Company I, First Regiment Tennessee Infantry, and Company D, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, line 22, to strike out "M" and insert in lieu thereof "U," so as to read:

The name of William A. Morris, late of Company U, etc.

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to strike out the following:

The name of Knight F. Flanders, late of Company C, First Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Ralph L. Hackett, late of Battery B, First Regiment Maine Heavy Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 24, to strike out lines 5 to 7, inclusive, as follows:

The name of Frank H. Alspach (insane), late of Company K, Fiftieth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 25, line 3, to strike out "$17" and insert in lieu thereof "$30," so as to read:

The name of John W. Thompson, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 25, to strike out lines 20 to 23, inclusive, as follows:

The name of Cornelius Conley, alias Cornelius Connelly, late of Troop B, Second Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, to strike out lines 16 to 18, inclusive, as follows:

The name of Herbert E. Strode, late of Company L, Second Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month

The amendment was agreed to.

The next amendment was, on page 27, to strike out lines 1 to 7, inclusive, as follows:

The name of William A. Foster, late of Company B, Fourth Regiment Virginia Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Abraham M. Reams, late of Company K, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 27, line 11, in the allowance to Lena Mauter, to strike out "$25" and insert in lieu thereof "$20."

The amendment was agreed to.

The next amendment was, on page 27, line 15, in the allowance to Susan Chittenden, to strike out "$25" and insert in lieu thereof "$20."

The amendment was agreed to.

The next amendment was, on page 28, to strike out lines 3 to 5, inclusive, as follows:

The name of Andrew J. Showan, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, to strike out lines 9 to 11, inclusive, as follows:

The name of Benjamin Phillips, late of Company I, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, to strike out lines 3 to 5, inclusive, as follows:

The name of Mike Kulas, late of Company E, Twelfth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, lines 23 and 24, and page 30, lines 1 to 18, inclusive, to strike out the following:

The name of Frank Risner, late of Company G, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William Winn, late of Company C, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Leck Patrick, late of Company C, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Julia Tomlin, dependent mother of Archie Tomlin, late of Company A, Fourth Regiment Missouri Infantry, War with Spain, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Simpson Hornaday, late of Troop H, Sixth Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving, to include special pension of $10, medal of honor roll.

The amendment was agreed to.

The next amendment was, on page 31, to strike out lines 8 to 13, inclusive, as follows:

The name of Huse Walker, late of Company B, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frederick Hattler, late of Company E, Thirteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 33, to strike out lines 1 to 4, inclusive, as follows:

The name of Stephen Lyttle, late of Troop M, Ninth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, to strike out lines 16 to 22, inclusive, as follows:

The name of Henry Puder, late of Company F, Sixth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Archie M. Leighton, late of Company C, First Regiment New Hampshire Infantry, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, to strike out lines 7 to 16, inclusive, as follows:

The name of Carl L. Setchell, late of Company F, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Robert H. Foote, late of Company L, Third Regiment Iowa National Guard, border defense, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $24 per month.

The name of John H. Clark, late of Company C, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 34, to strike out, in the allowance to Mary Plum, as follows:

And that the Commissioner of Pensions be directed to pay the claimant the pension that accrued to the soldier.

The amendment was agreed to.

The next amendment was, on page 35, line 11, in the allowance to Betty Lentz, to strike out "$25" and insert in lieu thereof "$20."

The amendment was agreed to.

The next amendment was, on page 35, to strike out lines 22 to 24, inclusive, as follows:

The name of William Pace, late of Company M, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 36, to strike out lines 10 to 13, inclusive, as follows:

The name of Alfred J. Hester, late captain of Company E, Thirteenth Regiment Pennsylvania Infantry, National Guard, Regular Establishment, border defense, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 37, to strike out lines 9 to 12, inclusive, as follows:

The name of Hugh Sizemore, late of Companies C and H, Twenty-third Regiment United States Regular Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 37, to strike out lines 16 to 19, inclusive, as follows:

The name of John F. Scott, late of Company I, Sixth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 37, line 20, to strike out the words "late of band"; on line 21, to strike out the words "and band, Eleventh and," and the word "regiments," and to insert the word "regiment"; and on line 22, after the word "Spain," to insert the words "and in band, Eleventh United States Infantry"; so as to read:

The name of James A. Fullen, Company G, Fourteenth Regiment United States Infantry, War with Spain, and in band, Eleventh United States Infantry, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 38, to strike out lines 19 to 21, inclusive, as follows:

The name of Daniel Guthrie, late of Company H, Seventh Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 39, to strike out lines 8 to 10, inclusive, as follows:

The name of Joseph Griffin, late of Company C, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 41, to strike out lines 19 to 22, inclusive, as follows:

The name of Harry L. Evans, late of Company G, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 42, to strike out lines 6 to 8, inclusive, as follows:

The name of James Baker, late of Companies K and E, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 42, to strike out lines 13 to 16, inclusive, as follows:

The name of William J. Degnan, late of Company K, Thirtieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 43, to strike out lines 11 to 14, inclusive, as follows:

The name of Michael A. Kilrow, late of Company G, Thirteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 44, to strike out lines 7 to 11, inclusive, as follows:

The name of Emma F. Buchanan, widow of Francis A. Buchanan, late of Capt. Child's company, South Carolina Mounted Volunteers, Indian wars, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 45, line 20, in the allowance to Alexandra Mackenzie, after the words "widow of," to strike out "Egebert" and insert in lieu thereof the word "Egbert," so as to read:

The name of Alexandra Mackenzie, widow of Egbert G. Mackenzie, late assistant surgeon, etc.

The amendment was agreed to.

The next amendment was, on page 46, to strike out lines 18 to 20, inclusive, as follows:

The name of Anthony D. Mitten, late captain Company M, Ninth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 47, line 15, to strike out "Williams's" and insert in lieu thereof the word "Williams'," so as to read:

The name of John S. Robison, late of Capt. James Williams' Company N, Washington Territory Mounted Volunteers, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 47, to strike out lines 18 to 26, inclusive, as follows:

The name of James E. Davis, late of Company D, Two hundred and third Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Albert M. Gordon, late of Company E, Second Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Noble, jr., late of Troop A, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 48, to strike out lines 8 to 10, inclusive, as follows:

The name of William B. Spencer, late of Companies I and C, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 48, to strike out lines 15 to to 22, inclusive, as follows:

The name of Ward A. Siebenthal, late of Company H, One hundred and fifty-ninth Regiment Indiana Infantry, and Company G, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jasper E. Glascock, late of Company E, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 49, to strike out lines 1 to 3, inclusive, as follows:

The name of Edward Carter, late of Company C, First Regiment Colorado Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 49, to strike out lines 8 to 17, inclusive, as follows:

The name of Noah Lucas, late of Company C, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Taylor, late of Company D, Third Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Wilbur C. Gahret, late of Company L, Second Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 50, to strike out lines 11 to 14, inclusive, as follows:

The name of Frank L. Johnson, late of Battery H, First Ohio Light Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 52, to strike out lines 11 to 14, inclusive, as follows:

The name of James Adams, late of Company H, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 53, to strike out lines 6 to 8, inclusive, as follows:

The name of Jefferson H. Murray, late of Company K, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 54, to strike out lines 3 to 9, inclusive, as follows:

The name of Charles L. Taylor, late quartermaster sergeant, Fourth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of George P. Barker, late major, Sixth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 54, to strike out lines 18 to 24, inclusive, as follows:

The name of Nora Waters, widow of Michael Waters, jr., late of Company K, First Regiment Missouri Infantry, War with Spain, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of each of the minor children of said Michael J. Waters until they reach the age of 16 years, in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 55, line 14, in the allowance to Elizabeth Peters, to strike out "$30" and insert in lieu thereof "$20."

The amendment was agreed to.

The next amendment was, on page 55, to strike out lines 22 to 24, inclusive, as follows:

The name of Winfield S. Cooper, late of Company A, Second Regiment Mississippi Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 56, line 16, in the allowance to Louisa Johnson, to strike out "$25," and insert in lieu thereof "$20."

The amendment was agreed to.

The next amendment was, on page 57, to strike out lines 20 to 23, as follows:

The name of George G. Denning, late of Companies C and D, Thirty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 58, to strike out lines 5 to 7, inclusive, as follows:

The name of John G. Pearson, late of Company B, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

Mr. HARRISON. May I ask the Senator from North Dakota, who has this bill in charge, a question? This is one of the regular pension bills, I understand?

Mr. McCUMBER. It is.

Mr. HARRISON. Can the Senator tell the Senate what is the status now of the soldiers' bonus bill, which is pending in the Finance Committee? I noticed in the papers several days ago that the Senator from North Dakota gave a statement to the press saying, in substance, that he expected the Finance Committee to report out that bill before the 4th of March, and also that the chairman of the committee, the Senator from Pennsylvania [Mr. PENROSE], gave out a similar statement. I saw, too, where a delegation of the representatives of the American Legion conferred with the Senator from Pennsylvania and, I think, with the Senator from North Dakota, and they left here under the impression, at least, that the bill would probably be reported to the Senate. I am wondering if the committee is going to report it, if they intend to press it, and if the Senator has any idea that between now and the 4th of March to get any action on that bill?

Mr. McCUMBER. I had hoped to report it two or three days ago, but I did not want to report it without presenting to the Senate something definite as to exactly what it would cost and over what years that cost would be spread, in order that the Senate might fully understand exactly what they were voting for, and also to cover the assertion often made that it will throw a billion or two immediately upon us for payment. I found from the testimony which was taken that it was so indefinite that it was almost impossible to present from the facts before us an exact statement of just what it means to the soldiers and sailors and what it means to the Treasury.

I immediately began my work with the War Department, the Navy Department, and the Treasury Department, and I am now making out my tables, and I hope to have them completed, with the assistance of the actuary of the Treasury Department, and to be able to present the facts fully and clearly to the Committee on Finance by to-morrow. Then I hope it will be reported into the Senate, and, if possible, passed at this session.

Mr. HARRISON. I understand from what the Senator says that the committee has not yet taken final action on this bill, but they have left it to the Senator from North Dakota to get up certain facts to report back to the Finance Commitee.

Mr. McCUMBER. To ascertain certain facts and report to the committee.

Mr. HARRISON. But the Finance Committee has not yet taken definite action to report the bill out?

Mr. McCUMBER. They have not, and will not, of course, until I get the final figures. I can only give my conclusion as one, but from the talk I have had with other members, in all probability as soon as I can present the facts the bill will be reported out.

Mr. HARRISON. The Senator thinks he will make his report to the Finance Committee to-morrow?

Mr. McCUMBER. I hope to be able to do it.

Mr. HARRISON. To-morrow will be the 25th.

Mr. McCUMBER. I am doing the very best I possibly can to get the figures. I have not lost a moment of time since the matter was turned over to me to get a statement.

Mr. HARRISON. I am sure the Senator has been very diligent.

Mr. McCUMBER. It is more difficult than I anticipated.

Mr. HARRISON. Of course, the Senator has more knowledge of this question than anyone else, and I am seeking real information, because there is no use giving the impression to the country that Congress is going to do something if it is impossible to accomplish it. The Senator thinks, then, from the conferences in the committee, that they will take favorable action on some bill touching the soldiers' bonus?

Mr. McCUMBER. I think so.

Mr. HARRISON. The Senator does not think, however, whatever favorable action they may take, that it is possible to pass the bill during this session of Congress?

Mr. McCUMBER. I can not say that. I hope we will be able to do it.

Mr. HARRISON. I understand. I hope that, too. The Senator and myself are together on that.

Mr. McCUMBER. But it must be subject to some doubt, of course. However, we will have had our facts ready, and we will meet again within a month; and if it so be that we can not get it through both branches during this session, we will be able to take it up immediately at the beginning of the next session. I hope we can pass it at this session.

Mr. HARRISON. But under the peculiar circumstances existing now, Congress adjourning on the 4th of March, and all legislation dying with the expiration of this Congress, there only remaining now eight or nine days, it looks as though it would be impossible to pass any soldiers' bonus legislation at this time, does it not?

Mr. McCUMBER. It is not impossible, of course, but it looks doubtful about getting it through at this session. However, I want to call the Senator's attention to the fact that if it is reported out of the committee it will be reported out without any tax provision whatever, so as to make it an obligation which must be met in taxes in the future, and imposing upon the Committee on Finance of the Senate and the Ways and Means Committee of the House the obligation to make proper provision to take care of that, together with the other expenses of the Government.

Mr. HARRISON. If the Senate Finance Committee should take that action and strike out the policy incorporated to raise money to pay the bonuses, that would change the bill in such a way that if the Senate should pass it then the bill would go to conference (unless the House, of course, concurred in what the Senate did) and that would delay the matter probably until after the 4th of March, and there would be no legislation.

Mr. McCUMBER. But, inasmuch as we would not in all probability change the bonus feature, and inasmuch as we are to meet in a month, or a little over a month, to consider the subject of finances to meet the requirements of the Government in the future, I can see no reason why the House should not accept the amendment to defer the fixing of the method by which it is to be paid until we decide that in the final revenue act.

Mr. HARRISON. The House might take just the opposite view.

Mr. McCUMBER. Of course they might.

Mr. HARRISON. They might think that they had given full consideration to that question, and had suggested a plan in the bill, and that the way to pass the bill was for the Senate to pass it as the House had passed it. We will take up presently a river and harbor bill. The House passed that bill, and the Senate Commerce Committee just took it as it was, and we will get it just as it passed the House.

Mr. McCUMBER. Will not the Senator let us finish the pending bill before 2 o'clock, when the unfinished business comes up? I ask that in all courtesy, and I hope the Senator will not take up the time with this other matter.

Mr. HARRISON. I am not trying to delay this bill; but the impression has gone to the country, from the chairman of the Finance Committee and from other members of the committee, that the soldiers' bonus bill will be passed during the present session of Congress. That bill has been before the Senate Finance Committee for months and months for action, and these men throughout the country should not be given a false hope and false impression of action by Congress, because we know, under the present parliamentary status, that if that bill is not reported almost immediately to the Senate and passed in the wording passed by the House, it will not become a law. I do not believe, under the present condition of things, and the deferring of this bill for action by the Finance Committee, that it is possible to pass it during this session of Congress.

Mr. SMITH of Georgia. There are a great many people who hope it can not be passed.

Mr. HARRISON. I understand that. I merely want to get the right light on the situation.

Mr. SMITH of Georgia. I hope it will not pass.

The PRESIDING OFFICER. The Secretary will state the next amendment of the Committee on Pensions.

The READING CLERK. On page 59, after line 12, insert the following:

The names of Mercedes Slocum, Patricia Slocum, and James Slocum, minor children of William A. Slocum, late of Companies F and I, Seventh Regiment United States Infantry, War with Spain, and pay them a pension at the rate of $12 per month, and $2 per month additional on account of each of the three minor children of the said William A. Slocum until they reach the age of 16 years.

The name of Frances E. Herlehy, widow of Patrick Herlehy, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Leonard Ripple, late of Company L, Third Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of $20 per month.

The name of Jacob Johnson, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Elissa Bahlkow, widow of Rudolph Bahlkow, late of Company F, Fourth Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Anna M. Carroll, widow of Daniel P. Carroll, late of Company K, Third Regiment Nebraska Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Daniel P. Carroll until they reach the age of 16 years.

The name of Henrietta A. Brewer, widow of Rustin C. Brewer, late of Capt. R. L. Williams's Company E, Second Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James A. Childers, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Bronislawa Wypiewski, widow of Jacob Wypiewski, late of Company C, Fourteenth Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of James G. Whalin, late of Troop L, Third United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Christina Holden, widow of Patrick Holden, late of Troop B, Fifth Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Mary Sheridan, widow of John Sheridan, late of Company F, First Regiment Ohio Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Barbara Jones, widow of Lafayette Jones, late of Troop A, First Regiment Kentucky Cavalry, and Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of John T. Mockabee, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Belle Cannon, widow of Benjamin Cannon, late of Company G, Seventh Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Benjamin Cannon until they reach the age of 16 years.

The name of Martha Wallace, widow of Thomas Wallace, late of Company B, Instruction General Service, United States Army, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Samuel A. Holt, late of the Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lucile D. Murphey, widow of William R. Murphey, late of Company K, Second Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said William R. Murphey until he reaches the age of 16 years.

The name of Gilbert G. Hornsby, late of the Twenty-second Company United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Ida C. Brandan, dependent mother of Arthur A. Brandan, late of Company D, Thirtieth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Marie A. Colby, widow of Charles H. Colby, late of Battery D, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles H. Colby until they reach the age of 16 years.

The name of Ida M. Zimmerman, widow of Charles A. Zimmerman, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of John Donovan, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Harriet E. Brown, dependent mother of Philip S. Brown, late major, United States Marine Corps, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Mary E. Turner, former widow of Oscar B. Armstrong, late of Companies H and C, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $30 per month.

The name of Rufus S. Hataway, late of the First Company United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of William H. Ratliff, late of Troop H, Fourth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Sarah A. Scott, dependent mother of Virgil D. Scott, late of Company M, Nineteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Wantz, dependent mother of John Wantz, late of Company I, Third Regiment Illiniois Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Margaret L. Williams, widow of Owen L. Williams, late of Company D, Second Regiment Wisconsin Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Antonette Dierken, widow of Frederick Dierken, late of Troop D, Second Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Corydon W. Clark, late of Company B, Third Regiment New York National Guard Infantry, Regular Establishment, border defense, and pay him a pension at the rate of $17 per month.

The name of Ellen S. Palmer, dependent mother of Arthur R. Palmer, late of Companies F and E, Eighteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Thomas H. Crocker, late of Troop I, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Catherine Burke, dependent mother of George F. Burke, late of Company I, First Regiment California Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Susan E. Strevel, dependent mother of Lafayette Brewer, late of Companies A and F, Twenty-sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Annie J. Peters, widow of Edward Peters, late of the One hundred and eighth Company, United States Coast Artillery, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Elizabeth A. Brown, widow of Martin W. Brown, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Orvill George, late of the Supply Company, Third Regiment Missouri National Guard Infantry, Regular Establishment, border defense, and pay him a pension at the rate of $24 per month.

The name of Christian Hess, late of Company H, Thirty-first Regiment United States Infantry, Indian wars, and pay him a pension at the rate of $20 per month.

The name of David W. Graves, late of the United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Margaret E. Murren, dependent mother of Henry J. Murren, late of Company E, First Regiment Maine Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Anna M. Hughes, widow of Michael W. Hughes, late of Battery F, Second Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of James L. Philips, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Bessie Wood, widow of Luther Wood, late of Company G, Seventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Luther Wood until they reach the age of 16 years.

The name of William W. Burke, late of Troop D, Second Regiment United States Cavalry, Indian wars, Regular Establishment, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Kit Smith, late of Company I, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of John Frund, late of Troop L, Fourth Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of $20 per month.

The name of Harry L. Wilson, late of Company E, Twenty-second Regiment, and Company F, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mathilde E. Ames, widow of Howard E. Ames, late surgeon, ranking with lieutenant, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving, to include and provide for Anjanette Gregory Ames, helpless and dependent child of Howard E. Ames, at the rate of $20 per month: *Provided*, That in the event of the death of Anjanette Gregory Ames, helpless and dependent child of the said Howard E. Ames, the additional pension of $20 per month shall cease and determine: *Provided further*, That in the event of the death of Mathilde E. Ames the name of the said Anjanette Gregory Ames shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the death of said Mathilde E. Ames.

The name of Eleanor W. Massey, widow of Arthur W. Massey, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Laura E. Gardner, widow of Andrew S. Gardner, late of the United States Marine Corps, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Andrew S. Gardner until they reach the age of 16 years.

The name of Grace A. Kimmer, widow of David J. Kimmer, late of Battery A, Fifth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Jacob Mandelbaum, late of Troop H, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Malissa M. A. Carlson, dependent mother of Carl F. Carlson, late of Company D, Forty-third Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Gertrude G. Brown, widow of Dan A. Brown, late of Company E, First Regiment Ohio Cavalry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Dan A. Brown until she reaches the age of 16 years.

The name of Sallie C. Goodman, dependent mother of James S. Goodman, late of Company C, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary E. Lynde, widow of Henry Lynde, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Bridget Margaret Geraghty, widow of Michael Geraghty, late of Company C, Twenty-first Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Edwin Fager, late of Company C, Thirteenth Regiment United States Infantry, Indian wars, Regular Establishment, and pay him a pension at the rate of $20 per month.

The name of Albert Young, late of Company C, Twenty-sixth Regiment United States Infantry, Indian wars, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Indiana Abbott, dependent mother of Nathan J. Abbott, late of Company B, Seventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Alice M. Burke, widow of John J. Burke, late of Battery H, Third Regiment United States Artillery, Regular Establishment, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Amelia J. Barnard, widow of Henry Barnard, late hospital steward, United States Army, Indian wars, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. Cottrell, widow of Arthur Cottrell, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Arthur Cottrell until they reach the age of 16 years.

The name of Sadie Judith Tharp, widow of John A. D. Tharp, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Anna M. Shannon, widow of Mathew Shannon, late of Company C, Two hundred and third Regiment New York Infantry, and Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Bridget Kuhlman, widow of John F. Kuhlman, alias John F. Coleman, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Teresa M. Strain, widow of John A. Strain, late of Company H, First Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said John A. Strain until he reaches the age of 16 years.

The name of Clifton L. Fenton, late captain and assistant quartermaster, United States Volunteers, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Margo, late of Troop C, Third Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Annie F. Hickey, widow of Simon P. Hickey, late of Companies M and H, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Simon P. Hickey until they reach the age of 16 years.

The name of Paul L. Bahr, late of Company A, Seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Cornelius Meek, late of Company A, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Belle Sturgill, widow of Andrew J. Sturgill, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Andrew J. Sturgill until they reach the age of 16 years.

The name of Alice G. Hudson, widow of Edward A. Hudson, late of Company H, Fourteenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William A. Johnson, late of Lieut. J. J. Willingham's Company U, Montague County, Texas Minute Men, Indian wars, and pay him a pension at the rate of $20 per month.

The name of John A. Napier, late of the One hundred and eleventh Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Lydia Vicars, dependent mother of Samuel G. Vicars, late of Company F, Twenty-second Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ida Cohen, dependent mother of William Cohen, late of Troop A, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Rooney, dependent mother of William R. Rooney, late of Company G, Two hundred and third Regiment New York Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Thomas Bunion, late of Company D, Twenty-fourth Regiment United States Infantry, Indian wars, and pay him a pension at the rate of $20 per month.

The name of Sophia E. McKinney, widow of James L. McKinney, late of Company I (Capt. W. W. Chapman), Second Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Flora E. Tyler, former widow of Samuel N. Hudson, late of Company D, Third Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Lulu S. Fitzsimmons, widow of William Fitzsimmons, late of Company K, Second Regiment Alabama Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of said William Fitzsimmons until she reaches the age of 16 years.

The name of Margaret M. Agan, widow of Michael E. Agan, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Michael E. Agan until they reach the age of 16 years.

The name of Emma M. Gardner, widow of Stephen B. Gardner, late of Capt. D. W. Keith's Company C, Second Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Edwin M. Thomas, late of the Ninety-fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert Putnam, late of Company E, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Rose C. Isaac, widow of Eugene McC. Isaac, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Elizabeth Skaggs, widow of Ferit E. Skaggs, late unassigned, Twentieth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Ferit E. Skaggs until they reach the age of 16 years.

The name of Mollie Bradford, widow of Samuel Bradford, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William L. Basket, late of Company F, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary Ann Smith, widow of Samuel D. Smith, late of Companies I and A, Twenty-second Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Henrietta A. Hewett, dependent mother of Elmer M. Hewett, late of Company F, First Regiment Maine Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Rushie Peterman, widow of Charley Peterman, late of Company A, Second Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of James H. Reed, late of Company F, Thirtieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary E. Wiggin, widow of Charles H. V. Wiggin, late of Troop K, First Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Veronica Deckarz, widow of Ignatz Deckarz, late of Companies A and K, Thirteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of said Ignatz Deckarz until she reaches the age of 16 years.

The name of Ophelia Matthews, widow of Ely V. Matthews, late of Troop H, Second Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Caroline Haines Willis, widow of William R. Willis, late of Capt. P. C. Noland's Company B, Second Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Minerva A. Ellis, dependent mother of Jesse W. Ellis, late of Company E, Sixth Regiment Missouri Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Rita Moon, widow of Henry B. Moon, late lieutenant colonel Twentieth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $30 per month.

The name of Sylvester J. Fisher, late of Company K, Nineteenth Regiment, and Company G, Eleventh Regiment, United States Infantry, Indian wars, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Isaac Trent, late of Company L, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James Foley, late of the Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Lennie R. Rutherford, late of Company K, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William Abt, late of the Eighth Company United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Elizabeth M. Kuhns, widow of Ralph B. Kuhns, alias Bert R. Kuhns, late of Company E, Tenth Regiment Pennsylvania Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of said Ralph B. Kuhns until she reaches the age of 16 years.

The names of Beatrice Mabel Baker, Lester Belford Baker, and Anna Elizabeth Baker, minor children of Oscar M. Baker, late of Company A, Seventeenth Regiment United States Infantry, War with Spain, and pay them a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of the said Oscar M. Baker until they reach the age of 16 years. Payment to be made to duly appointed guardian.

The name of Catherine E. Hartman, widow of Irving R. Hartman, late of Company K, Third Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Joshua C. Carney, late of Company K, Twenty-fourth Regiment, and Company C, Eleventh Regiment, United States Infantry, Indian wars, and pay him a pension at the rate of $20 per month.

The name of Mary A. Gooden, dependent mother of William H. Gooden, late of Company F, Twenty-first Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Thomas McGinnis, late of Troop D, Twenty-third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Isabell Deloch, widow of Milbern Deloch, late of Troop K, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Tivis C. Simmons, late of Company E, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mace Wise, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of John C. McCoy, late of Company K, Fifth Regiment United States Infantry, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James W. Fisher, late of Company H, Eighth Regiment United States Infantry, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James G. Shockley, late of Company B, Tenth Regiment, and Company M, Eleventh Regiment, United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Ellen C. Giddens, widow of Ezekiel J. Giddens, late of Capt. McNeill's and Capt. Durrance's Companies, Florida Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary McEvoy, widow of Thomas McEvoy, late of Company A, First Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Crawford, widow of John W. Crawford, late lieutenant, United States Navy, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Cornelia de Camp Croxton, widow of Richard C. Croxton, late colonel, United States Infantry, Regular Establishment, and pay her a pension at the rate of $30 per month.

The name of Floyd L. Green, late of Company K, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of John C. Trent, late of the Twenty-ninth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Nancy M. Wagner, dependent mother of Kyle Wagner, late of Company F, Thirtieth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Clarence Matchett, alias Harry J. Reed, late of the United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles T. Bowman, minor child of Thomas E. Bowman, late of the One hundred and tenth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Thomas E. Bowman until he reaches the age of 16 years, payment to be made to duly appointed guardian.

The name of Joseph T. Moore, late of Company C, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Martin O. Frauendorf, late of the Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Emma L. Williams, widow of Joseph B. Williams, late of the Sixteenth Company, United States Coast Artillery Corps, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Joseph B. Williams until they reach the age of 16 years.

The name of Harris Dreebin, late of the United States Navy, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Nathaniel R. Taylor, late of Company K, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Dury M. Craft, late of the Fifty-seventh Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Charles M. S. Ronsholdt, late of Company C, First Regiment Illinois Cavalry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles W. Anderson, late of Company H, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Freida Steinert, widow of Richard C. Steinert, late of Company G, Second Regiment Wisconsin Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Richard C. Steinert until he reaches the age of 16 years.

The name of Gustav F. Breiter, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Louisa M. Walker, dependent mother of William A. Walker, late of Company C, Twenty-first Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Nannie Jackson Mitchell, dependent mother of George C. Mitchell, late of Company D, Fourth Regiment Tennessee Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Frank C. Miller, late of Company F, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Robert Bales, late of Company E, Second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Sarah V. Cribb, dependent mother of Edward M. Cribb, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Wyman Cottle, late of Battery C, Third Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Wood C. Wilson, late of Troop L, Eighth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward Miller, alias Frank Smith, late of Company G, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Polly E. Thompson, dependent mother of Charles H. Thompson, late of Company K, Sixteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mathew Dudley, late of Company A, Forty-first Regiment, and Company G, Twenty-fourth Regiment, United States Infantry, Indian wars, and pay him a pension at the rate of $20 per month.

The name of Margaret A. Warren, widow of George W. Warren, late of Company D, Nineteenth Regiment Kansas Cavalry, Indian wars, and pay her a pension at the rate of $12 per month in lieu of former allowance, which amount shall not be subject to any deduction or recovery on account of previous erroneous issue.

The name of Louisa E. Schindling, widow of Lorenzo Schindling, late of Troop G, United States Mounted Riflemen, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving, which amount shall not be subject to any deduction or recovery on account of previous erroneous issue.

The name of Sarah Ann Cornwell, former widow of John L. Temple, late of Capt. Warfield's Company A, First Regiment Tennessee Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $30 per month.

The name of William H. Martin, late of Battery E, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of William M. Golden, late of Company E, First Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Mary E. Constable, helpless and dependent daughter of Jacob H. Constable, late of Company D, First Regiment North Carolina Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Leonora E. Wright, widow of Henry H. Wright, late major, United States Army, Regular Establishment, and pay her a pension at the rate of $25 per month.

The name of Smith Richards, late of Company I, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John F. Prater, late first lieutenant of Company E, Second Regiment Infantry, Kentucky National Guard, Regular Establishment, border defense, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hyman Mendelson, late of Company G, Second Regiment United States Infantry, and Companies L, M, and C, United States Signal Corps, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of George W. Vineyard, late of Company M, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Margaret Daley, widow of John Daley, late of Company F, Twelfth Regiment, and Company G, Fourteenth Regiment, United States Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of William M. Lillard, late of Company G, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Belle Kirgan, dependent mother of Thomas H. Gregg, late of the Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Catherine N. Wilson, widow of Green G. F. Wilson, late of Company C, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of David Burns, father of James F. Burns, late of Company C, Fifty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Homer T. Ragsdale, late of United States Navy, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George F. Behymer, late of Company F, Fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of John N. Skidmore, late of Capt. Hembree's Company E, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Mygatt, late of Company E, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Josephine M. Bourke, widow of James Bourke, late major, Medical Corps, United States Army, Regular Establishment, and pay her a pension at the rate of $30 per month and $2 per month additional on account of each of the minor children of said James Bourke until they reach the age of 16 years.

The name of William W. Ferguson, late of Company H, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Julia McMains, widow of Andrew McMains, late of Company G, Nineteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Isadora Richardson, dependent mother of Marion N. Richardson, late of Troop E, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Emma S. Ervin, widow of William A. Ervin, late of Troop E, Ninth Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said William A. Ervin until they reach the age of 16 years.

The name of Alexander C. Powell, dependent father of Marvin J. Powell, late of Company B, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John A. Bohman, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Paul B. Gomoll, late of the field hospital, Utah National Guard, border defense, and pay him a pension at the rate of $17 per month.

The name of H. Frederica Olcott, widow of Frederic W. Olcott, late passed assistant surgeon, United States Navy, Regular Establishment, and pay her a pension at the rate of $30 per month.

The name of Charles L. Stevens, late of Troop E, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Barbara A. Munger, dependent mother of John Munger, late of Company G, Twenty-first Regiment Kansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lucy L. Whiteaker, widow of David J. Whiteaker, late of Capt. F. M. P. Goff's Company K, Second Regiment Washington Territory Mounted Volunteers, Oregon and Washington Territory Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John C. Holsapple, dependent father of Radford Holsapple, late of Company I, Fourth Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Marie G. Harding, widow of Arthur E. Harding, late captain, United States Marine Corps, United States Navy, Regular Establishment, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Thomas Hartman, late of Company H, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles C. Chadwick, late of Troop A, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Milton I. Woodard, late of Company A, Thirty-fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James W. McKay, late first lieutenant Battery A, First Regiment Rhode Island Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of John J. Scheitler, late of Fifty-second Company, Coast Artillery, United States Army, Regular Establishment, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Russell, late of Companies H and A, Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Annie F. Rountree, widow of Frank M. Rountree, late of Troop M, Seventh Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Frank M. Rountree until she reaches the age of 16 years.

The name of Mary S. Brown, dependent mother of William Brown, late captain Company E, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Ruth E. Hartfiel, widow of Ray Hartfiel, late of Company B, Sixth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Ray Hartfiel.

The name of Isabella C. Weber, widow of Julius H. Weber, late second lieutenant, Eighth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $15 per month.

The name of Ellen Burdick, widow of Lutellus Burdick, late of Maj. Ferguson's regiment, Nauvoo Legion, Utah Volunteers, Utah Indian disturbances, and pay her a pension at the rate of $12 per month.

The name of George W. James, late of Company E, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harry Coyan, late of Company D, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah G. Bloxom, dependent mother of Harry W. Bloxom, late of Company B, Twentieth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Emma Jennings, dependent mother of Ashley J. Jennings, late of Company C, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edgar E. Rich, late of Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Mattie M. Trussell, dependent mother of John C. L. Trussell, late of U. S. S. *Marblehead*, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Kenney, dependent father of William J. Kenney, late of Company G, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Hollie Britton, widow of David Britton, late of Troop H, Second Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Sophrona J. Spencer, alias Owen, dependent mother of James Owen, late of Battery L, Third Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles W. Pierce, late of Troop A, Second Regiment, and Troop B, Sixth Regiment, United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mike A. Langeneck, late of Company D, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Howard, late of Company F, Sixth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Martha E. Hawes, former widow of Charles Wickliffe, late major Fourteenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $30 per month.

The name of Alexander Wilson, late of Company I, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Watson D. Smith, late of Company H, Fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $20 per month.

The name of Anna J. At Lee, widow of William E. At Lee, late of the United States Revenue-Cutter Service, and pay her a pension at the rate of $12 per month.

The name of Joseph R. Owens, late of Battery E, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Jane M. Cowan, widow of Alexander Cowan, late of Capt. L. Steven's company, Col. George A. Smith's regiment of cavalry, Nauvoo Legion, Utah Volunteers, Utah Indian disturbances, and pay her a pension at the rate of $12 per month.

The name of Anton Merk, dependent father of Albert Merk, late of Company M, Fourteenth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Milo D. Heath, late of Company G, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Anne G. Robinson, widow of John M. Robinson, late commodore, United States Navy, retired, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Michael Urell, alias Charles Welsh, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Annie Van Ogle, widow of Van Ogle, late first lieutenant Company B, Washington Territory Volunteers, Oregon and Washington Territory Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Woodville G. Staubly, late hospital steward, United States Army, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Earle H. Philbrick, late of the First Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Emilie Deetz, widow of George Deetz, late of Company G, Eighteenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of John H. Edge, late of Company L, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ellen M. Leary, widow of Peter Leary, jr., late brigadier general, United States Army, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Henrietta M. Reeves, widow of Isaac S. K. Reeves, late commodore, United States Navy, retired, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of Herbert S. Coheley, late of Troop A, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Louis H. Ruehle, late of the Ninety-fourth Company, United States Coast Artillery Corps, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of James H. Martineau, late of the United States Army, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louise R. Stevenson, widow of Charles M. Stevenson, late lieutenant colonel First Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William H. Turner, late of Troop K, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Harriet S. Mansfield, widow of Henry B. Mansfield, late rear admiral, United States Navy, retired, Regular Establishment, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Arabella G. Walker, widow of Asa Walker, late rear admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of Fanny W. Arnold, widow of Conway H. Arnold, late rear admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $30 per month.

The name of Mary Diven, dependent mother of Edward T. Diven, jr., late of Company I, First Regiment Maryland Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Amanda A. Birch, widow of Elijah R. Birch, late of Company C, First Regiment United States Dragoons, Oregon and Washington Territory Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ray Cope, late of the Forty-ninth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George F. Chambers, late of United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George F. Ludi, late of One hundred and fourth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Eddie Thomas, late of Twenty-fourth Battery, United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nannie M. Franks, widow of William H. Franks, late of Troop F, First Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Mary Leahy, dependent mother of Cornelius J. Leahy, late of Company A, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Harriet B. Hart, widow of Charles L. Hart, late of Company F, Fourth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John B. Senecal, late of Company G, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nettie M. Chittenden, widow of Hiram M. Chittenden, late brigadier general, United States Army, Regular Establishment, and pay her a pension at the rate of $30 per month.

The name of Susan A. Hackett, dependent mother of Powhatan Hackett, late of Company F, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary L. Pope, widow of James W. Pope, late brigadier general, United States Army, retired, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of Charles F. Doepel, late of Company I, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adelaide V. Lamson, dependent mother of Harold Lamson, late of Company D, First Regiment Maine Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Elise Seabel, widow of Adolph Seabel, late of U. S. S. *Massachusetts*, United States Navy, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Adolph Seabel until they reach the age of 16 years.

The name of Johanna McElliott, dependent mother of Daniel P. McElliott, late of Company A, First Regiment Montana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Austella Stephenson, now Bledsoe, dependent mother of William O. Stephenson, late of Company I, Fourth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Louisa A. Thomas, widow of Joseph M. Thomas, late of Col. Markham's Nauvoo Legion, Utah Volunteers, Utah Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Stephen S. Joyce, late of Troop C, Sixth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles C. Perkins, dependent father of Charles E. Perkins, late of Company G, First Regiment Maine Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Charles Smalle, late of the United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Cornelia A. Forbes, widow of John B. Forbes, late of Capt. Oliver Shedd's company, Second Regiment Washington Mounted Volunteers, Oregon and Washington Territory Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. McCUMBER. I suppose that at 2 o'clock the Senator from Washington will ask that the Senate proceed with the un-

finished business. I have one more of these bills, but I think there is no use asking to have it taken up now, unless the Senator would yield until we should finish it. Therefore I will not move it at this time, but at the first opportunity I will do so.

THE CALENDAR.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar, under Rule VIII, beginning with No. 663, and consider only bills to which there is no objection, and at 2 o'clock I shall ask the Senator having the river and harbor bill in charge to temporarily lay it aside.

Mr. UNDERWOOD. It is practically 2 o'clock now. The request might come now. I did not, however, rise for that purpose. I wish to ask the Senator if the bill he has named is at the point where the call of the calendar was left off the last time it was called.

Mr. SMOOT. It is.

Mr. KENYON. What is the calendar number of the bill?

Mr. SMOOT. Calendar No. 663, that was to come up this morning following the one last considered.

Mr. UNDERWOOD. The idea is to go ahead with the call of the calendar?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMOOT. I wish to ask the Senator from Washington [Mr. JONES] if he will not lay aside the unfinished business for the purpose of considering the unanimous-consent agreement which I have already presented.

Mr. JONES of Washington. I understand the unanimous-consent agreement refers to unobjected bills?

Mr. SMOOT. It does.

Mr. JONES of Washington. If the Senate can proceed in an expeditious way with the unobjected bills, and there is not what might be called unnecessary discussion with reference to them, I am perfectly willing to lay aside the unfinished business for a time and give an opportunity to take up unobjected bills on the calendar. I wish to state, however, that I hope after we go through to the end of the calendar we may go back to Calendar No. 637, a bill which has gone over two or three times and to which I think there will be no objection now.

Mr. SMOOT. I will say to the Senator that I hope we can go through the calendar, and then begin at the beginning and go through it up to the point where we began to-day. This is the time to do it if we are going to do it at all. It would do no harm if we spent the balance of the afternoon in that purpose.

Mr. JONES of Washington. I think that is probably correct. I shall ask that the unfinished business be temporarily laid aside, with the understanding, however, that if any unnecessary discussion is had with reference to any particular bill I shall take the liberty of calling the unfinished business again to the attention of the Senate.

The PRESIDING OFFICER (Mr. CURTIS in the chair). Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered. The calendar, under Rule VIII, is therefore in order. The Secretary will report the first business on the calendar.

RELIEF OF DISTRESS ABROAD.

Senate concurrent resolution 35 was announced as the next business on the calendar, and the Senate proceeded to consider it. The concurrent resolution had been reported from the Committee on Foreign Relations with an amendment to strike out all after the resolving clause and insert:

That the Congress of the United States earnestly calls upon the people of the United States to contribute out of their substance to the humanitarian activities in behalf of the needy of the world.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

The PRESIDING OFFICER. The committee recommends striking out the preamble. Without objection, the preamble will be stricken out.

INTERNATIONAL DISARMAMENT.

The joint resolution (S. J. Res. 225) authorizing the President of the United States to advise the Governments of Great Britain and Japan that the Government of the United States is ready to take up with them the question of disarmament, etc., was considered as in Committee of the Whole.

The PRESIDING OFFICER. The joint resolution was reported with amendments, which will be stated in their order.

The ASSISTANT SECRETARY. The first amendment of the Committee on Foreign Relations is, on page 2, in line 8, before the word "disarmament," to insert the word "naval."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment of the committee is, on page 2, in line 9, to strike out the words "quickly coming to an understanding" and insert in lieu thereof the words "promptly entering into a treaty."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment is on page 2, in line 10, before the word "naval," to strike out the word "building" and insert after the word "naval" the word "building."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment is, on page 2, in line 12, before the word "reduced," to insert the word "substantially."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment is, in lines 13 and 14, where the committee proposes to strike out "50 per cent of the present estimates or figures," and to insert in lieu thereof "to such an extent and upon such terms as may be agreed upon."

The amendment was agreed to.

Mr. NEW. Mr. President, I think the joint resolution should be read as reported. I ask that it be so read.

The PRESIDING OFFICER. The Secretary will read the joint resolution as requested.

Mr. SMOOT. Mr. President, there are a number of Senators absent who have been sent for, and in order that they may all come at once or have a chance to do so, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll and the following Senators answered to their names:

Ashurst	Gay	Kirby	Simmons
Ball	Gerry	Lodge	Smith, Md.
Beckham	Glass	McKellar	Smith, S. C.
Borah	Gooding	Moses	Smoot
Brandegee	Gore	Myers	Spencer
Calder	Gronna	Nelson	Stanley
Capper	Hale	New	Sterling
Chamberlain	Harris	Overman	Sutherland
Culberson	Harrison	Phelan	Thomas
Curtis	Heflin	Phipps	Trammell
Dial	Hitchcock	Pittman	Underwood
Dillingham	Jones, N. Mex.	Poindexter	Walsh, Mont.
Elkins	Jones, Wash.	Ransdell	Warren
Fernald	Kellogg	Robinson	Willis
Fletcher	Kenyon	Sheppard	Wolcott
Frelinghuysen	Keyes	Shields	

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum is present. The Secretary will read the joint resolution as proposed to be amended by the committee, as requested by the Senator from Indiana [Mr. NEW].

The Assistant Secretary read as follows:

Resolved, etc., That the President of the United States is requested, if not incompatible with the public interests, to advise the Governments of Great Britain and Japan, respectively, that this Government will at once take up directly with their Governments and without waiting upon the action of any other nation the question of naval disarmament, with a view of promptly entering into a treaty by which the naval building programs of each of said Governments, to wit, that of Great Britain, Japan, and the United States, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon.

SEC. 2. That this proposition is suggested by the Congress of the United States to accomplish immediately a substantial reduction of the naval armaments of the world.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. On page 2 the Committee on Foreign Relations propose to strike out lines 16, 17, and 18, in the following words:

Second. That it is the sense of the Congress, in case such an understanding can be had, that it will conform its appropriations and building plans to such agreement.

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is still in Committee of the Whole and open to further amendment.

Mr. PITTMAN. Mr. President, has the entire joint resolution been read?

The PRESIDING OFFICER. It has been read, and it is still as in the Committee of the Whole and open to amendment. If there are no further amendments as in Committee of the Whole, the joint resolution will be reported to the Senate.

Mr. PITTMAN. I should like to have read to the Senate the provision of the joint resolution with regard to the suspension of the naval program.

Mr. BORAH. That is not in this joint resolution at all.

Mr. PITTMAN. As I understand, then, the joint resolution deals only with the proposition of entering into a discussion for a reduction of armament?

Mr. BORAH. That is the sole subject of the resolution.

Mr. LODGE. If the Senator will allow me, this is a joint resolution which has been reported with amendments from the Foreign Relations Committee. The provisions in regard to a specific limitation and requiring future appropriations to conform to any agreement which may be reached have been stricken out. If I am correctly informed, the amendments which have been reported by the committee have been agreed to.

The PRESIDING OFFICER. All of them have been agreed to. The joint resolution was reported to the Senate as amended.

Mr. WALSH of Montana. Mr. President, some days before this joint resolution was offered by the Senator from Idaho [Mr. BORAH] I submitted a resolution for the consideration of the Senate, in substance requesting the President of the United States to appoint a representative to sit with the commission appointed by the council of the League of Nations to devise a plan to be submitted to the several governments looking to a general reduction in armaments.

That contemplated a reduction in the land forces as well as in the naval forces of the various nations. The council of the League of Nations appointed an advisory commission upon naval, military, and air questions, consisting of a representative from each of the eight countries represented in the council of the league, one being an officer of the navy, one an officer of the army, and another an officer of the air forces of the various Governments. They were afterwards instructed to prepare for the consideration of the council a draft of a plan for a general reduction of armaments. In proceeding with that work they were embarrassed, of course, by reason of the fact that the United States was not represented upon the council.

Then an invitation came from the president of the council, through its direction, to the President of the United States, asking that representatives be sent from the United States to sit with the committee thus appointed to consider the plan for a general reduction of armaments. That invitation was declined by the President. The purpose of the resolution introduced by me was to draw out from the Senate, and possibly from the other House, an expression as to whether or not this Government ought to be represented in that connection.

Subsequently, Mr. President, a resolution was considered by one of the committees of the House—and, I believe, by the House itself—requesting the President to request a conference of the leading nations of the earth under the provisions of the act of 1916, looking to the draft of a plan for a general reduction in armaments.

So in addition to the plan proposed by the resolution of the Senator from Idaho for a conference between the three Governments named in the resolution, namely, the United States, Great Britain, and Japan, for a reduction in naval armaments alone, two other propositions are before the Congress, or one branch of the Congress, for consideration, namely, the plan of joining with the commission already appointed by the council of the League of Nations, and now operating, for the purpose of devising a plan for general reduction of armaments, and, second, the extension of an invitation to all of the nations, pursuant to the act of Congress of May, 1916.

Mr. President, I venture to express the view that the appropriate action, the wisest action, to take in the present situation of affairs is to adopt one of the other two plans proposed rather than that offered by the Senator from Idaho. There are two purposes to be subserved in this connection. The one, of course, is to promote the cause of peace, to reduce——

The PRESIDING OFFICER (Mr. PHIPPS in the chair). Under Rule VIII, the time of the Senator from Montana has expired.

Mr. WALSH of Montana. I exceedingly regret that no opportunity is afforded by the way this matter is presented for a real consideration by the Senate of the question that is before us.

The PRESIDING OFFICER. The Chair understands that we are proceeding under Rule VIII, and that there can be no debate on the part of any Senator exceeding five minutes.

Mr. PITTMAN. Mr. President, I desire to ask the Senator certain questions in regard to the matter he is now discussing, and I ask him to answer me in my own time. I ask the Senator if there is anything inconsistent in the adoption of both the resolution of the Senator from Idaho and the resolution of the Senator from Montana? Can he not offer his resolution either as a substitute for or as an amendment by way of addition to the resolution of the Senator from Idaho?

Mr. WALSH of Montana. I should think there would be nothing inconsistent in such action, and it is my purpose, Mr. President, to offer either or both of the resolutions to which I have referred as an amendment to the resolution offered by the Senator from Idaho. The Senator from Idaho contemplates operating within a field very much narrower than that contemplated by my resolution or by the resolution which has had the consideration of the committee of the House, although perhaps it is possible to get more speedy action with reference to the subject covered by the resolution of the Senator from Idaho. However, what I desired to say was that the great peril to the peace of the world, in my estimation, arises not from naval armament but from military forces on land. Likewise, Mr. President, only a comparatively small fraction of the horrible burden resting upon the world to-day by reason of military armament arises from the Naval Establishment, the greater burden arising from the land forces. Accordingly, we would proceed but slightly in the direction which everybody has in mind if we simply attempted to secure a reduction in naval armament, and particularly in the building program.

Let me remark that the building program of the United States contemplates during the ensuing year the expenditure of something like $160,000,000. I am not advised just exactly the amount reported for building purposes by the Naval Affairs Committee, as I was unable to attend its session this morning, but if the building program should be cut in two the saving in expenditure to the Government of the United States would not be in excess of $100,000,000, while the total estimates for the Navy during the current year run to something like $679,000,000; in other words, so far as the United States is concerned, the saving, should we be successful in negotiating a treaty such as is proposed by the resolution of the Senator from Idaho, would not result in any case in excess of $100,000,000.

Mr. President, we shall accomplish at least that much saving by the reduction that is proposed in our Army. The reduction from 280,000 men to 175,000 men will accomplish a saving which is estimated at about $1,000 per man. So, while I shall be very glad to enter into any kind of arrangement that, without imperiling our national defense, at the same time will accomplish a saving of $100,000,000, it occurs to me that in a total of appropriations that will perhaps amount to $1,000,000,000 or thereabouts for the current year for the Army and Navy, a saving of $100,000,000 is a relatively small amount.

The great trouble with the world to-day is that it is endeavoring to carry a burden in the way of military establishments that is entirely beyond its capacity to carry. Accordingly I desire to offer an amendment.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. WALSH of Montana. I have an amendment to offer. To the joint resolution I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. At the end of the joint resolution it is proposed to add the following:

Second. That the President be, and he hereby is, requested to express to the council of the League of Nations the earnest desire of the Government of the United States to cooperate with the commission so by the said council appointed and with the said council in the formulation of plans looking to a general reduction of armaments, for submission to the several Governments for their consideration and action, and that he be, and he hereby is, further requested promptly to designate with due authority such representative.

Mr. BORAH. Mr. President, I am sorry the Senator from Montana has offered that amendment. I know that the Senator from Montana is entirely sincere in his desire to accomplish something in the way of disarmament, and the difference between us lies in the method by which to accomplish that result.

I am very clear in my own mind that this amendment attached to this particular resolution would destroy the effect of the resolution which I have had the honor to offer.

As an illustration, for instance, the representatives of France declared at the Geneva Conference that she was not in a position to consider the question of disarmament at this time if it involved the question of land disarmament, and that they would not even vote for the principle of disarmament under present conditions. If, therefore, we include universal disarmament, or disarmament by land as well as by sea, of course it sounds the death knell of the movement at this time by reason of the condition in Europe, which France says makes it absolutely impossible for her to consider the question. We can afford to lead, and in order to lead we must limit our present program to naval disarmament.

The resolution which I have offered had in view the sole question of seeing if we could not arrive at an understanding which would prevent naval competitive building from this time on, dealing with one phase of the subject. The only three nations now engaged in naval building of any moment whatever are the United States, Great Britain, and Japan. As said by

Admiral Huse in New York night before last, in a speech which he made, the only three nations which have any navy whatever of any moment or consideration are the three nations which I have just named. There is no doubt but that these three powers are really girding themselves for a race of naval supremacy. It is perfectly apparent, it is perfectly plain, to those who have studied the situation, that that is the real condition of affairs at this time. Let us make haste and deal with this situation.

Mr. President, I simply desire to bring those three powers together for the purpose of effectuating an understanding and an agreement by which the naval race which is now being begun may be stopped. If universal disarmament could be had, as suggested by the Senator from Montana, it would be infinitely better; but it is perfectly apparent that at this time we can not make any progress in that respect. If the Senator from Montana would offer his resolution upon its own strength, disassociated from this resolution, of course it would receive tremendous support; but it occurs to me that if we can make progress in stopping naval competition we will have accomplished a vast amount along the line of disarmament and for the peace of the world.

If there is any conflict within the time of the Senator from Montana and myself in which the United States shall be engaged, the probabilities are that it will arise out of the naval competition which is now about to begin.

I want to deal with the situation as it really confronts us and deal with it in a practical way. We must have a beginning, and the beginning is to stop this naval race which is fraught with all kinds of danger.

The PRESIDING OFFICER. The time of the Senator from Idaho has expired.

Mr. ROBINSON obtained the floor.

Mr. SMOOT. Mr. President, this resolution is going to lead to discussion——

Mr. ROBINSON. Mr. President, I have the floor, and the Senator will please permit me to occupy it for just a moment.

I do not desire to speak further than to reply to the implied suggestion of my friend the Senator from Idaho that the adoption of the amendment offered by the Senator from Montana is inconsistent with his proposal.

The Senator from Montana does not seek, by the amendment which he has offered, to change in any respect the proposal of the Senator from Idaho, as modified by the committee and by the Senate in Committee of the Whole. If the amendment of the Senator from Montana is agreed to, the proposal of the Senator from Idaho will stand unchanged. The adoption of the amendment offered by the Senator from Montana has this advantage: While it detracts in no respect from anything contained in the resolution of the Senator from Idaho, it permits this Government to go forward in an effort to secure general disarmament or reduction of armament, while the resolution of the Senator from Idaho is limited to an effort to procure an agreement to reduce naval armament on the part of Japan, Great Britain, and the United States.

It may be desirable in the interest of the United States that Great Britain, Japan, and the United States suspend the enlargement of their navies. It is also desirable, as every Senator will concede, that all the nations of the world combine, if they can be induced to do so, to reduce other forms of armament. I ask the Senator from Idaho how the adoption of the amendment as an additional provision can detract in any respect from the value of his proposal, if it has value? The authority in the resolution of the Senator from Idaho vested in this Government to propose partial naval disarmament to Japan and Great Britain is not changed in any particular. This Government, if the amendment of the Senator from Montana is agreed to, will still have that power, but it will have the additional and far more important power, considered from the standpoint of the interest of this Nation and of the world, to say to Germany and Austria and France and Italy and Russia and all the other Governments of this earth, "Notwithstanding the fact that we declined to enter into the League of Nations, we are willing to take the initiative in a program of general disarmament"; and if they refuse to enter upon that program the United States will not be prevented from carrying out the purposes of the resolution of the Senator from Idaho.

Ah, Mr. President, this resolution in the form that it comes to the Senate from the committee is a poor substitute, a subterfuge, in part, for the proposal which the Senate rejected some months ago, that this Government, in consonance with the other nations of the world, advance abreast in the march of progress and of civilization to the limitation of all armaments by common agreement among the nations. The Senator from Idaho more than any other Senator is responsible directly for the failure of the United States to proceed in agreement with other nations for disarmament.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. SMOOT. Mr. President, I object to the further consideration of the joint resolution.

The PRESIDING OFFICER. Objection is made, and the joint resolution will be passed over.

TRANSPORTATION FOR DESTITUTE DISCHARGED SOLDIERS.

The bill (S. 4889) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, to add at the end of the bill the following proviso:

Provided further, That the authority conferred by this act shall cease and determine six months after the approval thereof.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to furnish transportation on United States Army transports from Europe to the United States, and subsistence en route, to any person who served in the Army of the United States and was honorably discharged therefrom in Europe, and who is now in Europe and is or becomes destitute, and to the wife and children of such person: *Provided*, That if such person, his wife or children, are not at a port of embarkation of United States Army transports the Secretary of War is further authorized to furnish transportation to such person, his wife or children, to such port of embarkation and subsistence en route: *Provided further*, That all such transportation and subsistence shall be furnished without cost to such person, his wife or children: *Provided further*, That the authority conferred by this act shall cease and determine six months after the approval thereof.

The amendment was agreed to.

Mr. SMITH of Georgia. Mr. President——

Mr. KIRBY. Mr. President, I hope no objection will be made to this bill. We found a recommendation from the War Department, insisted upon by the Secretary and those in authority who knew, that there ought to be an appropriation made authorizing them to bring home certain members of the American Expeditionary Forces, or, rather, men who had been demobilized on the other side of the ocean. They are over there. The conditions are bad. They are unable to support themselves, and they are bringing the Army into disrepute. They are going into crime and vagabondage, and it is thought necessary on the part of our Government that we should bring these men home, and this bill simply authorizes the Secretary of War to do so.

Mr. KING. Mr. President, will the Senator permit a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Utah?

Mr. KIRBY. I yield.

Mr. KING. My recollection is that the Government already has authority to bring back to our shores all soldiers who were there and within the Army.

Mr. KIRBY. There is no doubt about that proposition, but these men for some reason, perhaps because they preferred it, were demobilized on the other side of the ocean. Some of them married over there; some of them preferred to stay there. The conditions have grown so difficult, however, that they are not able to procure any employment. They are not able to sustain themselves. They have gone into crime; they are going into crime and into vagabondage, and they are bringing the Army of the United States into disrepute. Under those conditions the Military Affairs Committee considered the matter with all the facts before them, and by unanimous agreement they have recommended that this bill pass with this amendment, and I hope there will be no objection to it.

Mr. KING. After soldiers have been demobilized and have received the bounty of $60, if they prefer to be demobilized in France or any other part of the world, will the Senator explain what obligation rests upon the Government of the United States to bring them back to the United States?

Mr. KIRBY. It may be that there is no especial obligation; but we sent these men across the sea to represent this Government of ours in the greatest fighting army that ever has been transported. We allowed them to be demobilized over there. They have gotten into this unfortunate condition, and they are bringing the Army of the United States into disrepute and the United States, too, because of this condition. We can bring them home without a great deal of expense on these transports of ours, and I believe it ought to be done.

Mr. THOMAS. Does the Senator know how many of them there are?

Mr. KIRBY. A good many. I have forgotten the exact number, but quite a number.

Mr. THOMAS. Enough to make quite a large vote if they are over here?

Mr. KIRBY. I do not urge the bill on that ground, but they ought to be brought home under the circumstances.

Mr. WARREN. Mr. President, this is a unanimous report from the committee, and I hope the bill will pass.

Mr. KIRBY. I make this statement in view of the absence of the chairman of the committee. It is a unanimous report, and the condition is serious and deserves immediate attention, and I hope the bill will pass.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN CHICK.

The bill (H. R. 567) for the relief of John Chick was announced as next in order.

Mr. KING and Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WARREN. Mr. President, this is a bill which has passed the Senate several times, and finally has come from the House. I am perfectly familiar with it, and I hope it may be allowed to pass.

Mr. THOMAS. I will look at the report. I should like to have it passed over for the present.

HEIRS OF AGNES INGELS, DECEASED.

The bill (S. 4692) for the relief of the heirs of Agnes Ingels, deceased, was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. ROBINSON. Mr. President, I ask that the Senator who made the objection will kindly withhold his objection for a moment.

Mr. SMOOT. Mr. President, I will only read the concluding paragraph of the letter of the Secretary of War. He says:

The two accidents were immediately investigated by the board of officers, which found that the accidents were unavoidable and not due to neglect or carelessness on the part of the driver of the Dodge truck.

Mr. ROBINSON. Notwithstanding the statement in the letter, which is correctly quoted by the Senator from Utah, the Committee on Claims by unanimous vote thought, after careful consideration of the matter, that the accident was due solely to negligence, and gross negligence, on the part of agents of the Government; and, if I may do so, I will make a brief statement of the facts. I am thoroughly familiar with the facts.

This is the case as to which the Senator from New York [Mr. WADSWORTH] stated on the floor recently that it was his intention, when the bill reached the Senate, to move to increase the amount authorized by the committee from $5,000 to $25,000 because of the facts in the case. The facts are these:

Mrs. Ingels was crossing a street in Hot Springs, Ark., when she was run down and killed by a motor truck operated by a private soldier. The motor truck had been inspected and pronounced utterly unfit for use. Notwithstanding this inspection and finding by the officers of the Government, the private was directed by the officer in charge of the motor-truck service to continue the use of the truck. The truck was passing down the street in Hot Springs and ran over another person. The private soldier operating the truck looked back to see the damage that had already been done, and swerved his car to the opposite side of the street, running over Mrs. Ingels and killing her.

The undisputed evidence is that the truck was in such a condition that it could not be stopped under a distance of 65 feet; that the condition of the truck was known to the officer in charge of the motor service; that the private soldier was operating it under protest, and under these circumstances the committee unanimously reported the bill. We reduced the amount, however, to $5,000. I hope that under the facts stated the bill may be permitted to pass.

Mr. SMOOT. Mr. President, all I know about the case is what the Secretary of War says, and I certainly could not allow the bill to pass on the statement of the Secretary of War.

Mr. ROBINSON. The Secretary of War found this fact, that the motor truck could not have been stopped because of the condition of the brakes; but the negligence consisted in the officer compelling the private soldier to use the truck after it had been condemned and pronounced unfit for use. There is no question about the facts in the case. The committee had the evidence of the officers and of the private before them in the form of affidavits.

Mr. SMOOT. I will say to the Senator that I read every word of the letter of Secretary Baker, and there is not a word said about the brakes in his whole letter, nor that there was anything the matter with the truck. He said it had been examined thoroughly. He said in his letter:

The two accidents were immediately investigated by the board of officers, which found that the accidents were unavoidable and not due to neglect or carelessness on the part of the driver of the Dodge truck.

Mr. ROBINSON. Mr. President, notwithstanding the adverse report of the Secretary of War, the Committee on Claims went into the case fully and found the facts as I have stated them, and the evidence supporting this finding is printed in the report of the committee. The expression of opinion on the part of the Secretary of War that the accident was unavoidable was contradicted by all the facts in the case. If the truck had been in a state of reasonable repair, the accident would not have occurred. If the driver had not looked back to observe the injury done to the man who had already been run over, the accident would not have occurred. It was the grossest sort of negligence, from the facts presented to the committee.

Mr. SMITH of Arizona. If the Senator will permit me, from the statement of the Senator from Utah, I judge the Secretary of War says that the driver was not negligent. I understand the Senator from Arkansas to put it on the ground of the absolute unreliability of the machine.

Mr. ROBINSON. That conclusion was based on the theory that being a private soldier, notwithstanding the fact that he protested, as the evidence in this case showed, against being compelled to use a truck that had no brakes, he was acting on the orders of his superior officer, and therefore he was not guilty of negligence. That is the theory of the War Department. There is no dispute about how the accident occurred. He first ran down a man, and then pulled to the wrong side of the street, the driver looking back the while to observe what injury had been done to the man already run over.

Mr. SMOOT. On this report, I shall have to object to the bill.

The VICE PRESIDENT. The bill will go over.

JOHN CHICK.

Mr. THOMAS. Mr. President, when a previous bill for the relief of John Chick was called up, I interposed objection. At the request of the Senator from Wyoming [Mr. WARREN], I have examined the report, and I will make no further objection to the consideration of the bill.

The bill (H. R. 567) for the relief of John Chick, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, John Chick, late of Company K, Third Regiment United States Artillery, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 2d day of August, 1865: *Provided*, That no pension shall accrue prior to the passage of this act, and no pay nor bounty shall become due or payable by virtue thereof.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMBASSY BUILDINGS IN LONDON.

The bill (S. 4916) to acquire land and buildings in London, England, for the use of the diplomatic representative of the United States, was announced as next in order.

Mr. SMOOT. That was taken care of in the Diplomatic and Consular appropriation bill, and I ask that it be indefinitely postponed.

The VICE PRESIDENT. The bill will be indefinitely postponed.

BILLS PASSED OVER.

The bill (S. 4666) to amend section 13 of an act known as the Federal reserve act, approved December 23, 1913, was announced as next in order.

Mr. SMITH of Georgia. I ask that this bill may be passed over without action either way, as the chairman of the committee, the Senator from Connecticut [Mr. MCLEAN], is at home. If he wishes to have it to go over, I do not desire to press it, and I hope to hear from him in a few minutes.

The bill (H. R. 1299) for the relief of George Le Clear was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

ALFRED E. LEWIS.

The bill (H. R. 1300) for the relief of Alfred E. Lewis was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. SWANSON. I hope the Senator will not object to this bill. I have a report here which I think will convince the Senator, if he reads it, that this bill should pass. It is a case

where a young fellow was a drummer boy in New York, was too young to enlist, his father would not consent to his enlistment; he was not mustered in, but he went and took part in the battle of Malvern Hills, and was in five or six battles. He went all over Virginia and served for one year in the war, and all that is asked is that the service he did shall be counted as service. I think the facts in this case show it to be a very meritorious one. The bill has passed the House. My interest in it is due to the fact that he has a brother living in Virginia, and it is a very worthy case.

Mr. THOMAS. I will look at the report; but let the bill be passed over for the present.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1949) for the relief of George F. Reid was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

WILSON CERTAIN.

The bill (H. R. 13319) for the relief of Wilson Certain was announced as next in order.

Mr. THOMAS. Let that go over.

Mr. KENYON. I would like to appeal to the Senator from Colorado to withdraw his objection to the consideration of this bill. Let me just say that I never like to appear here and apparently plead for a man who, technically, on the record may be considered a deserter. If the Senator will read the House report, he will see that the committee found that the charge of desertion was unfounded.

I know this man. He is an old soldier. He can not live very much longer. The one thing now with him is this stain upon his military record. He does not ask for any pension, or anything of that kind.

When he was a mere boy in the Army he was furloughed, and went home on account of sickness. He was sick for a long time, in fact, nearly the balance of the war. He started out and went to St. Louis and tried to have himself reinstated, and was there informed by a party in the Army in whom he had confidence that he should go back home and he would be discharged. I think it is unjust, it is cruel, to punish that man now in his old age. He was then a mere boy, could not read or write, did not understand the situation, and was sick and was furloughed. I appeal to the Senator, as he is leaving this body in a few days, much to the regret of all of us, to permit this justice to be done this old soldier.

Mr. THOMAS. Mr. President, in nine cases out of ten these bills reveal the fact that the beneficiary of the bill either deserted or was dishonorably discharged from the military service, and the applications for clearing the record, generally speaking, come after the sources of Government evidence have disappeared and gone to the grave. In nearly all of them the purpose is to secure pensions. The pension roll ought to be a roll of honor. It is, theoretically, however much we have departed from the theory.

I am satisfied that the common judgment of the ordinary man will accept without question the proposition that we have already carried too far the practice of awarding pensions to those who have given some service, or think they have given some service, to their Government, who afterwards apply for and receive pensions. But there is a line that ought to be drawn, even in this degenerate day, and that is between the man who gave some service and was honorably discharged and the man who gave service and then deserted or was dishonorably discharged, and who postponed his application for relief until his old age, and then comes before the committees and requests their consideration, upon grounds rather of sympathy than of justice.

Of course, there are exceptions. The case mentioned by the Senator from Iowa may be one of them. I will read the report, as he has requested it, and then determine. But let it be passed over for the present.

Mr. KENYON. Mr. President, the House report says:

A study of the evidence furnished by this soldier leads the committee inevitably to the conclusion that the record of desertion appearing against the soldier is an error.

I do not think there will be another chance this session to take it up.

Mr. THOMAS. I will give the Senator my final answer before the calendar is laid aside.

ALBERT HAMILTON.

The bill (S. 4699) to place Albert Hamilton on the retired list of the United States Navy was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

RETIRED ARMY OFFICERS.

The bill (S. 2637) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. FLETCHER. I hope the Senator from Utah will not insist on his objection to Senate bill 4699. That bill affects only one retired officer of the Army. It simply provides that he shall be entitled to credit for the time he was detailed by the War Department to the Philippine government in his promotion. There is only one officer affected by it, and he is entitled to it under all the rules that should govern proper consideration of the merits of a case like this, and the War Department has favored it and reported on it, and the bill is amended in accordance with their directions as to how it should read. There is no one in the department opposing it that I have heard of, or anyone acquainted with the facts. The committee considered it very carefully.

Mr. SMOOT. I do not know whether it applies to only one officer or not, but I do know that there ought to be a halt called somewhere to putting officers on the retired list and paying commutation and allowances for longevity, and if we do not stop somewhere I do not know where we are going to land.

Mr. FLETCHER. An officer who served in the Regular Army some thirty-odd years, and was detailed by the War Department to the Philippine government and served there, under the present law is entitled to no credit for that service. This bill simply provides that he shall have that credit. There is only one officer in the whole Army affected.

Mr. SMOOT. I will ask that it go over for the time being.

The VICE PRESIDENT. The bill will be passed over.

WILSON CERTAIN.

Mr. THOMAS. Mr. President, after consultation with the Senator from Virginia [Mr. SWANSON] and the Senator from Iowa [Mr. KENYON], I will withdraw my objection to Calendar Nos. 673 and 675. I do so at the request of those Senators.

Mr. KENYON. I ask unanimous consent that we proceed to the consideration of House bill 13319, Calendar No. 675.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13319) for the relief of Wilson Certain, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Wilson Certain, who was a private in Company A, Thirty-first Regiment Iowa Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 27th day of June, 1865: *Provided*, That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED E. LEWIS.

Mr. SWANSON. I ask that Calendar No. 673 may be considered.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1300) for the relief of Alfred E. Lewis, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Alfred E. Lewis, who was a drummer boy in Company I, One hundred and first Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been mustered in and mustered out as a member of said company and regiment on October 1, 1861, and honorably discharged therefrom September 7, 1862: *Provided*, That no bounty, pay, pension, or other emolument shall be held as accrued prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NORTH PLATTE IRRIGATION PROJECT.

The bill (S. 4859) for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the ex-service men qualified to make entry under the homestead laws, who were successful at the drawing held March 5, 1920, for farm units on the North Platte irrigation project, Fort Laramie unit, Nebraska-Wyoming, and to whom approved water-rental applications were duly issued, but who were prevented from making homestead entries for the lands covered by such applications because of the reinstatement of certain conflicting homestead entries, shall each have a preferred right of entry under the homestead laws at the next opening of lands under said project, for not less than 30 days before the date set for the opening of such lands to other entry: *Provided*,

That this act shall not be considered as entitling any person to make another homestead entry who shall have received the benefits of the homestead laws since being prevented, as aforesaid, from exercising the right acquired at the said drawing on March 5, 1920.

Mr. WARREN. Mr. President, by a law that gave returning soldiers 60 days' preference right to make entry on reclamation lands, and so forth, certain men made entry and paid their money for water rentals and other requirements, some of whom have completed their entries, and have been settled with; but two men are out the money and out the land, and this is simply to give an opportunity, when the next unit is opened, for them to take their places as provided by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOSSES ON IMPORTATION OF SUGAR.

The joint resolution (S. J. Res. 238) authorizing the President to require the United States Sugar Equalization Board to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic, was considered as in Committee of the Whole, and it was read as follows:

Resolved, etc., That the President is authorized to require the United States Sugar Equalization Board (Inc.), a corporation organized under the laws of the State of Delaware, to take over the importation of 13,902 tons of sugar from the Argentine Republic procured by the Department of Justice and the Department of State from the agencies used by them for that purpose, and to distribute or dispose of any of the sugar so imported, and to liquidate and adjust the transaction in such manner as may be deemed by said board to be equitable and proper in the premises.

And for this purpose the President is authorized to vote or use the stock of the corporation held by him, or otherwise exercise or use his control over the said corporation and its directors, and to continue the said United States Sugar Equalization Board for such time as may be necessary to carry out the intention of this resolution.

Mr. KING. Mr. President, I should like to have some explanation in regard to this measure. It seems to be rather extraordinary.

Mr. SMOOT. I can tell the Senator in a few words what it means, although the Senator from New York [Mr. WADSWORTH] is not here to explain it. The Government entered into an agreement with these importers to import sugar into the United States to break the sugar market. For some reason, before the shipment arrived in the United States, the price declined so that the importers would lose money if they sold the sugar, and the Government of the United States is asked to protect them.

Mr. KING. May I inquire whether the importers acted upon their own initiative and expended their own money or whether they were agents of the Government in the transaction?

Mr. SMOOT. They were asked by the Sugar Equalization Board to do this, so Mr. Figg, the assistant to the Attorney General, said. That is the real reason of it. The Department of Justice makes a favorable report upon the measure and acknowledges that it was through that department that they arranged for the importation of the sugar into the country for the purpose of breaking the price on the sugar market.

Mr. GRONNA. They were limited to a profit of only 1 cent a pound; in other words, they were really the agents of the Government.

Mr. KING. May I inquire of the Senator from North Dakota if the same firms were not at that time importing sugar from Argentina and elsewhere in order to supply their customers?

Mr. GRONNA. They were unable to get any sugar from Argentina. It was through the Government of the United States that they were able to have the sugar exported from Argentina, because there was an embargo placed upon the exportation of sugar from that country, and so the matter was taken up with the Department of Justice and with the Department of State. The Committee on Agriculture and Forestry held public hearings on this particular question, and the Attorney General, Mr. Palmer, appeared before the committee, as did also members of the Sugar Equalization Board, and all of them agreed that the joint resolution ought to pass.

Mr. KING. I am not quite clear from the Senator's statement that the individuals did not initiate the movement themselves.

Mr. GRONNA. Oh, no.

Mr. KING. They found themselves unable to get further sugar from Argentina and utilized the Government as an instrumentality to secure the sugar?

Mr. GRONNA. No; that is not the case.

Mr. KING. And because of their losses they want the Government to recoup them?

Mr. GRONNA. The Attorney General stated that he, together with other officials, asked the corporation which deals in sugar to go to foreign countries and buy sugar in order that the price of sugar might be made to decline. They did so, and letters to that effect are published in the hearings, with photographic copies of what I call real contracts approved by the Department of State and by the Department of Justice, so that the men were in fact agents of the Government of the United States.

I realize that it would be bad practice to begin to allow claims where the Government of the United States itself was really not responsible for the loss. The committee hesitated in taking up the matter at all until hearings had been held and until Mr. Palmer had made his statement, but he said there is no question about the matter and recommended strongly that the Government of the United States should pay. I think the amount will be somewhere about $2,750,000, which was the loss to those people.

Mr. KING. Under the joint resolution will they obtain their 1 cent a pound profit on the sugar?

Mr. GRONNA. No; they are not asking for any profit at all, I will say to the Senator, but simply a reimbursement for the actual loss.

Mr. KING. May I inquire of the Senator whether or not in operations of the corporation there have been losses to the Government heretofore?

Mr. GRONNA. No; there have not; at least that was not brought out before the committee, and I do not believe there has been any other loss. This is the only instance where the Government is asked to pay a loss of this kind.

Mr. KING. In my opinion, the Government of the United States is not responsible for the loss. The officials of the Government had no authority to undertake the expenditure, and I hope the measure will be defeated. I shall not object to its consideration, but I shall vote against it.

Mr. FLETCHER. May I inquire if the joint resolution has the recommendation of the department? Does the department recommend it?

Mr. GRONNA. The Department of State and the Department of Justice both recommend that the loss be paid.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WATER POWER COMMISSION.

The bill (S. 4640) to amend section 2 of an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1920, was considered as in Committee of the Whole. The bill had been reported from the Committee on Commerce with amendments.

Mr. JONES of Washington. Mr. President, the bill was read in full, I think, the other day. There is one amendment I desire to offer to the committee amendment. In line 17, on page 2, after the word "restriction," I move to insert "except as to salary increases."

The VICE PRESIDENT. There are committee amendments not agreed to ahead of the one proposed by the Senator from Washington. The committee amendments will be stated.

The ASSISTANT SECRETARY. The first amendment of the Committee on Commerce is on page 1, line 3, to strike out the words "An act entitled 'An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes,'" and to insert in lieu thereof "The Federal water power act."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment of the Committee on Commerce is on page 2, in line 7, after the word "authorized" to insert the words "within the limits of appropriations made therefor by Congress."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment of the committee is on page 2, line 11, to strike out the words "and as may be from time to time appropriated for by Congress."

The amendment was agreed to.

The ASSISTANT SECRETARY. The next amendment is on page 2, after line 16, to insert the following:

And the restrictions on tranfers from one executive department or independent establishment to another imposed by the acts of Congress approved June 22, 1906, and October 6, 1917, shall not apply to such transfers so made; and the commission may have such printing and binding done and purchase such equipment, supplies, law books, books of reference, periodicals, and directories, as may from time to time be appropriated for by Congress.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President——

Mr. UNDERWOOD. I do not wish to interrupt the Senator from Washington, but I should like to have the bill read in full as amended before we vote on it.

Mr. JONES of Washington. I wish, first, to renew my offer of the amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 17, after the word "restrictions," the Senator from Washington moves to insert the words "except as to salary increases."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The Senator from Alabama requests that the bill as amended be read. The Secretary will read it.

The Assistant Secretary read as follows:

Be it enacted, etc., That section 2 of the Federal water power act, approved June 10, 1920, is hereby amended by adding thereto an additional paragraph as follows:

"The commission, if it is unable to perform the duties imposed upon it by this act through and by means of employees of the Departments of War, Interior, and Agriculture as provided in the second paragraph of this section, is hereby authorized within the limits of appropriations made therefor by Congress to employ in the District of Columbia and elsewhere such additional expert, technical, clerical, and other personnel as may be necessary for the purpose of performing the duties imposed by this act. The detail of persons for such purpose from the Departments of War, Interior, and Agriculture, or the transfer from such departments of any persons engaged in duties which by this act are conferred upon the commission, is hereby authorized; and the restrictions, except as to salary increases, on transfers from one executive department or independent establishment to another imposed by the acts of Congress approved June 22, 1906, and October 6, 1917, shall not apply to such transfers so made; and the commission may have such printing and binding done and purchase such equipment, supplies, law books, books of reference, periodicals, and directories, as may from time to time be appropriated for by Congress."

Mr. UNDERWOOD. Mr. President, I am very much interested in the water-power law, and I do not wish to do anything that will impede the possibility of the development of water-power plants in the United States. I am not going to object to the pending bill, I will say to the Senator from Washington, but I wish to say a few words for the RECORD.

Mr. President, we waited for 15 years, under the idea of conservation, before we could pass a bill that would allow the people of the United States to dam the running rivers of the country and convert into electricity the water power which would thereby be created for the service of the people of the United States. The delay thus occasioned was the greatest crime ever perpetrated by any set of men in the United States and involved the greatest waste, and it was all done under the plea of conservation. At last we passed a bill, a very good bill—I did not agree to it in all its details, but in the main it was a good bill—for the purpose, under certain restrictions, of allowing the people of the United States to go ahead and develop the water power which was being wasted. We put one restriction in the legislation which always will protect the people of the United States, namely, the provision that no grant shall be made extending beyond 50 years. I now understand it is the policy of the Water Power Commission to survey and review the entire system of rivers in the United States before it grants a permit; that it is going into a general survey of every power possibility in the country before one citizen may have the opportunity to develop the water power that is in his neighborhood.

I am not going to object to this bill, for its passage may be necessary in order that the commission may employ clerks outside of those provided for in the original measure; but I wish to say that, so far as I am concerned, if the commission now intends to block the process of the development of the great water powers of the country by undertaking a survey that will require another 15 years to complete, I shall certainly resist appropriations along that line. I am perfectly willing to give the commission all the appropriations which it needs to afford a reasonable opportunity to perform its functions and to serve the people of the United States, but if it is to allow ambition to run away with it and is to reach out and cover the whole United States and cause further delay, I am certainly opposed to any such procedure.

Mr. JONES of Washington. Mr. President——

Mr. KING. I simply wish to say to the Senator from Washington that I am not ready to have this bill considered to-day.

Mr. JONES of Washington. Just a word, and then I think the Senator will not object to the consideration of the bill. I merely wish to say that I agree with everything the Senator from Alabama [Mr. UNDERWOOD] has said. It does seem that whenever we vest in some organization of the Government the power to carry on some work it then tries to devise some way by which it can not do the thing we want done.

However, the situation with reference to this matter is just this: The usual provision in a bill creating a body of this kind authorizing them to employ personal service in the District of Columbia was left out of the water power bill. I proposed the provision in the committee, but the committee did not put it in. We have authorized the expenditure—and I hope the Senator from Utah will pay especial attention to this——

Mr. KING. I am listening for the authorization.

Mr. JONES of Washington. We authorized the expenditure of $100,000 under language that, I think, authorizes its use for any purpose which is necessary under the act, but the Comptroller of the Treasury held that the commission could not use a dollar of that $100,000 in the employment of clerks and necessary officers in the District of Columbia, and that all the commission can use are clerks detailed from the War Department, the Agricultural Department, and the Interior Department. Some clerks have been detailed from those departments, but those departments can not spare enough clerks to conduct the work of the commission. This proposed legislation is to meet that situation, and that alone. We put the limitation into the legislation in the way I have indicated, and this bill simply makes in order such appropriations as Congress thinks wise for that purpose hereafter; in other words, according to the comptroller's decision, there is no law under which we can appropriate for these clerks, and under our rule, if any Senator should see fit to resort to it, a point of order would lie against an item in an appropriation bill for this purpose. This is simply to make basic law under which the necessary appropriations can be made; and we have tried to be careful, so as to place in the hands of Congress hereafter such limitations as it may see fit to impose.

Mr. KING. Mr. President, of course the operation of this amendment, if it shall become a law, will be that vacancies will be created in other departments by withdrawing from them for use by the power commission so-called technical or other personnel, and that will give opportunity for the other departments to put upon their rolls additional employees of the Government. So we shall be increasing by this proposed act of Congress the number of employees of the Government to the extent at least of the appropriation.

Mr. JONES of Washington. But the commission say that they can not do the work without some sort of help; that they can not get enough help from the departments. I want to relieve that phase of the situation, at any rate. I do not want to give the commission an excuse indefinitely to hold up permits. Now they say they can not pass on the permits because they have not the force. The result is that the law which we passed is being practically defeated. They say—and I do not see how we can get around it—that under the comptroller's decision the only force they can employ is that detailed from the other departments. The other departments have temporarily loaned employees, whom they are going to take back; they say they can not spare the employees. If we want the act which created the commission carried out, if we want the water power developed, if we want the permits granted, we must at least provide the force that is necessary to pass upon them. That is the sole purpose of the proposed amendment to the law. I think it ought to be passed. That is all I have to say.

Mr. KING. Mr. President, the Senator from Washington knows that this organization has ceased to function, so far as granting permits is concerned.

Mr. JONES of Washington. It has not yet even started.

Mr. KING. It is doing just like every other bureau or executive organization which we create. It reaches out and extends its authority and refuses to act until its personnel is swollen far beyond the dreams of Congress when the act creating it was passed.

This bureau refuses to grant permits where the technical evidence is before it—where, indeed, it needs no technical evidence. It wants to establish a so-called broad and comprehensive system and to apply to little streams a general comprehensive red-tape system which it seeks to spread over the entire United States. It is trying to see how it may not act rather than effectively acting and facilitating the development of the water power of the United States. I have had many complaints against the inactivity and the bureaucratic methods of this organization. It is standing there doing nothing except interposing obstacles to the development of water power within the United States.

Mr. JONES of Washington. I am afraid the Senator from Utah is right; and yet we have got to have some kind of agency of a human character and bureaucratic nature to carry the work on. We can not do it ourselves. Now, are we going to give them a good excuse for not doing these things by not providing them the necessary help? That is the only point in my mind.

Mr. KING. I think the Senator from Washington ought to incorporate in the bill an amendment requiring the commission

to act upon every application that is made within a specified period not exceeding six months. As it is now, they do not act and they never will act.

Mr. JONES of Washington. But we have got to give them the force.

Mr. KING. Oh, they have had a sufficient force; but they want to build up a great bureaucracy; they want to swell their personnel until they have scores and hundreds of employees.

Mr. FLETCHER. Mr. President, I wish to say as to the objection the Senator from Utah has made with reference to the transfer of employees from Government departments to the Water Power Commission, that that is already provided for in the law; they already have authority to do that; so that objection does not lie to the pending bill. They already have authority to reach out into the departments and secure such help as they need; but there are not in the departments trained, experienced, and expert men necessary to furnish the help that the commission really needs in their office, and therefore they are unable to proceed with their work. This bill simply enables them to employ other people whom they can not employ now under the ruling of the Comptroller of the Treasury without some authority by Congress.

Mr. KING. Mr. President, will the Senator yield?

Mr. FLETCHER. Yes.

Mr. KING. Is there any limitation as to what they shall pay and as to the number of their employees, or may they employ as many as they please and pay them just what they please, so long as they do not exceed the aggregate appropriation made from year to year?

Mr. JONES of Washington. Mr. President, may I answer that question?

Mr. FLETCHER. I yield.

Mr. JONES of Washington. We specifically provided in the last sundry civil bill for the employment of clerical assistance. The Senator could have made a point of order against that provision if he had seen fit, because there was no basic law under which it could be sustained; but under the bill now pending every man for whom we provide may be employed and his salary will be named in the act.

Mr. FLETCHER. I think that is sufficient protection, and I think it is very important to give the commission that authority so that no excuse may be afforded them for not proceeding with their work.

Mr. KING. Is there any power lodged in the commission to create a deficit and to employ additional men?

Mr. JONES of Washington. No.

Mr. KING. The Senator knows that even when we place a limit on an appropriation the departments proceed, regardless of the limitation, so that within a few months we are compelled to provide a deficiency appropriation.

Mr. JONES of Washington. We ought to enforce the law against creating deficits.

Mr. KING. There is a penal statute against them.

Mr. JONES of Washington. Yes; and it ought to be enforced.

Mr. PHELAN. Mr. President, I rise to a question of order.

The VICE PRESIDENT. The Senator from California will state his question of order.

Mr. PHELAN. I understand that under the rule debate may not be continued for more than five minutes.

The VICE PRESIDENT. The Senator is correct; the rule limits debate on the part of any one Senator to five minutes.

Mr. MYERS. Mr. President, I happen to have some knowledge of this matter. I think the distinguished Senator from Utah is wrong in his surmise as to the intention or desire of the Federal Power Commission to build up a bureaucracy, as he charges. It simply desires sufficient clerical help to do its necessary work here in the District of Columbia. It has not such help at present, as the Senator from Washington [Mr. JONES] has explained, for, under a ruling of the Comptroller of the Treasury, it has been unable to use any of the money heretofore appropriated for clerical help and assistants in the District of Columbia. The commission is sitting here with not much help of any kind, except a secretary and what little is detailed to them by odd lots here and there from various departments. I know it is very greatly hampered in its work. The Congress appropriated $100,000, and I think some provision ought to be made for putting it to the use for which it was intended.

Mr. HITCHCOCK. Mr. President, the Senator from Washington is correct in stating that the provision to which he refers has been adopted as an amendment to the sundry civil appropriation bill. That removes any emergency for the present; that situation has been taken care of.

Mr. JONES of Washington. This bill simply authorizes the expenditure for the purpose named whenever there are appropriations in the future.

Mr. HITCHCOCK. I think that is very objectionable, more particularly in view of the short time allowed for the consideration of the bill, and, therefore, I object to it.

The VICE PRESIDENT. Objection is made.

BILLS PASSED OVER.

The bill (S. 4933) to amend the interstate commerce act by adding thereto a new section, No. 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1917, by adding a new paragraph to section 10 thereof, was announced as next in order.

Mr. KELLOGG. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4899) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. MYERS. Mr. President, I inquire what became of Calendar No. 681, being Senate bill 4640.

The VICE PRESIDENT. The bill went over on objection.

SOUTH DAKOTA LIEU LAND SELECTION.

The bill (H. R. 397) to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes, was considered as in Committee of the Whole.

It authorizes the State of South Dakota, acting through its proper officials, to select 160 acres of unappropriated, unreserved, nonmineral lands within the boundaries of the former Pine Ridge Reservation, S. Dak., or an equal area of public land of like character within the boundaries of that State, in lieu of the northeast quarter of section 16, township 38 north, range 40 west, sixth principal meridian, in South Dakota, upon due and proper showing that the lands authorized to be surrendered by the State have not been sold or otherwise encumbered by it, and that the selection of such lieu lands by the said State shall be a waiver of its right, title, and claim in and to the 160-acre tract in section 16 above described; but in case the exchange herein contemplated shall be perfected the lands so surrendered by the State shall be held to be a part of the present Pine Ridge Reservation and subject to the laws enacted for or applicable to that reservation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. ADAMS.

The bill (H. R. 5081) for the relief of James E. Adams was considered as in Committee of the Whole.

It authorizes the Secretary of the Interior to issue a patent to James E. Adams, of Oakland, Calif., for the lands hereinafter described, provided he shall pay therefor the sum of $2.50 per acre within six months after approval of this act, the lands being the east half of the southeast quarter of section 21, township 3 north, range 1 east, of the Willamette meridian, Clarke County, Wash., formerly patented to the Oregon & California Railroad Co., and the title to which was revested in the United States by the provisions of the act of June 9, 1916 (39 Stat. L., p. 218).

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SANDPOINT (IDAHO) WATER SUPPLY.

The bill (H. R. 9702) granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the city of Sandpoint, Idaho, is hereby authorized to purchase, and the Secretary of the Interior is hereby authorized and directed to issue, in his discretion, patent to the city of Sandpoint, Idaho, for certain public lands in the Sand Creek and Sweitzer Creek Basins for the protection of the watersheds furnishing the water supply for the said city, the lands being described as follows: Lots 6 and 7, the south half of the northwest quarter and the southwest quarter of the northeast quarter of section 4; lots 1, 2, 3, 4, 5, 6, 7, 8, and the south half of the north half of section 5; lots, 1, 2, 3, and 8 in section 6, all in township 57 north, range 2 west, Boise meridian; also lots 3, 4, 5, 7, and 8 in section 2, township 57 north, range 3 west, Boise meridian; also the east half of section 34, the southeast quarter of the southeast quarter of section 28; the west half of the southwest quarter and the southeast quarter of the southwest quarter of section 28; the east half of the southeast quarter, the east half of the northeast quarter, the northwest quarter of the northeast quarter, the east half of the northwest quarter, the southeast

quarter of the southwest quarter, and lot 1 in section 30; the south half of the southwest quarter, the north half of the northwest quarter of section 20; the east half of the southeast quarter of section 18, all in township 58 north, range 2 west, Boise meridian.

SEC. 2. That the said conveyance shall be made upon the payment by said city for lands purchased at the rate of not less than $1.25 per acre: *Provided*, That the conveyance hereby authorized shall not include any lands which at the date of the issuance of patent shall be covered by a valid existing bona fide right or claim initiated under the laws of the United States: *Provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found on the lands so granted and the right to prospect for, mine, and remove the same: *And provided further*, That said city shall not have the right to sell or convey the land herein granted, or any part thereof, or to devote the same to any other purpose than as hereinbefore described; and if the said land shall not be used for such municipal purpose, the same, or such parts thereof not so used shall revert to the United States; the conditions and reservations herein provided for shall be expressed in the patent: *And provided further*, That the grant herein is made upon the express condition that within 30 days of the receipt of any request therefor from the Secretary of the Interior, the mayor of said city shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted the city, during the preceding period named in such request showing compliance with the terms and conditions stated in this act, that in the event of his failure to so report or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States be instructed to institute suit in the proper courts for the recovery of said lands.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FINAL PROOF OF SOLDIER HOMESTEADERS.

The bill (H. R. 13592) to authorize certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to make final proof of their entries was considered as in Committee of the Whole.

It provides that any settler or entryman under the homestead laws of the United States, who, after settlement, application, or entry and prior to November 11, 1918, enlisted or was actually engaged in the United States Army, Navy, or Marine Corps during the war with Germany, who has been honorably discharged and because of physical incapacities due to service is unable to return to the land, may make proof, without further residence, improvement, or cultivation, at such time and place as may be authorized by the Secretary of the Interior, and receive patent to the land by him so entered or settled upon; but no such patent shall issue prior to the survey of the land.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 740) for the relief of John W. Baggott was announced as next in order.

Mr. THOMAS. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stats. L., p. 1134), was announced as next in order.

Mr. BORAH. Mr. President, I do not know what that is about. It seems to be a very important measure. I ask to have it go over until the Senator from Michigan [Mr. TOWNSEND] comes in. I will send for him.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT OF TRANSPORTATION ACT, 1920.

The bill (S. 4898) to amend the transportation act, 1920, was announced as next in order.

The VICE PRESIDENT. This bill is similar to the House bill on the subject recently passed by the Senate. Without objection, it will be indefinitely postponed.

LANDS IN OREGON.

The bill (S. 4511) authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War is hereby authorized to grant to the State of Oregon, for the purpose of constructing, maintaining, and operating the Columbia River Highway, a permanent right of way over and across portions of the lands of the United States acquired and held in connection with the improvement of the Dalles-Celilo section of the Columbia River: *Provided*, That the exact location and dimensions of the right of way shall be fixed by the Secretary of War: *Provided further*, That the grant shall be subject to the express condition that the right of way shall be used solely and exclusively for the roadway purpose aforesaid, and any part thereof not so used shall revert to the United States.

Mr. KING. Mr. President, I should like to ask the Senator from Oregon whether or not there is a general statute which provides that upon the abandonment of a road such as it is proposed here to permit the State to construct the land shall revert to the Government?

Mr. McNARY. That is the purpose of the amendment proposed by the Secretary of the Interior, which is incorporated in the bill as a substitute for the one offered by the junior Senator from Oregon.

Mr. KING. I was not sure that that language was broad enough. It seems to imply that if a grant of a certain width, for instance, is made, and only a part of the grant is used, the residue would revert to the Government. But suppose that subsequently, 25 or 50 years from now, the State of Oregon should abandon the road entirely. What I am trying to get at is whether the title then would revert to the Government of the United States.

Mr. McNARY. As I understand, the title to the whole of the land, including the user, would revert to the Government.

Mr. KING. If the Senator has made some investigation, and is sure of that, I have no objection.

Mr. WALSH of Montana. It is expressly so provided in the bill.

Mr. KING. I am not sure of that.

Mr. WALSH of Montana. It says:

Provided further, That the grant shall be subject to the express condition that the right of way shall be used solely and exclusively for the roadway purpose aforesaid, and any part thereof not so used shall revert to the United States.

Mr. KING. I had not seen that proviso.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JURISDICTION OVER BOUNDARY WATERS.

The joint resolution (S. J. Res. 233) giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States, was considered as in Committee of the Whole, and was read, as follows:

Resolved, etc., That the consent of the Congress is hereby given to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of them, by such agreement or compact as they may deem desirable or necessary, or as may be evidenced by legislative acts enacted by any two or more of said States, not in conflict with the Constitution of the United States or any law thereof, to determine and settle the jurisdiction to be exercised by said States, respectively, over offenses arising out of the violation of the laws of any of said States upon any of the waters forming the boundary lines between any two or more of said States, or waters through which such boundary line extends, and that the consent of the Congress be, and the same is hereby, given to the concurrent jurisdiction agreed to by the States of Minnesota and South Dakota, as evidenced by the act of the Legislature of the State of Minnesota approved April 20, 1917, and the act of the Legislature of the State of South Dakota approved February 13, 1917.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COAL LANDS IN ALASKA.

The bill (S. 4864) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

That section 3 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, be, and the same is hereby, amended by adding to said section the following proviso:

"*And provided further*, That where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area in Alaska, the Secretary of the Interior may issue prospecting permits for a term of not to exceed four years, under such rules and regulations and conditions as to development as he may prescribe, to applicants qualified under this act, for not to exceed 2,560 acres, and if within the time specified in said permit the permittee shows to the Secretary of the Interior that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this act for all or any part of the land in his permit."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSITION OF TRUST FUNDS.

The bill (S. 4710) to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Commissioner of the General Land Office is hereby directed to deposit with the Treasurer of the United States as miscellaneous receipts the sum of $623.59, which by virtue of the act of July 7, 1898 (30 Stats., p. 674), is now in his custody as ex officio trustee of certain Oklahoma town sites created under the act of May 14, 1890 (26 Stats., p. 109), and the joint resolution of Congress approved September 1, 1893 (28 Stats., p. 11).

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSITION OF BORON DEPOSITS.

The bill (S. 4749) to provide for the disposition of boron deposits was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

OREGON & CALIFORNIA RAILROAD CO., ETC.

The bill (S. 4865) fixing the taxable status of lands received in exchange for lands formerly embraced in the grants to the Oregon & California Railroad Co. and the Coos Bay Wagon Road Co. was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 1 of the act of May 31, 1918 (40th Stats., p. 593), and section 3, act of June 4, 1920 (41st Stats., p. 758), are hereby amended by the addition to each of said sections the following:

"*Provided further*, That for purposes of Federal taxation the lands received from the United States in such exchange shall in all respects be deemed substituted for the lands transferred to the United States, and such exchange shall not be construed to create a gain to or loss by the person receiving such lands from the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WEISER NATIONAL FOREST, IDAHO.

The bill (H. R. 1430) to authorize the addition of certain lands to the Weiser National Forest, Idaho, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That any lands within the following-described areas found after examination by the Secretary of Agriculture to be chiefly valuable for the production of timber or the protection of stream flow may, with the approval of the Secretary of the Interior, be included within and made a part of the Weiser National Forest by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests:

Sections 6, 7, 18, 30, and 31, township 14 north, range 4 west; sections 1, 12, 13, 23, 24, 25, 26 (the south half and the northeast quarter of sec. 27), sections 34 and 35, township 14 north, range 5 west; sections 1 to 12, inclusive, township 13 north, range 5 west; sections 1 and 2, township 13 north, range 6 west; all of the Boise meridian and base, Idaho.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RIGHTS OF WAY THROUGH PUBLIC LANDS.

The bill (H. R. 2946) to amend acts to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That in addition to the rights of way granted by sections 18, 19, 20, and 21 of the act of Congress entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891 (26 Stats., p. 1095), as amended by the act of Congress entitled "An act to amend the irrigation act of March 3, 1891 (26 Stats., p. 1095, sec. 18), and to amend section 2 of the act of May 11, 1898 (30 Stats., p. 404)," approved March 4, 1917 (39 Stats., p. 1197), and, subject to the conditions and restrictions therein contained, the Secretary of the Interior is authorized to grant permits or easements for not to exceed 5 acres of ground adjoining the right of way at each of the locations, to be determined by the Secretary of the Interior, to be used for the erection thereon of dwellings or other buildings or corrals for the convenience of those engaged in the care and management of the works provided for by said acts: *Provided*, That this act shall not apply to lands within national forests.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NEZ PERCE NATIONAL FOREST, IDAHO.

The bill (H. R. 9028) to authorize the addition of certain lands to the Nez Perce National Forest, Idaho, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That any lands within the following-described areas found by the Secretary of Agriculture and the Secretary of the Interior to be chiefly valuable for the production of timber or the protection of stream flow may be included within and made a part of the Nez Perce National Forest by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests:

North half of township 26 north, range six east; the south half of township 27 north, range 6 east; the southwest quarter of township 27 north, range 7 east; and the northwest quarter of township 26 north, range 7 east, Boise meridian.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TARGHEE NATIONAL FOREST.

The bill (H. R. 10434) to add certain lands to the Targhee National Forest was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That all unappropriated public lands within the following-described areas, found by the Secretary of Agriculture to be chiefly valuable for the production of timber or the protection of stream flow, may, with the approval of the Secretary of the Interior, be included within and made a part of the Targhee National Forest, in Idaho, by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests: Sections 1, 2, 3, 4, 9 to 16, inclusive, 21 to 28, inclusive, 34, 35, 36, township 12 north, range 32 east; all township 13 north, range 32 east; all township 13 north, range 33 east; all of Boise meridian and base: *Provided*, That the provisions of this act shall not affect any existing valid adverse claim heretofore initiated.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DOWNEY, IDAHO, WATER SUPPLY.

The bill (H. R. 11004) to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed, in his discretion, to issue patent to the board of trustees of the village of Downey, in the county of Bannock and State of Idaho, for the northeast quarter, north half southwest quarter, southeast quarter, section 8, west half southwest quarter and northwest quarter, section 9, in township 11 south, of range 38 east, Boise meridian, in said county and State, containing 640 acres, in consideration of a sum not less than $1.25 per acre, to have and to hold said lands for the protection and promotion of the water supply and waterworks system of said city: *Provided*, That the grant hereby made is, and patent issued thereunder shall be subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises or any part thereof and now existing under and by virtue of the laws of the United States: *Provided further*, That the lands hereby authorized to be conveyed as hereinbefore set forth, and all portions thereof, shall be held and used by or for the said grantee for the purpose herein specified; and if the said lands shall cease to be so used they shall revert to the United States, and this condition shall be expressed in the patent to be issued under the terms of this act: *And provided further*, That the grant herein is made upon the express condition that within 30 days of the receipt of any request therefor from the Secretary of the Interior the chairman of the board of trustees of said village shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted to the village during the preceding period named in such request showing compliance with the terms and conditions stated in this act; that in the event of his failure to so report or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States be instructed to institute suit in the proper courts for the recovery of said lands: *Provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found on the lands so granted and the right to prospect for, mine, and remove the same.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEMHI NATIONAL FOREST, IDAHO.

The bill (H. R. 13051) to add certain lands to the Lemhi National Forest, Idaho, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISTRICT OF COLUMBIA TAXES AND SPECIAL ASSESSMENTS.

The bill (H. R. 8535) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the first paragraph of section 5 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, is hereby amended following the word "and," in the fourth line thereof, by substituting the following for the remaining six lines of that paragraph, namely:

"Whenever a subdivision of any lot or parcel of land in the District of Columbia, or any portion of any such lot or parcel, is made during the months of July, August, September, October, November, or December, the general tax due and payable upon such lot or parcel of land for prior years and for the first half of the then current fiscal year shall then be paid, and all water main and sewer assessments and special assessments of any kind thereon shall then become due and payable, and be paid before such subdivision shall be admitted to record in the office of the surveyor of the District of Columbia; and the general tax thereon for the last half of the then fiscal year shall be due and payable in the following May."

SEC. 2. That whenever such subdivision is made during the months of January, February, March, April, May, or June, the total general tax assessed against the original lot or parcel of land for prior years and for the then current fiscal year, and all water main and sewer assessments and special assessments of any kind thereon shall become due and payable and be paid before such subdivision is admitted to record in the office of the surveyor of the District of Columbia.

SEC. 3. That whenever application is made in writing to the assessor of the District of Columbia by the owner of any tract of land in said District not subdivided into lots and of record as a subdivision in the office of the surveyor of said District for the redistribution of any general or special taxes or assessments then levied or due thereon,

or whenever such application is made by the owner of any parcel of such tract for such redistribution, any such general or special taxes or assessments levied or due against the entire tract of which such parcel is a part shall be redistributed so that the owner of any such parcel may pay the proportion of such entire taxes or assessments equitably chargeable thereon.

SEC. 4. That any reassessment or redistribution made under this act shall be as valid and effectual upon the various parts of the property in the same manner and to the same extent as if the tax or assessment so reassessed or redistributed had been laid originally thereon under the various laws appertaining thereto. No payment or failure to pay a tax or assessment upon any such part shall change or affect the liability of the other parts of such property for any tax or assessment so reassessed or redistributed.

SEC. 5. That the board of assistant assessors charged with the assessment of real estate in the District of Columbia is hereby authorized and directed to reassess or redistribute any such general or special assessment or tax levied or due and unpaid in accordance with the provisions of laws for the assessment and equalizations of the valuations of real estate in the District of Columbia for taxation, after notice to owners of record of the land to be assessed, with right of appeal within 10 days to the board of equalization and review, as prescribed in section 9 of "An act to provide an immediate revision and equalization of real estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter, and for other purposes," approved August 14, 1894; and the assessor of said District is hereby authorized and directed to promptly reassess or redistribute any general or special assessment of any kind levied or due and unpaid, as hereinbefore provided.

SEC. 6. That all acts and parts of acts are hereby repealed to the extent that same are inconsistent herewith.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. KING subsequently said: Mr. President, may I inquire of the Senator from Washington [Mr. JONES] what disposition was made of House bill 8535? Did it pass?

Mr. JONES of Washington. That bill was passed. I will state to the Senator briefly just what the bill provides.

Mr. KING. No; I am not asking for that. I simply wish to invite the Senator's attention to the fact that I think there is an error on page 2, line 12. It reads, "That whenever such subdivision *in* made." It should be "is."

Mr. JONES of Washington. Yes; that word should be "is."

Mr. KING. I suggest that the Senator have that correction made, and that the action on the bill be reconsidered for that purpose.

Mr. JONES of Washington. I ask for a reconsideration of the vote whereby the bill was passed in order that word "in" may be changed to "is."

The VICE PRESIDENT. That is a typographical error.

Mr. JONES of Washington. I think so.

The VICE PRESIDENT. Without objection, the Secretary will be authorized to correct it.

Mr. JONES of Washington. Very well.

LANDS IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 12045) to provide for the conveyance of lots on the low grounds of Washington, D. C., was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 1, line 12, after the word "evidence," to insert "and the buildings are now upon such lands that comply with or exceed the original building requirements," so as to make the bill read:

Be it enacted, etc., That in carrying into effect the provisions of the act of July 1, 1879, entitled "An act to provide for the conveyance of the low grounds in the city of Washington, under the provisions of the act of Congress approved May 7, 1822" (21 Stats., 47), the Secretary of the Interior be, and he hereby is, authorized at his discretion to execute and deliver the deeds therein provided for without proof of compliance with the building conditions under which the lands were sold, upon a satisfactory showing of inability to supply such evidence and the buildings are now upon such lands that comply with or exceed the original building requirements.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS AND RESOLUTIONS PASSED OVER.

The resolution (S. Res. 422) directing the Secretary of State and the Secretary of the Treasury to transmit to the Senate copies of official correspondence and documents in regard to negotiations for the payment of interest on obligations of foreign Governments to the United States, etc., was announced as next in order.

Mr. HITCHCOCK. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The joint resolution (S. J. Res. 245) prohibiting the exercise, without the consent of Congress, of the authority conferred upon the Secretary of the Treasury relative to obligations of foreign Governments acquired by the United States, was announced as next in order.

Mr. HITCHCOCK. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The resolution (S. Res. 427) authorizing the Committee on Foreign Relations to investigate the sending of United States soldiers to and the condition of citizens of the United States in Siberia, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. Res. 428) authorizing the Committee on Foreign Relations to investigate the participation of Americans, civilians or members of the Military or Naval Establishments in the governmental affairs of Haiti and Santo Domingo, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 4478) to create a bureau of aeronautics in the Department of the Navy, was announced as next in order.

Mr. KING. Mr. President, I suggest that perhaps it would take too much time to-day to consider that measure. I will inquire of the chairman of the Committee on Military Affairs if he desires a consideration of the measure to-day. [A pause.] I suggest that it go over. I desire to say, however, that I am in favor of some legislation upon that subject.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3246) for the relief of Hugo Stamm, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

INDIANS OF NISQUALLY RESERVATION, WASH.

The bill (S. 4159) for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $85,000, in full settlement of the claims against the United States of 25 heads of families of the Nisqually Reservation in Washington, said sum being compensation for the difference between the appraised value and the compromise price paid for approximately 3,300 acres of allotted Indian land taken for military purposes, and for surrender of treaty rights and removal expenses, as set out in Senate Document No. 243, Sixty-sixth Congress, second session, containing the report dated February 28, 1920, of the Acting Secretary of the Interior, pursuant to the act of Congress approved June 30, 1919 (41 Stat. L., pp. 3–28).

SEC. 2. That said sum of $85,000 hereby appropriated shall be immediately available and shall be expended, in the discretion of the Secretary of the Interior, for the benefit of the said dispossessed families or individual Indians, under such rules and regulations as he may prescribe.

The bill was reported to the Senate without amendment.

Mr. KING. Mr. President, I should like to inquire of the Senator from Washington why provision was not made in the Indian appropriation bill for this matter?

Mr. JONES of Washington. I will say to the Senator that the matter was not called to the attention of the Indian Affairs Committee until after the Indian appropriation bill was reported to the Senate, and the chairman of the committee felt that he ought not to try to put it in that bill then; but he was impressed with the merits of the measure and reported it favorably.

Mr. KING. Was the commitee unanimous in its action?

Mr. JONES of Washington. I understand so.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS OF TURTLE MOUNTAIN RESERVATION, N. DAK.

The bill (S. 4352) authorizing the Indians residing on or belonging to the Turtle Mountain Reservation, N. Dak., to submit claims to the Court of Claims, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That all claims of whatsoever nature which the Indians residing on or belonging to the Turtle Mountain Reservation, N. Dak., may have against the United States, which have not heretofore been determined by the Court of Claims, may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said Indians from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said Indians, or for the failure of the United States to pay said Indians any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said Indians, against the United States, and to enter judgment thereon.

SEC. 2. That if any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all the parties thereto nothwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums, including gratuities, heretofore paid or expended for the benefit of said Indians or any band thereof. The claim or claims of

the Indians, or band or bands thereof, may be presented separately or jointly by petition, subject, however, to amendment; suit to be filed within five years after the passage of this act, and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant; and any band or bands of said Indians, or any other tribe or band of Indians the court may deem necessary to a final determination of such suit or suits, may be joined therein as the court may order. Such petition, which shall be verified by the attorney or attorneys employed by said Indians, or any bands thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Indians or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said Indians or bands of Indians.

SEC. 3. That if it be determined by the Court of Claims in the said suit herein authorized that the United States Government has wrongfully appropriated any lands belonging to the said Indians, damages therefor shall be confined to the value of the said land at the time of said appropriation, together with interest at 3 per cent per annum, and the decree of the Court of Claims with reference thereto, when satisfied, shall annul and cancel all claim and title of the said Indians, or any other tribe or band of Indians in and to said lands, as well as all damages for all wrongs and injuries, if any, committed by the Government of the United States with reference thereto.

SEC. 4. That upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said Indians or bands of Indians, under contracts negotiated and approved, as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said Indians or any band thereof in any suit, cause, or action under the provisions of this act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fee shall be taken from any money in the Treasury of the United States belonging to such Indians or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as herein provided: *Provided*, That in no case shall the fees decreed by said court amount to more than 10 per cent of the amount of the judgment recovered in such cause.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLOSING OF WATER STREET, DISTRICT OF COLUMBIA.

The bill (S. 4645) to authorize the Commissioners of the District of Columbia to close upper Water Street, between Twenty-first and Twenty-second Streets NW., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized to close upper Water Street, between Twenty-first and Twenty-second Streets NW., lying between Potomac Park and square 88, provided that the consent in writing of the owners of all private property in square 88 is first had and obtained; and upon the closing of said street between the limits named the Commissioners of the District of Columbia are authorized to transfer the land contained in the bed of said street to the Chief of Engineers, United States Army, as a part of the park system of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CORPORATIONS ORGANIZED IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 5416) to authorize corporations organized in the District of Columbia to change their names was considered as in Committee of the Whole.

Mr. ROBINSON. Mr. President, I should like to have a statement of the purpose of this bill.

Mr. DILLINGHAM. Mr. President, under the existing laws of the District of Columbia the court of appeals has held that there is no power given to corporations to change their names. This bill is intended to give corporations that power, the board of directors first having acted, and their action having been confirmed by a two-thirds vote of the stockholders of the corporation.

Mr. ROBINSON. Will the Senator state the circumstances which make it necessary for a corporation to change its name? I can conceive of some conditions wherein a corporation ought not to be authorized, perhaps, to change its name.

Mr. STERLING. Mr. President, I will simply say that this bill passed the Senate once under the number "S. 4000," and was sent to the House, and favorably reported by the Judiciary Committee of the House. It was not passed, however, because of want of time. It was not reached on the calendar.

Mr. DILLINGHAM. It is recommended by the commissioners.

Mr. STERLING. Yes; it is recommended by the commissioners.

Mr. ROBINSON. What is the object of it? Why should a corporation be allowed to change its name without limitation? Take, for instance, a case like this: Suppose a corporation should, through mismanagement of its affairs, acquire a bad reputation; is it desirable, in the opinion of the Senator from South Dakota, that it should be permitted to escape the offense of its mismanagement, and the reputation it acquired, by changing its name? What benefit accrues to anyone by allowing it to do that?

Mr. STERLING. No benefit, Mr. President; nor do I think the mere change of name would permit any corporation to escape any liability it incurred. But I can conceive of a case wherein it would be very desirable for a corporation to be allowed to change its name, and I think that the law of nearly every State permits the change of name on the part of corporations. It may have inadvertently adopted a certain name without consideration of all the circumstances, or circumstances may arise thereafter under which it would be very desirable to have a change of name of a corporation. This has received consideration at the hands of committees of both Houses; it has passed the Senate once, and has been favorably reported by the House committee to the House.

Mr. ROBINSON. I understand that. It would not be on the calendar, in all probability, if it had not been favorably reported by the Senate committee. I do not know that the matter is of very great importance, but I think some additional reason ought to be given for the legislation. I do not think it is sufficient, in asking Congress to pass this legislation, to say that the bill has been approved by committees of Congress from time to time.

Mr. KELLOGG. I think the Senator will find that the laws of every State in the Union which provide for corporations have principally only one limitation upon the name which may be adopted, and that is that the name shall not be one which has been adopted by some other corporation.

Mr. ROBINSON. Is that limitation in this bill?

Mr. KELLOGG. It is in the original act, as I understand it. But they are always allowed to change their names on filing amended articles. I know of no State law that does not permit that.

Mr. ROBINSON. I have no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BROADWATER IRRIGATION DISTRICT, MONTANA.

The bill (S. 4186) to authorize the Broadwater Irrigation District, a Montana corporation, to construct a dam across the Missouri River was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, as follows:

On page 1, line 4, after the word "Montana," to strike out the word "corporation" and insert in lieu thereof the word "organization"; on line 6, after the word "point," to strike out the words "to be approved by the Secretary of War, in townships 5, 6, 7, and 8 north, range 2 east," and to insert in lieu thereof the words "in section 6, township 4 north, range 3 east"; and on page 2, line 1, after the numerals "1906," to insert the words "as amended by act approved June 23, 1910," so as to read:

Be it enacted, etc., That the consent of the Government is hereby given to the Broadwater Irrigation District, a Montana organization, its successors or assigns, to construct across the Missouri River, at some point in section 6, township 4 north, range 3 east, Montana meridian, a dam for irrigation purposes, in accordance with the provisions of the act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by act approved June 23, 1910: *Provided*, That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity, but the use of the dam by the construction shall be limited to irrigation.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River."

MARINE HOSPITAL SERVICE.

The bill (H. R. 11841) to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893, was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. JONES of Washington. I hope the Senator will not object. Has he examined the bill?

Mr. SMOOT. No, Mr. President; I have not had time yet to examine it, and I want to read the report.

Mr. JONES of Washington. I think it is very necessary that this should be enacted.

Mr. SMOOT. If the Senator will allow it to be passed over temporarily, I will read the report.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT OF FEDERAL RESERVE ACT.

The bill (S. 4729) to amend section 7 of the act approved December 23, 1913, and known as the Federal reserve act, as amended by the act of March 3, 1919, was announced as next in order.

Mr. HITCHCOCK. At the time that bill was introduced, I understand, the Secretary of the Treasury had already used the drafts of the Federal reserve banks of last year for retiring the certificates.

Mr. SMOOT. There is no doubt of it. I am informed by the department that that is the case.

Mr. HITCHCOCK. I think the bill ought to be indefinitely postponed.

Mr. SMOOT. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

IRRIGATION PROJECTS.

The bill (S. 4421) securing rights of way and easements over public land in connection with Federal irrigation projects was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That where a right of way or easement of any kind over public land heretofore or hereafter withdrawn under the act of June 17, 1902 (32 Stat., p. 388), is required in connection with a Federal irrigation project the Secretary of the Interior may cause to be executed and recorded in the office of the recorder of deeds of the county in which the land is located, an instrument stating the purpose of the right of way or easement with a description of the same, in which event entry thereafter made for such land and the patent issued therefor shall be subject to the right of way or easement so described in such recorded instrument.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WAR CONTRACTS.

The bill (S. 4900) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," was considered as in Committee of the Whole.

The bill had been reported from the Committee on Mines and Mining with an amendment, on page 2, line 4, after the words "are in," to insert the words "justice and equity," so as to make the bill read:

Be it enacted, etc., That section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," be, and the same is hereby, amended as follows:

"Add to section 5 the following proviso: '*Provided*, That this section shall be liberally interpreted, and that all claimants who in response to any personal, written, or published request or demand from any of the Government agencies mentioned in said act in good faith expended money in producing or preparing to produce any of the ores or minerals named therein and have heretofore filed their claims within the time and in the manner prescribed by said act, shall be reimbursed such net losses as they may have been found to have incurred and are in justice and equity entitled to from the appropriation in said act, and that the unexpended portion of the appropriation carried in said act be continued available for the purposes named above until all claims in said act shall be finally settled or disposed of.'"

The amendment was agreed to.

Mr. SMOOT. The Senator from Montana, for the Senator from Nevada [Mr. HENDERSON], reported this bill from the Committee on Mines and Mining. I can not see why the words on line 8, "that this section shall be liberally interpreted," should be used? Why not strike out those words and simply say, "*Provided*, That all claimants," and so forth.

Mr. WALSH of Montana. I have not the slightest objection to that.

Mr. SMOOT. I have never seen those words used in any bill or any law. There is only one way to interpret the law, and that is to interpret it correctly. Therefore, Mr. President, I move that on line 8, page 1, the words "That this section shall be liberally interpreted, and" be stricken out and that the word "that" commence with a capital "T," so as to read:

Provided, That all claimants who, in response to any personal, written, or public request or demand from any of the Government agencies, etc.

The amendment was agreed to.

Mr. THOMAS. I would like to inquire of the Senator from Montana the purpose of this bill. Shortly after the armistice Congress passed an act appropriating something like $8,000,000 for the relief of citizens of the United States who had been induced to go into the production of unusual or rare metals, and that was passed after a very full consideration of the whole subject. The original bill, I think, was very much broader than the one enacted. Of course a vast number of claims against the Government which, while morally of some importance, have no legal justification were filed, and a bill like this, I think, would tend to encourage and to promote the filing of vast numbers of claims against the Government, particularly by that class of claimants whose claims have been filed with and investigated by the board charged with the administration of the law to which I have referred. The fruit of every war, great or small, is an enormous number of claims against the Government, a comparatively small proportion of which upon investigation are found sufficiently serious to require the Government to pay them.

Mr. WALSH of Montana. I interrupt the Senator to say that the bill expressly provides that none except those who have already filed claims shall be entitled to the benefits of the act.

Mr. THOMAS. Does the Senator know how extensive the claims are which have already been filed?

Mr. ROBINSON. I can state approximately, between seven and eight million dollars. The necessity for this legislation arises out of a construction placed upon the act of March 2, 1919, which has had the effect of barring nearly all claims. There are something like a total of 1,200 claims filed under the provisions of the original act. The language of the act germane to the construction I refer to is as follows:

That the Secretary of the Interior be, and he hereby is, authorized to adjust, liquidate, and pay such net losses as have been suffered by any person, firm, or corporation by reason of producing or preparing to produce either manganese, chrome, pyrites, or tungsten, in compliance with the request or demand of the Department of the Interior, the War Industries Board, the War Trade Board, the Shipping Board, or the Emergency Fleet Corporation—

And so forth.

The department has construed the words "request or demand" to mean that the request must be individually made or specifically made, so as to exclude all cases where any of these boards urged by published appeals to mineral claimants of the class benefited by the bill to engage in the production of the minerals named, and have limited it in the application made by the Interior Department to only those who were asked by an agent of the Bureau of Mines in the field to engage in production. The construction placed upon the act has been held by the committee in charge of the matter at the other end of the Capitol to be inconsistent with the original purpose of Congress, and this act merely writes into the law the meaning which I think Congress intended the act should have in the beginning.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARINE HOSPITAL SERVICE.

Mr. SMOOT. I now ask that we revert to Calendar No. 722.

The bill (H. R. 11841) to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That first paragraph of section 2 of the act granting additional quarantine powers and imposing additional duties upon the United States Public Health Service, approved February 15, 1893, be amended to read as follows:

"SEC. 2. That any vessel at any foreign port clearing or departing for any port or place in the United States or its possessions or other dependencies or any vessel at any port in the possessions or other dependencies of the United States clearing or departing for any port or place in the United States or its possessions or other dependencies, shall be required to obtain from the consul, vice consul, or other consular officer of the United States at the port of departure, or from the medical officer where such officer has been detailed by the President for that purpose, a bill of health in duplicate, in the form prescribed by the Secretary of the Treasury, setting forth the sanitary history and condition of said vessel, and that it has in all respects complied with the rules and regulations in such cases prescribed for securing the best sanitary condition of the said vessel, its cargo, passengers, and crew; and said consular or medical officer is required, before granting such duplicate bill of health, to be satisfied that the matters and things therein stated are true; and for his services in that behalf he shall be entitled to demand and receive such fees as shall by lawful regulation be allowed, to be accounted for as is required in other cases."

Mr. SMOOT. I find that the only change made in existing law is by adding the words in line 8 of the bill "or departing," and in line 9 "or its possessions or other dependencies." The balance of the bill is the law as it exists to-day, and there is no objection to those amendments to the law that I can see.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIVELES QUARRY, PHILIPPINE ISLANDS.

The joint resolution (S. J. Res. 229) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands and to permit the working thereof by the persons entitled thereto, provided military necessities permit, was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Military Affairs with amendments:

On page 1, line 5, to strike out the words "the rights, claims, or equities" and to insert in lieu thereof the words "any equitable claims," and on page 2, line 5, after the word "consider," to strike out the words "the rights or" and to insert the word "such," so as to read:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and empowered to make or cause to be made such inquiry and investigation into any equitable claims of such private parties in and to the stone quarries at Mariveles, Province of Bataan, in the Philippine Islands, within the limits of the United States military reservation as set aside by the President of the United States in Executive order of June 7, 1904, as may have filed claims with the War Department or in other offices under its jurisdiction, and to permit the resumption of private operations therein by license or otherwise and to the extent that he may consider such claims of such parties entitle them to, with due regard to military necessities: *Provided, however*, That nothing herein authorized shall be deemed to remove the site of said quarry from the jurisdiction and control of the military authorities of the United States under and by virtue of the reservation made by the President as aforesaid.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF PENAL LAWS.

Mr. BORAH. Mr. President, I desire to recur to calendar No. 692, a bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stats. L., p. 1134). I asked that it go over until the Senator from Michigan [Mr. TOWNSEND] should be present. He is now present, and I withdraw all objection thereto.

Mr. WOLCOTT. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

JENNIE GARRETT.

The bill (S. 1721) for the relief of Jennie Garrett was announced as next in order.

Mr. KING. Let the bill go over.

Mr. CALDER. Mr. President, may I ask the Senator from Utah to withhold his objection just a moment until I make an explanation of the bill?

Mr. KING. Certainly.

Mr. CALDER. The bill was introduced for the relief of Jennie Garrett. Her husband, Nathaniel Garrett, lived near my home in Brooklyn. He was ordered out with the Fourteenth New York Regiment for service on the Mexican border on June 3, 1916. He went to the border with the regiment. Before he could be mustered in, in fact, before the regiment could be mustered in a week or two later, he met with an accident while in the service of the regiment and while in the service of his country, and died as a result of that accident. His wife applied for a pension, but the Pension Bureau refused a pension on the ground that the man had not actually been mustered into the service. A week later he would have been mustered in.

The bill does not give the widow a pensionable status, and that is not the purpose of the bill, unless she can prove all the facts surrounding his service. It simply places him in the position he would have occupied had he lived a week longer, and had been mustered into his regiment. It seems to be a meritorious case, and I hope the Senator will not object.

Mr. KING. I think the bill perhaps ought to go to the Committee on Pensions, and for the present I shall insist on my objection.

The VICE PRESIDENT. The bill will be passed over.

RICHARD PARKE.

The bill (S. 2340) to amend the military record of Richard Parke was announced as next in order.

Mr. KING. Let that go over.

Mr. CALDER. Mr. President, will the Senator withhold his objection until I make an explanation of the matter?

Mr. KING. Certainly.

Mr. CALDER. Richard Parke had two enlistments in the United States during the Civil War. During the first enlistment, as a boy of 17, he went home on a furlough, and while in New York City he deserted. Meeting some other boys, he entered another regiment, then being formed in New York City. He went back with the second regiment and served two years in the war, performed valiant service, and came out of the war with an honorable discharge. Some years ago when applying for a pension he discovered that his record had been marked, showing him to be a deserter, as I have explained.

He is now a man 78 years of age. He is without widow or dependent family, and even if the bill should pass, at the very most he could obtain a pension only for the remaining days of his life, probably a year or two. He had two years of honorable service, and now resides in Brooklyn with his family. The old man dislikes to pass away without having his record cleared. I hope the Senator will withdraw his objection.

Mr. KING. Why was not the bill referred to the Committee on Pensions?

Mr. CALDER. Because it belongs to the Committee on Military Affairs, which is the only committee that can recommend legislation affecting his record. I say positively that is so. If some Senator is present who is a member of the Committee on Military Affairs, he will vouch for that statement. The Committee on Pensions have no authority to recommend a pension for anyone whose record is not clear, and the only place he can go under those circumstances is to the Committee on Military Affairs.

Mr. KING. I should like to ask the chairman of the Committee on Pensions, the Senator from North Dakota [Mr. McCUMBER], whether the statement made by the Senator from New York would entitle this applicant to the relief demanded under the rules which have been heretofore governing the Pensions Committee?

Mr. McCUMBER. I was engaged on another matter when the Senator from New York was speaking and did not hear his statement.

Mr. KING. My inquiry is in reference to the statement of the Senator from New York. He is presenting an application for a pension, or to clear a soldier's record.

Mr. McCUMBER. All I can say is that the rule of the Committee on Pensions has been not to grant a pension until after the right has been established, by the soldier pensionable, under the law which reestablishes his right, but the Committee on Pensions does not clear the records of soldiers.

Mr. KING. I was aware of that fact. What I inquired of the Senator was, assuming the fact to be as stated by the Senator from New York, with reference to the propriety of the Committee on Military Affairs handling the matter?

Mr. CALDER. The Committee on Pensions would not grant the pension if the man's record disclosed a mark against him as a deserter.

Mr. McCUMBER. No; we expect him then to go to the Committee on Military Affairs to get his record cleared up.

Mr. CALDER. I am sure the bill was in the right committee. I will say to the Senator from Utah that it is a very meritorious case. The man had two years of honorable service and an honorable discharge from his last service. He is now 78 years old and living with his family in New York, and there is no one pensionable to succeed to the pension when he passes on. The case is really a meritorious case.

Mr. KING. Will the Senator give assurance to the Senate that some young widow or woman will not marry him so he can leave a widow?

Mr. CALDER. If she does, under the law she can not obtain the pension, because she is forbidden under the law to obtain a pension under those circumstances.

There being no objection, the bill was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert:

That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Richard Parke, late of Company A, First Regiment New York Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of that organization on the 22d day of August, 1862: *Provided*, That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Richard Parke."

MILITARY ARTICLES FOR NATIONAL MUSEUM.

The bill (S. 4827) to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes, was announced as next in order.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 2, in lines 11, 12, and 13, to strike out "any that were donated to such organizations may be returned to the donor or donors upon request by him or them," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized to furnish to the National Museum, or exhibition, upon request therefor by the administrative head thereof, such articles of

arms, matériel, equipment, or clothing as have been issued from time to time to the United States Army, or which have been or may hereafter be produced for the United States Army, and which are objects of general interest or of foreign or curious research, provided that such articles are surplus or can be spared.

SEC. 2. That the Secretary of War be, and he hereby is, authorized to dispose of all colors, standards, and guidons of demobilized organizations of the United States Army in the following manner: Any which were used during their service by such organizations and which were brought into the service of the United States from the National Guard of any State may be returned to that State upon request therefor from the governor thereof; and all others may be sent, upon request of the governor thereof, to whatever State the Secretary of War may determine to have furnished the majority of men to any such organization at the time of its formation: *Provided, however*, That where it is impossible to determine what State furnished a majority of the men of an organization at the time of its formation, or where any organization was so cosmopolitan in its original make-up that it is impossible to identify it with any particular State, the colors of such organization will be turned in to the Quartermaster General for such national use as the Secretary of War may direct: *Provided further*, That the title to all such colors, standards, and guidons shall remain in the United States: *And provided further*, That the Secretary of War shall require assurance that proper provision has been or will be made for their care and preservation before returning or sending the same as herein authorized.

SEC. 3. That in all cases in which the Secretary of War has heretofore furnished to the National Museum any property of the kinds described in section 1 hereof, or has disposed of any colors, standards, or guidons of demobilized organizations of the United States Army in the manner provided by section 2 hereof, his acts and doings in the premises are hereby ratified and confirmed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REIMBURSEMENT TO STATE OF MASSACHUSETTS.

The bill (S. 2252) making an appropriation to pay the State of Massachusetts for expenses incurred and paid at the request of the President in protecting the harbors and fortifying the coast during the Civil War, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the governor of the State of Massachusetts, or his duly authorized agent, the sum of $233,885.82 out of any money in the Treasury not otherwise appropriated, being the costs, charges, and expenses properly incurred by such State for interest and premium paid for coin in payment of such interest on bonds issued for money borrowed and expended at the request of the President of the United States during the Civil War in protecting the harbors and fortifying the coast. The accounting officers of the Treasury having found that said expenditures were so incurred and paid by the State; and which the Court of Claims in its report to Congress under the act approved July 16, 1916, as set forth in Document No. 369, House of Representatives, Sixty-fifth Congress, first session, also found had been so incurred and paid.

Mr. KING. Mr. President, I should like to inquire of the Senator from Massachusetts [Mr. LODGE] why there has been such a delay in the presentation of the claim?

Mr. LODGE. It is one of a class of claims which I think has been paid to every State except Massachusetts. The State at the request of the National Government advanced large sums of money to the Federal Government for the purpose of coast defense. They issued gold bonds to do it, and the State paid the principal and interest and premiums in gold. The advances of the State for the defense of the country during the Civil War have been paid gradually over a long period, but they have not been paid for the gold premium, which is only proper, and the interest.

This class of claims was supported by a decision of the Supreme Court. Part of the claims of the State of Massachusetts have been paid. This is the last one. It has been twice reported from the Committee on Claims favorably and unanimously, and also has been decided in favor of the State by the Court of Claims, which made no award, because they said legislation was needed, as there was no law for repayment. I think it is a claim that is justly due the State.

Mr. KING. May I inquire of the Senator whether, as I understood his statement, Congress heretofore has made appropriations for the payment of some claims?

Mr. LODGE. Yes; and paid them all, so far as I know.

Mr. KING. Why did not the State of Massachusetts present all its claims at one time? Litigation in piecemeal is forbidden in controversies between private individuals, and it seems to me States ought not to follow a policy which the law really forbids by the statute of limitations from being interposed between private individuals.

Mr. LODGE. The claim has been presented, and it has been delayed, as many claims are. I have noticed some honest claims that have been delayed in the Senate at times, and unavoidably so. Sometimes a State has not pressed them, but, as I said, claims of just this character have been paid to other States and, under the decision of the Supreme Court, were paid to the State of New York. I think it is a perfectly just claim, so far as that goes. I do not think there is a claim of a State that ought to be set aside, certainly not on account of delay.

Mr. HITCHCOCK. Why is not this such a claim as should be referred to the Court of Claims?

Mr. LODGE. It has been so referred. I just stated that it had been.

Mr. HITCHCOCK. But the Senator states that the Court of Claims made no adjudication.

Mr. LODGE. They made an adjudication, but what happened was this: The claim was sent there for a finding of fact. They found the facts and said:

> We have been cited to no law of Congress promising to repay Massachusetts any part of the money so expended by her, from which it follows that, however generous and patriotic this action on the part of the State may have been, she has no legal status in this court for the repayment of the same.

There have been acts of Congress paying all of this class of claims.

Mr. HITCHCOCK. That is what leads me to say that it seems to me Congress should first decide whether it should obligate itself to the State of Massachusetts for money advanced under these circumstances, and then let the Court of Claims pass upon the question.

Mr. LODGE. It is perfectly certain that the State can not get the money without an act of Congress. I have here the decision of the Supreme Court in the New York case, as set forth in the report of the committee. The committee said in their report:

> It seems to your committee that this case is precisely parallel to that of the State of New York which was decided by the Supreme Court of the United States (160 U. S., p. 598). This decision allowed interest incurred and paid by such State in obtaining the money for which reimbursement was allowed under the act of July 27, 1861 (12 Stat., p. 276), and joint resolution of March 8, 1862 (12 Stat., p. 615). That this is the view of the Treasury Department is shown by a letter of the comptroller transmitted to the Secretary of the Treasury under date of February 4, 1911, referring to this claim, from which the following is an extract:
>
> "I see no reason why the interest necessarily incurred and paid by the State on the bonds issued for the coast defense should not be allowed as a part of the costs incurred by the State in accordance with the decision of the Supreme Court in the New York case (160 U. S., 598) which allowed the interest incurred and paid by the said State in obtaining the money for which reimbursement was allowed under the act of July 27, 1861 (12 Stat., 276), and joint resolution of March 8, 1862 (12 Stat., 615).
>
> "As the money expended for coast defense was secured from bonds issued after the act of the Massachusetts Legislature which provided for payment in gold or silver coin of the interest and principal of all bonds hereafter issued, there was a legal contract between the State and the holders of said bonds when issued for the payment of principal and interest in coin. The additional cost of said coin was therefore a part of the costs incurred by the State in the matter of the coast defense."

I shall not read any more. On that is based the decision of the committee.

Mr. KING. Mr. President, I shall not object to the consideration of the bill, but I shall vote against it. I confess that I can not see the liability of the Government, nor can I understand why there has been this delay. Apparently Congress made appropriations many years ago to satisfy the claims of the Northern States for expenditures made during the Civil War. Evidently Congress then felt that the amount appropriated to Massachusetts was sufficient and was a complete satisfaction of her claim. We are now presented with a claim years afterwards amounting to more than $200,000, which, as I understand the explanation of the Senator from Massachusetts, is for premiums paid upon bonds and for interest.

Mr. LODGE. And which, as I said, have been paid in other cases. Similar claims for other States have been paid within the last two years. The Federal Government only paid the principal claim of Massachusetts within the last 10 years.

Mr. KING. I am not in a position to make any explanation, because the matter is wholly new to me, but I confess, in view of the fact that similar claims have been presented to Congress by the State of Massachusetts and appropriations have been made for their payment that it is rather a dangerous precedent to establish, if this is the first time it has been done, to make further appropriations; it is appropriating in a piecemeal fashion, and we never know when we shall get through with claims of a similar character.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Massachusetts what danger the harbor of Massachusetts was supposed to be threatened with that caused this expenditure? What did it amount to at the time?

Mr. LODGE. The expenditure was incurred on account of coast defenses which were called for by the Federal Government and built by the State along the coast at the Government's request. The port of Massachusetts is considered to be rather an important port. There were a number of ports on the coast of Massachusetts which were thought worth defending. At all events, I can not argue that, but the Federal Gov-

ernment, through the President, asked for the work, and the State did it.

Mr. HITCHCOCK. When was it asked for?

Mr. LODGE. It was asked for in 1863.

Mr. HITCHCOCK. Was it feared that some of the extreme southerners might come up there after Ben Butler?

Mr. LODGE. Senate Report No. 1188, Sixty-second Congress, third session, states in reference to the matter:

> Military operations in 1863 made it necessary to strengthen Boston Harbor and also to fortify the coast. President Lincoln and Secretary Seward had both recommended these improvements as a military necessity.

The work being recommended by President Lincoln and the then Secretary of State, Mr. Seward, the State borrowed the money on her own credit, borrowed it in gold—and Massachusetts was one of the very few States that did pay the interest on their debts in gold all through the Civil War—and carried out the patriotic motive of the defense of the coast. I do not mean to say that Nebraska was in danger, but it was thought that the coast of Massachusetts was in danger.

Mr. HITCHCOCK. The same idea prevailed there during the Spanish-American War when the poor little Spanish armada started across, I understand.

Mr. LODGE. Yes; there was some alarm all along the coast; it was not confined exclusively to Massachusetts.

Mr. HITCHCOCK. But I wondered what there really was during the Civil War that even bore the semblance of a danger, so far as Boston Harbor was concerned.

Mr. LODGE. I can only refer the Senator from Nebraska to the correspondence between President Lincoln and the State of Massachusetts, which I have not here. The Federal Government thought the expenditure desirable.

Mr. HITCHCOCK. The Senator from Massachusetts has represented the State in the Senate for many years.

Mr. LODGE. I can assure the Senator from Nebraska that Massachusetts was not expending several millions of money to defend the coast as an investment.

Mr. HITCHCOCK. I realize that.

Mr. LODGE. Or in order to make money.

Mr. HITCHCOCK. The Senator stated that the principal sum was returned to them a number of years ago?

Mr. LODGE. It was as to all the States. The coast States all had similar claims, and they have all been paid except this one. All of those whose obligations were in gold have been paid, including the premiums on their bonds.

Mr. HITCHCOCK. Massachusetts has been very ably represented in the Senate, and I wondered why this claim had not been presented and acted upon earlier.

Mr. LODGE. Some of the other State claims have been paid within the last few years. If the Senator from Nebraska wants to know the cause of the delay, I will say that it is because the Government of the United States resists in every possible way the payment of a private claim or a State claim against the Government, no matter how just it may be.

Mr. HITCHCOCK. That is a proper and a wise thing for the Government to do, otherwise we should not have much left in the Treasury with general acquiescence in all claims.

Mr. LODGE. That may be so.

Mr. HITCHCOCK. It seems to me that under the circumstances this is a very old claim to come up now.

Mr. LODGE. It is a very old claim, but I will say to the Senator that some of these claims, including the claim of New York, I think, has been paid only within a comparatively few years. There have been many claims paid to the States for expenditures incurred by them for this purpose.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to the governor of the State of Massachusetts, or his duly authorized agent, $233,885.82, being the costs, charges, and expenses properly incurred by such State for interest and premium paid for coin in payment of such interest on bonds issued for money borrowed and expended at the request of the President of the United States during the Civil War in protecting the harbors and fortifying the coast, the accounting officers of the Treasury having found that the expenditures were so incurred and paid by the State; and which the Court of Claims in its report to Congress under the act approved July 16, 1916, as set forth in Document No. 369, House of Representatives, Sixty-fifth Congress, first session, also found had been so incurred and paid.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLARENCE L. REAMES.

The bill (S. 3487) for the relief of Clarence L. Reames, was announced as next in order.

Mr. KING. Let that bill go over.

Mr. CHAMBERLAIN. Mr. President, may I make a statement in reference to that bill?

Mr. KING. I withhold my objection in order to hear the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, Mr. Clarence L. Reames was district attorney at Portland, Oreg., having been appointed during the first part of President Wilson's first term. While he was serving as district attorney in Portland he made such an excellent record as a prosecuting officer that the Attorney General ordered him to San Francisco in April, 1916, to prosecute a large number of men who had been looting the public domain. Mr. Reames attended the court in San Francisco for the purpose of preparing for the trials; he tried the cases against those men, and secured convictions in nearly all of them. Later he was again sent to San Francisco to prosecute other cases against men who were fraudulently acquiring title to public lands. He succeeded in those cases. Later he was sent by the Attorney General to Seattle to prosecute a number of cases which had attracted nation-wide attention and which were discussed very largely in the press throughout the West at that time. He succeeded in bringing about the conviction of those who were guilty. During that period he was absent from his home, which he maintained in Portland; but he conducted the district attorney's office in Portland without costing the Government an additional cent. His only pay, aside from his salary as district attorney, was $4 per day. If there is a hotel in San Francisco or one in Seattle where a man can live for $4 a day I have never been able to find it.

The Attorney General of the United States has recommended the payment of this claim, and I think it ought to be paid. As a matter of fact, Mr. Reames is entitled to more, and the claim which he presented was larger, but the Attorney General finally compromised and suggested to him that $2,000 should be allowed.

Mr. SMOOT. The same thing happens in the case of other district attorneys who are ordered away from home, and if this bill passes we will have a flood of bills of a similar character.

Mr. CHAMBERLAIN. I will ask the Senator if he can tell me of a single district attorney who has been sent away from his home for a period of six months to prosecute important cases who has not been paid?

Mr. SMOOT. They have been paid whatever the per diem may be.

Mr. CHAMBERLAIN. Four dollars a day.

Mr. SMOOT. There are many of them who are thus ordered away from home.

Mr. CHAMBERLAIN. Mr. President, I hope the bill will be passed. If there are any other claims of a similar nature which may come in I will stand to have them paid; they ought to be paid where a district attorney renders duty outside of his district. Possibly Mr. Reames might have refused to go, but he was ordered to go because of the efficient service he had rendered. Later, because of his capacity, because of his ability successfully to prosecute, he was appointed assistant attorney general at Seattle to prosecute a great many men.

Mr. KING. Mr. President, just one word: I shall not object to the consideration of the bill, but I feel constrained to and shall vote against it. I wish to call the attention of the Senate to the fact that under this precedent we will be called upon hereafter to reimburse a great many district attorneys who have accepted appointments under salaries which have been fixed by law.

I wish at this time to express my disapproval of the policy of the Department of Justice—and it has been the policy for many years—of selecting so many special assistant district attorneys. The regular district attorneys should care for the work within their own districts; but other men are imported from other districts to aid those who have been selected and who are entirely competent to discharge the duties that devolve upon them. I regard this as a very bad precedent, and, in my opinion, we will be flooded by a large number of claims of similar character.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $2,000 to pay Clarence L. Reames for extra and special services performed by him while United States district attorney at Portland, Oreg., in the prosecution of certain cases in the northern district of California and in the western district of

Washington, pursuant to the request of the Attorney General, during the years 1916 and 1917.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

KRISTINA FURJAK.

The bill (S. 4991) for the relief of Kristina Furjak was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Kristina Furjak $495, being the amount deposited with the Commissioner of Immigration at Ellis Island for safe-keeping pending determination of her right to enter the United States, said sum having disappeared from the safe and all efforts made to determine the responsibility for the loss having proved unsuccessful.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM E. LEWIS.

The bill (S. 4992) for the relief of William E. Lewis was announced as next in order.

Mr. KING. I ask that the bill be passed over.

Mr. SPENCER. Mr. President, I should like to say a word to the Senator from Utah about the bill, for I am sure the Senator does not understand it. The bill came to us from the Department of Labor. The circumstances are as follows: The claimant had been detained by the immigration authorities and had been required by them to deposit a thousand-dollar bond. He deposited Liberty bonds of that value. A Government employee stole the bonds, and when the claimant was released the bonds which he had deposited could not be returned to him. The Department of Labor came to the committee, recited the facts, and admitted that the bonds were taken by an agent of the Government. In view of the circumstances the committee unanimously reported the bill, feeling that common honesty dictated that the man's loss should be made good.

Mr. KING. Mr. President, may I inquire of the Senator what steps the Government takes to protect itself from the dishonesty of its employees? It seems to me it ought to require a bond of those who become custodians of funds which are taken from immigrants.

Mr. SPENCER. I should think so.

Mr. KING. Can the Senator advise us whether the Government takes any steps for its own protection?

Mr. SPENCER. I should think so; but, of course, when the Government requires a man to make a deposit and he makes the deposit, which may represent all that he has in the world, and then when the charge against him is dismissed, and he applies for the return of his money, the Government says, "We are very sorry, but we can not return you the money," it is a case where there is a clear legal liability on the part of the Government. I quite agree with the Senator that the Government might well bond every one of its officials, but in this case that was not done, and the man whose money was lost was a poor man.

Mr. KING. Can the Senator advise us what steps the Government took to locate the criminal and to have him punished or to receive financial redress?

Mr. SPENCER. The man who took the money was arrested and was indicted, but the last I heard of the case he had not been tried. He was, I repeat, under indictment, and undoubtedly will go to the penitentiary for the theft. There were two cases of similar character, and the same man was guilty in both instances.

Mr. KING. Can the Senator advise us whether or not the Department of Labor requires those who are custodians of funds of this character to give a bond?

Mr. SPENCER. They did not do so in this case. The employee who took the money was not under bond.

Mr. KING. Mr. President, I agree with the Senator that the claim ought to be paid by the Government; and yet this is a very loose way of doing business. If the law does not compel the Department of Labor to bond its employees who are charged with fiduciary duties of this character, a statute should be enacted to require it. I withdraw the objection.

Mr. SMOOT. Mr. President, I do not rise to object to the bill, but I will suggest to the Senator that the bill ought to provide that the man be reimbursed by giving him a Liberty bond of a thousand dollars. We could buy such a bond for about $900; but if the man is paid cash he will be a hundred dollars better off, because of the fact that the Government of the United States took his bond and lost it, than he would be if a Liberty bond of like denomination were returned to him.

Mr. SPENCER. I see the Senator's point; there would be an advantage to the man whose bond was lost. I have no objection to having the bill amended so as to provide for the return to him of a bond similar to that which was lost.

Mr. SMOOT. Everybody would like to have his bonds stolen if he could get par for them.

Mr. SPENCER. The man is entitled to nothing more than the return of a bond of similar par value.

Mr. LA FOLLETTE. What was the date of the incident?

Mr. SMOOT. The incident occurred in January, 1920, at which time the bonds were even a little lower than they are to-day.

Mr. SPENCER. It is very simple to suggest a word that will make the amendment.

Mr. SMOOT. Will the Secretary proceed with the next bill? Then we can recur to this one when the Senator has prepared his amendment.

Mr. SPENCER subsequently said: Mr. President, I have prepared an amendment to Senate bill 4992 which perhaps will meet the objection which was made. I send it to the desk and ask to have it stated.

The VICE PRESIDENT. Is there any objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4992) for the relief of William E. Lewis, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William E. Lewis, out of any money in the Treasury not otherwise appropriated, the sum of $1,106.25, representing loss of Liberty bonds, fourth issue, having a face value of $1,000, plus accrued interest of $106.25, said bonds having been stolen by an employee of the Immigration Service.

The VICE PRESIDENT. The Senator from Missouri proposes an amendment, which will be stated.

The ASSISTANT SECRETARY. After the word "directed," on line 4, it is proposed to strike out the remainder of the bill and in lieu thereof to insert:

Out of any money in the Treasury of the United States not otherwise appropriated, to purchase a Liberty bond of the fourth issue of the face value of $1,000 and to deliver the same, together with $106.25 interest thereon, to William E. Lewis, in place of a bond of similar value belonging to said William E. Lewis, and which was stolen by an employee of the Immigration Service.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FORTIFICATIONS APPROPRIATIONS.

Mr. SMOOT. Mr. President, I was wondering whether there would be any objection on the part of the Senate to my moving at this time to take up the fortifications appropriation bill and pass it to-night?

Mr. UNDERWOOD. I hope the Senator will allow the calendar to be completed.

Mr. SMOOT. If there is any objection, I shall not insist on it.

Mr. UNDERWOOD. I say that not because I have any interest in any of the rest of the bills, but because I think this may be the last chance to consider the calendar, and I think every Senator ought to have a chance to have his bills considered.

Mr. SMOOT. Yes; I recognize that. I do not think it would take 15 minutes to dispose of the fortifications bill, however.

The VICE PRESIDENT. The Secretary will state the next bill on the calendar.

SAMUEL H. DOLBEAR.

The bill (S. 4694) for the relief of Samuel H. Dolbear was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to issue a warrant for $2,845.37 to Samuel H. Dolbear, payable from the appropriation made by section 5 of the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919 (40 Stat. L., p. 1274), and in settlement of the award for the above amount made to said Dolbear by the Secretary of the Interior May 18, 1920.

Mr. KING. Mr. President, I should like some explanation about that bill.

Mr. JONES of Washington. Mr. President, I have looked for the report, but there does not seem to have been any report made; but, according to the very terms of the bill, this is in accordance with an award made to this man under a certain act of Congress.

Mr. KING. I caught just a few words of the bill. My attention was distracted by a conversation with another Senator. May I inquire of the Senator if this is not a bill to pay for alleged damages because of the increase in prices after the contract was let?

Mr. JONES of Washington. I can not say. It simply says:

Payable from the appropriation made by section 5 of the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, * * * and in settlement of the award for the above amount made to said Dolbear by the Secretary of the Interior May 18, 1920.

Mr. WALSH of Montana. Mr. President, that bill had very careful consideration by the Committee on Mines and Mining, and I am able to give the Senator the information which he seeks with respect to the matter. It aroused the inquiry of every member of the committee; but the facts are substantially these:

This man Mr. Dolbear made a claim under the act referred to for losses sustained in mining operations conducted, as he claimed and established before the commission, upon the request of the Bureau of Mines or other officers of the Government. A certain amount was awarded to him, for which a warrant was issued. He asked for a rehearing of the cause, insisting that he was entitled to an amount greater than that awarded to him by the amount claimed here in the bill reported by the committee. The commission heard his claim with respect to that matter, and he satisfied them that they were wrong in rejecting that portion of his claim upon the original hearing, and they amended their order by making the award in this amount. The Comptroller of the Treasury, however, construed the act to operate so as to prevent him from making more than the one payment on the claim; and this act is intended to give Mr. Dolbear the benefit of the award that was made to him by the commission upon a rehearing of his claim.

Mr. KING. Under what act is the claim made?

Mr. WALSH of Montana. It is the act which was under consideration here a while ago in connection with the bill introduced by the Senator from Arkansas (Mr. ROBINSON).

Mr. SMOOT. I will ask the Senator if a favorable report was made upon this matter by the department? No report was made when the bill was sent to the Senate, or, at least, it is not in my file.

Mr. WALSH of Montana. My recollection is that a report came from the Secretary of the Interior reciting the facts as I have given them to the Senate.

Mr. SMOOT. There ought to be a report with the bill.

The VICE PRESIDENT. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PASQUALE DOLCE.

The bill (H. R. 7573) authorizing payment of compensation to Pasquale Dolce for personal injuries, was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay, out of any money not otherwise appropriated, to Pasquale Dolce the sum of $1,716 as full compensation for injuries received on May 19, 1919, at Buffalo, N. Y., when he was struck by a truck operated by the United States Army.

Mr. SMOOT. Mr. President, I want to see what the Secretary of War says about this matter. He says he believes this man is entitled to reasonable damages for this injury, together with reimbursement for all expenses incurred by him. I have no objection to the consideration of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RIVER AND HARBOR APPROPRIATIONS.

The bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. JONES of Washington. That bill has been temporarily laid aside.

SITE FOR POST-OFFICE BUILDING, SPRING VALLEY, ILL.

The bill (H. R. 2328) relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill., was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury, in his discretion, in the aquisition, by purchase, condemnation, or otherwise, of a suitable site for a post office at Spring Valley, Ill., pursuant to authority granted by the public building act approved March 4, 1913 (37 Stat. L., 62d Cong., 3d sess., p. 877), to accept title to land, reserving or excepting all ores or minerals on or in such lands, with the rights of mining the same.

Mr. SMOOT. Mr. President, is that a proper restriction in the case of a piece of land on which a post-office building is to be constructed?

Mr. FERNALD. Mr. President, it appears from the information the committee received that all conveyances of real estate in that locality reserve the mining rights in the underlying ores and minerals, and of course the department can not accept the land with such a restriction without specific authority from Congress. This is a bill of the Senator from Illinois [Mr. SHERMAN].

Mr. SMOOT. I have not any objection to the consideration of the bill. I simply thought the restriction was a very unusual one and that if we are going to build a post-office on the ground the Government should not reserve the mineral in the ground to itself, but I have no objection.

Mr. FERNALD. I understand that all the conveyances in that locality have the same restrictions.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CENSUS OF PERSONS IN ARMY AND NAVY.

The joint resolution (S. J. Res. 251) to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy was considered as in Committee of the Whole, and was read, as follows:

Whereas it appears that in making an enumeration of persons in the Army and Navy for the Fourteenth Decennial Census, in the judgment of the Director of the Census it was impracticable to do otherwise than, with the official sanction of the Army and Navy, employ officers and enlisted men of the Army and Navy as enumerators, and that such officers and enlisted men were duly employed to make the enumeration and were promised compensation at the rate of 3 cents for each person enumerated; and

Whereas the vouchers for such compensation have been disallowed by the accounting officers of the Treasury Department on the ground that payment thereof was unwarranted; and

Whereas it further appears that in the judgment of the Director of the Census the census of the military and naval forces was taken more accurately by reason of the assurance of compensation to such enumerators than if it had been taken under orders of the War Department: Therefore be it

Resolved, etc., That the appointment of such enumerators be, and the same is hereby, validated and that the moneys appropriated for the Fourteenth Decennial Census are hereby made available for the payment of their services as such enumerators.

Mr. KING. Mr. President, I shall be glad to hear the explanation of the Senator from West Virginia [Mr. SUTHERLAND] of this joint resolution. I suggest to him the question of whether he approves of the precedent of double pay; and if we pay these persons who are with the Government, may we not be called upon to pay various other individuals?

The Senator knows that very frequently in the Army officers, as well as privates, do considerable work. Officers engaged in work upon rivers and harbors will want additional pay for the services which they perform as experts, as technicians, and as engineers, in addition to the salaries which they receive from the Government of the United States.

Mr. SUTHERLAND. Mr. President, I will say, with regard to this measure, that when the census enumeration was about to begin, the matter of enumerating the persons in the Military and Naval Establishments was taken up, and it was found desirable to employ soldiers and sailors for that purpose. After consideration by those in charge on both sides—those in the Army and those in charge of the enumeration—it was felt that they would get a much better enumeration if they were allowed to employ these people and pay them a reasonable amount per name, just as they do in the case of the regular enumerators.

The legal authorities of the Government were consulted informally and decided that it could be done. However, when the vouchers were presented the Comptroller of the Treasury held that the vouchers could not be paid.

It has been recommended by the Director of the Census, and by others interested, that this amount—which does not require an additional appropriation, and which is comparatively small, involving, I believe, about $5,000 in all—be paid to these men. They are paid at the rate of 3 cents per name for making this enumeration, and the census of these establishments has been very accurately taken over a large area of ground; and as these men are very poorly paid for that class of work, it was deemed only fair that they should have this small additional compensation. It amounts to very little in any case, and in the aggregate it only amounts to $5,000.

I hope no objection will be raised, and that the joint resolution may be allowed to pass.

Mr. KING. I shall not object to the consideration of the joint resolution, but I do want to invite the attention of the Senate to what I conceive to be a very bad precedent.

We have discovered repeatedly within the past few months that employees of the Government are not satisfied with the compensation received under stipulated law and seek employment in other branches of the Government and get double salaries. A short time ago we were discussing the nitrate bill, and it appeared there that salaries were to be paid to officers of the Government for work which they did in connection with the

construction and operation of the nitrate plant—a policy which is absolutely vicious—and we are now giving our stamp of approval to a policy which says that employees of the Government may be employed in other branches and receive double compensation. If the compensation which they have in their original employment is inadequate, let us give them an adequate compensation; but to pay double compensation seems to me to be a very bad precedent.

I would object to this bill if it were for only 1 cent just as quickly as I would if it were for $5,000, because of the principle and because of the bad precedent which the bill would establish.

The VICE PRESIDENT. Does the Senator from Utah object?

Mr. KING. No. If the Senate desires to pass it, I shall vote no, as I have been compelled to vote upon a number of bills.

Mr. SMOOT. May I ask the Senator from West Virginia if there is a favorable report upon the bill from the department? There is no report with my file of bills on the calendar.

Mr. SUTHERLAND. The committee did not make a report. I have in my hand, however, a report which was made by the House committee. In order to save printing, I did not have a printed report made.

Mr. SMOOT. This is a Senate joint resolution, not a House joint resolution.

Mr. SUTHERLAND. The same joint resolution was introduced in the House. They reported a House joint resolution similar to this.

Mr. SMOOT. Has that joint resolution passed the House?

Mr. SUTHERLAND. I think not. A report accompanied it.

Mr. SMOOT. What does that report show as to the Census Bureau or the department approving the bill?

Mr. SUTHERLAND. Here is a letter from the Director of the Census to the Secretary of Commerce, dated November 18, 1920, in which he said:

When arrangements were being made to take the census of persons in the military and naval service it was absolutely necessary to employ officers and enlisted men of the Army and Navy as enumerators, and compensation at the rate of 3 cents for each person enumerated was promised. This arrangement was made after informally consulting some of the legal officials of the department. Upon receipt of the vouchers, however, it developed that it was necessary for the disbursing clerk to refer the matter to the Comptroller of the Treasury for a decision as to whether payment could be legally made. The comptroller, in a decision under date of July 19, 1920, decided that payment of the vouchers in question was not authorized.

Mr. SMOOT. The Senator need not read any further.

Mr. SUTHERLAND. This compensation was promised these men before they undertook the work, and presumably with authority, and it is to carry out that promise that this authority is now asked. They found it was not authorized by law. It takes no additional money from the Treasury.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 12396) to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915, was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 10311) to further amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended by the act approved March 3, 1913, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

LOUISA FROW.

The bill (S. 3129) for the relief of Louisa Frow was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on line 8, to strike out "$10,000" and to insert "$1,200," so as to read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louisa Frow, widow of John Frow, who was killed as the result of an accident caused by a United States Navy seaplane, the sum of $1,200.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRIFFITH E. JOHNSON.

The bill (S. 4637) for the relief of Griffith E. Johnson was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. TRAMMELL. Mr. President, before the bill is disposed of, I should like to make a little explanation of it.

It covers an item of expense for stenographic work, a report made by Mr. Johnson at the request of the Secretary of War of hearings before the Public Buildings and Grounds Committee. The Secretary of War employed him, expecting to pay him from funds under the control of the Secretary of War, but when he approved the bill the Comptroller of the Treasury refused to pay it upon the ground that it was not a legal claim against that particular appropriation. This left Mr. Johnson high and dry, without compensation for the service which he had rendered at the request of an officer of the Government. His only avenue of relief is through an appropriation made by Congress. The committee felt that it was a very just and meritorious claim, and therefore recommend the passage of the bill.

Mr. SMOOT. As I remember this claim, the Committee to Audit and Control the Contingent Expenses of the Senate paid Mr. Johnson for all the work done by him authorized in the resolution giving the Committee on Public Buildings and Grounds authority to employ a stenographer. This claim is simply for putting in a carbon copy and furnishing it to the Secretary of War. We paid him for a number of carbon copies besides. The committee thought that the amount that was paid to Mr. Johnson was ample, and it is for that reason, Mr. President, that I ask that this go over now.

The VICE PRESIDENT. The bill will be passed over.

PHILIP S. EVEREST.

The bill (S. 2838) for the relief of Philip S. Everest was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $300, and that the same be paid to Philip S. Everest, superintendent and special disbursing agent Bad River (Wis.) Indian Reservation, in full compensation on account of money expended by him for the benefit of an Indian allottee upon said reservation whose allotment had been erroneously located by said agent through misinformation given to him as to the location of a reservation corner.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PERRY E. BORCHERS.

The bill (H. R. 646) for the relief of Perry E. Borchers because of losses suffered, due to destruction of property and termination of contract for services because of smallpox, while in the employ of the Navy Department in Cuba, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Perry E. Borchers, of Tadmor, Ohio, out of any money in the Treasury not otherwise appropriated, the sum of $346.45, the amount of loss sustained due to the destruction of his personal property while in quarantine and to the loss of his position through termination, by the Navy Department, of his contract for services as superintendent of construction at the United States naval station, Guantanamo Bay, Cuba.

Mr. KING. I would like to inquire upon what theory the Government of the United States ought to pay a man because he lost his job.

Mr. SPENCER. He is getting nothing because he lost his job. This man was employed for a year, went down to his station in Cuba, was attacked by smallpox, was kept in the hospital for a number of weeks, and was then discharged. He made a claim for his salary, but it was not allowed. The Government took all his belongings, his personal property, his clothes, and, to avoid the danger of contagion, burned them up. This is for the value of his personal property and clothes which were consumed.

Mr. KING. Will the Senator explain the purpose for which he was sent to Cuba, and by whom?

Mr. SPENCER. He was sent there in connection with a construction matter. He was superintendent of construction of the United States naval station. I doubt if there is any legal liability, but the Government burned up everything this man had for fear of contagion, and the committee thought that, so far as his personal belongings were concerned, it was perfectly fair that he should be reimbursed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. JOSEPH C. AKIN.

The bill (H. R. 1035) for the relief of the widow of Joseph C. Akin was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Joseph C. Akin, of Dolores,

Montezuma County, Colo., widow of Joseph C. Akin, who, while in the discharge of his duty as a deputy United States marshal, was killed by a band of renegade Ute Indians while he was attempting to arrest one Tse-Ne-Gat, a Ute Indian charged with murder, on the 21st day of February, 1915, the sum of $1,195, on account of the murder of her said husband while in the regular discharge of his duties in the service of the Government of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HERMAN W. SCHALLERT.

The bill (H. R. 6414) for the relief of Herman W. Schallert, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $642.90 to Herman W. Schallert to reimburse him for stamps stolen from the post office at Chaseburg, Wis., on April 23, 1915, while said Schallert was the postmaster of said place.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SCHOONER "WILLIAM H. SUMNER."

The bill (H. R. 8647) for the relief of the owners of the American schooner *William H. Sumner* was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William C. Reid, managing owner, and other owners of the American schooner *William H. Sumner*, out of any money in the Treasury not otherwise appropriated, the sum of $2,354.57, to reimburse said owners of the American schooner *William H. Sumner* for damages suffered by their vessel as a result of a collision with the U. S. S. *North Dakota* off of Cape Henry, Va., on November 21, 1914.

Mr. KING. May I inquire of the Senator from Missouri whether this claim has been before the Court of Claims?

Mr. SPENCER. I think not. We acted on it in view of this sentence from the Secretary of the Navy. The Secretary of the Navy reported to the committee:

That the responsibility for the collision and the resulting damages to the *William H. Sumner* rested with the U. S. S. *North Dakota*, and the claim of the owners of the *Sumner* in the sum of $2,354.57 is reasonable and just, and should be paid.

Acting on that report of the Secretary of the Navy, we recommended that the claim be paid.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. E. V. DICKSON.

The bill (H. R. 9840) for the relief of Capt. E. V. Dickson was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Capt. E. V. Dickson, One hundred and thirty-second Regiment United States Infantry, the sum of $474.80, out of any money in the Treasury not otherwise appropriated, to reimburse the said Capt. E. V. Dickson for the sum of $474.80, United States currency, which was stolen from the said Capt. E. V. Dickson, without fault or neglect on his part, while he was captain, One hundred thirty-second United States Infantry, and acting disbursing officer at St. Maurice, France, and which said sum the said E. V. Dickson has since paid into the Treasury of the United States in discharge of his liability as such disbursing officer.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RESERVE AND NATIONAL GUARD OFFICERS.

The bill (S. 4894) to provide longevity pay for reserve officers and National Guard officers serving under orders of the War Department was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

FORT BELKNAP RESERVATION LANDS, MONT.

The bill (H. R. 13225), providing for the allotment of lands within the Fort Belknap Reservation, Mont., and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause, and to insert:

That within one year from the date of approval of this act the Secretary of the Interior shall appoint a commission of three persons, two of whom shall be members of the Gros Ventre and Assiniboine Tribes of Indians and one member an employee of the Interior Department, who shall cause to be prepared, in such manner as they may deem advisable, a complete and final roll, to contain the names of all Indians ascertained to have rights on the Fort Belknap Reservation, Mont. Immediately upon the approval of the said roll which shall be the conclusive and final evidence of the right of any Indian of the reservation to an allotment of land, the Secretary of the Interior is hereby authorized and directed to allot pro rata, under rules and regulations and in such areas and classes of lands as may be prescribed by him, among such enrolled Indians all the unreserved and otherwise undisposed-of lands on the Fort Belknap Reservation, which trust patents shall be issued in the names of the said allottees: *Provided further*, That any names found to be on the said roll fraudulently may be stricken therefrom by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, at any time within one year from the approval thereof, after giving all persons interested a full opportunity to be heard; and the fraudulent allotment shall be canceled and the lands thereof be subject to disposal under the provisions of this act: *And provided further*, That the land allotted hereunder shall be subject to any tribal leases existing at the date of approval of the said allotments.

Notwithstanding the death of any person duly enrolled as herein provided, allotment shall be made in his or her name as though living, the land embraced in such allotment to pass by descent to the legal heirs of the decedent and be subject to disposition as in the case of lands of other allottees passing upon their death.

SEC. 2. That upon the issuance of the trust patents provided for herein the Indians thus allotted are hereby declared to be citizens of the United States and entitled to all the rights, privileges, and immunities of such citizens, and the allottees shall have the benefit of and be subject to the laws, both civil and criminal, of the State in which they may reside.

SEC. 3. That the Secretary of the Interior is hereby authorized to reserve from allotment lands valuable for the development of water power and such reasonable areas as may be needed for Indian agency, school, religious, cemetery, and administrative purposes, to remain reserved as long as needed, and as long as agency, school, and religious institutions are maintained thereon for the benefit of said Indians. Should any such lands be abandoned said lands so abandoned shall revert to the tribe and become available for allotment or other disposition, and the said Secretary is hereby directed to reserve for park purposes an area not to exceed 640 acres, embracing Mission Canyon in the Little Rockies, and an area not to exceed 160 acres within which is the Snake Butte Spring, and an area not to exceed 40 acres at the head of Big Warm Creek as a site for a sanatorium for the benefit of said tribes of Indians: *Provided*, That a patent in fee simple for not exceeding 10 acres may be issued to the duly authorized missionary board or other proper authority of any religious organization heretofore engaged in mission or school work on said reservation for such lands thereon (not included in any town site provided for herein) as have heretofore been set apart to such organization and are now used for mission or school purposes, or which any such organization has heretofore made application to have set apart for such purposes: *Provided, however*, That patent having been heretofore issued for 320 acres to St. Paul's Catholic Mission, it shall not be entitled to receive more than 2½ acres additional under this act.

SEC. 4. That prior to the allotments being made as authorized herein the Secretary of the Interior shall cause an examination to be made by experts of the Geological Survey of all lands of the reservation for the purpose of determining the mineral character thereof; but the surface of any such lands found to be mineral shall be subject to allotment as herein provided, but such mineral shall remain tribal property: *Provided*, That such coal as may be required for use in connection with the construction and maintenance of the irrigation projects may be reserved for that purpose: *Provided further*, That lands valuable for timber shall remain tribal property, and any member of the tribes having rights in the said reservation may cut and take away from such lands such timber as he may require for fuel, fencing, or for building.

SEC. 5. That the Secretary of the Interior is hereby authorized to reserve and set aside for town-site purposes not more than 80 acres at the present settlement of Lodge Pole, and not to exceed 80 acres at such other locations as he may deem necessary, and to lay out, survey, and plat said tracts into blocks, lots, streets, alleys, parks, and school sites: *Provided*, That the area reserved for parks and school sites shall not exceed 10 acres in any one town site; and patents shall be issued for such lands to the municipality legally charged with the care and custody of the lands hereby set aside for such purposes. That such town sites shall be appraised and disposed of as provided in section 2381 of the United State Revised Statutes: *Provided further*, That any person who, at the date when the appraisers commence their work upon the land, shall be an actual resident upon any one such lot and the owner of substantial and permanent improvements thereon, and who shall maintain his or her residence and improvements on such lot to the date of his or her application to enter, shall be entitled to enter, at any time prior to the day fixed for the public sale and at the appraised value thereof, such lot and any two additional lots of which he or she may also be in possession and upon which he or she may have substantial and permanent improvements: *And provided further*, That before making entry of any such lot or lots the applicant shall make proof, to the satisfaction of the register and receiver of the land district in which the land lies, of such residence, possession, and ownership of improvements, under such regulations as to time, notice, manner, and character of proofs as may be prescribed by the Commissioner of the General Land Office, with the approval of the Secretary of the Interior: *And provided further*, That in making their appraisal of the lots so surveyed, it shall be the duty of the appraisers to ascertain the names of the residents upon and occupants of any such lots, the character and extent of the improvements thereon, and the name of the reputed owner thereof, and to report their findings in connection with their report of appraisal, which report of findings shall be taken as prima facie evidence of the facts therein set out. All such lots not so entered prior to the day fixed for the public sale shall be offered at public auction, in their regular order, with the other unimproved and unoccupied lots. That no lot shall be sold for less than $10: *And provided further*, That said lots, when surveyed, shall approximate 50 by 150 feet in size.

SEC. 6. That the construction of projects for the irrigation of the irrigable lands shall be undertaken as the needs of the Indians shall require, as determined by the Secretary of the Interior, and there is hereby appropriated the sum of $50,000 for preliminary investigations and surveys to determine the needs of the Indians and for the commencement of such work as may be advisable at this time: *Provided*, That the cost of all such projects on this reservation, including the Milk River irrigation project, shall be assessed against the lands irrigable under the respective projects in the proportion that each acre of irrigable lands bears to the whole area of irrigable lands under each project, and such assessments shall be reimbursed to the United States and to the tribal fund in such proportion as contributions shall have been made therefrom in not less than 20 annual payments under such rules and regulations as may be prescribed by the Secretary of the Interior, who may fix such operation and maintenance charges which shall be paid as he may direct: *Provided further*, That the provisions of the act of April 4, 1910 (36 Stat. L., p. 277), requiring reimbursement of the cost of the Milk River project from Indian funds, and any other acts or parts thereof in conflict with this proviso is hereby repealed. Unless otherwise paid, these latter charges may be paid from or made a charge upon his individual share of the tribal fund when said fund is available for distribution; and if any allottee shall receive

patent in fee to his allotment before the amount so charged against his land has been paid, such unpaid amount shall become and be a lien upon his allotment, of which a record shall be kept in the office of the superintendent of the reservation at the agency; and should any Indian sell any part of his allotment, with the approval of the Secretary of the Interior, the amount of such unpaid charges against the land so sold shall remain a first lien thereon, and may be enforced by the Secretary of the Interior by foreclosure as a mortgage. All expenditures for irrigation work on the Fort Belknap Reservation, Mont., heretofore or hereafter made are hereby declared to be reimbursable under such rules and regulations as the Secretary of the Interior may prescribe and shall constitute a lien against the land benefited, regardless of ownership, and including all lands which have heretofore been sold or patented. All patents or other instruments of conveyance hereafter issued for lands under any irrigation project on the said Fort Belknap Indian Reservation, whether to individual Indians or to purchasers of Indian land, shall recite a lien for repayment of the irrigation charges, if any, remaining unpaid at the time of issuance of such patent or other instrument of conveyance, and such lien may be enforced or, upon payment of the delinquent charges, may be released by the Secretary of the Interior. In the case of lands under any project purchased in the bona fide belief on the part of the purchaser that by his purchase he acquired a right to have water from the project for the irrigation of the land purchased by him in the same manner as the Indian owner, the Secretary may, after notice to the Indians interested, determine the value of the land at the time of the purchase from the Indian, and give to the purchaser or his assigns credit on the charge for construction against the land to the amount of the difference between the price paid and the value as so determined, and shall withhold for the benefit of the tribe from the Indian or Indians of whom the purchase was made an equal amount from any funds which may be due or distributable to them hereunder. Delivery of water to such land may be refused, within the discretion of the Secretary of the Interior, until all dues are paid: *Provided*, That no right to water or to the use of any irrigation ditch or other structure on said reservation shall vest until the owner of the land to be irrigated shall comply with such rules and regulations as the Secretary of the Interior may prescribe, and he is hereby authorized to prescribe such rules and regulations as may be deemed reasonable and proper for making effective the foregoing provisions: *Provided, however*, That in no case shall any allottee be required to pay either construction, operation, or maintenance charges for such irrigation privileges, or any of them, until water has been actually delivered to his allotment.

Nothing in this act shall be construed to deprive any of said Indians of the Fort Belknap Reservation of the use of water appropriated and used by them for domestic purposes or for the necessary irrigation of their lands, or lands claimed and occupied or used by them, or any ditches, dams, flumes, or reservoirs constructed and used by them in the appropriation and use of said water. No Indian shall acquire any priority of right to any of the waters of said reservation as against any other Indian by priority of appropriation to an extent greater than the water necessary to the irrigation of 40 acres.

Every person entitled to allotment on the Fort Belknap Indian Reservation shall before patent is issued designate as a homestead 40 acres of irrigable land or 320 acres of nonirrigable land, already allotted or to be allotted hereunder, which homestead shall remain inalienable during the lifetime of the allottee or the minority of his or her heirs. Designations for minors shall be made by their natural guardians, and in the event that any Indian shall fail to make such designation the Secretary of the Interior shall select for him a homestead, and all patents for such homestead shall recite that they are such.

Any and all minerals, including oil, gas, and lands valuable for the development of water power, granted or to be allotted hereunder, are set aside as tribal property, and such land may be leased or mining permits granted upon the request of the tribal council under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, but no lease shall be made for a longer period than 10 years, but the lessees shall have the right to renewal thereof for a further period of 10 years upon such terms and conditions as the Secretary of the Interior may prescribe: *Provided, however*, That until the same shall be leased any Indian being the head of a family and having rights on the said reservation may take coal from any of the lands within the same for his own domestic use: *And provided further*, That at the expiration of 50 years from the date of approval of this act the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted or granted lands shall become the property of the individual allottee or his heirs, but the right is reserved to Congress to extend the period within which such reserved tribal rights shall expire.

SEC. 7. That sections 16 and 36 of each township, except such lands in lieu of which thereof as the State has heretofore received indemnity under existing laws, are hereby granted to the State of Montana for school purposes: *Provided, however*, That for any lands thereof lost to the State by allotment, withdrawal, or otherwise under the provisions of this act, the State may through its proper officers select as indemnity other unoccupied unreserved nonmineral and nonirrigable lands within such reservation, not exceeding two sections in any one township: *Provided further*, That all such selections by the State must be completed within one year after the approval of this act, and be made with the view to preventing any final conflict between the claims of the State and the allotments and withdrawals provided for herein: *And provided further*, That the United States shall pay to the Indians of the reservation the sum of $5 an acre for the lands thus granted to the State: *And provided further*, That all the children, being descendants of Indians entitled to rights on said reservation, shall be permitted to attend the public schools of said State on the same condition as the children of white citizens of said State.

SEC. 8. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $170,000, or so much thereof as may be necessary, to pay for the lands granted to the State of Montana; and there is hereby appropriated the further sum of $50,000, or so much thereof as may be required, to be immediately available, to be used in paying the expenses of making the roll, classifications, and allotments hereunder, and such further allotment surveys as are necessary, and in defraying the expenses of the survey, appraisement, and sales of the town sites provided for, the said $50,000 to be reimbursable from the proceeds of the town-site sales or from other tribal funds available or that may become available for such purpose.

Mr. WALSH of Montana. There is one amendment, Mr. President, on page 20, in the committee amendment, further to safeguard the rights of the Indians, that I wish to offer.

The VICE PRESIDENT. The Secretary will report the amendment to the amendment.

The READING CLERK. On page 20, line 24, strike out the word "such," after the word "except," and after the word "which," in the same line, strike out the words "thereof as," and insert, in line 24, after the word "township":

Being nonirrigable and not occupied nor heretofore selected for allotment by any Indian.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WALSH of Montana. I move that the Senate request a conference with the House on the bill and amendment, and that the Chair appoint the conferees.

The motion was agreed to; and the Vice President appointed Mr. CURTIS, Mr. GRONNA, and Mr. WALSH of Montana conferees on the part of the Senate.

CEDAR ROAD, DISTRICT OF COLUMBIA.

The bill (S. 5023) to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the commissioners are hereby authorized to close Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXPERIMENT VINEYARDS IN CALIFORNIA.

The bill (H. R. 13402) for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif., was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. PHELAN. Will the Senator withhold his objection a moment?

Mr. SMOOT. I will.

Mr. PHELAN. I understand the matter came up yesterday during my absence in the form of an amendment to the Agricultural appropriation bill. The matter has been before the Senate during the last two sessions of Congress. It comes from the Agricultural Department and nowhere else. It seems that there are two pieces of land whose purchase is contemplated and not provided for. This is a mere recommendation that they be purchased, so that the Secretary of Agriculture can negotiate. There are no less than 600 varieties of grapes and, according to report I have before me, this is the most valuable vineyard property in the world. In this connection the committee report states as follows:

These experiment vineyards now contain approximately 700 varieties of grape stocks collected from all the vine-growing regions of the world. They constitute the largest and most valuable collection of grape varieties now known to exist. Their value for experimental and scientific purposes can not readily be estimated.

By reason of the adoption and enforcement of the eighteenth amendment of the Constitution, the owners of these lands are going out of the business of producing wine grapes and are subdividing their properties and selling them in small tracts. Unless these experiment vineyards are purchased by the United States, the work of 15 years of experimentation by the Department of Agriculture and these valuable collections of grape varieties from all over the world will become a total loss.

The committee is of the opinion that it would be false economy to fail to make the necessary appropriation to acquire these properties, and that, with their acquisition, the work of the department during the past 15 years will be preserved for the benefit of the grape growers of the country and the department will be enabled to carry on experiments for the purpose of developing new uses of wine grapes and discovering new products into which wine grapes can be manufactured, thus probably saving a great industry now threatened with destruction.

Thus it will be seen that if the provision is not made the United States will lose a very valuable experiment station which can not be reproduced, as this represents the work of the Department of Agriculture for 15 years. The bill provides simply that the Secretary of Agriculture shall negotiate for the purchase of the two pieces of land, one in Fresno County and the other in Napa County, 20 acres in each piece, as I remember, for $15,000 each. The department is emphatic in the belief that the 600 varieties of grapes collected over a period of 15 years are an invaluable possession to the Government, and that the property will be lost unless such provision is made.

The VICE PRESIDENT. Would it not be unconstitutional for the Government to go into the vineyard business?

Mr. PHELAN. That is one reason why vineyard property is very valuable now to the producers of the country. Not being allowed to use the vines for the purpose of producing grapes from which to make wine, the department by these experimental stations shows how the vicious wine grape may be turned into the innocent and wholesome raisin grape, the currant grape, or table grape. Without the assistance of these experimental vineyards a great injustice will be done. I submit that the United States owes something to the vineyard interests of the country, having destroyed the wine-making business.

Mr. SMOOT. Would not the grape growers of California like to have it destroyed again in the same way that the Government destroyed it with prohibition? I think that grapes are now bringing about three times what they did before prohibition was in force.

Mr. PHELAN. I should be glad to believe that that condition will continue.

Mr. SMOOT. Does not the Senator think it will continue?

Mr. PHELAN. I do not know what the new administration will do with respect to the enforcement of the law as to the domestic use of grapes in the manufacture of wine on the premises. That is really the reason, as the Senator knows, why high prices prevail, because there are not enough deputies to go into each residence and arrest the housewife for making good potable wine.

Mr. SMOOT. Of course, the Senator knows that grapes are taken by everybody who wants to make wine, and that wine is made in perhaps 60 per cent of the homes in California, and not only in California but in most of the Western States. Therefore grapes have advanced in price at least three times what they were before prohibition was in force. I thought that was a very splendid way for the grape grower to be destroyed, when he was enabled to receive higher prices than he ever did before. I thought it brought prosperity to California, a fact which I was delighted to learn.

Mr. PHELAN. I am sorry that the prosperity is predicated upon such a basis. It may not last long.

Mr. SMOOT. Several years ago, when I was listening to the Senator from California plead for the grape growers of California and state that if prohibition was put into force every one of them would be ruined financially, it really touched my heart, and I thought perhaps that would be the result. But when I was in California last August and September I learned from my grape-growing friends there that they were never so prosperous in all their raising of grapes as they have been since prohibition went into effect.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. It seems to me that $750 an acre for land is a pretty high price. Does the department recommend this, may I ask the Senator? I see the report that is made here, but I do not observe any recommendation from the department.

Mr. PHELAN. The department has recommended it in letters. I have one here, dated February 18—as late as that—signed by Mr. Corbett, the horticulturist in charge, who warns against the dangers of phylloxera unless the experimental work is maintained.

Mr. SMOOT. I understood the Senator to say that this is only an authorization. It is not for the purchase, I understand.

Mr. PHELAN. Let me read the bill. It is very brief. It provides—

That the Secretary of Agriculture be, and he is hereby, authorized to purchase and acquire the lands occupied by the department's experiment vineyards near Fresno and Oakville, Calif., now maintained under contracts with the owners of said lands: *Provided*, That the land purchased for the Fresno vineyard shall not exceed 20 acres, at a cost not to exceed $12,000, and for the Oakville vineyard not to exceed 20 acres, at a cost not to exceed $15,000.

The bill has been passed by the House of Representatives.

Mr. SMOOT. I will say to the Senator that if we authorize the purchase we will have to pay for it. We can not get out of that situation.

Mr. PHELAN. It does not require any appropriation this year.

Mr. SMOOT. That is true, if we do not purchase the land, but we will have to appropriate the money for it if we purchase the land, and we might as well know that now.

Mr. PHELAN. I can assure the Senator that it is a departmental measure, and that they desire exceedingly that the transaction be consummated.

Mr. SMOOT. I shall not object. I think it perfectly useless, though.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized to purchase and acquire the lands occupied by the department's experiment vineyards near Fresno and Oakville, Calif., now maintained under contracts with the owners of said lands: *Provided*, That the land purchased for the Fresno vineyard shall not exceed 20 acres at a cost not to exceed $12,000 and for the Oakville vineyard not to exceed 20 acres at a cost not to exceed $15,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARMY APPROPRIATION BILL PASSED OVER.

The bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, was announced as next in order.

Mr. JONES of Washington. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

PAYMENTS DUE RAILROAD COMPANIES.

Mr. TOWNSEND. Mr. President, I have not been here all the afternoon and I should like to know what was done with Calendar No. 693, the bill (S. 4898) to amend the transportation act, 1920. It is a bill similar to the House bill that passed the Senate the other day. It ought to be taken from the calendar and indefinitely postponed.

The VICE PRESIDENT. That action was taken and the bill has been indefinitely postponed.

Mr. TOWNSEND. Very well.

ELIJAH C. PUTMAN.

The bill (S. 663) fixing the term of service of Elijah C. Putman during the Civil War was announced as next in order.

Mr. THOMAS. Let that go over.

Mr. SMOOT. I think it had better go over.

Mr. MYERS. I ask the Senators to withhold their objection a moment until I can make an explanation. I am satisfied that it is a meritorious bill, although I am not the author of the bill. It was referred to me as a subcommittee of the Committee on Military Affairs, and I obtained a favorable report from the committee and reported it to the Senate.

There is a statute of the United States which provides that any soldier of the Civil War, on the Union side, of course, who served 90 days shall have the privilege of making a homestead entry and making proof without registering and complying with some of the other requirements. It is intended as a reward for veterans of the Civil War.

The beneficiary of the bill, Elijah C. Putman, is still living. The records of the War Department show that he enlisted in the Army during the Civil War and served about 85 days.

Mr. SMOOT. Eighty-one days.

Mr. MYERS. His enlisted service appears to be 9 days short, and he was then discharged because his regiment was disbanded, but the evidence shows that he was mustered in quite a number of days before he was formally enrolled, and that he was really with his regiment, mustered in, and serving considerably more than 90 days. The records of the War Department show that while his formal enlistment simply lacks nine days of the time, he was really with the troops and in service.

This is simply to fix his status and give him the privilege of making a homestead entry upon the same terms as if his enlistment record had actually shown 90 days. He was mustered in and served 90 days, and there is no doubt about that. The War Department records show that and the papers with the committee show it. I think the objection should be withdrawn under the circumstances.

Mr. SMOOT. I shall have to object. There are thousands and tens of thousands of similar cases that occurred right at the close of the war. The men were not in any fighting. They did not pass through any real Army service. I will say to the Senator from Montana that no one can charge me with being niggardly in any way in taking care of the old soldiers.

Mr. MYERS. Oh, no; I think not.

Mr. SMOOT. But I can not go this far. I must object.

Mr. MYERS. But in this particular case the soldier was discharged before the end of the war. His regiment disbanded before the close of hostilities. Does the Senator say there are thousands of cases where soldiers were mustered in and served and were not enlisted as much as 90 days and yet actually served more than 90 days? I think this is a very exceptional case. Does the Senator still insist on his objection?

Mr. SMOOT. Yes. I must insist.

The VICE PRESIDENT. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 13044) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, was announced as next in order.

Mr. KING. Let that go over.

Mr. McCUMBER. I wish to appeal to the Senator not to object to the present consideration of the bill. It is the only bill that I have on the entire calendar, and it contains many of the names that were in bills which passed the Senate last May. It is the only one of the pension bills that we will have this session. The House Members are very eager to get it back. There are many old men and women who helped to save the country from 1861 to 1865 who are praying for the passage of the bill. Many others will come up at the next session upon which the Senator can express his objection by particularizing against pension bills in general. I hope the Senator will be in the Senate many years yet to exercise that function, but I also hope that he will not object to this particular bill, the last one we have, so that we may get it through and settle these cases that have been before the committee so long. I do not wish to wait here another day until we get through with the next appropriation bill and then move to take it up, because there is plenty of time this evening to finish it. I appeal to the Senator to allow us to go ahead and get the bill through and thus let me give my attention to other matters now before the Finance Committee.

Mr. KING. I have been so generous with the Senator to-day in permitting him to pass a very obnoxious pension bill that he ought not to press my generosity too much, but I will ask the Senator what the bill is and how much it carries and how many items are provided for in the bill?

Mr. McCUMBER. There are possibly 9,500 altogether, but the Senator must remember that we have not passed a pension bill this session at all and scarcely none at the last session. The bill relates solely to those of the Civil War. The bill which we passed this forenoon related to the other wars.

The cases are, for the most part, like the one I will state. I will give one, almost the first case that is on the list, but I do not know that it is the first one. Here was a man who served in the Army for about three years. Then he had a furlough. As he failed to get back within three days after his furlough, he was marked on the records as a deserter. He enlisted again and served six months, or more than six months, in his second enlistment. Of course, he did not get an honorable discharge in his first enlistment. Under a law which we afterwards passed, that six months' service after desertion would cure the desertion charge. The Pension Office seemed to hold that under that law he must have an honorable discharge from his previous service, which is not the law as we construe it. We believe that where he has an honorable discharge from the second enlistment, it cured the two or three days that he was away when he did not get back to the Army service.

We have many cases similar to that. Here is another case, the very first one that comes in the bill:

It was ascertained, however, that the soldier had been married some time prior thereto—in 1878, I think it was, he was married—and that he had never obtained a legal divorce. His first wife obtained a divorce shortly afterwards; but the ruling of the Pension Bureau was that inasmuch as he did not live in Indiana, I think, where the common-law marriages were recognized, this time would have to be counted out, and that his marriage did not begin until after 1905, when he moved back. Consequently those 22 years of married life before the husband died were not to be counted at all, and the widow was to be considered as not having married him until after 1905, and hence could not receive a pension. There are very many cases of that kind that we attempt to cure by special legislation. So I hope the Senator will allow the bill to be considered and passed.

Mr. KING. Most of these cases, I apprehend, as I understand the Senator, are to remove the charge of desertion from individuals and to put them on the pension roll so that they may draw pensions?

Mr. McCUMBER. This was not a case of real desertion. There were a great many soldiers who deserted and then reenlisted in order to get a bounty, often under other names. We have persistently and consistently refused to grant them any relief. These, however, are cases where there was no desertion really intended, but the soldiers did not look as carefully into that matter as they should have done. It did not make much difference to them at that time what their record was, provided they got an honorable discharge finally when they reenlisted. There are many such cases where it was not necessary to go back to get the charge of desertion removed. I state this as representing two classes of cases that are covered by these private pension bills.

Mr. KING. And this is the last such bill for the session?

Mr. McCUMBER. This is the last such bill for the session.

Mr. KING. Mr. President, the Senator from North Dakota has stated that there is only a deficit of two billions of dollars for the new administration to start out with, and I see no reason why we should not create a little further deficit.

Mr. McCUMBER. Mr. President, I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13944) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, at the top of page 2, to strike out:

The name of Richard R. Hill, late private unassigned, United States Colored Volunteer Infantry, and pay him a pension at the rate of $40 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 3, to strike out:

The name of Sarah J. Latta, former widow of John C. Neet, late of Company C, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to strike out:

The name of Joseph S. Morton, late private unassigned, Tenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 19, to strike out:

The name of Mary A. Brace, widow of Charles W. Brace, late of Company F, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 23, to strike out:

The name of Henrietta I. Machenheimer, former widow of James C. Ecker, late of Company D, Fifth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 3, after line 5, to strike out:

The name of Malinda A. Robinson, widow of Thomas Robinson, late of Company I, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 3, after line 9, to strike out:

The name of Eliza Frederick, former wife of Jacob D. Frederick, late of Company K, First Regiment Minnesota Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month, with no deductions on account of previous erroneous payments of pension.

The amendment was agreed to.

The next amendment was, on page 3, after line 17, to strike out:

The name of Magdalena O. Shanks, widow of John R. C. Shanks, late colonel Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, after line 21, to strike out:

The name of Sarah E. Ingham, late nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to strike out:

The name of Minnie K. Martin, former widow of Charles M. Hackett, late of Company C, Fourth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 17, to strike out:

The name of William S. Beachum, late teamster, Quartermaster Department, United States Army, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 20, to strike out:

The name of Mary Manning, former widow of Alonzo P. Van Epps, alias John Smith, late of Company K, Fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 5, to strike out:

The name of Julia A. Marcum, daughter of Hiram C. Marcum, late of the United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

The name of Samuel C. Whitwam, late of Company F, Fourth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 9, to strike out:

The name of Susan Hixson, widow of David Hixson, late of Company D, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 17, to strike out:

The name of Jessie A. Haynes, former widow of John S. McIntyre, late of Company K, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of Adaline Peak, widow of Albert Peak, late of Company A, Seventeenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The amendment was agreed to.

The next amendment was, on page 7, line 8, after the words "per month," to strike out "and pay her the soldier's accrued pension," so as to read:

The name of Georgiana Atkinson, widow of Charles R. Atkinson, late of Company C, Ninety-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 8, to strike out:

The name of Martha J. Holden, widow of Richard Holden, late of Company G, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 7, line 16, after the words "per month," to insert "such pension to cease upon proof soldier is living," so as to read:

The name of Alice J. Goebel, widow of Christian H. Goebel, late of Company D, Seventy-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month, such pension to cease upon proof soldier is living.

The amendment was agreed to.

The next amendment was, on page 7, after line 21, to strike out:

The name of Elizabeth Burket, widow of Joseph Burket, late of Company E, Second Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Daniel Burket, helpless and dependent son of said Elizabeth and Joseph Burket, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Elizabeth Burket, the name of said Daniel Burket shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Elizabeth Burket.

The amendment was agreed to.

The next amendment was, on page 9, after line 4, to strike out:

The name of Mary F. Green, former widow of James R. Rice, late of Company B, Sixty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to strike out:

The name of Myra Scranton, former widow of Charles Scranton, late of Company C, Twelfth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 12, to strike out:

The name of Mary F. Douglas, former widow of George V. Wells, late of Company A, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 18, before the words "per month," to strike out "$35" and insert "$30," so as to read:

The name of Mary Benson, widow of Joel Benson, late of Company F, One hundred and eighty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 21, to strike out:

The name of Carrie E. Brown, widow of Alvan A. Savage, late of Company E, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 13, to strike out:

The name of Samuel S. Coldwell, late of Company B, Eighth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $40 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 11, to strike out:

The name of Jennie Barker, widow of John Wesley Barker, late of Company F, Twenty-fourth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 19, to strike out:

The name of James Wheeler, late of Company G, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 15, to strike out:

The name of Bessie B. Johnson, former widow of John N. Foster, late of Company G, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 4, to strike out:

The name of Charles L. Kent, helpless and dependent son of Abraham Kent, late of Company D, Forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, line 14, before the words "of Samuel Purviance," to strike out "helpless and dependent daughter," and insert "widow," so as to read:

The name of Lydia Ann Purviance, widow of Samuel Purviance, late of Company E, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Elizabeth Purviance, helpless and dependent daughter of said Lydia Ann and Samuel Purviance, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Lydia Ann Purviance, the name of said Elizabeth Purviance shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Lydia Ann Purviance.

The amendment was agreed to.

The next amendment was, on page 17, after line 22, to strike out:

The name of Mary Muhleder, helpless and dependent daughter of Leonhard Muhleder, late of Battery E, Third Regiment United States Volunteer Artillery, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 8, to strike out:

The name of Theresa Bruner, former widow of Harvy Reddick, late of Company K, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 19, to strike out:

The name of Carrie Lourenia Briney, helpless and dependent daughter of Simon P. Briney, late of Company G, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 14, before the words "per month" to strike out "$35" and insert "$30," so as to read:

The name of Mary L. Sterling, widow of Charles D. Sterling, late of Company H, One hundred and forty-first Regiment, and Company H, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 3, to strike out:

The name of Sarah O. German, former widow of Joseph C. Fry, late of Company A, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 6, before the words "per month," to strike out "$35" and insert "$30," so as to read:

The name of Anna Gottwald, widow of Herman Gottwald, late of Company A, Seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 6, to strike out:

The name of Mary E. Snyder, former widow of Simon A. Snyder, late of Company K, Eighty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, at the top of page 24, to strike out:

The name of Philo L. Kelsey, helpless and dependent son of Philo Kelsey, late of Company E, One hundred and thirty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 24, after line 4, to strike out:

The name of Ella G. Burt, former widow of Charles F. Grenell, late of Company C, One hundred and eighty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 8, to strike out:

The name of Ruth Ann Porter, dependent sister of George H. Porter, late of Company D, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, after line 9, to strike out:

The name of Albina Van Meter Pearse, helpless and dependent daughter of John Van Pearse, late of Company C, Eleventh Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 2, to strike out:

The name of George W. Dille, late private unassigned, Fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, line 9, after the words "at the rate of," to strike out "$40" and insert "$35," so as to read:

The name of Harriet M. O. Williams, widow of John F. Williams, late colonel, Ninth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, after line 10, to strike out:

The name of William Martin, helpless and dependent son of Clay Martin, late of Company B, First Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 29, line 18, after the words "at the rate of," to strike out "$40" and insert "$35," so as to read:

The name of Rebecca Greenawalt, widow of Jacob W. Greenawalt, late lieutenant colonel One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 4, to strike out:

The name of Clara C. Biernbaumer, former widow of Edward Wilhelm, late of Company D, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 30, after line 16, to strike out:

The name of Mary C. Brandyberry, widow of Jesse Brandyberry, late of Company F, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 31, after line 10, to strike out:

The name of Earl Kelley, helpless and dependent son of Jerome Kelley, late of Company B, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 23, to strike out:

The name of Caroline Leasure, widow of William H. Leasure, late of Company I, Fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month.

The amendment was agreed to.

The next amendment was, on page 33, after line 22, to strike out:

The name of Sarah E. Holton, widow of Noble Holton, late of Company B, Fifty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, line 6, after the word "receiving," to strike out "and the soldier's accrued pension," so as to read:

The name of Harriet C. Garber, widow of John H. Garber, late of Company C, Third Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, after line 11, to strike out:

The name of Anna E. Headland, former widow of Jeremiah W. Brinkley, late of Company I, Fourteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 35, after line 4, to strike out:

The name of Rebecca Reinbold, former widow of Peter Getz, late of Company A, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 35, after line 7, to strike out:

The name of Alice Hingson, widow of Thomas J. Hingson, late of Company C, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and Company A, Thirty-sixth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving, with $2 per month additional to each of four minor children of soldier whose names are now on pension roll, to date each attains the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 36, line 21, before the words "per month," to strike out "$35" and insert "$30" per month, so as to read:

The name of Eleanor Young, widow of William C. Young, late of Company H, Twenty-fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 37, after line 17, to strike out:

The name of Laura A. McCormick, widow of James T. McCormick, late of Company C, Sixty-second Regiment Ohio Volunteer Infantry, and Company A, One hundred and sixtieth Regiment Ohio National Guard, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, line 13, after the words "per month," to insert "without any deductions for alleged erroneous payments," so as to read:

The name of Margaret T. Rust, widow of Charles A. Rust, late of Company A, Twelfth Regiment New Hampshire Volunteer Infantry, and Company F, Eighteenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month without any deductions for alleged erroneous payments.

The amendment was agreed to.

The next amendment was, on page 39, after line 2, to strike out:

The name of Creighton Bradshaw, helpless and dependent son of Thomas W. Bradshaw, late of Company H, Sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 40, line 8, before the words "per month," to insert "$35," so as to read:

The name of Josephine Bennett, widow of Alva Bennett, late of Company D, One hundred and seventy-ninth Regiment Pennsylvania Drafted Militia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 40, line 12, after the words "at the rate of," to strike out "$40" and insert "$35," so as to read:

The name of Lucinda Davis, widow of Reuben A. Davis, late lieutenant colonel Eleventh Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 41, after line 13, to strike out:

The name of Norah E. Billstein, widow of Marcus Billstein, late of Company A, Fifteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 44, after line 4, to strike out:

The name of Patient Wilder, widow of Nel Wilder, late of Company B, Seventh Regiment Kentucky Volunteer Infantry, and Company A, Eleventh Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 45, after line 5, to insert:

The name of Jennie Y. Brandon, widow of Isaac M. Brandon, late of Company K, Thirtieth Regiment Pennsylvania Volunteer Infantry, and Company H, Second Battalion, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $30 per month.

The name of Ada Sloan, widow of Robert Sloan, late of Company H, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jeannette A. Harrington, widow of Charles A. Harrington, late unassigned Eleventh Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Cole, widow of Charles Cole, late of Company D, Fourth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Flora A. Winchester, helpless daughter of Alpheus L. Winchester, late of the U. S. S. *Sabine*, United States Navy, and pay her a pension at the rate of $20 per month.

The name of Josephine Nickerson, as widow of Andrew A. Nickerson, late of Companies A and K, Second Regiment Wisconsin Volunteer Infantry, and Company D, Fourteenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Sarah Scrivens, widow of Roland Scrivens, late of Company D, One hundred and seventy-first Regiment Pennsylvania Drafted Infantry, and pay her a pension at the rate of $30 per month.

The name of Gilbert Adams, late of Company G, Eighth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Jennie Denning, widow of William Denning, late of Company G, Seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura Frazier, widow of James Frazier, late of Company K, Twentieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mory Mulliken, late of Company E, Eleventh Regiment Maine Volunteer Infantry, and pay him the pension to which he is entitled under existing laws, without any deductions or rebate on account of former alleged overpayments or erroneous payments of pension.

The name of Elizabeth Colquitt Marshall, widow of William L. Marshall, late brigadier general, retired, United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice Jones, widow of William Jones, late of Company A, One hundred and seventy-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month, no further recoveries to be made by the Bureau of Pensions for former erroneous payments of pension.

The name of Allen Landis, late of Company I, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Harriet J. Bailey, widow of Harrison C. Bailey, late of Company G, Thirteenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Fannie West, widow of William West, late of Company A, Fifteenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Helen L. Barzee, widow of Charles Barzee, late of Company K, Sixth Regiment New York Volunteer Cavalry, and Company K, Second Regiment New York Provisional Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Abbie E. Avery, widow of James E. Avery, late of Company G, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabella W. Williams, widow of John D. Williams, late of Company G, Second Regiment District of Columbia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Minta Green, widow of Thomas Green, late of Company E, Third Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Harriet M. Powers, former widow of William A. Rousey, late of Company A, Tenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Georgianna Curry, widow of Joseph N. Curry, late of Company C, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Charles F. George, helpless and dependent son of Isaac O. George, late of Company A, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of James S. George, helpless and dependent son of Isaac O. George, late of Company A, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Josephine Olson, helpless and dependent daughter of Samuel Olson, late of Company K, Tenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month through a duly appointed guardian.

The name of Emma Colt, widow of Alexander R. Colt, late of Company A, Tenth Regiment Missouri Volunteer Infantry, and Company K, Forty-ninth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Finson, widow of Charles H. Finson, late of Company D, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Mabel Turton, helpless and dependent daughter of Robert Turton, late of Company K, Fourth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Martha J. Colestock, widow of Jacob H. Colestock, late of Company F, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Harrison Bernard Taylor, helpless and dependent son of James F. Taylor, late of Companies A and G, Ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Nancy J. Parker, widow of Joseph Parker, late of Company G, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary M. Roush, widow of Parmenas Roush, late of Company B, Fourth Battalion Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lovina Taylor, widow of John B. Taylor, late of Company I, Thirtieth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mattie Rowney, former widow of James Sullivan, late of Company E, One hundred and sixty-fourth Regiment New York Volunteer Infantry, and Company H, Fourteenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. Shears, widow of Albert H. Shears, late ordinary seaman, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Mary B. Preston, widow of Stephen A. Powers, also known as Ambrose Preston, late of Company L, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Jennie B. Spiker, widow of Joseph F. Spiker, late of Company G, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Wheeler, widow of Calvin R. Wheeler, late of Company D, Sixteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth Stowell, widow of Henry C. Stowell, late of Company K, Thirty-fourth Regiment, and Company E, One hundred and forty-sixth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clarrisa L. Frye, widow of Otis G. W. Frye, late of Company G, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Cleo York, widow of Anderson York, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Leon Springer, helpless and dependent son of John M. Springer, late of Company C, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Angeline O. Hemenway, widow of Stacey Hemenway, late surgeon, Forty-first Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Bailie, widow of Gilbert Bailie, late of Company E, Fifty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine T. Keating, helpless and dependent daughter of Edward Keating, late of Company C, Fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ellen Sommer, widow of William Sommer, late of Company C, Thirteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Nannie A. Mann, helpless and dependent daughter of John P. Mann, late of Company K, Fifth Regiment, and first lieutenant and regimental commissary, Fifth Regiment, Illinois Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles W. Bowman, helpless and dependent son of John A. Bowman, late of Company F, Tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Margaret Hewitt, helpless and dependent daughter of William H. Hewitt, late of Company H, Third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Linda Bradley, widow of Samuel J. Bradley, late of Company H, Seventy-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. Snay, widow of George H. Snay, late of Company A, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Ellen Woodward, widow of Milton Woodward, late of Company I, Thirteenth Regiment United States Colored Volunteer Heavy Artillery, and Company E, One hundred and twenty-first Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Edwin Reader Patterson, helpless and dependent son of Uriah Patterson, late of Company M, Second Regiment, and Company M, Fifth Regiment, Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Mary J. Smoke, widow of Daniel Smoke, late of Company E, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Malissa Main, widow of Henry B. Main, late of Companies A and F, Ninety-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary I. Bennett, widow of Nicholas Bennett, late of Company G, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Gibbons, widow of William Gibbons, late of Company B, Sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Burtie Gibbons, helpless and dependent daughter of said Margaret and William Gibbons, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Margaret Gibbons, the name of Burtie Gibbons shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Margaret Gibbons.

The name of Lou Watson, widow of Francis M. Watson, late of Company C, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lucy Banks, widow of Henry Banks, late of Company D, Second Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Marcus Broderick, late of Company D, Sixty-ninth Regiment New York Volunteer State Militia Infantry, and pay him a pension at the rate of $50 per month.

The name of Julia Finley, widow of Andrew Finley, late of Company H, Tenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma E. Warner, former widow of Marlow D. Wells, late of Company H, One hundred and third Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria C. Hill, widow of Jacob C. Hill, late of Company D, Eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret A. Patterson, widow of John O. Patterson, late of Company E, Seventeenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William Stevenson, helpless and dependent son of John Stevenson, late of Company B, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Rebecca E. Myers, widow of Jacob M. Myers, late of Company A, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary C. Titman, widow of Baltus T. Titman, late of Company D, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Joseph L. Titman, helpless and dependent son of said Mary C. and Baltus T. Titman, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary C. Titman, the name of said Joseph L. Titman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary C. Titman.

The name of Lena A. Fowler, widow of Dias N. Fowler, alias David N. Fowler, late of Company I, Thirteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clara A. Griffin, widow of Lemuel Griffin, late of Company I, One hundred and sixteenth Regiment Ohio Volunteer Infantry, and unassigned, Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Katherine Wheeler Hauns, widow of Valerian Hauns, late of Company C, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lizzie Bailey, widow of John W. Bailey, late of Company C, Ninety-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine E. Weatherby, former widow of Frank E. Reed, late of Company D, Ninety-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George A. Liston, helpless and dependent son of Everhart Liston, late of Company K, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month.

The name of Mary E. Whitbeck, widow of John W. Whitbeck, late of Company A, Ninth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary Winegardner, widow of Samuel Winegardner, late of Company A, Eighth Regiment, and Company K, Forty-first Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Carrie B. Winegardner, helpless and dependent daughter of said Mary and Samuel Winegardner, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary Winegardner, the name of said Carrie B. Winegardner shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary Winegardner.

The name of Daisy B. Shindollar, helpless and dependent daughter of Samuel M. Shindollar, late of Company H, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month through a duly appointed guardian.

The name of Allie Lyzear, widow of Albert Lyzear, late of Company H, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Margaret Fitzpatrick, widow of Edward Fitzpatrick, late of Troop B, Sixth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Peter Edwin Fitzpatrick, helpless and dependent son of said Margaret and Edward Fitzpatrick, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Margaret Fitzpatrick the name of said Peter Edwin Fitzpatrick shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Margaret Fitzpatrick.

The name of John Baker, late of Company K, Fourth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Vernon Stevens, helpless and dependent son of Jacob Stevens, late of Company C, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Ralph England, helpless and dependent son of David England, late of Company A, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Nancy Ault, widow of John C. Ault, late of Company C, Forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Fannie E. Tinker, helpless and dependent daughter of John M. Tinker, late of Company E, Fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary A. Leighton, widow of James Leighton, late of Company C, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Belle Morrison, helpless and dependent sister of Thomas W. Morrison, late of Company I, Eighty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Elizabeth Dulhagen, widow of Isaac Dulhagen, late of Company I, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Matilda Smith, widow of Gilbert A. Smith, late of Company K, One hundred and sixty-sixth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of both Eva L. Smith and Arthur D. Smith, helpless and dependent daughter and son of said Matilda and Gilbert A. Smith, $20 per month of the pension herein granted shall cease and determine: *Provided further*, That in the event of the death of either Eva L. Smith or Arthur D. Smith, helpless and dependent daughter or son of said Matilda and Gilbert A. Smith, no portion of the pension herein granted to Matilda Smith shall cease and determine: *And provided further*, That in the event of the death of Matilda Smith the names of said Eva L. Smith and Arthur D. Smith shall each be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each from and after the date of death of said Matilda Smith.

The name of Mary E. Emery, widow of William J. Emery, late of Company K, Thirty-fourth Regiment Ohio Volunteer Infantry, and the One hundred and tenth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Lucinda Welch, widow of Messor B. Welch, late of Company A, Seventy-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William Allen, late a scout and spy, United States Army, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah M. Beach, widow of Theron A. Beach, late of Company C, Fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Annie Rouse, widow of William J. Rouse, late of Company H, Sixth Regiment Michigan Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Sadie L. Holmes, widow of Eugene R. Holmes, late of Company B, Eighth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha E. Hoover, widow of John Hoover, late of Company G, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ella H. Anthony, widow of John E. Anthony, late of Company D, First Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Jennie Hall, widow of Vincent A. Hall, late of Company L, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Davis, widow of Isham Davis, late of Company C, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Alice Chamblin, widow of Marcus Chamblin, late of Company C, Seventieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Vinnie E. Saunders, helpless and dependent daughter of Elijah R. Saunders, late of Company B, Thirty-first Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Elizabeth N. Coombs, widow of John S. Coombs, late ordinary seaman, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Nancy E. Wimer, widow of Benjamin J. Wimer, late of Company E, Forty-third Regiment Indian Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Occia Wimer, helpless and dependent daughter of said Nancy E. and Benjamin J. Wimer, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Nancy E. Wimer, the name of said Occia Wimer shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Nancy E. Wimer.

The name of Josephine Chambers, widow of Samuel Chambers, late of Company F, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Orr, widow of Jesse F. Orr, late of Company I, Fifth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Rebecca J. Short, widow of Ferdinand E. Short, late of Company C, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John L. Short, helpless and dependent son of said Rebecca J. and Ferdinand E. Short, $20 per month herein granted shall cease and determine: *Provided further*, That in the event of the death of Rebecca J. Short, the name of said John L. Short shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Rebecca J. Short.

The name of Rhoda Workman, widow of Joseph Workman, late of Company G, Eleventh Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Josephine Ella Henshen, widow of Fred Henshen, late of Company G, Sixtieth Regiment Indiana Volunteer Infantry, and Company F, Eleventh Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sybil M. Mixter, widow of Wesley Mixter, late of Company G, Thirty-fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Clara M. Mixter, helpless and dependent daughter of said Sybil M. and Wesley Mixter, $20 per month of the pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sybil M. Mixter the name of said Clara M. Mixter shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sybil M. Mixter.

The name of Rebecca E. Hosier, widow of Adrian M. Hosier, late of Company C, Ninth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Creswell C. Hosier, helpless and dependent son of said Rebecca E. and Adrian M. Hosier, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Rebecca E. Hosier, the name of said Creswell C. Hosier shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Rebecca E. Hosier.

The name of Kate N. Mytinger, helpless and dependent daughter of Charles W. Mytinger, late unassigned, Twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. Murray, helpless and dependent daughter of Ivory Murray, late of Company I, Twelfth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Nellie A. Dalton, helpless and dependent daughter of John H. Dalton, late of Company C, First Battalion Nevada Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Barbara Reineck, widow of Daniel Reineck, late of Company G, Eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Margaret J. Page, widow of George W. Page, late of Company I, Eighth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Nannie B. Turner, helpless and dependent daughter of William Turner, late of Company G, Fifth Regiment Provisional En-

rolled Missouri Volunteer Militia, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mahala Winn, widow of Thomas Winn, late of Company K, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henrietta Sheumacher, widow of David H. H. Sheumacher, late of Company B, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lewis Powers, alias George Powers, late of Company H, One hundred and fifty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Hannah E. Brainard, widow of John C. Brainard, late of Company E, One hundred and fifty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Anis Apple, widow of Hiram Apple, late of Company K, Fourteenth Regiment New York Volunteer Heavy Artillery, and Company Eight, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Helen I. Tilton, helpless and dependent daughter of Edwin A. Tilton, late of Company K, Thirteenth Regiment New Hampshire Volunteer Infantry, and second lieutenant Company One hundred and sixty-eight, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $12 per month.

The name of Amelia C. Martin, former widow of Gilbert T. Connor, late of Company B, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda Kenny, widow of Harrison Kenny, known as Harrison Collins, late of Company G, One hundred and nineteenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Juliaette Boon, widow of James F. W. Boon, late of Company D, Forty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia A. Gardner, widow of James R. Gardner, late of Company C, One hundred and fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Anne E. Black, widow of James R. Black, late surgeon, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Clara Daughters, helpless and dependent daughter of Henry Daughters, late of Company D, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles Duerson, late civilian attached to the Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Susie Labaw, widow of Simon Labaw, late of Company C, One hundred and fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Blunt, widow of James L. Blunt, late of Company B, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Clara Blunt, helpless and dependent daughter of said Mary E. and James L. Blunt, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary E. Blunt the name of said Clara Blunt shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary E. Blunt.

The name of Ellen L. Barnes, widow of William L. Barnes, late of Company D, Sixteenth Regiment Vermont Volunteer Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane E. Kernan, widow of James Kernan, late of Troop M, Fifth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Harriet E. Dennison, widow of James H. Dennison, late of Company C, Seventh Battalion District of Columbia Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Alberto Murray, helpless and dependent son of Ivory Murray, late of Company I, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Charles N. Ashford, alias William Kenney, late of Company D, One hundred and fifth Regiment, and Company K, Ninety-seventh Regiment, New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving: *Provided*, That no part of the pension herein granted shall be withheld by the Bureau of Pensions for recoupment of former alleged erroneous payments of pension.

The name of Lida Haskill, widow of James L. Haskill, late of Company F, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jetora E. Anderson, widow of Thomas Anderson, late of Company I, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Alice M. Thompson, former widow of Warren Welton, late of Company G, Eighty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Nelson H. Henry, helpless and dependent son of Samuel M. Henry, late of Company K, Eighty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Annie T. Lamarche, widow of Alfred F. Lamarche, late of Company H, Tenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda M. Bailey, widow of Henry H. Bailey, late of Company A, Twenty-ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ida L. Sook, widow of Oliver P. Sook, late of Company E, One hundred and fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Malinda Rundell, widow of Harrison Rundell, late of Company B, Seventh Regiment Ohio Volunteer Infantry, and Company M, Sixth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Margaret S. Pruyn, widow of James W. Pruyn, late of Company F, Twenty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Clark, widow of Charles J. Clark, late of Company C, Second Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Hester A. Phillips, widow of Benjamin B. Phillips, late of Company K, Sixth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary E. Peake, widow of James B. Peake, late of Company B, Fourth Battalion District of Columbia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jennie H. Squier, widow of George J. Squier, late of Company F, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Barclay, widow of Alexander M. Barclay, late of Captain Daugherty's Company, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minnie May Andrews, helpless and dependent daughter of John E. Andrews, late of Company E, Third Regiment Ohio Volunteer Cavalry, and Company G, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Ulysses Grant Kirker, helpless and dependent son of William J. Kirker, late of Company H, Ninth Regiment Pennsylvania Volunteer Reserve Infantry, and Company I, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mabel Nolin, helpless and dependent daughter of John F. Nolin, late of Company D, Tenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Martha Tucker, widow of Green G. Tucker, late of Company L, Sixth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Fannie Hart Baber, former widow of Peter Hart, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah C. Rawlins, widow of Daniel S. Rawlins, late of Company B, Sixty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Margaret Sweet, widow of Oliver W. Sweet, alias Oliver W. Frazee, late of Company F, Seventh Regiment Indiana Volunteer Cavalry, and Company K, Seventh Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda J. Gilmore, widow of Isaac J. Gilmore, late of Company I, One hundred and ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah McGowan, widow of Taylor McGowan, late of Company G, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda Baird, widow of William K. Baird, late of Company A, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Alice Dunbar, widow of Charles S. Dunbar, late of Company K, Second Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of John A. Thomas, helpless and dependent son of Levi Thomas, late of Company D, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month through duly appointed guardian.

The name of Betsy G. Frost, widow of Hiram C. Frost, late of Company E, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Phoebe A. Rawles, widow of Jacob B. Rawles, late first lieutenant, Fifth Regiment United States Volunteer Artillery, and pay her a pension at the rate of $50 per month.

The name of Mary A. Carroll, widow of John Carroll, late of Company I, One hundred and eighty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Joseph Floyd, helpless and dependent son of Peter Floyd, late of Company D, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Susan Baker, widow of Hiram Baker, late of Company C, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Olive G. Hughes, widow of Nathan B. Hughes, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Cynthia Rudler Osgood, former widow of Joseph Rudler, late of Company G, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah M. Brown, widow of Philip M. Brown, late of Company D, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Arnold, widow of James Arnold, late of Company C, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Malvina A. Williams, widow of Russell A. Williams, late of Company F, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret J. Cutright, late of Company F, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ella V. Altmeyer, widow of Mathias Altmeyer, late of Company H, Fifteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ottilie Carrol, widow of Charles Carrol, late of Company A, One hundred and sixty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Matilda Starbuck, widow of William N. Starbuck, late of Company G, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Florence F. Wellington Washburn, widow of Nathan A. Washburn, late of Company F, Twelfth Regiment Vermont Volunteer Militia Infantry, and pay her a pension at the rate of $30 per

month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Aurelia E. Wilkins, widow of James H. Wilkins, late of Companies G and A, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Katherine Shurts, widow of John W. Shurts, late of Company G, Eighty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lurinda F. Haines, widow of Eli Haines, late of Company D, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane P. Hoyt, widow of Alonzo A. Hoyt, late of Company C, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth H. Waugh, widow of William W. Waugh, late of Company G, Fifth Regiment Massachusetts Volunteer Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Susan C. Kendrick, widow of Theron W. Kendrick, late of Company D, Forty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine Rentfro, widow of Francis M. Rentfro, late of Company K, First Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Mahala Goff, widow of Bethuel J. Goff, late of Company C, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henrietta W. Carlisle, widow of Joseph Carlisle, late of the United States Navy, and pay her a pension at the rate of $30 per month.

The name of Harriet A. Wormuth, widow of Alfred D. Wormuth, late of Company F, One hundred and forty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia E. Wooster, widow of George B. Wooster, late of Company D, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Cynthia A. Miller, widow of William K. Miller, late of Company H, Thirty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ruth Maxwell, widow of James T. Maxwell, alias James H. Davis, late of Company E, Twelfth Regiment West Virginia Volunteer Infantry, and Company L, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Fannie Gilbert, widow of Hiram Gilbert, late of Company C, Thirty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy C. Henderson, widow of Wilson Henderson, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clara B. Plessner, widow of Otto R. Plessner, late of Company H, Second Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary E. Applegate, widow of Edwin R. Applegate, late of Company H, Eleventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Pernecia Boozer, widow of John Boozer, late of Company D, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lydia Smith, widow of Lewis Smith, late of Company G, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month.

The name of Rosetta Chaney, widow of William H. Chaney, late of Company K, Forty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura Adams, widow of Hiram Adams, late of Company G, One hundred and thirty-fourth Regiment, and Company B, One hundred and forty-seventh Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to the soldier at his death.

The name of May J. Wode, helpless and dependent daughter of Charles Wode, late of the United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Nancy E. Hixson, widow of William Hixson, late of Company C, Thirty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Virginia A. Dixon, widow of Thomas Dixon, late of Companies G and A, Ninth Regiment, and Company K, One hundred and twenty-eight Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ella Merrick, widow of Austin W. Merrick, late of Company B, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Marinda Maynard, widow of Aldin Maynard, late unassigned, First Regiment Pennsylvania Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Ellen M. Deer, widow of Job Deer, late of Company G, One hundred and thirty-third Regiment, and Company E, One hundred and forty-ninth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Fanny Stewart, widow of George D. Stewart, late of Company A, Twenty-fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lena Derl, helpless and dependent daughter of Charles Derl, late of Company B, Forty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Louisa Gladwish, widow of John W. Gladwish, late of Company D, Third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ann Vanfleet, widow of Otis B. Vanfleet, late of Company A, One hundred and second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Adam Perry Kaufman, late of the United States Navy, and pay him a pension at the rate of $50 per month.

The name of Sarah Isabell Lowe, helpless and dependent daughter of John Lowe, late of Company A, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Adelia Doersh, widow of Lorenzo Doersh, late of Company H, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William Doersh, helpless and dependent son of said Adelia and Lorenzo Doersh, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Adelia Doersh, the name of said William Doersh shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Adelia Doersh.

The name of Carrie Hover, widow of Jonathan Hover, late of Company A, One hundred and eighty-third Regiment, and Company A, One hundred and eighty-eighth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ellen J. Johnston, helpless and dependent daughter of Franklin L. Johnston, late of Company H, Seventeenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Francis M. Chronister, former widow of James E. Buckhanon, late of Companies C and G, Fiftieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Robert Gardner, late of Company I, Thirteenth Regiment Indiana Volunteer Infantry, and Company H, Twenty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Alice Jewett, helpless and dependent daughter of Charles Jewett, late of Company K, Fifty-fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Cyrus J. Wilsey, late of Company K, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Sarah M. Standish, widow of Newton L. Standish, late of Company E, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Hall, widow of Theodore Hall, late of Company C, One hundred and forty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Nave, widow of Daniel S. Nave, late of Company A, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at his death.

The name of Annie Baird, widow of Hiram Baird, late of Company B, First Regiment East Tennessee Volunteer National Guard Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Hopper, widow of Thomas Hopper, late of Company F, Sixty-fifth Regiment, and Company F, One hundred and twentieth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Garrett Williamson, helpless and dependent son of James K. P. Williamson, late of Company F, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary B. Morgan, widow of William H. Morgan, late of Twenty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Ella B. Flaherty, helpless and dependent daughter of Francis P. Flaherty, late of the United States Navy, and pay her a pension at the rate of $20 per month.

The name of Marion A. McClelland, widow of George W. McClelland, late of Company G, One hundred and fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Lowe, widow of William A. Lowe, late of Company B, Twenty-second Regiment, Company F, Twenty-seventh Regiment, and Company A, One hundred and forty-fourth Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia Ann Hopkins, helpless and dependent daughter of Thomas B. Hopkins, late of Company F, Eleventh Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Nellie J. Merriman, widow of Truman A. Merriman, late of Company B, Ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Eva Miller (lunatic), helpless and dependent daughter of Nathan E. Miller, late of Company A, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary A. Smith, widow of Peter C. Smith, late of Company I, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William F. Hawley, helpless and dependent son of Francis Hawley, late of Company F, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Eliza J. Gibson, widow of David Gibson, late of Company A, Forty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Lewis, widow of Greenville Lewis, late of the United States Navy, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Cynthia Timberlake, widow of Pleasant Timberlake, late of Company F, Twenty-second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clara Mahoney, helpless and dependent daughter of Willliam J. Mahoney, late of Company K, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Charles Blaker, helpless and dependent son of Charles W. Blaker, late of Company B, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Hannah B. Kesler, widow of William Kesler, late of Company B, Second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine F. Edsall, former widow of William H. Edsall, late of Company E, Eleventh Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emily W. Johnson, widow of Charles W. Johnson, late of Companies G and B, Second Regiment New York Veteran Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Nathaniel Bitner, late of Company D, Veteran Battalion, Second Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Susanna Spencer, widow of Archibald Spencer, alias William Webster, late of Company H, Second Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month.

The name of Warner M. Ellis, helpless and dependent son of William Ellis, late of Company I, One hundred and thirty-first Regiment Illinois

Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Louvisa E. Harrison, widow of Thomas J. Harrison, late of Eighth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie A. Lewis, former widow of George W. H. Allen, late of Company E, First Regiment Rhode Island Volunteer Light Artillery, and Company L, Eleventh Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of John Seidel, helpless and dependent son of John Seidel, late of Company H, Fourth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of William H. Knowles, late of Company I, Ninth Regiment Indiana Volunteer Infantry, and Company A, Ninth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Sue N. Inness, widow of William Inness, late of the Thirteenth and Fifteenth Regiments United States Colored Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of John H. Walker, helpless and dependent son of Irvin B. Walker, late of Company D, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Sallie J. Pile, widow of George Pile, late of Company H, First Regiment Kentucky Volunteer Cavalry, and Company A, Thirty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Athens, widow of Edward G. A. Athens, late of Company D, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah C. Turner, widow of Loren H. Turner, late of Company F, Ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Addie M. Blair, widow of Willard C. Blair, late of Company G, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Inez Mabel Chase, widow of Ambrose P. Chase, late of Company A, Twenty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to soldier at the time of his death.

The name of Esther A. Blythman, widow of James Blythman, late of Company I, Twenty-fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Neal, widow of James Neal, late of Company E, First Regiment Alabama Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary J. Kimball, widow of Lorenzo A. Kimball, late of Company K, Fourth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Hale, widow of James Hale, late of Company H, Eighth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Eliza E. Clink, widow of Adam Clink, late of Company H, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and Company Fifty-eight, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Mary A. Flick, widow of Joseph Flick, late of Company A, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Sarah C. Mattox, widow of William Mattox, late of Company F, Forty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William A. Benge, helpless and dependent son of Isaac F. Benge, late of Company H, Seventieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Elizabeth DuHamel, widow of William J. C. DuHamel, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $35 per month.

The name of Emma Brock, widow of William P. Brock, late of Company B, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice M. Jones, widow of William M. Jones, late of Company H, First Regiment Vermont Volunteer Cavalry, and Company H, Tenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Manella A. Eastman, widow of William H. Eastman, late of the Second Independent Battery, Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Alice M. Knox, widow of Walter Knox, late of Company F, Fifth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Marie Schneider, widow of John D. Schneider, alias Daniel Schneider, late of Company G, First Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ann A. Hall, widow of Christopher Hall, late of Company H, Ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of S. Eliza Faught, widow of James J. Faught, late of Company D, Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Taylor Hall, helpless and dependent son of John Hall, late of Company H, Eighth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Wilhelmine Roehl, widow of Fritz Roehl, late of Company E, Twenty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Edward E. Berry, helpless and dependent son of James T. Berry, late of the United States Navy, and pay him a pension at the rate of $20 per month.

The name of William Bieber, helpless and dependent son of Oscar Bieber, late of Company K, Seventeenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Nina R. Benjamin, widow of James H. Benjamin, late of Companies M and I, Twenty-first Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Jennie A. Fisk, known as Adella J. Fiske, former widow of Frederick C. Lawrence, late of Company F, Sixth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of George F. Phillips, helpless and dependent son of Ruel Phillips, late of Company E, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Lucy Esterbrooks, widow of Ashabill P. Esterbrooks, late of Company H, One hundred and forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emilyn L. Bennett, widow of Bradford W. Bennett, late of Company H, Tenth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Cena M. Maples, widow of William Maples, late of Company M, Second Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Clara Larish, helpless and dependent daughter of Andrew S. Larish, late of Company A, Ninetieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Polo, widow of Andrew Polo, late of Company A, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Emma Polo, helpless and dependent daughter of said Mary and Andrew Polo, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary Polo the name of said Emma Polo shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary Polo.

The name of Ella K. Johnson, widow of Henry T. Johnson, late of Company G, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Francis Ann Sherlaw, widow of Miles Sherlaw, late of Company K, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ada L. Kinsey, widow of William B. Kinsey, late of One hundred and sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary V. Benton, widow of John Benton, late of Company C, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Elizabeth Benton, helpless and dependent daughter of said Mary V. and John Benton, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary V. Benton, the name of said Elizabeth Benton shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary V. Benton.

The name of Hannah Atchison, widow of William D. Atchison, late of the Forty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Florence J. Atchison, helpless and dependent daughter of said Hannah and William D. Atchison, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Hannah Atchison, the name of said Florence J. Atchison shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Hannah Atchison.

The name of Helen M. Gross, widow of Solomon Gross, late of Company H, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nicholas Brady, helpless and dependent son of Thomas Brady, late of Company B, Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Agnes Fowler, widow of Lyman H. Fowler, late of Company C, Sixteenth Regiment Pennsylvania Volunteer Infantry, and Companies E and I, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Annie L. Marksbury, widow of James W. Marksbury, late of Company G, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Luella E. Foote, helpless and dependent daughter of Bronson H. Foote, late of Company C, One hundred and sixty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of W. Walter Branyan, helpless and dependent son of Robert H. Branyan, late of Company B, Thirteenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Harriet Barnes, widow of Corydon J. Barnes, late of Company A, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Hist, widow of Henry Hist, late of Company D, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ellen Smith, widow of Thomas Smith, late of Company C, First Regiment, and Company C, One hundred and ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Short, widow of Eldridge Short, late of Company B, Third Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Macomber, widow of Clark Macomber, late of Company B, Twentieth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary V. Barlow, widow of James C. Barlow, late of Company C, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lola Beebe, widow of Lewis M. Beebe, late of the band, Forty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Gilbow, widow of John Gilbow, late of Company C, One hundred and forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Harriet E. Sabin, widow of Luther B. Sabin, late of Company I, One hundred and ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Daisy M. Tibbott, widow of David Tibbott, late of Company F, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Mary E. Taylor, widow of Theodore W. Taylor, late of Company E, Twenty-fourth Regiment New York Volunteer Cavalry, and Company E, First Regiment New York Volunteer Provisional Cavalry, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Naoma Dobie, widow of Francis T. Dobie, late of Company C, First Battalion, Fifteenth Regiment, United States Infantry, and pay her a pension at the rate of $30 per month.

The name of Miranda Johnson, helpless and dependent daughter of Thomas W. Johnson, late of Company D, Fifty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Elbert M. Deffendall, helpless and dependent son of Abram Deffendall, late of Company I, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary L. Nevill, helpless and dependent daughter of Thomas Nevill, late of Company K, Twelfth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catharine Conn, helpless and dependent daughter of Francis M. Conn, late of Company B, First Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving, to be paid to duly appointed guardian.

The name of Orpha Conroy, widow of Moses B. Conroy, late of Company H, First Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Clara E. Fritcher, widow of Henry Daniel Fritcher, late of Company M, Eighth Regiment New York Volunteer Heavy Artillery, and Company G, Tenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Roxie L. Colbert, widow of John L. Colbert, late of Company C, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Annie Beck, widow of Felix Beck, late of Company G, Twelfth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elvira M. Anderson, widow of William B. Anderson, late of Sixtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Catharine Pentz, widow of David A. Pentz, late of Company H, One hundred and second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles B. Pentz, helpless and dependent son of said Catharine and David A. Pentz, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine Pentz, the name of said Charles B. Pentz shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the death of said Catharine Pentz.

The name of Mary A. Chorpenning, widow of Samuel A. Chorpenning, late of Company G, First Battalion, Nineteenth Regiment United States Volunteer Infantry, and Company H, First Battalion, ——— Regiment Provisional Pennsylvania Volunteer Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Corbly, helpless and dependent daughter of Eli C. Corbly, late of Company G, First Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $20 per month, payable to a duly appointed guardian.

The name of John D. Gardner, alias John Darity, late of Company K, Ninety-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Flora McMann, widow of William A. McMann, late of Company M, Seventh Regiment Michigan Volunteer Cavalry, and Company I, First Regiment Michigan Volunteer Veteran Cavalry, and pay her a pension at the rate of $30 per month.

The name of Isaac N. Bayless, helpless and dependent son of Daniel B. Bayless, late of Company A, First Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Margaret Ann Evans, widow of Zedic R. Evans, late of Company A, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Minnie M. Evans, helpless and dependent daughter of said Margaret Ann and Zedic R. Evans, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Margaret Ann Evans the name of said Minnie M. Evans shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Margaret Ann Evans.

The name of Adaline C. Bellew, widow of James F. Bellew, late of Company G, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rose Dodge, widow of David E. Dodge, late of Company G, One hundred and sixty-ninth Regiment Pennsylvania Volunteer Drafted Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Minnie Alldaffer, widow of Joel Alldaffer, late of Company A, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Mary E. Harris, widow of Bateson Harris, late of Company G, Forty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Leah F. Ruess, widow of Anthony J. Ruess, late of Company A, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Snyder, widow of John Snyder, late of Company I, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Bridget Hopkins, widow of Patrick Hopkins, late of Company H, Ninetieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Lizzie Hopkins, helpless and dependent daughter of said Bridget and Patrick Hopkins, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Bridget Hopkins the name of said Lizzie Hopkins shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Bridget Hopkins.

The name of Caroline Bartlett, widow of Eugene Bartlett, late of Company F, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah E. Fisk, widow of John W. Fisk, late of Battery A, Fifth Regiment United States Volunteer Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Lelia Crawford, helpless and dependent daughter of Charles N. Crawford, late of Company E, One hundred and forty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month, payable to duly appointed guardian.

The name of Ella Parsons, helpless and dependent daughter of George W. Parsons, late of Company E, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Amanda J. S. Brockway, widow of Nicholas M. Brockway, late of Company G, Fifty-seventh Regiment Pennsylvania Volunteer Emergency Militia, and pay her a pension at the rate of $30 per month, and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Terrissa N. Hunter, widow of Andrew J. Hunter, late of Company A, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Thomas Spearman, helpless and dependent son of John Spearman, late of Company F, Forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Abbie M. Packard, helpless and dependent daughter of Charles Packard, late of Company D, Thirteenth Regiment, and Company K, Thirtieth Regiment, Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lillie Werntz, helpless and dependent daughter of John S. Werntz, late of Company K, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of David Conrad Doup, helpless and dependent son of Frederick Doup, late of Company B, Second Regiment Virginia Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Elizabeth Fobes, widow of Daniel A. Fobes, late of Company A, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles Fobes, helpless and dependent son of said Elizabeth and Daniel A. Fobes, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Elizabeth Fobes, the name of said Charles Fobes shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Elizabeth Fobes.

The name of Phoebe A. Fairhurst, widow of George H. Fairhurst, late of Company C, Forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria A. Owens, widow of William J. Owens, late of Company F, One hundred and fifty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Langley, widow of Alonzo D. Langley, late of Company A, Fiftieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ferdinand Lambert, helpless and dependent son of Andrew Lambert, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month, payable to a duly appointed guardian.

The name of Edmund Hishley, helpless and dependent son of Coonrod Hishley, late of Company A, Second Battalion District of Columbia Volunteer Militia Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George W. Bagley, late of the construction corps, quartermaster teamster department, United States Volunteers, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eunice Wright, widow of Watson W. Wright, late of Company A, Ninety-second Regiment Illinois Volunteer Infantry, and the Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Bridget Mitchell, widow of Alexander Mitchell, late of Company A, Eighth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Emma K. Barrett, widow of William B. Barrett, late of Company B, Seventy-fourth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Johnson, widow of Lorenzo D. Gardner, alias Lorenzo D. Johnson, late of Company I, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Fisk, widow of Winfield S. Fisk, late of Company D, Thirteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Frances Tucker Hartley, widow of Stacey E. Hartley, late of Company D, One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Stewart, helpless and dependent daughter of William Stewart, late of Company E, One hundred and nineteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary A. Parker, widow of John L. Parker, late of Company B, Eleventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Catharine T. Cuff, helpless and dependent daughter of James H. Cuff, late of Company F, Fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Daniel W. Orr, late of Company H, Eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month, and that he be entitled to any further relief within the provisions of the act of May 1, 1920, for 90 days' or more service.

The name of Minnie Chapman, widow of Corydon S. Chapman, late of Company B, First Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie S. Miller, former widow of John Miller, late of Company E, Fourth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Finney, widow of John A. Finney, late of Company G, Forty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sallie A. Stauter, widow of Franklin Stauter, late of Company A, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Olga Stauter, helpless and dependent daughter of said Sallie A. and Franklin Stauter, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sallie A. Stauter the name of said Olga Stauter shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sallie A. Stauter.

The name of Marvin A. Coshun, helpless and dependent son of John Coshun, late of Company F, One hundred and sixty-fifth Regiment, and Company G, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Elizabeth Borden, widow of Humphrey Borden, late of Company E, Ninety-second Regiment New York Volunteer Infantry, and Company B, Third Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Fred Nilan, helpless and dependent son of James Nilan, alias James Hines, late of Company I, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Nease, helpless and dependent daughter of Rolland Nease, late of Company B, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Walter Scott Ingalls, helpless and dependent son of Walter Ingalls, late of Company A, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Margaret McNulty, widow of James McNulty, late of Company C, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Thornburg, widow of William Thornburg, late of Company B, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catharine Kinder, widow of Jefferson Kinder, late of Company B, Nineteenth Regiment, and Company C, Twentieth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ovid C. Kinder, helpless and dependent son of said Catharine and Jefferson Kinder, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine Kinder, the name of said Ovid C. Kinder shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Catharine Kinder.

The name of Mary M. Tullock, widow of William C. Tullock, late of Company B, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Matilda May Tullock, helpless and dependent daughter of said Mary M. and William C. Tullock, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary M. Tullock, the name of said Matilda May Tullock shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary M. Tullock.

The name of Adeline F. Terry, widow of William L. Terry, late of Company F, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Prudence Francisco, widow of Ransom Francisco, late of Company I, Seventy-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Eunice R. Tripp, widow of Chauncey G. Tripp, late of Company H, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Rebecca Zellers, helpless and dependent daughter of Isaac Zellers, late of Company D, One hundred and fiftieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of John E. Austin, late of Company G, One hundred and ninety-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Rebecca Backman, widow of Charles M. Backman, late of Company E, One hundred and seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Susan A. McBride, widow of Thomas McBride, late of Company L, First Regiment New York Volunteer Engineers, and pay her a pension at the rate of $30 per month.

The name of Mary Hurley, widow of James P. Hurley, late of Company G, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and Company C, Thirteenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Sallie A. Moore, widow of Shriver Moore, late of Fourteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa Bailey, widow of Samuel Bailey, late of Company C, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice F. Parrigin, widow of Joseph Parrigin, late of Company F, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $35 per month.

The name of Hosea G. Messersmith, helpless and dependent son of Alfred H. Messersmith, late of Company L, First Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Maria M. Reed, former widow of William C. Reed, late of Company K, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary M. Rutherford, widow of Lyman Rutherford, late of Company G, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Blatchley, widow of Washburn Blatchley, late of Company K, Tenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Spatch, widow of James Spatch, late of Company E, Sixteenth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Hattie Miller, widow of David Miller, late of Company G, One hundred and fifty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amelia Hoelscher, widow of George Henry Hoelscher, late of Company B, One hundred and sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ottello Lendeborn, widow of Henry Lendeborn, late of Company E, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $35 per month.

The name of Sarah E. Holmes, widow of Andrew A. Holmes, late of Company D, Nineteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jennie M. Pitman, widow of William H. Pitman, late of Company A, Seventh Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Leando M. Muck, helpless and dependent son of Joseph Muck, late of Company I, Seventh Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Ursula Bayard, helpless and dependent daughter of George A. Bayard, late of Company H, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah A. Vale, widow of Thomas S. Vale, late unassigned, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Gilly Leming, widow of Elijah Leming, late of Company A, Fourth Regiment, and Company I, Second Regiment, Arkansas Volunteer Infantry, and pay her a pension at the rate of $30 per month and pay to her the amount of pension accrued to the soldier at the time of his death.

The name of Sarah A. Fringer, widow of Worthington Fringer, late of Company G, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carlton DeWitt, helpless and dependent son of George C. DeWitt, late of Company A, Ninth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of William M. Nourse, late citizen attached to the Eighteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lizzie J. Currier, widow of George W. Currier, late of Company B, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elroy L. Kemp, helpless and dependent son of Austin Kemp, late of Second Independent Battery, Vermont Volunteer Light Artillery, and First Independent Battery, Vermont Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Millie A. McKeown, widow of Robert McKeown, late of Company E, Eighteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Florence Ada Stoddard, helpless and dependent daughter of Freeman Stoddard, late of Company K, Eighteenth Regiment, and Company K, Ninth Regiment, Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Clara Elliott, widow of William M. Elliott, late of Company B, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nellie M. Reilly, widow of John J. Reilly, late of Company G, One hundred and ninety-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carrie B. McCrady, widow of Alfred E. McCrady, late of Company G, Twenty-sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Margaret J. Calhoun, widow of William T. Calhoun, late of Company H, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Bertha J. Bitler, widow of Samuel H. Bitler, alias Henry DeCarroll, late of Company B, Sixteenth Regiment New York Volunteer Cavalry, and Company C, Sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ira S. Merrill, helpless and dependent son of William F. Merrill, late of Company I, Fourth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Esther L. Carl, widow of Jarvis E. Carl, late of Company A, Twentieth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minnie M. Raysor, helpless and dependent daughter of David H. Raysor, late of Company K, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $20 per month, to be paid to a duly appointed guardian.

The name of Angeline Coolman, widow of Robert Coolman, late of Company F, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Amanda L. Townsend, widow of Jacob Townsend, late of Company D, Twelfth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Ida L. Baker, helpless and dependent daughter of Henry Baker, late of Company D, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Phebe J. Clements, helpless and dependent daughter of Charles W. Clements, late of Company A, Seventeenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Sarah A. Rhoads, widow of John A. Rhoads, late of Company B, Thirty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mahala Printis, former widow of William H. Binkley, late unassigned, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma M. Chandler, widow of John Chandler, late of Company F, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha J. Jenkins, widow of Christopher C. Jenkins, late of Company H, Forty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia Horton, widow of William H. Horton, late of Company H, Fifth Regiment New York Volunteer Veteran Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Ann Henry, widow of James K. Henry, late of Company A, Twenty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George Bellamy, late of Company B, Ninth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Pauline G. Fritz, former widow of Clarence B. Gelston, late of Company K, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances T. Gaddis, former widow of John C. Wiggins, late first lieutenant, Signal Corps, United States Army, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia Kiess, helpless and dependent daughter of Lewis G. Kiess, late of Company A, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Jacob J. Spencer, helpless and dependent son of John F. Spencer, late of Company B, One hundred and fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of William A. Fox, helpless and dependent son of Abner Fox, late of Battery B, First Regiment West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Emma Durocher, widow of St. Clair Durocher, late of Company K, One hundred and sixty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Warren, widow of Horatio N. Warren, late of Company C, Sixty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. A. Bumgarner, widow of George W. Bumgarner, late landsman, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Leah A. Brubaker, widow of Harrison Brubaker, late of Company H, Eighty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Louise H. Thornton, widow of William H. Thornton, late of Company B, Second Regiment Pennsylvania Volunteer Heavy Artillery, and Company G, Twenty-fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Mary F. McGill, widow of Israel F. McGill, late of Company A, Eighteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Pauline McEuen, widow of William C. McEuen, late of Company F, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Hallie Turner, helpless and dependent daughter of William H. Turner, late of Company M, Seventh Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Louisa Helton, widow of Jefferson Helton, late of Company G, Fourteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary R. Butler, widow of Adon Butler, late of Company H, Ninth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Emma C. Rogers, widow of Frank D. Rogers, late of Company I, Ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Katherine Wood, widow of William Wood, late of Company B, Fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Josephine Carey, widow of Robert S. Carey, late of Sixteenth Independent Battery New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Georgie A. Ettinger, widow of Jacob M. Ettinger, late of Company A, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Edith Ettinger, helpless and dependent daughter of said Georgie A. and Jacob M. Ettinger, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Georgie A. Ettinger the name of said Edith Ettinger shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Georgie A. Ettinger.

The name of Malissa Leonard, widow of Newton G. Leonard, late of Company C, Twenty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Theresa B. Streibig, helpless and dependent daughter of Rony Streibig, late of Company G, One hundred and nineteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Rebecca E. Boblett, widow of Jacob Boblett, late of Company H, Tenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary M. Taylor, helpless and dependent daughter of Samuel G. Taylor, late of Companies C and G, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Emily Swank, widow of George W. Swank, late of Company D, Fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emily T. Minkler, widow of Frank G. Minkler, late of Lieut. Sheldon's company, Sturges Rifles, Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Daniel Michael, late of Company I, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Margaret Flory, widow of James A. Flory, late of Company H, Fourth Regiment Ohio Volunteer Cavalry, and Company G, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Florence Pugh, widow of Edward L. Pugh, late of Company E, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ruth B. Adamson, widow of John V. Adamson, late of Company H, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louise P. May, widow of Emory W. May, late of Company H, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie T. Barclay, widow of Charles J. Barclay, late rear admiral, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Paul O. Brownlee, late of the Twenty-ninth Regiment United States Field Artillery, and pay him a pension at the rate of $30 per month.

The name of Eva J. Moody, widow of John H. Moody, late of Company F, Second Regiment United States Sharpshooters, and Company I, Fifth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DRAINAGE OF INDIAN ALLOTMENTS—VETO MESSAGES.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the President of the United States having returned to the House of Representatives, in which it originated, the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stats., 310, Public, No. 77), with his objections thereto, the House proceeded in pursuance of the Constitution to reconsider the same; and

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Mr. CURTIS. I move that the veto message be referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. CURTIS. In connection with the veto message, I ask to have printed in the RECORD the letter of the Secretary of the Interior recommending the passage of the bill, in order to show that the committee acted upon the report of the Secretary of the Interior.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

The letter referred to is as follows:

The Secretary of the Interior reports favorably upon the measure, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 5, 1920.

MY DEAR MR. SNYDER: I am in receipt of your request of February 7, 1920, for a report on H. R. 517, introduced in the House of Representatives on May 19, 1919, by Mr. MCKEOWN of Oklahoma, entitled "A bill amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public No. 77.)"

A comparison of H. R. 517 with the act of Congress approved March 27, 1914 (38 Stat. L., 310), which it proposes to amend, shows that the only difference between the two bills is to be found in line 25, page 2, of H. R. 517, which provides that in any event such assessment on any Indian allotment shall not exceed "$25 per acre" instead of "$15 per acre," as provided in the act of March 27, 1914, the existing law.

I assume that the increase in the assessment of $10 per acre over the existing law is justified on account of the increased cost of labor and material.

Inasmuch as the laws of Oklahoma provide for the creation of drainage districts for the reclamation of swamp and overflowed lands, which will prove a benefit to lands included within the drainage districts, and inasmuch as the Indian allottee is protected from any such assessment "unless the Indian allottee affected, or his legal guardian, shall consent thereto," the imposition of the assessment is not made arbitrary.

If the Indian allottee affected, or his legal guardian, shall consent thereto, it is proposed to authorize the Secretary of the Interior to pay the Indian allottee's taxes for drainage purposes from the funds or moneys arising from any source under his control, or under the control of the United States to the credit of the Indian.

I offer no objection to the bill if Congress sees fit to increase the assessment from $15 to $25 per acre.

Cordially, yours,

ALEXANDER VOGELSANG,
Acting Secretary.

Hon. H. P. SNYDER,
Chairman Committee on Indian Affairs,
House of Representatives.

MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA.

Mr. KELLOGG. I ask unanimous consent for the present consideration of Order of Business 421, being House bill 10074. It is a bill which has passed the House of Representatives, proposing to amend the municipal court act of the District of Columbia.

The VICE PRESIDENT. Is there objection?

Mr. OVERMAN. I object to that, Mr. President. I wish to examine the bill.

Mr. KELLOGG. I hope the Senator from North Carolina will not object to the consideration of the bill. The bill has received the unanimous approval of the Judiciary Committee. After hearing all of the judges of both courts, we agreed on amendments which are satisfactory. I should like to have the bill considered and passed.

Mr. OVERMAN. The bill has been amended, as I understand?

Mr. KELLOGG. The bill has been amended, and I will state what the amendments are.

Mr. WALSH of Montana. I trust the Senate may proceed to the consideration of the bill.

Mr. OVERMAN. I understand amendments have been made to the bill.

Mr. SMITH of Georgia. The amendments have all been agreed upon by the interested parties.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10074) to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes, which had been reported from the Committee on the Judiciary with amendments.

The first amendment of the committee was, in section 1, on page 1, line 7, to strike out the words "and cost," the first words in the line, and in line 9, after the word "in," to strike out the word "action" and insert "actions," so as to read:

That the municipal court of the District of Columbia shall have exclusive jurisdiction in the following cases of all claims and demands in which the value of the personal property claimed or the debt or damages claimed, exclusive of interest, does not exceed $2,000, namely, in the classes of cases over which the court had jurisdiction immediately prior to the passage of this act, and in actions for the recovery of damages for assault, assault and battery, slander.

Mr. KELLOGG. Mr. President, I offer an amendment which I send to the desk, which has been agreed to by the Subcommittee on the Judiciary.

The VICE PRESIDENT. The amendment proposed by the Senator from Minnesota will be stated.

The ASSISTANT SECRETARY. On page 1, it is proposed to strike out lines 4, 5, 6, and 7, and in lieu thereof to insert the following:

have exclusive jurisdiction in the following civil cases in which the claimed value of personal property or the debt or damages claimed, exclusive of interest and costs, does not exceed $1,000, namely, in the classes.

The amendment was agreed to.

Mr. KELLOGG. On behalf of the committee I offer another amendment striking out section 12 and inserting a new section.

The VICE PRESIDENT. The amendment proposed by the Senator from Minnesota will be stated.

The ASSISTANT SECRETARY. On pages 6, 7, and 8, it is proposed to strike out all of section 12, as follows:

SEC. 12. That no appeal shall hereafter lie from the Municipal Court to the Supreme Court of the District of Columbia. Any party aggrieved by any final judgment in an action to recover possession of real property, or by any final order or judgment of said Municipal Court where the amount or value involved, exclusive of interest and costs, exceeds the sum of $100, or by any interlocutory order whereby the possession of property is changed or affected, such as orders dissolving writs of attachment and the like, provided the amount or value involved exceeds the sum aforesaid, may appeal therefrom to the Court of Appeals of the District of Columbia. If the amount or value involved does not exceed, exclusive of interests and costs, the sum of $100 the Court of Appeals may allow a special appeal, whenever it is made to appear to said court, upon petition, that it will be in the interest of justice to allow an appeal. The time for and manner of taking, perfecting, and prosecuting appeals, and substituting parties, shall be the same as now obtaining, or as hereafter modified, for appeals from the Supreme Court of said District to said Court of Appeals. No appeal by the defendant in an action for the recovery of possession of real property shall operate as a stay of execution or supersedeas, unless within six days, exclusive of Sundays and legal holidays, after the judgment, the appellant shall file in the clerk's office of the municipal court a bond with surety or sureties, to be approved by the said court or a judge thereof, conditioned to abide by and pay the judgment rendered by the municipal court, if it shall be affirmed, together with the costs of the appeal, and to pay all intervening damages to the leased property and compensation for the use and occupation thereof from the date of the judgment appealed from to the date of its affirmance. The penal sum of said bond shall be fixed by the municipal court or a judge thereof.

And in lieu thereof to insert:

SEC. 12. That hereafter no appeal shall lie from the Municipal Court to the Supreme Court of the District of Columbia. If in any case in the municipal court an exception is taken by any party to any ruling or instruction of the court on matter of law the exception shall be reduced to writing and stated in a bill of exceptions with so much of the evidence as may be material to the question or questions raised, and such bill of exceptions shall be settled and signed by the judge within such time as may be prescribed by the rules of said court. Any party aggrieved by any final judgment of said court may seek a review thereof by the Court of Appeals of the District of Columbia by petition under oath setting forth concisely but clearly and distinctly the nature of the proceeding in said court, the trial and judgment therein and the particular ruling or instruction upon matter of law to which exception has been taken, said petition to be presented to any justice of the court of appeals within 10 days after the entry of such judgment and with such notice to the opposite party as may be required by rules of said court of appeals. If the justice shall be of opinion that such judgment ought to be reviewed a writ of error shall be issued from the court of appeals to the municipal court which shall send to the court of appeals, within such time as may be prescribed by that court, a transcript of the record in the case sought to be reviewed; and the court of appeals shall review said record and affirm, reverse, or modify the judgment in accordance with law. Execution of such judgment shall be stayed if the party seeking the review shall within 20 days after the entry of the judgment file in the clerk's office of the municipal court an undertaking with surety and penal amount approved by a judge of the court, to abide by and pay the judgment and the costs of the review if such judgment shall not be reversed; and, when the defendant in an action to recover possession of real estate seeks such review, the undertaking shall also provide for the payment of all intervening damages to the property sought to be recovered and compensation for its use and occupation from the date of the judgment to the date of the satisfaction thereof if the judgment is not reversed; and in all such undertakings the principal and surety shall submit to the jurisdiction of the municipal court and consent to the entry of judgment against them in that court in respect of their undertaking.

The amendment was agreed to.

Mr. WALSH of Montana. I desire to ask the Senator from Minnesota whether the amendment just agreed to was printed as it was ultimately agreed upon?

Mr. KELLOGG. It was.

The VICE PRESIDENT. The Secretary will state the next committee amendment.

The ASSISTANT SECRETARY. In section 1, page 2, line 9, after the word "act," it is proposed to strike out "and the actions included by this act" and to insert "and also the actions pending in the supreme court over which the municipal court would have jurisdiction if brought under the provisions of this act and which may be," so as to read:

Said municipal court shall also have jurisdiction of civil causes now pending in the supreme court which are of the classes and amounts over which the municipal court had jurisdiction immediately prior to the passage of this act, and also the actions pending in the supreme court over which the municipal court would have jurisdiction if brought under the provisions of this act and which may be transferred to it for trial and disposition by order of said supreme court.

The amendment was agreed to.

The next amendment was, in section 4, page 3, line 20, before the words "supreme court," to insert the word "said," and in the same line, before the word "shall," to strike out "of said District," so as to read:

At least 10 days before the term of service of jurors shall begin, the clerk of the said supreme court shall certify to the said municipal court, for service as jurors for the then ensuing term, the names of not to exceed 36 persons, drawn as directed by law.

The amendment was agreed to.

The next amendment was, on page 4, line 5, before the word "certificate," to strike out "such" and insert "a"; in the same line, after the word "certificate," to insert "to that effect"; and in line 7, after the word "Columbia," to strike out "the justices of," so as to make the clause read:

Whenever the judges of the municipal court shall certify in writing that the business of said court requires the services of additional jurors and shall file a certificate to that effect in the office of the clerk of the Supreme Court of the District of Columbia, said supreme court shall direct the clerk of the said supreme court to certify to said municipal court for service as jurors for the then ensuing terms the names of such number of other persons as may be necessary for such service, which names shall be drawn as directed by law.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 13, before the word "demand," to insert the word "shall," so as to make the section read:

SEC. 5. That if neither party shall demand a trial by jury, or if the value in controversy shall not exceed $20, the case may be tried and determined by any judge of the court, and his finding upon the facts, which may be either general or special, shall have the same effect as a verdict of a jury, with the same right of either party to take an exception to any ruling of the court, and have the same embodied in a bill of exceptions, as in case of a jury trial.

The amendment was agreed to.

The next amendment was, in section 9, page 5, line 23, after the word "shall," to strike out "be in force" and to insert "apply to attachment proceedings," so as to make the clause read:

The provisions of the Code of Law for the District of Columbia relating to attachments shall apply to attachment proceedings in said municipal court.

The amendment was agreed to.

The next amendment was, in section 10, page 6, line 5, after the word "require," to strike out the remainder of the section, as follows:

Said municipal court shall have power to appoint one additional assistant clerk, to be known as jury clerk, at an annual salary of $1,200, payable in monthly installments; and the said clerk shall note the attendance of each juror, administer oaths when required, and perform such other duties as the trial judge shall direct.

So as to make the section read:

SEC. 10. That the marshal of the United States in and for the District of Columbia shall designate two of his deputies to take charge of the jurors in the municipal court, under the direction of the trial judge, and they shall perform such other services as the judge may require.

The amendment was agreed to.

The next amendment was, in section 15, page 8, line 13, after the words "Supreme Court," to insert "of the District of Columbia," so as to read:

SEC. 15. That all acts and parts of acts inconsistent herewith are hereby repealed: *Provided*, That nothing herein shall be construed to deprive the Supreme Court of the District of Columbia or the Court of Appeals of the District of Columbia from reviewing and finally determining such cases as may be pending on appeal or certiorari at the time that this act goes into effect.

The amendment was agreed to.

The next amendment was, on page 9, line 1, to strike out the numerals "1917" and insert "1919," so as to read:

Provided further, That nothing in this act shall be construed to supersede or modify any of the provisions of Public resolution No. 31, Sixty-fifth Congress, entitled "Joint resolution to prevent rent profiteering in the District of Columbia," approved May 31, 1918, nor of any provisions of Public law No. 63, approved October 22, 1919, entitled "An act to amend an act entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel,'" approved August 10, 1917.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TUNGSTEN ORES.

Mr. HENDERSON. I ask unanimous consent for the immediate consideration of Order of Business No. 441, being House bill 4437. This bill passed the House of Representatives some time ago; it has been carefully considered by the Committee on Finance of the Senate and has been on the calendar for a long time.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States.

Mr. THOMAS. Mr. President, I shall not object to the consideration of the bill, but I shall have something to say upon it before it is finally voted on.

Mr. SMOOT. Mr. President, it can not be acted on to-night, I will say to the Senator.

Mr. HENDERSON. How long does the Senator from Colorado desire to speak on the bill? Perhaps in a few minutes we could reach a vote.

Mr. THOMAS. I will try to get through by the 5th of March.

Mr. JONES of Washington. Mr. President——

Mr. HENDERSON. Mr. President, was objection made to the consideration of the bill?

Mr. JONES of Washington. I understood there was objection.

The VICE PRESIDENT. The Chair so understood.

Mr. HENDERSON. Who objected?

The VICE PRESIDENT. The Senator from Utah [Mr. SMOOT].

Mr. SMOOT. I wish to say to the Senator from Nevada that I objected to the bill because I knew it could not be passed to-night.

AMENDMENT OF FEDERAL POWER ACT.

Mr. JONES of Washington. I ask unanimous consent for the consideration of Calendar No. 627, being the bill (S. 4554) to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920.

This bill, which relates to the national parks, has been heretofore brought up once or twice. It is a bill that was prepared pursuant to an agreement which the Senator from Montana [Mr. WALSH] and I had with the Secretary of the Interior in order that the water power bill might be signed. I have a number of amendments which I propose to offer to the bill, which I think will remove most of the objections to it. The Senator from Idaho [Mr. BORAH] has been opposed to it heretofore, but I understand he will not oppose its consideration at this time, although the Senator may desire to say a few words about it.

Mr. BORAH. I do not desire to object to its consideration, but I am opposed to the bill.

Mr. JONES of Washington. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection?

Mr. SPENCER. Mr. President, I inquire of the Senator from Washington if this is the bill against which many protests have been received from various quarters?

Mr. JONES of Washington. This is the bill in connection with which no doubt the Senator from Missouri has been bombarded with letters and telegrams and petitions and that sort of thing.

Mr. SPENCER. I object to the consideration of the bill; I desire to look into it further.

The VICE PRESIDENT. Objection is made.

WENDELL PHILLIPS LODGE.

Mr. CALDER. I ask unanimous consent for the immediate consideration of the bill (H. R. 9794) for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. I ask that the bill be read.

The VICE PRESIDENT. The Secretary will read the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $381.65 which was paid by the Wendell Phillips Lodge for the body of an ambulance which under the law the Federal Government could not accept.

Mr. SMOOT. Mr. President, there appears to be no report accompanying the bill.

Mr. CALDER. The Senate committee filed no report with the bill, although there was a report filed by the House committee which considered and acted upon the bill. The facts are that the Knights of Pythias Lodge tendered to the War Department an ambulance, which, at first, the department accepted. The ambulance cost something in the neighborhood of $1,800. Subsequently, the War Department refused to accept the ambulance, and so notified the lodge. They then canceled their order with the manufacturer; but it appears that the manufacturer had already shipped to the War Department the chassis for the ambulance, which cost something like $381.

Subsequently, this lodge gave another automobile to the Red Cross. I see from the report that the Chief of the Motor Transport Service recommends that the $381 be repaid to this lodge.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9794) for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, the sum of $381.65 which was paid by the Wendell Phillips Lodge for the body of an ambulance which under the law the Federal Government could not accept.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STANDARD WEIGHTS AND MEASURES FOR DISTRICT OF COLUMBIA.

Mr. BALL. I ask unanimous consent for the consideration of House bill 8067, to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes.

The VICE PRESIDENT. Is there any objection?

Mr. UNDERWOOD. I should like to ask the Senator if this is a unanimous report from the committee?

Mr. BALL. It is.

Mr. UNDERWOOD. From what committee does it come?

Mr. BALL. The Committee on the District of Columbia.

Mr. UNDERWOOD. Was there a quorum there when the bill was reported?

Mr. BALL. It has been reported so long that I really could not say at present.

Mr. UNDERWOOD. It is a pretty long bill to take up at this time of night.

Mr. JONES of Washington. Mr. President, I will state that this bill was referred to a subcommittee, and was given very careful consideration.

Mr. UNDERWOOD. The Senator says it was given very careful consideration?

Mr. JONES of Washington. It was.

Mr. SMITH of South Carolina. Mr. President, has the bill been read?

The VICE PRESIDENT. It has not.

Mr. SMOOT. It is a bill 24 pages long.

Mr. SMITH of South Carolina. It seems to me that a bill of that length, and a matter of such importance, should hardly be taken up at this time of night.

Mr. BALL. Mr. President, I can state the main features of the bill. It is a bill to fix definitely the manner of the sale of produce, coal, and ice in the District of Columbia. It fixes the size of a loaf of bread. At present no definite size is prescribed for a loaf of bread. This bill makes it either a pound or a half-pound. It compels those articles that can be sold by weight to be sold by weight. It provides for the sale of small amounts of coal. It makes provision for no new appointees, and no increase of salary. The present laws were passed at different times, and it is very difficult to have any definite knowledge of the laws governing the sale of these materials in the District of Columbia. This is really a compilation of the laws, and fixes definitely the size of the containers, and prescribes how the articles referred to shall be sold.

That is really about the extent of the bill.

Mr. HITCHCOCK. Mr. President, does the bill change in any important respect the practice in the sale of goods?

Mr. BALL. No; it does not, except that it fixes definitely the size of the loaf of bread.

Mr. HITCHCOCK. Was there anything controversial about it? Were there hearings?

Mr. BALL. No; I think not.

Mr. HITCHCOCK. Was there any opposition or advocacy on the part of any classes?

Mr. BALL. I think not. The Senator from Washington is familiar with the bill.

Mr. JONES of Washington. My recollection is that the bill was referred to a subcommittee, and I know I asked that action upon it be delayed until I got information from the people out in my State with reference to the measurements of boxes, and so forth, and looked into it very carefully, and we had no objection to it, and thought it was very necessary.

Mr. SMITH of South Carolina. Was the introduction of this bill the result of any demand on the part of the people of the District? Was that the origin of it? Why was this change proposed? What was the genesis of it?

Mr. JONES of Washington. My recollection is that the bill was framed largely as the result of the investigation of the special committee into food conditions, and so forth, here in the District. I think the Senator from Delaware can answer the question more certainly than I can.

Mr. BALL. Mr. President, the real cause of the starting of the investigation was the increase in the price of the loaf of bread and the reduction in its size. Senators will remember that it was brought out in that investigation that there was no fixed size.

That probably was the origin of the bill. Then we found that bread was not the only thing sold practically by guesswork, without any fixed weight or any fixed manner of selling.

Mr. SMITH of South Carolina. Does this bill provide any extra machinery for the enforcement of the law?

Mr. BALL. None whatever. It changes the title, probably, of the sealer of weights and measures. I do not know whether that was his title before or not.

Mr. THOMAS. This bill is confined to the District of Columbia, is it not?

Mr. SMITH of South Carolina. Is the bill confined entirely to the District of Columbia?

Mr. BALL. Entirely to the District of Columbia.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill? The Chair hears none.

The Senate, as in Committee on the Whole, proceeded to consider the bill (H. R. 8067) to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, on page 3, line 7, after the word "approve," to strike out the comma and insert the word "and," and, in the same line, after the word "seal," to strike out the word "and," so as to read:

SEC. 3. That the superintendent and, under his direction, his assistants and inspectors shall have exclusive power to perform all the duties provided in this act. They shall at least every six months, and oftener when the superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve and seal, stamp, or mark in the manner prescribed by the commisisoners such devices or appliances as conform to the standards kept in the office of the superintendent, and shall seize and destroy or mark, stamp, or tag with the word "condemned" such as do not conform to the standards, and shall also mark the date of such condemnation upon the same, etc.

The amendment was agreed to.

The next amendment was, on page 7, line 22, before the word "delivery," to insert the word "a," so as to read:

No person shall deliver or attempt to deliver any coal, charcoal, or coke without accompanying same by a delivery ticket and a duplicate thereof, the original of which shall be in ink or other indelible substance, on each of which shall be expressed distinctly in pounds, avoirdupois, the gross weight of the load, the tare of the delivery vehicle or receptacle, and the net weight of coal, charcoal, or coke contained in the vehicle or receptacle used in making delivery, with the name and address of the purchaser and the name and address of the person, firm, or corporation from whom or which purchased.

The amendment was agreed to.

The next amendment was, on page 12, before the word "vegetables," to strike out the word "and," so as to read:

(a) That standard barrel for fruits, vegetables, and other dry commodities, other than cranberries, shall be of the following dimensions when measured without distention of its parts.

The amendment was agreed to.

The next amendment was, on page 18, to strike out lines 5 to 11, both inclusive, in the following words:

That a barrel of flour shall contain 200 pounds avoirdupois, net weight, and fraction parts thereof shall contain proportionate net weight.

A standard sack or bag of potatoes shall contain 90 pounds of potatoes at the time of sale, and potatoes shall not be sold by the sack or bag in other than standard sacks or bags.

The amendment was agreed to.

The next amendment was, in section 18, page 18, line 17, after the word "four," to strike out "thousand three hundred and seventy-five tens of," and insert "hundred and thirty-seven"; on line 19, after the word "and," to strike out "twenty-one thousand eight hundred and seventy-five tens of" and insert "two hundred and eighteen"; on line 22, after the word "ounce," to strike out "one and eight thousand and forty-seven thousandths" and insert "one and eight-tenths"; and on line 24, after the word "foregoing," to strike out "capacity" and insert "capacities," so as to make the section read:

SEC. 18. That the standard liquid gallon shall contain 231 cubic inches; the half gallon, 115.5 cubic inches; the quart, 57.75 cubic inches; the pint, 28.875 cubic inches; the half pint, 14.437 cubic inches; the gill, 7.218 cubic inches; the fluid ounce, 1.8 cubic inches; and to liquid measure of other than the foregoing capacities, except multiples of the gallon, shall be deemed legal liquid measure in the District of Columbia.

The amendment was agreed to.

The next amendment was, in section 27, page 22, line 4, after the word "by," to strike out the word "the" and insert "this," so as to make the section read:

SEC. 27. That the powers and duties granted to and imposed on the superintendent by this act are also hereby granted to and imposed on his assistants and inspectors when acting under his instructions.

The amendment was agreed to.

The next amendment was, on page 23, after line 15, to strike out:

SEC. 33. That the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, as amended, is hereby repealed.

And to insert:

SEC. 33. That this act shall become operative 90 days after its passage. The act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, as amended, and the act entitled "An act defining the standard shape and size of dry measures in use in the District of Columbia, and for other purposes," approved May 30, 1896, are hereby repealed, such repeal to be effective when this act becomes operative.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LABORATORY GLASSWARE, OPTICAL GLASS, ETC.

Mr. FRELINGHUYSEN. I ask unanimous consent for the present consideration of H. R. 7785, to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, and scientific and surgical instruments.

The VICE PRESIDENT. Is there any objection?

Mr. UNDERWOOD. I object.

The VICE PRESIDENT. Objection is made.

OSCAR SMITH.

Mr. STERLING. I ask unanimous consent for the present consideration of H. R. 644, for the relief of Oscar Smith. This is a very meritorious case.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

Mr. SMOOT. Let the bill be read.

The reading clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar Smith the sum of $108.04 for service performed by him in carrying the mail between the post office and railroad station at Pactola, S. Dak., messenger route No. 259020, from March 16, 1915, to September 29, 1915: *Provided*, That no claim for said sum or any other sum be made to the Post Office Department by said Oscar Smith.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

Mr. SMOOT. Was this man paid?

Mr. STERLING. He was not paid at all. This claim is presented for the reason that he was not paid. He was a mail messenger on a regularly designated messenger route from the station to the post office, a distance of half a mile, and served for a period of over six months, and this pay is at the rate of $200 a year, and amounts to one hundred and eight dollars and some cents.

Mr. SMOOT. The Postmaster General says the claim should not be allowed.

Mr. STERLING. The Committee on Claims has made a very full report in regard to this case. It is a case where the postmaster was unable to find anyone to act as messenger except his own father. He served as a messenger. It seems that it is a rule or it may be a provision of the statutes—I do not know—that no member of the immediate family of the postmaster can act in that capacity; but in this case no one else could be found. Bids were advertised for, and no bids were received for the work, and this man had to carry the mail, and it is for that reason that the claim is here.

Mr. SMOOT. If that is the case, I do not see why the Postmaster General should report that it should not be paid.

Mr. STERLING. Well, he has said that it should not be paid.

Mr. SPENCER. Mr. President, the post office is half a mile from the station. The postmaster tried by advertisement and every means in his power to get some one to carry the mail from the station to the post office. He could get nobody, and so finally he persuaded his father to do the work. The old man did the work. The compensation can not be more than $200 a year, but there is a rule of the Post Office Department that the postmaster can not employ a member of his own family to do this work; and therefore, although the work was done, the Post Office Department has refused payment.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL POWER COMMISSION ACT.

Mr. JONES of Washington. Mr. President, I want to make another attempt to make good my promise to the Secretary of the Interior. The Senator from Missouri [Mr. SPENCER] a moment ago told me that this was not the bill he had in mind. Therefore, I ask unanimous consent for the present consideration of Senate bill 4554, intending to offer two amendments if that consent is given. It is the bill that takes from the jurisdiction of the Water Power Commission the granting of permits in national parks and leaves it with Congress.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4554) to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920, which was read, as follows:

Be it enacted, etc., That hereafter no permit, license, lease, or authorization for dams, conduits, reservoirs, power houses, transmission lines, or other works for storage or carriage of water, or for the development, transmission, or utilization of power, within the limits of any national park or national monument shall be granted or made without specific authority of Congress, and so much of the act of Congress approved June 10, 1920, entitled "An Act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920, as authorizes licensing such uses of national parks and national monuments by the Federal Power Commission is hereby repealed.

Mr. JONES of Washington. After the word "limits," on page 1, line 7, I move to amend by inserting the words "as now constituted."

The amendment was agreed to.

Mr. JONES of Washington. Then, on page 2, line 6, after the word "uses of," I move to insert the word "existing."

The amendment was agreed to.

Mr. BORAH. Mr. President, I did not feel that I was in a position to object to the consideration of this bill, as the Senator from Washington has been for a long time trying to get it before the Senate for consideration, and he was under an obligation, by reason of a promise which he made to the President and the Secretary of the Interior, to bring it up for consideration if possible. I did not desire to interfere with his bringing it before the Senate, neither have I time at this hour to discuss the bill; but I desire to record my objection to it, and I want an opportunity to vote against it. That is all I shall ever get out of it anyhow, I presume, so we might just as well consider it this afternoon.

I have understood that the bill is very generally favored by the Senate, but it seems to me to be an unwise measure, even from the standpoint of those who are advocating it, taking into consideration the reasons for it which they assign. But I can not undertake at this late hour, Mr. President, to discuss it. However, I ask for an opportunity to vote upon it.

Mr. UNDERWOOD. Mr. President, I only want to say that I happen to know something about the situation. The water power bill, which many Members of Congress were interested in securing the passage of, was in very grave danger of a presidential veto in the closing hours of the last Congress, and finally the Secretary of the Interior expressed as his main objection the fact that the power in that bill extended over the national parks, and he did not want any bill to develop power in the national parks and destroy their beauty. Finally, the Secretary agreed that he would recommend to the President to sign the bill and let it go through, if the Senator from Washington [Mr. JONES], who was acting chairman of the committee in charge of the bill, would bring before the Congress a bill to amend the water power act so as to leave out the national parks. I think in good faith we ought to pass the bill.

Mr. BORAH. Mr. President, I do not think that good faith requires us to pass it. I think that good faith does require that an opportunity shall be given for the Senate to vote upon it. Therefore I have not opposed a vote.

As I understand the bill, it all resolves itself into a simple proposition whether the parks would be better protected by the Congress of the United States or by the commission which was created by the power act.

I had some experience here in trying to protect the parks through the Congress of the United States, when we had up the famous Hetch-Hetchy proposition, and I observed that the Congress did all it could do, in that instance, to destroy that park. I think those who are advocating this bill will find in a very short time that they are not securing the protection which they think they are securing. I am just as much in favor of protecting the parks, I think, as those who are advocating this bill, but I wholly disagree with them as to how they can be best protected. Therefore I am opposed to the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR J. BURDICK.

Mr. PHELAN. I ask unanimous consent that the Senate may take up House bill 1856.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1856) for the relief of Arthur J. Burdick.

Mr. SMOOT. Is there any report on this bill?

Mr. PHELAN. Yes; I have a report of the House committee. The House has passed the bill. In the report, if the Senator will permit me, it is stated that—

On November 8, 1909, Arthur J. Burdick was permitted by the local land officers at Los Angeles, Calif., to make desert-land entry (being No. 67331) for the west half of section 31, township 1 north, range 6 east, San Bernardino meridian, containing 320 acres; the entryman made an expenditure of $1,981.68, which was necessary for reclamation. On August 8, 1910, it was discovered by the local land officers that a mistake had been made by them in allowing entry to this tract of land. A hearing as to Mr. Burdick's rights was had in the department of the General Land Office and Mr. Burdick was required to relinquish his

rights to the land; there is no dispute as to his expenditures, as shown by the letter of the Secretary of the Interior, which is hereto attached, together with departmental reports, and made a part of this report.

The man was led on this land and expended his money, and is asking to be reimbursed for what he spent. I do not know him personally, but he is a poor man.

Mr. SMOOT. I do not know why the Committee on Claims should have reported this bill. I have had a claim before that committee for a poor woman who made an entry upon a piece of land near Salt Lake City, who built a house on it, and began to farm on it. She paid her fees to the land office, and her filing was accepted. Fort Douglas was near to the land, and the officials decided that they wanted it. It was discovered later that the receiver of the land office at Salt Lake City had made a mistake in accepting the entry. The Fort Douglas people put her bodily off, with her husband and children, and tore down everything they had built. I can not get any report from the Committee on Claims on that bill. This case does not compare with that one, but they have reported this bill. It may be that the Senator from California is a member of the Claims Committee.

Mr. PHELAN. The Senator from California is not a member of that committee.

Mr. SMOOT. I think the committee should treat all cases alike.

Mr. SPENCER. I do not know about the claim of which the Senator from Utah speaks. I am sorry I do not.

Mr. SMOOT. I have called it to the Senator's attention.

Mr. SPENCER. I shall look it up at once. Perhaps the committee can meet and act upon it. As the Senator puts it, it is a very strong case. But the claim we are now considering is the case of a man who made an entry on public land and who put some improvements on it. He was perfectly free from any negligence or lack of care on his own part. It was found that the Government itself had given him the wrong location, and that he had put his improvements upon land which the Government could not give to him; and therefore when they found that out they required him to move, of course, and the amount he had expended on his improvements and his moving, which is admitted by the department, is the amount for which this bill is drawn. There is a clear liability.

Mr. SMOOT. I am not saying that this is not a liability, but in the case of the woman I referred to there was no mistake by the Government as to the land. The land office at Salt Lake City had received her money and her filing, and she went on it and remained there for years and years, and then when the officials at Fort Douglas wanted to expand that fort to take in that piece of land, they simply ordered her off, and when they would not go off the United States marshals took her and put her and her children and her husband in a wagon and dumped them in a street down in Salt Lake City. I tried to get some report from the committee on that bill, but not a report has come from the committee.

Mr. HENDERSON. Will the Senator tell us when that happened in Utah?

Mr. SMOOT. It happened 30 years ago, and I have been trying for 18 years to get it settled.

Mr. SPENCER. May I say to the Senator from Utah that this is the first I ever heard of that claim or that bill? Certainly the Senator does not intend to say that he himself has ever called the attention of the Committee on Claims to that bill.

Mr. SMOOT. Time and time again.

Mr. SPENCER. I mean in the last two years.

Mr. SMOOT. Yes; in the last two years, Mr. President.

Mr. HENDERSON. I am a member of that committee, and I have never heard of that claim before. When did the Senator file the claim?

Mr. SMOOT. Ten years ago, and in every Congress since.

Mr. HENDERSON. It has never been called to my attention, nor has it been called up at any meeting of the committee I have attended.

Mr. SMOOT. How long has the Senator been a member of that committee?

Mr. HENDERSON. For two years.

Mr. SMOOT. Mr. President, within two years it was referred to a subcommittee, of which the Senator from South Dakota [Mr. JOHNSON] was chairman, for consideration, and he reported back favorably to the full committee, with a recommendation as to the amount, but it was not reported out of the committee. So the clerk tells me, and so the Senator from South Dakota [Mr. JOHNSON] told me.

The VICE PRESIDENT. What about this bill?

Mr. SMOOT. I have no objection to its passage.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL-TAR DYES.

Mr. FRELINGHUYSEN. I submit a communication, dated February 23, 1921, from Hon. Bainbridge Colby, Secretary of State, submitting copy of a report of the War Trade Board Section, entitled "Coal-tar dyes for which import licenses were granted during the fiscal year 1920," which I ask may be referred to the Committee on Printing, with the view of its being printed as a public document.

I will say in reference to this report that there is only one copy of it in existence. This compilation was made by some statisticians of the War Trade Board and sent to the Secretary of State. The Secretary of State prepared a copy and sent it to me. It contains very valuable information regarding the licenses issued for the importation of German dyes this year, and will be very much sought after by the manufacturing trade.

I move that it be printed as a public document, and ask that the motion be referred to the Committee on Printing.

The VICE PRESIDENT. It will be referred to the Committee on Printing.

RECESS.

Mr. JONES of Washington. I move that the Senate take a recess until 11 o'clock to-morrow, at which time I shall ask to have the river and harbor appropriation bill taken up.

The motion was agreed to; and (at 5 o'clock and 57 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 25, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 24, 1921.*

The House met at 12 o'clock noon.

Rev. C. Morgan Compher, pastor First Methodist Protestant Church, Washington, D. C., offered the following prayer:

Almighty God, our heavenly Father, we reverently bow before Thee to render our grateful thanks for Thy love and kindness and gracious care shown to us all our lives. We thank Thee for the glory of another day, for the opportunity of service which it brings. And now Thy servants come before Thee and pray for Thy blessing and Thy holy presence, without which all our efforts are in vain. And as they face the grave problems which confront our Nation, oh, God, do Thou grant to each man vigor of mind and body, and bestow abundantly of Thy wisdom, that the conclusions they may reach may redound to Thy glory and the good of our land. And, oh, God, do Thou keep us all true to the faith of our fathers, to those high ideals and lofty aspirations which are ever pleasing in Thy sight.

Continue, we pray Thee, to bless us in basket and in store, that we may be able to minister to the needs of all who call upon us.

Forgive our sins, and if in the busy hours of this day we should forget Thy will, hold us in loving remembrance and bring to pass, even, oh, Lord, that which is written: "Blessed is the nation whose God is the Lord, and the people whom He hath chosen for his own inheritance."

And Thine shall be the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOUR OF MEETING FOR THE WEEK.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that for the balance of the week the meeting hour shall be 11 o'clock a. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that for the balance of the week the hour of meeting shall be 11 o'clock a. m. Is there objection? [After a pause.] The Chair hears none.

EVENING RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess this evening from 6 until 8 o'clock.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House shall stand in recess this evening from 6 until 8 o'clock. Is there objection?

Mr. GARD. Reserving an objection, what is the purpose of the recess?

Mr. MONDELL. To give the gentlemen an opportunity to get their dinners.

Mr. GARD. Two hours will afford a very generous opportunity to enable one to get his dinner. I appreciate that. The intention of my question was as to what legislation the gentleman thought would be up.

Mr. MONDELL. We have several conference reports, and I imagine they will run into the evening.

Mr. GARD. In the opinion of the gentleman, it is desirable to have an evening session?

Mr. MONDELL. Yes.

Mr. WINGO. Can the gentleman give us an idea whether we will have evening sessions the rest of the time? I am not objecting at all.

Mr. MONDELL. I think it will be necessary to hold evening sessions from now on.

Mr. WINGO. I think that the gentleman's policy of taking a recess to allow dinner is a good one, and really will save time.

Mr. MONDELL. I am making it at the request of several gentlemen on both sides, who thought it better to have a recess than to hold sessions continuously.

Mr. WINGO. And for special reasons that would be the gentleman's policy for the rest of the week, would it not?

Mr. MONDELL. It would.

Mr. McCLINTIC. Is it your policy to have a recess every evening when you have a night session?

Mr. MONDELL. It seems to me that would be a better policy, unless gentlemen may express a different opinion.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming [Mr. MONDELL]? [After a pause.] The Chair hears none.

DRAINAGE OF INDIAN LANDS—VETO MESSAGE.

Mr. SNYDER. Mr. Speaker, I rise to present a privileged report from the Committee on Indian Affairs of the House.

The SPEAKER. The gentleman from New York presents a privileged report, which the Clerk will report.

The Clerk read as follows:

An act (H. R. 517) entitled "An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes," approved March 27, 1914. (38 Stats., 310, Public, No. 77.)

Mr. SNYDER. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. WALSH. Mr. Speaker, the Clerk read the title of the bill. How is there any privilege to that?

Mr. SNYDER. There is a report attached there which the Clerk did not read.

Mr. WALSH. I think we ought to know.

Mr. SNYDER. There is a report there that should be read.

The SPEAKER. The Chair thinks the report is a subject for debate. It is a vetoed bill.

Mr. WALSH. The gentleman from New York did not say anything about a vetoed bill.

Mr. SNYDER. I supposed the report would be read.

Mr. WALSH. The Clerk read only the title.

Mr. SNYDER. Mr. Speaker, would it be in order to have the report read?

The SPEAKER. Yes.

Mr. SNYDER. Then I ask that the report be read.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

Your Committee on Indian Affairs of the House, to which was referred the bill (H. R. 517) entitled "An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes," approved March 27, 1914 (38 Stats., 310; Public, No. 77), together with the objections of the President thereto, having reconsidered said bill and the objections of the President thereto, report the same back to the House with the recommendation that said bill do pass, the objections of the President to the contrary notwithstanding.

The SPEAKER. The gentleman from Oklahoma [Mr. McKEOWN] is recognized for five minutes.

Mr. McKEOWN. Mr. Speaker, I would not at this busy period in the session have imposed this matter upon the House or asked the Committee on Indian Affairs to report it but for the fact that this measure is of vast importance to the people of my State, and the further fact that the measure does not do what the President thought it did in the statement he makes in his veto. In the veto message he stated that it seemed to him that this bill took away from the Indians some safeguards which did not appear necessary to be taken.

Now, this bill changes existing law in only two particulars. It strikes out the words "or the United States," on page 2, line 10, and on page 2, line 25, it strikes out this language:

Provided further, That in any event such assessments on any Indian allotment shall not exceed $15 per acre, and no such assessment shall be made unless the Indian allottee affected or his legal guardian shall consent thereto and.

Here is the situation: The streams of Oklahoma as a rule flow from the west to the east. Oklahoma is made up of two Territories, the old Territory of Oklahoma and the Indian Territory. This bill affects only the Five Civilized Tribes. Here is what happens: You can organize a drainage district on the old Territory of Oklahoma, and bring the drainage ditch down to the line of the Indian Territory, and there, because some individual Indian objects, you can not organize the district, and the result is that the water is dumped upon the land of the Indians and the white men who live across the line in the old Territory.

For that reason, and to cure that, this amendment was offered. The only change it makes is that it will not permit one individual Indian by objecting to defeat the creation of an entire drainage district.

I want to call attention to the fact that under the existing law there is no assessment against the Indian lands. The only provision is that in the event a drainage district is created and the Indian has any money here in Washington in the hands of the Secretary of the Interior, the Secretary, if he approves the assessment—and he must examine and must approve or disapprove it, if he sees fit——

Mr. CARTER. And it is no lien on the land——

Mr. McKEOWN. And it is no lien upon the land at all; if he has no money—and a great number of them are in that condition—if they have no money here in the Treasury in the care of the Secretary of the Interior, it does not hurt them at all. But if the restricted Indians object, it does tie up all the drainage in the eastern part of the State of Oklahoma.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BUTLER. Did the Secretary of the Interior approve the bill?

Mr. McKEOWN. The Secretary of the Interior in his report to the Senate approved the bill as it passed the House and as it went to the Senate, and no objection was called to my attention to the form it passed finally.

Mr. SNYDER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Shall the House pass the bill, the views of the President to the contrary notwithstanding? Those in favor of so passing the bill will, when their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 323, nays 18, answered "present" 1, not voting 86, as follows:

YEAS—323.

Ackerman	Denison	Hernandez	McAndrews
Almon	Dent	Hersey	McArthur
Anderson	Dewalt	Hickey	McClintic
Andrews, Md.	Dickinson, Iowa	Hicks	McDuffie
Andrews, Nebr.	Dickinson, Mo.	Hill	McFadden
Ashbrook	Dominick	Hoch	McKenzie
Ayres	Dooling	Hoey	McKeown
Babka	Dowell	Holland	McLaughlin, Mich.
Barbour	Drane	Houghton	McLaughlin, Nebr.
Barkley	Dunbar	Howard	McLeod
Bell	Dupré	Hudspeth	McPherson
Benson	Dyer	Hulings	MacGregor
Black	Eagan	Hull, Iowa	Magee
Bland, Ind.	Echols	Humphreys	Major
Bland, Va.	Elliott	Husted	Mann, Ill.
Boles	Elston	Hutchinson	Mansfield
Bowers	Emerson	Igoe	Mapes
Bowling	Esch	Ireland	Martin
Box	Evans, Nebr.	Jacoway	Mason
Brand	Evans, Nev.	James, Va.	Mays
Briggs	Fairfield	Jefferis	Merritt
Brinson	Ferris	Johnson, Ky.	Michener
Brooks, Ill.	Fields	Johnson, Miss.	Miller
Brooks, Pa.	Fisher	Johnson, Wash.	Minahan, N. J.
Browne	Flood	Jones, Pa.	Monahan, Wis.
Buchanan	Focht	Juul	Mondell
Burdick	Fordney	Kahn	Montague
Burroughs	Foster	Kearns	Moore, Ohio
Butler	Frear	Keller	Moore, Va.
Byrnes, S. C.	Freeman	Kelley, Mich.	Morin
Byrns, Tenn.	French	Kelly, Pa.	Mott
Caldwell	Fuller	Kendall	Murphy
Campbell, Kans.	Gallivan	Kennedy, R. I.	Neely
Campbell, Pa.	Ganly	Kettner	Nelson, Mo.
Caraway	Glynn	Kincheloe	Nelson, Wis.
Carew	Godwin, N. C.	King	Newton, Minn.
Carter	Good	Kinkaid	Newton, Mo.
Chindblom	Goodall	Knutson	Nicholls
Christopherson	Goodykoontz	Kraus	Nolan
Coady	Gould	Kreider	O'Connell
Cole	Graham, Ill.	Lampert	O'Connor
Collier	Green, Iowa	Langley	Ogden
Cooper	Greene, Mass.	Lanham	Oldfield
Copley	Greene, Vt.	Lankford	Oliver
Crago	Griest	Larsen	Olney
Cramton	Griffin	Layton	Osborne
Crisp	Hadley	Lazaro	Overstreet
Cullen	Hardy, Colo.	Lea, Calif.	Padgett
Currie, Mich.	Hardy, Tex.	Lesher	Paige
Dale	Harreld	Linthicum	Park
Dallinger	Harrison	Little	Parker
Darrow	Hastings	Longworth	Parrish
Davis, Minn.	Haugen	Luce	Patterson
Davis, Tenn.	Hawley	Lufkin	Peters
Dempsey	Hayden	Luhring	Phelan

Porter	Rucker	Stephens, Miss.	Vinson
Pou	Sanders, Ind.	Stephens, Ohio	Voigt
Purnell	Sanders, La.	Stevenson	Volk
Quin	Sanders, N. Y.	Stiness	Volstead
Radcliffe	Sanford	Strong, Kans.	Ward
Raker	Schall	Strong, Pa.	Wason
Ramsey	Scott	Summers, Wash.	Watkins
Ramseyer	Sells	Sweet	Watson
Randall, Calif.	Sherwood	Swindall	Weaver
Randall, Wis.	Shreve	Swope	Welling
Ransley	Siegel	Tague	Welty
Rayburn	Sinclair	Taylor, Ark.	Whaley
Reavis	Sinnott	Taylor, Colo.	White, Kans.
Reber	Sisson	Taylor, Tenn.	White, Me.
Reed, N. Y.	Slemp	Temple	Williams
Reed, W. Va.	Smith, Idaho	Tillman	Wilson, La.
Rhodes	Smith, Ill.	Tilson	Wilson, Pa.
Ricketts	Smith, Mich.	Timberlake	Wingo
Riddick	Smith, N. Y.	Tincher	Winslow
Robinson, N. C.	Smithwick	Tinkham	Wood, Ind.
Rodenberg	Snell	Towner	Woods, Va.
Rogers	Snyder	Treadway	Wright
Ronjue	Steagall	Upshaw	Yates
Rose	Stedman	Vaile	Young, N. Dak.
Rouse	Steele	Venable	Young, Tex.
Rowe	Steenerson	Vestal	

NAYS—18.

Aswell	Drewry	Lee, Ga.	Stoll
Begg	Evans, Mont.	Madden	Sullivan
Blanton	Gallagher	Pell	Walsh
Carss	Gard	Sims	
Cleary	Jones, Tex.	Small	

ANSWERED "PRESENT"—1.

Huddleston

NOT VOTING—86.

Anthony	Donovan	Johnston, N. Y.	Rainey, Henry T.
Bacharach	Doremus	Kennedy, Iowa	Rainey, John W.
Baer	Doughton	Kiess	Riordan
Bankhead	Dunn	Kitchin	Robsion, Ky.
Bee	Eagle	Kleczka	Rowan
Benham	Edmonds	Lehlbach	Rubey
Bland, Mo.	Ellsworth	Lonergan	Sabath
Britten	Fess	McCulloch	Scully
Brumbaugh	Fish	McGlennon	Sears
Burke	Gandy	McKiniry	Sumners, Tex.
Candler	Garner	McKinley	Thomas
Cannon	Garrett	McLane	Thompson
Cantrill	Goldfogle	Maher	Vare
Casey	Goodwin, Ark.	Mann, S. C.	Walters
Clark, Fla.	Graham, Pa.	Mead	Webster
Clark, Mo.	Hamill	Milligan	Wheeler
Classon	Hamilton	Moon	Wilson, Ill.
Connally	Hays	Mooney	Wise
Costello	Hersman	Moores, Ind.	Woodyard
Crowther	Hull, Tenn.	Mudd	Zihlman
Curry, Calif.	James, Mich.	Perlman	
Davey	Johnson, S. Dak.	Rainey, Ala.	

So, two-thirds voting in the affirmative, the bill was passed, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

Mr. DUNN with Mr. CLARK of Missouri.
Mr. FESS with Mr. GARRETT.
Mr. CANNON with Mr. CLARK of Florida.
Mr. BRITTEN with Mr. CANDLER.
Mr. ZIHLMAN with Mr. HERSMAN.
Mr. LEHLBACH with Mr. CONNALLY.
Mr. THOMPSON with Mr. SUMNERS of Texas.
Mr. MUDD with Mr. HENRY T. RAINEY.
Mr. WILSON of Illinois with Mr. BEE.
Mr. CROWTHER with Mr. BANKHEAD.
Mr. ANTHONY with Mr. RUBEY.
Mr. WOODYARD with Mr. CANTRILL.
Mr. EDMONDS with Mr. CASEY.
Mr. HAMILTON with Mr. BRUMBAUGH.
Mr. KENNEDY of Iowa with Mr. GOODWIN of Arkansas.
Mr. WHEELER with Mr. JOHN W. RAINEY.
Mr. MOORES of Indiana with Mr. KITCHIN.
Mr. MCKINLEY with Mr. HULL of Tennessee.
Mr. FISH with Mr. GANDY.
Mr. COSTELLO with Mr. DOREMUS.
Mr. BAER with Mr. DAVEY.
Mr. WEBSTER with Mr. RIORDAN.
Mr. WALTERS with Mr. THOMAS.
Mr. JOHNSON of South Dakota with Mr. JOHNSTON of New York.
Mr. PERLMAN with Mr. MILLIGAN.
Mr. ROBSION of Kentucky with Mr. MCGLENNON.
Mr. KLECZKA with Mr. SEARS.
Mr. CURRY of California with Mr. MOON.
Mr. VARE with Mr. RAINEY of Alabama.
Mr. JOHNSON of Washington with Mr. WISE.
Mr. MCCULLOCH with Mr. MEAD.
Mr. GRAHAM of Pennsylvania with Mr. MAHER.
Mr. BURKE with Mr. DOUGHTON.
Mr. ELLSWORTH with Mr. SABATH.
Mr. KIESS with Mr. GARNER.
Mr. CLASSON with Mr. DONOVAN.
Mr. BACHARACH with Mr. GOLDFOGLE.
Mr. JAMES of Michigan with Mr. MOONEY.
Mr. BENHAM with Mr. MCKINIRY.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphin Street, in said city, across the United States military reservation known as the Jackson Barracks.

The message also announced that the Senate had passed with amendments the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, had requested a conference with the House of Representatives, and had appointed Mr. GRONNA, Mr. KENYON, Mr. MCNARY, Mr. GORE, and Mr. SMITH of South Carolina as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 161) to exempt the New York State Barge Canal from the provisions of section 201 of H. R. 10453.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922; had agreed to the amendments of the House to the amendments of the Senate numbered 14, 17, 20, 25, 26, 27, 32, 40, 42, 43, 60, 61, 62, 64, 82, 94, 95, 101, 102, 109, 129, and 130; had receded from its amendments numbered 53, 65, 83, 104, and 106.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments by the Senate to the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, had agreed to the amendments of the House to the amendments of the Senate numbered 40, 52, 53, and 62, and had receded from its amendment numbered 33.

The message also announced that the Senate had passed without amendment House joint resolution 465, for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GRONNA, Mr. MCNARY, and Mr. SMITH of South Carolina as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

POST OFFICE APPROPRIATION.

Mr. MADDEN. Mr. Speaker, I call up the conference report on the Post Office appropriation bill.

The SPEAKER. The gentleman from Illinois calls up the conference report on the Post Office appropriation bill. When the House adjourned last night the vote was being taken on amendment No. 12, which the Clerk will report.

The Clerk read as follows:

Amendment No. 12: Page 7, line 21, after the figures "$6,000,000," insert: "*Provided*, That the Postmaster General may, under such rules and regulations as he shall prescribe, authorize the delivery of special-delivery matter without obtaining a receipt therefor: *Provided further*, That nothing herein contained shall be construed as excusing the delivery of special-delivery matter by messenger in the first instance."

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MADDEN] that the House recede and concur in the Senate amendment.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield for a question?

Mr. MADDEN. Certainly.

Mr. McCLINTIC. Will not this amendment have the effect of destroying the privilege that a person now has of demanding a receipt for a registered letter?

Mr. MADDEN. It will have no effect at all on registered letters.

Mr. McCLINTIC. It will not affect the receipts which may be demanded for registered letters?

Mr. MADDEN. No; not at all.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 13: Page 8, line 20, insert: "*Provided further*, That the Postmaster General may contract with any individual, firm, or corporation for an airplane mail service between such points as he may deem advisable and designate, in case such service is furnished at an actual cost not greater than the cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes."

Mr. MADDEN. Mr. Speaker, I move to recede and concur with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves that the House recede from its disagreement to Senate amendment No. 13 and agree to the same with the following amendment: In lieu of the matter inserted by the said amendment insert the following: "*Provided further*, That the Postmaster General may contract with any individual, firm, or corporation for the transportation of mail by airplane between such points as he may deem advisable and designate in case such transportation service is furnished at a cost not greater than the actual cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes."

Mr. MADDEN. I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker and gentlemen of the House, I intend to support this amendment of the gentleman from Illinois, which authorizes the Postmaster General to contract for the carrying of mail by airplane, with proper restrictions. I want to address my remarks to the next amendment, which is a graft on the Public Treasury in the way of an appropriation of $1,500,000 for carrying mail, when they know it is pure waste. I have examined the hearings before the Appropriations Committee in the attempt they have made to get this appropriation, and there is not one word of testimony in those hearings that would warrant this appropriation. I am not sure that I have the figures in mind, and I want the chairman of the subcommittee [Mr. MADDEN] to answer a question or two. How much of this money that was appropriated last year was used by the Post Office Department to buy German airplanes?

Mr. MADDEN. Two hundred thousand dollars, according to the report.

Mr. TINCHER. And how many planes did they buy?

Mr. MADDEN. Eight.

Mr. TINCHER. What has become of those planes?

Mr. MADDEN. Three of them were burned up.

Mr. TINCHER. And what became of the pilots of those planes?

Mr. MADDEN. Those men were burned up.

Mr. TINCHER. And that is the way this appropriation, which is unconscionable, is being used. Now, they have offered to alight in my district, so this matter is not personal with me. Yesterday they pulled off the ordinary demonstration, that is as old as the hills, for the purpose of preventing any opposition to this appropriation. I can remember as a boy, when the Navy was asking for appropriations to build battleships and the bill was pending in Congress, we always had a war just before they had the naval appropriation bill up for consideration. A day or two ago, knowing that this matter was coming up, they made a showing of how quickly they could fly from San Francisco to New York. They burned up only one man in one plane and got across with about a shirt tail full of mail. They wanted to justify this raid on the Treasury for $1,500,000. I am in sympathy with the man who is going to administer the affairs of the Post Office Department after the 4th of March, if I am correctly advised as to who he is, and I am speaking in his favor now, because the men who have airplane stations in their district are expected to be in favor of this appropriation. Take Omaha, for instance. I see they carried a couple of sacks of mail to Omaha from Chicago and beat a train two or three hours. Of course, the Omaha Representative must be for that. The airplane station is a nice place to go and show folks where they alight with the airplanes. Perhaps for the amusement of the folks in Omaha they burned a few of these German airplanes there. I do not know.

I say to you that the testimony offered before the Appropriations Committee asking for a million and a half dollars would not get for a widow $2.50 by an honest jury as between man and man, and still I think it will be sufficient on a roll call, if we have an opportunity to have one, to extract from the Public Treasury for the benefit of a few cities where they will have the alighting places for airplanes, a million and a half dollars. It may be that you think I am not sincere in fighting this, but I want to stop this graft from the Public Treasury. [Applause.]

Mr. ROUSE. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ROUSE. Will the gentleman explain the difference between his amendment and the Senate amendment?

Mr. MADDEN. The difference is that the Senate amendment provides that the Postmaster General may contract for airplane mail service. My amendment proposes that the Postmaster General may contract for the transportation of mail by airplane. Now, there is quite a distinction between transporting mail by airplane and contracting for airplane mail service. We do not know what airplane mail service means. We do not know what transportation of mail by airplane means. We know that under the language that is sought to be amended, during the last year the Postmaster General did establish a number of routes that were not authorized by this language, and for which he expended $488,000, and for which he came to the Appropriations Committee and asked a deficiency. We thought that if we were going to authorize the Postmaster General to contract for carrying the mail by airplane that we ought to say so. We say that in respect to transportation of mail by rail and by ships, and we thought we ought to say the same in respect to the transportation of mail by air.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. MANN of Illinois. This provision is in the existing law. How much mail is now being carried in this way under this provision of law?

Mr. MADDEN. Under this provision of law there is a route between New York and Washington, but I do not know how much mail they carry. There is another one from Chicago to St. Louis, and to Minneapolis and St. Paul, and I think one in the extreme Northwest. These routes were established by the Postmaster General without any authority of law and have been used presumably as the result of this language.

Mr. MANN of Illinois. The Postmaster General must claim that the mail is carried by airplane at no greater expense than would occur if carried by train.

Mr. MADDEN. I will say to my colleague that the Postmaster General under this provision during the last year did let a contract, amounting to $685,000 in the aggregate, for the transportation of mail by air between New York and Atlanta and between other points, and the contract price would be about ninety times what the actual rail rates would be.

Mr. STEENERSON. Will the gentleman yield?

Mr. MADDEN. I will yield to the gentleman.

Mr. STEENERSON. I think the gentleman is slightly inaccurate about carrying the mail under this provision. As I understand, there has been no mail carried by virtue of the contract provision; that is, the mail is authorized to be carried by contract if the contract price does not exceed the cost by rail transportation. What they have done is to carry the mail on routes the gentleman has mentioned under section 3 of the appropriation act of June 30, 1921, third section. Where it authorizes the Secretary of War to turn over airplanes to the Post Office Department, and the Postmaster General is authorized to use the same for the transportation of mail. The section reads as follows:

SEC. 3. That the Secretary of War is authorized hereafter, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time, such motor vehicles, airplanes, and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for use in the Postal Service; and the Postmaster General is authorized to use the same in the transportation of the mails and to pay the necessary expenses thereof, including the re-

placement, maintenance, exchange, and repair of such equipment, out of any appropriation available for the service in which such vehicles or airplanes are used.

We had a hearing before my committee recently, and we asked Mr. Corrydon, of the air mail service, by what authority he was establishing these routes, and he said by virtue of section 3.

Mr. MADDEN. There has been no appropriation made for that purpose.

Mr. STEENERSON. No; the money must be taken from the appropriation for the transportation of mail by railroad, because there is no other fund. But the fact is this is the only claim for authority, because the contract provision that has been quoted has never been performed. Contracts have been made, but no service has been yet performed under them. The contract has been waiting on the action of Congress.

Mr. DYER. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. DYER. I wanted to call to the attention of the gentleman from Illinois that that provision is still the law, and this does not affect that provision. In my opinion, the department has no authority to establish new lines under said section 3. The only authorized route is the transcontinental route, and this service to Washington, Chicago, and Minneapolis, and so forth, is illegal. There is no appropriation out of which that service can lawfully be paid.

Mr. BLACK. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. BLACK. The gentleman from Minnesota has very accurately stated that the Post Office Department is operating this service, which the gentleman mentions, under section 3 of the appropriation bill for the fiscal year 1921. In answer to the criticism directed against the Post Office Department as having exceeded its authority, I think it is fair to state that the matter was submitted to the Auditor of the Post Office Department, and if the gentleman from Illinois will permit me, I will read the auditor's opinion.

Mr. MADDEN. I would be the last man to do anyone an injustice.

Mr. BLACK. I am sure the gentleman feels that way, but there has been a good deal of criticism of the Postmaster General about this particular matter, and that is why I have asked to read what the auditor says. It is:

As you know, this office is not authorized to render a decision in advance of the settlement of accounts; but in view of the very short time between the approval of the act and the date it goes into effect, and your statement that the Post Office Department must act at once on options for material, personnel, and fields for service, I advise you informally that this office concurs in the interpretation the Post Office Department places upon this legislation, viz, that the aviation and truck material turned over to the Post Office Department by the Secretary of War may be operated in the Postal Service on and after July 1, 1920, and paid for out of the appropriation for railway transportation, power-boat transportation service, or out of the appropriation for any other service in which such planes or trucks are used.

That was the opinion of the Auditor for the Post Office Department, and it was upon that opinion that the Postmaster General has operated this service. I admit that such construction of the language referred to seems to me to be contrary to the intent of Congress, but nevertheless it was made, as I have stated.

Mr. MADDEN. I am very glad, indeed, that the gentleman from Texas [Mr. BLACK] has read that opinion into the RECORD.

Mr. STEENERSON. Why not get the opinion of the Comptroller of the Treasury? The auditor has no authority to grant an opinion of that kind.

Mr. MADDEN. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. ANDREWS.]

Mr. ANDREWS of Nebraska. Mr. Speaker, the ruling of the Auditor for the Post Office Department is not conclusive authority. The auditor is right in saying that he has no authority to render an advance opinion. The law specifically provides that the Comptroller of the Treasury may render an advance opinion, and that opinion will be final and conclusive upon all the officers of the Government in the adjustment of the accounts. The opinion of an auditor in advance, as given in this case, is wholly out of the order and is not worth the paper it is written on.

Mr. GRIEST. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GRIEST. In connection with the inquiry, I think of the gentleman from Illinois [Mr. MANN], in respect to the relative cost of transporting mail in the air and by rail, it may be interesting to the House to know that it was stated yesterday before the Postal Commission that the cost per pouch of taking mail from New York to Cleveland by air is $56 and the cost of taking it by car is 41 cents.

Mr. MADDEN. Mr. Speaker, I ask for a vote.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CANNON. What is the gentleman's amendment?

Mr. MADDEN. To provide for giving authority to the Postmaster General to contract for airplane mail transportation at a cost not higher than mail transportation.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 14: Page 9, line 4, insert "For the operation and maintenance of the airplane mail service between New York, N. Y., and San Francisco, Calif., via Chicago, Ill., and Omaha, Nebr., including necessary incidental expenses and employment of necessary personnel, $1,500,000."

Mr. MADDEN. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment which I send to the desk and ask to have read.

The Clerk read as follows:

In lieu of the sum named in said amendment insert "$1,250,000."

Mr. MADDEN. Mr. Speaker, this is an item upon which I think it is fair the House should be thoroughly advised. It will be recalled that last year in the Post Office appropriation bill authority was granted for the establishment of an airplane mail route between New York and San Francisco. The object principally was to experiment not only in the more expeditious movement of the mail, but also to experiment in flying under varying climatic and altitudinal conditions. The thing that led the House to act in favor of the establishment of this route at that time was that while we were experimenting in the development of airplane flying, we might also properly get some revenue, and that could only be had through carrying the mail. I think it is the consensus of opinion among the advanced thinkers of America that the United States ought to keep abreast of the other nations of the world in the development of aircraft, and while I have said more than once that if we undertook to carry the mail in any large quantities by air it would be unjustifiable because of the excessive cost, yet I believe that we would not be justified in eliminating this particular experiment. The cost of carrying mail by train is about 7 cents per ton-mile. The cost of carrying mail by air is about $5.50 per ton-mile. The cheapest rate at which an airplane can run without carrying anything at all is $1 a mile, and I doubt if that cost will be reduced much, because it is said that the life of a plane is 150 hours of actual flying. The cost of these planes is high. However, the people all over the route from New York to San Francisco have been delighted with the thought that we were giving an opportunity for them to see the new scientific development in the air, and they have at their own expense prepared landing fields and airdromes, and have welcomed the introduction of this activity with an enthusiasm which may not be justified by the expense, but which nevertheless does exist.

It is said that we advance the mail by reason of this method of transportation, and we do to some extent, but not to the extent that the air mail enthusiasts argue. However, whether we advance it or not, whether the cost is higher as compared with the cost of land transportation or not, it seems to me that we can not afford to say to America that we are not as farseeing in our desire for the development of aeronautics as any other nation in the world; and, further, I think we can well afford to spend $1,000,000 a year or a little over to try out the development and encourage people to enter aeronautics from a commercial standpoint. Whether they will ever be able to do that successfully, I do not know; but, for one, although opposed to the tremendous cost, I feel that I would be derelict in the proper discharge of my duty if I did not present the facts as I now present them and urge the adoption of the Senate amendment with the amendment which I have proposed.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CANNON. I just voted for the gentleman's amendment that it should be carried at a cost not exceeding the cost of other mail service. The gentleman now offers an amendment to make a special appropriation of $1,250,000 instead of the Senate amount of $1,500,000.

Mr. MADDEN. Yes.

Mr. CANNON. I listened with interest to the gentleman from Kansas [Mr. TINCHER]. What the gentleman now proposes is a mere show. The people can get that at the circuses and they can get it by viewing the voluntary flying here and there. I do not believe, under existing conditions, that we are authorized to spend $1,250,000 a year merely for show.

Mr. MADDEN. Mr. Speaker, will the gentleman permit an interruption?

Mr. CANNON. Yes.

Mr. MADDEN. We authorized this for the current fiscal year. We began the operation in October. They have not had a fair chance to make a fair test, and it seems to me that we ought to give them at least one year more to make this test.

Mr. CANNON. It has resulted, however, in the buying of certain flying machines from Germany and other countries.

Mr. MADDEN. Only from Germany—eight of them.

Mr. CANNON. To my mind we have enough burdens as it is without running in opposition to the circuses of the country.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. TINCHER. The naval appropriation bill carries quite an appropriation for developing aeronautics.

Mr. MADDEN. About $30,000,000, I think.

Mr. TINCHER. And the military appropriation bill carries a large appropriation for developing aeronautics in the United States.

Mr. MADDEN. I suppose it will when it goes through.

Mr. TINCHER. It did as it passed this House.

Mr. MADDEN. Yes.

Mr. TINCHER. Does the gentleman believe in "duplicity" in these departments [laughter]—perhaps I ought to say in duplicating these activities in these departments—or does the gentleman think the Post Office Department is more efficient to develop aeronautics than the War and Navy Departments?

Mr. MADDEN. I wish to say this in reply to my friend, that the Post Office Department is the only department through which any revenue can be returned in any experiment which may be had in connection with the development of the Air Service.

Mr. TINCHER. Then will my friend yield? Does he think it would be a good idea to put all these experiments under the Post Office Department and do away with them in the other departments?

Mr. MADDEN. Of course, I think my friend knows that I do not believe we can carry all the mail by air, and I do not believe we ought to do it if we could.

Mr. TINCHER. The parties who appeared before the gentleman's committee and asked for this line between New York and San Francisco asked $3,500,000. The gentleman brought in the original bill for $1,250,000 and his present amendment reduced this——

Mr. MADDEN. No; this brings it to the original.

Mr. TINCHER. Now, that figure was arrived at absolutely arbitrarily?

Mr. MADDEN. Yes.

Mr. TINCHER. There is no basis for any such figure in any hearing before the committee?

Mr. MADDEN. There was no scientific calculation.

Mr. TINCHER. The only scientific calculation was by the gentleman himself in which he disclosed the inefficiency of carrying mail from New York to Chicago, taking about 12 hours more by airplane than by train and the extreme cost of carrying by airplane over carrying it by train.

Mr. MADDEN. Of course, we can not overlook the fact that it does cost a great deal more.

Mr. TINCHER. Do I understand the gentleman is advocating the carrying of this item because there is some peculiar training for a man to carry the mail? Does he think that by the airplane simply flying through the air it is going to be of equal benefit to us as these experiments of the War and Navy Departments?

Mr. MADDEN. I will say the House is only a part in the Congress, and in the consideration of this problem we have to take the views of the other side into consideration.

Mr. TINCHER. Let me say to the gentleman this matter was never mentioned on the floor on the other side, if the gentleman is worried about that.

Mr. MADDEN. It was not mentioned because there was no opposition to it.

Mr. TINCHER. I think there was.

Mr. MONDELL. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. MONDELL. The gentleman's committee when it brought in the Post Office bill brought in this item for a transcontinental air mail service, as I understand it?

Mr. MADDEN. Yes.

Mr. MONDELL. Therefore, as a matter of fact, when the gentleman moves to recede and concur he simply recommends the action that he and his committee originally recommended?

Mr. MADDEN. It would be consistent, of course.

Mr. MONDELL. Now, if the gentleman will yield me just a moment further, say, two minutes.

Mr. MADDEN. I will yield the gentleman from Wyoming three minutes.

Mr. MONDELL. Mr. Speaker, I think we all, like the gentleman from Kansas [Mr. TINCHER], wish to avoid duplication in these appropriations, likewise duplication of activities. Generally, this item, fortunately or unfortunately, as one may look at it, is one of the items with regard to the development of the science of aeronautics that has no uncertainty in it. We have various items in bills which have passed the House under which uncertain and indefinite sums can be used for the airplane service. There is such a provision in the Agricultural bill with respect to the Forest Service, under which the Forest Service can use quite a considerable appropriation for that purpose if they see fit to do so. We have placed a provision in this bill under which the Post Office Department may be tempted to make contracts not clearly within the purview of the amendment; they are proposals likely to lead to large and indefinite expenditure. Now, this is a proposal for a definite service and at a limited cost.

Mr. HUSTED. Will the gentleman yield?

Mr. MONDELL. The country expects us, in my opinion at least, to make this contribution toward the development of aeronautics. This is a contribution made in a limited way for a service now established and well under way, and I think if we are to do anything for aeronautics anywhere this item ought to be accepted.

Mr. MADDEN. I yield the gentleman from Connecticut one minute.

Mr. TILSON. Mr. Speaker, there is no duplication here. The appropriations for aviation carried in the naval appropriation bill are for the national defense in warfare carried on by the Navy. The Army appropriations are necessary in order to keep abreast of the times by having aeronautics developed in the Army branch of our national defense. We spend a substantial sum for these two services. Here is the only place where we are doing anything at all toward developing aeronautics for commercial or peaceful purposes. It seems to me that we can well afford to maintain at least one through line from the Atlantic to the Pacific and thus spend a comparatively small amount for development along commercial and peaceful lines. I do not think we can afford to neglect it. Other countries are going ahead and we should not permit this country to be left behind. We ought not to allow ourselves to be left behind in such an important matter by smaller and less progressive countries. I think the $1,250,000 is none too much.

Mr. MADDEN. I yield five minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Speaker, before the House votes upon this proposition I think we ought to know something about the facts that have been recently disclosed before various hearings of the Post Office Committee and before the Joint Commission. Now, if the House desires to maintain this present continental line, as the gentleman from Connecticut suggests, as a contribution to commercial aeronautics, that is one thing.

On the other hand, if you want to contribute to it out of the postal funds for the purpose of maintaining a show, as the gentleman from Illinois [Mr. CANNON] suggests that it is, that is another thing. But it is established, by evidence which I do not think can be successfully contradicted, that as a mail facility this service is a complete failure.

The expert testimony before the Post Office Committee showed that the mail was very little, if any, expedited by the Air Service to San Francisco. Besides, the small amount as compared with the total volume of first-class mail is so insignificant that there is not one man in ten thousand who gets a letter by air, while he has got to pay this extra expense for this extraordinary speed they claim they have attained.

Well, practically there is no advantage in the speed, either. In the Joint Commission recently, as was referred to by the gentleman from Pennsylvania [Mr. GRIEST], it appeared that not only the cost was out of proportion, but here is the transcontinental route, that starts from New York and goes to Cleveland and Chicago, and the Post Office Department reported they had 98 per cent performance, but the expert that examined it shows that the department has instructed the aviators to call a trip that started a "performance," although they never get more than a mile, perhaps, or never get to the destination. He showed that the percentage of failures to make connections with train 35 at Cleveland is 93 per cent. So that only 7 per cent of the performance on that schedule was performed, because, if they failed to make train 35, the mail came into Chicago on the same train on which it left New York, which is train 43.

Ninety-three per cent of the time the mail went to Chicago on that train; 93 per cent of the time the mail came to Chicago on the same train on which it started from New York.

Now, that is the general performance. At Omaha there is 55 per cent of failure to reach the plane by which they intend to expedite the mail, according to this testimony, and the result is that there is practically no advantage so far as expedition of the mail is concerned.

Of course, when you consider the small quantity of mail they intend to expedite, it is insignificant. So that the conclusion is irresistible that if you want to vote this as simply a contribution to commercial aeronautics you must do it on that ground, but do not do it because it helps the mail service, for it does not. I do not argue the question of whether you should contribute one million and a quarter dollars to commercial aeronautics or not. I leave that to yourselves.

Mr. MADDEN. Mr. Speaker, I yield five minutes to the gentleman from Nebraska [Mr. JEFFERIS].

Mr. JEFFERIS. Mr. Speaker and gentlemen of the House, the future of the air mail or the Air Service is one that I think should require the careful and thoughtful study of our people. It is a new service, it is true, but this Congress has deemed it wise, from the standpoint of war facilities, to make appropriations for the Army and for the Navy to develop it.

Now, if this Nation is really to exist as a great Nation, it must have, as it should have, a national viewpoint concerning these new developments. It would seem to me that nothing could do more toward solidifying the whole thought of the country than by having not only the experiments in the Air Service in the Army and in the Navy, but likewise across the center of this Republic, from one ocean to the other. [Applause.]

You may speak of it as a show, but let me remind you that when Robert Fulton first invented his steamboat the people made fun of it. The same might be said of the first engine, which has since been developed, for the hauling of the commerce of this country, and so regarding many other new inventions in their day. But, nevertheless, if we want the young people of America to have a forward-looking mind, and to undertake to develop and keep America in the forefront of the world, there is nothing that can do more in that line than the development of the Air Service.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. JEFFERIS. I will.

Mr. JOHNSON of Washington. The gentleman spoke of the route being across the center of the country. Of course, that means through the city of Omaha?

Mr. JEFFERIS. Yes.

Mr. JOHNSON of Washington. Rather than by St. Paul and the Santa Fe route?

Mr. JEFFERIS. I thank the gentleman. I am glad to say it does go through Omaha. Why? Because Omaha happens to be the center of the United States, being located halfway between the Pacific and the Atlantic Oceans, and it should have no rocks thrown toward it simply because of its natural location. I want to cite here an instance. Out there in the city of Omaha a small boy by the name of Fetters has during this past summer invented an airplane. His father is an engineer and has taken up the boy's ideas, and I believe that their combined efforts will result in an airplane in the near future that will surpass any that have been developed up to this time. The young idea, young America, is directing its thought toward the manufacture, toward the invention, of some of these things which will be of great advantage to this country, not only from a commercial standpoint but from the standpoint of war, from the standpoint of defense. For Congress here, after it has tried this experiment only one year, and after it has made the expenditure of this year, and after the cities along this route have established their hangars, and so forth, to throw it aside and discard it seems to me is not giving the air mail service a fair trial. For one, I am in favor of the motion made by the gentleman from Illinois [Mr. MADDEN]. [Applause.]

Mr. MADDEN. Mr. Speaker, I yield to my colleague, the gentleman from Illinois [Mr. CANNON], five minutes.

Mr. CANNON. Mr. Speaker, it is wonderful how we progress. And this progression commenced on an amendment reported on an appropriation by the Committee on Appropriations that I had the honor to have charge of.

Prof. Langley, the head of the Smithsonian Institution, now dead and gone, invented the airplane, the first one that was ever built on earth. The ridicule that he received was the cause of his death. He was cartooned and ridiculed all over the country. He did make a machine with the modest appropriation, as I recall it, of $10,000. It was taken on a scow down on the Potomac, and at first it did not make an extended flight. That machine is still in existence. It did this much good: The Wright brothers, those bright men—we call them "Yankees"; if not, they are first cousins of the Yankees—put their hands to the plow, and they found that what that machine needed was an engine, and an engine was constructed, in the course of time, without any appropriation from the Government. That engine was installed in this machine, and it flew all over Washington, and spread all over the world. It played an important part in the late war.

But it seems to me that there are other things under existing conditions that need appropriations more than this $1,250,000 is needed, from the standpoint of Omaha, or to show that they are still building these machines, and I have no doubt improving them. The $1,250,000 is partially to go to the people who are engaged in getting a sale for their product. I do not believe that it is necessary, or that it will forward the development of aviation one particle. That is all I desire to say.

God knows that, in unscrambling these eggs on the appropriations that we are compelled to make, this proposed appropriation of $1,250,000 should not be made. [Applause.] "Many mickles make a muckle," is an old Scotch proverb. I would be glad if we could have some regard for the taxpayers of this country, some of whom, the farmers and others, want loans, multiplying into the hundreds of millions of dollars.

You may say, "Are you selfish, CANNON, in this?" No. I am anxious where we can that we shall keep down the appropriations; and I want to say to my friends on this side of the House that something will be done unless we can keep down the appropriations and lessen taxation inside of two years and four years from now. [Applause.]

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Illinois what is to be demonstrated by the use of this appropriation that can not be demonstrated or is not already known as the result of experiments on the part of the Army and Navy?

Mr. MADDEN. The Army and Navy experiment in particular places under given circumstances. The advantage to be gained by the experiments to be pursued through this appropriation will be that flying will be done under all climatic and latitudinal conditions, making a complete record of the ability to develop the air possibilities in the mountain regions, in the frozen north, among the clouds, in the valleys, in the summer, in the winter; and there is no other route that could be selected in which all the conditions that are provided in this route could be obtained.

Mr. WALSH. Mr. Speaker, will the gentleman yield me a little time, say three minutes?

Mr. MADDEN. I yield to the gentleman three minutes.

Mr. WALSH. Mr. Speaker, I am very glad to have the information from the gentleman from Illinois [Mr. MADDEN], because I assume that the Army is not making these experiments in flying above the clouds in the various altitudinous positions and maneuvers on the theory that if we get into a war and if the conditions are unfavorable, the Army airplanes will remain on the ground and the war will stop until the altitudinous conditons are more favorable. [Laughter.]

I think that, so far as concerns the securing of any information above the clouds of the various classes of weather in which planes can be flown, it is not necessary to appropriate money for the Post Office Department to get that information. But, Mr. Speaker, there is another aspect of this matter that I think the people should take into consideration, and especially the reinforcements upon this floor to that band of raiders upon the Federal Treasury that exists elsewhere. I sometimes regret that the rigid rules of the House require one to be rather restricted in expressing his opinion as to the matters that come before us in the way of amendments from other regions. We do not want to forget that there are several other conference reports to be acted upon before we adjourn; that is, we hope to. They may have some claims upon them, put on elsewhere. We go on appropriating money, $1,250,000 in one lump. There may not be enough money to take care of those claims. Because we took down the bars and removed the hinges from the doors of the Treasury Department yesterday, here is another effort to go in and take $1,250,000 out to get some information about carrying a few mail bags through the fog or up over the mountains or down through the valleys in the incidental view of the great city of Omaha, which enjoys the great distinction of being located in the geographical center of this great Republic.

I desire to reenforce the sentiment expressed by the gentleman from Illinois [Mr. CANNON], that it is time this raid upon the Treasury of the United States should cease. We are having a perfect saturnalia of appropriations, and this Congress will

hand to the new administration a deficit increased many hundreds of thousands of dollars to make very difficult the problems that will confront the Chief Executive after the 4th of March. [Applause.]

Mr. MADDEN. Mr. Speaker, I yield to the gentleman from Texas [Mr. BLACK] three minutes.

The SPEAKER. The gentleman from Texas is recognized for three minutes.

Mr. BLACK. Mr. Speaker, I think it would be unfortunate if the House should get the opinion that this air mail service from New York to San Francisco is operated purely as an experimental service. In my judgment mail service by airplane is now a permanent establishment in the United States.

What is the objective in handling first-class mail, anyhow? The object is to handle it as rapidly as possible, to make the delivery as soon as possible. Why do we use the telegraph in preference to the mail service? Because we want to get a rapid transmittal of our communications. That is the primary purpose of the air mail service. There is where its greatest possibilities lie.

I think the House would be interested in knowing what the Post Office Department is actually accomplishing in this airplane mail service from New York to San Francisco. In the report of the Postmaster General he gives an account of its present administration.

I know the gentleman from Massachusetts and the gentleman from Minnesota have criticized this report, and yet the hearings before the committee have not impeached in any way the accuracy of these statements. Of course, they do not show that this service is a perfect success. These hearings do not show that all the difficulties have been obviated and that all the obstacles have been overcome, but they do show that the service is being operated with a measurable degree of success.

Now, what is the method of operation? The Postmaster General states it accurately in his report:

> In the operation of the New York-San Francisco service the Post Office Department had to choose between advancing 15,000 letters 42 hours, each direction, or by combining the air mail with the railway service, using trains at night to advance 64,000 letters 24 hours, each direction. It decided upon the latter policy, which is accomplished by the following operation:
>
> The plane leaves New York at daybreak with 16,000 letters that would not depart from New York for San Francisco until 8.40 o'clock that night and delivers them in Chicago that afternoon in ample time to dispatch them to the through west mail connection which left New York at 8.40 o'clock the previous night. These 16,000 letters are thus advanced 24 hours.

Now, I will not take time to read the description of the same operation as to the other three legs of the journey, for the operation is substantially the same. What is accomplished annually by this airplane mail service? The Postmaster General says that—

> The cost of operating the air mail service, including interest on investment, the writing off of losses for planes and equipment damaged beyond repair, and including every conceivable expenditure in connection with the flying of the planes, was $553,156.10.
>
> For this expenditure the air mail advanced the delivery of 23,463,120 letters 16 to 24 hours.

The report also shows that $646,143.70 was used in remodeling aircraft turned over by the War Department, in buying new necessary equipment, and things of that kind.

Now, gentlemen of the House, I am not advocating that this air-mail service be gone into on an extravagant scale, but I do believe that the country expects that we continue this utility along practical lines and expand its use as conditions justify, and I can think of no more practical route than the one between New York and San Francisco.

Mr. TILSON. Will the gentleman yield?

Mr. BLACK. I yield to the gentleman from Connecticut.

Mr. TILSON. Does the gentleman think we would be justified in stopping the only experiment in which we are now engaged, in using aviation for peaceful purposes?

Mr. BLACK. I do not; and as I have stated, I look upon it as more than an experiment. I believe it is now a permanent branch of the service.

Mr. TILSON. But it is the only experiment that we are now conducting along that line.

Mr. BLACK. Yes.

Mr. MADDEN. I yield three minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker and gentlemen, the House unhesitatingly gave appropriations for the Navy Department and for the War Department for this same service. We have had a statement of the utility that has been derived from this service through the Post Office Department. Anyone who looked into this subject after the armistice will realize that we had no airplanes that could cross the mountains. The people east of the Sierra Nevada Mountains desired an airplane service from San Francisco. They had the airplanes, and the people in those localities were ready and willing to lay down a check to pay all the expenses of the Government for sending the planes from the fields in San Francisco across the Sierra Nevada Mountains, crossing from Nevada into the northern part of California. When it came to a show-down—there is no secret about the matter, for we have the letters—the War Department had to admit that they had no planes that could cross the Sierra Nevadas, by reason of the altitude; that they had had no experience which would enable them to rise to the altitude that would be necessary and then come down into the valleys after crossing the mountains. Now, from the western coast until you strike the Atlantic you find every degree of change of climate and wind that there is. There is a practical demonstration every day, or every other day, so that these experienced men will be in a position to know what the machines will require, what the different altitudes will mean, what are the conditions of the air currents in these various valleys, and it will bring a success, just like that which has been achieved in the carrying of the mails by automobile. The same objection was made, that you could not carry the mail by automobile over the mountains, and that was only 10 years ago. The same objection is made here, where we can use a little money and get the most of it back, and we can demonstrate to the Navy Department and to the War Department, and they can get the benefit of the use that will be made by the Post Office Department, and eventually there will be a commercial service, which will be of advantage to this country not only in time of peace but if by any chance we should have a necessity for airplanes in any conflict we will have the information upon which to work and upon which to act. I hope the amendment will be agreed to by the House.

Mr. MADDEN. I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recede and concur with an amendment.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. MADDEN. I ask for a division.

Mr. BLANTON. I ask for the yeas and nays, and, pending that, I make the point of no quorum present.

Mr. KING. There has been no division.

The SPEAKER. Does the gentleman demand the yeas and nays?

Mr. BLANTON. I make the point of no quorum first.

The SPEAKER. The gentleman makes the point of no quorum present.

Mr. BLANTON. It is an automatic call, Mr. Speaker. The House is dividing.

The SPEAKER. There has been no division yet.

Mr. BLANTON. The Speaker stated that the noes appeared to have it.

Mr. KING. There has been nothing but a viva voce vote.

The SPEAKER. A quorum has not failed to vote.

Mr. BLANTON. I will withdraw the point for the present and will ask for a division.

Mr. MADDEN. I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were 94 ayes and 57 noes.

Mr. BLANTON. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll. The question is on the motion of the gentleman from Illinois that the House recede from its disagreement and concur in Senate amendment No. 14.

The question was taken; and there were—yeas 219, nays 121, answered "present" 1, not voting 87, as follows:

YEAS—219.

Ackerman	Caraway	Drane	Ganly
Almon	Carew	Drewry	Gard
Aswell	Carss	Dunbar	Glynn
Ayres	Carter	Dupré	Godwin, N. C.
Babka	Chindblom	Dyer	Greene, Vt.
Barbour	Christopherson	Eagan	Griffin
Barkley	Clark, Fla.	Elliott	Hadley
Bell	Cole	Elston	Hardy, Colo.
Benson	Collier	Esch	Hardy, Tex.
Black	Connally	Evans, Mont.	Harreld
Bland, Ind.	Copley	Evans, Nev.	Hastings
Box	Crago	Fess	Hawley
Brinson	Crisp	Fields	Hayden
Britten	Cullen	Fish	Hays
Buchanan	Darrow	Fisher	Hernandez
Burdick	Davis, Minn.	Fordney	Hill
Byrnes, S. C.	Davis, Tenn.	Frear	Hoey
Byrns, Tenn.	Dempsey	Freeman	Holland
Caldwell	Denison	Fuller	Houghton
Campbell, Pa.	Dooling	Gallivan	Howard
Candler	Doremus	Gandy	Hudspeth

Hull, Iowa	McLaughlin, Mich.	Perlman	Smith, Ill.
Hull, Tenn.	McLaughlin, Nebr.	Peters	Smith, N. Y.
Humphreys	McLeod	Phelan	Smithwick
Igoe	McPherson	Porter	Steagall
Ireland	Madden	Pou	Stedman
Jefferis	Magee	Purnell	Stephens, Miss.
Juul	Major	Radcliffe	Stephens, Ohio
Kahn	Mansfield	Raker	Stevenson
Keller	Mapes	Ramsey	Stoll
Kelley, Mich.	Martin	Ramseyer	Strong, Pa.
Kelly, Pa.	Mays	Randall, Calif.	Sullivan
Kettner	Mead	Randall, Wis.	Taylor, Colo.
Kinkaid	Merritt	Ransley	Taylor, Tenn.
Knutson	Michener	Rayburn	Temple
Lampert	Miller	Reber	Tilson
Lanham	Minahan, N. J.	Reed, N. Y.	Upshaw
Lankford	Mondell	Reed, W. Va.	Vaile
Larsen	Moore, Ohio	Rhodes	Venable
Lea, Calif.	Murphy	Rogers	Vestal
Lee, Ga.	Newton, Minn.	Rouse	Voigt
Lehlbach	Nicholls	Sabath	Volk
Lesher	Nolan	Sanders, Ind.	Ward
Linthicum	O'Connell	Sanders, N. Y.	Watson
Little	Ogden	Sanford	Weaver
Luce	Oliver	Schall	Welling
Lufkin	Osborne	Sells	Whaley
Luhring	Overstreet	Shreve	Wilson, La.
McAndrews	Padgett	Siegel	Wilson, Pa.
McArthur	Paige	Sims	Woods, Va.
McDuffie	Park	Sinclair	Wright
McGlennon	Parker	Sinnott	Young, N. Dak.
McKeown	Parrish	Sisson	Young, Tex.
McKinley	Patterson	Slemp	Zihlman
McLane	Pell	Smith, Idaho	

NAYS—121.

Anderson	Echols	Kendall	Rowe
Andrews, Md.	Edmonds	Kennedy, R. I.	Rucker
Andrews, Nebr.	Emerson	Kincheloe	Scott
Anthony	Evans, Nebr.	King	Sherwood
Ashbrook	Fairfield	Kraus	Snell
Begg	Focht	Kreider	Snyder
Bland, Va.	Foster	Langley	Strong, Kans.
Blanton	French	Layton	Summers, Wash.
Boies	Goodall	McClintic	Sweet
Bowers	Goodykoontz	McFadden	Swindall
Bowling	Gould	MacGregor	Swope
Brand	Graham, Ill.	Mason	Tague
Briggs	Green, Iowa	Monahan, Wis.	Thompson
Brooks, Ill.	Griest	Montague	Tillman
Brooks, Pa.	Harrison	Moore, Va.	Timberlake
Browne	Haugen	Moores, Ind.	Tincher
Burroughs	Hersey	Mott	Tinkham
Butler	Hickey	Mudd	Towner
Campbell, Kans.	Hoch	Neely	Treadway
Cannon	Huddleston	Nelson, Mo.	Volstead
Cleary	Hulings	Nelson, Wis.	Wason
Coady	Husted	Oldfield	Welty
Cooper	Jacoway	Olney	White, Kans.
Cramton	James, Va.	Quin	White, Me.
Currie, Mich.	Johnson, Ky.	Reavis	Williams
Dale	Johnson, Miss.	Ricketts	Wingo
Dallinger	Johnson, S. Dak.	Riddick	Winslow
Dewalt	Johnson, Wash.	Robinson, N. C.	Wood, Ind.
Dickinson, Iowa	Jones, Pa.	Robsion, Ky.	
Dominick	Jones, Tex.	Romjue	
Dowell	Kearns	Rose	

ANSWERED "PRESENT"—1.

Greene, Mass.

NOT VOTING—87.

Bacharach	Ellsworth	Lonergan	Scully
Baer	Ferris	Longworth	Sears
Bankhead	Flood	McCulloch	Small
Bee	Gallagher	McKenzie	Smith, Mich.
Benham	Garner	McKinley	Steele
Bland, Mo.	Garrett	Maher	Steenerson
Brumbaugh	Goldfogle	Mann, Ill.	Stiness
Burke	Good	Mann, S. C.	Sumners, Tex.
Cantrill	Goodwin, Ark.	Milligan	Taylor, Ark.
Casey	Graham, Pa.	Moon	Thomas
Clark, Mo.	Hamill	Mooney	Vare
Classon	Hamilton	Morin	Vinson
Costello	Hersman	Newton, Mo.	Walsh
Crowther	Hicks	O'Connor	Walters
Curry, Calif.	Hutchinson	Rainey, Ala.	Watkins
Davey	James, Mich.	Rainey, Henry T.	Webster
Dent	Johnston, N. Y.	Rainey, John W.	Wheeler
Dickinson, Mo.	Kennedy, Iowa	Riordan	Wilson, Ill.
Donovan	Kiess	Rodenberg	Wise
Doughton	Kitchin	Rowan	Woodyard
Dunn	Klecza	Rubey	Yates
Eagle	Lazaro	Sanders, La.	

So the motion was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. MANN of Illinois (for) with Mr. WALSH (against).

Mr. GOOD with Mr. FLOOD.

Mr. LONGWORTH with Mr. LAZARO.

Mr. NEWTON of Missouri with Mr. DICKINSON of Missouri.

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. RODENBERG with Mr. HENRY T. RAINEY.

Mr. YATES with Mr. SUMNERS of Texas.

Mr. MORIN with Mr. FERRIS.

Mr. CROWTHER with Mr. WISE.

Mr. COSTELLO with Mr. O'CONNOR.

Mr. ELLSWORTH with Mr. TAYLOR of Arkansas.

Mr. MCCULLOCH with Mr. DENT.

Mr. HUTCHINSON with Mr. SMALL.

Mr. STEENERSON with Mr. KITCHIN.

Mr. STINESS with Mr. VINSON.

Mr. HICKS with Mr. GARRETT.

Mr. SMITH of Michigan with Mr. WATKINS.

Mr. GREENE of Massachusetts. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. BANKHEAD, and I wish to withdraw that vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 18: Page 16, line 8, strike out lines 8, 9, and 10, which read as follows: "For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,500,000."

Mr. MADDEN. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 19: Page 16, after line 13, insert:

"SEC. 2. That the Secretary of War be, and he is hereby, authorized and empowered, at his discretion, and under such rules and regulations as he may prescribe, to loan to any State of the Union, when so requested by the highway department of the State, such tractors as are retained and not distributed under the act approved March 15, 1920, for use in highway construction by the highway department of such State: *Provided*, That all expenses for repairs and upkeep of tractors so loaned and the expenses of loading and freight shall be paid by the State, both in transfer to the State and the return to the Army."

Mr. MADDEN. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 20: Page 17, insert at the top of the page the following:

"SEC. 3. That the joint commission authorized under section 6 of the act approved April 24, 1920, entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes,' is hereby continued until June 30, 1922, to complete the investigation and to prepare a detailed report containing a summary of its findings thereof, and such recommendations as to legislation as it may deem proper."

Mr. MADDEN. Mr. Speaker, I move to recede and concur, but before the vote is taken I wish to say that this commission was appointed during the last session of the Congress, and the life of the commission was to expire on the 4th of March next. The time allotted between the appointment of the commission and the 4th of March next is not nearly sufficient to enable the commission to function properly. The commission was organized for the purpose of investigating how we could expedite the handling, the dispatching, and the transportation of mail. It is conceded by people everywhere who have given consideration to the question that the time has come when there must be greater terminal facilities for handling the parcel post, and it seems that if those facilities are not supplied the first-class mail is bound to be more or less slowed up. The commission is now considering the question of not only how we can supply the facilities to handle the parcel post separately from the first-class mail but it is also considering many other things in connection with the expeditious dispatch of the mail. It is one of the most important functions that has ever been imposed upon a commission, and it is believed by all who have thought about it that good results will follow the investigation. I sincerely trust that the House will agree to extend the life of the commission so that it may really do the work for which it was authorized and selected.

Mr. ROUSE. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ROUSE. Can the gentleman inform the House what the cost of this commission has been up to the present time?

Mr. MADDEN. $48,487.69.

Mr. ROUSE. How has that money been expended?

Mr. MADDEN. The statement of expenses is as follows:

Statement of expenses, Joint Commission on Postal Service.

Expense, May 17 to July 1	$967.15	
Expense, first quarter, including July, August, September	3,075.26	
Expense, second quarter, including October, November, December	2,970.34	
	7,012.75	
Expenses for January, 1921 (salaries, incidentals)	669.77	
Total expenses to Jan. 31, 1921		$7,682.52
Engineers' services, Oct. 11 to Nov. 1	4,869.10	
Engineers' services, Nov. 1 to Dec. 10	5,130.90	
Engineers' services, Dec. 10 to Jan. 1	7,478.34	
Total engineers' services (to Jan. 1, 1921)		17,478.34

Transportation charges for October	$254.52	
Transportation charges, Nov. 1 to Dec. 10	784.86	
Transportation charges, Dec. 11 to Jan. 1	454.61	
Total transportation charges, engineers (to Jan. 1, 1921)		$1,493.99
Total		26,654.85
Engineers' services, Jan. 1 to Jan. 31	20,588.78	
Transportation charges for January	1,244.06	
Total engineers' service for January		21,832.84
Grand total		48,487.69

Mr. ROUSE. What engineers have been employed?

Mr. MADDEN. W. B. Richards & Co., of New York, I understand.

Mr. ROUSE. How many engineers have been employed?

Mr. MADDEN. I do not know how many they have. I am not a member of the commission, but I understand they have whatever number it is thought will be necessary to expedite the work. It fluctuates from month to month.

Mr. ROUSE. Does the gentleman know how much money is being paid monthly?

Mr. MADDEN. I understand the highest paid engineers get $1,000 a month and their railroad expenses, but no other expense, and the next lowest down to $750 a month. That includes all of their expenses except railroad fare.

Mr. ROUSE. Does the gentleman believe these engineers can give more information regarding transportation than could be given by the post-office inspectors and other postal employees?

Mr. MADDEN. I really do not know just exactly what sort of information the engineers are giving. I am not qualified to answer the question. If I were a member of the commission I would be better qualified to answer it.

Mr. ROUSE. Will the gentleman yield to the chairman of the Committee on the Post Office, the gentleman from Minnesota [Mr. STEENERSON]? Possibly he can give the House that information.

Mr. MADDEN. I yield 10 minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. What is the question?

Mr. ROUSE. The question is, How many engineers are employed and what are the salaries paid to these engineers?

Mr. STEENERSON. I understand that Richards & Co., who are efficiency engineers in New York, have a large staff employed. I can not tell how many men they have in this work. It started only last October, and the work is in progress. Sometimes they have a great many men on the work and sometimes not so many. They have gone into a very elaborate investigation of the whole transportation system. They have investigated the congested conditions, especially in New York, with a view to determining whether or not the tunnel that was proposed by the department, to cost $1,800,000, between the New York Central and the Pennsylvania Stations, was advisable. They have made a report saying that the tunnel would not relieve the situation, that the congestion is at the terminals and that building a tunnel would not help out any. They say that the terminals can not be extended because the New York Central terminal is sunk about 70 feet into the solid rock and the land on each side is so expensive that it can not be had at a reasonable price. It would be economically impossible to extend the terminals sufficiently to have space in which to move cars which would be required. They have suggested, as the gentleman from Illinois has said, a separation of the parcel-post mail from the first-class mail, and taking that another way. The recommendations of the engineers, I believe, could not be arrived at by anybody except engineers of that kind. The postal experts could not do it.

Mr. ROUSE. Will the gentleman yield further?

Mr. STEENERSON. Yes.

Mr. ROUSE. Does the gentleman believe these engineers will get any information other than from postal employees?

Mr. STEENERSON. Oh, yes; a great deal, and the postal employees are not at liberty to get at the facts.

Mr. ROUSE. If the gentleman will pardon me, the commission has the right to ask any question it wishes?

Mr. STEENERSON. Yes; and that is what the commission is doing?

Mr. ROUSE. Then why not save this money by——

Mr. STEENERSON. Because the post office employees could not do it; it would be absolutely impossible. They are no more fit for that than for physicians or surgeons.

Mr. ROUSE. Where do the engineers get the information, if not from postal employees?

Mr. STEENERSON. They get it from all sources; they go to the records. For instance, in their air-mail investigation they sent men to take the actual records of flying——

Mr. ROUSE. And they got that information from——

Mr. STEENERSON. At the local stations. Now, the Postmaster General reports 98 per cent in performance. The engineers sent men there to find out the instructions to the flyers, and so forth, and they find that the flyers have orders to make a start whenever they can, and many times they will start and come back in 15 or 20 minutes. The department calls that a performance if they only start, whereas a performance should only be counted when the trip is completed. In this way they report 98 per cent performance, when in fact there was only 55 per cent performance on the New York to Chicago test. I want to make a few general remarks, if the gentleman will excuse me. This provision was considered by the Post Office Committee, discussed, and it was canvassed in every way, and a unanimous report was made recommending its passage. It is now on the calendar, so the Post Office Committee has recommended the enactment of this identical provision, and I do not think there is any division of opinion. There is no doubt in my mind that if this commission is given further time it will save many millions in the economic administration of the Postal Service. This is no reflection on the Postal Service at all. The best business houses in the United States are employing men like these that are being employed to suggest improvements in methods and economies—the Steel Corporation, the Westinghouse Co., and many others.

Mr. DUNBAR. Will the gentleman yield?

Mr. STEENERSON. I will yield.

Mr. DUNBAR. How long will it take the commission before it finishes this work?

Mr. STEENERSON. I think the engineers may complete it in two or three months, and then the commission, of course, will have to meet and decide upon what recommendations to make.

Mr. DUNBAR. What will be the additional cost?

Mr. STEENERSON. The additional cost of what?

The SPEAKER. The time of the gentleman has expired.

Mr. MADDEN. I yield the gentleman three additional minutes.

Mr. DUNBAR. What will be the additional cost for the labor of the commission?

Mr. STEENERSON. I am unable to state the additional cost.

Mr. DUNBAR. Does the gentleman know how many are employed by this commission?

Mr. STEENERSON. No; nobody knows, because the number varies from day to day as they are undertaking investigations.

Mr. DUNBAR. Well, approximately how many?

Mr. STEENERSON. Perhaps 20 or 25.

Mr. DUNBAR. Well, under whose direction are they, the Postmaster General?

Mr. STEENERSON. They operate under the commission. Senator TOWNSEND is chairman of the commission, and I have the honor to be the vice chairman. The active chairman is Senator TOWNSEND, of Michigan, and he is looking after it very minutely.

Mr. DUNBAR. And they work under your directions?

Mr. STEENERSON. They work under the direction of this commission. All these are employees of the commission. We also have advisory counsel, consisting of men who are prominent in business in the large cities.

Mr. ROUSE. In the gentleman's remarks will he place the names of this advisory counsel so it will appear in the RECORD?

Mr. STEENERSON. I will place them in the RECORD. It has been changed. Former Secretary of Commerce Redfield was on the advisory counsel for a long time, but he recently resigned; but I can supply the names. They are as follows:

Advisory counsel of the Postal Service Commission: John Gribbel, Philadelphia, Pa., chairman; Charles G. Bancroft, Boston, Mass.; Union N. Bethell, New York, N. Y.; A. Holmboe, Crookston, Minn.; T. W. Dwight, Sioux Falls, S. Dak.; I. C. Wade, Cornelia, Ga.; M. E. Cooley, Ann Arbor, Mich.

Mr. MADDEN. Mr. Speaker, I ask for a vote.

Mr. BLACK. Will the gentleman yield to me for a question?

Mr. MADDEN. Does the gentleman refer to me or to the gentleman from Minnesota?

Mr. BLACK. Perhaps the gentleman from Illinois can give the information. When this commission was created, the law provided that the pay of these engineers and other employees should come out of any unexpended balance of the Post Office Department for the year ending June 30, 1920?

Mr. MADDEN. Yes.

Mr. BLACK. Now, I presume if we give the commission life for another year that that provision will still continue and these employees under the commission will be paid out of any unexpended balance for the fiscal year 1920?

Mr. MADDEN. This provision does not change the law at all.

Mr. BLACK. Can the gentleman give any information as to what is that unexpended balance of the department for the year?

Mr. MADDEN. I have not the slightest idea.

Mr. BLACK. Did the committee inquire what the probable cost would be for the continuance of this commission for another year?

Mr. MADDEN. Nobody could tell exactly, because no one can tell how extensive an investigation along a given line will be; but I wish to say in answer to the question of the gentleman that if they can do the work I think ought to be done by the commission and the results are obtained that I think would be obtained, it would not make any difference how much money they spent, it would be money well spent, but I assume they would not spend over $150,000.

Mr. BLACK. Does not the gentleman think that in a matter of this kind, in the creation of a commission, there ought to be some recommendation of the amount of money that they can spend?

Mr. MADDEN. Of course, if you put a limitation on you may embarrass the work. I apprehend the purpose we have in mind is to facilitate the work; to get the information; to adjust the conditions; to provide for more expeditious movement of the mail; to see that it is handled, dispatched, and transported more rapidly; to see that the first-class mail gets priority, and, in fact, to do everything that can be done to make the Post Office Department function better than it has functioned in the past.

Mr. BLACK. Mr. Speaker, I move to concur in the Senate amendment with an amendment. After the word "proper," at the end of the Senate amendment, add the following:

Provided, That said commission shall not expend a greater sum than $150,000 during the fiscal year 1922.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] made a preferential motion that the House recede and concur.

Mr. BLACK. Is it not in order to amend the amendment?

The SPEAKER. The motion to recede and concur has preference.

Mr. BLACK. Then I ask that the motion be divided.

The SPEAKER. The gentleman has a right to do that. He demands a division. The question is on receding.

The motion was agreed to.

Mr. BLACK. Now, Mr. Chairman, I offer an amendment.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLACK to the Senate amendment: After the word "proper," at the end of the amendment, insert: "*Provided*, That said commission shall not expend a greater sum than $150,000 during the fiscal year 1922."

Mr. MADDEN. I accept the amendment.

The SPEAKER. Then the question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the Senate amendment as amended.

The Senate amendment as amended was agreed to.

CONSULAR AND DIPLOMATIC APPROPRIATIONS—CONFERENCE REPORT.

Mr. ROGERS. Mr. Speaker, I call up the conference report on the bill H. R. 15872, the Diplomatic and Consular appropriation bill.

The SPEAKER. The gentleman from Massachusetts calls up a conference report, which the Clerk will read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 20, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 15, 21, and 24, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$379,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$403,600"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$5,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment commencing with the word "*Provided*," in line 7, and insert in lieu thereof the following: "*Provided*, That the deed of transfer of said property to the United States shall be unconditional and free from encumbrance and shall convey such estate as may be held by the said J. Pierpont Morgan: *And provided further*, That the property is held on freehold tenure and not on customary London ground lease"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,874,500"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,909,500"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,400,000"; and the Senate agree to the same.

The committee of conference have not agreed upon the following amendments: Nos. 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 18, 19, 22, 23, 26, 27, 30, 32, 33, 34, and 36.

JOHN JACOB ROGERS,
J. A. ELSTON,
JNO. H. SMALL,
Managers on the part of the House.

H. C. LODGE,
W. E. BORAH (by H. C. L.),
CLAUDE A. SWANSON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On Nos. 6 and 7: Appropriates $403,600, instead of $378,600, as proposed by the House, and $428,600, as proposed by the Senate, for salaries in the Diplomatic Service.

On No. 8: Strikes out the increase of $180,000, inserted by the Senate, in the appropriation for clerks at embassies and legations.

On No. 15: Reduces from $10,000 to $5,000, as proposed by the Senate, the appropriation for the International Boundary Commission, United States and Mexico.

On Nos. 16 and 17, relating to the International Institute for Agriculture: Appropriates $5,000 for the salary of one member of the permanent committee, instead of $3,000, as proposed by the House, and $7,500, as proposed by the Senate; strikes out the appropriations, inserted by the Senate, of $2,500 for a secretary and $2,500 for traveling expenses.

On Nos. 20 and 21: Strikes out the increase of $12,000, proposed by the Senate, in the appropriation for expenses of the International Joint Commission, United States and Great Britain, and inserts the proviso, proposed by the Senate, authorizing expenditures for rent in the District of Columbia if space can not be furnished in other governmental buildings under the control of the Public Buildings Commission.

On Nos. 24 and 25: Inserts a substitute for the language proposed by the Senate and the language proposed by the House, for the acceptance of the gift of the London residence of J.

Pierpont Morgan for use as the residence of the diplomatic representatives of the United States.

On Nos. 28 and 29: Appropriates $1,909,500, instead of $1,809,500, as proposed by the House, and $2,009,500, as proposed by the Senate, for salaries of the Consular Service.

On No. 31: Appropriates $1,400,000, instead of $1,200,000, as proposed by the House, and $1,800,000, as proposed by the Senate, for allowance for clerk hire at United States consulates.

On No. 35: Strikes out the appropriation of $66,000, inserted by the Senate, for relief of the contributors to the Ellen M. Stone ransom fund.

The committee of conference have not agreed upon the following amendments of the Senate:

On Nos. 1 to 5, inclusive: Providing for an ambassador to Turkey at $17,500 as proposed by the Senate instead of at $10,000 as proposed by the House.

On No. 9: Appropriating $39,500 for salaries of interpreters to embassies and legations.

On No. 10: Appropriating $1,800 for quarters for student interpreters at embassies.

On No. 11: Appropriating $4,500 to pay one year's salary to the widow of Jay White, late consul to Naples, Italy.

On No. 12: Appropriating $4,000 to pay one year's salary to the widow of Edward Higgins, late consul to Bahia, Brazil.

On Nos. 13 and 14: Providing for authority to pay for transporting to their homes the remains of clerks in the Diplomatic and Consular Service who die abroad or in transit.

On No. 18: Appropriating $2,000 for the Bureau of Interparliamentary Union for Promotion of International Arbitration.

On No. 19: Appropriating $25,000 for the United States Section of the Inter-American High Commission.

On No. 22: Appropriating $2,658 for expenses of the International Research Council.

On Nos. 23, 26, and 27: Appropriating $300,000 for the acquisition of embassy, legation, and consular buildings and grounds and creating a commission to supervise the expenditure of that sum.

On No. 30: Appropriating $500,000 for post allowances to diplomatic and consular officers.

On Nos. 32 and 33: Extending indefinitely the provisions of the passport control act of May 22, 1918, in so far as they relate to passports and visés of aliens coming to the United States and making the appropriation for the execution of the act "immediately available."

On No. 34: Appropriating $41,300 for expenses of embassies, legations, or consular offices, not otherwise provided for in the bill.

On No. 36: Appropriating $7,425 for expenses of the Sixteenth International Congress against Alcoholism.

JOHN JACOB ROGERS,
J. A. ELSTON,
JNO. H. SMALL,
Managers on the part of the House.

Mr. ROGERS. Mr. Speaker, I have no disposition to curtail discussion of the conference report, but I think there is not anything within the report itself which is likely to excite very much discussion. And while I shall be glad to yield to any questions, I propose to move the previous question at the earliest possible moment.

Mr. BARKLEY. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. BARKLEY. I have not read the report. Does the gentleman agree to the Senate amendment which was under discussion when the bill was before the House a few days ago?

Mr. ROGERS. Mr. Speaker, I move the previous question.

Mr. CONNALLY. Mr. Speaker, what is the idea of rushing it through without any discussion at all?

Mr. ROGERS. There is no idea, as I just explained. If the gentleman has any questions to ask I shall be pleased to answer them. I assumed that the comments of the Members would more naturally arise in connection with matters on which a separate vote is required under the rules of the House. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. MASON. Mr. Speaker, I was unable to hear the gentleman from where I sat. What is the conference report? Will my colleague tell me? Is it on the passport bill?

Mr. ROGERS. The conference report deals only with the items as to which the conferees have power to agree. The passport item, to which the gentleman refers, will be presented for a separate vote a little later.

Mr. MASON. Thank you.

The SPEAKER. The Clerk will report the first amendment.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the first five amendments may be reported and considered together. They relate entirely to one specific question, and they more naturally should be considered en bloc.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the first five Senate amendments be read and considered together. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendments.

The Clerk read as follows:

Amendment No. 1: Page 2, line 4, strike out the word "and" before the word "Spain."

Amendment No. 2: Insert, after the word "Spain," line 4, page 2, the words "and Turkey."

Amendment No. 3: Page 2, line 5, strike out "$210,000" and insert "$227,500."

Amendment No. 4: Page 2, line 7, strike out the language: "For ambassador extraordinary and plenipotentiary to Turkey, $10,000."

Amendment No. 5: Page 2, line 25, strike out "$566,000" and insert "$583,500."

Mr. ROGERS. Mr. Speaker, I move to recede from the House disagreement to the five Senate amendments, and agree to the same. I will say in explanation that when this bill passed the House it provided a salary of $10,000 for our ambassador to Turkey. All our other ambassadors receive a salary of $17,500, and ever since an embassy was created in Turkey that ambassador has received a salary of $17,500. As in the view of the Senate, the salaries of all ambassadors should be made uniform, the Senate adopted the amendments which have just been reported and which reestablish the salary at $17,500.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. ROGERS. Yes.

Mr. MANN of Illinois. Is the total in the bill as it passed the House wrong, or is the total in the bill as it passed the Senate wrong? They do not jibe. The gentleman adds $7,500 by way of appropriation. The total adds $17,500. Of course, it is not important, but we might as well be accurate.

Mr. STEPHENS of Ohio. They did not have Turkey in there at all in the first item.

Mr. MANN of Illinois. I am not speaking of the first item. I am speaking of the total at the bottom of the page—amendment No. 5.

Mr. ROGERS. I think the gentleman's point is entirely sound, and I suspect that the correct figure is $573,500 instead of $583,500.

Mr. MANN of Illinois. The gentleman can move to concur in all the Senate amendments with an amendment to amendment No. 5.

Mr. ROGERS. Mr. Speaker, I move to concur in the first four amendments and to concur with an amendment to Senate amendment No. 5, so that the figures will be "$573,500" instead of "$583,500."

The SPEAKER. The gentleman from Massachusetts moves to concur in the first four amendments and to concur with an amendment to Senate amendment No. 5, which the Clerk will report.

The Clerk read as follows:

Amendment No. 5: Strike out "$583,500" and insert "$573,500."

Mr. ROGERS. Mr. Speaker, I move the previous question on the five amendments.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 9: Page 4, after line 9, insert:

"SALARIES, INTERPRETERS TO EMBASSIES AND LEGATIONS.

"Interpreter to legation and consulate general to Persia, $2,000;

"Interpreter to legation and consulate general to Bangkok, Siam, $2,000;

"For 10 student interpreters at the legation to China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the legation and consulates in China, at $1,500 each, $15,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the legation or consulates in China so long as his services may be required within a period of five years;

"For the payment of the cost of tuition of student interpreters in China, at the rate of $350 per annum each, $3,500;

"For six student interpreters at the embassy to Japan, who shall be citizens of the United States, and whose duty it shall be to study the Japanese language with a view to supplying interpreters to the embassy and consulates in Japan, at $1,500 each, $9,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in Japan so long as his services may be required within a period of five years;

"For the payment of the cost of tuition of student interpreters at the embassy to Japan, at the rate of $200 per annum each, $1,200;

"For four student interpreters at the embassy to Turkey, who shall be citizens of the United States, and whose duty it shall be to study the language of Turkey and any other language that may be necessary to qualify them for service as interpreters to the embassy and consulates in Turkey, at $1,500 each, $6,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter to the embassy and consulates in Turkey so long as his services may be required within a period of five years;

"For the payment of the cost of tuition of student interpreters at the embassy to Turkey, at the rate of $200 per annum each, $800;

"No person drawing the salary of interpreter or student interpreter as above provided shall be allowed any part of the salary appropriated for any secretary of legation or other officer;

"Total, $39,500."

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. LONGWORTH. This is simply the restoration of items that went out in the House on points of order?

Mr. ROGERS. Yes. I may say, Mr. Speaker, that the proportion of the amendments brought back under the rule seems rather large; but the fact is that 13 of the 22 amendments brought back under the rule result from the fact that on technical points of order items which were essential to the foreign service and which had been carried for many years in the bill went out in the House. We are attempting in this indirect way to restore the havoc that was wrought. I move the previous question on the amendments.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts, that the House recede and concur.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands a division.

The House divided; and there were—ayes 23, noes 1.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees. As many as favor the motion of the gentleman from Massachusetts that the House recede and concur will answer "yea" when their names are called; those opposed will answer "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 317, nays 4, answered "present" 1, not voting 106, as follows:

YEAS—317.

Ackerman	Collier	Glynn	Kettner
Almon	Connally	Godwin, N. C.	Kincheloe
Anderson	Cooper	Good	King
Andrews, Nebr.	Copley	Goodykoontz	Kinkaid
Anthony	Crago	Gould	Knutson
Ashbrook	Cramton	Graham, Ill.	Kraus
Aswell	Crisp	Green, Iowa	Kreider
Babka	Cullen	Greene, Vt.	Lampert
Barbour	Currie, Mich.	Griest	Langley
Barkley	Dale	Griffin	Lanham
Bee	Dallinger	Hadley	Lankford
Begg	Darrow	Hardy, Colo.	Larsen
Bell	Davis, Minn.	Hardy, Tex.	Layton
Benham	Davis, Tenn.	Harreld	Lea, Calif.
Benson	Dempsey	Harrison	Lee, Ga.
Black	Denison	Hastings	Lehlbach
Bland, Ind.	Dickinson, Iowa	Haugen	Linthicum
Bland, Va.	Dickinson, Mo.	Hawley	Little
Boise	Dominick	Hayden	Longworth
Bowers	Dooling	Hernandez	Luce
Bowling	Dowell	Hersey	Luhring
Box	Drane	Hickey	McAndrews
Brand	Drewry	Hicks	McArthur
Briggs	Dunbar	Hoch	McClintic
Brinson	Dupré	Hoey	McCulloch
Brooks, Ill.	Dyer	Houghton	McDuffie
Brooks, Pa.	Eagan	Howard	McKenzie
Buchanan	Echols	Hudspeth	McKeown
Burdick	Edmonds	Hull, Iowa	McKinley
Burke	Elliott	Humphreys	McLane
Burroughs	Elston	Husted	McLaughlin, Mich
Byrnes, S. C.	Emerson	Hutchinson	McLaughlin, Nebr.
Byrns, Tenn.	Esch	Igoe	McLeod
Campbell, Kans.	Evans, Mont.	Ireland	McPherson
Campbell, Pa.	Evans, Nebr.	Jacoway	MacGregor
Candler	Fairfield	James, Va.	Magee
Cannon	Fess	Jefferis	Major
Cantrill	Fields	Johnson, Ky.	Mann, Ill.
Caraway	Flood	Johnson, Miss.	Mansfield
Carew	Focht	Johnson, S. Dak.	Mapes
Carss	Fordney	Johnson, Wash.	Mason
Carter	Foster	Jones, Pa.	Mays
Chindblom	Freeman	Juul	Mead
Christopherson	French	Kearns	Merritt
Clark, Fla.	Fuller	Keller	Michener
Cleary	Gallivan	Kelly, Pa.	Miller
Coady	Ganly	Kendall	Minahan, N. J.
Cole	Garrett	Kennedy, R. I.	Monahan, Wis.
Mondell	Radcliffe	Sisson	Upshaw
Montague	Raker	Slemp	Vaile
Moore, Ohio	Ramseyer	Small	Venable
Moore, Va.	Randall, Calif.	Smith, Idaho	Vestal
Moores, Ind.	Randall, Wis.	Smith, Ill.	Vinson
Mudd	Ransley	Smith, N. Y.	Voigt
Murphy	Rayburn	Smithwick	Volk
Neely	Reavis	Snell	Volstead
Nelson, Mo.	Reber	Steagall	Walsh
Nelson, Wis.	Reed, N. Y.	Stedman	Ward
Newton, Minn.	Rhodes	Steenerson	Wason
Newton, Mo.	Ricketts	Stephens, Miss.	Watkins
O'Connell	Robinson, N. C.	Stephens, Ohio	Watson
O'Connor	Robsion, Ky.	Stoll	Welling
Ogden	Rodenberg	Strong, Kans.	Whaley
Oliver	Rogers	Strong, Pa.	White, Kans.
Olney	Romjue	Sullivan	White, Me.
Osborne	Rose	Summers, Wash.	Wilson, Ill.
Overstreet	Rouse	Sumners, Tex.	Wilson, La.
Padgett	Rowe	Sweet	Wilson, Pa.
Paige	Rucker	Swindall	Wingo
Park	Sabath	Swope	Winslow
Parker	Sanders, Ind.	Tague	Wood, Ind.
Parrish	Sanford	Temple	Woods, Va.
Patterson	Schall	Thompson	Woodyard
Pell	Scott	Tillman	Wright
Perlman	Sells	Tilson	Young, N. Dak.
Peters	Shreve	Timberlake	Young, Tex.
Porter	Siegel	Tincher	Zihlman
Pou	Sims	Tinkham	
Purnell	Sinclair	Towner	
Quin	Sinnott	Treadway	

NAYS—4.

Blanton	Huddleston	Jones, Tex.	Sherwood

ANSWERED "PRESENT"—1.

Greene, Mass.

NOT VOTING—106.

Andrews, Md.	Ferris	Kleczka	Riordan
Ayres	Fish	Lazaro	Rowan
Bacharach	Fisher	Lesher	Rubey
Baer	Frear	Lonergan	Sanders, La.
Bankhead	Gallagher	Lufkin	Sanders, N. Y.
Bland, Mo.	Gandy	McFadden	Scully
Britten	Gard	McGlennon	Sears
Browne	Garner	McKiniry	Smith, Mich.
Brumbaugh	Goldfogle	Madden	Snyder
Butler	Goodall	Maher	Steele
Caldwell	Goodwin, Ark.	Mann, S. C.	Stevenson
Casey	Graham, Pa.	Martin	Stiness
Clark, Mo.	Hamill	Milligan	Taylor, Ark.
Classon	Hamilton	Moon	Taylor, Colo.
Costello	Hays	Mooney	Taylor, Tenn.
Crowther	Hersman	Morin	Thomas
Curry, Calif.	Hill	Mott	Vare
Davey	Holland	Nicholls	Walters
Dent	Hulings	Nolan	Weaver
Dewalt	Hull, Tenn.	Oldfield	Webster
Donovan	James, Mich.	Phelan	Welty
Doremus	Johnston, N. Y.	Rainey, Ala.	Wheeler
Doughton	Kahn	Rainey, Henry T.	Williams
Dunn	Kelley, Mich.	Rainey, John W.	Wise
Eagle	Kennedy, Iowa	Ramsey	Yates
Ellsworth	Kiess	Reed, W. Va.	
Evans, Nev.	Kitchin	Riddick	

So the motion to recede and concur was agreed to.

The Clerk announced the following additional pairs:

Mr. COSTELLO with Mr. HAMILL.

Mr. KELLEY of Michigan with Mr. EVANS of Nevada.

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. KAHN with Mr. DENT.

Mr. YATES with Mr. RUBEY.

Mr. WILLIAMS with Mr. KITCHIN.

Mr. BUTLER with Mr. STEELE.

Mr. GOODALL with Mr. MANN of South Carolina.

Mr. RIDDICK with Mr. AYRES.

Mr. SNYDER with Mr. LAZARO.

Mr. NOLAN with Mr. HERSMAN.

Mr. LUFKIN with Mr. GARD.

Mr. MADDEN with Mr. FISHER.

Mr. FISH with Mr. CASEY.

Mr. HAYS with Mr. HULL of Tennessee.

Mr. SANDERS of New York with Mr. OLDFIELD.

Mr. ANDREWS of Maryland with Mr. WELTY.

Mr. TAYLOR of Tennessee with Mr. TAYLOR of Colorado.

Mr. BRITTEN with Mr. MARTIN.

Mr. STINESS with Mr. PHELAN.

Mr. MCFADDEN with Mr. NICHOLLS.

Mr. FREAR with Mr. SANDERS of Louisiana.

Mr. BROWNE with Mr. DOUGHTON.

Mr. SMITH of Michigan with Mr. WEAVER.

Mr. REED of West Virginia with Mr. HENRY T. RAINEY.

Mr. HILL with Mr. STEVENSON.

Mr. RAMSEY with Mr. HOLLAND.

Mr. MOTT with Mr. LESHER.

Mr. GREENE of Massachusetts. Mr. Speaker, I voted "yea." I am paired with the gentleman from Alabama, Mr. BANKHEAD, so I wish to withdraw my vote and to answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 10: Page 6, in line 12, insert:

"QUARTERS FOR STUDENT INTERPRETERS AT EMBASSIES.

"For rent of quarters for the student interpreters attached to the embassy to Japan, $1,200.

"For rent of quarters for the student interpreters attached to the embassy to Turkey, $600.

"Total, $1,800."

Mr. ROGERS. Mr. Speaker, I move to recede from the disagreement of the House to the Senate amendment and concur in the same.

Mr. JOHNSON of Mississippi. I call the attention of the gentleman to the typographical error in line 13 in the misspelling of the word "attached." I think the gentleman would like to have that corrected.

Mr. ROGERS. I ask unanimous consent that the typographical error in line 13 be corrected.

The SPEAKER. The Chair is informed that it is correct in the engrossed copy.

Mr. ROGERS. I move to recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Massachusetts moves to recede and concur in the Senate amendment.

Mr. BLANTON. Mr. Speaker, for the purpose of getting a record of it, I demand a division.

The SPEAKER. The gentleman from Texas demands a division.

The House divided; and there were—ayes 153, noes 1.

Accordingly the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 11: Page 9, line 19, insert:

"PAYMENT TO MRS. ANNA GALE WHITE.

"To Mrs. Anna Gale White, widow of Jay White, late consul to Naples, Italy, $4,500, one year's salary of her deceased husband, who died while at his post of duty from illness incurred in the Consular Service."

Mr. ROGERS. Mr. Speaker, I move to recede and concur.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Illinois.

Mr. MANN of Illinois. Is it the policy now to pay the widow of a diplomatic or consular officer who dies in the service a year's salary?

Mr. ROGERS. It is not the settled policy. The gratuity, if you care to call it that, has been reserved for cases of real want, established in the given case. I am advised by the Department of State and through personal friends of the widow in this particular case that really straitened circumstances exist. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 12: Page 10, line 1, insert:

"PAYMENT TO MRS. MARY A. HIGGINS.

"To Mrs. Mary A. Higgins, widow of Edward Higgins, late consul to Bahia, Brazil, $4,000, one year's salary of her deceased husband, who died while at his post of duty from illness incurred in the Consular Service."

Mr. ROGERS. Mr. Speaker, I move to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 13: Page 10, line 7, after the word "assistants," insert "and clerks."

Mr. ROGERS. I move to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 14: Page 10, line 11, after the word "assistants," insert "and clerks."

Mr. ROGERS. I move to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 18: Page 16, line 1, insert:

"BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

"For the contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of International Arbitration at Brussels, Belgium, $2,000."

Mr. ROGERS. I move to recede and concur.

Mr. CONNALLY. Is this the Mexican-boundary amendment?

Mr. ROGERS. No; this is the Interparliamentary Union.

The SPEAKER. The gentleman from Massachusetts moves to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 19: Page 18, line 1, insert:

"UNITED STATES SECTION OF THE INTER-AMERICAN HIGH COMMISSION.

"To defray the actual and necessary expenses on the part of the United States section of the Inter-American High Commission, $25,000, to be expended under the direction of the Secretary of State."

Mr. ROGERS. I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 22: Page 19, line 22, insert:

"INTERNATIONAL RESEARCH COUNCIL.

"To pay the annual share of the United States, as an adhering member of the International Research Council and of the Associated Unions, organized at Brussels, July 18–28, 1919, as follows: International Research Council, $129; International Astronomical Union, $772; International Union of Pure and Applied Chemistry, $290; International Union of Geodesy and Geophysics, $1,338; International Union of Mathematics, $129; in all, $2,658, to be expended under the direction of the Secretary of State."

Mr. ROGERS. I move to recede and concur.

The motion was agreed to.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that amendments 23, 26, and 27 be reported and considered together, they being a unit in their effect.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that amendments 23, 26, and 27 be considered together. Is there objection?

Mr. LINTHICUM. Reserving the right to object, what are these amendments?

Mr. ROGERS. They are three amendments that relate to the acquisition of buildings for legations, embassies, and consulates.

Mr. JOHNSON of Mississippi. Does one of these amendments relate to the Morgan home in London?

Mr. ROGERS. The Morgan home is disposed of by the adoption of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. LINTHICUM. I object.

Mr. ROGERS. I ask that the Clerk report amendment No. 23.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 23: Page 21, line 9, strike out the words "legation building and grounds at San Salvador."

Mr. ROGERS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

For the acquisition of embassy, legation, or consular buildings and grounds at any or all of the following places: Rome, Brussels, Berlin, Christiania, Athens, Belgrade, Bucharest, Prague, Monrovia, Vienna, Budapest, Canton, Hankow, and Amoy, $300,000: *Provided*, That the limit of cost shall not exceed the sum of $150,000 at any one place; *And provided further*, That such acquisition shall be subject to approval of the commission hereinafter constituted.

There is hereby constituted a commission composed of the chairman and the ranking minority member of the Committee on Foreign Relations of the Senate, the chairman and the ranking minority member of the Committee on Foreign Affairs of the House of Representatives, the Secretary of State, and the Secretary of the Treasury, of which the chairman of the Committee on Foreign Relations of the Senate shall be the chairman, whose duty it shall be to consider and formulate plans or proposals for the purchase of embassy, legation, and consular buildings and grounds under the authority contained in this act.

Mr. ROGERS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. LINTHICUM. Mr. Speaker, I move to amend.

Mr. ROGERS. I make the point of order that my motion is preferential.

Mr. LINTHICUM. Then, Mr. Speaker, I ask that the gentleman's motion may be divided.

The SPEAKER. The gentleman from Maryland asks a division of the question. The question is on the motion to recede.

The motion was agreed to.

Mr. LINTHICUM. Now I move to amend the Senate amendment by striking out "$300,000" and inserting "$450,000."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. LINTHICUM moves to amend the Senate amendment, in line 5 of the matter proposed by the Senate, by striking out the figures "$300,000" and inserting in lieu thereof "$450,000."

Mr. MANN of Illinois. Mr. Speaker, I move to amend the amendment by striking out "$450,000" and inserting "$200,000."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MANN of Illinois offers an amendment to the amendment by striking out "$450,000" and inserting "$200,000."

Mr. ROGERS. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I do not know that I shall need the whole five minutes, but I do want to impress on the House that if there ever was a time in the history of this country and of the world when we had an opportunity to buy at a reasonable rate homes for embassies and consulates, now is that time. It was testified at the hearings that the mission in Berlin—and, in fact, I received a letter from the chairman of that mission that the embassy which formerly cost the Austrian Government $1,500,000, $750,000 for the purchase of the property and $750,000 for repairs, reconstruction, and changes—could now be bought for $75,000. I visited Berlin last year, I visited Prague, and I visited Vienna, and went into these matters fully with those in authority. If there ever was a time when we could procure property at a reasonable rate, now is the time to do it. I was greatly impressed and would love to sufficiently impress you with its importance. If we wait two or three years we will pay three or four times as much as we will have to pay now. With $450,000 in Europe at the present rate of exchange we can almost get embassy buildings in Paris, Vienna, Prague, and all other capitals in Europe, having already provided for Paris and London. It is the best investment the Government could possibly make. I feel satisfied from my visit there that if you purchase even from a speculative standpoint it will be a wonderful investment. I do not want to say anything more except that now is the time to purchase embassies there. I have personally inspected it. I have visited those embassies, and have seen the great opportunity that is offered to this Government.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. HUMPHREYS. What will it require to maintain the million and a half dollar building that the gentleman speaks of in normal times if normal times are reestablished?

Mr. LINTHICUM. I should think not as much as it costs to maintain the building that you are occupying at the present time in Wilhelm Platz in Berlin.

Mr. HUMPHREYS. That does not answer my question, for I do not know how much we are paying for that.

Mr. LINTHICUM. It will not cost anywhere near what it costs at present for the building we are renting which I mentioned. Certainly not more.

Mr. HUMPHREYS. If the building cost a million and a half dollars it must be a very elaborate building, better than we would care to construct. If we could get it for $75,000 that would not mean that it would not be a great expense in normal times.

Mr. LINTHICUM. I saw the property we are now occupying in Wilhelm Platz and the cost of maintaining this building would not be as much as it costs to rent and maintain the building we are now occupying. I think it is a wonderful chance to purchase property.

Mr. PELL. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. PELL. Would not the adoption of the gentleman's amendment increase the number of places to which a comparatively poor man could be sent as a representative of the United States?

Mr. LINTHICUM. Yes; that has been the trouble in the past, it was impossible to send a man as ambassador to these capitals who was not rich because the salary and allowances are too small to maintain him with the dignity and standing of our country under present conditions. Wealth must necessarily prevail no matter how brainy a man with inadequate means might be.

Mr. ROGERS. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I did not make a point of order on the amendment offered by the gentleman from Maryland. I do not know whether it was subject to the point of order or not, but I am inclined to think it was. We have a law which provides in reference to making appropriations for the purchase of diplomatic and consular buildings abroad. That law says that not more than $500,000 can be expended in any one year. Now, this bill already carries $150,000 for an embassy building in Paris. The gentleman's amendment proposes to add $450,000 to that, making a total of at least $600,000, when under the law it can not be expended.

Mr. LINTHICUM. Congress made the law, did it not?

Mr. MANN of Illinois. Congress made the law which governs the expenditure of money for the purchase of embassy buildings, and it says that the Government shall not expend more than $500,000 in any one year. We may appropriate more money, but the law is not repealed, the law is not changed, and the Department of State can not expend it. What is the use of appropriating it?

Mr. LINTHICUM. This is a subsequent law to the other.

Mr. MANN of Illinois. This is a mere appropriation. We can appropriate a billion dollars, perhaps, but the law says that the Secretary of State or the State Department or the Government shall not expend more than $500,000 in any one year for this purpose. To appropriate more money is idle, although that is not the only reason I am opposed to it.

Mr. LINTHICUM. I did not think so.

Mr. MANN of Illinois. No; I have not yet gone plumb crazy on the subject.

Mr. ROGERS. Mr. Speaker, I think I can state with some confidence that the Senate amendment was limited to $300,000 for the precise reason suggested by the gentleman from Illinois [Mr. MANN]. There is a separate provision of $150,000 for Paris carried in this bill. The Paris item and this, combined, appropriate $450,000. In the face of the Lowden Act it seemed inadvisable to attempt to exceed the $500,000, whether it would have been valid or not to do so.

I quite agree with what the gentleman from Maryland [Mr. LINTHICUM] has said as to the extraordinary opportunity that is now presented to the country to acquire embassies, legations, and consulates abroad. We pay in rent for the offices of our ministers something like $150,000 a year, much of which can be saved by the adoption of this amendment, all of which can perhaps be saved by continuing the program which is inaugurated in this amendment. The question of exchange has never been so favorable to any country as it is to the United States to-day. A dollar of American money will go as far as $50 or even $100 in purchasing property of this kind in some of the principal capitals of the world.

In addition to that, many countries owe us large sums of money. We expect them to pay and we believe that they will pay; but I assume there is no doubt that there will be a considerable lapse of time before some of them will be physically able to pay in full. We believe those countries will be delighted to turn over to the United States a suitable embassy building or legation building or consulate building in exchange for a credit upon their debt of the fair purchase price of that property, not to exceed $150,000. We thought there ought to be some money available for certain countries that do not owe us. It will be noticed that in the list of authorized cities appears Christiania, where we should have a suitable building. Norway is not in the debt of the United States, but we should acquire a legation in her capital city.

I hope that the House will disagree to the amendment of the gentleman from Illinois [Mr. MANN] the effect of which would be to reduce the available amount from $300,000 to $200,000. Three hundred thousand dollars spent at this time and in this way will bring us an enormous return upon the investment. I think that the utility of the measure will be considerably impaired if there is a reduction such as proposed by the gentleman from Illinois.

Mr. MANN of Illinois. Mr. Speaker, I withdraw my amendment.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield three minutes more to me?

Mr. ROGERS. Has the gentleman something further to submit?

Mr. LINTHICUM. I have.

Mr. ROGERS. I yield two minutes more to the gentleman.

Mr. LINTHICUM. Mr. Speaker, I want to say, as to the Lowden Act, that this is an entirely new proposition, and it seems to me that whatever law we pass to-day not in accord with the Lowden Act will supersede that act in so far as the purchase of embassies is concerned. If gentlemen will notice, the bill establishes a commission and provides that such acquisition shall be subject to the approval of the commission herein created. In other words, we constitute a commission which shall purchase those embassies, and no embassy can be purchased without the sanction of the commission. It is an entirely new proposition. Congress enacted the Lowden Act and Congress can supersede the Lowden Act by the new legislation.

Mr. ROGERS. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Maryland.

The question was taken; and on a division (demanded by Mr. LINTHICUM) there were—ayes 12, noes 131.

So the amendment was rejected.

The SPEAKER. The question is on the motion to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 27: Page 23, line 8, insert the following:
"With the approval of said commission and within a limit of cost at any one place of $150,000, the Secretary of State shall have power to purchase from any foreign Government suitable embassy, legation, and consular buildings and grounds in any city specified in the foregoing paragraph and to effect payment therefor by causing the purchase price thereof to be credited upon the obligations or debts of such Government then held by or owing to the United States, or by causing a part of such purchase price so to be credited, paying the remainder in money from applicable sums hereinbefore appropriated for the acquisition of embassy, legation, and consular buildings and grounds; and when the Secretary of State shall certify to the Secretary of the Treasury that a purchase has been made, the Government from which made, and that a part or all of the purchase price is to be paid by crediting the same upon obligations or debts of said Government then held by or owing to the United States, the date as of which said payment is to be made and the amount in United States dollars so to be credited, the Secretary of the Treasury is authorized and directed to credit the amount so certified upon unpaid principal or interest of obligations or debts of said foreign Government held by the United States: *And provided further*, That the President is hereby authorized, in his discretion, to accept on behalf of the United States unconditional gifts of land, buildings, furniture, and furnishings, or any of them, for the use of diplomatic and consular offices and residences."

Mr. ROGERS. Mr. Speaker, I move to recede from the disagreement of the House to the Senate amendment and concur in the same with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. ROGERS moves that the House recede from its disagreement to Senate amendment No. 27, and agree to the same with the following amendment: Strike out line 4 of the matter inserted by said amendment and all of line 5 of said matter up to and including the word "paragraph," and in lieu thereof insert the following: "Suitable buildings or buildings and grounds for embassy, legation, and consular purposes, separate or combined, in any city specified in connection with the foregoing appropriation of $500,000."

Mr. ROGERS. Mr. Speaker, the reference in the amendment as sent to the Clerk's desk is to the printed copy of the Senate amendments; but in the bill which is in the hands of Members it applies to lines 11 and 12 of page 23. The principal effect of the amendment is to take care of an erroneous reference to the words "the foregoing paragraph," which appears in the text.

The reference to "the foregoing paragraph" was correct as the bill was originally prepared; but a new paragraph was created, so that the reference should now be to the paragraph prior to the preceding paragraph.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield to me?

Mr. ROGERS. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I do not think that a proposition like that involved in these two amendments ought to go through the House without any explanation of them at all. This bill creates a new executive commission, composed of Members of the legislative bodies. I have never been enthusiastic about creating any commission of Congress to do executive or administrative work. I think the executive and legislative authorities ought to be in separate hands. One of the amendments has already been agreed to, the one creating a new commission, consisting of the chairman and the ranking minority members of the two Foreign Affairs and Foreign Relations Committees of the House and Senate, to make plans with reference to public buildings, to buy public buildings abroad, make any sort of trade they want to without even so far, as I now recall, as making a report to anybody on earth.

Mr. RAYBURN. Will the gentleman from Illinois yield?

Mr. MANN of Illinois. I will.

Mr. RAYBURN. I want to know what the gentleman from Illinois thinks about the policy of the United States Government, beginning at this early date, being paid by the Governments that owe it by these chips and whetstones that they bring in here? Does not the gentleman think that it would be much better policy for the United States Government to allow the Governments that owe us to pay the money and then pay the money out for anything we want to buy in those countries?

Mr. MANN of Illinois. Well, I think it is a very great lack of dignity on the part of a great Government like ours, which has immense sums of money due us from other Governments, to try to dicker with them as to whether they will get $150,000 or $50,000 to be paid out of the millions and hundreds of millions due us. I think it is beneath our dignity. [Applause.] If anybody is going to do it at all, I do not think the dickering ought to be done by a portion of the legislative branch of the Government composed into an executive commission. I do not think it ought to pass without some statement made in its behalf on the floor of the House, as it is such an unusual thing to come before us.

Mr. ROGERS. Mr. Speaker, I am very glad, in compliance with the suggestion of the gentleman from Illinois [Mr. MANN], to offer an explanation of the viewpoint of the conferees in presenting the motion in reference to this Senate amendment that the House recede and concur with only a technical amendment. The Senate amendment originated with a Member of this body. The gentleman from Pennsylvania [Mr. PORTER], chairman of the Committee on Foreign Affairs, has introduced a bill which is almost identical with this amendment. Members of the Committee on Foreign Affairs have deemed this a suitable piece of legislation, although I am not aware that they have taken any formal action as a committee. Now, the gentleman from Illinois [Mr. MANN] suggests, forcibly, as his suggestions always are forcible, that it is not desirable for a committee of Congress to be involved in an undertaking of this nature.

This was the viewpoint of gentlemen of the House who are interested in this proposal: The House of Representatives has always been reluctant to bestow upon the Secretary of State or any other individual any considerable degree of authority to buy embassies or legations. The House of Representatives has repeatedly expressed the opinion, both in debate and by vote, that the Congress should retain control of these expenditures; that we should not appropriate a blanket sum, $200,000, $300,000, or $500,000, and turn it over to the Department of State to do what it likes with it in the acquisition of these properties. It is not material at this moment whether or not that viewpoint is correct; but I think it has been the declared viewpoint of the House of Representatives. In drawing up this amendment it seemed to us that it would be a proper thing and a safeguarding thing if we should provide that any action taken by the Secretary of State on these matters should be subject to the control and subject to a veto of a commission of which more than half the membership was made up of Members of the Senate and House of Representatives.

You will notice the language of the proposal that is now pending, "With the approval of said commission and within a limit of cost at any one place of $150,000, the Secretary of State shall have power to purchase from any foreign Government," and so forth, these suitable buildings. That commission is to be made up of six members. The chairman of the Senate Committee on Foreign Relations is the chairman of the commission. The ranking minority member is the second member. The chairman of the House Committee on Foreign Affairs is the third member, and the ranking minority member of the same committee is the fourth member. The Secretary of State is added to it, and because the transaction involves the assets of the United States the Secretary of the Treasury is also made a member of the commission. Four out of the six are members of one or the other Houses of Congress. We thought that this proposal would be approved by the House and that it was free from substantial objection. The Secretary of State will have the duty of negotiating. He will bring back a report to this commission who will say "yes" or "no." The actual negotiations will inevitably and properly be in the hands of the Secretary of State, but Members of Congress will control and will determine whether the decision of the Secretary of State shall prevail.

Mr. GARRETT and Mr. CONNALLY rose.

Mr. ROGERS. I yield first to the gentleman from Texas, who was on his feet.

Mr. CONNALLY. I would like to ask the gentleman from Massachusetts this. On page 24 the Senate amendment contains this language:

Provided further, That the President is hereby authorized, in his discretion, to accept in behalf of the United States unconditional gifts of land, buildings, furniture, and furnishings, or any of them, for the use of diplomatic and consular offices and residences.

Is not the Government able to buy furnishings and furniture? And why does the committee have to agree to an amendment of that kind?

Mr. ROGERS. The Government, of course, is able to buy furniture, but the gentleman from Texas knows perfectly well that this very Capitol Building is filled with objects of art and decoration which were donated by patriotic citizens. Now, is it sensible, before a beautiful vase, such as stands in the Speaker's lobby here, can be accepted as a part of the furnishings of some public building, that the Congress must pass upon and authorize that individual gift?

Mr. CONNALLY. The gentleman is putting a rather large area in his question. I would say that the amendment certainly covers a large ground in accepting gifts and——

Mr. ROGERS. I am frank to say that I regard that last proviso as not an essential part of this amendment. But I do not see any danger involved in putting the authority in the hands of the President of the United States.

Mr. GARRETT. Will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Tennessee.

Mr. GARRETT. On page 23 it reads:

With the approval of said commission and within a limit of cost at any one place of $150,000 the Secretary of State shall have power to purchase from any foreign Government suitable embassy, legation, and consular buildings and grounds in any city specified in the foregoing paragraph and to effect payment therefor by causing the purchase price thereof to be credited upon the obligations or debts of such Government then held by or owing to the United States.

And so on. Is it intended that the right to purchase shall be limited to a purchase from the foreign Government?

Mr. ROGERS. Is it intended that this sort of transaction should be possible? Suppose in the city of Berlin the Austro-Hungarian Government owned in years past an embassy. Germany, we will assume, does not owe us money. Austro-Hungary, we will assume, does owe us money. This language is intended to permit the acquisition from Austria of that building in Berlin.

Mr. GARRETT. Well, the power to purchase would be confined under this to purchase from a Government?

Mr. ROGERS. Yes; under this language. The $300,000 dealt with in amendment 26, of course, would have no such limitation.

Mr. HUDSPETH. Will the gentleman yield for a question?

Mr. ROGERS. I yield.

Mr. HUDSPETH. I want to say to the gentleman that I see on page 11 where the conference committee struck out the $10,000 from the bill and substituted $5,000 for the protection of the Mexican boundary. I want to know if the gentleman's committee is willing to assume the responsibility of destroying that commission?

Mr. ROGERS. It does not destroy the commission.

Mr. HUDSPETH. It absolutely does. You can not finance the same for $5,000.

Mr. ROGERS. Mr. Speaker——

Mr. CONNALLY. I would like if the gentleman would yield to my colleague from Texas [Mr. RAYBURN].

Mr. RAYBURN. I would like three minutes.

Mr. ROGERS. I yield three minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I have been of the opinion for some time that the countries that owe us money would start in in some way to pay that money to us and relieve themselves of that obligation in a way that would not benefit us, but I had no idea that a monstrous proposition like this would find any support here or elsewhere. I want to warn the Members of this House at this time and to let them understand the sea upon which they are embarking by adopting such amendments as this. To think of the great Government of the United States accepting in payment of the obligations due it from other Governments a dicker for a piece of real estate in the capitals of some of these countries. I agree with the gentleman from Illinois [Mr. MANN] that if I ever saw a proposition in my life that was beneath the dignity of a great Government like this, this amendment 27 entirely covers it. They will want to be selling us some barren island somewhere for an immense sum to cover the obligations that they now owe us. This is the entering wedge, and I want this House to understand that when it votes upon this question.

Listen to the amendment that the gentleman from Texas [Mr. CONNALLY] called attention to:

And provided further, That the President is hereby authorized, in his discretion, to accept on behalf of the United States unconditional gifts—

Not of paintings, not of vases, not of little matters like that, but of lands and buildings. I never in all my life saw such an opportunity for the humiliation of a great Government as is contained in this amendment.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROGERS. Mr. Speaker, the gentleman from Texas is getting very much excited over a creation of his own imagination. It has been habitual on the part of the United States Congress to authorize the acceptance of gifts. I have some of the precedents in my hand. We occupy a legation at Bangkok that was presented to us by the Emperor of Siam. We occupy a building in Morocco that was presented to us by the Emperor of Morocco. We occupy a consulate in Tahiti that was presented to us by the reigning queen of the islands. If it is true that in the past we deemed it proper to accept gifts from potentates, why is it ignominious now for us to accept gifts from American citizens who, in the opinion of the President of the United States, seek to present to us objects which it is desirable for the United States to possess? Time and time again within my brief service in the House we have authorized the acceptance of gifts of various kinds and of great value. We have authorized the acceptance of gifts as sites for the manufacture of armor; we have authorized the acceptance of aviation sites, of mobilization sites, of nitrate-plant sites, of various gifts to the United States Navy, including just the sort of thing that the gentleman from Texas [Mr. CONNALLY] alluded to. We have authorized the acceptance of gifts of horses for breeding purposes, the acceptance of land for hatchery purposes, the acceptance of buildings in the District of Columbia for housing purposes, the acceptance of gifts for rifle ranges, and gifts from various memorial associations. I will put in the RECORD a list of these recent statutes, where we have authorized in blanket terms acceptance of gifts of these various kinds.

The legation property in Bangkok was presented to us in 1884 by the King of Siam, and its exchange for other property owned by the Siamese Government was only recently authorized by Congress. The consular property in Tahiti was a gift from the reigning queen.

The new legation in Salvador is erected upon land presented by that Government and accepted by the President under the authority of the act of Congress approved April 15, 1918.

Instances where Congress has authorized the acceptance of gifts from individual citizens are very numerous. Some of them are here enumerated:

Sites for manufacture of armor. (Act Aug. 29, 1916, 39 Stat., 563.)
Aviation sites. (Act Aug. 29, 1916, 39 Stat., 622; June 15, 1917, 40 Stat., 182; July 27, 1917, 40 Stat., 247.)
Mobilization sites. (Act Aug. 29, 1916, 39 Stat., 623.)
Nitrate-plant sites. (Act June 3, 1916, 39 Stat., 215.)
Gifts to Navy. (Act May 20, 1908, 35 Stat., 171.)
Horses for breeding purposes. (41 Stat., 962.)
Expenses of land for hatchery to be given by individual named in the act. (39 Stat., 431.)
Buildings in the District of Columbia for housing purposes. (40 Stat., 550.)
Gifts for rifle ranges. (36 Stat., 1457.)
Land to be given by Memorial Association of Georgia. (39 Stat., 901.)
One hundred and twenty-five acres, premises at Guilford Court House. (39 Stat., 997.)
Authorization to receive gifts of land. (36 Stat., 964.)
Gift from Lincoln Farm Association of birthplace of Lincoln and $60,000 for its maintenance. (39 Stat., 385.)
Land for cemeterial purposes. (36 Stat., 1077.)
Constitution Island. (35 Stat., 1166.)
Land near Fort Missoula. (33 Stat., 142.)

It is the rule to do under authority of Congress exactly what this amendment proposes to do. The gentleman from Texas [Mr. RAYBURN] froths at the mouth over this practice. Why, it is not a new thing. It is just as old as Congress itself. And the committee of conference in recommending this language is simply recognizing the practice that has prevailed ever since the United States was a government.

Mr. BEE. Will the gentleman yield for a question?

Mr. ROGERS. I yield.

Mr. BEE. Has the gentleman from Massachusetts any precedents for accepting in lieu of a debt a piece of land from a foreign Government?

Mr. ROGERS. That is a very different question, and that is not the question to which I was addressing myself.

Mr. BEE. That is involved in this amendment.

Mr. ROGERS. Oh, no.

Mr. BEE. Is this to be the forerunner of the way they can cancel the debts they owe the United States hereafter?

Mr. ROGERS. Oh, no; my personal viewpoint is that the foreign Governments concerned will be very glad to show their good faith in the matter of these debts by turning over to us a suitable building where we can be permanently housed. It will be a business transaction involving not exceeding $150,000 in any one place. It will have no bearing whatever upon the general collection of the debts. I may say to the gentleman that I am just as much in favor of the United States collecting those debts promptly as he can be. But this is a method by which we can get something of value without imperiling or in any way affecting the opportunity to collect the debts or impairing the general international relationships of the United States.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. BEE. Is not the United States of America amply able to buy this land without dickering with the foreign countries to get a credit on a debt?

Mr. ROGERS. Of course it is; but when that Government owes us something why not collect the debt as best we can? When a man owes the gentleman from Texas something, if the man is not prepared to pay at once he may make an arrange-

ment with the gentleman from Texas to pay in kind something that the gentleman from Texas desires.

Mr. BEE. I will promise the gentleman from Massachusetts that if they pay me in kind, I will get a profit in the kind if they do not pay me the cash. [Applause.]

Mr. ROGERS. This is a liberal proposition, so far as the United States is concerned.

Mr. BEE. Are we trying to make a profit?

Mr. ROGERS. The American dollar in certain countries is now worth anywhere from ten to fifty times as much as it was worth in normal times.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. RAKER. In addition to the three instances which the gentleman enumerated where the foreign Governments have made donations, is the gentleman able to find anywhere instances where we have made gifts?

Mr. ROGERS. I was citing those instances where donations of sites of embassies, legations, or consulates have been made to us by foreign rulers. I might also cite similar cases in Japan and China.

Mr. RAKER. Does not the gentleman make a distinction between sites for rivers and harbors and other public works and gifts by foreign countries to our ambassadors and consuls abroad if they are accepted by the President? Does he not make a distinction there?

Mr. ROGERS. Yes.

Mr. RAKER. Does it not look bad to permit these officers to ask the President to allow them to accept furniture and furnishings for these buildings abroad? Does not the gentleman think it is a dangerous precedent to allow even the President, on behalf of these various foreign offices, to accept these gifts of furniture and furnishings?

Mr. ROGERS. I do not think so. Of course, foreign Governments are not going to give away very much to the United States. There will be cases where American citizens may desire to make these gifts.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. MONTAGUE. I wish to say, if the gentleman will permit, that while I can not give my approval to the form of this amendment, and while I think the method of purchasing embassies by offsets of debts is rather undignified, certainly indelicate, yet this matter of providing buildings for our service abroad is a duty which our Government has too long postponed. I congratulate the House that we have now some opportunity for the acquisition of quarters for our foreign representatives. Heretofore, with few exceptions, only wealthy men could represent the Nation abroad. This practice is a negation of our democracy. We should not function as a democracy at home and a plutocracy abroad. [Applause.] Therefore, I shall vote for almost any measure that looks to the accomplishment of the object that the committee seems to have in view. [Applause.]

Mr. ROGERS. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Massachusetts moves the previous question.

Mr. GARRETT. Mr. Speaker, will the gentleman from Massachusetts yield me two or three minutes before he moves the previous question?

Mr. ROGERS. Yes. I yield to the gentleman three minutes.

The SPEAKER pro tempore. The gentleman from Massachusetts withdraws his motion for the previous question, and yields to the gentleman from Tennessee [Mr. GARRETT] three minutes.

Mr. GARRETT. Mr. Speaker, of course, this amendment No. 27 ought not to pass. No part of it should pass. The part of it before the proviso will place the country in the indelicate and unfortunate involvement which the gentleman from Texas [Mr. RAYBURN] has so forcefully pointed out. The proviso gives a blanket authority to the President of the United States in his discretion to accept unconditional gifts of land and buildings and furniture and furnishings.

That is not a desirable thing to do. Accept gifts from whom? I do not believe they ought to be accepted from anybody. [Applause.] I think it is extremely unfortunate that this House ever agreed to the acceptance of this Morgan house at London. [Applause.] It is a humiliation to this country. [Applause.]

I concur in the thoughts expressed by the gentleman from Virginia [Mr. MONTAGUE] that, within reason, this country ought to own homes for its diplomatic representatives abroad. That is true, I think, within reason, and moving along proper lines and dealing with each condition as it arises. But have we come to the point where this Nation is willing to say, "We will not buy, but we will accept as a gift from a nation, or from Tom, Dick, or Harry, land and houses in which to shelter those who represent our sovereignty abroad"?

Oh, gentlemen, we ought not to agree to this. We ought to disagree to this amendment, and then we ought to reconsider the section immediately before it, and let this go back to conference and let these gentlemen work out something that will be in accord with the dignity and the fine traditions of this Republic. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. SMALL rose.

Mr. ROGERS. Mr. Speaker, I yield three minutes to the gentleman from North Carolina.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for three minutes.

Mr. SMALL. Mr. Speaker, I would like to concur with the criticisms made by the gentleman from Texas [Mr. RAYBURN] and the gentleman from Tennessee [Mr. GARRETT] of this amendment, but it seems impossible to do so. The proposed amendment is very simple. It authorizes us to purchase quarters for embassies and legations and consulates from Governments, and have the same credited upon an indebtedness to us.

Gentlemen say it is undignified. We loaned our credit to those Governments who owe these amounts to us, and they expended it for foodstuffs and grain and clothing and munitions. And yet it is now said to be undignified that we shall accept in part payment a building and grounds for the use of our Diplomatic Service and have that part payment credited upon the obligation. Why have we become suddenly so supersensitive upon this question? For 20 years I have heard gentlemen in this House advocate the plain duty of Congress to provide suitable quarters for our legations and embassies. I recall notably the efforts of the gentleman from Ohio [Mr. LONGWORTH] on that subject. But Congress has failed to discharge its duty, with the result, as the gentleman from Virginia [Mr. MONTAGUE] points out, that the appointments to most of our important diplomatic posts are restricted to men of wealth, because the salaries which we pay them will not permit poor men to represent this great Government. It seems to me it is stretching the point of dignity too far to complain at this moment that we can not accept from another Government in part payment of a valid obligation the purchase price of a suitable embassy or legation.

As to the proviso authorizing the President to accept gifts, gentlemen say that it is a dangerous proviso. In what respect is it dangerous? In the first place no citizen is going to offer us any property, and no Government is going to offer us any property except it be done in a punctilious way that complies with all the laws and obligations of international courtesy. If perchance there should be any impropriety connected with its acceptance, have we ever had a President or a Secretary of State who would not observe the proprieties and protect the dignity of the United States? And if such a gift is offered us under the laws of propriety and courtesy, are we going to act to the contrary in declining to accept a gift of that kind? No similar gift which has heretofore been offered to the United States by any individual or Government has been refused by Congress. I hope the amendment will be adopted.

Mr. ROGERS. I yield to the gentleman from New York [Mr. DEMPSEY] three minutes.

Mr. DEMPSEY. Mr. Speaker, in ordinary times, when we did not have to question the expenditure of money, because of a great debt and high taxes, we did not appropriate sufficient sums to buy embassies abroad. If we did not do it then, we are surely not going to do it now, with the Treasury in its present depleted condition. However, in this time of stress we may be able to credit upon the indebtedness owing to us by foreign nations amounts which will enable us to buy suitable embassies. Gentlemen say that is undignified, if not indelicate. Why undignified? We are doing favors to nations embarrassed, to nations not in a position to pay in money, to nations which want to maintain their credit and good faith, to nations which want to discharge their debts and are willing to give that which is of greater value to us than money itself at the present moment. Why then should it not be done?

Only a couple of years ago we paid $20,000,000 for some islands down in the Caribbean, to protect the Panama Canal. Suppose that Denmark had owed us that amount and suppose we had credited it upon that indebtedness, at a time when Denmark was not ready to pay. Where is the gentleman who will say that that would not have been a wise, a good, and a proper transaction?

Then we hear it suggested, let me say in answer to the gentleman from Texas, that we may have some barren islands thrust upon us to apply upon these debts. Only a few days ago we heard it suggested that the British West Indies, such as Jamaica, might be transferred in part payment of the debt of Great Britain to us. Well, will the gentleman say that that complete protection to the Panama Canal, that insuring its

being guarded for all time, that safeguarding our interests in this way would not be a wise and a statesmanlike thing to do?

So I think there can be no question about the advisability of such transactions.

Mr. GARRETT. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. GARRETT. Does not the gentleman distinguish between the purchase of sovereignty over territory and the matter of having given to us by some foreign nation the home in which our diplomatic representatives are housed?

Mr. DEMPSEY. I do, indeed, and I say to the gentleman in answer to that suggestion what has been said by the chairman of this subcommittee, that that is a minor and small part of this section, and when the gentleman stops to think of it I do not believe he will consider that of serious consequence.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DEMPSEY. I should like one or two minutes more.

Mr. ROGERS. I yield to the gentleman one minute more.

Mr. DEMPSEY. The gentleman from Tennessee well knows that that is meant not so much to meet such small gifts as may come to us from foreigners, but that wealthy Americans who are traveling abroad will often see the opportunity to present something of interest or historic value to their country and desire to avail themselves of it. Why, only a day or two ago I wandered into a room in the Army and Navy Club, and there I found all of the belongings of Capt. Culver, a captain in the Navy who recently died. His belongings were assembled in that room in memory of him, and such things and only such things, not of great moment, not of sufficient importance to dignify them by becoming apprehensive of evil results, are the things that are contemplated, and they are the only things that will result or come out of this provision.

Mr. GARRETT. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. GARRETT. If it is merely a matter of personal belongings why does it say lands and buildings?

Mr. DEMPSEY. It means that to any man who exercises just ordinary common sense.

Mr. MASON. Will the gentleman yield to me three minutes?

Mr. ROGERS. I yield to the gentleman from Illinois three minutes.

Mr. MASON. Mr. Speaker, I desire to add to what has been said by the gentleman from Tennessee and the gentleman from Texas a note of warning in regard to this trading and dickering upon the amount of money that is owing to the United States. First of all, I am opposed, and I think it is a great mistake, to be accepting presents. I think that when we bought the strip of land in Panama and made it American territory we did the wisest thing, although the strip of land had been promised to us as a gift.

So I am opposed to accepting presents, and particularly opposed to crediting it on the amount of money due to this Government by other Governments. That money is due. We are not asking them for the money; let them give us their notes; let us be able to liquidate and make liquid assets out of those notes. If you start in the entering wedge, you know the propaganda that is started in this country, and if you do not, you ought to—eventually we will dicker and deal back and forth until distinguished peace Christian statesmen have their way, who are willing to be generous with other people's money and allow us to forget and forgive.

If this proposition which is the entering wedge means anything, it means that some great nation that owes us two or three billion dollars can begin negotiations; they will tender us $50,000 worth of some islands to withhold the final settlement. In other words, you remember what I say when I am through, you young men who are here, they will be offering you from day to day, from time to time, two bananas as partial payment for a billion dollars due, and while you are considering the question of whether you are going to take that partial payment the debt will go on, and your constituents and mine will continue to pay the interest on the debt that that Government owes us. I am opposed to the amendment for the reason suggested by the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Illinois [Mr. MANN]. Let them give us their notes and let us buy and pay for what we get. [Applause.]

Mr. ROGERS. I yield three minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, as a general rule I have the highest opinion of my friends, the gentleman from Tennessee, and the gentleman from Texas, but in this case I think they are making a mountain out of a molehill. This is nothing new; it is the usual thing. We have acquired embassies by gift for many years. In some countries you can not buy embassies. You can not buy property in Japan, and we have an embassy there by gift from the Japanese Government.

There is one thing foreign governments who owe us money can not do now, and that is to pay us in cash. They not only can not pay the principal, but they can not pay a cent of interest. We are not putting ourselves under obligations to those nations by permitting them to pay the equivalent in real estate. We are putting them under obligations to us, and I can not see any possible reason, nor does it derogate from our dignity as a Nation, to permit the settlement of some of those debts by accepting the thing we need, to wit, land and buildings in the capitals of other countries.

The SPEAKER pro tempore. The question is on receding and concurring with an amendment.

Mr. CONNALLY. Mr. Speaker, I demand a division of the motion.

The SPEAKER pro tempore. The gentleman from Texas demands a division of the motion, and the question is on the motion to recede.

The motion was agreed to.

The SPEAKER pro tempore. The question now is on concurring in the Senate amendment with an amendment.

The question was taken; and on a division (demanded by Mr. RAYBURN) there were 123 ayes and 58 noes.

Mr. RAYBURN. Mr. Speaker I make the point that no quorum is present.

The SPEAKER pro tempore. The gentleman from Texas makes the point that no quorum is present. The Chair will count. [After counting.] Two hundred and six Members present; not a quorum. The Doorkeeper will close the doors; the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 204, nays 120, answered "present" 2, not voting 102, as follows:

YEAS—204.

Ackerman	Fess	Luce	Robinson, N. C.
Andrews, Nebr.	Fish	Lufkin	Robsion, Ky.
Anthony	Fisher	Luhring	Rogers
Benham	Fordney	McArthur	Rose
Benson	Frear	McLaughlin, Mich.	Rowe
Black	French	McLaughlin, Nebr.	Sabath
Boies	Fuller	McLeod	Sanders, Ind.
Bowers	Gandy	McPherson	Sanders, N. Y.
Briggs	Ganly	Magee	Sanford
Brinson	Glynn	Mapes	Scott
Britten	Godwin, N. C.	Martin	Sells
Brooks, Ill.	Good	Mays	Shreve
Brooks, Pa.	Gould	Merritt	Siegel
Browne	Green, Iowa	Michener	Sinnott
Burdick	Greene, Vt.	Monahan, Wis.	Small
Burroughs	Griest	Mondell	Smith, Idaho
Butler	Griffin	Montague	Smith, Mich.
Campbell, Kans.	Hadley	Moore, Ohio	Snell
Campbell, Pa.	Hardy, Colo.	Moore, Va.	Snyder
Cannon	Hardy, Tex.	Moores, Ind.	Stedman
Chindblom	Hawley	Morin	Steele
Christopherson	Hays	Mott	Stephens, Ohio
Cleary	Hernandez	Mudd	Strong, Kans.
Coady	Hersey	Murphy	Strong, Pa.
Cole	Hickey	Nelson, Wis.	Summers, Wash.
Cooper	Hicks	Newton, Minn.	Swindall
Crago	Hoch	Newton, Mo.	Swope
Cramton	Holland	O'Connor	Taylor, Tenn.
Crisp	Houghton	Ogden	Temple
Currie, Mich.	Hull, Iowa	Olney	Tilson
Dale	Husted	Osborne	Timberlake
Dallinger	Hutchinson	Overstreet	Tinkham
Darrow	Ireland	Padgett	Treadway
Davis, Minn.	James, Va.	Paige	Upshaw
Davis, Tenn.	Jefferis	Park	Vaile
Dempsey	Johnson, Wash.	Parker	Vestal
Denison	Jones, Pa.	Patterson	Voigt
Dewalt	Kearns	Pell	Volk
Dickinson, Iowa	Kendall	Perlman	Walsh
Drewry	Kettner	Peters	Ward
Dunbar	Kinkaid	Porter	Wason
Dupré	Knutson	Purnell	Watson
Echols	Kraus	Radcliffe	Welling
Edmonds	Kreider	Randall, Wis.	Whaley
Elliott	Langley	Ransley	White, Kans.
Elston	Lankford	Reber	White, Me.
Emerson	Layton	Reed, N. Y.	Winslow
Esch	Lea, Calif.	Reed, W. Va.	Wood, Ind.
Evans, Mont.	Lehlbach	Rhodes	Woods, Va.
Evans, Nebr.	Linthicum	Ricketts	Young, N. Dak.
Fairfield	Longworth	Riddick	Zihlman

NAYS—120.

Almon	Blanton	Clark, Fla.	Focht
Anderson	Bowling	Collier	Foster
Andrews, Md.	Box	Connally	Gallagher
Ashbrook	Brand	Cullen	Gallivan
Aswell	Buchanan	Dent	Gard
Babka	Burke	Dominick	Garrett
Barbour	Byrnes, S. C.	Dooling	Graham, Ill.
Barkley	Byrns, Tenn.	Dowell	Harrison
Bee	Carnaway	Drane	Hastings
Begg	Carew	Eagan	Hayden
Bell	Carss	Fields	Hersman
Bland, Va.	Carter	Flood	Howard

Huddleston	Lesher	Oldfield	Steagall
Hudspeth	Little	Oliver	Stephens, Miss.
Hull, Tenn.	McClintic	Parrish	Stevenson
Humphreys	McKenzie	Phelan	Stoll
Igoe	McLane	Quin	Sumners, Tex.
Jacoway	MacGregor	Raker	Sweet
Johnson, Ky.	Major	Ramseyer	Tague
Johnson, Miss.	Mann, Ill.	Randall, Calif.	Taylor, Ark.
Johnson, S. Dak.	Mansfield	Rayburn	Taylor, Colo.
Jones, Tex.	Mason	Romjue	Thompson
Keller	Miller	Rouse	Tillman
Kelly, Pa.	Milligan	Rucker	Vinson
Kincheloe	Minahan, N. J.	Sanders, La.	Volstead
King	Neely	Sherwood	Wilson, La.
Lampert	Nelson, Mo.	Sinclair	Wilson, Pa.
Lanham	Nicholls	Sisson	Wingo
Larsen	Nolan	Smith, Ill.	Wright
Lee, Ga.	O'Connell	Smithwick	Young, Tex.

ANSWERED "PRESENT"—2.

Greene, Mass. Schall

NOT VOTING—102.

Ayres	Evans, Nev.	Lazaro	Scully
Bacharach	Ferris	Lonergan	Sears
Baer	Freeman	McAndrews	Sims
Bankhead	Garner	McCulloch	Slemp
Bland, Ind.	Goldfogle	McDuffie	Smith, N. Y.
Bland, Mo.	Goodall	McFadden	Steenerson
Brumbaugh	Goodwin, Ark.	McGlennon	Stiness
Caldwell	Goodykoontz	McKeown	Sullivan
Candler	Graham, Pa.	McKiniry	Thomas
Cantril	Hamill	McKinley	Tincher
Casey	Hamilton	Madden	Towner
Clark, Mo.	Harreld	Maher	Vare
Classon	Haugen	Mann, S. C.	Venable
Copley	Hill	Mead	Walters
Costello	Hoey	Moon	Watkins
Crowther	Hulings	Mooney	Weaver
Curry, Calif.	James, Mich.	Pou	Webster
Davey	Johnston, N. Y.	Rainey, Ala.	Welty
Dickinson, Mo.	Juul	Rainey, Henry T.	Wheeler
Donovan	Kahn	Rainey, John W.	Williams
Doremus	Kelley, Mich.	Ramsey	Wilson, Ill.
Doughton	Kennedy, Iowa	Reavis	Wise
Dunn	Kennedy, R. I.	Riordan	Woodyard
Dyer	Kiess	Rodenberg	Yates
Eagle	Kitchin	Rowan	
Ellsworth	Kleczka	Rubey	

So the motion to recede and concur in the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice.

Mr. WILSON of Illinois with Mr. POU.

Mr. HARRELD with Mr. FERRIS.

Mr. GREENE of Massachusetts with Mr. BANKHEAD.

Mr. REAVIS with Mr. SIMS.

Mr. TINCHER with Mr. HOEY.

Mr. BLAND of Indiana with Mr. MEAD.

Mr. DYER with Mr. MCKEOWN.

Mr. KELLEY of Michigan with Mr. VENABLE.

Mr. TOWNER with Mr. LAZARO.

Mr. JUUL with Mr. SCULLY.

Mr. COPLEY with Mr. BLAND of Missouri.

Mr. SLEMP with Mr. MCANDREWS.

Mr. FREEMAN with Mr. SULLIVAN.

Mr. HAUGEN with Mr. CALDWELL.

Mr. GOODYKOONTZ with Mr. EAGLE.

Mr. HULINGS with Mr. SMITH of New York.

Mr. KENNEDY of Rhode Island with Mr. LONERGAN.

Mr. MCCULLOCH with Mr. MCDUFFIE.

Mr. GREENE of Massachusetts. Mr. Speaker, I voted "yea." I desire to withdraw my vote because I am paired with the gentleman from Alabama, Mr. BANKHEAD.

The name of Mr. GREENE of Massachusetts was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 30: Page 25, after line 9, insert:

"POST ALLOWANCES TO DIPLOMATIC AND CONSULAR OFFICERS.

"To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to diplomatic and consular officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $500,000."

Mr. ROGERS. Mr. Speaker, I move to recede from the House disagreement to the Senate amendment and concur in the same with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. ROGERS moves that the House recede from its disagreement to Senate amendment No. 30, and agree to the same with the following amendment: "In lieu of the sum named in said amendment insert '$250,000.'"

Mr. ROGERS. Mr. Speaker, this exact item was included in the bill as it was reported to the House by the Committee on Appropriations carrying an appropriation of $250,000. A point of order was made against the paragraph in the House and the point of order was sustained. The Senate restored the item and recommended $500,000 instead of the $250,000. The committee of conference recommends concurring in the Senate amendment, but with the amount of $250,000, as originally proposed to the House.

I move the previous question on the motion to recede and concur with an amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 32: Page 28, line 11, after the word "and," strike out "Public act No. 79 of the Sixty-sixth Congress, when the latter act shall have become effective," and insert "of this act, to be immediately available, $600,000."

Mr. ROGERS. Mr. Speaker, amendments 32 and 33 should stand or fall together. I ask unanimous consent that amendment No. 33 be reported and be considered with amendment No. 32.

Mr. SIEGEL. Mr. Speaker, I object.

Mr. ROGERS. Mr. Speaker, this amendment continues in effect the passport-control system which has been in force for some time.

Mr. JOHNSON of Washington. Mr. Speaker, this amendment No. 33 does not do that.

Mr. ROGERS. The two amendments together do that. The first amendment taken by itself simply appropriates for the enforcement of the act of May 22, 1918.

Mr. JOHNSON of Washington. I submit there is no need for debate upon that question.

Mr. ROGERS. That is precisely why I hoped that the gentleman from New York would permit the consideration of the two amendments together.

Mr. SIEGEL. I think amendment No. 32 would not arouse any discussion.

Mr. ROGERS. Then, I move to recede and concur, and on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with amendment No. 32.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 33: Page 28, after the amendment just adopted, insert: "*Provided*, That the provisions of the act approved May 22, 1918, shall, in so far as they relate to requiring passports and visés from aliens seeking to come to the United States, continue in force and effect until otherwise provided by law."

Mr. ROGERS. Mr. Speaker, I move to recede and concur in the Senate amendment.

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. JOHNSON of Mississippi. On page 28, line 17, what is the use of the words "until otherwise provided by law"? Does not the gentleman think that useless verbiage?

Mr. ROGERS. I do not think it is of any value, and on the other hand I do not think it is particularly detrimental or bad legislative language.

Mr. JOHNSON of Mississippi. I have never observed it before in legislative language.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. MASON. I would like to have some agreement so that we may be heard on this amendment. I am opposed to it.

Mr. ROGERS. How much time does the gentleman require?

Mr. MASON. I want five minutes.

Mr. SIEGEL. I want five minutes.

Mr. SABATH. I want five minutes.

Mr. ROGERS. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, the visé law, as it is called, was originally enacted as a war measure. Later we passed a resolution of the House continuing it in force until March 4, 1921. No logical reason can be urged why in this bill we should proceed to make the visé requirement a permanent law. At this very minute the State Department and the Department of Labor are not enforcing it in all cases, because they have found that in some cases they are unable to enforce it without perpetrating gross inhumanities. The last time when this subject came up I said if this law were enforced no political refugee could come into America. We have seen since that political refugees are being denied the right of asylum here because of their inability to have passports viséed.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. RAKER. While the Committee on Naturalization and Immigration has been investigating these matters, would the gentleman inform the House what particular cases there are where they have allowed these men to enter without passports?

Mr. SIEGEL. Well, now, let us take one case, for example. I refer to the O'Callaghan case. He will not be deported, because the American people will never permit the deportation of a political refugee. By the laws of nations, he should remain here. Why enact a law of a kind which we know well enough that we do not intend to enforce, because it is opposed to all of our traditions? I said weeks ago that some of the agents engaged in this visé work were corrupt, and there was some doubt expressed here about it. A jury in the United States district court in New York convicted one last week, and he was sentenced to one year yesterday.

Mr. RAKER. Will the gentleman yield for a further question?

Mr. SIEGEL. I will.

Mr. RAKER. Outside of the O'Callaghan case, what other man who entered without a passport has not been ordered deported?

Mr. SIEGEL. I will say for the benefit of the gentleman that I do not propose to name the political refugees who have arrived here. He has the same sources of information available that I have and if he desires to drive political refugees out of this country, let him do so. I do not believe in any such policy. Neither does the average American citizen.

Mr. RAKER. I want to know if the immigration officers are enforcing the law.

Mr. SIEGEL. The immigration officers and the State Department are doing their full duty. What is the sense of having a visé law continued indefinitely? Every man here knows that there are pitiable cases which are brought to his attention. I had one case here to-day; four children over in Antwerp coming from Ukraine, never obtained a passport because there is no recognized government. They have arrived at Antwerp, the father here a declarant, the mother killed, and there is no way to get a visé for those children to come over to this country.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SIEGEL. Certainly.

Mr. JOHNSON of Washington. There is a way to get a visé, and there is a method of making an appeal.

Mr. SIEGEL. There is no way by which they can get a visé, as the way our visé law reads you must have a passport from that particular country whose existence as a government must have been recognized.

Mr. JOHNSON of Washington. Are not refugees getting visés from the French Government, not citizens of France, but other countries?

Mr. SIEGEL. No.

Mr. JOHNSON of Washington. I think they are.

Mr. SIEGEL. I want to say for the benefit of the gentleman it is not so, because I made inquiry to-day at the State Department in reference to the particular case I have just cited. The man came here seven years ago, tried to bring his wife and children over after being here a few months, he being a declarant, his wife was killed, and those children have been over there trying to get across. They are in Antwerp, and they can not get over unless an exception, based upon the ground of humanity, is made.

Mr. JOHNSON of Washington. How are refugees, who are stacked up in France now, being transported to the United States to get passports if they do not get them from the French Government?

Mr. SIEGEL. These refugees to which I refer are people coming from Litvia, Georgia; it is only from nations which are in existence. This law, clear as it may appear upon the surface of it, can not function as far as women and children are concerned where there are no regular governments organized. I am opposed to any further extension of war measures, and this is one of them.

Mr. ROGERS. Mr. Speaker, I yield five mintues to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, if there is anything that our party promised—and I speak to my friends on this side of the Chamber—in this last campaign, it was that we would repeal all of these war laws. Until the war there was no necessity for a man having a passport from his master, the king, before he could come to America. It was a necessary law during the war. Now, as it has appeared before the Committee on Foreign Affairs, they have recommended, according to my recollection, that a law be passed which would permit them to admit a man without a visé provided he makes a showing that he is a refugee, that he is persecuted either in a political or religious way, and presents to the Government the fact that he is eligible under the immigration law to come into this country.

Now, I have no disposition to find fault with the immigration laws, but this is doing exactly the thing which we promised not to do. We are continuing a war measure. This law that we had during the war would have kept the Pilgrim Fathers out, and it would have kept out many men, and most of your ancestors, if it had been a law when they started for this country. Take, for instance, as an illustration, the incident just now given by my friend from New York [Mr. SIEGEL]. I have many cases now where some of my constituents who have been here for many years and have made a success in life want to bring here an aged father or a mother. They make a showing to the department that they are abundantly able to take care of them, but they can not get a passport for some reason or other. Suppose they were coming from the soviet government in Russia, what chance is there of their getting a passport? We recognize no government there. Here are two gentlemen starting out from Great Britain or some of her colonies, the Indias or Ireland. One of them is coming here to spread propaganda of Indian or Irish principles.

The other is coming for the purpose of continuing Great Britain's rule in Ireland or India. The King says to one man, "You may go," and to the other man, "You must stay." We submitted to it during the war, for we had our alliances and our fighting friends, and we said that we would not let anyone come in here for any purpose unless the Governments gave them a passport; and they did the same for us. But with this law in times of peace you allow somebody besides the people of the United States to say who may come to this country. It is a delegation of American power to a foreign body or to a foreign court. And I say that the law ought to be repealed. It has been repealed by action of peace. We claimed it when we passed the declaration of peace.

I say, if you please, that this legislation ought to be taken up by itself. I am a member of the Committee on Foreign Affairs, and this particular item of extending the law for one year I have not heard discussed. I have been necessarily absent for some time. But it is the extension of the war measure, which allows the kings and the rulers of other countries to say who shall come into this country, and is an absolute invasion of American rights.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. MASON. If you make it quick.

Mr. NEWTON of Minnesota. Does not the gentleman know that he was present and participated in the debates of the committee upon the visé control act?

Mr. MASON. Yes; it was the gentleman's bill.

Mr. NEWTON of Minnesota. Yes; and it was reported favorably to the House, and it is waiting on the calendar.

Mr. MASON. I made a minority report, and I am speaking for that report now; that is, not this bill. I am opposed to any country in the world saying to any man in the world if he strikes the American shore and is shipwrecked, if he has not anything in the world except an ambition to become an American citizen, and he will satisfy the people of the country that he is in love with our principles, that he is a refugee, that he has been persecuted for religious and political duties, and he lands here and complies with the immigration law, that he shall not stay here. If we do otherwise we have violated the fundamental principles of the American Constitution.

The fathers of this Republic when they wrote the Declaration of Independence complained of Great Britain that they viséed all Government passports and permitted the addition only of British subjects. What is the fact to-day? They have it in their power. They are coming from that Kingdom, they are coming from that Empire, whenever the people of that nation say. I say let us reserve to the people of the United States the power to say who shall and who shall not become citizens of our Republic. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ROGERS. Mr. Speaker, I yield three minutes to the gentleman from Washington [Mr. JOHNSON].

The SPEAKER. The gentleman from Washington is recognized for three minutes.

Mr. JOHNSON of Washington. Mr. Speaker and gentlemen of the House, this proposition is a simple one. It provides for the further extension of the war-passport act, in so far as it applies to incoming aliens, and continues that act until otherwise provided by law.

Congress did make one extension of that act, which extension expires on March 4 next without ever having been operative,

for the reason that the United States has failed to reach a legal state of peace with enemy countries. Hence the old war-passport act runs, but it will run only until the day we reach a declaration of peace. It is certain that one of the first acts of the next Congress will be a declaration of peace. It is not possible to get action upon a new passport bill. In my opinion, it is a dangerous proposition, with the state of unrest that now exists in the world, to let the United States drop the passport requirements as now applied to incoming aliens.

Aliens who are entitled to be admitted to the United States under some circumstances without passports and visés are now admitted. For the fiscal year ending June 30 of this past year 1,001 Germans were admitted without passports under special conditions. Other aliens have been admitted without passports on a proper showing. Refugees from certain countries in Europe now reach other countries in Europe without passports, and in the course of getting them out of those countries where they have arrived they are given passports to the United States. This seems to be for the good of the second country, but I contend that it is not so good for the United States. Therefore we need and will continue to need the visé. It seems to be nearly always to the United States they desire to come, and most of these other countries seem quite willing—even anxious—to assist them out of their countries into ours.

Some objection appears to the words "until otherwise provided by law," and a date certain is suggested. I presume the words imply the intent—I do not think the words amount to a great deal, but I am sure it is the intent of members of certain committees, both of the House and of the Senate, to work in harmony in an effort to draw a further passport law. If gentlemen will remember——

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. In one moment. Gentlemen will remember I opposed in the previous session of this Congress an extension of the passport act with an amendment which gave the State Department officials the power to override and act above the immigration laws. I opposed that, and you remember we overturned the conference report. But this amendment does not upset or supersede the immigration laws. Our State Department officials in other countries have only the power now to refuse to visé upon knowledge and information that the person applying for that visé is dangerous politically, harmful to the integrity and institutions of the United States. Our consular agents can not refuse applications for visés to persons for even apparent defects that would be certain to cause them to fail to get into the United States after arriving at our gates. I have opposed enlargement of State Department authority because I do not want to see a State Department passport regulation superimposed upon the immigration laws. This amendment, as I say, does not do that, but it extends the law already adopted.

Now I yield to the gentleman from Michigan.

Mr. CRAMTON. The gentleman spoke of that language as being perhaps of no effect. Is it not true that the effect of that language is to make permanent law of that which was originally adopted as a war-time measure?

Mr. JOHNSON of Washington. No; I think not, for we will reach permanent legislation, I hope.

Mr. CRAMTON. And in the event that Congress does not agree upon new legislation this would continue perpetually and be permanent law?

Mr. JOHNSON of Washington. The assumption is that inasmuch as this is a live subject and the new Congress will be a live Congress, we will make haste toward a complete passport bill intended as permanent law.

Mr. CRAMTON. This may continue for all time.

Mr. JOHNSON of Washington. We should act within one year, but I thought that before, for I introduced and pressed the first extension—the one with a time limit now about to expire.

Mr. CRAMTON. If Congress acted it would continue in effect, perhaps, for one year, but if Congress did not act it would fellow that, although it is a war-time agency, it is to be perpetually continued.

Mr. ROGERS. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. MANN of Illinois. Mr. Speaker, I want to know whether, if this becomes a law, a political prisoner in Great Britain, imprisoned because of the trouble in Ireland, if he escapes from prison and becomes a stowaway, coming on a vessel from Great Britain to the United States, will be deprived of admission into or return from the United States because he has not a passport visé?

Mr. ROGERS. I will answer the question of the gentleman from Illinois by saying that he will not be deprived of admission to the United States.

Mr. SIEGEL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Mr. Speaker——

Mr. ROGERS. The Secretary of State has power to exclude, and the Secretary of State has power to admit.

Mr. MANN of Illinois. Under the passport law?

Mr. ROGERS. Under the passport law of May 22, 1918, under the proclamation of the President and under the regulations issued in accordance therewith.

Mr. MANN of Illinois. It has been stated recently in the press that a certain Irishman who has come to the United States—however, I think he did not escape from prison—has been ordered deported because he did not have his passport viséed.

Mr. JOHNSON of Washington. But he claimed to be a sailor.

Mr. MANN of Illinois. Did the law apply to that case?

Mr. ROGERS. If the matter had been properly presented to the Secretary of State he would have had the right to admit the particular person to whom the gentleman refers.

Mr. MANN of Illinois. Or the right to exclude him?

Mr. ROGERS. Or the right to exclude him.

Mr. MANN of Illinois. So that under this law if a man does escape, when he has been imprisoned for a political offense—and there are many such cases now—if he manages to escape and get into the United States, he may be sent back by our Government to the prison from which he escaped?

Mr. ROGERS. May I answer the gentleman further?

Mr. MANN of Illinois. Yes. I want information.

Mr. ROGERS. I have in my hand the regulations issued by the Department of State in connection with the execution of this law and dated August 28, 1920. I will not take the time to read them at length.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ROGERS. I yield to the gentleman one minute more. I will not read the regulations at length; but the provision is that in order for an alien to be excludable he must be of a class which is dangerous to the public safety of the United States. Of course, the Secretary of State, like an immigration officer, may err or may even be corrupt on the question of facts; but in order to exclude such a man as the gentleman from Illinois [Mr. MANN] has referred to the Secretary of State must decide that in fact the man is dangerous to the public safety of this country.

Mr. MANN of Illinois. What does the passport law mean if it requires a passport viséed, if, when a man comes here, the Secretary of State has to declare that he is of a class which ought to be excluded?

Mr. ROGERS. Because the law itself provides that the President may make regulations in order to exclude aliens who would be dangerous to the public safety.

Mr. MANN of Illinois. I confess I thought I would get this thing cleared in my own mind, but it is as muddy as ever.

Mr. ROGERS. I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. I should like more time than that.

Mr. ROGERS. Let the gentleman take his five minutes, and then he can ask for more.

Mr. HUDDLESTON. Mr. Speaker, the measure under consideration makes a permanent law of the act of May 22, 1918, by which it is provided that it shall—

> Be unlawful for any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President shall prescribe.

The penalty for violating said act is $10,000 fine and 20 years imprisonment.

That law was passed as a war measure and by its terms its operation was limited to the war. By this measure that law is reenacted so far as aliens are concerned, and it is made of permanent operation.

Any regulations which the President may adopt under this law obviously must require the alien desiring to come to the United States to have some form of permit from some agent of our Government stationed in the foreign country. As at present applied the regulations require the alien to obtain a passport from his own Government and to have same viséed by an American consul in his home country. That is the present practice. The offices of our consuls in various European cities are besieged by multitudes of emigrants seeking visés so that they may come to the United States. Long lines of these unfortunates stand in wait day by day. Sometimes weeks are consumed before the emigrant can learn from the consul what is required of

him. Necessarily our consular offices are not equipped for this business. They have not sufficient clerical force. There is much useless red tape, heartbreaking delays, and much unnecessary suffering; but with this aspect of the matter it is not my purpose to deal.

THE O'CALLAGHAN CASE.

Under the law which it is now proposed to make a permanent part of the American system, no alien can secretly come to the United States, for obviously under any regulation which may be adopted he must obtain the consular permit before leaving home. If he is proscribed by his home authorities, he can not openly apply to the consul for the permit. If he should slip away and take ship as a stowaway or otherwise, he will find that upon setting his foot upon American soil he has committed a crime, and will find himself not in a land of freedom and opportunity, but will be confronted by officers of the law who will conduct him to a penitentiary for 20 years' imprisonment.

The recent case of O'Callaghan, the Irish refugee, has been referred to in this debate. The moment O'Callaghan put his foot upon the soil of Norfolk he violated the law; he became liable to 20 years' imprisonment. What course will finally be taken in his case, I do not know. Suffice it to say that he is now out of jail merely by grace of the Department of Justice. The law makes no exception in behalf of political refugees, nor of those persecuted upon racial or religious grounds. It makes no allowance for those fleeing from oppression, tyranny, or brutality. It requires that any alien who wishes to come to the United States must openly present himself at our consular office in his own country and by open application for a permit subject himself to the pogrom of a "black hundred," to the proscription of a red terror, or to execution by a firing squad.

ROBERT EMMET COULD NOT HAVE COME TO AMERICA.

The law proposed makes no exception—no alien can come secretly to the United States. He may be a man of high character; he may be a patriot; but he can not come to the United States without the permit. No Irish republican marked for death by a "black and tan" reprisal can find asylum in America; no Polish nor Ukrainian Jew, persecuted for his religious beliefs, can come to America; no Wrangel or Kolchak, proscribed by the soviet authorities, can come; no Korean patriot, in rebellion against Japanese tyranny, can come to America; no Egyptian, no Hindu, no Boer, no Alsatian, revolting against the constituted authorities in defense of his native land, can find refuge in America. Kossuth could not have come to America; Kosciusko could not have come; Robert Emmet could not have escaped the hangman's noose by breaking jail and shipping as a stowaway for the United States. None of the world's patriots whom brave and free men all delight to honor could have come to the United States.

The measure comes into the House as a rider upon an appropriation bill. It has never been considered by any legislative committee. The parliamentary situation in which it is presented does not permit that it be given the consideration that a measure of such importance should receive. Nothing can justify legislation of such importance being passed through the House in such fashion except a great emergency. No such emergency exists. The existing law by its terms remains in effect until peace is proclaimed. Congress will have ample time at its next session to take such action as may be proper.

CONGRESSIONAL ABDICATION.

But for another reason no emergency exists. The Johnson immigration restriction bill has been amended by the Senate so as to permit only 3 per cent of the nationals of the immigrants who have been naturalized as citizens to come to the United States annually. The existing immigration laws forbid the coming of all anarchists and others opposed to organized government or advocating the overthrow of government by force. The Johnson bill still further restricts immigration to 3 per cent of immigrants already naturalized. That bill has been agreed on in conference, is on the Speaker's table, and will be acted on within a few hours. No excuse that the measure under consideration is needed to bar out anarchists or other undesirables can be made honestly. The measure is not a measure for immigration restriction. In reality it merely serves to mark the abdication by Congress of its legislative function and turns over the entire subject of the admission of aliens to the executive branch of the Government. It authorizes the Executive to say who may and who may not come to the United States. It leaves the Executive free to follow any whim or pursue any arbitrary fancy.

This measure has never been considered by any committee of the House. The Committee on Foreign Affairs, of which I am a member, has reported the Newton bill. That bill, bad though it is, is much better than the measure under consideration. The Newton bill is comparatively mild. It merely extends the passport-control act to June, 1922. It excepts all those who may seek to come to this country to escape political, racial, or religious persecution. Its penalty is only 1 year in prison, instead of 20 years as provided by this amendment. The Newton bill is bad, but this measure is infinitely worse. And the Newton bill was approved by the committee by a vote of only 5 to 4, there being less than a quorum present.

REPUBLICAN PROMISES TO REPEAL WAR LAWS.

Now for a little heart-to-heart talk with our Republican brethren on the other side of the Chamber. This law was originally passed as a war measure to meet an emergency. You have recently won a great political victory. You won it upon your promise to the people of America that you would repeal the war laws. For more than a year I have been trying to get the war laws repealed. I have cooperated with you in your measures to that end. I thought that you were sincere; I still believe that many of you were sincere.

You promised the people that you would repeal the war laws. This law is the most drastic of them all. If we adopt the measure under consideration, you will violate the promise you made to the people that you would have done with war measures. You promised that you would carry this country back to normal. You got the votes of the people of the United States upon the strength of that promise. This is one of the worst of the war laws. When you made your promise to the people to repeal those laws you did not except this one; you did not except it when you spoke to alien-born citizens of the great industrial communities and asked for their support; you did not make an exception of this measure when you spoke to them; you made no exception whatsoever; you included all of the war laws; and on the strength of the promise that you would repeal them they gave you their support.

PEOPLE DEMAND RETURN TO OLD-FASHIONED AMERICANISM.

The responsibility now is yours. You have the majority. Will you violate the promise that you made to the people of the United States? I call upon you to redeem your pledge of faith. I demand that you make good your promises. Upon behalf of the great masses of plain Americans, I challenge you to perform your preelection pledges. I say to you in their behalf that they are watching Congress as never before; they are demanding performance and not promises. They demand a return to old-fashioned Americanism and to American ideals. They will punish you if you refuse.

Mr. ROGERS. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Speaker and gentlemen, the Johnson immigration bill has not yet been enacted into law. I hope this House will be able to deal with and to pass the measure. It will then have to go to the Chief Executive for his approval or disapproval. If it becomes a law, it will not go into effect until April 1. The passport law will expire March 4. The reasons for the enactment of that measure are understood and appreciated by the House and continue to exist. Every reason which existed then urges the continuance of the law now. Such information as I have in connection with this subject prompts me to say and to urge that the continuance of this law is imperatively necessary. I think the committee has done the wise thing and hope their action will be ratified by the House.

Mr. ROGERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. In the event that there should be a record vote upon this proposition and that it should be in progress when the recess arrives at 6 o'clock, would the yea-and-nay vote be allowed to continue until completed?

The SPEAKER. It would.

Mr. ROGERS. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. CRAMTON. Mr. Speaker, before the gentleman does that, will he permit me to offer an amendment for the information of the House?

Mr. ROGERS. Certainly.

Mr. CRAMTON. Mr. Speaker, I move to amend the Senate amendment in accordance with the amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Mr. CRAMTON moves to amend the Senate amendment by striking out of the last two lines of the matter inserted by the Senate the words "otherwise provided by law" and inserting in lieu thereof "January 1, 1922."

Mr. TEMPLE. Mr. Speaker, I wish to call attention to a statement that has been made very frequently in the course of the debate, to the effect that the existing law will lapse on the

4th of March. That is not correct. The existing law is the act of May 22, 1918, which will cease to be in effect at the conclusion of peace between the United States and those countries with which we are now technically at war.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. TEMPLE. In just a moment. In expectation that the war would cease prior to the 4th of March, 1921, Congress passed an act which is No. 79 of the Sixty-sixth Congress, which was to go into effect at the conclusion of peace when the act of May 22, 1918, ceased to be in effect and to remain in force until the 4th of March, 1921. It has not gone into effect as yet. If it had gone into effect, it is the law which would lapse on the 4th of March, but it has not yet superseded the act of May 22, 1918, which is to last throughout the war.

It is the act of May 22, 1918, which the Senate amendment would continue in effect until there should be further legislation. I now yield to the gentleman from New York.

Mr. GRIFFIN. Mr. Speaker, I presume the gentleman has the act of May 22, 1918, in his hand?

Mr. TEMPLE. Yes.

Mr. GRIFFIN. Public act 154?

Mr. TEMPLE. Yes.

Mr. GRIFFIN. I would ask the gentleman what construction he would put upon the language, the last phrase of the first paragraph, "which shall until otherwise authorized by the President or Congress be unlawful"?

Mr. TEMPLE. The whole act gives the President the right to make certain regulations and to withdraw those regulations when he wishes to do so.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GRIFFIN. Mr. Speaker, will the gentleman from Massachusetts yield one more minute to the gentleman in order that he may elaborate that point?

Mr. ROGERS. I yield an additional minute to the gentleman from Pennsylvania.

Mr. TEMPLE. The whole act of May 22, 1918, puts the question up to the President and authorizes the President to make such regulations as he may think fit.

Mr. GRIFFIN. But as a matter of fact, under the phrase which I have indicated to the gentleman, does not the act of May 22, 1918, remain in force until otherwise ordered by the President or by Congress?

Mr. TEMPLE. No.

Mr. GRIFFIN. The language so states.

Mr. TEMPLE. The gentleman is mistaken. He reads a part of the sentence only—

> That when the United States is at war, if the President shall find that the public safety requires that restrictions and prohibitions in addition to those provided otherwise than by this be imposed upon the departure of persons from and their entry into the United States, and shall make public proclamation thereof, which shall until otherwise ordered by the President or by Congress be unlawful—

And so forth.

This law does not go into effect until the President makes proclamation putting it into effect.

Mr. GRIFFIN. He has already done that.

Mr. TEMPLE. He did that, and when he makes another proclamation withdrawing the first one this act has no further effect.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. ROGERS. Mr. Speaker, there has been a good deal said in the course of the discussion which I think tends to obscure the issue presented by this amendment. In the first place, passport control of aliens who desire to come to the United States has never been, is not now, and will not be if this amendment is adopted, an attempt to enforce the immigration law. In my judgment, it would be wise if such extension were inaugurated, but that is not permitted under the present law and it has never been attempted.

Under the law of May 22, 1918, the sole function of consuls to whom application must be made for visés is to determine whether an applicant is an anarchist or a person who believes in, advocates, or teaches opposition to all organized governments. In other words, the purpose of the law of May 22, 1918, that we suggest shall be continued for the present, is merely to keep out aliens who desire to come to the United States and here to preach the doctrine of anarchy and bolshevism, of destruction and of opposition to all organized government and society.

Mr. RAKER. Will the gentleman yield?

Mr. ROGERS. I can not yield just at this moment. I should think that gentlemen would hesitate to vote against the continuation of a law of that kind in view of the fact that its execution and administration have always been limited strictly to what is authorized by the law.

We have had hearings repeatedly on this general question before the Committee on Foreign Affairs, before the Committee on Immigration, and before the Committee on Appropriations. The testimony is universally to the effect that there has been no transgression of the restrictions laid down in the act of Congress itself.

What has been the effect of the law? We have kept out thousands of persons dangerous to the public welfare of the United States. The testimony is that 2 per cent of all persons who apply for a visé are rejected by our consular officers abroad. That is not a very large percentage. I think that it should be larger. But with immigration at this moment at the rate of something like a million persons a year that means that we are keeping out 20,000 anarchists and bolshevists through the medium of this law. I think with the world on fire to-day we are better off as a Nation to have these 20,000 people in Russia, Poland, or southeastern Europe than to have them in the United States. [Applause.]

Mr. SABATH. Will the gentleman yield?

Mr. ROGERS. I can not yield just now. It is quite possible that the law ought to be changed and modified when the new Congress comes in next month; but Mr. Harding has announced that he hopes that his first work will be to sign an agreement of peace and issue a proclamation of peace. At that moment this law stops, and there will be a hiatus in passport control. We, who are familiar with the legislative methods of Congress, know that it may be a long time before we can get through a continuation or a modification of this law. So we are urging to-day that the present salutary system shall continue for the present and until a carefully devised law shall replace it.

There is one more element I want to bring to the attention of the House before I move the previous question, and that is the matter of revenue. A million men and women come yearly into the United States under this law and $10 is charged per person. That means a revenue of $10,000,000, which is more than enough to maintain the entire foreign service of the United States, both at home and abroad. The revenue feature can not be overlooked.

A great deal has been said here to-day relative to the hardships in the case of the political refugee. The law of May 22, 1918, does not exclude the stowaway or the political refugee who comes to this country directly or by way of Mexico or some other country and who has no passport or visé.

It does not, it is true, say definitely that he may come in, and it ought not to say that he may come in. It says if the Secretary of State finds that that man is of a character who would be dangerous to our institutions that he shall be excluded, but in the event that he is not of a character dangerous to our institutions that he may be admitted. All this discussion about the danger to the political refugee, and about the danger that America may no longer be an asylum as she has been in the past, is pure poppycock. You can not find a line of it in the law or in the President's proclamation or in the regulations issued thereunder. The only question involved in agreeing to this amendment is whether you believe that we ought to keep out in the next year 20,000 anarchists who seek to wreck the United States. [Applause.] I move the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman to recede and concur in the Senate amendment.

Mr. CRAMTON. Mr. Speaker, I have an amendment pending which is preferential.

Mr. HUDDLESTON. I demand a division of the question.

Mr. ROGERS. I make the point of order that the gentleman's amendment is not preferential at this time.

Mr. CRAMTON. Mr. Speaker, the situation is, we have already receded. Now, the question is merely on concurring in the Senate amendment.

The SPEAKER. The Chair was not aware we had receded.

Mr. CRAMTON. It was my recollection that on the demand of the gentleman from New York [Mr. SIEGEL] the question was divided, and we voted then on the motion to recede.

Mr. ROGERS. The gentleman's recollection, if the Speaker will permit, is not correct. The request I made was to have two different amendments considered at once, and to that the gentleman from New York [Mr. SIEGEL] objected. There has been no motion to recede.

The SPEAKER. The Chair does not remember one.

Mr. CRAMTON. Then, Mr. Speaker, I ask a division of the question, to which I am entitled.

The SPEAKER. The gentleman is entitled to it.

Mr. CRAMTON. I think my recollection of the facts is right, but it is immaterial.

The SPEAKER. The Chair is informed at the desk that there was no such motion to recede. The question is on the motion to recede.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the amendment of the gentlemen from Michigan [Mr. CRAMTON].

The Clerk read as follows:

Mr. CRAMTON moves to amend Senate amendment No. 33, after the word "until" in the fourth line of the matter inserted by the Senate, by striking out the words "otherwise provided by law," and inserting in lieu thereof "January 1, 1922."

The SPEAKER. The question is on the amendment of the gentleman from Michigan.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. SABATH. Division, Mr. Speaker.

The House divided; and there were—ayes 37, noes 128.

So the amendment was rejected.

Mr. HUDDLESTON. Mr. Speaker, I offer as an amendment the Newton bill, which has been reported by the committee.

Mr. ROGERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. The previous question having been put and carried, is further amendment in order?

The SPEAKER. The Chair would say, at first blush, that it was not. The Chair will hear the gentleman from Alabama if he has any argument.

Mr. ROGERS. I yielded to the gentleman from Michigan so that he could offer an amendment before the previous question was ordered.

The SPEAKER. The previous question was ordered before the amendment of the gentleman from Michigan was read for action.

Mr. HUDDLESTON. Permit me to call your attention to the fact——

The SPEAKER. The Chair will certainly hear the gentleman.

Mr. HUDDLESTON. The previous question was ordered, but subsequent to that the previous question was not ordered on the amendment and all amendments to final action. We have taken already two votes under the order for the previous question. We took the vote upon receding, and the previous question was not demanded upon the motion to adopt the amendment.

The SPEAKER. The previous question was demanded on the motion to recede and concur.

Mr. HUDDLESTON. When the motion was defeated, the previous question was not demanded on the motion to adopt the amendment.

The SPEAKER. It was not necessary.

Mr. CRAMTON. Mr. Speaker, if the Speaker should rule that the right to make a motion to amend the Senate amendment that is now pending has been cut off by ordering the previous question, then that puts it in the power of the conferees having charge of a committee report to prevent the House considering any amendment.

The SPEAKER. Oh, no. It is within the power of the House—not of the conferees.

Mr. CRAMTON. Just a moment. The report is presented. The gentleman from Massachusetts [Mr. ROGERS] in this case calls up a certain Senate amendment on which he has preferential recognition for debate. He can debate it for 5 or 10 minutes and then move the previous question, and if he can get a majority vote for ordering the previous question no Member of the House has an opportunity to get before the House a motion to amend the Senate amendment.

The SPEAKER. If the House is satisfied with a proposition and does not wish to have it amended or debated further, it has a right, by voting the previous question, to come to an immediate vote. That is what the previous question is for. The question is on the motion of the gentleman from Massachusetts [Mr. ROGERS] to concur in the Senate amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. IGOE. I make a point of order that no quorum is present, Mr. Speaker.

Mr. GARRETT. Mr. Speaker, pending the announcement, may I make a parliamentary inquiry?

The SPEAKER. Yes.

Mr. GARRETT. It has already been agreed to that the House will recess at 6 o'clock. Now an automatic roll call will come. If 6 o'clock should come before the roll call is completed, would the roll call be interrupted?

The SPEAKER. The roll call would not be interrupted.

Mr. GARRETT. Then the House would not adjourn at 6 o'clock?

The SPEAKER. The House would not adjourn until after the roll call. The Chair will count. [After counting.] Two hundred and fifteen Members are present. A quorum is present.

Mr. GALLIVAN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Massachusetts demands the yeas and nays. As many as favor taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Twenty-nine gentleman have risen—not a sufficient number.

So the yeas and nays were refused.

The SPEAKER. The ayes have it, and the motion to concur is agreed to. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 34: Page 28, line 19, strike out: "For such expenses, not otherwise provided for herein, as may be necessary to enable the President to conduct and maintain any embassy, legation, or consular office authorized by law, $41,300."

Mr. ROGERS. Mr. Speaker, I move to recede and concur.

The SPEAKER. The gentleman from Massachusetts moves to recede and concur in the Senate amendment. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

Mr. GRIFFIN. Mr. Speaker, before passing to the next amendment I want to make a point of order, that the Speaker did not put the question on the motion of the gentleman from Massachusetts to concur in the Senate amendment.

The SPEAKER. Yes; the Chair did.

Mr. GRIFFIN. The demand was made for the yeas and nays. The Speaker asked those in favor of taking the vote by yeas and nays to rise and stand until they were counted.

The SPEAKER. The Chair had already put the oral vote before that.

Mr. KNUTSON. The gentleman's position is untenable.

Mr. GRIFFIN. I think the RECORD will show it.

The Clerk read as follows:

Amendment No. 36: Page 29, line 12, insert:

"SIXTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM.

"For expenses of delegates, not exceeding 10 in number, to be designated by the President, to the Sixteenth International Congress against Alcoholism at Lausanne, Switzerland, August, 1921, not to exceed $7,425, to be paid out of the unexpended balance of the appropriations heretofore made for the Fifteenth International Congress against Alcoholism, said amount including secretarial and stenographic work and transcription of reports."

Mr. ROGERS. Mr. Speaker, I move to recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Massachusetts moves to recede and concur in the Senate amendment.

Mr. ROGERS. And on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The hour of 6 o'clock having arrived——

Mr. ROGERS. I ask unanimous consent to change a total in line 25, page 2, from "$573,000" to "$583,500."

The SPEAKER. The Chair thinks he has announced that the hour of 6 o'clock had arrived.

Mr. ROGERS. I ask unanimous consent to make a correction in the total from "$573,000" to "$583,500" on page 2, line 25.

Mr. MANN of Illinois. What the gentleman means is that he asks unanimous consent to reconsider the vote by which the House concurred in Senate amendment No. 5 with an amendment, in order that it might correct the total.

Mr. ROGERS. That is true. I ask unanimous consent to do that.

The SPEAKER. Without objection, the vote by which the amendment to the Senate amendment No. 5 was agreed to will be reconsidered, the amendment disagreed to, and the House recede from its disagreement to the Senate amendment and concur therein.

There was no objection.

Mr. ROGERS. It is simply to change the total in the amendment.

Mr. MANN of Illinois. It is an error in the House print.

RECESS.

The SPEAKER. It being 1 minute to 6 by one clock and 1 minute after 6 by another clock [laughter], the House stands adjourned until 8 o'clock.

Thereupon, at 6 p. m., the House stood in recess until 8 o'clock.

EVENING SESSION.

The recess having expired, the House, at 8 o'clock p. m., resumed its session.

AGRICULTURAL APPROPRIATIONS.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 15812, making appropriations for the Department of Agriculture, and to disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to take from the Speaker's table the Agricultural appropriation bill, disagree to all the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. YOUNG of North Dakota. Reserving the right to object, I should like to ask the gentleman whether he thinks there is a possibility of a separate vote or separate consideration in the House on what is known as the seed-grain amendment?

Mr. ANDERSON. I do not know what the attitude of the Senate conferees will be on that matter, but I think it very likely that it will come back for a vote.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. ANDERSON, Mr. MAGEE, and Mr. BYRNES of South Carolina.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution and bills of the following titles:

H. J. Res. 215. Joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers;

H. R. 11841. An act to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893;

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico;

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes;

H. R. 13402. An act for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.;

H. R. 9840. An act for the relief of Capt. E. V. Dickson;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 7573. An act authorizing payment of compensation to Pasquale Dolce for personal injuries;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 1035. An act for the relief of the widow of Joseph C. Akin;

H. R. 646. An act for the relief of Perry E. Borchers because of losses suffered due to destruction of property and termination of contract for services because of smallpox while in the employ of the Navy Department in Cuba;

H. R. 397. An act to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes;

H. R. 1430. An act to authorize the addition of certain lands to the Weiser National Forest, Idaho;

H. R. 2946. An act to amend acts to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein;

H. R. 5081. An act for the relief of James E. Adams;

H. R. 9028. An act to authorize the addition of certain lands to the Nez Perce National Forest, Idaho;

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 10434. An act to add certain lands to the Targhee National Forest;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States, in relation to the qualifications of directors of the National Banking Association;

H. R. 13051. An act to add certain lands to the Lemhi National Forest, Idaho;

H. R. 13592. An act to authorize certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to make final proof of their entries;

H. R. 5416. An act to authorize corporations organized in the District of Columbia to change their names;

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 567. An act for the relief of John Chick;

H. R. 13319. An act for the relief of Wilson Certain;

H. R. 644. An act for the relief of Oscar Smith; and

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 161. Joint resolution to exempt the New York State Barge Canal from the provisions of section 201 of the transportation act, 1920, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 8038. An act to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico;

H. R. 11945. An act for the relief of W. C. Stewart; and

H. R. 12005. An act for the relief of Henry P. Corbin.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report on the sundry civil appropriation bill (H. R. 15422).

The SPEAKER. The gentleman from Iowa calls up a conference report, which the Clerk will report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 17, 18, 20, 24, 25, 26, 27, 29, 30, 45, 46, 47, 48, 52, 54, 55, 56, 58, 59, 62, 64, 65, 66, 67, 68, 69, 73, 79, 83, 84, 86, 96, 99, 100, 106, 107, 108, 109, 110, 113, 116, 122, 123, 124, 125, 126, 130, 131, 135, 140, 153, 154, 155, 156, 159, and 161.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 12, 19, 23, 40, 41, 51, 53, 57, 61, 63, 70, 71, 74, 75, 77, 85, 88, 89, 90, 91, 92, 93, 94, 95, 97, 98, 112, 115, 117, 118, 119, 128, 129, 144, 145, 146, 147, 148, 157, 158, and 160, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eleven"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,917.50"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,811,857.50"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$550,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44, 49, 50, 60, 72, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 111, 114, 120, 121, 127, 132,

133, 134, 136, 137, 138, 141, 142, 143, 149, 150, 151, 152, 162, 163, 164, 165, 166, 167, and 168.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.
F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On Nos. 3 and 4, relating to the remodeling of public buildings: Increases from $25,000 to $30,000, as proposed by the Senate, the limitation on expenditures at any one building, and appropriates $380,000, as proposed by the House, instead of $340,000, as proposed by the Senate.

On No. 10: Strikes out the legislation proposed by the Senate with respect to enlarging the site of the customhouse, appraisers' stores, etc., building at Wilmington, N. C.

On Nos. 12 to 15, inclusive, relating to the Coast Guard: Increases from $6,000,000 to $6,800,000, as proposed by the Senate, the appropriation for pay and allowances of the personnel; provides for 11 clerks to district superintendents, instead of 12 as proposed by the House and 10 as proposed by the Senate; and appropriates $11,917.50, instead of $13,000 as proposed by the House and $10,835 as proposed by the Senate, for the pay of clerks to district superintendents.

On Nos. 17 to 20, inclusive, relating to the Bureau of War Risk Insurance: Strikes out the provision, proposed by the Senate, for services in connection with the supply of library books, magazines, and papers to beneficiaries; prohibits, as proposed by the Senate, the payment of certain allowances to other than commissioned medical officers entitled thereto by statute; and strikes out the provision, proposed by the Senate, for the employment of chaplains for hospitals.

On No. 23: Reduces from $6,000 to $5,000, as proposed by the Senate, the appropriation for the recoinage of minor coins.

On No. 24: Appropriates $125,000, as proposed by the House, instead of $100,000, as proposed by the Senate, for scales for customs service.

On Nos. 25 to 27, inclusive, relating to the Public Health Service: Strikes out the authority, proposed by the Senate, to employ chaplains for hospitals, and restores the appropriations for field investigations and rural sanitation, stricken out by the Senate.

On No. 29: Appropriates $375,000, as proposed by the House, instead of $200,000, as proposed by the Senate, for the expenses of the Alien Property Custodian.

On No. 30: Provides that appropriation for Columbia Hospital and Lying-in Asylum shall be paid 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury, as proposed by the House.

On Nos. 40 and 41, relating to the Employees' Compensation Commission: Reduces from $30,000 to $20,000 the appropriation for contingent expenses, as proposed by the Senate, and reduces from $2,000,000 to $1,800,000, as proposed by the Senate, the appropriation for the employees' compensation fund.

On Nos. 45 to 48, inclusive, relating to the Federal Power Commission: Appropriates $100,000 in one sum, as proposed by the House, instead of two sums aggregating $116,300, as proposed by the Senate, and adopts the appropriation language proposed by the House.

On No. 51: Reduces from $305,000 to $275,000, as proposed by the Senate, the appropriations for general expenses of the Railroad Labor Board.

On No. 52: Provides that appropriation for the Rock Creek and Potomac Parkway Commission shall be paid 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury, as proposed by the House.

On No. 53: Strikes out, as proposed by the Senate, the limitation of $25,000,000, proposed by the House, on the use of receipts from the operation of ships to defray in part the expenses of the United States Shipping Board Emergency Fleet Corporation during the fiscal year 1922.

On No. 54: Appropriates $46,000, as proposed by the House, instead of $44,000, as proposed by the Senate, for continuing ethnological researches.

On Nos. 55 to 57, inclusive, relating to the National Zoological Park: Appropriates $125,000, as proposed by the House, instead of $133,000, as proposed by the Senate, for general expenses; provides that the appropriation shall be paid 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury, as proposed by the House; and appropriates $2,500, as proposed by the Senate, instead of $1,000, as proposed by the House, toward the acquisition of additional land.

On Nos. 58 and 59, relating to armories and arsenals: Appropriates $50,000, as proposed by the House, instead of $35,000, as proposed by the Senate, for testing machines, Watertown Arsenal; and appropriates $1,850,000, as proposed by the House, instead of $1,550,000, as proposed by the Senate, for repairs of arsenals.

On No. 61: Reduces from $275,000 to $250,000, as proposed by the Senate, the appropriation for national cemeteries.

On No. 62: Provides that 60 per cent of the appropriation for burying in Arlington National Cemetery indigent persons who die in the District of Columbia, and who are entitled to be buried therein, shall be paid out of the revenues of the District of Columbia, as proposed by the House.

On No. 63: Reduces from $49,000 to $45,000, as proposed by the Senate, the appropriation for the Chickamauga and Chattanooga National Military Park.

On Nos. 64 to 71, inclusive, relating to buildings and grounds in and around Washington: Appropriates $18,550, as proposed by the House, instead of $17,000, as proposed by the Senate, for construction and repair of post-and-chain fences, etc.; appropriates $35,000, as proposed by the House, instead of $30,000, as proposed by the Senate, for improvement, care, and maintenance of various reservations; appropriates $45,000, as proposed by the House, instead of $40,000, as proposed by the Senate, for care and improvement of East Potomac Park; strikes out, as proposed by the Senate, the appropriation on account of the memorial fountain in Dupont Circle; provides that 60 per cent of certain appropriations shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury, as proposed by the House; appropriates $250,000, as proposed by the Senate, instead of $150,000, as proposed by the House, for continuing the construction of a reflecting pool in West Potomac Park, and provides, as proposed by the Senate, that the appropriation shall be immediately available; and extends until July 1, 1922, the appropriation for expenses of dedicating the Lincoln Memorial, as proposed by the Senate.

On No. 73: Provides that appropriation for Georgetown bridge shall be paid 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury, as proposed by the House.

On Nos. 74 and 75: Provides for improvement of Hudson River under contract authorization, as proposed by the Senate, instead of for continuing improvement in completion of contract authorization, as proposed by the House.

On No. 77: Strikes out, as proposed by the Senate, the provision making the appropriations for flood control available until expended.

On No. 79: Appropriates $50,000, as proposed by the House, instead of $60,000, as proposed by the Senate, on account of artificial limbs.

On No. 83: Strikes out the authority, proposed by the Senate, to use $24,000 of the appropriation for the Bureau of War Risk Insurance for the fiscal year 1921 for the erection of surgeons' quarters at the Danville and Hampton Branches of the National Home for Disabled Volunteer Soldiers.

On Nos. 84 to 86, inclusive, relating to public buildings under the Department of the Interior: Appropriates $65,000, as proposed by the House, instead of $40,000, as proposed by the Senate, on account of the Capitol Buildings; authorizes the use of $7,000 of any appropriation for the Federal Board for Vocational Education for making repairs to Maltby Building; and provides that 40 per cent of the appropriation for repairs and improvements to the courthouse, District of Columbia, shall be paid out of the Treasury and 60 per cent out of the revenues of the District of Columbia, as proposed by the House.

On Nos. 88 to 90, inclusive, relating to the Public Lands Service: Increases from $375,000 to $400,000, as proposed by the Senate, the appropriation for contingent expenses of land offices; increases from $500,000 to $550,000, as proposed by the Senate, the appropriation for depredations on public timber; and increases from $25,000 to $35,000, as proposed by the Senate, the limitation on expenditures from the appropriation for depredations on public timber for the purchase of motor-propelled passenger-carrying vehicles.

On Nos. 91 to 98, inclusive, relating to the Geological Survey: Strikes out one assistant photographer, at $720; two clerks of

class 2, two clerks at $900 each, and two messenger boys, at $480 each, as proposed by the Senate; makes it permissive to use $25,000 of the appropriation for gauging streams for determining underground water supplies, as proposed by the House; and increases from $125,000 to $140,000, as proposed by the Senate, the appropriation for engraving and printing geologic maps.

On Nos. 99 and 100, relating to the Bureau of Mines: Appropriates $76,900, as proposed by the House, instead of $65,000, as proposed by the Senate, for general expenses, and appropriates $200,000, as proposed by the House, instead of $225,000, as proposed by the Senate, on account of mining experiment stations.

On Nos. 106 and 107, relating to Alaska: Strikes out the provision, proposed by the Senate, for the repair, etc., of vessel transferred from the Navy Department, and restores the appropriation for the protection of game in Alaska, stricken out by the Senate.

On Nos. 108 to 110, inclusive, relating to national parks: Restores, as proposed by the House, a law clerk at $2,000 and three clerks of class 3, as proposed by the House, instead of two clerks of class 3, as proposed by the Senate.

On Nos. 112 and 113, relating to national parks: Provides that $25,000 of the appropriation for the Glacier National Park shall be immediately available, as proposed by the Senate, and strikes out the appropriation of $275,000, inserted by the Senate, for the Hot Springs Reservation, Ark.

On Nos. 115 to 117, inclusive, relating to national parks: Provides that $25,000 of the appropriation for Mount Rainier National Park shall be immediately available, as proposed by the Senate; appropriates $86,000, as proposed by the House, instead of $50,000, as proposed by the Senate, for the Sequoia National Park; and provides that $25,000 of the appropriation for the Yellowstone National Park shall be immediately available, as proposed by the Senate.

On No. 118: Increases from $90,000 to $95,000, as proposed by the Senate, the appropriation for the support of the Columbia Institution for the Deaf.

On No. 119: Increases from $1,500 to $2,200, as proposed by the Senate, the amount to be expended from the appropriation for maintenance of Howard University for normal instruction.

On Nos. 122 to 124, inclusive, relating to miscellaneous objects, Department of Justice: Strikes out the authority, inserted by the Senate, to use $200,000 of the appropriation for the detection and prosecution of crimes for caring for liquors and property seized and held for use in the trial of cases for the violation of the national prohibition act; appropriates $2,000,000, as proposed by the House, instead of $1,900,000, as proposed by the Senate, for the detection and prosecution of crimes; and restores the appropriation for protecting the interests of the United States in suits affecting Pacific railroads, stricken out by the Senate.

On Nos. 125 and 126, relating to United States courts: Appropriates $600,000, as proposed by the House, instead of $400,000, as proposed by the Senate, for the compensation of assistants to the Attorney General and to United States district attorneys employed to aid in special cases; and restores, as proposed by the House, the prohibition against the payment of extra compensation to clerks of United States district courts.

On Nos. 128 and 129, relating to the Coast and Geodetic Survey: Provides for three clerks at $900 each, as proposed by the Senate.

On Nos. 130 and 131, relating to the Cape Vincent, N. Y., fish station: Restores a fireman at $720, stricken out by the Senate, and strikes out a foreman at $1,200, proposed by the Senate.

On No. 135: Strikes out the appropriation of $13,000, inserted by the Senate, for the fish hatchery at Duluth, Minn.

On No. 139: Appropriates $550,000 for the Naturalization Service, instead of $525,000, as proposed by the House, and $575,000, as proposed by the Senate.

On No. 140: Appropriates $70,000, as proposed by the House, instead of $50,000, as proposed by the Senate, for salaries, United States Housing Corporation.

On Nos. 144 to 148, inclusive, relating to the Senate: Appropriates $35,000 for contingent expenses of the Senate, $5,000 for decorating the corridor walls in the Senate wing of the Capitol, $4,000 for shelving and file boxes for the Senate document room, $50,000 for maintenance of the Senate Office Building, and $5,000 for furniture for the Senate Office Building, all as proposed by the Senate.

On Nos. 153 to 161, inclusive, relating to public printing and binding: Appropriates $2,290,000, as proposed by the House, instead of $2,000,000, as proposed by the Senate, for printing and binding for Congress; appropriates $750,000, as proposed by the House, instead of $700,000, as proposed by the Senate, for printing and binding for the Treasury Department; appropriates $450,000, as proposed by the House, instead of $400,000, as proposed by the Senate, for printing and binding for the War Department; appropriates $250,000, as proposed by the House, instead of $225,000, as proposed by the Senate, for printing and binding for the Navy Department; reduces from $285,000 to $265,000, as proposed by the Senate, the appropriation for printing and binding for the Interior Department; reduces from $150,000 to $140,000, as proposed by the Senate, the appropriation for printing and binding for the Geological Survey; appropriates $75,000, as proposed by the House, instead of $65,000, as proposed by the Senate, for printing and binding for the Civil Service Commission; makes immediately available, as proposed by the Senate, the appropriation of $20,000 for printing and binding the annual reports of the Board of Regents of the Smithsonian Institution; and appropriates $40,000, as proposed by the House, instead of $35,000, as proposed by the Senate, for printing and binding for the Department of Justice.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 1: Appropriating $60,000 for the purchase of property in Salt Lake City, Utah.

On No. 2: Authorizing a site for an archives building and appropriating $10,000 for preparing working drawings for said building.

On No. 5: Authorizing the expenditure of $5,000 from the appropriation for repairs and preservation of public buildings for the repair and preservation of structures at Marcus Hook Quarantine Station.

On Nos. 6 and 7, relating to general expenses of public buildings: Reducing from $195,000 to $170,000 the limitation on expenditures for the pay of technical employees in the field, and reducing the appropriation from $424,600 to $399,000.

On No. 8: Reducing the appropriation for operating force, public buildings, from $3,800,000 to $3,700,000.

On No. 9: Reducing the appropriation for furniture and repairs of furniture, public buildings, from $700,000 to $625,000.

On No. 11: Directing the heads of executive departments and independent establishments of the Government to issue and enforce regulations with respect to smoking in buildings under their control.

On No. 16: Appropriating $281,345 for improvements and purchasing land at the Coast Guard Academy, New London, Conn.

On Nos. 21 and 22, relating to additional hospital facilities: Appropriating $18,600,000 for additional hospital facilities for patients of the Bureau of War Risk Insurance and the Federal Board for Vocational Education, Division of Rehabilitation, and for veterans of the War with Spain, the Philippine insurrection, and the Boxer rebellion suffering from neuropsychiatric and tubercular ailments and diseases.

On No. 28: Appropriating $300,000 to enable the Public Health Service to assist the States in protecting the military and naval forces against venereal diseases.

On Nos. 31 to 39, inclusive, relating to the Employees' Compensation Commission: Reducing the pay of and abolishing certain positions and reducing the appropriation for salaries from $124,940 to $102,590.

On Nos. 42 to 44, inclusive, relating to the Federal Board for Vocational Education: Providing for medical service and treatment of trainees when not provided by the Bureau of War Risk Insurance and authorizing the expenditure of $60,000 for such service and treatment not heretofore furnished; authorizing a revolving fund of $500,000 for making advancements to persons commencing or undergoing training under the vocational rehabilitation act; and limiting to 12 months the time in which persons may avail themselves of the training privilege after notification to begin training.

On No. 49: Appropriating $363,000 for additional work in connection with the Lincoln Memorial and increasing the limit of cost from $2,594,000 to $2,957,000.

On No. 50: Appropriating $200,000 for the National Advisory Committee for Aeronautics.

On No. 60: Appropriating $10,000,000 on account of nitrate plant.

On No. 72: Appropriating $3,000 for removing and reconstructing a part of the fence around the Botanic Garden.

On No. 76: Appropriating $150,000 for continuing improvement of the Willapa River and Harbor, Wash.

On No. 78: Increasing the appropriation on account of flood control, Mississippi River, from $6,670,000 to $8,000,000.

On Nos. 80 to 82, inclusive, relating to transportation facilities on inland and coastwise waterways: Making a lump-sum appropriation on account of transportation facilities; increasing from $17,080 to $30,000 the limitation on expenditures for the compensation of civilian assistants in the War Department; and amending section 201 (c), transportation act, 1920.

On No. 87: Authorizing the consolidation of the offices of registers and receivers at district land offices at Alliance, Nebr., and at Vancouver, Wash.

On Nos. 101 and 102, relating to the Bureau of Mines: Appropriating $132,000 for the enforcement of the oil land leasing act of February 25, 1920.

On No. 103: Authorizing the reconveyance of title to land acquired under the reclamation law upon repayment to the United States of the amount paid therefor, less amount for damage, if any, as the result of the use thereof.

On Nos. 104 and 105, relating to the insane of Alaska: Appropriating $127,000 for the care and custody of insane of Alaska, and increasing the amount to be paid the Sanitarium Co. of Portland, Oreg., for the care and maintenance of Alaskan insane to $570 per capita per annum.

On No. 111: Appropriating $25,000 for fighting forest fires in national parks.

On No. 114: Designating the Hot Springs Reservation as the Hot Springs National Park.

On Nos. 120 and 121, relating to the Howard University: Appropriating $116,000 for additions to the home economics building.

On No. 127: Excluding an employee of the Lighthouse Service from the operation of the compulsory retirement law affecting employees of the Lighthouse Service.

On Nos. 132 to 134, inclusive, relating to the Bureau of Fisheries: Striking out the appropriations for the compensation of the personnel of the steamers *Osprey*, *Gannet*, and *Phalarope*.

On No. 136: Appropriating $11,250 for the Saratoga (Wyo.) fish hatchery.

On Nos. 137 and 138, relating to the Immigration Service: Appropriating $170.50 and $240 to be refunded to Falik Schimmer and N. Galanos & Co., agents National Steam Navigation Co. of Greece, respectively.

On Nos. 141 and 142, relating to the Housing Corporation: Striking out appropriation of $20,000 to pay certain municipal, State, and county charges assessed against property in which the Housing Corporation has an interest, and for defraying expenses incident to foreclosing mortgages, etc.

On No. 143: Appropriating $225,000 for Employment Service under the Department of Labor.

On Nos. 149 to 152, inclusive, relating to the office of the Public Printer: Increasing from $2,500 to $3,000 the pay of the clerk in charge of CONGRESSIONAL RECORD at the Capitol.

On Nos. 162 to 166, inclusive, relating to the office of the superintendent of documents: Striking out two clerks at $1,600 each, two clerks at $1,400 each, and two clerks at $1,200 each; appropriating $9,100 for salaries and expenses incident to indexing the CONGRESSIONAL RECORD; and striking out the provision charging the superintendent of documents, under the direction of the Joint Committee on Printing, with the duty of preparing, etc., indexes of the CONGRESSIONAL RECORD.

On No. 167: Appropriating $35,000 for investigating petroleum resources and the production of petroleum in other countries.

On No. 168: Authorizing the printing until December 1, 1921, of publications now being issued by a department or establishment of the Government.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. GOOD. Mr. Speaker, the conferees found that there were many items in this bill as to which we would have very little difficulty in coming to an agreement. There were some items that were contested and some that we have not considered at all, because it was desired to get rid of those amendments as far as possible as to which we could come to an agreement within a short period of time. There are about 60 amendments as to which we have not come to an agreement, most of which we have discussed, and we will have to agree to some and to some the Senate will have to recede; and I ask unanimous consent that the House insist on its disagreement to Senate amendments 1, 2, 5, 6, 7, 8, 9, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 60, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 132, 133, 134, 141, 142, 162, 163, 164, 165, and 166.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. Did I understand the gentleman to mention amendment 50 or 60?

Mr. GOOD. Sixty.

Mr. MANN of Illinois. Sixty is the nitrate amendment.

Mr. GOOD. No. 60 should be eliminated and should not be in the list; and I modify my request so that 60 will not be included.

Mr. CAMPBELL of Kansas. You are in disagreement on that?

Mr. GOOD. Yes; and expect to take it up to-night.

Mr. DALLINGER. Mr. Speaker, reserving the right to object, I should like to ask the chairman of the committee why he includes No. 2, the archives building? It seems to me something ought to be done about that.

Mr. GOOD. I have included that along with the others. Something will need to be done with many of those. The action proposed simply places them back where they were before, when we went into conference, and leaves them for the conferees to handle.

Mr. DALLINGER. But it is not final?

Mr. GOOD. Oh, no. We will go into conference on the matters which we did not have time to discuss in the conference, or on which we could not agree.

Mr. PARRISH. Reserving the right to object, I should like to ask if the gentleman intends to include in this list 101?

Mr. GOOD. Yes; 101. It simply takes it back into conference, and will save perhaps an hour's time in the consideration of each individual case. My request simply puts it back into conference.

Mr. PARRISH. It will come back before the House if it is not agreed on?

Mr. GOOD. Absolutely; the same as any matter in conference. The conferees will have power to treat it just as before they made the report.

Mr. OLIVER. The same applies to the inland transportation item?

Mr. GOOD. The same applies to inland transportation. We have not discussed inland transportation in conference, and it simply places that matter back in conference, so we can consider it the same as in the original conference.

Mr. WILSON of Louisiana. This only continues the conference?

Mr. GOOD. As to these amendments.

Mr. WILSON of Louisiana. The House insisting no further than when it went into conference originally?

Mr. GOOD. That is true.

Mr. CHINDBLOM. Aside from this request is it the purpose to consider the conference report afterwards in the order in which the items occur?

Mr. GOOD. Oh, yes.

Mr. WINGO. Does the gentleman include 113 and 114?

Mr. GOOD. No.

Mr. WINGO. Those are not covered.

Mr. GOOD. No. 114 is coming up to-night; the Senate has receded on No. 113.

Mr. McCLINTIC. Did the gentleman request that a number of them be voted on at the same time?

Mr. GOOD. I am just asking unanimous consent that these amendments go back to conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the items to which he refers be disagreed to.

Mr. GOOD. That we insist on our disagreement to those amendments.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GOOD. Mr. Speaker, the Senate added 168 amendments to the bill, involving an increase of $30,828,460.50. As to these amendments the Senate conferees have receded on 58, and the House conferees receded on 46. So far as the money consideration is concerned the House has receded on amendments aggregating approximately $1,114,000.

The House conferees were conscious after going over the matter of the Coast Guard that we could not reduce the estimates by as large a sum as the House had reduced it, unless men who had been enlisted for a number of years were summarily dismissed from the service. The action of the House in passing the joint resolution of May 18 increasing the pay of the Coast Guard was more far-reaching than we had at first supposed. That item itself makes it necessary next year to pay in increased pay in the Coast Guard, $2,100,000. It was found on a thorough examination that the House appropriation was too small.

The House bill carried $6,000,000, and the Senate amendment carried $6,800,000. The total estimates for this service by the department were over $9,000,000. In cutting that estimate to $6,000,000, going over the matter very carefully, and going over it so that we might appropriate a sum that would be sufficient and that would not make it necessary for the Coast Guard to come back for a deficiency, we found it would be necessary to yield. In agreeing to this amount the Coast Guard Service ought to take notice that it must cut its goods next year accord-

ing to the cloth. It must bring its force within this appropriation or at the end of next year tie up its boats.

Mr. WALSH. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. WALSH. Is not this increase of pay because of the fact that they were put on the same basis as the Navy during the war and that when the termination of the war has been judicially passed upon or legislatively passed upon, they will revert back to peace-time pay.

Mr. GOOD. My recollection is that they do not return to peace-time pay until six months after the proclamation of peace. But the pay I was referring to was under the act of May 18, the increased officers' pay, and that calls for $2,000,000.

Mr. WALSH. That is war-time pay also, is it not?

Mr. GOOD. The law provides that the pay of the officers of the Coast Guard shall be the same as the Navy pay, and then by the act of May 18 we increased the pay of the Navy, Marine Corps, and the Army, and the Coast Guard, and Public Health Service, and that act is in effect for the next fiscal year, irrespective of the proclamation of peace. That whole increase of pay under the act of May, 1918, next year will involve an expenditure of $75,000,000.

The next amendment was No. 70, the reflecting pool, in West Potomac Park. The estimate for this reflecting pool was $300,000. The House bill carried $150,000. The Senate amendment carries $250,000, an increase of $100,000. It was the plan of the House that the granite coping on this reflecting pool should not be placed there at the present time, when the prices are so excessive, and we only provided in the House bill for putting a concrete bottom in the pool. The Senate absolutely insists that the work shall be completed, and the conferees on the part of the House have agreed to the Senate amendment increasing that amount by $100,000.

The amendment as to the depredations on public timber—Senate amendment 89—carries an increase of $50,000. The estimate was for $650,000. The bill as it passed the House carried $500,000, and there was a very strong showing made that there would be a necessity for this money for next year. My recollection is that there is a deficiency in that appropriation for this year.

Then, in the contingent expenses of the Land Office the Senate added $25,000. The estimates of the department were for $425,000, but the House bill carried $375,000. The Senate amendment was for $400,000, which is $25,000 less than the estimate. The conferees have agreed to that amendment. The Senate items, items that are always placed on the bill in the Senate and agreed to by the House, amounted to $99,000, and have been agreed to. The principal reduction involved in the Senate amendments on which the Senate receded were the contingent expenses of Employees' Compensation Commission, $10,000, and the employees' compensation fund, $200,000. After the hearings before the Committee on Appropriations the Compensation Commission found that because of the reduction in the number of people that would be employed as clerical help in the departments and workmen in navy yards and arsenals, there might be an anticipated reduction in compensation for injury, and that there might be a reduction of $200,000 over what was carried in the House bill. The Senate amendment reduced the appropriation by $200,000, and to that the House conferees have agreed.

The general expenses of the Railroad Labor Board carries a reduction of $30,000, made in the Senate bill, and we have agreed to that.

There is a reduction, all told, in expenses for the maintenance of national cemeteries of $25,000, and we have agreed to that reduction.

In the printing and binding of the Interior Department there was a reduction of $20,000, made in the Senate bill, and we have agreed to that.

These are the principal items that have been agreed to in regard to the Senate amendments, and unless there are some questions with regard to these special items, I ask for a vote on the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 11: Page 15, line 1, insert the following:
"The heads of executive departments and independent establishments of the Government are hereby directed to issue and enforce such regulations as will prevent smoking in those portions of buildings owned or leased by the Government and used by any executive department or independent establishment in which such smoking endangers Government property or constitutes a hindrance to the efficient conduct of Government business."

Mr. GOOD. Mr. Speaker, as far as this amendment is concerned, I care nothing about it. I realize that every department now can prevent smoking if it wants to. If it does not want to, the enactment of this provision would be a farce. We have agreed to bring it back because it is a matter of legislation, in order that the temper of the House might be tested on a vote. Therefore, I move that the House insist on its disagreement to Senate amendment No. 11.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House insist upon its disagreement to Senate amendment No. 11.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 42: Page 37, line 21, after the word "board," insert: "necessary medical service and treatment to trainees hereafter required in cases where such service or treatment is not provided by the Bureau of War Risk Insurance, and not more than $60,000 may be used for such service and treatment heretofore furnished."

Mr. GOOD. Mr. Speaker, this item was estimated for and hearings were had upon it when the Committee on Appropriations was considering the bill. The situation is this: An ex-service man who has been discharged from the Bureau of War Risk Insurance and goes into training under the Board for Vocational Education is no longer, then, a beneficiary of the Bureau of War Risk Insurance, and if he is taken sick he can not be placed in a hospital by the Bureau of War Risk Insurance. They have found in some cases that trainees who have taken up this training become sick and need hospital treatment and are not able to take the treatment. It has been very earnestly urged both on behalf of the Bureau of War Risk Insurance and the vocational board that this item be carried in the bill. When inquiry was made as to how much it would cost, we were advised that it was anticipated that the cost would be large. I rather anticipate myself that it will be very much larger than either the vocational board or the Bureau of War Risk Insurance anticipate it will be. Yet the House and the Congress have been generous, so far as appropriations go, to that class of men who are taking this training. It is not a permanent thing, and is not intended to be; and a little later on, at the request of one of the departments, we carry a limitation in regard to the training. It has seemed to the committee, therefore, that this amendment of the Senate is a piece of legislation along humane lines for these soldiers who are taking training which ought to be adopted. The committee that heard the testimony would have reported out the provision originally in the bill if it were not for the fact that it would have been subject to a point of order, and we did not at that time desire to report out anything in the bill that could be avoided which would make it subject to such an attack.

Therefore, Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 42 and agree to the same.

The SPEAKER. The question is on the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 43, page 38, line 3, after the figures "$35,000,000," insert "of which sum not exceeding $500,000 may be used by the Federal Board for Vocational Education as a revolving fund for the purpose of making advancements to persons commencing or undergoing training under the vocational rehabilitation act, such advancements to bear no interest and to be reimbursed in such installments as may be determined by the Federal board by proper deductions from the monthly maintenance and support allowance, allowed by said act as amended."

Mr. GOOD. Mr. Speaker, the Order of Elks for some time has supplied this fund. Several hundred thousand dollars have been turned over by the Benevolent Order of Elks to the vocational board to make advances to the men who are taking vocational training. This order has notified the Congress and the department that it will be compelled to withdraw those funds at the end of this fiscal year. The Order of Elks looked into the matter very carefully when we were at war, and thought that this was one of the places where it could do some real benevolent work for men who had been injured in the service. I am advised by the board that there have been no losses, or comparatively few, that losses are negligible, that the loans or advances are rarely more than for one month's compensation, and as the amendment is worded it is intended that if perchance an ex-service man who is taking training should have sickness in his family or if something extraordinary should occur in his own private affairs which would require an unusual expenditure, he might anticipate a part of his compensation, and this fund would be used as a revolving fund for that purpose. If it is administered wisely, if it is administered as conservatively as it has been administered so

far as the Elk's fund is concerned, it seems to me it would be a very great advantage to the ex-service men and it would not result in loss to the Government.

Therefore, Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 43 and concur in the same.

The SPEAKER. The question is on the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 44, page 38, line 21, after the word "made," insert: "*Provided further*, That no person who has been declared eligible for training under the provisions of the vocational rehabilitation act, for whom training has been prescribed, and who has been notified by the board to begin training shall be eligible to the benefits of said act in the event of his failure to commence training within a reasonable time after notice has been sent such person by the board: *Provided further*, That except when such failure is due, in the opinion of the board, to physical incapacity, such time shall not be longer than 12 months after the passage of this act for persons already declared eligible and notified to begin training, and 12 months after notice is given for persons hereafter declared eligible and notified to begin training."

Mr. GOOD. Mr. Speaker, this item is asked for by Dr. Lamkin, the director of the board. It simply does this: It gives the board the power to fix a limit within which a trainee must commence training after he has once made his application and that application has been granted. In no case, except where he is physically incapacitated, shall that time be extended beyond 12 months. It seems to me that the request of the board in this respect is along the line that Congress intended when it provided for the training, and that is, that this training should not continue indefinitely, that these men should take the training while they are young, and that Congress should not be called upon to appropriate money year after year for training these ex-service men, that they ought to take the training now.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BARKLEY. This amendment seems not to give the board the power to make that limitation, but makes the limitation itself.

Mr. GOOD. No; it does give the board power. The first proviso reads:

That no person who has been declared eligible for training under the provisions of the vocational rehabilitation act, for whom training has been prescribed and who has been notified by the board to begin training, shall be eligible to the benefits of said act in the event of his failure to commence training within a reasonable time after notice has been sent such person by the board.

It fixes a reasonable time.

Mr. BARKLEY. Then it goes on and says what the reasonable time shall be, and says except for "physical disability." Has the attention of the gentleman been called to cases where men who would be entitled to this training had dependents upon them that might make it impossible for them to take the training for more than a year; in other words, may have to postpone for more than a year the taking of the training on account of some family circumstances that are not due to any physical incapacity? Does the gentleman know whether this limitation will work any hardship upon such cases?

Mr. GOOD. This is what the board asked for. This is not a provision prepared by a Member of Congress, this is a provision asked for by the director of the vocational board. I move to recede from our disagreement.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GOOD. I do.

Mr. MANN of Illinois. I want to get a little information as to how it will be construed in reference to the provision if he does not commence training "within a reasonable time after notice has been sent such person by the board."

Mr. GOOD. Yes.

Mr. MANN of Illinois. I do not know whether this is to be a general regulation or a reasonable time in individual cases, but suppose a notice has been sent but not received? That frequently happens, and it would be what would frequently happen in the case of young men who were moving at times from one place to another. However, I do not want to ask a question that is too hard.

Mr. GOOD. I do not know just how the board would construe that; but I do know this, as the gentleman knows, that in all these cases the language is not construed against the trainee or ex-service man.

Mr. MANN of Illinois. But if the law says so-and-so, that is the law.

Mr. GOOD. Yes; I know. I do not know how the notice will be sent. I assume that if sent by mail a strict construction of this would mean that when the notice is deposited in the mail that that is the sending of the notice.

Mr. MANN of Illinois. Undoubtedly.

Mr. GOOD. If the gentleman feels that the matter is liable to deprive some one of his just rights, I take it that the Senate would agree to an amendment to strike out the word "sent" and insert the words "received by the trainee."

Mr. MANN of Illinois. Those who know more about it than I would be better judges, but that occurred to me.

Mr. GOOD. But the whole amendment was drawn by the board, it is their amendment.

Mr. MANN of Illinois. I understand, and I suppose they must have had language of that sort in their minds, but apparently this would depend upon the sending of the notice.

Mr. GOOD. Yes.

Mr. SWEET. Will the gentleman yield?

Mr. GOOD. I will yield to my colleague.

Mr. SWEET. The proviso provides further:

That except when such failure is due, in the opinion of the board, to physical incapacity.

The only condition in there is to physical incapacity. Would it not be better to have some other condition put in there such as might be more reasonable by the board?

Mr. GOOD. Well, the gentleman will recollect that when this matter was before the Congress it was intended to clean up the whole thing except those who took college courses within three years. Now they have been at it for two years. This gives the board what it asked for and I take it if there is any injustice in it that it will be corrected by subsequent legislation, but it is only to bring to the attention of these men that they can take training now, but if we make it so loose, "it will hit if it is a deer and miss if it is a cow," we might as well not have any.

Mr. SWEET. But the point I make is their incapacity is passed upon by the board, and it is not your purpose or the purpose of the Congress to cut off any of these men in an unreasonable manner?

Mr. GOOD. No; it is a matter of limitation, that they must take their training——

Mr. SWEET. But the gentleman confines it simply to physical incapacity.

Mr. GOOD. I say it is one of the board's amendments, that they think is necessary in the economical administration of this law, and I do not see any serious objection to it. And I move, Mr. Speaker, that the House recede from its disagreement to the Senate amendment and concur in the same.

The SPEAKER. The gentleman from Iowa moves that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 49. Page 43, line 6, insert:

"LINCOLN MEMORIAL COMMISSION.

"For additional work on the masonry approaches and terrace around the Lincoln Memorial, includ.ng foundations to rock and all necessary expenses of every kind incident thereto, $363,000, to be immediately available and to remain available until expended, and the limit of cost of the said Lincoln Memorial is hereby increased from $2,594,000 to $2,957,000."

Mr. GOOD. Mr. Speaker, this increases the limit of cost of the Lincoln Memorial from $2,594,000 to $2,957,000, and carries $363,000. The amendment, as I understand it, is to make some provision for the settling of the walls that carry the outer walls of the terrace. The walls of the memorial itself were built on a rock foundation. To have built these terrace walls, that are some distance from the memorial on each side, as well as steps leading to the memorial, on solid rock would have necessitated an excavation of about 18 to 20 feet of earth, so conferees were advised. Instead of doing that, large slabs of concrete were laid upon ground that had not settled. Why it was done one familiar with its situation can not well understand. To have laid this outer wall and these foundations upon that newly made ground without going to bedrock was a mistake.

Mr. McCLINTIC. Can the gentleman state whether or not the Government was protected by any bond given by the original contractors?

Mr. GOOD. The contractor performed his work just as it was specified. The trouble was in the specification. Instead of specifying that these outer walls should rest upon solid rock, the specification provided that they should simply rest on slabs of concrete.

Mr. McCLINTIC. Who was responsible for the specifications?

Mr. GOOD. The commission employed an architect to make the plans and specifications, and one of the things in this estimate I do not like is that it carries an estimate of $17,000 for

architect's fees for the improvement. Why we should call in an architect at this time, when the work is the work of an engineer and not of an architect at all, I do not understand. I assume the $33,000 estimate for superintendence should cover any such charges. This work is underground, requiring the excavating of the dirt and the putting in concrete foundation down to rock. Now, personally, I believe that work must be done.

Mr. McCLINTIC. I wanted to ask the gentleman if the same architect is to be employed to do that work that is yet to be done that performed the first work?

Mr. GOOD. The work is already completed. The monument is finished. The architect has had his fees. This matter, when it is appropriated for, will be turned over to the commission to let a new contract.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MANN of Illinois. I did not hear all of the gentleman's statement. Of course this is not connected in any way with the foundations of the memorial building itself.

Mr. GOOD. That is true.

Mr. MANN of Illinois. The gentleman said he could not understand why this was done. As a matter of fact, does not the gentleman know that eminent engineers went over this matter carefully, and in the effort to save a very large expenditure of money adopted the plan that was adopted?

Mr. GOOD. I suppose that is so. But the gentleman knows this monument stands on filled ground.

Mr. MANN of Illinois. I understand.

Mr. GOOD. Now, then, it was newly made ground, and the Committee on Appropriations a year and a half ago absolutely refused an appropriation that was asked for by the engineers, to place a pavement upon that ground. We thought then it would be only a short time before the pavement would go to pieces. And we have refused up to this time to provide the funds to lay a permanent pavement upon that newly made ground. With the walls upon which the outer terrace rests standing on large blocks of concrete, on this newly made ground, it has settled. Now, those uneven walls in some cases have settled as much as 4 inches. And the only thing that is urged now, as I recall, why the work should be done at once is that they are fearful that where the girders are attached to the memorial itself there might be, if there should be much more settling, some breaking or chipping of the stone of the memorial.

Mr. MANN of Illinois. I understand; but after all I doubt whether they are subject to criticism.

At least I do not feel disposed myself to criticize the engineers, who, after careful examination, endeavored to save money. But they sometimes make a mistake, an engineering mistake, as was made in this case. Of course, they could have provided stone or concrete foundations down to the solid rock to begin with, but that would have entailed a very great expense, which they thought, which good engineers thought, which I think most engineers of the country would have thought, was unnecessary.

Mr. GOOD. Does not the gentleman think that harm will be done if we postpone this for another year?

Mr. MANN of Illinois. I think that harm would be done, really.

Mr. GOOD. Why?

Mr. MANN of Illinois. Because I think, with this ground settling in this connection, it may interfere with the foundations of the memorial structure itself. That would be a very great disaster and involve a very great expense.

Now, the gentleman is complaining that they did not go to the full expense in the first place, and endeavored to save money, and made a mistake. I hope we will not repeat the mistake in an effort to save a little money and involve ourselves where we have got to build new foundations for the entire structure at enormous expense.

Mr. GOOD. They do not claim that.

Mr. MANN of Illinois. They do claim now that it may settle and interfere with the upper structure.

Mr. GOOD. No. All they claim is that where the girders which support the floor of the terrace are attached to the foundation, if it settles much more—and they extend into the monument proper a short distance—they claim that that will tip some of the stones of the monument. That is all that they claim.

Mr. MANN of Illinois. That will destroy practically the lower part of the monument.

Mr. GOOD. No. Those girders are about 20 feet apart and way below the surface, and there will not be very much tipping there.

Mr. MANN of Illinois. Of course, I do not know whether the eminent engineers of the House and Senate who were on this commission are subject to criticism or not.

Mr. GOOD. I do not think they would attempt to qualify as engineers or that they should be criticized.

Mr. MANN of Illinois. I do not think so myself.

Mr. GOOD. I will not criticize in the least the Members of the House and Senate who are on this commission. I think the gentleman from Illinois or any Member of the House would have done just as they did. They did employ engineers. But why an engineer should have done that, when he could go down and look at the ground and realize that it would cost only a little more to go down to the solid rock and put in these footings, when he knew the immense weight that was to be placed upon those piers of concrete, I do not understand.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Certainly.

Mr. MONDELL. Has the gentleman from Iowa examined this structure and this outer wall personally?

Mr. GOOD. I have not.

Mr. MONDELL. The gentleman said that this mistake could not have been avoided except by very deep excavations.

Mr. GOOD. Yes; about 18 feet.

Mr. MONDELL. But it could have been avoided by waiting a little longer, allowing this new material to settle. This is simply an outer wall, the function of which is to help sustain some of the terrace surrounding the monument. It has nothing whatever to do with the monument except as it is a retaining wall for the terrace, for the earth terrace. There was no necessity of putting in that wall at the time it was put in. They might very well have waited and have allowed the earth to settle, and in that event the settling that has now occurred would not have occurred at all.

Does the gentleman believe that there would be any possible damage to the monument by delaying this additional expense until we shall know how much settlement shall occur? The only point upon which there is any attachment to the monument proper is at a depth of some 20 feet below the surface, and then merely, I imagine, by some settling of the rods that do not go a great distance into the foundation.

Mr. GOOD. I realize that there is a great desire to complete this monument. I think that is the thought foremost in people's minds.

Mr. MONDELL. Is not that the only argument for the expense, that there is a desire to complete the monument? Otherwise the whole affair could be managed by allowing that outer wall to settle, which probably has settled now all that it will.

Mr. GOOD. I think that is correct.

Mr. MONDELL. Allowing a little more time, and then correcting the top, instead of the bottom, at a very slight cost?

Mr. GOOD. This settling commenced a long time ago.

Mr. MONDELL. If the gentleman will permit, the argument that was made to me on behalf of this appropriation was not that the appropriation was needed, not that any damage would occur, but that we must get this monument completed; and in order to complete it immediately it would be necessary to dig to the foundation of these outer walls and possibly, not certainly, possibly remedy the defect by extensive underpinning of the wall. We are not certain that this additional expense would accomplish what is intended to be accomplished, but we do know that in a short time the settlement will cease. Then we can tell what ought to be done there. Of course, it leaves the outer terraces of the monument in an incomplete condition, and one of the gentlemen urging it said, "Can we not afford to spend $365,000 more rather than leave this monument incomplete for another year?"

Mr. BRAND. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GOOD. Yes.

Mr. BRAND. What has been expended on this memorial enterprise up to date?

Mr GOOD. $2,594,000.

Mr. BRAND. Upon whose judgment is the recommendation made to spend $365,000 more?

Mr. GOOD. The commission that has been created to build the monument.

Mr. BRAND. Is that the same commission that spent the $2,594,000?

Mr. GOOD. Yes.

Mr. BRAND. Who are they?

Mr. GOOD. I think John Temple Graves, from the gentleman's own State, is one of the members of the commission.

Mr. BRAND. He is not much of a business man, even if he is from my State. [Laughter.]

Mr. GOOD. I do not have all the names, but——

Mr. BRAND. What are the names of others from other States?

Mr. GOOD. Mr. CLARK of Missouri is one, and ex-Speaker CANNON is a member, and William Howard Taft is a member.

Mr. BRAND. Mrs. Taft or ex-President Taft? Was it Mrs. Taft or President Taft? [Laughter.]

Mr. GOOD. William Howard Taft.

Mr. BRAND. Neither of these distinguished men had any practical control over this expenditure——

Mr. BYRNS of Tennessee. I will say to the gentleman that John Temple Graves, of Georgia, is the resident commissioner.

Mr. BRAND. That does not change the situation. The money has been spent by somebody, whether by Taft or Graves.

Mr. MANN of Illinois. I move that the House recede from its disagreement and concur in the Senate amendment.

Mr. MONTAGUE. With the permission of the gentleman from Illinois, I should like to ask the chairman of the Committee on Appropriations will it be necessary to remove the terraces around the monument building in order to secure this foundation?

Mr. GOOD. Really, I do not know how the work is to be done, but I should assume that it would be necessary. It will be necessary to go down under those cement footings. As I recall, there are big cement blocks that were put in, blocks several feet wide and a couple of feet thick. It will be necessary to go down under them and put in underpinning and make an excavation of from 18 to 20 feet to the solid rock. I do not see how the work can be done without excavating.

Mr. MONTAGUE. I made the inquiry because I thought perhaps the increased architects' fees might indicate additional work upon the terraces around the memorial, as incident to securing a foundation for them. I venture the criticism with reluctance, but with some confidence for a tyro——

Mr. GOOD. If the gentleman were going to make an excavation under his own house to put in a wall, he would not hire an architect, he would hire an engineer.

Mr. MONTAGUE. I will not enter upon that. If these terraces are to be taken away as an incident to securing the foundations, perhaps the faces or sides of the terrace might be improved in some way without very great cost. If I now recall correctly, the faces or sides of these terraces are either cement or granite running to a white marble foundation. Now, the monument itself is a credit to any architect and a credit to any people, but it is a great pity that the terraces should be so finished as to contradict the entire structure.

Mr. GOOD. They are not completed. The completion of the terraces will involve the planting of shrubs and dwarf evergreens that will reach to the top of the terraces.

Mr. MONTAGUE. You wish to hide this monstrosity with some sort of evergreens?

Mr. GOOD. I have nothing to do with hiding it.

Mr. MONTAGUE. I am not criticizing the gentleman. I think a great monument of that sort ought to have a suitable and symmetrical environment, and therefore harmonious terraces.

Mr. MANN of Illinois. Mr. Speaker, I withdraw the motion I made, and move to recede and concur in the Senate amendment with an amendment, which I send to the desk.

The SPEAKER. The gentleman from Illinois moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the sum in line 4 of the matter inserted by the Senate and insert in lieu thereof the following: "$345,720."

Mr. GOOD. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, the motion which I have offered provides for concurring in the Senate amendment with an amendment which reduces the amount of the appropriation by the amount of the architect's fee. Whether they can get along without that I do not know.

Mr. TILSON. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Connecticut.

Mr. TILSON. What assurance has the gentleman that this reduction will be taken from the architect's fee?

Mr. MANN of Illinois. I have no assurance at all.

Mr. TILSON. It might be taken from the rest of the work and the architect be paid his $17,000 just the same.

Mr. MANN of Illinois. We will be just that much ahead anyway. I do not know whether they ought to have an architect or architect's fee for this work or not. The commission on this memorial is composed of men of very high standing.

CHAMP CLARK, who is very careful about all matters of expenditure, is a member of the commission. Uncle JOE CANNON, who has always been an economist, is a member of this commission. Of course they act upon the recommendations of men who are employed by the commission, but very careful consideration was given to this subject. Evidently a mistake was made. I think it would be a greater mistake for us to stop now. I confess I want to see this memorial to Lincoln completed, so that the people of the country can see the most beautiful structure of its kind in the world as a memorial to a public man, and I hope the House will permit the appropriation to be made, so that the memorial can be completed without danger of chipping or injuring any part of it as now constructed. [Applause.]

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. MANN of Illinois. Certainly.

Mr. BARKLEY. Is the gentleman from Illinois able to suggest any way by which the beauty of this monument may be restored by in some manner hiding the back end of those buildings that have been built in front of it and back almost up to it?

Mr. MANN of Illinois. If I had my way about it, I would remove every public building from the public parks.

Mr. BARKLEY. I agree with the gentleman entirely.

Mr. LINTHICUM. Does not the gentleman think it is a real mistake, if you want to do what you say you want to do, which is to complete this magnificent monument, to cut out the architect's fee? You must have an architect. You can not build it without an architect.

Mr. MANN of Illinois. It may be that the gentleman is right. I want to have this appropriation made. I thought it would be more likely to be made and the House would be more likely to concur with this amendment in. I think we will get it done.

Mr. LINTHICUM. The same architect——

Mr. MANN of Illinois. I do not think the architect is responsible; I doubt whether the architect had anything to do with that.

Mr. CANNON. What is the amendment?

Mr. MANN of Illinois. It is to reduce the appropriation.

Mr. CANNON. That ought not to prevail; the architect is not to blame.

Mr. MANN of Illinois. I do not think the architect is to blame, and if my motion does not prevail I shall offer a motion to concur in the Senate amendment.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I realize that it is not a popular thing to suggest that we ought to give a little care in the matter of an expenditure of nearly $350,000, even for the completion of a monument to the memory of one of the best men that ever lived. I am quite certain that what I shall say will not affect the vote, for gentlemen do not want to vote against an appropriation for the Lincoln Monument.

The fact is, Mr. Speaker, that this expenditure is wholly unnecessary. In the first place, the outer wall has nothing whatever to do with the monument except as it supports and holds in place a certain portion of the earth or terrace. The outer wall should not have been built until the ground filling around the monument had fully settled, but in the hurry to complete the monument and all approaches—and I am not criticizing anyone for that hurry—in the hurry to do it the outer walls were built. Of course, they do not go to the rock foundation. My understanding is that it will require an excavation of 18 feet or more to reach the foundation from the bottom of the terrace wall, which they used in the estimates for the appropriation we are asked to make.

The probability is that there will be no further settling of this outer wall. If there is a slight settling, no damage could come to the monument by that further settling. The only thought that those in charge of the monument had in connection with this matter was to hurry up the completion of the monument and not wait for the complete settling of the outer wall, to dig down outside of the outer wall and put in a further rock foundation, in order that the matter might be hurriedly done.

Mr. MILLER. Can the gentleman state what portion of the outer wall has settled?

Mr. MONDELL. I understood the chairman to say that it had settled 4 inches in places. Only a portion of the wall is settled, and a comparatively small portion. I think probably the motion made by the gentleman from Illinois will carry, but I simply wanted to make this suggestion in regard to the matter: My opinion is that if we do what it is proposed to do with this appropriation, it will cost us not $365,000 but twice that sum before we get through. So in voting for this appropriation, which I believe is wholly unnecessary, I think we should have in mind the fact that eventually we will be called upon to vote as much more for the same kind of work, because I can not

understand how it will be possible to make this extended excavation, going 18 feet below the present wall, even for any considerable distance, for the sum we are proposing to appropriate.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I was a member of the commission for the construction of this memorial. You can not always have your own way. I stood out for the location of that memorial, instead of in the park where it is now situated—I stood out for the location at the Soldiers' Home, which is 70 feet above the foundation of this Capitol. Uncle Sam owns it. The commission and public sentiment desired it to be constructed where it now is. Ex-Speaker CLARK agreed with me as to the proper location of the memorial.

Since it has been constructed, in the years that have come and gone, I am not so sure that I was right. I am very well acquainted with the architect who made the plans for this memorial. Nearly everybody in Washington, and business men and others out of Washington, wanted the location to be where it is.

Since I have been in Congress and within my recollection the tide ebbed and flowed over a part of that reservation, and I believe that it ebbed and flowed where the memorial actually stands. They had to go down from 60 to 70 feet, according to my recollection, to get a solid rock foundation, and so the memorial rests on the solid rock.

Since its construction they have undertaken the construction of a canal down there between the Memorial and the Washington Monument, at the boundary of Potomac Park, which is being done at great expense. Much expenditure has been made in improving that great park.

I was present a short time ago when this matter was presented to the Memorial Commission. We heard quite a number of people, and I am convinced that what was done was done in the best of faith on the advice of the experts, the best that that commission could get, who felt that the approaches to the Memorial should not be constructed at that time, and they were not constructed from the standpoint of economy. I am satisfied that the experts used their judgment and were perfectly honest. They supposed that the earth would settle gradually and that the concrete would be quite sufficient for the purpose of the support of the approaches. But they found that it settled and settled and settled, against their opinion. We had to go on as best we could. We believed in saving the amount that the opinion of the experts said could be saved.

Of course, this made land mostly was taken from the Potomac by hydraulic force, and it was also a dumping place for the city, from the cellars and excavations that were made throughout the city.

I call attention to the fact that on the 4th of July a few years ago after I began to come here the Washington Monument was only half completed. It stood there an eyesore. The patriotic ladies had raised the money and it was a great monument. John Sherman upon the 4th day of July rose in his place in the Senate and took over the matter and the Monument was completed, and instead of its being an eyesore I am told by experts it is the most magnificent shaft on the face of the earth. The Monument had begun to settle. It settled and settled and settled, and an Army engineer—I think his name was Casey—at a large expense made a foundation which took him the better part of two years to complete.

That Lincoln Memorial is there and it should be finished, whatever it costs. I do not believe it will cost anything near what has been mentioned here since I came into the Chamber. I think the country wants it finished and wants it finished now, and it ought to be finished, and the experts think it can be finished and dedicated by the time the frost is gone, along with the landscape gardening which has been planned. Lincoln is as dear to you as he is to me, and he is as dear to you on the other side of the aisle as he is to us on this side of the aisle. [Applause.] I do not believe that it will cost as much as has been suggested, but whatever it costs, having put our hand to the plow, we can not now look back. [Applause.]

Mr. GOOD. Mr. Speaker, in view of the statement of the gentleman from Illinois [Mr. CANNON] that the depth to solid rock is 40 to 50 feet, I desire to correct the statement that I made. My statement was not taken from the report, for the report is silent on that subject, but was a statement made to the House conferees by the conferees on the part of the Senate, that it was only 18 feet. We had no knowledge except what was given us by the Senate conferees. As the gentleman is a member of the commission and is better informed, I think his statement is no doubt correct.

Mr. BRAND. Mr. Speaker, before the gentleman takes his seat, will he yield to me?

Mr. GOOD. Yes.

Mr. BRAND. I simply want to make the statement, in justice to myself, that I did not mean by making the inquiry which I did a short time ago to intimate that I am opposed to this proposition or to the completion of this memorial, because I think it is a just tribute to one of the greatest men who ever lived and held public office in this Republic.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MANN] to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 50: Page 43, after the amendment just adopted, insert the following:

"NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS.

"For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; traveling expenses of members and employees; office supplies, printing, and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of Langley Memorial Aeronautical Laboratory, and construction of additional buildings necessary in connection therewith; maintenance and operation of one motor-propelled passenger-carrying vehicle; and purchase, maintenance, and operation of one passenger-carrying motor cycle; personal services in the field and in the District of Columbia: *Provided*, That the sum to be paid out of this appropriation for clerical, drafting, and messenger service for the fiscal year ending June 30, 1922, shall not exceed $30,000; in all, $200,000."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 50 and concur in the same.

Mr. MACGREGOR. Mr. Speaker, should not the word "purchased," in line 24, with respect to motor cycles, be stricken out?

Mr. GOOD. The same language I think was carried in the House bill, and it went out on a point of order in the House because it changed the name of the field to the Langley Memorial Aeronautical Laboratory, and also with regard to the item authorizing the buildings in connection therewith.

Mr. MACGREGOR. What I referred to was with reference to this word "purchased" in respect to "motor cycles."

Mr. GOOD. We have them in the War Department, but we have to appropriate the money.

Mr. MACGREGOR. We struck the word out in the other bills that we passed.

Mr. GOOD. I think they decided perhaps they did not need them and that was the reason it was stricken out in such bills.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLACK. How much did the sundry civil bill carry for this item last year?

Mr. GOOD. The same amount carried here.

Mr. Speaker, I move that the House recede from the disagreement to Senate amendment numbered 50 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the next item, numbered 60, with respect to the nitrate plant, be postponed until we conclude the other amendments in the bill.

Mr. BYRNS of Tennessee. Mr. Speaker, reserving the right to object, does the gentleman anticipate that will take it over until to-morrow?

Mr. GOOD. I can not say as to that. It depends on how long it will take to get through with the other items. I do not want to extend an invitation to anyone to leave the Chamber.

Mr. BYRNS of Tennessee. I understand the gentleman's request is that this amendment go over until all of the other amendments have been disposed of?

Mr. GOOD. That is correct.

The SPEAKER. The gentleman from Iowa asks unanimous consent that amendment No. 60 be postponed until the other amendments are considered. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 54, at the top of the page, insert:

"Nitrate plant: For continuing construction of locks, dams, power houses, and appurtenances authorized by the national defense act approved June 3, 1916, $10,000,000."

Mr. GOOD. Mr. Speaker, I move that the House insist upon its disagreement to amendment No. 60.

Mr. MANN of Illinois. Mr. Speaker, I offer a preferential motion. I move that the House recede from its disagreement to Senate amendment No. 60 and concur in the same.

The SPEAKER. The gentleman from Illinois offers a preferential motion that the House recede and concur. [Cries of "Vote!"]

Mr. GOOD. Mr. Speaker, when the matter was before the House before it was stated that they would be compelled to hold additional hearings to ascertain certain facts necessary to a correct understanding of this situation. We have held those hearings. It has taken about four days to conduct those hearings. My opinion is that men ought not to vote or be called on to vote on an amendment that takes $10,000,000 out of the Treasury without understanding just what is involved. There has been considerable demand on this side of the House for time to debate a $10,000,000 proposition, and I ask unanimous consent that the time for debate be limited to two hours and that I control the time, and, if consent is granted, I will yield one-half of that time to the gentleman from Tennessee [Mr. BYRNS].

Mr. MANN of Illinois. But the gentleman will not have control of it.

Mr. GOOD. Why not?

Mr. MANN of Illinois. Because the gentleman will only have control of an hour.

Mr. GOOD. But I have asked unanimous consent that I have control of two hours.

Mr. MANN of Illinois. No; the gentleman has not asked that.

Mr. GOOD. I incorporate that in my request.

Mr. MANN of Illinois. The gentleman does not want unanimous consent that he shall control two hours of time.

Mr. GOOD. No; I am going to yield one hour to the gentleman from Tennessee, but not yield the floor.

The SPEAKER. The gentleman from Iowa asks unanimous consent that debate upon this amendment shall be two hours, the time to be controlled by himself, and he will yield one-half to the gentleman from Tennessee [Mr. BYRNS].

Mr. MANN of Illinois. Mr. Speaker, if the time is to be eventually divided and is to be for two hours, somebody else is entitled to recognition for one hour's time. The gentleman ought not to make a request that he have two hours of time.

Mr. GOOD. But I have control of the floor.

The SPEAKER. The gentleman from Illinois objects.

Mr. BYRNS of Tennessee. I suggest the gentleman from Illinois, having made the preferential motion, would be entitled to recognition.

Mr. MANN of Illinois. I do not care for the time. I have no desire to be recognized.

Mr. CANNON. Do I understand the gentleman's request to be that debate close in two hours and that he yields one-half of that to the gentleman from Tennessee?

Mr. GOOD. Yes.

Mr. CANNON. Who is opposed to the motion, and then he desires to have the other hour for himself?

Mr. GOOD. I made the unanimous-consent request for that time so I would not lose the floor. It simply meant that my time be extended one hour, and I would yield that hour to the gentleman from Tennessee.

Mr. MANN of Illinois. What does the gentleman mean by not yielding the floor?

Mr. GOOD. I desire to retain the floor on this whole matter and close debate upon the amendment.

Mr. MANN of Illinois. The gentleman will have the right to close debate.

Mr. GOOD. I do not know whether I would or not. That has been contested here a great many times on the other side of the House.

Mr. MANN of Illinois. Of course, he would have the right to close debate unless the other side could not use the time, and then he would have the right to close debate. Of course, the request did not state that the previous question should be ordered at the end of that time.

Mr. GOOD. I intended to do so.

Mr. MANN of Illinois. The gentleman would have the right to move the previous question.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the time for debate on this amendment be limited to two hours; one hour to be controlled by the gentleman from Tennessee [Mr. BYRNS] and one hour by myself, and at the end of that time the previous question be considered as ordered.

Mr. JOHNSON of Mississippi. Reserving the right to object, would the gentleman from Tennessee have the right to yield time?

Mr. GOOD. Certainly.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate on this amendment be limited to two hours, one hour to be controlled by himself and one hour by the gentleman from Tennessee, and at the end of that time the previous question be considered as ordered. Is there objection?

Mr. KEARNS. Mr. Speaker, reserving the right to object, if this request is granted would the vote come at midnight to-night?

The SPEAKER. It depends upon whether the House adjourned over until to-morrow or not. The House can adjourn at any time it desires. Is there objection? [After a pause.] The Chair hears none and it is so ordered.

EMERGENCY TARIFF BILL.

Mr. FORDNEY. Mr. Speaker, I offer a conference report for printing under the rule.

The SPEAKER. The gentleman from Michigan offers a conference report (H. Rept. 1359) for printing under the rule. The Clerk will report it by title.

The Clerk read as follows:

H. R. 15275. An act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The SPEAKER. Ordered printed under the rule.

CONFERENCE REPORT, SUNDRY CIVIL BILL.

Mr. GOOD. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. MAGEE]. [Applause.]

Mr. MAGEE. Mr. Speaker, I am against the proposed appropriation of an additional $10,000,000 for this Muscle Shoals project. I am against it for several reasons. One is that I am against governmental paternalism. Another reason is that I am in favor of rigid economy in public expenditures. [Applause.] I think the country elected a Republican House with the expectation that a Republican House would sustain Republican policies and not permit further raids upon the Treasury of the United States. [Applause on the Republican side.] While I do not criticise the attitude of any of my colleagues or question their motives, conceding them the right to act individually just as they may see fit and in accordance with their convictions, I as a Member of the House claim the same right, and I propose to speak just exactly as I feel about this proposition, calling a spade a spade.

This proposal to appropriate ten millions of dollars additional for this project is in my opinion nothing more nor less than a well-organized raid, backed by an extensive propaganda, upon the Treasury of the United States. [Applause on the Republican side.]

Our opponents say—although the Government has already wasted there more than $100,000,000, having expended, I think, about $114,000,000—that they want to expend $50,000,000 more in order that they may give the farmers cheap fertilizer. I want to say that the question of the manufacture and sale of fertilizer is not involved in this proposition. That plant at Muscle Shoals never has produced a pound of fertilizer and, in my judgment, never will. The fertilizer question is only brought into this proposition in order to appeal to the credulity of the American farmer. That is all it is here for, but they can not fool anybody. It is conceded that if the Wilson Dam is completed, costing $50,000,000, there will be from 88,000 to 100,000 primary horsepower.

You know what primary horsepower is—the horsepower that is available the year around. The flow of the Tennessee River is very intermittent. At times the water is high, at other times very low. It is estimated that there will be from 100,000 to 400,000 additional horsepower, which is designated as secondary horsepower.

It is conceded that the primary horsepower is so valuable that it should not and will not be used for the manufacture of fertilizer. Those favoring the appropriation claim that they want to use the secondary horsepower for such purposes. But if they are going to use only the secondary horsepower for the manufacture of fertilizer, you can see that there will be certain seasons of the year when the plant will have to be shut down, or they will have to supplement the use of the secondary power with a steam plant.

They say that they do not want to use a steam plant, because it is conceded that if they did they would have to keep a steam-plant organization the year around, even though they did not use it, as estimated, only two to four months in the year. So the proposition is, as stated by the representative of the National Farmers' Union to our committee, when they do not have the secondary horsepower to shut down the plant.

It is conceded that the Government will employ from 2,000 to 2,500 men at the plant, and when we asked Mr. Bower, a very bright man, if he would have the Government pay these men while the plant was shut down he said that he would. That is the proposition—if the plant should be idle for three or four months in the year, with 2,500 employees, the Government should pay the men while the plant is shut down. You can see, gentlemen—anybody can see—that when they come before a

committee and say that they intend to use secondary horsepower solely to run the plant for purposes of manufacturing fertilizer, they admit themselves out of court. There is not anything to that kind of a proposition. The Government has a plant there to-day—a steam plant—which is in perfect running order. They say that plant can not be used for the manufacture of fertilizer because it would cost too much; it would make the price of the product prohibitive. What they propose to do is to get money out of the Treasury of the United States to complete this project solely for power purposes.

They want to supply power within an area of 600,000 square miles—within a radius of 250 miles from Muscle Shoals. That is the proposition—not to distribute power, but to generate and sell electric light and power. I say to that proposition, before we go into that, before the Government goes into the business of generating and selling electric light and power, the policy of the Government should be determined by competent authority. And I want to say that no authority now exists for an appropriation of one dollar for the purpose of the generation and sale of electric light and power there. That is conceded. If you will note the wording of this appropriation, you will see that it is headed "Nitrate plant." And it is proposed to make this appropriation under the provisions of the national defense act, approved June 3, 1916, under the provisions of which not a dollar can be appropriated except for the purposes and necessities of war.

I have called attention to these facts in order that the country may see, clearly see, and in order that all except the blind may see, clearly see, what a howling, rip-roaring farce is the basis of this attempted raid upon the Treasury of the United States. [Applause.] I hope that my friends in the House will not vote to instruct me to vote for this project. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HULL]. [Applause.]

Mr. HULL of Iowa. Mr. Speaker and gentlemen of the House, in 1914, when I first became a member of the Military Committee, I had an opportunity to vote in favor of the construction of a nitrate plant at Muscle Shoals. I voted for it then, and I have never regretted it. I shall vote for it to-night. At that time we saw the European war approaching. It was a question of national defense then. It was defeated, and in consequence of that during the war we had to go 5,000 miles to Chile to get nitrates with which to fight. That is not national defense.

Now, you have heard in the past a great many figures given to you in regard to what you have at Muscle Shoals. Briefly, I want to call your attention to some of the figures. Many that are given to you are grossly exaggerated and confusing. You have to-day plant No. 2 completed, $80,000,000 spent. It is a nitrate plant, the cyanamid process—a success, workable and complete, with steam. You have another plant, No. 1, under the Haber process, and $13,000,000 has been spent there, and it is not a working success. However, the experts expect to make it a perfect success. It is one of the German processes. What you have before you and in view is simply the proposition of whether you are going to spend $26,000,000 to $33,000,000 on the Wilson Dam to make of the Muscle Shoals project a going concern. You have spent on the Wilson Dam to-day practically $17,000,000, and to make it a going concern you must spend $26,000,000 more at least or $33,000,000 at the most, and this $7,000,000 discrepancy depends on the amount of horsepower you develop, 100,000 or 600,000, and the latter is possible.

It is not $50,000,000; it is not $100,000,000; it is from $26,000,000 to $33,000,000; and when you spend it what have you got? You have got a going concern, and it will be workable, and it will connect up, if you want it, with an $80,000,000 project that you have there—the nitrate plant No. 2; also with the nitrate plant No. 1.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield for a question?

Mr. HULL of Iowa. I do not want to, but I will in this case.

Mr. CAMPBELL of Kansas. Are they producing nitrates at plant No. 2 now?

Mr. HULL of Iowa. No, sir. They have produced nitrates at No. 2, and they can do it. But this is the proposition: If you have only steam, it is not a workable proposition, because your power costs too much money to make nitrates for anything except war purposes in war time.

Mr. CAMPBELL of Kansas. So that they are not producing nitrates now at this completed plant?

Mr. HULL of Iowa. They are not, and they never will, in my opinion, unless you complete the Wilson Dam, at a cost of from $26,000,000 to $33,000,000.

Mr. STEPHENS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. STEPHENS of Ohio. How far are the nitrate plants from the dam?

Mr. HULL of Iowa. As I understand it, about 5 miles.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. HULL of Iowa. Will the gentleman from Tennessee give me five minutes more?

Mr. BYRNS of Tennessee. I yield to the gentleman five minutes more.

The SPEAKER. The gentleman from Iowa is recognized for five minutes more.

Mr. HULL of Iowa. I want to ask the gentleman from New York [Mr. MAGEE] since when has it become Republican policy to sacrifice $110,000,000 because you will not spend $26,000,000 to make it a going concern? That is the proposition that gentlemen on this side have to face, and if you do not spend it you are going to have a monument of Republican inefficiency down at Muscle Shoals.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. MONDELL. Will the gentleman kindly inform us how that $80,000,000 plant down there could be a monument of Republican inefficiency?

Mr. HULL of Iowa. Simply because if the Republican Party will appropriate from $26,000,000 to $33,000,000 it can be made a going concern, and if you refuse to do so it can not be leased, sold, or operated; it must stand there idle and unproductive because we, the Republican Party, lacked vision enough to spend $30,000,000 to save $140,000,000, including the last $30,000,000.

Mr. MONDELL. The gentleman may think so, but well-informed people do not. [Laughter.]

Mr. HULL of Iowa. The best informed men think so. I call the attention of the gentleman from Wyoming to the statement of the best informed gentleman there is in this country on that very proposition, Col. Cooper, and I will read you his testimony on that very point. This is a statement by Col. Cooper made before the Committee on Appropriations:

Col. COOPER. On the question of the 10 per cent on capital cost of $50,000,000, I personally am very much opposed to the United States Government going into any business of any kind whatsoever in peace times.

[Applause on the Republican side.]

I hope you will applaud it clear through, gentlemen. Then he continues:

And I should fight it just as hard as I could forever and amen. Here we have a condition where some $15,000,000 has been spent and the question comes up whether you will finish it, put up $35,000,000 more, and the way you could accomplish that. My plan would be this, that the Government should go ahead and finish this work up to the extent of $43,000,000, not $50,000,000, up to the extent of finishing everything and putting in the 100,000 primary power, and then at that time let the Federal Power Commission lease this structure for a term of 50 years on a basis that will net the United States Treasury 5 per cent interest on all money that it has in there, and let the lessee operate the plant, keep it up, and maintain it. That, to my mind, is the most practical thing to do.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. GOOD. If the gentleman will read one word where Col. Cooper said he would build this dam to make nitrates, I will vote for the bill. [Applause on the Republican side.]

Mr. HULL of Iowa. I am going to read some more of what Col. Cooper said. I am talking about completing the Wilson Dam. You do not have to complete the dam to make the nitrates. Col. Cooper admitted he was not an authority on that subject. He is a civil engineer, and says it was inconceivable, unthinkable, and would be a national calamity to abandon this project now.

Mr. GOOD. If the gentleman will read one word from Col. Cooper where he said he would complete this dam to make nitrates, I will vote for it.

Mr. HULL of Iowa. He would do it to save the $110,000,000 you have invested.

Mr. BYRNS of Tennessee. I want to call attention to the fact that Col. Cooper said it would be a national calamity if Congress failed to complete this dam.

Mr. HULL of Iowa. I will read you from the record a letter under date of November 27, 1920, in which Col. Cooper says:

On the second question, as to the cost of closing down the work at this time, this is difficult to answer. It is not conceivable that the Government would withdraw from this project entirely in view of the more than $12,000,000 already invested.

That is from Col. Cooper. It is inconceivable and unthinkable to him that you are going to sacrifice a $110,000,000 proposition there when by the expenditure of $26,000,000 you can make it a going concern, and then it will be up to the Republican Party to determine what they want to do with the proposition.

Then you can decide to lease, operate, or sell it. When the Fertilizer Trust find out you have a well-equipped plant, able to compete with them, you need not worry; you can sell, and you can name the price.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield for a further question?

Mr. HULL of Iowa. Certainly.

Mr. TREADWAY. The gentleman from Iowa has referred repeatedly to "a going concern." Will the gentleman be kind enough to tell us what "a going concern" is?

The SPEAKER. The time of the gentleman from Iowa has again expired.

Mr. HULL of Iowa. Will the gentleman give me just one minute more?

Mr. BYRNS of Tennessee. I yield to the gentleman one minute more.

Mr. HULL of Iowa. I want to answer the gentleman. "A going concern" is one that will pay interest on the investment, and Col. Cooper says this will pay 5 per cent if you complete it. That is "a going concern."

Mr. TREADWAY. That would also make the Government a business concern.

Mr. HULL of Iowa. No, sir; not according to Col. Cooper's plan.

Mr. TREADWAY. Will it not, according to your judgment?

Mr. HULL of Iowa. No, sir.

Mr. TREADWAY. It will, according to mine.

Mr. HULL. The gentleman never worries about the Government spending some money in Massachusetts. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The SPEAKER. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. DEWALT. Mr. Speaker and gentlemen of the House, in every great project which entails the expenditure of a very large amount of money there naturally is, and there ought to be, diversity of opinion and free and intelligent discussion. But for the life of me I can not see why this discussion should take a partisan sense or view. In my humble judgment it is a national question. In no way ought it to be considered as a party question.

I see very little sense and less good judgment in those who endeavor to appeal to partisan spirit or party fealty either in regard to the advocacy of this measure or the opposition to it. The gentleman from New York appeals to his party side of the aisle and says the Republicans must live up to their record for economy. I appeal to the Democratic side of the aisle, and say that they, too, in their wisdom and in their duty to their country must also consider the question of economy. But I deem it unwise to save at the spigot and waste at the bunghole. I deem it very unwise to have an expenditure of $110,000,000 in this project and let that go to absolute waste and destruction because you perhaps in your wisdom may say that you should save possibly $28,000,000 by refusing to comply with this proposed amendment of the Senate.

And what in regard to this question of paternalism referred to by the gentleman from New York? I as a Democrat am opposed to paternalism in government. That is one of the principles that I learned when I first read the history of my country, and it has been imbued and instilled in me ever since I voted the Democratic ticket, and I hope that I will be able to cleave to that idea. But this is not paternalism. In my judgment it is the conservation and the preservation of the great water power of the Tennessee River, and I believe that the Nation ought to conserve, use, and employ all the water power of this country that it can avail itself of at any time. [Applause.] If that be paternalism, then I am in favor of paternalism.

What is the value of this matter before us? Col. Cooper testifies that in order to complete this entire work, taking into account the amount of money already expended, it will cost $50,000,000 at present prices, and he estimates now at the highest prices. Taking into consideration that the labor market is falling in price, that materials are also decreasing in price, is it not fair to say that Col. Cooper has fixed the maximum amount which this project will cost in its entirety? In the very same breath he tells you that the power that will be created by this plant, by the construction of this dam, will be 550,000 horsepower, or greater than the horsepower that there is on the American side of Niagara Falls. He tells you that that power can be created at a cost of $15 per horsepower, and he tells you that the distribution will cost $12 per horsepower, making a total cost of $27 to the consumer. He constructed the Keokuk Dam. By the way, he has the reputation of being the greatest hydraulic engineer there is in this country. At the Keokuk Dam they are to-day receiving $33 per horsepower.

Is there a demand for this horsepower? You have Birmingham to the south. Those who know of that region know that it is teeming with the iron industry of the South. You have Nashville 100 miles away, Chattanooga 125 miles away, and Memphis, I think, 135 miles away. That entire section of the country is demanding and waiting for the opportunity to have this horsepower.

Mr. SWEET. Will the gentleman from Pennsylvania yield?

Mr. DEWALT. I will, sir, with pleasure.

Mr. SWEET. I have great respect for the gentleman's opinion.

Mr. DEWALT. That may be complimentary to the gentleman and not to the opinion.

Mr. SWEET. And he has stated that he is not in favor of paternalism. He has also suggested that by the expenditure of this $10,000,000 we can save $80,000,000 or $100,000,000.

Mr. DEWALT. I did not quite say that. Possibly the gentleman misconstrued it. I will let the gentleman put his own construction upon it.

Mr. SWEET. Now, is it the purpose of the gentleman to have the Government go into the business of manufacturing power to sell to the various cities of this country, or is it his purpose to put this plant in shape and then sell it to private interests?

Mr. DEWALT. My answer to that question is this: In the consideration of the water power bill before the Committee on Interstate and Foreign Commerce I was convinced, as I said before, that there is absolute need for the Congress to conserve and use as speedily as possible all the water power that is available. I go one step further. If it be for the benefit of the public at large and for the people who are living in the section, belonging to any portion of the Union, to have that water power sold to them, I say sell it to them, in God's name, and let them prosper. [Applause.] That is my answer to that question.

Col. Cooper not only says that the potential horsepower is 550,000 but he tells you another remarkable thing. He says that the amount necessary to complete this plant will be $50,000,000, and in the same breath he says to you that within 30 years from this time the demand for this power sold at the rates that he has specified will bring an income sufficient to pay 5 per cent upon the investment of $50,000,000 and leave a surplus fund of $10,000,000 besides. [Applause.] In other words, the consequence is that if Col. Cooper is correct in his statement the Government can not lose anything upon this proposition and the Government will be repaid for the investment by the surplus then created every year to the tune of $10,000,000.

If, then, the Government can not lose, and if the people prosper, whether they be in the North or in the South, whether they are on the fertile plains of the West or upon the coasts of the Atlantic—there is no sectionalism in my heart or mind—wherever they are, if the Government loses nothing, then give them the benefit of this $10,000,000 appropriation. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DEWALT. I would like to have more time, but I know the gentleman has no more time to give me, and therefore I conclude.

Mr. GOOD. I yield five minutes to the gentleman from Nebraska [Mr. JEFFERIS].

Mr. JEFFERIS. Mr. Speaker and gentlemen of the House, I am really gratified to-night by the remarks of the gentleman who has just taken his seat [Mr. DEWALT]. His remarks reveal this proposition stripped of some of the camouflage that has been put forth here in regard to it. In other words, if I understood him, he was advocating this expenditure on the basis that it was a power proposition—for the sale of power to the different cities and communities near Muscle Shoals. That being true, it becomes a local matter for one section of our country.

I wish to discuss it for a moment from the standpoint of what has been contended before, namely, that this is a fertilizer proposition. I want to call your attention to some of the testimony given by Dr. Parsons, who was appointed by this Government to go to Europe in 1916 and study the nitrogen proposition from all angles. This learned gentleman has been giving it his study from that time to this. He was asked by Mr. GOOD, of Iowa, a few days ago what he had to say in regard to the production of nitrogen by the cyanamid process, the one provided for at Muscle Shoals. His testimony is this:

> No plants are being erected anywhere, so far as I am aware. In fact, the present plants are stopping their production. I was informed last Friday that in all probability the production of the cyanamid plants in Germany this next year would not be over one-sixth the production of last year, and there is no question—I think it is quite

generally admitted—that the cyanamid process is in a condition of obsolescence, and I do not expect to see it operated in any part of the world to any extent a few years hence.

He also says:

I was told last summer by Mr. A. G. Barton, in his office in London, that in his opinion the cyanamid process was absolutely a process of the past. To quote almost his exact words—I have them written down at my office—he said: "Dr. Parsons, as sure as you and I are sitting here, the cyanamid process is a process of the past, being sure to be replaced by the synthetic ammonia process."

The doctor goes on in this testimony as to what the farmers think they are getting, and testifies:

What is your opinion with regard to the operation of the Muscle Shoals plant under the plan proposed by the War Department; would it pay?

His answer was:

I do not think it would; no, sir.
Would it pay expenses?
I do not think it would; no. I am sure it would not.

Again, Dr. Parsons says in regard to the farmers:

I am in open-hearted sympathy with the desire of the farmers and the War Department to follow the needs of the American people; I believe, however, that the farmers' organizations are very seriously deceiving themselves as to the outcome of this proposition. To my mind, I believe from the standpoint of the war reserve and from the standpoint of producing cheap fertilizer for the farmer nothing worse can be done than to operate the plant at Muscle Shoals.

[Applause.]

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. GOOD. Mr. Speaker, I yield 15 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Speaker and gentlemen of the House, it had not been my desire to participate in this argument this evening. I imagine that what I had said on a former occasion, not long ago, would perhaps cover the ground about as thoroughly as I cared to, but it may be that I can add something of benefit this evening.

This appropriation is one of $10,000,000 for the purpose of carrying on the work at the Muscle Shoals Dam. Now, we are justified in voting for this proposition on one of two grounds only, if at all. The first one is the proposition that thereby we improve the navigability of the Tennessee River. I called your attention before to the proposition that this dam in itself will not add to the navigability of the Tennessee River in any particular. As a matter of fact, gentlemen of the House, it interferes with the navigability of the present Muscle Shoals Canal, which formerly gave 5 feet of water around the rapids. Dam No. 2 is built exactly in the middle of the rapids, and in order to make the Tennessee River navigable at this place it would be necessary, according to the estimates of the engineers made in peace times, to build two additional dams, one of which will cost two and one-half million dollars and the other twelve and one-half million dollars at peace-time prices. So it was that Col. Cooper and others testified that so far as that being of assistance to navigation it was of no importance at all.

Now, if it does not add to the navigation we must consider it as a power dam. We are only justified in voting for it as a power dam on one of two propositions: First, that the law authorizes us to erect the dam to make power that we can sell to the communities surrounding it; second, that we can make a dam that will furnish the power for Muscle Shoals plant No. 2. I want to call to your attention again, as I did before, that there was not a cent of money that came from the national defense fund—not a penny—that went into the Muscle Shoals plant No. 2. Not a cent came from the national defense fund, and I challenge anybody, in view of that fact, to cite to me a statute under which we can vote to appropriate for building the dam. There is no such law.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. BYRNS of Tennessee. When this proposition was offered, when the bill was pending before the House, did not the gentleman state to the Chair at that time that he did not desire to make the point of order because after investigation he had determined that it could not be sustained?

Mr. GRAHAM of Illinois. I did; and I say so now. The trouble is that the point of order will not lie on this kind of proposition, because the Chair can not stop to investigate the facts. The only way that you can find out whether this money was expended from the national defense fund is to examine the facts; and the parliamentary law is that the Speaker can not go into the facts to determine a question of order. Therefore I made that statement, and was right about it, and I adhere to it now. There is no law upon which you can base this vote, if we vote for the appropriation desired.

Further than that, let us go into the question of power. It has been stated here time and time again, and it is the absolute truth, that this thing has developed until it is simply a proposition of building a dam and selling the power to the country down there in which this dam is to be located. Let me call your attention to what this vote to-night means. I have done it before, and I want to call your attention to it again. If you vote for this appropriation of $10,000,000, you must go on through the piece and grant the rest of the appropriations, and it will be necessary for you to expend the balance needed to make $50,000,000, the proposed cost of the dam. You will have to appropriate, in order to complete this, $12,500,000 for one dam, $2,500,000 for another dam, and $12,500,000 more to convert the nitrate plant into an ammonium sulphate plant, and that means $65,000,000 more which we must put into this business. Is there any man in this House who will say to me, "I am justified in voting for an appropriation of $65,000,000 in order to save $12,000,000 that we have put in the abutments of this dam down there before we have established any policy whatever, before we have said what we will do about the nitrate plant"? You gentlemen over here who are advancing this project advocate getting this through before the 4th of March and appropriating this additional $10,000,000, as then it will be too late to stop. We on this side of the House, particularly, told the people in the last campaign that we would save the public purse and the Public Treasury. We condemned things like this. We condemned practices by which the money of the country was being voted out of the Treasury. Are we going now at this time to vote this money out, when we know that in 10 days a new administration will come into power in this country that may investigate this and may have an entirely different idea about what ought to be the future of this enterprise? I do not believe anyone ought to do it.

Let me call your attention to one or two things. In the examination of Col. Cooper, he stated time and time again that he was opposed to this for any other purpose except as a power proposition. He said that was all that it was. I want to call your attention to two examples where he said that. The chairman [Mr. GOOD] asked him—

Do you mean by furnishing cheap fertilizer or furnishing cheap power to the industries?

To that he replied:

I mean by furnishing cheap power to the industries.
You are not urging that this amendment be adopted and that this work go on for the purpose of furnishing fertilizer?
Not at all.
Your proposition is simply a water-power proposition?
Yes; that is it.

Again, in answer to a question put to him by Mr. MAGEE—

But you are not in favor of the Government running it?
No, sir; I am not.
You are in favor of the Government keeping out of this business?
Yes; I think they should keep out of it.
You think it is a business that should be conducted by private enterprise?
Absolutely.

Do not you gentlemen agree with him about that? Do you think that we ought to go into the business of making fertilizer? Why should we go into the business of making fertilizer any more than we should go into the business of making harness? One is as essential to carrying on agriculture as is the other. The only reason anyone gives that we put some more money in is for the purpose of getting back what we have already put in. Do you think it is good policy, if we have put $12,000,000 into the foundation of a dam, to put $33,000,000 more to get that $12,000,000 out, and in the end have nothing but a power, and find ourselves in the business of selling power to the surrounding country?

I want to call your attention to a map that I have here, and I want you Alabama men to note this. We paid $5,000,000 to help the Alabama Power Co. on its feet, to get control of that country down there, and even the gentleman from Tennessee [Mr. GARRETT], when we were discussing this thing on the floor of the House here, I believe, made some statement to the effect that he had nothing to say favorable about the operations of the Alabama Power Co.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. If the gentleman will ask a question, yes.

Mr. GARRETT. I think the Alabama Power Co.—I said so in the report and on the floor of the House—took advantage of the Government's necessities and imposed expenses that the Government ought not to have gone to, and if the Government does not do this, the Alabama Power Co. will still retain the monopoly.

Mr. GRAHAM of Illinois. I am glad the gentleman interrupted me. Look at this map. This map is an official map published by the Alabama Power Co. Up here in the corner is the nitrate plant. All these surrounding lines we helped

them build during the war, and furnished the money to do it, and now they have a complete circle around Birmingham, Ala., and all that industrial territory, and they have gotten clear up to a little place called Athens, and there is only a little gap of 15 or 20 miles which they have to close there, and then they will have that territory in a circle.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. No; I do not care to yield now. The only possible purchaser of this power will be the Alabama Power Co., absolutely. It is the only possible purchaser in that field. In fact, I want to call your attention to what Maj. Burgess said about this thing. An agent of the War Department went down there and looked the thing over.

Now notice what this Government report says. This is by an Engineer officer of the War Department sent down there to make a survey of this situation, and this is what he says. He is referring to Government cooperation.

And also makes the Alabama Power Co. the logical and in fact the only company capable of building up the market necessary to use all the power which may be developed at Muscle Shoals.

So says Maj. Burgess. And it is a fact, gentlemen, it is the only possible purchaser for this power. I see my time is going and there are some things I desire to say which I will not have the time to say.

It has been stated that we have invested $17,000,000 and we must expend this money or otherwise we will lose the $17,000,000 we have. I want to call your attention to some things that have been done that have got us in the position so that we have that $12,000,000 in this hole. In the first place during the war the building was stopped on this dam by the Priorities Committee, because they refused to give the War Department priorities on the materials for this dam, claiming that the dam could not be completed in time to be of service in the war. The armistice was signed on the 11th day of November, 1918, and on the 9th of November, 1918, word was sent down there, through the Engineer Department, for them to start work on that dam, and they started on the 9th and they have continued at full force ever since. Since the armistice was signed they have opened up this Waco quarry and spent a million and a quarter dollars when they knew the Congress of the United States had not decided upon anything. They finished the Alabama Power Co. plant and built a little village or town for them and put a 30,000-kilowatt turbo-generator in place. They did all these things so as to get in a position to say to the Congress of the United States, when this thing came up that they had gone so far that they could not turn back. Now at this time, within a few days before the close of Congress, they come to us and say to us that we ought to go ahead with this thing and embark upon an enterprise that will cost $65,000,000 if we keep it up.

It has been said the farmers of this country are for this thing. I do not believe they are, if they knew the facts. I believe the farmers of the country will suffer instead of benefiting by it. I believe there ought to be built up in this country a nitrate industry, and I say to you now solemnly and with due consideration of what I am about to say that if the Government goes into the nitrate business down here nobody else is going into it in opposition and in competition with the Government. And another thing: The Secretary of War came before the committee of which I am chairman and we asked him and others who came there who they were going to sell this product to, and they told us the fertilizer makers. Do you know, gentlemen, that what they make down there, ammonium sulphate, is not fertilizer in itself? You have to mix that ammonium sulphate with phosphates and with other elements to make commercial fertilizer. It has to be mixed with other ingredients in order to make fertilizer out of it, so what do the farmers get out of it? Gentlemen, it is a delusion, in my judgment, and no real argument can be made that will show that there is any real profit in it.

The SPEAKER. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. SELLS]. [Applause.]

Mr. SELLS. Mr. Speaker, it is not my purpose to discuss the technical features of this proposition, notwithstanding I have given it a rather close and impartial investigation. I believe it to be sound as an economic policy, and assailed from every possible angle as it has been its enemies have not been able to discredit it. From the standpoint of its potential worth and of its influence on the industrial and commercial development of the South there is nothing in this country that can compare with it. I believe that my record in this House, covering a period of 10 years' service, will bear me out in the statement that I have been an unwavering supporter of Republican policies and an unquestioning follower of Republican leadership. In deference to that leadership I voted against the bill which authorized the first appropriation for this purpose. Probably partisan prejudice was largely the cause of my action, and without attempting to offer any unjust or any unwarranted criticism, possibly other gentlemen on this side of the Chamber voted against that bill just as they are now opposing this for the same reason, and my purpose in addressing you briefly this evening is to beg of you gentlemen on the Republican side of the Chamber to forget, if you can, the location of this stupendous plant and to give to it the same unbiased consideration that you give to projects of a similar nature in other sections of this country. I recognize the fact that the material progress of the South has been retarded by a blind devotion to a political ideal and in its adherence to doctrines long since discarded elsewhere.

For this evidence of her mistaken loyalty I bespeak your patient sympathy. We have suffered as a result; not you. But the light of a new life is dawning full on her face, and in the results of the last November election may be seen the breaking up of traditions and the establishment of a new creed of political thought and action. The "solid South" has been broken. Tennessee, a secession State, has proclaimed to the Nation her abandonment of dead issues and buried doctrines [applause]; and for the first time in our history the flag of a militant Republican Party has unfurled in victory above the cotton fields of Dixie.

Will the Republicans in this House by their refusal to grant this appropriation strike down what will otherwise become Tennessee's greatest asset, affecting every section of our Commonwealth? Shall we carry back to our people at home the tidings that a Republican Congress has unjustly and ungenerously denied this measure of helpfulness, and that our Republican brethren in the North have refused the proffered hand of political fellowship which we have for the first time in our history extended in trust and confidence across Mason and Dixon's line? [Applause.]

The South is no beggar. She asks as alms for none of the crumbs that fall from the rich man's table. But she does ask that sectionalism shall be forgotten and that her claims for recognition shall be judged by the same standards that you apply to those of the remaining States of this Union. [Applause.]

Members of this House, in an excess of patriotic zeal, are wont to proclaim that there is no North, no South, no East, no West. Gentlemen, the vote here on this side of the Chamber to-night will constitute the acid test which will determine the truth and sincerity of that statement. And I make this statement, not as a threat, please understand, but merely as the expression of my honest judgment, that if this Congress, both branches of which are Republican, shall defeat this measure, Tennessee will not give another electoral vote to a Republican candidate during your lifetime or mine.

The South is ready to cut adrift from her political moorings. Her progressive men realize the disadvantage and utter folly of servitude to one political party. They merely wait to see what recognition shall be given to her just claims, and to just what extent the prejudice of sectionalism shall militate against her. A golden opportunity is presented here to-night, and I have faith to believe that gentlemen on this, the Republican, side of the Chamber will take advantage of it to do full and substantial justice. [Applause.]

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 31 minutes p. m.) the House, under its previous order, adjourned until Friday, February 25, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

424. A letter from the Secretary of the Treasury, transmitting deficiency estimate of appropriation, in the sum of $5,594.21, required by the Department of Labor for "Salaries and expenses of the International Conference of Labor, 1920" (H. Doc. No. 1014); to the Committee on Appropriations and ordered to be printed.

425. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with report of Maj. W. A. Johnson, Corps of Engineers, on preliminary examination of the Narrows between Choctawhatchee Bar and Santa Rosa Sound, Fla., including the swash channel from Camp Walton to Mary Esther; to the Committee on Rivers and Harbors.

426. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill regarding suits at law or in equity now pending or hereafter brought in any State court on account of any contract, etc., made by the Navy Department during the war with Germany; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. VESTAL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (S. 4893) to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union, reported the same without amendment, accompanied by a report (No. 1356), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 10963) granting the consent of Congress for the construction of a bridge across the Savannah River at or near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga., reported the same with amendments, accompanied by a report (No. 1358), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FESS: A bill (H. R. 16150) to amend the vocational rehabilitation act to exempt from taxation amounts heretofore or hereafter received thereunder as training pay and allowances; to the Committee on Ways and Means.

By Mr. CURRY of California: A bill (H. R. 16151) to create a department of aeronautics, defining the powers and duties of the secretary thereof, providing for the organization, disposition, and administration of a United States air force, and providing for the development of civil and commercial aviation, the regulation of air navigation, and for other purposes; to the Committee on Military Affairs.

By Mr. EMERSON: Resolution (H. Res. 694) asking the Secretary of the Navy to give information to Congress concerning the cost of metal furniture as produced by the Navy Department; to the Committee on Naval Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Oregon, relating to the exchange of privately owned lands for lands belonging to the Federal Government; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Idaho, regarding the reclamation of arid and swamp lands in the State of Idaho; to the Committee on Irrigation of Arid Lands.

Also (by request), memorial from the Legislature of the State of Wisconsin, favoring the passage of the French-Capper bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota, in connection with Government censorship of moving pictures; to the Committee on Education.

Also, memorial of the Legislature of the State of South Dakota, in connection with the transportation act of 1920, so as to eliminate therefrom the rule of rate making; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota, in connection with the designation of Fort Meade as a military hospital; to the Committee on Public Buildings and Grounds.

Also, memorial of the Legislature of the State of South Dakota, in connection with the Rogers bill, H. R. 14961; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of New Mexico, favoring the immediate enactment of an emergency tariff law for the relief of the farmers and live-stock producers; to the Committee on Agriculture.

By Mr. HAWLEY: Memorial from the Legislature of the State of Oregon, asking Congress to pass legislation directing the United States Bureau of Public Health and the United States Commissioner of Pensions to appoint physicians and dentists who are now in the military service, or who have been honorably discharged from the same, as public health officers and on boards of examining surgeons, in preference to those who are not in the military or naval service, or who have not so served and been honorably discharged; to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6041. By the SPEAKER (by request): Petition of certain citizens of Megargel, Tex., protesting against market gambling in farm products; to the Committee on Agriculture.

6042. Also, petition of the Boston Branch of the National Association for the Advancement of Colored People, favoring a thorough and rigid investigation of matters in Haiti and San Domingo; to the Committee on Naval Affairs.

6043. Also, petition of Denver Typographical Union No. 49, favoring the recognition of the Irish republic by the United States; to the Committee on Foreign Affairs.

6044. By Mr. CLEARY: Petition of Matthew J. Smith and 768 others, of Brooklyn, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6045. By Mr. CRAGO: Petition of the State Federation of Pennsylvania Women, favoring the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

6046. By Mr. FULLER: Petition of the St. Joseph Society of Peru, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6047. Also, petition of W. R. Everett, Mrs. Bessie M. Johnson, Mrs. Florence R. Lewis, Mrs. Jessie Goodspeed, St. Monica Court No. 501 (Daughters of Isabella), Mrs. Carrie Stenger, Mrs. Eva Gorman, Mrs. Josephene H. Landgraf, Mrs. Florence B. Crittenden, Mrs. Elsie B. Corveth, Mrs. Agnes E. Morgan, B. G. Morgan, F. Kate Kelley, Louis H. Gillardon, John F. Parker, O. M. Williams, Mrs. O. M. Williams, Mrs. Clara Gillardon, Mrs. Ida E. Orput, Lorenz Weber, Mrs. Lorenz Weber, Mrs. William Eskridge, Miss Ruth C. Ogren, Andrew J. Ogren, Mrs. Ell Myer, Mary C. Ogren, R. A. Orput, Mrs. Nellie Hewitt, George A. Hewitt, Mrs. Mary Proctor, Miss Josie Samuelson, Miss Ruth E. Hewitt, Mrs. B. A. Solem, Mrs. John F. Parker, Nellie M. Keeling, F. S. Madden, A. C. Woods, Mrs. Lottie N. Woods, Miss Ethel Eudeley, Arthur Janes, Mrs. Ellen E. Janes, Andrew P. Lorenzen, Emma S. Carver, Katherine McClintock, Mrs. Clara G. Strokert, Maud V. Patterson, Jennie E. Woodruff, Edward J. Hollister, H. H. Biggert, Martha E. Kennedy, Mrs. Fannie P. Walker, and Mr. and Mrs. Perry Jackson, of Rockford, Ill.; Mr. and Mrs. Nelson Engdal, Mrs. Minnie L. Dempsey, Mrs. Carrie L. Gilroy, Mr. and Mrs. Albert Puls, and Mr. and Mrs. J. E. Carter, of Belvidere, Ill.; Miss Minnie L. Richardson, of Roscoe, Ill.; and Rodney K. Cummins, of Champaign, Ill., protesting against the passage of the so-called Capper-Fess bills, S. 3950 and H. R. 12652; to the Committee on Education.

6048. By Mr. GALLIVAN: Petition of Division 72, Ancient Order of Hibernians, Boston, Mass., J. A. Cantwell, secretary, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6049. By Mr. KELLY of Pennsylvania: Petition of St. Joseph's Casino, of Pittsburgh, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6050. Also, petition of the City Council of Philadelphia, Pa., favoring the burial of an unidentified soldier, killed in France, in Independence Square, Philadelphia, Pa.; to the Committee on Military Affairs.

6051. By Mr. KIESS: Petition of the Renovo Branch of the Ladies' Catholic Benevolent Association, of Renovo, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6052. By Mr. LAMPERT: Petition of voters of Oshkosh, Wis., requesting an amendment to the Volstead enforcement act permitting the manufacture and sale of beer and light wines; also protesting against the so-called blue laws; to the Committee on the Judiciary.

6053. By Mr. McFADDEN: Petition of Troy Grange, No. 180, of Troy, Pa., protesting against the reenactment of the so-called daylight saving law; to the Committee on Interstate and Foreign Commerce.

6054. By Mr. MOONEY: Petition of Local No. 5, Licensed Tugman's Protective Association, of Cleveland, Ohio, favoring a duty on fish; to the Committee on Ways and Means.

6055. By Mr. ROGERS: Petition of the Council of St. Jean Baptiste, No. 10, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6056. By Mr. YOUNG of North Dakota: Petition of the Harry Hardy Post, No. 47, of the American Legion, of Burnstad, N. Dak., favoring the enactment of legislation providing for better hospital facilities for disabled war veterans; to the Committee on Ways and Means.

SENATE.

FRIDAY, *February 25, 1921.*

(Legislative day of Thursday, February 24, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

THE MEAT-PACKING INDUSTRY.

Mr. FERNALD. Mr. President, some time ago there appeared in one of the western farm papers, the Nebraska Farmer, an article entitled "How shall the packers be regulated?" It was inserted in the RECORD. Recently a reply has been made by Mr. Thomas E. Wilson, and in a spirit of fairness, that both sides may be represented, I ask that Mr. Wilson's reply be inserted in the RECORD.

Mr. KENYON. I would like to inquire what it is a reply to.

Mr. FERNALD. It is in reply to an article inserted in the RECORD some time ago, as to how to regulate the packers. I think the Senator from Iowa suggested that it be inserted in the RECORD, and, without reading, I ask that this article be inserted.

The VICE PRESIDENT. Is there any objection?

Mr. KENYON. The Senator from Utah [Mr. SMOOT] is in the habit of objecting to such matters going in the RECORD. I do not know whether he would object to this one or not. Possibly we ought to wait until he comes in. I shall object to it for the present, until I examine it and see what it is.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, I desire to call attention to a very excellent article prepared by the executive committee of the national committee for a department of education, of which Mr. Filene, of Boston, is chairman. I could, in my own time, read this article, but instead I ask leave to print it as a part of my remarks in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"CREATE A DEPARTMENT OF EDUCATION."

FACTS ABOUT THE EDUCATIONAL BILL—THE SMITH-TOWNER BILL OF THE SIXTY-SIXTH CONGRESS.

I. Creates a department of education with a secretary in the President's Cabinet.

II. Provides Federal aid for education in the States, but prohibits Federal control.

(Prepared by national committee for a department of education. February, 1921.)

1. WHY SHOULD THERE BE A DEPARTMENT OF EDUCATION WITH A SECRETARY IN THE PRESIDENT'S CABINET?

A. Education is of primary importance to the Nation, and should, therefore, receive primary recognition.

B. A department of education would make possible the more effective administration of many of the educational activities now distributed through several departments of the Federal Government.

C. We should make better provision for Federal leadership in educational research and development.

D. To accomplish a great national purpose there must be a national center from which shall radiate national influence.

E. A secretary of education would be in a position to participate in the preparation of the Federal budget and to recommend what should be appropriated for the promotion of education.

F. A secretary of education would assure our proper participation in the solution of international educational problems.

G. The above purposes can not be fully reached through either the present Bureau of Education or a Federal board for education.

2. WILL THE ESTABLISHMENT OF A FEDERAL DEPARTMENT OF EDUCATION MEAN FEDERAL CONTROL OF EDUCATION IN THE STATES?

No; the bill says: "Courses of study, plans, and methods for carrying out the purposes and provisions of this act within a State shall be determined by the State and local educational authorities of said State, and this act shall not be construed to require uniformity of courses of study, plans, and methods in the several States in order to secure the benefits herein provided: *And provided further*, That all the educational facilities encouraged by the provisions of this act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and the secretary of education shall exercise no authority in relation thereto, except as herein provided, to insure that all funds apportioned to said State shall be used for the purposes for which they are appropriated by Congress."

The report (1201) of the House Committee on Education further says: "It can not be too strongly stated that this bill is to aid and encourage, and not to control. The bill instead of granting power to the Federal Government to control education within the States in the strongest possible provisions guards against it. The secretary of education is denied the right to establish standards or to exercise any power over the conduct of the schools. The only standards or conditions which must be met by the States in order to receive the benefits provided are clearly stated in the bill. All details with respect to courses of study, plans, and methods are left entirely to the States."

3. WILL THE BILL AFFECT PRIVATE AND PAROCHIAL SCHOOLS?

No. In order to receive an apportionment from the fund allotted to equalization, which is one-half the total appropriation, a State must see that instruction in the common-school branches in all schools, public and private, is in the English language, and that children between 7 and 14 years of age attend some school at least 24 weeks in the year. Further than this, Congress does not authorize and has no power under the Constitution to authorize any interference with private schools. In so far as State laws may require private schools to maintain the minimum standards of public schools, then any raising of the quality of the public schools will require a corresponding improvement in private schools, but this is purely a State matter.

4. FOR WHAT PURPOSES IS FEDERAL AID PROVIDED TO THE STATES BY THE BILL?

A. $7,500,000 for the removal of illiteracy.

B. $7,500,000 for Americanization.

C. $20,000,000 for physical education, including health education and sanitation.

D. $15,000,000 for the preparation of public-school teachers.

E. $50,000,000 for equalizing educational opportunities in the States.

It should be noted that these amounts are not appropriated by the bill; they are simply the maximum allotments authorized. It is very unlikely that the whole amount will ever be called for, because not every State will qualify under every section.

5. IS THE POLICY OF PROVIDING FEDERAL AID FOR THE PROMOTION OF STATE ACTIVITIES A NEW ONE?

No. The following precedents may be mentioned to indicate the acceptance of the principle that it is right and proper for the State to receive Federal aid in work of national importance:

A. The land act of 1785 set aside lot No. 16 in every township in the Northwest Territory for "the maintenance of public schools in the said township."

B. The ordinance of 1787 declared that "schools and the means of education shall forever be encouraged."

C. As States were added to the Union Congress required them to set aside sections of land for school purposes.

D. In 1863 the Morrill Act established the "land-grant colleges" in each State and later acts have granted large annual appropriations.

E. In 1917 the Smith-Hughes Act established the Federal Board for Vocational Education which now distributes money to the States for vocational education and industrial rehabilitation.

F. Congress now distributes to the States about $100,000,000 a year to promote the building of roads.

6. WILL FEDERAL SUBSIDY MEAN FEDERAL CONTROL?

No; for allotments are made solely on the basis of population and similar factors named in the bill. A State needs only to meet the statutory requirements set up by the bill itself, the Secretary of Education being prohibited from exercising any further judgment in making allotments.

It will be observed that nowhere is power given the Secretary to establish standards, and the requirements for aid from the National Government are not made by him. All the standards and requirements are statutory and specifically noted in the bill, and can be changed only by Congress.

7. WHY SHOULD THE FEDERAL GOVERNMENT ENCOURAGE THE REMOVAL OF ILLITERACY.

A. The question of illiteracy in the Nation is both a national disgrace and a national menace.

B. The 1910 census showed 5,500,000 persons 10 years of age or over who could not read or write any language, and 3,500,000 more who could not speak, read, or write English.

C. Practically one-fourth of the men in the draft were illiterate. Since these men were chosen by lot, we must conclude that they represent the entire Nation fairly, and that the census reports are too optimistic. It is to be noted that in the Army illiteracy was determined by test, while the census figures were compiled by declaration only.

D. Secretary Lane estimated that the annual loss to the Nation from illiteracy alone at $826,000,000.

E. The Director of the Bureau of Mines states that of the 1,000,000 men engaged in mining in the United States 620,000 are foreigners and 460,000 can not speak English. He states that the removal of illiteracy among miners would annually

save 1,000 lives and 150,000 injuries. One-half the industrial accidents are due to inability to read and understand danger warnings.

F. Illiteracy is neither sectional nor racial. It is national. It has been said that illiteracy is a southern problem. The facts do not warrant that conclusion. New York has 406,000 illiterates, Pennsylvania has 354,000, Illnois 168,000, and Massachusetts 141,000. Furthermore, illiteracy is decreasing faster in the South than in the North.

8. WHY SHOULD THE FEDERAL GOVERNMENT ENCOURAGE AMERICANIZATION?

A. The safety of the Nation rests in its citizens and the danger lies in the susceptibility of the ignorant to the plea of the agitator.

B. The problem is one of dealing with adults, not with children.

C. The persons to be reached are concentrated, to a large extent, in one-sixth of the States, but their influence is nation-wide.

9. WHY SHOULD THE FEDERAL GOVERNMENT ENCOURAGE EDUCATION?

A. The Provost Marshal General's report showed that nearly one-third of the men examined for military service were disqualified by reason of physical defects, 90 per cent of which could have been prevented by a knowledge of simple health rules.

B. The Nation as a whole is vitally interested in the development of a physically sound people for carrying on the affairs of home and of business.

C. In the call to military service the largest proportion of exemptions for physical defects is made in the States most neglectful of physical education. The States furthest advanced in this respect necessarily make the largest contributions to military service. The common belief that country children are more healthy is not borne out. We need to educate children in rural schools as well as in city schools in the fundamentals of health.

10. WHY SHOULD THE FEDERAL GOVERNMENT ENCOURAGE THE TRAINING OF TEACHERS?

A. Three hundred thousand persons now teaching in the United States have had no professional training whatever; thousands of schools are closed because teachers can not be obtained.

B. Large numbers of teachers move from State to State, which alone is enough to make this a national problem.

C. There is great need for the stimulation of teacher training in the several States.

11. WHY SHOULD THE FEDERAL GOVERNMENT PROVIDE FUNDS FOR EQUALIZING EDUCATIONAL OPPORTUNITIES IN THE STATES?

A. The wealth of one State is $14,000 for each child of school age, while that of another State is only $2,000.

B. The greatest need for improvement in education is found where there is the least taxable wealth.

C. The most able and aggressive persons in rural districts gravitate toward the business centers. The wise conduct of industrial, commercial, and political affairs, centered in cities and sometimes in whole States, requires the proper education of those who, while born in the country, will handle these affairs in the city.

D. Wealth tends to become more concentrated than population.

E. The wealth concentrated in certain centers was not created there. The Federal income of $86,000,000 derived last year from the tax on the manufacture of cigarettes in North Carolina is properly returnable to the 48 States whose purchases make possible the cigarette industry. The same is true of manufactures in other States. It may be noted that the cigarette tax in this one State alone is nearly large enough to cover the entire appropriation of the educational bill.

12. SHOULD THOSE LIVING IN WEALTHIER STATES CONTRIBUTE TO THE EDUCATION OF CHILDREN IN POORER STATES?

A. The evidence is perfectly clear that the States individually can not furnish that equality of opportunity which is fundamental to our Government.

B. It is very much to the interest of the wealthy, industrial State to promote education in all the States and so make a better market for its goods. To fail to do this is to hamper the development of every State in the Union.

C. "Equal rights for all, special privileges for none."—Thomas Jefferson. "To all an unfettered start, and a fair chance in the race for life."—Abraham Lincoln. "A square deal for all."—Theodore Roosevelt.

13. DOES THE BILL PROVIDE FOR TAKING OVER THE VARIOUS EDUCATIONAL UNITS NOW IN OTHER DEPARTMENTS?

The department will include the Bureau of Education and such other educational agencies as Congress shall determine. This will be one of the things worked out by the Reorganization Commission just appointed by Congress.

14. WHAT PART OF THE MONEY APPROPRIATED TO THE STATES WILL BE USED FOR ADMINISTRATION OF THE ACT BY THE FEDERAL DEPARTMENTS?

Not one penny. Administration, including research, will be entirely covered by the $500,000 or such other amount as may be voted specifically for that purpose. Every cent appropriated by the bill for promotion of education in the States will be paid directly to the State treasurers.

15. HOW MAY THE STATES SPEND THEIR ALLOTMENTS?

In any way they see fit, provided they spend them wholly for the purposes for which they were allotted, i. e., illiteracy, teacher training, etc. The Secretary of Education is prohibited from exercising any control over the plans, means, or methods.

16. IN WHAT WAYS ARE THE STATES PROHIBITED FROM SPENDING ANY PORTION OF THE ALLOTMENTS UNDER THE BILL?

A. For the purchase or rental of land.

B. For debts or the interest thereon.

C. For the purchase, construction, rental, or repair of buildings.

D. For the purchase, rental, or replacement of equipment.

17. BY WHAT MEANS WILL THE STATES BE PREVENTED FROM WASTING THEIR ALLOTMENTS?

By the same means already in use in each State. The allotments go directly into the State treasury and must be appropriated and accounted for just as other State school funds are.

18. WHAT STATUTORY STANDARDS ARE SET UP IN THE BILL?

To receive any portion of the fund for equalization of educational opportunities ($50,000,000), a State must establish the following requirements and see that they are met:

A. A public-school opportunity of not less than 24 weeks.

B. Compulsory attendance at some school, public or private, for at least 24 weeks in the year, of all children between 7 and 14.

C. English the basic language of instruction in all schools, public and private, in the common branches.

19. WOULD ANY STATE BE BARRED FROM PARTICIPATION IF ITS OWN CONSTITUTION PREVENTED ITS MEETING THE THREE STANDARDS?

The bill says that in such a case the conditions are to be approximated as closely as the State constitution permits. No State would be barred, unless, although permitted by its own constitution, it refused to meet the three conditions by passing the proper laws. Most States have them.

20. WHAT MUST A STATE DO TO QUALIFY FOR ITS ALLOTMENT?

A. Meet the statutory requirements of the bill.

B. Appropriate for each purpose at least as much money as it expects to receive for that purpose, but not less than it so appropriated the year before. Of course, in this amount will be figured all appropriations for the same purpose by any city, town, county, or other subdivision maintaining public schools. The States are now spending more than ten times the total allotment, so that except in some cases for the special purposes, appropriations would not need to be increased to qualify for the total allotment to the State.

NATIONAL COMMITTEE FOR A DEPARTMENT OF EDUCATION.

Executive committee: A. Lincoln Filene (chairman), Wm. H. Bixby, Henry Bruere, Wm. C. Redfield, and Mrs. Joseph Swan.

Other members: Mrs. Stephen Birch, Edward Bok, Franklin N. Brewer, Asa G. Candler, Edwin T. Coman, Frank Crane, Alvin E. Dodd, Cleveland H. Dodge, John Dolph, Guy C. Earl, Mrs. Thomas A. Edison, Franklin S. Edmonds, Wm. E. Hall, Miss Mary Garrett Hay, John R. Haynes, Mrs. W. S. Jennings, Henry R. King, Sam Lewisohn, V. Everit Macy, Karl E. Milliken, Mrs. Maud Wood Park, Walter Parker, Mrs. Percy Pennybacker, George Wharton Pepper, Mrs. Gifford Pinchot, John Poole, Mrs. Charles Sabin, Mrs. John D. Sherman, Michael H. Sullivan, Frank Vanderlip, Harris Weinstock, Mrs. Edward Franklin White, Mrs. Thomas G. Winter, Stephen S. Wise, and Matthew Woll.

JOHN HAYS HAMMOND.

Mr. PITTMAN. Mr. President, I have received a great number of telegrams to-day from citizens and newspapers of my State indorsing John Hays Hammond for appointment in the Cabinet of the President elect. I realize that it is a matter I have no influence in, but I have a very high regard for John Hays Hammond, as has practically every western man, and out of respect for the senders of these telegrams I ask leave to have printed just two of them in the RECORD. They are short.

Mr. SMOOT. Let the Senator read them.

Mr. PITTMAN. I will read them. The first is a telegram typical of those received from private citizens. I will simply use this one as an illustration:

CARSON, NEV., *February 24, 1921.*

KEY PITTMAN,
Washington, D. C.:

Urge President Harding to select John Hays Hammond as a member of his Cabinet. His world-wide fame, his surpassing ability, and, more than all, his thorough knowledge of the needs of the Nation in this

transition period from chaos to order and normality specially fit him for such a position. His selection would be a splendid recognition of the West and redound to the credit of the administration and be an honor to the Nation.

W. P. HARRINGTON,
Miss RUTH A. AVERILL,
A. L. CROSS,
JOS. A. PIERCY,
ROGER MATHEW,
LOUIS SPELLIER,
CLYDE GUMMOW,
Members Nevada State Legislature.

Here is one from a newspaper, which is similar to other newspaper telegrams:

CARSON, NEV., *February 24, 1921.*

Hon. KEY PITTMAN,
Washington, D. C.:

Overwhelming sentiment for John Hays Hammond for place in Harding's Cabinet. His appointment would mean much for Nevada as well as the whole West, with whose interests you know he is in thorough accord. Urge his name to President. Hammond, with his world-wide reputation and high standing on this coast, would add great strength to the Cabinet.

T. D. VANDEWORT,
Editor and publisher Carson Appeal.

I will state that both Democrats and Republicans have their names appended to the telegrams.

RELIEF OF DISTRESS IN CHINA.

Mr. KENYON. Mr. President, I ask unanimous consent that the joint resolution (S. J. Res. 260) appropriating $500,000 to convey cereals for the relief of China may be considered at this time. If it leads to debate, I will not pursue it. It is a very important matter, and if it is to be passed at all, it should be passed now and sent over to the House.

Mr. JONES of Washington. Mr. President, this is a rather urgent measure, and if it will not lead to any discussion I shall not interfere with its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Appropriations with an amendment to strike out all after the resolving clause and to insert:

That the sum of $500,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be used for the transportation in vessels of either or both the Navy or the United States Shipping Board, which use is hereby authorized, of corn in bulk and other food products from the United States to China for the relief of their famine-stricken people: *Provided*, That the expenditure of this sum shall be under the supervision and direction of the President of the United States: *Provided further*, That in view of the fact that railroads and their employees are furnishing free transportation, farmers are donating corn and other cereals through the American Farm Bureau Federation, and other food products are being donated, and the American Committee for China Famine Fund is willing to bear any and all other expenses within the United States, no part of this sum shall be available for the purchase of said corn and other cereals, transportation, or for any other purposes within the United States not connected with the ocean transportation.

Mr. KENYON. Mr. President, the situation in China may have been exaggerated, as some things are in newspaper reports, but there is no question that there are some 14,000,000 people in China who are now starving. It is running around 7,000 deaths a day. The farmers of this country have offered, through the American Farm Bureau Federation, to donate the corn and other food products. The railroads have offered to transport this foodstuff free to the coast. The brotherhoods and railroad employees have offered to furnish their labor free. The other expenses, the elevator charges, and matters of that kind, which will amount to some forty or fifty thousand dollars, are to be borne by the Chinese Relief Association.

The Navy has the boats, or they can be secured from the Emergency Fleet Corporation, to convey the corn and other cereals to China. The Chinese Relief Committee is an association with offices in New York, headed by Mr. Lamont, and the President of the United States addressed some 125 letters to different citizens of the United States, asking them to serve on that committee. They, coupled with the farmers, have been behind this work, and have already sent nearly a million dollars to China to be used there in purchasing foodstuffs.

That is the simple proposition, Mr. President; the Navy is to use its fleet of boats to transport this foodstuff to China. It may not cost this amount of money. The reservists will be called in for the Navy. They will get the amount of training they have to indulge in in any event. It is not only a piece of great humanity, it is a piece of great diplomacy, for China is one of the few friends we have left in the world. The men who have started and carried forward this movement have rendered a great service to humanity.

The Committee on Appropriations took up this question with the State Department, and I will ask to have inserted in the RECORD a letter received from the Secretary of State.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, February 23, 1921.

The Hon. FRANCIS E. WARREN,
United States Senate.

SIR: I have the honor to acknowledge the receipt of Senate joint resolution 260, providing for the relief of famine sufferers in China.

The famine situation in north China has been a subject of careful investigation by American diplomatic and consular representatives in China, and the appeals for relief that have been issued have been based upon a knowledge of the results of that investigation. Reports indicate that a fairly large area, covering the northern part of Shantung Province, the northeastern part of Honan Province, the southern part of Shansi, and all of the Province of Chihli lying south and east of Peking, is suffering from a severe dearth of supplies of food, due to the failure of local crops because of lack of rain. This area is very densely populated, and all local reserves of grain were, as a result, quickly consumed by the people, so that at the present time they have neither supplies for food nor for seed purposes when the planting season returns.

At the present time organizations at Peking, Tientsin, and Tsinanfu, the capital of Shantung Province, are engaged in obtaining supplies of grain from Manchuria and other parts of China where the crops have been plentiful and are transporting these supplies to the regions affected by the famine. The Chinese Government and people are doing everything that they can to assist. The population of the area affected is not a rice-consuming population. Their main food is millet and corn.

In connection with the work which is being done in China, I might state for the information of the committee that the Chinese Government is collecting on surtaxes approximately $750,000 Mexican monthly. Additional surtaxes imposed on import and export dutites are soon to become effective and will furnish security for a loan which has been obtained from private foreign banks at Peking to the amount of $4,000,000 Mexican, which is to be devoted to famine relief. Free transportation is being granted to relief workers and supplies. Large contributions have been made by private Chinese families, among whom the Sheng family are reported to have contributed half a million, while President Hsu has subscribed $30,000 Mexican. To these sums should be added $500,000 United States currency contributed by the American Red Cross and $700,000 United States currency remitted by the American Committee for China Famine Fund. A recent report from Peking indicates that a total of $45,000,000 Mexican is necessary to complete the program of relief already laid out. The report states that besides unexpended balance of funds already collected, amounting to $3,000,000 Mexican, plus the estimated future contributions from other countries, amounting to $1,500,000 Mexican, plus the estimated result of a local campaign recently started in China, amounting to $1,000,000 Mexican, there is left the sum of approximately $35,000,000 Mexican to be raised for the purpose of buying food.

The reports indicate that preparations are already being made by the organizations now working in China to cope with any possible typhus or other epidemic which may follow this period of distress.

The above information has been received from the American minister at Peking; no official reports on this subject have reached the department through the Chinese Legation in Washington.

From the circumstances recited above it would appear to be very desirable to do what possibly can be done to meet the needs of the population in this famine-stricken area, and the department, for its part, would therefore welcome the passage of a resolution such as the one the committee has under consideration.

I have the honor to be, sir,
Your obedient servant,

BAINBRIDGE COLBY.

Mr. SMOOT. Mr. President, as I was not able to attend the meeting of the Appropriations Committee yesterday, having been in conference on the emergency tariff bill, I wish to ask the Senator from Iowa whether the question of transportation after the corn is delivered was considered by the committee? Was there any information as to whether that would be taken care of?

Mr. KENYON. In China?

Mr. SMOOT. In China; that is, from the port of entry to the stricken districts.

Mr. KENYON. Yes; that was gone over. There is an all-American relief committee there, and they are the ones who

will assist in the matter and help get the foodstuff to its destination.

Mr. SMOOT. The Senator thinks it can be done?

Mr. KENYON. It can be done.

Mr. SMOOT. There were conflicting reports on that point, and I wanted to know whether that question had been considered.

Mr. KENYON. We had that before the committee, and the committee decided it could be done. The expenditure, of course, is limited to what the President may find necessary to spend. It may not require the amount of the appropriation.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. The committee requests to strike out the preamble. It will be stricken out, without objection.

The title was amended so as to read: "A joint resolution for the relief of the famine-stricken people of China."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922; that it had receded from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 18, 19, 22, 23, 26, 32, 33, 34, and 36, and agreed to the same; that it had receded from its disagreement to the amendments of the Senate numbered 27 and 30 to the bill, and had agreed to each thereof with an amendment.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes; that it had receded from its disagreement to the amendments of the Senate numbered 3, 7, 10, 12, 18, and 19 to the bill; that it had receded from its disagreement to the amendments of the Senate numbered 9, 13, 14, and 20, and had agreed to each thereof with an amendment.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922; had agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANDERSON, Mr. MAGEE, and Mr. BYRNES of South Carolina were appointed managers at the conference on the part of the House.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

H. R. 397. An act to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes;

H. R. 567. An act for the relief of John Chick;

H. R. 644. An act for the relief of Oscar Smith;

H. R. 646. An act for the relief of Perry E. Borchers because of losses suffered, due to destruction of property and termination of contract for services because of smallpox while in the employ of the Navy Department in Cuba;

H. R. 1035. An act for the relief of the widow of Joseph C. Akin;

H. R. 1430. An act to authorize the addition of certain lands to the Weiser National Forest, Idaho;

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 2946. An act to amend acts to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes;

H. R. 5081. An act for the relief of James E. Adams;

H. R. 5416. An act to authorize corporations organized in the District of Columbia to change their names;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 7573. An act authorizing payment of compensation to Pasquale Dolce for personal injuries;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 9028. An act to authorize the addition of certain lands to the Nez Perce National Forest, Idaho;

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias;

H. R. 9840. An act for the relief of Capt. E. V. Dickson;

H. R. 10434. An act to add certain lands to the Targhee National Forest;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States, in relation to the qualifications of directors of the National Banking Association;

H. R. 11841. An act to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893;

H. R. 13051. An act to add certain lands to the Lemhi National Forest, Idaho;

H. R. 13319. An act for the relief of Wilson Certain;

H. R. 13592. An act to authorize certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to make final proof of their entries;

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande, between the cities of Del Rio, Tex., and Las Vacas, Mexico;

S. J. Res. 161. Joint resolution to exempt the New York State Barge Canal from the provisions of section 201 of the transportation act, 1920, and for other purposes;

H. J. Res. 215. Joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers; and

H. J. Res. 465. Joint resolution for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

PETITIONS AND MEMORIALS.

Mr. WOLCOTT presented memorials of Nan G. Walsh and Margaret A. Murphy, of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. STERLING presented a concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Military Affairs, as follows:

A concurrent resolution memoralizing Congress and our Senators and Representatives in Congress, and the War Department, to use all honorable means to designate Fort Meade as a military hospital of the tenth public health district.

Whereas at the present time 16,000 disabled veterans of the World War are in dire need of hospital facilities and medical attention, and there are also a vast number of such veterans in need of supervised medical attention and opportunity to recuperate and convalesce under the most favorable health conditions; and

Whereas three separate inspections and examinations of Fort Meade were made during the year 1920 by eminent representatives of the Public Health Service, the last of which was made by Asst. Surg. Gen. Stimpson, of the Public Health Service, all of which reports strongly recommended the use of Fort Meade by the Public Health Service; and

Whereas the Public Health Service, by reason of those investigations and reports, endeavored to secure from the Secretary of War a transfer of said post for their purposes; and

Whereas South Dakota is situated in the tenth public health district, in which there is no central hospital, being limited entirely to surgical accommodations at Minneapolis, Minn.; and

Whereas it is now costing the Government $5,000 a month to maintain said post, without any tangible benefit to the Government; and

Whereas Fort Meade has the following outstanding characteristics and qualifications for such a hospital center:

It has its own water supply of the finest and purest water in the United States;

It is well equipped with $2,000,000 worth of modern buildings;

It has excellent railway facilities;

It has 1,800 square miles of Government land available for any purpose;

It is the geographical center of the tenth district of the Public Health Service; and

Whereas it is the healthiest post in the service of the United States Army, as shown by the records of the Surgeon General: Now, therefore, in the spirit of fairness to the men whose lives were offered to save our Government in its greatest peril, and in order to save the lives of those who are even now suffering for the lack of adequate hospital facilities: Be it

Resolved by the Legislature of the State of South Dakota, That we favor the designation of and earnestly urge the Congress of the United States and the War Department to take such steps as are necessary for the immediate use of Fort Meade, and we earnestly request our Sen-

ators and Representatives in Congress to employ their best efforts to that end. Be it further

Resolved, That an engrossed copy of this resolution be sent to the Congress of the United States and to our Senators and Representatives in Congress and to the Secretary of War by the secretary of the senate.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
C. O. BERDAHL,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. STERLING presented a concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Interstate Commerce, as follows:

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed bill, to wit, concurrent resolution, was duly passed by the seventeenth session of the Legislature of the State of South Dakota, approved by the governor, and that the same is now in full force and effect.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota at the city of Pierre February 21, 1921.

[SEAL.] C. A. BURKHART,
Secretary of State.

A concurrent resolution memorializing Congress to amend the transportation act, 1920, so as to eliminate therefrom the rule of rate making, and so as to preserve to the States control of intrastate affairs of common carriers.

Whereas by the provisions of section 15a of the transportation act, 1920, approved February 28, 1920, the Congress of the United States prescribed, "That during the period beginning March 1, 1920, the commission shall take as such fair return a sum equal to 5½ per cent of such aggregate value, but may, in its discretion, add thereto a sum not to exceed one-half of 1 per cent of such aggregate value to make provision, in whole or in part, for improvements, betterments, or equipment, which, according to the accounting system prescribed by the commission, are chargeable to capital account," and thereby enacted a rule of rate making, so called, to be observed by the Interstate Commerce Commission in exercising its power to prescribe just and reasonable interstates rates; and

Whereas the result of such rule of rate making, so called, is practically to guarantee to common carriers annual net earnings from operations and to remove the incentive for care and economy and expenditures for operations; and

Whereas the policy embodied in such rule of rate making is, in the opinion of the Legislature of the State of South Dakota, detrimental to the public interests; and

Whereas by several provisions of the transportation act, 1920, approved February 28, 1920, the Congress of the United States vested broad powers in the Interstate Commerce Commission, which that commission is attempting to exercise with a view to controlling interstate commerce and the instrumentalities thereof and with a view to preventing discriminations against and burdens upon interstate commerce in such a way as to deprive the several States of their right to regulate, under the police powers, intrastate rates, services, and facilities, and the local affairs of common carriers: Therefore be it

Resolved by the House of Representatives of the State of South Dakota (the Senate concurring), That the Legislature of the State of South Dakota hereby petitions and memorializes the Congress of the United States so to amend the transportation act, 1920, as to eliminate therefrom the rule of rate making, so called, and to so define and curtail the powers of the Interstate Commerce Commission as to protect and preserve the powers of the several State commissions with relation to intrastate rates, services, and facilities, and the local affairs of common carriers within the States; and be it further

Resolved, That the secretary of state of South Dakota be, and he is hereby, directed to transmit a certified copy of this resolution to each United States Senator and each Representative in Congress of the State of South Dakota.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
C. O. BERDAHL,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. STERLING presented a concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Education and Labor, as follows:

A concurrent resolution requesting the Congress of the United States to enact national legislation to provide for Government review and approval of moving-picture film to be used in interstate commerce and showing to the public.

Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring):

Whereas there is a widespread agitation for a better supervision of moving pictures which are to be shown in places of public amusement; and

Whereas there is now no Government regulation for review and approval of such film to be transported in interstate commerce and shown to the public; and

Whereas State review and legislation interferes with and makes a burden on the local exhibitor instead of correcting the subject at the source of production: Therefore be it

Resolved, That we petition the Congress of the United States to enact such remedial legislation as will require the producers of all moving pictures calculated to be offered for transportation in interstate commerce and showing to the public to be reviewed by a legal board under authority of Congress to the end that all such films may have legal approval for public showing uniformly in public places of amusement within the States and Territories of the United States and not be subject to individual, local, or State restriction.

Resolved, That the secretary of state be instructed to send a copy of this memorial to each of the Representatives from the State of South Dakota in the Congress of the United States and to the presiding officers of the House and Senate of the United States Congress, and to each legislative assembly now convened and in session in the various States of the United States.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
C. O. BERDAHL,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. STERLING presented a concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Finance, as follows:

A concurrent resolution memorializing Congress and our Senators and Representatives in Congress to use all honorable means to secure the passage of the Rogers bill, known as H. R. 14961, for the establishment in the Interior Department of a bureau of veteran reestablishment, and for other purposes.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring):

Whereas proper facilities for the care and treatment of war veterans suffering from disability or wounds incurred in the service have not been provided by the Federal Government out of the money appropriated by Congress for that purpose; and

Whereas many of such veterans are now being sent by the Government to local asylums, almshouses, and sanitariums operated for private gain, and which in many instances are unfit as places in which to furnish such care and treatment; and

Whereas the Rogers bill, known as H. R. 14961, now before Congress for consideration, provides for a consolidation of the several Government agencies dealing with such matters, and provides for the efficient administration of the funds appropriated by Congress for such purposes: Therefore be it

Resolved by the Legislature of the State of South Dakota, That the Congress of the United States and our Senators and Representatives in Congress be, and are hereby, urged to use all honorable means at their command to bring about the passage and approval of the said Rogers bill at the earliest possible date in order that such veterans may receive care and treatment in proper institutions through the consolidation of the several Government agencies dealing with such relief into the one bureau to be known as the bureau of veteran reestablishment as provided for in said Rogers bill. Be it further

Resolved, That an engrossed copy of this resolution be sent to the Congress of the United States and to our Senators and Representatives in Congress by the secretary of the senate.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
C. O. BERDAHL,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. MYERS presented a memorial of the Legislature of Montana, which was referred to the Committee on Public Lands, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled "A memorial to the President and to Congress of the United States for the setting aside of certain lands covered and known as 'The Gates of the Rocky Mountains' into a national monument and withdrawing the same from entry," enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Joseph M. Dixon, governor of said State, on the 21st day of February, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 21st day of February, A. D. 1921.

[SEAL.] C. T. STEWART,
Secretary of State.

A substitute for house joint memorial No. 3 introduced by committee on Federal relations.

A memorial to the President and to Congress of the United States for the setting aside of certain lands covered and known as "The Gates of the Rocky Mountains" into a national monument and withdrawing the same from entry.

Be it resolved by the Legislative Assembly of the State of Montana that the following memorial be adopted: Your memorialists, members of the Seventeenth Legislative Assembly of the State of Montana, in regular session assembled, the senate and house concurring, respectfully represent:

Whereas within the boundaries of sections 18, 19, 30, and 31 of township 13 north of range 2 west, and sections 10, 11, 12, 13, 24, 25, and 35 of township 13 north of range 3 west, and the north one-half of section 1, township 12 north of range 3 west, of Montana's principal meridian, are contained the towering rocks with the Missouri River flowing between, and forming a famous and historical canyon named by the explorers, Lewis and Clark, as, "The Gates of the Rocky Mountains"; and

Whereas the same presents a distinctive and magnificent example of western scenery which should be preserved and protected in its present state unto the future ages; and

Whereas the withdrawing of the same from entry and settlement would be no interference with the agricultural or other productive activities in the vicinity: Therefore be it

Resolved by the House of Representatives of the Seventeenth Legislative Assembly of the State of Montana, in regular session assembled, the senate concurring, That we do hereby petition the President of the

United States to cause the said "Gates of the Rocky Mountains" to be withdrawn from entry and settlement and set aside as a national monument, and that the Congress of the United States take such action as will cause the same to become a perpetual national monument and be preserved unto the future ages for the benefit of all the people of our land; be it further

Resolved, That the secretary of the State of Montana forward a copy of this memorial to the President of the United States, to the Secretary of the United States Senate, to the Clerk of the House of Representatives of the United States, and to each United States Senator and Member of the House of Representatives from the State of Montana.

PERCY F. DODDS,
Speaker of the House pro tempore.
NELSON STORY, Jr.,
President of the Senate.

Approved February 21, 1921.

JOSEPH M. DIXON, *Governor.*

Filed for record February 21, 1921, at 11.50 o'clock a. m.

C. T. STEWART,
Secretary of State.

Mr. CAPPER presented a resolution of the military committee of the Cleveland Chamber of Commerce, of Cleveland, Ohio, favoring legislation creating a bureau of veteran reestablishment in the Interior Department, which was referred to the Committee on Finance.

He also presented a resolution of Local Union No. 3298 of Farmers' Union, of Judsonia, Ark., favoring legislation to prevent gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. BALL presented memorials of Nan G. Walsh and Margaret A. Murphy, of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. WILLIS presented a resolution adopted at the Alum Creek Quarterly Meeting of the Friends' Church, of Columbus, Ohio, favoring the enactment of the so-called Jones-Miller bill, prohibiting the export of opiates, etc., which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. POINDEXTER, from the Committee on Naval Affairs, to which was referred the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, reported it with amendments and submitted a report (No. 816) thereon.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 2120) for the relief of certain officers in the United States Army, reported it with an amendment and submitted a report (No. 817) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WOLCOTT:

A bill (S. 5037) to enlarge, extend, remodel, etc., public building at Dover, Del.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Maryland:

A bill (S. 5038) to amend and reenact subdivision (a) of section 209 of the transportation act, 1920; to the Committee on Interstate Commerce.

AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. HENDERSON submitted an amendment intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and be printed, as follows:

On page 17, line 15, after the numbers "1920," substitute a comma for the period and add the following: "nor to prohibit the enlistment in addition thereto of Flying Cadets to the number now authorized by law."

CHRISTIAN PEOPLES OF THRACE, CONSTANTINOPLE, AND ANATOLIA.

Mr. KING submitted the following resolution (S. Res. 463), which was referred to the Committee on Foreign Relations:

Whereas the treaty of Sevres, which settled the terms of peace with the Turks, made territorial adjustments in the interest of the Christian populations of eastern Europe and Asia Minor, and particularly extended the boundaries of Greece to include Thrace, Smyrna, and the Ægean Islands, thus restoring in part the ancient Greek national territories; and

Whereas the Government and people of the United States have always taken a friendly interest in the Greek people and in the restoration of their ancient liberties and national territories; and

Whereas it is possible for Turks and non-Christian peoples to fully enjoy personal and religious liberty and security under Greek law and sovereignty, and it is impossible for Greeks or other Christians to enjoy personal or religious liberty or security under Turkish domination; and

Whereas the Christian and non-Christian nations are so intermingled in the regions of Thrace, Constantinople, and Anatolia that territorial boundaries can not be arranged to strictly follow ethnic or national lines; and

Whereas the treaty of Sevres made territorial dispositions which properly protected the rights of the Christian peoples and made due provision to secure the personal and religious liberty of the Turkish and non-Christian population; and

Whereas the Turks are demanding the restoration of their régime in Thrace, Constantinople, and Smyrna, and for this purpose are asking that the treaty of Sevres be revised in their interest: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that there be no revision of the treaty of Sevres which will in anywise diminish or restrict the territories awarded to Greece, or which will diminish or restrict the rights and liberties of the Christian peoples within the former Turkish Empire, and that the Senate expresses the hope that the supreme council of the allies and the council of the League of Nations will give paramount consideration to the rights, liberties, and interests of the Christian peoples of Thrace, Constantinople, and Anatolia, and will not permit any restoration of intolerable Turkish dominion over them, but that the liberties achieved for them by the victory of the Allies over the Turks and incorporated in the treaty of Sevres will be entirely established and perpetuated.

POST-OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. TOWNSEND submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 8, 16, and 17.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 11, 15, and 21, and agree to the same.

The committee of conference have not agreed upon the amendments of the Senate numbered 3, 7, 9, 10, 12, 13, 14, 18, 19, and 20.

CHAS. E. TOWNSEND,
GEO. H. MOSES,
LAWRENCE C. PHIPPS,
J. C. W. BECKHAM,
CHARLES B. HENDERSON,
Managers on the part of the Senate.

MARTIN B. MADDEN,
CHAS. F. OGDEN,
E. E. HOLLAND,
Managers on the part of the House.

The report was agreed to.

Mr. TOWNSEND. I ask to have the action of the House of Representatives read.

The reading clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
February 24, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 3, 7, 10, 12, 18, and 19 of the bill (H. R. 15441) entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes," and agrees to the same.

That the House recedes from its disagreement to Senate amendment numbered 9, and agrees to the same with the following amendment: Strike out all of the matter inserted by said amendment commencing with the word "*Provided*," in line 12, and insert in lieu thereof the following: "*Provided*, That postal employees and substitute postal employees who served in the military, marine, or naval service of the United States during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military, marine, or naval service, on the basis of one day's credit of eight hours in the Postal Service for each day served in the military, marine, or naval service, and be promoted to the grade to which such postal employee or substitute postal employee would have progressed had his original appointment as substitute been to grade one. The provisions herein shall be effective as of date of passage of the original act of June 5, 1920."

That the House recedes from its disagreement to Senate amendment numbered 13, and agrees to the same with the following amendment: In lieu of the matter inserted by the said amendment insert the following: ": *Provided further*, That the Postmaster General may contract with any individual, firm, or corporation for the transportation of mail by airplane between such points as he may deem advisable and designate, in case such transportation service is furnished at a cost not greater than the actual cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes."

That the House recedes from its disagreement to Senate amendment numbered 14, and agrees to the same with the following amendment: In lieu of the sum named in said amendment insert "$1,250,000."

That the House recedes from its disagreement to the amendment of the Senate numbered 20, and agrees to the same with an amendment as follows: In line 8, after "proper," insert ": *Provided*, That the said commission shall not expend a greater sum than $150,000 during the fiscal year 1922."

Mr. TOWNSEND. I move that the Senate concur in the House amendments to the Senate amendments numbered 9, 13, 14, and 20.

The motion was agreed to.

The VICE PRESIDENT. Does that end it?

Mr. TOWNSEND. That ends it.

The VICE PRESIDENT. The bill is passed.

DIPLOMATIC AND CONSULAR APPROPRIATION—CONFERENCE REPORT.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 20, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 15, 21, and 24, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$379,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$403,600"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$5,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment commencing with the word "*Provided*," in line 7, and insert in lieu thereof the following: "*Provided*, That the deed of transfer of said property to the United States shall be unconditional and free from encumbrance and shall convey such estate as may be held by the said J. Pierpont Morgan: *And provided further*, That the property is held on freehold tenure and not on customary London ground lease"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,874,500"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,909,500"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,400,000"; and the Senate agree to the same.

The committee of conference have not agreed upon the following amendments: Nos. 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 18, 19, 22, 23, 26, 27, 30, 32, 33, 34, and 36.

H. C. LODGE,
W. E. BORAH (by H. C. L.),
CLAUDE A. SWANSON,
Managers on the part of the Senate.

JOHN JACOB ROGERS,
J. A. ELSTON,
JNO. H. SMALL,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. POMERENE. Mr. President, may I ask the Senator a question?

Mr. LODGE. Certainly.

Mr. POMERENE. As I understood from the reading of the report, it is stated that the Senate has receded from certain amendments. What are those amendments?

Mr. LODGE. I have not a copy of the bill at hand, but I will say to the Senator that we receded from the amendment in relation to the Ellen M. Stone ransom fund. That is one of the amendments in which I know the Senator is interested. The House, however, simply would not accept it. On amendment No. 8 we receded. That amendment involved merely an increase in the appropriation for clerks at embassies and legations. Amendment No. 20 involved an increase in the appropriation for the international joint commissions. Amendment No. 35 related to the Ellen M. Stone ransom fund, as I remember.

Mr. POMERENE. May I ask the Senator what was done with respect to the amendment proposing an increase in the allowance for clerk hire in the Consular Service?

Mr. LODGE. We compromised on that. I can give the Senator all the figures, if he desires them.

Mr. POMERENE. I am not particular as to that; I will look into the matter later. I do not intend to interpose any objection——

Mr. LODGE. There is a message from the House in connection with the conference report, although it will not show explicitly some of the compromises which have been reached.

Mr. POMERENE. I do not intend to interpose any objection, because I think I realize some of the difficulties which confronted the Senator and the other conferees.

Mr. LODGE. It is an extremely complicated matter to get through a conference report under the conditions imposed by the present rules of the House of Representatives. In the simpler language of an older day, I should say that a complete agreement has been reached. The conference report shows there were 36 amendments, including 3 trifling amendments, put on by the Senate. They consisted for the most part of original House provisions which we restored, but 22 of them in disagreement were taken back to the House of Representatives, and after four hours that body agreed to all the conferees had done except as to 1 small amendment.

Mr. POMERENE. May I ask the Senator further what was done with respect to the amendment relating to the purchase of embassies?

Mr. LODGE. The House receded from its disagreement to that amendment.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

The VICE PRESIDENT. The Chair lays before the Senate the action of the House of Representatives on the bill, which the Secretary will read.

The Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
February 24, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 18, 19, 22, 23, 26, 32, 33, 34, and 36 to the bill (H. R. 15872) entitled "An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922," and agrees to the same.

That the House recedes from its disagreement to the amendment of the Senate numbered 27, and agrees to the same with an amendment as follows: Strike out line 4 of the matter inserted by said amendment and all of line 5 of such matter up to and including the word "paragraph" and in lieu thereof insert the following: "suitable buildings, or buildings and grounds, for embassy, legation, and consular purposes, separate or combined, in any city specified in connection with the foregoing appropriation of $300,000."

That the House recedes from its disagreement to Senate amendment numbered 30, and agrees to the same with the following amendment: In lieu of the sum named in said amendment insert "$250,000."

Mr. LODGE. I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 27 and 30.

The motion was agreed to.

The VICE PRESIDENT. That winds the matter up?

Mr. LODGE. That makes a complete agreement.

The VICE PRESIDENT. So the Chair understands; and the bill is finally passed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. JONES of Washington. Mr. President, I move that the Senate resume the consideration of House bill 15935, the unfinished business, and I ask that the bill may be read.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, as follows:

For the preservation and maintenance of existing river and harbor works and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, $15,000,000.

For examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, $250,000: *Provided*, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law.

Mr. HARRISON. I desire to offer an amendment to the bill. On page 2, line 4, I move to strike out "$15,000,000" and insert in lieu thereof "$33,000,000."

Mr. McNARY. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oregon?

Mr. HARRISON. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Harris	McNary	Smith, S. C.
Brandegee	Harrison	Moses	Smoot
Calder	Heflin	Myers	Spencer
Capper	Henderson	Nelson	Stanley
Chamberlain	Jones, Wash.	New	Sterling
Culberson	Kellogg	Overman	Sutherland
Cummins	Kendrick	Owen	Thomas
Curtis	Kenyon	Phipps	Townsend
Dial	Keyes	Pittman	Trammell
Dillingham	King	Poindexter	Underwood
Elkins	Kirby	Pomerene	Wadsworth
Fernald	Knox	Ransdell	Walsh, Mass.
Fletcher	La Follette	Robinson	Walsh, Mont.
Gay	Lenroot	Sheppard	Willis
Gerry	Lodge	Simmons	Wolcott
Gooding	McCumber	Smith, Ariz.	
Gronna	McKellar	Smith, Ga.	
Hale	McLean	Smith, Md.	

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present. The question is on the amendment offered by the Senator from Mississippi.

Mr. HARRISON. Mr. President, I had hoped that some member of the committee who had voted in favor of recommending the amount carried in the bill would say something to justify the very small appropriation which has been recommended by the Committee on Commerce for river and harbor improvements for the next 18 months, but it seems that no member of the committee is willing to defend the action of the committee or to attempt to justify the $15,000,000 proposed to be appropriated in a lump sum to carry on river and harbor improvements until July, 1922.

The amendment which I have offered proposes to strike out $15,000,000 and to substitute $33,000,000. Some one may wonder why I have asked that the sum of $33,000,000 be substituted for $15,000,000. The answer is very distinctly and succinctly stated in the last paragraph of a letter written by Maj. Gen. Lansing H. Beach to the chairman of the Committee on Commerce, the Senator from Washington [Mr. JONES], on February 5, 1921. The Senator from Washington propounded to Gen. Beach the following specific question:

> What, in your judgment, is the lowest possible sum that will meet the needs of our commerce during the coming fiscal year? If a greater sum than $15,000,000 is required, state the minimum sum you think we will need, and give the reasons therefor, and state what work should be done that can not be done with $15,000,000 and the amount already on hand.

Of course, $15,000,000 was the amount that had been appropriated by the House for river and harbor improvements during the coming 18 months. Here is the answer of Gen. Beach, and I sincerely hope that those Senators in whose States rivers and harbors are located will listen to the answer of Gen. Beach, given in reply to the question of the chairman of the committee, and if that answer can justify a vote against the amendment which I have proposed, then Senators may answer to their constituents for their action.

The answer of Gen. Beach is as follows:

> My opinion as to the total amount which should be provided is stated in a letter dated January 29, 1921, to Hon. John H. Small—

I shall read that letter later—

> in reply to specific questions asked by him, a copy of which letter and reply was furnished to you. While the river and harbor appropriation bill was under consideration by the subcommittee of the Appropriations Committee during January, Gen. Taylor worked with the committee for about two weeks, and during that time every item of the estimates was given searching investigation.

That was in connection with a recommendation of $57,000,000 for the next 18 months for river and harbor improvements, and anyone who will take the time to read the testimony of Gen. Taylor before the House Rivers and Harbors Committee will be forced to the conclusion that Gen. Taylor justified every recommendation made by the Engineer's Office for the whole sum of $57,000,000, but the letter goes further. Gen. Beach says:

> As a result of this careful consideration I am satisfied that the minimum amount which should be appropriated is $33,000,000. This allows only for the prosecution of the work urgently necessary and at a very moderate rate.

So I can not understand the reason which actuated the Committee on Commerce in reducing the amount of $33,000,000, which was suggested by Gen. Beach as the very smallest possible amount that was needed and that should be allowed "for the prosecution of the work urgently necessary and at a very moderate rate"; yet we find that the amount which was considered necessary by the engineers has been reduced from $33,000,000 to $15,000,000. There is not a project in the whole United States that will not suffer and upon which there will be done from two to four times less work with the reduced appropriation of $15,000,000 than would be done if the $57,000,000 appropriation originally recommended by the department to the House Rivers and Harbors Committee were allowed.

If I am mistaken in the suggestion, I hope the Senator from Washington will correct me. I also trust he will listen to me on this proposition, because no one attempts to justify it, and I desire to elicit some answer from members of the committee touching this matter. I am interested in it because there are harbors in my State which have been filled up for the past six years because of inadequate appropriations. I can see that the commerce of the country is greatly affected by lack of proper provision being made for the maintenance and care of river and harbor improvements; I can see that the niggardly policy that has been pursued by the Congress in failing to appropriate adequate sums is affecting commerce, and in my opinion it is a species of economy, or pretended economy, that works wastefulness instead of actual economy.

Mr. POINDEXTER. Mr. President——

Mr. HARRISON. I yield to the Senator from Washington.

Mr. POINDEXTER. What was the answer of the engineer as to the amount required? I did not hear the answer that he gave to the question.

Mr. HARRISON. I will say to the Senator from Washington that this was in answer to the question that was propounded by the chairman of the Commerce Committee of the Senate, as follows:

> What, in your judgment—

Says the Senator from Washington [Mr. JONES] to Gen. Beach—

> is the lowest possible sum that will meet the needs of our commerce during the coming fiscal year, and if a greater sum than $15,000,000 is required state the minimum sum you think we will need and give the reasons therefor and state what work should be done that can not be done with $15,000,000 and the amount already on hand?

The last clause of the answer is:

> As a result of this careful consideration, I am satisfied that the minimum amount which should be appropriated is $33,000,000. This allows only for the prosecution of the work urgently necessary and at a very moderate rate.

A Member of the Senate who is not fortunate enough to be on the great Commerce Committee of the Senate is in a very disadvantageous position. There are no printed reports of hearings before that committee. There are no data on which such a Member can base the actions of the committee, and so we are just groping in darkness so far as our actions are concerned. I have read, however, the hearings before the House Rivers and Harbors Committee; I have read the communications and recommendations of the War Department to the Congress of the United States, and I know what the action of the Congress has been for the past few years in failing to provide adequate appropriations for river and harbor improvements.

I need only call the attention of the Senate to the fact that last year the War Department recommended an appropriation of $43,000,000 to carry on the river and harbor work for the then coming year, and that the House of Representatives reduced that amount to a lump sum of $12,000,000, and it got to the Senate and the Senate discussed and considered the matter. The Senate Committee on Commerce recommended that that sum be increased $8,000,000, raising the $12,000,000 to a lump sum of $20,000,000. An amendment was adopted on the floor of the Senate making it $24,000,000. It passed by a fairly large majority; it went back into conference, and by some hypnotic influence exercised by the House conferees over the Senate conferees the amount finally appropriated was $12,000,000. So the only reason I know or can conceive of for the action of the Senate Commerce Committee this time in recommending the appropriation of only $15,000,000 when the War Department recommended $57,000,000 in the first instance, and reduced it only to $33,000,000 to take care of the immediate needs and emergencies that might arise on the rivers and harbors of the country, is that the House had appropriated $15,000,000, that they had forced the Senate conferees last year to come to their way of thinking, notwithstanding the action of the Senate in increasing the amount from $12,000,000 to $24,000,000 last year, and that they realized that it was impossible to increase the amount this year, and they took the judgment of the House on this proposition.

I know what whole-hearted and sincere interest the members of the Commerce Committee of the Senate have in river and harbor improvement. I know how hard they have fought for years in this body for appropriations to carry on this great work upon the part of the Government, and their judgment may be right. They may think it is impossible to get any more; that the bill might die in this Congress if the amount should be increased, and their action may have been prompted because of that. I hope that is their reason, because I should dislike very much to think that the men who are on that committee, who have such interest in river and harbor improvement, and who have exercised their influence for so long a time in behalf of large and reasonable and adequate appropriations to carry on river and harbor work, have lessened in their ardor and enthusiasm for river and harbor improvement in the United States.

I find this state of facts to exist, also: Last year, when we appropriated only $12,000,000 for river and harbor work, it was for a period of eight months. Bear that in mind, Senators, that the last river and harbor appropriation bill provided appropriations for only eight months. This year we are making appropriations until July, 1922, and the action of the House and the action of the Senate is based on the fact that this appropriation is for 18 or 19 months. If I am mistaken about that I should like to have the Senator from Washington correct me on that proposition.

Mr. JONES of Washington. Mr. President, I shall express myself on the matter when the Senator gets through, unless he desires an answer right now.

Mr. HARRISON. I will say to the Senator from Washington that I made the statement that the last river and harbor bill provided appropriations for only eight months, whereas in this bill, unless an appropriation bill is passed at the extra session of Congress, we must provide appropriations until July, 1922.

Mr. JONES of Washington. The last bill was an annual appropriation bill, of course, based on the theory that we would pass a river and harbor bill before the 4th of March.

Mr. HARRISON. Yes.

Mr. JONES of Washington. This bill runs, of course, until June 30, 1922, with the probability as well as the possibility that we will pass another bill many months before that time.

Mr. HARRISON. Yes. The chairman of the committee does not think that there will be any river and harbor bill during the extra session of Congress?

Mr. JONES of Washington. In my judgment there will be a legislative river and harbor bill in the coming extra session of Congress, and if any particular necessity exists there will be an appropriation passed early in the session beginning in December, long before the expiration of the fiscal year.

Mr. HARRISON. Yes, in December; but I mean in the extra session. That legislative bill will take care of preliminary surveys, and things like that?

Mr. JONES of Washington. Preliminary surveys and modifications of projects, and it will provide for new projects, and probably will also make available a lot of money that is now appropriated for different projects that have been lying idle for years and can be very well taken from those projects and made available for others. That can be taken care of in the extra session, and I have not any doubt but that in the regular session a regular river and harbor bill will be passed several months before the 30th of June, 1922.

Mr. HARRISON. Yes; but this bill is framed on the theory that this money is to run the Government for river and harbor improvement until July, 1922.

Mr. JONES of Washington. Oh, technically that is the legislative situation.

Mr. HARRISON. Mr. President, aside from the fact that in the river and harbor appropriation bill last year we were providing for river and harbor improvements for eight months, and appropriated $12,000,000, this year we are appropriating $15,000,000, which must run until July, 1922. On the facts presented it is 18 or 19 months from the time these estimates were made, which was in December last year.

It was argued last year that one of the reasons why this small amount was appropriated was because of the large unexpended balance on hand, and it was cited to us that there was some $37,000,000—around $60,000,000—then on hand that could be used, and that was why the amount was reduced to the $12,000,000 figure. Of course, the fact was also disclosed that the unexpended balances that were on hand were for certain projects, and that the money had been allotted to carry on certain projects under certain conditions, and so forth. We find that on December 31 of last year there was only $41,658,334 on hand. We are appropriating for 18 or 19 months, until July, 1922, only $15,000,000, with $41,658,334 on hand. On December 31, 1920, last year, we appropriated for eight months $12,000,000, with practically $60,000,000 unexpended; but of this $41,000,000 that the Engineer Department says was on hand December 31, 1920, $17,648,263 had already been contracted for.

The balance was available, but it had been allotted to certain projects for maintenance along certain rivers and certain harbors throughout the country. On December 31, 1920, the remarkable fact existed that there was unallotted from the 1920 appropriation, to run until the present bill might become a law, only $1,633,000. That is all the engineers had on December 31, 1920, out of the $12,000,000 appropriation that was passed last year for river and harbor improvements to take care of emergencies and everything—$1,633,650. So it can not be argued this year that there is a large unexpended balance on hand. The facts are that for years and years there has always been on hand, unexpended on contracts where conditions had not been met, an amount that exceeded the $41,658,000 that was on hand December 31, 1920, because it was stated by the War Department, in the consideration of the bill last year, that the amount then on hand unexpended was no greater than the amount usually carried as unexpended year by year. That money can not be used in every instance.

There are conditions imposed on certain contracts in the country. They say, for illustration, "We appropriate $500,000 for a channel 23 feet deep, provided you will build a wharf half a mile long and a quarter of a mile wide, or provided that local interests will put up $100,000 a year for five years." Conditions are imposed in that way, and the amount is appropriated and allotted on the theory that those conditions must be complied with. During the war there were many of those conditions not complied with because of the peculiar and abnormal conditions that prevailed throughout the country. So I say it is an unfair argument to state that there is a large amount on hand unexpended and that that should be added to the appropriation now being carried year by year.

What has been the history of river and harbor legislation heretofore? Let me read from the report of the chairman of the Committee on Rivers and Harbors of the House, Mr. DEMPSEY, and I think it is incorporated in the report of the Senate Committee on Commerce. They named the expenditure and tried to justify in part their action because of the expenditure of the War Department year by year for river and harbor improvement. Here is what they said:

The annual expenditures for works of river and harbor improvement, from 1896 to 1920, inclusive, have been as follows:

Then they cite the amounts on down the line through the years. In 1896 they expended only $14,745,000. Then they go on down through the years, including the years of the war, and show the amounts expended. They show that in 1914 there was expended in round numbers, $39,000,000; in 1915, $37,000,000; in 1916, $28,000,000; in 1917, $23,000,000; in 1918, $20,000,000; in 1919, $21,000,000; in 1920, $33,000,000. Then they take the average from 1896 down to 1920 of the expenditures during those years for river and harbor improvement and they say the average is $22,662,962. They get that average by adding all of the expenditures for river and harbor improvements from 1896 to 1920 and dividing that result by the number of years, when the chairman of the committee which made the report knows that the Congress of the United States did not begin a consistent policy of river and harbor improvement through annual appropriation bills until some years after 1896; I think it was only about 1910. Back in 1898, I think it was, or at any rate a few years before 1900, they would pass a river and harbor bill sometimes only once in two years and sometimes only once in three years.

Everyone knows that the argument was made against river and harbor appropriations being provided according to the recommendations of the War Department during the recent war because it was said we should economize during the war so we could provide money for the Army, for the Navy, and for food and clothing for the soldiers and sailors. During the year 1918 only $20,360,000 was expended. They could not expend above that amount because labor was too high and material was too high. The contracts could not be entered into for river and harbor improvement work, and so the amounts appropriated were low, and yet the Committee on Rivers and Harbors of the House state, and it is quoted in the report of the Committee on Commerce of the Senate, that $22,662,962 is the average expenditure for river and harbor improvement from 1896 to 1920. If Senators will take from that list of expenditures year by year, the years during the war when curtailment was made in the expenditure of money because, as I have stated, of the high price of material and the high cost of labor, and take from it also those years that are included in the report before a definite and fixed policy of river and harbor improvement was en-

tered upon by the Government, when in some cases an appropriation for river and harbor work was made only once in three years, and in other cases only once in two years, they will find that the average expenditure year by year was $30,000,000.

Take the last normal year of 1914 by way of illustration. That was when our policy had become fixed and definite, and we were beginning work along definite lines upon the rivers and harbors of the country, when the people had come to understand that our commerce must be maintained, that the rivers must be improved, that the harbors must be dredged in order that our merchant marine might enter and our commerce find its place in the markets of the world. We find in that year that we expended $39,817,000, and yet the Rivers and Harbors Committee of the House, indorsed by the Committee on Commerce of the Senate, say that we must not this year appropriate more than $15,000,000 for 18 months' work, until July, 1922, to take care of the rivers and harbors of the land, and that notwithstanding the fact that last year we gave the niggardly and measly sum of only $12,000,000 for river and harbor improvement for the entire year.

If any member of the committee, if the chairman of the committee even, can justify that action, I should be delighted to hear from him. It can not be justified, except, as I said, they just thought it would be impossible to increase the amount even though they desired to do it and though it was necessary to do it, but they would not do it in order that they might be assured of passing the legislation during the closing hours of this session of the Congress. I sincerely hope that is true. Nothing would make my heart bleed more than to think that the distinguished Senator from Washington [Mr. JONES], the chairman of the committee, who has always fought for reasonable appropriations for rivers and harbors, had grown cold toward the proposition, lukewarm toward river and harbor improvement, turned his back upon his friends and those who have always fought side by side with him here in obtaining reasonable appropriations for rivers and harbors.

I know that the distinguished Senator from Texas [Mr. SHEPPARD], the distinguished Senator from Louisiana [Mr. RANSDELL], and the distinguished Senator from Florida [Mr. FLETCHER] have been pioneers in the work of river and harbor improvement. Their voices have rung in this Chamber for years in urging the Congress to take care of the great commerce that comes into our harbors and rolls over our rivers throughout the country. They have presided over river and harbor congresses; they have at their own expense attended conventions and associations all over the country. I know that their action on this occasion, their desire to have the $15,000,000 appropriation, is based solely upon their belief that they could not get any more during this session of Congress.

But we can not allow the mystic, hypnotic influence of the House to prevail over us in withholding appropriations that are needed to carry on river and harbor improvement. I love the Members of the House, I love the associations over there, but in river and harbor appropriations the majority of the House are not in sympathy with the sentiment of the country for reasonable and adequate appropriations for rivers and harbors. They are not leaders who can be followed by men who believe in reasonable and adequate appropriations to maintain our commerce and river and harbor improvement. For my part, I shall not follow the House if they in their judgment see fit to appropriate only $15,000,000, when they have been told the contrary by the experts of the War Department, when the facts justify more from every angle, when the facts stare them in the face in proof absolutely to the contrary of their action, and yet they reduce the amount to $15,000,000.

Under those circumstances, when I know the amount appropriated should be more, I shall not only not follow them, but I shall combat them. If I thought the judgment of the Senate Committee on Commerce was wrong in the matter of the amount proposed to be appropriated, I could not afford to go down to the people in my State who are interested in maintaining the improvement of the great rivers and great harbors and justify my course by saying I have some very dear friends on the Committee on Commerce who believe that $15,000,000 is the most that they should recommend to be appropriated. They know that a Senator of the United States has a vote, that he has the right to speak, and that he has the right to exercise his judgment and determine his own course of action, and that he should do it; and so every Senator here to-day will have the right to vote on the amendment which I have proposed.

If he votes against it, then he can go back to Walla Walla, or some other place in Washington; to Michigan, up to Minnesota, over to Boston, to Philadelphia, to Minneapolis, to Portland, down into Florida and Louisiana and Texas and everywhere else, and explain to the people there why his judgment dictated to him to vote against the amendment, and for only $15,000,000.

But it can not be justified by the facts. Let us exercise our right as Senators. Let us follow our judgment, and let us have an amount which will reasonably maintain these harbors and these rivers for the next 18 months, and then if the House sees fit not to accept the increase we put on, let them answer to their constituents. But in the discharge of a duty, when we know that the facts warrant an increase, let us not be influenced to vote against it simply because we want to be with the House; because we do not want it to go to conference, and we can get out of a fight; that we can save a controversy; that we can put it over a day or two sooner than we would if it should go to conference. I am willing to see it go to conference. There, if it has to die, let the crisis be met. We have followed this niggardly, this unwise policy of refusing to provide adequately to protect these rivers and harbors, for some years now. There is not a harbor in the United States that is not filling up. There are too many dredge boats lying idle, rusting; there are too many rivers the banks of which have caved in, which have not been improved according to the great policy inaugurated some years ago to build up our commerce. Let us take the responsibility upon our shoulders. If the House does not want to accept it, and they want it to go to conference and let it die, then the fault will be with them; it will not be with us.

There is coming an extra session of Congress. I know what is going to happen to the harbors in my State, and Senators here need not be fooled as to what will happen to the rivers and harbors in their States. This is what will happen: The War Department says they need $57,000,000. You are giving them by this bill $15,000,000. In other words, for every $4 they need, you are giving them $1, and they can do one-fourth of the work on the harbor in your State or the river in your State, that the War Department says they need. The harbor and the river will suffer to that extent.

I am not willing to do it. I have seen these harbors fill up during the last six or seven years because of inadequate appropriations, and it is high time we started to do something to maintain the commerce we have expended millions and billions of dollars to build up. We appropriated three billion and a half to get a merchant marine. For what purpose? Pray tell me why we need ships, if you are going to let the harbors fill up, and they can not come in. It is an unwise policy. It looks as if everybody can get what he wants for other projects; every interest can be cared for, except the rivers and harbors of the country, which God Almighty gave us, and which we should improve.

Let a railroad measure come in, and everybody grabs it enthusiastically, and Senators run off with it. They do not care how much the amount may be. But a river and harbor bill has to be cut down to one-fourth of what is asked.

I am not for that. I want to see the railroads taken care of. I want to see the rates made reasonable, but I want at the same time to see the roadways of the country, the dirt roads, provided for, and the harbors and rivers cleared out, so that the great carriers of our commerce can sail over them, and you can not do it by voting for this bill reported by the Committee on Commerce.

I have some interesting documents here. They do not justify or excuse the action of the Senate Commerce Committee in reporting this $15,000,000 bill. Listen, Senators, to this letter which the chairman of the committee was so kind as to give to me. I could not get it at the War Department; I could not find it in the hearings, because they do not hold any hearings. I could not find it as a printed document, because they do not have them printed. I know it is not because the committee does not want anybody who is not on the committee to know what they are doing, in order to criticize their action, because the Senator from Washington [Mr. JONES] was kind to me. I heard that such a letter had been written in this matter, and I asked him about it, and he gladly turned it over to me. Let me read it.

After the House had put over this niggardly bill, this measly appropriation of $15,000,000, one-fourth of what the War Department said they needed, the Senator from Washington wanted to know what the War Department thought about it, and so, doubtless at the instance of the Commerce Committee, he wrote a letter to Gen. Beach. Here is one of the questions he asked him:

> How much of the money provided in the last river and harbor act is still available for allotment?

The answer of Gen. Beach to that question is:

There still remains available for allotment from the funds provided by the last river and harbor act $1,633,650.

It is an outrage, Senators, that only $1,633,000 remains unallotted out of the last river and habor act on December 1, which might have to run over the 4th of March. If some serious condition should develop suddenly which needed attention, what would you do? You have no money left over, and it is due to the action of the Congress in failing to provide adequate appropriations. Everyone who votes for these measly amounts, and against increasing the amount to a reasonable basis, is responsible for the condition stated there. December 1, $1,633,650 of the amount that was appropriated last year is on hand now, not allotted.

Mr. President, if I misstate anything, if I give the wrong construction about any of these propositions, I do hope—indeed, I pray—that some member of the Senate Commerce Committee will call be to taw, because I do not want to mislead anyone. I want to give the facts to the Senate. Further, Gen. Beach said:

This balance would have been allotted, and probably expended by this date, had it not been for the fact that it was regarded absolutely essential to maintain a small working balance applicable for unexpected emergencies which might occur. This balance would probably have been no larger than its present size had the appropriation in 1920 been fifteen million or twenty million.

Indeed, if it had been fifty million it would have been about the same amount, probably. You have to hold a little bit back. But the War Department will be forced to spend every nickel without holding anything back, because if they do not there will be Members of the House and Members of the Senate rising in their places and saying: "Oh, we have an unexpended balance up there," and take that as an excuse for not increasing the amount according to the recommendation of the War Department.

The Senator from Washington asked another question—and these are very pertinent questions he propounded to the general. The Senator from Washington asked Gen. Beach:

Has any apparent injury occurred to commerce that can be traced to our failure to appropriate more than $12,000,000 in the last act; and if so, where did it occur?

That is a pertinent question. Here is the answer, quote a long answer, but he answered him:

I am not able to say that any apparent injury has occurred to commerce on account of the failure to appropriate more than $12,000,000 in the last act. Numerous complaints have been received with reference to shoaling, but I have been able generally to allot funds sufficient for the removal of such shoals as were evidently causing serious obstruction to navigation. There has, however, been a great falling off in the rate of prosecution of some of the projects—

Listen to me, the senior Senator from Ohio; listen to me, the junior Senator from Ohio; listen to me, the junior Senator from Pennsylvania. Here is what Gen. Beach said:

There has, however, been a great falling off in the rate of prosecution of some of the projects, such as the improvements of the channels in New York Harbor—

I do not see at this time the distinguished Senators from New York. I shall tell them about it when they come into the Senate. I want their attention called to it, so that there can be no excuse for a vote against the amendment I have offered.

There has, however, been a great falling off in the rate of prosecution of some of the projects, such as the improvements of the channels in New York Harbor—

The other day a delegation from New York, headed by the mayor of New York City, came to Washington in the interest of river improvements. I do not know what assurances they got. They probably asked for bread, but they would get a stone if their Senators vote for the bill that is recommended by the Commerce Committee. But may I say to the senior Senator from Ohio that he does not confine it to New York City? May I say to the junior Senator from Pennsylvania that he does not confine it to New York City? He says:

There has, however, been a great falling off in the rate of prosecution of some of the projects, such as the improvements of the channels in New York Harbor, the Delaware River—

That great stream which needs improvement. Gen. Taylor told me no longer ago than yesterday that if this bill passes in this form, for two years improvements would stop on the harbors and the rivers of the country; that about all they could do with that amount would be to maintain their present condition. In other words, those localities which are striving, and have been striving so long to get an increase from a 17-foot depth to a 20-foot depth, must wait two years longer, with the amount that is recommended by the Senate Commerce Committee, the niggardly, measly sum of $15,000,000.

He did not stop with the Delaware River. He said:

There has, however, been a great falling off in the rate of prosecution of some of the projects, such as the improvement of the channels in New York Harbor, the Delaware River, Southwest Pass—

Down near my State—

Southwest Pass, and Ohio River.

Gen. Taylor says no more work will be done; that the work there will be delayed two years unless this appropriation is raised from the $15,000,000 provided for. I am wondering what the people along the banks of the great Delaware, what the folks up in Ohio and Indiana and Kentucky and Pennsylvania will say when they come to read that the work on the Ohio River and the Delaware River will be delayed for two years if this bill passes in its present form.

I can not believe that Senators will carry back to their constituents the sad news that prospective commerce on the great Ohio, on the Delaware, and in the big harbor of New York is to be delayed two years. But that is not all of this letter. It continues:

for which projects a sum larger than the balance now on hand would be required in order to permit of an increase in the rate of the progress of the work commensurate with the needs of the projects.

No funds were allotted to several projects where further improvement is desirable, as, for instance—

Listen to me, Senators from Washington. I hope the Senators from Washington will not turn a deaf ear to what Gen. Beach says in his letter to one of the Senators from that State touching one of the great projects in that State in the far Northwest—

No funds were allotted to several projects where further improvement is desirable, as, for instance, Grays Harbor, Wash., where a seagoing hopper dredge for the work on the bar is greatly needed.

While no specific cases of injury have occurred, this is believed to be due to the fact that the money available was applied to those cases most needing action, and the amount appropriated was sufficient to cover only the emergency cases which arose during the past year.

That is, no injury took place, but there was no progress in improvements. There was delay, of course; only the emergency cases were they able to take care of.

Gen. Beach further says:

Deterioration to works for protection of navigation and the silting of dredged channels is a gradual process; one, however, to which the old proverb of a stitch in time saving nine is fully applicable. There are cases of deterioration of breakwaters which have received no attention, and the damage has not yet become serious. A heavy storm might do great damage should these defects not be repaired at an early date. To fail to provide sufficient money for their protection would be penny-wise and pound-foolish.

So says the general who has in charge all the river and harbor improvement work. Here is the other question that was propounded to Gen. Beach by the chairman of the Committee on Commerce. It is a pertinent inquiry:

Do you think any special injury will occur to commerce during the coming year with an appropriation of only $15,000,000; and if so, give your specific reasons therefor?

Now, let us see what Gen. Beach answers to that. Why did the chairman of the committee ask these questions if the answers to them would have no influence upon the committee? There is not a single answer to any question which was propounded by the chairman of the committee and which was responded to by Gen. Beach that is favorable to the action of the committee in failing to increase the amount proposed to be appropriated by the other House.

I called attention while the Senator from New York was temporarily out of the Chamber to the grave condition that would ensue to the harbor of New York City, as Gen. Beach says, if this appropriation should remain at $15,000,000 and the amount that is carried in my amendment should not be appropriated. This letter deserves the closest analysis by Senators who are interested in the improvement of the rivers and harbors in their States. I take it, however, that certainly the Commerce Committee of the Senate does not lean upon the letter which was written by Gen. Beach to the chairman of the Committee on Commerce in justification of the action of that committee in appropriating merely $15,000,000 for the coming 18 months to improve the rivers and harbors of the country.

Said the Senator from Washington to Gen. Beach:

Do you think any special injury will occur to commerce during the coming year with an appropriation of only $15,000,000; and, if so, give your specific reasons therefor?

Here is the answer of Gen. Beach:

I am very confident that with an appropriation of only $15,000,000 injury will be done to commerce during the coming year.

And yet with that succinct, that brief, that pointed answer in response to the question propounded by the letter of the chairman of the committee to Gen. Beach, the committee disregards what Gen. Beach says and answers him that "we care not." I know they did not think that, but I do think that their action is susceptible to that construction. When the question was put to Gen. Beach, as the Senator from Washington put it to him in this letter, and Gen. Beach answers back, saying, "I am very confident that with an appropriation of only $15,000,000 injury will be done to commerce during the coming year," some people who do not

know these Senators as well as we know them might put the construction on the action of the committee that they did not care whether they injured commerce during the coming year or not; but certainly they were warned, the result was foretold to them that with merely $15,000,000 of appropriations commerce during the coming year would be injured. I am still wondering why the question was put to Gen. Beach. Certainly if he answered in the affirmative, if he answered that they could not get along with $15,000,000 and that commerce would be injured by such a small appropriation, they did not expect to increase the amount, because they did not increase it. If Gen. Beach had answered back and said, "Yes, every river and every harbor in the United States will be affected by it; commerce will be affected by it," I do not think the answer could have been any stronger than the one he made, "that with an appropriation of only $15,000,000, injury will be done to commerce during the coming year."

Gen. Beach further said:

The reason that no injury has been done to commerce during the past year has been due to the fact that there was on hand at the time of the passage of the last act a large unexpended balance, which has been used in addition to the appropriation of $12,000,000 for the prosecution of necessary work.

That explains why greater injury was not done to the rivers and harbors of the country in consequence of the small appropriation of $12,000,000 made last year, there having been a large unexpended balance on hand, amounting last year, I think, to about $60,000,000.

Let us see how much the engineers expended during the last six months. I have here a statement of the expenditures from June 1, 1920, to December 31, 1920, month by month. In June, 1920, they expended $3,426,990; and then follow the figures for July, August, September, October, November, and December, totaling for those months $25,626,572. At that rate, over $40,000,000 would be expended in 12 months. They have just reached the point where they can spend some of the money which was appropriated by past Congresses, and which was lying unused, awaiting the time until conditions should be improved, until the cost of labor might be reduced and the cost of materials might be decreased. So, notwithstanding the fact that Congress appropriated only $12,000,000 last year, they have expended during the seven months of June, July, August, September, October, November, and December $25,626,572, or at the rate of over $40,000,000 in 12 months. At that rate how long would this measly little $15,000,000 appropriation last which it is proposed that we shall appropriate for 18 months, or until July, 1922? At the rate the engineers have been expending money during the months I have indicated, sometimes running as high as $4,484,423, as was the case in November, in 18 months they would expend in the neighborhood of $70,000,000. Yet we are asked here to accept the beneficent, the magnificent, sum of $15,000,000 to carry on this great work for the next 18 months.

The letter goes further:

It will be seen that the total expenditures during these seven months have exceeded the appropriation made by the act of June 5, 1920, by $13,626,572.14. During these months, as stated above, the work on many projects has not been prosecuted as rapidly as it should have been, and should an appropriation of not more than $15,000,000 be now made it would be necessary to very greatly reduce the rate of progress which has been maintained during the past seven months.

Yet in the face of that warning from the Engineer Department we are requested here to vote to sanction the $15,000,000 appropriation recommended by the Committee on Commerce.

He says further:

During these months, as stated above, the work on many projects has not been prosecuted as rapidly as it should have been, and should an appropriation of not more than $15,000,000 be now made it would be necessary to very greatly reduce the rate of progress which has been maintained during the past seven months. In fact, I anticipate that the $15,000,000 would provide very little more than is necessary for maintenance of existing projects and would leave little for the prosecution of further improvements.

I am wondering if Senators know the meaning of that phrase and what it means to your constituents in the great city of New York, where now they are clamoring for the improvement of the harbor; I understand that a delegation from that city was down here not long ago. May I ask the Senator from New York whether a delegation headed by Mayor Hylan was not down here the other day about the New York project?

Mr. CALDER. Mr. President, in answer to the Senator from Mississippi, I will state that there was such a delegation. They were anxious to have improvements made to Jamaica Bay, and I am hopeful that at the next session we can have that done.

Mr. HARRISON. I am hopeful that it can be done this year. In the case of a great city like New York, with its teeming millions, with commerce from all over the country flowing into it, we ought to begin the improvement immediately, without delay. In the extra session of Congress there are going to be so many speeches made on this treaty proposition, and so many conflicting views on the tariff, that I am afraid we are going to be able to discuss nothing else. The Senator from Utah does not think we are going to have another river and harbor bill at the extra session of Congress. The chairman of the committee says he does not think we will. No one thinks we will. If we are going to do anything for the next 18 months for New York City, and the Ohio River, and the streams and harbors of Indiana, and the Missouri River, and up in Maine, and over in Oregon, and in Michigan, and in New Hampshire, and other States we must begin now to do it. It should not be delayed 18 months, as it is liable to be. "Now is the accepted time," as the Senator from North Carolina says.

In fact, I anticipate that the $15,000,000 would provide very little more than is necessary for maintenance of existing projects and would leave little for the prosecution of further improvements.

Everything must stop. There must be no more improvements, but we must just maintain the present condition. If a harbor has a depth of 17 feet and ships are lying at anchor 20 miles off drawing 20 feet, they must wait two years before they can get a ray of hope that the Congress of the United States is going to begin to appropriate money to increase the depth. All of these improvements must stop. We must just try to maintain the present conditions. We have been doing that too long already.

Gen. Beach says further:

I can not too strongly urge upon you the necessity for pushing work on certain of the improvements, particularly the channels in New York Harbor. By this I mean the channels in the Hudson River along the New Jersey front, and in the upper bay opposite the Tompkinsville anchorage, where they are of insufficient width and depth, and accidents have occurred.

Gen. Beach, Chief of the Board of Army Engineers, vitally interested in the great harbor of New York and in the harbor along the New Jersey shore, is pointing out to the Senate that it is necessary, in order to get this improvement, that this amount shall be increased. He is specifically calling the attention of the Congress to this great improvement. We can not afford to turn a deaf ear to him. It should be provided, and 18 months must not elapse before that work is started.

But Gen. Beach does not stop at New York Harbor. He says:

I can not too strongly urge upon you the necessity for pushing work upon certain of the improvements, particularly * * * New York Harbor, * * * Delaware River.

I again call the attention of the Senators from Pennsylvania to the fact that Gen. Beach says "particularly the improvement on Delaware River," and that if this appropriation remains at $15,000,000 the Delaware River can not be taken care of. It is impossible to take care of it. That great improvement will be handicapped and the work there curtailed.

On Delaware River from Philadelphia to the sea.

That work, from Philadelphia to the sea on the Delaware River, says Gen. Beach, should be provided for, and the $15,000,000 provided in this appropriation bill will not be sufficient to carry on that improvement.

But he does not stop there:

Savannah Harbor, Ga.

That work must be stopped if the appropriation is held down to merely $15,000,000.

Jacksonville, Fla.

The work there must be stopped. No improvements can be made, but merely present conditions maintained if the bill should pass as recommended by the Commerce Committee.

Mobile, Ala.

The improvement there will be curtailed.

The Passes at the mouth of the Mississippi River.

That great improvement, about which at one time diplomats sat around the conference table and nations almost went to war—the Passes at the mouth of the Mississippi River—says Gen. Beach, the improvements there will be held up for 18 months with the measly, niggardly appropriation of $15,000,000 that is provided for in this bill.

Los Angeles, Calif.

I do not see at this time the Senators from California; but the War Department, through the Chief of the Board of Army Engineers, points out that that great harbor in that Mecca for motion-picture stars will be greatly curtailed and the improvement will be held up for two years with the little appropriation of $15,000,000 carried in this bill.

I see, in this letter—

Columbia River, Oreg. and Wash.

The attention of the Senators from Washington and Oregon is especially called to the fact that Gen. Beach says that the improvements on the Columbia River in the States of Washington and Oregon will be held up with the little, inadequate appropriation of $15,000,000 provided for and suggested by the

Senate Commerce Committee to be indorsed by the Senate of the United States.

Grays Harbor, Wash.

I have no doubt that when the eyes of the Senator from Washington, in reading this letter from the Chief of the Board of Army Engineers, fell upon the fact that Grays Harbor, Wash., would not be provided for with the inadequate, unreasonable, inexcusable, unjustifiable appropriation that the Committee on Commerce have recommended here, it immediately excited his curiosity and his interest. I notice, in this letter that the Senator from Washington has been so kind as to give to me, that he has underscored "Grays Harbor, Wash." It should be underscored. If I were chairman of a committee such as the Committee on Commerce, and in answer to a question that I had propounded the Chief of the Board of Army Engineers should write back to me that the improvement at Gulfport Harbor, Miss., would stop for 18 months, it would excite my curiosity, it would stir every fiber in me, and I would not only underscore it with a black pencil but I would get out a red pencil and mark it as well.

Ship channel on the Great Lakes, from Duluth to Buffalo.

Let me call the attention of the Senator from Minnesota and the Senators from New York to this matter. I see sitting before me the distinguished and affable and splendid Senator from Michigan [Mr. TOWNSEND]. I wonder if he has read this letter, and if the fact has been called to his attention that the improvement of the great ship channel on the Great Lakes, from Duluth to Buffalo, will stop. That big improvement going on near Detroit, the Livingston Channel, not far from Detroit—that great improvement that the splendid city of Detroit, that thriving center of the automobile industry, where the chambers of commerce and the boards of trade and the associations and the progressive citizens not only of Detroit but of that whole country are interested—the Livingston Channel improvement will be held up for 18 months if the measly sum of $15,000,000 recommended by the Committee on Commerce is provided.

Mr. MOSES. Mr. President——

Mr. HARRISON. I yield to the Senator.

Mr. MOSES. Am I to understand from the Senator that this sum is so small that he spurns it?

Mr. HARRISON. I almost spurn it, when I see that the commerce of this country is affected by the action of the Senate, it is such a measly sum that it is almost a species of waste. I do not know whether they have any river and harbor work up in New Hampshire, at Portsmouth.

Mr. MOSES. Not a dollar, Mr. President.

Mr. HARRISON. Not a dollar goes there? That is why the Senator is not at all interested in it, then. He used to be. There was a time when the Senators from New Hampshire were interested in the river and harbor bill. There was a time when the Senator from New Hampshire would vote for a river and harbor appropriation, and work before the committee to see reasonable appropriations made for Portsmouth, or perhaps for some river up there.

Mr. MOSES. No; we never were so lucky. New Hampshire has always been unlucky in that respect.

Mr. HARRISON. May I ask the Senator how deep the harbor is at Portsmouth?

Mr. MOSES. About 40 feet.

Mr. HARRISON. Has the Government never appropriated any money for it?

Mr. MOSES. Never but once, I think.

Mr. HARRISON. How long ago was that?

Mr. MOSES. About 12 or 15 years ago.

Mr. HARRISON. I shall come back to New Hampshire in a moment, as soon as I find some data.

Mr. MOSES. I wish to cooperate with the Senator from Mississippi if his object is to get some money into New Hampshire.

Mr. HARRISON. The Senator does not get anything in the bill for his State?

Mr. MOSES. Not a dollar.

Mr. HARRISON. Well, that is a pity.

Mr. THOMAS. Neither does Colorado.

Mr. SMOOT. Nor does Utah.

Mr. HARRISON. There are other States that will not get anything. No State will get more than about one-fourth of the amount it really deserves.

Mr. SMOOT. Mississippi will get the biggest part.

Mr. HARRISON. Mississippi will get about one-fourth the amount it should obtain for the great harbors at Gulfport and Pascagoula and for the rivers down there.

But I have not finished reading the letter:

Ship channel on the Great Lakes—

I do not know whether the Senator from Michigan [Mr. TOWNSEND] heard it when I read the last item, wherein Gen. Beach said the improvement would necessarily stop with the inadequate appropriation of $15,000,000. I see the Senator from Minnesota [Mr. KELLOGG] is now in his seat. I read again from Gen. Beach's letter:

Ship channel on the Great Lakes from Duluth to Buffalo; and various harbors on the Great Lakes where further improvement or extensive maintenance work is required, without considering at all the many navigable rivers in the United States.

The permanent structures protecting many of the harbors on the Great Lakes have deteriorated, as the lack of sufficient appropriations during several years past has prevented their rebuilding, until now several of them have reached a stage of dilapidation where further neglect is certain to cause injury to the harbors and greatly added expense to the United States for the reconstruction of the works.

The other question propounded by the Senator from Washington:

What, in your judgment, is the lowest possible sum that will meet the needs of our commerce during the coming fiscal year, and if a greater sum than the $15,000,000 is required, state the minimum sum you think we will need and give the reasons therefor?

The latter part of the response answers the question when he said that—

As a result of this careful consideration, I am satisfied that the minimum amount which should be appropriated is $33,000,000. This allows only for the prosecution of the work urgently necessary and at a very moderate rate.

Mr. President, this is not all. I have a letter that was written by Gen. Beach to Congressman SMALL, former chairman of the Committee on Rivers and Harbors of the House, now ranking minority member of that committee. I wish to place it in the RECORD, because all the facts therein should be known to Senators before they vote on this very important proposition. I dislike very much to offer the amendment. I always like to get along in a peaceable way. I dislike this kind of controversy, but when the material interests of the country are at stake I am, like almost any man, anxious to see that the harbors in my own State shall be cared for, and particularly when I know they are certain to be embarrassed and handicapped and injured by this small appropriation. Then I can not sit still and, without a vigorous protest, see this small amount appropriated for such great work.

In the letter from Gen. Beach to Mr. SMALL—and I shall incorporate the whole letter—he made this statement:

The statement that there was on hand an unexpended balance of $47,149,006 on the 1st of December, 1920, is correct. Information regarding the balances was given in a letter addressed to Senator JONES under date of December 27, 1920, a copy of which is herewith.

4. As further corroboration of the reasonableness of the estimate submitted in my annual report—

That was $57,000,000—

it may be stated that the actual expenditures for the six months, July to December, 1920, inclusive, amounted to $22,199,581.77, or an average of almost exactly $3,700,000 per month. It may be safely assumed that the river and harbor bill following the pending bill will not become a law prior to the 1st of July, 1922. There is, therefore, a period of 19 months to be provided for, from the 1st of December, 1920, to the 1st of July, 1922.

Seventy million three hundred thousand dollars, said Gen. Beach, will be required until July, 1922, and yet we are handed an appropriation of $15,000,000 by the Committee on Commerce.

At the same rate of expenditures as have prevailed in the last six months, $70,300,000 will be required for the work until the 1st of July, 1922. If every dollar appropriated could be expended at that time a further appropriation at this time of $23,000,000 would be sufficient.

If every dollar could be expended, $23,000,000 would be necessary.

I ask to incorporate the whole letter in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 29, 1921.

Subject: Estimates for river and harbor work.

Hon. JOHN H. SMALL,
House of Representatives.

MY DEAR MR. SMALL:

1. Receipt is acknowledged of your letter of January 28, quoting certain statements made by you relative to the estimates for river and harbor work and asking that I give you a statement as to the correctness of your position.

2. In reply I beg to say that the statements made by you that the estimates submitted to Congress are made after taking into consideration balances on hand, and that the available balances, with certain minor exceptions, are to the credit of certain specific projects and can not be diverted to other projects except by authority of Congress, are perfectly correct. In the paragraph "Proposed operations," which forms a part of the annual report for each improvement, will be found a statement of the use which it is proposed to make of the funds on hand and the funds for which estimates are submitted. An examination of these paragraphs will plainly show upon what the estimate is based in each case, and the reasonableness of such estimate can be arrived at by a reading of the report.

3. The statement that there was on hand an unexpended balance of $47,149,006 on the 1st of December, 1920, is correct. Information regarding the balances was given in a letter addressed to Senator JONES under date of December 27, 1920, a copy of which is herewith.

4. As further corroboration of the reasonableness of the estimate submitted in my annual report it may be stated that the actual expenditures for the six months July to December, 1920, inclusive, amounted to $22,199,581.77, or an average of almost exactly $3,700,000 per month. It may be safely assumed that the river and harbor bill following the pending bill will not become a law prior to the 1st of July, 1922. There is, therefore, a period of 19 months to be provided for, from the 1st of December, 1920, to the 1st of July, 1922. At the same rate of expenditures as have prevailed in the last six months, $70,300,000 will be required for the work until the 1st of July, 1922. If every dollar appropriated could be expended at that time, a further appropriation at this time of $23,000,000 would be sufficient, but, for various reasons, it is impossible to expend every dollar. Among these reasons may be mentioned the fact that the work under contract could not all be completed at an exact date. There was, for example, on the 1st of December, 1920, outstanding contracts and liabilities of $19,548,080. This is probably about an average amount outstanding on any given date and would not likely be much reduced the 1st of July, 1922, if work proceeds at a reasonable rate. If this is added to the $23,000,000, it brings the amount which must be appropriated to continue work even at the present rate to $42,700,000. There is also necessarily more or less money which can not be expended on account of local conditions precedent to the commencement of the work not being fulfilled, impracticability of making contracts or doing work at certain times on account of shortage of plant, and for other reasons.

5. In the foregoing it has been assumed that work would be continued only at the rate which it has been in the past six months, but unfortunately even in the past six months the funds have not been sufficient to carry on all work as rapidly as it ought to have been carried on, and in a number of cases work of maintenance which has been actually needed has not been done for lack of funds or other reasons, and some much-needed improvement work has not been undertaken.

Very truly, yours,

LANSING H. BEACH,
Major General, Chief of Engineers.

Mr. HARRISON. Those are the facts in the matter. Realizing the necessity for river and harbor improvement, realizing the inadequacy of the amount suggested by the House and indorsed by the Senate Committee on Commerce, knowing that we have to go for 18 months with only a $15,000,000 appropriation, knowing and realizing what we have been up against for the past few years in the way of high labor costs and high material costs, failure to improve and carry on the work of improvement in the rivers and harbors throughout the country, it does seem to me that there should be a stop put to that kind of policy and that we should now in the dawn of a new era appropriate at least a sufficient amount to carry on the necessary work as stated by Gen. Beach with reference to the rivers and harbors of the country.

Last year we appropriated, I do not recall the exact amount, but I think $350,000,000 for the Army—$350,000,000!

Mr. LENROOT. In addition to that appropriation the War Department expended $54,000,000 more than was appropriated. If the Senator's party had not done that it might have been possible to increase somewhat the amount appropriated in this bill.

Mr. HARRISON. I am glad the Senator from Wisconsin can reconcile his feelings and his conscience and offer the excuse to his constituents that because the War Department spent $54,000,000 more than it should have spent for something else pertaining to the Army he feels justified in voting for the expenditure of only $15,000,000 for the rivers and harbors of the country when they recommended $57,000,000 for the work.

Mr. LENROOT. If the party to which the Senator belongs had not wasted the money of the taxpayers and spent it like drunken sailors, it would not have been necessary to hold the appropriation in the pending bill down to its present amount.

Mr. HARRISON. Oh, yes; the Senator wants to inject some politics. I dislike to talk politics. I know that the Senator has gotten into the habit of trying to criticize this and that, picking flaws about everything, overlooking the big policies touching our domestic and foreign affairs in order to find some little speck against some member of the present administration, so that he can not see the great problems now confronting the Nation. I think the members of the Senator's own party answered, and answered well, such unwarranted and unjustifiable criticism as he and others have made against the administration in power. The administration has done pretty well. It has made mistakes. It was expected that it should make mistakes.

No party charged with the great responsibilities that have been placed upon the shoulders of the men in the various executive offices during the past four years could have run the Government without making mistakes. The Senator's own party made mistakes during the Spanish-American War. All parties make mistakes during war times. Mistakes were made during this war by Republicans in the administration as well as Democrats in the administration. Such charges can not be hurled at any one party. Gen. Dawes before the committee of the House sufficiently stamped such criticisms as the Senator now suggests.

Mr. LENROOT. Will the Senator yield?

Mr. HARRISON. Certainly.

Mr. LENROOT. I made no reference to expenditures during the war. I referred to the expenditure of the present year—two years after the war was over.

Mr. HARRISON. I do not know just what the Senator is talking about. He is talking about the War Department expending $54,000,000 while I am talking about river and harbor improvement.

Mr. LENROOT. The only reference I made to expenditures was the specific item of exceeding by $54,000,000 the appropriations made by Congress for the support of the Army for the present year. I then stated that if this administration, not speaking of the period during the war, but since the war, had exercised any degree of economy it would not have been necessary to hold the pending bill down to the amount that it is necessary now to hold it.

Mr. HARRISON. I do not know how the Senator voted, but some of us over on this side tried to keep down the large Army. I do not think the Senator was one of those who tried to place it at 200,000; I believe he voted to reduce it to 150,000. I am glad to know the Senator possessed that virtue. There were some who tried to reduce expenditures. There is no one who believes in waste, extravagance, useless expenditure. Mistakes are always found, and the Senator finds more than anybody in the world, because he has always got his eye peeled for them. He is to be congratulated on it; and when the Senator's party gets in control after the 4th of March in the Government offices he is going to find mistakes. Does the Senator think his party will not make mistakes?

Mr. LENROOT. I am hopeful that the party will not make any such horrible mistakes as are being made daily by the Senator's party now in power in the administrative part of the Government.

Mr. HARRISON. The Senator makes a blanket charge about $54,000,000.

Mr. LENROOT. Does not the Senator know that the administrative side of the Government to-day is asking for $350,000,000 more than the Senate is willing to give them for the support of the Army?

Mr. HARRISON. As the Senator knows, his party has been in control in the House and in the Senate for the past two years and that the estimates are high, that they should have been high, that many of them are high because the last Congress did not make adequate appropriations to carry out some of the recommendations of many of the departments. I voted to keep those appropriations down. I voted for the strictest kind of economy in the Army. When the Army appropriation bill comes up I am going to vote to reduce the amount that the Committee on Military Affairs have recommended. I am going to do the same with reference to the Navy. I have done it ever since I have been in Congress. The Senator's stricutures do not apply to me. They should not apply to any one, because they are not specific. I do not know what the Senator is hinting at at all.

Mr. LENROOT. I was not applying my stricture to the Senator from Mississippi. I was applying it to the administrative officers of the Government, who happen to belong to his party.

Mr. HARRISON. The biggest mistake my party made during the years it has been in control was to put in too many of the Senator's party, who made a great many of the mistakes, and blamed them on our fellows.

Mr. LENROOT. Is the Secretary of War a Republican?

Mr. HARRISON. The Secretary of War is a splendid Democrat, and a mighty good man. The Assistant Secretary of War, I think, was a Republican, and I think he had about two other in there who were Republicans.

Mr. WADSWORTH. The Senator is mistaken on that. He was a Democrat, but felt compelled to turn Republican.

Mr. HARRISON. That was before he came under the mystic influence of the Senator from New York, who got him wrong. The Chief of Staff is a Republican, and I think the Senator is wrong about the Assistant Secretary of War. But I think Senators on the other side will take advantage of some of the mistakes we made along that line, and I judge, from the smiles on the faces of some of my friends over on the other side, that they are not going to put many Democrats in those high places, so that if they should make mistakes, they would be blamed on Republicans. But your crowd will make enough mistakes, and if the Senator from Wisconsin will be as alert in the future as he has been in the past, and help us to point out some of the mistakes, we can probably save much for the Government of the United States. Just join with us.

Mr. SMOOT rose.

Mr. HARRISON. I apply that to the Senator from Utah, too.

Mr. SMOOT. I will do it.

Mr. HARRISON. I will be with you.

Mr. SMOOT. I am afraid I will never get the Senator's vote, though.

Mr. HARRISON. Yes; the Senator will. He will get my vote. I vote with the Senator a great deal, except when he seeks to put a burden on the backs of the American people by placing a high tariff on wool, and sugar, and things of that kind. When he stands for economy, I am with him. I do not know whether I can stay with him on this fortifications bill or not, because he has fallen under the spell of extravagance in that bill. Last year I think we appropriated $8,000,000 for fortifications, and the Senator has brought in a report for fortifications for over $18,000,000, ten million increase.

Mr. SMOOT. Oh, no.

Mr. HARRISON. I may be mistaken, but I have the report here of the Senator, and I can do no better than read it.

FORTIFICATIONS APPROPRIATION BILL, 1922.

Mr. SMOOT, from the Committee on Appropriations, submitted the following report to accompany H. R. 16100:

The Committee on Appropriations, to which was referred the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, reports the same to the Senate with amendments, and presents herewith information relating thereto:

Amount of regular and supplemental estimates for 1922	$35,676,533.66
Amount of House bill	8,038,017.00
Bill as reported to Senate	No change.
Unexpended balances covered into the Treasury by House bill	233,555,760.00
Additional unexpended balances covered into the Treasury as recommended by Senate committee	17,251,868.28

Mr. SMOOT. Mr. President, the Senator from Utah has reported it, the fortifications appropriation bill, and wants action on it by the Senate, not adding $17,000,000, but we are putting unexpended balances of $17,000,000, more than was put in by the House, back into the Treasury of the United States.

Mr. HARRISON. That is what you claimed credit for during the last Congress, that you had saved the taxpayers in reducing the expenditures so much, and now you come in and take that money and put it back into the Treasury at this time, when it is the departments here that saved it, which did not spend it. It is unexpended and we get no credit for it. Yet last year you took credit for saving that amount.

Mr. SMOOT. The Senator would not make that statement if he knew the situation as it is.

Mr. HARRISON. The great trouble is that nobody ever knows the situation just as the Senator from Utah does.

Mr. SMOOT. I will tell the Senator one thing, that when the Senator hears the Senator from Utah make a statement he will find that it is correct.

Mr. HARRISON. Now, one moment. In the discussion of the Agricultural appropriation bill the other day the Senator from Utah stated that an item was carried in the sundry civil bill that we were trying to appropriate for in the Agricultural bill, and he finally admitted that it was not carried specifically in the sundry civil bill.

Mr. SMOOT. No, Mr. President, the Senator from Utah did not admit it, but the Senator from Utah the next morning put a letter in the RECORD from the Secretary of Commerce, Mr. Alexander, in which he stated that it was a duplication of work, and for that work an appropriation was carried in the sundry civil appropriation bill, just as the Senator from Utah had stated.

Mr. HARRISON. I thought the Senator was clearly convinced the other day that he was wrong on that proposition.

Mr. SMOOT. No; I was not, and I am not wrong.

Mr. HARRISON. All right; go ahead.

Mr. SMOOT. Mr. President, those appropriations were made away back in 1916, 1917, and 1918. They were made at a time when it was not a question of how much money we were going to appropriate; it was just a question of how much the Secretary of the Navy or the Secretary of War asked for.

Mr. OVERMAN. It was during the war.

Mr. SMOOT. I have said on this floor time and time again that I did not care what the Secretary of the Navy or the Secretary of War demanded of Congress by way of appropriations when we were in war—that if they said it was absolutely necessary I was going to vote for the appropriation—and I think every Senator here will bear me out that I did. But, Mr. President, with all the extravagances, and with all the waste of public money, those amounts were so mammoth that it was impossible to spend the money we appropriated. So, as I said some time ago, I determined that the unexpended balances of appropriations made by Congress, not for that year, not for the following year, but until expended, should be put back into the Treasury of the United States, and that is what the fortifications appropriation bill does. It is not an appropriation that was made for this year, it is not an appropriation that was made for last year; it covers appropriations that were made after we went into the war, and they even began in 1916, and those appropriations were made, not for any particular time, but they were to remain to the credit of the War Department or the Navy Department until expended. Now, in that bill, we simply say that not a dollar of the unexpended balance of those appropriations for the War Department or the Navy Department shall hereafter be spent, and we repeal the law and put the money back into the Treasury of the United States.

Mr. HARRISON. I congratulate the Senator from Utah on admitting that the departments here saved that amount of money, for the expenditure of which they had been charged with extravagance by the Senator.

Mr. SMOOT. No, Mr. President, the Senator is wrong there. They did not save the money. It was absolutely impossible for them to expend it; we gave them so much.

Mr. HARRISON. Why did you give them so much, and then charge us with extravagance?

Mr. SMOOT. We gave it just because of the fact that the Secretary of War said it was absolutely necessary in order to win the war, and if he had asked for a billion more, or two billion more, I would have voted for it.

Mr. HARRISON. And in the spirit of economy he saved it, and did not spend it. Now you are covering it back into the Treasury of the United States.

Mr. SMOOT. No, Mr. President; we gave him so much money that he could not find ways to spend it, and the wicked waste was not sufficient to take it all.

Mr. HARRISON. That is where the definition of waste comes in from the Senator, and the Senator charged us with extravagance. They appropriate so much money, and now the Senator is fussing at the department for saving the money you appropriated.

Mr. SMOOT. I am not fussing with them at all; and if the Senator wanted to know just what I mean by public waste, I could stand on this floor for the next 12 hours and bring cases to his attention, and to the Senate's attention, which were next to a criminal waste of public money. Take the Air Service, for instance. The Senator knows about that.

Mr. HARRISON. No; I want to discuss river and harbor problems. When the Senator gets through with his reorganization of all this Government work, which I hope to cooperate with him in, we can fix this thing right. There will not be any reason then to complain any more. There will not be any overlapping of jurisdiction or any useless expenditure of money. We will have the thing working in perfect harmony and unity.

Mr. SMOOT. The Senator is a member of that commission, and I look forward with the greatest delight to his assistance and his valued recommendations as to the reorganization of the departments of our Government, with a view to cutting out every duplication of work, and if the Senator had studied it as much as I have——

Mr. HARRISON. I have not. I do not see how the Senator finds so much time to study it.

Mr. SMOOT. If the Senator knew how late I went to bed, he would know.

Mr. HARRISON. The Senator should go to bed earlier. Then he would not be in such a bad temper sometimes.

Mr. SMOOT. I was very glad to hear the Senator say that he is going to assist in that work.

Mr. HARRISON. I want to follow the Senator's lead.

Mr. SMOOT. Mind you, you have to work at night; and, mind you, this thing can not be done in three months or four months or five months or six months. If the reorganization of our Government departments is completed and the duplication of work taken out, it means a steady, hard grind for the next year and a half.

Mr. HARRISON. I want to get it finished in two years, because at the next election we will come into control of the Senate, and Senators on the other side may change their sentiments.

Mr. OVERMAN. We have been talking about reorganization for the last 10 years, and I expect we will all be dead before it is realized.

Mr. SMOOT. That was the Senator's party.

Mr. OVERMAN. Before we came in they were talking about it.

Mr. HARRISON. I was diverted from the main channel of my thought. When I was interrupted by the Senator from Wisconsin, I had started out by calling the attention of the Senate to the fact that last year we appropriated practically $350,000,000 for the Army, and $550,000,000 for the Navy; and

several millions for fortifications; I do not know what it was, but quite a large amount. We only appropriated at that time $12,000,000 for rivers and harbors. This year I do not know whether the Military Affairs Committee of the Senate will reduce the amount in the Army appropriation bill much or not; I hope so. Anyway, it will be around $250,000,000, I should imagine, and for the Navy it will be approximately four hundred or five hundred millions.

It does seem to me, Senators, that when we are expending that amount of money to maintain our Army, to be utilized in times of war, and to maintain a large Navy, to rival the navy of any other world power, we can certainly afford to expend at least an amount of money for river and harbor improvements that it would cost to construct, say, one battleship, or to pay for a little while for one regiment of soldiers. I do not know what a battleship costs now. When I first came to Congress, 10 years ago, I think it cost about eight or nine or ten million dollars. They have been climbing in cost so much that I imagine now they cost around twenty million, or maybe more than that. Perhaps the Senator from Florida can tell me.

Mr. TRAMMELL. About twenty million.

Mr. HARRISON. If you allow one rock or bed of sand to be formed in one harbor in this country, you might lose a great naval battle, in which all these battleships must be engaged. A little appropriation to clean out the harbors of the country, in the event we should get into war again, might save millions and millions of dollars against a destruction of battleships, and the loss of the Navy, and thousands and thousands of soldiers.

Mr. President, I have said about all I desire to say on this subject. The question is up to each individual Senator as to whether or not he will vote against the recommendation of the War Department, and vote only $1 to the project in his district, whether it is river or harbor improvement, and not $4, as recommended for adequate and proper improvement.

I hope that the amendment which I have offered providing for an increase of the appropriation to $33,000,000 will prevail. We ought to appropriate $57,000,000, as was recommended by the War Department. The $33,000,000 which I propose will not do the work, but, as stated in the letter to the chairman of the committee, and also by Gen. Taylor before the House Committee on Rivers and Harbors, $33,000,000 is the least sum that should be provided to do the necessary and emergency work.

Mr. JONES of Washington. Mr. President, I shall not take very much time to discuss this matter. The temptation to proceed along certain lines is very great, but I shall not do so. I know that the Senator from Mississippi has enjoyed himself very much for the last hour or two, and I also have enjoyed his address very much.

The situation that confronts us is rather a simple one, Mr. President. Last year the engineers reported and recommended that we should appropriate at least $24,000,000; they said they could not possibly get along with less than that sum; that commerce would be very greatly injured unless that amount was appropriated. The Congress did not agree with them in that respect and appropriated only $12,000,000. In the letter which I wrote to the department seeking information I asked a question which I will quote exactly. It is as follows:

> Has any apparent injury occurred to commerce that can be traced to our failure to appropriate more than $12,000,000 in the last act; and if so, where did it occur?

The answer is:

> I am not able to say that any apparent injury has occurred to commerce on account of the failure to appropriate more than $12,000,000 in the last act.

Mr. President, if they were mistaken in their judgment last year, the committee thought there might be a possibility of their being mistaken in their judgment this year. When they say that $33,000,000 is the minimum that can be gotten along with without injury to commerce, we have no doubt they are honest in their judgment in that respect, just as they were honest in their judgment that they gave us last year; but they were mistaken last year, and it is possible they may be mistaken this year. We rather think that they are.

It has been suggested that the department has asked for an appropriation of $57,000,000. They did, Mr. President, but what was the theory upon which that estimate was based? I find in the Book of Estimates at the close of the estimates for rivers and harbors a statement made which I think it is well to read it into the RECORD to show the basis upon which the ordinary estimates of the Government are made. This is the note:

> The foregoing estimates, amounting to $10,982,950, are for works which Congress has provided may be carried on under the continuing-contract system.

That is, the estimate that would be carried and was carried on the sundry civil bill, and it is not included in the estimate of $57,000,000.

> The sundry civil act approved June 4, 1897, provides that "Hereafter the Secretary of War shall annually submit estimates in detail for river and harbor improvements required for the ensuing fiscal year to the Secretary of the Treasury, to be included and carried into the sum total of the Book of Estimates." It is the view of the President that under that statute it is the duty of the department not to recommend projects or expenditures, but to give the Congress detailed information as to the sums which it would be necessary to expend if the projects already authorized are to be carried forward without loss or delay. In accordance with that view, the above estimates for the respective works for the fiscal year ending June 30, 1922, are submitted under two heads, namely, for works which Congress has provided may be carried on under the continuing-contract system and for projects that have been adopted by Congress for which appropriations will be required for their prosecution, completion, or maintenance if they are to be carried forward without loss or delay.

Of course, nobody contends that the river and harbor works which Congress has heretofore approved and made appropriations for can be carried on as rapidly and as expeditiously with the amount of money proposed to be appropriated as they could be if we had appropriated a larger amount of money, although, judging the future by the experience of the past, we might even come to that conclusion, for, with an abundance of money on hand, the river and harbor works have not been carried on as expeditiously as it seems they might have been carried on. Of course, we have had exceptional conditions; everybody knows that. One of the reasons given by the engineers why projects in many cases have not been carried on more rapidly has been that contracts could not be made upon reasonable terms for the carrying on of the work; and no one can complain of or criticize the engineers for not letting contracts at unreasonable rates.

Mr. President, what is now the situation? The situation is this: On the 31st of December there was on hand for the river and harbor projects of the country that have heretofore been adopted by Congress, and for which appropriations have been made, the sum of $41,658,334.33. Out of the lump sum appropriation of last year, as the Senator from Mississippi has said, there were $1,633,650 unallotted; in other words, we had on hand $43,291,984.33. The Senator argues that there are only $1,633,650 of the $12,000,000 of the last act unexpended; that is, that would be the impression. I do not think the Senator intended to convey that impression. I do not know how much of that money has not been spent, but $1,663,650 is the amount that has not been allotted. The remainder of it has been allotted to various projects. Probably the expenditure is under way, or probably it is being held with reference to those particular projects to meet any emergency that may hereafter arise.

I will say that I have not secured definite information as to just how much of that particular money has actually been expended, but we have a statement from the engineers in reference to the condition of this $41,658,334.33, and that statement appears in the report of the committee, as follows:

> Of this amount on December 31, 1920, there was obligated by outstanding contracts and liabilities $17,648,153.42.

That was the amount that was actually obligated, but it had not been spent, the work had not been done, and that money is still available during the ensuing months to go on with work that is under way. Of that $41,658,334.33, $24,010,170.91 was unobligated; there was no liability against it at all; it was simply standing to the credit of various projects throughout the country, subject to expenditure any time that the engineers find it profitable or desirable to use it. So, Mr. President, we will have, with the $15,000,000 proposed to be appropriated in the pending bill from the 1st of January of this year, over $58,000,000 available for river and harbor work during, technically, as the Senator from Mississippi has stated, the 18 months to July 1, 1922, or really 15 months from now until the end of the fiscal year 1922; but the regular session of Congress will meet in December of this year, and I am satisfied that probably long before June 30, 1922, a river and harbor bill will be passed. The fact must not be overlooked that every river and harbor bill always provides that the moneys appropriated in the bill shall be immediately available, so that from the time of the passage of the bill the money provided for in it will be available.

There is another fact that I do not want to have overlooked, and it should not be overlooked, in considering these matters. The largest annual expenditure that the Government has made for river and harbor improvement since 1896 was made in 1914, when we spent $40,244,104.45, and the next largest in any one year was the next year, 1915, when we spent $37,707,459.72; and, mark you, Mr. President, the next highest annual expenditure for river and harbor improvements was in the year 1920,

with half of that year under the lump-sum appropriation of $12,000,000, when we spent $33,777,234.78.

So, if we spend the money during the next 18 months at the rate it was spent last year, we will be spending money faster than we have ever spent it during any year in the history of the Republic, except the two years 1914 and 1915, and with the $15,000,000 proposed now to be appropriated and the funds on hand we will have money enough to do that thing. So, looking at it even from that standpoint, it can not be shown that there is any undue neglect of river and harbor improvements.

It is true that during the last three or four years there has been considerable neglect of our river and harbor improvements; and I agree with the Senator from Mississippi that we really ought to have more money for river and harbor improvements; but the fact, I think, ought to be taken into consideration by the friends of river and harbor improvements that we can not expect to secure through Congress the appropriations for river and harbor improvements that we really ought to have until the unexpended balance is brought down a little bit. If we are confronted every time that we bring up a river and harbor bill in Congress with a balance on hand of $40,000,000 or $50,000,000, it does not need any argument to convince anybody that we can not get a proper bill. So I believe—and I believe this very strongly—that the increase of this appropriation, say, to $30,000,000 or $25,000,000 would ultimately be really against proper river and harbor development. If the engineers come to the Congress next year and show to us that, with a judicious expenditure in the preceding years, the balance for river and harbor improvements amounts to only five or ten million dollars, then Congress will make appropriations and will make proper provision for the projects that ought to be cared for.

Mr. President, I think we ought to bring about a considerable change in our system of making appropriations for river and harbor improvements. We have in the report a detailed statement from the engineers of the amount of money on hand for every project throughout the country that Congress has approved and appropriated for. There are nearly 500 of these different projects with varying sums on hand. The amount of money on hand for many of these projects has been on hand for years; in other words, we have millions of dollars of money tied up in various projects throughout the country that has been tied up for years and is not being used. There is no benefit coming from it, and if we will overhaul this state of affairs, in my judgment, we can take money away from projects that have been lying idle for years and which probably will continue to lie idle and make it available for other projects where it will be used to advantage.

These projects will not suffer—not in the least. They are getting no benefit from this money that is on hand; and so it is the purpose of our committee in the next session of Congress, when we have a regular river and harbor bill, to take up that situation and meet it in the way that we think is proper.

Mr. President, looking at this matter from the standpoint of whether or not this $15,000,000 is really sufficient to take care properly of the needs of the commerce of our harbors and rivers during the coming year, I believe that this $15,000,000 will do it. It probably will not do all that we should like to have done. It probably will not do all that we really ought to have done; but, in my judgment, our commerce will not suffer any serious injury. It may be that some of our projects will not go along as fast as they ought to or as fast as we would like to have them go on; but, on the whole, commerce will be cared for at the end of the year with this amount of money as well as it is now.

Mr. McNARY. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Washington yield to the Senator from Oregon?

Mr. JONES of Washington. I do.

Mr. McNARY. Of course, I am deeply interested in the improvement of rivers and harbors, and as a member of that committee I want to ask the chairman if the $15,000,000, which he now advocates as the proper sum to appropriate, contemplates the construction of any works on new projects?

Mr. JONES of Washington. It does not. It can not be used on new projects.

Mr. McNARY. Then the simple truth is that those communities, those ports that have projects that are feasible and are needed in order more properly to employ our merchant marine, will go neglected under an appropriation of $15,000,000?

Mr. JONES of Washington. They will go for another year, as they have been going for all the years of the past.

Mr. McNARY. Is it true, may I ask the chairman, that when the House sent over an appropriation in the sum of, I think, $12,000,000, that did not contemplate the improvement of any new projects?

Mr. JONES of Washington. Certainly.

Mr. McNARY. And the same practice obtains this year?

Mr. JONES of Washington. Certainly.

Mr. McNARY. Can the chairman advise the Senate when we will go back to the old practice, so thoroughly established, which has done so much to improve our rivers and harbors and ports, under which Congress will again have some authority to specify new projects?

Mr. JONES of Washington. I was just coming to that, and about to touch on it. I thought I made it plain a while ago that I did not consider that this amount is all that we ordinarily would and should appropriate for these purposes, but under the present condition of things it is a reasonably satisfactory amount.

I do hope, also, that Senators will give consideration to the suggestion that it is really in the interest of proper river and harbor development that we should keep down these appropriations until the unexpended balance is down to a reasonably low amount, so that every time we come here with a river and harbor bill we shall not be confronted with the plea that there are forty or fifty millions on hand, and that is used as a very strong argument against really adequate appropriations.

Now, let us consider the legislative situation. We found this to be the case: We appointed a subcommittee to consider the matter and confer with the House Members; because while it is well for us to talk about acting upon our own responsibility, and while as a general thing I think we ought to act on our own responsibility, yet in order to accomplish results we must have coordination even between the two Houses. Last year we insisted on amending the bill so that it carried a large sum of money and passed it in that form. We went over to the House and had our conference, and I took particular pains myself to put on the conference committee a majority of Senators who were in favor of the action of the Senate under all circumstances, and we held out until the last hour and the last minute of the session. We held out until it was announced on the next day that the river and harbor bill had in fact failed, and we had to recede in order to get anything. We do not accomplish anything by going up against a situation like that at a session like this, which must close at a certain hour; so our committee decided that we would confer and that we ought to confer with the responsible leaders in the House of Representatives and find out what their policy would be and what they had in mind, and this is the situation:

It was pointed out that to place amendments on this bill would very seriously endanger its passage. Under the new procedure in the House, the Appropriations Committee can provide only for things that are authorized by law. Practically all the amendments that the Senate had in mind putting on the bill would have been items of new legislation, or they would be legislation under the rule of the House. Separate votes would be demanded, and all that sort of thing, and the leaders there felt very strongly that the adding of any amendments to this bill would seriously endanger its passage. Then we found that the Rivers and Harbors Committee of the House had reported what might be termed a legislative river and harbor bill, a bill providing for the modification of certain projects, a bill providing for additional surveys. I do not think that bill provided for any strictly new projects. It was not expected that that bill would have even any consideration in the House, much less any chance of passage. So we conferred with the leaders there as to what would likely be done in a legislative way toward getting new projects and new authorizations, and so forth, and, if that was contemplated, when it would be done. I was assured that early in the extra session of Congress which we know is going to be called a legislative bill would be taken up, and that legislative bill would deal with projects that should be modified, that it would provide for surveys, and that it would also provide for new projects—they said they thought it ought to provide for new projects—and we were assured that that legislation would be taken up early in the extra session.

With those assurances, with that situation confronting us, the committee decided that in the interest of river and harbor development, in the interest of economy, and to insure legislaton, it would be wise to report this bill without any amendment whatever; and I have now stated briefly practically all the various considerations that influenced the committee in taking the action that it did.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES of Washington. I yield to the Senator.

Mr. KING. Does not the Senator think he would rest the position of the committee in reporting this so-called modest sum upon stronger ground if he put it purely upon the proposi-

tion that in view of the fact that there are forty odd millions of dollars unexpended, and in view of the fact that the Treasury now is faced with a deficit of $2,000,000,000, this is all in justice that ought to have been appropriated at this session?

Mr. JONES of Washington. I put it on that ground and on the other ground, too. I simply add one ground to the other. I think that ground is substantial and justifies the action of the committee, but I take it we are further justified from the other situation.

Mr. KING. I hope the Senator is not urging support of this bill upon the theory that within a short time and at the special session we will have another river and harbor bill.

Mr. JONES of Washington. Not at all, except that I think it is very proper that we should consider the question as to whether we will put legislative provisions in this bill, or whether we will wait for the future. I do not believe there would be any serious controversy about the proposition that there are new projects of river and harbor improvement in this country that ought to be undertaken, that in the interest of commerce should be undertaken. Under the rules of another body these can not be provided for in the way that we are appropriating now. Of course we could put them on this bill; they would not be subject to a point of order under our rules; but it is not necessary for me to tell the Senators what the situation would be in conference under those circumstances. Senators have had too much experience in conference matters to make it necessary for me to say anything about that. The only way in which these new improvements can be inaugurated or authorized so that an appropriation can be made is to have this legislative bill passed, and I think it is only fair and reasonable that before Senators neglect the opportunity to put upon this bill new projects which would be clearly in order under the rules of the Senate they should have some assurance or information as to what will likely be the future program, so I do not think that is unreasonable at all. I think it is entirely proper; and remember that the legislative bill to which I have referred would not be a bill appropriating money, but simply a bill authorizing new projects whenever Congress should deem it wise to make the appropriations for them.

Mr. President, there is one other situation that I think I briefly referred to a while ago, but I am going to call more particular attention to it now.

The committee also felt that in the case of these projects, 500 of them, scattered all over the country, for which millions of dollars have been appropriated from time to time in the past but not expended and apparently not needed, this money could be made available for proper river and harbor expenditures during the next 18 months by a provision in this legislative bill, framed and passed after we had full opportunity to consider carefully the various projects and pick out the amounts of money that will not be needed in connection with those particular projects, and make those same amounts of money, without any new appropriation, available for these various projects. I am satisfied that there are five or ten or even fifteen million dollars of that money in that situation.

Mr. President, I think that is all that I will say.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from North Carolina?

Mr. JONES of Washington. I yield to the Senator.

Mr. SIMMONS. How can it be ascertained, until the work is completed, whether or not the money heretofore appropriated for a particular project which has not yet been finished will be needed?

Mr. JONES of Washington. I think we will find a great many projects throughout the country where the works authorized by Congress have actually been completed, but there are large sums of money for maintenance that have not been necessary.

Mr. SIMMONS. I would not disagree with the Senator if the work has already been completed; but where the work has not been completed, we can not tell until it is completed whether or not the money will be needed. Of course, the engineers might make an estimate that in all probability the work could be completed without the expenditure of the full amount of the appropriation.

Mr. JONES of Washington. I have in mind largely this, and I refer to projects in my own State: I examined the items in this list from my own State, and I found there half a dozen items for which several thousand dollars was available. It has been available for a good long while, and yet I know that the conditions there are such that this money will not be spent there, it will not be needed there, or, if it is needed or if it is spent, it will be spent in the way of maintenance, and that can be taken care of out of a fund for maintenance; and I assume that there are projects in other States in the same situation as my own. Take one project in my State. There is $89,000, I think, available for maintenance. It has been available, I think, for two or three years. It will not injure that project to take that money away from there now, unless, of course, if the engineer should say to us, "We will need that money in the coming year," then we would not take it.

I would, of course, expect to get information from the engineers as to the need for the money and the probable need for its expenditure in the next year or two, and if they said, "We are satisfied conditions are such that we will need the money," of course we would not divert it. But that must be looked into very carefully. The eight or nine thousand dollars for the project in my State could be put into this fund, and then whenever maintenance is necessary out of a fund I think we ought to provide for that maintenance.

Mr. SIMMONS. Has the project been completed?

Mr. JONES of Washington. It is still not exactly completed. This is the real situation: We appropriate the money upon a condition; that is, we provide that when a locality does certain things then we will maintain the project. The locality has not finished its work, and yet we have been appropriating for maintenance.

Mr. SIMMONS. The probabilities are the locality will not comply with the conditions?

Mr. JONES of Washington. Oh, yes; the locality will comply, so far as that is concerned.

Mr. SIMMONS. That makes it clear, because the money might be returned back into the Treasury or appropriated so it could be used for some other project. But that is not the main question that I rose for the purpose of asking the Senator.

Mr. LENROOT rose.

Mr. SIMMONS. Does the Senator from Wisconsin desire to interrupt?

Mr. LENROOT. I merely desire to call attention to the fact that there is over a million dollars now available of the nature of which the Senator speaks, running back as far as 1910, when appropriations were made upon the condition that the localities do certain things which they have failed to do.

Mr. SIMMONS. I think there are many cases of that sort where some considerable amount of the money could be salvaged in the way the Senator mentions and probably turned back into the Treasury or applied to some other project. But that would require new legislation.

What I rose for the purpose of inquiring about specially was the Senator's statement with regard to the unexpended balance now appropriated. I do not know that I clearly understood the statement of the Senator. I wish to ask if it is not a fact that the whole unexpended balance of forty-odd million dollars represents money that has heretofore been appropriated for specific projects?

Mr. JONES of Washington. I think that is probably true unless there may be part of it out of the allotment of last year; but I think probably all of the $41,000,000 has been appropriated for specific projects.

Mr. SIMMONS. Not a dollar of that money can be expended for any project except and to the extent of the appropriation for the particular project.

Mr. JONES of Washington. That is true under the situation as it now exists.

Mr. SIMMONS. The Senator said, as I understood him, that of the $41,000,000 there was still $24,000,000 that had not been contracted for.

Mr. JONES of Washington. Or obligated in any way.

Mr. SIMMONS. Or in any way obligated?

Mr. JONES of Washington. That is true.

Mr. SIMMONS. That amount does not help in any way the work on projects that have been approved and for which there is no appropriation outstanding.

Mr. JONES of Washington. That is true. They would not be considered as new projects unless we have appropriated for something.

Mr. SIMMONS. No; I refer to projects that have been approved and work upon which has been begun, but the appropriations have been exhausted or are very nearly exhausted. The unused sum of $24,000,000 appropriated for other projects but not used, contracted, or obligated, as stated by the Senator, can not be used for approved projects the appropriations for which are exhausted.

Mr. JONES of Washington. That is true.

Mr. SIMMONS. With reference to those particular projects, we must either appropriate more money or the work upon them must stop. Is not that true?

Mr. JONES of Washington. Yes; except that I wish to call the Senator's attention to this fact——

Mr. SIMMONS. If the Senator will pardon me——

Mr. JONES of Washington. Right in connection with that I wish to call the Senator's attention to this fact: I asked the department for a statement of all the projects that the Congress had approved for which appropriations had been made, and I have them set forth in the report. Glancing over it hurriedly I do not see a single project that does not have some money on hand.

Mr. SIMMONS. Probably most of them have a small amount on hand, but a very inadequate amount in most cases.

Mr. JONES of Washington. It may be and it may not be. There is no showing by the engineers.

Mr. SIMMONS. It is, I think, in most cases inadequate, if the Senator will examine them. The appropriations on hand are very inadequate for continued prosecution of the work upon an economical basis.

Mr. JONES of Washington. I think, in those projects where there is such a small amount on hand, that there is no great need for money. For instance, out in my own State—and I judge other States very much by that—there is Olympia Harbor, which has an unexpended balance of $2,645.10. There was just $200 spent on that last year. That is all that was necessary. What is needed there is a new project, for Congress to adopt a new project. Here is Tacoma Harbor, with an unexpended balance of $2,496. I do not think there was a dollar spent on that last year.

Mr. SIMMONS. What I desire to get from the Senator, if he has it, is this information: There are certain projects for which money has been appropriated and not expended; enough is left to complete the project, or to at least continue the work on the project for the next fiscal year. There are certain other projects for which the money appropriated is insufficient to conduct work on the project for the next fiscal year. There are certain other projects for which money has been appropriated, and the appropriated funds have been exhausted or reduced to an unworkable margin. Has the Senator segregated these groups or class of cases from those for which the unexpended appropriation is sufficient to continue the work on them for the ensuing year? Can the Senator tell us what amount would be necessary to carry on the work on those projects where the appropriation is inadequate for the next fiscal year?

Mr. JONES of Washington. I have not segregated those different projects. That would require a great deal of investigation and a great deal of time, and we have not had the time nor opportunity to do it. I am satisfied that $15,000,000 will be sufficient to maintain the new work, at any rate, because it probably will not carry it on, but it will maintain harbor conditions in that condition in which they now are and serve the commerce we have now. At the specially large ports of the country they have tremendous sums of money on hand to carry on the work. The Senator from Mississippi [Mr. HARRISON] referred to New York, and I think they have several million dollars on hand there. He referred to the construction of locks and dams on the Ohio River. They have practically $5,000,000 on hand there. They spent only $5,000,000 last year.

Mr. SIMMONS. The $5,000,000 unexpended appropriation for the Ohio River project, though it may not be needed for that river, can not be expended for others, and does not help projects that have not sufficient money left over to continue work on them.

Mr. JONES of Washington. I appreciate that.

Mr. SIMMONS. Is not that true?

Mr. JONES of Washington. The $15,000,000 is supposed to take care of that.

Mr. SIMMONS. That is what I understand. The $15,000,000 lump sum is supposed to take care of the cases to which I am referring; but does not the Senator understand that when the bureau of the War Department having this matter in charge estimates that $33,000,000 is required to carry on the work for the next year it means that $33,000,000 is necessary to carry on the work on the projects, for which the present appropriation is inadequate, in order that the work begun on them may go on continuously?

Mr. JONES of Washington. I think that is their judgment, but they were mistaken last year.

Mr. SIMMONS. If that is their judgment, then it does not seem to me that the fact that there is $24,000,000 appropriated, that has not been expended and that has not been contracted for, at all meets the situation or is influential in determining what should be our action in the premises, because that $24,000,000 can not in any condition be used for the purpose of carrying on the work on those projects where the appropriation is exhausted or very near exhausted.

Mr. JONES of Washington. That may not appeal to the Senator; but the Senator does know that it is a powerful argument in the hands of those who desire to defeat the purpose of the committee.

Mr. SIMMONS. I know it appeals to the judgment of those who do not understand the river and harbor situation. I know it is easy enough to ask why should we be appropriating more money when there is $24,000,000 in the Treasury that has heretofore been appropriated for projects, and which is unexpended and uncontracted for and unobligated.

Mr. JONES of Washington. I must say that I do not know.

Mr. SIMMONS. I am trying to make answer to that. I say the answer to that is that that applies only to particular projects.

Mr. JONES of Washington. But will the Senator answer this question: Why is it that they have not spent it and used it for the purposes for which Congress provided it?

Mr. SIMMONS. I am not able to answer why they have not done it.

Mr. JONES of Washington. Neither am I.

Mr. SIMMONS. I think if they have not done it because the money is not needed or because it has been determined that the project should not be further developed, then we ought to cover that money by legislation into the Treasury. However, that is another question.

Mr. JONES of Washington. I know it is another question.

Mr. SIMMONS. The proposition I am trying to present is that these large unused appropriations do not relieve the needs of those projects for which there is not a sufficient amount appropriated or in any way available.

Mr. JONES of Washington. But if they will not spend the money for projects for which it is available, what hope have we that they will spend new money that we may appropriate, even for additional projects?

Mr. SIMMONS. I assume, when the department comes to Congress and asks for $33,000,000 for those projects that have been begun and with reference to which they have no sufficient money to carry on the work, that the department means by that to say that the money is asked for immediate use on the projects estimated for.

Mr. JONES of Washington. It has not meant that in the past.

Mr. SIMMONS. I have been a member of the Committee on Commerce for a long time and I know, as the Senator knows, that to provide continuous prosecution of certain great projects like that of the Ohio River project, with its complicated system of locks and dams, large sums were appropriated and, probably, large authorizations made, but on account of the war the work did not go forward as rapidly as was anticipated, leaving large unexpended balances.

But those appropriations were made with a view to the completion of the projects, and those projects are still being prosecuted. That unexpended money is in the Treasury—it has not been drawn out. It is a mere appropriation. If it is never drawn out the Government will not suffer. But it is not available for any other project.

Mr. JONES of Washington. No; and not available for any other purpose.

Mr. SIMMONS. What I am trying to impress upon the Senator at this time—and I am sure the Senator realizes it—is that these vast appropriations which have been unexpended for these big projects, like the one on the Ohio River, do not help out the situation with reference to the smaller projects which are now suffering because there is not sufficient money to carry on the work, and we ought to consider this matter, not from the standpoint of these unexpended appropriations, but from the standpoint of the needs of the other projects which have been approved as worthy objects for the expenditure of public money.

Mr. NELSON. Mr. President, I think the Senator from North Carolina takes a too narrow view of it. The appropriations which have been made, and which are unexpended, for the Ohio River, or New York Harbor, or for the Mississippi River, stand to the credit of those works, and because they are available, less money will be needed in those projects, because they have the money on hand, and they do not require so much out of this bulk appropriation.

Mr. SIMMONS. These projects are not, I think, included in the estimates.

Mr. NELSON. The fact is that some of these projects have so much money on hand that it is all they can expend for the next year. They can work only about so fast, and if they have the money available to do that work, it does not come out of this lump-sum appropriation. It is relieved to that extent.

Mr. SIMMONS. I understand that perfectly, Mr. President. But I want to say to the Senator that no part of this $33,000,000 estimated for by the department, as I understand it, was for these schemes for which an adequate amount of money has already been appropriated, and a large amount of which is unexpended. As I understand, it is only to cover cases where the appropriation available at the present time is inadequate and insufficient to carry the work for another year. Am I not correct about that, I ask the Senator from Washington?

Mr. JONES of Washington. They do not specify the particular projects they would apply this thirty-three million to, but they simply make the general statement that in their judgment the $33,000,000 is the minimum necessary to maintain the harbors and rivers of the country in such shape as to bring about no injury to commerce.

Mr. SIMMONS. Did they not send us a statement showing the amount they thought would be necessary for the various projects?

Mr. JONES of Washington. As I read, they sent a general estimate at the opening of the Congress.

Mr. SIMMONS. What is the amount of that?

Mr. JONES of Washington. That is $57,000,000. But I read the note to these appropriations. It has been construed that these are not estimates in the nature of recommendations at all, but simply the estimate of the department as to the amount of money necessary to carry on the project without delay or loss; that is all. Then they finally reduced that to $33,000,000 as a minimum, without specifying the particular projects they wanted to spend the money on.

Mr. SIMMONS. That is as I understood it. I understood that in their estimates as the amount of money that was needed for all the projects, they fixed the figure at fifty-odd million dollars.

Mr. JONES of Washington. Yes; $57,000,000.

Mr. SIMMONS. But under pressure, when they were asked to say how much would be necessary in order that river and harbor work might go on, they said it would be necessary, if this work was to go on, that we should appropriate at least $33,000,000; and they did not refer, then, to works that have already a large sum to their credit, but to works with inadequate appropriations.

I take it that means that if we appropriate a lesser sum than that, some of the projects which have been authorized by Congress heretofore as worthy of governmental development will have to be abandoned, temporarily at least. I am not making any controversy with the chairman of the committee. I realize the situation he found himself in. I realize as well as he does that if we are to adequately provide for the continuance of work upon worthy projects in this country we should appropriate more than $15,000,000. But, Mr. President, I also realize what I think the Senator from Washington, the chairman of the committee, does, and what I believe every member of the Committee on Commerce realizes, that in the situation which now confronts us, it is not a question of how much is needed for the prosecution of this great work, but it is a question of how much we can get under present legislative conditions.

I believe, just as much as the Senator from Mississippi believes, that the petty lump-sum policy we have followed during the last three or four years with reference to river and harbor improvement is a very short-sighted policy. I believe in the years to come we will see that it is not only short-sighted but indefensible, not to say inexcusable. I regret very much that it has to be continued another year. I had hoped, when last year we appropriated a lump sum flagrantly insufficient—even insignificant as compared with the amount needed—that this year we might have a reasonably adequate river and harbor bill, and that this great work, more needed at this time, in my judgment, than at any time in our history, would be vigorously prosecuted in the interest of commerce and of the transportation requirements of the country.

The Senator's party in the other House have determined upon this policy for at least another year, and they have sent us a bill, notified us through the chairman of their committee on rivers and harbors, and probably through a subcommittee of that committee, that they will not submit to any increase in the amount carried in their bill. They have notified us that if we amend this bill in any particular whatever we will have no river and harbor legislation at this session of the Congress.

I do not know whether they are in earnest about that or not, but I do know the time is very short, Mr. President, in which we have to act, and I do know that they have impressed the chairman and the subcommittee of the Committee on Commerce of the Senate, who conferred with them on this behalf, with their seriousness and determination in this matter.

The situation as thus presented was thrashed out very thoroughly in our committee, and while many members of the committee did not approve of this policy, as I did not, and felt that this appropriation was flagrantly inadequate, I believe that all finally agreed that in the situation in which we found ourselves, it was better to accept something than to get nothing, and I think in view of these circumstances there was unanimous consent in the committee that we would permit the House in this particular case to coerce us against offering any amendments to this bill and in accepting it just as they had written it. I hope we will not again be put in that attitude with reference to this or any other legislation. I trust that when this matter is taken up for consideration and action by Congress again we will take it up in time, so that we may have an opportunity to fight these questions out, if there is a disagreement between the two Houses, to the end that one branch of the Congress shall not have to submit to the dictation of the other branch.

Mr. President, I do not think this $15,000,000 will be sufficient to do any construction work, or, if any, only a very limited amount of additional construction work. It may, and probably will, be sufficient for purposes of maintenance; but, Mr. President, the continuation of the necessary expenditures, in order to maintain the works we have already finished, or to keep those works which are in a state of prosecution from deterioration, is a very important matter, and if $15,000,000 serves no other purpose than to enable us to protect and maintain against deterioration the river and harbor works we have already done it will serve a good purpose, and I think we will be justified, in the circumstances, in conforming to the conditions the other House has imposed upon us, in order to get enough money for this purpose, though nothing, or practically nothing, can be had for further improvement and construction.

It would be a crime to fail to provide for the maintenance of the improvements and development already made and accomplished.

Mr. JONES of Washington. Mr. President, I join the Senator in the hope that in the very near future we can act upon these bills in a way different from that in which we are really forced to act now. I think we ought soon to adopt a general policy with reference to these matters, and I hope we will soon do so, and I want to say that I shall do all I can to have this taken up as early as possible in the next Congress, and I want to take it up in such a way that the Senate can express its real judgment and desire in regard to these matters, and express its real judgment as to what ought to be done, and then I shall join very strongly with the Senator in insisting upon a full and free conference with the other House with reference to the differences between the two Houses.

For myself, I now say that I will not go upon a conference with the other House on the differences on a bill of this kind under the conditions imposed by the rules they have now, which do not permit a full and free conference, and which shackle the conferees of the one House, while the conferees of the other House are free.

Mr. HARRISON. I understood the Senator to say that he will not go as one of the conferees with the other House under the peculiar rules they have now prevailing in the House, which prevent free conferences?

Mr. JONES of Washington. I will not go unless they expressly give their conferees authority to enter a full and free conference.

Mr. HARRISON. Has that influenced the Senator in his action in voting out a $15,000,000 appropriation bill this time?

Mr. JONES of Washington. Not at all.

Mr. HARRISON. It has had nothing to do with this bill?

Mr. JONES of Washington. Not at this time. That is simply a notification, as far as I am concerned, as to the attitude I propose to take in the future with reference to conferences on a bill of this character.

Mr. SIMMONS. The Senator means he is not going to submit to this sort of dictation any longer?

Mr. JONES of Washington. I will not, if I can help it.

Mr. SIMMONS. I am glad to hear the Senator say that.

Mr. SMOOT. As the Senator knows, in the past the House has had free conferences. Under the rules of the House today, if the Senate has three conferees, the House has 435 conferees. The Senate can not put anything into a bill in the way of an amendment upon which the conferees may agree, but the amendment has got to go back to the House of Representatives and the House has to vote upon it. Then, after they have voted upon it, the matter goes to conference.

Mr. SIMMONS. The Senator from Utah means that is the case under the present rules of the House?

Mr. SMOOT. That is the condition under the present rules of the House; in other words, the Senate enters into a conference with three conferees, but those conferees find themselves confronted by a conference with the House of Representatives, which has a membership of 435.

Mr. SMITH of Georgia. If the conferees on the part of the Senate yield, it is all right; but if they do not, then the matter goes back to the House?

Mr. SMOOT. Yes.

Mr. JONES of Washington. In other words, the House conferees can not yield. That is not a full and free conference. As I have said, I do not propose to go into a conference of that kind.

Now, Mr. President, I want to put into the RECORD some data that I think will be very valuable for future reference. I called on the department for information with reference to the number of harbors that we have of a certain depth—of 25 feet to 30 feet, 30 feet to 35 feet, and 35 feet to 40 feet, and so forth—and I have those data here. I ask that they may be inserted in the RECORD.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, February 17, 1921.

Hon. WESLEY L. JONES,
United States Senate.

Subject: Information regarding merchant vessels, etc.

MY DEAR SENATOR: 1. In reply to your inquiry of February 11 I take pleasure in handing you herewith a memorandum prepared by the chief statistician of the Board of Engineers for Rivers and Harbors, together with the inclosures referred to in the memorandum.

2. You will observe that an attempt has been made to answer all the questions which were put in your inquiry of February 11. Considerable of the information given in Mr. Ritter's memorandum will without doubt be duplicated in such replies as may be made by the Shipping Board and the Department of Commerce, but I am nevertheless forwarding the entire memorandum in the hope that it may be serviceable to you.

Very truly, yours,

LANSING H. BEACH,
Major General, Chief of Engineers.

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WAR DEPARTMENT,
THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
February 14, 1921.

MEMORANDUM RELATIVE TO DRAFTS OF AMERICAN MERCHANT VESSELS.

Neither Lloyd's Register nor the List of Merchant Vessels of the United States, published by the Department of Commerce, gives information relative to the draft of vessels, and it is impossible to determine the draft from a statement of the tonnage and dimensions of a given vessel. In actual practice, it is found that the drafts of vessels built from identical plans vary somewhat.

The importance of accurate information relative to the drafts of vessels is fully appreciated by the board, and provisions for securing this data with reference to our ports has been made in the new plan for collecting commercial statistics recently recommended by this office and approved by the Chief of Engineers. The port facilities commission of the Shipping Board in 1918–19 made a study of the dimensions and drafts of vessels constructed during quinquennial periods between 1889 and 1918, and the tables and graphs showing the results of this study are inclosed herewith. The information was obtained by direct correspondence with a large number of vessel owners and operators, but replies were not secured in all cases and can not therefore be used to state definitely the number of vessels of each foot of draft.

There is inclosed herewith a table showing the dimensions and draft of the 10 largest vessels constructed during each 5-year period between 1889 and 1918. Based upon the studies of the port facilities commission and further investigations made by this office since taking over the work of that commission, the following table has been prepared showing the tonnage and drafts of American merchant steam vessels, with the number of vessels in each of several specified classes as indicated by Lloyd's Register. The drafts given are necessarily approximate in view of the absence of complete data on the subject, but are, nevertheless, believed to be very close to the actual.

Tonnage and drafts of American merchant steam vessels.[1]

Net tons.	Gross tons.	Deadweight tons.	Number of steamers.	Draft.
				Feet.
666 to 1,333	1,000 to 2,000	1,500 to 3,000	277	18.0
1,333 to 2,000	2,000 to 3,000	3,000 to 4,500	999	21.0
2,000 to 2,666	3,000 to 4,000	4,500 to 6,000	410	22.5
2,666 to 3,333	4,000 to 5,000	6,000 to 7,500	305	24.0
3,333 to 4,000	5,000 to 6,000	7,500 to 9,000	482	25.5
4,000 to 5,333	6,000 to 8,000	9,000 to 12,000	682	27.0
5,333 to 6,666	8,000 to 10,000	12,000 to 15,000	70	28.5
6,666 to 10,000	10,000 to 15,000	15,000 to 22,500	41	30.0
10,000 to 13,333	15,000 to 20,000	22,500 to 30,000	5	32.0
13,333 to 16,666	20,000 to 25,000	30,000 to 37,500	2	34.0
16,666 and over	25,000 and over	37,500 and over	2	34.0 to 41.3

[1] Includes seized German vessels.

The following are some of the largest vessels included in the foregoing table:

Tonnage and drafts of American merchant steam vessels.

Name.	Former name.	Gross tons.	Draft.
Leviathan	Vaterland	54,281	41.3
George Washington	George Washington	25,569	34.0
America	Amerika	22,621	33.0
Minnesota		20,602	33.0
Agamemnon	Kaiser Wilhelm II	19,360	36.0
Mount Vernon	Kronprinzessin Cecelia	18,372	.....
President Grant	Princess Alice	18,072	.....
Von Steuben	Kronprinz Wilhelm	14,901	30.0
Nansemond	Pennsylvania	13,332	32.2
New York		10,080	30.4
Philadelphia		10,232	30.4

The following answers specifically the questions propounded by Senator JONES:

1. Merchant vessels other than American of 40 feet draft or more, 1.
2. Number of American-flag merchant vessels having a draft of 35 feet or more but under 40 feet, 1.
3. Number of American-flag merchant vessels having a draft of 30 feet or more but under 35 feet, 9.
4. Number of American-flag merchant vessels having a draft of 25 feet or more but under 30 feet (6,000 to 15,000 gross tons), 793.
5. Number of American-flag merchant vessels having a draft of 20 feet or more but under 25 feet (2,000 to 6,000 gross tons), 2,196.
6. Number of American-flag merchant vessels having a draft of 15 feet or more but under 20 feet (1,000 to 2,000 gross tons), 277.
7. Names of harbors in the United States on the Atlantic, Gulf, and Pacific coasts having corresponding depths. The following gives the names of harbors having depths of 15 feet and over on June 30, 1920, in the deepest channels of the inner harbor. Depths are referred to a plane of mean low water on the Atlantic coast, mean low Gulf on the Gulf coast, and mean lower low water on the Pacific coast. In a number of cases the existing projects for improvement provide for greater depth than those herein shown as available.

	Feet.
40 feet and over:	
New York, N. Y	40
Portsmouth, N. H	50
Seattle, Wash., in excess of	40
Tacoma, Wash., in excess of	40
35 feet and under 40 feet:	
Portland, Me	35
Boston, Mass	35
Baltimore, Md	35
Newport News, Va	35
Norfolk, Va	35
San Diego, Calif	35
San Francisco, Calif	35
30 feet and under 35 feet:	
Providence, R. I	30
Philadelphia, Pa	30
Charleston, S. C	30
Key West Fla	30
Pensacola, Fla	30
New Orleans, La	30
Galveston, Tex	33½
Oakland, Calif	30
Portland, Oreg	30
Astoria, Oreg	30
25 feet and under 30 feet:	
Bath, Me	28
Wilmington, N. C	26
Jacksonville, Fla	27
Tampa, Fla	25
Texas City, Tex	27.4
Port Arthur, Tex	26.5
Los Angeles, Calif	28
Mobile, Ala	27
20 feet and under 25 feet:	
New Bedford and Fairhaven, Mass	24
Fall River, Mass	24
New London, Conn	22
Bridgeport, Conn	21
Newark, N. J	20
Washington, D. C	22
Alexandria, Va	22
Savannah, Ga	24.2
Brunswick, Ga	23.5
Fernandina, Fla	23.5
Charlotte, Fla	24
St. Josephs Bay, Fla	24
St. Andrews Bay, Fla	21
Fort Bolivar, Tex	24
Houston, Tex	22
San Luis Obispo Harbor, Calif	20
Richmond Harbor, Calif	20.5
Vancouver, Wash	24
Port Gamble, Wash	22
15 feet and under 20 feet:	
Tennants Harbor, Me	15
Thomaston Harbor, Me	16
Newburyport, Mass	15
Gloucester, Mass	18
Beverly, Mass	18
Lynn, Mass	15
Plymouth, Mass	18
Newport, R. I	17
Duck Island Harbor, Conn	16
New Haven, Conn	19.5
Wilmington, Del	14.7
Richmond, Va	16.5
Georgetown Harbor, S. C	16.4
Miami, Fla	15.5
Carrabelle Harbor, Fla	15.5

	Feet.
15 feet and under 20 feet—Continued.	
Pascagoula Harbor, Fla	18.5
Gulfport, Miss	19
Freeport, Tex	18
Monterey, Calif	18
Crescent City, Calif	15
Coos Bay Harbor, Oreg	18
Bellingham Harbor, Wash	18
Willapa Harbor, Wash	18
Grays Harbor, Wash	18

A. H. RITTER,
Chief Statistician.

Name, registry, gross tonnage, and dimensions of the 10 largest vessels (combination freight and passenger) built during quinquennial periods 1889 to 1918.

1914-1918.

	Name of vessel.	Registry.	Gross tonnage.	Length.	Width.	Deep load draft.
1	Bismarck	German	56,000	912.0	100.0	41.3
2	Leviathan	American	54,282	907.6	100.3	41.3
3	Britannic	British	48,158	852.5	94.0	34.7
4	Aquitania	do	45,647	868.6	97.0	35.3
5	Statendam	Dutch	32,500	740.0	86.4	34.0
6	Justicia	British	32,234	740.5	85.4	34.0
7	Belgic	do	24,547	670.4	78.4	36.3
8	Duilio	Italian	22,000	601.4	75.9	35.0
9	William Oswald	German	20,000	587.8	72.0	34.0
10	Cap. Polonio	do	19,500	636.0	72.2	33.3
	Average per ship		35,486	751.6	86.2	35.9

1909-1913.

1	Imperator	German	51,969	882.9	98.3	37.0
2	Olympic	British	46,359	852.5	92.5	34.7
3	Titanic	do	45,000	852.4	92.4	34.7
4	Columbus	German	35,000	750.0	80.0	36.0
5	France	French	23,666	692.2	75.6	34.0
6	Alsatian	British	18,481	571.4	72.4	35.0
7	Ceramic	do	18,441	655.1	69.4	34.8
8	Franconia	do	18,150	600.3	71.3	29.6
9	Laconia	do	18,099	600.6	71.3	29.6
10	Empress of Asia	do	16,909	570.1	68.2	29.0
	Average per ship		29,207	702.7	79.1	33.4

1904-1908.

1	Lusitania	British	31,558	762.2	87.7	36.3
2	Mauretania	do	30,704	762.2	88.0	36.3
3	Geo. Washington	American	25,570	699.1	78.2	34.0
4	Kaiserin Augusta Victoria	German	24,581	677.5	77.3	36.0
5	Adriatic	British	24,541	709.2	75.5	37.3
6	Rotterdam	Dutch	24,149	650.5	77.4	33.0
7	Baltic	British	23,876	709.2	75.6	37.3
8	Amerika (America)	American	22,622	669.0	74.3	33.0
9	Minnesota	do	20,718	622.0	73.5	33.0
10	Caronia	British	19,687	650.0	72.2	33.3
	Average per ship		24,798	691.0	77.9	35.4

1899-1903.

	Name of vessel.	Registry.	Gross tonnage.	Length.	Width.	Deep load draft.
1	Cedric	British	21,040	680.9	75.3	36.9
2	Celtic	do	20,904	680.9	75.3	36.5
3	Kaiser Wilhelm II	Germany	19,361	684.3	72.3	36.0
4	Northland	British	17,905	561.6	60.2	30.0
5	Oceanic	do	17,274	685.6	68.3	31.0
6	Victorie Luise	Germany	16,703	660.9	67.3	30.5
7	Deutschland	do	16,502	660.9	67.3	30.5
8	Kronprinz Wilhelm	do	14,908	637.3	66.3	30.0
9	Patricia	do	14,466	580.3	62.3	32.2
10	Saxonia	British	14,297	580.0	64.2	31.1
	Average per ship		17,336	639.2	67.8	32.4

1894-1898.

1	Kaiser Wilhelm der Grosse	German	14,349	626.7	66.0	31.0
2	Cumric	British	13,370	585.5	64.3	31.0
3	Pennsylvania	German	13,333	559.4	62.2	32.2
4	Pretoria	do	13,234	561.0	62.2	32.2
5	Graf Waldersee	do	13,193	561.2	62.2	32.2
6	Kaiser Frederick	do	12,480	581.7	63.7	31.5
7	Scandinavian	British	12,099	550.3	59.3	30.0
8	Burdegala	French	12,099	581.7	63.7	31.0
9	St. Louis	American	11,639	535.5	63.0	29.5
10	St. Paul	do	11,639	535.5	63.0	29.5
	Average per ship		12,743	568.3	62.9	31.0

Name, registry, gross tonnage, etc.—Continued.

1889-1893 (and prior).

1	Campania	British	12,884	601.0	65.2	22.0
2	New York	American	10,798	517.0	63.6	30.4
3	Philadelphia	do	10,186	527.6	63.2	30.4
4	Majestic	British	10,147	565.8	57.8	30.0
5	Teutonic	do	9,984	565.8	57.8	29.4
6	La Touraine	French	8,429	520.2	56.0	27.0
7	Gothland	Belgian	7,660	490.7	53.2	28.0
8	La Gascogne	French	7,090	495.4	52.2	28.0
9	Ophir	British	6,942	465.0	53.4	27.5
10	Himalaya	do	6,929	465.6	52.2	28.0
	Average per ship		9,104	521.4	57.4	28.7

United States Shipping Board Port and Harbor Facilities Commission, May 15, 1919.

Mr. JONES of Washington. Mr. President, I find a table in the report of the Commissioner of Navigation giving the shipping of the world over a certain tonnage, the number of ships, and classifying them up to 25,000 tons and over. The report does not give the draft of those ships, but in the data furnished by the War Department they give me the draft of ships over a certain tonnage, and I have used that as a basis for giving the draft of the ships. I want to have put in the RECORD the table which is found on page 133 of the report of the Commissioner of Navigation for June 30, 1920.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The table referred to is as follows:

The number of steamers, according to certain divisions of gross tonnage, owned in the world—distinguishing the principal maritime countries—as recorded in Lloyd's Register, 1920-21.

Countries where owned.	100 and under 200 tons.	200 and under 500 tons.	500 and under 1,000 tons.	1,000 and under 1,500 tons.	1,500 and under 2,000 tons.	2,000 and under 3,000 tons.	3,000 and under 4,000 tons.	4,000 and under 5,000 tons.
British:								
United Kingdom	1,514	2,223	637	425	306	436	618	630
Australia and New Zealand	148	177	78	41	23	55	28	18
Canada	136	129	57	64	40	71	32	14
Other dominions	115	154	79	38	34	31	18	18
Total	1,913	2,683	851	568	403	593	696	680
America (U. S.):								
Sea	188	362	200	107	120	957	350	190
Northern Lakes	11	8	12	12	24	40	60	114
Philippine Islands	15	23	16	12	2	2	.....	1
Total	214	393	228	131	145	999	410	305
Belgium	23	35	26	20	18	39	16	7
Brazil	44	127	44	32	27	24	18	13
Denmark	70	107	74	90	71	47	35	13
France	220	302	115	176	91	190	81	38
Germany	248	350	197	88	18	.....	.....	.....
Greece	30	64	64	25	10	34	33	11
Holland	219	167	85	101	50	76	79	35
Italy	101	91	74	67	33	108	99	61
Japan	487	384	312	154	88	170	110	59
Norway	447	267	207	244	113	118	95	53
Russia	115	163	78	60	32	41	16	6
Spain	111	99	82	62	52	91	64	20
Sweden	330	262	151	130	88	46	29	19
Other countries and flag not recorded	331	330	197	117	130	148	93	56
Total	4,903	5,824	2,785	2,065	1,370	2,724	1,874	1,396

Countries where owned.	5,000 and under 6,000 tons.	6,000 and under 8,000 tons.	8,000 and under 10,000 tons.	10,000 and under 15,000 tons.	15,000 and under 20,000 tons.	20,000 and under 25,000 tons.	25,000 tons and above.	Total.
British:								
United Kingdom	564	444	169	113	23	7	4	8,113
Australia and New Zealand	1	8	2	.....	.....	.....	.....	579
Canada	27	8	2	.....	2	.....	.....	583
Other dominions	12	6	.....	.....	.....	.....	.....	505
Total	604	466	173	113	25	7	4	9,779
America (U. S.):								
Sea	441	550	58	41	5	2	2	3,573
Northern Lakes	41	132	12	.....	.....	.....	.....	466
Philippine Islands	.....	.....	.....	.....	.....	.....	.....	71
Total	482	682	70	41	5	2	2	4,110
Belgium	20	3	1	.....	.....	.....	.....	208
Brazil	6	8	4	1	.....	.....	.....	348
Denmark	3	7	3	3	.....	.....	.....	522

The number of steamers, according to certain divisions of gross tonnage, owned in the world, etc.—Continued.

Countries where owned.	5,000 and under 6,000 tons.	6,000 and under 8,000 tons.	8,000 and under 10,000 tons.	10,000 and under 15,000 tons.	15,000 and under 20,000 tons.	20,000 and under 25,000 tons.	25,000 tons and above.	Total.
France	73	49	26	16	1	1	1	1,400
Germany	.....	.....	.....	.....	.....	.....	.....	901
Greece	20	2	1	.....	.....	.....	.....	294
Holland	33	60	11	4	1	1	.....	922
Italy	96	40	11	6	.....	2	.....	789
Japan	102	57	11	6	.....	.....	.....	1,940
Norway	29	21	.....	2	.....	.....	.....	1,596
Russia	12	1	.....	.....	.....	.....	.....	524
Spain	15	2	1	2	.....	.....	.....	601
Sweden	13	2	.....	2	.....	.....	.....	1,072
Other countries and flag not recorded	51	34	11	3	3	1	2	1,507
Total	1,559	1,434	323	199	35	14	9	26,513

NOTES.—A considerable number of vessels, which are not yet completed, appear in this table.

Steamers of less than 100 tons gross, and sailing vessels of less than 100 tons, are not included.

Vessels trading on the Caspian Sea, and wood vessels trading on the Great Lakes of North America, are not included.

In the absence of satisfactory information, the records of numerous small sailing vessels (belonging chiefly to Greece, Turkey, and southern Russia) are omitted from this table.

Japanese sailing vessels are not recorded in Lloyd's Register, and therefore do not appear in this table.

The figures for Russia exclude vessels registered at Esthonian ports.

Late enemy vessels captured or requisitioned by other countries prior to the date of the armistice are included in the figures given for such countries.

Ex-Austro-Hungarian vessels, ex-German steamers, and new steamers recently built in Germany, which have been provisionally allocated to the allied countries since the date of the armistice and appear in Lloyd's Register with a record of the new flag, are included in the figures shown for such countries. New vessels built and owned in the Trieste district (Venezia Giulia) are recorded in Lloyd's Register and are included in the figures for Italy.

Under the heading of "No flag recorded" are included all vessels entered in Lloyd's Register with record of flag, viz:

(a) Ex-German steamers of 1,600 tons gross and above, the allocation of which is not yet known, and a number of ex-Austro-Hungarian vessels inserted in Lloyd's Register as being registered at Fiume or ports south of Fiume.

(b) Vessels registered at Danzig, Memel, Apenrade, and the northern part of Schleswig, and vessels owned in Montenegro and Albania.

(c) Some other vessels regarding which no definite information has been received up to the time of going to press.

Sailing vessels which were under the German flag in 1914 and were not captured prior to the armistice are still recorded as German in Lloyd's Register and in this table.

Mr. JONES of Washington. I wish now to give some data which do not appear in the reports which I have just inserted in the RECORD. Beginning with ships of 1,000 tons and under 1,500 tons, ships of 1,000 tons to 1,500 tons, and from 1,500 tons to 2,000 tons draw 18 feet of water; that is, they require a depth of water of 18 feet. Ships of 2,000 tons and under 3,000 tons require a depth of 21 feet; of 3,000 tons and under 4,000 tons a depth of 22½ feet; of 4,000 tons and under 5,000 tons, 24 feet; of 5,000 tons and under 6,000 tons, 25½ feet; of 6,000 tons and under 8,000 tons, 27 feet; of 8,000 tons and under 10,000 tons, 28½ feet.

Mr. FLETCHER. May I ask the Senator does that refer to ships which are loaded?

Mr. JONES of Washington. That refers to the draft of the ships when loaded.

Ships of 10,000 tons and under 15,000 tons require a depth of 30 feet; of 15,000 tons and under 20,000 tons a depth of 32 feet; of 20,000 and under 25,000 tons a depth of 34 feet; of 25,000 tons and above from 34 feet to 41.3 feet. It may be interesting to know that the report shows that there were in the world on June 30, 1920, only 9 ships of that draft. I have submitted data giving the number of the other drafts.

I want to state that these depths are figured out by the War Department as nearly as they can be figured. They are probably not absolutely correct, but they are approximately correct.

Mr. POMERENE obtained the floor.

Mr. FLETCHER. May I ask the Senator——

The PRESIDING OFFICER. The Chair has recognized the Senator from Ohio.

Mr. FLETCHER. Will the Senator from Ohio yield to me?

Mr. POMERENE. I yield.

Mr. FLETCHER. The Senator from Washington gave the tonnage of various ships. Does he refer to gross tons, net tons, or dead-weight tons?

Mr. JONES of Washington. I mean gross tons.

Mr. POMERENE. Mr. President, in view of the especial reference which my friend, the Senator from Mississippi [Mr. HARRISON], made to the Ohio River appropriation, I desire to submit a few observations. I am very much in favor of the completion of that project at the earliest moment possible; but I realize the necessity, under present financial conditions, of exercising the utmost economy consistent with reasonable development of water transportation.

I have not been entirely in sympathy with the scheme of river and harbor improvements which has prevailed during the period that I have been a Member of the Senate. It seems to me that we would pursue a wiser policy if we were to take up certain important projects and complete them at the earliest moment possible. If I could have my way, I would first care for the harbors; I would, secondly, care for the Mississippi River, not only because of its commerce but because of the fact that it overflows to the great detriment of an immense and valuable section of the country; and, thirdly, I would take care of the Ohio River. I say this because there is a question in the minds of a great many people as to whether or not river transportation is going to prove as valuable in the future as it did years ago, this, in part, because of the location of the manufacturing plants in industrial centers; but I have enough confidence in the value of river transportation to consent, and consent freely, to the improvement of rivers so that we can demonstrate whether or not the theory is correct.

But I rose to call special attention to the condition in connection with the Ohio River improvement. I find upon examination of the testimony which was taken before the House committee that the average annual appropriation for the Ohio River project during the last five years has been $4,091,000. That improvement is, I believe, about three-fifths or more completed. Am I correct in that, I will ask the Senator from Louisiana?

Mr. RANSDELL. It has been completed to about that extent.

Mr. POMERENE. The chairman of the committee has referred to the large amount of money which remains unexpended and which has already been appropriated. That balance on December 31, 1920, was $41,658,334.33. As against this sum, on that date there were outstanding liabilities and pledges under contract $17,648,163.42, leaving a balance available on that date for further improvements of $24,010,170.91.

When I refer specifically to conditions in Ohio, I find that there is a large unexpended balance for harbor improvements at Toledo, Sandusky, Huron Harbor, Lorain Harbor, Cleveland Harbor, Conneaut Harbor, Port Clinton Harbor, Vermilion Harbor, Fairport Harbor, and Ashtabula Harbor. I have here in the report of the committee the balance unexpended on December 31, 1920, the outstanding liabilities and pledged under contract, and the balance available for each of those projects on that date. I ask that it may be incorporated in the RECORD without reading.

The PRESIDING OFFICER. Without objection it is so ordered.

The matter referred to is as follows:

Name of work.	Balance unexpended.	Outstanding liabilities and pledged under contract.	Balance available.
Toledo Harbor, Ohio	$17,228.51	$1,730.68	$15,497.83
Sandusky Harbor, Ohio	179,298.36	119,975.64	59,322.72
Huron Harbor, Ohio	4,346.46	51.12	4,295.34
Lorain Harbor, Ohio	55,798.81	13,715.27	42,083.54
Cleveland Harbor, Ohio	136,747.71	354.77	136,392.94
Conneaut Harbor, Ohio	29,518.90	25,074.81	4,444.09
Port Clinton Harbor, Ohio	500.50	.....	500.50
Vermilion Harbor, Ohio	2,802.68	.....	2,802.68
Fairport Harbor, Ohio	238,754.04	.....	238,754.04
Ashtabula Harbor, Ohio	98,148.45	.....	98,148.45

Mr. POMERENE. Suffice it to say that on December 31, 1920, for these several harbor projects there was a balance unexpended of $763,144.42. On the same date there were outstanding liabilities and pledged under contract for these improvements $160,902.29, leaving a balance available for the improvement of these harbors for the current year of $602,242.13. So these harbors are pretty well cared for.

Now, a word as to the Ohio River project. I secured the figures which I am about to quote within an hour from the War Department. On December 31, 1920, there was unexpended of amounts already appropriated for the Ohio River $4,945,901.16. Against this sum on that date there were outstanding liabilities of $2,913,742.52, leaving a balance available for new

work of $2,032,158.64. Last year there was appropriated in a lump sum $12,000,000 for river and harbor improvements. Of that amount $1,373,000 was allotted to the Ohio River project. Under the pending bill $15,000,000 are proposed to be appropriated, and, if the Ohio River project is to get the same proportion out of this fund that it got last year out of the $12,000,000 fund, it would receive $1,716,250. That would leave available during the fiscal year ending June 30, 1922, $3,748,408.64, or only $342,591.36 less than the average expenditures during the last five years for the Ohio River improvement.

Under these circumstances, it seems to me that the committee was justified in limiting this appropriation to the amount of $15,000,000. I feel particularly that this is true in view of what the chairman of the committee has described as the parliamentary situation. For these reasons, I shall vote against the amendment and vote to sustain the committee.

Mr. RANSDELL. Mr. President, I have listened with great interest to the address just made by the Senator from Ohio [Mr. POMERENE]. I am glad to know that he expresses so much solicitude about this river as he has evinced.

I will say, Mr. President and Senators, that it is a great pity we have not finished the Ohio River improvement long ago.

Mr. POMERENE. And the Mississippi.

Mr. RANSDELL. And the Mississippi. I hope they can both be put under continuing contracts. As a matter of fact, we undertook to improve the Ohio River in 1876. That is a good many years ago, and we have been trying to improve it ever since. In 1910, 11 years ago, we adopted the 9-foot project under a plan to finish it in 10 years. The idea then was that we would appropriate $5,000,000 a year. We have not appropriated that sum regularly. I imagine we would have done so, however, had not the war intervened. I am not going to criticize Congress particularly about that.

I think it would be extremely wise, as suggested by the Senator from Ohio, if we could adopt and place under continuing contracts quite a number of the great harbor projects, the great canal projects, and the great river projects in this country. I should be delighted to see them treated in the same manner that we treated the Panama Canal. When we adopted that project we told the engineers to go ahead and finish it as fast as it could be done commensurate with good business principles. They went ahead and finished it in less than 10 years. Compare that, Senators, with the mighty Ohio River, a river that flows for a thousand miles from Pittsburgh to Cairo through the very heart of this continent, a river at whose head—the city of Pittsburgh—there is the greatest commerce within an area of 50 miles anywhere on earth; a commerce in volume, in tons, much greater than the combined commerce of the five greatest seaboard cities in the world; a commerce much of which should go down to the sea in boats through the Ohio and the Mississippi Rivers; and yet we have played with that great stream since 1876, and it is still far from completion.

If there be any project in the United States which should be placed under the continuing-contract system and rushed through, it is the Ohio River, and along with it, of course, should go the Mississippi River. That, Senators, is one of the things that I hope we will take up in a businesslike manner when we consider the legislative bill, which the chairman of the Commerce Committee assures us is to be taken up and passed in the early days of the extra session. Let me say that there are many legislative matters concerning river and harbor appropriations which should be taken up and considered in a very careful, painstaking manner, in a manner which we can not give during the closing days of the short session.

Mr. President and Senators, I was one of the members of the Commerce Committee who assisted in reporting out this bill. I voted, along with every other member of that committee, to report the House bill of $15,000,000. There was not a dissenting vote. Does that mean that we were satisfied with the bill? Does it mean that every member of the committee was satisfied with it? No, Senators; but it means that the members of that committee are fairly practical men, and they thought it would be better to take the $15,000,000 than to have no legislation whatsoever. We felt that if we amended the bill by adding a few million dollars—I do not know that we could have added very many—but suppose that we had added $5,000,000. Then amendments of various kinds would necessarily have been attached, a number of surveys would have been attached, new projects would have been attached, and legislative provisions of various kinds would have been attached.

When we got on the floor the bill undoubtedly would have been debated for two or three days. When finally passed and sent to the House, in my judgment, it would have been held up, and we would have been extremely lucky to secure the passage of any bill whatsoever. We could not have passed any measure without yielding in every single, solitary particular to the House of Representatives, as we did one year ago.

I do not like to be put in that attitude. I believe that material good can come to the rivers and harbors of this country from the inadequate appropriation of $15,000,000. I think it is a whole lot better to have that than to have nothing, especially in view of the fact that the Engineer Corps reports a balance on hand on the first of last month of something over $41,000,000.

Senators, the chairman of the Commerce Committee has told you that a large portion of this $41,000,000 has been practically lying dormant to the credit of its respective projects for a great many years. Let me submit this question for your consideration: We have been passing a series of lump-sum appropriation bills. I can not forget that one of the great Senators from my own side of the Chamber, the late beloved John H. Bankhead, moved the passage of a lump-sum river and harbor bill several years ago, and his motion prevailed. We passed a lump-sum rivers and harbors appropriation bill one year ago, and under that the Engineer Corps has been expending the money. As a matter of fact, Senators, do we not rely entirely on the engineers anyway? All the information we have about rivers and harbors comes from them. We accept their judgment. We follow their advice. We are giving them in this bill $15,000,000. Why not give them the right to do the best they can with the $41,000,000 now lying to the credit of the various projects, at least such portions of that $41,000,000 as are not pledged, or are not bound by contract in any way? And there are some $24,000,000 of that $41,000,000 unpledged, as shown by page 10 of the report attached to this bill.

The balance available and not tied up with any outstanding contracts or liabilities of any kind on the 31st of December last was $24,000,000. Let me repeat: If we are willing to trust the Chief of Engineers to expend, in prosecuting work on the various rivers and harbors of this country, the sum of $15,000,000, just as we trusted him last year to expend $12,000,000 and just as we trusted him several years ago to expend $20,000,000 in the way that would do the most good, why not authorize him—not now, but in the coming legislative rivers and harbors bill that we are to pass in the near future—to do the best he can with this $24,000,000?

I submit that for the very earnest consideration of the Senate. The amounts have been appropriated, I grant you, for specific projects. These amounts are now lying to the credit of specific projects; but I wish to remind you that not a dollar of these amounts is going to be expended unless the Engineers think it wise to expend it. Many of those amounts have been lying unexpended to the credit of the various projects for a great many years. Let us be practical. Let us treat this governmental matter as we would if it were a private proposition.

Suppose a private individual owned this great Nation of ours. Suppose that private person had to take care of all these waterways, had to provide for them, and had to the credit of a great many of these waterways $24,000,000. Would not he, as a wise man, move that money to and fro, from one to another, as the exigencies of the case seemed to demand? Beyond question a single individual would do that. Then, why not authorize the Engineer Corps to do the very thing that a wise business man would do in the conduct of his own affairs?

"Oh," you will say, "we are relinquishing our prerogatives as Members of Congress." Not at all, Senators. You have adopted those projects. You have said that those various projects are worthy of improvement. All that you would do under my suggestion is to say to the Chief of Engineers: "We withdraw the balances now lying to the credit of these respective projects. We place those balances in a lump sum and say to you, 'Do the best you can for all the river and harbor projects in this Nation that Congress has approved.'" He could not spend a cent except on an approved project, and he would not be obliged to spend a cent on any one particular approved project.

We have a rule that has prevailed ever since I have been in Congress that Congress will not consider making an appropriation for a project unless it meets the approval of the Engineers. We follow their advice in every project we adopt. It has no legislative status until they have advocated it. Finding ourselves, then, in that position, let us be practical men. When we come to pass this bill, let us give them that authority. I wish to throw this out as a suggestion.

Senators, I do not wish anyone to think that I am satisfied with the appropriation of $15,000,000 for the rivers and harbors of this great country.

I think it most unfortunate that so small an amount should be appropriated at this time, when transportation rates were never higher than now, when in my own State the railroads are raising the rates an average of 180 per cent over the already existing high rates to many points on rivers, when some rates have been raised as much as 500 per cent on certain commodities to points on waterways, points formerly served by boat, points which unfortunately are no longer served by boat, points where there has been for years potential water competition but not actual water competition, and the railroads have recently put up their rates.

Senators, if the rivers were used, if the waterways were used, if the people of America were getting the actual benefit of water transportation, I think river and harbor bills would be a great deal more popular than they are now. Unfortunately the boats have disappeared from our waterways to a very great extent. Unfortunately we do not use the waterways, and men who never see a boat and never hear of one find it very difficult to vote large sums for the improvement of our waterways.

We heard the Senator from Ohio [Mr. POMERENE] say he would like to see big improvements especially for the harbors. Why is that? There has always been a liberal spirit toward harbors. They have been used. A great many ships enter the harbors along all our coasts. The harbors of the Great Lakes serve a truly colossal commerce. The harbors on the Atlantic, the Gulf, and the Pacific serve an ever-increasing and very valuable commerce. Of course, we are willing to appropriate money for harbors.

Let me say to the Senator from Mississippi [Mr. HARRISON] that I think he is mistaken when he states that the harbor improvement is suffering. I do not look for any serious injury to harbor improvement as a result of the $15,000,000 appropriation. Let me also call to his attention the fact that harbors are not competitors of railroads. They are terminals of railroads. They are part and parcel of railroad systems. They are cooperators with the railroads. The railroads enter the harbors and unload their freight at the wharves onto ships. The ships in turn enter the harbors and unload their freight onto the railroads. That has not been true of our rivers. They compete with the railways. We have been slow to make appropriations for the rivers and those that were improved have had their commerce driven away by improper and cutthroat competition on the part of the railroads.

Senators, it is most unfortunate, at this period in our history following the great World War, when there are at this moment over 3,000,000 people out of employment, that we can not follow the wise plan adopted by the great Napoleon following the wars in France, when he put into effect a big program of internal improvement of roads and rivers and canals, furnishing work for an immense number of the people of France. We ought to be furnishing work, if it be possible, for the idle people in America. We ought to be going forward with river and harbor improvement instead of backward. We ought to be pursuing a liberal policy instead of a niggardly one.

But the powers that be seem to have determined that we shall not pursue a liberal, broad, comprehensive policy. I for one believe it better to go ahead with a practical program which will give us some relief and which promises in the early days of the coming session a river and harbor legislative bill which in my judgment can be so drawn as to adopt a number of projects, probably continuing some of the present contracts, and to provide for setting aside in a lump sum a large percentage at least of the dormant $24,000,000 not now being used.

Senators, for these reasons I propose to vote against the amendment of the Senator from Mississippi and to sustain the Commerce Committee in its report.

Mr. FLETCHER. Mr. President, very briefly, I wish to state my position regarding the bill. It is unnecessary to review what has been presented by those who have participated in the discussion to-day, particularly those who are friends of waterway improvement.

I do not agree with the policy indicated in the making of a lump appropriation. I agree with the idea that we should go on with the work of taking care of navigable waterways of the country and that we should not confine our efforts now to the maintenance and the completion of projects already adopted. I know it is difficult in these days to provide funds for many purposes for which we need them, but this is no time to discontinue public works. As the Senator from Louisiana [Mr. RANSDELL] has just said, now, when many men are out of employment, when there is real need for taking care of the industrial conditions in the country as far as we can, is the very time to do this kind of public work.

It is not because I have not full confidence in the Engineers, Mr. President, that I object to the plan of making the lump-sum appropriation. It is because of confidence in the Engineers that I rely and insist upon the other plan, namely, having them, when authorized by Congress, make examinations of the various projects proposed throughout the country, survey them, make estimates of cost and report on them, and then let Congress determine whether or not it is wise to adopt the projects recommended by the Engineers. We have not heretofore approved of a single project, or made appropriation for a single project, which has not been approved by the Engineers.

I do not believe there is any money spent for the Government, any money paid out of the Public Treasury, that is so carefully safeguarded as the money which we appropriate for the improvement of the rivers and harbors of the country. The situation, however, now is that we must determine whether we shall accept what many of us regard as an inadequate appropriation, what the Engineers themselves say is not sufficient to enable them to do the work that ought to be done during the coming year, and whether we shall accept it as the best that can be done, or whether we will jeopardize the whole measure by proposing amendments to the bill and having it go to conference, and then meet with the condition which obtains at the other end of the Capitol. There, as we all know, the rule has been changed. No longer does the Rivers and Harbors Committee of the House provide any appropriation in the river and harbor bill. All appropriations are required to pass through one committee.

In the Senate we have a rule which excepts appropriations for river and harbor improvement from the requirement that all appropriation bills should be considered by the Committee on Appropriations.

As to the appropriation for river and harbor work, the rule has always been that that appropriation shall be embodied in a bill reported from the Committee on Commerce. The bill that we have before us is an appropriation bill. It is not really a river and harbor bill at all. It does not come from the Rivers and Harbors Committee of the House. It passed through the Appropriations Committee of the House and is an appropriation bill pure and simple. If we should amend it in the Senate, it would carry provisions which would not be mere matters of appropriation, and in that event the Rivers and Harbors Committee of the House would raise objection naturally to those provisions and contend that that is their field, that it is not a question merely of appropriation, that it is a question over which they have jurisdiction, and objection would be made to those amendments. We do not know how long those objections might be urged, and therefore, in view of the fact that only a few days remain of this session, that sort of thing, of course, might jeopardize the entire bill.

Consequently, although I do not agree with the policy or concede that the amount provided for is sufficient, and I hope we will get away from the policy of making lump-sum appropriations to take care of river and harbor improvements, and although I think there is real need for providing for new projects and for taking care of some of the projects we adopted on a different basis than merely leaving it to the Board of Engineers to determine what work they will do this year and what work they will put off until next year, I am constrained to think that the wisest course now is to pass the bill and agree to it precisely as it has come from the House.

In the first place, it might be said that with $15,000,000 for the next year and with the sums remaining available from previous appropriations, the Engineers will be provided with very nearly all they can economically use for one year. The amount which they have heretofore annually expended for river and harbor improvements since 1896 has averaged $22,662,962. Of course, some years they have spent more than that. In 1915, $37,710,459 was spent, and in 1914, $40,214,140 was spent, but the average expenditure annually since 1896 has been $22,662,962, so that with the $15,000,000 carried by the pending bill and with the available balance of $24,000,000, some of which, of course, can not be utilized because it is appropriated for special projects and can not be diverted, but some of which can be expended in the course of the next year, I take it that the Board of Engineers will have somewhere near their usual average expenditure of over $20,000,000 for the coming year. So that unquestionably a great deal can be accomplished through this appropriation.

The Senator from Mississippi called attention to certain matters this morning and urged that a great many important projects in his State were being neglected and could not be cared for.

Mr. HARRISON. Mr. President, I was not speaking locally this morning. I was speaking of the broad policy, and in the

letter from Gen. Beach to the chairman of the committee he did not call attention to any projects in my State, but it was the larger projects I desired to talk about.

Mr. FLETCHER. I appreciate that also, but, of course, the Senator very properly—and I am not criticizing him at all—stressed the importance to the people of Mississippi of having their waterways, their rivers and harbors, properly improved and taken care of. But I will call his attention, if he has not observed it, to the fact that the different projects in his State seem to have already balances unexpended and balances available for expenditure, and a good many of them without any outstanding obligations against the original appropriation at all.

In the item for the Pascagoula River, Miss., there is an unexpended balance of $3,732.81, and that balance is now available.

Take the Wolf and Jordan Rivers, Miss. I did not know they had a river Jordan in Mississippi before, but there it is. There is an unexpended balance of $7,410.30, and that entire amount is still available, and there is no outstanding contract against it.

Take the East Pearl River, Miss. There is an unexpended balance of $7,340.07, and that amount is now available.

Take the Pascagoula Harbor, Miss. There is an unexpended balance of $24,744.45, and the balance available against it—there is no contract or obligation whatever—is $19,744.45. So that that work can go on under the previous appropriation. It is the same way with Gulfport Harbor and Ship Island Pass. There is an unexpended balance of $26,602. Against that there are outstanding liabilities and pledged under contract amounting to $19,857.59, leaving a balance available of $6,744.89.

With reference to South Pass, Miss., which the Senator mentioned, there is an unexpended balance in that item of $853,515.61, outstanding liabilities and pledged under contract, $748,245.06, leaving a balance available of $105,270.55. So that the work can go on. These contracts can proceed during this year, and there is a balance available for additional contracts to the amount of $105,270.55.

I merely mention this to illustrate that unquestionably there are items included under the head of "balance unexpended" which will enable the Engineers to carry on the work involving an expenditure of quite the average which they have undertaken in the past number of years, of over $22,000,000 in the coming year.

The Senator from Ohio [Mr. POMERENE] mentioned the balance in the Ohio River item. For Ohio River locks and dams there is an unexpended balance of $4,945,901; outstanding liabilities and pledged under contract, $2,913,742; leaving a balance available of $2,032,158. That, of course, can be utilized without drawing upon the $15,000,000 carried by the bill. The Ohio general improvement item has a balance available of $160,515

So that I am quite convinced, Mr. President, that we are not doing a useless thing, by any means, when we pass this bill and accept its provisions as they came from the House. On the contrary, by proper management and control over these balances available, exercising the latitude which the law permits in that connection, and with the $15,000,000 carried by the bill, these great public works can be conducted not as extensively as they should be, perhaps not with that entire volume of work being carried on which otherwise could be carried on, but about as extensively as the work has been done in the last number of years.

The assurance that at the extra session of Congress the Rivers and Harbors Committee of the House will act and will submit certain legislation looking to the adoption of other projects, perhaps, and other matters which ought to be taken care of in a regular river and harbor bill, justifies us now, I think, in taking care of the appropriation at this time, and looking for the next few months to enable us to legislate upon the broad question and stand firmly by a broad policy with reference to our rivers and harbors.

That, Mr. President, is a thing which the public desire, and I am quite sure that the action of the committee in reporting a bill on this subject indicates their purpose to pursue it, and I do not expect that we will have to wait longer than the extra session in order to undertake a proper legislative program in connection with rivers and harbors. I am sure at that time we will be able to find out of this unexpended balance of $41,658,334 very considerable sums which would never be used, carried as they are, because projects have been completed in many instances, and because work has been discontinued in various rivers. These sums have been assigned to particular work and can not be diverted, but we will be able to sift those all out and find in that grand total millions of dollars which we can apply to the new work and to the improvements which it is now desired shall be made.

Mr. President, I therefore am opposed to any amendment to this bill whatever, and I think we ought to pass it precisely as it came from the House and end this question here now.

Mr. FRELINGHUYSEN. Mr. President, I have a great deal of sympathy with the amendment offered by the Senator from Mississippi [Mr. HARRISON]. I think the last thing we should economize in is river and harbor improvement. If we are going to build and develop a merchant marine, I feel that it is absolutely necessary that our harbors should be deepened and widened for that commerce; and recently having had some experience with sand banks and mud banks, I think I can speak feelingly on this subject.

I have in mind one project that has been presented to the Engineers of the department, and has been approved by them, and is now being delayed by lack of improvement. That is the great waterway which runs from Raritan Bay around Staten Island, known as Kill Van Kull, Staten Island Sound, and Arthur Kill, Raritan Bay, and continuing, forming the channel around Staten Island.

To show you what harbor improvement and deeping a channel may mean, I refer to the deepening of that channel in 1902 from 15 feet to a depth of 21 feet. The tonnage in 1902 was 14,000,000 tons, but in 1910 it had increased to 27,000,000 tons, and to-day over that waterway route there is nearly 40,000,000 tonnage carried in a year.

During the year the Shipping Board constructed cargo boats drawing 28 feet, many vessels designed to draw more than 27 feet of water were constructed at this point by the Shipping Board, and yet one of the channels at the outlet was only 21 feet deep.

The Engineers, following the request of the Staten Island Deeper Waterways Association, made a survey, and recommended that this channel be deepened to 30 feet for 400 feet in width, at a cost of $10,400,000 for the entire improvement, and that $3,000,000 be appropriated as the initial appropriation.

Remember, now, that this parallels New York Bay; that it takes care of practically all of the ocean-going tonnage furnished by those great industries—the Standard Oil Co., the Singer Sewing Machine Co., and those great fertilizer companies and machine shops scattered along that great water highway—and one of the great improvements is to widen the neck of the bottle, because if there is a congested traffic anywhere in this broad land it is right there in New York Harbor, where these great railway transportation lines converge, and, naturally, by reason of the harbor facilities being across New York Bay and restricted facilities on the New York side, most of these goods have to be lightered to the New York warehouses for transshipment across the ocean. Therefore that terminal facility is narrowed by reason of the fact of these restricted waterways.

I should like to ask the Senator from Washington what is going to happen to that project? Is it to be delayed? Is it to be indefinitely postponed or is it the policy of the Committee on Commerce to urge that those harbors and many other improvements along the Atlantic and Pacific Oceans, and many other improvements contemplated, shall be halted by the parsimonious policy of the House and this administration or is it their policy to go on and develop the commerce of this country?

Mr. JONES of Washington. Mr. President, that is rather a broad question.

Mr. FRELINGHUYSEN. I think the Senator will concede it is a very important and grave question at this time.

Mr. JONES of Washington. Mr. President, I think the answer ought to be evident—that is, that it will be the purpose of the Committee on Commerce to do everything that it can in a reasonable way to promote the commerce of the country and to make the facilities at the different ports available for the commerce that would naturally come to them.

In a general way, I recognize the situation to which the Senator from New Jersey has referred. I feel that the conditions at that point need attention, and ought to be attended to just as soon as is possible, and I hope in the next Congress, if not at the extra session then at the regular session, in the general legislative bill we expect to pass—that situation will be dealt with, and dealt with in a proper way.

I have not looked into the matter carefully, but I understand there is a joint commission of the two States of New York and New Jersey that is considering the port facilities there with a view, I take it, of making recommendations from their standpoint as to what ought to be done. I do not know that that commission has as yet reached a conclusion, but from what I know of the situation I feel that something should be done. Whether it should be done entirely by the National Government or in cooperation with the State of New York and the State of

New Jersey, or with the municipalities there, I am not now prepared to say, but something ought to be done to furnish better connections between the railroads which bring the products from the various parts of this country and the ships that come into the harbor there to take those products to the various ports of the world.

When I was at Newark a short time ago, as the Senator from New Jersey knows, it was stated there as a fact—and I have no reason to doubt it—that it costs just as much to get a carload of products across from New Jersey to New York where they can come in touch with the ships to carry those products to the ports of the world as it costs to get a carload from the city of Pittsburgh to Newark, N. J. It seems to me that such a condition of things like that ought to be met in some way and that better port facilities must be provided in that great port.

Let me say frankly that I should like to see those products of the country that are naturally tributary to certain ports go to those ports. I do not like to see the products of the country destined for shipment abroad artificially, apparently, centered in one great port. That expression does not indicate any antipathy to the port of New York, and when I speak of the port of New York I include Newark also, because it seems to me those harbors are all really one port and should be developed as one port.

Mr. FRELINGHUYSEN. It is all part of one great project.

Mr. JONES of Washington. Yes; it should be developed in that way, and that is the way I wish to see it developed. Notwithstanding that desire, however, I do want to see ample facilities, proper harbor facilities, developed there, so as to take care of the matter in the most expeditious and the cheapest way. A great proportion of the produce of the country must naturally go to that port for shipment, and will continue to go there. I wish to say to the Senator from New Jersey that, so far as I can, I shall do everything possible to aid in what may be deemed a proper and wise and fair way the development of the port facilities in the great ports of which he has spoken.

Mr. FRELINGHUYSEN. Mr. President, I should like to ask the Senator from Washington another question before he takes his seat. I understand that in connection with the contemplated improvement of the Kill Van Kull and Staten Island Sound, the deepening of that channel to 30 feet and widening it to 400 feet, there are some $100,000 or $200,000 now in the hands of the Engineers which have been heretofore appropriated for those particular channels. Would it interfere with the passage of the pending bill if an amendment were introduced permitting the department to utilize those funds for that project which has been approved by the Engineers?

Mr. JONES of Washington. I think it would.

Mr. FRELINGHUYSEN. I have the Senator's answer.

Mr. UNDERWOOD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Lodge	Spencer
Ball	Harris	McKellar	Stanley
Calder	Harrison	McNary	Sterling
Capper	Heflin	Moses	Sutherland
Chamberlain	Jones, N. Mex.	Nelson	Swanson
Curtis	Jones, Wash.	New	Thomas
Dial	Kellogg	Overman	Townsend
Dillingham	Kendrick	Poindexter	Trammell
Elkins	Keyes	Ransdell	Underwood
Fletcher	King	Robinson	Wadsworth
Frelinghuysen	Kirby	Sheppard	Walsh, Mass.
Gay	Knox	Simmons	Williams
Gerry	La Follette	Smith, Md.	Willis
Gooding	Lenroot	Smoot	

Mr. McNARY. I desire to announce that the Senator from North Dakota [Mr. GRONNA], the Senator from Oklahoma [Mr. GORE], and the Senator from South Carolina [Mr. SMITH] are absent on business of the Senate in connection with the Agricultural appropriation bill.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

MILITARY NOMINATIONS.

Mr. ROBINSON obtained the floor.

Mr. CALDER. Mr. President——

Mr. ROBINSON. I yield to the Senator from New York.

Mr. CALDER. I thank the Senator from Arkansas for yielding to me. I wish to address the Senate for a moment or two on the pending bill.

Mr. ROBINSON. I did not understand the Senator desired to make an address.

Mr. CALDER. I will say to the Senator that I am compelled to leave in a few moments to attend a meeting of the Finance Committee.

Mr. ROBINSON. I myself will be obliged to leave in a few moments. I thought the Senator desired to submit some document.

Mr. President, some time ago the attention of the Senate was called to a number of military nominations respecting which no action whatever has as yet been taken by this body. The nominations which I now have in mind are promotions to the rank of major general, 11 in number; and promotions to the rank of brigadier general, 22 in number. The Army reorganization act directed the appointment of 11 majors general and 22 brigadiers general. It provided that selections for the rank of major general shall be made from a list of brigadiers general of the line and selections of brigadiers general shall be made from the list of colonels, with the further proviso that officers who had served for a period of 22 years in the Army of the United States might be accorded that grade. Pursuant to the express mandate of Congress recess appointments were made. Four were made about June 23, 1920, and the remainder about July 16, 1920. At the beginning of the present session the President sent these nominations to the Senate. In the ordinary course of procedure they would have been promptly disposed of. The Senate, however, up to this date has failed to hold a single executive session for the consideration of these nominations and has failed to take action respecting any one of them.

Promotions in the Army ought to be solely with regard to the best interests of the service and in fair recognition of the abilities and services of those promoted. I make the declaration now, after an investigation extending over a period of some weeks, that the law which Congress passed regulating the selection of officers for the ranks of major general and brigadier general has been strictly complied with in letter and in spirit.

A few days ago the Senator from Georgia [Mr. HARRIS] published in the RECORD a list of these nominees for promotion in the Army, together with somewhat detailed statements of the records of the officers promoted. So far, the Senate has not only failed to act, it has not only failed to function in this particular, but no reason within my knowledge has been assigned for the extraordinary course that is now being pursued.

These officers, those who made the selections, and the people of the country are entitled to know the reasons for the failure of the Senate to act upon these nominations. When I consider the large number of officers who have rendered conspicuous service in recent years, I am not surprised that difficulty should have been experienced in making these selections; neither is it surprising that there should be omitted from the list officers who have contributed to the glory and to the success of our arms.

I have referred to the fact that under ordinary conditions these nominations would have been quickly disposed of; that they were made entirely independently of political considerations and without political influence. I shall not claim the time of the Senate to review in detail the records of all these officers for the services of every one in both lists fairly illustrate the gallantry and efficiency of them all. I am determined, however, that the Senate shall have an opportunity to consider this subject and to act upon it if it desires to do so before the end of the present session. A failure to take action respecting these nominations is in an important sense a stigma upon the officers.

It may be proper and fairly within the range of political expediency, under the circumstances that exist, to hold up nominations for political appointments. That practice has been indulged in heretofore; but never before in the history of the United States have military nominations been denied consideration and confirmation solely for political reasons. If political influences had dictated or contributed to the nominations, such an issue might not reflect discredit on the Senate of the United States; but since these nominations have been made in strict compliance with the laws passed by Congress, it is, to say the least, regrettable beyond my power of expression that the glory of our military service should be dimmed, that the gallantry and heroism of a number of its leaders should be discredited, by a failure of the Senate to discharge its constitutional function.

You may say that in declining to give consideration to these nominations there is no intention to reflect upon the nominees. Whatever may be the intention of those who persistently decline to permit a consideration of these nominations, the result is inevitable. Every officer who is rejected through a failure of the Senate to function is discredited in the eyes of those who expect the Senate of the United States, in the discharge of this high constitutional duty, to be governed by considerations of loyalty to the flag, loyalty to the Army, loyalty to the Government, and by those considerations alone.

Among the names sent by the President to the Senate in obedience to the mandate of Congress is that of John L. Hines, of West Virginia. Let me bring to the attention of Senators

an epitome of his record, a partial statement of it, prepared from the records of the War Office.

John L. Hines went to France with Gen. Pershing as Assistant Adjutant General, commanded the Sixteenth Regiment, First Division, First Brigade, at Cantigny, when American troops first took the offensive in the war and won the first American victory. He commanded the Fourth Division, which made the attack in the Argonne, breaking the Hindenburg line, September 26, 1918, going beyond its objectives. His division stayed for 24 days in the line in the Argonne, the American Army record, and during the war sustained 13,000 casualties. His unit was in the heaviest fighting that any division was called upon to do. At Soissons he was given the distinguished service cross upon the field of battle for conspicuous gallantry, and was in the line on October 12, when he was given command of the Third Army Corps, commanding twice the number of men in the Union Army at Gettysburg.

France, Belgium, and Italy signally honored this great American soldier by decorating him. In obedience to the order of Congress he has been chosen as one of the 11 to receive the rank of major general. Throughout this entire session of Congress the Senate has refused even to consider his claim to this distinction.

Another illustration: Take the case of Maj. Gen. James W. McAndrews of Pennsylvania. That officer organized and commanded the schools at Langres, France, which turned out the officers for the American Expeditionary Forces. He relieved Maj. Gen. Harbord as Chief of Staff at Chaumont, and in that capacity served to the end of the war. He carried out the remarkable movement of the American troops around the salient of St. Mihiel into the Argonne, making that offensive possible, one of the great accomplishments of the war.

A few miles from Washington in a hospital Gen. McAndrews lies bedridden, suffering the results of exhaustion which he experienced by reason of his service. He, too, has been honored by every country associated with this Government in the conduct of that war, and it now remains for the Senate of the United States to do its duty and either confirm or reject his nomination.

I challenge the Senate to take a vote on the confirmation of these nominations. I challenge Senators who have used obstructive processes to prevent the nominations from being referred to the Committee on Military Affairs, to give a reason for that course that does not at the bottom sound in politics and petty politics at that.

Every name on the list is associated with service of vital importance to the success of our cause during the war. For instance, take that of Gen. Charles C. Menoher, another native Pennsylvanian. He commanded the Forty-second Division until almost the end of the war when he was given the Sixth Corps. This division, the celebrated Rainbow Division, glorious in the military annals of the Nation, sustained 14,000 casualties, conceded by all to have been one of the very best divisions in all the ranks of the Allies, commanded by as gallant a soldier as ever went to battle. The record is before the Senate which discloses the merit, the efficiency, and the courage of the other eight officers who have been nominated for promotion to the rank of major general.

I turn now for a moment to the list of names nominated for promotion to brigadier general. It happens that I am not personally or intimately acquainted with a single officer on either of the lists save one. I should be proud, however, as a citizen and as a Senator to contribute to the distinction which the Government is seeking to confer upon them in any way that may become known to me.

As illustrative of the service of those who have been named for brigadier general let me call attention to Dennis E. Nolan of New York. This officer went to France with Gen. Pershing. He was Chief of Intelligence of the American Expeditionary Forces, organizing and conducting the American military secret service which gathered information from the enemy and enemy sources, and with great ability combatted the highly specialized espionage system of the German general staff.

In September, 1918, when the Argonne offensive was launched and there was desperate need of officers he was assigned to command a brigade of the Twenty-eighth Infantry. He commanded it throughout that action, which was marked with some of the bloodiest fighting in the war, and was decorated with the distinguished service cross on the battle field for gallantry under fire. Why should the Senate refuse even to give consideration to the nomination of this brave soldier?

Robert C. Davis, of Pennsylvania, was adjutant general of Gen. Pershing throughout the trying period of the war. His alertness, his efficiency, his constant and fearless devotion to duty have earned the star of a brigadier general.

One other illustration: Ulysses G. McAlexander, lieutenant colonel and colonel of the Eighteenth Infantry, First Division, commanded the Thirty-eighth Infantry, Third Division, during its famous fight on the Marne, July 15, 1918, when it earned the name Rock of the Marne. Gen. Dickman reported after this fight, "No Germans between the Third Division and the river except dead ones." Honored and glorified in the eyes of all mankind, decorated time and again, decorated by France, Italy, England, and Belgium, his name is denied consideration by the Senate of the United States.

Yesterday morning's press, particularly the Washington Post, contained a statement in substance that this action on the part of the Senate in withholding consideration from all these names was prompted by the desire of some one to secure seniority for an officer not embraced within the list. I wonder if there is a Senator who, recognizing the gallantry and the valor, the sacrifices, and the services of these officers, is willing to do injustice to them in order that justice may be done to some one else, justice according to his own conclusion in the matter.

In the Army reorganization act Congress did not vest in the Senate of the United States the responsibility of making these selections. It vested that responsibility in the executive department of the Government. It could not have done otherwise. It did, however, define the manner, the method, and the means of the selection, and every requirement Congress saw fit to make has been complied with, both in letter and in spirit.

Some one had said that Gen. Pershing indirectly has exercised influence in the selection of the nominees. Let me in my humble way bear testimony to the worth and merit of Gen. Pershing. When our Government decided to engage in the war it selected him as commander in chief of the American Expeditionary Force. His previous services had fitted him for that great responsibility. He was not a politician. He was a soldier in every sense of the term. Pershing went to France, took charge of our soldiers there, and throughout the conflict he was in supreme command. The Government adopted and announced the policy of recognizing his authority in all matters that pertained to the conduct of our armies at the front. It sent him immediately any officer that he requested. It sent back home any officer whose services Pershing regarded more valuable in America than in the expeditionary force. This was wise action on the part of the Government. If those charged with responsibility—if the commander in chief had not done this, if he had failed to repose confidence in Gen. Pershing, our Army could not have achieved the success which crowned its efforts. The gallantry, heroism, splendid manhood of Gen. Pershing is illustrated by the fact that he has been a modest gentleman throughout the period which has elapsed since he came back home. He is comparable in disposition and ability in many respects to the commander of the Union troops during the Civil War—Gen. Grant.

The fact that in the selections made by a board of distinguished officers—and I speak now of the grade of brigadier general—only those were chosen for promotion who had displayed signal ability and unquestioned courage throughout their service is a further demonstration of the forceful character of Gen. Pershing, for probably he was consulted regarding the selection for promotion of officers who served directly under him.

Let some Senator tell the American people why the Senate should not have an opportunity to discuss and consider these nominations. If there is a name in that list which does not deserve the honor which this promotion associates with it, then let that name be rejected. Do not humiliate and stigmatize all these valiant officers because somewhere in the list is some one whom a Senator may deem unworthy. Manliness and courage as well as duty require that the Senate shall not shield itself from responsibility behind its rules of procedure. Let the Senate function.

These men did their duty with conspicuous ability when the success of our armies required their utmost exertion. Now that peace has come, why should not the Senate do its duty, even though it act reluctantly and after great delay? There are Senators here who have served throughout long periods, who have crowned themselves with honor and renown by faithful devotion to duty. Will those Senators, in order to advance the cause of a favorite, do injustice to men admitted to be worthy of the distinction tendered them in these nominations? There is not a Senator present who can not recall the name of some officer dear to him and whom he would like to see promoted. But, Senators, the American people do not want politics to control the selection of major generals and brigadier generals.

If it were not for the fact that in the early future the Executive Department of this Government is to pass into new hands there would not be a single objection to any of these nomina-

tions. The objection now is made en bloc, for the sole purpose—there can be no other—of attempting to induce the incoming President to send in a new list of nominations, to induce him to change this list by leaving off some name or names upon it and placing others there. When you analyze the proposition there can be nothing more said of it. Who wants to establish that sort of precedent?

It is said that the new President will revoke the Executive order of March 30, 1917, putting postmasters under the civil service and that hereafter all postmasters shall be appointed through political influence. He has the power to pursue that course. Let not the Senate of the United States declare to the country that military nominations are to be made in the same or in a similar way. It is fortunate that the greater number of our military officers know little of politics. It happens that a majority of the names on this list are of officers who, if they have any political sympathies or affiliations, are connected with a different political party from that to which I belong. It happens that no officer in that list is a native of the State which I feebly represent, in part, in this body. But I should count myself unworthy of my station here if that influenced me.

Let the Army of the United States be kept out of politics in so far as that end can be accomplished. Let officers be fighting men, ready and willing to earn their distinctions and their promotions in actual service, as these men have earned theirs. If it be known that a Senator or Senators of great influence in this body can send into humiliation and disgrace an officer who has glorified our flag in military service, we wreck the high standard of efficiency and courage which has been erected in the past and maintained in spite of politicians.

These nominations, made in conformity to the law of Congress, in recess, submitted to the Senate when it first assembled in December, are given no consideration whatever. The only way they can be considered, except by unanimous consent, is by the Senate proceeding to an executive session.

Mr. President, I move that the Senate proceed to the consideration of executive business.

PROPOSED EXECUTIVE SESSION.

The VICE PRESIDENT. The question is on the motion of the Senator from Arkansas.

Mr. MOSES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names.

Ashurst	Gooding	McCumber	Smith, S. C.
Ball	Gore	McKellar	Smoot
Beckham	Gronna	McLean	Spencer
Borah	Hale	McNary	Stanley
Brandegee	Harris	Moses	Sterling
Calder	Harrison	Myers	Sutherland
Capper	Heflin	Nelson	Swanson
Chamberlain	Jones, N. Mex.	New	Thomas
Cummins	Jones, Wash.	Overman	Townsend
Curtis	Kellogg	Penrose	Trammell
Dial	Kendrick	Phipps	Underwood
Dillingham	Kenyon	Poindexter	Wadsworth
Elkins	Keyes	Pomerene	Walsh, Mass.
Fernald	King	Ransdell	Walsh, Mont.
Fletcher	Kirby	Robinson	Watson
Frelinghuysen	Knox	Sheppard	Williams
Gay	La Follette	Shields	Willis
Gerry	Lenroot	Simmons	
Glass	Lodge	Smith, Ariz.	

The VICE PRESIDENT. Seventy-four Senators have answered to the roll call. The Senator from Arkansas [Mr. ROBINSON] has moved that the Senate proceed to the consideration of executive business.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. On this vote I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. GLASS (when his name was called). I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote.

The roll call was concluded.

Mr. McKELLAR (after having voted in the affirmative). I have a pair with the junior Senator from Maryland [Mr. FRANCE.] I transfer that pair to the senior Senator from California [Mr. PHELAN] and let my vote stand.

Mr. OWEN (after having voted in the affirmative). I learn that my pair has not voted, and I therefore withdraw my vote.

Mr. TRAMMELL (after having voted in the affirmative). I was not aware of the fact that my pair, the Senator from Rhode Island [Mr. COLT], was not present at the time I voted. He is absent. I therefore shall have to withdraw my vote, being unable to secure a transfer.

Mr. OVERMAN (after having voted in the affirmative). I understand my pair, the Senator from Wyoming [Mr. WARREN], has not voted. I therefore withdraw my vote.

Mr. DILLINGHAM (after having voted in the negative). I am compelled to withdraw my vote, as I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is not present.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from California [Mr. JOHNSON] with the Senator from Missouri [Mr. REED];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON]; and

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

The result was announced—yeas 34, nays 36, as follows:

YEAS—34.

Ashurst	Harrison	Pomerene	Stanley
Beckham	Heflin	Ransdell	Swanson
Dial	Jones, N. Mex.	Robinson	Thomas
Fletcher	Kendrick	Sheppard	Underwood
Gay	King	Shields	Walsh, Mass.
Gerry	Kirby	Simmons	Walsh, Mont.
Glass	McKellar	Smith, Ariz.	Williams
Gore	Myers	Smith, Ga.	
Harris	Pittman	Smith, S. C.	

NAYS—36.

Ball	Frelinghuysen	Lenroot	Phipps
Borah	Gooding	Lodge	Poindexter
Brandegee	Gronna	McCumber	Smoot
Calder	Hale	McLean	Spencer
Capper	Jones, Wash.	McNary	Sterling
Cummins	Kellogg	Moses	Sutherland
Curtis	Kenyon	Nelson	Townsend
Elkins	Keyes	New	Wadsworth
Fernald	La Follette	Penrose	Willis

NOT VOTING—26.

Chamberlain	Henderson	Norris	Smith, Md.
Colt	Hitchcock	Overman	Trammell
Culberson	Johnson, Calif.	Owen	Warren
Dillingham	Johnson, S. Dak.	Page	Watson
Edge	Knox	Phelan	Wolcott
Fall	McCormick	Reed	
France	Newberry	Sherman	

So the Senate refused to proceed to the consideration of executive business.

EMERGENCY TARIFF—CONFERENCE REPORT.

Mr. PENROSE. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes. I ask that the report may lie on the table and be printed in the RECORD.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 19, 20, and 21, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert a comma and the following: "except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and

agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert a semicolon and the following: "olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than 5 gallons"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"19. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40 degrees, 24 per cent ad valorem; testing above 40 degrees and not above 56 degrees, 3½ cents per gallon; testing above 56 degrees, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test."

And the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"20. Butter, and substitutes therefor, 6 cents per pound."

And the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"24. Wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $2.35 per pound; if stemmed, $3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

"The term 'wrapper tobacco' as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term 'filler tobacco' means all other leaf tobacco."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"25. Apples, 30 cents per bushel."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"26. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"27. Olives, in solution, 25 cents per gallon; olives, not in solution, 3 cents per pound."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "16 and 18"; and the Senate agree to the same.

BOIES PENROSE,
P. J. MCCUMBER,
REED SMOOT,
Managers on the part of the Senate.
J. W. FORDNEY,
WM. R. GREEN,
NICHOLAS LONGWORTH,
Managers on the part of the House.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had to-day approved and signed the bill (S. 4582) to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. H. Overhue, its assistant enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; that the House had receded from its disagreement to sundry amendments of the Senate to the bill and agreed to the same; that the House receded from its disagreement to certain sundry amendments of the Senate and agreed to the same with amendments; and that the House insisted upon its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 11, 16, 21, 22, 28, 31, 32, 33, 54, 35, 36, 37, 38, 39, 60, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 132, 133, 134, 141, 142, 151, 152, 162, 163, 164, 165, and 166, and requested a further conference with the Senate thereon.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 15682. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922;

H. R. 1856. An act for the relief of Arthur J. Burdick;

H. R. 13402. An act for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.;

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes; and

H. R. 15872. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922.

GOVERNMENT CONTROL OF TELEGRAPH AND TELEPHONE SYSTEMS (S. DOC. NO. 415).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and with the accompanying papers referred to the Committee on Post Offices and Post Roads and ordered to be printed.

To the Senate and House of Representatives:

Pursuant to the provisions of an act of Congress entitled "An act to repeal the joint resolution entitled 'Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war and to provide just compensation therefor, approved July 16, 1918, and for other purposes,' approved July 11, 1919, I am transmitting herewith a report made by Albert S. Burleson, Postmaster General of the United States, supplementing his report of October 31, 1919, and giving a final account and report of the financial operations of the telephone and telegraph systems by the United States during the period beginning August 1, 1918, and ending July 31, 1919, and of the expenditures from the appropriation in the act approved June 5, 1920, reading as follows:

"For payment of the deficit incurred in the operation of the telegraph and telephone systems during the period of Government control and to carry out the provisions of the joint resolution approved July 16, 1918, and the act approved July 11, 1919, with reference to just compensation to the owners of the telegraph and telephone systems for the supervision, possession, control, and operation of their properties by the United States during the period beginning midnight, July 31, 1918, and ending midnight, July 31, 1919, $14,000,000, to remain available until June 30, 1921."

WOODROW WILSON.

THE WHITE HOUSE,
25 February, 1921.

RELIEF OF DISTRESS ABROAD.

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and with the accompanying papers referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

To the Senate:

Supplementing previous communications on the subject, I transmit herewith a report from the Secretary of State, enclosing additional papers pertinent to the Senate resolution of

January 3, 1921, requesting the Secretary of State to obtain and report to the Senate certain information with respect to the distressful conditions of women and children in foreign lands.

WOODROW WILSON.

(Enclosures: Two.)

THE WHITE HOUSE,
25 February, 1921.

—

DEPARTMENT OF STATE,
Washington, February 21, 1921.

THE PRESIDENT:

In further response to the Senate's resolution of January 3, 1921, requesting the Secretary of State to obtain and report to the Senate accurate information as to the actual conditions and the need of relief for women and children in various distressed nations, the undersigned, the Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate, if his judgment approve thereof, additional papers pertinent to the Senate resolution, namely: despatches from the American Minister at Prague and the American Commissioner at Budapest, dated January 25th and 20th respectively.

Respectfully submitted.

BAINBRIDGE COLBY.

(Enclosures: 2 as above.)

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(No. 398.)

PRAGUE, *January 25, 1921.*

The honorable the SECRETARY OF STATE,
Washington.

SIR: I have the honor to report on the conditions in the Czechoslovak Republic as requested in the department's circular telegram of January 7, 1921, 7 p. m.

I shall confine the major part of this report to the food situation as it affects the women and children. This is the vital need at the present time, and I shall only refer briefly to the need for clothing and medical assistance to fight the threatened typhus epidemic in Carpathian Russia, and the tuberculosis situation. Accurate information on these latter subjects is, however, not available at present.

Upon my arrival in Prague as the first American minister to the Czechoslovak Republic, I was informed by the acting Minister of Foreign Affairs that the American Relief Administration had literally saved the country from bolshevism. Since then I have been in close touch with this agency, even since it ceased to be a governmental organization, and continued its work as the European Children's Fund. As the organization was hastily got together after the armistice, there is much that could be said in criticism, especially at the beginning; on the whole, however, I believe the work has been carried on with due regard for American interests, and with the constant aim in view of withdrawing at the earliest opportunity and leaving the work to be continued by the Czechoslovak Republic and local agencies.

Independent investigators are frequently sent from the main office in London to check the work of the local organization, and much care is exercised in laying out the work. In addition, I have been in close touch with experienced men from other organizations, such as the American Red Cross and the Rockefeller Foundation, who have testified as to the necessity of feeding the children, and the benefits thus accomplished.

As stated above, the relief given by America to this country has been considered of prime importance. This relief is still being extended and the question is, shall the American people continue it, or shall it be stopped at once? If no assistance had ever been given, it might not be advisable, from the purely humanitarian point of view, to give it now, since the need here is less in comparison with the appalling conditions which exist in other countries. However, this country is justified in asking for the continuance of American relief measures, not only because of the necessity, but because Czechoslovakia is making valiant efforts to reestablish itself not only in this respect, but economically as well, and, in my opinion, it is making considerable progress in the right direction.

Since the initial United States Government credit in 1919 for flour purchases, this country has been able to secure flour in sufficient quantities to take care of the greater part of the industrial population. However, the distribution has been poor; outlying districts have suffered; and a large part of the population has been undernourished in consequence. This means that their productive ability has been considerably curtailed. (As evidence of this, the miners of Moravska Ostrava have agreed to work on Sundays if the Government will grant an advance of 10,000,000 crowns for additional food rations. The miners of the Falkenan district agreed to increase their output from 20 to 40 per cent provided certain extra rations were furnished them. This latter information was furnished me by a reliable American who negotiated an agreement with the miners on behalf of an American syndicate.)

The Government food policy is open to criticism in many respects. The situation has been reported on in detail in my weekly dispatch No. 396, of January 18, and in previous reports. Poor distribution and maladministration are largely responsible for shortages, especially in Carpathian Russia and Slovakia, where the entire transportation system and governmental machinery is being built up, with a lack of trained officials to draw upon. Prague, the capital, would have been without flour over Christmas if it had not been for a temporary loan of 1,700 cars from American relief stocks. Several similar instances can be cited where the emergency aid of American relief has prevented serious labor troubles in industrial centers due to failure of Government stocks.

The food shortage affects, in a general way, all the nonfarming population, which is more than one-half of the total. Acute want is felt in three particular districts, the mountainous region in northern Bohemia, the hilly districts of Trencin in Slovakia, and the territory of Carpathian Russia. The causes of the shortage are, in addition to the factors already mentioned, the reduction of the cultivable area due to diminution of live stock and of man power; the impoverishment of the soil due to lack of phosphates and nitrates, fertilizers essential to soil under cultivation for so many hundreds of years, and to fixing of maximum prices during the war; and the prohibition of free trade in grain, which discourages the farmers from endeavor. It is estimated that the crop production has decreased 40 per cent since 1914; the production in 1920 is 10 per cent below that of 1919. The farmers are feeding their own grain to pigs and cattle, since meat prices are not subject to control and therefore they can sell meat at better prices than they can get for grain. This factor contributes to a grain shortage which the Government is unable to deal with. I wish to call the department's attention to the fact that even should the Czech Government remove the fixed price on flour and allow it to be sold in the open market, the maldistribution would perhaps continue to an even greater degree, and the relief from America in the form of flour would still be necessary.

To tide the nonfarming population over the critical period, the State has kept down the price of grain requisitioned from the farmers to less than one-third or even one-fourth the price obtainable by clandestine sale. Home supplies are therefore inadequate. Forty-five thousand carloads must be imported this year from abroad, in addition to 90,100 carloads expected to be raised by the farmers of the country, not including Carpathian Russia. The food crisis at the present moment is due to the failure of the farmers to deliver enough grain and to insufficient imports from abroad. Only 12,531 carloads of flour and grain have so far reached this country from abroad; an amount somewhat larger than that has been purchased and is on the way, but much remains still to be bought. Negotiations are under way for the purchase in London of old Chinese flour from British Army stores on three months' credit.

The fall in the price of sugar, Czechoslovakia's mainstay, compels her to seek credits for the purchase of food for her people and raw materials for her industries, and she has difficulties in obtaining this credit. Despite this, however, the country as a whole is fairly well supplied with meat, bread, and sugar, although at prices beyond the reach of the mass of the population.

Direct benevolent help is needed in the three districts above mentioned. They are hilly, nonproductive countries, hard hit by the war in the matter of food. Slovakia and Carpathian Russia always furnished a large percentage of emigrants to America, and a larger number of Carpathian Russians now live in America than remain in the old country. There, as in Slovakia, a large part of the population used to go down for the spring and summer months to work in the rich Hungarian plain.

In Carpathian Russia the problem is further complicated by the evacuation of two-thirds of its richest part by the Rumanians, who had occupied it until six months ago. In this short time the whole Government machinery for taking over these districts has had to be built up, with but scant material to draw upon. Most of the old officials are loyal to the Magyar Government, and the local population is backward and illiterate. All rail and wagon communication to the eastern part of the country is obliged to pass through Rumanian territory, and this is an additional handicap.

The first of the districts mentioned, northern and northwestern Bohemia, largely populated by Germans, maintained itself by industries and trade, workmanship, and craftsmanship, with very little agriculture.

It would seem that if the Government could not regularly distribute its own food to the population that the work of the children's organization would also be affected. This is true; and trouble is continually cropping up. But the work of the American officials is to watch the situation, and, as the amount of food for children is small in comparison with the total need, the distribution is effected with fair efficiency. American help for the children of Czechoslovakia, which at its height furnished one good meal a day to half a million children, has now been reduced to feeding practically the above-mentioned districts. (The distribution in Slovakia is in the hands of Lady Paget's British mission, but the food comes from and is paid for by the American relief administration.)

Due to a shortage of funds, the number now fed is about 100,000, but it is hoped that this number can be doubled. This help is absolutely indispensable. In the districts where it is given the population was actually dying out in 1918. In entire districts the deaths outnumbered the births by almost three to one. (In the whole Republic death from consumption has doubled since 1913.) In some of the districts in question approximately 60 per cent of the children showed clinical signs of malnutrition. In northern Bohemia the problem is a heritage from Austria-Hungary. In some of the towns where the American Relief Administration is working two-thirds of the population was fed from public kitchens during the war. In these outlying districts distribution of food is further complicated by slow communication due to the lack of railway cars and equipment. Contraband prices of bread and nearly all kinds of food there are almost double those in Prague. The population can not afford the price of contraband food. More than half of the workmen in some of the districts have emigrated either to the mining districts or to Germany. Industries are working at one-fifth to one-third capacity. The American Relief Administration in one district has saved hundreds of children's lives from death of edema, and in the Republic hundreds of thousands of children have been saved from becoming crippled, dwarfed, consumptive, anemic human stock.

The American food for Czechoslovakia arrives at Hamburg, all expenses of transportation, preparation, and distribution after that are borne by Czechoslovakia. The American contribution since 1919 has amounted to $4,421,448.16 and the Czech contribution to $887,096.26. At the present depreciated exchange this may be considered as more than equal to the contribution from America. Over a million meals have been served at an approximate cost of 2 crowns per meal, including all the expenses. The overhead expenses are very small. From over 40 Americans at the beginning of 1919, the number has been reduced to 4 who exercise general supervision. There are in addition 155 local employees and physicians, whose salaries are paid by the Czechoslovak Government, and 10,000 volunteer workers. The overhead expenses for the American Relief Administration are 1 cent for 25 meals, and the overhead expenses for the American Relief Administration plus the Czechoslovak children's relief 1 cent for 12½ meals. Ninety-five per cent of the money goes into food, with 3 per cent for transportation and 2 per cent for overhead expenses.

The stamping out of epidemics by the Czechoslovak Red Cross, under the presidency of Dr. Alice Masaryk, has won praise from independent observers, Americans, and others. Prof. Gunn, of the Rockefeller Foundation, emphasizes the urgent need for child feeding and care of

tuberculosis patients. After a careful study of the statistics, which he admits are inaccurate, Dr. Gunn states that the tuberculosis situation here is very bad, especially among children, as compared with the United States. He attributes a large percentage of this to undernourishment, and notes a great improvement in this direction, as well as in the infant mortality rates since the introduction of American child relief in 1919. He reports considerable progress by the Czechoslovak Red Cross in developing means for fighting this disease, but states that years of work are necessary before great progress can be made.

In conclusion, I would state that the resources of Czechoslovakia in agriculture, mining, and industries are of the best. Her population, particularly in Bohemia and Moravia, is composed of educated, trained, and efficient workmen, both on the farms and in the shops. The whole attitude of the people is characterized by a worthy ambition to be not only a self-supporting but a contributing factor, economically as well as otherwise, in Central Europe. Self-help is practiced in small and big things, and a sense of duty and discipline is strongly impressed on the national character, both of Czechs and Germans.

The Government has persisted, it would appear wisely on the whole, in saving the State from the shock of high prices of bread for the nonfarming population during the period when the country's industries and trade have not yet recovered their former markets. To do this it has been necessary to purchase grain abroad at market prices and sell to the population at prices which caused the Government a loss of nearly 2,000,000,000 crown a year.

Relief to the children in the districts where acute distress prevails is therefore both deserved and imperative. But it can not supplant the necessity of constructive economic relief to the country as a whole in the shape of long-term credits for the purchase of food and raw materials. The textile industry (cotton) supports a population of 2,000,000. If the misery in Czechslovakia is not so great as elsewhere in Europe, yet it should not be forgotten that the country on that very account is nearer to economic recovery and is separated by less than are other States from the day when it will become a contributing factor to the recovery of the rest of Europe. The desirability of speeding up this day is therefore a strong argument in favor of helping Czechoslovakia in both directions—of saving the children and of assisting the State by means of credits for raw materials and food. I personally can not too strongly emphasize the need for this latter constructive relief. Unless America does something along these lines we may look forward to an indefinite continuation of demands for American charitable help. There are some 400,000 orphans and widows as a result of the war, whose condition is such as to appeal to American sympathy. At various times I have personally visited the districts where relief is now being given and have seen barefooted children in the middle of winter walking around in the snow. In Carpathian Russia I have seen delegations of peasants, evidently in great want, just after harvest, asking for help to tide them over the winter and asking for medical aid to fight the typhus epidemic. I can testify as to the gratitude of the population and their admiration for America and everything American.

The work that is being done by American organizations here is on the whole constructive, and the Government, the Czecho-Slovak Red Cross, and private organizations are gradually taking over such work as is permanently necessary. In the work of the European children's fund the supervision of Americans is necessary as long as we supply the food. The committees organized by this relief represent all nationalities in the Republic, and Americans exercise a restraining influence on these elements. All reports show that these committees are now operating harmoniously, a fact which could not have been accomplished without American help.

I have the honor to be, sir, your obedient servant,

RICHARD CRANE.

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(No. 607.)

AMERICAN MISSION,
Budapest, January 20, 1921.

The honorable the SECRETARY OF STATE,
Washington.

SIR: Pursuant to the department's instructions of the 7th instant and supplementary to my telegram No. 299 of the 18th instant, I have the honor to report that the conditions which continue to prevail in Budapest make the feeding of the undernourished children of the population a public necessity. Not only is it a benefit to the rising generation as well as a puissant aid in combating social unrest, but doubtless many lives have been saved thereby. Proof of its necessity is furnished by the poor crop of last year, due to numerous causes, both political and economic, which have necessitated a 30 per cent mixture of maize flour in the people's bread; the abnormally high cost of foodstuffs, which has not been offset by the increase in wages; the shortage of fuel, disorganization of transport, unemployment due to lack of raw materials, and the prohibitory cost of imports due to the low value of the crown.

Hungary is not, however, in a condition analogous to that which exists in Austria. Under more favorable circumstances sufficient food could be produced in Hungary to feed her population, although certain elements are now lacking for the proper nourishment of town-bred children, such as sugar, rice, lard, milk, and some flour, all of which are being imported by the American Relief Administration European Children's Fund.

A detailed account of the activities of that organization is given in a communication addressed to me by Mr. C. G. Bowden, their director for Hungary, under date of the 19th instant, which, together with its annexes, is inclosed herewith. While it would appear that the Hungarian Government is not directly occupied to any large extent in the relief of underfed children, it has contributed some 34,112,000 crowns toward the activities of the American Relief Administration European Children's Fund, as against 183,785,118 crowns (at 200 crowns to the dollar) expended by that organization, and 8,000,000 crowns each by the Hungarian League for the Protection of Children, under the presidency of Count Laszlo Széchenyi, the relief organization directed by ex-Prime Minister Charles Huszar, and the students' kitchen, making a total of 58,112,600 crowns from Hungarian sources.

In a city which is suffering from the moral and economic effects of the late war, the Rumanian occupation, and a short bolshevist régime, the obstacles encountered to the efficient organization and administration are, many of them, well-nigh insufferable. I am of the opinion, however, that the children's feeding fund has met with a high degree of success in overcoming these many difficulties and deserves the highest praise from both the American and the Hungarian public. With regard to the physical effects of their efforts, however, some interesting statistics appear on page 51 of their recently published report, a copy of which is herewith inclosed and from which it would appear that of 8,870 children fed over a period of seven months and of whom statistics had been kept, 52 per cent lost weight, 20.8 per cent showed no gain, while 27.2 per cent showed an average increase of 1½ kilos, about 3 pounds.

The reason for this striking result is obscure. What might have been the condition of these children if they had not profited by the intervention of the children's feeding organization? It would seem hardly probable that the parents of those who actually lost weight during the period in question had curtailed their food at their own tables and thus saved funds to be otherwise applied or the other members of the family provided with more food. Without a house-to-house inspection this could not be ascertained, an activity quite beyond the powers of those directing an organization engaged in feeding, at one time, 110,357 little ones. However striking these statistics may be, the general results must be judged in their broader aspect—the lesson in charity; the moral effect on the children and their parents; the probable physical deterioration of the children had no one come to their succor; the example of a well-planned organization; the establishment of a precedent for governmental participation in such activities; and the introduction of additional foodstuffs into a country suffering from shortage.

While the Hungarians are grateful for the assistance received they would naturally, as a high-spirited and self-reliant people, desire to assume the care of their own poor as soon as conditions would permit; but they would need the cooperation of foreign humanitarian societies to help them procure the necessary materials to enable them to do so effectively and expeditiously. After the demobilization of their troops and the institution of the scheme of administrative and other economies adopted by the Government, the financial status of Hungary will doubtless be so improved that outside aid in this regard can be dispensed with. Until those projects have become a reality, however, foreign charitable assistance will continue to be not only welcome but necessary.

I have the honor to be, sir,
Your obedient servant,

U. GRANT-SMITH.

(Inclosures: 1. Mr. C. G. B. to Mr. U. G.-S. January 19, 1921; 2. Printed report European children's fund, Budapest, Budapest, 1920.)

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AMERICAN MISSION, BUDAPEST.

(Inclosure No. 1, dispatch No. 607, dated Jan. 20, 1921.)

AMERICAN RELIEF ADMINISTRATION WAREHOUSES,
(AMERIKAI SEGITŐ RAKTÁRAK),
Budapest, January 19, 1921.

To the AMERICAN COMMISSIONER.
Budapest.

DEAR SIR: With reference to the conversation which we have had in regard to the necessity for the continuation of child feeding in Hungary until the next harvest, I submit the following information:

I. ECONOMIC CONDITIONS.

a. Supply of foodstuffs. The 1920 crop in Hungary was far below the average. The reasons for this are:

1. The disturbances caused by the bolshevik régime.
2. The Rumanian occupation of rich agricultural sections during the season in 1919.
3. The confiscation by the Rumanians of large quantities of seed grains, agricultural machinery, and stock.
4. Unfavorable weather.

As a result of the insufficient yield this country did not have, as it had hoped, a surplus of foodstuffs to export, but, on the contrary, will be able by the most careful management to provide for the population the minimum required for existence until the next harvest. The bread flour is to be mixed with 30 per cent maize. The Government had the flour milled into two grades, one of the finest quality, the other of inferior. It was proposed to sell the first at 42 crowns a kilo, and an appeal was issued that all well-to-do people should buy it as a matter of patriotic duty in order that the Government might be able to sell the inferior grade at 3.50 crowns per kilo, recouping their losses on the profits of the higher grade flour. However, it has developed that very few people have been able to pay 42 crowns per kilo, with the result that most of this flour remains in the hands of the Government. It is possible that a certain quantity of this will be exported in exchange for other commodities.

With the exception of this white flour and a quantity of white beans, there is no surplus of foodstuffs in Hungary. The only valuable article of export is wine, of which the yield last year was excellent.

The American relief administration feeds only children who have been certified by doctors to be sick and undernourished. For the kitchens the following commodities are used: Cocoa, sugar, milk, rice, lard, flour, and beans.

Of these, all of the beans and part of the flour are furnished by the Hungarian Government. The other commodities which are unobtainable in Hungary are imported by the American relief administration.

b. Fuel shortage: The maximum capacity of the Hungarian mines can supply only half of the coal requirements of the country. Coal from the Hungarian mines is of very low calory value. Due to lack of transportation facilities, the unwillingness of the neighboring States to export coal into Hungary, and the depreciation of the Hungarian crown, which makes imported coal practically prohibitive in price, it is impossible to make up this deficit from imports.

Since Hungary lost 60 per cent of her woodlands by the peace treaty, the wood shortage is even greater than that of coal, and the price is very high.

The schools of Budapest have been closed since October 15 on account of lack of fuel. The majority of the inhabitants have no fuel for heating purposes, and many have not even sufficient for cooking.

c. Unemployment: Due to fuel shortages and lack of raw materials for the factories, the great majority of industrial workers are without employment.

d. Wages: The average wages of a skilled workman are from 400 to 600 crowns weekly; of an unskilled workman, 300 crowns. This amounts to from fifteen to twenty times the wages of 1914. (See Table I adjoined.)

e. Cost of foodstuffs: The average cost of foodstuffs is about fifty times as great as in 1914. A workman requires at least 300 crowns more than his weekly pay to buy foodstuffs necessary for his existence. (See Table II.)

f. The cost of clothing is one hundred to one hundred and fifty times as great as in 1914. (See Table III.)

g. Physical condition of the children. (See Table IV.) The loss in normal body weight of the children since prewar times is as follows:

Ages.	Loss in kilos.
3 to 4 years	1.5
4 to 5 years	2
6 to 9 years	2.5
9 to 10 years	2
10 to 14 years	1.5

Forty thousand children have rickets.

Forty thousand are tubercular and scrofulous. The number of tubercular children has doubled since prewar times.

More than 70,000, excluding the cases of illness, are seriously undernourished.

h. Moral condition of the children.

1. There are more than 50,000 young vagrants on the streets of Budapest.

2. Truancy from school has increased 30 to 40 per cent since prewar times.

3. In 1920, 50,000 juveniles were tried in the courts of Budapest, of whom 50 per cent were charged with vagrancy. Of these, 14 per cent were girls. There were many cases of prostitutes under 14 years of age. Ninety per cent of these young prostitutes were found to be venereal.

It is obvious that under such circumstances even the most adventurous political program which promised a betterment of social conditions would be welcomed by the people.

II. Contributions of the Hungarian Government and local organizations for the relief of the population:

Contribution of the Hungarian Government:	Crowns.
To work of American Relief Administration	34,112,000
Hungarian League for Protection of Children	8,000,000
Ex-Prime Minister Huszar Relief Action	8,000,000
Students' kitchens	8,000,000
Total	58,112,000

The above are the principal donations made by the Government to charitable organizations. In addition to this, the Government is to the best of its ability looking after the usual categories of State dependents and providing food and clothing to the numerous State employees at a loss. It should be noted that the Government contributed an enormous sum of money to our action, far more than it could afford under the circumstances.

It should be remarked that the comparatively small effort of the Hungarians in relief work among the poor is due more to lack of organizing ability and experience in this work than to lack of interest. The Government and the general public are much more inclined to the work of the American Relief Administration than to local organizations. They have confidence in our efficiency and our freedom from prejudice or favoritism. Our aim is to show them the way and to help them for a time, then to turn over our work to the local organizations which have benefited from the experience gained in working with us. We hope to leave a permanent child-welfare organization here when we go away. Of the personnel now carrying on child-feeding work, almost a thousand, only three are Americans, of whom two are volunteer workers.

3. Efficiency and economy of the administration.

a. Efficiency: Only children who have been carefully examined by a doctor and pronounced to be undernourished (according to the Dr. Pirquet system of weights and measurements) are given cards admitting them to the kitchens. The children partaking of the feeding are weighed at frequent intervals, and any child who has increased in weight so as to approach the normal is excluded to make place for another undernourished one. In this way it is insured that only the most needy children receive our meals.

Foodstuffs are distributed for a month at a time to each kitchen, based on the number of children fed and the ration per child per day. Our controllers examine the books and the supplies of each kitchen at frequent intervals to make sure that there is no discrepancy. Chemical analysis of the rations are often made to ascertain whether the required quantities of foodstuffs are contained. There is a standard menu for all kitchens. It is practically impossible for any misappropriation of our foodstuffs to be made. A few cases of petty thievery were found last year. The offenders were severely punished.

b. Economy. We submit a statement of our action up to August, 1920.

Total value American contributions.

Exchange taken at 200 crowns per dollar	172,787,239
Value flour, fats, contributed by Hungarian Government	10,997,879
Total value commodities distributed	183,785,118

Administration expenses.

	Crowns.
Salaries	237,997.50
Printed matter	85,263.80
Rent for storehouse	18,954.00
Transportation handling	6,115,336.29
House rent	30,778.12
Heating	19,241.70
Yeast	1,373.40
Rent of sacks	13,240.76
Gasoline	274,117.54
Wages	42,697.70
Workmen's insurance	972.68
Electric installation	46,816.56
Cold storage	30,859.20
Refunded to city	892,653.00
General expenses	375,285.05
Total	8,185,587.30

All paid by Hungarian Government.

Faithfully yours,

C. G. BOWDEN.

TABLE I.—*Weekly wages of skilled workmen in Budapest according to latest statistics.*

	Crowns.
Carpenter	540
Printer	445
Bookbinder	425
Women's tailor, men	750
Iron and metal workers	430
Men's tailor	540
Woodworker	500–800
Furrier	400–650
Leather worker	450
Shoemaker	700–800

WOMEN.

Printer	241
Bookbinder	288
Women's tailor	330–500
Shoemaker	400–500

B. UNSKILLED WORKMEN.

Printer's apprentice (women)	279
Male factory worker	300
Female factory worker	250
Brick worker (men)	270
Brick worker (women)	90

PAY OF OFFICE CLERKS.

Average yearly income of 5,700 employees of the city administration	12,000
Average yearly income of 6,900 city teachers	13,000

TABLE II.—*Statistics of average monthly prices of foodstuffs in Budapest markets.*

Article.	1914, July.		1920, January.		1920, July.		1920, October.	
	Krone.	*Heller.*	*Krone.*	*Heller.*	*Krone.*	*Heller.*	*Krone.*	*Heller.*
White flour		45	10	52	10	90	42	00
Cooking flour		30	10	82	10	90	11	00
Bread flour		40	2	86	3	20	2	50
Beef, roast	2	27	62	00	90	18	93	88
Beef, for soup, first grade	2	06	60	74	87	48	90	63
Beef, for soup, second grade	1	73	56	55	74	86	80	57
Veal, leg	3	03	87	60	94	51	105	42
Veal, shoulder	2	12	72	23	72	34	84	46
Pork, leg	2	10	85	09	96	14	107	20
Pork, cutlet	2	60	92	77	117	09	121	77
Lard	1	62	119	47	122	89	159	67
Milk		30	4	20	7	00	10	00
Curds		89	15	00	28	00	28	00
Beans	1	41	18	99	15	50	15	74
Carrots		32	6	08	5	34	4	27
Parsley	1	18	6	37	6	54	6	44
Onions		29	12	04	4	97	4	28
Potatoes		14	1	96	6	59	3	35
Sauerkraut	11	32	11	52	11	32	7	00
Ordinary apples		32	21	98	12	23	13	90
Plum sauce		72	47	00	46	60	52	03
Fresh eggs, per piece		07	5	11	3	07	5	00

TABLE III.—*Prices of industrial articles in Budapest.*

Articles, average grade.	August, 1914.	October, 1920.
	Kronen.	*Kronen.*
Man's suit	50.00	5,000.00
Man's shoes	12.00–16.00	1,300.00–1,600.00
Man's shirt	3.50–5.00	500.00
Man's hat	8.00	600.00
Socks	.60	80.00
Woman's blouse	5.00	300.00
Woman's shoes	8.00	1,200.00
100 kilos coal	3.96	200.00
100 kilos wood	3.50	200.00
1 kilogram soap	.80	88.00
Soling pair shoes	2.00	200.00

JANUARY 14, 1921.

Memorandum.

I beg to report, sir, that I have spoken to Mr. Charles Kocsán, an editor of the Christian Socialist paper Nep, who told me that very much of the materials, food, and supplies of the American humanitarian actions comes into wrong hands. A population of professional mendicants is bred, and the number of those who live on the food and supplies given by the committees is much bigger than believed. Many of those out of work live from "Schleichhandl"; that is to say, they go into the country, buy up food, sell it at a higher price in the city, instead of going to regular work, while the other members of their family wait for food or presents before the officers of these institutions.

An hour after the Christmas presents of the American Red Cross had been distributed by Capt. Pedlow, a perfect market was organized on the Teleki tér, where these articles were bought and sold.

He believes it would be much better to learn these people a useful trade and supply them with raw materials, the price of which would be refunded by the products, whereas they would get decent wages and could so make an honest living. An action of this kind was organized in the country—county of Vas—etc., and he would like to have the support of these organizations rather than for ill-chosen, unworthy individuals. Will submit data on the question.

Suggests distribution of support to be organized in future with the help of the Christian Social trades-unions, so that the workmen would be supported, who are out of work without their fault, and not the professional beggars.

SZECSY.

[Inclosure 2: Printed report European children's fund Budapest, Budapest, 1920, omitted from RECORD.]

MILITARY CONFIRMATIONS.

Mr. WADSWORTH. Mr. President, the President of the United States has nominated to the Senate three officers for the grade of brigadier general in the Officers' Reserve Corps. I ask

unanimous consent, as in open executive session, that these three nominations be referred to the Committee on Military Affairs.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. WADSWORTH. Mr. President, I am authorized by the Committee on Military Affairs, which committee discussed the matter this morning in its regular meeting, to report back forthwith these three nominations to the Senate and ask consent for their immediate consideration as in open executive session.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read the nominations.

The READING CLERK. To be brigadier general, Richard Coke Marshall, jr., late brigadier general, United States Army, from February 4, 1921.

The VICE PRESIDENT. The question is, Shall the Senate advise and consent to this nomination? [Putting the question.] The ayes have it; the nomination is confirmed, and the President will be notified.

The READING CLERK. To be brigadier general, John Henry Sherburne, late brigadier general, United States Army, from February 11, 1921.

The VICE PRESIDENT. The question is, Shall the Senate advise and consent to this nomination? [Putting the question.] The ayes have it; the nomination is confirmed, and the President will be notified.

The READING CLERK. To be brigadier general, Brice Pursell Disque, late brigadier general, United States Army, from February 17, 1921.

The VICE PRESIDENT. The question is, Shall the Senate advise and consent to this nomination? [Putting the question.] The ayes have it; the nomination is confirmed, and the President will be notified.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 17, 18, 20, 24, 25, 26, 27, 29, 30, 45, 46, 47, 48, 52, 54, 55, 56, 58, 59, 62, 64, 65, 66, 67, 68, 69, 73, 79, 83, 84, 86, 96, 99, 100, 106, 107, 108, 109, 110, 113, 116, 122, 123, 124, 125, 126, 130, 131, 135, 140, 153, 154, 155, 156, 159, and 161.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 12, 19, 23, 40, 41, 51, 53, 57, 61, 63, 70, 71, 74, 75, 77, 85, 88, 89, 90, 91, 92, 93, 94, 95, 97, 98, 112, 115, 117, 118, 119, 128, 129, 144, 145, 146, 147, 148, 157, 158, and 160, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eleven"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,917.50"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,811,857.50"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$550,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44, 49, 50, 60, 72, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 111, 114, 120, 121, 127, 132, 133, 134, 136, 137, 138, 141, 142, 143, 149, 150, 151, 152, 162, 163, 164, 165, 166, 167, and 168.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. WARREN. I move the adoption of the report.

Mr. UNDERWOOD. Mr. President, I did not object to the Senator making his report, but I do not understand that he has had unanimous consent to take up the report. I desire to ask, if this motion is agreed to, whether it displaces the unfinished business?

The VICE PRESIDENT. Yes.

Mr. JONES of Washington. I did not understand that the Senator had moved to take it up.

The VICE PRESIDENT. Oh, no; we have been proceeding here by unanimous consent.

Mr. WARREN. It is a partial report.

Mr. UNDERWOOD. I will ask the Senator to let his motion go over until to-morrow morning. I desire to examine the report.

Mr. WARREN. I was merely about to say that as to two or three amendments the House has concurred with us, and has sent the others back to the conferees. There are some 40 matters still in disagreement.

Mr. UNDERWOOD. I will say to the Senator that of course I have not had a chance to examine the report. There are some matters in the report that are of very vital interest to the Senate and many of its Members. I do not suppose the Senator expects for a moment that he could get the report agreed to without some discussion and consideration of it, and the hour is late.

Mr. WARREN. Of course, the report must be laid over if there is objection.

Mr. UNDERWOOD. I am sure the Senator understands that I am not making a captious objection to the report. There are in it matters of vital interest to myself and my constituency and other Members on this side of the Chamber, and I desire to have an opportunity to examine it.

Mr. WARREN. I think I ought to say before dropping the subject that some 65 matters went back to the House; that the House has sent back some forty-odd or 50 of those, insisting upon its disagreement, without taking any action other than that, which, I understand, takes out of the equation the matter of making points of order, and leaves them with the conferees to settle; and there are altogether three matters in which they have offered amendments to our amendments, to which I was instructed to agree. Other than that, of course, it all goes back for further consideration.

Mr. UNDERWOOD. I will say to the Senator that I do not desire to delay his report. There are matters touched on in the conference that I think will probably bring on some discussion.

Mr. WARREN. I will drop the matter now and simply give notice that I shall try to obtain consideration of this report at an early date, as the bill is a long one, and a good deal of work will be involved in the enrolling, and so forth.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. HEFLIN. Mr. President, we are witnessing to-day more of the tragedy of Republican recklessness and incompetency. Last week the Republicans in this Chamber struck down an appropriation of $100,000,000 for carrying on the work of public-roads building in 43 States of the Union. That great constructive measure, stricken down, lies dead in this body at the hands of the Republican Party. To-day that party places its withering, blighting touch upon the great river and harbor projects of the country. These projects affect very vitally 105,000,000 people. The Government's engineers estimated that $57,000,000 were necessary to carry on this river and harbor work, and yet the committee, under the leadership of the Senator from Washington, its chairman, comes in here with about one-fourth of that amount—$15,000,000—just a little more than one-fourth of the amount necessary to do this work.

Mr. President, nobody charges that projects now under construction and some nearing completion are worthless, are not needed, or that the money is being wasted or extravagantly expended. A Member of the House from North Carolina, Mr. SMALL, former chairman of the Committee on Rivers and Harbors, submitted a substitute for the House bill which is before us to-day, and in his speech he challenged the opponents of real river and harbor improvement to point out a single item in his substitute that was not a worthy one, and nobody accepted the challenge.

What do you suppose, Senators, that the people at home will think of your work of destruction which strikes down river and harbor improvement in the United States? Why, the city of Berlin spent more money during the war for river and harbor projects than you permit the great Government of the United States to spend on all of her lines of water transportation.

Poor old cheese-paring, parsimonious Republican Party! You waste millions in useless expenditures and become economical when it comes to doing something of a substantial nature for the mass of the American people. You killed an appropriation that provided for building a great system of public roads leading from farm to factory and from rural districts to the towns and market places, and now, I repeat, you refuse to provide money sufficient to go on with the program of river and harbor improvement.

Floods may come, channels may fill up, but the Republican Party, under your leadership, refuses to provide the money necessary to meet such an emergency or to carry on the necessary work on river and harbor projects.

Mr. President, Congress in 1917, as was pointed out in the House by Representative McDUFFIE, of the Mobile district, pledged itself to construct a 30-foot channel at the port of Mobile, and here we are in 1921 and that work has not yet been completed. The transportation demands upon this port are increasing by leaps and bounds and the channel there must be made deep enough to carry the big seagoing vessels that seek this important port. This Mobile channel is part and parcel of the great waterway system of the country and I want to see Congress carry out its promise regarding it. What people and what interests do Republican Senators serve who advocate a do-nothing policy with regard to our rivers and harbors?

The Republican Party used to boast that it was a constructive party, but unless its Members here change their course it must be written down as a "destructive party." At the present time everything that it lays its hands upon seems to wither and die. Road construction in the rural districts, the market roads of the farmer—the connecting link between town and country—all this is stricken down.

Mr. President, it is fortunate that we have a great tribunal out yonder to which we can appeal and there is no way to keep us from carrying our cause to the judgment bar of the people. I have seen the Republican Party before its recent victory carry the country by a tremendous majority. I saw your candidate, Mr. Taft, elected in 1908 by a million majority, and four years later go out by unanimous consent. I saw you in that same year of 1908 carry the House and Senate, and in 1910 I saw the Democratic Party carry the House when only two years had elapsed since you recorded your great victory under the leadership of Mr. Taft. In the election of 1912 we carried the Senate and elected a Democratic President, and if you keep on the unwise and un-American way that you have started of opposing every constructive measure we will carry the House in the next congressional election and pluck some of your Members from this end of the Capitol.

From what I have seen here to-day I am convinced that you are prepared to place down by the mangled form of the defeated good-roads measure, the bruised and broken body of defeated river and harbor improvement legislation in the United States.

Great constructive measures are necessary. The business of the people must go on. But one by one, I am sorry to say, these great constructive measures receive a body blow at the hands of the Republican Party, and, Mr. President, the work of destruction goes swiftly on. When will this measly, parsimonious, cheeseparing, and miserable performance against the public good cease in the Congress of the United States?

Mr. CALDER. Mr. President, I am always very much interested in the remarks of the Senator who has just taken his seat. I voted against the $100,000,000 appropriation for improving the roads because the Department of Agriculture, charged with the responsibility for that work, have all the money they can fairly use for the next 12 months for that purpose.

I voted against it also because in many of the States of the country we have paid our own money for good-road purposes. My own State has spent several hundred million dollars during the past 10 years. Some of us have felt that the time has arrived when a few of the States in the country which contribute most in Federal taxes should make protest against the expenditure of money for purposes for which the States themselves should bear the burden. New York last year paid more taxes into the Treasury of the United States than 38 States of the Union put together. While we are very glad to contribute a little to the improvement of roads in the Senator's State and to give our good share toward the expenses of the Government, we have felt that now was the time when the Nation was facing a deficit and to refrain from spending more than was absolutely necessary.

I represent the State which has the greatest harbor in the Nation, out of which harbor goes approximately 50 per cent of our foreign commerce. I propose to vote against the amendment of the Senator from Mississippi [Mr. HARRISON] because I believe, in view of the fact that we had on the 1st of January last the sum of $40,000,000 unexpended balance in the river and harbor fund, that the amount called for in the bill is ample to meet the needs for river and harbor improvement this year in the ports of the country that require immediate attention.

The Senator referred to the harbor at Mobile, which I agree ought to be taken care of. Nothing should be left undone to provide for it. The Senator also referred to the filling in of some of the channels in the rivers and bays of the country. Perhaps it might be a good thing if some of them did fill up, if the drift from the hillsides and the tides in and out could close the channels and the Government thereby be prevented from contributing more to their improvement. I refer, of course, to many of the out-of-the-way places in the country upon which millions of dollars have been spent with little or no advantage to commerce.

I am strongly in favor of the proper development of our great harbors and our great rivers, but while I have at times voted for the improvement of useless rivers and creeks because in no other way could I obtain funds for the improvement of the important ones, I think the time has come for us to make lump-sum appropriations as we have in the pending bill, so that the engineering department of the Government may devote the people's money to the places where it will be really effective.

I shall insist that early next session a comprehensive measure be prepared which will provide authority for the improvement of the rivers and harbors of the United States actually required to further the country's commerce. I have discussed this matter with many Members of the House and of the Senate Committee on Commerce, of which I am a member, and all agree that this shall be done.

For the harbor of New York we need legislation authorizing several definite improvements. The Senator from New Jersey [Mr. FRELINGHUYSEN] has spoken of the development of the Kill Van Kull and of Newark Bay, and of the streams and bays adjoining the port of New York in his State, all of which are necessary. There are improvements of pressing importance in my own State in waters adjacent to the harbor that must be authorized, one of which is the widening and deepening of the channel of Jamaica Bay, but I shall join with the Senator from New Jersey and do all I can to help the matters he advocates for we have one great common port of New York that ought to be improved as one great entity.

There is another matter, and I address myself now particularly to the chairman of the Committee on Commerce, to which he and the other members of that committee must give attention. I refer to the rates charged to-day by the Shipping Board for carrying freight up and down our coast. I discovered in our inquiry into the coal business last summer and fall, that it cost more to carry coal from Baltimore and Newport News to New York and New England by water than by rail. We have departed from the old method of carrying our coal from those ports to New York and New England because the rail rate is cheaper. If we are going to spend vast sums of money for the improvement of our rivers and harbors along the coast, we ought to know before we do it whether we can carry our freight on shipboard as cheaply as we can by rail. In the consideration of the development of our coast and harbors we must investigate this particular phase of the situation and see to it that the money expended for river and harbor improvement is not spent in vain.

Mr. JONES of Washington. The Senator refers to coastwise shipping?

Mr. CALDER. Yes.

Mr. JONES of Washington. The Shipping Board has full authority over rates and regulates them and controls them and raises or lowers them. It does not need any further legislation by Congress. It is a matter of administration.

Mr. CALDER. That is true; but last fall, when we were having difficulty in obtaining coal in New York and New England, I appealed to the Shipping Board to lower freight rates on the Shipping Board's idle vessels lying at Newport News so we might relieve the railroad difficulties and carry much of the coal by water, as had been done before the war.

Mr. JONES of Washington. Does the Senator have in mind that Congress should fix the rates?

Mr. CALDER. No; but I think it is the business of the Committee on Commerce to inquire thoroughly into that phase of our Shipping Board business before we go into the expenditure of vast sums of money for further river and harbor improvements.

Mr. HEFLIN. Mr. President, may I say just a word in reply to the Senator from New York? He complains that the freight rates are higher on the waterways than on the railways.

The Senator does know, I am sure, that the fact that there is competition between these two lines of transportation makes the freight rates cheaper on the railway than they would be in the absence of the waterway. The purpose and the object he should have in mind is to have transportation by rail and by waterway both, so that in competition with each other we will get the best possible rates. I am sure that we must have low rates on the railroads, otherwise the waterways would get the traffic if the railroads did not make a cheaper rate than the waterways.

Mr. CALDER. Last summer we had our freight rates doubled on the railroads. I do not see how that justifies the Senator's statement.

Mr. HEFLIN. I did not hear the Senator's statement.

Mr. CALDER. I said that last year the Interstate Commerce Commission almost doubled our rail rates, and with increased rail rates it was still possible to ship coal from the mines to New England by rail cheaper than from Newport News by water.

Mr. HEFLIN. Does not the Senator think the rate that now obtains by rail is cheaper than it would be if they did not have any way to ship the coal by water at all?

Mr. CALDER. Ordinarily it would, but in fixing the water rate the Shipping Board has evidently considered as the leading factor the cost of the vessel, which is almost three times what they could be built for to-day, so that while rail rates have nearly doubled water rates have until very recently been three times what they were before the war.

Mr. HARRISON. Mr. President, of course this controversy about railroad rates is quite interesting. We have found that the rates were increased after the legislation enacted by Congress some time ago. The railroads have always, of course, fought river improvements, because the rivers are the natural competitors of the railroads.

I would not say anything more in connection with the pending legislation if it were not for some of the speeches that have been made to-day. I had thought that the members of the committee had agreed to $15,000,000 in the bill as passed by the House on the theory that it was impossible to pass any legislation increasing that amount, but I find that some of the Senators, members of that committee, who have always been advocates of reasonable and adequate and appropriate appropriations for river and harbor improvement, are defending the amount contained in the bill. I know not why they take that stand; certainly not from anything that came from the War Department; certainly nothing that Gen. Taylor, representing the Board of Army Engineers, stated before the Committee on Rivers and Harbors of the House or the Committee on Commerce of the Senate; certainly nothing contained in the letter that came in answer to the questions propounded to Gen. Beach, chairman of the Board of Army Engineers, by the chairman of the Committee on Commerce. To defend $15,000,000 as adequate can not be borne out by anything contained in the record.

I need only cite that to Senators before we vote upon the proposition. Do not be misled. Do not misconstrue the facts, because no one back home will be fooled by that kind of argument. The Senate is told in plain and simple language that no improvement work can be entered upon by the department on the rivers and harbors of the country if the amount of $15,000,000 is not increased. You can not, upon the record and the facts presented to us, go back to your constituents and tell them that any improvement at all can be made, that only maintenance can be carried on with the appropriation of $15,000,000.

I should like to read as a part of my remarks the testimony of Gen. Taylor before the House Committee on Rivers and Harbors, just one and a half pages, to show what he said about the Ohio River project, wherein he stated, which is a fact that is not controverted, that it would delay progress of the work upon the Ohio River for two years if the appropriation of merely $15,000,000 is made. However, I shall not delay the Senate further on that point.

Let us not try to mislead anyone. When you go back to Pennsylvania, to Philadelphia, when we go back to Washington, when you go back to Detroit, to Louisiana, to Florida, to New York, remember that your constituents will know, because they ought to know, that Gen. Beach said in a letter dated February 5, 1921, in response to questions from the chairman of the committee:

> I can not too strongly urge upon you the necessity for pushing work on certain of the improvements, particularly channels in New York Harbor, Delaware River, etc.

The river upon which the senior Senator from Pennsylvania [Mr. PENROSE] has so long advocated improvement, a great carrier of commerce. Gen. Beach mentioned specifically the Delaware River, Philadelphia to the sea, Savannah Harbor, Ga., Jacksonville, Fla., Mobile, Ala., the pass at the mouth of the Mississippi River, Los Angeles, Calif., Columbia River, Oreg. and Wash., Grays Harbor, Wash., and the ship channel of the Great Lakes, Duluth to Buffalo. He said that improvement can not go on based on the proposition of a $15,000,000 appropriation. If that is controverted by a single member of the Committee on Commerce I should like to have him rise and controvert the proposition, because I wish to be put right if I am wrong. Those Senators are most of them present now, so I take it I am right in the assertion. When I vote on the matter, and the proposition which I have advanced, of $33,000,000 as the amount that is necessary to carry on the work, is voted down and we give only $15,000,000 to them, then do not attempt to mislead your constitutents by pretending to them that you helped them out in this emergency.

These are the facts. Vote on the proposition, cripple the improvement if you desire to vote down my amendment, but your constitutents will know what you are doing when you do it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Mississippi.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "nay."

Mr. GLASS (when his name was called). Making the same announcement that I made on the previous call, I vote "nay."

Mr. McKELLAR (when his name was called). I have a general pair with the junior Senator from Maryland [Mr. FRANCE], which I transfer to the senior Senator from California [Mr. PHELAN] and vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence I transfer that pair to the senior Senator from Arizona [Mr. SMITH] and vote "yea."

The roll call was concluded.

Mr. WATSON (after having voted in the negative). I withdraw my vote, in the absence of my pair, the Senator from Delaware [Mr. WOLCOTT].

Mr. KNOX. In the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], with whom I have a pair, being unable to secure a transfer, I withhold my vote.

Mr. DILLINGHAM. I transfer my general pair with the senior Senator from Maryland [Mr. SMITH] to the junior Senator from California [Mr. JOHNSON] and vote "nay."

Mr. PENROSE (after having voted in the negative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. As I have a general pair with that Senator, I withdraw my vote.

Mr. HARRISON. May I state that the senior Senator from Mississippi would vote "yea" if he were present.

Mr. PENROSE. I take that for granted, because during a long service in the Senate I think we have never voted on the same side.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN].

The result was announced—yeas 18, nays 44, as follows:

YEAS—18.

Beckham	McKellar	Shields	Trammell
Harris	Pittman	Smith, Ga.	Underwood
Harrison	Reed	Spencer	Walsh, Mass.
Heflin	Robinson	Sutherland	
Kirby	Sheppard	Swanson	

NAYS—44.

Ashurst	Gay	Keyes	Poindexter
Ball	Gerry	King	Pomerene
Calder	Glass	La Follette	Ransdell
Capper	Gooding	Lenroot	Simmons
Curtis	Gore	Lodge	Smith, S. C.
Dial	Gronna	McCumber	Smoot
Dillingham	Hale	McNary	Sterling
Elkins	Jones, N. Mex.	Moses	Thomas
Fernald	Jones, Wash.	Nelson	Townsend
Fletcher	Kellogg	New	Wadsworth
Frelinghuysen	Kenyon	Phipps	Willis

NOT VOTING—34.

Borah	Henderson	Newberry	Smith, Md.
Brandegee	Hitchcock	Norris	Stanley
Chamberlain	Johnson, Calif.	Overman	Walsh, Mont.
Colt	Johnson, S. Dak.	Owen	Warren
Culberson	Kendrick	Page	Watson
Cummins	Knox,	Penrose	Williams
Edge	McCormick	Phelan	Wolcott
Fall	McLean	Sherman	
France	Myers	Smith, Ariz.	

So Mr. HARRISON's amendment was rejected.

Mr. REED. Mr. President, I desire to offer the same amendment, with the amount reduced to $28,000,000.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 2, line 4, strike out "$15,000,000" and insert in lieu thereof "$28,000,000."

Mr. REED. Mr. President, I want to say just a word about the amendment. It was my misfortune to be out of the city during this debate, as I was obliged to be, and I have not heard the discussion.

There is nothing, in my judgment, that is so great a mistake as to refuse to appropriate enough money to carry on the various plans for the internal improvement of our country. I have frequently had occasion, in discussing questions of similar import, to say to the Senate that money expended in this manner, if properly expended, is in the nature of an investment and not in the nature of an expense.

When we pave a street in Washington and get the vehicles out of the mud and make it possible for people to travel, while the street costs some money, the town is a good deal better off with the debt and the pavement than it would be with neither the debt nor the pavement. The city has actually increased its assets by making the expenditure. When a man shoes his team of horses so that they can travel over a road, it is true that he has spent a little money, but he has saved his horses or made it possible to get to town when otherwise he would not be able to reach it.

When this country improves its rivers and harbors it is not spending money; it is investing money. We are asking in this bill an appropriation for all of the vast river and harbor projects, which concern the whole country, which would not build and equip more than about one-half a modern battleship. Gentlemen have voted against the amendment which was just defeated, which proposed to raise the amount of money to $33,000,000, who only a few weeks ago voted for an Army of 300,000 men, costing a sum of money so much greater than the amount asked for these internal improvements that there can not be any comparison made between the amounts. The same gentlemen voted only a few days ago for an Army of 150,000 or an Army of 175,000.

Every dollar that is spent for an Army is that much money used up. It is gone forever, except as the Army may be necessary in order to protect the country. The money once spent is gone. The money that you expend for the internal improvement of your land is not gone; it is invested. It pays back its interest and pays back its principal frequently many times over.

This is a very poor time for our country to be refusing to make proper appropriations to carry on the internal development of this land. We appropriated $100,000,000 a little while ago to help suffering people in Europe, and indirectly, if not directly, a large part of it went for the purpose of carrying on war in Europe. In going over some accounts the other day I found that since the armistice we allocated to France $68,000,000 to pay a debt of France to Great Britain. It was discovered afterwards that we had been overgenerous; that they did not need more than approximately $30,000,000, as I now remember the figures; but that amount was taken of good American dollars to pay the French debt to Great Britain. Nobody is disturbed about it; everything is serene and lovely. You can not even create a ripple of interest in the Senate over it or attract the general attention of the country.

We had some $59,000,000 of our money in a bank of this country that had been turned over to a Russian government that fell, and after that government had fallen, when there was not the shadow of it left except an ambassador, for a defunct government that really was stillborn, that money has nearly all been permitted to be paid out, upon some kind of a theory that we were in some way morally obligated to pay debts that were contracted after the last shot had been fired upon the Argonne. All these things and multitudes more go on, and blissfully and serenely we sit and allow them to go on.

We allocated to Liberia $5,000,000, to a country that does not even rise to the dignity of a comic opera country—a country that is so far removed from being anything like a real country that it took $26,000 of that money to pay the fares of the delegates of that alleged country to the peace conference at Paris and to entertain the dusky representatives of that African land to pay their board and lodgings.

We have not been able as yet to discover what obligations have been incurred against it, but we were informed the other day that the State Department had made some kind of a commitment against that money.

For what purpose were we setting this money aside in the first instance? It appears that in 1912 four New York banks concluded it would be good business for them to go down to Liberia, loan $1,700,000 upon the bonds of that Government, and take a mortgage upon its revenues as security. Some English concern did something of a similar character. When the war was started it was proposed as a part of the beneficence that was to be doled out by us that we would take these debts over by loaning to Liberia the necessary amount of money with which to discharge them. So we stand here shoveling the taxpayers' dollars out to foreign countries with a scoop shovel.

However, when we come to do anything for our own country that will make transportation better, that will benefit every man, woman, and child in the land, directly or indirectly, we produce a pair of apothecary's scales and we weigh it out as though it were pearls of great price that could not in any way be parted with without bringing ruin to the country. Mr. President, it is the old story of saving at the spigot and wasting at the bunghole, except that in this case we have opened the bunghole for the benefit of Europe and are applying the spigot to our own country.

I appeal to Senators who want to make a record for a party and who want to practice economy, to have some regard for the fact that the United States ought to be considered for a little while, and that we ought to think about the development of this country more solemnly to-day than we have ever thought about it in the past.

We are confronted by a situation where our railroads are incapable of carrying the peak loads when they come upon us; we are confronted by a situation that great unemployment has come to this land, and that condition may exist for some months in the future. At a time like that we ought to endeavor to take up a little of the slack, or, perhaps, I had better say, absorb a little of the surplus by providing liberally for carrying on the public works of this land.

So, Mr. President, I have ventured to ask the Senate for another vote upon this matter. If we do not provide for making those improvements to-day they certainly will have to be made in the not distant future. Every day's delay means that the work already constructed and the plans already partially carried out will come to destruction and disintegration or will suffer waste.

This is not the way to save the taxpayers' money. I am as much in favor of economy in this Government as any man, I think, ought to be; but the trouble is you are saving, to use an illustration that I used the other day, a few dollars in putting a roof on a house and letting the house go to destruction; you are saving a little in a business enterprise by refusing to spend a little money to carry it on to success, but you are losing because you do not spend the money. If I could have my way, Mr. President, I say unhesitatingly that I would, if necessary, bond this country, and I would harness every great stream and stop it breaking over its banks and destroying crops and property of incalculable value; I would clear out of the harbors of this country every dangerous obstruction and open them to the free commerce of the world; I would develop the arid lands of the West, awaken them from their eternal condition of uselessness, and make them, instead of the habitat of prairie dogs and owls, the homes of American citizens, who would in return produce inestimable wealth for the land; I would reclaim the swamp and overflowed lands of this country and give them to agriculture. That policy will some day be adopted by some party with vision enough to glimpse the future and with courage enough to face the situation.

Mr. President, I thank the Senate, and I apologize for taking even this much of its time.

Mr. JONES of Washington. Mr. President, I sympathize with very much if not all of the argument of the Senator from Missouri; but, for reasons that have already been brought out this afternoon, I hope the Senate will reject the pending amendment.

Mr. REED. I should like to know what good reason can be brought out. That is a very conclusive argument that we have just heard—"for reasons already stated." I do not expect the Senator to repeat them, but what reason is there for refusing to appropriate enough money to carry on the public works of this country?

Mr. JONES of Washington. We have spent all afternoon discussing those reasons, and I can not now repeat them.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Missouri.

Mr. REED. I should like to have a roll call if we can get it.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Making the same transfer of my pair that I made on the last vote, I vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement as to my pair and its transfer as heretofore, I vote "nay."

Mr. WALSH of Montana. I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. The Chair is informed he has not voted.

Mr. HEFLIN. I have a pair with that Senator, and accordingly withhold my vote.

The roll call was concluded.

Mr. McKELLAR. Making the same announcement with regard to my pair and its transfer as heretofore, I vote "yea."

Mr. THOMAS. I understand that if my pair were present he would vote as I intend to vote. I therefore feel at liberty to do so. I vote "nay."

Mr. TRAMMELL. I have a pair with the Senator from Rhode Island [Mr. COLT]. In his absence, I transfer that pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the Senator from Kentucky [Mr. BECKHAM], who is absent. I understand he would vote as I have voted. I will therefore let my vote stand.

Mr. OWEN. I transfer my pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 16, nays 42, as follows:

YEAS—16.

Harris	Pittman	Shields	Swanson
Harrison	Reed	Smith, Ga.	Trammell
Heflin	Robinson	Spencer	Underwood
McKellar	Sheppard	Sutherland	Walsh, Mass.

NAYS—42.

Ball	Gay	La Follette	Pomerene
Borah	Gerry	Lenroot	Ransdell
Brandegee	Gooding	Lodge	Simmons
Calder	Gore	McNary	Smith, S. C.
Cummins	Gronna	Moses	Smoot
Curtis	Hale	Myers	Sterling
Dial	Jones, Wash.	Nelson	Thomas
Dillingham	Kellogg	New	Wadsworth
Elkins	Kenyon	Owen	Willis
Fernald	Keyes	Phipps	
Fletcher	King	Poindexter	

NOT VOTING—38.

Ashurst	Glass	McCumber	Smith, Md.
Beckham	Henderson	McLean	Stanley
Capper	Hitchcock	Newberry	Townsend
Chamberlain	Johnson, Calif.	Norris	Walsh, Mont.
Colt	Johnson, S. Dak.	Overman	Warren
Culberson	Jones, N. Mex.	Page	Watson
Edge	Kendrick	Penrose	Williams
Fall	Kirby	Phelan	Wolcott
France	Knox	Sherman	
Frelinghuysen	McCormick	Smith, Ariz.	

So Mr. REED's amendment was rejected.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment.

Mr. HARRISON. Mr. President, I have an amendment that I desire to offer at the instance of my colleague, the senior Senator from Mississippi [Mr. WILLIAMS]. I understand that it is the mandate of the Commerce Committee that no amendment of any kind shall be accepted, no matter how meritorious it may be. I offer this amendment at the end of the bill as now constituted.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add at the end of the bill the following:

The Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of the Yazoo River, Miss., with a view to the control of its floods, in accordance with the provisions of an act entitled "An act to provide for the control of the floods of the Mississippi River and the Sacramento River, Calif., and for other purposes," approved March 1, 1917.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Mississippi on behalf of his colleague.

The amendment was rejected.

Mr. HARRISON. I desire to offer another amendment at the instance of my colleague, the senior Senator from Mississippi [Mr. WILLIAMS].

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, after line 9, it is proposed to insert the following:

SEC. 2. That Lake George, in Yazoo County, in the State of Mississippi, be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States, and jurisdiction over said lake is hereby declared to be vested in the State of Mississippi.

Mr. JONES of Washington. Mr. President, I will say to the two Senators from Mississippi that if they will ask the Committee on Commerce to report this as a separate bill we will do it instanter, but we do not want to put it on this bill.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Mississippi on behalf of his colleague.

The amendment was rejected.

The bill was ordered to a third reading, read the third time, and passed.

FORTIFICATIONS APPROPRIATIONS.

Mr. SMOOT. I move that the Senate proceed to the consideration of H. R. 16100, the fortifications appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

THE COAL SITUATION.

Mr. LA FOLLETTE. Mr. President, I wish to announce that owing to an error in the print of Senate bill 4828, reported from the Committee on Manufactures, it has been found necessary to make a reprint of the bill, which will be made and placed on the desks of Senators in the morning.

Mr. REED. Mr. President, I should like to inquire if that is the coal bill?

Mr. LA FOLLETTE. It is the coal bill.

Mr. REED. When did the committee meet to consider it?

Mr. LA FOLLETTE. It has met on a number of days. It reported the bill yesterday.

Mr. REED. I have had no notice of the meetings of this committee since we stopped taking evidence, and I had no knowledge——

Mr. LA FOLLETTE. I will state that a written notice has been sent to the Senator of every meeting that has been held.

Mr. REED. I had no knowledge that any conferences were being held on it. I do not know what the report is, although I sat with the committee for some weeks and gave very close attention to the taking of the evidence. I had supposed that there would be a consultation in regard to the bill, and that those who had taken an interest in it would at least have an opportunity to express themselves with regard to it.

Mr. LODGE. Mr. President, I have been, unfortunately, unable to attend the meetings of the Committee on Manufactures, of which I am a member; but the Senator from Wisconsin spoke to me especially about the meetings for conference on the bill and I received notices. I am very sorry that the Senator from Missouri did not.

Mr. REED. When were the conferences held?

Mr. LODGE. I understood they were held in the committee room.

Mr. REED. I say, when?

Mr. LODGE. I got my notices in the morning, as usual.

Mr. LA FOLLETTE. The meetings of the committee have been called regularly on four or five different occasions since the hearings were closed for the taking of testimony, and every member of the committee has been sent those notices of the meetings of the committee at least a day in advance.

Mr. REED. Mr. President, in the face of that statement I am not going to say that a notice was not sent to my office.

It might have come there and I might not have seen it. I had no intimation that the committee was meeting to consider this bill after the hearings had closed, except that the Senator from Maine [Mr. FERNALD], I believe, said to me on day before yesterday that he understood the bill was being rewritten. I assumed that the chairman of the committee probably was rewriting the bill in order to have a draft that would be satisfactory to him, and that those of us who had so long and patiently worked on this matter would be called in for conference.

Mr. LA FOLLETTE. I certainly endeavored to secure the attendance of every member of the committee day after day. We had repeated meetings of the committee without a quorum being present.

Mr. REED. The Senator had no difficulty in finding me when the hearings were going on and telling me by word of mouth to "Come on up to the room; we want to take some more evidence."

Mr. LA FOLLETTE. The Senator was called into the meetings while the meetings were on just as other Senators were, by written notice. If I chanced to meet him, of course——

Mr. REED. I have had no notice since.

Mr. LA FOLLETTE. I will say that I did go after the Senator a number of times to get him to come and attend upon the hearings, because of the fact that we had no quorum; but the Senator surely understood that it was the purpose of the committee to report out the bill at this session, and if he will inquire at his office he will surely find that he has received three or four or five notices of meetings since he has attended.

Mr. REED. I distinctly understood—of course, I may have been in error in my understanding—from the conferences and talks that we had when the taking of evidence was about to be concluded, that the bill in its then form was not supposed to be satisfactory to any member of the committee. I remember mentioning to the Senator that we ought to get together and take at least a day or two days to go over it and see if ground could be worked out that would be agreeable. I got busy with other things, and I had not any idea that the bill would be reported in without that kind of a conference.

Mr. President, there may be some who think they are going to gain time by this sort of proceeding. I intend to have the opportunity to examine this bill, and I intend to have the opportunity to write a report and present it to the Senate somehow between now and the day of adjournment. I have no objection to the bill going back to be reprinted, but I do think the chairman of the committee ought to have given me an opportunity to consult about it. His ideas and mine may not be at variance. I do not know.

Mr. LA FOLLETTE. I have not asked to have the bill returned to the committee, nor do I purpose to ask to have it returned to the committee. I simply have given notice that a reprint of the bill will be made to correct an error——

Mr. REED. I could not hear what the Senator said.

Mr. LA FOLLETTE. And that reprint will be on the desks of Senators in the morning. The report has been on the desks all day to-day.

I only want to say, Mr. President, that I am sure every associate of mine upon the committee will bear me out in saying that every member of the committee has had opportunity to attend the sessions of the committee, and that I have struggled in every way to secure attendance. It has been a very discouraging proceeding, because of the pressure of business at the close of the session.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Massachusetts. I think the Senator from Missouri will find upon investigation that he unquestionably has been notified of the meetings.

I personally have been in the same position that the Senator from Missouri is in. I have not been present during the conferences for the purpose of drafting the bill that has been reported, being away from the city; but upon my return to Washington I found in the mail notices of several meetings to be held in my absence.

I think I ought to say, too, that I do not know of any committee of which I have been a member in the Senate that has been more regular in giving written notices in advance of the hour and time of hearings than the Committee on Manufactures. Though I have not been present at any of the meetings that have led to the reporting of the bill, yet it was my own fault, and not the fault of the committee.

Mr. REED. Mr. President, I am not going to charge anyone with any bad faith, much less the Senator from Wisconsin, whose friend I have been ever since I knew him in the Senate, and I do not intend to let any misunderstanding of this kind interfere with that friendship.

The bill was brought forward at a time when other matters were crowding upon the attention of Senators. It was perfectly proper for the Senator, who is chairman of the committee, to call his meetings and endeavor to secure an investigation and to get as early a report as was practicable. I felt in perfect harmony with that sentiment, and accordingly I laid aside all my other work that I could lay aside and I attended the meetings of the committee with greater regularity than any other member of the committee except the chairman himself. I gave to it the best part of three weeks. On two or three occasions we had very important matters before the Committee on the Judiciary, which were of an emergency character, and I was obliged to be there. I put in all of the day Monday upon those hearings. Tuesday I was obliged to leave the city on an important matter, and I returned only about half an hour ago.

Notices may have come to me at my office. I have not had an opportunity to read my mail. Here was a matter in which I had taken a profound interest and in which I hoped that my labors contributed a little toward the elucidation of a somewhat mixed question.

I do not think all of the testimony has yet been printed, although it was taken, of course, at great expense. I thought we would have that evidence printed in the usual way, that the committee would sit down and go over it and try to make a finding of fact in regard to the coal situation which would throw some light on it to the country and we would get away from wild statements, made, perhaps, in the best of faith, but which nevertheless are not the kind of statements of fact on which the country ought to rely.

I have been in the city with the exception of the two days I have mentioned. I thought we were going to sit down and go over the bill, that we were going to have the evidence before us, and that we were going to try to produce a result that would represent the consensus of opinion of the members of the committee; that the Senator from Massachusetts [Mr. WALSH], who has given to the bill very considerable attention and contributed a great deal in the hearings, although, as he has stated, he could not be there all the time, would be called into those conferences, with the Senator from Maine [Mr. FERNALD] and the other members of the committee.

I wish time to make a report that will express my views in regard to the coal situation, and I hope to have the concurrence of other members of the committee, or I hope to concur in some of their views as they may possibly in mine.

Mr. President, I ask unanimous consent for five days' time in which to make a report.

The VICE PRESIDENT. Is there objection to the request of the Senator from Missouri?

Mr. LA FOLLETTE. Mr. President, the Senator from Missouri has made it perfectly plain to the Senate why he received no notices during the last two days of the meetings of the committee. It was because he was absent from the city. The Senator from Massachusetts [Mr. WALSH] was also absent from the city, which is the reason why he did not meet with the committee.

The conferences of which the Senator from Missouri speaks were held in so far as members would respond to the call of a written notice and attend upon the meetings. Even when it was impossible to get a quorum in attendance, some of the members were willing to go over the bill and put in some time upon it, but of course no action was taken in the absence of a quorum.

The hearings began immediately after the bill was sent to the committee. It was introduced on the 12th of January. It was believed by members of the committee that it would be possible to complete the hearings in a very few days, for the reason that the same committee had had extended hearings upon the subject of coal extending over a period of something like a year or more, during which three volumes of printed testimony was taken, which volumes were before the committee and were taken into account at the first meeting of the committee upon this bill and were made a part of the record which would be considered by the committee.

Furthermore, the special committee known as the committee on reconstruction and production had been taking testimony upon the subject and had printed a volume of testimony which was laid before members of the committee at the first meeting of the Committee on Manufactures. It was expected by all members of the committee who attended the first meeting, and we had a quorum then, that it would be possible to conclude the hearings within three or four days, in view of the extended investigations that had been made of the subject not only by

that committee but by the Calder committee. The subject seemed a very urgent one, calling for legislation. A motion was made at the first meeting of the committee that the hearings should be concluded at the end of three days. At the end of that time, however, a large number of interested parties had appeared and asked for more time, and the hearings were reopened and we went on with the work.

Every member of the committee will acquiesce in all that the Senator from Missouri has said about his attendance upon the committee. He was very attentive, indeed. He was there at every session and took a very active part in the examination of witnesses and a large amount of testimony was taken. In order to expedite the work and insure, if possible, a report of the bill in such time as to give the Senate an opportunity to consider it at this session, night sessions of the committee were held, I think three or four different evenings until 11 or 12 o'clock. I felt and I know that other members of the committee felt that the bill should be reported.

Now, Mr. President, I wish to say that the hearings will show that the Senator from Missouri very early in the hearings, when witnesses were on the stand representing coal producers, in the course of his examination of them in calling for facts with regard to production cost and margins and everything pertaining to the business, stated again and again that he was in favor of full information with respect to the business; that he thought the people of the country were entitled to all the information that would enable them to know whether or not they were being charged too high a price for coal or whether coal was being furnished as it ought to be furnished to them in quality and quantity.

In the meetings of the committee that were held after the hearings were closed the committee adopted just exactly that view with respect to the bill. They struck out all provisions of it which pertained to price fixing or investing the President with power to take over the production of coal in the event of an emergency, and they struck out all the licensing provisions of the bill, and made it purely a fact-finding bill. It is that and it is nothing more.

I discovered this afternoon that one paragraph which went beyond that had inadvertently been printed in the bill. It had been marked out in a number of copies which the members of the committee had been using, but in some way or other a copy in which that provision had not been marked out was sent to the printer. Therefore I have asked for a report. It is a provision that clothed or sought to clothe the Federal Trade Commission with authority to make an investigation to determine whether or not individuals were profiteering, and to publish their names or make them public.

It was felt that that was a provision which, whatever might be thought about it properly having a place in a bill affecting the coal business, ought not to have a place in this bill, and it was stricken out by the committee but printed by error. It is to eliminate that error and two or three verbal errors which I found that the reprint is being made. I am confident when the Senator from Missouri has looked over the report and looked over the bill that he will find it is strictly in accord with the statement that he repeatedly made during the hearings, as to the sort of legislation that he thought ought to be enacted.

Mr. REED. Mr. President, that is very cheering. The committee got around to my view. I am sure they were progressing in the right direction. The more of the bill they strike out, probably, the more they will improve it. But I had not seen it. It has just been handed to me by a page this minute. I thought I was entitled to see the bill.

Mr. LA FOLLETTE. The bill has been on the Senator's desk all day. If he had been here, he would have seen it. It was laid upon the desks of all Senators this morning; and if the Senator had been in the city he would have had an opportunity to attend the meetings of the committee when the bill was considered and reported.

Mr. REED. Technically I have had notice. I have had technical notice many times to be at court, too; but I always, when I knew there was a man on the other side intensely interested in the case, sent him some special word that he had better get down.

What I am complaining about is this—I could not get mad at the Senator from Wisconsin if I tried, and I am not going to do so on this occasion—but I had in mind this thing, and I think it ought to be done. There has been more misrepresentation made to the people of the country in regard to the coal situation than I know of in regard to any other situation.

I think this committee came very near disclosing the facts. I think those facts ought to be stated to the country by the committee and laid before the Senate; and I think, if they are, it will save a great deal of work in the future and will be a genuine public service.

The Senator says there have been long investigations. It happens that I was the chairman at least a part of the time of the subcommittee which investigated this question two years ago. There was a change in the organization of the Senate while that was going on, and Senator Vardaman succeeded me as chairman of the subcommittee, but I was still on it. We investigated the anthracite-coal situation as it then existed. We did not examine into the bituminous-coal situation, and the anthracite coal represents something like 10 per cent of the total production. We never touched the bituminous-coal situation. I do not know what the committee of which Senator CALDER was the distinguished chairman was investigating. I could not understand whether their evidence had been incorporated by our committee or not. It seemed it was in part of the time and out part of the time. But that committee was investigating lumber and brick and mortar and labor conditions and combinations and every sort of thing. It traveled over the country a good deal. They had an attorney learned in the law and in matters legislative with them. We had the benefit of his presence while we were conducting the negotiations and occasionally a wise suggestion from him, which was all on one side of the case, as far as I observed.

I do not know what the Calder committee found out. I know that this committee had a meeting when I was home ill, and when I returned they had resolved to end their hearings at the close of the third day; but, as the Senator from Wisconsin said, they found out at the end of the third day that they had not really gone fully into the question. So the hearings were continued. Many witnesses were called. Some came. We examined a good many questions which might not have been pertinent to this inquiry, for it constantly had a tendency to block it.

I think we gave a day and a half, finally, or nearly that, to Mr. Gompers, who put in a very interesting and very able review of the legislation relating to trusts and combinations. We did not seem to be in much of a hurry toward the end. I thought we had arrived at a state of mind where we had found out that it was not wise to be in too great a hurry.

There was a phase of this bill which seemed to me all the time to be of merit, and that was the one regarding the publicity of the facts relating to the coal business, the prices, the production, and all the other facts necessary to enable the public to judge what is the state of the business. The Senator tells me that is all that is left of the bill. Nevertheless, there ought to be something in the report. I have not had a chance to look at the report. It may contain all these facts, but I would like to have time to consider it, and I would like to have the privilege of filing a minority report if I see fit.

Mr. LA FOLLETTE. I think the Senator should have that privilege. I think he has it anyhow, without leave being granted.

Mr. REED. I think I would have had before the report was filed, but I do not think I have now unless I get permission.

Mr. LA FOLLETTE. I certainly think the Senator has a right to file a report without the consent of the Senate or anybody else. I sincerely hope that he will file his report at a very early date, and I am sure he will when he has examined the bill and sees the scope of it.

Mr. REED. The evidence is in print?

Mr. LA FOLLETTE. The evidence is in print, but it is not in bound form yet.

Mr. REED. It is in galley proof?

Mr. LA FOLLETTE. It will all be accessible to the Senator.

Mr. REED. I find it somewhat difficult to make reference to testimony from a galley proof.

Mr. LA FOLLETTE. A mass of testimony has been taken, Mr. President. Probably one-half of it, perhaps two-thirds of it, will not be found very useful to anybody who wants to study the coal proposition. As is known, the testimony before committees in such investigations always takes a very wide range. This testimony is related to the coal business, coal production, the coal industry, and involves in some measure the transportation question, and a number of other questions which arise in the consideration of the production and distribution of coal.

Mr. REED. Mr. President, if I have that permission by unanimous consent, that is all I am asking now. The question of the merits of the bill will come up later.

Mr. LA FOLLETTE. I trust the Senator will not ask to have five days, and will not take any such time as that, because

that would mean that we would not be able to consider the bill at this session. With the price of bituminous coal, all out through the West, anyhow, ranging anywhere from $12 to $15 a ton at the present time, as shown by inquiries recently made, it seems to me we ought to start finding the facts.

There is an urgent reason why the bill should be passed at this session. The coal year, as it is called, begins on the 1st day of April. It is then that contracts are made for coal for the year, where coal is the subject of contract for large users. Furthermore, I think it is about the time when the wage scale is arranged or rearranged. Many of the facts that will be sought in this investigation will be material in making those contracts. Even with the bill limited as it is in its provisions, going no further than it does, I am very hopeful that we shall be able to pass it through the Senate, and that it may yet receive consideration in the House and become a law.

Mr. REED. Mr. President, I do not want to carry on this controversy, but just permit me to say, in reply to what the Senator has just said, that if the prices of coal are excessive in some parts of the country to-day, the collecting of this information can not affect that present situation, because if the bill were to become a law reports would not begin to come in for some considerable time in the future. It would take weeks, perhaps, to create the machinery and to lay out the plan for the making of the reports.

Mr. LA FOLLETTE. I will remind the Senator that the bill provides that existing machinery shall be utilized. No new machinery will have to be created to secure this information.

Mr. REED. I am talking without knowledge of the bill, but I suppose it applies to retail dealers as well as to wholesale dealers. All those men have to be instructed and the plan has to be laid out for their reports, blanks have to be printed, and, no matter how much haste we make, it can not be that a practical result upon the prices of coal is going to come within the next 30 or 40 or 50 or 60 days.

Now, about the labor. The existing labor contracts with the unions, as I remember them, expire in 1922. They do not make a new contract, if I recollect the fact—and if I am wrong, I hope I will be set right—for something like a year from this day. The contracts which are made with the large contractors for coal will be made anyway. They do not rely upon the information that we get. The larger contractor makes his contracts on his own knowledge from year to year. So I do not think there is very much in that argument.

Everyone knows we are going to have an extra session of Congress which will begin about the 4th or 5th of April, and I think there is very little chance for the bill, even in its revised form, to go through at this session. However, I do not intend to put obstructive tactics in the way, because if the bill is limited as the Senator thinks it is, I probably shall be glad to support it.

I am asked to make a report very quickly, if I make one. The evidence is in galley form. It is not yet in volume. It is not yet paged. I could not make a report and refer to the pages of the testimony, because it is not yet in pages. But I will say to the Senator from Wisconsin that I will make every effort I can to get something in the form of a report, although it will not be nearly as conclusive as I wish to make it, and I shall try to get it inside of the five days, as much inside as I can. We are all pressed for time.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Will the Senator from Missouri repeat his request for unanimous consent?

Mr. REED. I ask for five days' time in which to file a minority report. I think there are other Senators who feel as I do. The Senator from Maine [Mr. FERNALD] is in the Chamber, and he can state his view.

Mr. FERNALD. Mr. President, I have no complaint at all with the chairman of the committee about the notification of the meetings. I was present at nearly all the investigation meetings, and I had intended to be present at the final conference in considering the bill. I was unable to be present at one meeting. I had supposed that the full committee would be gotten together, because it seemed to be of sufficient importance to make it necessary to have the entire committee present.

There are some phases of the bill, although it is a much milder one than we considered at first, to which I can not agree; and I, too, feel that it is a very reasonable request that the Senator from Missouri has made. He gave to the consideration of the bill very much of his time, probably five times as much as any other member of the committee, except the chairman, and it seems a reasonable request that he should be permitted to have the evidence printed and go over it before reporting on the measure or subscribing to a report. I think we ought to be permitted to go over the evidence after it is printed, and then I shall join the Senator from Missouri or the chairman of the committee in a report. But it does not appear to me to be quite fair, on a bill so important as this, that it should be rushed through by the chairman of the committee at a speed which seems unnecessary.

The PRESIDING OFFICER. Does the Senator from Missouri mean, when he asks for five days within which to submit his views as a minority member of the committee, that no action shall be taken by the Senate upon the bill until he has filed his views?

Mr. REED. That would necessarily be implied. There would be no use in filing a report after action upon the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. LA FOLLETTE. I object. I would not object to a reasonable time, but I think that is an unreasonable time. I think the Senator is familiar with every part of the testimony. Indeed, I think the Senator's questions and statements would constitute a very considerable percentage of the testimony that was taken.

The PRESIDING OFFICER. The Chair would suggest to the Senator from Missouri that he is informed by the Assistant Secretary that the usual method of computing time under such an agreement is to make it calendar days, exclusive of Sundays. If Sunday is excluded from the computation, the request would be equivalent to asking for four working days. Objection is made.

Mr. LA FOLLETTE. There are only five working days remaining of the session.

The PRESIDING OFFICER. Objection is made to the request of the Senator from Missouri.

Mr. REED. Mr. President, I am going to prefer the request in this way: I ask that I may be given five days in which to file a report, with the understanding that if the bill comes up before the five days have expired, my request shall not bar consideration of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. LA FOLLETTE. There is no objection to that request, I assure the Senator.

The PRESIDING OFFICER. There being no objection, and it is agreed to.

Mr. REED. Mr. President, I wish to say to the Senator in charge of the bill that there is reason for giving it consideration. I have read the first section while he has been talking, and the first section expressly puts the coal business under public charge; it puts it in the same class as the railroads. That is a proposition that certainly will evoke some discussion on the floor of the Senate. I do not say that to provoke discussion now; but I am calling attention to the fact that when you come to read a bill from a little different slant or angle than the other man had, you may see things differently.

With regard to the criticism that I have taken time on the bill, let the record speak for itself. I have asked a good many questions in my life, but I have never asked them with so much satisfaction as I did in the hearings on the bill, when the real viewpoint of some of the gentlemen who appeared as experts was disclosed. I will give one illustration, even at the risk of taking a little of this very valuable time.

A gentleman came before us and advocated this bill, which is designed to take charge of the coal mines and fix prices and take charge of the coal dealers and fix prices. He disclosed afterwards in his testimony, under some of the questions that I had the temerity to ask, that he had been an advocate of permitting the coal men to combine in order to raise prices, and that he is now an advocate of the theory that the coal men ought to be permitted to combine in order to raise prices to a proper level under some sort of governmental supervision. He is a very good man, a very fine gentleman; but I do not believe in his theories any more than I believe in the theories of Lenin and Trotski.

So I think we shall have to take enough time to find out what is in the bowels of this measure before we get through with it.

RECESS.

Mr. SMOOT. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 18 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 26, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 25 (legislative day of February 24), 1921.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

TO BE BRIGADIER GENERALS.

Richard Coke Marshall, jr., late brigadier general, United States Army, from February 4, 1921.

John Henry Sherburne, late brigadier general, United States Army, from February 11, 1921.

Brice Pursell Disque, late brigadier general, United States Army, from February 17, 1921.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 25 (legislative day of February 24), 1921.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

TO BE BRIGADIER GENERAL.

Richard Coke Marshall, jr.
John Henry Sherburne.
Brice Pursell Disque.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 25, 1921.*

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington D. C., offered the following prayer:

Blessed heavenly Father, by the light of this day Thou hast quickened within us the sense of responsibility. Help us to rise like those who are called by the Master in the morning to do a day's work. Pity those who know the bitterness of affliction and the keenness of mortal pain. When they sigh let Heaven's blessing bring them great peace. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, announced that the Senate had passed bills and resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4889. An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children;

S. 4859. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims;

S. J. Res. 238. Joint resolution authorizing the President to require the United States Sugar Equalization Board to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic;

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway;

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States;

S. 4864. An act to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914;

S. 4865. An act fixing the taxable status of lands received in exchange for lands formerly embraced in the grants to the Oregon & California Railroad Co. and the Coos Bay Wagon Road Co.;

S. 4159. An act for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash.;

S. 4352. An act authorizing the Indians residing on or belonging to the Turtle Mountain Reservation, N. Dak., to submit claims to the Court of Claims, and for other purposes;

S. 4645. An act to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-first and Twenty-second Streets NW.;

S. 4186. An act to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River;

S. 4421. An act securing rights of way and easements over public lands in connection with Federal irrigation projects;

S. 4900. An act to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes;

S. J. Res. 229. Joint resolution authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of the United States military reservation in the Philippine Islands and to permit the working thereof by the persons entitled thereto, provided military necessities permit;

S. 2340. An act to amend the military record of Richard Parke;

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes;

S. 2252. An act making an appropriation to pay the State of Massachusetts for expenses incurred and paid at the request of the President in protecting the harbors and fortifying the coast during the Civil War;

S. 3487. An act for the relief of Clarence L. Reames;

S. 4991. An act for the relief of Kristina Furjak;

S. 4992. An act for the relief of William E. Lewis;

S. 4694. An act for the relief of Samuel H. Dolbear;

S. J. Res. 251. Joint resolution to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy;

S. 3129. An act for the relief of Louisa Frow;

S. 2838. An act for the relief of Philip S. Everest;

S. 5023. An act to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia;

S. 4554. An act to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the rivers and harbors appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920; and

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, had agreed to the amendments of the House to the amendments of the Senate numbered 27 and 30.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia and to regulate appeals from the judgments of said court, and for other purposes;

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes;

H. R. 12045. An act to provide for the conveyance of lots on the low grounds of Washington, D. C.; and

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, had agreed to the amendments of the House to the amendments of the Senate Nos. 9, 13, 14, and 20.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 35.

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States earnestly calls upon the people of the United States to contribute out of their substance to the humanitarian activities in behalf of the needy of the world.

The message also announced that the Senate had passed without amendment the bill (H. R. 1856) for the relief of Arthur J. Burdick.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution and bills of the following titles, when the Speaker signed the same:

H. J. Res. 215. Joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers;

H. R. 11841. An act to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893;

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico;

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes;

H. R. 13402. An act for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.;

H. R. 9840. An act for the relief of Capt. E. V. Dickson;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 7573. An act authorizing payment of compensation to Pasquale Dolce for personal injuries;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 1035. An act for the relief of the widow of Joseph C. Akin;

H. R. 646. An act for the relief of Perry E. Borchers because of losses suffered due to destruction of property and termination of contract for services because of smallpox while in the employ of the Navy Department in Cuba;

H. R. 397. An act to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes;

H. R. 1430. An act to authorize the addition of certain lands to the Weiser National Forest, Idaho;

H. R. 2946. An act to amend acts to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein;

H. R. 5081. An act for the relief of James E. Adams;

H. R. 9028. An act to authorize the addition of certain lands to the Nez Perce National Forest, Idaho;

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 10434. An act to add certain lands to the Targhee National Forest;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States, in relation to the qualifications of directors of the National Banking Association;

H. R. 13051. An act to add certain lands to the Lemhi National Forest, Idaho;

H. R. 13592. An act to authorixe certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to make final proof of their entries;

H. R. 5416. An act to authorize corporations oragnized in the District of Columbia to change their names;

H. R. 567. An act for the relief of John Chick;

H. R. 13319. An act for the relief of Wilson Certain;

H. R. 644. An act for the relief of Oscar Smith;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias; and

H. J. Res. 465. Joint resolution for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as follows:

S. 4879. An act to amend section 1 of the act of Congress approved March 2, 1895 (28 Stat. L., p. 907), and to extend restrictions against alienation of lands allotted to and inherited by certain Quapaw Indians, and for other purposes; to the Committee on Indian Affairs.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. SCHALL was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Mary A. Sims, H. R. 8286, Sixty-sixth Congress, no adverse report having been made thereon.

EVENING RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 o'clock to 8 o'clock this evening.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess this evening from 6 o'clock to 8 o'clock. Is there objection?

Mr. RUCKER. Reserving the right to object, has the gentleman in mind anything that will require the attention of the House to-day?

Mr. MONDELL. We have several conference reports, and we have three contested-election cases. I am not sure that we will take up any of them this evening, but those are matters that must be taken up as soon as possible. The business will be either conference reports or contested-election cases.

Mr. RUCKER. Has the gentleman any information at this time that any Private Calendar bills will be reached to-day?

Mr. MONDELL. I do not think so. If anything comes on the Private Calendar, it will be pensions.

Mr. RUCKER. It will not be the Private Calendar that we had up last Saturday?

Mr. MONDELL. No.

Mr. RUCKER. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

CALL OF THE HOUSE.

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Kansas makes the point that there is no quorum present. It is apparent that there is no quorum present.

Mr. CAMPBELL of Kansas. I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Elston	Kraus	Riordan
Ayres	Ferris	Langley	Rowan
Bacharach	Gandy	Lea, Calif.	Rubey
Baer	Gard	Lonergan	Sanders, La.
Bee	Garner	McAndrews	Sanford
Britten	Goodwin, Ark.	McGlennon	Scully
Brumbaugh	Graham, Pa.	McKiniry	Sears
Caldwell	Greene, Vt.	Madden	Small
Cantrill	Hamill	Maher	Steele
Casey	Hamilton	Mann, S. C.	Steenerson
Clark, Mo.	Harreld	Milligan	Stiness
Classon	Hastings	Moon	Sullivan
Copley	Haugen	Mooney	Thomas
Costello	Hawley	Mott	Tinkham
Crowther	Hersman	Mudd	Towner
Curry, Calif.	Hill	Nolan	Vaile
Davey	Hudspeth	Oldfield	Vare
Dent	Husted	Pell	Venable
Donovan	James, Mich.	Perlman	Walters
Doremus	James, Va.	Phelan	Webster
Doughton	Johnson, S. Dak.	Rainey, Ala.	Welling
Dunn	Johnston, N. Y.	Rainey, John W.	Whaley
Eagan	Kahn	Ramsey	Wise
Eagle	Kennedy, Iowa	Randall, Wis.	Yates
Echols	Kettner	Reavis	
Edmonds	Kitchin	Reed, N. Y.	
Ellsworth	Kleczka	Riddick	

The SPEAKER. Three hundred and twenty-one Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

LEAVE OF ABSENCE.

Mr. SIMS rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. SIMS. To ask unanimous consent that leave of absence be granted to Judge MOON, my colleague, on account of serious illness, for the remainder of this session.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that leave of absence be granted to his colleague [Mr. MOON] for the remainder of this session, on account of serious illness. Without objection, it is so ordered.

There was no objection.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER. The question before the House is the conference report on the sundry civil bill, amendment No. 60, relating to Muscle Shoals. The gentleman from Iowa [Mr. GOOD] has 30 minutes and the gentleman from Tennessee [Mr. BYRNS] has 30 minutes. The gentleman from Iowa yields 10 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker and gentlemen, those of us who were here last night listening to a discussion of this subject were treated to what I regard as the most remarkable speech I have ever heard delivered on the floor of this House. It conveyed—unintentionally, of course, but nevertheless conveyed—the plain intimation that a great State of this Union was purchasable for the sum of $10,000,000. I resent that intimation in the name of the people of that State.

Mr. SELLS. Will the gentleman yield?

Mr. LONGWORTH. No; I can not yield.

Mr. SELLS. The speech made no such impression, and had no such intention.

Mr. LONGWORTH. I know the gentleman had no such intention, but that was the plain intimation that we could not help inferring from that speech.

Mr. SELLS. If the gentleman knows anything about the English language he knows that statement is not true.

Mr. LONGWORTH. Of course the fact is not true, because I know why the State of Tennessee joined the Republican column in the last election. It was not any question of purchase. It was for an idea, and the idea was and the reason why the State of Tennessee joined the Republican column was to protest against the wanton waste and extravagance of this present administration. [Applause.]

I come from a city, gentlemen, which is commercially one of the great gateways to the South, the city of Cincinnati, the only city in the world that owns a railroad. The people of Cincinnati own the Cincinnati Southern Railway, which connects that city with the market places of the South. It is to our every interest that the South should be developed. It is on the commercial prosperity of the South that our prosperity depends in great part. I will do everything in my power decently to help the South, but I balk at doing it indecently.

I wish I had more time than I have to go into the question of this Muscle Shoals development, but I have talked myself black in the face for 10 years against this outrageous proposed expenditure of the public money. I am not going to speak on my own authority this morning. I am going to cite the authority of one of the greatest chemical experts in this country, particularly with regard to nitrates. I mean Dr. Charles L. Parsons, formerly chief chemist of the Bureau of Mines, and who during the war was the chemical expert, and particularly the nitrate expert, for the War Department.

To use his own words as to his qualifications, Dr. Parsons in his testimony before the subcommittee on this proposition stated:

> I came to Washington in 1911 as chief chemist of the Bureau of Mines, and moved to Washington with my family in 1912. Since, I have handled the Chemical and Mineral Technology Division of the Bureau of Mines, including the building of two plants, one for radium and one for sodium cyanamide, at Saltville, Va. I was selected by Gen. Crozier to look into the nitrogen situation for the War Department in the summer of 1916. At that time I was transferred to the War Department as their chief chemical engineer for a few months and sent to Europe to study the nitrogen situation. I became acquainted with the chief leaders in nitrogen work, a good many of whom I had known before, and visited the plants in Norway, Sweden, England, France, and Italy at that time.

He was also a member of the interdepartmental board which went through the South to fix a location for this proposed nitrate plant.

Now, remember, gentlemen, that this nitrate plant is proposed to be operated to produce nitrates by the cyanamide process. What is the cyanamide process? Is it in use in any of the leading countries of the world? Is it the process for the future? Here is what Dr. Parsons says about the cyanamide process:

> I think there is no question whatever that the future of the fixation of nitrogen, and I might also say the commercial present, lies in the direct synthesis of nitrogen and hydrogen to form ammonia by what is normally known as the Haber process.

In reply to a question of the chairman as to the cyanamide process he says:

> No plants are being erected anywhere, so far as I am aware. In fact, the present plants are stopping their production. I was informed last Friday that in all probability the production of the cyanamide plants in Germany this next year would not be over one-sixth the production of last year, and there is no question—and I think it is quite generally admitted—that the cyanamide process is in a condition of obsolescence, and I do not expect to see it operated in any part of the world to any extent a few years hence.

And he said that the cyanamide process is a thing of the past. Why, if we were to undertake to build this dam and equip this plant the plant would be out of date before it ever produced an ounce of nitrates.

Why was this plant ever sent to Muscle Shoals? Dr. Parsons was a member of the board appointed by the Secretary of War to look over the country and see where a nitrate plant ought to be established. The chairman, my friend the gentleman from Iowa [Mr. GOOD], asked him—

> Why was it that Muscle Shoals was selected?
> Dr. PARSONS. I do not know.
> The CHAIRMAN. Was it discussed?
> Dr. PARSONS. Oh, yes.
> The CHAIRMAN. Was it the opinion of the Secretaries that that was the place where we should go to manufacture nitrogen?
> Dr. PARSONS. It was my understanding that they were in favor of going to North Chattanooga, Tenn.
> The CHAIRMAN. Why did they not go there?
> Dr. PARSONS. I do not know; but every board that had anything to do with it, so far as I am aware, reported against Muscle Shoals.

The chairman later on asked him:

> The first boards knew that Sheffield had been selected as the site?
> Dr. PARSONS. The boards knew nothing about it at all. Some 10 days after the final meeting of the interdepartmental committee, at which I was present, I was very much surprised to be called up on the telephone by an officer who jokingly asked me if I knew where the plant was to be located. I told him that I thought I knew, and he said, "You don't know as well as I do." And I said, "I think I know better." And he said, "Where is it going?" And I said, "Where do you think? It is going to North Chattanooga." And he said, "It is not; it is going to Muscle Shoals." And I said, "Who sent it there?" He said, "There is no higher authority."

But we are going to have another higher authority in a very few days now. [Applause.]

Gentlemen, I have seen this Muscle Shoals lobby at work for the last 10 years. I have seen them coming into Congress by the front door, and I have seen them coming in by the back door, and the side door, and up the alley. I have seen them come here as a peace proposition and as a war proposition; and as a war proposition I ask you, if water power is necessary to produce nitrogen why was this plant as a war measure put at a place where by no conceivable possibility could an ounce of water power be developed for five years?

The farmers of this country have been entirely bamboozled about this proposition. They have been led to believe that there will be some benefit to them. To quote Dr. Parsons again, he says:

> I am in most hearty sympathy with the desire of the farmer and the War Department to fill the need of the American people for as large an amount of nitrogen and nitrogenous fertilizer as we can possibly make and for obtaining those nitrogenous materials at as low a price as it is possible to make them. I believe, however, that the farmers' organizations are very seriously deceiving themselves as to the outcome of this proposition. To my mind, both from the standpoint of a war reserve and from the standpoint of producing cheap fertilizer for the farmer, nothing worse could be done than to operate this plant at Muscle Shoals.
> The CHAIRMAN. Why?
> Dr. PARSONS. In the first place, they will find that instead of getting increased fertilizers that the plant will have to be continually subsidized from the United States Treasury to keep it going; it will cost considerably more, in my opinion, than the present commercial price of ammonium sulphate. Besides that, it will have a very great retarding effect on the development of the American nitrogen industry. The German plants are owned and operated by private capital. The cyanamide plants and, to a certain extent, I think, the Haber plants during the war were assisted by the German Government, but they are all back now under the nitrogen syndicate, in which, of course, the Government has a voice on the board of directors, but nevertheless they are private institutions. If that plant is operated at Muscle Shoals it will greatly tend to stop the development of the nitrogen industry in this country, which this country greatly needs, the same as all other countries. There is no other country outside of the United States which for a moment thinks of forming an immense Government nitrogen monopoly, to which this would inevitably lead.

Now, it does not make any difference whether they expend $10,000,000 for the dam or $12,500,000 to equip the plant. The two things are the same. They are both entering wedges for the expenditure of one-quarter of a billion dollars of the people's money to furnish cheap water power for a few select individuals. That is all this thing amounts to. [Applause.]

They tell you that you have got to run this plant; that you must not let it die. Let me read from the testimony of the man who built the plant, Col. Wagner. He testified at the hearings:

The plant could be kept in a stand-by condition, and I am perfectly willing to leave that to the unbiased judgment of any board of engineers that goes down there that it could be kept in a good and better condition if kept in a stand-by condition than by being run.

I tell you, gentlemen, there is no excuse for this outrageous expenditure of the public money. Let us not in these closing days of Congress become parties to this conspiracy of pelf. Let us throttle this plunderbund. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker and gentlemen of the House, for a number of years I have been interested in agriculture and have personally backed up that industry in a small way. I am not willing to concede that the farmers of this country are entirely gullible, as might be inferred from some of the statements made here.

Another thing: Whenever any good citizen of my country comes to talk to or ask me a question about any project pending in Congress, I have always been willing that he should do so. I am not complaining because these men come here and ask Congress to develop this power. I am for the power, and I should deem it a calamity, just as Col. Cooper, one of the greatest hydroengineers in our land, said, that it would be a national calamity not to develop this power. Would you destroy the power of Niagara Falls if you could. The gentleman from Pennsylvania [Mr. DEWALT] said yesterday that this is a bigger power than Niagara Falls on the American side. The whole Tennessee River is involved; it will produce 550,000 horsepower, which is worth $25 a horsepower per annum.

Mr. MACGREGOR. Will the gentleman yield?

Mr. SMITH of Michigan. No; I can not yield.

Mr. MACGREGOR. I want to correct the gentleman that it is bigger than Niagara Falls.

Mr. SMITH of Michigan. I am not for abandoning this project.

The Government has $110,000,000 already spent on this power dam, and the men and machinery and the organization are now working on it.

It will cost when completed $130,000,000.

It will make a power of 550,000 horsepower, and larger than the Niagara on the American side.

Some say it will never be used to make nitrate.

All right.

The farmers need plows, drags, rollers, drills, and automobiles. They need shoes and clothing. Homes need lighting; streets, schools, churches need lighting. It can furnish power for 200 miles both south, east, and west. Industry is waiting and will use every ounce of energy. Buffalo never sees a dark night because of Niagara. This will light and furnish power for Birmingham, Chattanooga, Memphis, and Nashville. Five hundred and fifty thousand horsepower at $25 a horsepower would yield $13,750,000, which would be 10 per cent on $137,000,000, the cost of the dam. It would do the work of an army of men. Look at what Niagara does and this would duplicate that on the American side.

It is said let us wait until we determine on a policy. If any policy is determined upon it is one of harnessing up our water powers and setting them to work. There will always be enough for it to do, and it costs no more running water through the wheels than it does to flow down the stream. By the additional expenditure we harness the great Tennessee River and set it to work.

Some only object because of the condition of the Public Treasury. Very well. I am for protecting that and avoiding waste. If we want to help out the Treasury and the people, let us fund our foreign loan of $10,000,000,000 into bonds and put into the Treasury to be used, sold, or disposed of as will best suit our needs, and the needs of the public. What are we doing about collecting or funding our foreign debt and helping the Treasury? Nothing but taxing the people. Let us help the Treasury out and not commit this great waste in the name of the Treasury.

If it is not paternalism to build the great dams all over the West for irrigation purposes then this is not paternalism. If it is not paternalism to ask $500,000,000 for reclamation projects, then this is not paternalism. Lincoln said he was in favor of internal improvements. Here is one of the best. Whatever benefits one section of the country benefits all. Here we have a power we are told greater than that of Niagara on the American side in the heart of our country. Its energy for industry can be carried 200 miles in every direction. It is of inestimable value, and let us not scrap it.

We spend $40,000,000, or quite that amount for one battleship. In time of peace it is of small value and no revenue. This power plant costing the same to complete, in time of peace will be of immense value, and both battleship and power plant are needed in time of war. I am for the battleship, and I am for the power plant. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker and gentlemen of the House, early in the year 1916 in the preparation of the national defense, or preparedness, act, through the influence of the officials of the War Department and the organization of farmers throughout the country, section 124, known as the nitrate section, was incorporated. It directed the President to locate and build one or more air nitrate plants to be operated by steam or water power, one or both.

After a long and careful investigation through commissions, plant No. 1, using the synthetic process, was located at Sheffield, Ala. It was this small plant that some one recommended should be located at Chattanooga, Tenn. Plant No. 2, using the cyanamide process, was located at Muscle Shoals. They were built for a twofold purpose—for the manufacture of munitions in time of war and to make fertilizer in time of peace. Such was the express direction of Congress. Plant No. 2, at Muscle Shoals, is the largest and best air nitrogen plant in the world. It was finished just as the war ended and was 100 per cent in point of quality and production, as demonstrated by Government tests, and its location was wise and proper. At Muscle Shoals is the greatest water power east of the Mississippi River, except Niagara, and more power is being developed there by the Wilson Dam than at Niagara on the American side.

All the raw material such as limestone rock, coal, coke, and phosphate rock are in close proximity and in inexhaustible quantities; climatic conditions could not be better; within the safety zone recommended by the War Department; in the central part of the country using the greatest quantity of fertilizer; the very best transportation facilities, both by rail and water, to all the markets of the world.

In the face of all of this the gentleman from Ohio [Mr. LONGWORTH] continues to criticize the location and the cyanamide process. It is strange that he and Dr. Parsons should continue to discredit the cyanamide process in the face of its great success in practically every country in the world, and the further fact that there were 14 cyanamide plants before the war and that there are now 35. Dr. Parsons admits that he is connected with a company which is proposing or undertaking to develop the Haber process.

The operation of the plant at Muscle Shoals is necessary to increase the supply of fertilizer and give the farmers a cheaper and better grade. It is also necessary in order to preserve the plant for war purposes. To put it in a stand-by condition it would rust out and be of little value, besides the cost of guarding and keeping it in repair to preserve it for munition purposes would probably cost a half million dollars a year. Its economic value is dependent upon the dam and the development of the cheap water power. The dam is more than one-third complete. There are more than 4,000 men at work there now pouring nearly 2,000 cubic yards of concrete a day, all of whom will be thrown out of employment in a short time if this appropriation is not made. Seventeen million dollars has been spent on the dam, all of which will be lost if not completed. To close down the work for 12 months would result in a damage to the Government in the sum of $4,500,000. It will develop 550,000 horsepower, 80,000 of which can be used for the operation of the plant to make fertilizer and the balance sold or leased to the public under Government regulations for enough to pay 5 per cent on the cost of the dam and an additional amount sufficient to cover maintenance and operation charges, supplying an area of 60,000 square miles, embracing a part of seven States. Besides, it will remove all obstructions to navigation for 18 miles over the worst part of the Muscle Shoals section of the river. Four million five hundred thousand dollars could be charged off to navigation. Dams Nos. 1 and 3, recommended by the engineers, are navigation dams and are in no way connected with the question now before the House. The estimates first made on these dams which have been referred to were made about 10 years ago under prewar conditions. The estimate of $25,000,000 made by Col. Brown one year ago contemplated the installation of 100,000 horsepower. Col. Hugh L. Cooper, who built the Keokuk Dam, and is the greatest hydraulic engineer in the United States, stakes his reputation as a hydraulic engineer that $50,000,000 will be the outside limit for the cost of the locks and dams and full installation of 550,000 horsepower. So it is safe for Congress to assume that when this appropriation

is made it will never be called on again to appropriate more than from $18,000,000 to $23,000,000.

The War Department has $25,000,000 worth of Chilean nitrate in reserve and says that one-half of this amount is all that is necessary if plant No. 2 is in operation and could be converted at once into the manufacture of nitrogen for explosives, in the event of a military emergency, and recommends that $12,500,000 worth of the nitrogen in reserve be sold to secure the funds necessary to build the ammonium sulphate plant and provide operating capital for the operation of plant No. 2. The testimony of nitrogen experts and the Government tests show that with the cheap water power fertilizer can be produced at plant No. 2 at almost one-half of what it now costs. The Chilean nitrate commission, with headquarters in Great Britain, fix the price of sodium nitrate, and the price of ammonium sulphate from by-product coke ovens is usually about the same as sodium nitrate in proportion to nitrogen contents. Some one has said that the farmers are deceiving themselves in what they expect from the operation of this plant for fertilizer purposes. Able and experienced representatives of all of the farmers' organizations have not only visited and examined this plant but have carefully studied the fertilizer problem from every viewpoint and are of one accord in asking Congress to complete the dam and operate the plant. Confidently believing that it will relieve them from the burdens of the Chilean monopoly, they are waiting with great anxiety to see if Congress will give them this much needed relief. How can any Member explain a vote against this measure which promises such great relief to the farmers who have been so hard hit recently in the slump in price of farm products? I discussed this question at length when it was before the House the 1st of January, and time will not admit of further discussion at this time.

I appeal to my colleagues who represent city districts as well as those who represent rural districts to vote for this appropriation, for farmers, or rather the products from the farms, build, support, and sustain the cities. If the fertility of the soil is exhausted and the lands cease to produce the cities will be depopulated and the streets grow up in grass.

I have too much confidence in the good judgment of the Members of this House to believe that this amendment will not receive enough votes to secure its adoption. It is the most important question that has been before the House for a long time. The future usefulness of the greatest Government project is dependent upon your vote to-day. Please permit me to appeal to you in behalf of preparedness and in behalf of agriculture to support this proposed appropriation, and continue the construction of this wonderful and most important development to completion. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, nature has been so generous to my district that it does not use a pound of fertilizer. One of my chief reasons for favoring this project is based upon its value as an instrument of national defense. I call the attention of the House to the fact that in 1916 provision was made in the national defense act to establish this project as a military measure. For the present fiscal year this Government is expending $950,000,000 on an Army and a Navy; $450,000,000 annually for an Army, to do what? To fight? No; not to fight, because there is no prospect of war now. But we are spending $450,000,000 to have an Army to fight when it may be necessary to fight. We are spending $450,000,000 annually for a Navy, to do what? To attack other nations or to fight? No. We are spending that amount of money to have a Navy to fight whenever it may become necessary to fight. If it was necessary in 1916, before our entry into the World War, to provide a nitrate plant for war purposes and war needs, is it not wise now, when our experience is yet fresh in our memories, to keep that plant for future war purposes and for purposes of national defense? Oh, but gentlemen say, "we do not want the Government to engage in the manufacture and sale of power." If you are to maintain this plant as a war proposition, is it any argument against its value that in time of peace it may be usefully employed and thereby contribute to its own maintenance? Would it be any argument against the wisdom or economy of providing and maintaining an Army if every man in the Army during peace times should turn his activities to the production of something that would be for the well-being and for the upkeep of the Army?

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. CONNALLY. Would it be any argument against the maintenance of the Navy if in time of peace it were possible to utilize that Navy in the carrying of the commerce of the world or in carrying the mails? Gentlemen of the House, if we can maintain this great agency of national defense and usefully employ it in time of peace for the manufacture of nitrates, for fertilizer, or for the manufacture of power to be distributed over a wide area, will it not to a large extent contribute to the economy of its upkeep and at the same time prove a useful agency for the public welfare when the necessities of war may require?

The gentleman from Ohio [Mr. LONGWORTH] loudly declaimed against the proposition of carrying this item for the purpose of navigation or for the purpose of nitrates for fertilizer or for the purpose of water power. In that connection the gentleman adverted to the fact that he lives in Cincinnati. He seems to forget that at his city's feet there flows the Ohio River, upon the locks and dams of which, constructed for only one purpose, that of navigation, dissociated from power, dissociated from the manufacture of nitrates, this Government has already expended $60,000,000 out of its Treasury. [Applause.] I do not begrudge the gentleman that expenditure. I am in favor of improving the waterways of this Nation wherever they may be, wherever it is practicable, and wherever their improvement will contribute to the welfare of the whole Nation, and I am in this particular in favor of this project, because it will be a great national asset, because in time of war it will supply the explosives for the engines of war and in peace it will furnish the nitrates for fertilizer to replenish and renew the fertility of our farms and fields, and incidentally it will make available for navigation and power purposes the Tennessee River, and thereby provide for its maintenance and upkeep, and by the expenditure of $10,000,000 we shall save the $110,000,000 already invested in this great enterprise. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, from whatever standpoint we view the situation now before us, whether it be from the standpoint of the manufacture of fertilizer or from the standpoint of the development of navigation or of the development of power, after a careful consideration of all the evidence that has been presented, I am of opinion that we are not justified in making further investment at this time. I do not say that we may not further develop this enterprise, but I do say, and I do say it without fear of successful contradiction on the part of any man who has carefully read all of the testimony, that as matters now stand we are not justified in investing another penny in this enterprise or these enterprises without a further thorough and careful consideration of the matter from every standpoint. A new administration is about to take charge of the affairs of Government, a new administration charged with great responsibility, and that new administration should be left free to say whether or no, after careful investigation and consideration, there is merit in these enterprises; and if so, along what lines and to what extent we are justified in going further with them.

This is an effort under pressure to pledge the Congress to an expenditure, of doubtful value to the Nation, not of $10,000,000 but of anywhere from $50,000,000 to $100,000,000, and after all the criticism we have made of the unwise expenditures of public moneys since the war began, after all of the charges we have made against the administration for its wasteful misuse of the public money, we are not justified, any of us, in going forward with these enterprises without giving further and careful consideration of every fact and feature of them. If the Congress shall now vote this $10,000,000, which means the ultimate investment of from $50,000,000 to $100,000,000 in questionable undertakings, then I know of no demand that anyone can or is likely to make on the Congress that we can logically or consistently turn down. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN] or more if he desires.

Mr. MANN of Illinois. Mr. Speaker, of course, you can get experts to testify on any side of any subject, but after having carefully in mind the discussions which have taken place in this House and in the other body, after having in mind the hearings and the testimony which has been printed, I venture to say that this plant, if completed, can be operated to manufacture cheaply and profitably nitrates for the benefit of the farmers of the country.

We are appropriating hundreds of millions of dollars for the Army, hundreds of millions of dollars for the Navy, hundreds of millions of dollars for the merchant marine, many million dollars for increasing the tillable area of this Nation through irrigation and other projects. I believe we can afford to ap-

propriate the money necessary to complete this plant which will give the farmers an opportunity to increase the productivity of the soil and the size of their crops. They work early and they work late that we may have the raw materials of our foods and of our clothes. Here is an opportunity reasonably to carry on a plant which will give plenty in time of peace and powder in time of war [applause], and in my judgment we will make a great mistake if we turn back on this great enterprise. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker [applause], how much time have I?

The SPEAKER. The gentleman has 14 minutes.

Mr. BYRNS of Tennessee. Mr. Speaker and gentlemen of the House, I wish to concur in what was said by my friend and colleague from Tennessee [Mr. SELLS] in his very eloquent speech of last night, and also in what was said by the gentleman from Pennsylvania [Mr. DEWALT], that this is in no sense a sectional question, nor should it be regarded by anyone in this House as a partisan question. I have been a Member of this House for 12 years. I have voted upon frequent occasions for the reclamation of the great arid West; I have voted for millions of dollars for the improving of rivers and harbors in the North, in the East, and all over this great country of ours, and I have never stopped for one minute to consider the section in which the money was to be expended, because I believe, as Members of this House, acting upon our oaths and obligations, we should vote for the best interests of the entire country, and that whatever benefits one section of the country benefits the whole country. I am not going to insult the intelligence and patriotism of you gentlemen upon the Republican side of the Chamber by assuming in advance that you are going to be actuated by any partisan or any sectional motives in the consideration of this proposition. Now, what have you here? During the war and as a war emergency there was spent at Muscle Shoals $69,000,000 in the erection of a cyanamid plant—plant No. 2. Everyone agrees that that plant was properly located. Why, the gentleman from Ohio [Mr. LONGWORTH] undertook to criticize the action of the President in placing this plant at Muscle Shoals, and he quoted from Dr. Parsons. I ask you to read the record, for I speak from the record. I say that the testimony of Dr. Parsons does not substantiate the statement made by the gentleman from Ohio.

Dr. Parsons said the board to which he referred was considering the construction of a small Haber process plant, a plant which would not require water power, and because this plant was one requiring steam power they considered the location of a small plant at Chattanooga. But later on, when it became necessary to construct a great cyanamid plant for munition purposes, in order that our soldiers might be given the shot and shell necessary to win this war, this plant was located at Muscle Shoals, where there is possibly the greatest possibility of power development in this country. This plant requires hydroelectric power, and Dr. Parsons said he had no criticism of the location of the cyanamid plant at Muscle Shoals. Now, we have expended $69,000,000 there. Everyone agrees, Dr. Parsons included, that the plant should be maintained as a war emergency, because we all know that in the event war shall come, if we are dependent entirely, as we were at the beginning of this war, upon Chilean nitrate, we would be at the mercy of any powerful enemy. Why, they talk about paternalism! Everyone agrees that this plant should be maintained as a war emergency, and we insist that as an incident thereto, for the purpose of saving the money already invested in that plant, some action should be taken toward maintaining it, and that it should be utilized in a manner that will prove of most benefit to the most people. Now, Col. Cooper has been spoken of. You all know Col. Cooper, one of the most eminent and distinguished hydraulic engineers in the United States. He stated he had not a dollar's interest in this concern. He is getting no salary for his splendid services to his Government, and he stated it would be a godsend to him, so far as his own personal business was concerned, if the Government should cease the construction of the dam and let him go about his own private business. But he told the Congress and told the country in his hearing before the committee that it would be a national calamity if Congress refused to appropriate the money necessary to complete that dam. He stated that he could not conceive that Congress would be so foolish as to refuse to make the appropriation necessary to complete it.

It is true that he said that he did not believe in the Government manufacturing nitrate at Muscle Shoals. He said he did not believe in the Government going into private business, and as an original proposition, that is a perfectly sound position. The gentleman from Iowa [Mr. HULL] read to you his statement that he believed in the marketing of the power at the place where it is created to industries and for the purpose of building up industries in the country and in that section, comprising seven States and an area of 60,000 square miles. He further stated that if the Government did not complete this dam, there would be little if any future water-power development in the South.

Col. Cooper stated distinctly that he was not an expert on fertilizer, and he declined to express an opinion on it. It is true that the gentleman from Iowa [Mr. GOOD], in his anxiety to get from the witness something to defeat this proposition which we propose in the interest of the farmers and the industries of this country, undertook to put in his mouth a certain state of facts in the form of a question. But here is what he said when given an opportunity to express himself. Let me read it to you:

> The question has been raised as to whether or not this plant was not usable for fertilizer. I am not a fertilizer expert, and I do not want to go into that side of it, but I would say this as to fertilizer: When you have something to sell or to lease you have a fine chance with competition as between the private fertilizer companies on the one hand and the power consumers on the other represented by the public utilities, and you have these two competing with one another as to which is the best thing for the greater number.

Col. Cooper staked his reputation upon the fact that this dam would never cost, even at the present high cost of labor and material, more than $50,000,000. He staked his reputation, as he stated in the hearings, on the fact that if it is constructed and this power is sold there would be no question as to the demand for it, and it would bring in a net return to the United States Government upon the $50,000,000 expended on the dam of 3.58 per cent interest on the investment in the first year of its operation, and at the end of 10 years there would be a net return to the United States Government of 5 per cent upon every dollar placed in that dam. And in that statement he said that he had very liberally charged off 5 per cent for depreciation. In other words, he shows in his letter printed here in the hearings that there would be a 10 per cent gross return upon every dollar invested in that dam.

You have expended $17,000,000 already in the construction of that dam. What are you going to do with it? Are you going to tell the American people, whom you are here to represent, that you are going to absolutely waste every dollar expended in that dam because, as intimated by the gentleman from Ohio, you do not like the section or place in which it was located? Are you going to tell the American people that you will throw away that money in the face of the fact that Col. Cooper, who has no interest in it, tells you that by the expenditure of $33,000,000 more you can bring a return of 5 per cent on the investment and save the amount already invested, and build up the industries of the country? Col. Cooper says that if this work is not continued, if it is not constructed now, it will never be constructed, and the United States Government will never recover one dollar of the $17,000,000 that has already been expended.

Why, the gentleman from Illinois [Mr. GRAHAM] said that it would destroy the navigability of the river. I do not suppose there is another man in this House or anywhere who has ever looked at the hearings who would make a statement of that kind. It is perfectly foolish to make that statement. They have navigation there now of only 5 feet by a canal which was constructed 50 years ago and is not adapted to modern boats and modern methods of transportation. It is true that if you want to complete the navigation at Muscle Shoals you have got to construct more dams, but that is for the future consideration of Congress.

I want to talk to you a moment on the subject of nitrates. Much has been said here to the effect that this plant will not be adapted to the manufacture of nitrates for fertilizer purposes. Dr. Parsons, at present employed by a Haber process plant now in process of construction and who appears more as an advocate than a witness, tells you it can not be done because this is a cyanamide plant. It would, of course, come in competition with the Atmospheric Air Nitrogen Co., by whom he is employed, and he can hardly be called an unbiased witness. Gentlemen have gotten upon this floor who never had a hoe in their hands in their lives, gentlemen have gotten upon this floor who were never between the handles of a plow, and have undertaken to solemnly tell you and the farmers of this country that this does not mean anything for their benefit. Gentlemen, I would rather take the word of the farmers of this country. Do not believe for a moment that they are entirely gullible. Do not believe that they do not know what is for their interest. Their representatives, representing millions of farmers, came before the committee, and what did they tell us? They told us it was distinctly in the interest of the farmer. They asked for it because they said they believed with the use of this secondary power, not the primary power, which will be sold,

nitrates could be manufactured there that would benefit the farming interests of the entire country.

What is the condition in regard to nitrogen? During a conversation with Mr. Mann a short while ago, brother of our distinguished colleague and the very able Representative on the floor of this House, he told me—and there is no better informed agricultural expert in the United States—that there had been a 50 per cent depreciation in the soils of this country by the constant reduction of nitrogen due to cultivation. Take the State of Iowa, where the production of corn has decreased from 50 bushels to 37, due to the fact that every year they are taking nitrogen from the soil and failing to put it back. Go to the State of Illinois, and there the production is reduced from 50 to 34, and to Ohio, where the production has been reduced from 50 to 25. This is a proposition to enable the farmer, if possible, to develop a means by which we can add to the nitrate production of this country and give back to the soil some of that nitrogen we are annually taking from it. I would rather trust Mr. Mann and the farmers of this country to know what is to their interest as to the solution of the problem of increasing production than to trust these gentlemen who have no actual knowledge and experience on the subject.

I was handed a statement that was published in the Washington Post of September 2, 1920, relating to the production of nitrogen in Germany. What do they say?

The German Government has released 50,000 tons of nitrogen made from the air for exportation at once, export duty free, to America.

Remember they use the cyanamide as well as the Haber process there, and this means at least 250,000 tons of ammonium sulphate or fertilizer. It says, further:

This information was received yesterday by the Bureau of Foreign and Domestic Commerce.

The German Government hopes, it was stated, that sale of this nitrogen will help raise the rate of German exchange. In spite of high prices and heavy taxes, deposits in German saving banks are increasing.

Gentlemen, it is a question with you as to whether or not you will stand in this vote for the interest of the American farmer and in the interest of the consumers of this country, who want to see our production increased, or whether you are going to stand for the German farmer and in the interest of the German manufacturer of nitrogen and the Fertilizer Trust of this country, which has conducted such a powerful lobby against this appropriation. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. GOOD. Mr. Speaker, a great power development can be made in the Tennessee River. There is no question about that. But I protest that the power development intended for the Alabama Power Co. shall not be brought before this House and voted for in the name of the American farmer. [Applause.]

It is admitted that the primary horsepower on the Tennessee River is somewhere between 85,000 and 100,000 per annum. The primary horsepower is the constant power throughout the year. It is not proposed to use any of the primary horsepower for the manufacture of nitrates. Mr. Bower, of the American Farm Union, who came before the committee, testified that that power would cost too much, that that power was worth 4.4 mills per kilowatt hour, and that it was necessary to have cheaper power to manufacture fertilizer; and that inasmuch as Col. Cooper had estimated that the secondary power ran from nothing up to 400,000 horsepower in time of flood, they would use the first 80,000 horsepower of the secondary horsepower at Col. Cooper's estimate at 1.2 mills per kilowatt hour, and make fertilizer.

Col. Cooper said that after 10 years by the sale of all of the primary and secondary power developed this plant would bring in enough to pay operating expenses, depreciation, and obsolescence, and leave a 5 per cent return on the money invested.

But he made it plain that result depended upon the sale of the secondary power at 1.2 mills per kilowatt hour. Mr. Bower said that they must have the first 80,000 horsepower, mind you, of the secondary power; not the last 80,000 horsepower of the secondary power, but of the first. The fact is, if you take 80,000 horsepower of the first of the secondary power, it is worth almost as much as the primary power. And yet the first 80,000 horsepower of the secondary power will only permit that plant to be run for eight months in the year during years of light rainfall, and consequent low water, and when Mr. Bower was asked what he would do with the 2,500 men that would be engaged in manufacturing fertilizer for the four months when there was no power, he said, "I would pay them their wages and keep them there." Of course, it would be necessary to do this, otherwise you would not have the men to run the plant when you did have water.

At present it is costing the War Department $3.60 a day per man, and they have several thousand employed. That, multiplied by 2,500, will total $9,000 a day for idle men. Multiply it by four months, and you will have $1,080,000, which must be charged somewhere to idleness. And if you add that to the cost of the maximum of production of fertilizer you add at once $5 a ton to that production.

More than that, nothing has been said here in regard to the vast quantity of sludge produced in the manufacture of 220,000 tons of fertilizer. To manufacture 220,000 tons of fertilizer per year will produce, according to the statement made by all of the experts, 1,500 tons of sludge per day, or 450,000 tons of sludge every year. What do you think they propose to do with it? There is not a cent, not anything, in this estimated cost of producing fertilizer for removing the sludge. What do you think they propose to do with it? They propose to dump it into the river; 3,000 cubic yards per year; and then the next thing you would have them come here before Congress with an estimate for millions of dollars for removing the sludge out of Tennessee River. Now, we have some lowlands about 3 miles away from the plant. You can haul about three or four loads a day. A cubic yard of this sludge, which is something like sand, would be all that a man could haul. It would take 400 teams to haul away the sludge alone, and this would add another $5 per ton for the fertilizer produced. If you are going to estimate what it will cost to produce fertilizer, you must include all the elements of production.

Oh, the gentleman from Illinois [Mr. MANN] smiles, but he does not smile, or will not, when I remind him this estimate can not be as far off as some of the War Department's estimates with regard to this dam. Back only six years ago the War Department, which is now building this dam, made an estimate, and they estimated that Dam No. 1 would cost $57,000. That is Dam No. 1. In 1920 it estimated it would cost $2,450,600; and when asked to-day what it would cost they say, "We do not know." Dam No. 2 was first estimated, six years ago, to cost about $12,500,000, in the Burgess report, which is found in House Document 1262, Sixty-fourth Congress, first session. That was the estimate of the War Department, and the details are there. Then last year, before the Graham committee, Col. Brown, representing the War Department, said that Dam No. 2 would cost $23,800,000; and now to-day this same War Department, after having spent $17,000,000 down there in building the dam, say it will cost $60,000,000.

But that is not all. They propose to build Dam No. 3 also. That was originally estimated, six years ago, to cost $5,200,000. Last year it was estimated at $12,033,000, and now they say they do not know how much it will cost.

Oh, they say, "This is a good thing," that it will be a wonderful investment for the United States. Let us see if it will. Take the testimony of Col. Cooper, upon whom the proponents rely. Col. Cooper is one of the great hydraulic engineers of this country. He built the Keokuk Dam. He raised the money to build it. He is a money-maker, and is looking for good investments of this character for his large clientele. The testimony shows that Col. Cooper can raise money. He admits it. Now, let us see what he says about this dam. He was asked this question—on page 59 of the hearings I asked if he would take the dam and complete it if the Government would turn it over to him after spending $17,000,000, and he said, "No, sir." I then asked him this question: "Suppose we should say we will put in $17,000,000 more, then would you take it?" His answer was, "No, sir." [Applause.] Wonderful investment, this Wilson Dam. Why, think of it! One of the best engineers in the world, the engineer the proponents are relying upon, says before the committee that if Congress will spend $34,000,000 in building this dam he would not take it as a gift and complete it and operate it! Now, if Col. Cooper does not want that kind of an investment, the 105,000,000 taxpayers all over this land do not want it. They would rather lose what is gone and stop than to send more good money after what is lost. [Applause.]

The gentleman from Tennessee [Mr. SELLS] misinterprets, I am afraid, the motive that cause that great people of Tennessee to sweep the Republican Party into power in that State.

Oh, the people of Tennessee, living there, and where they could see the $90,000,000 wasted down at Old Hickory, and $70,000,000 in a nitrate plant at Muscle Shoals, and $17,000,000 more on the Wilson Dam knew what the issues were last November. These good people living in the very shadow of these monuments to the colossal failure, the colossal and unthinkable waste and extravagance, living, I say, in the shadow of this monument to the administration of Woodrow Wilson, seeing that said, "we have had enough of this and we are sick of it," and they expect us to act differently toward the taxpayers.

and we are going to do it. [Applause.] If it is going to cost $65,000,000 to hold Tennessee in the Republican column I do not think that this side of the House is for it. The cost is too great.

Mr. BYRNS of Tennessee. Where does the gentleman get his authority for the statement that it will cost $65,000,000?

Mr. GOOD. I wonder if the Democratic side of the House are willing to expend $65,000,000 out of the Treasury to keep the Republican Party in power in Tennessee? If so, how much do you want to spend out of the Treasury to put the Republicans in power down in South Carolina, and how much will it cost out of the Treasury of the United States to carry Texas and keep it in the Republican column? [Laughter.] Oh, no; we are not treating the Treasury in that way. We believe in keeping campaign expenses down, and we do not believe in paying a dollar of them out of the Treasury of the United States. Yet you are going to vote to spend $10,000,000 more now and eventually $65,000,000 to keep the Republican Party in power in Tennessee.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GOOD. No; I regret I can not.

The SPEAKER. The gentleman declines to yield.

Mr. GOOD. I have said that they propose to use the first 80,000 horsepower of the secondary power to manufacture nitrates. Let us see what Col. Cooper said about that. On page 77 of the hearings this question and answer appear:

The CHAIRMAN. Mr. Cooper, the nitrate people say they must have the first 80,000 horsepower of secondary power. If this plan was followed, what effect would this have on your estimated earnings from secondary power?

Mr. COOPER. Such a first use of 80,000 horsepower secondary power would defeat my power plan. The first 80,000 horsepower secondary power will produce 440,000,000 kilowatt hours for an average period of slightly over 10 months per year. Compare this first 80,000 horsepower with the last 80,000 horsepower of secondary power. The last 80,000 horsepower of secondary power will produce an average of only 172,000,000 kilowatt hours for an average period of 4 months per year. Power that is good for 10 months per year is worth at least 33⅓ per cent more per kilowatt hour than the same kilowatt-hour power that is good for 4 months per year. I feel quite certain that the taking away from the secondary earning capacity in my plan now before you of the first 440,000,000 kilowatt hours per annum would be taking off so much of the cream of this business as to make the remaining skim milk not worth building transmission lines for.

In other words, if you permit this nitrate-production scheme to go through, then your power plant falls to the ground, and Mr. Bowen, the farmer's friend, says you can not make the manufacture of fertilizer a success except that you first make the power plant a success by the sale of power to the municipalities and the industries. Hence it matters not which horn of the dilemma you take you can not use the power for the successful manufacture of fertilizer.

I agree with Col. Cooper that there are great power possibilities there, although the stream is erratic. But, my friends, if you vote for this, forget at once all about nitrate. You will never manufacture nitrates for the farmer at this plant. Why, do you know that you have not a plant there with which you can manufacture nitrate for the farmer? You have to build a new plant. The plant there was built by the American Cyanamid Co., and they manufacture cyanamid and ammonium nitrate and not ammonium sulphate; and ammonium sulphate is the only commercial fertilizer that can be produced that will have anything like general use by the farmer. That is in the testimony. Everybody admits that. They propose now to shove in another bill before this House, already passed by the Senate, carrying $12,500,000, to be used in the manufacture of fertilizer at Muscle Shoals. Of that amount, it is proposed that the losses will be $3,000,000 for the first year in manufacturing fertilizer, and you are going to be called upon to vote for that very proposition if you agree to this.

Now, I have said that the Alabama Power Co. is interested. Mr. Cooper says that he would sell this power at the plant, at the place of production. Whose wires are at the place of production? The wires of the Alabama Power Co. and no one else. Let me quote again from the report of the War Department as found in the Burgess report:

The work accomplished in the past four years in connection with Lock 12 on the Coosa River stands as a great example of the advantages of such cooperation.

He is referring to Government cooperation.

And also makes the Alabama Power Co. the logical and, in fact, the only company capable of building up the market necessary to use the power which may be developed at Muscle Shoals. * * *

With the sites already owned and developed, and the territory covered by the transmission lines of the Alabama Power Co., none of the hydroelectric systems of the North and East can economically, or without duplication of investment, be tied into Muscle Shoals and have the public reap the benefit which may be derived from the combination of Muscle Shoals and the Alabama Power Co. system.

What is the Alabama Power Co.? Poor's Manual gives the Alabama Power Co., incorporated January 5, 1912, under the laws of the Dominion of Canada, and it owns all the stock in the Alabama Interstate Power Co., the Birmingham, Montgomery & Gulf Power Co., the Muscle Shoals Hydroelectric Power Co., the Alabama Property Co., the Alabama Power & Light Co., the Asbury Electric Power Co., and the Anniston Steel Co., and it controls the Selma Lighting Co., the Dixie Construction Co., the Winona Coal Co., and the Coosa Securities Co., and holds $2,000,000 of stock in the United Gas & Electric Corporation. And here is their publication on Muscle Shoals, entitled "America's Gibraltar," published in the interest of the farmer, almost in the words of the gentleman from Illinois, is found the words "In peace, prosperity for the farmer; in war, preparedness for the Nation." That is the propaganda put out by the Alabama Power Co. and its subsidiaries, hiding behind the cloak of the farmer. This project is the protégé of Woodrow Wilson, whose picture adorns its pages, and when you vote for this measure, when you vote to take $10,000,000 out of the Treasury for this power steal—for it is nothing else—you do not vote to aid the farmer, but you vote to put an additional tax upon the taxpayers of the country in order that the Alabama Power Co., with its $30,000,000 of stock and $15,000,000 of bonds, a company of which James Mitchell, of London, England, is president, may reap the benefit that will come through heavy taxes that your constituents must pay. My friends, that is the issue involved in this amendment. Let no one deceive you, not even so-called representatives of the farmer. Some one had better be a bit careful or the farmer will want to know who has tied him up with the $50,000,000 British corporation that has farmer and industry alike by the throat. [Applause.]

The SPEAKER. By the agreement the previous question is ordered, and the vote comes, first, on the preferential motion offered by the gentleman from Illinois that the House recede from its disagreement and concur in the Senate amendment.

Mr. MANN of Illinois. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 182, nays 193, answered "present" 3, not voting 50, as follows:

YEAS—182.

Almon	Dominick	Lazaro	Romjue
Ashbrook	Doremus	Lea, Calif.	Rouse
Aswell	Drane	Lee, Ga.	Rucker
Ayres	Drewry	Lesher	Sabath
Babka	Dupré	Linthicum	Sanders, La.
Bankhead	Eagan	Little	Schall
Barbour	Eagle	McAndrews	Sells
Barkley	Evans, Mont.	McClintic	Sherwood
Bee	Ferris	McDuffie	Sims
Bell	Fields	McKeown	Sinnott
Benson	Fisher	McLane	Sisson
Black	Flood	Maher	Slemp
Bland, Mo.	Gandy	Major	Small
Bland, Va.	Ganly	Mann, Ill.	Smith, Mich.
Blanton	Gard	Mansfield	Smithwick
Bowling	Garrett	Martin	Steagall
Box	Godwin, N. C.	Mays	Stedman
Brand	Goldfogle	Miller	Stephens, Miss.
Briggs	Griffin	Milligan	Stevenson
Brinson	Hardy, Tex.	Minahan, N. J.	Stoll
Brumbaugh	Harreld	Monahan, Wis.	Sumners, Tex.
Buchanan	Harrison	Montague	Swindall
Burke	Hastings	Moore, Va.	Swope
Byrnes, S. C.	Haugen	Morin	Tague
Byrns, Tenn.	Hayden	Neely	Taylor, Ark.
Campbell, J.	Hoey	Nelson, Mo.	Taylor, Colo.
Candler	Holland	Nicholls	Taylor, Tenn.
Cantrill	Howard	O'Connell	Tillman
Caraway	Huddleston	O'Connor	Upshaw
Carew	Hull, Iowa	Oldfield	Venable
Carss	Hull, Tenn.	Oliver	Vinson
Carter	Humphreys	Overstreet	Watkins
Casey	Igoe	Padgett	Weaver
Christopherson	Jacoway	Park	Welling
Clark, Fla.	James, Va.	Parrish	Welty
Cleary	Johnson, Ky.	Pou	Whaley
Coady	Johnson, Miss.	Quin	Williams
Collier	Jones, Tex.	Rainey, Ala.	Wilson, La.
Connally	Keller	Rainey, Henry T.	Wilson, Pa.
Crago	Kettner	Raker	Wingo
Cramton	Kiess	Randall, Calif.	Woods, Va.
Crisp	Kincheloe	Rayburn	Wright
Davis, Tenn.	King	Riddick	Yates
Dent	Lanham	Riordan	Young, Tex.
Dewalt	Lankford	Robinson, N. C.	
Dickinson, Mo.	Larsen	Rodenberg	

NAYS—193.

Ackerman	Burdick	Dempsey	Evans, Nebr.
Anderson	Burroughs	Denison	Fairfield
Andrews, Md.	Campbell, Kans.	Dickinson, Iowa	Fess
Andrews, Nebr.	Cannon	Dooling	Fish
Anthony	Chindblom	Dowell	Focht
Begg	Cole	Dunbar	Fordney
Benham	Cooper	Dyer	Foster
Bland, Ind.	Cullen	Echols	Frear
Boies	Currie, Mich.	Edmonds	Freeman
Bowers	Dale	Elliott	French
Brooks, Ill.	Dallinger	Elston	Fuller
Brooks, Pa.	Darrow	Emerson	Gallivan
Browne	Davis, Minn.	Esch	Gallagher

Glynn	Knutson	Nolan	Snell
Good	Kraus	Ogden	Snyder
Goodall	Kreider	Olney	Steenerson
Goodykoontz	Lampert	Osborne	Stephens, Ohio
Gould	Langley	Paige	Stiness
Graham, Ill.	Layton	Parker	Strong, Pa.
Green, Iowa	Lehlbach	Patterson	Summers, Wash.
Greene, Mass.	Longworth	Pell	Sweet
Greene, Vt.	Luce	Perlman	Temple
Griest	Lufkin	Peters	Thompson
Hadley	Luhring	Porter	Tilson
Hardy, Colo.	McArthur	Purnell	Timberlake
Hawley	McCulloch	Radcliffe	Tincher
Hays	McFadden	Ramsey	Tinkham
Hernandez	McGlennon	Ramseyer	Towner
Hersey	McKenzie	Randall, Wis.	Treadway
Hickey	McLaughlin, Mich.	Ransley	Vestal
Hicks	McLaughlin, Nebr.	Reavis	Volgt
Hill	McLeod	Reber	Volk
Hoch	McPherson	Reed, W. Va.	Volstead
Houghton	MacGregor	Rhodes	Walsh
Hulings	Madden	Ricketts	Ward
Hutchinson	Magee	Robsion, Ky.	Wason
Ireland	Mapes	Rogers	Watson
Jefferis	Mason	Rose	Webster
Johnson, S. Dak.	Mead	Rowe	Wheeler
Johnson, Wash.	Merritt	Sanders, Ind.	White, Kans.
Jones, Pa.	Mondell	Sanders, N. Y.	White, Me.
Juul	Moore, Ohio	Sanford	Wilson, Ill.
Kahn	Moores, Ind.	Scott	Winslow
Kearns	Mott	Shreve	Wood, Ind.
Kelly, Pa.	Mudd	Siegel	Young, N. Dak.
Kendall	Murphy	Sinclair	Zihlman
Kennedy, R. I.	Nelson, Wis.	Smith, Idaho	
Kinkaid	Newton, Minn.	Smith, Ill.	
Kleczka	Newton, Mo.	Smith, N. Y.	

ANSWERED "PRESENT"—3.

Britten	Michener	Strong, Kans.

NOT VOTING—50.

Bacharach	Dunn	Kelley, Mich.	Rubey
Baer	Ellsworth	Kennedy, Iowa	Scully
Butler	Evans, Nev.	Kitchin	Sears
Caldwell	Garner	Lonergan	Steele
Clark, Mo.	Goodwin, Ark.	McKiniry	Sullivan
Classon	Graham, Pa.	McKinley	Thomas
Copley	Hamill	Mann, S. C.	Vaile
Costello	Hamilton	Moon	Vare
Crowther	Hersman	Mooney	Walters
Curry, Calif.	Hudspeth	Phelan	Wise
Davey	Husted	Rainey, John W.	Woodyard
Donovan	James, Mich.	Reed, N. Y.	
Doughton	Johnston, N. Y.	Rowan	

So the motion to recede and concur was rejected.

The following pairs were announced:

Mr. CLARK of Missouri (for) with Mr. DUNN (against).

Mr. KITCHIN (for) with Mr. BRITTEN (against).

Mr. THOMAS (for) with Mr. SULLIVAN (against).

Mr. HUDSPETH (for) with Mr. STRONG of Kansas (against).

Mr. CURRY of California (for) with Mr. HUSTED (against).

Mr. WISE (for) with Mr. BUTLER (against).

Mr. MICHENER (for) with Mr. REED of New York (against).

Mr. CALDWELL (for) with Mr. KELLEY of Michigan (against).

Mr. GARNER (for) with Mr. HAMILTON (against).

Mr. RUBEY (for) with Mr. MCKINLEY (against).

Mr. JOHN W. RAINEY (for) with Mr. WALTERS (against).

Mr. GOODWIN of Arkansas (for) with Mr. VARE (against).

Mr. SEARS (for) with Mr. COSTELLO (against).

Mr. DOUGHTON (for) with Mr. BACHARACH (against).

Mr. MOON (for) with Mr. BAER (against).

Until further notice:

Mr. CROWTHER with Mr. STEELE.

Mr. WOODYARD with Mr. DONOVAN.

Mr. CLASSON with Mr. JOHNSTON of New York.

Mr. GRAHAM of Pennsylvania with Mr. DAVEY.

Mr. COPLEY with Mr. MCKINIRY.

Mr. JAMES of Michigan with Mr. ROWAN.

Mr. ELLSWORTH with Mr. HAMILL.

Mr. KENNEDY of Iowa with Mr. PHELAN.

Mr. VAILE with Mr. EVANS of Nevada.

Mr. STRONG of Kansas. Mr. Speaker, I have a pair with the gentleman from Texas, Mr. HUDSPETH. If he were here, he would vote "aye." I voted "no," and I wish to withdraw that vote and answer "present."

Mr. BRITTEN. Mr. Speaker, I have a pair with the gentleman from North Carolina, Mr. KITCHIN, and I wish to withdraw my vote of "no" and answer "present."

Mr. MICHENER. Mr. Speaker, I voted "aye," but I wish to withdraw that vote and answer "present," as I am paired with the gentleman from New York, Mr. REED.

The result of the vote was announced as above recorded.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the motion to recede and concur was rejected was laid on the table.

Mr. GOOD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOOD. My understanding is that the motion pending is that the House insist further on its disagreement.

The SPEAKER. The question is, Will the House further insist on its disagreement?

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

For removal and reconstruction of a part of the fence around the Botanic Garden made necessary on account of the completion of the Grant Memorial, to be immediately available, $3,000, or so much thereof as may be necessary, to be expended under the supervision and direction of the Director of the Botanic Garden.

Mr. GOOD. Mr. Speaker, I move that the House recede and concur with an amendment.

The SPEAKER. The gentleman from Iowa moves that the House recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. GOOD moves that the House recede and concur with the following amendment: Insert a period after the word "necessary" in line 4 of said amendment and strike out the remainder of the amendment.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 111: Page 112, line 15, insert:
"Fighting forest fires in national parks: For fighting forest fires in national parks, or other areas administered by the National Park Service, or fires that endanger such areas, and for replacing buildings or other physical improvements that have been destroyed by forest fires within such areas, $25,000: *Provided*, That these funds shall not be used for any precautionary fire protection or patrol work prior to actual occurrence of the fire: *And provided further*, That the allotment of these funds to the various national parks, or areas administered by the National Park Service, for fire-fighting purposes, shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred, and the Secretary of the Interior shall submit with his annual estimate of expenditures a report showing the location, size, and description of each forest fire, together with the number of men, their classification and rate of pay and actual time employed, and a statement of expenditures showing the cost for labor, supplies, special service, and other expenses covered by the expenditures made from these funds."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 111 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 114: Page 115, line 1, insert: "Hereafter the Hot Springs Reservation shall be known as the Hot Springs National Park."

Mr. GOOD. Mr. Speaker, this matter was in the bill as reported in the House. It simply changes the name of the Hot Springs Reservation to the Hot Springs National Park. I have no particular interest in the matter. I do not know why it was asked for except that they want the names of the parks uniform. They do not want one of them called a reservation and another a park. This national park has more scenic beauty than the Platte National Park and many others.

Mr. WALSH. Mr. Speaker, did the gentleman visit this reservation?

Mr. GOOD. I have never been there.

Mr. WALSH. Does the gentleman not think it would look just the same if we call it a reservation?

Mr. GOOD. I think it would.

Mr. WALSH. I would like to know the reason back of this.

Mr. GOOD. The national park people gave no reason whatever except they stated they thought the parks should be uniform in name; that all of the parks under their jurisdiction were called parks, while this is called a reservation.

Mr. WALSH. It is a reservation and it is treated as a reservation.

Mr. GOOD. Yes; and so are the other national parks.

Mr. WALSH. Oh, no.

Mr. GOOD. If the gentleman thinks there is any reason why it should not be agreed to I am perfectly willing to move that the House insist on its disagreement.

Mr. WALSH. Why not call it a garden?

Mr. GOOD. Mr. Speaker, I move that the House insist upon its disagreement to Senate amendment No. 114.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 120: Page 120, line 8, insert:
"For additions to the home economics building, to include dining hall and kitchens, to provide refrigeration, laundry, bakery, garbage incinerator, all equipment necessary for the buildings and also to provide for heating apparatus therefor and material and labor required in bringing heat from the central heating plant of Freedmen's Hospital to the buildings, $116,000."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to amendment No. 120 and concur in the same. This is a provision for constructing a building at Howard University. The trustees of Howard University have had hard work in raising money by private subscription to build the necessary buildings for this colored university. It is located here at the National Capital. The buildings are not what they should be, and they are very much in need of this building. The matter came before the House committee, and the House committee would have reported for the building provided for by this amendment if it had not been subject to a point of order. I therefore move that the House recede from its disagreement to Senate amendment 120 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 121: Page 120, line 24, strike out "$164,000" and insert in lieu thereof "$280,000."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 121 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 127: Page 141, line 3, insert: "The provision of section 6 of the act entitled 'An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes,' approved June 20, 1918, relative to compulsory retirement shall not apply to an employee of the Lighthouse Service if within 60 days after the passage of this act or not less than 30 days before the arrival of such employee at the age of 70, the Secretary of Commerce shall certify as a matter of public record that by reason of his efficiency and willingness to remain in the Lighthouse Service of the United States the continuance of such employee therein would be advantageous to the public service. In that event such employee may be retained for a term not exceeding two years, and at the end of two years such employee may, by similar certification, be continued for an additional term not exceeding two years: *Provided, however*, That at the end of 10 years after this act becomes effective no employee shall be continued in the Lighthouse Service beyond the age of compulsory retirement defined in the act of June 20, 1918, referred to in this paragraph: *Provided further*, That nothing herein shall exclude or prevent any employee of the Lighthouse Service who shall have reached the age of compulsory retirement within 30 days before or after the date of the passage of this act from enjoying the privileges thereof."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to amendment No. 127 and concur in the same. Under the law an employee of the Lighthouse Service when he arrives at the age of 70 is retired. Under this amendment, if he is in good health and the service will certify that he is in good health and is able to perform all of the duties and do his work as well as a younger man and he desires to remain in the service, instead of being retired he will be permitted to remain for two years, and at the end of two years his employment can be extended on certificate for two years longer.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. WALSH. Is not this making a different rule with reference to retirement in the Lighthouse Service than is made in the Post Office Department?

Mr. GOOD. My recollection is that in the hearings there was one department where they have——

Mr. MANN of Illinois. No; the general retirement act carries this same provision. It does not apply to the Lighthouse Service, because there is a special law with reference to the Lighthouse Service. This is simply to make the Lighthouse Service conform to the general retirement act.

Mr. WALSH. I thought it was the other way around.

Mr. MANN of Illinois. No.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARD. Mr. Speaker, is this policy of an extension of four years beyond the age of retirement of 70 years new legislation?

Mr. GOOD. Yes; it would be new legislation, but, as the gentleman from Illinois [Mr. MANN] has stated, this provision will put the Lighthouse Service on the same footing as the other services with regard to the age of retirement.

Mr. GARD. Not all of the other services.

Mr. GOOD. Yes.

Mr. GARD. I think the Post Office Service is different from this. In that service I think it is made mandatory that a carrier must retire at 68.

Mr. GOOD. I could not give the gentleman that information.

Mr. GARD. I think it is 68, and I am sure that they have no permission of an extension to 74 years.

Mr. GOOD. I do not know as to that. I only know that this matter was urged by the Lighthouse Service. The Committee on Appropriations did not carry it because it was legislation, but the Senate committee found, as did the House committee, that under the operation of the law this would deprive the service of some of the very best men for a couple of years more, and would force them into retirement.

Mr. GARD. It would only apply to those in the clerical positions in the Lighthouse Service. Seventy-four years is a rather old age for active service, is it not?

Mr. GOOD. They stated that one of their most valuable men, a man whose services it would be almost impossible to replace, would be compelled to go out of the service if this amendment did not prevail. I do not know whether he is in the clerical end or not.

Mr. GARD. That is what I understood; it is probably to take care of a man or two, or three or four.

Mr. GOOD. No; that is the way these matters usually come up. When a law of this kind is put on the statute books and some one finds that he can not continue in public service because of that law and the department wants him——

Mr. GARD. We make a general law and then begin to make exceptions.

Mr. GOOD. I understand; but these exceptions, however, bring the Lighthouse Service on all fours with the other services.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MANN of Illinois. This provision was carried in the general act for retirement; that is the reason it is here. Now, what is the fact in the matter? In all of these cases retirement pay is very much smaller than active pay. These retirement acts are very recent in date. A very large number of the employees who have been receiving active pay have not saved much, if anything, out of their salaries, and it is very inconvenient for them to live on the retired pay, and both in the Lighthouse Service and all the other services a considerable proportion of these people who would be retired under the law are seeking to remain in the service a few years longer on active pay.

Mr. GARD. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. GARD. The gentleman recognizes that these people do not come and voluntarily wish to retire when they can stay in the active service and get additional compensation and do the work?

Mr. MANN of Illinois. Very true; they do not voluntarily retire. Some gentlemen do retire. The gentleman from Ohio has retired, much to our regret, voluntarily.

Mr. GARD. Retirement service very generally must be apart from any voluntary matter; it must be made more or less arbitrary to include classes up to a certain number of years.

Mr. MANN of Illinois. Undoubtedly, and this provision was put in the law for the reason that I have stated. It is equally applicable in spirit to the Lighthouse Service, although I believe it is provided that after 10 years it shall not be effective.

Mr. PARRISH. Will the gentleman yield for one single question?

Mr. MANN of Illinois. If I can answer it.

Mr. PARRISH. I understand that some departments will allow employees the benefit of the provisions of any extension of time and other departments will not.

Mr. MANN of Illinois. I think all departments do in various cases. The Post Office has in a great many cases to my knowledge.

Mr. PARRISH. Well, I was under the impression, from information I have received from the Post Office Department, that they were not allowing it in any case.

Mr. MANN of Illinois. Well, the gentleman is mistaken.

Mr. PARRISH. I wanted to get that information and get it straight.

Mr. MANN of Illinois. They have to discriminate between cases; that is what the law requires them to do, to discriminate; now, whether they discriminate properly or not I would not state.

Mr. FAIRFIELD. But even where the terms of the law have been absolutely complied with and recommendations have been made they refuse to execute the law.

Mr. MANN of Illinois. Oh, well, what is the fact? An employee of the Post Office Department asks his foreman to recommend him to stay on two years longer, and it is a good deal like asking a man in this House to sign a petition, why he does it, that is all; and they do the same there, and it goes on up, unless there is reason, to show that the man is competent to conduct the postal business just as a younger man.

Mr. FAIRFIELD. As a matter of fact, I know individual cases in which the terms of the law have been complied with in every respect. Recently a statement has been made by the

Postmaster General that all such men would be retired at the age limit without regard to this provision.

Mr. MANN of Illinois. Well, now, I think the gentleman will not find any statement from the Postmaster General to that effect except in the newspapers.

Mr. FAIRFIELD. I have some letters in my office signed by subordinates stating that is his position in regard to it.

Mr. MANN of Illinois. There have been a good many cases where continuance has been allowed.

Mr. PARRISH. I have one particular case in mind, if the gentleman will permit me to make this statement.

Mr. GOOD. I will yield the gentleman one minute.

Mr. PARRISH. I have in mind a carrier who carries the mail at Bowie, Tex., and who has been carrying it about 16 years, I believe. He has absolutely on account of bad health never missed a single trip. A physician certified his qualification, and the postmaster certified his qualification, and there is absolutely not one single solitary reason why this man should not be continued in the service. The postmaster has certified that he can carry the mail better than anybody else so far as that particular route is concerned, and they have absolutely refused to permit that man to stay.

Mr. FAIRFIELD. I have a number of cases of the same kind.

Mr. PARRISH. I want to get at what the facts are.

Mr. WALSH. Will the gentleman yield?

Mr. GOOD. I will.

Mr. WALSH. Will the gentleman state what is the idea of that last proviso?

That nothing herein shall exclude or prevent any employee of the Lighthouse Service who shall have reached the age of compulsory retirement within 30 days after or before the date of the passage of this act from enjoying the privileges thereof.

Mr. GOOD. I suppose it means what it says.

Mr. WALSH. But what does it mean?

Mr. GOOD. It means that nothing herein shall exclude or prevent any employee of the Lighthouse Service who shall have reached the age of compulsory retirement at the age of 70 within 30 days before or after the passage of this act enjoying the privileges thereof. I suppose that is to cover one employee that they are fearful they are going to lose and whose services they desire.

Mr. WALSH. That is what I thought it meant, but that is not what it says.

The SPEAKER. The question is on the motion of the gentleman that the House recede and concur in the Senate amendment.

The question was taken, and the motion was agreed to.

Mr. TAYLOR of Arkansas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAYLOR of Arkansas. Would it be in order now to make a motion to reconsider the vote taken on amendment No. 114, just passed?

The SPEAKER. The Chair thinks so.

Mr. TAYLOR of Arkansas. Mr. Speaker, I move that the vote whereby the House insisted upon its disagreement to amendment 114 be reconsidered.

Mr. GOOD. Mr. Speaker, I have no objection to that. I yield five minutes to the gentleman from Arkansas.

Mr. TAYLOR of Arkansas. Mr. Speaker and gentlemen of the House, I have appeared for this amendment on one or two occasions heretofore.

The Hot Springs is the oldest reservation or park in this Nation. It was set apart and withheld by Congress from sale or disposition in 1832, nearly 90 years ago. It has struggled along, paying its own way, without the Government having to contribute to its maintenance and support, and now, since it is the oldest reservation we have, and since it is a resort for the lame, halt, and afflicted, for all the people of this Nation and, for that matter, the world, I think it is high time that the Congress should permit it to be dignified by the name of a national park. We do not want the people who do not live in my district or in my State to think that it is a State reservation or that it is a preserve or reservation set apart by some rich landlord years ago, but that when it is mentioned as a national park the people of this Nation will know that it belongs to them.

It does not carry one dollar of appropriation. We ask only for the change of the name from "reservation" to that of "national park." We do not want people to believe, as I said the other day, that this is a pluce where there are a few digger Indians squatted around. There has grown up around these wonderful healing waters a beautiful city of some 15,000 people, and there are churches and schoolhouses, law and order, and it is one of the most beautifully erected little cities in all this country. There is located there our Army and Navy Hospital. The Hot Springs is visited annually by thousands of the afflicted, the crippled, and wounded of this Nation. Our ex-service men, many of them who have rheumatism and other afflictions caused by exposure in the World War, are there to-day. Now, I ask that the House afford the people of Hot Springs this rightful favor, which is only to change the name from "the Hot Springs Reservation" to that of "the Hot Springs National Park."

Mr. Speaker, I move to reconsider the vote.

The SPEAKER. The gentleman moves to reconsider the vote by which the House insisted on its disagreement.

The motion was agreed to.

Mr. TAYLOR of Arkansas. I move now as a preferential motion that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 136: Page 161, line 22, insert: "Saratoga (Wyoming) fish hatchery: For construction of quarters for employees, and for establishment and equipment of auxiliary station at Sage Creek, $11,250."

Mr. GOOD. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Iowa moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the sum named in said amendment, insert "$10,000."

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

The Clerk reported the following amendment:

Amendment No. 137: Page 162, line 9, insert: "For refund to Falik Schimmer of $170.50 deposited with the commissioner of immigration, Ellis Island, N. Y., in behalf of his two daughters, Malke and Eidel Schimmer, said sum having been erroneously covered into the Treasury Department to the credit of miscellaneous receipts, $170.50."

Mr. GOOD. Mr. Speaker, I move that the House recede and concur in Senate amendment 137.

The motion was agreed to.

The Clerk reported the following amendment:

Amendment No. 138: Page 162, line 15, insert: "For refund of immigration fine erroneously assessed and collected from N. Galanos & Co., agents National Steam Navigation Co. of Greece, $240."

Mr. GOOD. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The Clerk reported the following amendment:

Amendment No. 143: Page 166, line 8, insert:

"EMPLOYMENT SERVICE.

"To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices, and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; supplies and equipment, telegraph and telephone service, and printing and binding, $225,000."

Mr. GOOD. Mr. Speaker, I move to recede and concur in Senate amendment 143.

The SPEAKER. The gentleman from Iowa moves to recede and concur in the Senate amendment.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 54, noes 2.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of no quorum, and evidently no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees. Those in favor of the motion to recede and concur will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 6, not voting 125, as follows:

YEAS—297.

Ackerman	Bankhead	Bland, Mo.	Buchanan
Almon	Barbour	Bland, Va.	Burdick
Anderson	Barkley	Bowers	Burke
Andrews, Md.	Bee	Bowling	Burroughs
Andrews, Nebr.	Begg	Box	Butler
Anthony	Bell	Brand	Byrnes, S. C.
Ashbrook	Benham	Briggs	Byrns, Tenn.
Aswell	Benson	Brinson	Campbell, Kans.
Ayres	Black	Brooks, Pa.	Campbell, Pa.
Babka	Bland, Ind.	Browne	Candler

Cannon	Hardy, Colo.	McLeod	Sherwood
Cantrill	Hardy, Tex.	McPherson	Shreve
Caraway	Haugen	Madden	Siegel
Carss	Hawley	Magee	Sinclair
Carter	Hayden	Major	Sinnott
Chindblom	Hays	Mansfield	Sisson
Christopherson	Hernandez	Mapes	Slemp
Clark, Fla.	Hersey	Martin	Small
Cleary	Hersman	Mays	Smith, Idaho
Coady	Hickey	Mead	Smith, Ill.
Cole	Hicks	Michener	Smith, Mich.
Collier	Hoch	Miller	Smithwick
Connally	Holland	Milligan	Snyder
Cooper	Howard	Minahan, N. J.	Steagall
Crago	Huddleston	Monahan, Wis.	Stedman
Cramton	Hull, Iowa	Mondell	Steenerson
Crisp	Hull, Tenn.	Montague	Stephens, Miss.
Cullen	Hutchinson	Moore, Ohio	Stephens, Ohio
Currie, Mich.	Igoe	Moore, Va.	Stevenson
Dallinger	Ireland	Mott	Strong, Kans.
Darrow	Jacoway	Mudd	Strong, Pa.
Davis, Minn.	James, Va.	Murphy	Summers, Wash.
Davis, Tenn.	Jefferis	Neely	Sweet
Dempsey	Johnson, Miss.	Nelson, Mo.	Swindall
Dewalt	Johnson, Wash.	Newton, Minn.	Swope
Dickinson, Iowa	Jones, Pa.	Ogden	Tague
Dickinson, Mo.	Juul	Oldfield	Taylor, Ark.
Dominick	Kearns	Oliver	Taylor, Tenn.
Doremus	Keller	Olney	Temple
Dowell	Kelley, Mich.	Osborne	Thompson
Drane	Kelly, Pa.	Overstreet	Tillman
Drewry	Kennedy, R. I.	Padgett	Tilson
Dyer	Kiess	Paige	Timberlake
Eagan	Kincheloe	Park	Tincher
Eagle	King	Parrish	Tinkham
Edmonds	Kinkaid	Perlman	Towner
Elliott	Kleczka	Peters	Treadway
Emerson	Knutson	Pou	Upshaw
Evans, Mont.	Kraus	Purnell	Valle
Evans, Nebr.	Kreider	Quin	Vinson
Fairfield	Lampert	Radcliffe	Volk
Fess	Langley	Raker	Volstead
Fields	Lanham	Ramseyer	Ward
Fish	Lankford	Randall, Calif.	Wason
Fisher	Larsen	Randall, Wis.	Watson
Flood	Layton	Reber	Weaver
Focht	Lazaro	Reed, W. Va.	Webster
Fordney	Lee, Ga.	Rhodes	Welling
Foster	Lehlbach	Ricketts	Whaley
Frear	Lesher	Riddick	Wheeler
Freeman	Linthicum	Robinson, N. C.	White, Kans.
French	Little	Robsion, Ky.	White, Me.
Fuller	Longworth	Rodenberg	Williams
Gallivan	Luce	Rogers	Wilson, La.
Gandy	Luhring	Romjue	Wingo
Ganly	McArthur	Rose	Woods, Va.
Gard	McClintic	Rouse	Woodyard
Garrett	McCulloch	Rowe	Wright
Godwin, N. C.	McDuffie	Rucker	Yates
Good	McFadden	Sabath	Young, N. Dak.
Goodykoontz	McGlennon	Sanders, Ind.	Young, Tex.
Graham, Ill.	McKenzie	Sanders, La.	Zihlman
Greene, Mass.	McLane	Schall	
Griest	McLaughlin, Mich.	Scott	
Hadley	McLaughlin, Nebr.	Sells	

NAYS—6.

Blanton	Jones, Tex.	Snell	Walsh
Greene, Vt.	Rayburn		

NOT VOTING—125.

Bacharach	Garner	Lufkin	Reed, N. Y.
Baer	Glynn	McAndrews	Riordan
Boies	Goldfogle	McKeown	Rowan
Britten	Goodall	McKiniry	Rubey
Brooks, Ill.	Goodwin, Ark.	McKinley	Sanders, N. Y.
Brumbaugh	Gould	MacGregor	Sanford
Caldwell	Graham, Pa.	Maher	Scully
Carew	Green, Iowa	Mann, Ill.	Sears
Casey	Griffin	Mann, S. C.	Sims
Clark, Mo.	Hamill	Mason	Smith, N. Y.
Classon	Hamilton	Merritt	Steele
Copley	Harreld	Moon	Stiness
Costello	Harrison	Mooney	Stoll
Crowther	Hastings	Moores, Ind.	Sullivan
Curry, Calif.	Hill	Morin	Sumners, Tex.
Dale	Hoey	Nelson, Wis.	Taylor, Colo.
Davey	Houghton	Newton, Mo.	Thomas
Denison	Hudspeth	Nicholls	Vare
Dent	Hulings	Nolan	Venable
Donovan	Humphreys	O'Connell	Vestal
Dooling	Husted	O'Connor	Voigt
Doughton	James, Mich.	Parker	Walters
Dunbar	Johnson, Ky.	Patterson	Watkins
Dunn	Johnson, S. Dak.	Pell	Welty
Dupré	Johnston, N. Y.	Phelan	Wilson, Ill.
Echols	Kahn	Porter	Wilson, Pa.
Ellsworth	Kendall	Rainey, Ala.	Winslow
Elston	Kennedy, Iowa	Rainey, Henry T.	Wise
Esch	Kettner	Rainey, John W.	Wood, Ind.
Evans, Nev.	Kitchin	Ramsey	
Ferris	Lea, Calif.	Ransley	
Gallagher	Lonergan	Reavis	

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. DUNN with Mr. CLARK of Missouri.

Mr. BRITTEN with Mr. KITCHIN.

Mr. HAMILTON with Mr. GARNER.

Mr. MCKINLEY with Mr. RUBEY.

Mr. WALTERS with Mr. JOHN W. RAINEY.

Mr. VARE with Mr. GOODWIN of Arkansas.

Mr. COSTELLO with Mr. SEARS.

Mr. BACHARACH with Mr. DOUGHTON.

Mr. BAER with Mr. MOON.

Mr. KAHN with Mr. DENT.

Mr. HARRELD with Mr. FERRIS.

Mr. CROWTHER with Mr. HUMPHREYS.

Mr. SANDERS of New York with Mr. O'CONNOR.

Mr. DENISON with Mr. VENABLE.

Mr. WOOD of Indiana with Mr. KETTNER.

Mr. BOISE with Mr. HASTINGS.

Mr. KENNEDY of Iowa with Mr. CALDWELL.

Mr. CLASSON with Mr. DAVEY.

Mr. ELLSWORTH with Mr. PHELAN.

Mr. NELSON of Wisconsin with Mr. WILSON of Pennsylvania.

Mr. SANFORD with Mr. DUPRÉ.

Mr. BROOKS of Illinois with Mr. SIMS.

Mr. RAMSEY with Mr. WELTY.

Mr. WINSLOW with Mr. MAHER.

Mr. GOODALL with Mr. JOHNSON of Kentucky.

Mr. CURRY of California with Mr. HUDSPETH.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. WILSON of Illinois with Mr. O'CONNELL.

Mr. MASON with Mr. TAYLOR of Colorado.

Mr. VESTAL with Mr. RIORDAN.

Mr. NOLAN with Mr. SMITH of New York.

Mr. DALE with Mr. MCANDREWS.

Mr. JAMES of Michigan with Mr. STOLL.

Mr. VOIGT with Mr. GALLAGHER.

Mr. COPLEY with Mr. GOLDFOGLE.

Mr. REAVIS with Mr. HENRY T. RAINEY.

Mr. MACGREGOR with Mr. LEA of California.

Mr. HUSTED with Mr. ROWAN.

Mr. PATTERSON with Mr. MANN of South Carolina.

Mr. STINESS with Mr. SULLIVAN.

Mr. PORTER with Mr. MCKEOWN.

Mr. DUNBAR with Mr. WATKINS.

Mr. MANN of Illinois with Mr. SUMNERS of Texas.

Mr. MORIN with Mr. THOMAS.

Mr. ECHOLS with Mr. CAREW.

Mr. MOORES of Indiana with Mr. PELL.

Mr. RANSLEY with Mr. DONOVAN.

Mr. GREEN of Iowa with Mr. CASEY.

Mr. ESCH with Mr. HARRISON.

Mr. PARKER with Mr. WISE.

Mr. NEWTON of Missouri with Mr. MCKINIRY.

Mr. GOULD with Mr. EVANS of Nevada.

Mr. HILL with Mr. BRUMBAUGH.

Mr. GLYNN with Mr. MOONEY.

Mr. MERRITT with Mr. GRIFFIN.

Mr. HOUGHTON with Mr. SCULLY.

Mr. REED of New York with Mr. HOEY.

Mr. LUFKIN with Mr. DOOLING.

Mr. KENDALL with Mr. NICHOLLS.

Mr. HULINGS with Mr. LONERGAN.

Mr. JOHNSON of South Dakota with Mr. RAINEY of Alabama.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 149: Page 170, line 18, after the word "Capitol," strike out "$2,500" and insert in lieu thereof "$3,000."

Mr. GOOD. Mr. Speaker, I move to recede and concur in amendment 149.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 150: Page 171, line 3, strike out "$148,590" and insert "$149,090."

Mr. GOOD. I move to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 151: Page 173, line 4, strike out "$6,286,890" and insert in lieu thereof "$5,826,390."

Mr. GOOD. I move to recede and concur. That is a question of correcting totals.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 152: Page 173, line 20, after the word "sum," strike out the figures "$7,348,700" and insert in lieu thereof "$6,888,700."

Mr. GOOD. I move to recede and concur. That is a question of totals.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 167: Page 186, insert at the top of the page:
"To enable the President to cause an investigation to be made as to the petroleum resources and the production of petroleum in other countries, $35,000."

Mr. GOOD. I move to recede and concur in Senate amendment 167.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 168: Page 186, after line 18, insert:
"SEC. 3. Any journal, magazine, periodical, or similar publication which is now being issued by a department or establishment of the Government may, in the discretion of the head thereof, be continued, within the limitation of available appropriations or other Government funds, until December 1, 1921, when, if it shall not have been specifically authorized by Congress before that date, such journal, magazine, periodical, or similar publication shall be discontinued."

Mr. GOOD. Mr. Speaker, I move to recede and concur in Senate amendment numbered 168.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Massachusetts.

Mr. WALSH. I should like to ask the gentleman why this is carried until December 1, 1921? Why should not these matters be clipped off on the 1st of July, at the beginning of the new fiscal year?

Mr. GOOD. They will be clipped off on the 1st of July unless we carry this provision. Under the law no publication, journal, or magazine which is now being published by a department or establishment of the Government at the discretion of the head of any such department can be published or the expenses for publishing it paid out of the appropriation unless we extend the law and grant that privilege. I understand it is proposed to bring in some kind of a law legalizing the publications that can be published and paid for out of public funds before the 1st day of December next.

Mr. WALSH. We have a printing bill pending yonder.

Mr. JOHNSON of Washington. They have the House end of the printing bill over there, but not the entire printing reform bill. They have half of it, half passed.

Mr. WALSH. Half of it, half passed?

Mr. JOHNSON of Washington. Yes.

Mr. WALSH. The gentleman knows that if we vest this discretion in the heads of these departments, nearly all these journals, magazines, periodicals, tracts, bulletins, flimsies, and various other publications will be continued, because you give them the discretion to publish them and they will publish them. That is how they got started publishing them. It was because they had a little discretion as to what to do with the money that they began piling up the printed matter, some of which is very valuable and some of which is worthless and very seldom read.

Mr. GREENE of Vermont. The gentleman does not mean that they had a little discretion. He means they had not any, and they did print these things. [Laughter.]

Mr. WALSH. They had a small supply of discretion, which they converted into a surplus of indiscretion.

Mr. SNELL. And a large amount of printed matter.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WALSH. I yield to the distinguished member of the Printing Committee.

Mr. JOHNSON of Washington. Has anyone seen the Christmas cards sent out by a branch of the War Department under the guise of enlistment blanks?

Mr. WALSH. I am not surprised that any department of the Government should be sending out Christmas cards, because it has become the fashion not only at Christmastide but at other seasons of the year to consider Uncle Sam as a very good-natured Santa Claus. [Laughter.]

Mr. GREENE of Vermont. Has the gentleman seen the Agricultural Almanac?

Mr. WALSH. I have secured all the information I desire about this.

Mr. TILSON. I should like to know whether or not, if this amendment goes into effect, the gentleman anticipates another crop of lobbyists and another lot of propaganda to convince Congress that each one of these publications ought to be continued? Are we not going to have Congress deluged with all sorts of requests for each one of them, with the usual claim that the very safety of the Nation itself depends upon each several one of these publications being continued?

Mr. JOHNSON of Washington. They are all over before the Senate Committee on Printing doing that now.

Mr. TILSON. This is what we are going to have brought down upon us if we agree to this amendment; and, judging by some things that we do here, I fear that we shall give the authority desired and that as a result we shall continue to print all sorts of things in the future, as we have been doing in the past.

Mr. GREENE of Vermont. If the gentleman will permit me, they are distributing the Agricultural Almanac; and that is so unreliable that there was nothing in it under the month of last November warning anyone to look out for frosts or anything of that kind. [Laughter.]

Mr. GOOD. I move to recede and concur in Senate amendment 168.

The motion was agreed to.

CONTESTED-ELECTION CASE—BODENSTAB AGAINST BERGER.

Mr. DALLINGER. Mr. Speaker, I call up the contested-election case of Bodenstab against Berger, and I move the adoption of the resolution (H. Res. 696).

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That Henry H. Bodenstab, not having received a plurality of the votes cast for Representative in this House from the fifth congressional district of Wisconsin, is not entitled to a seat therein as such Representative.

Mr. DALLINGER. Mr. Speaker, this is a contest brought by the contestant, Henry H. Bodenstab, claiming that he is entitled to the seat from the fifth congressional district of the State of Wisconsin. The only question that is involved is the question of whether the contestant is entitled to the seat. The other question of the right of Victor L. Berger to the seat has already been passed upon by this House in this Congress.

At the regular election in 1918 Victor L. Berger was the Socialist candidate and Joseph P. Carney was the Democratic candidate. Immediately following the reference of the question of the eligibility of Victor L. Berger to a special committee the contested-election case of Carney against Berger was referred to the Committee on Elections No. 1. The special committee, as the House will remember, reported that Victor L. Berger was not entitled to the seat. This resolution is printed at the bottom of page 1 of this report, where the whole history of this matter is summarized for the information of the House.

In other words, on November 10, 1919, the House passed a resolution by a vote of 311 to 1 that Victor L. Berger was "not entitled to take the oath of office as a Representative in this House from the fifth congressional district of the State of Wisconsin or to hold a seat therein as such Representative."

On the same day the House unanimously adopted a resolution recommended by the committee "that Joseph P. Carney, not having received a plurality of the votes cast for Representative in this House from the fifth congressional district of the State of Wisconsin, is not entitled to a seat therein as such Representative." By another resolution the Speaker was directed to notify the governor of Wisconsin "that a vacancy exists in the representation in this House from the fifth congressional district of Wisconsin."

In that case Joseph P. Carney, the Democratic contestant, claimed in that case that because he received the next highest number of votes he was entitled to a seat, the contestee, Berger, having been declared ineligible. The committee, however, took the other view of it, and the committee was unanimously sustained by the House.

A special election was held in the fifth Wisconsin district on December 19, 1919, and at that election Victor L. Berger was the Socialist candidate and Henry H. Bodenstab, a Republican, ran as the fusion candidate, having been indorsed by the Democratic organization of the district. When the contestee, Victor L. Berger, who had received a certificate of election from the governor of Wisconsin, appeared to take the oath of office on January 10, 1920, the House of Representatives of this present Congress adopted a resolution on a roll call by a vote of 330 to 6, which resolution is printed in full on pages 2 and 3 of our report, and declares that Victor Berger is constitutionally ineligible to a seat in this House. So the question of his eligibility and his right as the contestee to a seat has already been passed upon by this House and the time for reconsideration has long ago expired. The present case, therefore, involves simply the contention of Henry H. Bodenstab, the opposing candidate at the special election held on December 19, 1919, that he is entitled to the seat made vacant by the ineligibility of Victor L. Berger.

Mr. Speaker, it is my desire to state this case with absolute fairness. It is true that the fact of Berger's ineligibility was better known to the voters at the special election than it was at the regular election in 1918, when Joseph P. Carney, the Democratic candidate, was the contestant. At the regular election in 1918 Victor L. Berger had been indicted by the grand jury for a violation of the espionage act, but he had not been convicted, and the question of his eligibility had not been passed

upon at that time by the House of Representatives. On the other hand, at the special election held on December 19, 1919, every voter in the fifth congressional district of Wisconsin knew not only that Victor L. Berger had been convicted of the crime for which he had been previously indicted but also knew that he had been declared by an almost unanimous vote of the House of Representatives to be ineligible to the office of a Representative in Congress under the provisions of the fourteenth amendment to the Constitution of the United States.

Now, it is true that it has been the parliamentary practice in England, under the English statutes, that where the fact of the ineligibility of a candidate is known to the voters and brought to their attention, the candidate having the next highest number of votes is given the seat. That is the English rule. There are two States in this Union where the courts of last resort have adopted the English rule. One of them is the State of Wisconsin. In the case of Bancroft against Frear, which was discussed in our report in the case of Carney against Berger and also in this report, where at a primary election the candidate for attorney general who received the highest number of votes had died previous to the primary election, and the fact of his death was known to the voters, and in spite of that fact a plurality of the votes cast for the office of attorney general on the Republican primary ballot were cast for him, the Supreme Court of Wisconsin held, by a vote of 4 to 3, overruling all their previous decisions, that the next highest candidate should be entitled to be placed on the official ballot as the Republican candidate for attorney general.

Indiana has also adopted the English rule, but Congress has always consistently from the beginning to the present time refused to adopt the English rule. The question has come up and has been discussed on numerous occasions in connection with various contested-election cases. The most exhaustive discussion, perhaps, was in the case of Smith against Brown, in the Fortieth Congress; and, without wearying the patience of the Members of this House, I desire to call the attention of Members to a quotation from the case of Smith against Brown, on page 6 of our report, in which the principle at the basis of this uniform congressional precedent is well set forth. The committee in that report said:

> As Congress, much less the House of Representatives, never conceded—never having the power to concede—to a voter his right to the ballot, neither can it take away, modify, or limit it. Least of all can this body—the House alone—punish a voter for "obstinacy" or "perversity" in the exercise of his right. It can not touch a voter or prescribe how he shall vote, nor can it impose a penalty on him, much less disfranchise him or say what shall be the effect or the power of his ballot if it be cast in a particular way. The laws of the States determine this.
>
> As has been shown, Parliament did enact a law that votes cast for one ineligible shall be treated as not cast, and one having a minority of the votes be thus elected. But neither has Congress nor Kentucky enacted any such law; much less can this House alone by a resolution set it up, and that, too, after the fact, as a punishment for "willful obstinacy and misconduct." The right of representation is a sacred right which can not be taken away from the majority.

And I want to call the attention of the House here to how absolutely the following sentence applies to this present case:

> That majority by perversely persisting in casting its vote for one ineligible can lose its representation—

And that is what has happened in this case; there has been a vacancy in that district—

> but never the right to representation while the Constitution and State governments shall endure.

In other words, the position taken by this House has been that if the people of that congressional district in Wisconsin should persist in sending a man here who is ineligible under the Constitution we will not seat him, but we will also refuse to seat a man who is not the choice of that district, and you can see how the English rule, if adopted, might work by taking an extreme case. Let us suppose, for instance, as frequently happens, that a man should come here elected as the nominee of both the two great political parties, having received both nominations. Suppose the only votes cast against him were a few scattered votes—say, 10 in number. Suppose he did not possess the constitutional qualifications, that he was under 25 years of age, was not a citizen, had not been a resident of the State, or had given aid and comfort to the enemies of the United States after taking oath as a Member of Congress. Under these circumstances we could not seat him under our oaths to support the Constitution of the United States. If the rule contended for by counsel for Mr. Carney, and by counsel for Mr. Bodenstab, should be adopted by this House it would seat the man who had only 10 votes out of a total vote of perhaps 75,000 or 100,000 from that district. Congress has wisely refused to follow the English rule, and so your committee has treated this Republican contestant exactly as they treated the Democratic contestant, Mr. Carney, and have brought in a resolution in identically the same language—

> *Resolved*, That Henry H. Bodenstab, not having received a plurality of the votes cast for Representative in this House from the fifth congressional district of Wisconsin, is not entitled to a seat therein as such Representative.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. MANN of Illinois. Is the English rule a result of an act of Parliament? In case of Smith against Brown there is a reference there that would warrant the conclusion that apparently it is the result of Parliament enacting a law.

Mr. DALLINGER. It is an act of Parliament, I would say, and there is a provision made for publication, so that the voters shall know that the man is ineligible.

Mr. MANN of Illinois. We have no such statute.

Mr. DALLINGER. No.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Certainly.

Mr. GARRETT. England has no constitution in the sense that we have. Does not that make all the difference in the world? We are restrained or limited by a written Constitution, and England is not.

Mr. DALLINGER. That is true.

Mr. GARRETT. That is an act of Parliament, but that act of Parliament can be repealed at any time. We ought not to get away from the Constitution.

Mr. DALLINGER. I may say to the gentleman that the Supreme Court of Wisconsin and the Supreme Court of Indiana, in the absence of any such statute, have nevertheless in their decisions adopted the English rule.

Mr. GARRETT. But there is another provision of the Constitution of the United States, and that is that Congress is the judge of the qualifications and election of its Members.

Mr. DALLINGER. Certainly; and this is an attempt I may say to have Congress adopt the English system as a precedent, in other words to establish a precedent which Congress has always in the past refused to establish.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. TOWNER. I might make a suggestion in that connection that every act of Parliament has an equal validity and force in Great Britain that our own Constitution has. In other words, not having a written constitution, the acts of Parliament are supreme. However, I agree with the gentleman from Tennessee [Mr. GARRETT] that whatever may be the condition that exists, our action is governed by the Constitution, which says that we have the supreme right and power to determine the eligibility of those persons who are claiming to have been elected Members of this body.

Mr. PELL. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. PELL. I understand that this act of Parliament was passed just after they seated Col. Luttrell in the Wilkes fight in England; that that made such trouble in attempting to seat the candidate of the minority that this law had to be passed instantly to make the conditions uniform. Is not that so?

Mr. DALLINGER. I understand that to be the fact.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. GARD. I am interested in having the gentleman's well-considered information on the phrase contained in the report of the committee in respect to previous contests, as is disclosed on page 6. In the latter part of the quotation there I find the following:

> That majority by perversely persisting in casting its vote for one ineligible can lose its representation, but never the right to representation while the Constitution and the State governments shall endure.

In reading the report I find that the gentleman's committee states that the additional fact that the voters of this Wisconsin district had knowledge of the ineligibility of Mr. Berger, and still, notwithstanding that, continued to vote for him, did not present any additional fact why the committee should find in favor of this contestant.

Mr. DALLINGER. No; it is simply a stronger case under the English rule.

Mr. GARD. What I am trying to get is the gentleman's opinion for my own information only. What is meant by the phrase:

> But never the right to representation while the Constitution and the State governments shall endure.

Mr. DALLINGER. What I think it means is that while Congress under the Constitution is not obliged to seat an in-

eligible person, as long as the people of a district persist in electing an ineligible person, Congress can refuse the right of that person to a seat in the House, but the House can not dictate whom they shall choose, which we would do if we seated the man who has a minority of the votes, under any such precedent as is sought to be established.

Mr. GARD. The phrase—

but never the right to representation—

is the phrase I am seeking information about.

Mr. DALLINGER. They could have a new election, just as was done here—a special election. A special election was called and they still persisted in electing the same man. The result was that when the matter again came before the House, and without any further reference to a committee, the House refused to seat that man because they had already found that he was ineligible under the Constitution.

Mr. GARD. The gentleman's idea is that the right of representation is protected by the fact of the ability to call another election and elect a suitable man?

Mr. DALLINGER. Certainly.

Mr. FESS. Will the gentleman yield?

Mr. DALLINGER. I will.

Mr. FESS. I understand the position of the committee is that the representation of the fifth district is not denied by act of Congress, but simply a man's ineligibility to a seat here was pronounced before the election, and the conduct of the electors there is responsible for their not having representation?

Mr. DALLINGER. Absolutely. They can be represented here at any time if they choose to send a person who is eligible.

Mr. FESS. Correct; and it is not the act of Congress which denies it.

Mr. DALLINGER. No; it is the Constitution of the United States.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Certainly.

Mr. KEARNS. I see both in the majority and minority reports on this case that the statement is made that if the candidate is ineligible—disqualified for any reason—and this fact is known to the electors, it is one of the controlling features. Say 75,000 men and women voted for a particular candidate for Congress, how would your committee be able to determine—I am asking this for my information—that those 75,000 voters knew of this disqualification? It is a pretty big undertaking for you to determine; and how would you determine it?

Mr. DALLINGER. It certainly would be a difficult task in some cases.

Mr. KEARNS. The reason I ask this question is that I see both the majority and the minority report state that as one of the controlling features.

Mr. DALLINGER. I would say it would ordinarily be very difficult. I intend to yield to my colleague [Mr. RANDALL of Wisconsin], who has offered a minority report, and he will——

Mr. KEARNS. He emphasizes that phrase also and makes that one condition necessary——

Mr. DALLINGER. That is under the English rule.

Mr. KEARNS. But under your rule you put it in as one of the conditions, and I wondered——

Mr. DALLINGER. Because it is one of the conditions, I may say to the gentleman from Ohio, precedent to the English rule.

Mr. KEARNS. It is one of the conditions precedent you make here, at least the gentleman has embodied it in his report and says that if this disqualification was known to the people, and in this case you say it was known, now I just wondered how you know that.

Mr. MADDEN. I think it would be very easy.

Mr. DALLINGER. I will say to the gentleman from Ohio——

Mr. KEARNS. The gentleman from Illinois does not know that.

Mr. MADDEN. I do.

Mr. KEARNS. I am talking about a matter of proof. I know that the general opinion would be that men and women did know it, but I am asking now as a matter of proof.

Mr. MADDEN. If the notice is sent to the governor that there is a vacancy, that is proof.

Mr. ROSE. Will the gentleman permit me to answer the question?

Mr. DALLINGER. Certainly.

Mr. ROSE. This is a matter——

Mr. KEARNS. I would like to know.

Mr. ROSE. At the time this was heard before the committee this very question the gentleman has raised was already before the committee. We took the ground that with the refusal of this Congress to seat Mr. Berger and the fact that that congressional district was flooded with big posters showing Victor L. Berger was again a candidate, it was known all over that district that Victor L. Berger had been indicted and actually convicted, there was no committee having such knowledge that would not take judicial notice that the Wisconsin district from which he came absolutely knew that Victor L. Berger was not entitled to a seat in this House.

Mr. KEARNS. I believe that fully answers my question.

Mr. MADDEN. When notice was sent to the governor that there was a vacancy it was further notice.

Mr. ROSE. Certainly; and the committee considered all of that, and I have no doubt it will be taken up again in the minority report.

Mr. KEARNS. But that is the fact.

Mr. ROSE. Those are the facts.

Mr. DALLINGER. I will state to the gentleman from Ohio that in order to be perfectly fair to our colleague who signed the minority report we wanted to state the facts exactly as they were, and our position is that assuming that the voters did know of the ineligibility that furnishes no reason whatever why Congress should adopt this English procedure.

Mr. KEARNS. This Berger case was a very notorious case, and consequently would be known perhaps to a number of voters in that district, but suppose it had been the case of a nonresident. There would be no reason to advertise so thoroughly as this has been advertised in that district. Then how would you have proof that his nonresidence was known to the entire electorate of that district?

Mr. DALLINGER. I will state to the gentleman that it would be a question of fact for the Committee on Elections to determine, but in the case of Bancroft versus Frear the court held that the fact that the death of the deceased candidate for attorney general was published in the newspapers of the district was sufficient evidence of the fact that his decease was known to the electorate.

Mr. KEARNS. The decease in that instance occurred many days before the election.

Mr. DALLINGER. About a week, if I recollect correctly.

Mr. KEARNS. There has been a different holding entirely where the death occurred on election day, has there not?

Mr. DALLINGER. I understand so.

Mr. RANDALL of Wisconsin. The gentleman is entirely correct. Where the death occurs on the day of election or within a few days of election, it is held there would be no notice.

Mr. TOWNER. I would like to say that in either event the committee would be able to justify their conclusion because of this fact: If Victor Berger had a majority or plurality of the votes, then Mr. Bodenstab did not, and was not elected, because he did not have a plurality of the vote. And if Victor Berger was not qualified, was not eligible, the same condition would exist, because then Mr. Bodenstab did not have a majority or plurality of the votes. So, in either event, the conclusion of the committee must be the same.

Mr. DALLINGER. Mr. Speaker, I yield 20 minutes to my colleague, the gentleman from Wisconsin [Mr. RANDALL].

Mr. RANDALL of Wisconsin. Mr. Speaker and gentlemen of the House, I felt compelled in this particular case to file a dissenting view to the report of the majority, not because there was any disagreement as to the facts, but I did feel that I could not subscribe to the conclusions of law reached by the majority of the committee, due to the facts existing in this particular case.

As has been called to the attention of the House in the discussion here, the Constitution of the United States provides that "each House shall be the judge of the elections, returns, and qualifications of its own Members." The duty imposed upon the House when a question arises as to who is elected as a Representative is judicial in character, and therefore the determination of the House should be reached after a careful consideration of the evidence, the facts and the law applicable to the particular case, depending upon the precedents of the House as well as the decisions of the various courts. And it seems to me that the same consideration should be given to these things as is given by the judge upon the bench.

Now, under the so-called English rule, if the voters have actual or constructive notice of the ineligibility of the candidate, then the votes cast for such ineligible candidate are held to be thrown away, and the eligible candidate receiving the minority of the votes, is entitled to the election. The suggestion has been made that this is purely because of the declaration of Parliament. Now, in a discussion of a case of this kind, either by filing a report or upon the floor, it is impossible, and it would be wearisome to bring up all of the decisions, but a careful examination of the decisions brings this conclusion, that not only do the legislative decisions of Parliament declare this rule but

also the decisions of the courts of England and the decisions of the courts and of Parliament as well, as I understand them, are not based upon any declaration of Parliament. In other words the courts and the legislative authorities of England have unanimously held to this rule from the earliest time up to date.

Now, the rule that has been affirmed by the majority of the courts in the United States is that the majority or plurality of the votes cast at a popular election for a person ineligible to the office, for which such votes are cast, does not confer any right or title to the office upon such ineligible candidate. However, such votes will be effectual to prevent the election of an eligible candidate who received the next highest number of votes, in the absence of proof that the votes cast for the ineligible candidate were given by the electors with the full knowledge or notice, either actual or constructive, of his ineligibility or disqualification.

The question of whether or not the House of Representatives will follow this rule to the extent of holding that the votes cast for an ineligible candidate where the ineligibility is known to all the voters, will be held to be thrown away, and whether or not the minority candidate, being the eligible candidate, having received the next highest number of votes, will be seated, is a question that heretofore has never been presented to the House.

Now, the decision of the majority rests upon a number of cases that are cited in their report, and I want to just scan those cases very briefly. The case that is relied upon most is that of Smith against Brown, which was decided in the Fortieth Congress, and that was the case where the contestant claimed that the contestee had been guilty of disloyalty and was consequently ineligible. But I call your attention to the fact that the specific act of disloyalty was a letter written by the contestee to a newspaper in Louisville, Ky., in 1861, six years before the election. And it is manifest to everyone that the voters of that district could not have had notice of this act of disloyalty, even if it were proved. And so, after a full discussion of the facts in the case and an examination of the English authorities as well as the American authorities, the majority opinion decided that "the case did not come within the law of the British Parliament for want of a sufficient notice to the electors at the polls of an ineligibility known and fixed by law."

In the Kentucky case of McKee against Young, decided in the Fortieth Congress, the question of ineligibility was not an issue in the case at all, because, as the majority report and the minority view call attention to, the report was based upon entirely different grounds, namely, whether or not the contestee was actually elected. Then there came along another group of cases that may be called the "polygamy cases." One of them is Maxwell against Cannon, in the Forty-third Congress, where there is no proof that the voters knew of Cannon's disqualification, namely, that he was a polygamist, and the matter of notice to the electors of such ineligibility was not discussed in the opinion. In the Utah case of Campbell against Cannon, decided in the Forty-third Congress, the main point at issue was the status of a Delegate in reference to qualifications, and nowhere in the case is there any proof of notice to the electors of the ineligibility of Mr. Cannon, and there is no discussion of notice to the electors of such disqualification.

One other case is that of Lowry against White, decided in the Fiftieth Congress, where the only disqualification alleged was the fact that the candidate elected was not a citizen. And in this case a careful examination shows that there is no proof of, or discussion of, notice to the electors of the alleged ineligibility of the contestee.

Now, in the case that we are considering, it must be conceded by everybody that after the House of Representatives held Victor Berger to be ineligible, and also declared a vacancy and the governor of Wisconsin called a special election, that the calling of this election in itself was notice to all the voters of the fifth district of Wisconsin that Victor Berger was ineligible.

Not only that, but there was the further fact that Mr. Berger had been convicted at Chicago, and that conviction in itself was notice to the voters of the district that he was ineligible. Now, there are two States——

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield there?

Mr. RANDALL of Wisconsin. Yes.

Mr. JOHNSON of Mississippi. I do not wish to be understood as defending Mr. Berger, but does the gentleman mean to imply by his remarks that the conviction of Mr. Berger, while an apppeal to the Supreme Court was pending, would ipso facto disqualify him from holding office?

Mr. RANDALL of Wisconsin. In answer I will say that until the appeal is decided the conviction stands as a verity.

Mr. JOHNSON of Mississippi. I beg to differ with the gentleman. You have a similar case pending now in the Newberry case. The courts have never held that that disqualifies a man. It acts as a supersedeas so long as an appeal is pending.

Mr. PELL. It makes a difference whether he is a Republican or a Socialist.

Mr. JOHNSON of Mississippi. I do not wish, however, to be understood as defending Mr. Berger.

Mr. RANDALL of Wisconsin. I can cite you decisions which show that such a state of facts creates an ineligibility.

Mr. JOHNSON of Mississippi. One other question along that line.

Mr. RANDALL of Wisconsin. Very well.

Mr. JOHNSON of Mississippi. The only authority that we have for unseating Mr. Berger is not the fact that he was convicted, but a constitutional prerogative given to us that we may judge of who shall sit or shall not sit, whether he is convicted or not.

Mr. RANDALL of Wisconsin. I understand that perfectly, and I think I have made the position clear that the House had declared him ineligible and the voters of the district had notice of that. But there was the further fact of his conviction.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. RANDALL of Wisconsin. Yes.

Mr. CHINDBLOM. I think the gentleman will agree that the courts have held repeatedly that the right of appeal, so called, is merely a privilege. The appeal is not a matter of right. The decision of a nisi prius court is the determination of the case. There may be the privilege of an appeal, but the original decision of a court having full jurisdiction was the termination of the case. When Mr. Berger was convicted he was convicted, but he had a further chance to go before an appellate court.

Mr. JOHNSON of Mississippi. So is the franchise a privilege, not a right. The man gets that privilege by compliance with certain laws. But that is not a right; it is a privilege.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. RANDALL of Wisconsin. Yes; I yield to the gentleman.

Mr. DEWALT. Am I correct about this—the fact of the trial and conviction of Mr. Victor Berger has nothing to do with this case?

Mr. RANDALL of Wisconsin. You are correct.

Mr. DEWALT. Second, it is a basic principle that all people are presumed to know the law. Is not that true?

Mr. RANDALL of Wisconsin. It is so declared.

Mr. DEWALT. Now, Congress passed a resolution which is a part of the law of the United States, and immediately upon its passage everybody in the State of Wisconsin, as well as everybody in the United States, is presumed to know that fact?

Mr. RANDALL of Wisconsin. I presume that is correct also.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. RANDALL of Wisconsin. Yes.

Mr. EMERSON. But if the higher court had determined that Mr. Berger was not guilty, Mr. Berger would be qualified?

Mr. CHINDBLOM. Not in the opinion of Congress.

Mr. EMERSON. Technically he would be qualified to sit in this House, so far as he was concerned.

Mr. RANDALL of Wisconsin. It would depend on the determination of Congress if he was qualified.

Mr. EMERSON. But it is not in our power to reject any man who was qualified at the time of his election.

Mr. PELL. Would you contend that Victor Berger was entitled to sit in Congress until this resolution was repealed, either by this or a future Congress?

Mr. RANDALL of Wisconsin. I do. The situation was this: The Congress having declared him ineligible because of the fact that he had given aid and comfort to the enemies of the country under the provisions of the fourteenth amendment that ineligibility never ceases until such ineligibility is removed by a vote of Congress.

Mr. PELL. But all that we said was that he was ineligible. Our resolution did not suggest any reason.

Mr. RANDALL of Wisconsin. Oh, yes. The resolution declared that he came within the provisions of the fourteenth amendment because he had taken the oath previously, and subsequent to taking the oath he had given aid and comfort to the enemy.

Now, gentlemen of the House, I do not wish to take up more of your time, except to call your attention to this, that, as I stated before, the question before you is entirely a new situation, because it is my belief that the Congress has never in any of the cases had a case where the ineligibility of the candidate was known to the voters.

It is true that in these opinions and in the opinions of many of the courts there is considerable obiter dicta and declara-

tions about what the law is, but it is a well-known fact that expressions of opinion that are unnecessary to the decision in the case in which they are made are merely expressions of opinion and are not law. They may be cited, of course, to argue and to prove your contention, but they are not binding as authority and are obiter dicta.

Now, after Victor Berger was barred from this House he went back to the people of the fifth Wisconsin district, and the issue was whether or not he was eligible to his seat in the House, and he made his campaign upon this basis, and the evidence and the testimony in the case shows that Mr. Bodenstab made the campaign upon the fact that Mr. Berger was ineligible to his seat in the House, so that the issue was very plain.

Now, I do not want to place myself in the position of not conceding that the majority have not the right to govern in this country, but I do take this position: That where the voters have notice of the ineligibility of the candidate they have no right to willfully go about to defeat the law of the land by electing a Member who is disqualified, and the voters of the fifth Wisconsin district knew at this special election that when they cast a vote for Victor Berger that if he received a majority of the votes to the Sixty-sixth Congress the Sixty-sixth Congress would certainly exclude him from membership in the House. Now, I want to read very briefly from just one opinion to show you the situation. It seems to me that the doctrine enunciated in Bancroft against Frear, a Wisconsin case, is entirely applicable to this one. Here is what the court said:

> Elections are held for the purpose of selecting officers, not for the purpose of creating a vacancy to the end that the place may be filled by appointment or even by a new election. The function of the voter is to express an affirmative choice of some person; not to content himself with merely expressing his disapproval of certain candidates. If a vote for a man known by the voter to be dead can be counted, then a vote for a stick or a stone or for the "man in the moon," as said in the English case, should be counted. It is true that in this country the majority rules, but the majority should not pursue a policy of mere negation. If the majority should contumaciously persist in voting for candidates notoriously ineligible, it might not be possible to fill the office at all. The illustration may be somewhat far-fetched, but instances have occurred in England where an ineligible candidate for a member of Parliament received a majority of votes cast at election after election, and such occurrences are by no means impossible in this country.

Mr. JOHNSON of Mississippi. Will the gentleman yield? I am very much interested in this.

Mr. RANDALL of Wisconsin. I yield to the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. That would be true in this case if Berger had been convicted and that conviction had been sustained by the United States Supreme Court. Then he would have been dead so far as his civil rights as a citizen were concerned——

Mr. RANDALL of Wisconsin. So far as the House of Representatives is concerned——

Mr. JOHNSON of Mississippi. Let me finish. And the House of Representatives would have been without authority to seat him, for the reason that the Constitution of the United States requires a man to be a citizen of the United States before he can be eligible as a Member here. He would have lost his citizenship by his conviction.

Mr. RANDALL of Wisconsin. But when the House of Representatives declined to give him a seat and declared him ineligible, he was legally dead so far as being eligible to be returned to the House of Representatives was concerned, unless the House of Representatives at some future time should grant to him a manifesto of freedom.

Mr. JOHNSON of Mississippi. Now, just one more question, and I will not interrupt the gentleman any more. The gentleman does not contend that the resolution that we passed here is law, does he?

Mr. RANDALL of Wisconsin. I certainly do.

Mr. JOHNSON of Mississippi. I think the gentleman is very much mistaken, because a law can not be enacted until it passes both Houses. What we passed here is a resolution affecting the right of a man to a seat in this House.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DALLINGER. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has 10 minutes.

Mr. DALLINGER. I yield three minutes more to the gentleman from Wisconsin.

Mr. FREAR. Will the gentleman yield?

Mr. RANDALL of Wisconsin. I yield.

Mr. FREAR. A very important question was raised by the case cited by the gentleman, which question was never determined by the Supreme Court of Wisconsin, and I ask the gentleman's opinion on that. Of course, in the case of Tucker, who committed suicide, there was no question but what the people knew it and voted for him intelligently, and the court felt that it was a travesty to canvass that vote. But what would be the situation if only 100 votes had been cast for Bancroft? That is, a scattering and immaterial vote. Would the same theory hold good; the man receiving the majority having died or ceased to be eligible, would the minority candidate, who was in such a hopeless minority, be entitled to take the place?

Mr. RANDALL of Wisconsin. I take this position, that where the ineligibility is notorious, and it must be held that the voters had actual notice of that ineligibility, the size of the vote cuts no figure, because if the majority, knowing the ineligibility, who choose to vote for an ineligible candidate, are in the same position as voters who remain at home. If they will not cast votes that can be counted, then they are in no position to complain that those who go to the polls and vote for an eligible candidate decide the election.

Mr. FREAR. Then a candidate receiving scattering votes would be entitled to the seat if he had the largest number of scattering votes, and if he was eligible?

Mr. RANDALL of Wisconsin. Provided, of course, that there is actual or constructive notice of the ineligibility of the other candidate.

Mr. FREAR. That is conceded. The Supreme Court did not pass on that.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. RANDALL of Wisconsin. I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. Would not the gentleman be driven to admit that a man receiving only one vote would be entitled to the seat if the other man was assumed to be ineligible?

Mr. RANDALL of Wisconsin. The gentleman understands from his experience that there are many election precincts and many elections where only a very small minority of the voters go to the polls, and so I say that trying to reduce it to the irreducible minimum of one vote makes no difference with the principle involved.

Mr. MOORE of Virginia. If I may say so to the gentleman, it strikes me as rather astonishing that we should be put in the position that his reasoning could bring him to the conclusion that it might be possible for one voter to select a Representative in Congress.

Mr. CHINDBLOM. If the gentleman will yield, we had a case in Chicago where I think 50 votes elected a man to the bench as a judge. In a large election he was the only man who got any votes.

Mr. MOORE of Virginia. What was in my mind——

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. DALLINGER. I understand I have six minutes remaining.

The SPEAKER pro tempore. Seven minutes.

Mr. DALLINGER. I yield six minutes to the gentleman from Pennsylvania [Mr. ROSE].

Mr. ROSE. Mr. Speaker and gentlemen of the House, I was convinced at the conclusion of the hearing before our committee in the contested-election case of Bodenstab against Berger, that it would take up considerable time in this House when the matter was brought before you for determination. The gentleman from Wisconsin [Mr. RANDALL] has presented a minority report which to my mind considers every question in the contest which was raised before the committee during the hearing of the case, and has brought to our attention certain matters that should be carefully considered. The claim is made that the matters submitted in the minority views have never been squarely before the House; with this view I can not agree. I might say that the committee is in entire accord as to the returns made by the several election boards, but the majority of the committee is not willing to recommend the setting aside of the long-established rule of the House.

I want to say that every question the gentleman has raised in the minority views, which accompanies this report, has been considered by the House, and especially were the matters raised by him disposed of in the former election contest in which Victor L. Berger figured. The gentleman from Wisconsin [Mr. RANDALL] deserves the gratitude of the House for the very able report he has filed in this case, and wherein are the reasons upon which he bases his claim for the seating of Mr. Bodenstab as a Member of the House. The whole ground upon which he raises his contention is the fact that the voters of the fifth Wisconsin district knew at the time of the election last November that Victor L. Berger was ineligible to a seat in this House and that, therefore, it was the duty of your committee to punish the voters of the fifth Wisconsin district by setting aside all of the votes cast for Victor L. Berger and recommending the election of Bodenstab, notwithstanding the fact that no

claim was made before the committee that there was fraud committed at the election. The election officers performed their duties and there was no charge of fraud against the electors themselves. We are now asked to follow the English rule and seat a man who did not receive a majority of the votes cast, there being but two candidates voted for at the election in November, 1920, in the fifth congressional district of Wisconsin.

We have before us the action by the House in the contested-election case of Carney against Berger, and it will be remembered that notwithstanding the fact that Mr. Berger received a plurality of the votes cast in which Mr. Carney was a candidate, that the House refused to seat Mr. Berger and also denied the right of Mr. Carney to be seated as a Member of the House. This House never has, and in my opinion never will, adopt the English rule, and your committee has followed the long line of precedents in the present case and have recommended that Mr. Bodenstab be denied the right to a seat in the House.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. ROSE. I will.

Mr. DAVIS of Tennessee. Is it not a fact that in the contested-election case of Carney against Berger neither any member of the Elections Committee nor any Member of the House insisted that Carney was entitled to be seated?

Mr. ROSE. The gentleman is entirely right. The committee did bring in a report that Berger was ineligible and that Carney did not have a right to a seat in the House for the reason that he did not receive a plurality of the votes cast in the election in which they were candidates. This House and this committee would stultify itself by concluding in the one case that Carney was not entitled to his seat and in another case of like kind conclude that Bodenstab would be entitled to a seat simply for the reason that the conduct of Mr. Berger was more widely known.

In the present contested-election case every member of the committee, including the gentleman from Wisconsin, Mr. RANDALL, who presented the minority views, agree that all of the voters in the fifth election district of Wisconsin knew that Victor L. Berger was not eligible to occupy a seat in this House.

Mr. REED of West Virginia. Will the gentleman yield?

Mr. ROSE. I yield to the gentleman.

Mr. REED of West Virginia. My colleague does not mean to insist that a man must have a majority of votes cast to get a seat in Congress.

Mr. ROSE. Oh, no; a man may secure a seat in Congress by a plurality of votes, as there might be quite a number of candidates and no candidate have a majority of the votes cast.

Mr. JOHNSON of Mississippi. That would be governed by the State from which he came.

Mr. ROSE. That is true in many instances, although the House has entire control of its membership.

Mr. REED of West Virginia. Would not a plurality be sufficient if the votes of Berger had been divided?

Mr. ROSE. Oh, certainly. A plurality of votes is sufficient where there are more than two candidates, but in the case of Carney against Berger and in the case of Bodenstab against Berger neither of the contestants received a majority or plurality of the votes cast in the several elections. The committee does not see its way clear to break away from the established rules of the House, and therefore ask you to adopt the resolution offered by the chairman in the report filed by him.

Mr. DALLINGER. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. RANDALL] for the sole purpose of offering a substitute.

Mr. RANDALL of Wisconsin. Mr. Speaker, I offer the following substitute:

The Clerk read as follows:

Resolved, That Henry H. Bodenstab was duly elected a Member of Congress from the fifth congressional district of Wisconsin to the Sixty-sixth Congress on the 19th day of December, 1919, and that he is entitled to a seat in the House of Representatives as such Representative.

Mr. DALLINGER. Mr. Speaker, I think that this matter has been discussed a sufficient length of time, and I move the previous question on the original resolution and the substitute.

The SPEAKER pro tempore (Mr. LONGWORTH). The gentleman from Massachusetts moves the previous question on the resolution and substitute.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the substitute offered by the gentleman from Wisconsin.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. RANDALL of Wisconsin. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Wisconsin makes the point of no quorum, and the Chair will count. [After counting.] One hundred and seven Members present; not a quorum; the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 8, nays 304, answered "present" 1, not voting 115, as follows:

YEAS—8.

Esch	Kleczka	Monahan, Wis.	Raker
Griffin	Lampert	Nelson, Wis.	Randall, Wis.

NAYS—304.

Ackerman	Evans, Nebr.	Layton	Rose
Almon	Fairfield	Lazaro	Rouse
Andrews, Nebr.	Ferris	Lea, Calif.	Rowe
Anthony	Fess	Lehlbach	Sanders, Ind.
Aswell	Fields	Lesher	Sanford
Ayres	Fish	Linthicum	Schall
Babka	Fisher	Little	Scott
Bankhead	Focht	Longworth	Sells
Barbour	Fordney	Luce	Sherwood
Bee	Foster	Lufkin	Shreve
Begg	Frear	Luhring	Siegel
Bell	Freeman	McArthur	Sims
Benham	French	McClintic	Sinclair
Black	Fuller	McDuffie	Sinnott
Bland, Ind.	Gallagher	McFadden	Sisson
Bland, Mo.	Gallivan	McGlennon	Slemp
Bland, Va.	Ganly	McKenzie	Small
Blanton	Gard	McKinley	Smith, Idaho
Boies	Glynn	McLane	Smith, Mich.
Bowers	Godwin, N. C.	McLaughlin, Mich.	Smithwick
Bowling	Good	McLaughlin, Nebr.	Snell
Box	Goodykoontz	McLeod	Snyder
Brand	Graham, Ill.	McPherson	Steagall
Briggs	Green, Iowa	MacGregor	Stedman
Brinson	Greene, Mass.	Mann, Ill.	Stephens, Miss.
Brooks, Ill.	Greene, Vt.	Mansfield	Stephens, Ohio
Brooks, Pa.	Griest	Mapes	Stevenson
Browne	Hadley	Mays	Stoll
Buchanan	Hardy, Colo.	Mead	Strong, Kans.
Burdick	Hardy, Tex.	Merritt	Summers, Wash.
Burke	Harrison	Michener	Sumners, Tex.
Burroughs	Haugen	Miller	Sweet
Butler	Hawley	Milligan	Swindall
Byrns, Tenn.	Hayden	Minahan, N. J.	Swope
Campbell, Kans.	Hays	Mondell	Tague
Campbell, Pa.	Hernandez	Moore, Ohio	Taylor, Ark.
Cantrill	Hersey	Moore, Va.	Taylor, Colo.
Caraway	Hickey	Moores, Ind.	Taylor, Tenn.
Carss	Hicks	Mott	Temple
Carter	Hoch	Mudd	Thompson
Chindblom	Hoey	Murphy	Tilman
Christopherson	Holland	Nelson, Mo.	Tilson
Clark, Fla.	Houghton	Newton, Mo.	Timberlake
Condy	Howard	O'Connell	Tincher
Cole	Huddleston	O'Connor	Tinkham
Collier	Hulings	Ogden	Towner
Connally	Hull, Iowa	Oldfield	Treadway
Cooper	Hull, Tenn.	Oliver	Vaile
Crago	Humphreys	Olney	Venable
Cramton	Hutchinson	Osborne	Vestal
Crisp	Igoe	Overstreet	Vinson
Cullen	Ireland	Padgett	Volk
Currie, Mich.	Jacoway	Paige	Volstead
Dale	James, Va.	Park	Ward
Dallinger	Jefferis	Parker	Wason
Darrow	Johnson, Ky.	Parrish	Watkins
Davis, Minn.	Johnson, Miss.	Patterson	Watson
Davis, Tenn.	Johnson, S. Dak.	Pell	Weaver
Dempsey	Johnson, Wash.	Perlman	Webster
Denison	Jones, Pa.	Peters	Welling
Dewalt	Jones, Tex.	Pou	Whaley
Dickinson, Iowa	Kearns	Purnell	Wheeler
Dickinson, Mo.	Keller	Quin	White, Kans.
Dominick	Kelly, Pa.	Radcliffe	White, Me.
Doremus	Kendall	Ramseyer	Williams
Dowell	Kettner	Randall, Calif.	Wilson, Ill.
Drane	Kiess	Ransley	Wilson, La.
Drewry	Kincheloe	Rayburn	Wilson, Pa.
Dupré	King	Reber	Wingo
Eagan	Kinkaid	Reed, W. Va.	Winslow
Eagle	Knutson	Rhodes	Woods, Va.
Echols	Kraus	Ricketts	Wright
Edmonds	Kreider	Robinson, N. C.	Yates
Elliott	Langley	Robsion, Ky.	Young, N. Dak.
Emerson	Lanham	Rogers	Young, Tex.
Evans, Mont.	Lankford	Romjue	Zihlman

ANSWERED "PRESENT"—1.

Benson

NOT VOTING—115.

Anderson	Copley	Garner	Juul
Andrews, Md.	Costello	Garrett	Kahn
Ashbrook	Crowther	Goldfogle	Kelley, Mich.
Bacharach	Curry, Calif.	Goodall	Kennedy, Iowa
Baer	Davey	Goodwin, Ark.	Kennedy, R. I.
Barkley	Dent	Gould	Kitchin
Britten	Donovan	Graham, Pa.	Larsen
Brumbaugh	Dooling	Hamill	Lee, Ga.
Byrnes, S. C.	Doughton	Hamilton	Lonergan
Caldwell	Dunbar	Harreld	McAndrews
Candler	Dunn	Hastings	McCulloch
Cannon	Dyer	Hersman	McKeown
Carew	Ellsworth	Hill	McKinley
Casey	Elston	Hudspeth	Madden
Clark, Mo.	Evans, Nev.	Husted	Magee
Classon	Flood	James, Mich.	Maher
Cleary	Gandy	Johnston, N. Y.	Major

Mann, S. C.	Porter	Rucker	Sullivan
Martin	Rainey, Ala.	Sabath	Thomas
Mason	Rainey, Henry T.	Sanders, La.	Upshaw
Montague	Rainey, John W.	Sanders, N. Y.	Vare
Moon	Ramsey	Scully	Voigt
Mooney	Reavis	Sears	Walsh
Morin	Reed, N. Y.	Smith, Ill.	Walters
Neely	Riddick	Smith, N. Y.	Welty
Newton, Minn.	Riordan	Steele	Wise
Nicholls	Rodenberg	Steenerson	Wood, Ind.
Nolan	Rowan	Stiness	Woodyard
Phelan	Rubey	Strong, Pa.	

So the substitute resolution was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. MADDEN with Mr. FLOOD.

Mr. WALSH with Mr. MONTAGUE.

Mr. MASON with Mr. GARRETT.

Mr. MAGEE with Mr. BYRNES of South Carolina.

Mr. WOOD of Indiana with Mr. RUCKER.

Mr. RODENBERG with Mr. MCANDREWS.

Mr. DYER with Mr. MAJOR.

Mr. CANNON with Mr. SANDERS of Louisiana.

Mr. KENNEDY of Rhode Island with Mr. UPSHAW.

Mr. HARRELD with Mr. LEE of Georgia.

Mr. SMITH of Illinois with Mr. ASHBROOK.

Mr. VOIGT with Mr. HERSMAN.

Mr. SANDERS of New York with Mr. MOONEY.

Mr. WOODYARD with Mr. LARSEN.

Mr. RIDDICK with Mr. NEELY.

Mr. ANDERSON with Mr. WISE.

Mr. JUUL with Mr. CANDLER.

Mr. CROWTHER with Mr. NICHOLLS.

Mr. GOODALL with Mr. MARTIN.

Mr. STRONG of Pennsylvania with Mr. CAREW.

Mr. REED of New York with Mr. BARKLEY.

Mr. DUNBAR with Mr. CLEARY.

Mr. NEWTON of Minnesota with Mr. SABATH.

Mr. KELLEY of Michigan with Mr. RIORDAN.

Mr. STEENERSON with Mr. DOOLING.

Mr. MCCULLOCH with Mr. HASTINGS.

Mr. JAMES of Michigan with Mr. JOHNSTON of New York.

Mr. ELSTON with Mr. GANDY.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER pro tempore. The question is on the resolution offered by the gentleman from Massachusetts [Mr. DALLINGER].

The resolution was agreed to.

On motion of Mr. DALLINGER, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I call up the conference report upon the bill (H. R. 15422) making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1922, and for other purposes, and I ask unanimous consent to reconsider the vote by which the House receded from its disagreement to Senate amendment No. 151 and concurred in the same.

The SPEAKER pro tempore. The gentleman from Iowa calls up the conference report upon the sundry civil appropriation bill and asks unanimous consent that the House reconsider the vote by which it receded from its disagreement to Senate amendment No. 151 and concurred in the same. Is there objection?

Mr. MCCLINTIC. Mr. Speaker, reserving the right to object, what is the amendment?

Mr. GOOD. An error was made by the Clerk in figuring up the totals in two different amendments.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, I move that the House insist upon its disagreement to Senate amendment No. 151.

The motion was agreed to.

Mr. GOOD. Mr. Speaker, I now ask unanimous consent that the House reconsider the vote by which it receded from disagreement to Senate amendment No. 152 and concurred in the same.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that the House reconsider the vote by which it receded from its disagreement to Senate amendment No. 152 and concurred in the same. Is there objection?

Mr. MCCLINTIC. Mr. Speaker, reserving the right to object, is this a similar amendment?

Mr. GOOD. Yes.

Mr. MCCLINTIC. Errors in figures?

Mr. GOOD. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment No. 152.

The motion was agreed to.

OMNIBUS PENSION BILLS—CONFERENCE REPORTS.

Mr. SELLS. Mr. Speaker, I call up the conference report upon the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which I send to the desk and ask to have read.

The Clerk read the conference report.

(For conference report see pp. 1052–1053, House proceedings, RECORD of January 6, 1921.)

Mr. SELLS. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Tennessee to adopt the conference report.

The motion was agreed to.

Mr. SELLS. Mr. Speaker, I call up the conference report upon the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which I send to the desk and ask to have read.

The Clerk read the conference report.

(For conference report see pp. 1050–1052, House proceedings, RECORD of January 6, 1921.)

Mr. SELLS. Mr. Speaker, I move the adoption of the conference report.

The motion was agreed to.

Mr. SELLS. Mr. Speaker, I call up the conference report upon the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which I send to the desk and ask to have read.

The Clerk read the conference report.

(For conference report see pp. 1053–1054, House proceedings, RECORD of January 6, 1921.)

Mr. SELLS. Mr. Speaker, I move the adoption of the conference report.

The motion was agreed to.

Mr. SELLS. Mr. Speaker, I now call up the conference report upon the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which I send to the desk and ask to have read.

The Clerk read the conference report.

(For conference report see pp. 1054–1056, House proceedings, RECORD of January 6, 1921.)

Mr. SELLS. Mr. Speaker, I move the adoption of the conference report.

Mr. RICKETTS. Mr. Speaker, will the gentleman yield?

Mr. SELLS. Yes.

Mr. RICKETTS. How many of these bills have been pending in the Senate since the last session of Congress adjourned?

Mr. SELLS. None of them have been pending in the Senate.

Mr. RICKETTS. I mean in the Senate committee. How many were held up there since the last session of Congress?

Mr. SELLS. A conference was asked for in the closing days of the second session. They have been held up until recently, when the conferees got together.

Mr. RICKETTS. How many pensions allowed in those bills by the House were cut out on account of the provisions in the Sells bill and the Fuller bill?

Mr. SELLS. Practically all of the bill that were eliminated by the Senate were, by reason of the passage of the act of June 5, 1920, which took care, as the gentleman knows, of all the disabled Spanish War soldiers.

Mr. RICKETTS. Many pensions that were allowed to soldiers and widows and their dependents by the House have been cut out and people who were entitled to those pensions will have to wait until the matter can be heard in the department before many of them are granted. Is not that true?

Mr. SELLS. As a matter of fact, I assume that a great majority of these claimants who had special bills pending have filed their application for pension long ago and will get a pension beginning from the date of the filing of the application?

Mr. RICKETTS. That will be true if they are filed; but if they are not filed they will not get a pension until the filing and it will date from the date of filing.

Mr. SELLS. No.

Mr. RICKETTS. Well, I am not criticizing the gentleman at all. I think the gentleman has done everything possible to hurry the bills along, but I do criticize the method in which pension claims have been handled in the Senate. It seems to me they wait too long over there and many of my constituents granted pensions by this House have died before the Senate would give consideration. I do not think that is fair to the people of the country who are entitled to pensions and which have been granted in the House.

Mr. SELLS. The gentleman is not trying to hold us responsible?

Mr. RICKETTS. I am not; I exonerate the gentleman from all blame.

Mr. SELLS. Mr. Speaker, I ask for the adoption of the conference report.

The question was taken, and the conference report was adopted.

ADDITIONAL CLERKS, COMMITTEE ON ENROLLED BILLS.

Mr. IRELAND. Mr. Speaker, I desire recognition for the presentation of some privileged reports. Mr. Speaker, I ask unanimous consent for the present consideration of this resolution, which was not reported by the committee.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 692.

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to employ such additional clerks as may be necessary during the remainder of this session of Congress, the payment of services not to exceed $200, to be paid out of the contingent fund of the House.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

Mr. IRELAND. Mr. Speaker, this is the usual perfunctory resolution, and I move its adoption.

The question was taken, and the resolution was adopted.

GERTRUDE I. JEMISON.

Mr. IRELAND. Mr. Speaker, I ask for the present consideration of the privileged resolution which I send to the Clerk's desk.

The PRESIDENT pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 685.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Gertrude I. Jemison, clerk to the late Hon. FRED L. BLACKMON, a Representative in Congress from Alabama at the time of his death, February 8, 1921, the sum of $186.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The committee amendment was read, as follows:

On page 1, line 6, after the figures "186.66," strike out "being an amount equal to one month's salary of a clerk of a Representative in Congress" and insert: "And Hugh B. Fitzgerald, also clerk to the late Hon. Fred L. Blackmon, the sum of $120, these amounts being equal to one month's salary drawn by each as such clerk," so that the amended resolution will read:

"*Resolved*, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Gertrude I. Jemison, clerk to the late Hon. Fred L. Blackmon, a Representative in Congress from Alabama at the time of his death, February 8, 1921, the sum of $166.66, and Hugh B. Fitzgerald, also clerk to the late Hon. Fred L. Blackmon, the sum of $120, these sums being equal to one month's salary drawn by each as such clerks."

Mr. MANN of Illinois. This amounts to over $300 a month. So that includes the bonus?

Mr. IRELAND. Yes, sir. Both the names and the amounts were verified by the Clerk.

Mr. MANN of Illinois. That would include the bonus?

Mr. IRELAND. Yes.

The question was taken, and the committee amendment was agreed to.

The resolution as amended was agreed to.

ERNEST WOLF.

Mr. IRELAND. Mr. Speaker, I ask consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 668.

Resolved, That there shall be paid out of the contingent fund of the House to Ernest Wolf, brother of August G. Wolf, late an employee of the House of Representatives, a sum equal to six months of his compensation as such employee, and an additional amount, not exceeding $250, to defray the expenses of the funeral of said August G. Wolf.

The committee amendment was read, as follows:

In line 2, after the word "to," strike out the words "Ernest Wolf, brother" and insert in lieu thereof the words "the estate," so that it will read:

"*Resolved*, That there shall be paid out of the contingent fund of the House to the estate of August G. Wolf, etc."

The question was taken, and the committee amendment was agreed to.

The resolution as amended was agreed to.

PRINCE L. BOOHER.

Mr. IRELAND. Mr. Speaker, I offer the following privileged resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 666.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Prince L. Booher the sum of $228.33 and to H. M. Booher the sum of $78.33, the same being the amount received by them per month as clerks to the late Charles F. Booher, a Representative in Congress from Missouri at the time of his death, January 21, 1921.

The question was taken, and the resolution was agreed to.

B. E. MOORE.

Mr. IRELAND. Mr. Speaker, I offer another privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 652.

Resolved, That there shall be paid out of the contingent fund of the House to B. E. Moore the sum of $585, being compensation at the rate of $65 per month from September 1, 1919, to May 31, 1920, inclusive, for services rendered in the file room of the House under direction of the Clerk.

The substitute was read, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to B. E. Moore the sum of $300, being compensation from September 1, 1919, to May 31, 1920, inclusive, for additional services rendered in the file room of the House under direction of the Clerk.

Mr. IRELAND. Mr. Speaker, this resolution was provoked by the fact that a young man in the employ of the Sixty-fifth Congress in the file room was retained over in the Sixty-sixth, but could secure no patronage to continue. In the Sixty-fifth Congress he was drawing $1,500 a year, or some like amount, and was reduced to $60 a month. It was deemed necessary by the Clerk of the House to retain his services to instruct the new employees, and the Clerk of the House promised the young man that he would try to secure compensation for the additional services rendered, due to his reduced remuneration. This resolution is the result of our anxiety to sustain the Clerk in his attitude.

The committee, on the recommendation of the Clerk, reduced the amount, as the amendment indicates.

The SPEAKER pro tempore. The question is on agreeing to the committee substitute.

The substitute was agreed to.

The resolution as amended by the substitute was agreed to.

THOMAS F. FARRELL.

Mr. IRELAND. Mr. Speaker, I offer another privileged resolution.

The SPEAKER. The gentleman from Illinois offers another privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 686.

Resolved, That Thomas F. Farrell be appointed special messenger to serve in and about the House, under the direction of the Doorkeeper, at a salary of $1,180 per year, to be paid out of the contingent fund of the House until otherwise provided for.

Also the following committee amendment was read:

After the comma at the end of line 3, insert the words: "in lieu of the amount he is now receiving."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

OIL PORTRAIT OF FORMER SPEAKER THEODORE M. POMEROY.

Mr. IRELAND. Mr. Speaker, I offer another privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 389.

Resolved, That the Committee on the Library of the House of Representatives is hereby authorized and directed to engage an artist of reputation and ability to paint an oil portrait of the late Hon. Theodore M. Pomeroy, of New York, former Speaker of the House of Representatives in the Fortieth Congress, and to place same in the Speaker's Lobby, at a cost not to exceed $2,000, which sum shall be paid out of the contingent fund of the House of Representatives.

Mr. IRELAND. Mr. Speaker and gentlemen of the House, it appears that in the Fortieth Congress Mr. Speaker Schuyler Colfax, of Indiana, resigned his office as Speaker on March 3, 1869, and a successor was elected, namely, Mr. Speaker Theodore Pomeroy, of New York. The reason for it no doubt was found in that former Speaker Colfax had been elected Vice President of the United States and had certain duties to perform preliminary to taking that office, and Mr. Pomeroy, of New York, was elected to fill the unexpired term. A committee informed the President and the Senate of his election, and all requirements of a regular election of a Speaker were complied with. It appears that, due to the short time that he was in office, the traditions of the House were not followed, and that Mr. Pomeroy's portrait does not appear in the Speaker's lobby. Under an anxiety to do justice to all who have so served and so well served this House, the committee felt that the House would not desire to violate any of its traditions in this matter, and so reported this resolution favorably.

I have an arrangement with the chairman of the Committee on the Library whereby he has agreed not to grant this commission or make a charge upon the contingent fund of the House until near the close of the coming session of Congress. So an apparent extravagance will not deplete our contingent fund when we are so pressed as we are at present.

Mr. BLANTON. Will the gentleman yield?

Mr. IRELAND. I yield.

Mr. BLANTON. This distinguished Speaker served one day. Is that the fact?

Mr. IRELAND. Yes, sir.

Mr. BLANTON. He served from the 3d of March to the 4th of March?

Mr. IRELAND. I believe that is computable.

Mr. BLANTON. And we have a distinguished Member of the House who during the absence of our present Speaker served very faithfully and ably—the gentleman from Massachusetts [Mr. WALSH]. He served probably several weeks of time. [Applause.]

Mr. Speaker, I raise the point of order that this resolution is not privileged in coming from the Committee on Accounts. This is not under the rules of the House a privileged resolution.

Mr. IRELAND. Mr. Speaker, I submit it is clearly a privileged resolution, and draws from the contingent fund of the House.

Mr. BLANTON. It is a matter of legislation.

Mr. IRELAND. I submit the gentleman's argument seems quite unsound, but I admire the compliment he has paid to our colleague from Massachusetts; but, unfortunately, the cases are not parallel, for the gentleman from Massachusetts [Mr. WALSH] has not as yet been elected Speaker. He has served as a substitute. Mr. Pomeroy was elected.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. MANN of Illinois. This portrait, of course, is not to be painted from life. I think we have made appropriations several times for painting of portraits from life of recent Speakers. On the other hand, a few years ago we provided for the portraits of Speakers who were not living, at an expense not to exceed $500 for each portrait. Those portraits are in the lobby. Now, just what is the theory of the Committee on Accounts, the Library Committee, or any other committee, proposing now to pay $2,000 for a portrait to be painted from a likeness of some kind of a man who served one day as Speaker, when we would only appropriate $500 to paint a portrait from a likeness of men who served from one to four full terms as Speaker? Is the excess because the man served for so short a time?

Mr. IRELAND. I submit that there was no question that he was both de facto and de jure Speaker, and as such merits this consideration.

Mr. MANN of Illinois. Did the committee take into consideration the fact that Congress had limited these amounts for the painting of portraits from likenesses to $500 heretofore, or was it not informed of that fact?

Mr. IRELAND. I will answer the gentleman by offering an amendment. I offer an amendment striking out the figures "$2,000" and inserting in lieu thereof "$1."

The SPEAKER pro tempore. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. IRELAND: In line 7 of the resolution strike out "$2,000" and insert in lieu thereof "$1."

Mr. MANN of Illinois. Mr. Speaker, I offer an amendment to the amendment making the sum $500.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MANN of Illinois offers to amend the amendment by striking out "$1" and inserting in lieu thereof "$500."

Mr. HASTINGS. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. HASTINGS. I want just about two minutes.

Mr. Speaker and gentlemen of the House, I am a member of the Committee on Accounts. Through no fault of the chairman, I was not present when this resolution was considered. If I had been, I would not have voted for it. I do not favor this resolution. At most, the person who was honored as Speaker for one day was only technically entitled to the distinction represented by this appropriation. I do not believe that the Committee on Accounts ought to assume jurisdiction to pay $2,000, or any other sum—$500, according to this amendment.

But this is an unusual case. I think it ought to go to the appropriating committee, say in the sundry civil bill or some other bill, or in a special bill to come before the House, reported from the Committee on the Library or some other committee.

I do not believe that where a Speaker served away back yonder, years and years ago—50 or 60 or 70 years ago—we ought to spend $2,000 to have his portrait painted, or $500; and I do not believe that we ought to act favorably upon the report of this committee for any sum. I think this resolution was considered, either formally or informally, at some prior time; I do not recollect just when. I was not present with the committee when this resolution was reported out. If I had been, as I have said, I would not have voted for it. I do not think we are justified at this time in voting this sum of money without some previous consideration by the Committee on the Library or some other committee having jurisdiction of the subject matter.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BEE. This gentleman who is to be honored with the painting served one day under an election as Speaker pro tempore.

Mr. IRELAND. He was not elected Speaker pro tempore.

Mr. BEE. How was he elected?

Mr. IRELAND. As any other Speaker.

Mr. BEE. Is there any other instance in the history of this country where any other man served only 1 day or 5 or 10 days?

Mr. IRELAND. I think there was. I think ex-Speaker CLARK could recite them from memory, but I do not know who they were. I would not be positive about that.

Mr. BEE. If we authorize this, will we not be opening the door for the portraits of all those gentlemen in the dark and distant past, so that instead of this being a mark of distinction for gentlemen to have their memories perpetuated in that way it would be commonized, so to speak, by having the portraits of men hanging there who simply temporarily filled those places? Would it not be a serious and dangerous precedent if we voted this amount?

Mr. IRELAND. It is my belief, and I have been so informed, that all other Speakers of the past have been so honored, and the custom still continues. This is the only exception. That is my understanding, but I would not be positive of it.

Mr. BEE. Does the gentleman recall that out in the lobby there are portraits of gentlemen who served as Speaker only for one day?

Mr. IRELAND. No; I would not say that. I believe that the portraits of all the Speakers who served in this House have been painted, with this single exception.

Mr. BEE. Are there not many who served who are not out there?

Mr. IRELAND. I would not say many. There may be some.

Mr. BEE. We would have to put them all there in order to be consistent.

Mr. IRELAND. I am sure it was the thought of the committee, whether we do it or not, that between ourselves—the membership of this House—we are supposed to grant to each other a certain courtesy, and certainly an additional courtesy

to all our officers of the House, and I should not want to believe this House as a whole would be less desirous of honoring one of the distinguished Speakers who had passed to the great beyond than a living one.

Mr. BLANTON. Mr. Speaker, under clause 5 of Rule XX, I make the point of order that this resolution, which is now on the Speaker's table and under consideration, is legislation carrying an appropriation. It is not the kind of an appropriation that the Committee on Accounts is authorized to recommend. It is a matter of legislation that ought to go to a legislative committee, and the appropriation should be provided for by the regular Committee on Appropriations, it being legislation pure and simple. It is not a matter that is ordinarily paid for out of the contingent fund of the House. This is a matter that occurred back in the Fortieth Congress, over 50 years ago. I submit the point of order, Mr. Speaker.

Mr. MANN of Illinois. Mr. Speaker, there is nothing to the point of order.

Mr. IRELAND. Absolutely nothing.

Mr. MANN of Illinois. The rule expressly provides that all payments out of the contingent fund go to the Committee on Accounts. They can report in the purchase of a portrait or anything else.

Mr. BLANTON. Suppose the Committee on Accounts should bring in a resolution here to paint a portrait at $2,000 for each Member of the House and adorn the walls of this Chamber, out of the contingent fund.

Mr. MANN of Illinois. It would be in order, but——

Mr. IRELAND. Such a foolish proposition would probably be voted down, and properly so; yet it would be privileged and in order.

The SPEAKER. The Chair overrules the point of order.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BANKHEAD. How does it happen that this matter has not heretofore been brought to the attention of Congress or heretofore been pressed upon the attention of the committee?

Mr. IRELAND. I can not say. It was presented to the chairman of the Committee on the Library and they brought it to the Committee on Accounts.

Mr. DAVIS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. DAVIS of Tennessee. Is it not a fact that efforts have been made from time to time in the past to get through a resolution of this kind?

Mr. IRELAND. Not to my knowledge.

Mr. DAVIS of Tennessee. I thought that had been brought out some time ago.

Mr. IRELAND. The gentleman has the advantage of me if that be true. I do not know.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. CHINDBLOM. Have we not spent over $500 worth of time on this matter now?

Mr. IRELAND. I think so.

Mr. CHINDBLOM. Let us vote, then.

Mr. MANN of Illinois. Mr. Speaker, I do not think this resolution ought to be passed at all. If it is passed, the amount ought to be reduced. It is not a matter of right on the part of the Speaker to have his portrait hung in the lobby. It is a matter of pleasure on the part of the House to honor a Speaker by doing that.

But this Speaker was only nominally a Speaker, to the extent of signing the last documents on the last day of the session. I do not know at what time of the day he was elected on March 3, but at the end of the March 3 legislative day he was no longer Speaker.

I can see no reason why we should set the precedent. If we do that we shall be called upon next to hang in the lobby portraits of all the Speakers pro tempore who served much longer throughout all the years of Congress. It is no reflection on a man not to do it, and there is no reason why it should be done. [Applause.]

The SPEAKER. The question is on the amendment of the gentleman from Illinois [Mr. MANN] making the amount $500.

The question being taken, the amendment was rejected.

The SPEAKER. The question is on the amendment of the gentleman from Illinois [Mr. IRELAND] to make the amount $1.

Mr. IRELAND. Mr. Speaker, may I have just a moment on that? This amendment appears foolish, but I know what I am talking about. This is the way to make the resolution still privileged, and yet not create so great a charge against the contingent fund. I am speaking with authority, and I have no further explanation to make.

Mr. BANKHEAD. Does the gentleman mean that some private arrangement has been made to pay the cost of the portrait?

Mr. IRELAND. The gentleman can draw his own conclusion.

Mr. FESS. Does this come from the Library Committee of the House?

Mr. IRELAND. Yes; from the chairman, who introduced the resolution.

Mr. FESS. It is the first time I have heard anything about it.

Mr. KING. Does the gentleman desire to have this amendment passed?

Mr. IRELAND. I certainly do.

Mr. KING. Then I shall vote for it.

Mr. GARRETT. Mr. Speaker, I assume that this simply means in effect that it becomes a resolution that the House accept the portrait and give authority to hang it in the lobby with the portraits of the other Speakers. If that is the case, why not let that proposition be put up to us, rather than this resolution in this form?

Mr. IRELAND. I will say to the gentleman from Tennessee that this is the usual form. The resolution was reported carrying the amount that has usually been appropriated, and I did not know whether it would meet with approval of the House or not; and if the House does not feel inclined to accord to this man's memory the same privilege that has been accorded to others, because of the short time he served, this is an easy way out of the difficulty.

The SPEAKER. The question is on the amendment reducing the amount to $1.

The question being taken, on a division (demanded by Mr. IRELAND) there were—ayes 61, noes 58.

Accordingly the amendment was agreed to.

The SPEAKER. The question is on the adoption of the resolution as amended.

The question being taken, on a division (demanded by Mr. IRELAND) there were—ayes 54, noes 83.

Mr. IRELAND. Mr. Speaker, I ask for tellers.

Mr. BLANTON. I make the point of no quorum present. I think we ought to have a record vote.

Mr. IRELAND. I ask for tellers, Mr. Speaker.

Mr. BLANTON. I withdraw the point of no quorum.

Mr. GALLIVAN. Well, I will make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts makes the point of no quorum present. The Chair thinks there is no quorum present. The question is on agreeing to the resolution. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 149, nays 145, answered "present" 1, not voting 133, as follows:

YEAS—149.

Andrews, Nebr.	Frear	McFadden	Rhodes
Barbour	French	McGlennon	Robsion, Ky.
Barkley	Gallagher	McKenzie	Rogers
Begg	Gallivan	McKinley	Rose
Benham	Ganly	McLane	Rowe
Bowers	Glynn	McLeod	Sanders, N. Y.
Box	Goldfogle	McPherson	Sanford
Brooks, Ill.	Goodykoontz	MacGregor	Schall
Brooks, Pa.	Graham, Ill.	Mansfield	Scott
Browne	Greene, Mass.	Mapes	Shreve
Burdick	Griffin	Martin	Siegel
Burke	Hardy, Tex.	Mead	Sisson
Butler	Harrison	Minahan, N. J.	Slemp
Campbell, Pa.	Hays	Monahan, Wis.	Smith, Idaho
Chindblom	Hicks	Mondell	Smithwick
Christopherson	Houghton	Moore, Ohio	Snell
Clark, Fla.	Hutchinson	Moores, Ind.	Steenerson
Cleary	Igoe	Mott	Stephens, Ohio
Coady	Ireland	Murphy	Strong, Pa.
Crago	James, Va.	Nelson, Wis.	Summers, Wash.
Cullen	Johnson, Miss.	Newton, Mo.	Swope
Dallinger	Jones, Pa.	Nolan	Tague
Davis, Minn.	Kelly, Pa.	O'Connell	Temple
Dempsey	Kendall	O'Connor	Thompson
Denison	Kennedy, R. I.	Ogden	Tilson
Dewalt	Kettner	Osborne	Tinkham
Drewry	Kiess	Paige	Vestal
Dunbar	King	Parker	Volk
Dupré	Knutson	Parrish	Ward
Egan	Langley	Pell	Wheeler
Echols	Layton	Perlman	Williams
Elliott	Lazaro	Peters	Wilson, Pa.
Emerson	Lea, Calif.	Phelan	Woods, Va.
Evans, Nebr.	Linthicum	Purnell	Yates
Evans, Nev.	Luce	Radcliffe	Zihlman
Flood	Lufkin	Raker	
Focht	McArthur	Randall, Wis.	
Fordney	McClintic	Reed, W. Va.	

NAYS—145.

Ackerman	Babka	Black	Boies
Almon	Bankhead	Bland, Mo.	Bowling
Aswell	Bee	Bland, Va.	Brand
Ayres	Bell	Blanton	Briggs

Brinson	Hadley	Mann, Ill.	Stevenson
Buchanan	Hardy, Colo.	Mays	Stoll
Burroughs	Hastings	Michener	Strong, Kans.
Campbell, Kans.	Haugen	Miller	Sumners, Tex.
Cannon	Hawley	Milligan	Sweet
Caraway	Hayden	Nelson, Mo.	Swindall
Cole	Hernandez	Nicholls	Taylor, Ark.
Collier	Hersey	Oldfield	Taylor, Colo.
Connally	Hersman	Oliver	Taylor, Tenn.
Cramton	Hickey	Overstreet	Tillman
Crisp	Hoch	Padgett	Timberlake
Currie, Mich.	Holland	Park	Treadway
Dale	Huddleston	Patterson	Vinson
Darrow	Hull, Iowa	Porter	Walsh
Davis, Tenn.	Humphreys	Quin	Wason
Dickinson, Mo.	Jefferis	Ramsey	Watkins
Dominick	Johnson, Ky.	Ramseyer	Watson
Dowell	Johnson, Wash.	Randall, Calif.	Weaver
Edmonds	Jones, Tex.	Rayburn	Webster
Esch	Kearns	Ricketts	Welling
Evans, Mont.	Kincheloe	Robinson, N. C.	Whaley
Fairfield	Kinkaid	Romjue	White, Kans.
Ferris	Kraus	Rouse	White, Me.
Fess	Lanham	Rucker	Wilson, La.
Fields	Lankford	Sabath	Wingo
Fisher	Lee, Ga.	Sherwood	Winslow
Foster	Lehlbach	Sims	Wood, Ind.
Freeman	Lesher	Sinclair	Wright
Fuller	Longworth	Sinnott	Young, N. Dak.
Garrett	McCulloch	Smith, Mich.	Young, Tex.
Good	McDuffie	Steagall	
Green, Iowa	McLaughlin, Mich.	Stedman	
Griest	McLaughlin, Nebr.	Stephens, Miss.	

ANSWERED "PRESENT"—1.

Benson

NOT VOTING—133.

Anderson	Dyer	Kleczka	Riddick
Andrews, Md.	Eagle	Kreider	Riordan
Anthony	Ellsworth	Lampert	Rodenberg
Ashbrook	Elston	Larsen	Rowan
Bacharach	Fish	Little	Rubey
Baer	Gandy	Lonergan	Sanders, Ind.
Bland, Ind.	Gard	Luhring	Sanders, La.
Britten	Garner	McAndrews	Scully
Brumbaugh	Godwin, N. C.	McKeown	Sears
Byrnes, S. C.	Goodall	McKinley	Sells
Byrns, Tenn.	Goodwin, Ark.	Madden	Small
Caldwell	Gould	Magee	Smith, Ill.
Candler	Graham, Pa.	Maher	Smith, N. Y.
Cantrill	Greene, Vt.	Major	Snyder
Carew	Hamill	Mann, S. C.	Steele
Carss	Hamilton	Mason	Stiness
Carter	Harreld	Merritt	Sullivan
Casey	Hill	Montague	Thomas
Clark, Mo.	Hoey	Moon	Tincher
Classon	Howard	Mooney	Towner
Cooper	Hudspeth	Moore, Va.	Upshaw
Copley	Hulings	Morin	Valle
Costello	Hull, Tenn.	Mudd	Vare
Crowther	Husted	Neely	Venable
Curry, Calif.	Jacoway	Newton, Minn.	Voigt
Davey	James, Mich.	Olney	Volstead
Dent	Johnson, S. Dak.	Pou	Walters
Dickinson, Iowa	Johnston, N. Y.	Rainey, Ala.	Welty
Donovan	Juul	Rainey, Henry T.	Wilson, Ill.
Dooling	Kahn	Rainey, John W.	Wise
Doremus	Keller	Ransley	Woodyard
Doughton	Kelley, Mich.	Reavis	
Drane	Kennedy, Iowa	Reber	
Dunn	Kitchin	Reed, N. Y.	

So the resolution was agreed to.

The following additional pairs were announced:

Mr. ANTHONY with Mr. POU.

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. KREIDER with Mr. OLNEY.

Mr. TOWNER with Mr. BYRNS of Tennessee.

Mr. GREENE of Vermont with Mr. CARTER.

Mr. VOLSTEAD with Mr. GODWIN of North Carolina.

Mr. BLAND of Indiana with Mr. GARD.

Mr. LITTLE with Mr. HOWARD.

Mr. KLECZKA with Mr. CARSS.

Mr. COOPER with Mr. RAINEY of Alabama.

Mr. TINCHER with Mr. RUBEY.

Mr. SANDERS of Indiana with Mr. EAGLE.

Mr. DICKINSON of Iowa with Mr. DRANE.

Mr. FISH with Mr. JACOWAY.

Mr. KELLER with Mr. HULL of Tennessee.

Mr. LUHRING with Mr. SMALL.

Mr. SNYDER with Mr. DONOVAN.

Mr. LAMPERT with Mr. MCKINLEY.

Mr. MUDD with Mr. LONERGAN.

Mr. SELLS with Mr. MANN of South Carolina.

Mr. REBER with Mr. MOORE of Virginia.

The result of the vote was announced as above recorded.

On motion of Mr. IRELAND, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

H. M. VANDERVOORT.

Mr. IRELAND. Mr. Speaker, I call up House resolution 662.

The Clerk read the resolution, as follows:

House resolution 662.

Resolved, That there be paid out of the contingent fund of the House $1,200 to H. M. Vandervort for extra and expert services to the Committee on Invalid Pensions from June 6 to December 5, 1920, and during the third session of the Sixty-sixth Congress, as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

Mr. IRELAND. Mr. Speaker and gentlemen of the House, if these well-designed raids on the Treasury seem too numerous, I respectfully invite your attention to the fact that they are the accumulation of almost the entire session, and that I have not transgressed on your time hitherto save in very necessary instances, and then, I think, only twice. I make that explanation because I have a good many matters here, and they may seem on account of their number possibly excessive.

This is the usual resolution granted in favor of the pension examiner of the Committee on Invalid Pensions. It has been the custom in the past to grant them additional amount of compensation for the services rendered to the two pension committees of the House. I observe in the last committee report when the last appropriation was made that we predicted that for the short session the compensation would be $800. It was the thought of the committee, substantiated and supported by the chairmen of the pension committees, that the work had been so heavy that they were entitled to additional compensation of $1,200, and so the resolution was ordered reported.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

WAYNE W. CORDELL.

Mr. IRELAND. Mr. Speaker, I call up House resolution 660.

The Clerk read as follows:

House resolution 660.

Resolved, That there be paid out of the contingent fund of the House $1,200 to Wayne W. Cordell for extra and expert services to the Committee on Pensions from June 6 to December 5, 1920, and during the third session of the Sixty-sixth Congress, as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

Mr. IRELAND. This is a similar resolution for expert services to the Committee on Pensions.

The resolution was agreed to.

THOMAS M. HOLT AND JAMES KENAH.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 395.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, until otherwise provided by law, to Thomas M. Holt and James Kenah, majority and minority messengers in charge of telephones, respectively, the sum of $500 each per annum, payable monthly, as additional compensation.

With the following committee amendment:

Strike out "$500" and insert "$360."

Mr. IRELAND. Mr. Speaker and gentlemen of the House, I voted against this resolution in my committee, both for the amendment and the original resolution, but was outvoted. Ordinarily I should feel inclined to bring in a minority report, but I am one of those old-fashioned Republicans who does not know the difference between a caucus and a conference, and I love to be bound by the majority, and so I shall stand by my committee and their vote for the resolution.

The only objection is that you are advancing the telephone operators to the point in salary that many clerks of committees receive, and placing them on a par. In this instance you are voting for men rather than for positions, and it seems a dangerous precedent to set. If anything detrimental could be said against the recipients of these salaries it would be quite a different thing, but nothing but commendable things can be said of Mr. Holt, and I am sure that the same thing may be said of the other employee. If there are any faithful men who religiously and conscientiously, at all hours, serve the Members well it is the men referred to in this resolution.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution as amended was agreed to.

TELEPHONE PAGES.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts, which I send to the desk.

The Clerk read as follows:

House resolution 615.

Resolved, That the salaries of the two pages employed at the telephone booths of the House be $1,200 per annum: *Provided*, That the said salaries be paid out of the contingent fund of the House of Representatives until otherwise provided by law, and said increase to become effective from the beginning of the third session of the Sixty-sixth Congress.

Mr. IRELAND. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 5, after the word "law" strike out the comma, insert a period, and strike out all of the remainder of the resolution, lines 5 and 6, so that the resolution will read:

"*Resolved*, That the salaries of the two pages employed at the telephone booths of the House be $1,200 per annum: *Provided*, That the said salaries be paid out of the contingent fund of the House of Representatives until otherwise provided for by law."

Mr. IRELAND. Mr. Speaker, to be consistent, this resolution should be passed just as well as the one preceding it. These are two pages assigned to the cloakrooms for telephone service, and it creates only a very small additional charge upon the contingent fund. It simply raises their pay a trifle over that of the ordinary pages.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

EXTERMINATION OF INSECTS.

Mr. IRELAND. Mr. Speaker, I present also the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 617.

Resolved, That the Superintendent of the Capitol Building and Grounds be, and he is hereby, authorized and directed to make a contract for the extermination and banishment of insects from the House wing of the Capitol and the House Office Building at an expenditure not to exceed $1,700, payment to be made monthly from the contingent fund of the House of Representatives on vouchers countersigned by the Superintendent of the Capitol and approved by the Committee on Accounts.

Mr. IRELAND. Mr. Speaker, this was introduced at the request of the Superintendent of the Capitol, and I think needs no comment.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

AUGUST BUEHXE AND OTHERS.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 518.

Resolved, That there shall be paid out of the contingent fund of the House $500 to August Buehne for extra services rendered the Members of the House of Representatives during the year 1920, as employee detailed from the Government Printing Office.

With the following committee amendments:

Strike out all after the word "Resolution" and insert:

"*Resolved*, That there shall be paid out of the contingent fund of the House $200 to each of the following-named employees, detailed from the Government Printing Office to the House of Representatives: August N. Buehne, William S. Smith, Harry A. Gwin, Benjamin F. Dorsey, Martin J. McAndrews, Martin F. McNamara, and Chester S. White, for extra services rendered to Members of the House of Representatives during the Sixty-sixth Congress in delivering to the Members the various pamphlets and other printed matter sent out by the Government departments.

The SPEAKER. The question is on agreeing to the committee amendment.

Mr. SISSON. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. SISSON. Is this the usual resolution?

Mr. IRELAND. I would say to the gentleman from Mississippi that it is not. These men are all detailed from the Government Printing Office and serve the Members of the House and sometimes the Members of the Senate. They work back and forth, as their duties seem to demand. There was one man who importuned the late lamented Dr. Foster regularly to get an additional payment each Congress, and the doctor's successor, Mr. BROOKS. An investigation by the committee showed that there were other men just as much entitled to this extra compensation as he. Their basic pay is about $950 a year, I believe.

Mr. SISSON. They get $240 as a bonus, and this is an extra compensation of $200.

Mr. IRELAND. That is correct.

Mr. TILSON. What services do they render to the Members of Congress?

Mr. IRELAND. They deliver all of the literature to the Members of both Houses.

Mr. JOHNSON of Washington. Is that a service? [Laughter.]

Mr. IRELAND. It is questionable in my mind. We were waited on by several Members of the House, who very vociferously so assured us and demanded that this compensation be given them, and they insisted that the service rendered was a valuable one to the Members. We can all agree that the basic pay is very low.

Mr. TILSON. I thought enough publications were delivered to us through the mail without having special-delivery messengers dump these things on us.

Mr. IRELAND. I do not use them myself, so I can not say.

Mr. SISSON. Mr. Speaker, as I recollect, this thing commenced when Dr. Foster got some extra pay for one man.

Mr. IRELAND. That is correct. He did that several times.

Mr. SISSON. Yes. Now, at the beginning, one man happened to do some meritorious service and it shows how this thing goes. That is why I call the attention of the chairman to this roll. Now, I did not count them, but I believe there are eight——

Mr. IRELAND. No; seven.

Mr. SISSON. I tried to keep it in my mind, but perhaps I was not accurate. Now, these seven men, in my opinion, are not rendering any service that would justify a detail of that many men from the Government Printing Office. Of course, I understand that if they deliver all of the matter they perhaps will be pretty busy.

Mr. IRELAND. They are all under the direction of the clerk in charge of the CONGRESSIONAL RECORD. He thought they did additional work. Personally, I believe the practice is deplorable and ought not to be indulged in.

Mr. SISSON. It is deplorable.

Mr. IRELAND. I fought this off as long and as hard as I could and I served notice on the several attorneys, Members of this House, who appeared for these men, that so long as the Committee on Accounts was so constituted as it is at the present time, that this would be the last depredation that will occur.

Mr. SISSON. Well——

Mr. IRELAND. I give that as my opinion and not that of the committee.

Mr. SISSON. I think it is a very bad precedent by Dr. Foster, and as much as I love him I did not like it at the time, and this just shows what one swallow will do.

Mr. IRELAND. And what it leads to.

Mr. KING. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. KING. Are these messengers serving all the Members of the House or a few Members of the House?

Mr. IRELAND. I think they are serving all of them, or so intend to do.

Mr. HICKS. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. HICKS. There was so much confusion I know I for one have not been able to find out what these men do. Where do they bring this stuff from and where do they take it?

Mr. IRELAND. From the Government Printing Office to the offices of Members. Much of the pamphlets and printed matter, hearings, and everything of that sort you receive at your office is brought there and delivered by these men.

Mr. LANGLEY. What are their salaries?

Mr. IRELAND. Nine hundred and fifty dollars I believe, or near that.

Mr. LANGLEY. That is not enough.

Mr. HICKS. Why does it not come through the mail?

Mr. IRELAND. I think that would be an unreasonable additional tax on our post office and I do not know that it is practical or economical.

Mr. HICKS. It is cheaper.

Mr. IRELAND. Oh, yes; decidedly.

Mr. PARRISH. Will the gentleman yield?

Mr. IRELAND. Gladly.

Mr. PARRISH. I might here state, in connection with the bill introduced for these men, that they are detailed from the Government Printing Office and placed under the charge of Mr. Smith, who has charge of the CONGRESSIONAL RECORD, and by reason of the fact they are so detailed it is not within the power of the officer of the Government Printing Office to increase their salaries with the increase of salaries of those who are directly under him. They, being under Mr. Smith, can not be given the increase of salaries which are given to the employees regularly under the Government Printing Office. It is said that some of these men have been working for the Government for 25 or 30 years, and their salaries are only about $950, not including the bonus. It was thought by the Committee on Accounts that there is an inequality in the salary of these men. It was stated by Mr. Smith, who came before the committee personally, that these men did hard manual labor and that every one of them is kept busy all the time, and their services are very necessary for the carrying on of the work of

the House; and our committee felt, in view of the fact that their salaries were not kept up with the employees in the Government Printing Office, it would be but just and right to allow these men some little increase so as to enable them to meet their obligations and take care of their families. It was stated that practically all of them had families, and some of them five and six in a family. Men who have been working for the Government for 25 and 30 years and getting a basic salary of about $950 are entitled to justice, at least, at the hands of Congress, and we could hardly do less than to give the $200 provided in this bill.

Mr. IRELAND. I wish to say in addition to what my colleague has so ably stated that some of these men suffer a loss of a dollar a day, or such a matter, by being detailed up there.

Mr. SISSON. I have no objection to these gentlemen getting their salaries increased by the $200. But I do not think salaries should be fixed in this way, nor do I feel because they are detailed that necessarily they lose their status in the Government Printing Office. I do not think the conclusion reached is the real, actual fact. But it shows the wickedness of detail. The Committee on Appropriations has made every effort in the departments of the Government to do away with this. We have to fight off the question of detail all the time. You never know how many employees we have. If these men are detailed to the House and Senate they ought to go off the printing roll and be on the contingent roll of the two Houses. Then we would know exactly what we are doing. It is utterly impossible to keep track of these things when you detail men. The trouble is that a certain Member of Congress will go down and get a man detailed to do certain work, and he comes up here after a number of years and complains about it. It is a bad precedent and a bad system that I am complaining about. I am not complaining about the extra $200.

Mr. BARBOUR. May I ask the gentleman whether these employees are those that come to the Office Building and bang down a big bundle of papers at your door—newspapers, and so forth?

Mr. IRELAND. I presume so.

Mr. BARBOUR. If they are, we ought to eliminate them. Every few days somebody comes down the hall over there and throws a big bundle of papers down in front of the door.

Mr. IRELAND. What kind of papers?

Mr. SMITH of Idaho. The distribution to which the gentleman from California refers is made by the pages. Every week they bring the RECORD through the corridors and, instead of laying it on the table in the Member's room, they slam it on the floor in front of the door.

Mr. BARBOUR. Whoever they are, they ought to be eliminated altogether.

Mr. HUDDLESTON. I would like to know what they deliver. I have never seen them.

Mr. IRELAND. Printed matter.

Mr. HUDDLESTON. From where?

Mr. IRELAND. From the Government Printing Office, such as hearings of committees and things of that sort.

Mr. HUDDLESTON. Do they deliver matter that comes from the folding room?

Mr. IRELAND. Yes.

Mr. HUDDLESTON. I was under the impression that the employees of the folding room delivered the stuff coming through the folding room. It does not come directly from the Government Printing Office?

Mr. IRELAND. No.

Mr. HUDDLESTON. I know of nothing that the Members receive directly from the Printing Office.

Mr. IRELAND. I think these men deliver matter from the folding room as well.

Mr. HUDDLESTON. Now, we ought to know that, because I do not know of anything else they could possibly do. If they are not connected with the folding room and do not deliver the stuff that comes out of the folding room, what is it they deliver?

Mr. IRELAND. I get none of it myself, but I know that when I was in the House Office Building great truck loads were passing all the time going somewhere.

Mr. HUDDLESTON. That is stuff coming from the folding room to the Members' offices, and, as I understand, is delivered by employees of the folding room. It is barely possible that these employees deliver Members' speeches to the folding room from the Printing Office, but they do not come to any Member's office. I would like somebody who knows what they do to tell us what it is, because I have never seen them.

Mr. IRELAND. I do not know where they come from or where they go. We only know from the superintendent who has charge there that they are busy in the discharge of their duties, ofttimes at night as well as their regular hours.

Mr. BLANTON. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. BLANTON. I can locate one of these gentlemen, I think. One of them is Mr. Buehne, who is inside of the House Office Building on the first floor, and who has charge of the little room where printing, stationery, and stuff comes for Members, and he delivers it. He is there from about 8 o'clock in the morning to sometimes after dark at night. I have seen him there.

Mr. IRELAND. Personally, I am not very anxious to find or locate any of them. I move the adoption of the resolution.

The SPEAKER. The question is first on agreeing to the committee amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States; to the Committee on the Judiciary.

S. 4694. An act for the relief of Samuel H. Dolbear; to the Committee on Claims.

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway; to the Committee on the Public Lands.

S. 4352. An act authorizing the Indians residing on or belonging to the Turtle Mountain Reservation, N. Dak., to submit claims to the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

S. 4186. An act to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River; to the Committee on Interstate and Foreign Commerce.

S. 4159. An act for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash.; to the Committee on Indian Affairs.

S. 3129. An act for the relief of Louisa Frow; to the Committee on Claims.

S. 2838. An act for the relief of Philip S. Everest; to the Committee on Indian Affairs.

S. 2340. An act for the relief of Richard Parke; to the Committee on Military Affairs.

S. J. Res. 229. Joint resolution authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit; to the Committee on Military Affairs.

S. 4991. An act for the relief of Kristina Furjak; to the Committee on Claims.

S. 4865. An act fixing the taxable status of lands received in exchange for lands formerly embraced in the grants to the Oregon & California Railroad Co. and the Coos Bay Wagon Road Co.; to the Committee on the Public Lands.

S. 4889. An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children; to the Committee on Military Affairs.

S. 4992. An act for the relief of William E. Lewis; to the Committee on Claims.

S. 4645. An act to authorize the Commissioners of the District of Columbia to close upper Water Street, between Twenty-first and Twenty-second Streets NW.; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15682. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922;

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes;

H. R. 13402. An act for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.;

H. R. 15872. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922; and

H. R. 1856. An act for the relief of Arthur J. Burdick.

CONTINGENT FUND OF THE HOUSE.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Joint resolution (H. J. Res. 416) repealing a limitation upon expenditures from the contingent fund of the House for certain supplies.

Resolved, etc., That the following provision in the legislative, executive, and judicial appropriation act approved July 16, 1914 (38 Stat., p. 462), be, and the same is hereby, repealed, namely:

"Hereafter it shall be unlawful for the Clerk of the House to pay out of any moneys of the House of Representatives any bills for laundry, furniture, supplies, or utensils used in the barber shops of the House Office Building or the House side of the Capitol."

Mr. HUDDLESTON. Mr. Speaker, I make the point of order that that is not a privileged resolution.

Mr. IRELAND. It is not a privileged resolution, and I asked unanimous consent for its consideration.

Mr. HUDDLESTON. I object.

The SPEAKER. The gentleman from Alabama objects.

Mr. IRELAND. Will the gentleman withhold his objection for a moment?

Mr. HUDDLESTON. I will reserve it.

Mr. IRELAND. Mr. Speaker, this seems to be a charge on the contingent fund. As a matter of fact, it is an effort to work economy, to repair chairs in the several barber shops that the Members of the House patronize—chairs which have fallen into bad repair. Several Members have fallen out of them and some of them have been slightly injured. [Laughter.] Very soon new furniture will have to be purchased if these repairs are not made.

The Clerk of the House and the disbursing officer have established a repair shop, which is doing wonderful work. Much of the furniture which you think is new about the Capitol is restored furniture. These chairs and other furniture about the barber shops might be repaired and put in good condition at a slight expense, thus avoiding the expense incident to the purchase of new furniture, if it were not for the existing law. That occurred through the peeve of some Member, who hung it on an appropriation bill as a rider. That is the whole intent of the resolution.

Mr. SISSON. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. SISSON. A session or two ago there was an effort made to require the barbers in the barber shops to pay for the laundering of their own towels and to furnish their own barber utensils, the feeling being that when we furnish the water and furnish the chairs and furnish the shops free of charge that is all that is necessary. The proposition contained in this resolution will simply enable the barbers, who are paid by the Members and other people who patronize them, to get that laundry done at the expense of the House. So far as the repairing of this furniture is concerned, there is no reason why that can not be done now without any resolution, because all the other furniture around the Capitol is being repaired now. So this resolution simply enables these barbers to have their laundering done at the expense of the House.

Mr. SNELL. Are these barbers on the pay rolls of the House?

Mr. IRELAND. I understand they are, as laborers.

Mr. SNELL. We pay them for their work in the barber shop, and they are paid in addition to that.

Mr. IRELAND. I believe they are on the rolls as laborers.

Mr. KING. Is it not a fact that they do work as laborers?

Mr. IRELAND. Yes.

Mr. SNELL. They get paid by the House, and we pay them. In that way they get double pay.

Mr. KING. The House does not pay them for their work as barbers, but for the work they do as laborers.

Mr. SNELL. How much work do they really do?

Mr. IRELAND. I do not know. I have not followed them around to see.

Mr. SNELL. I did not know but the gentleman knew something about it.

Mr. IRELAND. They have certain duties about the House. They clean the Hall of the House.

Mr. SNELL. It seems to me if we are paying them for their work as barbers, and if they are carried on the pay roll, they should at least pay for their own laundering.

Mr. KING. Does not the linen in the barber shop belong to the Government?

Mr. IRELAND. That is my impression.

Mr. KING. Why should the barbers pay for washing the Government's linen?

Mr. HUDDLESTON. Without discussing the merits of the proposed change in the law, how does the gentleman justify legislation coming from his committee? Does not the gentleman think it is bad practice for his committee to be proposing changes in the law?

Mr. IRELAND. I presume that is a proper criticism, though the Committee on Accounts is not prohibited from submitting legislative measures. It may be presumptuous——

Mr. HUDDLESTON. We have a number of committees here which are engaged in dealing with subjects of that kind, which come within their jurisdiction.

Mr. IRELAND. The gentleman can follow his own judgment about the matter.

Mr. HUDDLESTON. I hoped the gentleman would have some information that would indicate to me that this was not a proper case for an objection.

Mr. IRELAND. The gentleman must understand that the Committee on Accounts has to introduce a good many resolutions at the request of the employees of the House. Now, the Committee on Accounts is not running around to see that every wastebasket is emptied or that every laborer does his full duty in every little detail. We place confidence in the employees of the House in charge of such matters, and a reasonable request from them should not meet with disfavor.

Mr. HUDDLESTON. But the committee would not give countenance to a request which was beyond its jurisdiction, and it seems to me a request to recommend a change in the law is beyond the jurisdiction of the Committee on Accounts.

Mr. IRELAND. This resolution was referred to the Committee on Accounts. We did not question the Speaker's judgment in so referring it.

Mr. HUDDLESTON. I think I will have to insist on my objection.

The SPEAKER. The gentleman from Alabama objects. Has the gentleman from Illinois anything further to present?

Mr. IRELAND. No.

TELEGRAPHS AND TELEPHONES.

The SPEAKER laid before the House the following message from the President, which was read and referred to the Committee on the Post Office and Post Roads:

To the Senate and House of Representatives:

Pursuant to the provisions of an act of Congress entitled "An act to repeal the joint resolution entitled 'Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor,' approved July 16, 1918, and for other purposes," approved July 11, 1919, I am transmitting herewith a report made by Albert S. Burleson, Postmaster General of the United States, supplementing the report of October 31, 1919, and giving a final account and report of the financial operations of the telephone and telegraph systems by the United States during the period beginning August 1, 1918, and ending July 31, 1919, and of the expenditures from the appropriation in the act approved June 5, 1920, reading as follows:

For payment of the deficit incurred in the operation of the telegraph and telephone systems during the period of Government control and to carry out the provisions of the joint resolution approved July 16, 1918, and the act approved July 11, 1919, with reference to just compensation to the owners of the telegraph and telephone systems for the supervision, possession, control, and operation of their properties by the United States during the period beginning midnight, July 31, 1918, ending midnight, July 31, 1919, $14,000,000, to remain available until June 30, 1921.

WOODROW WILSON.

THE WHITE HOUSE,
25 February, 1921.

NOTE.—Report accompanied similar message to the Senate.

CONTESTED-ELECTION CASE—FARR AGAINST M'LANE.

Mr. DALLINGER. Mr. Speaker, I desire to call up the contested-election case of Farr against McLane, tenth congressional district of Pennsylvania, and I move the adoption of the resolutions at the end of the report of the committee.

The SPEAKER. The gentleman from Massachusetts calls up the contested-election case of Farr against McLane and moves the adoption of the resolutions which will be reported by the Clerk.

The Clerk read as follows:

House resolution 697.

Resolved, That Patrick McLane was not elected a Member of the House of Representatives from the tenth congressional district of the State of Pennsylvania in this Congress and is not entitled to retain a seat herein.

House resolution 698.

Resolved, That John R. Farr was duly elected a Member of the House of Representatives from the tenth congressional district of the State of Pennsylvania in this Congress and is entitled to a seat herein.

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent that debate on these resolutions be limited to two hours and a half, one hour and a half to be controlled by the gentleman from North Carolina [Mr. ROBINSON], a member of the committee, who will yield part of his time, as I understand, to the contestee, who is a Member of the House, and the other hour to be controlled by myself.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that debate on this case be limited to two hours and a half, one hour to be controlled by himself and an hour and a half by the gentleman from North Carolina [Mr. ROBINSON]. Is there objection?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, may I ask the gentleman from Massachusetts, if this time is agreed to, whether there will be anything taken up to-night other than to dispose of this contested-election case?

Mr. DALLINGER. I understand that the conference report on the immigration bill is coming in.

Mr. MONDELL. We hope to dispose of the conference report upon the immigration bill.

Mr. JOHNSON of Washington. Mr. Speaker, further reserving the right to object, is it not possible to reduce the time for debate to two hours, inasmuch as the committee has filed a unanimous report?

Mr. DALLINGER. The only reason that I have asked for two hours and a half is to be fair to the contestee. The members of the committee on both sides want to speak, and I thought if we would give the gentleman from North Carolina an hour and a half, he could take care of the contestee [Mr. MCLANE] out of that time.

Mr. CANNON. How about the contestant? Ought he not have a chance to air his immortality? [Laughter.]

Mr. DALLINGER. I understand that, inasmuch as it is a unanimous report, the contestant does not desire to be heard.

Mr. MONDELL. The report is unanimous?

Mr. DALLINGER. Yes.

Mr. MONDELL. It does not seem that so much time is required. Does not the gentleman think it would be possible to get along with two hours?

Mr. DALLINGER. How much time does the gentleman from Pennsylvania [Mr. MCLANE], the contestee, desire?

Mr. ROBINSON of North Carolina. He has stated that he would want at least 30 minutes. Of course, if he does not consume all of that time, he will yield it back. Judge BLAND of Virginia wants 30 minutes; he is a member of the committee.

Mr. SISSON. Mr. Speaker, in view of the fact that the contestee has a unanimous report against him, I think the chairman of the committee has been eminently fair in giving such time as will enable the contestee to have an opportunity to speak.

Mr. DALLINGER. Mr. Speaker, I do not consider that I have made an unreasonable request under the circumstances.

Mr. EMERSON. This just beats this man out of a week's pay. That is about all it is, and I do not see why it is such an important matter.

Mr. KNUTSON. But there is a principle involved.

Mr. DALLINGER. Mr. Speaker, I repeat my request.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the time for debate be limited for two hours and a half, one hour to be controlled by himself and an hour and a half by the gentleman from North Carolina.

Mr. DALLINGER. And that at the end of that time the previous question be considered as ordered on both resolutions.

The SPEAKER. And that at the end of that time the previous question be considered as ordered on both resolutions. Is there objection?

There was no objection.

Mr. DALLINGER. Mr. Speaker, I am very sorry that this case has come up at a time of the day when there is a small attendance of Members of the House, because I understand there has been some criticism in regard to delay in reporting upon and disposing of contested-election cases. The question of contested-election cases is determined by a statute passed by the Congress. We have three Committees on Elections. For a long time in the history of the country there was but one Committee on Elections. Three committees were created because of the fact that one committee was totally unable to take care of all of the contests before the expiration of the Congress. These contested-election cases are matters involving fact and law, and the Committees on Elections are judicial tribunals. They act as both judge and jury. After having heard the facts and applied the law, they make their report to the House, and the House either accepts or rejects their report. It is a difficult task to exhaustively investigate and report on one of these contested-election cases, and I want to say for the Committee on Elections No. 1, of which I have the honor to be chairman, that no criticism whatever can be justly made against that committee for any delay in this case. This is the sixth report that we have made in this Congress. We have been constantly at work from the time the first session of the present Congress was called down to the present moment.

This case of Farr against McLane came to us late last spring. It was a case with a very voluminous record. I hold in my hand the record of the testimony, 1,371 pages of fine print, and in addition we had sent to us two great mail sacks of exhibits containing voting lists and poll books. The committee took up this case and the different districts involved were referred to subcommittees, each consisting, as far as possible, of one Republican and one Democrat. The committee worked until the adjournment of Congress in June. At that time we had not anywhere near finished the case. Just as soon as Congress came together in December we went to work at it again, and I have worked night and day and some other members of the committee have, in order to try and get this report made to the House.

Since our report was made we have been waiting for some little time to get a chance to have the report acted upon. To be sure, we had the right of way under the rules of the House, but we felt, in justice to the House, that we ought to let the conference reports on appropriation bills be taken up first because they had to go back to conference while contested-election cases are finally disposed of on the floor of the House.

Mr. Speaker, it has been a source of pride to me that with the exception of the case of Bodenstab against Berger, which we have just finished, where one Republican member of the committee filed a minority report, we have in every case had a unanimous report. Our committee has endeavored to consider and decide these election cases absolutely on their merits regardless of any partisan or personal considerations. Although the Committee on Elections No. 1 consists of six Republicans and three Democrats, we brought in a unanimous report in favor of the sitting Democratic Member, Mr. BLAND of Missouri. We brought in a unanimous report in favor of Mr. MAJOR, of Missouri, another Democratic sitting Member. And now we are asking your favorable consideration of a unanimous report unseating a Democratic Member from the State of Pennsylvania and seating his Republican contestant.

If there ever was an occasion when the membership of this House is obliged to rely on the committee, it is a case like the present, involving a large number of election districts, in most of which the contestant claims there was fraud and illegality, and a few in which the contestee claims there was fraud and illegality, and in all of which we had to see whether the claims in the briefs were substantiated by the testimony. In order to give you some idea of the magnitude of this case and the immense amount of work involved, I want to call attention to the fact that the contestant's brief—which, I may say, is one of the most complete and clear briefs I ever had the good fortune to see, where he makes his specific charges in each district and gives the pages of the testimony upon which he relies—contains 306 printed pages. I want to say that the committee, in making its report, has given the benefit of the doubt to the contestee in every case. Personally, I believe that there were a great many more illegal votes than the 1,006 which the committee found and specifies in the report.

Mr. DEWALT. Will the gentleman yield?

Mr. DALLINGER. I will.

Mr. DEWALT. The gentleman speaks of 1,006 illegal votes. What evidence was there that there were that number of illegal votes—upon what ground were they cast out?

Mr. DALLINGER. On various grounds.

Mr. DEWALT. Will the gentleman specify one?

Mr. DALLINGER. There were a good many cases where men were returned as having voted on the poll books who, on their own testimony, never voted at all. I may say, in passing, that under the laws of Pennsylvania the election officials are supposed to write down the names of the voters as they appear at the polls.

Mr. DEWALT. I think the gentleman is wrong about that. If he will permit me. I do not mean to say that his knowledge of the Pennsylvania laws is less accurate than mine. The system is this, that as the voter appears he is asked to deposit his ballot. He has been registered, either as a Democrat or as a Republican or as a nonpartisan; and then he asks for his ballot. But there is no registration at the time he deposits that vote as to what party affiliation he belongs to.

Mr. DALLINGER. I was not referring to the party affiliation. The poll book is numbered consecutively, and when the voter comes to the polling place the election officials write down his name as voter No. 1, and so forth.

Now, where it was charged by the contestant that a man whose name appeared on the poll book as having voted did not vote on election day, and he was summoned in to testify and testified that he was sick in bed with the influenza, an epidemic of which was raging at the time of this election, and did not vote, the committee considered that was evidence that somebody else voted on his name, and that it was an illegal vote. There were also numerous cases of men who were fighting overseas and their names were voted on.

Mr. STEVENSON. Will the gentleman yield?

Mr. DALLINGER. I will.

Mr. STEVENSON. As to the man whose name was on the ballot as having voted and did not vote, was there any evidence to show for whom he voted, or was it because some fellow impersonated this voter when he voted?

Mr. DALLINGER. I will come to that.

Mr. DEWALT. Supplementing that, if the gentleman will allow me to interrupt him.

Mr. DALLINGER. Certainly.

Mr. DEWALT. The gentleman has spoken of 1,006 votes?

Mr. DALLINGER. Yes.

Mr. DEWALT. Could the committee determine for whom those 1,006 votes were cast?

Mr. DALLINGER. I am coming to that in just a moment.

Mr. DEWALT. Very well.

Mr. DALLINGER. There were a great many cases where minors under 21 years of age were induced to make false affidavits and then permitted to vote.

Mr. DEWALT. Will the gentleman allow another interruption? Without regard to the specific fact that certain people voted who were not entitled to vote, it seems to me that the basic question is this, For whom did those people vote?

Mr. DALLINGER. I am coming to that.

Mr. DEWALT. I would like for the gentleman to come to it now.

Mr. DALLINGER. I will come to that in a moment when I have answered the gentleman's first question. There were a great many cases in the districts mentioned in the contestant's notice of contest and in his brief and substantiated by the testimony where a large number of men were permitted to vote whose names were not on the voting list and who did not make any affidavit on election day before the election officials as required by the laws of the State of Pennsylvania.

Mr. DEWALT. Another interruption.

Mr. DALLINGER. Certainly.

Mr. DEWALT. Is the gentleman now through? Has the committee definite information as to whom or for whom these people voted?

Mr. DALLINGER. Just a minute; let me complete my answer to the gentleman's first question.

Mr. DEWALT. I know the gentleman is coming to that, but I would like to know this now.

Mr. DALLINGER. There were a great many cases of unnaturalized persons who testified that they said that they were unnaturalized and protested that they had no right to vote, but who were told that they could vote and were taken to the polls after having been treated at one of the hotel bars in the neighborhood, and ballots were given to them and marked for them by the election officers themselves or by persons acting in collusion with the election officers. Now, it is perfectly evident from the testimony, verified by the committee by an examination of the original poll books and the voting lists and giving the benefit of every doubt to the contestee, that there were at least 1,006 illegal votes. Now, the question comes as to the method to be pursued by the committee.

Mr. DEWALT. Will the gentleman allow me?

Mr. DALLINGER. I am answering the gentleman's question now. There is a long line of State and congressional precedents which hold that where there has been a reckless and flagrant disregard of the election laws of a State an elections committee and a legislative body is justified in throwing out the entire returns from districts where such conduct has occurred on the ground that the returns from the districts in question are totally unreliable and that no certainty as to the truth of what took place at the election can be ascertained, and there is no State, I may add, where the courts have gone further in throwing out entire election districts because of such disregard of election laws by the officials as the gentleman's own State of Pennsylvania.

Mr. DEWALT. Well, our State is a Republican State, and that may be the misfortune of the fact, but will the gentleman allow me to inquire now. The gentleman has spoken of 1,006 illegal votes.

How many of those 1,006 were called before you? How many witnesses were called to prove the illegality of those 1,006 votes?

Mr. DALLINGER. I will say to the gentleman that we did not try the case all over again. As in all election cases, we went by the testimony taken in the congressional district in the manner prescribed by the congressional statute, and verified by an examination of the voting lists and the poll books.

Mr. DEWALT. Will the gentleman allow another inquiry?

Mr. DALLINGER. Certainly.

Mr. DEWALT. Before whom was this testimony taken, and by whom?

Mr. DALLINGER. It was taken in accordance with a congressional statute, before a notary public, where all the witnesses were examined by counsel for the contestant and cross-examined by the counsel for the contestee.

Now, in order that the House may understand what went on at this election, I want to call the attention of the Members to a sample piece of testimony printed on page 7 of our report.

Mr. STEVENSON. Will the gentleman yield?

Mr. DALLINGER. I will.

Mr. STEVENSON. Before you come to that, I want to ask this question: You made the statement that in nearly all the States where gross and palpable fraud is found in elections they throw out the whole election. Most of the States, when they make that holding, however, do not hold the contestant has the right to the office. When the whole thing is thrown out and held vicious for fraud, nobody has the office. On what ground does the gentleman place that?

Mr. DALLINGER. Mr. Speaker, in reply to the gentleman from South Carolina, I will say that perhaps he misunderstood me. If there has been fraud and illegality and reckless and intentional disregard of the election laws of a State in all the precincts of a congressional district, the gentleman is correct in the supposition that the committee would throw the entire vote of the district out and declare the seat vacant. But that is not the case here. In the city of Scranton, which comprises the larger part of this congressional district in the matter of population, where both the contestant and contestee reside, there is no charge on either side of fraud or illegality. It is only in certain election districts, peopled to a large extent by people not speaking the English language, where the issue was "wet and dry," that in order to beat this contestant because he voted for the prohibition amendment wholesale fraud was resorted to in the interest of the contestee. It was in those election districts where the contestant had no friend on the election board to protect his interests, because they were all wet men, whether they were Republicans or Democrats. It was in those election districts where this utter reckless disregard and violation of the election laws took place from the time the polls opened until they closed.

Mr. DEWALT. With due deference to the gentleman and without desiring to interrupt the course of his argument, may I quote from page 12?

The SPEAKER. Does the gentleman from Massachusetts yield?

Mr. DALLINGER. Certainly.

Mr. DEWALT. I quote now from page 12, in the last three or four lines of that page, in the summary, in which your committee has said:

> In a vast majority of these cases there is no way of ascertaining for whom these illegal votes were cast for the office of Representative in Congress.

Now, let me paraphrase that. If that be correct, and if that be the conclusion of your committee, how is your committee able to determine that the contestee is not entitled to this

seat by reason of the fact that you do not know as to whether these votes were for him or against him?

Mr. DALLINGER. I will say in answer to the gentleman that, following a long line of congressional and State precedents, in our opinion our committee would have been justified in throwing out the entire votes of all those election districts. Pursuing this method, John R. Farr, the contestant, is found to be elected by a plurality of 2,420 votes. Pursuing the method of rejecting no districts but deducting the illegal votes pro rata from the votes of the two candidates, John R. Farr, the contestant, is elected by a plurality of 476 votes. Pursuing the method adopted by the committee of rejecting entirely the returns of these districts where there was fraud and collusion, and deducting pro rata the illegal votes in those districts where there was simply the voting of persons not properly registered, John R. Farr, the contestant, is elected by a plurality of 1,454 votes.

Mr. DEWALT. Will the gentleman allow me to interrupt him again?

Mr. DALLINGER. Certainly.

Mr. DEWALT. Is that merely a personal opinion or is it based upon precedents in law?

Mr. DALLINGER. It is based upon precedents in law.

Mr. DEWALT. Now, where is the law for it?

Mr. DALLINGER. There are so many of them that I can not give them all to the gentleman. I will give him one, however, in the present Congress—the case of Tague against Fitzgerald, where because of colonization and illegal registration several precincts were thrown out. In the case of Wickersham against Sulzer, in the last Congress, the committee adopted the method of deducting illegal votes pro rata.

Mr. BEE. I understood the gentleman from Pennsylvania to read from the summary that in the majority of cases there was no way to ascertain. It seems, however, that your committee ascertained, as shown on page 11, that in the Carbondale district 8 illegal votes were cast for Farr, the contestant, and that in the fifth ward there were 3 cast.

Mr. DALLINGER. And we subtracted them all from Mr. Farr's vote.

Mr. BEE. You were able to ascertain the illegal votes cast for the contestant, but not for the contestee, and on that ask to have the contestee unseated?

Mr. DEWALT. Will the gentleman yield?

Mr. DALLINGER. Let me answer the gentleman from Texas first. The gentleman is entirely in error. In the cases in the city of Carbondale the contestee summoned these men. He claimed there were 73 illegal votes. Only a certain number of those did he see fit to summon. Those that he summoned testified and were asked for whom they voted.

Where they said they voted for John R. Farr, although they were on the voting list, the committee threw them out and deducted them from Mr. Farr's vote, because it was found, as a matter of fact, by the committee that they were illegally registered by the county commissioners; that they were put on the voting list by the county commissioners on sworn affidavits that they had been absent from the city or prevented by illness from going and registering during the three days that the board of registrars were in session in that particular locality; and therefore the committee found that they should not have been registered, for the reason that they were not prevented from registering by illness or unnecessary absence, although they were on the official voting list, and where they were shown to have voted for Mr. Farr we deducted them from Mr. Farr's vote.

RECESS.

The SPEAKER. The hour of 6 o'clock having arrived, the House stands in recess until 8 o'clock.

Thereupon (at 6 o'clock p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

CONTESTED-ELECTION CASE—FARR AGAINST M'LANE.

The SPEAKER. The gentleman from Massachusetts [Mr. DALLINGER] is recognized.

Mr. McCLINTIC. Mr. Speaker, this is a very important subject, and I think we ought to have a quorum here. I make the point of no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point that no quorum is present. Clearly there is no quorum present.

Mr. MONDELL. I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ackerman	Ferris	Kleczka	Reavis
Anderson	Fish	Kreider	Reed, N. Y.
Andrews, Md.	Flood	Langley	Rhodes
Anthony	Focht	Lehlbach	Riordan
Ashbrook	Fordney	Lonergan	Rogers
Ayres	Frear	Longworth	Rowan
Bacharach	Freeman	Luce	Rubey
Baer	Gallagher	Lufkin	Sanders, La.
Barkley	Gandy	Luhring	Sanders, N. Y.
Bee	Garner	McAndrews	Scott
Bell	Glynn	McFadden	Scully
Benson	Godwin, N. C.	McGlennon	Sears
Britten	Goldfogle	McKenzie	Sims
Browne	Good	McKinlry	Sinclair
Brumbaugh	Goodall	McKinley	Small
Butler	Goodwin, Ark.	McLeod	Smith, N. Y.
Caldwell	Goodykoontz	McPherson	Snell
Candler	Gould	Madden	Snyder
Cannon	Graham, Ill.	Magee	Steagall
Carew	Graham, Pa.	Maher	Steele
Casey	Griffin	Major	Steenerson
Clark, Mo.	Hamill	Mann, S. C.	Stevenson
Classon	Hamilton	Martin	Stiness
Cooper	Harreld	Mason	Strong, Kans.
Copley	Haugen	Mays	Strong, Pa.
Costello	Hays	Merritt	Sullivan
Crago	Hersey	Montague	Taylor, Ark.
Cramton	Hersman	Moon	Thomas
Crisp	Hill	Mooney	Timberlake
Curry, Calif.	Howard	Moore, Va.	Tinkham
Davey	Huddleston	Morin	Towner
Davis, Minn.	Hudspeth	Mott	Treadway
Dempsey	Hulings	Mudd	Vare
Denison	Hull, Tenn.	Nelson, Wis.	Venable
Dent	Husted	Nicholls	Vinson
Dickinson, Mo.	Ireland	Oldfield	Walters
Dominick	Jacoway	Oliver	Ward
Donovan	James, Mich.	Olney	Watkins
Dooling	Jefferis	Paige	Webster
Doremus	Johnson, S. Dak.	Parker	Welty
Doughton	Johnston, N. Y.	Patterson	Whaley
Drewry	Jones, Pa.	Pell	White, Me.
Dunn	Kahn	Peters	Wilson, Ill.
Eagle	Kelley, Mich.	Phelan	Wingo
Elliott	Kelly, Pa.	Pou	Wise
Ellsworth	Kendall	Purnell	Woodyard
Elston	Kennedy, Iowa	Rainey, Ala.	Yates
Esch	Kettner	Rainey, Henry T.	Young, N. Dak.
Evans, Mont.	Kiess	Rainey, John W.	Zihlman
Evans, Nev.	Kincheloe	Ramseyer	
Fairfield	Kitchin	Ransley	

The SPEAKER. Two hundred and twenty-four Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. DALLINGER. I reserve the balance of my time.

Mr. ROBINSON of North Carolina. Mr. Speaker, I yield 20 minutes to the gentleman from Virginia [Mr. BLAND], a member of the committee.

Mr. BLAND of Virginia. Mr. Speaker and gentleman of the House, there is a common ground on which I think Democrats and Republicans as patriots may meet to-night, and that is to do justice. [Applause.]

I have no doubt that it is the desire of every Member of this House, as it has been the desire of every member of this committee, to deal fairly, justly, and honestly between these respective contestants, regardless of party politics or any other issue that may be involved. The question is for you. If we have been wrong, reverse us. If we have been right, then find in accordance with the report of this committee.

If there is any man in this House who desires to serve on an election committee, I seriously question his sanity. [Laughter.] Gentlemen, this committee has been through a record of over 1,300 printed pages, and whatever others may have done, so far as I am concerned I say to you now, gentlemen, that I have read every line of that testimony and read every line of the briefs and have considered that testimony in connection with the briefs, in order to arrive if possible at a fair conclusion. [Applause.]

We have involved in this case on the part of the contestant 20 election districts. Some of those involve only the question of illegal voters, unregistered persons. Others involve the question of fraud.

Gentlemen, to consider this case in all of its aspects and in all of its bearings I submit that you have got to go back to the time when Mr. McLane announced himself a candidate for Congress.

Bear in mind that there was no nomination in prospect on the part of the Democrats. Mr. McLane saw Mr. Murphy, city editor of the Scranton Times, and desired that he should

announce that, if there were no other candidates, he himself would be a candidate. The evidence shows that they saw that Farr was riding as they say to a fall. Why? Because he had voted for prohibition and because he had voted in favor of the restriction of immigration or against immigrants coming into this country, to a certain extent, restricting them. Mr. McLane saw Mr. Murphy about running for Congress. He expressed his thought that rather than to go quietly around the country seeing this person and that person, knowing all the party workers he felt he could go to a large number of them and get their support, and that then by putting up an aggressive fight he would be able to win out. McLane had been a member of the Democratic county committee from time to time for a number of years. McLane contemplated considerable newspaper publicity as a part of his campaign, as evidenced by the testimony of his friend and supporter as follows:

A campaign for mayor upon that kind of a campaign that you now say you understand McLane means when he used the words aggressive campaign? Oh, yes; to go out before the people with newspaper publicity.

Now, gentlemen, when you go to the account that has been filed by the McLane campaign committee you find over $5,000—approximately $5,500—spent for advertising alone. The people who testified said that there never had been in that district such a newspaper publicity campaign, and that McLane was unable to get out but he made up in printers' ink what he lost in the way of holding meetings.

Why do I bring this to your attention, gentlemen? Just here let me say that I think there was too much money spent by all parties in this campaign. The Republican county committee spent too much money, but you can not connect Farr with it. The evidence is lacking to show that he knew anything more than his contribution and expenditure on his part of $2,000 that he contributed to the Republican county committee. There was a McLane committee that was organized in October, 1918. There was spent by this committee approximately $10,000. Every dollar of the McLane campaign committee except the sum of $200 was contributed by liquor dealers and by brewers.

Mr. O'CONNELL. Will the gentleman yield?

Mr. BLAND of Virginia. No; I can not yield, I have only a limited time and I want to conclude, so that Mr. McLane may have an opportunity to reply to what I say. Mr. McLane, I submit, was charged with knowledge of this enormous expenditure. He saw the advertisements daily appear in the newspapers; he carried Mr. O'Toole, the man who made the cartoons, to the Democratic county committee.

These committees were holding their sessions at two places. McLane says that he knew nothing about the McLane campaign committee. His own friend, Huffnaegel, testified that he was present at the Hotel Casey at meetings of the county committee along with the McLane campaign committee. Can he say, gentleman, when the McLane campaign committee was meeting a block and a half down the street from the headquarters of the Democratic county committee—the two headquarters being maintained in the same town, within a block and a half of each other—that he did not meet the McLane committee in connection with the Democratic county committee? Can he say that he did not know that there was a McLane campaign committee?

Furthermore, you will find over $5,000 of newspaper advertisement paid by a man by the name of Bosack, who was a member of the McLane committee, and it was paid back by the McLane campaign committee.

That is the situation, and I can only touch it in the high places. Do you think under these circumstances he would not know of the existence of the McLane campaign committee? There is no evidence, so far as Farr is concerned, beyond his contribution of $2,000 to the Republican county committee.

Now, gentlemen, I must go on. The illegal votes have been deducted proportionately, and that matter has been discussed. I will not discuss it further.

Gentlemen, I want to call your attention in connection with this situation to some of the evidence to show fraud at some of these precincts.

Mr. GARRETT. Will the gentleman yield?

Mr. BLAND of Virginia. I have but very little time.

Mr. GARRETT. Is there any evidence as to the amount which the Republican committee expended?

Mr. BLAND of Virginia. There is an account that the Republican committee spent approximately $10,000, and I say they spent too much. I think somebody ought to be prosecuted, and if the law does not provide for prosecution, it should; but how can you hold Farr responsible when his contribution is the sum of $2,000 and there is no evidence to show any further knowledge on his part?

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. BLAND of Virginia. I can not yield any further.

Mr. LINTHICUM. But the gentleman talks all on one side and will not answer any questions.

Mr. BLAND of Virginia. I am going to present the case as I see it, and if gentlemen want to vote the other way, they can do it. It is entirely immaterial to me.

Mr. LINTHICUM. We will do it, all right.

Mr. BRAND. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman has declined to yield.

Mr. BLAND of Virginia. I decline to yield.

Mr. BRAND. But the gentleman did not decline to yield to me.

Mr. BLAND of Virginia. I can not possibly yield. My time is almost up now. I want to call attention to some of the evidence of fraud. I wish it were possible to read all of this evidence—how man after man was approached and asked to go to the polls in these different precincts where the vote was thrown out on account of fraud. In reply to the request to vote, the man would answer, "I am a foreigner; I am an alien; I have only my first papers," and yet the reply always came, "Why this is a wet and dry fight; go ahead; everybody is voting to-day"; and in other cases it was, "Wilson has asked everybody to vote, and everybody is going to vote." Here is just one precinct that I want to call attention to, Olyphant Borough, fourth ward. This is one of those which was thrown out. There were 46 more votes in the ballot box than there were names on the voting list. On the voting list there were contained the names of 204 persons.

There were such strong evidences of fraud at this precinct that, in my opinion, the returns must be rejected. Attention has been directed to the presence in the ballot box of 46 votes more than appeared on the voting list. The voting list was numbered. From numbers 1 to 23, inclusive, names appeared, then from 24 to 75, both inclusive, no names appear. The last name appearing on the voting list was opposite No. 256, but 52 names had been omitted. It appears from the evidence, page 377, that on the first page of the voting list there were 23 names; on the second page, none; on the third page, none; on the fourth, fifth, sixth, seventh, eighth, ninth, and tenth pages, 25 names each; and 6 on page 11; making 204 names in all. There were two blank lines on the first page. That night when the ballots were counted there were three more ballots than stubs. The officials would not sign the returns for this reason until the Monday following the election, when they signed under direction of the court. When they were in court, however, no one called the attention of the court to the fact that there were only 204 names on the voting list.

According to Onze, judge of election, when the election was over the stubs were counted, and they were found to be 204, page 332. This is significant, for it corresponds identically with the number of voters whose names were actually on the voting list. When it was seen that the stubs were 204, they looked at the last number on the voting list and found it to be 256. Then there were a few men who started to holler about it, that there were so many stubs short, and a few seconds after Charlie Simons walked around and picked up a pad of stubs from the floor near Charlie O'Boyle, and between him and the box. Onze had been handing out the ballots, and he had been separating them from the stub with a ruler and knife.

The stubs which were found on the floor were uneven and had been torn off (333). The edges were ragged. There were around 50 of these ballot stubs. These 50 brought them to about 3 or 4 of the voters as shown by the last name on the voting list. It will be remembered that in part there were 204 names on the voting list, but the last name appeared on line 256, so that it looked as though there were 256 votes so long as the list was not examined. The stubs first found on the table correspond with the actual number of voters but not the apparent number of voters. When the 50 stubs were found on the floor the stubs were 254, or 2 less than the apparent number of voters and 4 more than the actual ballots in the box.

This witness and the majority inspector say that they did not find out that night that there were only 204 names on the list. They were 10 or 15 minutes trying to find the stubs, and picked them up by the chair of Charley O'Boyle. Charlie O'Boyle picked them up. According to the witness, Onza, the names 1 to 23 on the voting list were in O'Boyle's handwriting, except one name. The names from 76 to 157 were in O'Boyle's handwriting, except Nos. 105 and 106. At the time O'Boyle picked the stubs off the floor Ernest Simons, Republican watcher, said: "Well, you might be able to do that in Jessup, but you can't do it here."

According to Hartman, Republican watcher, Simons, another Republican watcher, picked up the ballots where O'Boyle was sitting. There was picked up a pad of stubs containing 50, he thinks, and he says, page 322:

It was a pad and the stubs picked off the floor was tore off ragged, where the other pads were tore straight. There was a ruler used to tear the stubs off.

Again the witness says that those that were picked off the floor were not the same as the judge had cut; they were torn off ragged, while he had cut them off with a knife.

The witness knew nothing of the blank pages on the voters' list.

This witness also says:

There was ballots read that come out of the box when they were counting them that had the ragged edge that would correspond with the ragged edges of the stubs on the floor (p. 323).

It is fair to state that there is evidence that after the polls closed at night the ballot stubs and different things were thrown on the floor. Simons says he put in a kick, and they were picked up. The floor was practically clean, so far as he could see. This was before the stubs were found. After the ballot stubs were counted there were 204, and everybody expressed surprise, as there appeared to be 256 names on the voting list. Mr. Simons says:

There was two hundred and fifty and some names on the list and 204 ballot stubs; and Mr. O'Boyle arose, and when he did I looked alongside of where he was sitting and I seen something rolled up, and I walked around behind the chair and picked it up, and I used the expression, "What the hell is this?" and I threw it on the table. It was fifty and some ballot stubs.

The witness says they were rolled up, and he straightened them out and counted them. This witness also says that they did not count the names on the voting list; they simply looked at the last name and number.

This witness also says that after dinner on election day he had a conversation with Charley O'Boyle. The witness says (p. 345):

He wanted to know who I was working for, and I told him a straight Republican ticket, and he asked me would I have any objections to going along on swapping votes, and I said what did he mean, and he said to give the votes in the box to McLane if he would give them to me for Davis. I asked if the Republican overseer was in on that, and he said, "Yes," and I said I could not give him an answer on that. It surprised me that the Republican overseer was in on a deal like that, and I walked away and left him.

That is the evidence at one of these precincts. If you will go to others, you will find where election officers were out asking men to come to vote, and when the men told them that they were not qualified to vote, that they were aliens——

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. BLAND of Virginia. Mr. Speaker, will the gentleman yield me five minutes more?

Mr. ROBINSON of North Carolina. I yield five minutes more to the gentleman.

Mr. BLAND of Virginia. Take some of these precincts, and you find what? You find men who were fighting on the other side who were apparently there voting that day; you will find again and again the names there of men who were dead who were voting on that day. That is the evidence. It should be considered. I could go on and take up these precincts one by one, and you will find that this evidence of fraud permeates all, and the question was, "Come on and vote, it is wet and dry to-day; come on, you want to vote wet."

Gentlemen, it was not a fight between the Republican and the Democratic Parties, it was a wet and dry fight. I wish it were possible to go on and give you all of the evidence in this case. I believe the committee has been as fair as it possibly could be. I know that I have studied this record as I never studied a record before in any case. The chairman of this committee has given every consideration to the other side in extending all of the time possible to examine these names.

Mr. BURKE. Mr. Speaker, will the gentleman yield?

Mr. BLAND of Virginia. I have only five minutes; I can not yield now. Well, I will try to answer the gentleman's question.

Mr. BURKE. I understand the gentleman to say that it was a wet and dry fight back in Scranton between Mr. Farr and Mr. McLane.

Mr. BLAND of Virginia. I do not recall that there is any evidence as to the Scranton district. I will say this: That it was a wet and dry fight in every one of these precincts that are in question here, and if you read the record you will find that to be so.

Mr. BURKE. How many dry members are there on this committee? [Laughter.]

Mr. BLAND of Virginia. I do not know anything about that. I have not considered that.

Mr. BURKE. Was there any other issue between these two men back in Scranton submitted to the committee?

Mr. BLAND of Virginia. The issue was fraud, which is all along the line, as in the Olyphant Borough, which I have read here before this committee. Any other issue? If you are casting votes in the name of dead men, I submit there is another issue.

Mr. BABKA. Is there any evidence who these fellows voted for?

Mr. BLAND of Virginia. No; we did not bring any of the dead back to life to testify. It was impossible to find out who was casting the vote for the dead men.

Mr. BABKA. But did they vote for Farr or for McLane? For whom did they count the votes?

Mr. BLAND of Virginia. If a vote is cast in the name of a man who is in the cemetery, how can they find out who cast the vote? [Laughter.]

Mr. BABKA. But why charge McLane with it?

Mr. BLAND of Virginia. Because there is fraud, and so long as I am on an elections committee of this House I shall vote against fraud wherever it appears. [Applause.]

Mr. BABKA. Was there any evidence which one committed the fraud?

The SPEAKER. The time of the gentleman has expired.

Mr. MEAD. Mr. Speaker——

Mr. DEWALT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DEWALT. In order that I may be entirely explicit, there were 1,006 votes—am I correct?——

Mr. BLAND of Virginia. I do not recollect. The gentleman has the report, and he will have to verify that.

Mr. DEWALT (continuing). Declared to be fraudulent. According to the report of the gentleman's committee it is determined that they can not determine how those votes were cast. Is that true?

Mr. BLAND of Virginia. They have deducted them proportionately except in the precincts that were thrown out. I have been practicing law long enough to know that I can answer in my own way, and I shall.

Mr. DEWALT. Will the gentleman yield?

The SPEAKER. The time of the gentleman has expired.

Mr. DEWALT. I have heard from the chairman of your committee. I ask that the gentleman's time be extended one minute.

Mr. BLAND of Virginia. All right; I have no objection.

Mr. ROBINSON of North Carolina. I yield one minute more to the gentleman from Virginia.

Mr. DEWALT. I understand from the argument that 77 witnesses have been examined out of 1,006. The testimony preserved by the committee is 77 out of 1,006——

Mr. DALLINGER. That is not correct; I did not——

Mr. DEWALT. Now, then, the committee has passed upon the evidence as presented. The committee determined by the testimony of 77 out of 1,006.

Mr. BLAND of Virginia. It is determined by the evidence of witnesses both sides introduced. If there were any other witnesses Mr. McLane wanted introduced before the committee, they could be summoned and the evidence taken. This committee arrived at its conclusion upon the evidence that came before it. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

Mr. ROBINSON of North Carolina. Mr. Speaker, I yield 30 minutes to the gentleman from Pennsylvania [Mr. McLANE], the contestee. [Applause.]

Mr. McLANE. Mr. Speaker and gentlemen of the House, I am going to read from a prepared statement for about 15 minutes. After that I will permit any Member of the House to ask any question that he sees fit to ask pertaining to this contest. In order to clear up the few things which have been said by the gentleman from Virginia [Mr. BLAND] and the gentleman from Massachusetts [Mr. DALLINGER] relative to throwing out the votes which they claim were illegally cast, I would like both of them before I proceed to state specifically, if they can do so, how many witnesses were called in the contest proceedings by the contestant and myself. I want to get this fact before the House. The committee disqualified 1,006 voters, when as a matter of fact only 358 witnesses were called by contestant in the entire contest proceedings. The contestant did not disqualify a sufficient number of votes to overcome my majority. With only 358 witnesses called, where does the committee get the evidence to disfranchise 1,006 voters?

The question that you are going to decide to-day is not the unseating of Mr. McLane or the seating of Mr. Farr. You are deciding a far more important question. You are deciding whether or not a legally elected Democrat from the tenth Pennsylvania district has a right to sit as a Member of this House.

I say this for the reason that I am the second Democrat elected from the tenth Pennsylvania district in 30 years. Hon. George Howell was the other, and he, like myself, had contest proceedings instituted against him and was unseated without any justification for the act because he was honestly and legally elected. Eighteen years later I was elected only to find that I am to meet the same fate.

I am told that politics cut very little figure in a contest case, and I believe this to be true. I am fully satisfied that no Member of this House has any desire to vote to unseat a man because of his political affiliations, nor do I believe it is the intention of the Elections Committee to do so. However, I do believe it is the lack of knowledge of local conditions on the part of the committee that prompts the making of such a report as was submitted to this House. That was shown in the Connell-Howell contest—18 years ago—and I shall try to prove to the satisfaction of the Members present that it happened in this case.

I am not going to take the position that I did not receive some illegal votes. Where more than 23,000 votes are cast some illegal votes are liable to creep in. However, I am of the opinion that Mr. Farr received as many of them as I did.

The testimony will show the only illegal act proven in the election was an act of illegal registration committed in the interest of Mr. Farr by Mr. Histed.

Mr. JOHNSON of Mississippi. What did they do, kill him so that he could not testify?

Mr. McLANE. No; they gave him a job, and incidentally Mr. Histed was never brought to trial, notwithstanding that he was indicted by the grand jury of our county. On the contrary, he was given a job at the capitol at Harrisburg for efficient work.

Mr. LUHRING. Is that in the record?

Mr. McLANE. Yes, sir; it is in the record.

Mr. DEWALT. Will the gentleman yield?

Mr. McLANE. If the gentleman will remain patient.

Mr. DEWALT. But I would like to know right now.

Mr. McLANE. If the committee had taken the time to compare the Republican registration in the various districts with the vote returned for Mr. Farr, particularly in the city of Scranton, it would show conclusively that he was not beaten because of any fraud committed in my interest, but because the Republican voters failed to support him. Mr. Farr did not poll his party vote in any district in the city. He did not even poll his party vote in his home ward, which is strongly Republican.

He, nor his attorney, does not allege that any illegal votes were cast in my behalf in the city of Scranton; yet he ran 3,892 votes behind his party registration.

I wish to call your attention particularly to the charge that I conspired with others to defraud Mr. Farr out of his seat in Congress. If exercising the right of citizenship is conspiracy, then I am guilty.

In Pennsylvania we have our primaries for Congress in the month of May preceding the November election. We were within a few months of the primaries with Mr. Farr as the only candidate in the field for Congress on either ticket. There was a feeling among Democrats that he was unbeatable and that he should be reelected without opposition. Upon hearing this I immediately announced in the Scranton Times, the Democratic daily, that if no other Democrat sought the nomination for Congress I would accept it. As no other Democrat came forward I became the Democratic nominee. If becoming a candidate in this manner is conspiracy, then I am guilty; otherwise I am not.

Every Member knows there is no foundation for such a silly allegation in a contest proceeding, and the thing that Mr. Farr should have said when making out his bill of particulars is that it is illegal for the majority of the voters of the tenth Pennsylvania district to vote against him.

No doubt he feels justified in charging the brewers and wet voters with conspiracy for deserting the Republican Party. But he seems to lose sight of the fact that he benefited by their support in the campaigns of 1910 and 1914. I want to assure you also that he willingly accepted their support in both campaigns.

I wish to call your attention to the charge that there were many nonregistered votes cast in my favor. This is a pure fabrication and was conceived by Mr. Farr's attorney, Mr. Mosher, who is a past master at the art of political manipulation and has a reputation in our community for being able to cleverly perpetrate any and all the illegal acts which he alleges were committed in my interest.

This is the same Mr. Mosher who, after being indicted by the grand jury with two other gentlemen for committing an illegal act in the interest of a friend some years ago, escaped going to jail because the memory of one of the witnesses failed; the other two were found guilty and went to jail. The witness whose memory failed was given a job on the police force in Scranton, which position he holds to this day.

Is it not very strange that none of the men who were charged with committing these illegal acts or election frauds were not called before the grand jury?

Mr. Farr, with his 35 years' political experience, is not the novice that he is endeavoring to make this House believe he is. He is fully aware of the fact that proof of fraud would strengthen his case with the committee.

Mr. Farr, having represented a Republican district for four terms in this House, was defeated by the voters of his own party faith in a year when the Republican Party increased their representation in this House. No doubt he was very much disappointed and came here for redress.

I did not defeat Mr. Farr. The voters of the tenth Pennsylvania district defeated him. The campaign was fought out on issues which Mr. Farr voted upon in this House. It is the privilege of this House to give Mr. Farr something denied him by the voters of the tenth Pennsylvania district in the general election of 1918 and the primaries of 1920.

In our testimony we have proven that Mr. Farr benefited by the illegal registration in the city of Carbondale and we assumed that other irregularities occurred. Therefore, I asked for a recount of the votes cast in the districts which I attacked in the city of Carbondale, but was denied that right by the Elections Committee No. 1.

Let me make a comparison of the vote cast for Mr. Farr in the city of Scranton with the Republican registration. In the city of Scranton we have personal registration. The city consists of 22 wards, 4 of which showed a Democratic registered majority and 18 a Republican majority. I carried 11 wards, and Mr. Farr carried 11. The total Republican registration in 1918 was 7,787; the Democratic, 3,054. Mr. Farr only carried the city by 753 votes, thereby losing approximately 4,000 votes. Mr. Farr also ran behind the Republican vote in every district in the county. Heretofore these districts always went Republican. In 1918 they gave me a majority.

Let me call your attention to Mr. Farr's home ward. He resides in the second district of the twenty-first ward, city of Scranton. He lost 40 votes in this district. His ward showed a registered Republican majority of 318; he carried it by 64, thereby losing 258 votes.

I also wish to call your attention to the eleventh and nineteenth wards of the city of Scranton. The Republican registered majority was 514. I carried these two wards by a majority of 340, thereby making a gain of 854 votes in both wards.

The committee in its report recommends the throwing out of whole districts because they believe many men voted who were not registered. That is, in their opinion, sufficient reason to disfranchise thousands of voters.

The statement made by contestant that many who were not registered voted is incorrect if the election returns of 1917–1919 and 1920 as certified by the prothonotary's office are correct; or if the registration figures taken from the Republican county commissioner's office is any criterion to go by, the allegations are not only untrue but are put in for the purpose of deceiving this committee.

I do not think I ought to read the vote cast, inasmuch as it would take too long. So I ask unanimous consent, Mr. Speaker, that the figures be inserted in the RECORD.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

Mr. McCLINTIC. Mr. Speaker, I want to say that if the gentleman wants to extend the figures in the RECORD, I have no objection.

The SPEAKER. The Chair hears no objection.

	Ward.	District.	Congress, 1916.		Sheriff, 1917.		Congress, 1918.		Judge, 1919.		Congress, 1920.	
			Burschell, Democrat.	Farr, Republican.	Schlager, Republican.	Reap, Democrat.	Farr, Republican.	McLane, Democrat.	Maxey, Republican.	O'Neill, Democrat.	Connell, Republican.	McLane, Democrat.
Archbald	1	1	100	143	163	174	71	156	144	206	273	332
Do	1	2	78	160	159	84	5	226	139	156	171	148
Do	2	.....	253	56	68	355	18	318	21	447	67	834
Do	3	.....	72	49	78	104	11	190	55	135	91	291
Dickson City	1	.....	178	207	268	255	88	182	252	258	303	291
Do	3	.....	87	189	263	116	28	191	206	183	231	183
Dunmore	1	1	137	76	107	123	82	64	95	94	273	224
Do	1	2	85	32	164	91	17	127	29	79	89	154
Do	1	3	148	79	92	165	53	119	80	114	218	300
Do	2	2	104	37	39	129	12	105	115	101	84	239
Do	4	.....	30	19	7	48	2	50	3	46	8	59
Olyphant	1	.....	262	40	35	319	10	278	37	268	62	557
Do	3	1	83	84	68	195	38	161	116	139	104	255
Do	4	.....	64	206	185	93	112	135	215	133	356	435
Lackawanna Township	.....	1	167	28	43	239	11	239	24	234	28	256
Do	.....	2	92	32	28	124	7	106	17	134	45	467
Fell Township	.....	3	80	55	75	108	19	76	80	149	103	137
Throop	.....	.....	196	273	369	335	108	250	471	248	622	363
Winton	2	.....	162	104	179	251	24	196	169	259	137	534
Do	3	.....	141	94	184	137	16	184	153	243	145	345
Total	.....	.....	2,519	1,963	2,574	3,445	732	3,353	2,421	3,626	3,413	6,427

Mr. McLANE. Herein are the returns of the vote cast in the districts attacked for the years of 1917, 1918, 1919 and the male registration of 1920. The figures show plainly that there were hundreds of legal voters in these districts who did not cast a vote in the election of 1918. The returns show that less than 60 per cent of the voters cast their ballots in 1918. Only 23,000 out of the 40,000 voters cast their ballots. It was a Republican falling off, and I received the benefit of it.

Let us see what evidence the committee had to show that men who were not registered voted. Only the evidence of the county commissioners' clerks, and that evidence was so jumbled that it would not stand in any court. How did Mr. Mosher get his evidence? He was permitted to send a number of boys and girls to the county commissioners' office to make a copy of the registration books. The commissioners' clerks swore that said lists were certified copies of the registration books. The names on the supposed certified copies were then compared with the names on the voting check list, and if a letter was omitted in a name or a name misspelled, or even an "i" not dotted, the committee was led to believe that the men who voted were not on the registration books.

Mr. Farr did not call the county commissioners to testify to the correctness of the books. Why, gentlemen, 50 per cent of the legal vote of our district could be thrown out on this flimsy pretext, because I take it that about half of the names on the voting check lists are not spelled the same as they are on the registration books.

The evidence on page 550 will show how the testimony of John Lewis, a clerk in the county commissioners' office, got into the record. A careful perusal of it will prove that it was put in for the purpose of deceiving the committee.

That was conceived by Mr. Mosher and the clerks in the Republican commissioner's office for the purpose of deceiving this committee. Now, it is a well-known fact that in the districts attacked by Mr. Farr, in the election of 1916, when he was a candidate and was elected, they polled more votes in these districts than they did in 1918. They polled 1,800 more votes in 1917 than in 1918. They polled 2,000 more votes in the same districts in 1919 in the judicial contest. In the tenth congressional district in 1919 we polled 37,000 votes in a judicial contest against 23,000 in 1918.

Now, that is connected with a charge of Mr. DALLINGER that he did not have a man on the board anywhere. We have a law in Pennsylvania which permits both candidates to go into court and submit a name of an overseer and have him appointed by the court. He is the choice of the candidate or the party. So it disproves the statement of the gentleman from Massachusetts [Mr. DALLINGER] that he did not have a man in any of the districts.

The testimony of the Republican county chairman shows that Mr. Farr or the Republican county committee had a right to name a man in every election district to oversee the count as an additional safeguard.

The Republican chairman and the prothonotary said that the court appointed the men recommended by the Republican committee.

The returns show that Mr. Farr ran behind his party registration in every voting district in Lackawanna County except in the city of Carbondale, where the registration list was padded in his interest. We impounded the ballot boxes in these districts by a court order in the hope that we could have a recount of the votes made by Elections Committee No. 1. As I stated before, this privilege was denied us by said committee.

We feel that we should be granted the right to have a recount of the votes. Both sides in this contest called about the same number of witnesses. Contestant called about 358, and I called 330. Contestant did not disqualify a sufficient number of voters to overcome my majority, and the only way he can be seated is by throwing out the entire vote in the Democratic districts, as Elections Committee No. 1 has recommended. How easy, how unfair, and how dangerous that procedure is. A committee of this House, unfamiliar with conditions in the tenth Pennsylvania district, on the advice of a lawyer of questionable repute, disfranchised hundreds of legal voters in order to give a bonus to a defeated candidate.

Mr. Farr, through his attorney, Mr. Mosher, has tried to impress the Elections Committee with the idea that the foreign-born citizens of the tenth Pennsylvania district are undersirable citizens. There is no truth in this allegation. The contrary is true. These men mine our coal and ask only an opportunity to earn an honest living, and Mr. Farr or Mr. Mosher should not misrepresent them to this Congress simply because they think it bolsters up a bad case.

Most of them are Republicans, and have voted that ticket consistently for a good many years.

I am charged with conspiring with others to defraud Mr. Farr out of his seat in Congress.

I was a candidate from the 18th of May to the 5th of November and Mr. Farr never heard of a conspiracy until he was defeated. The conspiracy is as mythical as the McLane campaign—both came to life at the same time.

Mr. Farr, through the Scranton Republican, the Republican daily, called attention to the fact that this case was similar to the Newberry case when he started contest proceedings, as far as expenditure of money was concerned. I am not prepared to say whether it is or not; but I am prepared to say this, that I was not in position to violate the corrupt-practices act when I accepted the nomination. The gentleman from Massachusetts [Mr. DALLINGER] alleges that if the act is not enforced in my particular case it will become a farce. Now, it is rather strange that a gentleman can sit over on the other side of the Capitol for almost two years, when everybody knows he violated the law, when he has been indicted, and yet it is a farce if a Democrat retains his seat, but it is good law if a Republican retains his.

Inasmuch as we touched on this phase of the contest, I want to call the attention of the Republican Members to the items of expenditure in the recent election.

In the recent election my successful opponent spent $32,000. I do not think you propose to put him out. I do not expect you will. There is no contest proceeding instituted against him. That is the fault of the lawmakers. He believes that by spend-

ing it through the Republican committee it is legal. At least, some of the gentlemen who made the unfavorable report on my case feel the same way about it.

Mr. BURKE. Will the gentleman yield?

Mr. McLANE. Yes.

Mr. BURKE. Is it your intention to contest the gentleman that is now elected to succeed you in Congress?

Mr. McLANE. I will say to the gentleman, no. The fight is all over and I am through. Two years hence I have redress if I see fit to take advantage of it.

His brother contributed $9,000 to the Republican county committee, his brother-in-law $13,500, and one of his mill foremen contributed $5,500.

Mr. OLDFIELD. Whose brother?

Mr. McLANE. His brother, not Mr. Farr. I am talking about the recent election. I am talking about the corrupt practices act.

Now, gentlemen of the House, if there is anybody on either side of the House who wants to ask any questions about this case I shall willingly answer.

I thought I had made it plain to the Members how I became a candidate. I became a candidate conditionally. Mr. Farr was about to be indorsed by the Democratic Party. Of course, I did not want that, and I said to the members of the Democratic Party, and particularly to Mr. Murphy, of the Scranton Times, that if no other Democrat would take the nomination, I would do so. In the meantime we would try to get somebody to run on the ticket.

Mr. JOHNSON of Mississippi. Mr. Speaker, I want to ask the gentleman a question.

Mr. McLANE. Very well.

Mr. JOHNSON of Mississippi. The record shows that you made a report to Congress that you expended $748.04. The record shows that the McLane campaign committee spent $12,800. Did you appear before the committee and make a statement in regard to that? Did you deny that?

Mr. McLANE. No, sir. I denied that because I could not truthfully say so. This is what happened. The gentleman from Virginia [Mr. BLAND] misstated the facts. This is what happened: The election was very quiet until the 18th of October. Then I commenced the campaign through the Democratic organization. I had absolutely no connection whatever with the campaign committee, and there is not a semblance of evidence to show that I ever solicited one dollar from this supposed campaign committee. As a matter of fact there was no such thing as the McLane campaign committee until the expense account was filed, and I was as much surprised as any other citizen in our community on seeing it.

Mr. JOHNSON of Mississippi. You had nothing to do with it?

Mr. McLANE. I had absolutely nothing to do with it.

Mr. JOHNSON of Mississippi. The Newberry case shows that there was over $100,000 spent in his behalf and that he had knowledge of a large part of it. He was tried by a Republican judge, convicted by a Republican jury, sentenced by a Republican judge to 10 years in the penitentiary, and yet there has been no charge brought against him in the Senate. I think that ought to go into the record.

Mr. McLANE. I want to say to the Members of the House that if I or any other Democrat in the tenth Pennsylvania district had violated any law, we would be brought before the grand jury and indicted. There is no question about that. Our district is strongly Republican, and I am the only Democratic official from that county. Every other man in the courthouse is a Republican, with the possible exception of a minority county commissioner, which the law provides we must have. Now, if Mr. Farr or the Republican committee of that county at that time, as they say, had no protection, I am at a loss to know why. [Laughter.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. McLANE. Will the gentleman from North Carolina let me have five minutes more?

Mr. ROBINSON of North Carolina. I yield to the gentleman five minutes additional.

Mr. CARAWAY. Has anybody been indicted for fraud in connection with the election?

Mr. McLANE. One Republican.

Mr. CARAWAY. Has he ever been tried?

Mr. McLANE. No. He was given a job at Harrisburg. [Laughter.]

Mr. CARAWAY. For being indicted?

Mr. McLANE. Yes. [Laughter.]

Mr. CARAWAY. I want to ask the gentleman another question. How much does the record show was spent for Mr. Farr in this campaign?

Mr. McLANE. About $10,400, I think. I am not certain about that. Approximately as much as I expended, or our supposed committee expended.

Mr. CARAWAY. And he was as close to that as you were to the other fund?

Mr. McLANE. Of course he was. [Laughter.]

Mr. DALLINGER. Is it not a fact that Mr. Farr had no campaign committee, and that the $10,000 to which you just referred was all the expense of the county committee for all the Republican candidates, from the governor down?

Mr. McLANE. I will say to the gentleman that that is a distinction without a difference. It was expended in his interest, just the same.

Mr. DALLINGER. Was not all the money expended by the Democratic county committee spent for you just the same?

Mr. McLANE. And for two other candidates. I had running with me a Democratic candidate for Senator, and we had a Democratic candidate for governor, who received the benefit of the money expended by the Democratic committee. The other committee I know nothing about.

The gentleman from Virginia [Mr. BLAND] laid particular stress on the point of the fourth ward of Olyphant. That ward is a Republican ward; always has been. I carried it by a small majority, I think a majority of 34, or thereabouts. That board is composed of a Republican judge, a Republican majority inspector, and a Democratic minority inspector.

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield for another question?

Mr. McLANE. Yes.

Mr. JOHNSON of Mississippi. Who controls the election machinery—the Republicans or the Democrats?

Mr. McLANE. The majority party in the district. Now six, I think, of the districts attacked, are Republican districts. The second district of the second ward of Archbald is a Republican district. The three districts of the Dickson City borough are Republican districts, and three of them are attacked; and incidentally I am informed that Mr. Farr sat with the third ward board of Dickson City while the votes were counted. Why, it seemed rather preposterous to think that one Democrat should defraud all those innocent Republicans in my district. [Laughter and applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. ROBINSON of North Carolina. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. MCCLINTIC], a former member of the committee.

The SPEAKER. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. McCLINTIC. Mr. Speaker and gentlemen of the House, I was a member of the Committee on Elections No. 1 when the greater portion of this testimony was heard. I feel that it is but fair to the House, to Mr. McLane, and to Mr. Farr that I should state just why I did not continue as a member of that committee until the time arrived to write the report on this case.

During the latter part of the month of December I was assured by the gentleman from North Carolina [Mr. KITCHIN] in the presence of the gentleman from Arkansas [Mr. OLDFIELD] that I would be given another committee assignment to fill a vacancy that existed at that time; and having confidence in the gentleman from North Carolina, I sent in my resignation to the Speaker. Then later on the committee met; some one threw me a curve, and from that time on I was left as a member of the Committee of the Whole. [Laughter.]

Mr. Speaker, it is unfortunate that two Members of Congress should have to contest for a seat in this great legislative body, and unless a person has had a contest for a seat in some legislative body, he can not have a conception of what one has to go through as a party to a controversy of this kind.

This House is confronted with a most remarkable spectacle here to-night. We have a man here whose seat is contested, standing alone, looking you all in the face and inviting every Member here to ask him any questions that they care to ask relative to this particular controversy. Not a single member of the committee stands by him, but he stands alone on the floor fighting single-handed for his rights, fighting in a way that entitles him to receive the praise of every Member who hears or sees his attitude in this connection. [Applause.]

What are the facts in this case? The gentleman who brought this contest has been a Member of Congress heretofore. He has had experience in filing campaign accounts, and so he files here a campaign account of his expenditures, not in his own name but in the name of the county committee, showing that $10,413.96 was collected by his county committee and that $9,768.16 was expended by that committee. And if you turn to the back of the report which is sworn to, you will find that not a single dime of this money was used in the furthering of the

candidacy of anyone else who made a contest for election in that year.

Contrasting that statement, we find here a Member who tells you that he knows nothing about any organization that expended money in order that he might be elected to Congress. There is nothing to connect him with the report that was made by a campaign committee who felt that they were honoring him because they allowed his name to be at the head of that committee. He filed his account here just the same as you and I file our accounts, setting out the items that he had expended, and they have not been disputed in any word of the testimony that I have heard.

But the Committee on Elections comes here to-night with a report and says that because some $12,000 was expended in that campaign that the contestee had constructive notice that this money was being expended for him, and that for this reason he has violated the corrupt practices act.

I want to say to you that if you will refer to the items that are contained in the expenditures enumerated by his campaign committee, and then contrast the same with the items that show the expenditures by the gentleman who has brought this contest, you will find that they are, in the main, for publicity and for different kinds of expenses which are made in congressional campaigns.

But, my friends, let us go a little further. The committee found that 1,006 votes were illegal, and this result was used as a basis for arriving at a final conclusion. These votes were deducted from those which were formally credited to Mr. McLane and credited to Mr. Farr, and by throwing out a number of votes it was finally decided that the contestant was entitled to a seat in this House.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. McCLINTIC. I will.

Mr. HARDY of Texas. Was it not apparent that the only man on the Republican ticket who had any fight was Mr. Farr, and that the money raised and spent was spent substantially for him?

Mr. McCLINTIC. If you will look in the back of the 1,300 page record, in the list of expenditures filed by the campaign committee you will not find a single item that will show that money was expended to help any other candidate who aspired for office that year.

Mr. HARDY of Texas. No other Republican candidate?

Mr. McCLINTIC. No other Republican candidate.

Mr. FLOOD. Can the gentleman tell us why Mr. Farr did not have constructive notice that this money was spent in his behalf, and was therefore bound by that constructive notice?

Mr. McCLINTIC. I can not answer that question; but I want to call your attention to this one fact and that is 1,006 votes were found to be illegally cast. No member of the committee is going to say for whom those votes were cast. Can any member of the committee tell whether they should have gone to the credit of Mr. McLane or of Mr. Farr? No. But because of some construction based on a State law it has been decided that a number of votes were illegally cast. No one knows who these votes were cast for, yet the committee feels warranted in deducting them from the number of votes cast for Mr. McLane. I want to call your attention to this situation and I have made mention of it to the ranking minority member of the committee. Mr. McLane went into the court of common pleas and asked that 32 ballot boxes be impounded in order that the records contained in the same might be brought before this committee. In these 32 boxes there were cast 4,687 votes. The tally sheets and the voters' lists in those boxes have never been before this committee.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. ROBINSON of North Carolina. I yield to the gentleman five minutes more.

Mr. McCLINTIC. This being the case, there is not a Member of this House nor a member of this committee that can successfully deny the fact that there were just as many illegal votes in those 32 boxes impounded as were found in the 8 boxes in which the 1,006 votes were found to be illegal. Therefore, I say, it is not fair that a great committee of this House should bring in a report of this kind.

Mr. RAKER. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. RAKER. Why were the 32 boxes not brought before the Election Committee and counted?

Mr. McCLINTIC. All that I can say is that on the next to the last page of the testimony is found the court order which caused the 32 boxes to be impounded. I have figured them up and there are 4,687 votes in those boxes.

Mr. RAKER. Does the gentleman know whether the contestee requested the committee to have those boxes brought before that committee and counted?

Mr. McCLINTIC. I will yield to the contestee to answer that question. Did the contestee ask that the boxes impounded be brought before the committee?

Mr. McLANE. I did, and not only that but I got a court order from the judge of the quarter sessions, Lackawanna County, and you will find it in the record on page 353.

Mr. RAKER. On what basis did the committee refuse to bring those 32 boxes before the committee and count them?

Mr. McCLINTIC. Some member of the committee will have to answer that question.

Mr. ROBINSON of North Carolina. The request was made that the boxes be brought before the committee and counted, but, as there was no allegation of fraud in those precincts, that request was denied.

Mr. RAKER. The contestee received the majority vote. If you get down to the——

Mr. McCLINTIC. I can not yield further. There were 1,006 votes thrown out of the eight boxes because the State law required the voters to be registered before they could have the right of suffrage. If there were 1,006 votes subtracted from the total from those eight boxes, who is there here can say how many votes would have been found illegal in the 32 impounded boxes had they been brought before the committee and the votes properly examined?

I want to say, Mr. Speaker, that there are more foreigners, I dare say, in that congressional district than are to be found in any other district in the entire United States. I realize that many of them did not understand the State law relating to elections.

But the committee has no right to examine one half of the testimony offered in this case and then take those votes found to be illegal because the voters were not registered and throw them out without examining the other half that was brought to their attention by the contestee in this case. I want to say that every man, regardless of who he is, or where he comes from, is entitled to a run for his white alley. There is not a member of the committee that can say that McLane has spent more money than was spent by the contestant in this case. There is not a member of the committee that can say that Mr. Farr received more votes in this election than was received by McLane, because they have not gone down to the very bottom of this case and examined all the records that were cited in the brief. This being the case, I do not see how any Member here should want to vote on this question until all the evidence that has been cited in the brief has been brought to the attention of the committee and then properly and carefully considered. [Applause.]

Mr. ROBINSON of North Carolina. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has 15 minutes.

Mr. ROBINSON of North Carolina. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. BEE].

Mr. BEE. Mr. Speaker, I do not pretend any profound knowledge of the facts in this case, but I do wish to make my appeal to the fair judgment, to the honest judgment, of the Members of this House, regardless of their politics, to pause and consider before they turn from the doors of this Capitol as a disgraced man Patrick McLane, of Pennsylvania, upon the record that is made in this case. Mr. Farr, whom I do not know, a long time Member of Congress, as the gentleman from Oklahoma [Mr. McCLINTIC] has called attention, through his committee, through the county committee, when the only contest on the Republican side was to elect him, spent $10,000 that we know of. The county Democratic executive committee of this county, not trained in election contests, not familiar with the rules of the House with reference to expenditures, with many candidates for legislative offices in addition to the candidacy of Mr. McLane, spent approximately the same amount, but Mr. Farr's committee, with their trained experience—and listen, gentlemen on the Republican side of the House, to the justice of this statement—with only Mr. Farr involved, expended $10,000. Mr. McLane's committee, with Mr. McLane and other candidates involved, spent approximately over $10,000, but the county Democratic executive committee certified they spent the amount in the election of Patrick McLane for Congress. The Committee on Elections No. 1 italicizes that statement to prove that the contestant ought to be seated in this House.

Mr. DALLINGER. Mr. Speaker, will the gentleman yield?

Mr. BEE. Just one moment. Let me say to you gentlemen that if every man in this House—and I do not look at anybody, because I can look anywhere and locate him—who either him-

self or through his friends for him spent more than the maximum amount allowed by Congress was unseated, there would be an exodus from the Congress of the United States equal to the exodus of the Democrats on the 4th of March. [Laughter.]

If Mr. McLane has violated a corrupt practices act of Pennsylvania, a criminal statute, the courts of Pennsylvania are open for his prosecution. The Senate of the United States has before it for consideration the election of a Senator from the State of Michigan. There was no question in the world about the expenditure of money in large sums beyond the sum allowed by the laws of Michigan. That gentleman is to-day a Member of the Senate of the United States, and in the dying days of this session, in the ebbing days of the Congress, we are asked to expel an honest Member of this body because his friends spent a sum in excess of the amount allowed by law. Oh, they say, he should have had notice of it and that constructive notice is brought to him. The constructive notice is also brought to Mr. Farr.

Here is another thing I want to suggest to you gentlemen. I believe in giving the under dog a chance. My Democratic colleagues on this committee have forgotten the rights of this man. [Applause on Democratic side.] My friends on the Democratic side of that committee have sat in the committee room and have brought in a report here that puts a stamp of infamy upon this man without the foundation of fact for it. [Applause on Democratic side.] They tell you there were illegal votes cast. Yes; there were illegal votes cast. The committee says they do not know how many or for whom they were cast, but they presume they were cast for Mr. McLane. Let us see. Take Carbondale. There were 13 illegal registered votes cast at Carbondale in the first ward. Seven of them were voted for Mr. Farr. One testified that he voted for Mr. McLane and the other five refused to disclose for whom they voted. In the fifth ward three illegal votes were found. All of them were cast for Mr. Farr. Are Mr. Farr's hands so clean that he can hold them up to high heaven and clothe himself in the white robe of innocence when under the known testimony in this case illegal votes have been cast for him?

My friends on the committee say there were no allegations of fraud in these ballots, and that that is the reason they did not open these boxes that contained 4,600 votes. What was the purpose of the committee? Did the committee merely confine itself to allegations of fraud made by Mr. Farr? If that is what they propose to do, well and good. This man, not clothed with the machinery of office, was not able to make the allegation that there was fraud in the 4,600 votes that he impounded the election boxes for. I say in answer to the suggestion that there was no allegation of fraud, that it is the duty of this committee before they put a stain on the name of a good man to open those boxes, and let the chips fall where they may. But when they did not do it, they have no right to put a stain upon him. How many illegal votes in the 4,600 were there? My friend from Massachusetts and the other gentlemen talk about the thousand and six illegal votes that they found, and they prorate them between the two candidates, and you can take the record and you will see that the number was largely in favor of Mr. Farr.

Gentlemen, I realize the die is cast; I realize the verdict is already written. I hold no brief for this man, but 40 years ago he came to this country, an immigrant boy from Ireland. He lived in the city of Scranton among his people. He followed the humble but very honorable occupation of a locomotive fireman upon the trains that came into that city. He was selected by his party to carry the falling standard of Democracy in that district.

He carried that standard to victory and brought to the bar of this House the credentials from the election officer of Pennsylvania that he had been duly elected. Nearly two years have passed. In that two years he has sat and exercised his prerogatives and his rights as a Member of Congress. In these dying days he is turned adrift. This gentleman who contests his election now and who ran thousands of votes behind his ticket in the city of Scranton under the committee's report, was defeated by his own party for the primary election last year, comes into this House, and it is proposed upon this character of record to vote into his pocket $15,000 of the taxpayers' money, to vote to him $6,400 for clerk hire, to give him mileage for four sessions of Congress to his home and back, and his stationery account. I appeal, Mr. Speaker, in the name of fairness, in the name of justice, in the name of common decency, in the name of honesty, that you gentlemen exercise your judgment as men and cast your vote in favor of the contestee, Patrick McLane. [Applause.]

Mr. ROBINSON. Mr. Speaker, the gentleman from Massachusetts has very generously yielded to me 5 minutes of his time, making 10 minutes.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the time of the debate be extended 30 minutes—half of the time to be controlled by the gentleman from Massachusetts and half by the gentleman from North Carolina.

The SPEAKER. Is there objection?

Mr. LANGLEY. Mr. Speaker, I object.

Mr. ROBINSON of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT. Mr. Speaker, I trust that in the time that is remaining to the gentleman from Massachusetts [Mr. DALLINGER] he will give to the House more information than has yet been given upon an aspect in this case which is perhaps the most important aspect. This report says:

> The committee therefore finds that the contestee, Patrick McLane, must, under the law, be held to have had constructive knowledge of expenditures made in excess of the amount permitted under the corrupt practices act, and for that reason, in accordance with congressional precedent, he is not entitled to a seat in the Sixty-sixth Congress.

And a resolution in accordance with that is presented, and upon which we shall first vote. Now, this report recites that the gentleman from Pennsylvania [Mr. McLane], the contestee, contributed some $708, I believe, or something like that. The report does not state in any place what is contributed to the campaign fund by Mr. Farr or his party, but we learn from the debate on the floor that he contributed $2,000. Now, let me ask how is it that the gentleman from Pennsylvania [Mr. McLane] shall be held to have had "constructive knowledge" of an amount of some $12,000 expended in his behalf and the other gentleman from Pennsylvania [Mr. Farr] is not held to have any constructive knowledge of $10,000 expended in his behalf. [Applause on the Democratic side.] If we are to place ourselves upon the ground that one should be unseated because there has been expended in his behalf more than $5,000, why shall the rule not apply to the other? Why should that which is sauce to the Democratic goose not be sauce to the Republican gander? [Applause on the Democratic side.] What sort of disposition is it that you are undertaking to show here now? Are you wishing to lay down such a principle and ask this House to commit itself to it, when in the next Congress are to be gentlemen who have already filed statements showing that there have been expended in their behalf amounts far in excess of the law, and permit those gentlemen on the Republican side to retain seats in the next House while you unseat Mr. McLane in this Congress.

I do not think the attitude of these gentlemen upon the question of prohibition has anything to do with this contest. [Applause on the Democratic side.] That which is involved here goes beyond their views.

The SPEAKER. The time of the gentleman has expired.

Mr. DALLINGER. Mr. Speaker, I have been very much surprised at the attitude of the Democratic side of the House in absolutely ignoring the members of their own party on the Committee on Elections No. 1, men of high standing and character, who have given their time and thought to an exhaustive investigation of this case. This is a unanimous report of this committee, and the gentleman from Oklahoma [Mr. MCCLINTIC], who spoke for 20 or 25 minutes against the committee's report, as long as he was a member of that committee never gave any intimation but that he agreed with the other members of the committee.

Mr. MCCLINTIC. Will the gentleman yield?

Mr. DALLINGER. I have not the time to yield, Mr. Speaker. I have a lot of things to reply to. The gentleman from Oklahoma [Mr. MCCLINTIC] was on the subcommittee with the gentleman from Indiana [Mr. LUHRING], and they went over certain of these precincts, and at one time the gentleman from Oklahoma expressed some doubt as to the question of illegal voting, and he came down to my office, and I showed him the original voting lists, and he told me that he was satisfied from the original voting list that a large number of men who had been permitted to vote were not on the official voting list.

Mr. MCCLINTIC. I think the gentleman wants to be fair to the House. I will admit that that statement the gentleman has made is true as far as those boxes were concerned, but the 32 boxes that were questioned were never examined by the committee, and the gentleman knows it.

Mr. DALLINGER. Why should the committee have sent for those ballot boxes and spent months on them when there is no contention in the contestee's brief in regard to any illegality or fraud in any of those precincts? The request of the contestee that these 4,600 votes, the returns of which were not questioned by anyone, should be counted by the committee was simply for delay. We have investigated every contention in the contestant's brief and every contention in the contestee's brief. They were the only contentions relied upon before our committee either by the candidates or by their counsel.

Mr. CONNALLY. Will the gentleman yield?

Mr. DALLINGER. I have no time to yield. I decline to yield further at this time, Mr. Speaker.

Now, in regard to this question of expense accounts, the gentlemen on the other side overlook entirely the fact that there were three accounts filed in the interest of Mr. McLane. Mr. Farr simply contributed his $2,000 to the Republican county committee which had charge of the campaign for all the Republican candidates from the State ticket down to local county officers. Mr. McLane filed his own account, showing seven or eight hundred dollars. The Democratic county committee filed a return, the original of which the committee examined, in which the officials of that committee certify under oath that the money was spent in the interest of Patrick McLane for Congress.

Mr. FLOOD. How many Republican candidates were there?

Mr. DALLINGER. A large number, State and local.

Mr. FIELDS. Was the gubernatorial candidate in danger?

Mr. DALLINGER. The Republican organization in every county in Pennsylvania spent money for all the candidates.

Mr. FIELDS. Was the gubernatorial candidate in danger? Will you answer that question?

Mr. DALLINGER. I decline to yield. The gentleman has overlooked the fact that in addition to the report of the Democratic county committee, in which they themselves under oath said that the expenditures were incurred in behalf of Patrick McLane, there was a McLane campaign committee, which spent $11,749.

There was no Farr campaign committee, but there was a McLane campaign committee in addition to the Democratic county committee, and they spent $11,749, the contributors to which campaign committee were liquor dealers of Lackawanna County and life-long friends of Patrick McLane, the contestee. Mr. McLane said he did not know anything about this McLane committee. The testimony shows that he was in constant consultation with members and officers of that committee. Bills for advertising, according to the testimony——

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. I decline to yield. Bills for advertising, as shown on page 14 of the testimony in this case, were in the first instances sent to Mr. McLane, directed to his address in Scranton. When it was found that the bills were likely to amount to over $5,000, then they resorted to this expedient of having a McLane campaign committee so as to evade the corrupt practices act.

Mr. DEWALT. Mr. Speaker, does the gentleman decline to yield?

Mr. DALLINGER. Yes; I decline to yield further at this time.

Now, Mr. Speaker, in regard to this question of fraud, the gentleman from Pennsylvania [Mr. DEWALT] asked me to give him some cases. Before the recess I referred him to the Tague-Fitzgerald case in the present Congress. There is a long line of congressional and State precedents, including the cases of Renshaw against Conaghan, 17 district reports, Pennsylvania, 705; Gibbons against Sheppard, 2 Brewster, Pennsylvania 1; Conway against Carpenter, 15 Philadelphia, Pa., 388; Mann against Cassidy, 2 Philadelphia, Pa., 320; Barber's case, 10 Philadelphia, Pa., 579; Duffy's case, 4 Brewster, Pennsylvania, 553; Blair against Barrett, Thirty-sixth Congress, Rowell, 165; Konox against Blair, Thirty-eighth Congress, Rowell, 190; Howard against Cooper, Thirty-sixth Congress, Rowell, 161; Washburn against Voorhees, Thirty-ninth Congress, Rowell, 201; Myers against Moffett, Forty-first Congress, Rowell, 235; McKenzie against Braxton, Forty-second Congress, Rowell, 265; Giddings against Clark, Forty-second Congress, Rowell, 279.

Now, the committee figured this case out on every possible supposition. They first went according to the congressional precedents and threw out all the precincts where this outrageous fraud and illegal voting occurred. That would give Mr. Farr the election by a plurality of 2,420 votes.

And I may say incidentally that through an inadvertence there was left out of the report of the committee the facts in regard to the first ward of Olyphant Borough, where the ballot box and the voting list and the poll book and everything else disappeared, and where the generous election officials gave Mr. Farr 10 votes and Mr. McLane 277 votes. If we had simply thrown out that precinct alone, according to the congressional precedents, it would have elected Mr. Farr.

Now, simply taking the 1,006 illegal votes which were absolutely proven by the testimony and checked up by the original voting lists and the poll books, and subtracting them pro rata from the candidates in accordance with the precedent in the case of Parley against Walls in the Forty-fourth Congress (Rowell 305) the contestant John R. Farr is elected by a plurality of 476 votes.

Mr. DEWALT. Mr. Speaker, may I make an inquiry of the gentleman?

Mr. DALLINGER. I decline to yield. I wish I had more time. Then I would yield to everybody.

Now, Mr. Speaker, the committee, in order to be fair—and I want to say to the Democratic Members of this House that these gentlemen who have spoken here recently on the Democratic side are men who do not know anything about the facts, who have not investigated the matter as Judge ROBINSON of North Carolina and Mr. BLAND of Virginia have—I say in order to give the benefit of the doubt to this contestee, instead of throwing out all these precincts where this fraud and this illegality occurred, we simply threw out those where there was gross fraud and collusion of the election officers and subtracted pro rata the illegal votes in the other districts, and that gives John R. Farr, the contestant, the election by a plurality of 1,454 votes.

Mr. DEWALT. Does the gentleman still decline to yield?

Mr. DALLINGER. I decline to yield. Yes; I will yield to the gentleman from Pennsylvania.

Mr. DEWALT. With the gentleman's permission——

Mr. DALLINGER. I will yield simply for a question.

Mr. DEWALT. The gentleman says they examined 77 witnesses out of 1,106. Is that correct?

Mr. DALLINGER. Mr. Speaker, the gentleman entirely misunderstood me. I never made any such statement. What I said was this: That the contestee in the city of Carbondale claimed that there were 77 illegal votes.

Mr. DEWALT. And that 77 witnesses had been examined out of 1,106?

Mr. DALLINGER. Hold on a minute. We were simply talking about the city of Carbondale. If the gentleman will give me time to answer and not interrupt me, I will answer him. The contestee claimed there were 77 illegal votes in the city of Carbondale. We went into every one of those, as we went into every other one of the contestee's allegations, and we subtracted the illegal votes from the contestant's total, where they testified that they voted for Mr. Farr, and the others pro rata——

Mr. DEWALT. You examined 77 out of 1,106.

Mr. DALLINGER. I can not yield further.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield to me for a legal question about this? I just wanted to ask this question. The gentleman cited precedents: Is there any precedent where the House unseated a man because he spent too much money and then seated the contestant? Does not that merely vacate the seat?

Mr. DALLINGER. Mr. Speaker, this question of the unlawful expenditure of money was only one phase of the case.

Mr. STEVENSON. I wanted to understand what the position of this committee was as to that.

Mr. DALLINGER. In the case of Gill against Catlin the gentleman's side of the House unseated a Member from the State of Missouri and seated his Democratic contestant where there was no evidence at all that he had expended the money. The evidence only showed that his father and brother had spent a lot of money, and they charged that he must have had constructive knowledge. In this case Mr. McLane had actual notice, and it was a deliberate, premeditated attempt to violate the corrupt practices act, and they thought because they filed the statement of a "McLane campaign committee" they could evade the statute passed by Congress.

Mr. STEVENSON. The committee in this case only finds constructive notice. Is not that the finding?

Mr. DALLINGER. We find, Mr. Speaker, that he had constructive notice of everything that the McLane committee and the Democratic county committee did, based on the evidence of the actual notice that he did have. That is what we find. That is altogether different.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. BANKHEAD. Do I understand that the report of the committee justifies the assumption, standing alone, that the proof of the expenditure of more money than was allowed by the corrupt practices act would be sufficient to prohibit a man from holding a seat in this House?

Mr. DALLINGER. On the basis of the precedent of Gill against Catlin, most certainly.

Mr. BANKHEAD. I wanted to be clear about that.

Mr. DALLINGER. Yes. Mr. Speaker, there is no doubt whatever in this case that there was a violation of the corrupt practices act. But apart from that, admitting that Mr. McLane was not at fault at all because of the spending of this vast sum of money under the guise of a McLane campaign committee, which he said he did not know anything about—throw-

ing that all aside, upon the testimony in this case and upon silent testimony of the voting lists and the poll books——

Mr. CONNALLY rose.

Mr. DALLINGER. I decline to yield—on the testimony of the voting lists and the poll books, and the testimony taken under the statute subject to examination and cross-examination, going into every allegation in the contestant's brief and in the contestee's brief, giving the contestee the benefit of every doubt, Mr. Farr was elected by a large majority.

Mr. GARRETT rose.

Mr. DALLINGER. I decline to yield, Mr. Speaker. I ask the attention of the House in these closing minutes. I know Members are tired and weary, but I simply want to say that the committee gave this matter the most earnest consideration. We tried to give the contestee the benefit of every doubt, and I want to say that as a student of election cases from the beginning down to date, there never was a more outrageous conspiracy to defraud an electorate or more gross frauds, in which the election officials of both parties took part. It was a wet and dry fight, and Mr. Farr had no friends upon the election boards in many of these foreign-speaking districts. It was the most outrageous condition of affairs that I have ever known to exist in any election case in all my reading. Why, Mr. Speaker, scores and hundreds of these unnaturalized foreigners were stopped as they were going along the street and were told to come up to the election booth. They protested that they were not naturalized, and the reply was, "Never mind; this is a wet and dry fight; everybody can vote." And they were brought up and their ballots marked for them; and these men testified to that fact.

Boys were induced to come to the polls, boys 18 years old, and to swear to false affidavits that they were of age, and were allowed to vote. Hundreds of men were permitted to vote whose names were not on the voting list, who made no affidavits as required by the laws of the State of Pennsylvania, and they were allowed to vote by the election officials. The names of boys who were fighting for their country overseas were voted upon by collusion of the election officials. This contestee, who is so solicitous about his rights, in his brief before the committee asked us to throw out all the soldier vote because the returns did not comply with all the technicalities of an old statute passed in 1864. He wanted to disfranchise every soldier in that whole district.

But even if we had done all that he asked, it would not have altered the result.

Mr. ROSE. A determined, persistent effort has been made here undertaking to show that Mr. McLane had nothing more than constructive notice as to the great expenditure of money in his behalf. I want to say that on pages 677 and 678 of the evidence taken in this case it is shown conclusively that Mr. McLane was present with the committee and discussed with them the expenditures made in his campaign.

Mr. McCLINTIC. Will the gentleman yield?

Mr. DALLINGER. I decline to yield any further.

Mr. McCLINTIC. Mr. McLane did not acknowledge that he knew anything about the expenditure of that money.

Mr. ROSE. He says he was with the committee nearly all the time; says so in his own testimony. This should be conclusive.

Mr. GARRETT. Will the gentleman from Massachusetts yield for one question?

Mr. DALLINGER. Yes.

Mr. GARRETT. How can Mr. McLane be held to have constructive notice and Mr. Farr not to be held to have constructive notice?

Mr. DALLINGER. There is no parallel between the two cases. Mr. Farr had no campaign committee at all. Mr. Farr simply contributed $2,000 to the regular Republican county committee, the money being used for all the candidates on the Republican ticket.

Mr. STEVENSON. Was not that his campaign committee?

Mr. DALLINGER. There was a Democratic county committee, which spent a lot of money, and if they had not filed a return here and said under their own oaths that it was all spent for Mr. McLane we would not have considered it.

Mr. McLANE rose.

Mr. DALLINGER. I decline to yield. But in addition to the Democratic county committee return, in addition to the McLane personal return, there was the McLane campaign committee organized according to the gentleman's own admission a short time before the election which spent over $11,000, and the testimony shows that he knew all about it.

Mr. McLANE. Did I admit that I consulted with the McLane campaign committee?

Mr. DALLINGER. No; but the testimony was there.

Mr. REED of West Virginia. Was the McLane campaign expenditure filed with the Clerk of the House?

Mr. DALLINGER. Yes; amounting to $11,749.

Mr. REED of West Virginia. Was the amount expended by the committee of Mr. Farr filed?

Mr. DALLINGER. No; because it is not required. No county committee report is required to be filed here; it is only personal returns of candidates and congressional committee returns. It was not spent for Mr. Farr alone; it was spent for all the candidates on the Republican ticket.

Mr. OLDFIELD. Was the report of the McLane campaign committee required to be filed here?

Mr. DALLINGER. It was filed here, because they knew that the money was spent solely for Mr. McLane. Mr. Speaker, I want to call the attention of the House to the fact that the gentlemen on the other side deliberately ignore the McLane campaign committee, which expended over $11,000. Why was the report of that committee filed here? Because they knew that under the law it should have been filed under McLane's personal returns; it was just as much his expenditure as if he had spent it himself.

Mr. BLAND of Missouri. Will the gentleman yield?

Mr. DALLINGER. No. Mr. McLane would naturally have received these sums from his friends in the liquor business, but when they found that it was over $5,000 they resorted to the expedient of organizing the McLane campaign committee, figuring thereby to evade the law.

Mr. Speaker, I simply want to say to the Democratic Members of this House that it comes with a poor grace for them not to stand by the unanimous report of this committee when the Republican side of the House stood by the unanimous report of the same committee in the case of the gentleman who now stands before me, from Missouri [Mr. BLAND]. [Applause on the Republican side.] When we reported unanimously in favor of Mr. MAJOR of Missouri and allowed him to keep his seat, it comes with a poor grace for them to repudiate their own men, the gentleman from North Carolina [Mr. ROBINSON] and the gentleman from Virginia [Mr. BLAND], two able, conscientious, Democratic Members who have studied this case for weeks and months, and allow Members who have not studied the case to appeal to them to go back on the record. I trust the resolution I have offered will be adopted, and that Mr. Farr will be given the seat that he is entitled to. [Applause on the Republican side.]

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC. I want to know if a motion would be in order to recommit the report on the Farr and McLane case to Election Committee No. 1 with instructions to examine the other 32 boxes of ballots?

The SPEAKER. It is not in order now.

Mr. McCLINTIC. Would a motion be in order?

The SPEAKER. The previous question has been ordered by agreement.

Mr. McCLINTIC. Then, can I offer a substitute for the report?

The SPEAKER. Not after the previous question is ordered, and the previous question was ordered by unanimous consent.

Mr. WINGO. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Does the Speaker rule that a motion to recommit will not lie after the previous question is ordered?

The SPEAKER. The Chair is not sure about that.

Mr. WINGO. I think the Chair will find that a motion to recommit is in order in all cases.

The SPEAKER. The Chair is not aware of any reason why a motion to recommit would not be in order. The Chair will be glad to hear anyone to the contrary.

Mr. McCLINTIC. Mr. Speaker, I send up the motion and ask that it be reported.

Mr. MANN of Illinois. Mr. Speaker, there are two provisions in the rules with reference to a motion to recommit. I have but one of them in my hand at this moment, and that is the one to which the gentleman made reference, providing that a motion to recommit shall be in order after the previous question is ordered. That rule provides that after the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order.

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent that my motion be reported.

Mr. MANN of Illinois. Mr. Speaker, the other rule in reference to a motion to recommit is Rule XVII, where it is provided:

It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to recommit, with or without instructions, to a standing or select committee.

In the Manual is this statement, under No. 790:

The motion to recommit under this rule applies to resolutions of the House alone as well as to bills.

Mr. WINGO. Mr. Speaker, it has been held, and, of course, the Chair is familiar with the practice, that it is in order to recommit a conference report to the committee of conference. Rule XVII, to which the gentleman refers, provides that the previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection.

The SPEAKER. The Chair desires to hear argument on the other side.

Mr. DUPRÉ. Mr. Speaker, there seems to be no argument on the other side.

The SPEAKER. A decision in Hinds' Precedents seems to hold that in an election case it is in order to recommit. The Chair thinks the motion is in order. The gentleman from Oklahoma offers a motion, which the Clerk will report.

The Clerk read as follows:

Mr. McCLINTIC moves that the report in the Farr against McLane contested case be recommitted to the Committee on Elections No. 1, with instructions to examine the tally sheets and the registration lists in the 32 boxes impounded by a court order under date of April 5, 1919, on the prayer of the contestee, and to report back to the House when all of the testimony and facts have been properly considered.

Mr. McCLINTIC. Mr. Speaker——

Mr. MANN of Illinois. Oh, the gentleman can not debate it.

Mr. McCLINTIC. I understood I had 20 minutes.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

The question was taken.

Mr. McCLINTIC. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 120, nays 161, answered "present" 2, not voting 145, as follows:

YEAS—120.

Almon	Cullen	Keller	Parrish
Aswell	Davis, Tenn.	Kincheloe	Phelan
Babka	Dewalt	Lampert	Quin
Bankhead	Drane	Lanham	Raker
Barkley	Dupré	Lankford	Rayburn
Bee	Eagan	Larsen	Romjue
Bell	Eagle	Lazaro	Rouse
Black	Evans, Mont.	Lea, Calif.	Sabath
Bland, Mo.	Fields	Lee, Ga.	Sherwood
Bowling	Fisher	Lesher	Sisson
Box	Flood	Linthicum	Smithwick
Brand	Gallagher	McAndrews	Steagall
Briggs	Gallivan	McClintic	Stedman
Brinson	Ganly	McDuffie	Stephens, Miss.
Buchanan	Gard	McGlennon	Stevenson
Burke	Garrett	McKeown	Stoll
Byrnes, S. C.	Godwin, N. C.	Mansfield	Sumners, Tex.
Byrns, Tenn.	Goodykoontz	Martin	Tague
Campbell, Pa	Hardy, Tex.	Mays	Taylor, Colo.
Cantrill	Hastings	Mead	Tillman
Caraway	Hayden	Milligan	Upshaw
Carew	Hoey	Minahan, N. J.	Vinson
Carss	Holland	Nelson, Mo.	Weaver
Carter	Humphreys	O'Connell	Welling
Casey	Igoe	O'Connor	Wilson, La.
Clark, Fla.	Jacoway	Oldfield	Wilson, Pa.
Cleary	James, Va.	Oliver	Wingo
Coady	Johnson, Ky.	Overstreet	Woods, Va.
Collier	Johnson, Miss.	Padgett	Wright
Connally	Jones, Tex.	Park	Young, Tex.

NAYS—161.

Ackerman	Dallinger	Hawley	Lehlbach
Anderson	Darrow	Hays	Little
Andrews, Nebr.	Davis, Minn.	Hernandez	Luce
Barbour	Dempsey	Hickey	Luhring
Begg	Dickinson, Iowa	Hicks	McArthur
Benham	Dowell	Hoch	McCulloch
Bland, Ind.	Echols	Houghton	McLaughlin, Mich.
Bland, Va.	Elliott	Hulings	McLaughlin, Nebr.
Blanton	Emerson	Hull, Iowa	McLeod
Boies	Esch	Hutchinson	McPherson
Bowers	Evans, Nebr.	Ireland	MacGregor
Brooks, Ill.	Fairfield	Johnson, S. Dak.	Magee
Brooks, Pa.	Fess	Johnson, Wash.	Mann, Ill.
Burdick	Focht	Juul	Mapes
Burroughs	Fordney	Kearns	Mason
Butler	Foster	Kelley, Mich.	Michener
Campbell, Kans.	French	Kendall	Miller
Chindblom	Fuller	Kiess	Monahan, Wis.
Christopherson	Good	King	Mondell
Cooper	Green, Iowa	Kinkaid	Moore, Ohio
Crago	Greene, Mass.	Kleczka	Moores, Ind.
Cramton	Greene, Vt.	Knutson	Mott
Crowther	Griest	Kraus	Mudd
Currie, Mich.	Hadley	Langley	Newton, Minn.
Dale	Hardy, Colo.	Layton	Newton, Mo.
Ogden	Rose	Strong, Pa.	Walsh
Osborne	Rowe	Summers, Wash.	Ward
Perlman	Sanders, Ind.	Sweet	Wason
Porter	Sanford	Swindall	Watson
Radcliffe	Schall	Swope	Webster
Ramsey	Sells	Taylor, Tenn.	Wheeler
Randall, Calif.	Shreve	Temple	White, Kans.
Randall, Wis.	Siegel	Thompson	Williams
Reber	Sinnott	Timberlake	Wilson, Ill.
Reed, W. Va.	Slemp	Tincher	Winslow
Rhodes	Smith, Idaho	Tinkham	Wood, Ind.
Ricketts	Smith, Ill.	Treadway	Woodyard
Riddick	Smith, Mich.	Vaile	Young, N. Dak.
Robinson, N. C.	Snell	Vestal	
Robsion, Ky.	Snyder	Voigt	
Rogers	Stephens, Ohio	Volk	

ANSWERED "PRESENT"—2.

Dominick	Nolan

NOT VOTING—145.

Andrews, Md.	Fish	Lonergan	Riordan
Anthony	Frear	Longworth	Rodenberg
Ashbrook	Freeman	Lufkin	Rowan
Ayres	Gandy	McFadden	Rubey
Bacharach	Garner	McKenzie	Rucker
Baer	Glynn	McKiniry	Sanders, La.
Benson	Goldfogle	McKinley	Sanders, N. Y.
Britten	Goodall	McLane	Scott
Browne	Goodwin, Ark.	Madden	Scully
Brumbaugh	Gould	Maher	Sears
Caldwell	Graham, Ill.	Major	Sims
Candler	Graham, Pa.	Mann, S. C.	Sinclair
Cannon	Griffin	Merritt	Small
Clark, Mo.	Hamill	Montague	Smith, N. Y.
Classon	Hamilton	Moon	Steele
Cole	Harreld	Mooney	Steenerson
Copley	Harrison	Moore, Va.	Stiness
Costello	Haugen	Morin	Strong, Kans.
Crisp	Hersey	Murphy	Sullivan
Curry, Calif.	Hersman	Neely	Taylor, Ark.
Davey	Hill	Nelson, Wis.	Thomas
Denison	Howard	Nicholls	Tilson
Dent	Huddleston	Olney	Towner
Dickinson, Mo.	Hudspeth	Paige	Vare
Donovan	Hull, Tenn.	Parker	Venable
Dooling	Husted	Patterson	Volstead
Doremus	James, Mich.	Pell	Walters
Doughton	Jefferis	Peters	Watkins
Drewry	Johnston, N. Y.	Pou	Welty
Dunbar	Jones, Pa.	Purnell	Whaley
Dunn	Kahn	Rainey, Ala.	White, Me.
Dyer	Kelly, Pa.	Rainey, Henry T.	Wise
Edmonds	Kennedy, Iowa	Rainey, John W.	Yates
Ellsworth	Kennedy, R. I.	Ramseyer	Zihlman
Elston	Kettner	Ransley	
Evans, Nev.	Kitchin	Reavis	
Ferris	Kreider	Reed, N. Y.	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. RUCKER (for) with Mr. RODENBERG (against).

Mr. RIORDAN (for) with Mr. FREAR (against).

Mr. NICHOLLS (for) with Mr. LUFKIN (against).

Mr. DOMINICK (for) with Mr. DYER (against).

Mr. MAHER (for) with Mr. PATTERSON (against).

Mr. DOOLING (for) with Mr. PURNELL (against).

Mr. GOLDFOGLE (for) with Mr. BACHARACH (against).

Mr. STEELE (for) with Mr. KREIDER (against).

Mr. JOHNSTON of New York (for) with Mr. DENISON (against).

Mr. McKINIRY (for) with Mr. BROWNE (against).

Mr. SMITH of New York (for) with Mr. CURRY of California (against).

Mr. SULLIVAN (for) with Mr. COLE (against).

Mr. DONOVAN (for) with Mr. HERSEY (against).

General pairs:

Mr. TILSON with Mr. HOWARD.

Mr. LONGWORTH with Mr. MONTAGUE.

Mr. ANTHONY with Mr. POU.

Mr. FREEMAN with Mr. CANDLER.

Mr. ZIHLMAN with Mr. OLNEY.

Mr. MERRITT with Mr. WHALEY.

Mr. VOLSTEAD with Mr. AYRES.

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. WHITE of Maine with Mr. DREWRY.

Mr. JONES of Pennsylvania with Mr. HARRISON.

Mr. PAIGE with Mr. SMALL.

Mr. RAMSEYER with Mr. VENABLE.

Mr. STRONG of Kansas with Mr. DAVEY.

Mr. RANSLEY with Mr. MAJOR.

Mr. SCOTT with Mr. DOUGHTON.

Mr. PETERS with Mr. GARNER.

Mr. NELSON with Mr. PELL.

Mr. McFADDEN with Mr. CRISP.

Mr. EDMONDS with Mr. SIMS.

Mr. CANNON with Mr. MOORE of Virginia.

Mr. JEFFERIS with Mr. HUDDLESTON.

Mr. MURPHY with Mr TAYLOR of Arkansas.

Mr. PARKER with Mr. WATKINS.

Mr. SINCLAIR with Mr. DENT.
Mr. MCKENZIE with Mr. ASHBROOK.
Mr. KELLY of Pennsylvania with Mr. HULL of Tennessee.
Mr. PELL. Mr. Speaker, I desire to vote.
The SPEAKER. Was the gentleman present and listening when his name was called?
Mr. PELL. I do not think I got in in time; I do not know who they were calling when I came in.
The SPEAKER. The gentleman does not bring himself within the rule.
Mr. DOMINICK. Mr. Speaker, I would like to ask if Mr. DYER is recorded?
The SPEAKER. He is not recorded.
Mr. DOMINICK. Then I will ask to withdraw my vote of "aye" and be recorded as present, as I have a pair with him.
The result of the vote was announced as above recorded.
The SPEAKER. The question is on the motion of the gentleman from Massachusetts.
Mr. KINCHELOE. Mr. Speaker, may we have that reported again?
The SPEAKER. The Clerk will again report the resolution.
The Clerk read as follows:

Resolved, That Patrick McLane was not elected a Member of the House of Representatives from the tenth congressional district of the State of Pennsylvania in this Congress and is not entitled to retain a seat herein.

Resolved, That John R. Farr was duly elected a Member of the House of Representatives from the tenth congressional district of the State of Pennsylvania in this Congress and is entitled to a seat herein.

Mr. McARTHUR. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. McARTHUR. Are not these two separate resolutions?
The SPEAKER. They are, if any gentleman desires them separated.
Mr. McCLINTIC. Mr. Speaker, I ask for a division of the resolution.
The SPEAKER. The gentleman demands a division of the resolution. The question is on the first resolution.
The question was taken, and the Speaker announced the ayes seemed to have it.
Mr. McCLINTIC. Mr. Speaker, I demand the yeas and nays.
The yeas and nays were ordered.
The question was taken; and there were—yeas 161, nays 113, answered "present" 4, not voting 150, as follows:

YEAS—161.

Ackerman	Foster	McLeod	Siegel
Anderson	French	McPherson	Sinclair
Andrews, Nebr.	Fuller	MacGregor	Sinnott
Barbour	Good	Magee	Slemp
Begg	Green, Iowa	Mann, Ill.	Smith, Idaho
Benham	Greene, Mass.	Mapes	Smith, Ill.
Bland, Ind.	Greene, Vt.	Mason	Smith, Mich.
Bland, Va.	Griest	Michener	Snell
Blanton	Hadley	Miller	Snyder
Boies	Hardy, Colo.	Monahan, Wis.	Stephens, Ohio
Bowers	Hawley	Mondell	Strong, Pa.
Brooks, Ill.	Hays	Moore, Ohio	Summers, Wash.
Brooks, Pa.	Hernandez	Moores, Ind.	Sweet
Burdick	Hickey	Mott	Swindall
Burroughs	Hicks	Mudd	Swope
Butler	Hoch	Newton, Minn.	Taylor, Tenn.
Campbell, Kans.	Houghton	Newton, Mo.	Temple
Chindblom	Hulings	Ogden	Thompson
Christopherson	Hull, Iowa	Perlman	Timberlake
Cole	Hutchinson	Porter	Tincher
Cooper	Ireland	Purnell	Tinkham
Crago	Johnson, S. Dak.	Radcliffe	Treadway
Cramton	Johnson, Wash.	Raker	Vaile
Crowther	Juul	Ramsey	Vestal
Currie, Mich.	Kelley, Mich.	Randall, Calif.	Volgt
Dale	Kendall	Randall, Wis.	Volk
Dallinger	Kiess	Reber	Walsh
Darrow	King	Reed, W. Va.	Ward
Davis, Minn.	Kinkaid	Rhodes	Wason
Dempsey	Kleczka	Ricketts	Watson
Dickinson, Iowa	Knutson	Riddick	Webster
Dowell	Kraus	Robinson, N. C.	Wheeler
Echols	Layton	Robsion, Ky.	White, Kans.
Elliott	Lehlbach	Rogers	Wilson, Ill.
Emerson	Little	Rose	Winslow
Esch	Luce	Rowe	Wood, Ind.
Evans, Nebr.	Luhring	Sanders, Ind.	Woodyard
Fairfield	McArthur	Sanford	Young, N. Dak.
Fess	McCulloch	Schall	
Focht	McLaughlin, Mich.	Sells	
Fordney	McLaughlin, Nebr.	Shreve	

NAYS—113.

Almon	Briggs	Casey	Fields
Aswell	Brinson	Cleary	Fisher
Babka	Buchanan	Coady	Flood
Bankhead	Burke	Collier	Gallagher
Barkley	Byrnes, S. C.	Connally	Gallivan
Bee	Byrns, Tenn.	Cullen	Gandy
Bell	Campbell, Pa.	Davis, Tenn.	Ganly
Black	Cantrill	Dewalt	Gard
Bland, Mo.	Caraway	Drane	Garrett
Bowling	Carew	Dupré	Godwin, N. C.
Box	Carss	Eagan	Hastings
Brand	Carter	Eagle	Hoey
Humphreys	Linthicum	Park	Tague
Igoe	McClintic	Parrish	Taylor, Colo.
Jacoway	McDuffie	Pell	Tillman
James, Va.	McGlennon	Phelan	Upshaw
Johnson, Ky.	McKeown	Quin	Venable
Johnson, Miss.	Mansfield	Rayburn	Vinson
Jones, Tex.	Martin	Romjue	Weaver
Keller	Mays	Rouse	Welling
Kincheloe	Mead	Sabath	Wilson, La.
Lampert	Milligan	Sisson	Wilson, Pa.
Lanham	Minahan, N. J.	Smithwick	Wingo
Lankford	Nelson, Mo.	Steagall	Woods, Va.
Larsen	O'Connell	Stedman	Wright
Lazaro	O'Connor	Stephens, Miss.	Young, Tex.
Lea, Calif.	Oldfield	Stevenson	
Lee, Ga.	Overstreet	Stoll	
Lesher	Padgett	Sumners, Tex.	

ANSWERED "PRESENT"—4.

Dominick	Goodykoontz	Hardy, Tex.	Nolan

NOT VOTING—150.

Andrews, Md.	Fish	Kreider	Reavis
Anthony	Frear	Langley	Reed, N. Y.
Ashbrook	Freeman	Lonergan	Riordan
Ayres	Garner	Longworth	Rodenberg
Bacharach	Glynn	Lufkin	Rowan
Baer	Goldfogle	McAndrews	Rubey
Benson	Goodall	McFadden	Rucker
Britten	Goodwin, Ark.	McKenzie	Sanders, La.
Browne	Gould	McKinley	Sanders, N. Y.
Brumbaugh	Graham, Ill.	McKinley	Scott
Caldwell	Graham, Pa.	McLane	Scully
Candler	Griffin	Madden	Sears
Cannon	Hamill	Maher	Sherwood
Clark, Fla.	Hamilton	Major	Sims
Clark, Mo.	Harreld	Mann, S. C.	Small
Classon	Harrison	Merritt	Smith, N. Y.
Copley	Haugen	Montague	Steele
Costello	Hayden	Moon	Steenerson
Crisp	Hersey	Mooney	Stiness
Curry, Calif.	Hersman	Moore, Va.	Strong, Kans.
Davey	Hill	Morin	Sullivan
Denison	Holland	Murphy	Taylor, Ark.
Dent	Howard	Neely	Thomas
Dickinson, Mo.	Huddleston	Nelson, Wis.	Tilson
Donovan	Hudspeth	Nicholls	Towner
Dooling	Hull, Tenn.	Oliver	Vare
Doremus	Husted	Olney	Volstead
Doughton	James, Mich.	Osborne	Walters
Drewry	Jefferis	Paige	Watkins
Dunbar	Johnston, N. Y.	Parker	Welty
Dunn	Jones, Pa.	Patterson	Whaley
Dyer	Kahn	Peters	White, Me.
Edmonds	Kearns	Pou	Williams
Ellsworth	Kelly, Pa.	Rainey, Ala.	Wise
Elston	Kennedy, Iowa	Rainey, Henry T.	Yates
Evans, Mont.	Kennedy, R. I.	Rainey, John W.	Zihlman
Evans, Nev.	Kettner	Ramseyer	
Ferris	Kitchin	Ransley	

So the resolution was agreed to.
The Clerk announced the following additional pairs:
On this vote:
Mr. RODENBERG (for) with Mr. RUCKER (against).
Mr. LUFKIN (for) with Mr. NICHOLLS (against).
Mr. DYER (for) with Mr. DOMINICK (against).
Mr. PATTERSON (for) with Mr. MAHER (against).
Mr. BACHARACH (for) with Mr. GOLDFOGLE (against).
Mr. KREIDER (for) with Mr. STEELE (against).
Mr. DENISON (for) with Mr. JOHNSTON of New York (against).
Mr. BROWNE (for) with Mr. MCKINLEY (against).
Mr. CURRY of California (for) with Mr. SMITH of New York (against).
Mr. COLE (for) with Mr. SULLIVAN (against).
Mr. HERSEY (for) with Mr. DONOVAN (against).
Mr. FREAR (for) with Mr. RIORDAN (against).
Mr. WILLIAMS (for) with Mr. MCANDREWS (against).
Mr. LANGLEY (for) with Mr. CLARK of Florida (against).
Until further notice:
Mr. OSBORNE with Mr. HARDY of Texas.
Mr. ANTHONY with Mr. POU.
Mr. GRAHAM of Illinois with Mr. HAYDEN.
Mr. HAUGEN with Mr. OLIVER.
Mr. STEENERSON with Mr. HOLLAND.
Mr. TOWNER with Mr. SHERWOOD.
Mr. KEARNS with Mr. KETTNER.
Mr. DOMINICK. Mr. Speaker, is Mr. DYER recorded?
The SPEAKER. He is not.
Mr. DOMINICK. I desire to withdraw my vote of "nay" and answer "present," as I am paired with that gentleman.
Mr. HARDY of Texas. Mr. Speaker, inasmuch as I am paired with the gentleman from California [Mr. OSBORNE], I wish to withdraw my vote of "nay" and answer "present."
The result of the vote was announced as above recorded.
The SPEAKER. The vote now comes on the second resolution, which the Clerk will again report.
The Clerk read as follows:

Resolved, That John R. Farr was duly elected a Member of the House of Representatives from the tenth congressional district of the State of Pennsylvania in this Congress and is entitled to a seat herein.

The question was taken on the resolution, and the Speaker announced that the ayes seemed to have it.

Mr. McCLINTIC. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 158, nays 106, answering "present" 5, not voting 159, as follows:

YEAS—158.

Ackerman	Fordney	McLaughlin, Mich.	Sinclair
Anderson	Foster	McLaughlin, Nebr.	Sinnott
Andrews, Nebr.	French	McLeod	Smith, Idaho
Barbour	Fuller	McPherson	Smith, Ill.
Begg	Good	MacGregor	Smith, Mich.
Benham	Green, Iowa	Magee	Snell
Bland, Ind.	Greene, Mass.	Mann, Ill.	Snyder
Bland, Va.	Greene, Vt.	Mapes	Stephens, Ohio
Blanton	Griest	Mason	Strong, Pa.
Boles	Griffin	Michener	Summers, Wash.
Bowers	Hadley	Miller	Sweet
Brooks, Ill.	Hardy, Colo.	Monahan, Wis.	Swindall
Brooks, Pa.	Hawley	Mondell	Swope
Burdick	Hays	Moore, Ohio	Taylor, Tenn.
Burroughs	Hernandez	Moores, Ind.	Temple
Butler	Hickey	Mudd	Thompson
Campbell, Kans.	Hicks	Newton, Minn.	Tilson
Chindblom	Hoch	Newton, Mo.	Timberlake
Christopherson	Houghton	Ogden	Tincher
Cole	Hulings	Porter	Tinkham
Cooper	Hull, Iowa	Purnell	Treadway
Crago	Hutchinson	Radcliffe	Valle
Cramton	Ireland	Ramsey	Vestal
Crowther	Johnson, S. Dak.	Randall, Calif.	Voigt
Currie, Mich.	Johnson, Wash.	Randall, Wis.	Volk
Dale	Juul	Reber	Walsh
Dallinger	Kelley, Mich.	Reed, W. Va.	Ward
Darrow	Kendall	Rhodes	Wason
Davis, Minn.	Kiess	Ricketts	Watson
Dempsey	Kinkaid	Riddick	Webster
Denison	Kleczka	Robinson, N. C.	Wheeler
Dickinson, Iowa	Knutson	Robsion, Ky.	White, Kans.
Dowell	Kraus	Rogers	Wilson, Ill.
Elliott	Layton	Rose	Winslow
Emerson	Lehlbach	Rowe	Wood, Ind.
Esch	Little	Sanders, Ind.	Woodyard
Evans, Nebr.	Luce	Schall	Young, N. Dak.
Fairfield	Luhring	Sells	Zihlman
Fess	McArthur	Shreve	
Focht	McCulloch	Siegel	

NAYS—106.

Almon	Cullen	Larsen	Quin
Ashbrook	Davis, Tenn.	Lazaro	Raker
Aswell	Dewalt	Lea, Calif.	Rayburn
Babka	Drane	Lee, Ga.	Romjue
Bankhead	Dupré	Lesher	Rouse
Barkley	Eagan	Linthicum	Sabath
Bee	Eagle	McClintic	Sisson
Black	Fields	McDuffie	Smithwick
Bland, Mo.	Fisher	McGlennon	Steagall
Bowling	Flood	McKeown	Stevenson
Box	Gallagher	Mansfield	Stoll
Briggs	Gallivan	Martin	Sumners, Tex.
Brinson	Ganly	Mays	Tague
Buchanan	Garrett	Mead	Taylor, Colo.
Burke	Goodykoontz	Milligan	Tillman
Byrnes, S. C.	Hastings	Minahan, N. J.	Venable
Byrns, Tenn.	Hoey	Nelson, Mo.	Vinson
Campbell, Pa.	Humphreys	O'Connell	Weaver
Cantrill	Igoe	O'Connor	Welling
Caraway	Jacoway	Oldfield	Wilson, La.
Carew	James, Va.	Overstreet	Wilson, Pa.
Carss	Johnson, Ky.	Padgett	Wingo
Carter	Johnson, Miss.	Park	Woods, Va.
Casey	Jones, Tex.	Parrish	Wright
Coady	Kincheloe	Pell	Young, Tex.
Collier	Lanham	Perlman	
Connally	Lankford	Phelan	

ANSWERED "PRESENT"—5.

Dominick	Nolan	Osborne	Stephens, Miss.
Hardy, Tex.			

NOT VOTING—159.

Andrews, Md.	Dunn	Hill	McLane
Anthony	Dyer	Holland	Madden
Ayres	Echols	Howard	Maher
Bacharach	Edmonds	Huddleston	Major
Baer	Ellsworth	Hudspeth	Mann, S. C.
Bell	Elston	Hull, Tenn.	Merritt
Benson	Evans, Mont.	Husted	Montague
Brand	Evans, Nev.	James, Mich.	Moon
Britten	Ferris	Jefferis	Mooney
Browne	Fish	Johnston, N. Y.	Moore, Va.
Brumbaugh	Frear	Jones, Pa.	Morin
Caldwell	Freeman	Kahn	Mott
Candler	Gandy	Kearns	Murphy
Cannon	Gard	Keller	Neely
Clark, Fla.	Garner	Kelly, Pa.	Nelson, Wis.
Clark, Mo.	Glynn	Kennedy, Iowa	Nicholls
Classon	Godwin, N. C.	Kennedy, R. I.	Oliver
Cleary	Goldfogle	Kettner	Olney
Copley	Goodall	King	Paige
Costello	Goodwin, Ark.	Kitchin	Parker
Crisp	Gould	Kreider	Patterson
Curry, Calif.	Graham, Ill.	Lampert	Peters
Davey	Graham, Pa.	Langley	Pou
Dent	Hamill	Lonergan	Rainey, Ala.
Dickinson, Mo.	Hamilton	Longworth	Rainey, Henry T.
Donovan	Harreld	Lufkin	Rainey, John W.
Dooling	Harrison	McAndrews	Ramseyer
Doremus	Haugen	McFadden	Ransley
Doughton	Hayden	McKenzie	Reavis
Drewry	Hersey	McKinley	Reed, N. Y.
Dunbar	Hersman	McKinley	Riordan
Rodenberg	Sears	Stiness	Walters
Rowan	Sherwood	Strong, Kans.	Watkins
Rubey	Sims	Sullivan	Welty
Rucker	Slemp	Taylor, Ark.	Whaley
Sanders, La.	Small	Thomas	White, Me.
Sanders, N. Y.	Smith, N. Y.	Towner	Williams
Sanford	Stedman	Upshaw	Wise
Scott	Steele	Vare	Yates
Scully	Steenerson	Volstead	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

Mr. SANFORD (for) with Mr. BELL (against).

Mr. SLEMP (for) with Mr. STEPHENS of Mississippi (against).

Mr. KREIDER (for) with Mr. STEELE (against).

Mr. DYER (for) with Mr. DOMINICK (against).

Mr. CURRY of California (for) with Mr. SMITH of New York (against).

Mr. RODENBERG (for) with Mr. RUCKER (against).

Mr. FREAR (for) with Mr. RIORDAN (against).

Mr. LUFKIN (for) with Mr. NICHOLLS (against).

Mr. LANGLEY (for) with Mr. CLARK of Florida (against).

Mr. COLE (for) with Mr. SULLIVAN (against).

Mr. PATTERSON (for) with Mr. MAHER (against).

Mr. WILLIAMS (for) with Mr. MCANDREWS (against).

Mr. BROWNE (for) with Mr. MCKINIRY (against).

Mr. BACHARACH (for) with Mr. GOLDFOGLE (against).

Mr. HERSEY (for) with Mr. DONOVAN (against).

Mr. VOLSTEAD (for) with Mr. JOHNSTON of New York (against).

Additional pairs:

Mr. OSBORNE with Mr. HARDY of Texas.

Mr. ANTHONY with Mr. POU.

Mr. KELLER with Mr. BRAND.

Mr. LAMPERT with Mr. UPSHAW.

Mr. KING with Mr. OLIVER.

Mr. MOTT with Mr. STEDMAN.

Mr. KELLY of Pennsylvania with Mr. TAYLOR of Arkansas.

Mr. DOMINICK. Mr. Speaker, is the gentleman from Missouri, Mr. DYER, recorded as voting?

The SPEAKER. He is not recorded.

Mr. DOMINICK. I wish to withdraw my vote of "nay" and vote "present," as I was paired with the gentleman from Missouri, and I wish to make the same announcement that I made on the other vote.

The result of the vote was announced as above recorded.

On motion of Mr. DALLINGER, a motion to reconsider the last vote was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana, by direction of the Committee on Appropriations, submitted for printing, under the rule, the conference report and accompanying statement on the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. WOOD of Indiana. Mr. Speaker, I desire to ask unanimous consent that action on the Senate amendment No. 58, which is the amendment whereby the Senate has inserted an authorization for the sale of $200,000,000 of farm-loan bonds, be postponed for consideration until Tuesday. By that means I think it possible that we can get this conference report up to-morrow, and get along with it so that it can be concluded before the end of the session.

Mr. SISSON. Reserving the right to object, I have no objection to that being done. In fact, I think that by taking the bill back to conference with that one amendment to come back to the House, as I understand it, to be voted on on Tuesday——

Mr. WOOD of Indiana. Yes——

Mr. SISSON. The bill then can be agreed to, or could be agreed to, and the engrossing clerk can engross all the bill except that page.

Mr. MANN of Illinois. Is it the intention to take the bill back to conference before Tuesday?

Mr. SISSON. I understand we shall take the bill back to conference——

Mr. MANN of Illinois. You can not without this amendment to it.

Mr. WOOD of Indiana. Even so, we will have made that much progress.

Mr. SISSON. The point the gentleman from Illinois makes is that the whole report will have to be made.

Mr. MANN of Illinois. You can have an understanding.

Mr. SISSON. It can be made with the understanding that the items can be brought back to the House on Tuesday. The understanding is that we will not recede, but get a vote on it in the House.

Mr. MANN of Illinois. The understanding would be if the bill comes up to-morrow or Monday that formally we would further insist on the disagreement to the amendment, and that the amendment will be brought back to the House for the House to vote upon on Tuesday, if the conference report comes back on Tuesday.

Mr. WINGO. I may be in error, but my understanding is that we can go ahead with the conference report with respect to everything except this amendment, and then, on Tuesday morning, if the situation required it, the House could express itself on that one amendment.

Mr. MANN of Illinois. True; but if you send the bill back for further conference this amendment must go back with it——

Mr. GOOD. On a disagreement.

Mr. MANN of Illinois. Yes.

Mr. WINGO. That is assuming that the House will further insist on other amendments also, and that the House will vote down a motion to concur in this amendment. If the House concurs in this amendment, of course, it would not need to go back to conference.

Mr. MANN of Illinois. The purpose is to wait, as I understand, to see if the Supreme Court should decide the pending case on Monday. The gentleman says this matter will not be disposed of in conference, or that the Senate will not recede, and that it will be brought back to the House if it goes to conference before then.

Mr. SISSON. It insures a vote on that amendment.

Mr. GOOD. You will have a vote on it on Tuesday.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15962. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes; and

H. R. 15441. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes.

SWEARING IN OF A MEMBER.

Mr. DARROW. Mr. Speaker, I present the gentleman from Pennsylvania, Mr. FARR, to be sworn in.

Mr. FARR appeared at the bar of the House and took the oath of office prescribed by law.

Mr. PELL. Mr. Speaker, I make the point of order there is no quorum present.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to call up the conference report on House bill 14461——

Mr. PELL. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 50 minutes p. m.) the House, under its previous order, adjourned until Saturday, February 26, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV,

427. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Damariscotta River, Me., was taken from the Speaker's table and referred to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. COADY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15963) to amend and reenact the first paragraph of subdivision (a) of section 209 of the transportation act, 1920, reported the same with amendments, accompanied by a report (No. 1360), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FESS, from the Committee on Education, to which was referred the bill (H. R. 15853) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, reported the same with amendments, accompanied by a report (No. 1374), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (S. 2682) for the relief of Blanche Winters, reported the same with an amendment, accompanied by a report (No. 1361), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 16152) to amend an act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, approved February 25, 1920; to the Committee on the Public Lands.

By Mr. STEENERSON: Joint resolution (H. J. Res. 476) to pay the actual and necessary expenses of James I. Coffey and William Lufkins in visiting Washington in the interests of the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. McFADDEN: Joint resolution (H. J. Res. 477) amending section 5211 of the Revised Statutes; to the Committee on Banking and Currency.

By Mr. EVANS of Montana: Memorial from the Legislature of the State of Montana concerning the "Gates of the Rocky Mountains" and asking that they be set aside as a national monument; to the Committee on the Public Lands.

By Mr. KENNEDY of Rhode Island: Memorial from the Legislature of the State of Rhode Island, urging the passage of legislation now pending in Congress for the benefit of disabled men of the World War; to the Committee on Interstate and Foreign Commerce.

By Mr. McGLENNON: Memorial from the Legislature of the State of New Jersey, favoring the passage of House bills 13558, 10845, 14961, and 14157, which contain legislation for the benefit of the ex-service man; to the Committee on Interstate and Foreign Commerce.

By Mr. OLDFIELD: Memorial from the Legislature of the State of Arkansas, favoring the construction of a United States Public Health Service hospital for tubercular cases at Booneville, Ark; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. CANNON introduced a resolution (H. Res. 695) to pay Arthur Lucas for special janitor services, which was referred to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6057. By the SPEAKER (by request): Petition of the Unemployed League of Denver, Colo., asking that public work be started, so as to give work to the unemployed; to the Committee on Appropriations.

6058. By Mr. ACKERMAN: Petition of 109 citizens of Roselle Park, N. J., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

6059. By Mr. CAMPBELL of Pennsylvania: Petition of certain citizens of Pittsburgh, Pa., urging amendment to Volstead prohibition enforcement act to permit manufacture and sale of beer and light wines; to the Committee on the Judiciary.

6060. Also, petition of certain citizens and voters of St. Clair Borough, Pittsburgh, Pa., protesting against passage of the Smith-Towner educational bill; to the Committee on Education.

6061. By Mr. EDMONDS: Petition of the Philadelphia Board of Trade, protesting against the adoption of the metric system as provided for in House bill 15420; to the Committee on Coinage, Weights, and Measures.

6062. By Mr. FULLER: Petition of the Illinois Valley Manufacturers' Club, of La Salle, Ill., favoring the establishment of the metric system of weights and measures; to the Committee on Coinage, Weights, and Measures.

6063. Also, petition of Rev. F. C. Kruger and the board of trustees of the Evangelical Protestant Church of La Salle, Ill., protesting against the occupation of Germany by French colonial troops; to the Committee on Foreign Affairs.

6064. By Mr. HULINGS: Petition of Branch 422, Ladies Catholic Benevolent Association of St. Marys, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6065. By Mr. KAHN: Petition of Bridge Structural and Ornamental Iron Workers of San Francisco, Calif., relative to resumption of trade with soviet Russia; to the Committee on Foreign Affairs.

6066. By Mr. LAMPERT: Petitions from citizens of Oshkosh, Wis., requesting amendment to the Volstead enforcement act, permitting the manufacture of beer and light wines; also protesting against the so-called Sunday blue laws; to the Committee on the Judiciary.

6067. By Mr. MAGEE: Petition of Joseph M. Jacobs and other citizens of Syracuse, N. Y., protesting against alleged conditions in the occupied zone on the Rhine; to the Committee on Foreign Affairs.

6068. By Mr. MICHENER: Petition of St. John's Branch Holy Name Society, of Jackson; San Francis Xavier Parish, of Ecorse; Ladies' Catholic Benevolent Association, of Hudson; League of Catholic Women, of Wyandotte; Amaranth Club, of Jackson; and sundry protests of individuals, all in the State of Michigan, against passage of the Smith-Towner bill; to the Committee on Education.

6069. By Mr. NEWTON of Minnesota: Petition of Mrs. W. V. Pasko and sundry women of Minneapolis, Minn., opposing passage of Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

6070. By Mr. PAIGE: Petition of Graton Council, No. 84, of L'Union St. Jean-Baptiste d'Amerique, of Gardner, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6071. By Mr. RANSLEY: Petition of the Philadelphia Bourse, of Philadelphia, Pa., protesting against Federal control of industry; to the Committee on Agriculture.

6072. By Mr. ROGERS: Petition of L'Union St. Jean-Baptiste d'Amerique, Notre Dame Council, No. 80, of Hudson, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6073. By Mr. TEMPLE: Petition of H. C. Fry Glass Co., of Rochester, and the Cooperative Flint Glass Co., of Beaver Falls, both in the State of Pennsylvania, calling attention to the handicap upon American glass manufacturers due to the importation of glassware manufactured in foreign countries by child labor; to the Committee on Ways and Means.

6074. Also, petition of convention of State Federation of Pennsylvania Women, held at Pittsburgh, Pa., in support of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

6075. Also, petition of Branch 663, Ladies' Catholic Benevolent Association, Donora, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6076. Also, petition of the Current Events Club of Washington, Pa., protesting against the enactment of House bill 12466; to the Committee on the Public Lands.

6077. By Mr. VARE: Petition of the Philadelphia Board of Trade, protesting against the passage of the Federal coal bill and the Federal live-stock commission bill, and the Muscle Shoals project; to the Committee on Agriculture.

6078. Also, petition of the Philadelphia Bourse, protesting against Federal operation of private industries; to the Committee on Agriculture.

SENATE.

SATURDAY, *February 26, 1921.*

(Legislative day of Thursday, February 24, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

KERENSKY GOVERNMENT OF RUSSIA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, with accompanying documents, in response to Senate resolution 417, of January 4, 1921, directing the Secretary of the Treasury to furnish the Senate information as to the use of the funds of the United States in aid of the so-called Kerensky government of Russia, which communication was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 25, 1921.

SIR: Pursuant to Senate resolution 417, I have the honor to furnish the following information:

Question 1. Are funds of the United States being used either directly or indirectly to support or maintain an embassy in the city of Washington, D. C., representing the so-called Kerensky government of Russia, and, if so, how much money has been thus expended, and what authority is there for such expenditure?

Answer. No funds of the United States have been so used. The funds of the United States were used solely for the purchase of obligations of the Russian Government in accordance with the Liberty loan acts. The funds paid by the United States to the Russian Government to purchase its obligations became the funds of the Russian Government. Among the expenditures of the Russian Government from its funds, as shown by the below-mentioned reports, are disbursements to support or maintain the Russian Embassy in Washington.

Question 2. Was money advanced from the Treasury of the United States to establish a credit on behalf of the Kerensky government, and, if so, in what amount, and for what purpose was it used?

Answer. As set forth in the Annual Report of the Secretary of the Treasury for the fiscal year 1920, in pursuance of the authority of the Liberty loan acts, the Secretary of the Treasury did from time to time, with the approval of the President, establish credits in favor of the provisional government of Russia, but no such credits were established subsequent to the fall of the so-call Kerensky government in November, 1917. Advances were made to the said Russian Government on the following dates and in the following amounts:

1917.

July 6	$35,000,000
July 13	10,000,000
Aug. 1	2,500,000
Aug. 22	2,500,000
Aug. 24	37,500,000
Aug. 30	10,000,000
Sept. 25	15,000,000
Oct. 2	22,200,000
Oct. 11	20,000,000
Nov. 1	31,700,000
Nov. 15	1,329,750
	187,729,750

The proceeds of the advance of $1,329,750 made on November 15, 1917, were simultaneously applied by the Russians to the payment of interest to the Government of the United States. No advances were made after November 15, 1917.

As shown in Exhibits 26 and 28, on pages 338 and 342 of the Annual Report of the Secretary of the Treasury for the fiscal year 1920, respectively, the expenditures reported by the Russian Government for the period April 6, 1917, to December 31, 1917, were as follows:

EXPENDITURES.

Munitions, including remounts	$58,698,646.58
Exchange and cotton purchases	53,186,352.70
Other foods	1,706,909.48
Other supplies	49,338,982.34
Transportation	2,155,769.40
Shipping	1,324,678.54
Interest	4,129,761.64
Maturities	5,000,000.00
Miscellaneous	3,041,568.89
	178,582,669.57

Subsequent to January 1, 1918, further expenditures for similar items were reported to the amount of $50,658,684.89. The total expenditures reported for the entire period from April 6, 1917, to December 15, 1920, were therefore $228,641,354.46. The Russian representatives have reported receipts since December 31, 1917, of $25,466,962.83. Certain of these are doubtless refunds of payments included among the expenditures, and others may be the proceeds of goods purchased by means of the expenditures. There is reason to believe, however, that a large portion of the receipts are the proceeds of materials purchased by the Russians out of resources other than United States advances.

Question 3: What amount of money, if any, does the Kerensky government owe to the Government of the United States, how is it secured, what rate of interest does it bear, and when does it mature?

Answer: For its advances to Russia, as stated on page 55 of the annual report of the Secretary of the Treasury for the fiscal year 1920, the Secretary holds obligations of the Russian Government corresponding in amount and bearing the respective dates set forth in the foregoing table of advances. Said obligations are in the form of certificates of indebtedness payable to the United States without deduction as to principal and interest for taxes of the debtor Government in gold coin of the United States of the present standard of weight and fineness at the Subtreasury of the United States in New York or at the Treasury of the United States in Washington. They are signed in the name of the provisional Government of Russia by a representative of that Government designated to the Treasury by the Department of State as being authorized to sign them in the name and on behalf of that Government. Certain of the certificates were payable at fixed dates of maturity, all of which are now past, so that they are now held as demand obligations. The remainder were expressed to be payable on demand. Certain of them were expressed to bear interest at the rate of 3½ per cent per annum and the others at the rate of 4½ per cent per annum, being the same rates borne by the obligations issued at that time by the United States Government. By arrangement similar to that made with other Governments interest has been charged on all Russian obligations since May 15, 1918, at a rate equivalent to 5 per cent per annum on the total amount thereof. As stated on page 57 of my annual report, the amount of interest heretofore paid on the above-mentioned Russian obligations is $4,595,564.15, being the interest up to November 15, 1917, in full, together with a partial payment of $1,865,925.08 on account of the interest which became due May 15, 1918, and partial payments of $1,399,877.43 on account of the interest which became due November 15, 1918. As stated on page 58 of the annual report, the Secretary holds a special fund of $1,808,506, which is equal to the unpaid balance of the interest matured on Russian obligations on May 15, 1918, and which it is believed ultimately can be applied in discharge of that balance and a similar fund of $335,095.07, which it is believed will be applicable upon the unpaid balance of interest which became due November 15, 1918. As shown at the same page of the report, the interest accrued and remaining unpaid on the above-mentioned Russian obligations for the half years ending November 15, 1918; April 15, 1919, and May 15, 1919, October 15, 1919, and November 15, 1919; April 15, 1920, and May 15, 1920, and October 15, 1920, and November 15, 1920, amounts in all, after deduction of the special funds above mentioned, to $21,187,741.90. For the interest which became due November 15, 1918, the Treasury holds an obligation of that date executed in the name of the provisional Government of Russia, payable on demand

with interest at the rate of 5 per cent per annum, and for the interest which became due subsequently, the Treasury holds formal undertakings executed by the Russian representatives on behalf of the provisional Government of Russia that said Government promises to pay the respective amounts so becoming due on demand with interest at the rate of 5 per cent per annum. As shown on pages 65, 66, and 67 of the report, the Treasury has received as custodian from the Secretary of War, on account of sales of surplus war supplies a Russian obligation dated August 8, 1919, for $406,082.30, payable June 30, 1922, with interest at 5 per cent, on which the sum of $10,179.87 has been received on account of interest accrued for the period from June 30, 1919, to December 30, 1919, and has also received from the American Relief Administration, on account of relief, pursuant to act approved February 25, 1919, Russian obligations dated July 1, 1919, for $4,465,465.07, payable on June 30, 1921, with interest. No interest has been paid on these obligations.

Question 4. After the downfall of the Kerensky government, did the Government of the United States purchase war material or other supplies from the officials of the Kerensky government with funds of the United States, and if so, what was the nature of the supplies, how much money was paid for the same, and was the purchase made at a time when the Kerensky government was indebted to the United States, and if so, in what amount?

Answer. It is my understanding that subsequent to November 15, 1917, the Government of the United States purchased through its various departments and agencies certain materials from the Russian representatives. The correspondence in my office indicates purchases as follows:

Rails and accessories	$9,188,318.92
Machine guns	1,572,021.00
Motor trucks and parts	214,500.00
Lenses	4,270.00
Ammunition	68,236.28

I believe there were also other purchases, the total amount of which was only a small fraction of the foregoing. This Government also paid the Russian representatives $1,921,597.48 charter hire for ships. These items include, as I understand it, substantially all the payments made by departments of this Government. Exact figures can be obtained only by reference to the departments and agencies concerned. Such payments would appear in the Treasury records only in the accounts presented to the auditor by the various disbursing officers who made them, and could be ascertained only by a physical examination of the accounts and vouchers. This would require months of work by many people, is impracticable, and was not, as I understand it, contemplated by the resolution. The funds mentioned above in this answer were placed in the liquidation account. The cargo of certain Russian ships diverted from Murmansk and Archangel to England was sold in England and purchased, in part, by and for the use of the American Expeditionary Forces. The special funds referred to above as being held to cover interest payments are composed of proceeds of these cargoes.

Question 5. Has the Government of the United States taken any steps to reimburse itself for money advanced or loaned to the Kerensky government?

Answer. Except to the extent above stated, I am not aware that the Government of the United States has taken any steps to reimburse itself for money advanced or loaned to the Russian Government.

As of December 1, 1917, the unpaid balance on contracts made by the Russian Government with our people was something over $102,000,000. The contracts were in all stages of performance. The funds on hand of the Russian Government in the United States amounted to about $56,000,000. At the end of December, 1917, as a result of the payment, cancellation, or reduction of contracts, the unpaid balance on contracts in America was reduced to less than $50,000,000. The liquidation has since been completed, liability under said contracts discharged, and a substantial amount of property shipped to Russians in territory not under the control of the bolsheviks.

These matters were dealt with at length by Mr. Polk, then Under Secretary of State, and Mr. Leffingwell, then Assistant Secretary of the Treasury, in hearings before the Committee on Expenditures in the State Department of the House of Representatives in the summer and autumn of 1919, and were also considered in the hearings on Russian propaganda before a subcommittee of the Committee on Foreign Relations of the Senate in the winter and spring of 1920. For the information of the Senate copies of the statements by Mr. Polk and Mr. Leffingwell are attached.

Respectfully,

D. F. HOUSTON.

The PRESIDENT OF THE SENATE,
Washington, D. C.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House disagreed to the amendment of the Senate to the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. CAMPBELL of Kansas, and Mr. CARTER were appointed managers of the conference on the part of the House.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 15441. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes; and

H. R. 15962. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. HALE presented a resolution of the Legislature of Maine, which was referred to the Committee on Commerce, as follows:

STATE OF MAINE, 1921.

Memorial to Congress by the Senate and House of Representatives of the Eightieth Legislature of the State of Maine, urging the amendment of the Federal water power act so that Maine's water powers shall be saved for the benefit of Maine people.

Resolved, That the Senate and House of the Eightieth Legislature of the State of Maine now in session,

Believing that the future health and prosperity of the citizens of this State depend in a large measure upon the proper development and use within the State of the water powers which nature has placed within our boundaries; and

Believing that the Federal water power act recently passed by the United States Congress may result in the transmission beyond the borders of the State of the hydroelectric energy generated therein, thereby causing serious and irreparable loss and injury to the health and prosperity of the State and to the future growth of industries therein,

Respectfully urge upon the Congress now in session the necessity of amending the said Federal water power act in order that there shall be no Federal interference with and control of the water powers lying within the borders of the State of Maine; and

The secretary of state is directed to transmit a copy of these resolutions to both branches of Congress and to our Senators and Representatives therein.

IN HOUSE OF REPRESENTATIVES, *February 15, 1921.*

Read and passed finally.

CHARLES P. BARNES, *Speaker.*

IN SENATE, *February 16, 1921.*

Read and passed finally.

CHARLES E. GURNEY, *President pro tempore.*

Approved February 16, 1921.

PERCIVAL P. BAXTER, *Governor.*

UNITED STATES OF AMERICA,
STATE OF MAINE,
OFFICE OF THE SECRETARY OF STATE.

I, Frank W. Ball, secretary of state of the State of Maine, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of the resolve of the Senate and House of Representatives of the State of Maine in legislature assembled with the original thereof, and that it is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta this 23d day of February, in the year of our Lord 1921, and in the one hundred and forty-fifth year of the independence of the United States of America.

[SEAL.] FRANK W. BALL,
Secretary of State.

Mr. WOLCOTT presented memorials of Anna G. Walsh and Mrs. William Green, of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented memorials of Rev. Ignatius Weisbruch and sundry Capuchin Fathers of St. Joseph's Church, of Hays; St. Fidelis Society, of Victoria; and Local No. 1681, Farmers' Educational and Cooperative Union of America, of Flush, all in the State of Kansas, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. PENROSE presented a memorial of the Philadelphia Board of Trade, of Philadelphia, Pa., remonstrating against the enactment of House bill 15420, to fix the metric system of weights and measures as a single standard for weights and measures, which was referred to the Committee on Standards, Weights, and Measures.

Mr. MOSES presented resolutions of Dollard des Ormeaux, No. 308, of L'Union St. Jean-Baptiste d'Amerique, and St. Antoine, No. 91, of L'Union St. Jean-Baptiste d'Amerique, both of Woonsocket, R. I., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. GERRY presented a resolution of the general board of L'Union St. Jean-Baptiste d'Amerique, protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Resolution of the general board of l'Union St. Jean-Baptiste d'Amérique protesting against the passage of the Smith-Towner bill.

The supreme board of l'Union St. Jean-Baptiste d'Amérique, a fraternal society incorporated under the laws of the State of Rhode Island, numbering over 40,000 members, American citizens either by birth or by naturalization, residing in the following States: Massachusetts, Rhode Island, Connecticut, Maine, New Hampshire, Vermont, New York, Illinois, and Michigan, protests against the passage of the Smith-Towner bill creating a Department of Education, etc.

The creation of a Federal department of education will add enormously to the burdens of the Federal Treasury, will increase present taxes, and greatly enlarge the number of Federal employees. The bill as framed is indirectly equivalent to a certificate of incompetency to all the superintendents of education of the various States of the Union.

The Federal control of education is, to say the least, against the spirit of our Constitution. It is undemocratic, in that it aims at centralizing at Washington all matters pertaining to education. It is socialistic, in that it is based upon the false theory that the right to educate children belongs to the State and not to the parents.

We contend that the majority of the people is opposed to the passage of such a bill.

We do not approve of the interference by the Federal Government with our educational system, State or municipal.

We highly condemn the introduction of politics into matters educational.

We feel that the States are fully able, financially and otherwise, to support their schools, to adequately compensate their teachers, and to properly teach the doctrine of true American citizenship.

We believe that the remedy to illiteracy lies in a more rigid enforcement of State laws, in the opening of new evening schools, and that persuasion will do more than compulsion for the education of our citizens.

We deny that the knowledge of spelling and writing is essential to good citizenship; in this connection we unhesitatingly invite an investigation of the literary attainments of those of our citizens who died during the late war on the battlefields of Europe. In this connection also we submit that the agitators, the traitors, the anarchists, the bolshevists which this country has known in the past two or three years were, generally speaking, men highly educated.

We therefore regret the uneasiness brought about by the Smith-Towner bill throughout the length and breadth of our country, and we respectfully urge our representatives, both in the House and Senate, to oppose its passage.

ELIE VEZINA,
General Secretary.

WOONSOCKET, R. I., *February 16, 1921.*

THOMAS BAYTON AND BERTHA M. HARTT.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (H. R. 3984) for the relief of Thomas Bayton and Bertha M. Hartt, reported it without amendment and submitted a report (No. 818) thereon.

CLAIMS OF R. S. HOWARD CO. AND OTHERS.

Mr. WADSWORTH, from the Committee on Claims, reported a resolution (S. Res. 466) as follows:

Resolved, That the bills making appropriation to pay the R. S. Howard Co., of New York City, N. Y., its loss and damage incurred and suffered by it in complying with United States Navy commandeer order No. N-3255, dated June 18, 1918 (S. 4075); the Acme Die Casting Corporation, of New York City, N. Y. (S. 4260); the Sirio Match Co., of New York City, N. Y. (S. 4261); Fairbanks, Morse & Co., of New York City, N. Y. (S. 4262); the Thermal Syndicate (Ltd.), of New York City, N. Y. (S. 4263); the Drapery Hardware Co., of New York City, N. Y. (S. 4264); Charles B. Chrystal (S. 4265); the William Wrigley, jr., Co. (Inc), of New York City, N. Y. (S. 4266); and the P. L. Andrews Corporation (S. 4417), now pending in the Senate, together with all accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

The VICE PRESIDENT. The resolution will be placed on the calendar.

JOINT COMMISSION ON POSTAL SERVICE.

Mr. TOWNSEND. I present a report of the Joint Commission on Postal Service created by the act of April 24, 1920, which was authorized to investigate all present and prospective methods and systems of handling, dispatching, transporting, and delivering the mails, and the facilities therefor; and especially all methods and systems which relate to the handling, delivery, and dispatching of the mails in the large cities of the United States. I ask that it be printed in the RECORD and as a document.

Mr. SMOOT. Which would the Senator prefer?

Mr. TOWNSEND. I do not care which, but perhaps as a document.

Mr. SMOOT. That will be the best.

The VICE PRESIDENT. The report will be printed as a document.

ROCK RIVER, WIS., BRIDGE.

Mr. CALDER. From the Committee on Commerce, I report back favorably without amendment the bill (S. 5032) for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis., and I submit a report (No. 819) thereon. I ask unanimous consent for its present consideration. It is a bill which the Senator from Wisconsin [Mr. LENROOT] is very anxious to have passed this evening in order that it may go to the House.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the city of Beloit, in the State of Wisconsin, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rock River, at a point suitable to the interests of navigation, at or near the point where Shirland Avenue, in said city of Beloit, crosses the said Rock River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARBITRARY AND LAWLESS ACTS OF OFFICERS.

Mr. BORAH introduced a bill (S. 5039) to protect persons in the exercise of certain privileges and immunities guaranteed and secured by the Constitution of the United States, which was read twice by its title.

Mr. BORAH. Mr. President, I introduce the bill at this time realizing, of course, that we can not expect legislation upon the subject at this session of Congress. Nevertheless, I think it may be advantageous in making progress to have the bill introduced and go to the committee so that those who are interested in the subject may be informed of the nature of it. Mr. President, the civil rights of the private citizen have of late often been challenged and many times wholly denied. This condition has been on the increase for the last quarter of a century. More and more there has been a disregard of the great guaranties of the Federal Constitution so far as the rights of the private citizen are concerned. The facts in support of this judgment are at hand and overwhelming. Men in authority, officers and their agents, have made arrests without warrant, broken into private dwellings without authority, and practiced brutality toward citizens guilty of no offense. The private citizen under such conditions is practically without recourse. This practice seems to be greatly on the increase. Lawlessness in public office and in public places fattens by what it feeds upon.

I do not think we get anywhere, however, by merely criticizing particular individuals or by denouncing for a day a particular public officer. In fact, when such practices have become ingrained in our system, no particular officer is individually responsible. The situation deserves general consideration and permanent treatment. I have therefore introduced this bill, which is designed to protect the private citizen in his constitutional rights, particularly against the arbitrary and lawless acts of public officers. It seems to me that it fairly gets at the situation and would help greatly to remedy this growing evil. In any event, it will serve as a measure around which possibly a better measure may be constructed.

There is no one whose duty it is to be more scrupulous of the obligations of the Constitution or more regardful of the constitutional rights of the citizen than the officer intrusted for a brief season with great authority. Lawlessness among those whose duty it is to enforce and uphold the law breeds lawlessness, and not only that, it begets distrust of and disaffection for the Government itself among the people generally. A high and sincere regard for law, a profound respect for our Constitution must begin with those who are intrusted with the execution of the law. Obedience to the law is the primal pillar upon which free institutions rest. When this spirit of obedience is broken down, law itself becomes in a sense a mockery.

I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

AMENDMENT OF RIVER AND HARBOR ACT.

Mr. FRELINGHUYSEN introduced a bill (S. 5040) to amend section 13 of the river and harbor act of March 3, 1899, which was read twice by its title and referred to the Committee on Commerce.

LUDWIG C. A. K. MARTENS.

Mr. MOSES. I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The resolution (S. Res. 464) was read, as follows:

Whereas through the action of Louis F. Post, Assistant Secretary of Labor, a warrant of deportation issued against L. C. A. K. Martens, self-styled ambassador of Russian soviet government, has been canceled:

Resolved, That the Attorney General be requested to inform the Senate whether, in his opinion, such cancellation comports with the evidence adduced in the proceedings against the said Martens, and whether such cancellation will operate to permit the return of the said Martens to this country, and to submit to the Senate a transcript of the evidence in the case.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. REED. I think the resolution ought to be amended. Instead of having the opinion of the Attorney General, I should like to have the evidence submitted. I ask the author of the resolution to change it so that it will include a copy of the evidence.

Mr. MOSES. I have no objection to such a change being made.

The VICE PRESIDENT. The modification will be stated.

The READING CLERK. At the end of the resolution add "and to submit to the Senate a transcript of the evidence in the case."

The VICE PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

ROSE SMITH DUDLEY.

Mr. PHIPPS submitted the following resolution (S. Res. 465), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Rose Smith Dudley, widow of Charles R. Dudley, late enrolling clerk of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

FORTIFICATIONS APPROPRIATIONS.

Mr. SMOOT. I ask that the fortifications appropriation bill may be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. SMOOT. I ask unanimous consent that the formal reading of the bill be dispensed with and that the committee amendments shall be considered as they are reached in the reading.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. KELLOGG. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Hale	McKellar	Smith, Md.
Brandegee	Harris	McLean	Smith, S. C.
Calder	Harrison	McNary	Smoot
Capper	Heflin	Moses	Spencer
Culberson	Henderson	Nelson	Sterling
Curtis	Jones, N. Mex.	New	Sutherland
Dial	Jones, Wash.	Overman	Thomas
Dillingham	Kellogg	Phipps	Townsend
Edge	Kendrick	Pittman	Trammell
Elkins	Kenyon	Poindexter	Underwood
Fernald	Keyes	Pomerene	Wadsworth
Fletcher	King	Ransdell	Walsh, Mass.
Gay	Knox	Robinson	Warren
Gerry	La Follette	Sheppard	Williams
Glass	Lenroot	Simmons	Willis
Gooding	Lodge	Smith, Ariz.	
Gronna	McCumber	Smith, Ga.	

Mr. SMITH of Arizona. I desire to announce that my colleague [Mr. ASHURST] is absent by reason of illness in his family.

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present.

Mr. SPENCER. Mr. President, I ask unanimous consent for the consideration of the resolution which I send to the desk.

Mr. SMOOT. Let it be read first.

The VICE PRESIDENT. Is there objection?

Mr. KELLOGG. I object.

The VICE PRESIDENT. Objection is made. The Secretary will proceed with the reading of the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head "Engineer Department," on page 2, line 24, after the word "wharves," to strike out "the sum of" and insert "a sum not exceeding," so as to read:

For construction of mining casemates, cable galleries, submarine-mine storehouses, cable tanks, and other structures necessary for the operation, preservation, and care of submarine mines and their accessories, and for providing channels for access to submarine-mine wharves, a sum not exceeding $50,000 of the appropriation for this purpose for the fiscal year 1921 is made available.

The amendment was agreed to.

The reading of the bill was continued to the end of line 8, on page 3, the last paragraph read being as follows:

For contingent expenses incident to the construction of seacoast fortifications and their accessories, under the Engineer Department, $25,000.

Mr. KING. I should like to inquire of my colleague whether or not the appropriations for the salaries and compensation of those engaged in administering the provisions of this bill are not made in other bills? If that is true, what is the reason for a contingent expense account in this bill?

Mr. SMOOT. I will say to my colleague that this appropriation is always carried in the fortifications bill. Last year we gave the department $50,000 for the same purpose. This year the appropriation has been cut in half. The estimate for this year was for $50,000. We had an appeal made to us to increase the House appropriation to $50,000, but the committee decided not to do it, and instead gave them $25,000.

Mr. KING. If my colleague will permit me, I desire to say that recently, before the Committee on Naval Affairs, Admiral Sims testified to the effect that fortifications no longer were needed upon our coasts except for naval bases, because of the development of the submarine and of the airplane; in effect that it was a waste of money to make wholesale appropriations for fortifications upon the coast.

Mr. SMOOT. I will say to my colleague that this bill only carries $8,000,000, and that is for the purpose of caring for fortifications that we have to-day. There is no new project in the bill. The bill simply provides for the preservation and care of those we already have.

Mr. KING. May I inquire of my colleague whether or not, in view of the recent development of the submarine and the airplane, it would not be a wise idea to abandon some of the obsolete fortifications which we now have upon our coasts?

Mr. SMOOT. That could hardly be done at this time, I will say to my colleague. We are not now prepared with the other defenses, and it would be very unwise at this juncture to cut the appropriation lower than it has been cut. If my colleague will compare this bill with the bill of a year ago or two years ago, he will see that there is not anything left in the pending measure except simply the substance that is absolutely required. Outside of the $8,000,000 appropriation, my colleague will also notice that we propose in this bill to turn back to the Treasury an unexpended balance of $250,000,000.

Mr. KING. I observe that out of the appropriations, which, of course, were made during the World War, and the termination of that war coming sooner than expected, we are left with a large appropriation unexpended.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 5, line 12, to strike out the proviso in the following words:

Provided, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 2,000 of the tractors owned by the War Department: *Provided further*, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Secretary of Agriculture for distribution among the highway departments of the several States for use on roads constructed in whole or in part by Federal aid 1,250 tractors owned by the War Department.

Mr. FLETCHER. I desire to ask the Senator from Utah to give the reasons for proposing to strike that language out of the bill? I think that is a very important provision.

Mr. SMOOT. Mr. President, I will state the reasons which the committee had for striking that provision out of the bill, and I hope the Senate will pay attention to them. When the bill passed the other House and came to the Senate, the subcommittee met the next morning at 10.30 o'clock for the consideration of the bill, containing the two provisos which had been adopted in the other House. The matter was so important that the Secretary of War telephoned to me immediately his

attention was called to the items and asked to be allowed to appear before the subcommittee in opposition to them, stating that if adopted by Congress they would very seriously interfere with the War Department and its equipment.

The facts are, Mr. President, that the War Department had on hand the morning the Secretary of War appeared before the committee 6,752 tractors; there are now in use of those tractors 3,190; the requirements for the National Guard are 2,007, making 5,197 tractors which, under conditions as they exist to-day, are being used and are to be used for the National Guard.

Mr. McKELLAR. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. I yield.

Mr. McKELLAR. As I understood, the morning that the Secretary appeared before the committee he stated that there were being used by the Army and National Guard there 3,190 tractors——

Mr. SMOOT. No.

Mr. McKELLAR. And he estimated at that time that 2,007 additional would be needed when the National Guard was expanded. The National Guard now numbers some 50,000, and it is proposed to expand it to 125,000. This is shown by the current Army appropriation bill. It seems to me that the Secretary's figures are manifestly wrong. They could not use 2,007 additional tractors for the National Guard, because tractors are now being used by the National Guard and the number is included in the 3,190 shown in the Secretary's figures.

Mr. SMOOT. The committee not only had the testimony of the Secretary of War, which was believed to be correct by the committee, but Gen. Williams also says that these figures are absolutely correct. Before we get through I may take occasion to read the letter from the general.

The average life of a tractor in use in the Army is five years. I am going to take the time to read the testimony of the Secretary of War before the committee, because it is not very long. I will say that if the policy of the War Department is carried out we will not have nearly the number of tractors that are required; we will be short thousands of tractors.

Again, Mr. President, these tractors are very costly machines. They are made, as Senators know, for the hauling of heavy guns uphill and downhill and over streams. The very best kind of a machine is required for that work. These tractors are not adapted to agricultural purposes or for work in connection with road building. That was testified to by the Secretary of War, by Gen. Williams, and by all the other officers familiar with the subject. The Secretary testified that in some cases where these tractors had been delivered and subsequently got out of order it had cost as high as $1,000 to repair them. They are specially made machines, very heavy and very costly, and it is very expensive to maintain them.

Furthermore, they have distributed already $93,000,000 worth of these machines. We could have purchased——

Mr. SMITH of Arizona. Will the Senator tell us how they were distributed?

Mr. SMOOT. To the different States of the Union.

Mr. SMITH of Arizona. In that connection I have just received a telegram asking that tractors be turned over to the State in connection with road building, and for the purpose of transporting repair shops used to keep in repair the machinery and tools employed in road building. The telegram says that the State requires at least one of these big machines, whatever they may be called, to haul around the shop used in connection with the repair of road machines owned by the State. I wanted to ask the Senator in that connection whether any of these tractors have been distributed for road building purposes to any of the States?

Mr. SMOOT. There have been distributed $93,000,000 worth of them.

Mr. GRONNA. Can the Senator give the number of tractors so distributed?

Mr. SMOOT. I do not know whether that fact is stated in the testimony, but I am going to read the Secretary's testimony now, and that will give the details just as they were told to us.

Mr. OVERMAN. I ask the Senator to have it read at the desk.

Mr. KELLOGG. The $93,000,000 worth to which the Senator refers were not tractors.

Mr. SMOOT. All I know is what I glean from the testimony.

Mr. KELLOGG. They were automobiles and trucks. No tractors have been distributed at all.

Mr. SMOOT. I am not talking about automobiles and trucks. I will say to the Senator that trucks are not involved in this item at all. There is an amendment, as I understand, to the Army appropriation bill, which will be considered immediately after the passage of this bill, authorizing the Secretary of War to transfer automobiles and trucks under certain provisions to the States; but the item now under discussion refers only to tractors, and not to automobiles or trucks.

Mr. SMITH of South Carolina. I should like to ask the Senator from Utah a question. To what use do the Army officers put these tractors?

Mr. SMOOT. As the Secretary has said, if the Army did not have these tractors it would have to have horses, as was formerly the case, to draw the guns. The horses would have to feed all the time, and the expense would be an immense item, as the Senator knows. Tractors now are used in the place of horses, which formerly were employed in the drawing of artillery.

Mr. SMITH of South Carolina. They are used, then, for hauling the heavy ordnance?

Mr. SMOOT. The heavy ordnance; yes.

Mr. SMITH of South Carolina. And they are not the trucks with which we are familiar, which are used for carrying heavy material?

Mr. SMOOT. Not at all; they are made for nobody but the War Department; it is a special type of machine made for them for the purpose I have indicated.

Mr. THOMAS. Mr. President, if the Senator will permit me to interrupt him, two weeks ago, or such a matter, the War Department gave an exhibition in Rock Creek Park of the new tractors to which the Senator from Utah refers. There were various types of those tractors, some of them being integral with the gun—that is, they were a unit with the gun carriage—others were tractors made to be hitched to the gun or to the gun carriage as horses used to be hitched to the gun carriage for the same purpose; in other words, they have two types, one being a unit and the other being several units.

The exhibition was given over very rough ground, and I was one of the few members of the Military Affairs Committee who went down to see it. Its superiority over previous methods of transporting heavy artillery in particular, although it is equally good for light artillery, was remarkable. There was no elevation in the park immediately adjacent to the place of the experiment that was too great for those units to go over. One tank, for example, went up a hill—very slowly, of course—but the hill must have had a slope of 30 degrees. It was very steep. Then, among the exhibits was a little Ford tractor, having four wheels, with the tractor engaging the four wheels instead of two; and the smaller type of tractor could easily turn around within its own length.

Mr. SMOOT. Not only could it turn around within its own length, but, if the Senator knows how narrow the bridge over Rock Creek on Connecticut Avenue is, those tractors could turn around within that space almost twice.

Mr. SMITH of South Carolina. If I may ask, are the tractors contemplated in the proposed amendment to which the committee did not agree of the caterpillar type?

Mr. THOMAS. All tractors, I think, are of the caterpillar type.

Mr. SMITH of South Carolina. Not the Fords.

Mr. THOMAS. Yes; the Fords of which I speak are. That was a newly invented method, and it was applied to a little Ford machine for the purpose of showing its superiority over other types of tractors.

Mr. SMITH of South Carolina. Was it a continuous belt?

Mr. THOMAS. Yes; a continuous belt. The short turn is made by operating only one side at a time and keeping the other out of commission; and the performances of an acrobat in a circus were about the nearest analogy that occurred to me in seeing them operate. With regard to the expense of their operation, of course, I know nothing, although some of the officers said it was no more than with the old method and not as expensive as the former use of horses.

Mr. SMITH of South Carolina. My interest in it was this: From the fact that the amendment placed in the bill in the House was stricken out by the Senate committee, I inferred that there was not a sufficient amount of these tractors or that they were not suitable for road purposes. What surplus have we on hand?

Mr. SMOOT. As I said, they have on hand 6,752, and they are using to-day 5,197. There will be a surplus of 1,555 tractors altogether; and then, if the Senator will follow me in this testimony, the Secretary of War outlined the fact that those 1,555 are not nearly enough for their purposes, and that the average life of one of these tractors where they are used is only five years.

Mr. SMITH of South Carolina. Of course I shall follow what he has said subsequently; but my general information was that there was a vast surplus of this material that was of no use now to the Army that could be advantageously used in the construction of highways, and that this was for the purpose of authorizing them to transfer these machines to public road building.

Mr. SMOOT. No one would be more interested in that than I. These two provisions went in on the floor of the House. No hearings at all were had, and there was no chance for the War Department to say how they affected the War Department. This testimony will show how they affect the War Department.

Mr. OVERMAN. Mr. President, I think there is some little confusion about this matter. I had introduced an amendment to the Army appropriation bill allocating to the States the surplus automobiles and trucks, which I think has been brought forward by the committee and recommended favorably. It seems to be understood in the country that this provision refers to trucks rather than tractors. These tractors, as the evidence before us shows, can hardly be used for the purposes that the highway commissions think they can. These tractors are specially made for the Army, for a special purpose, and the Secretary of War was very explicit in his testimony that he probably did not have enough now and that if he had to furnish horses to draw these guns the expense would be enormous.

Mr. SIMMONS. Mr. President, will my colleague permit me to interrupt him? Have not some of these Army tractors been distributed among the States for road-building purposes?

Mr. OVERMAN. They have been distributed until now there are only 6,000 on hand.

Mr. SIMMONS. Are not those that have been distributed of the same type as those that we are now asking to have distributed?

Mr. OVERMAN. I do not think so.

Mr. SMOOT. Some of them are, but it is demonstrated, the Secretary says, that they are very expensive, and when broken down out in some of the Western States he testified that it sometimes cost $1,000 to repair them, more than a tractor would cost.

Mr. OVERMAN. I doubt whether they could be repaired at all.

Mr. SIMMONS. I do not know about that, but I know that some of these tractors have been assigned to the States for use in highway construction; I know that they have been used, and I think some have been used in the State of my colleague and myself, and I have not heard of any complaint of their insufficiency or inadaptability. On the contrary, in the last few days I have received a telegram from the director of highway construction in my State asking me to lend my support to the proposition to authorize the Government to make additional distribution of them.

Mr. OVERMAN. I, too, have a similar telegram, and there were allocated to the States a large number of these tractors, which are in use and are very serviceable, but I think the selection was made by the War Department of such tractors as could be used on our roads. These are tractors of a peculiar kind, so the Secretary of War testifies, an Army type of tractor that is not made for road use. It is a design gotten up for the Government. I think all the ordinary tractors that were on hand have been allocated and distributed to the States.

Mr. SIMMONS. Then I understand my colleague to say, if the Senator from Utah will permit me, that the type that it is proposed in this amendment to authorize the distribution of is different from the type that have heretofore been distributed.

Mr. OVERMAN. That is what I understood from the Secretary of War as to the type of tractors on hand.

Mr. SIMMONS. I thought the types were the same.

Mr. OVERMAN. I wish the testimony might be read, so that Senators can understand exactly what the Secretary of War says about it, and that will explain the whole situation.

Mr. SMOOT. Mr. President, it would be far better for us to make a direct appropriation of money now to buy tractors and give them to the States than to give them these tractors. They can not be made quickly; they are made specially; and if a war should come on, or any trouble should arise, we would have to have them on hand, so the Secretary says.

Now, Mr. President, I am going to read the testimony of the Secretary of War.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. Yes.

Mr. KELLOGG. Is the testimony of the Secretary printed?

Mr. SMOOT. Mr. President, it has not been printed. It came up here, and I expected the bill to come up day before yesterday, and we have not had time to have the testimony printed. I reported the bill right from the committee.

I will read the Secretary's testimony.

Mr. KELLOGG. The Secretary's testimony is brought in here at the last minute, with no chance to get a report that he has previously made and authorizations that he has previously made for the use of these tractors.

Mr. SMOOT. I want to say to the Senator and also to the Senate that when the Secretary came before the subcommittee he brought Gen. Williams and two or three other officers of the Army along with him to insist upon these items going out.

Mr. SIMMONS. Mr. President, I should like to ask the Senator from Utah a question: When did this change take place in the type of tractors used by the Army? That, to my mind, is the crucial question.

Mr. WARREN. Why not have the Secretary's statement read? Then we will know what we are talking about.

Mr. OVERMAN. Let the testimony be read.

Mr. SIMMONS. If the Senator from Wyoming will pardon me, my inquiry is entirely proper and legitimate, and despite the impatience of the chairman of the committee, I wish an answer from the Senator from Utah, who, I think, knows what he is talking about.

Mr. SMOOT. I can not say what type of tractor was delivered, and I can not say when the changes were made. I suppose they were made just as the war developed and the changes that were necessary were discovered. There has been a general growth in the development of tractors, as there has been in other instruments of warfare.

Mr. SIMMONS. If the Senator will pardon me further, I want to say that unless there has been a change in the type since the tractors were originally assigned to the States I can not agree with the Senator's contention that these tractors are unsuited to road construction.

Mr. SMOOT. I know that the Senator would not send to one of the States for road construction a tractor that has cost the Government $2,500 knowing that the Government must have the tractor, when the Government could make an appropriation of $750 to buy a tractor to do the work. That is the whole proposition.

Mr. SIMMONS. That is not the point at all.

Mr. GRONNA. Mr. President, may I ask the Senator from Utah if he has a list of the makes of the tractors?

Mr. SMOOT. No; I have not.

Mr. GRONNA. There are Senators here who, perhaps, know as much about tractors as the Secretary of War does, and perhaps more. I want to say, for the information of the Senator from Utah, that there are any number of people in the West who paid not only $2,500 but $4,000 for a tractor.

Mr. WARREN. And even $10,000.

Mr. GRONNA. Yes; and even $10,000. The Senator from Utah has just made the statement that you can buy a tractor for $750. That is true, of course; but that is not the type of tractor that is used for farming on any sort of a large scale, because that type will carry only two small plows, and there are tractors used by farmers carrying as many as 10 plow bottoms. It does not pay to operate a tractor that carries less than six plow bottoms.

Mr. SMOOT. There may be a few farmers like that, but we are not looking after that class of farmers. They will take care of themselves.

Mr. GRONNA. But the Senator from Utah made the statement that those tractors are not practical tractors for the farm. I may not know as much about farming as some other people, but I know more about it than the Secretary of War, and I perhaps know more about tractors than the Secretary of War; and if I had a list of the makes of the tractors, I could tell the Senator from Utah whether or not they are practical for farm work.

Mr. SMOOT. All I know is that every tractor they have on hand has been made specially for the War Department.

Mr. GRONNA. That would not indicate that they could not be used for farming, because that would have reference only to the carriage of the tractor—a carriage for a binder, or for a plow, or for a thrashing machine. Those are only the carriages and have nothing to do with the machine itself.

Mr. SMITH of South Carolina. Mr. President, before the Senator reads the testimony, I should simply like to state that on any kind of road building no tractor would be available that was not a great deal heavier than the ordinary tractor that pulls three or four plows, because that is the heaviest possible kind of a load in shaping up a road, and the heaviest possible tractor; and I will venture the assertion that there is not a tractor made in America for $750 that would be worth its purchase price for road purposes.

Mr. SMOOT. I simply referred to a cheap tractor as compared to these very expensive tractors.

The Secretary's testimony was as follows:

The first of these provisos directs the War Department to sell 2,000 tractors owned by the department, and the second proviso directs the War Department to distribute through the Agricultural Department for use on roads an additional 1,250 tractors.

Senator SMOOT. Mr. Secretary, how many of these tractors have you?

Secretary BAKER. We have on hand in the War Department now 6,752 tractors. If you will permit me, I will tell you where they are located and what they are doing.

Senator SMOOT. I wish you would, because the question is asked many times on the floor of the Senate.

Secretary BAKER. There are now issued to the Regular Army and National Guard, and therefore in actual use by the Army and the guard, 3,190 tractors.

When the National Guard has been expanded as is provided by law and by expectation an additional 2,007 tractors will be necessary to be issued to them, which will make a total of 5,197 and will leave a balance of 1,555.

Now, if the 3,250 which are provided by these two provisos are sold and distributed there will be a deficit of 1,695 tractors. That you will understand is a deficit over the number now actually issued and in use in the Army and the guard plus the number necessary to equip the guard authorized and in process of formation. It would leave us 1,695 tractors short of the number necessary for the Army actually in existence plus the National Guard authorized to come into existence.

Senator SMOOT. Do you think you could get along if we took out the amendment that was adopted in the House.

Secretary BAKER. Both provisos.

Senator SMOOT. Supposing we disagreed to the second proviso that was adopted in the House:

Provided further, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Secretary of Agriculture for distribution among the highway departments of the several States for use on roads constructed in whole or in part by Federal aid 1,250 tractors owned by the War Department.

Secretary BAKER. Neither amendment ought to be passed. Neither proviso ought to stay in.

Mr. KELLOGG. If the Senator will yield to me, I will say that so far as I am concerned I do not ask to have the first proviso reinstated. I do not care whether they sell them or not. If we can have a separate vote on the second proviso, the Senator need not spend any time discussing the first.

Mr. SMOOT. I want the Senate to know about both of them. There may be somebody who may want to recede on the first.

Mr. KELLOGG. I do not see any necessity of taking up the time.

Mr. WADSWORTH. I hope very much the Senator will proceed. This is a matter which affects the Military Establishment, and ordinarily this subject should have been treated by the Military Affairs Committee.

Mr. KELLOGG. That is the committee which should have had it.

Mr. WADSWORTH. That is why I am very anxious that the Senator should proceed.

Mr. SMOOT. I want to say to the Senator from Minnesota that I agree with him that it should have been treated in the Committee on Military Affairs. But on the floor of the House these two amendments were put in. There was no estimate for them at all. There was no estimate and no recommendation from the department that they should go in, but somebody on the floor of the House moved that they go in, and they went into this bill.

I will say to the Senator from New York that as far as I am personally concerned as chairman of the subcommittee having the fortifications appropriation bill in hand I never would have put it into this bill.

Mr. WADSWORTH. It does not belong there.

Mr. SMOOT. It does not belong there. I continue reading from the testimony. The Secretary proceeded:

Let me deal with them separately.

The first proviso which is in the bill authorizes the sale of 2,000 tractors. These are specially constructed artillery tractors. They are very expensive. They are not a commercial type of tractor. They are very expensive to repair. The companies which made them have undertaken to make them commercially usable and have failed to be able to sell them for commercial use. Other tractors are just as good and not so expensive for the kinds of use that the public have for tractors; so if we should sell 2,000 of these tractors we would have to sell them for a very small price and get next to nothing for them, because they are not commercially as desirable as tractors that are less expensive to repair. We would get a very small price for them.

Senator OVERMAN. There was a provision in the Army appropriation bill requiring you to sell. Will that conflict with this?

Secretary BAKER. I do not get that, Senator.

Senator OVERMAN. I introduced an amendment yesterday providing that you should distribute what you could and then sell the surplus.

Secretary BAKER. The motor cars and trucks are a very different proposition. This deals with the special items of 5 and 10 ton tractors. We have no other tractors left in the Army besides these, except a few obsolescent ones.

Senator SMOOT. Does your amendment apply to tractors, or apply to motor trucks?

Senator OVERMAN. To all

Senator SMOOT. Motor trucks?

Senator OVERMAN. Motor trucks.

Secretary BAKER. If it applies to tractors and deals only with surplus, there will be no difficulty; but if it deals with those that are actually on hand now, there is no surplus of tractors, but instead of that there is an existing deficiency of tractors in the Army.

The second proviso, which was added in the House, deals with the distribution to the Department of Agriculture. We have already distributed through the Department of Agriculture to the States more than $93,000,000 worth of property usable in the construction of roads. These tractors of which I am speaking are too valuable to be used in that way. When the train or track of one of these tractors breaks the entire track has to be replaced at a cost of $1,000, and for $1,000 they can buy a traction engine that will do most of the things that they would have one of these tractors doing. It is too highly specialized a tool to be used for that purpose.

Now, may I for a moment give you the larger aspect of it?

The Army reorganization bill of June 4, 1920, directs the War Department to be ready for the immediate mobilization of an organized army of a million men, to be in such condition that we would be immediately able to mobilize an army of a million men. In our theory of reserves, in anticipation of any such emergency as that, we have, quite logically I think, said that those things which are slowest in production should be kept most nearly in adequate supply. Those things which we can go out into the streets and get, or get something nearly as good, we need not keep in such large supply. Tractors of this type, that are able to pull a 155-millimeter cannon, are highly specialized. They are not made except for us, and if we were to start in with orders for those we would not get the first one delivered under six months, and it would be nine months before we could get enough of them made to equip a million men, plus those we have. So that it is a supply we ought constantly to have on hand up to the theoretical mobilization provided by the National Army reorganization act.

The number of tractors necessary for the initial equipment of an army of a million men is more than 10,000, and we have only 6,700 now.

Senator SMOOT. Are these tractors under cover?

Secretary BAKER. All under cover.

Senator SMOOT. Where are they located?

Maj. MOODY. The majority are in the hands of troops. The others are principally at Rock Island, Ill., Erie Proving Ground, and distributed at certain Army reserve depots which would be used in the event of mobilization.

Senator SMOOT. Could the space occupied by these tractors be used for any other purpose?

Maj. MOODY. I am not familiar with that; but, as I understand it, there is ample covered space now provided for the storage of material of this type.

Secretary BAKER. I can only tell you about Rock Island. I have seen that. We have moved a lot of things from Rock Island, and have gone forward on the theory of making it a single-purpose arsenal, a more strictly limited arsenal for the construction and repair of tractor vehicles and artillery carriages, and things of that sort. There is plenty of room at Rock Island for what we are doing—plenty of room to cover these tractors.

Now, I think this may be of value in answering the question: The alternative is this: In the annual cost of upkeep of tractorized artillery as against horse-drawn artillery, we are now saving $3,000,000 a year by having these tractors, as against what we would be required to have if we had horses. If we did not have the 10,000, or 20,000, as the case may be, of tractors necessary for the mobilization of a million men, it would mean the immediate purchase of large numbers of horses, and vastly greater upkeep cost.

Senator SMOOT. Eating their heads off all the time and requiring men to curry them?

Secretary BAKER. Yes.

Senator OVERMAN. How many tractors have you on hand now?

Secretary BAKER. Altogether, 6,752.

Senator OVERMAN. How many are necessary for the Army?

Secretary BAKER. The number necessary for a mobilized army of a million men is 10,800 to start with, and 20,800 for the first year.

Senator OVERMAN. Suppose you do not mobilize?

Secretary BAKER. If we did not mobilize at all, we have in use by the Army 3,190, and the National Guard which is in process of formation will need an additional 2,007, which makes 5,197, and leaves only 1,555. The life of a tractor is five years. In the next five years we will have to replace 3,190 tractors now in use; so that in five years, if we give away a single tractor, we will have to buy a tractor to replace it.

Senator OVERMAN. Here is the amendment I spoke of—

Then Senator OVERMAN read an amendment, which has been referred to the Committee on Military Affairs, affecting automobiles and trucks. I continue reading:

Secretary BAKER. That is perfectly unobjectionable. There could be no objection to that.

Senator SMOOT. I think we understand it.

(Whereupon, at 11 o'clock a. m., the subcommittee proceeded to the consideration of other business.)

Mr. President, that is the testimony of the Secretary of War. Has the Senator from New York [Mr. WADSWORTH] the letter from Gen. Williams?

Mr. WADSWORTH. No; I have not.

Mr. SMOOT. Then I will have to send for it. I think there is one in my office. I thought I had it here. That, Mr. President, is why the Committee on Appropriations struck these two items from this bill, because if we distribute these highly specialized tractors to the different States, it will be but a short time before we will have to buy similar highly specialized tractors, and it would be very much better to buy the regular tractor, so that the repairs could be made wherever they are, in the State in which they are, than to use a special tractor made for the War Department, which in some cases, the Secretary says, costs $1,000 to repair.

Mr. HITCHCOCK. I would like to verify the figures so as to get the correct ones in my mind. I understand from the Senator's remarks that we now have several thousand of these tractors, probably 3,000, which are idle.

Mr. SMOOT. No; we have 1,555 idle.

Mr. HITCHCOCK. Besides 2,000 which are occasionally in use by the National Guard, or assigned to the National Guard.

Mr. SMOOT. No; yet to be assigned to the National Guard.

Mr. HITCHCOCK. They are idle at the present time?

Mr. SMOOT. I do not know where they are.

Mr. HITCHCOCK. I want to ask the Senator if these tractors are not becoming obsolete?

Mr. SMOOT. The Secretary says not and Gen. Williams says not, because they are made especially for this purpose.

Mr. HITCHCOCK. They are made for this purpose; but, after all, the matter is comparatively in its infancy, and within five years they are likely to be obsolete. Would it not be better to put them to some use during this time of obsolescence than permit them to rust and remain idle?

Mr. SMOOT. If any trouble should come, Mr. President, the Secretary says this type of tractor can not be made as tractors are made generally. They are a special type, made only for the War Department, and there could not be any delivery short of six months, so the Secretary of War says. It is not like a tractor made for general use.

Mr. SIMMONS. He does not say they are made only for the War Department. He simply says they are specialized. They may, and I think do, use specialized tractors for road work. He did not say they were made especially for the War Department.

Mr. SMOOT. Yes; he said they were made especially for the War Department.

Mr. SIMMONS. I did not so understand it.

Mr. SMOOT. I will find it for the Senator.

Mr. HITCHCOCK. It seems very improvident to allow these tractors to remain idle when they are urgently needed for public work and when, of course, in a few years probably the War Department will be demanding a better type of tractor. That is the case with every mechanical device.

Mr. McKELLAR. I want to call attention to this fact, that there are only 3,190 of these tractors that the Secretary of War even claims to be in use. The whole number is 6,752, and there are now used, in both the Army and the National Guard, 3,190, and the Secretary of War puts in an additional 2,017 for the National Guard. The Secretary of War has the idea of a million men in his mind.

Mr. SMOOT. No; not at all.

Mr. McKELLAR. Read the testimony. He says 2,017 for an expanded National Guard. The only ones in use now, for both National Guard and the Army, number 3,190.

Mr. SMOOT. Yes.

Mr. McKELLAR. But giving him his 2,017 for the National Guard, there is a balance of 1,555 which are still unused. The second proviso only asks that there shall be distributed 1,250, so that he will have 300 more than he needs, even with an expanded National Guard. Those are the facts about the matter, the facts the Secretary of War testified to. He has not any expert knowledge about tractors.

Mr. SMOOT. Mr. President, that is exactly as I said—that there are in use to-day 3,190 tractors.

Mr. McKELLAR. Over half of them are not in use to-day. Over half of the tractors we have are not in use.

Mr. SMOOT. I suppose the Senator knows better than Gen. Williams and the Secretary of War. All I can say is what they testified to.

Mr. McKELLAR. I am quoting them.

Mr. SMOOT. Here is what they said. The Senator must have quoted it, because I handed him the testimony.

Mr. McKELLAR. I quoted from the testimony.

Mr. SMOOT. The Secretary said:

> There are now issued to the Regular Army and the National Guard, and therefore in actual use by the Army and the guard, 3,190 tractors.

Mr. McKELLAR. Precisely.

Mr. SMOOT. That is what I said.

Mr. McKELLAR. What does he say about the 2,017? He says it is for the use of an expanded National Guard. They are not in use by the National Guard now.

Mr. SMOOT. That is not what the Senator said. He said only half of the 3,190 are in use.

Mr. McKELLAR. I said of the whole number.

There are 3,190 in actual use to-day. Then he said:

> When the National Guard has been expanded as is provided by law and by expectation, an addition of 2,007 tractors will be necessary to be issued to them, which will make a total of 5,197 and leave a balance of 1,555.

Those are exactly the figures I stated.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the chairman of the Committee on Military Affairs [Mr. WADSWORTH] if the new type of tractor that has been referred to here this morning is of the same character as those of which the Senator from Utah is now speaking?

Mr. WADSWORTH. Some are, and some are not.

Mr. SMITH of South Carolina. Those now being used are of a somewhat more modern type than those owned by the Military Establishment?

Mr. WADSWORTH. Those to which the Senator from Utah refers are the most modern type of artillery tractors. Those which the Senator from Colorado saw the other day are an experimental type built for the special purpose of carrying the gun rather than hauling the gun behind it. The tractors which are on hand now are the last word in military tractors, and our Artillery, including the National Guard, is being equipped with them in all calibers above 6 inches.

Mr. SMITH of South Carolina. But the point I am making is this: The Committee on Military Affairs went out for the purpose of seeing a demonstration of a type of tractor different from the type we now have.

Mr. WADSWORTH. A tractor designed not for all purposes but only for special purposes.

Mr. SMITH of South Carolina. Whatever special purpose that may be, it would be a substitute for those we have on hand now.

Mr. WADSWORTH. Very few.

Mr. SMOOT. All the tractors that have been delivered, about $93,000,000 worth of them, as testified by the Secretary of War, were tractors, of course, of the oldest type, but now they have got right down to the 6,752 of the modern type of tractors.

Mr. SIMMONS. All of them?

Mr. SMOOT. All of them.

Mr. SMITH of Arizona. If the Senator will permit me, what is the character of the tractors that have already been delivered to the road-building departments of the States?

Mr. SMOOT. They were all of the first make of tractors and even some of the modern in the last order that was made.

Mr. SMITH of Arizona. How many of the highly expensive tractors have been delivered to the States?

Mr. SMOOT. I can not say.

Mr. SMITH of Arizona. The Senator does not know what proportion of them have been delivered?

Mr. SMOOT. No; I do not.

Mr. SMITH of Arizona. Nor their ability to do the road work better than any of the other tractors?

Mr. SMOOT. I do not know that, but I do know that the Secretary of War has said that in some cases it costs a thousand dollars to repair one of them when it breaks down.

I wish to call attention again to the fact that the life of a tractor is five years and that is all, and if we give these tractors away we shall have to purchase more tractors. It would be far better, if we are going to give tractors to the different States, to go and buy a tractor that is fitted particularly for the work of road building rather than to take a specialized tractor made for the use of the Army.

Mr. KELLOGG. Mr. President, if the Secretary of War intended to convey the idea, as stated by the Senator from Utah, that $93,000,000 worth of these tractors had been delivered to the States, of course he is mistaken. About $1,500,000 worth of tractors of the 20-ton type have been delivered to the States, and 10 or 15 old tractors that were not fit for use have also been turned over to the States. That is all the tractors the States have received from the Government.

Now, as a matter of fact, the tractors mentioned in the second proviso were ordered returned to the United States to be delivered to the States for road-building purposes. I will state to the Senate the report of Col. Meyers and the orders of the Secretary of War for their return.

Before doing so, let me say that Col. Bowlby, who was in the transportation service of the Regular Army during the war, and, I think, Col. McCord, both of whom are now in the Agricultural Department—Col. Bowlby as Chief of War Materials Division—were thoroughly familiar with the nature of the tractors, and they state that they are perfectly suitable for use in building roads, for hauling scrapers and plows in wet and soft earth in the grading and construction of roads, and if there is any way of buying for $750 or $1,000 a tractor that would do that work I have never heard of it.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. KELLOGG. Certainly.

Mr. WADSWORTH. Does the Senator state that it is necessary to spend $6,000 to get a tractor to do that work?

Mr. KELLOGG. The 10-ton truck costs only $5,000.

Mr. SMOOT. These are 5-ton and 10-ton trucks.

Mr. KELLOGG. I do not think 5-ton trucks cost that much.

Mr. WADSWORTH. Then the statement of the Senator is open to question.

Mr. KELLOGG. I will venture to say that the Secretary of War himself does not know much about it. He depends on officers under him in the War Department.

In June, 1919, a request for road-building equipment in the Engineer depots in France was made through Mr. Monte Appel, special representative of the Secretary of War, and on June 9 Mr. Appel stated:

I have discussed the matter with the Secretary. He has instructed me to say that the War Department will deliver to the Department of Agriculture, out of the surplus in the United States or in France, the equipment and supplies which you list as an attachment to your letter.

Attached to the letter was a list of equipment, headed by the following: Five hundred and twenty-four 5-ton caterpillar tractors and 1,035 10-ton caterpillar tractors.

On June 20 Mr. Appel, as acting special representative of the Secretary of War, wrote as follows:

Herewith for your files copy of telegram to the United States Liquidation Commission directing the return to America of the equipment to be turned over to the Agricultural Department.

A portion of the telegram reads:

JUNE 20, 1919.

Under existing legislation which authorizes the War Department to deliver to the Agricultural Department any surplus equipment or materials on hand, the Secretary of War directs that the following equipment now in France be returned to the United States for delivery to the Agricultural Department: Five hundred and twenty-four 5-ton caterpillar tractors; one thousand and thirty-five 10-ton caterpillar tractors.

That was in June, 1919. The States had made requisition for one thousand and fifty 10-ton tractors and two hundred and twenty-eight 5-ton tractors, and the States were promised, under the authority of the Secretary of War, those tractors, and they were returned to the United States for that purpose.

Relying on that, many of the States went ahead with the procurement of their material and other machinery necessary to construct the roads.

In November some question arose with regard to delivery——

Mr. WADSWORTH. What year?

Mr. KELLOGG. 1919; a little over a year ago. The War Department has not sold any tractors, and the figures compiled at that time apply now. A report upon the whole subject was made by Col. H. C. Merriam, General Staff, Acting Chief Equipment Branch, Operations Division, which I will ask to insert in the RECORD at the close of my remarks.

Mr. WADSWORTH. What is the date of the report?

Mr. KELLOGG. December 2, 1919.

Mr. WADSWORTH. What is the officer's name?

Mr. KELLOGG. Col. Merriam.

Mr. WADSWORTH. Is he on the General Staff?

Mr. KELLOGG. Colonel, General Staff, Acting Chief Equipment Branch, Operations Division.

Mr. WADSWORTH. Was his report ever approved by higher authority?

Mr. KELLOGG. I do not know whether it was or not. I am not in the confidence of the War Department, but I wish to give the Senate the information that I have.

Mr. WADSWORTH. Apparently the Senator is in the confidence of the Colonel, but I should like to know whether that report was adopted as the report of the General Staff?

Mr. KELLOGG. I do not know whether it was or not.

Mr. WADSWORTH. What standing has it in the War Department?

Mr. KELLOGG. I do not know. I am not presenting it to the War Department. I am presenting it to the Senate. Col. Merriam states, among other things, in this report as follows, and I shall submit the whole letter for consideration:

The Ordnance Department as early as last April established the policy of retaining all 5 and 10 ton tractors, * * *.

The existing orders on the amount of equipment of this nature to be retained are that, based on the 1918 tables of organization, enough material shall be kept to equip an Army of 20 combat divisions with corps and Army troops.

That is not a million men, and the Secretary of War knows that he can build tractors as fast as he can train soldiers. The report states the number of tractors——

Mr. WADSWORTH. Will the Senator say that we had that experience during the last war?

Mr. KELLOGG. I think we had.

Mr. WADSWORTH. Does the Senator mean to say that we built tractors as fast as we trained soldiers?

Mr. KELLOGG. As fast as they were needed, apparently.

Let us see what Col. Merriam says is necessary to equip 20 combat divisions. He gives it as 4,484 tractors, and we have about 7,000. Of course, I am not an expert, as the Senator from New York is, and he knows better about this than I do, but Col. Bowlby furnishes me the information that 20 combat divisions would amount to about 385,000 or 390,000 men, and that the present Army reorganization bill authorizes only 175,000 men or about 45 per cent of that number. If only 4,484 tractors are necessary for 390,000 men, of course it stands to reason that about 45 per cent of that number would be necessary for 175,000 men.

The fact is, I think, that the War Department has never been willing to let go of anything when it got it. Is it possible that under the present Army bill the War Department needs tractors for 20 combat divisions? But assume that it does. Col. Merriam's report is based on that assumption; but he still reports that these tractors ought to be delivered to the States.

Mr. WADSWORTH. Does he say how many tractors are to be assigned to a division?

Mr. KELLOGG. No; I think he states the aggregate number in full for the 20 divisions.

Mr. WADSWORTH. That is rather an important item.

Mr. KELLOGG. He says:

There are approximately 6,894 tractors available to meet these requirements. The Department of Agriculture has requested to date 1,067 tractors, which if turned over to them will still leave a surplus over the table of organization requirements, revised to include the recommendations of the caliber board, of 239 tractors.

That is, they could still deliver the 1,067, supply the 20 combat divisions, and also supply 1,774 tractors for use for various purposes by the Corps of Engineers for pontoon bridges, road construction work, and so forth.

Mr. FLETCHER. Mr. President, Col. Merriam does not seem to take into consideration the National Guard at all in his calculation. That seems to me to be a very important consideration.

Mr. KELLOGG. It is manifest, of course, that tractors will not be needed for 20 combat divisions. Does the Senator from Florida believe, if we do not so need them, that such tractors as may be necessary can not be used for the National Guard?

Mr. WADSWORTH. They can not be used for both the National Guard and the Regulars at the same time.

Mr. KELLOGG. Certainly not; but if we only need tractors for 10 combat divisions, which is more than 175,000 men, the other tractors which might have been used by the other 10 combat divisions could certainly be used for the National Guard. There would then be enough, according to this report, for the National Guard, for all the Army we are authorized to raise under the Army appropriation bill, for training purposes, and otherwise.

Col. Merriam says:

Mr. Bowlby stated it would place them in a very awkward position, as they had already obligated themselves to the States to deliver the tractors, and the States in turn had canceled or withheld their orders for similar equipment, which they had intended to procure from other sources.

It is perfectly evident that that is true. Furthermore, Col. Merriam says in this letter—which I will put into the record—among other things, that the storing of these tractors is very unsatisfactory. Speaking about the storing of the tractors, he further says:

This is unsatisfactory for many reasons, principally in that we have not sufficient covered storage facilities and that some material deteriorates more when in exposed dead storage than when in careful daily use. This applies particularly to that type of equipment in which the Department of Agriculture is particularly interested, such as concrete mixers, road rollers, sprinkling carts, tractors, transits—

And so forth. At the end of his letter he states:

Under the provisions of a policy of this nature there would be no difficulty in turning over to the Department of Agriculture all the tractors they desired.

Mr. President, I do not say that the Secretary of War approved it or that the General Staff approved it. It is a fact well known to Senators, I think, that Gen. March never was willing to let go of anything, and that he always insists on keeping more material and supplies than are necessary for the War Department. Of course, I have no doubt that Mr. Baker, as Secretary of War, relies on Gen. March.

What I do not understand is the position of the men who had this in charge at the time and whom the Secretary of War authorized to order this equipment to be delivered to the States, according to the promise to the States that the tractors should be delivered. The conditions are the same now as they were then, except we now know that there is no need of tractors for 20 combat divisions. They have not sold any of the tractors. It is admitted that it will be, I think, five years before the remainder of the tractors will be needed, and undoubtedly long before five years have elapsed we shall have the War Department coming to Congress saying there are improved tractors and that we ought to get the most up-to-date tractors for the use of the Army.

It seems to me, under the circumstances, that these tractors ought to be delivered to the States according to the promise made in 1919. I do not believe that this number of tractors is necessary for any Army which we are authorized to maintain under the Army appropriation bill or which in any human probability we shall need. These tractors are needed to-day in road-construction work. Officials of the Agricultural Department who were previously in the War Department say these

tractors are proper for this use and ought to be available for this use and will be of great service to the States in the construction of roads.

Mr. President, I do not ask that the first proviso be retained; I do not care whether the War Department sells any of these tractors or not; but I am told by Col. Bowlby and Col. McCord, of the Agricultural Department, that many of these tractors are out of doors and are exposed to the weather.

Mr. WADSWORTH. Every one of them is under cover, and most of them are at Rock Island. There is covered storage for every one of them.

Mr. KELLOGG. Does the Senator from New York know that?

Mr. WADSWORTH. I know that from yesterday's conversation with the Chief of Ordnance, who is in direct charge of this matter, and not Col. Bowlby or the General Staff.

Mr. KELLOGG. If they are in storage—and I hope they are—certainly they will deteriorate in five years, and they had better be used than to be lying idle, when the War Department will probably never use them.

Mr. SIMMONS. Mr. President, I should like to ask the Senator a question. Does he understand that it is the policy of the War Department to keep on hand at all times equipment of all kinds that may be necessary for an Army of a million men?

Mr. KELLOGG. Is the question addressed to me or to the chairman of the Committee on Military Affairs?

Mr. SIMMONS. I will address it to the chairman of the Committee on Military Affairs.

Mr. WADSWORTH. I did not hear the question.

Mr. SIMMONS. I ask does the Senator understand that it is the policy of the War Department to keep on hand at all times sufficient equipment of all kinds to provide for an Army of a million men?

Mr. WADSWORTH. No; I have no such understanding.

Mr. SIMMONS. Then, why is it thought necessary to keep on hand tractors sufficient to provide for an Army of a million men?

Mr. WADSWORTH. We have not any such number of tractors on hand.

Mr. SIMMONS. But I understood from the statement of the Secretary of War that he was estimating for tractors for an Army of a million men.

Mr. WADSWORTH. No.

Mr. SMOOT. The Senator is wrong as to that. The Secretary said that it would take 10,000 tractors for a million men the first year and 20,000 for the second year. We have on hand only 6,752.

Mr. SIMMONS. Then, if 10,000 are necessary for a million men for the first year, why are 6,752 necessary for a much smaller number of men?

Mr. SMOOT. The Senator overlooks the fact that 2,007 are required for the National Guard, which is to be expanded.

Mr. SIMMONS. An additional number may be needed for the National Guard when it is expanded, but how long it is going to take to expand the National Guard to a point where they will need 2,000 additional tractors I do not know myself; but a member of the Military Affairs Committee has indicated to me that it will be probably six or seven years before the National Guard will be expanded to such a number that it will need anything like 2,000 tractors.

Mr. KELLOGG. I will say that, so far as I am concerned, I have no objection to the Senate agreeing to the first proviso if we can have a vote on the second proviso. I present to the Chair that parliamentary inquiry, whether we can have a separate vote on the two provisos.

The VICE PRESIDENT. Yes; there can be a separate vote on agreeing to each of the provisos.

Mr. KELLOGG. I ask unanimous consent that the letter of Col. Merriam, to which I have referred, may be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

DECEMBER 2, 1919.

Memorandum for the Chief of Staff:

Subject: Transfer of Artillery tractors to the Department of Agriculture.

1. The question of turning over to the Department of Agriculture the 5 and 10 ton Artillery tractors, for which they have submitted shipping instructions, has been presented for settlement, and it is thought advisable again to place this matter before the Secretary of War.

2. It was brought to the attention of the Secretary of War some time in June by Lieut. Col. McCord, then of the Ordnance Department, now of the Department of Agriculture, that a surplus existed of 5 and 10 ton tractors. Based on this information, the Secretary of War directed that a certain number of these tractors be placed at the disposal of the Department of Agriculture, and a copy of the letter containing his instructions is attached.

3. The Ordnance Department as early as last April established the policy of retaining all 5 and 10 ton tractors. This policy was concurred in by the caliber board, which was approved by the Chief of Staff. The statement made by Lieut. Col. McCord that a surplus of 5 and 10 ton tractors existed was both incorrect and made without authority.

4. The existing orders on the amount of equipment of this nature to be retained are that, based on the 1918 Tables of Organization, enough material shall be kept to equip an army of 20 combat divisions with corps and army troops.

5. The following analysis shows the actual requirements for such an army and is in accordance with the provisions of the 1918 tables, except that one regiment of 75-millimeter guns in each division is tractor drawn, and includes in army Artillery one brigade of 194-millimeter guns. Each army Artillery howitzer brigade is assumed to consist of two regiments of 9-inch and one regiment of 9.2-inch howitzers.

	5-ton (including 2½-ton).	10-ton.
20 divisions	2,900	.....
5 corps troops	400	120
1 army troop	128	936
	3,428	1,056

6. This corresponds closely to the number of tractors issued to units in France, and it is possible for a motorized organization to function with such an allowance.

7. It has been recommended by the caliber board and the Chief of Coast Artillery that this allowance be substantially increased. If these recommendations are carried into effect the total table of organization requirements will be three thousand four hundred and twenty-eight 5-ton tractors and two thousand one hundred and sixty 10-ton tractors, a total of 5,588. These figures also provide sufficient tractors for one of the regiments in the howitzer brigades being equipped with the 240-millimeter howitzers.

8. There are approximately 6,894 tractors available to meet these requirements. The Department of Agriculture has requested to date 1,067 tractors, which, if turned over to them, will still leave a surplus over the table of organization requirements, revised to include the recommendations of the caliber board, of 239 tractors.

9. It would seem from this that nothing should stand in the way of the Department of Agriculture receiving these tractors. The Chief of Ordnance, however, has brought up the following instances where tractors are required and for which no provisions are made in any existing tables of allowances:

Corps of Engineers (for pontoon train and road-construction work)	150
Vocational training (agricultural)	200
Vocational training (motor vehicle)	216
Ordnance tractor schools	120
Motor Transport Corps (assumed requirements for 1 tractor per 100 tracks)	200
Equipment of intermediate armament of seacoast fortifications	348
R. O. T. C	140
	1,774

10. If it is thought advisable to provide these for the purposes indicated, it places the total requirements at 7,362, as against 6,894 available, or a shortage of 468 tractors.

11. A conference was arranged with the Department of Agriculture (Mr. Bowlby) with a view to ascertaining how seriously their work would be handicapped in the event of it being found inadvisable to turn over to them the tractors which they desired.

12. Mr. Bowlby stated it would place them in a very awkward position, as they had already obligated themselves to the States to deliver the tractors, and the States in turn had canceled or withheld their orders for similar equipment, which they had intended to procure from other sources. Labor conditions are such that it is impossible to secure deliveries of this kind of equipment in less than 10 or 11 months, and the work on the Federalized roads will be delayed accordingly. He further stated that if it was not practicable for the War Department to turn over this equipment and relinquish all rights to it, the Department of Agriculture would be pleased to receive it with the understanding that the title was still vested in the War Department and constituted a part of the war reserve. The Department of Agriculture would be responsible for its upkeep under an inspection controlled by the Army.

13. It would seem that the failure on the part of the War Department to place these tractors at the disposition of the Department of Agriculture might have far-reaching results, and it is suggested that the matter might be adjusted so as to be satisfactory to both departments, somewhat along the following lines: We have enunciated the policy of retaining equipment for an Army of 20 combat divisions, with the necessary corps and Army troops. Of this equipment, that pertaining to the seven regular divisions should logically be placed with the organizations in the divisional camps, and the equipment of the divisions assigned to the Canal Zone, Hawaii, and the Philippines, by reason of the difficulties of transportation, should be stored in those places, even in the complete absence of personnel other than caretaking detachments. The equipment of the remaining 10 divisions and the corps and Army troops, except the mobile brigades of Coast Artillery, would ordinarily be stored in certain designated depots. This is unsatisfactory for many reasons, principally in that we have not sufficient covered storage facilities and that some material deteriorates more when in exposed dead storage than when in careful daily use. This applies particularly to that type of equipment in which the Department of Agriculture is particularly interested, such as concrete mixers, road rollers, sprinkling carts, tractors, transits, etc., all of which are used in road construction, an activity of primary interest to the Army itself. It seems, then, that an understanding might be arrived at between the War Department and other departments of the Government whereby such equipment of 10 divisions and of the corps and army troops, for which a useful place can be found by other departments, might be turned over to them on certain conditions. The receiving department would, of course, be charged with the proper maintenance of any property turned over to it and responsible for its speedy return in case of emergency to any point indicated by the War

Department. A rigid inspection system would safeguard the interest of the Army, and under this scheme much of the property which is essential to the general welfare of the country in peace and for the efficiency of the Army in war would then serve at all times in the place of greatest advantage. Whatever disadvantages are contained in this proposal will more than be compensated for by the increased good will toward the Army, and perhaps Congress will be less reluctant to appropriate funds for the procurement of equipment to be utilized in this manner than if it were used purely for military purposes.

14. Under the provisions of a policy of this nature there would be no difficulty in turning over to the Department of Agriculture all the tractors they desired.

H. C. MERRIAM,
Colonel, General Staff, Acting Chief Equipment Branch, Operations Division.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, the discussion which is going on seems likely to continue for some little time. I wish, therefore, to call up the conference report on the sundry civil appropriation bill, in order that the bill may be sent back to conference for action on the amendments still in disagreement.

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 17, 18, 20, 24, 25, 26, 27, 29, 30, 45, 46, 47, 48, 52, 54, 55, 56, 58, 59, 62, 64, 65, 66, 67, 68, 69, 73, 79, 83, 84, 86, 96, 99, 100, 106, 107, 108, 109, 110, 113, 116, 122, 123, 124, 125, 126, 130, 131, 135, 140, 153, 154, 155, 156, 159, and 161.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 12, 19, 23, 40, 41, 51, 53, 57, 61, 63, 70, 71, 74, 75, 77, 85, 88, 89, 90, 91, 92, 93, 94, 95, 97, 98, 112, 115, 117, 118, 119, 128, 129, 144, 145, 146, 147, 148, 157, 158, and 160, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eleven"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,917.50"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,811,857.50"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$550,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44, 49, 50, 60, 72, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 111, 114, 120, 121, 127, 132, 133, 134, 136, 137, 138, 141, 142, 143, 149, 150, 151, 152, 162, 163, 164, 165, 166, 167, and 168.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.
JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. WARREN. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 49, 72, and 136. They involve unimportant changes, one being an amendment concerning the removal and reconstruction of the fence around the Botanic Garden, striking out the provision as to the official who shall superintend the work. Another relates to the appropriation for the Lincoln Memorial, reducing the appropriation provided by the Senate some $17,000. The third amendment relates to a fishery matter, and is a reduction in the amount provided by the Senate.

Mr. UNDERWOOD. Mr. President, I was talking with another Senator when the Senator from Wyoming made his motion, and I did not get the first part of his statement.

Mr. WARREN. The proposition is this: We have submitted the first report from the conference committee, which discloses many amendments still in disagreement. The three amendments to which I have referred constitute insignificant items. The House has agreed to those amendments with certain amendments to them proposed by it, and I have moved to concur in the amendments made by the House to the Senate amendments and to send the others back to conference and so notify the House, so that there may be a further conference.

Mr. UNDERWOOD. I will say to the Senator that I understand the conference report, which is a partial report, does not include the items in reference to the hospitals and as to the Muscle Shoals project, which is amendment numbered 60. Those two amendments, of course, will have to go back to conference, being still in disagreement. The House has by a reasonably narrow vote of 193 to 182, or a majority of 11, disagreed to the Muscle Shoals amendment. I take it, of course, that if the bill goes back to conference on a perfunctory motion, the Senate conferees may yield; but if the Senate further insists by vote, the Senator will endeavor to carry out the wish of the Senate in reference to these items.

I think we should have an expression of the Senate at least on one of them, in which I am interested, because, I take it, of course, if the Senate does not insist, that that will end the matter; and if the Senate further insists, I take it that the conferees without instructions will sustain the position of the Senate and insist on the House taking further action. I ask the Senator if I am correct in that?

Mr. WARREN. The motion now before the Senate is merely on concurrence in the three amendments. I then propose——

The VICE PRESIDENT. May not the Chair make an inquiry? Is there not an agreement as to part of the amendments in controversy?

Mr. WARREN. That is set forth by the report which was adopted.

The VICE PRESIDENT. Ought not that to be agreed to or disagreed to?

Mr. WARREN. We agreed to the report yesterday, according to the RECORD as I read it this morning.

The VICE PRESIDENT. No.

Mr. WARREN. Does not the RECORD disclose that, and that I moved an agreement?

The VICE PRESIDENT. Why, no. The Senator from Alabama objected at once on yesterday.

Mr. WARREN. He objected to the further consideration of the report.

Mr. UNDERWOOD. No; the Chair is right. The Senator probably did not catch what I said. I have no objection to the adoption of the conference report now as to the partial agreement, but yesterday I did object. The Chair is right, and it went over. I have no objection now to the adoption of the partial conference report. It is the items in dispute to which I am addressing myself.

The VICE PRESIDENT. Then, if there is no objection, we will conclude the record by agreeing to the conference report so far as it is an agreement. Now we have the decks clear.

Mr. WARREN. Has the Senator any objection to the three items which I mentioned?

Mr. UNDERWOOD. None at all.

The VICE PRESIDENT. Then this message should come down. The Chair lays before the Senate the following message from the House of Representatives.

The reading clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.
February 25, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 42, 43, 44, 50, 111, 114, 120, 121, 127, 137, 138, 143, 149, 150, 167, and 168 to the bill (H. R. 15422) entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," and agrees to the same;

That the House recedes from its disagreement to the amendment of the Senate numbered 49, and agrees to the same with an amendment as follows: Strike out the sum inserted in line 4 of the matter proposed and insert in lieu thereof "$345,720";

That the House recedes from its disagreement to the amendment of the Senate numbered 72, and agrees to the same with an amendment as follows: In line 4, after "necessary," insert a period and strike out the remainder of said amendment.

That the House recedes from its disagreement to the amendment of the Senate numbered 136, and agrees to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$10,000."

That the House insists upon its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 60, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 132, 133, 134, 141, 142, 151, 152, 162, 163, 164, 165, and 166.

Mr. OVERMAN. Mr. President, before action is taken, I want to say that the report does not speak the truth. By an error of the clerks, it was reported to the House that the Senate conferees had receded as to amendment No. 10, when the truth of the matter is that there was a disagreement. I went to the chairman of the Committee on Appropriations of the House and asked him to have the record speak the truth. He said he was glad to do so, and proposed to do it, but two leading Members of the House of Representatives objected. They objected to the record speaking the truth—a course which I condemn in most unmeasured terms.

There are many important items in this bill, and it is very important that the bill should pass, as it contains appropriations for the necessary operations of the Government. While ordinarily I should be prepared to make a further fight on this matter I am assured by the chairman of the House Committee on Appropriations that this matter that now goes out by reason of this error on the part of the clerks shall be considered in the next appropriation bill in April, the deficiency bill, which will come up soon after the extra session is called; so I have had to be satisfied with that.

Mr. HARRISON. What is amendment No. 10?

Mr. OVERMAN. It is in regard to a public building at Wilmington, N. C. There was a disagreement instead of a recession on the part of the Senate; but the clerks made the error, by some misunderstanding, and the chairman of the House committee was perfectly willing to correct it; but two leading Members of the House objected—objected to making the report speak the truth—and there we are.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming.

Mr. UNDERWOOD. Mr. President, the partial conference report has been agreed to?

The VICE PRESIDENT. It has.

Mr. UNDERWOOD. And the question now is on the three items to which the Senator from Wyoming has referred?

The VICE PRESIDENT. It is. Is there any objection? The Chair hears none, and it is agreed to.

Mr. UNDERWOOD. Now, Mr. President, I move that we further——

Mr. SMOOT. Mr. President, we are on the fortifications appropriation bill now, and I want to get through with it before we take up anything else.

Mr. WADSWORTH. Does this require unanimous consent?

Mr. UNDERWOOD. I understood that the Senate had taken up the conference report on the sundry civil bill.

Mr. SMOOT. That is agreed to now.

Mr. UNDERWOOD. Oh, no.

The VICE PRESIDENT. There surely was unanimous consent given to consider this matter, or it would not have been here.

Mr. UNDERWOOD. Why, to be sure.

Mr. SMOOT. Has it not been considered?

The VICE PRESIDENT. We are considering it now.

Mr. UNDERWOOD. We are considering it now. I do not think the Senator will make much progress in this Congress if he is not going to let us settle these questions as they come up.

Mr. SMOOT. The Senator certainly is mistaken. I thought the matter was settled.

The VICE PRESIDENT. No. When there is a request for the consideration of a conference report, it must be to consider all of it, and not a little bit of it.

Mr. SMOOT. I did not mean that. I meant that I thought the consideration of the conference report was completed.

The VICE PRESIDENT. No.

Mr. SMOOT. I did not want anything brought up here to interfere with the fortifications appropriation bill.

The VICE PRESIDENT. This still has to do with the conference report.

Mr. UNDERWOOD. Mr. President, I understand that there are probably 20 or 30 items left that are still in dispute. There is one item in which I am particularly interested. I will say to the Senator that I do not propose to take any undue time in its consideration. I think the Senate understands it pretty well; but in order that the conferees may understand the position of the Senate—and I have no doubt that, of course, the chairman of the committee will abide by the will of the Senate, whatever it is—I want to move that the Senate further insist on amendment No. 60, relating to the appropriation of $10,000,000 to continue the work on the Muscle Shoals Dam.

As I said a while ago, this matter went to the House of Representatives. The House disagreed by a reasonably close vote—a vote of 182 in favor and 193 against—and it is now in disagreement. I do not want the Senate conferees to yield on this item until it goes back to the House for another vote and is put into a conference report; and under those circumstances I think the Senate conferees are entitled to a record vote in the Senate on this question.

Mr. President, I am not going to occupy the time of the Senate in arguing this case over again. I merely want to say, for the sake of the record, that this does not relate to matters ordinarily in disagreement between the two Houses, such as new legislation; but here is a proposition that has been provided for by law. It is being carried out because the mandate of the law ordered it. There has been allocated to the project $17,000,000. More than $12,000,000 has already been spent, probably $14,000,00 at this time, that if abandoned must ultimately go down stream, and that can be saved if the project is finished, and according to all the testimony the money can be saved to the Government and a project made available that will pay the Government more than 5 per cent on its investment.

I think it would be an unprecedented thing for a legislative body to do, with a proper estimate, when one of the departments is building a great dam in accordance with law, deliberately to sacrifice over $12,000,000 of Government money. If the House intends to take that step, I think the Senate of the United States at least should insist once more on its amendment, and require that there shall be no doubt about where the responsibility rests if this item is not going to stay in the bill.

Mr. President, I ask for the yeas and nays on the matter.

Mr. JONES of Washington. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Gooding	Lenroot	Smoot
Borah	Gronna	Lodge	Spencer
Brandegee	Hale	McCumber	Stanley
Calder	Harris	McKellar	Sterling
Capper	Harrison	McNary	Sutherland
Chamberlain	Heflin	Nelson	Swanson
Culberson	Henderson	Overman	Trammell
Curtis	Hitchcock	Phipps	Underwood
Dial	Jones, Wash.	Poindexter	Wadsworth
Edge	Kellogg	Robinson	Walsh, Mass.
Elkins	Kendrick	Sheppard	Walsh, Mont.
Fernald	Kenyon	Shields	Warren
Fletcher	Keyes	Simmons	Watson
Frelinghuysen	King	Smith, Ariz.	Williams
Gay	Kirby	Smith, Ga.	Willis
Gerry	Knox	Smith, Md.	
Glass	La Follette	Smith, S. C.	

Mr. SMITH of Arizona. I desire to announce that my colleague, the junior Senator from Arizona [Mr. ASHURST], is detained from the Senate on account of sickness in his family. I ask that this announcement stand for the day.

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present.

Mr. LENROOT. I shall take only a few moments upon this motion. But I think Senators ought to clearly understand that if carrying this motion will have any effect, it will only have the effect of defeating the sundry civil appropriation bill for this session. If Senators want to do that, let them vote in the affirmative upon the motion to insist, because I am satisfied, from what I know the situation to be, that it can have no other result.

Upon the merits of the proposition, Mr. President, the further this matter is gone into the worse it gets. If this shall be defeated at this session, I prophesy it will never come up again as a proposition of producing fertilizer for farmers.

Mr. President, since this matter was debated in the Senate, and since the Senate took the action it did, hearings have been held by a House committee upon this subject, and the printed testimony is contained in a pamphlet consisting of some 250 pages. I wish every farmer in the United States could read this pamphlet. If they would, none of them would be in favor of this proposition as a fertilizer proposition under existing circumstances.

Mr. President, Col. Cooper has been called by those in favor of the proposition as their chief witness. The Senator from Alabama [Mr. UNDERWOOD] has quoted him day after day on this floor in support of this proposition. I want to read two or three lines from the testimony of Col. Cooper given before a subcommittee of the House Committee on Appropriations on February 14, less than two weeks ago. He was asked this question by the chairman:

Suppose Congress should say to you, "Col. Cooper, take this plant to-day"; would you take it?—

With the $12,000,000 the Government has already put into it—

Will you take it, Col. Cooper, with the Government making a gift to you of the $12,000,000 already put in?

Col. Cooper's answer was:

No, sir.

The chairman then asked this question:

Suppose we should say to you, "We will run the thing until the $17,000,000 is expended and then turn it over to you."

What was Col. Cooper's answer to that, proposing for the Government to make a present of $17,000,000 on this dam—they asked the colonel whether he would take this dam with this $17,000,000 expenditure? His reply was:

I would not go across the street for it.

That is the answer, sir, of your chief witness in support of this proposition. But he did not stop there. He was asked another question, and this was the question:

The CHAIRMAN. Suppose we should say, "We will put in $17,000,000 more"; would you take it?

In other words, "We will expend $34,000,000 on this dam and then make a present of it to you, if you will agree to complete it; would you take it?"

Col. Cooper's answer was:

No, sir.

Mr. President, in view of this record, is there a Senator of the United States, who has any regard for the Treasury of the United States, who can vote in the affirmative upon this motion?

Mr. HEFLIN. Mr. President, the Senate has heard quite frequently the bitter attacks made by the Senator from Wisconsin [Mr. LENROOT] upon this great Muscle Shoals project. I have heard him first and last about a half dozen times, and I am now firmly of the opinion that he is to all intents and purposes opposed to the completion of the Muscle Shoals Dam. Col. Cooper said in his testimony at the former hearing that the idea of abandoning this Muscle Shoals project was inconceivable. He has never withdrawn that statement. I do not know what his opinion is about using the nitrate plants for making fertilizer. He said, I believe, that he was not an expert on the matter of making fertilizer. But I do know that the Government has already expended about $80,000,000 and that Col. Cooper has said that when completed this project will pay 5 per cent on the money invested, and I do know that this is the finest power site in the world. The nitrate plants are almost completed. By the use of the water power being provided at Muscle Shoals in operating the nitrate plants we will save 6,500,000 tons of coal per annum, and when this whole project is completed it will make the river navigable for 17 miles and free this Government from dependence upon a foreign power for its nitrates in time of war. The suggestion that we should abandon this great project is utterly ridiculous.

Mr. President, I will not consume any more of the time of the Senate in discussing this matter. I want to see the Senate stand by its former action upon this proposition, and by so doing declare its opposition to throwing away $80,000,000 of the people's money because the Du Pont powder king and the nitrate importers of this country do not want the Government to have its own nitrate plant.

Mr. UNDERWOOD. Mr. President, I want to say just one word in answer to the statement of the Senator from Wisconsin [Mr. LENROOT].

Col. Cooper has repeatedly said that he would have nothing to do with this plant, because he was a Government engineer; he would not take it. But he has said in his testimony that the plant was capable of raising 5 per cent on every dollar of the $50,000,000 invested by the Government, if it cost that much. There is no use to be misleading on this proposition. He has not said he would refuse to take it because he thought it would be a failure. There were other reasons why he would not take it, in answer to the question.

Now, I ask for the yeas and nays.

Mr. LENROOT. Mr. President, I can not permit the statement of the Senator from Alabama to go without just a word.

Col. Cooper did not in any way place his testimony upon the proposition that he would not consider it because he was in the employ of the Government. I will read one further question, which will clearly demonstrate that. The chairman said:

Eliminating personalities, do you think that any private capital could be obtained if one-half of the expense of $50,000,000 was paid by the Government?

Col. COOPER. I would not say "yes" or "no" without carefully analyzing it. That is too big a question to be answered offhand.

It has nothing to do with Col. Cooper's personal relations with the Government. He would not, as an engineer, one who secured the money for the Keokuk Dam, and could secure other money if it was a good business investment—he would not look at it, he said, if the Government gave him the $17,000,000 invested and put seventeen million more on top of it.

Mr. UNDERWOOD. Now, Mr. President, just let me say a word to the Senator. I do not want this record to go without proper reflection. I am not questioning that the Senator is reading correctly the cross-examination of Col. Cooper, but I think he is reflecting in the record an angle that Col. Cooper never intended.

Col. Cooper, as you will see if you refer to his other testimony, has made the statement I have repeated. More than that, he has stated that, as an individual, as a private enterprise, you would have to pay 7, 8, 9, or 10 per cent interest to get the money for a project of this kind, whereas the Government interest is figured at 5 per cent, the cost of raising Government money. That makes all the difference in the world. But I do not care to delay the Senate in a controversy like that.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Dakota?

Mr. UNDERWOOD. I yield.

Mr. GRONNA. Mr. President, I have not had an opportunity to read this testimony from which the Senator from Wisconsin has quoted. But I heard the statement of Col. Cooper before the Committee on Appropriations, and I recollect that the senior Senator from Alabama [Mr. UNDERWOOD] was present at the time.

Not only did Col. Cooper state he would have nothing to do, so far as investments were concerned, with the Muscle Shoals project, but he said he had taken himself out of the business in seven States in the South because of the fact that he had been working as a Government official. That was the reply he gave before the Committee on Appropriations.

The VICE PRESIDENT. The pending question is the motion of the Senator from Alabama [Mr. UNDERWOOD] that the Senate further insist on its amendment numbered 60 to House bill 15422, the amendment making an appropriation of $10,000,000 for continuing the construction of locks, dams, power houses, and appurtenances authorized by the national defense act, approved June 3, 1916, on which the yeas and nays are demanded.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Mr. President, I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. BALL]. He is not present now, and I withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I have been informed by that Senator that if present he would vote as I shall vote, and he has released me from my pair. Therefore I vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I transfer that pair to the junior Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. Being unable to secure a transfer, I am compelled to withhold my vote. If at liberty to vote, I would vote "yea."

Mr. KING (when his name was called). If I were at liberty to vote upon the pending question, I should vote "nay," but I have agreed to pair with the Senator from California [Mr. PHELAN], who is ill and can not come to the Chamber to-day.

Mr. MCKELLAR (when his name was called). I have a pair with the Senator from Maryland [Mr. FRANCE]. By authority, I transfer that pair to the senior Senator from Illinois [Mr. SHERMAN] and vote "yea."

Mr. MCLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence, I withhold my vote. If permitted to vote, I would vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. That Senator is not able to attend the session to-day. If he were present and I were at liberty to vote, I should vote "yea," but under the circumstances I withhold my vote.

The roll call was concluded.

Mr. EDGE. I have a pair with the junior Senator from Oklahoma [Mr. OWEN]. Not being able to secure a transfer, I withhold my vote. If permitted to vote, I would vote "nay."

Mr. MCCUMBER (after having voted in the negative). I understand that the senior Senator from Colorado [Mr.

THOMAS], with whom I am paired, has not voted. I therefore withdraw my vote.

Mr. WILLIAMS. I find that I can transfer my pair to the Senator from Rhode Island [Mr. GERRY]. I therefore make the transfer and vote "yea."

Mr. FLETCHER. I transfer my pair with the Senator from Delaware [Mr. BALL] to the Senator from Oklahoma [Mr. GORE], and vote "yea."

The result was announced—yeas 40, nays 31, as follows:

YEAS—40.

Beckham	Harrison	Overman	Smith, Md.
Capper	Heflin	Pittman	Smith, S. C.
Chamberlain	Henderson	Ransdell	Spencer
Culberson	Hitchcock	Reed	Stanley
Dial	Jones, N. Mex.	Robinson	Swanson
Fletcher	Kirby	Sheppard	Trammell
Gay	La Follette	Shields	Underwood
Glass	McKellar	Simmons	Walsh, Mass.
Gronna	McNary	Smith, Ariz.	Walsh, Mont.
Harris	Nelson	Smith, Ga.	Williams

NAYS—31.

Borah	Fernald	Knox	Smoot
Brandegee	Frelinghuysen	Lenroot	Sterling
Calder	Gooding	Lodge	Sutherland
Colt	Hale	Moses	Townsend
Cummins	Jones, Wash.	New	Wadsworth
Curtis	Kellogg	Phipps	Watson
Dillingham	Kenyon	Poindexter	Willis
Elkins	Keyes	Pomerene	

NOT VOTING—25.

Ashurst	Johnson, Calif.	Myers	Sherman
Ball	Johnson, S. Dak.	Newberry	Thomas
Edge	Kendrick	Norris	Warren
Fall	King	Owen	Wolcott
France	McCormick	Page	
Gerry	McCumber	Penrose	
Gore	McLean	Phelan	

So Mr. UNDERWOOD'S motion was agreed to.

Mr. JONES of Washington. I should like to ask the Senator a question with reference to amendment numbered 87. That is the amendment proposed by the Senator from Nebraska [Mr. NORRIS] and amended on my motion, under which authority is given to consolidate certain land offices, one in the State of Nebraska and two in the State of Washington. I wish to state that as it is printed——

Mr. WARREN. I will state to the Senator before he goes any further that there is a misprint there, and the matter to which he refers will be included in the bill. The matter is still in disagreement, but I have an idea it is only because of that fact. I have no doubt it will be incorporated in the bill.

Mr. JONES of Washington. I am glad to hear that. I could not conceive of any reason why the House conferees should object. I am glad to have the statement from the chairman of the committee.

Mr. WARREN. I move that the Senate insist upon its amendments and ask for a further conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate.

FORTIFICATIONS APPROPRIATION.

The Senate as in Committee of the Whole resumed the consideration of the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. WADSWORTH. Mr. President, the so-called tractor amendment is still the pending question, and I wish to be heard on it for just a few moments.

During the last few days several Senators have been to me, as they have been to other members of the Committee on Military Affairs, asking about the situation with respect to tractors. I have been compelled until very recently to confess a large degree of ignorance about it and to ask them what legislation is pending with respect to the tractor supply of the Army. Thus I learned that the subject is being treated in the fortifications bill. I mention these incidents, which have occurred in the last four or five days, to illustrate the utter absurdity of having two committees of the Senate exercising jurisdiction over the current supplies of the Army.

The inquiries were so frequent that I took advantage of a visit made to me yesterday by Gen. Williams, Chief of Ordnance, who, incidentally, came to see me about a matter in the Army appropriation bill not related to this at all. I asked him to tell me just what the situation was with respect to tractors, stating that I had received many inquiries from Members of the Senate, that there was a good deal of confusion apparently, and that I desired to be put straight upon the matter. He then told me that there were on hand something over 6,000 tractors, the number testified to by the Secretary of War; that 3,190 of them had been issued to the Regular Army and that 2,007 were necessary for issue to the National Guard in compliance with existing law as National Guard units are organized and admitted to federalization, leaving, as he said, in the neighborhood of 1,500 tractors in the hands of the War Department.

Most of these tractors are stored at the Rock Island Arsenal, under very good conditions of storage; all of the 1,500 tractors are under cover at the present time and are being properly taken care of. I took especial pains to ask the Chief of Ordnance upon that point. I think there can be no doubt whatsoever as to the correctness of the figures recited in the testimony of the Secretary of War and confirmed to me by the Chief of Ordnance. I place entire reliance upon the Chief of Ordnance, for he is the man who manufactures the tractors, stores them, and issues them, and he knows, if anybody in the United States knows, how many tractors there are.

Mr. HITCHCOCK. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. HITCHCOCK. Will the Senator enlighten the Senate as to the use that the National Guard will make of the 2,000 tractors which are held for subsequent assignment to the National Guard?

Mr. WADSWORTH. I will.

Mr. HITCHCOCK. I should like to know how much during the year they will be in use.

Mr. WADSWORTH. I will inform the Senator as to that.

The Senator from Minnesota [Mr. KELLOGG] has quoted from a letter written by a colonel of the General Staff, not an Ordnance officer, not an officer who has anything to do with manufacture, storage, or issue of tractors. Unfortunately for his case the letter is dated back in 1919, and its conclusions are based upon a state of affairs which do not exist to-day in any degree whatsoever with respect to the Army, its strength, its policy, or its distribution.

Mr. KELLOGG. Will the Senator yield to me?

Mr. WADSWORTH. I will.

Mr. KELLOGG. Does the Senator claim that the Army is larger to-day than it was in 1919?

Mr. WADSWORTH. I do not.

Mr. KELLOGG. Or that we have any less number of tractors than we had in 1919?

Mr. WADSWORTH. I do not, except as to those that have been worn out in the meantime.

Mr. KELLOGG. There are very few of those.

Mr. WADSWORTH. The letter of Col. Merriam mentions 20 combat divisions as being the strength of the Army. Undoubtedly the colonel referred to the strength of the Regular Army when he gave those figures, for he fails to mention the National Guard at all, and the strength of 20 combat divisions was merely a number which was being discussed at that time in the War Department. Since that letter was written Congress has decided what kind of an Army we are to have, how large an Army we are to have, so far as its maximum figures are concerned, and has added, as a part of the basic law, provisions which make the National Guard, in effect, a part of the Army of the United States.

The letter is completely out of date; it has no bearing whatsoever upon the present situation.

In addition to that, the estimate by Col. Merriam of the number of tractors needed for a division is also out of date, for since that time it has been determined, and I think very wisely, that an additional use of tractors should be made. With the improvement of the tractor for strictly military purposes it is found that it can do, under the average conditions, everything that a six-horse gun team can do, and also that it is much cheaper to maintain than are six horses, for while the tractor is not working it does not have to be fed, while the horses have to be fed 365 days in the year and three times a day, whether they are working or not. It is estimated that a very large saving can be made by the use of the tractors instead of horses in certain branches of the Army work. The use of tractors, therefore, has been extended. That has been done and determined upon since Col. Merriam wrote his letter, with the result that 3,190 tractors are now deemed necessary for the present needs of the Regular Army.

Now, about the National Guard. The National Guard is organized and maintained upon the same tables of organization as is the Regular Army. A division of the National Guard is to consist of just as much Infantry, just as much Artillery, and Signal Corps, Engineers, trains, and all other branches of the service as is the case in the Regular Army. The reorganization act, which has been passed since Col. Merriam wrote his letter, prescribes definitely that the National Guard shall be organized

in divisions exactly as the Regular Army is organized; that it shall be equipped just as the Regular Army is equipped.

The National Guard has elements in it of Artillery, and some of those elements are that kind of Artillery which it has been discovered can best be equipped with tractors, so tractors have already been issued to the National Guard under the law; more must be issued as new units of the National Guard are organized and recognized and given Federal status. It is estimated, and I think accurately, that 2,007 tractors will be needed in the National Guard under the program now laid down under the law, which will make a total of 5,197 tractors actually in the hands of the troops.

The Senator from Nebraska [Mr. HITCHCOCK] asked me what the National Guard does with tractors. For example, in every division of the National Guard, as in the Regular Army, there is at least one brigade of Field Artillery. The Artillery regiments equipped with the 6-inch howitzers use tractors instead of horses. The enlisted men of the National Guard are taught how to run the tractor; how to take care of it. They are given training which makes it possible for them to take the tractor and move the guns wherever they have to be moved. They have to know just as much about the tractor, or nearly as much about it, as the soldier in the Regular Army is supposed to know about it. When the regiment goes to the summer training camp it takes its tractors, its guns, its equipment, and drills with them.

In addition to the ordinary training these men have to go through to enable them to run the tractor, the law provides that there shall be at least 48 drills during every year for the men in the National Guard other than the drilling done at the annual encampment. They have to drill with these tractors, and if the tractors are not issued to the National Guard, then those regiments can not be maintained at all; there will be no means of training the men.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from New York yield to the Senator from North Carolina?

Mr. WADSWORTH. I yield.

Mr. SIMMONS. I am very much interested in the statement the Senator from New York is making, and I want to ask him a question for information: I understand the Senator to say that 3,100 tractors are now in use by the Army and the National Guard?

Mr. WADSWORTH. No; that is in the Regular Army alone.

Mr. SIMMONS. I thought the Senator said that that included also the number issued to the National Guard as now constituted?

Mr. WADSWORTH. Oh, no; 3,190 have been issued to the Regulars alone.

Mr. SMOOT. This is what the Secretary of War said——

Mr. SIMMONS. Pardon me, I want to understand what the Senator from New York has said and not what the Secretary of War has said, because I have great confidence in the statement of the Senator from New York about these matters. Then, I understand the Senator from New York to say that now 3,100 are only sufficient for the Regular Army?

Mr. WADSWORTH. Yes.

Mr. SIMMONS. The 2,000 of which the Senator spoke will be required for the National Guard?

Mr. WADSWORTH. Yes; 2,007.

Mr. SIMMONS. They are required not for the National Guard as constituted but for the National Guard as it is to be expanded?

Mr. WADSWORTH. As it is being expanded from day to day under the provisions of the law.

Mr. SIMMONS. To what extent will it have to be expanded to require all of these 2,007 machines, and how long a time will be required for this expansion?

Mr. WADSWORTH. Under the Army reorganization act the National Guard is given until the end of the year, as I recollect, 1924 to reach the tables fixed in the law—about three and a half years.

Mr. SIMMONS. If the Senator will pardon me, my attention has just been called to the fact that the Secretary of War—and that was my recollection of what the Secretary of War had said—in the testimony read by the Senator from Utah made the following statement:

> There are now issued to the Regular Army and National Guard and are in actual use by the Army and the guard 3,190 tractors.

Mr. WADSWORTH. I was mistaken in my previous statement; I apologize to the Senator and to the Senate for having made that statement.

Mr. SIMMONS. Then, Mr. President, the situation is this: Three thousand one hundred and ninety tractors are sufficient for the Army and the National Guard?

Mr. WADSWORTH. No; that would not follow.

Mr. SIMMONS. That is the number that is now distributed to them; and I was assuming that was probably fairly sufficient, because the Secretary of War has on hand a much larger number of tractors than that, and if more were necessary for the Army and the National Guard than that number, I assume they would have been assigned to their use.

Mr. WADSWORTH. This is the situation, may I say to the Senator: I was mistaken in saying that 3,190 had been issued to the Regular Army alone; but I am perfectly positive in the assertion that of the 3,190, comparatively few have as yet been issued to the National Guard, because the units of the National Guard that would use tractors are in the course of organization. I happen to know of some of them, and I know that some of them have received this equipment; some have not. In the Militia Bureau will be found the table of prospective admissions of units of the National Guard under the Federalization scheme; and in the next few months a large number of units are going to come in. They are being recruited by the State authorities now; many of them are recruited up to the required strength—Infantry, Field Artillery, Cavalry, Signal Corps, Engineers, and the other branches of the service. When they are ready to come in the Congress is under obligation to live up to the law which the Congress itself passed and give them the equipment. It is upon that that the need for the 2,007 is estimated.

Mr. SIMMONS. Mr. President, the fact remains that the Secretary of War, with 6,750 tractors, has allocated or assigned to the Army and the National Guard only 3,190 tractors.

Mr. WADSWORTH. Those are actually in the hands of troops.

Mr. SIMMONS. That leaves, then, about 3,500 tractors in the possession of the War Department that have not been assigned?

Mr. WADSWORTH. Yes; but they are obligated.

Mr. SIMMONS. In what way are they obligated?

Mr. WADSWORTH. They are obligated, under the basic law, to the National Guard.

Mr. SIMMONS. But not to the National Guard that already exists?

Mr. WADSWORTH. But that is only a small fraction of what is coming in.

Mr. SIMMONS. The point I am making is that I must assume that the Secretary of War, with all these tractors on hand, has assigned all that are necessary for the Army and the National Guard as it now exists. Assuming that there are left 3,500 tractors now for the National Guard as it shall be expanded, I want to ask the Senator from New York to what extent the National Guard would have to expand and how long it would take it to expand to the extent that would make these additional 3,500 tractors a necessary part of its equipment?

Mr. WADSWORTH. Mr. President, the law provides that at the expiration of a certain number of years—I think it is at the end of 1924—the National Guard shall be at a strength of 800 officers and enlisted men per Member of Congress. That is in the neighborhood of 425,000 men. Now, we can not tell whether the National Guard by voluntary enlistment would ever reach that maximum. That is the maximum put by Congress; but the provisions of the law are to the effect that the National Guard shall be organized into appropriate divisions on the same tables of organization as the Regulars. Even if we do not have 425,000 men, which, of course, contemplates peace-time strength divisions, the number of tractors as well as the number of guns would not be decreased. Merely the number of men in a regiment or a battery might be decreased, the number being skeletonized; but you have got to have the equipment there, and it is calculated that within the next few years, within the next two and a half years, 2,000 more tractors will be issued to National Guard troops.

Mr. SIMMONS. Let me ask the Senator a further question. We have a Regular Army now of somewhere near 200,000 men, I take it; have we not?

Mr. WADSWORTH. To-day it is just about 240,000.

Mr. SIMMONS. What is the strength of the National Guard at present?

Mr. WADSWORTH. The strength of the National Guard to-day is 80,000.

Mr. SIMMONS. That makes 280,000.

Mr. WADSWORTH. Yes; but that 80,000 is growing every day very rapidly.

Mr. SIMMONS. Now, will the Senator give the Senate his estimate of how long it will take the National Guard, if it continues to grow and expand as rapidly as it is growing now, to be recruited up to the maximum limit now provided in the law?

Mr. WADSWORTH. I do not know that it will ever reach the maximum limit, but it will reach its appropriate strength and within a reasonable distance of that limit in about three years.

Mr. SIMMONS. Then, if there are only 80,000 in the National Guard now, and if it be true, as I stated a little while ago I thought it must be, that the Secretary of War at least thought that 3,190 were sufficient for the Army and the National Guard as now constituted——

Mr. WADSWORTH. The Secretary of War did not testify to that. He said that that is the number actually issued.

Mr. SIMMONS. But, I say I assume that having this surplus on hand, if more were necessary they would have been issued.

Mr. SMOOT. That is the number in actual use, not issued.

Mr. WADSWORTH. It amounts to the same thing.

Mr. SIMMONS. That is 3,190 for an Army of 200,000 plus a National Guard of 80,000. How long does the Senator think it will be before the National Guard will be recruited up to the point where there will be in it 280,000 enlisted men?

Mr. WADSWORTH. About three years.

Mr. SIMMONS. Then it will be three years before all of these additional 2,000 tractors will probably be needed on account of the expansion of the National Guard?

Mr. WADSWORTH. Yes; and that counts nothing for wastage.

Mr. SMOOT. Wear and tear.

Mr. WADSWORTH. I think, in reply to the Senator's question, that the 2,007 tractors, if they are allowed to remain in the Government's hands, will be issued to the National Guard in the next three years. The 1,500 that will be left over will just meet the wastage for the next five years. Therefore, if we direct them to transfer to the Agricultural Department 1,250 tractors now owned, the appropriation bill a year from now will have to carry an item to buy new tractors. In other words, you can not distribute these tractors and hope to escape buying new ones within two years, and that is a great pity.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. WADSWORTH. I yield.

Mr. SMOOT. This is what the Secretary of War says:

> If we give away a single tractor, we will have to buy a tractor to replace it.

That is his testimony.

Mr. WADSWORTH. It is perfectly true that there are 1,500 idle tractors to-day over and above this estimate, but they will not be idle long.

Mr. KELLOGG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Minnesota?

Mr. WADSWORTH. Yes; I yield.

Mr. KELLOGG. I should like to know from the Senator whether the number of tractors to a division is more or less than in the case of the divisions we had in France?

Mr. WADSWORTH. More.

Mr. KELLOGG. Why is that?

Mr. WADSWORTH. Because they have developed the tractor better, they know how to run it better, and they have found that they can do with it things that they did not think they could do with it in the late war. That is conceded by every artillery officer and ordnance officer that I have ever talked with. The use of the tractor is growing, and already all armies are using it in greater proportions than they did during the war.

As to these tractors themselves, it is perfectly true that they can do road work. No State would ever buy them, and no contractor would ever buy them to do road work, because you can get equally good ones for less money, tractors even better adapted for road work than these. These tractors, for the work which they would be put to on roads, are a good deal heavier, and their engine is more powerful, of a higher horsepower than commercial tractors. They cost more. No spare parts for these tractors can be purchased in the open market. They were made for the Government alone upon Ordnance Department specifications. Unless you also invade the stock of spare parts in the hands of the War Department when you turn over tractors to the States, the first time a tractor in the hands of a State broke down it would be useless. The State could not go and buy the necessary spare parts. The contractors that made them for the War Department are no longer making them.

Mr. SMITH of Arizona. Mr. President, will the Senator permit a question there?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Arizona?

Mr. WADSWORTH. Yes.

Mr. SMITH of Arizona. In order to explain what I am trying to get at, the Senator will permit me to read a telegram I have received from the State engineer:

> State highway department has been endeavoring for the past two years to secure 5 and 10 ton tractors and mobile machine shops.

That is the point in what the Senator has just said that attracted my attention.

> These mobile machine shops from the War Department, needed to keep in repair some 300 trucks, already received. Understand the Norris amendment to the Army appropriation bill authorizes distribution of these articles.

And then they ask my support, and so forth. Now, in view of the objection to which the Senator has alluded—that if some part of these machines should break it would have to be remade, since they can not buy it, they can not duplicate it—is it possible for these mobile machine shops to make repairs on these particular tractors?

Mr. WADSWORTH. I am not enough of a mechanic to answer that question with entire assurance that the answer would be correct. I have seen the mobile repair-shop units. They are platforms arranged on a large truck, with sides that are contrived so as to let down on supporting rods, and they make a platform, I should think, 10 feet square, and on that are mounted small planes and lathes; and I have always been told, as other people have been told, that those mobile machine-shop units can take the field and go along with the trains of an army and make the minor repairs made necessary by the breakdown of trucks and wagons and various pieces of machinery. They could not supply a new part, however. The trouble with the Artillery tractor in the hands of a commercial undertaking is that if the part be broken in such a way that it requires a new part, you can not get the new part.

Mr. SMITH of Arizona. Does the Senator know whether or not any of the States have had distributed to them any of these mobile machine shops?

Mr. WADSWORTH. I do not know, nor do I know how many the War Department has.

Mr. SMITH of Arizona. I have been trying to find out the number of these tractors that the Government has already given to the States.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Minnesota?

Mr. WADSWORTH. I do.

Mr. KELLOGG. If the Senator from New York will permit me, I can state what the Agricultural Department claim. They have about 30, or thereabouts, of the 20-ton tractors. They have 10 or 15 old 5 or 10 ton tractors which were, you might say, scrapped, and they have been repaired, but they have never received any of these modern 5 or 10 ton tractors.

Mr. SMITH of Arizona. So none have been distributed, then, to the States?

Mr. KELLOGG. No. I should like to make the further statement that I am informed by Col. McCord and Col. Bowlby, of the Agricultural Department—they are in the War Department, of course, but are detailed to the Agricultural Department—that the War Department has the extra parts for repair of these tractors; and of course if the tractors are turned over, they can turn over the extra parts as well.

Mr. WADSWORTH. Why, of course, we can turn over anything.

Mr. LODGE. We can turn over these traveling machine shops.

Mr. WADSWORTH. Yes; we can turn over the traveling machine shops; we can turn over anything.

Mr. LODGE. Everything that the War Department has.

Mr. WADSWORTH. Let us take the clothing out of the quartermaster's stores and turn it over to somebody. The question is, How soon will we have to spend money to replace it?

I know, of course, that the prospect of getting something for nothing from the War Department is very inviting to a State, or to a State highway commissioner, and they send telegrams to their Senators and Members of Congress asking them to support this or that amendment or resolution to distribute some War Department stores, tractors, trucks, automobiles, mobile repair shops, and spare parts. They have no idea how many there are on hand. They do not care. Anything that they can get is "velvet" to them; but I merely plead that we shall not pass an amendment here which will make it absolutely necessary within two years, if we are to live up to the law, to appropriate more money for tractors. You can not get anything for nothing in this world very long.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Carolina?

Mr. WADSWORTH. I yield.

Mr. SIMMONS. I want to ask the Senator a question. Did I understand him a little while ago to say that no more of these parts would be manufactured?

Mr. WADSWORTH. None are being manufactured of the spare parts; no.

Mr. SIMMONS. Has the Government already on hand a sufficient supply for the machines that it now owns?

Mr. WADSWORTH. It has its own spare parts; yes. They were delivered with the tractors by the contractor who made them.

Mr. SIMMONS. If a part of these tractors are distributed to the States, is there any difficulty about the Government furnishing the parts that are needed for those tractors?

Mr. WADSWORTH. Oh, I suppose not. They could furnish the oil and the gasoline, too.

Mr. SIMMONS. We can easily amend this proposition, if necessary, so as to provide that with these tractors a proportionate part of the spare parts shall go to the States.

Mr. WADSWORTH. That could be done, of course, if we wanted to distribute them.

Mr. SIMMONS. I think that is a difficulty that can be easily overcome.

Mr. LODGE. Mr. President——

Mr. SIMMONS. If the Senator from Massachusetts will pardon just one further question. I understood the Senator to say a little while ago that a certain number of these tractors—I do not now remember what number—were needed for the purpose of supplying the obsolescence of these machines that are now in actual use by the Government.

Mr. WADSWORTH. To replace machines that are worn out.

Mr. SIMMONS. How many does the Senator contend are necessary for that purpose?

Mr. WADSWORTH. I only have the opinion of the Chief of Ordnance himself. He told me that if the Government was permitted to keep the ones they have now on hand, the stock on hand would last five years.

Mr. SMOOT. That conforms to the testimony of the Secretary of War, because he said that if we had these 3,195 tractors we have distributed, if there was not another tractor purchased during that time, in five years the Government of the United States would have to purchase 3,195 tractors.

Mr. SIMMONS. That means this, as I understand it, that the life of these tractors is five years.

Mr. WADSWORTH. About that; yes.

Mr. SIMMONS. And the Government has purchased and has on hand enough to take the place of such of those tractors as may be out of commission at the end of five years?

Mr. SMOOT. No.

Mr. WADSWORTH. No; the entire stock will be exhausted in five years.

Mr. SIMMONS. The Government is making no provision for the manufacture of any additional number of these tractors?

Mr. WADSWORTH. None. There is no provision in the fortifications bill or in the Army appropriation bill for new tractors, and if we leave them alone there will be no appropriation next year, or the next year, or the next year, or the next. But if you distribute 1,200, we will have to appropriate year after next.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, I take it there is no doubt whatever that if we make sufficient appropriations the Government can make tractors.

Mr. WADSWORTH. All it wants.

Mr. LODGE. And spare parts also, I suppose?

Mr. WADSWORTH. Certainly; we can go on doing it.

Mr. LODGE. We can supply everything to the States, but we must not supply the man.

Mr. WADSWORTH. No. That is a question of discretion. I honestly believe that if the second proviso—which is the one, I believe, which is now being insisted upon—is adopted in the next Army appropriation bill we will find an item for new tractors. I do not know whether these Senators who are insisting upon the distribution of these tractors now will then be willing to appropriate money to provide for tractors to take their places. If they are not at that time willing to purchase more tractors or to commence to purchase more tractors, then it means that we shall not live up to the provision of the law which says that the National Guard shall be equipped as is the Regular Army.

Mr. McKELLAR. Mr. President, if these tractors were needed for the Army, manifestly we ought not to dispose of them. In any event, manifestly we ought not to agree to the first proviso, which directs the sale of certain tractors. I do not think we can do that.

But there is no reason in the world, under the proof, why we may not distribute the 1,250 tractors as stipulated in the second proviso.

The Military Affairs Committee has not considered this matter, because it went to the Appropriations Committee; why, I do not know, but it has gone there, and we have to take it as it comes to us.

As a matter of fact, the only testimony, apparently, that has been taken in the Appropriations Committee is the testimony of Secretary Baker. That is all the testimony presented, at all events. Even under Secretary Baker's evidence, as I shall point out in a moment, there is no reason in the world why these 1,250 tractors should not be distributed among the States.

There has been testimony taken upon this subject. It was taken in the House, before the House Appropriations Committee, and I want to read for just a moment, for the consideration of the Senate, what the House committee brought out. It is found on page 164 of the hearings. I read:

NUMBER OF TRACTORS IN SERVICE.

Mr. SLEMP. I should like to ask you a few questions, General. Of the 7,000 tractors which you mentioned you have in the Army, how many are now in actual use?

Maj. HARMON. There are in service of the 5-ton, 1,992, and of the 10-ton, 579. That statement does not mean that those are issued to the troops as a part of their war equipment, but they are actually out of storage and in use for some purpose.

Mr. SLEMP. How many 2½-ton tractors are there in service?

Maj. HARMON. About 12 in use at the Infantry School, about 56 at the Field Artillery School at Fort Sill, and 1 at Fort Snelling, the balance scattered among other stations except 19 in storage at Rock Island Arsenal; a total of 117.

Those are the ones the Senator from New York spoke of awhile ago.

Mr. WADSWORTH. Those are the 2½-ton tractors, are they not?

Mr. McKELLAR. Yes; 2½-ton tractors.

Mr. WADSWORTH. We have very few of those. They do not count as equipment.

Mr. McKELLAR. I read further:

Mr. SLEMP. That would leave you, then, about 3,000 to 4,000 other tractors?

Maj. HARMON. Yes, sir; about 4,000.

Mr. SLEMP. Where are they?

Maj. HARMON. They are in storage at the Savannah proving ground—5 and 10 ton and 19 of the 2½-ton.

Maj. MOODY. The present record shows 117 2½-ton tractors, 3,791 of the 5-ton tractors, and 2,554 of the 10-ton tractors as now being on hand.

Mr. SLEMP. Are the remaining ones not in service surplus or reserve?

Maj. HARMON. They are in reserve; none surplus.

Mr. SLEMP. Of the nearly 2,500 that you have in the service, how many are for the use of troops, how many for facilities around camps, posts, etc.?

Maj. HARMON. I can just give you an estimate of that, sir. There are 1,260 with troops and the balance for other purposes.

Mr. SLEMP. To what extent have you motorized the regiments?

Maj. HARMON. Eighteen regiments have been motorized, 12 being manned by the Field Artillery and 6 by Coast Artillery troops.

Mr. SLEMP. You have done that largely this present fiscal year?

Maj. MURRAY. Yes, sir. Three of the Field Artillery regiments were motorized at the recommendation of the Westervelt Board. Maj. Moody can give you the exact date—it was early in the fiscal year—and the other two a little more recently.

Mr. SLEMP. You have enough of the 5-ton tractors with which to motorize some more if you desire?

Maj. MURRAY. Yes, sir.

Maj. MOODY. The approved policy of the War Department is that where the 2½-tons are not on hand necessary to motorize the five regiments to use the 5-ton.

Mr. SLEMP. How many more regiments could you motorize if you desired to do so?

Maj. MOODY. I do not know exactly, but we have more than enough on hand to motorize the entire peace Army, I think, without question.

There can not be any mistaking this testimony. This is the testimony of a man who knows what he is talking about:

If necessary, the 10-ton could be used with the 155-millimeter howitzers, releasing the 5-ton for the 75-millimeter.

Mr. SLEMP. If that was done, would you have much of a reserve?

Maj. MOODY. Based on an estimate for an Army differing in form only slightly from the form of the last reorganization bill for an Army of about 1,500,000 men, including auxiliary troops, the total estimated number of tractors, including reasonable war reserve for replacement, based on war conditions—about 4 per cent per month—is 14,500 2½-ton, 16,500 5-ton, and 10,800 10-ton, which shows that the total number of 6,452 being retained by the War Department is, from a war standpoint, not a particularly large number, although it is more than enough to equip any peace Army which we are likely to have.

This is a man who is an expert, who is not depending upon the information of other people, like the Secretary of War, or depending upon suggestions from other people who want to keep them there, as the Secretary of War evidently desired. But it is the testimony of a man in the business himself, in the depart-

ment, and he says they have more now than enough to equip any peace army which we are likely to have. I continue reading:

Mr. SLEMP. The tractors become obsolescent if kept four or five years, and perhaps could not be used at all; that is, their use would be so expensive that you would not want to use them?
Gen. PEIRCE. I think it would be better to use them than to have none at all.
Mr. SLEMP. I do not know.
Maj. MOODY. Wherever they can be used in place of horses there is unquestionably an advantage.

Now, Mr. President, does the Secretary of War deny those facts and figures—that we have more than enough? No; he does not. Instead of his figures denying it, he affirms the proposition. What are the figures, according to his testimony? We now have on hand 6,752 of these tractors, according to the testimony of the Secretary of War; now issued and in use in the Army, 3,190. The 2,017 he speaks of——

Mr. SMOOT. Two thousand and seven.

Mr. McKELLAR. The figures show the number to be 2,017. It is immaterial whether it is 2,007 or 2,017. They are for the purpose of an expanding National Guard. Mind you, 3,190 are for our present standing Army, of 240,000 men, and our National Guard of 80,000 men. It is proposed to raise the National Guard in 1922 to 125,000 men. We have so appropriated, and we know the number we are going to have. It is not for several hundred thousand men in the National Guard. We have appropriated the money for 1922, for an increase of 45,000 men only in the National Guard. If the whole Army of 280,000 men which is going to be reduced to 175,000—nay, it is going to be reduced to 162,000 by July 1, 1922—if the whole Army, plus the National Guard of 80,000, are using only 3,190 tractors now, it is preposterous to talk about the use of 2,007 additional for an expanding National Guard. If Mr. Baker's figures are worth anything at all, they prove the proposition that we have at least 1,555 tractors for which the Army has not now and will not have any possible use. Why should we leave them there? We are business men. Why talk about giving something to the States? We are doing nothing of the kind. We are trustees. We hold this property for the benefit of the people of the United States. We have at least 1,555 tractors for which the Army will not have any use. The only efficient use to which they can be put is to distribute them among the States for road purposes, and I do not see how the Senate can do otherwise than to take that action, under the facts as given here by the Secretary of War, whether you take the Secretary of War's figures or whether you take the figures of this efficient officer of the Army, who has charge of these tractors, and has charge of the business, and came and testified before the committee with reference to it as an expert. We have at least 1,250 tractors we might distribute among the States for road purposes, where they can d· the maximum amount of good.

There is some talk about their not being efficient for road purposes. These tractors are the most efficient tractors that could be used for road purposes. It takes a different kind of tractor, a heavier tractor, for road purposes, than it does for ordinary purposes on the farm. These are admirably adapted to road purposes. We have no use for them in the Army. I say now that if we had the slightest use for them, either present or in the near future, I would not hesitate a minute—I would vote against this proviso; under those conditions it should not go in, because I think the Army comes first with Army material. But it is clear from these figures and from this proof that we could easily distribute 2,000 tractors without hurting the tractor service of the Government; we could distribute 2,000 of them to the benefit of the American people by aiding in building roads so necessary to happiness and profit.

Just one other word. We are talking about saving. We have this material, which is absolutely useless to the Army, and will be. We know perfectly well it will in a measure be obsolete and will not be used by the Army five years from now. They are using only a few hundred now, all told. Two thousand five hundred only have been issued.

The Army is not using them. More than that have been ordered issued, but they are not actually using them. There is not one-third of the stock that the Army has on hand that it is actually using now, and yet when the bill has already passed the House, passed under expert testimony given by officers of the Army in charge of the work, when action is taken based on that testimony, at the very last moment the Secretary of War comes before the Committee on Appropriations of the Senate, that has naught to do with the Army except as every Senator and every committee has to do with the Army—I mean has no direct control over it as has the Military Affairs Committee—and without any other consideration except the testimony of the Secretary of War, which is general when looked at from the legislative standpoint, an amendment is brought in to strike out the proviso. Senators, it ought not to be done.

Mr. SMITH of Arizona. Mr. President, will the Senator permit me to interrupt him?

Mr. McKELLAR. We should vote down the amendment of the Senate committee and leave the provision as it is. I now yield to the Senator from Arizona.

Mr. SMITH of Arizona. This is the first I have heard of the proposition just made by the Senator. I desire to know something about the source of the Senator's information, as I have been out of the Chamber.

Mr. McKELLAR. I have just read to the Senate the hearings before the subcommittee of the House Committee on Appropriations of the Sixty-sixth Congress, held last month.

Mr. SMITH of Arizona. The Senator has anticipated or misanticipated my question. I did not even finish it. If I understood the Senator's statement, the particular tractors in question are most valuable for road-building purposes.

Mr. McKELLAR. Most valuable for road-building purposes.

Mr. SMITH of Arizona. But are obsolete as far as the Army is concerned.

Mr. McKELLAR. Oh, no. They are excellent tractors and perfectly efficient for Army purposes; but here is the point that I make: The Army has some 6,700 of them, and it needs only about 3,000 of them.

Mr. SMITH of Arizona. As far as that goes, it looks to me as if they have made a showing that they are in use and that the deterioration and decay of those not in use would make it necessary to replace them eventually, according to the argument made on the other side. I confess I have great sympathy for the attitude of the Senator from Tennessee, but I wish to be justified in that, because we are aiming at the same thing.

Mr. McKELLAR. I have already read the evidence of Maj. Harmon, the expert of the department, in which he goes over the whole matter. The Senator was out of the Chamber at the moment, but I should like to hand the hearings to him and let him read them. After he reads that testimony he may be absolutely sure that when he votes to keep the proviso in the bill for 1,250 tractors he will be voting exactly right.

Mr. SMITH of Arizona. I have the information I want, and I know how I shall vote.

Mr. SMOOT. Mr. President, after that testimony was taken to which the Senator has referred, the Secretary of War did appear before the committee, but the amendment about which the Senator complains was not put in by the committee. It was put in on the floor of the House. The committee that heard the testimony to which the Senator has referred refused to put the item in.

Mr. SIMMONS. Mr. President, I wish to ask the Senator from Tennessee a question, if the Senator from Utah will allow me. Did I understand the Senator to say that provision is made in the appropriation bill for expansion of the National Guard during the present fiscal year?

Mr. McKELLAR. The bill which we have just had reported out from the Committee on Military Affairs authorizes pay for a National Guard of 125,000. There are but 80,000 members of the National Guard now.

Mr. SIMMONS. That is for the year 1922.

Mr. McKELLAR. For the fiscal year 1922, beginning next July.

Mr. SIMMONS. If that be so, and the Army is reduced to 160,000, as contemplated, the Army and the National Guard together would be 285,000 men.

Mr. McKELLAR. Two hundred and eighty-seven thousand is the exact figure.

Mr. SIMMONS. The Army and the National Guard, as the latter now exists, are 280,000?

Mr. McKELLAR. Oh, no; the National Guard and the Army, as they now exist, comprise 320,000 men, 240,000 in the Regular Army and 80,000 in the National Guard.

Mr. SIMMONS. Then counting 240,000 in the Regular Army and 80,000 in the National Guard, the Army as now constituted, and the National Guard as now constituted, are larger than the Army when reduced as required by law and the National Guard increased to the limit just indicated by the Senator will be at the end of the fiscal year 1922.

Mr. McKELLAR. The very point I have attempted to make in what I said before is that, instead of allowing 2,007 for an expanded National Guard——

Mr. SIMMONS. They will need less than they have now.

Mr. McKELLAR. They will need less than they actually have now, which is 3,195 in both the Regular Army and the National Guard. In other words, in the present Army of 320,000 men they have either issued or expect to have issued or have

arranged to have issued 3,195 tractors. Manifestly when we lessen that force from 320,000 to 286,000 we do not need additional tractors.

Mr. SIMMONS. We need less.

Mr. McKELLAR. We need less, if anything.

Mr. SIMMONS. That is the point I was trying to make in the colloquy I had with the Senator from Colorado.

Mr. McKELLAR. Assuming that they would be the same, that they will not reduce the present military force, there would still be 3,500 surplus tractors, and for that reason we have in any aspect of the case 1,250 tractors to give to the various States.

Mr. SMOOT. Mr. President, the Senator from Tennessee knows very well that the National Guard to-day only has 80,000 enlisted men.

Mr. McKELLAR. I counted them as 80,000.

Mr. SMOOT. Then the Senator goes on and argues that the 80,000 men are not going to be increased.

Mr. McKELLAR. Oh, no; I did not. The Senator did not listen to me. We have appropriated for a National Guard of 125,000 men for the year 1922, and that number is going to be increased. One hundred and twenty-five thousand added to the 160,000 which we will have in 1922 will make 285,000, by a simple calculation, which is very much less than the present Army and National Guard, which are composed of 240,000 Regulars and 80,000 National Guardsmen. I think the figures are perfectly plain.

Mr. SMOOT. The Senator certainly did not make it plain to me, and I do not understand the situation as he seems to understand it. The National Guard will be reorganized on the basis of 800 men for each Member of the House and Senate. That would give the National Guard when fully enlisted 440,800 men. The Senator can not say there will be only 125,000 members of the National Guard next year.

Mr. McKELLAR. I said that we have only appropriated for that number. I can turn to the Army appropriation bill and show that we have appropriated more than the House has appropriated. We increased the amount fixed in the bill as it passed the House, and we appropriated for 125,000. I just took for granted that without appropriations they are not going to increase the number above 125,000.

Mr. SMOOT. There have not been very many in the National Guard because the States are not prepared to provide the men for them. The legislatures are now in session, as the Senator knows, and I have not any doubt that the legislatures of the States will provide for the National Guard from now on.

Mr. McKELLAR. We hope so.

Mr. SMOOT. When that is provided for then just as fast as the men enlist in the National Guard under the provisions of the law they will have to be given tractors. There is no doubt from the testimony given here by Gen. Williams, who has this matter in hand, and also by the Secretary of War, that every tractor that is given away by the Government of the United States will have to be replaced by a new tractor. I desire to have the Senate understand that.

We will be asked to appropriate for that purpose in the very next appropriation bill that will come here. If we give these away we will have to buy new ones to replace them. When Senators vote I wish to have them vote with a clear understanding that that is the pending proposition. I am ready to vote.

Mr. SIMMONS. Mr. President, it is true that we have tractors on hand now for an Army of at least 650,000 men. I wish to say that I do not believe the Army and the National Guard together will amount to that number in the next six or seven years.

Mr. SMOOT. All I know is that we have 3,190 tractors in use to-day. They are not stored; they are not under cover. They are in actual use to-day. We also know that there will be 2,007 for the National Guard, and that makes 5,197, leaving on hand, without taking into consideration the wear and tear that is bound to take place, 1,555 tractors.

Mr. President, there seems to be no objection to striking out the first proviso in the paragraph the committee propose to strike out. If there is no objection, I should like to have that part of the committee amendment agreed to now and then have a separate vote on the additional proviso.

Mr. SIMMONS. That is, down to the words "*Provided further*" in the matter proposed to be stricken out?

Mr. SMOOT. Yes.

Mr. McKELLAR. There is no objection to that at all.

The PRESIDING OFFICER (Mr. GRONNA in the chair). The question is on agreeing to the portion of the committee amendment, which will be stated.

The READING CLERK. On page 5, lines 12 to 17, inclusive, the committee proposes to strike out the proviso in the following words:

Provided, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 2,000 of the tractors owned by the War Department.

The amendment was agreed to.

Mr. SMOOT. I demand the yeas and nays on the amendment proposing to strike out the second proviso.

Mr. McKELLAR. Before that is done, I wish to ask the Senator a question. In the present state of the art of building tractors, considering the marvelous improvements that have been made in the building of tractors within the last five years, the progress of which has been simply wonderful, does not the Senator know that within five years such improvements will be made that the kind of tractors that we have now and which we could use now for road-building purposes would not be used in the Army at all, but would be considered obsolete?

Mr. SMOOT. Every year some of these tractors will be worn out. The testimony is that their average life is five years. The accidents that will come and the wear and tear in the use of the tractors will displace all of the tractors that we have now, and the Government of the United States, between now and the end of the five years about which the Senator talks, will have to buy new tractors to replace every one that is in use to-day. There are very few manufacturers of this kind of tractors. As the Secretary of War has said, they are made for the United States alone and the improvements that may be made more than likely will be suggested by the War Department itself. When any of the purchases are made hereafter it will be of tractors up to date, and all that we have on hand now are the last word in tractor building.

Mr. SIMMONS. That is, the last word five years ago.

Mr. KELLOGG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Gooding	Lenroot	Smoot
Brandegee	Gore	Lodge	Spencer
Calder	Gronna	McKellar	Sterling
Capper	Hale	McNary	Sutherland
Chamberlain	Harris	Nelson	Swanson
Colt	Harrison	New	Thomas
Dial	Heflin	Overman	Townsend
Dillingham	Jones, N. Mex.	Phipps	Trammell
Edge	Jones, Wash.	Pittman	Underwood
Elkins	Kellogg	Poindexter	Wadsworth
Fernald	Kendrick	Robinson	Warren
Fletcher	Kenyon	Sheppard	Willis
Frelinghuysen	Keyes	Shields	
Gerry	King	Simmons	
Glass	La Follette	Smith, S. C.	

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. SMOOT. I call for the yeas and nays.

Mr. KELLOGG. Mr. President, we are about to vote on the pending amendment. I wish to explain to the Senate that the amendment of the Senate committee proposing to strike out the first proviso has been agreed to. A separate vote is now to be had on the second proviso which has been placed in the bill by the other House. The Senate committee have reported to strike out that proviso, and the question now is whether the committee shall be sustained. The second proviso provides for turning over to the State 1,250 of these tractors. A vote "yea" will sustain the committee, and a vote "nay" will sustain the provision as it came from the other House requiring the Secretary of War to turn over the tractors to the Agricultural Department for road-building purposes.

Mr. McKELLAR. In other words, a vote "nay" means the 1,250 tractors will be distributed. Those Senators who are in favor of distributing the 1,250 tractors will vote "nay."

Mr. KELLOGG. I ask for the yeas and nays.

Mr. TOWNSEND. Mr. President, I have not been able to listen to all of the debate on the pending question. I am certainly not in favor of compelling the War Department to turn over to the States for the construction of roads or to turn over to any other institution tractors which are actually needed in the War Department. I am very much in favor of turning over to the States to be used in the construction of roads trucks or tractors which are not needed by the War Department. Unfortunately I have not been able to be here, as I have said, and to listen to the arguments in reference to that matter, but I understand by striking out the proviso the matter goes to conference?

Mr. SMOOT. A vote "nay" is that the language shall remain in the bill as it came from the other House, so that if the committee shall be rejected there will be no conference on the matter.

Mr. TOWNSEND. If the committee amendment is rejected, the House provision remains in the bill, but if we agree to the committee amendment, the matter then goes to conference?

Mr SMOOT. It then goes to conference.

Mr. TOWNSEND. That is what I mean. I should like to have the question properly settled. I hardly think it is safe in this proposed legislation to direct the Secretary of War to turn over any of the equipment which the War Department needs for conducting the operations of the Army. Therefore, not knowing about this situation, I am going to vote with the committee to strike out the House provision, with the understanding that the matter will go to conference so that the question may be settled. I do not know of any other safe course for me to follow under the circumstances, for this is a direction to the War Department to dispose of these tractors whether they are needed by the War Department or not. Therefore I must support the committee amendment.

Mr. SMITH of South Carolina. Mr. President, I have listened to the discussion of the pending question, and I wish to put into the RECORD the reasons why I shall vote to retain the House provision and against the Senate committee amendment.

As I understand, we now have, in round numbers, about 6,000 of these trucks.

Mr. McKELLAR. We have 6,700 of them.

Mr. SMITH of South Carolina. We have, the Senator from Tennessee informs me, 6,700 of these tractors. About half of that number is now not in commission, and according to the testimony of the Secretary of War they will be kept in "cold storage" pending the enlargement of our Army by the expansion of the National Guard or by other means.

If I remember correctly, only a few days ago by a vote of this body we made provision for a decrease in the size of the Army from its present strength, so that in place of there being more of these tractors in use within the five years of the life of those now used we shall have a smaller body of men in the Army than we now have, barring the National Guard.

Mr. McKELLAR. Not barring the National Guard.

Mr. SMITH of South Carolina. I am informed by the Senator from Tennessee that with the full quota of the National Guard and the Regular Army reduced below its present strength we shall have a smaller number than we now have.

Mr. SMOOT. The full quota of the National Guard, I will say to the Senator from South Carolina, is 440,800, and to-day we have with the Army and the National Guard 320,000 men.

Mr. McKELLAR. Mr. President, if the Senator from South Carolina will yield to me for just one minute, there need be no mistake about the matter. We have now 240,000 in the Regular Army and we have now 80,000 in the National Guard; that is 320,000 men. In 1922 we shall have, on an average, 175,000 men in the Regular Army, and we have appropriated for 125,000 in the National Guard. Those figures give us 300,000, or 20,000 less in 1922 than we now have. So what is the use of trying to juggle the figures? It is very plain we shall have a less force even when we add the two bodies together.

Mr. SMITH of South Carolina. I do not care so much about that phase of it as I do this practical, common-sense view. We have now with our present Army twice as many tractors as we need. The roads of the country are as essential for the people as the Army can ever be, and yet it is proposed that we shall keep in "cold storage," upon the possibility of our mobilizing our forces, tied-up capital that will be worth millions of dollars in the improvement of our highways. What is going to become of the capital invested in these tractors that are standing in "cold storage" waiting for us to enter a war?

Mr. DIAL. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the senior Senator from South Carolina yield to his colleague?

Mr. SMITH of South Carolina. I yield.

Mr. DIAL. I should like to ask my colleague if it is not true, as a rule, that machinery rusts out about as quickly as it wears out?

Mr. SMITH of South Carolina. That is entirely true. Not only that, but every Senator on this floor knows that the last word in the development of the internal-combustion engine has not been spoken; the automobile and the tractor are in the very dawn of their development. Who would dare say that an up-to-date tractor in 1921 would be an up-to-date tractor in 1926? In the meantime, however, we are to take thousands of dollars of the public money, tie it up in tractors, and put them in "cold storage" to wait for a contingency, and when it does arise we may find the tractors which have been in "cold storage" obsolete, and have to invest in some other form of tractor. You have from two to three thousand that you do not need now. According to the figures furnished here and the arguments that have been made, you may not need them within the five years; and why this opposition to putting these machines on the roads, and letting them be used for the public benefit? They were bought with public money. They were constructed for the purpose of benefiting the public. Why do we sit here and refuse to permit them to be used because the Secretary of War says that a contingency might arise where an old one would wear out, and you would have to buy a new one? I will make the prediction now that within two years they will come to Congress to substitute a new model for the one they have now.

Since we have voted to decrease our Army, and have made appropriations that will result in not increasing the National Guard for from two to three years, why we sit here and tie up this available capital and refuse to devote it to a good public service is beyond my comprehension.

Mr. TOWNSEND. Mr. President, I realize the force of all that the Senator from South Carolina has said. The same argument was presented to the Committee on Post Offices and Post Roads, and we secured what we thought was a solution of the problem. The Senate has already adopted this paragraph in the Post Office and Post Roads appropriation bill, which is now with the President:

> That the Secretary of War be, and he is hereby, authorized and empowered at his discretion, and under such rules and regulations as he may prescribe, to loan to any State of the Union, when so requested by the highway department of the State, such tractors as are retained and not distributed under the act approved March 15, 1920, for use in highway construction by the highway department of such State: *Provided*, That all expenditures for repairs and upkeep of tractors so loaned, and the expenses of loading and freight, shall be paid by the State, both in transfer to the State and return to the Army.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. I do.

Mr. BORAH. Will the Senator read the first part of that provision again?

Mr. TOWNSEND. "That the Secretary be, and he is hereby, authorized and empowered"——

Mr. BORAH. To loan?

Mr. TOWNSEND. To loan.

Mr. BORAH. But the discretion rests entirely in him?

Mr. TOWNSEND. In the Secretary of War.

Mr. BORAH. Yes—well, we will never get any.

Mr. SMITH of South Carolina. No.

Mr. TOWNSEND. Now, let me complete what I started to say.

The argument that was made to the committee was that the Secretary of War did not feel that he should part entirely with all claim to this machinery. He felt that if this machinery were loaned out to the States, and they were bound to keep it in repair, and pay the expenses of shipping, and so forth, these tractors would be where they could be obtained within a reasonable time in case of emergency. Nothing else was asked of us at that time, and we supposed, at least, that we were granting the request of the States for the purpose of getting permission to use these tractors. Until this matter came up, when I came in on the floor of the Senate, I had never heard of any other proposition. I had never heard that there was any complaint made that the States would be denied the use of these tractors for road building; and if that is the case, we did a vain thing in passing the Post Office appropriation bill with this provision in it, which, I repeat, we supposed was in response to the demands of the highway departments of the various States.

Mr. BORAH. Mr. President, I have no doubt that the Committee on Post Offices and Post Roads acted in perfect good faith in passing the bill with the particular clause in it which has been read, and likely supposed that they were doing all that at that time had been suggested to them as being necessary; but it is quite apparent from the debate which has gone on here to-day, under the direction, as you might say, of the Secretary of War, that the time would never come when the Secretary of War thought it was safe to part with any of these tractors. That would likely be true not only with the present Secretary of War but that seems to be an attitude of mind of all Secretaries of War. They are always expecting some dire emergency to arise in military affairs which prevents them from parting with anything which they can get their hands on with the idea of using it in the expected emergency. That is characteristic of the departments here which have to do with preparing for war. It is perhaps a good characteristic in time of war, but it may be safely modified, I think, in time of peace.

Mr. President, as I understand the situation, these tractors are being held purely on the theory that an emergency might arise when they would be needed by the War Department. At the present time a surplus of them are not being used, and will not be used except in case an emergency may arise, or in case some replenishment is necessary by reason of some wearing out, and so forth. It seems to me that as this is all public property, and as we must provide both departments with what they need in this respect, it is but the part of wisdom and expediency to take the tractors which are now on hand, and which may become obsolete, and which may never be used, and utilize them at the place where they can best be used; and then when the emergency arises we can take care of the situation. I do not anticipate such a dire military emergency as that we shall not be able to secure an up-to-date tractor when the time arrives.

Mr. McKELLAR. Mr. President——

Mr. BORAH. I yield.

Mr. McKELLAR. During the last few minutes my attention has been called by a member of the Appropriations Committee of the House, which had charge of the matter, to the fact that there is in this bill an appropriation to continue the manufacturing of tractors, to be found on page 4 of the bill, under the item of $750,000. Judging from what has been said here by the Senators who do not want these tractors distributed, we would have supposed that the manufacture of these tractors had been cut off. I was further informed by this member of the Appropriations Committee of the House, who had charge of it, that many of the tractors that we now have are not the kind of tractors that are desired by the Army, and the manufacture of these tractors can, therefore, continue.

In that connection I am going to ask unanimous consent to put in the RECORD the testimony of one of the officers with reference to that matter to be found on pages 156 and 157 of the House hearings.

I thank the Senator for allowing the interruption.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Mr. SLEMP. Will you get any tractors?
Maj. MOODY. We actually have one running.
Mr. SLEMP. What is that type?
Maj. MOODY. That is a 2½-ton tractor.
Mr. SLEMP. How many of those have you?
Maj. MOODY. We have two actually running.
Mr. SLEMP. They have gone through a test?
Maj. MOODY. No, sir; they are just now being sent to Aberdeen for a test. We have a trailer caisson, to be drawn behind tractors, and we have one of those running at Aberdeen; we have a design for a tractor for corps artillery, which would be about a 7 or 8 ton design, practically completed. The order has been placed for construction, and, with good luck, will be running by the end of June, but if not the funds which we have allotted will carry over and the construction will run on into next year, but from funds which have been allotted and which we are not now asking the committee to appropriate.
Mr. SLEMP. That money will have to be expended by the 1st of July or it will lapse.
Maj. MOODY. No, sir; it carries over into 1921, and it is possible that some of the money from 1921—that is, money appropriated last year—will not be expended by June 30, because we have not hesitated to slow up the work where we thought we were making any mistake. The figures I gave and which Col. Jenks gave were on the assumption that all will be expended by June 30, and if things move as rapidly as they are moving now it will be; but it is impossible to tell whether any will be carried over or not. A tractor for Army artillery is actually under construction at the Rock Island Arsenal and should be finished by June 30.
Mr. SLEMP. What weight is that?
Maj. MOODY. That is about 15 tons. Then there is a small vehicle, known as the reconnaissance tractor, being constructed for replacing the individual horse, the motor cycle, and things of that sort, and that, I think, will be a pretty good machine.
From the first preliminary models of that, we do not expect to get more than the engineering data, and some parts of the first model were left purposely defective in order to save funds, or we improvised them out of matériel on hand. Item No. 13 is a hand-drawn caterpillar cart, and that development we consider complete. There has been a certain amount of experimental work under item 16, covering experimental and development work not on specific items, one item of that being the development of an air-cooled engine. In that we made an experimental cylinder which did not cost very much, and on the basic data we will be able to go ahead with the construction of an air-cooled engine. There are a number of other small items that have been handled in the same way. No. 17 covers light armor plate, on which there has been a certain amount of development work done. The indications are that they are doing quite well with that development. Last year the estimate carried four different types of tractors, but which we have combined into three, with a considerable saving resulting.
Mr. SLEMP. Generally speaking, the types you are working on are the 2½-ton and 15-ton tractors?
Maj. MOODY. And there is one in between, or the 7-ton tractor. I think we have given them better names than we had last year. We call them the divisional, corps, and Army types.
Mr. SLEMP. The divisional is what?
Maj. MOODY. That would be the 2½-ton to match the 75-millimeter gun; the corps will be the 7-ton, matching the 155-millimeter howitzer, and the Army would be the 15-ton, matching the very heavy types of mobile artillery.
Mr. ANTHONY. Is there any commercial type of tractor made that suits the purpose of drawing field artillery?

Mr. BORAH. I thank the Senator for putting something into my remarks which will be illuminating, as that is the testimony of the officers who know concerning this matter. I assume, however, that the condition with reference to the tractor, the matter of experiments and invention, and so forth, like all other things that are now undergoing investigation, is such that in all probability a year from now or two years from now at most these tractors will perhaps be out of date. There is only one thing which seems to be permanent and eternal as far as invention is concerned, and that is the battleship; but so far as all other things are concerned, this is a progressive world, and the world does move, and we shall undoubtedly be experimenting and improving upon these things. In all probability and the chances are altogether that the tractors we now have two years from now will not be used at all by the Army.

Mr. SMOOT. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been demanded and ordered.

Mr. HARRIS. Mr. President, the Secretary of War came before the fortification subcommittee of the Appropriations Committee, of which I am a member, and stated to us that all the tractors now on hand would be needed for the Regular Army and the National Guard; that these tractors were built for war purposes and were not suited for road building, and that it would be a very great expense to change them for that purpose. The Secretary of War also stated that it took considerable time to build tractors and in the event of trouble with another nation, if we took these tractors from him, that it would leave the Army unprepared. When the Secretary of War, whether it is a Democratic or Republican administration, comes before Congress and informs us that certain measures would jeopardize preparedness in event of war, I am going to vote to protect our brave boys.

Mr. President, we have already passed in the Post Office appropriation bill legislation authorizing the Secretary of War to give to the States such of these tractors as may not be needed for military purposes, and I have confidence in that being carried out. The Secretary of War, after March 4, was a former distinguished Member of this body and has the confidence of all who served with him.

There is no Member of the Senate who has worked harder for good roads than I have, and I shall continue my efforts. I supported actively the appropriations for $100,000,000 for good roads, both in the committee and in the Senate, and it was a great disappointment to me that the Senate voted against making a further appropriation at this session of Congress. However, we have the assurance that good roads legislation will be passed at the extra session of Congress so as to be available for the next fiscal year, and at that time I think this appropriation should be more than $100,000,000. If the Secretary of War finds that he can not spare some of the tractors belonging to the War Department, we can then make an additional appropriation with which to buy tractors especially equipped for road construction, which are far more economical and far better for the use on roads than the tractors now being held by the War Department, which were built specially for war purposes.

Mr. President, I favor and shall support the resolution of the Senator from Idaho [Mr. BORAH] for an agreement between Great Britain, Japan, and the United States for disarmament. I also favor the resolution of the Senator from Montana [Mr. WALSH] for a conference among all the nations with a view to having disarmament of all countries so that we can stop the tremendous expenditures for the Army and Navy, spend this money on good roads, and for the betterment of the people of our country and greatly reduce taxes. However, until we have a disarmament agreement with other nations, I am in favor of our country being prepared so that if war is forced on us we shall not have to sacrifice our brave boys because of our lack of preparedness.

Mr. HEFLIN. Mr. President, I understand that there are now 6,700 of these tractors in the custody of the War Department. We are seeking to obtain the use of 1,250 of them to be employed in road construction. The War Department would still have 5,450 left for its use. I trust that the Senate will permit us to have these 1,250 tractors to be used in road construction in the various States. I think that it is as little as Senators can do.

Those who voted a few days ago to strike out the appropriation of $100,000,000 to carry on road construction can not afford, it seems to me, to vote against letting the States have these 1,250 tractors. This is asking very little, Mr. President. I want to do everything that is necessary to keep the country in a state of preparedness, but certainly the 5,450 tractors will be

sufficient to carry on any work needed to be done, and if an emergency should arise, as the Senator from Tennessee [Mr. MCKELLAR] has pointed out, we have made provision a little further on in this bill for obtaining the number of tractors that may be needed.

It seems clear to me that we ought to vote to turn over these 1,250 tractors for use in road building, and I am going to vote for the proposition.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). I have a pair with the junior Senator from Oklahoma [Mr. OWEN]. Being unable to secure a transfer, I withhold my vote.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL], who is absent. I therefore withhold my vote.

Mr. BRANDEGEE (after having voted in the negative). Mr. President, may I ask what amendment is pending? I think I was confused.

The PRESIDING OFFICER. The second provision of the committee amendment.

Mr. BRANDEGEE. Is the question upon agreeing to the committee amendment?

The PRESIDING OFFICER. No; the question has been divided, and the first part has been agreed to. This is the second proviso.

Mr. SMOOT. The question then is upon agreeing to the second proviso of the committee amendment.

Mr. BRANDEGEE. I voted under a misapprehension, then. I want to change my vote from "nay" to "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], who is detained from the Senate on account of illness. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence I transfer that pair to the senior Senator from Ohio [Mr. POMERENE] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the junior Senator from California [Mr. JOHNSON] and vote "yea."

Mr. WILLIAMS (when his name was called). First transferring my general pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Kentucky [Mr. STANLEY], I vote "nay."

The roll call was concluded.

Mr. MOSES. I have a general pair with the junior Senator from Louisiana [Mr. GAY], and I withhold my vote.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is absent from the Chamber, and I therefore am obliged to withhold my vote.

Mr. KNOX. Has the senior Senator from Oregon [Mr. CHAMBERLAIN] voted?

The PRESIDING OFFICER. He has not.

Mr. KNOX. Being paired with that Senator, and not being able to secure a transfer, I withhold my vote.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. Not being able to secure a transfer, I withhold my vote.

Mr. MCKELLAR (after having voted in the negative). I have a general pair with the junior Senator from Maryland [Mr. FRANCE]. I transfer that pair to the senior Senator from California [Mr. PHELAN] and allow my vote to stand.

Mr. GERRY. I have a pair with the Senator from Kansas [Mr. CURTIS], and in his absence I withhold my vote.

I desire to announce the absence of the Senator from Arizona [Mr. ASHURST], on account of illness in his family, and the absence of the Senator from Massachusetts [Mr. WALSH] and the Senator from Louisiana [Mr. RANSDELL] on official business.

Mr. SMITH of Arizona. I desire to have the RECORD show that my colleague, the junior Senator from Arizona [Mr. ASHURST], is detained from the Senate on account of illness in his family.

Mr. DILLINGHAM (after having voted in the affirmative). Has the senior Senator from Maryland voted?

The PRESIDING OFFICER. He has not.

Mr. DILLINGHAM. I am compelled to withdraw my vote, having a general pair with that Senator.

Mr. SMOOT. I desire to announce the following pairs:

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON].

The result was announced—yeas 26, nays 31, as follows:

YEAS—26.

Brandegee	Harris	Overman	Townsend
Calder	Jones, Wash.	Phipps	Wadsworth
Colt	Keyes	Poindexter	Warren
Culberson	King	Reed	Watson
Cummins	Lenroot	Smoot	Willis
Gooding	Lodge	Spencer	
Hale	New	Thomas	

NAYS—31.

Borah	Heflin	McNary	Smith, Ga.
Capper	Jones, N. Mex.	Nelson	Smith, S. C.
Dial	Kellogg	Pittman	Sterling
Elkins	Kendrick	Robinson	Swanson
Glass	Kenyon	Sheppard	Trammell
Gore	Kirby	Shields	Underwood
Gronna	La Follette	Simmons	Williams
Harrison	McKellar	Smith, Ariz.	

NOT VOTING—39.

Ashurst	France	McCumber	Pomerene
Ball	Frelinghuysen	McLean	Ransdell
Beckham	Gay	Moses	Sherman
Chamberlain	Gerry	Myers	Smith, Md.
Curtis	Henderson	Newberry	Stanley
Dillingham	Hitchcock	Norris	Sutherland
Edge	Johnson, Calif.	Owen	Walsh, Mass.
Fall	Johnson, S. Dak.	Paige	Walsh, Mont.
Fernald	Knox	Penrose	Wolcott
Fletcher	McCormick	Phelan	

So the amendment of the committee was rejected.

Mr. WADSWORTH. I understand that leaves the second proviso as it came from the House?

The PRESIDING OFFICER. It does.

Mr. WADSWORTH. If in order at this time, I move to strike out, on line 22, page 5, the words "one thousand two hundred and fifty" and substitute therefor the words "five hundred."

Mr. MCKELLAR. On that I ask for the yeas and nays.

Mr. UNDERWOOD. I ask that the amendment be stated as it will read with the change in it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. The Senator from New York moves to amend by striking out the words "one thousand two hundred and fifty" and inserting in lieu thereof "five hundred," so as to read:

Provided further, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Secretary of Agriculture for distribution among the highway departments of the several States for use on roads constructed in whole or in part by Federal aid 500 tractors owned by the War Department.

Mr. WADSWORTH. Mr. President, I offer that amendment to make it possible for us to go two years without buying new tractors for the Army. If 500 are distributed, instead of 1,250, we shall not have to buy new tractors for two years. If the 1,250 are distributed, we shall have to buy new tractors next year.

Mr. PITTMAN. Mr. President, this reduces the number of tractors that will go to the Agricultural Department for road purposes by 750. The House provided for 1,250, and this reduces it to 500.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York.

Mr. KELLOGG. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a pair with the senior Senator from Maryland [Mr. SMITH], who is not in his seat, and I withhold my vote.

Mr. EDGE (when his name was called). Making the same announcement as before as to my pair, and being unable to secure a transfer, I withhold my vote.

Mr. KENDRICK (when his name was called). I make the same announcement as to the transfer of my pair and vote "nay."

Mr. KNOX (when his name was called). Repeating my announcement on the last vote, I withhold my vote.

Mr. MCKELLAR (when his name was called). Making the same announcement as before, I vote "nay."

Mr. MOSES (when his name was called). Repeating the announcement I made on a previous vote, I withhold my vote.

Mr. SUTHERLAND (when his name was called). Making the same announcement as before with reference to my pair, I withhold my vote.

Mr. WATSON (when his name was called). Making the same announcement with reference to my pair as I did previously, I vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the announcement as to my pair and its transfer which I made on the last vote, I vote "nay."

The roll call was concluded.

Mr. GERRY. I have a pair with the senior Senator from Kansas [Mr. CURTIS] and I withhold my vote.

I desire to announce the absence of the Senator from Massachusetts [Mr. WALSH] and the Senator from Louisiana [Mr. RANSDELL] on official business.

Mr. FLETCHER. May I inquire whether the Senator from Delaware [Mr. BALL] has voted?

The PRESIDING OFFICER. He has not.

Mr. FLETCHER. I have a general pair with that Senator, and in his absence I withhold by vote.

Mr. GLASS. Making the same announcement as on the previous roll call, I vote "nay."

Mr. FRELINGHUYSEN. I transfer my general pair with the Senator from Montana [Mr. WALSH] to the junior Senator from Colorado [Mr. PHIPPS] and vote "yea."

Mr. SMOOT. I desire to announce the following pairs:

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON].

The result was announced—yeas 27, nays 27, as follows:

YEAS—27.

Brandegee	Harris	New	Thomas
Calder	Jones, Wash.	Overman	Townsend
Colt	Keyes	Poindexter	Wadsworth
Culberson	King	Reed	Warren
Frelinghuysen	Lenroot	Robinson	Watson
Gooding	Lodge	Smoot	Willis
Hale	McCumber	Spencer	

NAYS—27.

Capper	Jones, N. Mex.	McNary	Smith, S. C.
Dial	Kellogg	Nelson	Sterling
Elkins	Kendrick	Pittman	Swanson
Glass	Kenyon	Sheppard	Trammell
Gronna	Kirby	Shields	Underwood
Harrison	La Follette	Simmons	Williams
Heflin	McKellar	Smith, Ariz.	

NOT VOTING—42.

Ashurst	Fletcher	McLean	Ransdell
Ball	France	Moses	Sherman
Beckham	Gay	Myers	Smith, Ga.
Borah	Gerry	Newberry	Smith, Md.
Chamberlain	Gore	Norris	Stanley
Cummins	Henderson	Owen	Sutherland
Curtis	Hitchcock	Page	Walsh, Mass.
Dillingham	Johnson, Calif.	Penrose	Walsh, Mont.
Edge	Johnson, S. Dak.	Phelan	Wolcott
Fall	Knox	Phipps	
Fernald	McCormick	Pomerene	

So Mr. WADSWORTH's amendment was rejected.

The reading of the bill was resumed and continued to line 25, page 6, the last paragraph read being as follows:

The sum of $688,277.60 of the appropriation for "Aviation, seacoast defenses," contained in the fortification appropriation act approved February 14, 1917, shall remain available until June 30, 1922, for the payment of obligations incurred under contracts executed prior to June 30, 1920.

Mr. KING. Mr. President, I should like to inquire of the senior Senator from Utah [Mr. SMOOT] in regard to the item of $688,277.60 for aviation. In view of the fact that the Army and the Navy have received large sums for aviation development, is it necessary to make a special and independent appropriation under this heading? An attempt will be made, and I think properly, to coordinate the activities of the War Department and the Navy Department with respect to aviation. This would seem to be a diffusion of that activity rather than a coordination of the activities of the Government.

Let me say that it seems to me the work of aviation, whether it relates to vessels or the land or comes under the head of fortifications, could best be done by one interdepartmental bureau, and I was wondering why it is necessary to have aviation carried in this bill as well as in the Army bill and in the Navy appropriation bill.

Mr. SMOOT. The committee received a letter from Maj. Gen. Charles T. Menoher with reference to this very item. I do not know that I have received a more pleasing letter or one pointing more strongly to the point that the amount ought to be increased. Really I had in mind asking that the amount be increased and letting it go to conference, because it is of such importance that they seem to feel it is wise and necessary, particularly on account of the Panama Canal, but I am not going to ask for an increase, because we are going to have an extra session of Congress right away, and if it becomes so urgent, as Maj. Gen. Menoher thinks, we can pass a deficiency appropriation bill at an early date in the extra session. Because my colleague asks the question, I take the opportunity of now stating that fact. I am not going to put the letter in the RECORD. This is just about as small an amount as we can possibly get along with and hold the service together at all.

Mr. KING. May I inquire of the Senator from New York [Mr. WADSWORTH] whether the work of aviation called for in the pending appropriation bill would be duplicated by the work of aviation provided for in the Army appropriation bill?

Mr. WADSWORTH. I think not. It is not duplicated. It is merely scattered.

Mr. SMOOT. That is all. I will say to my colleague that it ought to be in one bill, but it has not been done in the past, and I do not know when the time will come that we shall be able to get the appropriations in one bill covering one service of the Government. However, we shall have to do it sooner or later.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, in section 8, page 14, line 5, after "seacoast defenses," to strike out "$3,000,000" and insert "$3,141,408.52"; after line 6 to insert "Aviation, seacoast defenses, $71,604.73"; in line 9 to strike out "$6,000,000" and insert "$6,331,364.88"; in line 11 to strike out "$23,000,000" and insert "$24,000,000"; in line 12 to strike out "$17,500,000" and insert "$18,700,000"; in line 17 to strike out "$1,000,000" and insert "$1,500,000"; in line 22, after the numerals "1919," to strike out "$9,000,000" and insert "(act of June 15, 1917) $9,800,000"; in line 25 to strike out "$35,000,000" and insert "$36,300,000"; in line 26 to strike out "$8,000,000" and insert "$9,000,000"; on page 15, line 2, to strike out "$39,000,000" and insert "$40,200,000"; in line 3 to strike out "$400,000" and insert "(act of June 15, 1917) $475,000"; in line 6 to strike out "$18,000,000" and insert "$19,000,000"; in line 8 to strike out "$1,000,000" and insert "(act of June 15, 1917) $1,500,000"; in line 10 to strike out "$10,000,000" and insert "$11,300,000"; in line 12 to strike out "$3,000,000" and insert "$3,500,000"; in line 14 to strike out "$51,000,000" and insert "$55,500,000"; in line 16 to strike out "$2,000,000" and insert "$2,500,000"; in line 21 to strike out "$1,350,000" and insert "$2,682,490.15"; and in line 23 to strike out "$233,555,760" and insert "$250,807,628.28," so as to make the section read:

SEC. 8. That the following unexpended balances, or portions of the unexpended balances, or combined unexpended balances, or portions of combined unexpended balances of appropriations, as set forth in this section, shall be carried to the surplus fund and covered into the Treasury immediately upon the approval of this act, namely:

Casemates, galleries, etc., for submarine mines, 1921, $30,000.
Aviation stations, seacoast defenses, $3,141,408.52.
Aviation, seacoast defenses, $71,604.73.
Fortifications in insular possessions, 1921, $25,760.
Ordnance material, proceeds of sales (war), $6,331,364.88.
Automatic rifles, 1919, $24,000,000.
Armored motor cars, 1919 and 1920, $18,700,000.
Ammunition for antiaircraft guns, Army, 1917–1919, $200,000.
Arms, uniforms, equipment, etc., field service, National Guard, 1919, $1,500,000.
Ordnance stores and equipment, civilian military training camps, 1919, $250,000.
Ordnance stores, equipment, etc., Reserve Officers' Training Corps, 1919, $500,000.
Ordnance stores, ammunition, 1917 to 1919 (act of June 15, 1917), $9,800,000.
Ordnance stores, ammunition, 1919 and 1920, $36,300,000.
Ordnance stores and supplies, 1918 and 1919, $9,000,000.
Ordnance stores and supplies, 1919 and 1920, $40,200,000.
Manufacture of arms, 1917–1919 (act of June 15, 1917) $475,000.
Manufacture of arms, 1918 and 1919, $300,000.
Manufacture of arms, 1919 and 1920, $19,000,000.
Small-arms target practice, 1917–1919 (act of June 15, 1917) $1,500,000.
Small-arms target practice, 1918 and 1919, $11,300,000.
Small-arms target practice, 1919 and 1920, $3,500,000.
Engineer operations in the field, 1919, $55,500,000.
Engineer equipment of troops, 1919, $2,500,000.
Inland and port storage and shipping facilities, 1918 and 1919, $4,000,000.
Inland and port storage and shipping facilities, $2,682,490.15.
Total appropriations to be covered into the Treasury, $250,807,628.28.

The amendment was agreed to.

The VICE PRESIDENT. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. SMOOT. I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SMOOT, Mr. KENYON, and Mr. OVERMAN conferees on the part of the Senate.

RESTRICTION OF IMMIGRATION—CONFERENCE REPORT.

Mr. COLT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That as used in this act—

"The term 'United States' means the United States and any waters, territory, or other place subject to the jurisdiction thereof except the Isthmian Canal Zone and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively.

"The word 'alien' includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

"The term 'immigration act' means the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens to, and the residence of aliens in, the United States'; and the term 'immigration laws' includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

"SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States, as determined by the United States census of 1910. This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens in continuous transit through the United States; (3) aliens who have been lawfully admitted to the United States and who shall later go in transit from one part of the United States to another through foreign contiguous territory; (4) aliens visiting the United States as tourists or temporarily for business or pleasure; (5) aliens from countries immigration from which is now regulated in accordance with treaties or agreements; (6) aliens coming from the so-called Asiatic barred zone, as described in section 3 of the immigration act; or (7) aliens who have resided continuously for at least one year in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands.

"(b) For the purposes of this act nationality shall be determined by country of birth, but the term 'country' shall not be held to include colonies or dependencies, which colonies or dependencies shall be considered as separate countries.

"(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the passage of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act, but whenever such population basis is not applicable by reason of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting in the creation of new countries, the Governments of which are recognized by the United States, or otherwise in the transference of territory from one country to another, such transference being officially recognized by the United States, then the said officials, jointly, shall estimate the number of persons resident in the United States in 1910, who were born within the area now included in such new and other countries, and in the case of such countries such estimate shall be the population basis for the purposes of this act.

"(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: *Provided further*, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants may be admitted notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall be counted in reckoning the percentage limits provided in this act: *Provided further*, That in the enforcement of this act preference shall be given so far as possible to the wives and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

"SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall, as soon as feasible after the passage of this act and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as soon as feasible after the passage of this act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between April 1, 1921, and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

"SEC. 4. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

"SEC. 5. That this act shall take effect and be enforced on and after April 1, 1921, except sections 1 and 3 and subdivision (c) of section 2, which shall take effect immediately upon the passage of this act, and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining three months of the current fiscal year shall be limited to one-fourth of the number who are admissible annually as provided in section 2 of this act."

And the Senate agree to the same.

LEBARON B. COLT,
WILLIAM P. DILLINGHAM,
T. P. GORE,
Managers on the part of the Senate.

ALBERT JOHNSON,
WILLIAM N. VAILE,
JOHN E. RAKER,
Managers on the part of the House.

Mr. COLT. Mr. President, as this is an emergency matter I ask for the immediate consideration of the conference report.

Mr. WARREN. May I ask the Senator from Rhode Island if the conferees reached a complete agreement?

Mr. COLT. We are in complete agreement. The House has agreed to the report of the conference committee and has sent the report to the Senate. The House has agreed to the Senate amendments to the House bill; in other words, the bill as it stands now is exactly the Senate bill, except that certain changes in phraseology or grammer have been made in order to make the text clear.

Mr. UNDERWOOD. Does the bill still maintain the 3 per cent basis?

Mr. COLT. Absolutely. The House has adopted the Senate bill and the only changes are verbal changes to clarify the text.

I ask that the conference report be agreed to.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

ARMY APPROPRIATIONS.

Mr. WADSWORTH. Mr. President, I move that the Senate proceed to the consideration of House bill 15943, the Army appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

Mr. STERLING. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. I yield to the Senator from South Dakota.

REPEAL OF WAR LEGISLATION.

Mr. STERLING. I have asked the Senator from New York to yield in order that I may ask unanimous consent for the present consideration of Calendar No. 662, the joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

This was reached on last Thursday on the call of the calendar, and it was understood at the time, both by the then occupant of the chair and myself, that there was an objection to the present consideration of the bill, but it transpired afterwards that objection was not made at all to the consideration of the bill at the time, as was stated to me by the Senator whom it was thought had objected.

Mr. ROBINSON. Mr. President, will the Senator from South Dakota yield for a question?

Mr. STERLING. Yes.

Mr. ROBINSON. I ask the Senator from South Dakota if the report of the committee on this joint resolution is unanimous?

Mr. STERLING. I think it is, I will say to the Senator from Arkansas. There may be a little question as to an agreement in regard to one amendment that was made; I will not speak positively in regard to whether the report was unanimous as to that one amendment or not.

Mr. ROBINSON. There is no formal minority report?

Mr. STERLING. No; there is no minority report at all.

Mr. ROBINSON. So far as I am concerned, I have no objection to the consideration of the joint resolution.

Mr. WADSWORTH. I have no objection if the joint resolution does not give rise to any debate. If it does, I shall have to claim the right of way.

Mr. STERLING. I do not think it will cause any debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired; which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and to insert a substitute therefor.

The VICE PRESIDENT. The question is on the amendment.

Mr. STERLING. I desire to offer an amendment to the amendment.

Mr. UNDERWOOD. I do not care to delay the joint resolution by discussion, but in a matter of this importance I think we should have the amendment read.

Mr. STERLING. Very well; and I also wish to offer an amendment to the amendment after the reading of the committee amendment shall have been concluded.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out all after the resolving clause of the joint resolution, as follows:

That in the interpretation of any provision relating to the date of the termination of the present war or of the present or existing emergency in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the date of the termination of the war or of the present or existing emergency, or on the existence of a state of war, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provisions in any act of Congress or joint resolution providing any other mode of determining the date of such termination. And any act of Congress or any provision of any such act, that by its terms is in force only during the existence of a state of war or during a state of war and a limited period of time thereafter, shall be construed and administered as if the present war terminated on the date when this resolution becomes effective, any provision of such law to the contrary notwithstanding; excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: Title 2 of the act entitled "The food control and District of Columbia rents act," approved October 22, 1919, the act known as the trading with the enemy act, approved October 6, 1917, and the first, second, third, and fourth Liberty bond acts, the supplement to the second Liberty bond act and the Victory Liberty loan act; titles 1 and 3 of the War Finance Corporation act as amended by the act approved March 3, 1919, and the act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution.

And to insert:

That in the interpretation of any provision relating to the duration or date of the termination of the present war or of the present or existing emergency, meaning thereby the war between the Imperial German Government and the Imperial and Royal Austro-Hungarian Government and the Government and people of the United States, in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the duration or the date of the termination of such war or of such present or existing emergency, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of such termination. And any act of Congress or any provision of any such act that by its terms is in force only during the existence of a state of war between the Governments and people aforesaid, or during such state of war and a limited period of time thereafter, shall be construed and administered as if such war terminated on the date when this resolution becomes effective, any provision of such law to the contrary notwithstanding; excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: The act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917 (40 Stats., p. 276), the amendment thereto entitled "the food control and District of Columbia rents act," approved October 22, 1919 (41 Stats., p. 297), the act known as the trading with the enemy act, approved October 6, 1917 (40 Stats., p. 411), and all amendments thereto, and the first, second, third, and fourth Liberty bond acts, the supplement to the second Liberty bond act, and the Victory Liberty loan act; titles 1 and 3 of the War Finance Corporation act (40 Stats., p. 506) as amended by the act approved March 3, 1919 (40 Stats., p. 1313), and public resolution No. 55, Sixty-sixth Congress, entitled 'Joint resolution directing the War Finance Corporation to take certain action for the relief of the present depression in the agricultural sections of the country, and for other purposes," passed January 4, 1921; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution: *Provided, however*, That nothing herein contained shall be construed as effective to terminate the military status of any person now in desertion from the military or naval service of the United States nor to terminate the liability to prosecution and punishment under the selective service law, approved May 18, 1917 (40 Stats., p. 76), of any person who failed to comply with the provisions of said act or of acts amendatory thereof: *Provided further*, That the act entitled "An act to amend section 3, title 1, of the act entitled 'An act to punish acts of interference with foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes,' approved June 15, 1917 (40 Stats., p. 217), and for other purposes," approved May 16, 1918 (40 Stats., p. 553), be, and the same is hereby, repealed, and that said section 3 of said act approved June 15, 1917, is hereby revived and restored with the same force and effect as originally enacted.

Mr. CALDER, Mr. STERLING, and Mr. ROBINSON addressed the Chair.

The VICE PRESIDENT. The Senator from New York.

Mr. CALDER. Mr. President, let me inquire of the Senator from South Dakota if the joint resolution which has just been read in any way affects the property now held by the Alien Property Custodian?

Mr. STERLING. It does not affect it except that it excepts from the provisions of the joint resolution the trading with the enemy act.

Mr. CALDER. So that no disposition at all is proposed to be made by the joint resolution of the German property which is now held in this country?

Mr. STERLING. None whatever.

Mr. THOMAS. May I ask the Senator what effect this joint resolution will have upon men who have been convicted of violations of the law and who are now serving their terms?

Mr. STERLING. It will have no effect whatever.

Mr. THOMAS. I think this is a very important measure, and I feel that we should not pass such an important measure on the spur of the moment. I shall have to object to it for the present.

Mr. STERLING. Mr. President, I hope the Senator from Colorado will not insist on that objection. It is very much desired that the joint resolution shall pass at the present session.

Mr. ROBINSON. Will the Senator from South Dakota allow me to interrupt him?

Mr. STERLING. Yes.

Mr. ROBINSON. I request the Senator from Colorado to withhold his objection at least for a moment or two.

Mr. THOMAS. I withhold it.

Mr. ROBINSON. I wish to ask the chairman of the committee what are the salient differences between the House provision and the Senate provision?

Mr. STERLING. The differences are in phraseology largely up to the point where reference is made to the War Finance Corporation act, in line 9, on page 4, with the exception that the Senate amendment also provides for excepting the entire food control act, whereas the joint resolution as it came from the House excepted only the amendment to the food control act and the rent commission act.

Mr. ROBINSON. Mr. President, both the House committee and the Senate committee in this repealing joint resolution make a general description of the acts repealed, and then except from its provisions certain acts. Why did not the committee specify the acts repealed instead of undertaking to repeal statutes by general language without specific reference to them and then continue in effect certain acts? It seems to me that the other course would have been the most logical and the easiest of application.

Mr. STERLING. I will say, Mr. President, that the committee thoroughly considered that matter. They considered it at the last session of Congress when several bills purporting to repeal particular acts were before the Judiciary Committee. We found it very difficult to follow that course.

Mr. ROBINSON. Was that because there was objection to repealing some acts mentioned in the bill?

Mr. STERLING. Yes; I will say——

Mr. ROBINSON. That is the importance of the suggestion that I am making. When I vote to repeal a statute I should like to know what statute I am voting to repeal.

Mr. STERLING. Very well.

Mr. ROBINSON. And the fact as stated by the Senator from South Dakota that it was found impracticable, if not impossible, to repeal certain acts specifically which the committee desire to repeal discloses, I think, that the joint resolution is repealing laws by general language that the Congress might not want repealed if we knew what we were doing.

Mr. STERLING. Mr. President, I think the Senator from Arkansas can disabuse his mind of any idea of that kind if he will read carefully the language of the joint resolution.

Mr. ROBINSON. Will the Senator pardon me?

Mr. STERLING. Yes.

Mr. ROBINSON. My observation in that particular is based upon the statement of the Senator from South Dakota. He said just a moment ago that the reason the committee did not repeal the acts specifically was that it was found when they undertook to pass upon the matter in the committee and considered each act separately that there was objection to repealing some of them. The point that I am making is that that is the way the statutes ought to be repealed; that the Congress ought to know what acts are being repealed; and that the other procedure would have been preferable.

Mr. FLETCHER. In other words, we are attempting to repeal laws which we can not specify.

Mr. ROBINSON. Yes; we are attempting to repeal laws that the committee which reported the joint resolution were unwilling to repeal.

Mr. STERLING. Mr. President, I wish to say to the Senator from Arkansas that the joint resolution is perfectly plain and states in terms what acts are in effect repealed. They are all acts that are framed for the "present war" or for the "present emergency" or "to last during the present emergency." We have adopted the language of the various statutes in repealing or construing this war-time legislation.

Mr. ROBINSON. The Senator has misunderstood the import of my suggestion. I am not claiming that the language that the committee adopted and reported is not adequate to accomplish the purpose he has in mind. The point I am making is that the better procedure would be to specify the acts repealed rather than to repeal all of them by general language and then except from the repealing provisions certain acts.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. ROBINSON. I will yield if I have the floor, but I think the Senator from South Dakota has the floor.

Mr. NELSON. Mr. President, will the Senator from South Dakota yield to me for a moment?

Mr. STERLING. I yield to the Senator.

Mr. NELSON. I want to say that, as I recall, there is only one act that is repealed. All that the joint resolution provides is that in all those acts of Congress which specify "the present war," "the existence of the present emergency," and so forth, it shall be deemed ended. It does not repeal a single law. It simply says that the effect of those declarations is that the war is at an end. There is only one law repealed in the bill, and that is the amendatory espionage act, the last act that was passed in amendment of the original law.

Mr. ROBINSON. The Senator states that there is only one act repealed?

Mr. NELSON. Only one act repealed. All that this joint resolution does is to take these various acts that were passed during the war that commence in this way—"during the present war," "during the existing emergency," and so forth—and declare that that period, that emergency, and that war shall be deemed ended. There is no direct repeal of any law. It simply states that in respect to those matters the war is ended, the emergency is ended; that is all.

Mr. ROBINSON. Evidently there is a very great difference between the chairman of the committee, who is now addressing the Senate, and the Senator in charge of the bill.

Mr. STERLING. Mr. President, let me say that there is no difference whatever. We speak generally and in general terms of this as a repealing act. It is really a construing act, that construes these statutes passed during the war and for the purposes of the war, and that by their terms are for "the present war" or during "the existing emergency"; and the joint resolution declares that they shall be construed as if the war had ended, or the emergency had ended, from the time the joint resolution becomes effective. I stated that in my opening statement.

Mr. ROBINSON. Mr. President, may I ask the Senator a question?

Mr. STERLING. Yes.

Mr. ROBINSON. Does this joint resolution repeal any act of Congress?

Mr. STERLING. It does not, in terms, except as stated by the Senator from Minnesota.

Mr. ROBINSON. The Senator from Minnesota said that it repealed one act and then construed the others. The Senator from Minnesota said that only one act was repealed by the joint resolution.

Mr. SMITH of Georgia. Mr. President——

Mr. NELSON. There is only one act that is directly repealed in the joint resolution, and that is what I call the amendatory espionage act, the last radical act. I will call the attention of the Senator to the act, if the Senator from South Dakota will yield to me. It is the act of May 16, 1918, amending the original espionage act.

Mr. ROBINSON. Then, that act is repealed by this joint resolution?

Mr. NELSON. That is the only act repealed.

Mr. ROBINSON. But it is repealed?

Mr. NELSON. Let me say to the Senator that a part of that act was amendatory of section 3 of the original espionage act. Section 3 in the original act is restored; but all that is restored is this provision, if the Senator will allow me, section 3 of the original act:

> Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service of the United States, shall be punished—

And so forth. That is section 3 of the original espionage act. That section was greatly amended and revised by the amendatory act of May 16, 1918. That amendatory act we repealed—it was an amendment to this section 3—and greatly enlarged it; but in repealing that act we expressly restored this section 3, because it is a section that is in force only when our country is at war, and at no other time. The very language of it is—

> Whenever the United States is at war.

That section is retained in the original bill, and the only repeal in this joint resolution is the repeal of the amendatory espionage act.

Mr. ROBINSON. Mr. President, I think I understand now the substantial provisions of this joint resolution. It does appear, from the statement of the chairman of the committee, that this joint resolution does repeal one important act, and at the same time revises a section of another important act that had previously been repealed, notwithstanding the statement of the Senator in charge of the bill to the contrary.

Mr. STERLING. Mr. President, I hope the Senator from Arkansas will not put into my mouth things that I did not say or intend to say.

Mr. ROBINSON. I have no intention of putting anything in the Senator's mouth. If I misunderstood him, I regret it.

Mr. STERLING. I expressly stated a moment ago that in ordinary language we speak of it as repealing war-time legislation, but my statement to begin with informed the Senator that this was a construing resolution, construing these war-time acts, so that he could not have been misled at all.

Mr. ROBINSON. If the Senator will pardon me, he also said that it repealed no act, except in the sense that it construed a number of existing acts. I recall the statement of the Senator very well.

Mr. STERLING. If I said that, I spoke inadvertently, because it does repeal the act amending section 3 of the espionage act, just as stated by the Senator from Minnesota.

Mr. ROBINSON. I thank the Senator for that statement. My sole purpose is to ascertain what is before the Senate.

I think this colloquy has demonstrated the wisdom of the declaration of the Senator from Colorado [Mr. THOMAS]. For the present I object to the further consideration of the joint resolution.

Mr. WADSWORTH. Very well, Mr. President. I assume that we may proceed now with the Army appropriation bill.

Mr. BORAH. Mr. President, do I understand that the Senator in charge of this joint resolution proposes to abandon it for the session?

Mr. STERLING. No; not by any means.

Mr. WADSWORTH. Mr. President, I have not yielded the floor.

Mr. BORAH. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Harris	McKellar	Spencer
Brandegee	Harrison	McNary	Sterling
Calder	Heflin	Moses	Sutherland
Capper	Jones, Wash.	Nelson	Swanson
Chamberlain	Kellogg	Norris	Thomas
Colt	Kendrick	Overman	Townsend
Dial	Kenyon	Phipps	Trammell
Elkins	Keyes	Poindexter	Underwood
Fletcher	King	Robinson	Wadsworth
Frelinghuysen	Kirby	Sheppard	Warren
Gerry	Knox	Shields	Willis
Gooding	Lenroot	Smith, Ga.	
Gronna	Lodge	Smith, S. C.	
Hale	McCumber	Smoot	

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. WADSWORTH. I ask that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to be first considered.

Mr. STERLING. Mr. President, I am going to make another appeal to the Senator from New York, and ask him if he will not consent that we may proceed with the consideration of this joint resolution?

The VICE PRESIDENT. The only way the Senator can proceed with it is to move to take it up.

Mr. STERLING. Mr. President, I think I shall do that. I do not like to do so, but I move that we proceed to consider——

Mr. WADSWORTH. Mr. President, I think I have the floor.

The VICE PRESIDENT. The Senator did have it.

Mr. WADSWORTH. I intend to keep it for just a few moments. I am perfectly willing to yield for a question, but not for the making of a motion.

Mr. President, I was entirely willing that the joint resolution in which the Senator from South Dakota [Mr. STERLING] is interested should be taken up, and had an understanding with him that I would yield and temporarily lay aside the Army appropriation bill if he could put through his joint resolution in a reasonably short time. More than one-half hour has since transpired. The Senator from Arkansas [Mr. ROBINSON] and the Senator from Colorado [Mr. THOMAS] have evinced opposition to the Senator's joint resolution. Both of them have indicated that they object to its consideration at this time. They have taken this attitude, which plainly indicates that the joint resolution can not be passed without extended debate. It is my duty as chairman of the Military Affairs Committee, and I am instructed by the Military Affairs Committee, to press the Army appropriation bill just as hard as I can.

It is now a quarter of 4, on the Saturday before March 4, and we have not much time. It will take some time to dispose of the Army appropriation bill, and it then must go to conference. If there are any amendments upon it, the amendments must be voted upon separately in the House one by one, if they are of a legislative character, and there is grave danger that the bill can not pass at all, and I do not dare neglect my duty in this regard. Therefore I can not give my consent to any further consideration of the joint resolution, knowing that it would consume a great deal of time.

Mr. UNDERWOOD. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Alabama?

Mr. WADSWORTH. I yield.

Mr. UNDERWOOD. I am very heartily in favor of the repeal of the war emergency acts, now that we are practically in a status of peace. I recognize the situation which confronts the Senator from New York, and I hope the Army appropriation bill will not fail. I think this other measure could be passed after the Army appropriation bill is disposed of.

Mr. WADSWORTH. I think so.

Mr. UNDERWOOD. And I shall be glad to support an opportunity for its consideration. But I do not think the joint resolution repealing the war emergency acts can be passed without reasonable consideration. It can not be put through without some debate and some consideration.

Mr. WADSWORTH. The situation is entirely clear, Mr. President. I think I am justified in refusing consent to the further discussion of the joint resolution in charge of the Senator from South Dakota [Mr. STERLING]. There are at least three Senators who have already indicated that they would desire to discuss it at some length.

Mr. BORAH and Mr. ROBINSON addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from New York yield?

Mr. WADSWORTH. I yield first to the Senator from Idaho.

Mr. BORAH. I do not desire to interfere with the proper consideration of the Army bill; but if we can have an understanding that when the Army bill is out of the way we can have a reasonable time to consider the joint resolution, there will not be any difficulty about it. But if we can not have that understanding, of course some of us feel more interested in the repeal of these laws than we do in passing the Army bill, because we have from now until next July to take care of that. If the understanding can be had, very well and good. I think that ought to be understood now.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. LODGE. I desire to say that there is one other most important appropriation bill, next to the Army bill, which is the last one, and that is the Navy bill. In the absence of the chairman, I do not feel at liberty to consent to the request of the Senator from Idaho, because I think it would be the duty of the Senator from Washington [Mr. POINDEXTER] to call up that bill.

Mr. WADSWORTH. There is a very good way of getting an opportunity to discuss the joint resolution in charge of the Senator from South Dakota, and that is to pass the Army appropriation bill this afternoon.

Mr. BORAH. There is another way, and that is to discuss it while the Army appropriation bill is up.

Mr. WADSWORTH. Then we will not pass anything.

Mr. BORAH. Mr. President, if there can not be an agreement it is altogether probable that we shall not pass anything. This joint resolution ought to be passed. If we could have an hour or two hours we could pass it, but if we wait until the 3d or 4th of March we know that it can not get through the House. We may just as well be frank about it. If we do not pass it this afternoon, or not later than Monday, it will not pass through the House. Therefore, we have to take our own course.

Mr. LODGE. I should like to pass the joint resolution the Senator speaks of.

Mr. BORAH. If the Senator would like to pass it, the Senator knows how to pass it.

Mr. LODGE. If we can get an agreement as to time I am entirely ready to have it passed.

Mr. BORAH. I ask unanimous consent that immediately after the passage of the Army appropriation bill, House joint resolution 382 be made the unfinished business.

Mr. POINDEXTER. What is that joint resolution?

Mr. STERLING. I will say to the Senator from Washington that it is the joint resolution repealing the war-time legislation.

The VICE PRESIDENT. Is there objection to the request of the Senator from Idaho?

Mr. POINDEXTER. I object.

Mr. BORAH. Mr. President, I will make another request, in order to prepare for future action. I ask unanimous consent that at not later than 4 o'clock upon Monday afternoon we shall vote upon House joint resolution 382.

Mr. ROBINSON. And all amendments thereto?

Mr. BORAH. And all amendments thereto, to its final disposition.

Mr. THOMAS. I object.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing

votes of the two Houses to the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The message also announced that the House further insisted upon its disagreement to the amendments of the Senate, still in disagreement between the two Houses, to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; had agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee, managers of the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and it was thereupon signed by the Vice President.

ARMY APPROPRIATIONS.

Mr. WADSWORTH. I ask the Senate to resume the consideration of the Army appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The Senator from New York has asked unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendments, the committee amendments to be first considered. Is there any objection? The Chair hears none, and it is so ordered.

Mr. WADSWORTH. Before the Secretary proceeds with the reading of the bill for action on the committee amendments, I desire in a very brief statement to set forth what the bill does in the matter of appropriations as compared with the appropriations of last year. I am well aware that many questions will be asked of the committee by Senators, and very properly so, as to the general treatment of the Army by this proposed bill.

Mr. President, it will be noted that for the first time in the history of Army appropriation legislation the Military Academy appropriation bill is merged with the Army appropriation bill. It was decided to do that in the interest of economy, both as to money and as to time expended on the part of Senators and Members of the House of Representatives. So, when we regard the total carried by this Army appropriation bill, we should not forget that it carries also the Military Academy items.

Last year, when we appropriated for the current year, we appropriated a sum for the maintenance of the Army and the War Department in the Army appropriation bill and for the Military Academy of $395,000,000. I am using round figures.

This year the War Department sent in estimates for the Army and the academy of $699,000,000. The House has passed the Army appropriation bill, including the Military Academy bill, carrying $331,000,000. The Senate committee has reported the House bill, increasing it to $364,000,000, an increase in round figures of $33,000,000 over the bill as passed by the House.

When we reflect, however, that the appropriations for this fiscal year, which were, as passed by the Congress last spring, $395,000,000, have been increased by deficiency appropriations to the extent of $54,000,000, we find the situation somewhat as follows:

For the current fiscal year there has been appropriated, either in the original appropriation bills or by deficiency appropriation bills, a total of $449,000,000. The Senate Committee on Military Affairs reports the Army appropriation bill with $364,000,000, a difference of $84,000,000, a saving of $84,000,000 as contrasted with the expenditures for this current fiscal year.

In reporting the bill, let me say to the Senate that the committee was unanimous as to each and every one of the items, and it is confident that should the bill be enacted into law it will not result in a deficiency for the next fiscal year. We are positive that the Army can be run for this sum of money, and we are also positive that this sum of money takes care of only the absolutely necessary activities of the Army.

We have had our experience, Mr. President, with respect to the appropriations of last year and the year before. In spite of the warning of the Senate Committee on Military Affairs, deficiencies have occurred in both those years, which have come back to plague us. The Senate committee believes in an honest appropriation bill, which will meet the obligations of the Government, which shall hold, of course, in mind all the time the needs of economy, and when we propose to the Senate that $364,000,000 is necessary to run the Army for the next fiscal year we mean just what we say, and we believe that no more than that sum will be required for any of the purposes recited in this long bill.

As to the size of the force which these appropriations contemplate, the Army to-day contains in the neighborhood of 240,000 enlisted men. The Congress has passed a resolution finally, over the veto of the President, directing the Secretary of War to cease recruiting and to refrain from recruiting until the Army has been reduced to 175,000 men. I am speaking of enlisted men. That is the law to-day governing the size of the Army; at least it is the expression of the country as to the size of the Army after it has been reduced through the expiration of current enlistments; in fact, it is the law.

The House of Representatives, in passing the Army appropriation bill which is before us, appropriated a sum of money which they calculated would be sufficient to pay an Army averaging 150,000 men. The best estimates which we can secure showing the progressive reduction in the Army under the terms of the joint resolution indicate that the Army at the beginning of the next fiscal year, July 1 next, will contain 207,000 men. In order that the Army may average for the next fiscal year 150,000 men, the Army for the next fiscal year must be reduced far below the number of 150,000 men by the end of the fiscal year. Indeed, if the Army is to average 150,000 men for the next fiscal year, starting with a strength of 207,000 upon July 1, it will have to be reduced to the figure of 122,000 men at the end of the next fiscal year. In other words, the House appropriation for pay of enlisted men, if adhered to by the War Department—and we feel it will be in this next administration—will result in reducing the Regular Army, including its overseas garrisons and the soldiers in its insular possessions and all its other activities, to a total of 122,000 men on June 30, 1922.

The Senate committee has increased the item "Pay of enlisted men" so as to provide enough to pay during the next fiscal year an Army averaging in strength 175,000 men, exclusive of the Philippine Scouts. In order that the Army during the next fiscal year shall average for the 12 months of the year a strength of 175,000, it must be reduced by the end of the next fiscal year to 162,000 men, approximately.

So that if we compare the two bills in this regard we find that the House appropriation compels the reduction of the Army to 122,000, and the bill as reported by the Senate committee compels the reduction of the Army to 162,000.

Mr. BORAH. I do not quite understand that. Did the Senator say that ultimately under this bill the Army is to be reduced to 162,000?

Mr. WADSWORTH. It is, by the end of the next fiscal year; in other words, we reduce the Army by our own proposals to a smaller number than the Congress has already fixed.

Congress passed a joint resolution instructing the Secretary of War to give up recruiting until the Army is reduced to 175,000. We go a little further in the appropriation bill, and appropriations for pay of the Army should in a very real measure govern its strength. We go a little further and provide, in effect, that at the end of the next fiscal year the Army shall not exceed in enlisted strength 162,000. In reaching that decision I think I ought to say to the Senate that some members of the committee believed very sincerely that the Army should not go below 175,000 under any circumstances during the next fiscal year. Other members of the committee believe it should be reduced to 150,000 and stay there after having reached that figure during the next fiscal year. So far as I am able to recollect, no member of the committee believed that the Army should be reduced to 122,000 at the end of the next fiscal year. There was a difference of opinion as between 175,000 as the minimum and 150,000 as the minimum, and we composed our differences by finally compromising on 162,000 men at the end of the next fiscal year. The committee's report in that respect, as in every other, was unanimous.

Mr. SMITH of South Carolina. Mr. President, I should like to understand the process. During the coming fiscal year, will the termination of terms of enlistment be such as to allow the military authorities to govern as to what shall be the strength of the Army, or is that proposed to be cared for by Congress?

Mr. WADSWORTH. I do not quite understand the Senator's question.

Mr. SMITH of South Carolina. We have 240,000 enlisted men in the Army now. The law provides that the number shall ultimately be reduced to 175,000, but we are making appropriation now to take care of an Army beginning with 240,000.

Mr. WADSWORTH. Two hundred and seven thousand commencing July 1. It is 240,000 to-day, but it will shrink to 207,000 by July 1.

Mr. SMITH of South Carolina. For the fiscal year for which provision is now being made, the Senate proposes a sufficient appropriation to take care of an Army, beginning with whatever

number we may begin with and coming down to 162,000 at the end of the fiscal year?

Mr. WADSWORTH. Yes; and 175,000 will be the average strength through the 12 months of the next fiscal year.

Mr. SMITH of South Carolina. The House appropriation would necessarily force a reduction to 122,000, so that the average would be 150,000. The question I ask is this: Are the terms of the expiration of enlistments of such a nature during that time the matter is in the hands of the military authorities to govern what shall be the number, whether 122,000 or 162,000?

Mr. WADSWORTH. No; the terms are in effect in the bill and are governed by the amount of money we appropriate for pay of enlisted men. They have to cut down.

Mr. SMITH of South Carolina. So they can be discharged, whether their term of enlistment has expired or not?

Mr. WADSWORTH. There will be sufficient expirations during the 12 months of the next fiscal year to bring the number down automatically.

Mr. SMITH of South Carolina. That is just the point I am making, and for this reason: I was wondering why we should wait for a gradual diminution to 175,000 during the fiscal year and have the reduction to the standard of 175,000 at the will of the military authorities.

Mr. WADSWORTH. Of course, the bill does not go into force and effect until July 1.

Mr. SMITH of South Carolina. I understand.

Mr. WADSWORTH. We can not do anything in the bill applicable to the period between now and July 1, but the joint resolution is in full operation now. Not a man is being enlisted into the Regular Army to-day. Reenlistments are permitted, but even at that the Army will be reduced from 240,000 to 207,000 between now and July 1. Then it will continue to reduce under the terms of the joint resolution until it reaches 175,000 men. Then under the terms of the appropriation bill it must be reduced a little more in order that they shall have money enough to last through the year, and if they do that, which they must do, at the end of the fiscal year there will be 162,000 men in the Army.

Mr. SMITH of South Carolina. Then the next appropriation bill will take care of 175,000?

Mr. WADSWORTH. That is the theory, but, of course, we can not pledge the next Congress.

Mr. BORAH. Mr. President, when is it anticipated that the Army will finally reach the size of 162,000?

Mr. WADSWORTH. Starting at 207,000 on July 1 next, it will reach 162,000 on January 21, 1922, and will stay there for the rest of the fiscal year.

Mr. BORAH. I understand the process of decreasing the Army goes on under the joint resolution we have passed until it reaches 175,000.

Mr. WADSWORTH. Yes.

Mr. BORAH. That is mandatory?

Mr. WADSWORTH. Yes.

Mr. BORAH. But the further reduction of the Army is dependent upon the fact that we only appropriate for 162,000?

Mr. WADSWORTH. The average is 175,000, and they will be compelled to let some more men go in order to have enough money to pay the troops.

Mr. BORAH. There is such a thing as a deficiency appropriation for those things.

Mr. WADSWORTH. There will not be.

Mr. BORAH. That is just what I desired to know. How can we know that there will not be a deficiency appropriation? How can we know that the Army will be reduced if it is merely dependent on the question of pay, because they can, as they very often do, incur the obligation.

Mr. WADSWORTH. I believe the next administration will understand the intent of Congress and will not employ more men in the Army than we can pay out of the appropriations.

Mr. BORAH. Is that the only hope?

Mr. WADSWORTH. To me that is positive.

Mr. BORAH. I wish I had the Senator's faith.

Mr. WADSWORTH. I have absolute faith.

Mr. McKELLAR. In addition to what the Senator said about decreasing the Army, there is also a provision, as the Senator will recall, on page 17 of the bill by which the Secretary of War is authorized in his discretion to grant honorable discharges to men now in the Army.

Mr. WADSWORTH. He is. Now, Mr. President, may we proceed with the consideration of committee amendments?

The VICE PRESIDENT. The Secretary will read the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, on page 2, line 17, to strike out "$25,000" and insert "$50,000," so as to make the proviso read:

Provided, That not to exceed $50,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims.

The amendment was agreed to.

The next amendment was, on page 3, line 12, to strike out "the necessary fuel for heating the General Staff College Building and," and in line 13 to strike out the word "building" and insert "General Staff College Building," so as to read:

For expenses of the General Staff College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks, books of reference, scientific and professional papers and periodicals; printing and binding; maps; police utensils; for lighting the General Staff College Building and grounds.

The amendment was agreed to.

The next amendment was, on page 3, line 22, to reduce the total appropriations for General Staff College from "$25,000" to "$22,000."

The amendment was agreed to.

The next amendment was, on page 4, line 6, in the items for Office of Chief of Staff, to strike out "for the hire of interpreters, special agents, and guides."

The amendment was agreed to.

The next amendment was, on page 4, line 13, to increase the appropriations for Office of Chief of Staff from "$100,000" to "$300,000."

Mr. KING. Mr. President, I should like to ask the chairman of the Committee on Military Affairs why it became necessary to increase the House appropriation from $100,000 to $300,000 on that item?

Mr. WADSWORTH. I think I am accurate in saying that the appropriation appealed to the Committee on Military Affairs as bringing back more value to the country than any other appropriation item in the entire bill, speaking proportionately. This item is for carrying on the entire intelligence work of the Army. Last year we gave them a total of $325,000. The House cut them to $100,000 in this bill, which means that they would have to abandon most important activities which are of immense value to the Government, not only to the War Department but to the State Department and the Navy Department.

I can not exaggerate the importance of the work these men do. It was never known prior to the war what an intelligence service was in our Army; in fact, we had none worthy the name. We had to learn it during the war. We learned it from our allies. To-day we believe we have, if not the finest intelligence service of any of the countries, certainly as fine, and to ruin it or to cramp it unduly is to expose us in the most dangerous way to elements to which we should never expose ourselves. These men do an invaluable work, and the committee most urgently recommend that this work of all others be not cut down.

Mr. KING. May I inquire of the chairman of the committee whether they cooperate with the State Department or with the Labor Department, or whether they work independently of those departments.

Mr. WADSWORTH. They cooperate with them all. The committee believes they are most valuable.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

EMERGENCY TARIFF—CONFERENCE REPORT.

Mr. PENROSE. Mr. President, I ask the Senator from New York, who has charge of the Army appropriation bill, if he will yield to me to call up the conference report on House bill 15275, the so-called emergency tariff bill, provided it does not lead to debate. If the report is going to lead to any debate, of course I shall not press it at this time.

Mr. WADSWORTH. With that understanding, I yield.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Hale	McNary	Smoot
Brandegee	Harrison	Moses	Sterling
Capper	Heflin	New	Swanson
Chamberlain	Kendrick	Overman	Thomas
Curtis	Keyes	Penrose	Townsend
Dial	King	Poindexter	Trammell
Fletcher	Kirby	Robinson	Wadsworth
Frelinghuysen	Knox	Sheppard	Walsh, Mass.
Gerry	Lenroot	Simmons	Warren
Gore	McCumber	Smith, Ga.	
Gronna	McKellar	Smith, S. C.	

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is no quorum present. The Secretary will call the names of the absent Senators.

The reading clerk called the names of absent Senators, and Mr. KENYON, Mr. SHIELDS, Mr. SPENCER, Mr. SUTHERLAND, and Mr. UNDERWOOD answered to their names when called.

Mr. HARRIS, Mr. FERNALD, Mr. EDGE, Mr. WILLIS, Mr. DILLINGHAM, Mr. ELKINS, Mr. GLASS, Mr. KELLOGG, Mr. LODGE, Mr. NELSON, and Mr. PHIPPS entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. Is there objection to laying the Army bill temporarily aside for the purpose of considering the conference report on the tariff bill?

Mr. SIMMONS. I have no objection to that, Mr. President, but——

Mr. PENROSE. Mr. President, in view of the objection, of course, I shall have to withdraw the request. I do so cheerfully, and hope that the conference report may come up for consideration——

Mr. ROBINSON. There was no objection. The Senator is laboring under a misapprehension. I did not understand the Senator from North Carolina to object. He consented.

Mr. SIMMONS. I did not object. I said I had no objection.

Mr. PENROSE. I understood the Senator to say that he wanted the report to go over until Monday.

Mr. SIMMONS. I meant I had no objection to laying the Army bill temporarily aside in order that the conference report might be called up, but I was going to ask when it was called up that it go over until Monday.

Mr. PENROSE. That is what I understood, and in order not to delay the proceedings, I suggest that we do not go through with that formality. I am much obliged to the Senator from New York [Mr. WADSWORTH] for his courtesy, but I will withdraw the request, in the hope that the conference report may come up for consideration on Monday.

Mr. SIMMONS. I desire to say to the Senator from Pennsylvania that there is no disposition on the part of Senators on this side of the Chamber to delay the consideration of the conference report; and if he desires, we will give him assurances that on Monday a vote may be taken not later than 2 o'clock.

Mr. PENROSE. That is satisfactory to me.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 9, line 19, in the items for office of the Chief Signal Officer, to strike out "experimentation and research for the purpose of developing improvements in apparatus and methods of signaling" and to insert "experimental investigation, research, purchase, and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto."

The amendment was agreed to.

The next amendment was, on page 10, line 10, to strike out the proviso in the following words:

Provided, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Salaries and wages, $600,000; engineering and research work, $150,000; miscellaneous expenses and emergency purchases, Hawaiian and Philippine departments, $25,000; signal equipment for organizations, $1,000,000; pigeon service, $5,000; meteorological service, $75,000; photographic and cinematographic service, $100,000; commercial and existing Government-owned telegraph and telephone service, $500,000; training Signal Corps troops, enlisted specialists and officers, $20,000; printing, $10,000; gasoline and oils, $20,000; nonunit Signal Corps supplies, $50,000; radio installations and maintenance on Army transports, $50,000; operation and maintenance, Camp Alfred Vail, $100,000; miscellaneous expenses and emergency purchases, corps areas, $25,000; Air Service field telephone expenses, $25,000; supplies to be procured through other departments of the Army, $50,000; mobile radio stations for Coast Artillery brigades, $25,000; and radio equipment for tanks, $5,000.

And in lieu thereof to insert:

Provided, That not to exceed $600,000 from this appropriation may be expended for salaries and wages of civilian employees; and not to exceed $400,000 may be expended for commercial and existing Government-owned telegraph and telephone service.

Mr. KING. Mr. President, I move to amend the committee amendment, on page 11, line 5, by striking out "$600,000," and inserting "$300,000."

I shall be glad if the Senator will explain why it is necessary that so large a sum shall be appropriated for civilian employees. While I have the floor, to avoid consuming time later, I should like to call the Senator's attention to a matter to which my attention has been directed by a number of officers of the Army. They have conveyed the information to me that in the Army there are a very large number of civilian employees; indeed, they say there are now and have been in the past entirely too many. One officer told me that there were substantially 90,000 civilian employees in the Army, and that under the present administration of the Army it seemed absolutely impossible to have the enlisted men in the Army do the work which in the past has been performed by them; that the efforts to teach them in various kinds of schools had impressed a large number of enlisted men with the idea that they were not there for the purpose of drilling or doing work which heretofore appertained to men in the enlisted service of the country. There has been great complaint by many officers in the Army of the present system and of the large number of civilian employees. May I ask the Senator whether or not this bill tries to cure the evil which exists in respect to the matter of which I have spoken?

Mr. WADSWORTH. The evil to which the Senator from Utah refers is a very great one and must be cured. There have been entirely too many civilian employees retained in the service of the War Department in its various activities all over the United States. They are part of the enormous overhead imposed upon the Army itself. I may say right here that if we could reduce the overhead to a reasonable figure in proportion to the authorized strength of the Army, we would not hear so many requests for the reduction of the number of enlisted men. It is the overhead that costs.

So far as the Signal Corps item is concerned, may I say to the Senator that the Chief of the Signal Corps estimated for $1,398,000 for civilian employees? Finally he reduced that recommendation to $1,000,000, saying that that was rock bottom. The Senator will note that in the House text which has been stricken out, covering a number of items, the House thought that $600,000 was sufficient, and presumably they thought it was necessary. The Senate committee took the House figures; in other words, we have reduced the amount from an estimate of $1,397,000 down to $600,000 in one fell swoop.

If that is not enough, we will take off more next year; but it is a very drastic reduction.

Mr. KING. Will not the Senator consent to a reduction to at least $500,000, let it go to conference, and ascertain if further economies may not be effectuated?

Mr. WADSWORTH. We have taken off $796,000, and I think that is possibly enough for the time being.

Mr. KING. The Senator knows that the estimates, particularly those submitted by the War Department, are entitled to no consideration whatever.

Mr. WADSWORTH. I think the $600,000 appropriation is entitled to consideration.

Mr. KING. But the estimates, as the Senator reminds me, were very much more than $600,000. It is not so much of the estimate that I was complaining——

Mr. WADSWORTH. Under the sum allowed they will be compelled to discharge thousands of civilian employees.

Mr. LENROOT. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should merely like to say that the amount appropriated during the current year for this purpose was $938,000, so that the amount reported by the committee cuts off nearly $400,000 of the amount appropriated for the employment of civilian personnel.

Mr. WADSWORTH. It is a drastic cut.

Mr. KING. May I ask the Senator from Wisconsin whether any of the officers of the Army or any of the enlisted men in the Signal Corps will perform any work whatever?

Mr. LENROOT. Oh, yes.

Mr. WADSWORTH. They will do the military work.

Mr. KING. Is it not a fact that work has been done by civilians which ought to have been done by the officers and enlisted men of the Army?

Mr. LENROOT. Very much more than ought to be the case, of course.

Mr. KING. And is it not a fact that more than 90,000 civilians have been employed in the Army during the past year?

Mr. LENROOT. Yes; more than that; the number has been 96,000.

Mr. KING. And they have been doing work which ought to have been done by officers and enlisted men, thus imposing upon the American people a tax that is almost intolerable.

Mr. WADSWORTH. If the Senator will follow this bill through carefully he will see that we have cut the estimates severely.

Mr. KING. It seems to me that, notwithstanding the cuts which have been made, the overhead is entirely too great, and I wish the Senator would consent to a further reduction with respect to the overhead. It seems to me that it is reprehensible that for an Army of the size that we have fixed we should have a bill here carrying over $360,000,000, costing nearly as much

if not more than Germany's army cost when she had a million men in her army.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. McKELLAR. I wish to say that probably every member of the committee felt that the number of civilian employees in the Army was entirely too great. The subcommittee of seven, I think, had no difference of opinion about it, and they cut them off wherever they found that they could do it without destroying the service. Indeed, we have gone into that matter very fully. The reduction is very great; and I think if the Senator had known that, he would have agreed to the figures about civilian employees that we have recommended. They are not cut as much as we expect to cut them another year, but they have been very greatly reduced.

Mr. KING. If the Senator will read the bill, he will discover that the pay of the Army is substantially $80,000,000, and the appropriation for the support of the Army, food, and so forth, is substantially $60,000,000; so that it costs in overhead expense and for extraneous and other expenses a great deal more than it costs for support of the Army and paying their compensation. The overhead is entirely too great. It is disproportionate to the amount that the Army itself costs, and it costs a very tremendous amount.

Mr. McKELLAR. I will say to the Senator that the cost of the Army has been decreased from $448,000,000—when we take into consideration West Point I believe those are the figures, or about that amount—to $362,000,000, or a saving of nearly $90,000,000 this year, provided that the bill as reported to the Senate is passed. We regard that as a very great reduction, and I am very happy to know that the total has been reduced to that extent.

Mr. KING. In view of the explanation of the Senator, I shall not insist on my amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 11, line 20, to increase the total of the appropriation for Washington-Alaska military cable and telegraph system from "$140,000" to "$165,000."

The amendment was agreed to.

The next amendment was, on page 14, line 2, to strike out:

$19,200,000: *Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Pay and expenses of civilian employees, $4,000,000; engineering and experimental development, $4,000,000; instruction and operations of Air Service troops, $3,000,000; experimentation, conservation, and production of helium, $100,000; production of airplane equipment, $4,000,000; production of lighter-than-air equipment, $500,000; improvement of stations, hangars, and gas plants, $350,000; fuel and lubricants, $3,000,000; and miscellaneous expenses, $250,000.

And in lieu thereof to insert:

$23,000,000: *Provided*, That not to exceed $4,000,000 from this appropriation may be expended for pay and expenses of civilian employees; and not exceeding $400,000 may be expended for experimentation, conservation, and production of helium: *Provided further*, That not less than $5,000,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than $7,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Director of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed, in the aggregate, the sum of $10,000.

Mr. WADSWORTH. Mr. President, there is a misprint there, or rather an error in the drafting of the amendment. On page 15, line 4, the word "Director" should be stricken out, and the word "Chief" substituted, so that it will read:

Chief of Air Service.

That is the proper title.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 15, line 4, it is proposed to strike out the word "Director" and insert the word "Chief", so that, if amended, it will read:

Chief of Air Service.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, may I inquire of the chairman of the committee whether in line 14, page 14, the amount of $4,000,000 for civilian employees may not be reduced? It seems to me that that amount for the expenditure of $23,000,000 is entirely too much.

Mr. WADSWORTH. That also represents a very savage reduction in the amount asked by the Air Service and the amount spent this year. It ought to be understood, of course, that a proportionately larger number of civilians must be employed under this appropriation than in most of the other branches. The experimental work at Dayton is conducted in a plant which must of necessity employ mechanics and draftsmen and engineers. Many of those are civilians. The Air Service must always be dependent upon a limited number of high-type civilian employees to carry on the engineering and experimental activities at Dayton. They also have an immense amount of war-time material in storage which they have been trying to sell. Much of it is very difficult to sell. They ask for $5,852,000 under one head for civilian employees, and in two others of their items they ask for something like $2,000,000 beyond that. They have asked for well over $7,000,000 for civilian employees. We cut them to $4,000,000, just as the House did. I will say that the House Committee on Appropriations went into this matter with great care, and they established the maximum of $4,000,000, and our investigations confirmed their action, and we adhered to the same figures. It is a very great cut.

Mr. KING. I will ask the Senator if the $4,000,000 provided in line 14, on page 14, is not the amount required for civilian pay merely in the Air Service?

Mr. WADSWORTH. And for all the Air Service activities, including manufacture, experimentation, and engineering.

Mr. KING. I understood the Senator to state a moment ago that the House, after a very careful investigation, had fixed the sum of $4,000,000 for all civilian employees.

Mr. WADSWORTH. It did.

Mr. KING. The Senator meant only in the Air Service?

Mr. WADSWORTH. Oh, yes.

Mr. KING. Not in all the branches of the Army?

Mr. WADSWORTH. Oh, no; just for this item.

Mr. KING. I can only repeat that $4,000,000 seems entirely too much to pay for civilian help in the expenditure of $23,000,000. Nearly 25 per cent of the amount which we appropriate for the Air Service goes for civilian employees. I can not understand, Mr. President, the course that requires such a large proportion of the appropriation for that purpose.

Mr. LENROOT. Mr. President——

Mr. KING. I yield.

Mr. LENROOT. I should just like to say to the Senator that the Air Service is spending this year $8,500,000 for this purpose, and this is a cut of more than 50 per cent.

Mr. KING. All I can say is that those in charge of the Air Service ought to be censured for their lavish and prodigal use of the public funds. I think there will be no regret—indeed, there will be no regret with one Democratic Senator—if there shall be a very important change in the administration of the War Department of the Government.

I do wish the Senator would consent to reduce this $4,000,000 to $3,000,000. I think to expend $4,000,000 for civilian employees out of an appropriation of $23,000,000 for the Air Service is entirely too much.

Mr. FLETCHER. May I suggest to the Senator that the peculiar nature of this service calls for the employment of civilians of a very high class. For instance, among others they have a staff of 3,500 engineers. Those men have to be paid high salaries; and then they have machinists, and various experts like that, that are needed in the conduct of this service, and the further development of the machine and its operation.

Mr. KING. May I inquire of the Senator what we have to show during the past year for the work of 3,500 civilian engineers?

Mr. WADSWORTH. I think I can answer in part. That is, if the best flyers in this country are to be believed, one of the results of the employment of those engineers is the finest flying machines the world knows.

Mr. KING. How many machines have been produced during the past year?

Mr. WADSWORTH. The machines to which I refer have been produced only in very small numbers, as experimental types; but in their tests, which have been most exhaustive, they have produced results as yet unequaled by the machines of any other country, and the Air Service is now putting them into production. All that work has to be done by engineers and scientific people in making these experiments and drawing the plans and specifications. It is the most technical undertaking, requiring great skill, and we shall always have to employ some civilians on it, and high-priced civilians.

Mr. KING. The Senator will recall that during the war we were told every day or two that these high-priced civilians and these mechanicians who were employed and these scientific men were going to give us the finest machines in the world. The war ended, and we had no machines.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 15, line 10, to strike out the additional proviso in the following words:

And provided further, That the Secretary of War is authorized to pay out of funds appropriated for the Air Service of the Army for the fiscal year 1920, the sum of $1,079.02 to Frank D. Kohn for the use and occupation, for the period from July 1, 1919, to January 9, 1920, of the lands upon which the Air Service engine and plane repair depot is now located near the city of Montgomery, Ala.

The amendment was agreed to.

The next amendment was, on page 15, line 20, after the word "staff," to strike out "$42,000,000" and insert "$46,000,000," so as to read:

For pay of officers of the line and staff, $46,000,000.

The amendment was agreed to.

The next amendment was, on page 15, line 24, to increase the appropriation for the pay of officers of the Officers' Reserve Corps from "$250,000" to "$750,000."

Mr. BORAH. Mr. President, may I ask the necessity of that increase? I do not understand it. It is not covered by the report, as I see it.

Mr. WADSWORTH. I shall be very glad to explain it. That increase in appropriation should be read in connection with the proviso that immediately follows it, which reads as follows:

Provided, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army reorganization act approved June 4, 1920, or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps appropriated for in this act, or who may be detailed for duty with tactical units of the Air Service, as provided in section 37a of the Army reorganization act approved June 4, 1920.

Let me say to the Senator from Idaho that the basic law provides, among other things, that there shall be added to the War Department General Staff committee, which draws up the regulations and the policies governing the National Guard, a number of officers from the National Guard and reserve equal to 50 per cent of the entire committee. That is a matter of law. Those officers have to serve more than 15 days. They are there now. There are about 12 of them. They have been selected from a list of officers submitted by the governors of the respective States. They are some of the leading National Guard reserve officers in the country. They must be paid. The House appropriation, among other things, would not permit that to go on, although that is a mandatory provision of law.

In addition to that, the Army reorganization law provides that reserve officers, with their consent, may go to Army service schools and take the special courses at those schools. Those courses are 60 or 90 days in length. That is one of the most important provisions in the military policy of the country—to permit reserve officers and guard officers to take advantage of the Army service schools and go to them and get this special instruction and then return to their respective States and impart that instruction to the National Guard troops in their commands. While they are at the schools, the law provides that they must be paid the pay of their grade. It is manifestly impossible for them to take the course at the schools in 15 days. They must spend more than 15 days there in order to complete even a portion of the course.

Then, the basic law also authorizes the Secretary of War to establish and maintain training camps for civilians, the size and extent of those camps to be governed by the appropriations made by the Congress from year to year. Those civilian training camps are a continuation of the famous Plattsburgh idea, which we all knew about back in 1915 and 1916. Now, it is manifestly a great extravagance to have none but Regular officers conduct the training at the civilian training camps. It would be foolish to carry officers on the permanent pay roll merely for the purpose of giving instruction at training camps for 30 days in a year. It is manifestly in the interest of economy, and also for the good of the whole program, to use a lot of reserve officers, who, with their consent, will go to these training camps and help instruct the civilians who volunteer to attend them. While they are there for the 30 days, under the statute, they must be paid the pay of their grade.

The House appropriation for the pay of reserve officers would not permit any of these activities. It might be sufficient to pay the officers serving with the General Staff here in Washington, but it certainly would prevent any reserve officers going to Army service schools, and hundreds of them are anxious to go. They volunteer to go to get the benefit of the course, and hundreds of them are willing to go to the civilian training camps and help out in that work.

The appropriation asked for under this heading was $1,530,000. It is fair to say, however, that in that estimate there was a provision for summoning 670,000 reserve officers to a 15-day training period.

The committee believed there was no necessity for summoning any such number. It should be remembered, however, that under the basic law every officer in the Officers' Reserve Corps is liable for 15 days' service every year. That he must perform if he is summoned by the President and Secretary of War. There are 70,000 reserve officers now. It would be manifestly impossible to summon any such number. The Treasury could not stand it. There is no idea that it should be done every year anyway, but even then, the department asked for 6,700 of them to be summoned for 15 days' training. In effect, we have cut that out, too, and by reducing the estimate from $1,530,000 to $750,000, they still can carry on those activities which the committee believe to be absolutely important and in thorough accord with the spirit of the new Army act, which makes all these men a part of the Army of the United States. When we once get that policy going, get it perfected, get it understood that the citizen soldier is the man this country is going to depend on in the future, as it has depended on him in the past, then we can reduce the number of professional soldiers. It is to make that possible that the committee has increased this appropriation over the House figure.

Mr. FLETCHER. I want to call attention to the fact that the item in last year's bill read this way:

For pay of officers of the Officers' Reserve Corps, $2,751,000.

That was the amount we appropriated in 1920.

Mr. BORAH. What struck me was that the House has put in $250,000. I suppose they did that to discontinue the system entirely.

Mr. WADSWORTH. It would have that effect. This amount, of course, compared with other sums in the bill, is very, very small. But centered in this very activity is the whole spirit of the new law. If we are not to permit reserve officers to go to the Army service schools and go to the training camps and sit on the General Staff here in Washington, we might just as well not attempt to organize any force of trained citizens.

The amendment was agreed to.

The next amendment was, on page 16, line 1, after the word "days," to insert:

Except such as may be detailed for duty with the War Department General Staff under section 3a and section 5(b) of the Army reorganization act approved June 4, 1920, or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps appropriated for in this act, or who may be detailed for duty with tactical units of the Air Service, as provided in section 37a of the Army reorganization act approved June 4, 1920.

So as to read:

Provided, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days, except such as may be detailed for duty, etc.

The amendment was agreed to.

The next amendment was, on page 16, line 11, to increase the appropriation for pay of warrant officers from "$1,346,000" to "$1,413,000."

The amendment was agreed to.

The next amendment was, on page 16, line 13, after the words "one thousand," to insert "and fifty," so as to make the proviso read:

Provided, That this appropriation shall be used for the pay of not to exceed 1,050 warrant officers.

The amendment was agreed to.

The next amendment was, on page 16, line 15, to strike out the proviso in the following words: "*Provided,* That no portion of this appropriation shall be used for pay of reserve officers," so as to make the paragraph read:

For aviation increase, to officers of the Air Service, $1,000,000.

Mr. KING. May I inquire of the Senator the meaning of the language found in lines 14 and 15? Is it to increase the number of officers or to increase their compensation above that which is prescribed now by law?

Mr. WADSWORTH. Under the law, when an officer enjoys a flying status, and goes on duty as a flyer, he gets an increase in pay, presumably based upon the increased risk. That is in the law to-day. Whenever an officer goes on a flying status he gets an increase.

Mr. KING. I am familiar with that. But is this merely for the purpose of compensating for that increased risk?

Mr. WADSWORTH. Yes.

Mr. KING. That is not carried in the general item of $46,000,000 for pay of officers, and so forth, on page 15?

Mr. WADSWORTH. No.

Mr. KING. Or any other provision carrying pay for officers?

Mr. WADSWORTH. Oh, no; there is no duplication.

The amendment was agreed to.

The next amendment was, on page 16, line 20, to increase the appropriation for pay of enlisted men of the line and staff from "$72,678,659" to "$83,000,000."

Mr. BORAH. I presume this is the item which takes care of the size of the Army. Would the Senator have any objection to its going over for the present?

Mr. WADSWORTH. Does the Senator desire that it shall go over beyond the end of this week?

Mr. BORAH. If the Senator wants to finish the consideration of the bill to-night I will not ask it, but if the Senator does not intend to finish it to-night I would like to have it go over until Monday.

Mr. WADSWORTH. I am going to make a desperate effort to finish the bill to-night.

Mr. BORAH. Let it go over for the present, then.

Mr. WADSWORTH. Very well.

The VICE PRESIDENT. The amendment will be passed over for the present.

The next amendment was, on page 16, line 21, before the word "discharge," to strike out the word "honorably"; in line 22, after the words "pay and," to strike out the words "traveling allowances" and to insert "transportation in kind to the railroad station at or nearest to the place of acceptance for enlistment"; in line 25, before the word "either," to strike out "such men or"; and on page 17, line 1, after the word "guardian," to insert "and the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men who have served one year or more with records satisfactory to their commanding officers, without regard to the provisions of existing law respecting discharges," so as to read:

The Secretary of War shall discharge from the military service with pay and transportation in kind to the railroad station at or nearest to the place of acceptance for enlistment all enlisted men under the age of 18 on the application of either of their parents or legal guardian, and the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men who have served one year or more with records satisfactory to their commanding officers, without regard to the provisions of existing law respecting discharges.

The amendment was agreed to.

The next amendment was, on page 17, after line 6, to insert:

That nothing contained in public resolution No. 59 of the Sixty-sixth Congress shall be held to prohibit sufficient enlistments in any branch of the Army to bring such branch to not more than 62 per cent of the number prescribed therefor in the act entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920.

Mr. KING. I would like to ask the Senator if the effect of the amendment just read would not be to nullify the provisions of the joint resolution providing for a reduction of the Army to 175,000?

Mr. WADSWORTH. No, Mr. President. This amendment, from line 7 to line 15, in effect is exactly what the Senate passed when it passed that joint resolution directing the reduction of the strength down to 175,000 men. The total authorized strength of the Army is 280,000. One hundred and seventy-five thousand is 62 per cent of that number. This provision will permit the War Department to maintain the several branches of the service at not to exceed 62 per cent of their respective authorized strength. The total of all the branches will be 62 per cent of the entire authorized strength. So, it makes no difference, but permits the War Department to keep the different branches balanced as to strength.

Mr. KING. I understood the purpose, but I was wondering whether the language of the joint resolution, not having it before me, would be construed to permit that, even though in so doing it went beyond the aggregate of 175,000.

Mr. WADSWORTH. It would be impossible.

The amendment was agreed to.

The next amendment was, on page 17, line 20, to increase the appropriation for aviation increase, to enlisted men of the Air Service, from "$150,000" to "$300,000."

The amendment was agreed to.

The next amendment was, on page 17, line 22, before the words "enlisted men," to strike out "five hundred" and insert "one thousand," so as to read:

Provided, That this appropriation shall not be available for increased pay on flying status to more than 1,000 enlisted men.

The amendment was agreed to.

Mr. WADSWORTH. One committee amendment has been omitted by an error. At the bottom of page 17 the item reads, "for pay of the enlisted men of the Philippine Scouts, $1,100,000." It should be changed as to the amount, to "$1,046,000," a difference of $54,000.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 17, line 24, strike out "$1,100,000" and insert in lieu thereof "$1,046,000."

The amendment was agreed to.

The next amendment was, on page 18, line 2, to increase the appropriation for additional pay for length of service to enlisted men from "$3,000,000" to "$4,500,000."

The amendment was agreed to.

Mr. LENROOT. It has just occurred to me that the amendment as to the 62 per cent strength would authorize a deficiency for the Army, being more than 162,000 men at the end of the year. In other words, would not that be reduced?

Mr. WADSWORTH. It reads, "to bring such branch to not more than 62 per cent of the number prescribed."

Mr. LENROOT. That makes 175,000.

Mr. WADSWORTH. Actual strength, 175,000. I suggest that we try it at 60 per cent.

Mr. LENROOT. Sixty per cent would make it 168,000.

Mr. WADSWORTH. That is inclusive of the Philippine Scouts. Mr. President, I move to reconsider the vote by which the amendment on page 17, between lines 7 and 15, was agreed to.

The motion to reconsider was agreed to.

Mr. WADSWORTH. On page 17, line 10, in the committee amendment, I move to strike out "62" and to insert in lieu thereof "60."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 18, line 4, to increase the appropriation for pay of officers on the retired list from "$4,500,000" to "$5,000,000."

The amendment was agreed to.

The next amendment was, in the subhead on page 19, line 7, to insert the words "corps areas" before the word "Army," so as to read:

Pay of Army field clerks and civil-service messengers at headquarters of the several territorial departments, corps areas, Army and corps headquarters, territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation.

The amendment was agreed to.

Mr. WADSWORTH. On page 19, line 17, "$633,000" should be "$733,000," because that would be the proper computation of the items just above it, and I move that that amendment be made.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 19, line 17, strike out "$633,000" and insert in lieu thereof "$733,000."

The amendment was agreed to.

The next amendment was, on page 19, line 20, to reduce the appropriation for commutation of quarters and of heat and light from "$200,000" to "$198,000."

The amendment was agreed to.

The next amendment was, on page 20, line 22, to increase the appropriation for pay of expert accountant for the Inspector General's Department from "$2,500" to "$3,000."

The amendment was agreed to.

The next amendment was, on page 22, line 6, to insert the following additional proviso:

Provided further, That the appropriation for pay, etc., of the Army for the fiscal year 1921 shall be available for the authorized pay of members of the Reserve Officers' Training Corps, or other persons authorized by the Secretary of War to attend the advanced course camps, during the fiscal year 1921.

Mr. KING. May I inquire of the Senator in respect to lines 5 to 11, page 22, whether there has been any diminution in the number of clerks in the finance department? I see we are allowing $1,420,000.

Mr. WADSWORTH. Yes; there has been a very large reduction.

Mr. KING. Of course, there are thousands of other clerks in other branches of the service.

Mr. WADSWORTH. A large number of these men are auditing war-time claims, cleaning up that work. It has been an enormous undertaking. Gen. Lord, the chief of that department, I think it is fair to say, has saved a great many million dollars to the Government in finally auditing claims passed by other branches of the service, and thus reduced the number of employees.

The amendment was agreed to.

The next amendment was, on page 22, line 20, to insert the following proviso:

Provided, That so much of the unexpended amount of the appropriation for pay, etc., of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers, members of the Nurse Corps, and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, inclusive, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1921.

Mr. WADSWORTH. On page 23, line 3, the date should be changed from "June 30, 1921," to "June 30, 1922."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 25, line 8, to increase the total of the appropriations for the Quartermaster Corps, subsistence of the Army, from "$27,500,000" to "$30,000,000."

The amendment was agreed to.

The next amendment was, on page 27, line 24, to increase the appropriation for regular supplies of Quartermaster Corps from "$26,108,430" to "$28,000,000."

The amendment was agreed to.

The next amendment was, on page 27, beginning in line 24, to strike out the proviso in the following words:

Provided, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Civilian employees, $1,750,000; printing, including certificates for discharged soldiers, $200,000; power, heat, and electric current, $1,750,000, of which not to exceed $42,300 may be used for improvement of electric-power supply system at Governors Island, N. Y.; care and protection of regular supplies, $175,000; laundries, maintenance and repair of buildings, including repair of machinery, $100,000; post bakeries, maintenance and repair of buildings, $20,000; ice plants, maintenance and repair of buildings, including operation thereof, $50,000; maintenance and repair of heating apparatus (other than stoves), $300,000; maintenance and repair of electric wiring and fixtures, $200,000; maintenance and repair of reservation fences, $10,000; furniture, textbooks, and equipment for post schools and libraries and schools for noncommissioned officers and instruments, furniture, stationery, and other authorized articles for officers' schools, $20,000; typewriters, exchange and repair, $10,000; mess furniture, tableware, commissary chests, issue outfits, $100,000; appliances for cooking and serving food, purchase and maintenance, $10,000; ranges and cooking stoves and parts thereof, $50,000; field ranges, purchase and maintenance, $2,000; bake ovens and apparatus, purchase and maintenance, $15,000; rolling kitchens, purchase and maintenance, $25,000; coffee roasters, purchase and maintenance, $2,000; heating stoves and parts thereof, $25,000; appliances for handling and preparation of fuel, $10,000; picket rope, blacksmith's tools, farrier's tools, and materials and shoeing of horses and mules, $75,000; office furniture and filing equipment, $50,000; operation of laundries, $4,000,000; incandescent lamps, parts and supplies, $50,000; candles, matches, and soap issue, $150,000; fuel, $6,500,000; gasoline and lubricants for operation of tanks and tractors, $200,000; forage, including salt and vinegar and bedding for animals and straw for soldiers' bedding, $8,500,000; implements, seeds, labor, and other expenses for raising forage at remount depots and on military reservations in Hawaii and Philippine Islands, $50,000; oil lamps and lanterns, including illuminating supplies thereof, $60,000; engine supplies for modern batteries, lighting plants, and ice plants, $9,000; ice, $405,000; stationery, $600,000; toilet paper, towels, and paper drinking cups for issue to offices, $20,000; commercial newspapers, relief maps, market reports, $430; newspapers and periodicals, $5,000; tools, carpenters' and saddlers', $50,000; cleaning and preserving materials, $250,000; installation of heating apparatus (other than stoves), $25,000; installation of electrical wiring and fixtures, $10,000; removal of garbage, $75,000; and expenses incident to training camps, $200,000: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use, and in any event not less than 20,000 of such animals shall be sold.

And to insert in lieu thereof:

Provided, That from this appropriation, not to exceed $1,750,000 shall be expended for the pay of civilian employees.

The amendment was agreed to.

Mr. WADSWORTH. On page 30, line 10, the words "Quartermaster General" should be stricken out and the words "Secretary of War" inserted, and I move that the bill be amended in that particular.

The VICE PRESIDENT. The Secretary will report the amendment.

The READING CLERK. On page 30, line 10, strike out "Quartermaster General" and insert in lieu thereof the words "Secretary of War," so as to read:

Provided further, That hereafter when, in the opinion of the Secretary of War, it is in the interest of the United States so to do, he is authorized to enter into contracts and to incur obligations for fuel.

And so forth.

The amendment was agreed to.

The next amendment was, on page 30, line 12, after the words "for fuel," to insert "forage, subsistence, or clothing"; in line 16, after the words "in which," to strike out "the contract was" and insert "deliveries are"; and in line 17, after the word "made," to strike out "or from funds appropriated or which may be appropriated for such supplies for the ensuing fiscal year," so as to make the additional proviso read:

Provided further, That hereafter when, in the opinion of the Secretary of War, it is in the interest of the United States so to do, he is authorized to enter into contracts and to incur obligations for fuel, forage, subsistence, or clothing in sufficient quantities to meet the requirements for one year without regard to the current fiscal year, and payments for supplies delivered under such contracts may be made from funds appropriated for the fiscal year in which deliveries are made.

The amendment was agreed to.

Mr. BORAH. Mr. President, may we recur to the item on page 16, in line 21, "for pay of enlisted men of the line and staff, $83,000,000"? Would the Senator be willing to insert a proviso that the Army shall be reduced by the Secretary of War so that the sum herein shall defray the entire cost of pay of enlisted men of the line and staff during the fiscal year beginning July 1, 1921?

Mr. WADSWORTH. I think I have no objection to that.

Mr. BORAH. If we can recur to that and that proviso be accepted——

Mr. WADSWORTH. Just a moment, if the Senator please. I have not the slightest objection to that amendment going in, but I think it should not go in at that place. That would imply that no more than $83,000,000 should be expended for pay of enlisted men of the line and staff if the proviso goes in there, but there are other items of pay, such as longevity pay and foreign-service pay. If the Senator will propose to insert his proviso at the end of the whole chapter on pay of the Army, he will then include those expenses which must be made. I am afraid that if we put it right after the numerals $83,000,000, on page 16, it would compel the Secretary of War to cut the Army down to what $83,000,000 would pay, including the longevity pay and the foreign-service pay.

Mr. MCKELLAR. There is another trouble with the Senator's amendment. It says during the year 1921, and it should be during the fiscal year 1922.

Mr. BORAH. No; it provides that it shall apply during the fiscal year beginning July 1, 1921. I do not believe that, inserted after the period after the $83,000,000, it would have that effect, but I am perfectly willing to adopt the Senator's judgment if he will suggest where it should go in, in order to accomplish what I desire.

Mr. WADSWORTH. I think it should be inserted on page 23 after line 3. It will there have the effect the Senator desires, I am sure. That is at the end of the pay chapter.

The VICE PRESIDENT. The Chair would suggest that the wording be changed to fiscal year ending June 30, 1922.

Mr. BORAH. Very well; I will adopt that suggestion.

The VICE PRESIDENT. Without objection, the amendment on page 16, line 21, will be agreed to, and the vote agreeing to the amendment ending at line 3, on page 23, will be reconsidered. The Senator from Idaho now offers the following amendment to the committee amendment.

The READING CLERK. On page 23, at the end of line 3, add the following proviso:

Provided, That the Army shall be reduced by the Secretary of War so that the sum herein shall pay the entire cost of the pay of enlisted men of the line and staff during the fiscal year ending June 30, 1922.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 31, line 3, in the items for incidental expenses, to strike out "and the hire of interpreters, spies, or guides for the Army."

The amendment was agreed to.

The next amendment was, on page 31, line 19, to increase the appropriation for incidental expenses from "$6,946,087" to "$7,500,000."

The amendment was agreed to.

The next amendment was, on page 31, beginning in line 19, to strike out the proviso in the following words:

Provided, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Donations to discharged military prisoners, $20,000; hire of labor, $3,000,000; hire of interpreters, spies, and guides, $10,000; pay of clerks and other employees, $3,500,000; pay of clerks, foremen, and organist at disciplinary barracks, $29,165; recruiting expenses, excluding lodgings, $100,000; rewards for apprehension and delivery of deserters and escaped military prisoners, $25,000; telegrams, cablegrams, and postage, $75,000; clerks for service schools, $36,922; experimental and development work, $25,000; and miscellaneous expenses, $125,000.

And in lieu thereof to insert:

Provided, That from this appropriation not exceeding $3,500,000 shall be expended for the hire of labor and not exceeding $3,500,000 shall be expended for the pay of civilian employees.

Mr. WADSWORTH. Mr. President, I desire to perfect that amendment, and I ask the attention of the Senator from Wisconsin [Mr. LENROOT]. I move to add after the word "employees," in line 9, the words "other than laborers."

Mr. LENROOT. That is satisfactory.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 32, at the end of line 9, add the words "other than laborers."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to line 2 on page 36.

Mr. WADSWORTH. I regret to say there is another error here. The proviso starting on line 22, page 35, and extending to and including part of line 2, on page 36, should be stricken out. The Committee on Military Affairs voted to strike out the itemization in that case just as we did in the other cases. Those are wholly in accordance with that action of the committee.

The VICE PRESIDENT. Let the amendment be stated.

The READING CLERK. The committee propose to strike out the proviso, beginning on page 35, line 22, reading as follows:

Provided, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Animal-drawn transportation, $1,800,000; transportation by water, $12,500,000; rail transportation, $12,000,000; and motor transportation, $7,500,000.

The amendment was agreed to.

The next amendment was, on page 36, line 5, before the word "appropriated," to strike out "herein," and, after the word "appropriated," to insert "by this act," so as to read:

Provided further, That no money appropriated by this act shall be expended for the hire, operation, maintenance, or repair of any motor-propelled vehicle which shall be employed wholly or in part for personal, social, or similar use, except such use as is prescribed by order for the transportation of Army personnel in connection with the recreational activities of the Army.

The amendment was agreed to.

The next amendment was, on page 36, beginning in line 11, to strike out the additional proviso in the following words:

And provided further, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 10,000 of the motor trucks and 1,000 of the automobiles owned by the War Department.

And in lieu thereof to insert:

And provided further, That the Secretary of War is authorized and directed to sell or dispose of, by transfer to the Department of Agriculture under existing laws, so many motor trucks and passenger-carrying automobiles as will, in addition to such trucks and automobiles as have been sold or transferred since January 1, 1921, aggregate during the first six months of the calendar year, 10,000 motor trucks and 2,000 passenger-carrying automobiles.

Mr. OVERMAN. Mr. President, I introduced an amendment covering this question, providing for the delivery to the States of a certain number of automobiles and trucks that are not necessary for the Secretary of War. I notice that the committee have incorporated practically the provisions of my amendment except that I think the amendment is somewhat incomplete; that is to say, the proposed committee amendment reads:

That the Secretary of War is authorized and directed to sell or dispose of by transfer to the Department of Agriculture under existing laws.

Some of us know what the existing laws are, but there may be a dispute about that as there has been a dispute heretofore. I ask the Senator from New York to allow these words to be inserted after the word "laws" on page 36, in line 20: "For its own use and the use of the several States in road work and maintenance of roads."

Mr. WADSWORTH. It might be better if inserted after the word "Agriculture," but it is immaterial I think.

Mr. OVERMAN. It is practically stating what the existing law is in that respect.

Mr. WADSWORTH. I think the committee would have no objection to the amendment to the amendment. It is exactly what the committee means to have done.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Carolina to the amendment of the committee.

Mr. KING. Mr. President, before that is disposed of and while we are speaking of surplus military supplies, may I inquire whether the committee developed the quantity of military supplies now on hand which have not been disposed of since the war.

The Senator will recall that a large number of officers and a great many civilians and a very large appropriation were provided to enable the War Department to sell its surplus war supplies. Several weeks ago I offered a resolution calling upon the department to advise us what supplies had been disposed of and what they have on hand, but up to this good hour there has been no response, as I am advised.

Mr. WADSWORTH. That matter came up on page 2 of the bill in connection with the appropriation for employees of the sales division of the War Department. The committee was informed that the goods which have been sold as surplus by the War Department cost the Government originally $1,249,000,000, and that the same goods when sold actually brought upon the market $703,000,000, the return therefore being about seven-twelfths of the original outlay. Personally, I think that is a pretty good record considering that a good many of the supplies are not wanted by civilians at all or wanted very little by them. I can give the Senator the figures on trucks if he desires, but the committee has no inventory and has never been furnished with an inventory of all of the supplies left over from the war. I imagine we could not get such an inventory into the committee room.

Mr. KING. I was advised that at the close of the war we had supplies on hand which were unnecessary—that is, for the Army—to the value of four or five billion dollars.

Mr. WADSWORTH. That is what they cost.

Mr. KING. I was wondering what disposition has been made of them. We have been trying for two years to force the War Department to sell them and get rid of them, and we have furnished from time to time appropriations in order that they might employ salesmen and the necessary machinery for the purpose of selling those goods. I am informed that there are millions and hundreds of millions of dollars worth still on hand.

Mr. WADSWORTH. There are. They are very difficult to sell. It is difficult to dispose of those that were left on hand. Very few people in civil life care to purchase artillery harness, and very few people care to purchase equipment that goes on an airplane, the photographic outfits, and radio and wireless outfits that are out of date or shopworn. It is mighty hard to sell those things.

Mr. KING. I agree with the Senator; and the longer we delay in selling, the more difficult it will be to find purchasers. The criticism I have is that the War Department has not sold them sooner, and I was wondering whether or not the committee had before it officers who gave any information in regard to the quantity on hand and the success which was attending efforts to sell those articles.

Mr. WADSWORTH. In the hearings on the bill we did not receive testimony as to the total amount left on hand. We did hear testimony as to what had been sold and how much it had brought, and we did have testimony on the matter of the trucks and the automobiles.

Mr. KING. Was there testimony tending to show the amount that was required for civilian help in order to sell the goods on hand?

Mr. WADSWORTH. Yes.

Mr. KING. Was not that a considerable amount?

Mr. WADSWORTH. Yes; and we did not come anywhere near allowing it.

Mr. KING. Was there anything indicating that the sale would soon be made, so we could close up that account?

Mr. WADSWORTH. They assure us they are doing their very best to sell the stuff.

Mr. OVERMAN. Mr. President, what has been done with my amendment to the amendment of the committee?

The VICE PRESIDENT. The Chair assumed Senators were discussing it, although they were not. The question is on agreeing to the amendment offered by the Senator from North Carolina to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. NORRIS. Mr. President, I wish to make an inquiry of the Senator from New York. It is not the intention of the committee, is it, that the Secretary of War shall sell any of this machinery to the Agricultural Department?

Mr. WADSWORTH. Oh, no; because under existing law he transfers it without sale.

Mr. NORRIS. I understand that.

Mr. WADSWORTH. That is why we use the term "existing law."

Mr. NORRIS. Now, I should like to ask the Senator a further question. Under this amendment when the Secretary of War is given authority to sell, or to turn over to the Agricultural Department this material, it would be discretionary with him, would it not, to sell all of it? Is it not the desire of the committee, if he has any surplus that is suitable for highway construction by the States, that it should be turned over to the Agricultural Department for that purpose rather than be sold?

Mr. WADSWORTH. Yes; that is the desire of the committee. The House originally passed the bill carrying this language:

That the Secretary of War is authorized and directed to sell as soon as possible—

Not "to transfer to the Department of Agriculture as soon as possible."

Mr. NORRIS. Would the Senator, having that in view, object to an amendment which would strike out the word "sell"?

Mr. WADSWORTH. Yes; for this reason: I am perfectly willing to make the intention of Congress clearer, if the language of the committee does not make it clear, but some of this material the States will not take, and in that event we want it sold.

Mr. NORRIS. Yes; I agree with the Senator from New York as to that, but I should like to make the point certain. I think the Senator from New York agrees with me. What I am trying to accomplish, at least, is to make sure what the intent of Congress is.

Mr. WADSWORTH. I have great confidence, may I say to the Senator, in the new administration construing this in the way we feel it should be construed.

Mr. NORRIS. Then, would the Senator from New York consent to an amendment which seems to me, at least, to make it clear that Congress does not intend that the Secretary of War shall sell this material to the Agricultural Department, but that he shall dispose of it to them without selling it? That would be a protection to the Secretary as well as make clear our meaning. I propose to insert a comma after the word "sell."

Mr. WADSWORTH. Certainly.

Mr. NORRIS. I offer that as an amendment.

Mr. WADSWORTH. Mr. President, on page 36, in line 18, there should be a comma after the word "sell," and in the same line the word "to" should be inserted before the word "dispose."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. NORRIS. Mr. President, I realize that it is necessary to give to the Secretary of War authority to sell, because while, as the Senator from New York has well said, there is some of this material that is not suitable for the uses of the Agricultural Department in road building, I am rather inclined to think that with the comma and the word "to" inserted at the point indicated by the Senator from New York the Secretary of War will realize what the intention of Congress is and will turn over what he can of the material to the Agricultural Department.

Mr. President, I wish briefly to state that I prepared and had printed an amendment which I intended to submit at this point as a substitute for the committee amendment. I have not been able to be here, but with the purpose of offering that amendment, I arranged so that I could be notified when the Army bill came up. I find that in the fortifications bill, which passed earlier in the day before I was able to be present, that language covering a part of what I expected to accomplish by my amendment has already been inserted in that bill. I realize from what I have heard of the vote and of the discussion which took place, and in view of the feeling that the matter was settled and determined, that it would probably be useless to offer here that part of my amendment that has not already been put into the fortifications bill. The amendment that I intended to offer provided not only for the transfer of trucks but of spare parts and other machinery. That, in my judgment, is quite important; but since the Senate has adopted the main portion of it and the matter is regarded as settled, I think it would be useless for me now to offer my amendment.

However, Mr. President, I wish to say a few words in regard to the machinery and materials which are held by the War Department. As we all know, several years ago the question of building roads became a very live question everywhere, in all of the States and in the Federal Congress.

We passed an act in Congress to cooperate with the States in the building of roads. The amount of road building that has been going on since and that is now going on is something that, when it is considered in the aggregate, almost startles the human imagination. To construct roads properly requires a great amount of machinery. It happened that upon the signing of the armistice the United States Government found itself in possession of a very large amount of machinery suitable for road building. A great deal of it had been manufactured for that purpose and was used in France for that purpose. There was much of it that had been used for other military purposes which was perfectly suitable to be used in connection with the building of roads. I presume that it is safe to say that when the armistice was signed the Government owned more machinery of that kind than was ever before gotten together in the history of the world. Much of it was in France and had been in actual use there; many million dollars' worth of it was scattered around in various camps in the United States, ready for shipment. Other large quantities of it were still in the warehouses and the factories. When the armistice was signed it became at once apparent that all this machinery could not be used for military purposes. An agreement was therefore entered into between the War Department and the Department of Agriculture, pursuant to some act of Congress, by which a very large quantity of this machinery should be transferred to the Agricultural Department and by them be turned over to the States for use in the construction of roads.

As a matter of fact, Mr. President, at that time it would have been an impossibility—and is yet, I think, to some extent—for the State authorities to have purchased anywhere near as much of the material and machinery as was absolutely necessary to carry on the road-building work, for practically all of the manufacturing corporations that had been producing such machinery had been taken over by the Government and all their output had been used for governmental purposes. There seemed to be at that time perfect harmony between the War Department and the Agricultural Department; but, as I read the history of the matter as it progressed, it was not long until there came about a misunderstanding. I believe it is fair to state that the War Department, indirectly and directly, tried in nearly every possible way to prevent the transfer of any of this machinery to the Argricultural Department for the purposes named, but tried in every way possible to retain practically all of it. I think it is conceded by those who have testified at the various hearings that all of this machinery will be obsolete in five years and some of it in two years; so that unless we knew we were going to use it for war purposes in the immediate future, it would be a total loss if it were retained.

Mr. President, I have a copy of some brief remarks made by Col. McCord, who was in the Army and served in France, but who when this agreement was made between the two departments was detailed to the Department of Agriculture in connection with the good roads service, and is still there, actively engaged in carrying on that work. The address gives a brief history of this contest, and shows the difficulties which were put in the way of the representatives of the Agricultural Department. Col. McCord shows in one instance where, after he had been sent to France to look after some of the material there he found some of it in the hands of the French—not sold to them, but in their possession—and had considerable difficulty in getting control of it. It was finally shipped back to America by the War Department, it is true, because that was the only department, as I understand, which under the circumstances could have handled the shipment, but it was for the Agricultural Department. When, however, it arrived here, although it was marked as being for the Agricultural Department, and although much of it was discovered by Col. McCord, as the representative of the Agricultural Department, that probably never would have been found if it had not been for the activities of the Agricultural Department, and although there was an agreement in writing that it should be turned over to the Agricultural Department—notwithstanding all those facts the War Department refused to deliver it, and took off the marks and the tags when it reached this side. Some of it has since been delivered and some of it probably has not been. I speak of this as an instance of the difficulty which arose.

Col. McCord gives, I remember, another instance where the State highway department of the State of Pennsylvania, which had secured a great deal of road equipment and was actively engaged in the construction of good roads in that State, wanted to get some material to build houses and shelter rooms for their material. They found that there was some suitable material for that purpose in the War Department for which the department had no use. So they undertook to get it, but the War Department declined to turn it over to them. As a matter of fact, however, the War Department afterwards sold it to a dealer in the business, and the State highway department bought the same material at private sale from the dealer who had bought it from the War Department, thus making the real owners of the property, to begin with, pay a profit to a dealer before they could get it. Because the address of Col. McCord so clearly outlines the history of the difficulties, I ask unanimous consent to insert it in the RECORD as part of my remarks.

The VICE PRESIDENT. Without objection, permission is granted.

The address referred to is as follows:

DISTRIBUTION BY THE FEDERAL GOVERNMENT TO STATE HIGHWAY DEPARTMENTS OF ROAD-BUILDING EQUIPMENT AND MACHINERY FROM SURPLUS WAR STOCKS.

[By Col. James B. McCord, United States Bureau of Public Roads. Address before Engineers' Club, Philadelphia, Jan. 25, 1921.]

It has been suggested to me that it might be interesting to the members of this club to know more about a certain phase in the liquidation of the enormous quantity of material and supplies accumulated by the Government during the war for war purposes, but no longer required for the needs of our peace-time Army.

Some idea of the amounts involved in this liquidation may be had from the War Department estimates made several months after the

armistice that there would be available for distribution miscellaneous surplus property located in the United States costing approximately $2,000,000,000. On June 30, 1920, sales and transfers had been made aggregating $1,690,000,000. According to the United States liquidation commission reports, the sale of surplus property in Europe amounted to an additional sum of $823,000,000. Four hundred million dollars worth have been disposed of since June 30, 1920, and there is still available for sale or transfer property valued at approximately $200,000,000.

There has been a great deal of publicity given to the distribution of surplus foodstuffs and clothing, but very little has appeared in the press concerning the disposition of surplus contractors' machinery and supplies, which made up a fairly large percentage of Government purchases during the war. It should therefore be of interest to all advocates of good roads to learn that the Congress did not neglect to provide that surplus war materials and machinery suitable for road building should be distributed throughout the United States for use exclusively on the improvement of highways.

A very brief glance over the history of the part played by the Government in the construction of public roads will make it apparent that although Federal aid is not a recent development in Government policy, yet never before in the history of the country have such large amounts of Government funds and supplies been made available for this purpose.

The first record of Federal aid in highway construction is to be found in the act passed by Congress in 1802 enabling the people of Ohio to form a State government and seek admission to the Union. This act contained the following provision:

"That one-twentieth of the net proceeds in the lands lying within said State sold by Congress shall be applied to the laying out and making public roads leading from the navigable waters emptying into the Atlantic, to the Ohio, to the said State, and through the same, such roads to be laid out under authority of Congress with the consent of the several States through which the road shall pass."

In 1806 President Thomas Jefferson approved an act of Congress providing for the building of a highway by the Federal Government from Cumberland, Md., through the States of Maryland, Pennsylvania, Ohio, and Indiana westward to the Wabash and Mississippi Rivers. For 32 years the work on this highway was carried on under Federal control until in 1838 the appropriations ceased and the work was discontinued after the expenditure of approximately $7,000,000. In other parts of the country revenues from the sale of public lands were set aside by Congress for aid in highway construction. Between 1811 and 1845 Louisiana, Indiana, Mississippi, Missouri, and Iowa were aided in this way to the extent of about $5,000,000. Between 1854 and 1861 Congress appropriated in all only about $1,600,000, which was expended chiefly on roads within the Territories. Thus prior to 1861 the Federal Government had assisted in road building to the extent of approximately only $14,000,000, or an average since 1802 of only $250,000 per annum. During the next 55 years, between 1861 and 1916, the Federal Government took no part whatever in the improvement of highways except in an educational sense. This was due in a large measure to a prevailing idea that the railroads had lessened the need for improved highways, and it was not until the appearance of first the bicycle, and then shortly afterwards the automobile, that there began the present insistent demand for better roads. In 1906, 48,000 automobiles were registered in the United States. By 1914 the number had risen to 1,700,000. At the present time the registrations total nearly 8,000,000, exclusive of motor cycles.

So general was this cry for good roads that the State Governments found themselves unable to satisfy it without aid from the Federal Government, and on July 11, 1916, and February 28, 1919, the President approved two acts whereby Congress appropriated sums aggregating $275,000,000 to be distributed among the States for road-building purposes between the years 1917 and 1921. A bill is now before Congress providing for additional appropriations of $500,000,000 to be expended at the rate of $100,000,000 per annum for five years beginning July 1, 1921.

The enormous appropriations for highway work already made by States and municipalities—appropriations that total more than $1,000,000,000 covering bond issues and direct levies for highway construction and road maintenance—presage for the next five years an unprecedented volume of road building in America. The $271,000,000 voted in bond issues or appropriated by eight States recently added to the bond issues passed by eight other States since 1918, makes $543,800,000 already available for road work in 16 States. In addition, funds obtained from direct levies and other sources of State revenue and county issues are estimated to amount to $296,200,000.

Mr. Thomas H. MacDonald, Chief of the United States Bureau of Public Roads, writes in the Government publication, Public Roads, for June, 1920, that the actual road operations under the Federal aid acts have thus far involved the approval by the Bureau of Public Roads of projects the aggregate length of which would span the distance between New York and San Francisco nine times and the estimated cost of which is greater than that of the Panama Canal.

Following our entry into the World War from April, 1917, until several months after the armistice, road construction was necessarily curtailed in order that all our energies, in machinery as well as in man power, might be devoted to the winning of the war. During this period the greater part of the output of factories manufacturing road-building machinery and equipment had been absorbed by the War Department and at the end of the war it was found that although a great deal of money was available it was practically impossible to secure sufficient road-building machinery and supplies in the market to allow the work to proceed as rapidly as desired.

It so happened, at this time, that the War Department was also faced with the very serious problem of taking care of several million troops who must soon be returned to civil life. The Secretary of War assigned Col. Arthur Woods—with the title of "Assistant to the Secretary of War"—to undertake the campaign of stimulating public work throughout the country with a view to creating opportunities for the returning soldiers.

Col. Woods is particularly well known as the former police commissioner of New York City. I was detailed to assist Col. Woods in May, 1919, and was placed in charge of stimulating highway work throughout the country in so far as it was possible to do so by extending the good offices of the War Department to State, county, and municipal officials. Investigation quickly developed the fact that the main trouble responsible for the general stagnation of highway work was the lack of engineering equipment and machinery which had been absorbed by the Army for war purposes. This difficulty had, however, been foreseen by Congress, as there had been included in the Federal aid act approved February 28, 1919, the following provision:

"That the Secretary of War be, and he is hereby, authorized, in his discretion, to transfer to the Secretary of Agriculture all available war materials, equipment, and supplies not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States, to be used on roads constructed in whole or in part by Federal aid."

Representing the War Department I requested the Chief of the Bureau of Public Roads to arrange a conference with the executive committee of the American Association of State Highway Officials, then in session in Washington. At this conference the aid of the War Department was offered to the Bureau of Public Roads and to the State officials. It was suggested that perhaps the most immediate results might be obtained if our efforts were devoted to effecting transfers of surplus road-building equipment from the War Department as rapidly as possible. The State highway officials welcomed this suggestion, admitting that even such items as picks and shovels were not available in the market for anything like immediate delivery to say nothing of motor vehicles, road rollers, steam shovels, concrete mixers, transits, and levels, etc. The War Department controlled almost the entire stock in the country. Special forces were then organized in both the War Department and the Bureau of Public Roads to handle the transfers, and in the latter part of May, 1919, I obtained the first large clearances from the War Department of about 15,000 motor trucks and automobiles, as well as a quantity of road-building machinery.

During the war I was fortunate enough to have served in France and became familiar with most of the American depots in that country, and knowing that a considerable quantity of road-building equipment in good condition was still stored at those depots I suggested to the Bureau of Public Roads that the Secretary of Agriculture should request the War Department to return this equipment from Europe. The Secretary of Agriculture addressed the Secretary of War in the following letter:

OFFICE OF THE SECRETARY,
May 28, 1919.

The SECRETARY OF WAR.

DEAR MR. SECRETARY: For use in the enlarged highway-construction program the various States require certain kinds of equipment in addition to that which has been declared surplus in this country and requisition by this department. I understand the War Department has large stores of equipment and supplies at various points in France that would be very useful in road-building operations. Aside from the immediate need for the heavier types of equipment, I am informed by the executives of some of the State highway departments that there is a serious lack of transits, levels, and similar instruments which are needed at once for the preliminary engineering work necessary in getting the road program under way and the demand for which can not be promptly supplied in this country.

In order to place the matter definitely before you I am attaching a list of the supplies and equipment required by this department and the State highway departments in addition to that already declared surplus in this country and requisitioned by this department.

The highway-construction program which the Federal Government and the States propose to begin immediately is the largest public undertaking contemplated in the near future. It offers an immediate field for the employment of labor and the use of materials that will help to stabilize business along a number of lines. The work has been expanded so suddenly that it has not been possible to make adequate provision for furnishing the necessary equipment, and previously all the available supply was absorbed by the demands of the War Department. Unless the requisite equipment is now made available the road-building program will be delayed.

I am sending you this list as a result of a conference which I have just held with the executive committee of the American Association of State Highway Officials, at which it was represented that the various States are very anxious to secure additional equipment of the kinds indicated.

I am thoroughly in sympathy with the efforts that are being made by the War Department to aid returning soldiers in securing employment, and I am convinced that if the equipment and supplies listed are made available it will facilitate highway construction and thereby stimulate the employment of labor. I urgently recommend, therefore, that steps be taken to return from France the equipment and supplies indicated, to be distributed to the State highway departments for road-building purposes.

Very truly, yours,

D. F. HOUSTON,
Secretary.

LIST OF EQUIPMENT TO BE REQUESTED TO BE RETURNED FROM FRANCE.

525 5-ton caterpillar tractors.
1,055 10-ton caterpillar tractors.
742 engineers' transits.
797 engineers' levels.
800 Abney hand levels.
2,500 steel tapes.
1,200 level rods.
500 planimeters.
300 drafting tables.
400 road rollers, steam and gas driven.
700 concrete mixers.
600 road graders.
400 elevating graders.
200 sprinkler wagons.
200 road oilers, motor driven.
125 derricks, 30-foot to 60-foot.
100 pile drivers, complete outfits.
200 air drills, complete sets.
250 steam pumps, 3-inch and 4-inch.
150 centrifugal pumps, with power to 4 inches.
75 diaphragm pumps, gasoline driven.
500 rock crushers, complete outfits.
200 buckets, clam shell, orange peel, and bottom dump.
125 road scarifiers.
50 excavators, caterpillars and drag line.
700 plows, road and railroad.
300 plows, rooter.
25 automotive cranes.
3,600 trailers for tractors.
500 miles industrial railway track.
200 industrial railway locomotives.
3,500 industrial railway dump cars.

200 steam shovels, 1 yard and less capacity.
6,500 dump wagons.
250 conveyors, gravity and power.
35 donkey engines, 200 hoisting engines, and 75 gasoline engines, from 5 to 30 horsepower.
375 steam drills, complete outfits.
250 portable air compressors.
100 boilers, 15 to 30 horsepower.
275 electric motors, 2 to 50 horsepower.
20 electric blue-print machines.

A few days later the War Department replied as follows:

JUNE 9, 1919.

The SECRETARY OF AGRICULTURE.

MY DEAR MR. SECRETARY: I have the honor to acknowledge, on behalf of the Secretary of War, receipt of your letter of May 28, 1919, addressed to him with reference to the delivery to the Department of Agriculture of certain equipment and supplies which you propose to use in your enlarged highway-construction program.

I have discussed the matter with the Secretary, and he has instructed me to say to you that the War Department will deliver to the Department of Agriculture, out of surplus in the United States or in France, the equipment and supplies which you list as an attachment to your letter.

Delivery of such equipment and materials now in France will be made to the Department of Agriculture in France. In other words the Department of Agriculture must obligate itself to pay to the War Department at the United States Shipping Board rates, the cost of transporting the equipment and supplies from France to the United States.

Very truly, yours,

MONTE APPEL.
Acting Special Representative of the Secretary of War.

On June 23 the following cable was sent to France by the War Department to the commanding general and to Judge Parker, chairman of the Liquidation Commission in France:

Number 1040. June 23. Confidential.

WASHINGTON, *June 23, 1919.*

From: The Adjutant General.
To: Connor, SOS, Amexforce, France.
For Parker:

(PS&T) Under existing legislation which authorizes the War Department to deliver to the Agriculture Department any surplus equipment or materials on hand, the Secretary of War directs that if no longer needed there, the following equipment now in France be returned to the United States for delivery to the Department of Agriculture, if not needed by the War Department here.

(Here follows the above list requested by the Secretary of Agriculture.)

Please give necessary directions for transportation of this equipment to French ports. The Chief of Transportation here will arrange for ocean transportation to America. Appel. 2116.

HARRIS.

At this time information reached the Bureau of Public Roads that the War Department was planning to sell all American surplus supplies in Europe to the French Government, and it was therefore arranged that I be discharged from the military service and proceed to Europe to represent the Bureau of Public Roads and to save as much road equipment as possible from the proposed sale. Just about this time there began to appear certain signs of a change of policy within the War Department with respect to the transfer of road-building equipment, and although the intent of Congress had been clearly indicated in the Federal aid act, and the War Department had voluntarily entered into an arrangement with the Secretary of Agriculture which was virtually a written contract to deliver certain articles, yet the endeavors of the Department of Agriculture to secure the promised equipment gradually developed into a series of disagreements with the War Department, resulting from our efforts to prevent the War Department from selling the equipment to foreign Governments or private dealers in America.

This new policy of the War Department may have been adopted from the very best of reasons, but unfortunately for the harmony which had maintained between the two departments, the Bureau of Public Roads could not consistently subscribe to any policy which favored selling road equipment or which looked toward any disposition other than to transfer it to the State highway departments for road work, as authorized in an act of Congress. The Bureau of Public Roads could entertain but one idea—that here was an opportunity to devote an extraordinary accumulation of road equipment exclusively to road work, an opportunity which might never occur again.

This attitude of the Bureau of Public Roads may be better understood when it is considered that there are 2,500,000 miles of rural public roads in this country, and that 2,200,000 miles of them are still dirt roads. Of 300,000 miles covered with some kind of surfacing material, only about 30,000 miles are fit for heavy automobile traffic. With that 2,470,000 miles of dirt and poorly surfaced roads in mind—a distance, by the way, which is one hundred times the circumference of the earth and ten times the distance from the earth to the moon—it is hardly surprising that the Bureau of Public Roads undertook to fight every attempt of the War Department to sell road equipment.

It is, therefore, regrettable but unavoidable that from this point onward, even this short sketch—which touches only the high places—can not quite conceal a certain lack of harmonious cooperation between the two departments and that the equipment which has been delivered to State highway commissions in accordance with the wishes of Congress has been so delivered not as a result of the desires and policy of the War Department but in spite of them and mainly because of the active and continuous campaign carried on by the Bureau of Public Roads against, sometimes, very great odds.

(The appearance in France of a representative of the Department of Agriculture seemed to be a matter of considerable surprise to the commanding general as well as to the United States Liquidation Commission, who were charged with the sale of American surplus war stocks in Europe. It seems that although the Secretary of War had approved my mission and had, in fact, furnished me with letters of introduction to the American authorities in France, The Adjutant General of the Army had, at the same time, been instructed to cable to France asking what recommendations the commanding general had to make concerning the necessity for having the Department of Agriculture represented. He cabled in reply that there were sufficient officers in France to attend to the matter and disapproved sending anyone. It so happened, however, that his disapproving cable was dated July 5 and my ship sailed on that same day.)

Immediately on my arrival in Paris I called on Judge Parker, chairman of the United States Liquidation Commission, and I learned that he had informed the War Department that it was impracticable to return the equipment desired with the exception of a very few items. The reasons he gave were (1) the traffic congestion on the French railroads, (2) the lack of personnel due to the rapid evacuation of troops, and (3) opportunities to sell the equipment in Europe for a good price. There is no question but that the Liquidation Commission were in an embarrassing position, as the War Department in Washington had directed three things to be done which were diametrically opposed—first, to sell all surplus supplies in Europe, including the road-building machinery and equipment; second, to return a great quantity of road-building machinery and equipment to America; third, to immediately return to America the personnel without whom it would be impossible to load and ship any equipment to the United States.

I discovered that the only orders in effect in France directing the return of road supplies were the ones concerning the very few items mentioned in Judge Parker's cable, and it was claimed that these included all the available road-building machinery in France. I questioned the accuracy of that statement, and after visits to Army headquarters, the depots, and ports, I was able to collect sufficient information to convince the liquidation commission that their statement was based upon inaccurate inventories and submitted to them a corrected inventory, insisting that the supplies on the corrected list be ordered shipped. The following letters were sent to Judge Parker:

PARIS, *July 31, 1919.*

Judge E. B. PARKER,
Chairman United States Liquidation Commission, Paris.

DEAR SIR: With reference to the road-building machinery and equipment directed to be returned to America by cable dated June 20 and your reply thereto dated June 28.

There is attached hereto a list furnished to me yesterday by the engineer in charge of Engineer depots, of equipment covered by cable on June 20 and which is now in the depots indicated.

It is understood that this list is in addition to the amounts given in your cable of June 28 and that it is the result of an inventory taken later than that upon which your cable of June 28 was based.

I understand that the Engineers have only orders to ship the quantities of material contained in your cable of June 28, which was based upon an incomplete inventory, and I earnestly request that they be directed to ship these additional amounts to the ports for shipment to the Department of Agriculture.

In addition to my list it is understood that considerable of the equipment described in cable to you of June 20 is in the hands of the French temporarily, outside of the depots, the Engineers holding receipts for it. It is requested that I be informed of the location of such of this material as it is impossible to have shipped to the ports, in order that examination may be made of its condition with a view to deciding whether it should be returned to America for road construction.

It should be noted that the attached list is only of Engineer material in Engineer depots. The Ordnance Department is now preparing an additional list of equipment in their depots as per my letter to you of July 24.

It is understood that there is a serious shortage of personnel at the depots to load the equipment on cars, and it is feared that if sufficient additional personnel is not furnished a serious delay in the shipment of the equipment will result.

Respectfully,

J. B. MCCORD,
Representing the Board of Agriculture.

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OFFICE OF THE DEPARTMENT OF AGRICULTURAL,
Paris, August 8, 1919.

Judge E. B. PARKER,
United States Liquidation Commission, Paris.

DEAR SIR: Pursuant to my letter to you of July 31, I am informed on my return to Paris from a visit to Tours and Montoir that my letter of the 31st has been acted upon by the commission, and that the commission have instructed the Engineer Department to ship to ports only that road equipment, shown on the list accompanying my letter of the 31st, as being at St. Sulpice and Montoir. And I am also informed that it is proposed to almost immediately turn over to the French the entire contents of depots at Gievres, Mehun, Montierchaume, and Is-sur-Tille.

There is attached hereto a statement of the status of road equipment in so far as I am able to obtain it from inventories at Tours, Gievres, Montoir, and Paris.

It will be seen that there is considerable road equipment in Gievres, Mehun, Montierchaume, and Is-sur-Tille which under existing orders will not be returned for the Department of Agriculture. There is in these depots considerable equipment which is urgently needed by the State highway departments for their proposed road construction, and which is covered in the cable of June 20, under which the Secretary of State for war directed its return to America. It is urgently requested that these depots be not turned over to the French until this road equipment is segregated from material to be sold to the French, and loaded on cars and shipped to the ports, and that sufficient personnel be immediately sent to these depots to accomplish this result.

It is again pointed out that there is considerable road equipment under control of the Ordnance Department, for instance at Mehun, which has not been directed returned to America for the Department of Agriculture, and in fact I am informed by the Ordnance Department at Tours that they have never received a copy of the cable of June 20, and have no instructions to ship anything whatsoever to the Department of Agriculture, the only instructions in the premises having been given to the engineers.

Your attention is invited to the seventh paragraph of my letter of July 31, in which I pointed out that considerable road-building equipment is temporarily in the hands of the French, having been turned over to the French by the Army after the completion of road construction. It is believed that a good deal of this material is near depots, and that it would be practicable to have it returned to the depots for loading on cars and shipment to the ports. I requested the location of this material, but it has not been given. I do not know the quantity but believe that an effort should be made to locate it and have such of it as is in good condition returned to America.

It is requested that earnest consideration be given by the commission to this letter, and that every effort possible be made to return all available road-building equipment to the United States before the withdrawal of personnel and the completion of sale of material to the French render such return impossible.

Very respectfully,

J. B. MCCORD,
Representing the Department of Agriculture.

After some hesitation I was informed that the equipment listed in my inventory would be returned to America.

At my request the Liquidation Commission assigned me an office in their building, and as my assistants three Army officers with the grade of major. One of these officers was Maj. Gravell, a member of this club. On August 20 the following letter was sent to the Assistant Secretary of War, then in Paris:

OFFICE OF THE DEPARTMENT OF AGRICULTURE,
Paris, August 20, 1919.

The Hon. BENEDICT CROWELL,
Assistant Secretary of War,
45 Avenue Montaigne, Paris.

DEAR SIR: Pursuant to our conversation yesterday morning regarding certain road-building equipment and machinery which the Secretary of War directed to be returned to the United States for the Department of Agriculture, by cable dated June 20, I attach hereto copies of letters which I have written to the Liquidation Commission since my arrival in Paris on July 16.

Your attention is invited to the fact that when a copy of the cable of June 20 was given to the Department of Agriculture it was sent to every State highway department in the United States, in good faith, as representing the material which would ultimately be distributed amongst the State highway departments under the Federal aid act, and I assure you that the return of this material is considered of extreme importance by all of them.

The difficulty seems to be that although the cable directing the return of the equipment was received in June by the Liquidation Commission, they were handicapped in shipping even the material they had on hand in the interior depots, due to the existing orders to return Army personnel to the United States as rapidly as possible. They have not had sufficient men, particularly in the interior depots, to load the material on cars for shipment to ports or even to segregate and mark it as to be returned to America.

As the matter now stands, the interior depots, such as Gievres, Montierchaume, Mehun, and Is-sur-Tille, in which there is considerable road-building equipment covered by the cable of June 20, have been turned over to the French, and, as I understand it, no arrangements have been made to have this equipment taken from these interior depots and shipped to the ports. I am also informed that it is soon proposed to turn over to the French depots at St. Sulpice and Montoir, in which there is a great deal of road-building equipment, which is not even segregated or marked for the Department of Agriculture.

In view of the very apparent importance of the return of this equipment to America, I urgently request that there be assigned at the earliest possible moment sufficient personnel to Gievres, Montierchaume, Mehun, and Is-sur-Tille, as well as Montoir and St. Sulpice, under competent officers, who will be given authority and facility, automobile transportation, etc., and who will be instructed to devote their entire efforts to getting this road-building equipment shipped to ports and loaded on ships consigned to the Department of Agriculture. I also suggest that the port depots at Montoir and St. Sulpice should not be turned over to the French until all this equipment has been shipped.

I can not help but feel worried over this entire situation, and fear, in view of the promises made to the State highway departments, their Senators and Congressmen, based upon the cable of June 20, that failure to return this equipment will result in embarrassment not only to the Department of Agriculture but also to the War Department.

I would greatly appreciate a reply to this letter in order that I may inform the Secretary of Agriculture of the exact status.

Very respectfully,

J. B. MCCORD,
Representing Department of Agriculture.

Mr. Crowell promised to do what he could, but although shipments continued spasmodically for a month or more I was one day informed that it had been found impossible to ship the road equipment from Gievres and Is-sur-Tille, and Montierchaume, the interior depots, and that only the equipment in the port depots Montoir and St. Sulpice would be shipped. A few days later I was advised that all of the above-mentioned depots, including the port depots, had been sold to the French Government and that no more road equipment would be returned to America. These facts were cabled to Washington with the suggestion that the Secretary of Agriculture protest to the Secretary of War, but it was too late to obtain any result through that channel. We were able, however, to go into the depots at the ports notwithstanding possession by the French troops who had been led to regard all supplies in the depots as their property. Somehow we convinced them that a considerable number of articles were the property of the United States and succeeded in having them delivered on board ship. One of the Army officers who aided in this work later joined the Lithuanian Army, and when he said goodbye he informed me that he did not expect to get as much action fighting the Poles as he had experienced in taking road-building equipment from the French troops, who believed it had been sold to their Government.

While in France I learned that the Director of Sales of the War Department had arrived in Paris with instructions to sell in Europe certain surplus property located in the United States. On my inquiring the nature of these supplies it appeared that he had been instructed to sell from America into Europe a number of items which the Secretary of War had directed returned to America from Europe for distribution to the State highway commissions. I cabled the Bureau of Public Roads as follows:

AUGUST 11, 1919.

ROADS AGRICULTURE, WASHINGTON:

C. W. Hare, director of sales, recently arrived in France to dispose in Europe surplus war equipment now in America. Investigated what he had to sell and find on his list the following: Locomotive cranes, narrow-gauge locomotives, gas engines, electric generator sets, hoisting engines, derricks, portable houses, pumps, trailers, 8,700 tons 25-pound rail, 11 asphalt plants now at Norfolk, 20 pile drivers now at Industrial Works, Bay City, Mich. Suggest representative Agriculture examine inventory Sales Office, Washington, dated July 9, and that whatever material is needed by Agriculture Department be removed from list for sale in Europe and Hare so instructed.

J. B. MCCORD,
Representative Department of Agriculture.

I understand the items in question were removed from Mr. Hare's list.

I visited the American forces in Belgium and Germany to examine the surplus equipment at those places, but although our commanding general in Germany was willing to load barges with any surplus equipment I might desire and ship it down the Rhine to Antwerp, an inspection of the property showed that it was not worth shipping on account of its poor condition, and that all the material in good condition was to be retained by the Army of Occupation, who expected to remain in Germany for the next 15 years. The liquidation commission had sold all supplies which had been stored in Italy and in England, and therefore having arranged for the last shipment from France I returned to the United States in November, 1919.

We were able during four months to have loaded on ships and returned to America about $10,000,000 worth of equipment, but although the road building machinery which we returned would certainly have been retained by the French had it not been for our activities, yet when the supplies reached American the War Department refused to release about $8,000,000 worth, leaving only about $2,000,000 worth for the highway commissions. However, there is a bill now before Congress directing its release to State highway departments, and we still hope as to the final outcome. On my return to Washington I was requested by the Chief of the Bureau of Public Roads to continue the work of obtaining transfers from surplus in America in cooperation with Col. H. L. Bowlby, Chief of War Materials Division, Bureau of Public Roads. A survey of the situation in Washington disclosed the fact that with the exception of motor vehicles less than 1 per cent of other articles cleared by the Secretary of War had been delivered to the State highway departments.

In fact there seemed to have grown up a strong feeling of antagonism within the War Department toward the transfer of road-building equipment to State highway commissions free of charge, notwithstanding the act of Congress to that effect.

The transfers were handled entirely by the Director of Sales, whose office was composed of trained salesmen. There existed no intermediate section to handle transfers without funds to other Government departments and it was perhaps very natural that the salesmen objected to giving equipment away without the credit of a money return. I secured an office in the War Department Building and discovered that the greater part of the requisitions and shipping instructions on equipment cleared by the War Department had been accumulating, without action of any kind in the office of the Director of Sales, for about four months. Eight hundred and ninety-one sets of these requisitions, covering equipment of all sorts, which the State highway commissions were expecting to receive, were found in the bottom of a desk in the War Department. It was also disclosed that most of the equipment covered by requisitions had been sold by the War Department to private firms or individuals, and it was only after strong protests to the Director of Sales that he reorganized the section of his office charged with handling the transfers.

Whatever the reason may have been, there was no question but that the policy of the War Department had most decidedly changed since the Secretary of War wrote to the Secretary of Agriculture, in June, 1919, undertaking to deliver a long list of equipment from surplus in France or the United States, and the policy of the War Department seemed to have developed into a system of devising ways and means to avoid making deliveries of property to the Department of Agriculture. This attitude was expressed in various ways; for example, the War Department secured a decision from the Judge Advocate General of the Army to the effect that the Federal aid act had been repealed by a later act with respect to the transfers of road-building machinery, and acting on that opinion the Secretary of War canceled the allotment of 15,000 motor vehicles. The Department of Agriculture promptly placed the question before the Attorney General, who reversed the Judge Advocate General. On receipt of the opinion of the Attorney General, the Secretary of War reinstated the suspended allotment of motor vehicles, but informed the Secretary of Agriculture that he declined to make any further allotment of equipment and supplies without further legislation. The War Department also rendered such decisions as that, in their opinion, the following items were not suitable for road construction and, therefore, would not be transferred: Autocranes, locomotive cranes, boilers, forges, frogs and switches, hoisting engines, hoists, industrial cars and railroad ties, pulley blocks, dump cars, and steel cable. All highway engineers know how important are these articles in modern highway construction.

While protests were being filed against such decisions the road equipment was being sold to private concerns. The only result of our protests was a concession by the Secretary of War to the effect that he would approve the transfer of equipment which could not be sold for at least 60 per cent of its market value. In other words, only equipment in poor condition was to be transferred. For some time after this order was issued the War Department continued to sell road-building equipment to the highest bidder, and in some cases those successful bidders sold it to the State highway commissions. The following letter from Col. William D. Uhler, of the Pennsylvania State Highway Commission, inclosing a photograph of corrugated roofing showing War Department markings, is a case in point:

"As you will remember, early last summer we had up with the Bureau of Public Roads the release of corrugated-iron roofing for use in building sheds for housing road-building equipment. As you know, after a long delay and failure to secure any of this material from the War Department, we were finally obliged to enter into a contract for these buildings. It now develops that the corrugated roofing which is supplied by the contractor was bought by him from the War Department, and that this material, which was originally paid for by the public, has been disposed of by the Government to the contractor at a reduced price, and he in turn is selling it back to the public at the market price, thus causing the public to pay two profits."

It was because of these difficulties with the War Department and the necessity of putting the whole proposition on some more satisfactory basis that the Bureau of Public Roads pressed Congress to pass another act—the so-called Kahn bill—which was approved March 15, 1920. This bill had been originally drawn merely authorizing the Secretary of War to transfer, in his discretion, a certain list of road-building equipment to the Department of Agriculture, but it was pointed out in the Military Affairs Committee that the Secretary of War should not be required to exercise his discretion in this connection any longer, and the bill was finally passed directing him to make the transfers. Since the approval of this act the situation has been very much improved, although the War Department have continued to sell road-building equipment, even after it had been obligated to the State highway commissions.

One of the most remarkable cases of sale of equipment contrary to the provisions of the act of March 15, 1920, was in connection with the sale of the Old Hickory powder plant and about which there has recently been considerable publicity. On July 20, 1920, I requested the War Department to transfer to the Department of Agriculture certain articles of road-building equipment which had been declared surplus by the Ordnance Department of the War Department. In a letter dated August 5, 1920, acting under instructions from the Director of Purchase, Storage and Traffic the Director of Sales informed me that the articles listed by me in my memorandum of July 20 would be held

subject to shipping instructions from the Bureau of Public Roads. Learning that the War Department was planning to sell the Old Hickory plant, and in order to make sure that the road equipment remaining unshipped would be reserved from any proposed sale, the Bureau of Public Roads formally inquired as to the status, and in a letter from the Director of Sales dated October 27, 1920, were assured that their shipping instructions would be honored. In a letter dated November 10 I was informed by the Director of Sales that the letter of October 27 had been sent in error; that the entire plant with all its contents had been sold; and that only shipping instructions for road equipment would be honored which had been received at Old Hickory prior to July 12, 1920. This decision came as a complete surprise to the Bureau of Public Roads, particularly in view of the fact that it was not until August 5 that the equipment had been cleared for transfer by the Director of Sales. The value of the road equipment involved in this transaction is in the neighborhood of $250,000. The matter is now the subject of investigation before a Senate committee, and it is hoped that at least some of the equipment may be recovered. The War Department explanation of this action was that all the equipment at that plant was an integral part of the plant and that the plant had been sold as a going concern, and any attempt to segregate certain articles, such as, for instance, the centrifugal pumps desired by the Bureau of Public Roads, would embarrass the War Department in their efforts to dispose of the plant at an advantageous figure. In view of this statement we were considerably surprised at an advertisement inserted in the Engineering News-Record shortly after the consummation of the sale by the purchaser of the plant of a public sale to be made of certain equipment from the Old Hickory powder plant. Among the items listed for sale appear the centrifugal pumps and other road equipment cleared for transfer by the Director of Sales on August 5 and October 27.

Aside from the loss of the equipment to the State highway commissions through sale to private firms or individuals and immediately after the approval of the act of March 15, 1920, directing the Secretary of War to transfer the road equipment to the Department of Agriculture for distribution to the State highway commissions, there began to be filed certain extraordinary "requirements" by the Engineer Corps of the Army for road equipment. A remarkable example of this developed in the endeavor of the Bureau of Public Roads to have locomotive cranes transferred under the Federal aid act. The War Department had refused to transfer these cranes until the approval of the act of March 15, which directed the transfer of cranes among other items. In the March 10 issue of the Engineering News-Record appeared an advertisement by the Engineer Corps of 78 cranes for sale. The Engineer Corps had already sold or otherwise disposed of outside of the War Department about 175 locomotive cranes none of which had been made available for the State highway commissions notwithstanding repeated requests and explanations of their need of this equipment. On March 16 the State officials protested against further sales of locomotive cranes, insisting that the cranes must be transferred under the act of March 15 and demanding that the sale advertised in the Engineering News-Record of March 10 be canceled. The Director of Sales had no choice but to order the Engineer Corps to withdraw the cranes from sale and held them for distribution to the State highway commissions. The Engineer Corps immediately filed requisitions for the cranes, claiming that they were required for use by the Army and were not therefore surplus. Fortunately the Bureau of Public Roads was able to have the Engineer Corps overruled, although only about 32 cranes were saved from sale and delivered to the highway commissions.

* * * The following memorandum from the Chief of the Bureau of Public Roads to the Secretary of Agriculture was submitted by the latter to the Secretary of War:

"AUGUST 17, 1920.

"MY DEAR MR. SECRETARY: In the matter of the distribution of surplus war equipment and supplies, we have come to a situation between the War Department and the Department of Agriculture which needs to be adjusted before causing further embarrassment, which must otherwise surely result.

"There is attached a statement of 24 cases which support the following statements:

"First. The War Department has failed to deliver both supplies and equipment after having, in writing, promised to transfer these items to Agriculture for distribution to the States, and after division of the War Department and copies of these shipping instructions to the States. An examination of the attached correspondence will show that the written statements are of the definite character that any business firm would honor, and that we were fully justified in expecting, after receipt of such written statements, to receive the material, and are still justified in expecting this material to be delivered.

"Second. Material, equipment, and supplies which the act of March 15 *stipulated* are to be turned over to Agriculture, and as late as August 6 are continuing to be sold, even though this same equipment has been allotted in writing to Agriculture for distribution to the States and our pledges made to the States on the basis of such written assurances.

"* * * If the Secretary of War will issue instructions that such supplies and equipment as have been declared to Agriculture in writing and by Agriculture allocated to the States or to the road-building work of the bureau, this will clear up the specific cases hereto attached. I wish to make it very clear that we have asked for no material for which there is not a real demand; that much of the equipment which we have requested can not be purchased because it is not available for immediate delivery; and that in the cases herein recited we are endeavoring to make good written promises which should be as valid as any form of contract which can be drawn.

"I am sure that if the Secretary of War understands the conditions as herein recited that he will issue the necessary instructions to clear the situation."

Very little result was obtained from this true presentation of the case beyond a polite letter of regret from Mr. Baker.

In fact, the situation became so serious at one time as to lead the State highway officials to urge that the whole matter be placed before the President. It was only because of the President's illness that this was not done.

The friction between the two departments and the consequent embarrassment to the Department of Agriculture, which was forced into the position of apologizing for the errors of the War Department, continued until the first of the year, when the civilian salesmen, who had been in control of the sales department handling transfers of road equipment, were replaced by Army officers. The new director of sales, Col. E. S. Hartshorn, assumed an entirely different attitude toward the Department of Agriculture and is now doing everything in his power to smooth over the difficulties which had been allowed to grow up and to continue under the old régime. It is believed that under his management of the sales department the State Highway Commission will henceforth receive their proper share of further surplus equipment.

Some of the larger items which have already been delivered to the State Highway Commission are as follows: Eight thousand tons of steel rails, 25,000,000 pounds of T. N. T., 500,000 feet of iron pipe, 1,000,000 square feet of corrugated-iron roofing, 100,000 shovels, 2,000 tons of barbed wire, 200 hoisting engines, 200 derricks, 1,200 hydraulic jacks, 20 sawmills, 150 locomotives, 1,000 dump cars, 350 tractors, 50 locomotive cranes, 26 rock-crushing plants, 35 road rollers, 40 elevating graders, 3,000 escort wagons, 20 steam shovels, 30,000 sets of harness, 20,000 picks, 500 dump wagons, 5,000 centrifugal pumps, 23,000 motor trucks, Fords, and automobiles, $7,000,000 worth of spare parts for motor trucks, and $200,000 worth of tubes and casings.

It is estimated that the total value of the equipment which the Bureau of Public Roads has saved from sale and has had transferred to the State highway commissions up to this time is approximately $120,000,000.

It is believed that large quantities of additional equipment will soon be declared surplus due to the revised Army requirements for a peacetime Army of 150,000 men and the resulting reduction in appropriations to the War Department.

It is very difficult to estimate just how much impetus the distribution of this equipment has given to the good roads program in the United States, but judging from various letters received from State highway officials expressing their gratitude to the Government it is apparent that the receipt of this equipment has been mainly responsible for the large amount of road work which was started during the past year and that the benefit will continue to be felt for many years to come.

Mr. NORRIS. I had intended, Mr. President, to go more into detail into the particular amendment which I had prepared and had expected to offer, but for the reasons which I have already stated it seems to me it would be useless for me to do so at this time.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 38, line 9, before the word "clothing" to strike out "for" and insert "of commutation of," and after the word "clothing" to strike out "not drawn," so as to read: "for payment of commutation of clothing due to warrant officers of the Mine Planter Service, etc."

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, at the end of that clause, lines 10 and 11, the words "on discharge" should also be stricken out.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out the words "on discharge" on lines 10 and 11.

The amendment was agreed to.

The next amendment was, on page 39, line 7, to increase the appropriation for clothing and camp and garrison equipage from "$12,000,000" to "$13,000,000."

The amendment was agreed to.

The next amendment was, on page 39, line 7, to strike out the proviso in the following words:

Provided, That no part of the appropriations in this act shall be expended for issue of uniforms to discharged enlisted men under the act of February 28, 1919, except in cases where applications therefor may have been received by the War Department prior to the approval of this act.

And in lieu thereof to insert:

Provided, That hereafter the settlement of clothing accounts of enlisted men, including charges for clothing drawn in excess of clothing allowance and payments of amounts due them when they draw less than their allowance, shall be made at such periods and under such regulations as may be prescribed by the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 39, after line 17, to insert:

The provisions of the act of February 28, 1919, relating to the issuance of uniforms to discharged enlisted men are hereby repealed: *Provided*, That such uniforms shall be issued in accordance with the provisions of said act to those enlisted men who served in the Army of the United States at any time between April 6, 1917, and January 1, 1920, whose applications therefor shall have been received at the War Department prior to July 1, 1921.

The amendment was agreed to.

The next amendment was, at the top of page 40, to insert:

That all the money hereinbefore designated under the titles "Subsistence of the Army," "Regular Supplies, Quartermaster Corps," "Incidental Expenses, Quartermaster Corps," "Transportation of the Army and its Supplies," "Water and Sewers at Military Posts," "Clothing and Camp and Garrison Equipage" shall be disbursed and accounted for as "General Appropriations, Quartermaster Corps," and for that purpose shall constitute one fund.

The amendment was agreed to.

The next amendment was, on page 40, line 19, to strike out "$100,000" and insert "$200,000," and in line 23, to strike out "$150,100" and insert "$250,100," so as to read:

For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts of officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the

United States Military Academy, service schools, and staff colleges, and for the Indian Scouts, and for such Infantry and members of the Medical Department in field campaigns as may be required to be mounted, and the expenses incident thereto (including $50,000 for purchase of remounts and $200,000 for encouragement of the breeding of riding horses suitable for the Army, including cooperation with the Bureau of Animal Industry, Department of Agriculture, and for the purchase of animals for breeding purposes and their maintenance), $250,100.

The amendment was agreed to.

The next amendment was, on page 43, beginning in line 9, to strike out the proviso in the following words:

"*Provided*, That this appropriation shall not be available for the rent of offices for military attachés.

The amendment was agreed to.

Mr. KING. Mr. President, may I inquire of the Senator from New York—it is not, perhaps, quite germane to the item that has just been disposed of—what steps are being taken to reduce the number of military posts in the United States? I notice here an appropriation of $7,500,000 for barracks, and so forth. We are reducing the Army materially. In view of those reductions, taking into account the fact that we had so many military posts in the United States during the war and since, it would seem to me that there ought not to be an appropriation of so large an amount for the purpose indicated in this paragraph.

Mr. WADSWORTH. The opinion of the committee upon that point will be illustrated by this statement: The estimates of the War Department for barracks and quarters are $20,700,000. The House reduced the amount to $7,500,000, and we thought that was a pretty good reduction and let it stand there.

Mr. McKELLAR. It is just about one-third of the amount asked for.

Mr. KING. Let me say to my good friend from Tennessee that any recommendation of the War Department does not go very far with me. Their estimates and their recommendations have been so unfair and so unjust and so preposterous that I do not think any Senator pays very much attention to them; and I expressed the hope a few moments ago——

Mr. McKELLAR. I was just calling the attention of the Senator to that fact when I said that there is about one-third as much actually appropriated as was asked for.

Mr. KING. We will have somebody in the War Department soon upon whose recommendation we may place some little reliance; but the Senator from New York has not answered my question, and if he will do so I shall be under very great obligations to him. Was there any evidence before the committee tending to show that there was a diminution in the number of military posts that are being maintained by the Army?

Mr. WADSWORTH. There was not.

Mr. KING. Is there anything in the bill that calls for a reduction of the military posts which in the past have been maintained?

Mr. WADSWORTH. This very appropriation will compel them to reduce this expense. Just on the repair of barracks last year they spent more than we are giving for the next year, and they wanted $20,000,000 for the next year. The only way to compel a reduction in overhead expense is to decline to appropriate the money. We have cut this amount by two-thirds.

Mr. KING. I was interested in reading from the testimony a few pages just handed me by the Senator from New Jersey [Mr. FRELINGHUYSEN], and I discovered here in the testimony of Gen. Connor what the Senator has said—that the policy of those in authority determines what the expenditures will be. If we appropriate $40,000,000 for transportation, $40,000,000 will be expended, and if we appropriate $7,500,000 for transportation, we will have transportation that will not exceed $7,500,000. So the appropriations which we make ought to be determined by Congress and not by these military officers, who do not care one fig for the people or for the burdens which they would lay upon the people.

I wish the Senator would consent to reduce this amount of $7,500,000 to $5,000,000. We have in the United States a large number of military posts. It is absurd to make further appropriations, possibly calling for establishment of more posts.

Mr. WADSWORTH. The Senator must not misunderstand this item. This is merely for repairs. No new posts can be established under this, and we hope—in fact, we are sure—that we will compel them to reduce the number and to reduce this expenditure by refusing their request for $20,000,000 and giving them only $7,500,000.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

Mr. WADSWORTH. Mr. President, a misprint has occurred again. On line 16, of page 43, the word "chapels" should be printed in italics. That was inserted as a Senate committee amendment.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to insert, after "amusement rooms" and the comma, on line 16, page 43, the word "chapels" and a comma.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 43, line 22, to insert "and for such purposes not enumerated above as the Secretary of War may deem advisable, to be expended in the discretion and under the direction of the Secretary of War," and in line 25 to strike out "$150,000" and insert "$300,000," so as to read:

For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, chapels, and gymnasium, including repairs to buildings erected at private cost, in the operation of the act approved May 31, 1902, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits and for similar and other recreational purposes at training and mobilization camps now established, or which may be hereafter established, and for such purposes not enumerated above, as the Secretary of War may deem advisable, to be expended in the discretion and under the direction of the Secretary of War, $300,000.

The amendment was agreed to.

The next amendment was, at the top of page 44, to insert the following proviso:

Provided, That not less than $175,000 from this appropriation shall be used for the maintenance of the activities of the so-called "Hostess Houses."

The amendment was agreed to.

The next amendment was, on page 45, line 3, after the word "construction" to strike out "or repair," so as to make the proviso read:

Provided, That none of the funds appropriated or made available under this act shall be used for the permanent construction of any roads, walks, or wharves connected with any of the National Army cantonments or National Guard camps.

The amendment was agreed to.

The next amendment was, on page 47, line 4, to reduce the appropriation for rent of buildings and parts of buildings in the District of Columbia for military purposes during the fiscal year 1922 from "$188,000" to "$150,000."

The amendment was agreed to.

The next amendment was, on page 48, line 2, to increase the appropriation for vocational training from "$1,000,000" to "$2,500,000."

Mr. KING. Mr. President, may I inquire of the Senator what is the reason for this increase over the House bill?

Mr. WADSWORTH. This is the vocational training item, about which there has been a great deal of discussion. As the Senator knows, the law now provides that any soldier in the Army who desires to have vocational training shall have it. The estimate for the expense for the next fiscal year was $5,000,000. That has been worked out under the general supervision of Gen. Haan, the Chief of the War Plans Division of the General Staff. The House appropriated $1,000,000 for this purpose. It may interest the Senator to know that to-day there are 54,500 enlisted men in the Army who are voluntarily taking this vocational training, learning these different trades.

In addition to that there are 49,727 men in the Army who are members of technical branches of the Army, such as the Signal Corps, Engineers, and Air Service, are taking training which is the equivalent of the vocational training. So there are more than 100,000 men now in the Army taking training of one kind or another.

It is perfectly evident that the work can not continue, even at its present rate, for $1,000,000. The committee listened to rather extensive testimony on the subject, and while there has been a difference of opinion among civilians, at least, as to the value of this training, nevertheless the officers of the Army say it has a most excellent effect upon the men. The men are anxious to take it. When they enlist, the great majority of them enlist because that is one of the big inducements. If they enlist with this promise on the part of the Government that they shall have the training, the Government is in duty bound to give it to them, because the law says that they shall have it if they want it.

We have given them two and a half million dollars. We thought that there was some abuse there, or that there might possibly be some abuse, in connection with civilian instructors. To-day a little more than one-half of the instructors giving this training are of the Army personnel. A little less than one-half are civilians. We want the number of civilians reduced, so we follow this item with a proviso to the effect that not to exceed one-third of them shall be civilians.

This work is only about a year and a half old. I suspect that if we feel the same way about it next year in the next

bill we shall put in a proviso that not more than one-quarter of the instructors shall be civilians, and in the next bill not more than one-fifth, and then one-sixth, and so on down, until the Army has developed its own teachers inside of its own ranks. We also limit the salaries of the supervising teachers.

Mr. KING. Mr. President, two officers have approached me in regard to this particular item, and have complained about the retention of any civilian teachers, except in rare instances, where by reason of some technical skill or knowledge that they possess it is imperative that they shall be employed. They thought that the number of civilians might be reduced to a minimum.

Mr. WADSWORTH. Mr. President, I have just this to say: If officers come and give their individual opinions to Senators as to how the War Department should be run, they might better apply to the Military Affairs Committee and ask to appear in public hearings as witnesses.

Mr. KING. I agree with the Senator.

Mr. WADSWORTH. I am getting a little weary of officers of the Army coming and spilling into the ears of Senators their private ideas as to how the Army and the War Department should be run, and then having their opinions quoted upon the floor of the Senate without their names being given. If officers of the Army have any peculiar or valuable or original ideas as to how the Army should be run, let them come to the Military Affairs Committee and tell us.

Mr. KING. Mr. President, if I apprehended the last part of the Senator's statement, I am not sure that he is justified in the criticism in which he indulges. If he intends by that statement to deter Senators from obtaining information by which they may better understand bills that call for the expenditure of hundreds of millions of dollars, I do not think the Senator is doing a proper service to his country. I believe that it is the duty of Senators to get all the information they can about these measures. It is apparent that with the limited information which we get from the Military Affairs Committee—and I am not complaining—we "go it blind." I venture the assertion that there are not a dozen Senators on the floor of the Senate who know what is found in this bill.

Mr. WADSWORTH. They would know if they read the hearings. This matter was discussed exhaustively in the hearings. Question after question was asked by members of the committee. The meeting was open. Any one could come in. All the applications for hearings that were made to the chairman of the committee or other members of the committee were granted. The officers who are carrying on this work told us all about it; and now we hear that two mysterious officers came along and told somebody that there ought not to be any civilian instructors.

Mr. KING. No; I did not state that, Mr. President.

Mr. WADSWORTH. With the exception of a few in the technical branches.

Mr. KING. In the technical branches.

Mr. WADSWORTH. I would like to know who they are, so as to ascertain whether their judgment is reliable.

Mr. KING. I shall be glad to confer with the Senator later, and advise him with respect to that matter.

Mr. WADSWORTH. I am searching for information just as much as anybody else.

Mr. KING. I know that the Senator from New York is, and that he has given very patriotic and intelligent service in the consideration of the important problems involved in this bill; and yet I repeat, the Senator from New York must not be too critical of officers and of Senators who are seeking to get the facts in regard to these stupendous appropriations.

Mr. WADSWORTH. I am not criticizing Senators.

Mr. FRELINGHUYSEN. Mr. President, here before me are the hearings of the House committee, and here are the hearings of the Senate committee, containing in detail the information concerning every item of appropriation, and the cross-examination of the officers of the Army by every member of those committees. The Senator from Utah can find, under the caption of every item in this appropriation bill, the reasons why the appropriations were made, what the estimates of the War Department were, and why they were cut down. I do not think the Senator has the House committee hearings, but if he wishes further information, and would like to have this copy, he can find under every item of which he has been inquiring, the reasons why these appropriations have been made.

Mr. KING. Mr. President, I will say to the Senator that I have the House hearings, and I have the Senate hearings. The Senator knows that during the session, since we met in December, every committee of importance has been in almost constant session. I have been in attendance upon committees and subcommittees nearly every day from 10 o'clock in the morning until 5 or 6 in the afternoon, aside from the attendance here upon the Senate, and it is not humanly possible for any Senator to read all the hearings. I believe I have read 25,000 pages of documents and hearings during the past two months, nearly every hearing that has been had in the Senate. It is absolutely impossible for Senators to keep in their minds all of these hearings and all of these items. I repeat that I doubt whether there are a dozen Senators who are familiar with all of the provisions of this bill.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. I think if the Senator from Utah had been present and heard this testimony, and listened to the hearings, he would be in favor of this increase rather than be opposed to it. The vocational training in the Army was authorized first in 1916.

Mr. KING. Mr. President, do not let the Senator construe my remarks as indicating opposition. I want to be advised as to the reason for the increase.

Mr. McKELLAR. I merely wish to state that this work was authorized, under the act of 1916, and started. The war came on, and it could not be continued during the war. After the war was over, after the armistice, the next year after the war had ended, it was begun on a smaller scale, and it has been increased, and the results have been marvelous. The Army has become an educational institution. They devote about five hours a day to ordinary Army duties, and about three hours a day, for a period of six months in the year, to having these young men educated. Fifty-four thousand of them in one branch, and some 48,000 or 50,000 in another, more than 100,000 in all, took this course last year, and are taking this course in the present year.

I thought it would be advisable to make it compulsory in the Army. I am so much in favor of it, I believe in it so heartily, and it is doing such great good, that it seems to me that probably it would be better, and we had hearings on that; but it was finally determined by the committee, and probably correctly so, that for the present at any rate it should remain voluntary.

The success of this movement is emphasized by what we found when we went into the war. Of the first 1,500,000 young men examined there were 346,000 men who could not write a letter home and could not read a letter from home after they went into the war. It is an intolerable condition, and here is a splendid way to help weed out, root out the illiteracy that exists in our country. I hope the Senator will not object to this very reasonable increase for the splendid work that is being done in the Army. It is the most commendable work that is being done in the Army to-day.

Mr. FLETCHER. May I suggest to the Senator from Utah that he can get an idea of the decrease in the number of civilian employees by recalling that the appropriation bill of last year, passed in 1920, carried $3,500,000 for this same service?

Mr. KING. I was familiar with that fact and with the fact that the amount had been cut down. But I was led to inquire, in view of the information which had been conveyed to me, what reasons prompted the committee to increase the amount which was carried in the House bill? I am not prepared, from the information which I have on both sides of this question, to express an opinion as to the propriety or impropriety of the increase or the wisdom or lack of wisdom of this policy.

The amendment was agreed to.

The next amendment was, on page 48, line 3, to strike out the proviso in the following words:

Provided, That whenever possible officers, warrant officers, noncommissioned officers, or other enlisted men shall be detailed as instructors: *Provided further*, That no part of this appropriation shall be available for salaries of civilian instructors other than in technical branches: *And provided further*, That not more than $50,000 shall be expended for salaries and no person shall be employed hereunder at a rate of compensation exceeding $3,000 per annum.

And to insert in lieu thereof:

Provided, That of the instructors in vocational education, not to exceed one-third shall be civilians and that the remainder shall be detailed from Army personnel; and of the civilian educational and development specialists, not exceeding 19 shall be employed, 2 of whom shall receive not exceeding $5,000 per annum, 6 not exceeding $4,000 per annum, and 13 not exceeding $3,000 per annum.

Mr. WADSWORTH. On page 48, line 17, in the committee amendment, the word "thirteen" should be "eleven"; and I move that the committee amendment be amended in that particular.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 49, beginning in line 23, to insert the following additional proviso:

Provided further, That hereafter members of civilian rifle teams may, in the discretion of the Secretary of War, be paid as commutation of traveling expenses at a rate not to exceed 6 cents per mile for the shortest usually traveled route from their homes to national matches, when authorized to participate therein by the Secretary of War, and for the return travel thereto: *Provided further*, That the payment of travel pay for the return journey may be made in advance of the actual performance of travel.

The amendment was agreed to.

The next amendment was, on page 51, line 4, before the words "rate of," to strike out "the" and insert "a"; after these words to strike out "5" and insert "not to exceed 6"; in line 9, to strike out "for medical attendance and supplies for members of such corps while at said camps"; and in line 18, to insert "to remain available until December 31, 1922," so as to read:

QUARTERMASTER SUPPLIES, EQUIPMENT, ETC., RESERVE OFFICERS' TRAINING CORPS.

For the procurement and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, and to forage at the expense of the United States public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein, so far as appropriations will permit; or in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at a rate of not to exceed 6 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act approved June 3, 1916, as amended by the act approved June 4, 1920, $3,000,000, to remain available until December 31, 1922.

The amendment was agreed to.

The next amendment was, on page 52, beginning in line 13, to insert the following proviso:

Provided, That not to exceed $7,000,000 of the funds heretofore appropriated for inland and port storage and shipping facilities shall be available for obligation on and after July 1, 1921: *Provided further*, That no part of the appropriations for inland and port storage and shipping facilities available for the fiscal year 1922 shall be available for the payment of clerical services pertaining to the activities of the Quartermaster Corps in the District of Columbia or elsewhere.

The amendment was agreed to.

The next amendment was, on page 54, line 21, to reduce the appropriation for Medical Department from "$2,500,000" to "$2,000,000."

The amendment was agreed to.

The next amendment was, on page 55, line 10, to increase the appropriation for Army Medical Museum from "$10,000" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 55, line 15, to increase the appropriation for library of the Surgeon General's office from "$12,500" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 56, line 9, to reduce the appropriation for incidental expenses for Engineer depots from "$22,000" to "$20,000."

The amendment was agreed to.

The next amendment was, on page 57, line 10, to increase the appropriation for Engineer School from "$30,000" to "$40,000."

The amendment was agreed to.

The next amendment was, on page 59, line 3, to increase the appropriation for military surveys and maps from "$100" to "$500,000."

Mr. WADSWORTH. That is a very important error. The amount recommended by the Senate committee should be "$50,000" instead of "$500,000." It is a misprint.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. On page 59, line 3, strike out "$500,000" and insert in lieu thereof "$50,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 59, line 13, to increase the appropriation for construction, repair, and maintenance of military and post roads, bridges, and trails, Territory of Alaska, from "$350,000" to "$500,000."

The amendment was agreed to.

The next amendment was, on page 59, beginning in line 23, to strike out the additional proviso in the following words:

Provided further, That not to exceed $10,000 of the foregoing amount shall be expended for a preliminary investigation and report on the feasibility, desirability, and cost of the best and most practicable connection between the Nome-Shelton system of communications and the coal deposits of the Kugruk River, Chicago Creek, and the Keewalik mining district, whether by wagon road, sled road, tramway, trail, or other means.

The amendment was agreed to.

The next amendment was, on page 60, line 23, to reduce the appropriation for the current expenses of the Ordnance Department from "$3,000,000" to "$2,750,000."

The amendment was agreed to.

The next amendment was, on page 61, line 21, to strike out "$750,000" and insert "$700,000," so as to read:

ORDNANCE STORES, AMMUNITION.

For the development, manufacture, purchase, and maintenance of airplane bombs; of ammunition for small arms and for hand use for reserve supply; of ammunition for burials at the National Soldiers' Home in Washington, D. C., and of ammunition for firing the morning and evening gun at military posts prescribed by General Orders, No. 70, Headquarters of the Army, dated July 23, 1867, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home at Washington, D. C., and soldiers' and sailors' State homes, $700,000.

The amendment was agreed to.

The next amendment was, on page 62, line 6, to strike out "$400,000" and insert "$300,000," so as to read:

SMALL-ARMS TARGET PRACTICE.

For manufacture and purchase of ammunition, targets, and other accessories for small arms, hand and machine gun target practice and instruction; and ammunition, targets, target materials, and other accessories which may be issued for small-arms target practice and instruction at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, $300,000.

The amendment was agreed to.

The next amendment was, on page 62, line 9, to reduce the appropriation for manufacturing, repairing, procuring, and issuing arms at the national armories from "$500,000" to "$300,000."

Mr. LODGE. I ask the chairman of the committee if he does not think that is a very severe cut? I think the House brought it down about as low as it would bear. I am speaking now of maintaining the organization. It is not merely a question of the saving of money in making the arms, but of absolutely breaking down the organization of the arsenals so that they can not really carry on at all. I hope the chairman will be willing to accept the House figures, for I think those are brought down very low.

Mr. WADSWORTH. The amount appropriated by the House under the title "Manufacture of arms" is $500,000. The arm referred to is the Springfield rifle. The amount of $500,000 would permit the Springfield arsenal, where the rifles are made, to keep running, to turn out 75 rifles per day, and to employ at that work something like 500 men. The estimate sent in by the Ordnance Department was for $1,373,000. The department wanted to do a little other work at the arsenal in addition to making these rifles.

The Senate committee reduced the House provision down to $300,000. I will say very frankly to the Senator from Massachusetts that that was a pretty severe reduction, and I will also say to him and to other Senators present that when this bill was printed and reported from the Senate committee, the Chief of Ordnance came in great anxiety to see me, yesterday morning, and he said that if the amount was cut to $300,000 they would be in great difficulty in keeping the arsenal going, with a reasonable number of employees for a nucleus of expansion in case of emergency. I asked him if there were any unexpended balances. My recollection is that there is an unexpended balance. I know there is in the next item, Ordnance Stores and Supplies, but my very clear impression is that he advised me that if there was an unexpended balance it was so small that the $500,000 appropriation would be very highly desirable.

I am not authorized by the committee to abandon the Senate committee's amendment. I must say, I think we were fairly severe in that one item.

Mr. FRELINGHUYSEN. I think the testimony showed that there was $254,000 unexpended balance carried over from last year in this item, and that the amount expended was $490,000.

Mr. LENROOT. $250,000 was carried over.

Mr. LODGE. If we made the unexpended balance available, it would help some.

Mr. LENROOT. That is available now. I read from the hearings:

Maj. O'LEARY. * * * We now anticipate that of the present year's appropriation on June 30 there will remain $250,000.

Mr. ANTHONY. That will be carried over also?

Maj. O'LEARY. Yes, sir; that will be carried over, and the present estimates are based on that assumption.

Mr. LODGE. That is a House hearing?

Mr. LENROOT. That is a House hearing.

Mr. LODGE. On that hearing the House gave $500,000. I assure the Senate that from what I can learn about it, to reduce it as low as is proposed would practically break down the organization of the arsenal, and leave it in a condition where it will be probably more expensive in the end. The number of 75 rifles a day is not too much, is it, to keep up the ordinary wastage?

Mr. WADSWORTH. It just about keeps up wastage.

Mr. LODGE. That is what I thought, and I think it is reduced to the lowest point. I hope the committee will be willing to let the House provision remain.

Mr. LENROOT. The testimony shows that there are now on hand 616,000 of the Springfield rifles. There are 2,000,000 of the other rifles on hand. There was no testimony that the organization could not be carried on with the lower appropriation.

Mr. LODGE. That is not the testimony as I understood it.

Mr. LENROOT. I have the testimony before me to the effect that the rifles could not be manufactured as economically if we went below 75 per day as if we manufactured that number, but it does seem to me that there could be no possible need, with the 2,600,000 rifles on hand, for manufacturing even as many as 75 per day when a lesser number will keep the organization going and we can save the $200,000.

Mr. LODGE. The House heard all the testimony that the Senator has been reading and appropriated $500,000.

Mr. LENROOT. I am very glad, indeed, that we did find once in a while an item where we thought the House had made a mistake and appropriated too much.

Mr. LODGE. My point is that I think a mistake has been made here and that the committee have gone too far in reducing the amount. I do not know what the rifles are.

Mr. WADSWORTH. They are Springfield rifles.

Mr. LODGE. I mean the surplus rifles.

Mr. WADSWORTH. The six hundred odd thousand are Springfield rifles and there are over 2,000,000 of the modified Enfield rifles, which were issued during the war. They are a very good rifle.

Mr. LODGE. I know they are.

Mr. WADSWORTH. They are not quite as good, however, as the Springfield, but they were used successfully by our troops in France.

Mr. LENROOT. If the item is restored, they will have more for the manufacture of arms next year than they used this year.

Mr. LODGE. If it is certain that the appropriation will be carried on, but——

Mr. LENROOT. If we leave the House item as it stands with $250,000 available for this year, we will give them more next year than they have been using this year.

Mr. LODGE. I quite agree, but we have to make provision for allowing them to carry on the appropriation. The appropriation is not available after the 1st of July.

Mr. LENROOT. Oh, yes; it is. It is a 2-year appropriation. If this item remains at $300,000 they will have $550,000 altogether.

Mr. LODGE. I did not have that impression.

Mr. LENROOT. It is a 2-year appropriation.

Mr. LODGE. I know, but was it made last year?

Mr. LENROOT. The testimony is that it does carry into next year.

Mr. LODGE. It does not seem to me that it could do any harm to make sure of it.

Mr. LENROOT. We can agree to the amendment and let it go into conference, and then that can be ascertained.

Mr. FLETCHER. I think we had better leave the committee amendment as it is to go to conference.

Mr. LODGE. But we need to put in words making the other appropriation available, so as to bring that before the conferees.

Mr. WADSWORTH. The conference committee would be competent to do that.

Mr. LODGE. No; I do not think the conference committee would be competent to do it, not under our rule about new matter.

Mr. FLETCHER. There is some money already on hand.

Mr. LODGE. All I desire to do is to give the conferees authority to carry that over.

Mr. WADSWORTH. I suggest to the Senator from Massachusetts that we put his amendment in now.

Mr. LODGE. Yes; put that in now and take it to conference.

Mr. WADSWORTH. I would have it read that the unexpended balance for the fiscal year 1921 shall remain available for the fiscal year 1922.

Mr. KING. Mr. President, while the Senators are endeavoring to agree on the amendment, may I inquire of the chairman of the committee what reductions have been made by the bill in the arsenals and in their production?

Mr. WADSWORTH. The arsenals have been reduced to a prewar basis. They were reduced to that basis last year. The Watervliet Arsenal, with heavy guns, the Watertown Arsenal, the Springfield Arsenal, the Rock Island Arsenal, and the Frankford Arsenal are all down to prewar basis.

Mr. KING. My recollection is that in the last bill we carried some provision for an arsenal in Pennsylvania to give it a capacity to exceed its prewar capacity.

Mr. WADSWORTH. No; there was a provision in last year's appropriation bill looking to the sale of three of the war-time temporary powder plants and devote the proceeds to the purchase and establishment of a new arsenal at the Aberdeen proving grounds, at which powder to fill artillery shells was to be manufactured, but that was rejected by the Senate or by the conference committee.

Mr. KING. I am familiar with that, but the Senator will bear in mind the fact that the Senator from Pennsylvania [Mr. KNOX] called attention to one arsenal, and my recollection is that we granted an appropriation to extend its capacities beyond the prewar activities.

Mr. WADSWORTH. Mr. President, may we have the pending amendment to the amendment stated?

The VICE PRESIDENT. The Secretary will read the amendment to the amendment.

The ASSISTANT SECRETARY. On page 62, after the numerals "300,000," in line 9, add the following proviso:

Provided, That the unexpended balance of the money appropriated for these purposes for the fiscal year ending June 30, 1921, is hereby made available for the year ending June 30, 1922.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 62, after line 17, to insert:

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, $10,000.

The amendment was agreed to.

The next amendment was, on page 63, line 12, to reduce the appropriation for automatic machine rifles from "$500,000" to "$400,000."

The amendment was agreed to.

The next amendment was, on page 64, after line 7, to insert: "for libraries of the Chemical Warfare Service and subscriptions to periodicals which may be paid for in advance."

The amendment was agreed to.

The next amendment was, on page 64, line 24, under the heading "National Guard," to increase the appropriation for procurement of forage, bedding, etc., for animals, from "$1,500,000" to "$1,750,000."

The amendment was agreed to.

The next amendment was, on page 65, line 2, under the heading "National Guard," to increase the appropriation for compensation of help for care of matériel, animals, and equipment from "$1,000,000" to "$2,000,000."

The amendment was agreed to.

The next amendment was, on page 65, line 3, under the heading "National Guard," to increase the appropriation for expenses, camps of instruction, from "$5,500,000" to "$7,500,000."

The amendment was agreed to.

The next amendment was, on page 65, line 6, under the heading "National Guard," to increase the appropriation for expenses, selected officers and enlisted men, military service schools, from "$200,000" to "$250,000."

The amendment was agreed to.

The next amendment was, on page 65, line 8, to reduce the appropriation for pay and allowances, officers National Guard, detailed with Army, from "$150,000" to "$20,000."

The amendment was agreed to.

The next amendment was, on page 65, line 14, to increase the appropriation for travel of Federal officers and noncommissioned officers in connection with the National Guard from "$75,000" to "$100,000."

The amendment was agreed to.

The next amendment was, on page 65, line 18, under the heading "National Guard" to increase the appropriation for transportation of equipment and supplies from "$150,000" to "$200,000."

The amendment was agreed to.

The next amendment was, on page 65, line 20, under the heading "National Guard," to increase the appropriation for expenses, sergeant instructors, from "$50,000" to "$70,000."

The amendment was agreed to.

The next amendment was, on page 65, line 23, to increase the appropriation for pay of National Guard (armory drills) from "$9,500,000" to "$10,000,000."

The amendment was agreed to.

The next amendment was, on page 65, beginning in line 24, to insert the following proviso:

Provided, That all the moneys hereinbefore appropriated for the arming, equipping, and training of the National Guard shall be disbursed and accounted for as one fund.

The amendment was agreed to.

The next amendment was, on page 66, line 19, to increase the appropriation for arms, uniforms, equipment, etc., for Field Service, National Guard, from "$5,000,000" to "$6,000,000."

The amendment was agreed to.

The next amendment was, on page 67, line 4, to insert "to mounted units of the National Guard, in accordance with the provisions of existing law, not less than 3,500 animals from those now being held in remount stations and posts, and to issue," so as to make the additional proviso read:

Provided further, That the Secretary of War is hereby directed to issue to mounted units of the National Guard, in accordance with the provisions of existing law, not less than 3,500 animals from those now being held in remount stations and posts, and to issue from surplus or reserve stores and matériel now on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery matériel and ammunition as may be needed by the National Guard organized under the provisions of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the act approved June 4, 1920. This issue shall be made without charge against militia appropriations.

The amendment was agreed to.

The next amendment was, on page 67, line 22, after the word "issue," to insert the words "and sale," so as to read:

For arms, ammunition, targets, and other accessories for target practice for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, $100.

The amendment was agreed to.

The next amendment was, on page 68, line 8, after the word "uniforms," to insert "including altering, fitting, washing, and cleaning when necessary"; in line 12, before the word "cents," to strike out "5" and insert "a rate not exceeding 6"; and in line 13 to strike out "$1,000,000" and insert "$1,500,000," so as to read:

CIVILIAN MILITARY TRAINING CAMPS.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47–d of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, transportation, and medical attendance and supplies, or in lieu of such transportation and of subsistence for travel to and from camps, travel allowances at a rate not exceeding 6 cents per mile, as prescribed in said section 47–d, $1,500,000.

The amendment was agreed to.

The next amendment was, on page 68, line 16, before the word "years," to strike out "45" and insert "35," so as to read:

Provided, That the funds herein appropriated shall not be used for the training of any person who is over 35 years of age.

The amendment was agreed to.

The next amendment was, on page 68, line 16, to strike out the additional proviso in the following words: "*Provided further*, That used or salvaged uniforms and equipment shall be issued, so far as available, to persons receiving instruction at said camps."

The amendment was agreed to.

The next amendment was, on page 71, line 1, in the items for United States Military Academy, after the word "emoluments," to insert "including retirement"; and in line 2, after the words "lieutenant colonel," to strike out "during his incumbency," so as to read:

For pay of master of the sword, $3,500, and the present incumbent shall have the relative rank and be entitled to the pay, allowances, and emoluments, including retirement, of a lieutenant colonel.

The amendment was agreed to.

The next amendment was, on page 71, after line 20, to insert:

OFFICERS ON DETACHED SERVICE AT THE ACADEMY.

For extra pay of officers of the Army on detached service at the Military Academy:

For pay of one commandant of cadets (colonel), in addition to his regular pay, $1,000.

For pay of one professor of ordnance and science of gunnery (lieutenant colonel), in addition to pay as major, $500.

For pay of one professor of law (lieutenant colonel), in addition to pay as major, $500.

For pay of one professor of practical military engineering (lieutenant colonel), in addition to pay as major, $500.

For pay of one quartermaster and commissary of cadets and treasurer, in addition to his regular pay, $600.

For pay of one line officer on duty in quartermaster's department at academy, in addition to his regular pay, $400.

For pay of one constructing quartermaster, in addition to his regular pay, $1,000.

The amendment was agreed to.

The next amendment was, on page 78, line 6, under the heading of "Miscellaneous," to reduce the appropriation for pay of one master sergeant from "$1,685.29" to "$1,420.80."

The amendment was agreed to.

The next amendment was, on page 78, line 7, to reduce the appropriation for pay of one master sergeant from "$1,577.73" to "$1,332."

The amendment was agreed to.

The next amendment was, on page 78, line 8, to reduce the appropriation for one staff sergeant from "$975.60" to "$756."

The amendment was agreed to.

The next amendment was, on page 79, beginning in line 22, to insert the following proviso:

Provided, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and to the same allowances with respect to fuel and light as those of a first lieutenant when occupying public quarters.

The amendment was agreed to.

The next amendment was, on page 83, line 14, to change the total of the appropriation for pay of Military Academy from "$1,911,634.62" to "$1,915,404.80."

Mr. WADSWORTH. That total is an error. It should read, as amended in line 14, "$1,910,904.80."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WADSWORTH. Mr. President, this finishes the committee amendments, but there are two matters that I am very anxious to bring to the attention of the Senate before other amendments are offered.

Members of the Committee on Military Affairs will remember that we limited to 1,050 the number of warrant officers who may be paid. The item will be found on page 16, line 13. Let me say for the information of Senators, and especially members of the Committee on Military Affairs, that this morning there called upon me two officers from the War Department in charge of this work of organizing warrant officers, issuing the commissions, and so forth. They pointed out to me that if the number was limited to 1,050 it would be impossible to appoint any band leaders as warrant officers. The basic law provides that band leaders shall be appointed warrant officers. They have only appointed three thus far and there are 127 more who have taken the examinations and are ready to be appointed as warrant officers. I am speaking now of band leaders who under the law are entitled to be warrant officers.

It was suggested to me that we make no change in the appropriation which we have fixed at $1,413,000 for these warrant officers, but that we lift the prohibition as to the number. They explained to me that as they consume time in examining the men who are to be band leader warrant officers they can delay very properly and feasibly the issuance of the commissions. They believe, therefore, that the $1,413,000 can be stretched to pay nearly all the men who will have been accepted as band leaders and who must under the law be made warrant officers. So my suggestion was that we strike out the proviso on lines 12 and 13, page 16, and leave the amount as it is. It would be a breaking of faith with these men who under the statute have taken the examination which is given to the band leaders and who are entitled to be warrant officers.

Mr. LENROOT. I should like to ask the Senator from New York does he remember how many there now are?

Mr. WADSWORTH. Yes; there are to-day 1,030 warrant officers.

Mr. LENROOT. How will all the band leaders be provided for in any event?

Mr. WADSWORTH. Because the warrant officers of the Army mine-planter service, who number 83, are excluded from the authorized strength fixed in the basic law.

Mr. LENROOT. Very well.

Mr. WADSWORTH. Then, Mr. President, if there is no objection, I move to strike out lines 12 and 13, on page 16. If it be necessary, I will first move to reconsider the vote by which the amendment in line 11 was agreed to.

The VICE PRESIDENT. It is not necessary to move to reconsider; the Senator may move to strike out the language. Without objection, the amendment is agreed to.

Mr. WADSWORTH. There is one other matter I wish to bring to the attention of the Senate. I do not do so in my capacity as a member of the Committee on Military Affairs, and I do not propose to have it understood—and, of course, I can not have it understood—that it is offered as a committee amendment. I know that the amendment I am going to propose is subject to a point of order, and yet I am going to make a plea to the Senate to make it possible at this eleventh hour in the session of this Congress to advance Gen. Hunter Liggett to the grade of lieutenant general. He must retire on March 21 next on account of age, as he reaches the age of 64 on that date. The Senate is entirely familiar with his services and also with the services of Gen. Bullard, who also commanded a field army in action against the enemy during the recent war.

Mr. ROBINSON. I desire to make an inquiry of the Senator from New York. I have no objection whatever to the proposal which he now submits. I think the action contemplated by his amendment is necessary, just, and proper; but would the Senator from New York object to modifying his amendment so as to include also the names of officers who have been nominated for promotion to the rank of major general, and also those officers who have been nominated for promotion to the rank of brigadier general, whose nominations have been pending in the Senate ever since the beginning of this session?

Mr. WADSWORTH. The suggestion of the Senator from Arkansas is not germane to this topic. It involves the confirmation of nominations which have already been made, while the proposal I make, which has been reported from the Senate Military Affairs Committee, is to revive for this special purpose the grade of lieutenant general and to authorize the President to appoint to that grade "two general officers who, prior to the close of hostilities, especially distinguished themselves in command of field armies in the American Expeditionary Forces." Those two are Gen. Liggett and Gen. Bullard. No one else can qualify under that language. That is the amendment which I now offer to the bill.

Mr. LODGE. Those officers will not be confirmed by the adoption of the amendment?

Mr. WADSWORTH. They will not be. Their names will have to be sent to the Senate and they will have to be confirmed in the regular way if the language of the amendment is adopted.

Mr. ROBINSON. Mr. President, I do not concede that there is any foundation for the implied objection made by the Senator from New York that the proposal which I have suggested is not germane to the amendment which he has offered, but I do not wish to delay or to obstruct in any way the advancement of the officers whose names he presents.

Mr. McKELLAR. Mr. President, I hope no one will object to or make the point of order against the amendment. I think it ought to be adopted.

The VICE PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The READING CLERK. On page 70, after line 19, it is proposed to insert:

That in the Army of the United States the grade of lieutenant general is hereby revived, and the President is hereby authorized, in his discretion and by and with the advice and consent of the Senate, to appoint to said grade two general officers, who, prior to the close of hostilities, especially distinguished themselves in command of field armies in the American Expeditionary Forces; and the officers appointed under the foregoing authorization shall have the pay prescribed by section 24 of the act of Congress approved July 15, 1870, and such allowances as the President shall deem appropriate: *Provided*, That no more than two appointments to office shall be made under the terms of this paragraph.

Mr. WADSWORTH. I shall not ask to have read the letter which I now submit, but if there is no objection to the amendment itself——

Mr. LODGE. I think there will be no objection to it.

Mr. WADSWORTH. I ask that the letter which I now present, from Gen. Pershing, be inserted in the RECORD.

THE VICE PRESIDENT. In the absence of objection, it will be so ordered.

The letter referred to is as follows:

GENERAL OF THE ARMIES,
Washington, February 23, 1921.

Senator JAMES W. WADSWORTH,
Chairman Committee on Military Affairs,
United States Senate, Washington, D. C.

MY DEAR SENATOR WADSWORTH: Referring to our recent conversation and to the recommendation by the Secretary of War and myself when we recently appeared before the Senate Committee on Military Affairs that Maj. Gen. Liggett be given the permanent rank of lieutenant general, I wish to say a word more in his behalf.

Gen. Liggett's record from his entry into the Army as a cadet in 1875 has been characterized by unusual efficiency and devotion to duty. During the World War he commanded with special distinction an army corps in the second Battle of the Marne, in St. Mihiel, and in the Meuse-Argonne, while in the later phases of this last great battle he commanded our First Army.

As you will recall, our First Army was composed of four army corps, in which during the period of his command there were 18 different divisions that, together with the staff and supply services under him, constituted an army of well over half a million men. In no previous war in which the United States has been engaged has any officer held command of so great an army, nor engaged that army in a battle fraught with such grave consequences.

Gen. Liggett's exceptional abilities as a soldier, his loyalty to his superiors, and his services to the country stand out in a striking manner. It is, of course, true that there are several officers who held positions of almost equal responsibility in the American Expeditionary Forces and who have as yet received scant recognition. Without these capable and patriotic men as leaders our success in battle at a critical period of the war, with all its importance to the world and civilization, would have been impossible.

From time to time I have recommended well-deserved reward for these officers which I hope at no distant date may be unstintingly granted, but the purpose of this letter is to invite particular attention to the urgency of action by the present Congress in Gen. Liggett's case. By operation of law he will retire for age on March 21, 1921, and I earnestly request that steps be taken to promote him to the grade of lieutenant general in order that he may hold this higher rank for at least a short period before his retirement.

This fitting tribute to one of America's greatest soldiers will meet the unqualified approval of the Army in general, and especially of the men, most of whom are now in civil life, who had the honor of serving with him and under his command. Moreover, it would also be in a larger sense a recognition by Congress of the important achievements of the American Armies in bringing the World War to a successful conclusion.

Very sincerely, JOHN J. PERSHING.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New York.

The amendment was agreed to.

Mr. ROBINSON obtained the floor.

Mr. McKELLAR. Will the Senator yield to me to ask to have inserted in the RECORD at this point a short statement with reference to Gen. Bullard?

Mr. WADSWORTH. I hope the Senator from Tennessee will do that.

Mr. ROBINSON. I yield for that purpose.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Bullard, Robert Lee, major general, United States Army, was born January 15, 1861, at Youngsboro, Lee County, Ala., son of Daniel and Susan (Mizell) Bullard, the former a native of Lumberton, Robeson County, N. C., an early pioneer to Alabama, where he acquired extensive landed interests, residing near Opelika, later removing to a site opposite Columbus, Ga., finally settling on his plantation at Oak Bowery; a Democrat, Methodist, and Mason; grandson of Robert and Catherine (McLean) Bullard, also of Robeson County, N. C.; great-grandson of Charles McLean, a native of the Isle of Skye and of Scotch stock who emigrated to North Carolina prior to the Revolutionary War. The Bullards were of English ancestry. The Mizell family was of French origin. Gen. Bullard was educated in the common schools of Lee and Chambers Counties, and was a student at the Alabama Agricultural and Mechanical College (now Alabama Polytechnical Institute) 1880-81, and in June of that year, by competitive examination, entered the United States Military Academy, West Point, N. Y., from which he graduated in 1885—twenty-seventh in a class of 39; graduate School of the Line, Fort Leavenworth, Kans., and the Army War College, Washington, D. C., 1912. Career in United States Army: Geronimo Indian campaign, 1885–86; service in Southwest; major, Alabama Volunteers (negroes), 1898–99.

Regiment won high reputation in War Department for discipline and excellence of conduct. Upon its reputation, Col. Bullard was appointed by President colonel Thirty-ninth Infantry, United States Volunteers, 1899–1901. For the work of this regiment in campaign in the Philippines, Col. Bullard was commended or approved by Gens. Otis, Bates, Schwan, and McArthur, and by all other commanders under whom he served. Upon his work with this regiment, Col. Bullard, at that time a major in the subsistence department of the Regular Army, was transferred back to the line of the Regular Army, from which he came at the opening of the Spanish-American War.

NINE ENGAGEMENTS.

Cut Lligan-Lanao military road in central Mindanao, 1902–3.

Military commander, opened hostile Moro country in central Mindanao, and as civil governor established government there, then first among the Moros, 1903–4. In this work repeatedly officially commended, for skillful military and civil operations, by Cols. Foote, Williams, and Sweet, and by Gens. George W. Davis and Leonard Wood.

SEVENTEEN ENGAGEMENTS.

Political aid to provisional Governor of Cuba, working in all departments of Government, 1906–1908.

Secretary of public instruction in Cuba, 1908–9.

Confidential work in Mexico, 1911.

Colonel of Infantry, Regular Army, March 11, 1911.

Special instruction in tactics, Fort Leavenworth School of the Line, 1911.

Graduate Army War College, 1912.

Commander mobilized Third Brigade, Second Division, 1913–1915.

Commanding regiment, District and National Guard Brigade in Mexican border bandit raids and in National Guard mobilization on border, 1915–16.

Commanding Officers Training Camp, Arkansas, May, 1917.

Brigadier general, United States Army, June 14, 1917.

Commanding Second Brigade, First Division, American Expeditionary Forces in France, June, July, and August, 1917.

Major general, National Army, August 5, 1917.

Establishing and commanding various Infantry officers' schools in France, December 14, 1917.

Commanding First Division, American Expeditionary Forces, in training maneuvers, trenches, and open field in all its engagements and operations against Germans in France, December 14, 1917, to June 14, 1918.

Commanding Third Corps, American Expeditionary Forces, in open field in all its engagements and operations against Germans in France, July 14 to October 11, 1918.

Lieutenant general, October 16, 1918.

Major general (Regular Army), November, 1918.

Assigned to command and commanding Second Army, American Expeditionary Forces in France, in all its operations and engagements, training, occupation of enemy territory in France and in Luxembourg, October 11, 1918, to April 15, 1919.

Decorations from United States, France, Belgium, and Italy for services in war against Germany.

Gen. Bullard is a Democrat, reared a Methodist, but became a Catholic at the age of 40. Author: Numerous articles on the military profession, Cuba, the Philippines, and the psychology of military leadership. Married: April 17, 1888, at Fort Wingate, N. Mex., Rose, daughter of Reese B. and Maria (Keith) Brabson, of Chattanooga, Tenn. Children: 1, Robert Lee, jr.; 2, Peter Cleary; 3, Rose Brabson; 4 Keith. Address: War Department, Washington, D. C.

"NONE OF OUR SOLDIERS WOULD UNDERSTAND."

[Army and Navy Journal.]

It will be remembered that in the fighting that marked the opening of the second battle of the Marne early in July "an American general in command of American forces south of the Marne," sent the following message to French headquarters: "We regret being unable on this occasion to follow the counsels of our masters, the French, but the American flag has been forced to retire. This is unendurable, and none of our soldiers would understand their not being asked to do whatever is necessary to repair a situation which is humiliating to us and unacceptable to our country's honor. We are going to counterattack."

Several newspapers identified the officer who sent this message as Maj. Gen. Omar Bundy, N. A., but William Howard Taft, in an article in the Louisville Courier-Journal, says the message was sent by Maj. Gen. Robert L. Bullard, N. A. Ex-President Taft's statement reads:

"The course of Gen. Bullard and his command at Chateau-Thierry makes one's heart beat high. He was ordered by his French commander to give ground. He declined on the ground that his troops did not know how to retreat. He ordered them forward. The check of the German offensive on the Marne began with this sharp encounter of his men. His act savored of insubordination. Only a brilliant success could justify it. He took the chance, and report makes him a lieutenant general." Acknowledging its ignorance of the author of the message, the New York Sun said of it in an editorial: "We know that this courteous message to a brave ally, gently rejecting his counsel, but ever so politely explaining the reason why, is one of the documents of this war that will go into the school histories. Since Joffre's order at the Marne nothing finer has come from a soldier's pen. 'None of our soldiers would understand.' The tribute to the Americans, penned in all modesty by their commander, reaches the sublime."

Mr. ROBINSON. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Arkansas [Mr. ROBINSON].

The READING CLERK. At the end of line 16, on page 15, it is proposed to substitute for the period a colon and to add the following:

And provided further, That payments heretofore made by disbursing officers of the United States to the Lonoke Chamber of Commerce, Lonoke, Ark., under and pursuant to a lease dated March 20, 1919, providing for the use and occupation by the United States of certain lands near Lonoke, Ark., for aeronautical purposes and providing for an increased rental from and after January 1, 1919, are hereby ratified and confirmed.

Mr. WADSWORTH. Mr. President, a number of Senators have asked me and other members of the Military Affairs Committee as to what the policy would be with respect to amendments which may be offered of a legislative character. For myself, and acting only for myself, I have stated that amendments involving claims of a private character are perfectly hopeless; we never could persuade the House conferees or the House to agree to them; they would be subject to points of order both here and there; but the amendment now offered by the Senator from Arkansas is not of the nature of a claim. It is merely to confirm action already taken by the authorized agents of the War Department, and it will relieve an impossible situation which has grown up entirely through an error due in turn to a ridiculous technicality.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

Mr. ROBINSON. I ask leave to insert in the RECORD a memorandum prepared from the record in explanation of the amendment just agreed to.

The VICE PRESIDENT. Without objection, permission is granted.

The memorandum referred to is as follows:

This amendment ratifies payments made by disbursing officers of the Government to the Lonoke Chamber of Commerce in compliance with the provisions of a lease dated March 20, 1919, providing for the occupation by the United States of 960 acres of land near Lonoke for aeronautical purposes and known as Eberts Field.

The facts are that the Government desired to establish an aviation field near Lonoke and the chamber of commerce was induced to lease a suitable tract of land, 960 acres in area, near the city limits, to the Government for that purpose at a nominal rental of $1 per year, the chamber of commerce paying to the owners of the land approximately $6,500 per year therefor.

A subsequent lease was made of the same general character for the fiscal year from July 1, 1918, to June 30, 1919.

While this latter lease was still in force the armistice was signed and the chamber of commerce desired to be relieved of the obligation to pay this rent. It filed a petition with the War Department setting up the facts and asking that the department execute a new lease and pay the rent which up until that time the Lonoke Chamber of Commerce had been paying.

Accordingly a new lease was executed, March 20, 1919, and made effective at the beginning of that year. The lease was regular in form, approved by the Assistant Secretary of War on memorandum from the chief of the real estate section to the director of operations, General Staff, dated February 25, 1919.

The only change was that in the new lease the Government was to pay to the chamber of commerce the rent for the lands, the chamber of commerce being liable therefor to the owners.

Prior to the execution of this lease the Lonoke Chamber of Commerce had expended a considerable sum of money for purposes not embraced in the original lease and the Government had received the benefit of this expenditure.

This additional expenditure consisted in sanitary improvements on lands adjacent to the camp and amounted to a considerable sum.

In addition to this the War Department deemed it fair and right to pay the rent for the field as the burden upon the Lonoke Chamber of Commerce had become oppressive and the policy of the department with respect to maintaining the field was unsettled.

The Lonoke Chamber of Commerce is not a corporation. It consists of a voluntary organization of public-spirited individuals who were induced at the beginning of the war to assume responsibility for the rent of the lands from patriotic motives.

In an opinion dated January 6, 1921, the Acting Judge Advocate General held the new lease void on the theory that there was no consideration moving to the Government for the execution of the new lease and that the same was against the interests of the Government, the original lease containing a provision authorizing renewal. The Government, however, failed to avail itself of that provision and executed the new lease which was designed to take the place of the former.

The Judge Advocate General will proceed to institute an action for the recovery of the sums paid under the new lease to the chamber of commerce for the benefit of the owners of the lands, unless this or some similar provision is adopted. There is no question about the regularity of the new lease or of the good faith of the parties. The decision of the Judge Advocate General is based solely on the ground that there was no consideration for the new lease and that it was less beneficial to the Government than the former.

Mr. HEFLIN. I offer an amendment to come in after line 4, on page 22.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 22, after line 4, it is proposed to add a new paragraph, as follows:

That the accounting officers of the Treasury Department are hereby authorized and directed to credit the account of Henry M. Bankhead, lieutenant colonel, Infantry, in the sum of $103.65; Horace P. Hobbs, lieutenant colonel, Infantry, in the sum of $1,166.31; Louis F. Garrard, jr., lieutenant colonel, Quartermaster Corps, in the sum of $2,373.64; and Charles B. Stone, jr., lieutenant colonel, Infantry, in the sum of $1,028.17, with which said officers were charged for defalcations made by Sergt. William Le Duc at Fort McPherson, Ga., in the sum of $4,671.77, for which said Le Duc was convicted and sentenced.

Mr. FRELINGHUYSEN. I make the point of order against the amendment, Mr. President.

Mr. HEFLIN. I hope the Senator will not make the point of order. I am willing to take chances with it in conference.

Mr. FRELINGHUYSEN. I insist upon the point of order.

Mr. HEFLIN. Well, Mr. President, I think we had better have a quorum to carry on this work.

Mr. WADSWORTH. I hope the Senator will not call for a quorum at this time.

The VICE PRESIDENT. The point of order is sustained, if made.

Mr. HEFLIN. I think we had better have a quorum, Mr. President.

Mr. WADSWORTH. Will the Senator yield for a moment?

Mr. HEFLIN. I will yield; but I want the amendment to go on the bill. It is a meritorious measure. It has been approved by the Secretary of War, and reported favorably, I think, by the committee of which the Senator is chairman. The salaries of the officers named in the amendment have been held up and they can not get the money to which they are justly entitled. I submit it is unfair under the circumstances for any Senator here to attempt to withhold it from them any longer.

Mr. WADSWORTH. If I may correct a statement made by the Senator from Alabama, the items carried in the amendment offered by him were included in a bill reported from the Committee on Claims and not reported from the Committee on Military Affairs, and that bill has passed the Senate. I have no particular objection to the amendment; but let me remind the Senator from Alabama that to call for a quorum and then fail to develop it, thereby putting the Army appropriation bill over until next Monday, will not help the amendment of the Senator from Alabama, for, unless the point of order is withdrawn, in order that the amendment may be considered, it will require a suspension of the rules upon one day's notice and a two-thirds vote of the Senate.

Mr. HEFLIN. The Senator from New Jersey can very easily withdraw his point of order.

Mr. WADSWORTH. I do not think the Senator from New Jersey, from what I know of him, will do so under the circumstances.

Mr. FRELINGHUYSEN. I made the point of order because I know it is hopeless to get legislation of this character added to the pending bill.

Mr. HEFLIN. I would be willing to take a chance as to that.

Mr. FRELINGHUYSEN. I insist upon the point of order, and ask for a ruling.

The VICE PRESIDENT. The Chair has ruled. There is nothing now before the Senate, unless the Senator from Alabama insists upon a call for a quorum.

Mr. SUTHERLAND and Mr. HEFLIN addressed the Chair.

The VICE PRESIDENT. Just a moment. Does the Senator from Alabama call for a quorum?

Mr. HEFLIN. Mr. President, I appreciate what the Senator from New York has said and realize how important it is to get this measure through. I do not want unnecessarily to delay it; but I desire to say that the amendment which I have proposed is a very meritorious one and ought to be enacted into law. The Senator from New Jersey, however, has made the point of order, as of course he had the right to do, and he can take the responsibility of keeping these officers of the Army out of their money. I will not make the point of no quorum.

Mr. RANSDELL. Mr. President, I offer the amendment which I send to the desk, and I ask to have it inserted at the end of the last amendment which has been adopted.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. At the end of the bill it is proposed to insert the following:

That the accounting officers of the Treasury Department are hereby authorized and directed to credit the account of Harold Kernan, now serving as first lieutenant, Thirteenth Field Artillery, United States Army, in the sum of $3,426, with which said officer was charged for money stolen from an enlisted man serving under him, for which said officer was held responsible while stationed in the city of Brest, France, in October, 1919.

Mr. FRELINGHUYSEN. I make the point of order against the amendment.

Mr. RANSDELL. I hope the Senator will withdraw his point of order until I can ask that a letter of the Secretary of War be printed in the RECORD in connection with the amendment. I do not desire to make a speech, but I am willing to have the point of order ruled upon.

Mr. FRELINGHUYSEN. I am willing to withhold the point of order in order that the letter referred to by the Senator may be printed in the RECORD.

The VICE PRESIDENT. Without objection, permission is granted.

The letter referred to is as follows:

WAR DEPARTMENT,
WASHINGTON, *January 20, 1921.*

The CHAIRMAN,
Committee on Claims, House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter dated January 14, 1921, inclosing copy of H. R. 14814, a bill for the relief of Harold Kernan, and requesting that you be furnished with copies of the papers in this case and that I express an opinion as to its merits.

The Adjutant General has been directed to furnish copies of the desired papers, from which you will see that the loss of the funds was due to the robbery of an enlisted messenger who had been intrusted with their transfer from the sales branch, depot quartermaster's office, to the finance office in the city of Brest, France. The board which investigated this matter at the time of the loss held Capt. Kernan responsible, due to his not having provided a sufficient guard. It appears, however, that since the transfer took place in the middle of the afternoon and the route followed was along frequented streets, the failure to provide more adequate protection was due to an error in judgment which might have been committed by anyone similarly placed. This view is also justified by the fact that Capt. Kernan's predecessor had, so far as the papers disclose, followed the same procedure in the daily transfer of these funds. I feel therefore that the ends of justice will be served by granting the relief contemplated.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. FRELINGHUYSEN. I renew the point of order.

The VICE PRESIDENT. The point of order will have to be sustained, as the amendment provides for a private claim.

Mr. CHAMBERLAIN. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. At the end of the bill it is proposed to insert the following:

That in the cases of officers then in the Army who were nominated to the Senate by the President for brevet commissions for service during the War with Spain, Philippine insurrection, or the China relief expedition for extraordinary heroism or gallantry in action or especially meritorious services, such as to justify the award of the distinguished service cross or the distinguished service medal provided for in the act of July 9, 1918, such cases may be considered and acted on under the provisions of said act, notwithstanding that such recommendations may have been made more than three years before said cases shall have been considered as authorized by said act, but all consideration of and action upon such case shall be based exclusively on official records of the War Department.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, prior to the World War there were three forms of recognition prescribed by law for officers and enlisted men, as follows:

(a) Medal of honor for both officers and enlisted men for extraordinary heroism in action.

(b) Brevet rank, for officers only, for exceptional gallantry in action or specially distinguished service during time of war.

(c) Certificate of merit, for enlisted men only, for specially meritorious service, usually involving risk of life at any time.

The act approved July 9, 1918, contains provisions inter alia, as follows:

(a) It confined the award of the medal of honor to persons who, while officers or enlisted men of the Army, shall hereafter, in action involving actual conflict with the enemy, distinguish themselves conspicuously by gallantry and intrepidity at the risk of their lives above and beyond the call of duty.

(b) It provided for the award of the distinguished service cross to any person who, while serving in any capacity with the Army of the United States since April 6, 1917, has distinguished or shall hereafter distinguish himself or herself by extraordinary heroism in connection with military operations against an armed enemy.

(c) It provided for the award of the distinguished service medal to any person who, while serving in any capacity with the Army of the United States since April 6, 1917, has distinguished or hereafter shall distinguish himself or herself by exceptionally meritorious service to the Government in a duty of great responsibility.

It also provided that the distinguished service medal shall be issued to all enlisted men of the Army in lieu of certificates of merit heretofore granted them.

The awards provided by the act approved July 9, 1918, and to which I have referred, were by the same act limited in all three cases to three years from the date of the act justifying the award, and also to cases in which the recommendation for the award was made within two years from the date of its performance. The same act also provided as follows:

"1. But in cases of officers and enlisted men now in the Army for whom the award of the medal of honor has been recommended in full compliance with then existing regulations, but on account of services, which though insufficient fully to justify the award of the medal of honor, appear to have been such as to justify the award of the distinguished service cross or distinguished service medal hereinbefore provided for, such cases may be considered and acted upon under the provisions of this act authorizing the award of the distinguished service cross and distinguished service medal, notwithstanding that said services may have been rendered more than three years before said cases shall have been considered as authorized by this act, but all consideration of and action upon any of said cases shall be based exclusively upon official records now on file in the War Department;

"2. And in the cases of officers and enlisted men now in the Army who have been mentioned in orders, now a part of official records, for extraordinary heroism or specially meritorious services, such as to justify the award of the distinguished service cross or the distinguished service medal hereinbefore provided for, such cases may be considered and acted on under the provisions of this act, notwithstanding that said act or services may have been rendered more than three years before said cases shall have been considered as authorized by this act, but all consideration of and action upon any of said cases shall be based exclusively upon official records of the War Department."

An analysis of the last two provisions quoted shows that they provided for the recognition of officers previously recommended for the medal of honor, for enlisted men to whom a certificate of merit had been issued, and for officers and enlisted men now in the Army "who have been mentioned in orders."

The War Department has held that a nomination to the Senate by the President for brevet rank is not a mention in orders as contemplated by the above-quoted act. Such mention in orders was previous to the passage of the act approved July 9, 1918, very unusual, and with a few exceptions was limited to announcements to the service of medals of honor or certificates of merit previously awarded. Only two orders issued by the War Department can be found which make such mention of officers or enlisted men. One of these, General Order No. 15, War Department, 1900, contains some 450 names, but most of them are announcements of the award of certificates of merit

of some 25 officers commended for scientific study of causes of disease, et cetera, and of certain others, principally enlisted men, for taking unusual risks in regard to case of patients, and so forth, during contagious epidemics. This order contains very few citations of the character contemplated by the above act. One other War Department order prior to the act that has been quoted bearing on this subject is General Order No. 86, War Department, 1902, announcing the award of the medal of honor to 16 officers. A few other awards have been made under these provisos of officers who were cited in the orders of subordinate commanders for service in the Philippine rebellion.

The award of honors has never been given more careful and thorough investigation and attention in this country than was given in the selection of the men nominated by the President for brevet rank in the Spanish-American War, the Philippine rebellion, and the China relief expedition. In these cases several boards of officers, the members of which were among the most prominent in the Army, carefully weighed the questions of right, merit, and justice involved before making recommendations upon which the President based his nominations; for example, in the case of brevets for operation in the Philippine Islands the board consisted of Gen. Bates, Gen. Wheaton, and Gen. Funston, and the recommendations of this board were carefully reviewed by Gen. McArthur.

With the exception of those officers recommended for the medal of honor, the effect of the interpretation of the law by the War Department, mandatory though it may be, is to deprive of all recognition all officers nominated for brevet rank, as indicated, while permitting the recognition of other officers merely because in cases of the latter the letter of the law happened to have been complied with some 20 years ago. It can be confidently asserted that no officer who has received, under the provisions of the above law, a distinguished service cross or distinguished service medal by virtue of having been mentioned in orders has a greater moral claim to such recognition than the majority of the officers nominated for brevet rank. On the contrary, an examination into their respective claims as set forth by the orders mentioned in the former and the nomination sent to the Senate in the case of the latter will show that in effect the law or its interpretation has worked grave injustice to the officers nominated for brevet rank.

These nominations will be found in volume 35, Part III, Fifty-seventh Congress, first session, pages 3067 to 3078 in the CONGRESSIONAL RECORD of March 20, 1902. The list shown therein comprises the names of more than 500 officers, but it is estimated that considerably less than half of them are now in the Army.

Mr. SUTHERLAND. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 70, after line 19, it is proposed to insert:

For the preparation of plans, the initiation of work, including the employment of all necessary engineering, technical, clerical, and other services, and for any and every purpose connected therewith, for an increased water supply for the District of Columbia, in accordance with Potomac project "E," described in the report submitted January 10, 1921, by Maj. M. C. Tyler, Corps of Engineers, $200,000, to be immediately available, and to remain available until expended.

Mr. FRELINGHUYSEN. Mr. President, I make the point of order against the amendment.

Mr. SUTHERLAND. Will the Senator from New Jersey withhold his point of order for a moment?

Mr. FRELINGHUYSEN. I withhold the point of order.

Mr. SUTHERLAND. I understand perfectly well that this amendment is subject to a point of order; but I trust the Senator from New Jersey will withhold the point of order on account of the urgent necessity of providing an additional water supply for the District of Columbia, of which we are all residents. In that connection I desire to send to the desk and have printed a letter from the Secretary of War upon this subject.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, February 18, 1921.

SIR: The act of Congress approved June 10, 1920, creating the Federal Power Commission, authorized and directed that commission, on or before the 1st day of January, 1921, to report to Congress the cost and, in detail, the economic value of developing power in the Potomac River. The Federal Power Commission was directed, in connection with the study, to submit plans and estimates of cost necessary to secure an increased and adequate water supply for the District of Columbia.

The duty of making the engineering study and investigation required by this direction was assigned to Maj. M. C. Tyler, district engineer, under supervision of the Chief of Engineers, United States Army. Maj. Tyler submitted his report on the 10th day of January, 1921. The report was acted upon and forwarded to Congress by the Federal Power Commission on February 14, 1921.

The Federal Power Commission, in submitting its report, stated that it is the unanimous opinion of all who have investigated the subject that there will be no advantage in treating the subject of increased water supply for the District of Columbia as a part of the project to develop power from the Potomac. The Federal Power Commission also calls attention to the urgency of the need for additional water supply for the District of Columbia and recommends that the project described in detail in Maj. Tyler's report under the heading "Potomac project E" be adopted, and that steps be taken as early as practicable to commence its construction.

Potomac project E is estimated to cost about $9,000,000. It is by far the lowest in first cost of all practicable plans for increased water supply and will care for the increasing needs of the District of Columbia for at least 60 years.

The question of providing additional water supply for the District of Columbia has been under consideration for the past 15 years and the danger of further delay in making provision for supplementing the present water supply has become so great that I feel obliged to call the attention of Congress to it by urging, even at this late date, that provision be made at this session for commencing work. To this end it is recommended that the following item be inserted in any appropriate bill:

"For the preparation of plans, the initiation of work, including the employment of all necessary engineering, technical, clerical, and other services, and for any and every purpose connected therewith, for an increased water supply for the District of Columbia, in accordance with Potomac project E, described in the report submitted January 10, 1921, by Maj. M. C. Tyler, Corps of Engineers, $200,000, to be immediately available and to remain available until expended."

Respectfully,

NEWTON D. BAKER,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Mr. JONES of Washington. Mr. President, may I suggest to the Senator that, as I understand, an estimate has been sent to Congress, and therefore the point of order is not well taken.

Mr. SUTHERLAND. An estimate has been made and sent to Congress of $200,000, which will provide for the additional work. We all know that during the past two summers we have run up against a very serious shortage in the water supply. We are all interested in this matter. Our families are interested in it. While the amendment may be subject to a point of order, this is in all human probability the only bill to which the amendment can be attached with any certainty of its getting through.

The VICE PRESIDENT. Let us find out about this matter. Has an estimate been made for this work?

Mr. SUTHERLAND. The Senator from Washington states that an estimate has been made for it.

Mr. JONES of Washington. I understand so.

Mr. FRELINGHUYSEN. Mr. President, no estimate was presented to the committee. The committee passed on the matter, and decided not to insert it in the bill. It is general legislation, and I make the point of order.

Mr. SUTHERLAND. If there is no estimate, of course——

Mr. JONES of Washington. I understand that there is an estimate. I have not investigated it, Mr. President. I saw in the papers the statement that it had come down, and I supposed it had come down in the regular way.

The VICE PRESIDENT. That is the difficulty in asking the Chair to rule on the point of order.

Mr. JONES of Washington. I appreciate that.

The VICE PRESIDENT. If this water-supply is under the control of the War Department, the amendment is not legislation. If it has been estimated for, the amendment is in order.

Mr. JONES of Washington. An estimate has been made by an Army engineer in the letter from the Secretary of War, not in authentic form, but in printed form.

The VICE PRESIDENT. That is not an estimate. It must come through the Treasury Department in order to be an estimate. That is the difficulty in asking the Chair to rule upon this question. If there has been an estimate from the Treasury Department, this amendment is clearly in order.

Mr. WADSWORTH. Mr. President, I can not state accurately whether it came through the Secretary of the Treasury or not. I know that the Secretary of War wrote a letter, and the committee was apprised of the letter, and the committee decided not to put the item in the bill under the peculiar situation that exists.

Mr. SUTHERLAND. I presented the letter to the committee.

Mr. McKELLAR. Mr. President, my recollection is that it was not an estimate from the Treasury Department; it was from the War Department.

The VICE PRESIDENT. It must come from the Treasury Department. That is the law. That is where the estimates come from.

Mr. FRELINGHUYSEN. The Senator from West Virginia knows that it will be futile to attempt to hold this amendment against the House conferees, and it is general legislation. There is an absence of any evidence of an estimate, and the committee passed on it and decided not to put it on the bill. I dislike very much to make the point of order, but I feel that the amendment will imperil the bill.

The VICE PRESIDENT. The Chair must be informed as to whether or not there was an estimate. That is the only question.

Mr. SUTHERLAND. I can not say accurately whether or not an estimate was made by the Treasury Department and transmitted. The only estimate that I had was in a letter from the Secretary of War, which stated that an estimate of $200,000 had been made by the Engineering Department of the Army.

The VICE PRESIDENT. Surely somebody that can speak on the subject has seen the Book of Estimates.

Mr. JONES of Washington. It would be a supplemental estimate if the regular estimates had come down previously.

Mr. LODGE. It would come to the presiding officer.

Mr. JONES of Washington. I have seen in the papers reference to it during the last week, and I know that it was considered an extremely urgent matter. The Water Power Commission passed on the proposition just a week or two ago, and they consider the supply of water for the District of Columbia a very urgent matter. I have seen references to it in the papers two or three times, and it was stated that a supplemental estimate had been sent to Congress. I feel very confident that it has been sent, but I have not looked the matter up, because I did not know that it was coming up to-day.

Mr. FLETCHER. Mr. President, may I suggest to the Senator that if the amendment is agreed to and goes to conference, I believe——

Mr. FRELINGHUYSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FRELINGHUYSEN. Is general legislation subject to a point of order, even if it has been estimated for?

The VICE PRESIDENT. It is.

Mr. FRELINGHUYSEN. I make the point of order on the ground that this is general legislation.

The VICE PRESIDENT. The present occupant of the chair overruled that point of order a while ago. He does not think this is general legislation at all. It has to do with the question of getting more water for the city of Washington.

Mr. SUTHERLAND. I have sent to the desk a formal letter of the Secretary of War to Congress upon that subject. I hope the Senator from New Jersey will withhold his point of order and let this amendment take its chances in the conference committee with the conferees of the House. If we can not secure the approval of the item, of course it will have to go out.

Mr. McKELLAR. Mr. President, there seems to be great doubt about it, and I hope the Senator from New Jersey will let it take that course.

Mr. FRELINGHUYSEN. I withhold the point of order.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from West Virginia.

The amendment was agreed to.

Mr. NEW. Mr. President, the Senator from Nevada [Mr. HENDERSON] gave notice of a purpose to present the amendment which I now send to the desk, which I think is generally understood and requires no explanation.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 17, line 15, after the words "June 4, 1920," it is proposed to insert the following:

Nor to prohibit the enlistment in addition thereto of flying cadets to the number now authorized by law.

Mr. WADSWORTH. I think there can be no objection to that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Indiana on behalf of the Senator from Nevada.

The amendment was agreed to.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The reading clerk read as follows:

New York, N. Y., Quarantine Station: For water supply, additional buildings, increased disinfecting facilities, and miscellaneous equipment, including all necessary mechanical equipment, lighting fixtures, etc., $200,000.

Mr. FRELINGHUYSEN. Mr. President——

Mr. CALDER. Mr. President, I ask the Senator from New Jersey to withhold his point of order. I know that the amendment is subject to a point of order. It provides an appropriation of $200,000 for the important improvement of a quarantine station at New York. It has no place on this bill except as a very grave emergency matter.

To-day the commissioner of health for the city of New York called at the Capitol to see me. He put the matter on the ground that the quarantine station formerly controlled by the city of New York had been taken over by the Federal authorities, and that he had been able somewhat in conjunction with the Federal authorities to stop the typhus epidemic which threatened the country. He stated that unless something was done immediately by the Federal Government to withstand the typhus epidemic which is threatening our country, he would not be responsible for the conditions.

The city of New York almost alone is standing at the gateway of the Nation to prevent the introduction into this country of this grave disease. My amendment has been estimated for. It is not germane to this bill, I know; but there is a grave emergency. The newspapers in New York are filled with the story, and I believe the amendment is so important that we really ought to violate the rules of the Senate in order to permit it to go on.

Mr. FRELINGHUYSEN. Mr. President, the Calendar is filled with important measures and bills that could be offered as amendments to the Army appropriation bill. We must stop somewhere, and I therefore make the point of order.

Mr. CALDER. Mr. President, the Senator from New Jersey speaks of the Calendar being filled with bills of importance. This is a matter of grave emergency which may ultimately affect the health of the Nation.

Mr. FRELINGHUYSEN. Mr. President, there are certain rules for legislation prescribed by this body. I have just as important an amendment as this, dealing with a subject which should be treated by the Military Affairs Committee, providing that the engineers shall police the harbors along the Atlantic coast to prevent the distribution of oil on the waters. Already two cities have been nearly burned to the ground by reason of that exposure, and while I offered the amendment to the committee, I hesitate to offer it here. It is just as important as the amendment offered by the Senator from New York.

Mr. CALDER. Just one word more: The Senator, of course, is within his rights in making the point of order. I repeat, however, that this is a very grave emergency, threatening not New York City alone but the entire Nation. I would not have dreamed of offering it as an amendment under ordinary circumstances. I know that in some respects it perhaps bothers my colleague, as it does, perhaps, the Senator from New Jersey; but this is a national question, and that is my reason for pressing it.

Mr. FRELINGHUYSEN. We are operating under certain rules in this body, Mr. President. This amendment has no place on this bill, and under the circumstances I am obliged to insist on the point of order.

Mr. THOMAS and Mr. FLETCHER called for the regular order.

The VICE PRESIDENT. The point of order is sustained. The bill is still in the Senate as in Committee of the Whole, and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. LA FOLLETTE. I call for the yeas and nays.

The yeas and nays were not ordered.

The bill was passed.

Mr. WADSWORTH. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WADSWORTH, Mr. SUTHERLAND, Mr. NEW, Mr. FLETCHER, and Mr. McKELLAR conferees on the part of the Senate.

NAVAL APPROPRIATIONS.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of H. R. 15975, making appropriations for the naval service for the fiscal year 1922.

Mr. JONES of Washington. Mr. President, the Senator from Kansas [Mr. CURTIS] told me that he had to leave, and he said that the Senator from Idaho [Mr. BORAH] had asked him to see that no matter was taken up upon the conclusion of the Army bill.

Mr. LODGE. He said the same thing to me.

Mr. JONES of Washington. So the Senator from Kansas asked me to see that no action was taken. The Senator from Idaho asked the Senator from Kansas to see that no action was taken on any measure.

Mr. POINDEXTER. What Senator does my colleague say made the request?

Mr. JONES of Washington. The Senator from Idaho [Mr. BORAH].

Mr. LODGE. He spoke to me about it also.

Mr. JONES of Washington. The Senator from Idaho spoke to the Senator from Kansas on the subject. The Senator from Kansas had to leave, and he asked me to see that no action was taken; so, for that reason, I hope my colleague will not move to take up the bill.

Mr. POINDEXTER. Of course, I knew nothing of that. Did the Senator understand him to mean that we should not even have the bill laid before the Senate?

Mr. JONES of Washington. Yes.

Mr. POINDEXTER. My intention was, if the bill was taken up, to move to take a recess at this time.

Mr. JONES of Washington. I asked the Senator from Kansas if that would preclude the taking up of the naval bill, and he said yes; so, under those circumstances, I shall have to ask my colleague to put off making the motion until Monday morning.

Mr. KING. I hope the Senator will do that, because I assured one of the Senators upon this side that there would be an opportunity on Monday to call up the joint resolution providing for the repeal of war legislation. There will be an effort to call up that measure the first thing Monday morning in the hope that it will take only a short time.

Mr. JONES of Washington. I do not desire to make the point of no quorum.

The VICE PRESIDENT. The Senator can move to take a recess now if he cares to do so.

Mr. JONES of Washington. I hope my colleague will move to take a recess.

ATCHAFALAYA, RED, AND BLACK RIVERS.

Mr. RANSDELL. Mr. President, will the Senator withhold his motion for a recess for just a moment to let me make a report of a very brief bill?

Mr. POINDEXTER. I have the floor. I yield to the Senator.

Mr. RANSDELL. Will the Senator withhold the motion for just a moment?

Mr. POINDEXTER. The Senator desires to present a report, I understand?

Mr. RANSDELL. Yes. It is a report from the Commerce Committee, authorizing the Mississippi River Commission to make a survey in Louisiana of the Atchafalaya River. I will state that it will not cost any additional money. It comes out of the funds that they already have. They have the necessary information, I think, but this gives them additional authority.

Mr. KING. The bill goes to the calendar, as I understand? The Senator is not asking for the present consideration of the bill?

Mr. RANSDELL. Yes; I ask to have the bill passed to-night. It will do no good to have it go to the calendar. It is a very important matter down there. I hope the Senator will not object to its immediate consideration.

Mr. KING. I am afraid the Senator is mistaken in assuming that it will not cost anything.

Mr. RANSDELL. It takes no appropriation. The funds are in the hands of the Mississippi River Commission. I am not asking for a dollar of appropriation. I ask for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5000) directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River, which was read, as follows:

Be it enacted, etc., That an examination and survey, with a report to Congress, shall be made by the Mississippi River Commission, of the Atchafalaya, Black, and Red Rivers in Louisiana, specifying a general plan with recommendations for the execution thereof that will give the greatest measure of protection to the basins of said rivers from the flood waters of the Mississippi River consistent with all other interests of the lower Mississippi Valley.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL APPROPRIATIONS.

Mr. POINDEXTER. Mr. President, in view of the agreement which seems to have been entered into in regard to this matter, I will not insist upon my motion; but I think it is rather an unfair advantage that is being taken of the Senate, in view of the brief time which will intervene between now and the final adjournment, for the Senator from Idaho [Mr. BORAH] to leave the Senate Chamber, to absent himself, depending upon an agreement that such an important bill as the naval appropriation bill would not be taken up during his absence. But in view of the statement of my colleague, and the fact that he is able to make a point of no quorum, and that probably we could not obtain a quorum at this late hour, I withdraw the motion.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock Monday.

The motion was agreed to; and (at 6 o'clock and 47 minutes p. m.) the Senate took a recess until Monday, February 28, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 26, 1921.*

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, pastor of the Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Father which art in heaven, we kneel at the altars of our hearts. Rebuke us, but not in judgment; lay Thy hand upon us but not Thy rod, and receive us again into that divine favor which we can not comprehend. Show us this day the treasures of Thy wisdom that our directive purpose may be for God and our dear homeland. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

EVENING SESSION.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 o'clock until 8 o'clock this evening.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 o'clock until 8 o'clock this evening. Is there objection?

There was no objection.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that February 22 and 25 they had presented to the President of the United States for his approval the following bills:

H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.;

H. R. 8692. An act authorizing the exchange of lands within the Montezuma National Forest in Colorado;

H. R. 5416. An act to authorize corporations organized in the District of Columbia to change their names;

H. R. 13051. An act to add certain lands to the Lemhi National Forest, Idaho;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias;

H. R. 644. An act for the relief of Oscar Smith;

H. R. 13319. An act for the relief of Wilson Certain;

H. R. 567. An act for the relief of John Chick;

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico;

H. R. 11841. An act to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893;

H. R. 13592. An act to authorize certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to make final proof of their entries;

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States in relation to the qualifications of directors of the National Banking Association;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.;

H. R. 10434. An act to add certain lands to the Targhee National Forest;

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 9028. An act to authorize the addition of certain lands to the Nez Perce National Forest, Idaho;

H. R. 5081. An act for the relief of James E. Adams;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in

the District of Columbia in cases of subdivision or sales of land therein;

H. R. 2946. An act to amend acts to permit the use of the right of way through the public lands for tramroads, canals, reservoirs, and for other purposes;

H. R. 1430. An act to authorize the addition of certain lands to the Weiser National Forest, Idaho;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 9840. An act for the relief of Capt. E. V. Dickson;

H. R. 7573. An act authorizing payment of compensation to Pasquale Dolce for personal injuries;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 1035. An act for the relief of the widow of Joseph C. Akin;

H. R. 646. An act for the relief of Perry E. Borchers because of losses suffered, due to destruction of property and termination of contract for services because of smallpox, while in the employ of the Navy Department in Cuba;

H. R. 397. An act to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes;

H. J. Res. 465. Joint resolution for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; and

H. J. Res. 215. Joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed joint resolution (S. J. Res. 260) appropriating $500,000 to convey cereals for the relief of China, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution 260, for the relief of the famine-stricken people of China, was taken from the Speaker's table and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, had agreed to the amendments of the House to the amendments of the Senate numbered 49, 72, and 136, had further insisted upon its amendments to the bill numbered 1, 2, 5, 6, 7, 8, 9, 11, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 60, 76, 78, 80, 81, 82, 87, 101, 102, 103, 104, 105, 132, 133, 134, 141, 151, 152, 162, 163, 164, 165, 166, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

CONFERENCE REPORT ON THE IMMIGRATION BILL.

Mr. JOHNSON of Washington. Mr. Speaker, I call up the conference report on the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows:

In lieu of the matter proposed by the Senate amendment insert the following:

"That as used in this act—

"The term 'United States' means the United States and any waters, Territory, or other place subject to the jurisdiction thereof except the Isthmian Canal Zone and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively.

"The word 'alien' includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

"The term 'immigration act' means the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens to, and the residence of aliens in, the United States'; and the term 'immigration laws' includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

"SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees, (2) aliens in continuous transit through the United States, (3) aliens who have been lawfully admitted to the United States and who shall later go in transit from one part of the United States to another through foreign contiguous territory, (4) aliens visiting the United States as tourists or temporarily for business or pleasure, (5) aliens from countries immigration from which is now regulated in accordance with treaties or agreements, (6) aliens coming from the so-called Asiatic barred zone, as described in section 3 of the immigration act, or (7) aliens who have resided continuously for at least one year in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands.

"(b) For the purposes of this act nationality shall be determined by country of birth, but the term 'country' shall not be held to include colonies or dependencies, which colonies or dependencies shall be considered as separate countries.

"(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the passage of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act, but whenever such population basis is not applicable by reason of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting in the creation of new countries, the Governments of which are recognized by the United States, or otherwise in the transference of territory from one country to another, such transference being officially recognized by the United States, then the said officials, jointly, shall estimate the number of persons resident in the United States in 1910, who were born within the area now included in such new and other countries, and in the case of such countries such estimate shall be the population basis for the purposes of this act.

"(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted, all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That in the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: *Provided further*, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any re-

ligious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants may be admitted notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall be counted in reckoning the percentage limits provided in this act: *Provided further*, That in the enforcement of this act preference shall be given so far as possible to the wives and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

"SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall as soon as feasible after the passage of this act, and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as soon as feasible after the passage of this act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between April 1, 1921, and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

"SEC. 4. That the provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

"SEC. 5. That this act shall take effect and be enforced on and after April 1, 1921, except sections 1 and 3 and subdivision (c) of section 2, which shall take effect immediately upon the passage of this act, and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining three months of the current fiscal year shall be limited to one-fourth of the number who are admissible annually as provided in section 2 of this act."

And the Senate agree to the same.

ALBERT JOHNSON,
WILLIAM N. VAILE,
JOHN E. RAKER,
Managers on the part of the House.

LEBARON B. COLT,
WM. P. DILLINGHAM,
T. P. GORE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and submitted in the accompanying conference report.

The House bill provided for a suspension of immigration to the United States for a period of one year, except certain relatives of citizens of the United States.

The Senate amendment provides that for 15 months, commencing April 1, 1921, immigration to the United States from any country shall be limited to 3 per cent of the persons in the United States born in that country, according to the United States census of 1910, and excepts from the percentage provisions native-born or naturalized citizens of the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central and South America, and adjacent islands.

The conferees have agreed upon the principle and general plan of the Senate amendment, and offer thereto an amendment designed only to make more explicit and definite the text thereof.

The exception with regard to the immigration of citizens of countries of the Western Hemisphere is modified so as to read "aliens who have resided continuously for at least one year" in the various countries of North and South America. In using these words the words of present immigration acts have been followed and possible treaty complications avoided.

Other changes agreed upon by the conferees are for the purpose of clarifying the language.

Whereas the House bill suspended immigration for one year, except certain relatives of naturalized citizens, which number of possible admissions was necessarily uncertain, the Senate amendment providing for the admission of 3 per cent based on the various nationalities in the United States in 1910 admits of an accurate estimate as to the number of immigrants which may be admitted from European countries, as follows:

Northwestern Europe:	
Belgium	1,482
Denmark	5,449
France	3,523
Germany	75,040
Netherlands	3,624
Norway	12,116
Sweden	19,956
Switzerland	3,745
United Kingdom	77,206
Total northwestern Europe	202,212
Outside northwestern Europe:	
Austria	50,117
Bulgaria	345
Serbia	139
Montenegro	161
Italy	40,294
Portugal	1,781
Rumania	1,978
Spain	663
Russia	51,974
Turkey in Europe	967
Turkey in Asia	1,792
Total outside northwestern Europe	153,249
Total northwestern Europe	202,212
Grand total	355,461

No provisions of present immigration laws are removed, either with regard to those who may be admitted from countries under the percentage plan of restriction or from the countries of North and South America. Provisions of treaties, conventions, and agreements with various countries are not disturbed by the bill as amended.

Amendment to the title: The Senate amendment amends the title so as to read "An act to limit the immigration of aliens into the United States," and the House recedes.

ALBERT JOHNSON,
WILLIAM N. VAILE,
JOHN E. RAKER,
Managers on the part of the House.

Mr. GARRETT. Will the gentleman yield?

Mr. JOHNSON of Washington. I will yield for a question.

Mr. GARRETT. There is no desire on my part to occasion any delay, but we have been accustomed to have a roll call shortly after meeting, and does not the gentleman think that we ought to have a quorum present?

Mr. JOHNSON of Washington. I have no doubt that a quorum will be in during the consideration.

Mr. GARRETT. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Tennessee makes the point of no quorum. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

The motion was agreed to.

The doors were closed and the Sergeant at Arms was directed to notify absent Members.

The Clerk called the roll and the following Members failed to answer to their names:

Andrews, Md.	Cantrill	Dooling	Fields
Andrews, Nebr.	Casey	Doremus	Fish
Ayres	Clark, Fla.	Doughton	Flood
Bacharach	Clark, Mo.	Dunn	Gallagher
Baer	Classon	Dupré	Gandy
Benson	Costello	Eagan	Garner
Britten	Curry, Calif.	Eagle	Goodwin, Ark.
Brumbaugh	Davey	Edmonds	Gould
Burdick	Dent	Ellsworth	Graham, Pa.
Caldwell	Dewalt	Evans, Nev.	Griest
Candler	Donovan	Ferris	Hamill

Hamilton	Lonergan	Phelan	Small
Harreld	McAndrews	Porter	Smith, N. Y.
Hersman	McDuffie	Pou	Steele
Hill	McGlennon	Rainey, Ala.	Steenerson
Holland	McKeown	Rainey, John W.	Stiness
Hudspeth	McKinley	Randall, Calif.	Sullivan
Hulings	Madden	Ransley	Sweet
Husted	Maher	Rayburn	Taylor, Tenn.
Ireland	Mann, S. C.	Reavis	Thomas
James, Mich.	Mead	Riordan	Tinkham
Johnston, N. Y.	Moon	Rodenberg	Vare
Kelley, Mich.	Mooney	Rowan	Venable
Kendall	Morin	Rubey	Voigt
Kennedy, Iowa	Mudd	Rucker	Volk
Kennedy, R. I.	Nolan	Sanders, Ind.	Ward
Kettner	Paige	Sanders, La.	Watkins
Kitchin	Parker	Scully	Wilson, Ill.
Kleczka	Patterson	Sears	Winslow
Kreider	Perlman	Siemp	Wise

The SPEAKER. Three hundred and eight Members have answered to their names, and a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

EXTENSION OF REMARKS.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill which has been introduced and is known as the liberty calendar bill.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD on the bill with reference to the liberty calendar. Is there objection?

There was no objection.

CONFERENCE REPORT ON THE IMMIGRATION BILL.

Mr. JOHNSON of Washington. Mr. Speaker, as shown by the conference report on the Senate amendment to H. R. 14461, the conferees of the House and the Senate are in agreement on a plan to restrict temporarily immigration to the United States. We have now begun a yes-or-no proposition. The matter now embraced in H. R. 14461 is such that those in the House who believe it to be for the best interest of the United States to temporarily restrict immigration to the United States for a period of 15 months, beginning April 1, may vote for the measure. Such a vote will mean that for that period the number of persons who may come to the United States as immigrants from the countries in Europe will be at the maximum about 443,200. Persons coming temporarily as visitors or for business purposes are not to be included in the count. Further, there are certain exempted classes, such as professional actors, teachers, ministers, who are to be counted in making the maximum number; but when that number is reached they can be exempted and still come in. So the maximum from any country is not an iron-clad maximum, although it positively and absolutely fixes the maximum number who may come as immigrants from any country during the time the measure is in effect.

The bill as finally agreed upon restricts immigration to 3 per cent of immigrants from certain countries in Europe, the 3 per cent base being determined by the number of persons from those countries who were in the United States as shown by the census of 1910.

Mr. SABATH. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes; for a question.

Mr. SABATH. Do I understand the gentleman to state that the number that would be permitted to come under the 3 per cent provision would be about four hundred and some thousand?

Mr. JOHNSON of Washington. On the figures I have, 443,268 is the maximum. That covers a period of 15 months.

Mr. SABATH. So the report showing 355,000 is on the basis of only one year?

Mr. JOHNSON of Washington. Yes; those figures are for one year; by adding the quarter you get it. Members will note that the words of the present immigration laws are used in the bill with reference to admissions from contiguous territories and from countries on this hemisphere.

People from Canada, people from Mexico, people from the Bahama Islands or from any country in South America may come to the United States by fulfilling this requirement of the present immigration laws; that is, by passing the illiteracy test, paying the head tax, showing a clean bill of health, and ability to support one's self. The bill also is in such shape that it does not affect or change——

Mr. LAZARO. Will the gentleman yield for one question?

Mr. JOHNSON of Washington. Yes; for one question.

Mr. LAZARO. The statement was made recently that the Senate bill with the 3 per cent clause would shut out more immigrants than the House bill that prohibited immigration except relatives. What is the gentleman's opinion about that?

Mr. JOHNSON of Washington. Well, that is a debatable question. It may do so. At any rate, it fixes a maximum. Of course, it is clear to all that the House bill which suspended immigration except for blood relatives of naturalized persons, who are, of course, citizens, would admit the incoming of an uncertain number of these relatives, and I agree that such provision might permit some fraud in statements as to who were blood relatives, but the Senate bill makes a hard and fast figure of 3 per cent of people from countries based on the people from those countries in the United States on the 1910 census. It is a hard and fast figure. That figure is about 443,000.

Mr. BOX. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes; for a question.

Mr. BOX. At the bottom of page 2 of the report will be found a provision in reference to the admission of domestic servants.

Mr. JOHNSON of Washington. Yes.

Mr. BOX. Are they under the provisions of the bill to be charged to the 3 per cent, or can they continue to come on indefinitely?

Mr. JOHNSON of Washington. They are charged in the arrivals until the maximum per month is reached, and then the overflow, if any, is admitted, without being counted against the maximum in month or year as the case may be.

Mr. BOX. How greatly will that increase the number coming?

Mr. JOHNSON of Washington. I do not think the excess will amount to very much. The "in free" provision under certain conditions is necessary to prevent possible individual hardships, and answers criticism on that score. It is not planned to shut out by ones and twos those who have arrived at our gates, and who pass all the other immigration requirements. Gentlemen will notice the clause which provides that not over 20 per cent admitted in a year may come in a month. It is that to which I have just been referring.

Mr. PURNELL. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Let me finish one statement, if possible. Certain people are exempt; that is to say professional actors, artists, lecturers, singers, nurses, musicians, and so on. They are counted in the quota, and if the quota for the month should run out, then these exempted classes still come in free of count. That is all there is to the provision. I yield to the gentleman from Indiana.

Mr. PURNELL. I think I heard everything the gentleman said except the statement as to the basis of determining the 3 per cent and owing to the confusion I could not hear that.

Mr. JOHNSON of Washington. I will state that again. For 15 months, beginning April 1, immigrants may come to the United States to the number of 3 per cent of the people from the countries from which they came were in the United States as shown by the Census of 1910.

Mr. PURNELL. But what is the basis for the determination of the 3 per cent?

Mr. JOHNSON of Washington. For example, let us take any one country, say Germany.

Mr. SABATH. There is none.

Mr. JOHNSON of Washington. Three per cent of Germans in the country on the 1910 census become the basis for all of those who may come here from the territory once embraced in the confines of Germany——

Mr. PURNELL. But why not take the 1920 census?

Mr. JOHNSON of Washington. It is not completed, and to use such a base would add additional confusion owing to the newly created countries in Europe.

Mr. MACGREGOR. Does not the domestic servant proposition come up against the contract labor law?

Mr. JOHNSON of Washington. No; for the present immigration laws now cover the entire contract labor situation. Present laws permit a citizen to bring in his personal servants or domestic servants.

Mr. MACGREGOR. I had some difficulty some time ago for a friend who hired a domestic servant who was in Cuba or some place near there, and the authorities attempted to exclude her because she had a contract to come in here and be a domestic servant.

Mr. JOHNSON of Washington. If the person who had contracted for her services had gone to Cuba and brought her back, that servant could be brought in under the law. At any rate she was probably especially exempted and brought in.

Mr. REBER. In speaking of the 3 per cent basis upon the number of Germans——

Mr. JOHNSON of Washington. Any country.

Mr. REBER. Who does the gentleman regard as Germans?

Mr. JOHNSON of Washington. All of the people who have come to the United States in the past, as they came in designated the country in which they were born and established their nationality. Also that is carried in the census returns. We use the 1910 census because it is more certain, European

boundaries not then having been changed as now. A man who was a subject of the German Empire, having arrived prior to 1910, figures in the base for the determination of the 3 per cent which came in from what were the confines of the German Empire. The number from that particular country for the 15 months is estimated at about 93,800, and not the 150,000 or 200,000 or even 300,000 that some newspapers have claimed in their discussions of this bill. With this act, the number of Germans who may come for 15 months is limited to 93,800. Without the act an unlimited number may come.

Mr. SABATH. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. SABATH. How would they be able to tell how many came from Alsace-Lorraine or from that section of Germany that now is a part of Poland? How will you be able to tell how many came from Austria-Hungary, in view of the fact that that monarchy has disbanded, and you have Czechoslovakia and Jugoslovakia, and other independent nations? How will you be able, according to the census of 1910, to tell how many of those people came from those different independent nations that have been recognized by the United States as independent nations?

Mr. JOHNSON of Washington. If the gentleman will notice, there is a provision in the bill which says that three Secretaries of departments shall act as a board with the power to determine approximately the number who might be accredited to any one of the new countries. That is to say, the 3 per cent figure will be secured on the population in the United States in 1910 from Austria-Hungary, and an arbitrary division will have to be made to fit the present political divisions.

Mr. SABATH. Does the gentleman know that the population of Austria-Hungary was 52,000,000 before the war and that now the population of Austria is about 8,000,000 and the upper and lower Austria is about 9,000,000, making, out of 52,000,000, only 17,000,000?

Mr. JOHNSON of Washington. Even so; of all the people in present Austria or any part of the new countries that were once in Austria, a total of 62,646 of those Austrians or former Austrians may come to the United States in 15 months. That number may come, and no more, unless they are in the exempted classes of visitors and travelers, or members of the professions, or teachers, or nurses, or servants, and so on.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. NEWTON of Minnesota. In other words, the 3 per cent is on the population in this country and has nothing to do with the population over in Europe?

Mr. JOHNSON of Washington. Quite so.

Mr. PELL. Does it not seem rather extraordinary to admit one hundred and twenty-eight thousand and odd immigrants from countries with which we are now legally at war and only 178,000 from countries that fought beside us?

Mr. JOHNSON of Washington. Not so extraordinary as to leave the doors open for all the peoples of all the countries, friends and foes, allies and enemies to come.

One necessity for this bill, I will say to the gentleman, is this: I think everyone believes that in the coming Congress one of the first acts will be a declaration of peace, and, if statements are to be believed, it is believed that if steamship accommodations hold up to or increase present facilities there will be quite an exodus to the United States from one or more countries which have been the principal enemies of the United States.

Mr. PELL. Would it not be better to let the next Congress settle its own problems instead of rushing a bill like this through?

Mr. JOHNSON of Washington. This Congress represents the United States now and the next Congress will represent it then.

Mr. PELL. This is an entirely new policy.

Mr. JOHNSON of Washington. This policy has been debated and discussed, and particularly the percentage plan, ever since it was first put into a bill by Senator DILLINGHAM in 1911 or 1912, following the investigations of the Immigration Commission.

Mr. PELL. Well, this particular thing has not been discussed.

Mr. JOHNSON of Washington. The percentage plan has had more discussion than all other plans combined. Of course, this plan and all other plans will be opposed by all who oppose immigration.

Mr. MILLER. I would like to ask the gentleman if this is going to open up the Chinese proposition?

Mr. JOHNSON of Washington. It is not; or the Japanese question. Present laws and all treaties and agreements are kept in effect.

Mr. MILLER. Then it has no relation to the Chinese coming into this country?

Mr. JOHNSON of Washington. No.

Mr. BANKHEAD. This report shows that in the 15 months covered only 1,482 citizens of Belgium may be admitted.

Mr. JOHNSON of Washington. Those figures are for the 12-month period.

Mr. BANKHEAD. Seventy-five thousand Germans, 50,000 Austrians, and 51,000 Russians may be admitted?

Mr. JOHNSON of Washington. Yes; in one year; and one-quarter more for the whole 15-month period.

Mr. BANKHEAD. I would like the gentleman to state the reason that justified the placing of this basis upon the racial group.

Mr. JOHNSON of Washington. It does not. Several bills have been introduced to make the percentage on the racial group. This plan admits by nationalities. Let gentlemen be not alarmed about any figures for any country that seem like small figures. I call attention to the fact that the average immigration from Belgium for the years 1910, 1911, 1913, and 1914 was 5,690. The number which came in from Belgium for the fiscal year 1920 was 6,500. Belgium's maximum immigration under this bill will be small, for the reason that it has never been large.

Mr. BANKHEAD. Yes; but suppose there are quite a number of people from those countries who make very desirable immigrants who desire to come to this country in larger ratio than they have come in the past. They would be precluded? And these others would not be precluded?

Mr. JOHNSON of Washington. We can not say by law that we would prefer one class to another. They are placed under restriction, all alike.

Mr. BANKHEAD. But you place them under racial groupings.

Mr. JOHNSON of Washington. No; not under racial groupings, but under geographical groupings.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GARD. The House bill having been materially changed by the Senate bill, I wish the gentleman in his time would explain the differences between the Senate bill and the bill which the conferees have agreed upon.

Mr. JOHNSON of Washington. I have endeavored to point that out, but there is difficulty here this morning in being heard. We have many visitors, both on the floor and in the galleries.

Mr. BANKHEAD. Just state the point of difference presented by the conference report between the Senate bill and the conferees' bill.

Mr. JOHNSON of Washington. One was a suspension, except blood relatives of citizens; the other is a percentage restriction. If the gentleman will permit, I will reserve part of my time, and will yield to two or three opponents of the measure.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. MASON. I would like to know whether it is proposed under this law that where people come in who are relatives they are to be charged up on the 3 per cent basis?

Mr. JOHNSON of Washington. Yes.

Mr. MASON. And is there any provision in the bill which gives a preference to those who have relatives here who are citizens of the United States?

Mr. JOHNSON of Washington. Yes. The provision reads as follows:

Provided further, That in the enforcement of this act preference shall be given so far as possible to the wives and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

Those relatives have that preference.

Mr. MASON. What opportunity will we have for the discussion of the merits of this legislation?

Mr. JOHNSON of Washington. I am about to yield to the gentleman from New York [Mr. SIEGEL], a member of the committee, who opposes the measure.

Mr. MASON. It is a very important matter, Mr. Speaker. I do not want to delay any legislation, but I think it is so important that we ought to have a quorum.

Mr. JOHNSON of Washington. The gentleman will notice that it is extremely hard this morning to make one's self heard here. But the proposition is simple. Those who wish to restrict immigration for 15 months may vote for this conference report. If they do not want the report, they can vote it down. There is no other plan to regulate, restrict, or suspend immigration that is possible under the circumstances.

Mr. MASON. Mr. Speaker, I want to know if there is to be any opportunity for others to discuss the question.

The SPEAKER. The gentleman from Washington [Mr. JOHNSON] has control of the time.

Mr. JOHNSON of Washington. I will try to be as liberal as I can in the allotment of time, which is running rapidly. I yield 10 minutes to the gentleman from New York [Mr. SIEGEL].

The SPEAKER. The gentleman from New York is recognized for 10 minutes.

Mr. SIEGEL. Mr. Speaker, the bill we are asked to pass here to-day is a method of restricting immigration based upon an idea or system which has never been discussed on the floor of the House heretofore. It is legislation that has been agreed upon in conference. For the first time in the history of the Nation we are asked to legislate so that immigrants who desire to come to America shall be limited to 3 per cent of the nationals of that particular country who were in America on April 1, 1910. No logical reason can be urged why the basic foundations of this legislation, if it is desirable, should not be in accordance with the census of 1920. The census figures of 1920 will be ready not later than on April 15 of this year. The Director of the Census has told me so personally, and as chairman of the Census Committee I am in a position to state that they will be ready not later than April 15, 1921.

The net result of using the census of 1910, gentlemen, is to permit the entry into the United States from Germany and Austria, countries with which we are still officially at war, one-third of all the immigrants who are to be allowed to come into America during the next year.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. I do.

Mr. KNUTSON. Does not the gentleman admit that that is a mighty good class of people?

Mr. SIEGEL. They are a mighty good class of people. From Germany you will have coming over here every skilled man who can possibly come over, and when he arrives he is not going to do the rough work of this country. Bear that in mind.

We turn to the Allies who fought the war with us—France, Italy, and Poland—and under this bill we would take fewer people from those countries than we will receive from the enemy countries with which we are not yet officially at peace. During the late struggle Italy saved the Allies twice from defeat. The people of Italian descent in America made extraordinary sacrifices for our country during the war. So far as the Serbians are concerned, just 139 will be allowed to enter here each year under this legislation. Frenchmen may come to America to the extent of 3,500 per year. I have a table here before me showing the exact number that may come in annually under this bill. It is more correct than the one that the committee has in its report, because the committee in its report have forgotten that there is such a country as Greece in existence, and have left it out entirely in its calculations and figures. The following is the number of persons who can come to the United States under the provision of this proposed law:

Belgium	1,482
Denmark	5,449
France	3,523
Germany	75,040
Netherlands	3,624
Norway	12,116
Sweden	19,956
Switzerland	3,745
United Kingdom	77,206
Total northwestern Europe	202,212
Austria-Hungary	50,117
Bulgaria	345
Serbia	139
Montenegro	161
Greece	3,038
Italy	40,294
Portugal	1,781
Rumania	1,978
Russia	51,974
Spain	663
Turkey in Europe	967
Turkey in Asia	1,792
Total outside northwestern Europe	153,249
Northwestern Europe total	202,212
Grand total	355,461

From Turkey in Europe and Asia combined, including all the Armenians who desire to escape persecution over there, not more than 3,600 can come in in any one year. The absurdity of the entire proposition is manifest, and the most foolish part of the legislation is the fact that——

Mr. STEVENSON. Mr. Speaker, will the gentleman yield for a question?

Mr. SIEGEL. Yes.

Mr. STEVENSON. Would there be any material modification of these figures if they were based on the census of 1920?

Mr. SIEGEL. Considerably. The reason why they adopt the 1910 census is because they do not desire to have immigration come to this country from the very men who furnished a large part of the armies of the United States in the late war.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. SIEGEL. I do.

Mr. WILSON of Louisiana. If this was based on the census of 1920 would the gentleman support the bill?

Mr. SIEGEL. If it was based on the census of 1920 with at least a 5 per cent basis, plus a humanitarian provision, I might seriously consider supporting the bill. By a humanitarian provision I mean this, that there are numerous cases of boys and girls 16 and 17 years of age who arrive in this country who have escaped from the other side, who can not pass the literacy test, and they are returned to Europe. Parents of 53 or 54 years of age, not 55, who can not read 40 words, are returned to Europe. We ask a humanitarian provision that will cover those cases and thus relieve cases of the most terrible suffering.

Mr. BANKHEAD. If you substitute the census of 1920, does it change the figures as to the admissibility of the Germans, Austrians, and Russians; and if so, how much?

Mr. SIEGEL. Considerably, because there has been practically no German immigration during the past 10 years, from 1910 to 1920. And I will say this, that Senator DILLINGHAM never anticipated the 3 per cent proposition being passed. He desires to see this question determined by a sense of fairness. Neither did he anticipate that our committee would ever agree to such a proposition.

Mr. JOHNSON of Washington. He voted for it.

Mr. SIEGEL. I am not going to discuss what he said in conference. I know he considered a 5 per cent basis and a humanitarian clause extremely desirable. Once this bill passes, that decision will be held by foreign nations to be our determination regarding the right of aliens to come here. We have constantly heard that the aliens from northwestern Europe have not produced any of the social unrest in America. Those who have made this statement have endeavored to have the public at large believe that the social unrest which is alleged to exist is caused in those States where the so-called new immigration has settled. The correct way of looking at this proposition is to take those States where the old immigration exists and to see how the votes were cast for President, particularly for Debs. The State of Wisconsin is an old immigration State. It has a very large number of Germans. The voters of that State cast 11½ per cent of their votes for Debs. Another old immigration State is Minnesota. Scandinavians predominate there beyond dispute. It cast 8 per cent of its vote for Debs. In the State of New York, which is one of the so-called new immigration States, Debs received barely 7 per cent of the vote cast for President. Where are the separate language schools found? In Wisconsin we find the separate German schools. In Nebraska the same condition prevailed until recently. When discussion arises regarding higher wage standards, every sensible, thinking, fair-minded citizen knows that it was when the new immigration came into America that wages rose. It is admitted by everyone that in the Southern States wages are low. The reason for that is that there is less than 2 per cent of aliens in the population of those States.

If fairness and justice were to be subserved, a different basis of calculation for the entry of immigrants would have been adopted, and if the percentage basis is to be the foundation thereof, then the census of 1920 should have been used.

When war was declared against Germany and Austria we did not take the census of 1910 as a basis for calling men into the service under the selective draft law. It is obvious that no reason exists for the adoption of the 1910 census as the basis of immigration legislation during the year of 1921, except the desire to forget the service which was rendered to this country by the hundreds of thousands of aliens who had come to America during the last 11 years and waived exemption in order to enter the Army. They fought and died for America, yet when the question arises as to whether their surviving relatives are to be permitted to enter here, they are told that they do not count as a basis of calculation.

But those who were our German and Austrian aliens do count as a basis of calculation. What is fair for one country should be fair for all.

There were 1,722 men in the United States who gave up their first papers in order to avoid entering the Army. One-half came from the old immigration countries, namely, Norway and Sweden. The new immigration practically produced no cowards of this kind.

Mr. Speaker, Members of Congress, moved on by hysteria, urged on by propaganda, excited by cartoons, and pushed forward by the same forces which for many years have endeavored to bar the doors of America to good, law-abiding aliens, prepared to do the rough, hard work of the Nation, seeking in

numerous cases an escape from oppression and persecution in Europe, often flying to America as political refugees, are to be kept out under this act under a percentage system.

The sensible American citizen is bound to wake up and to learn that this bill is bound to discriminate against would-be immigrants who are morally, physically, and mentally fit to be admitted into this country. Whence will come the men to do the unskilled labor of America? will be the question which the proponents of this measure will be unable to answer within the next few months, when the Republic sees a wave of real prosperity, and when American merchants and business men go forward with their trade with South America, Europe, and Asia.

Every American citizen must condemn the adoption of a 3 per cent method based upon the census of 1910, and the President, I feel confident, knowing of the loyalty, devotion, and patriotism of the millions of men and women who have heretofore come into America, helping to make this country larger, bigger, and more prosperous, will look at this legislation in a different light, unmoved by those forces of prejudices and undeterred from performing that duty which is his under the Constitution.

The President knows that since the new immigration has come to America that wages have risen and progress in education has been the greatest. He will take the figures and he will find that wherever they have settled they have encouraged appropriations for education, and that illiteracy has been reduced.

Mr. KNUTSON. Will the gentleman yield?

The SPEAKER. The time of the gentleman has expired.

Mr. SIEGEL. This bill should be laid aside until there has been proper consideration of this subject and a proper percentage adopted, if the percentage system is to be used. It is for the best interests of America to act wisely, carefully, and deliberately upon a question which must affect millions of human beings. [Applause.]

Mr. JOHNSON of Washington. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, in five minutes it is absolutely impossible to discuss a matter of such grave importance as this. I can only make a few general observations.

We have been going through this Great War, which was the natural producer of a great deal of hysteria. Men who were sane upon most subjects became insane. Propaganda has been passed around so that now the American people are awake to the fear that we are in great danger of the bolshevists coming in here, as though the American people did not have enough patriotism and enough education to protect ourselves against some men who come in here trying to teach us some new form of government.

Before the Committee on Foreign Affairs the other day, when the matter was under discussion—and it was not in executive session—I asked the gentleman representing the Secretary of State, upon the question of Russia, if he was afraid of the bolshevists coming in here and teaching our American boys to be bolshevists and to be against this Government and he said absolutely not.

Now, as a matter of fact, we have the same interests and we are all in the same situation here in this House, and I do not want to indulge in any lecture. You all have the same privileges that I have. I am representing my constituents the best I know how. But all that is necessary to pass a bill here, whether it is for the robbery of the Treasury or the looting of Uncle Sam's money, is to make a howl about immigration. As a matter of fact, it has been a part of the policy of this Government to encourage immigration, and you are all immigrants, everyone of you. Your parents were immigrants. We are their descendants, and yet we are starting in here now to gather about ourselves a cloak of exclusiveness and to say we are so much better than any other people in the world that a man can become popular among the hysterical people of this country when he says we must stop immigration.

You all broke your promise yesterday in passing a bill to continue your war measure, so that no man can come from the United Kingdom to this country without the recommendation of his master, the King. If he comes from India, he must have the approval and recommendation of the King. If he comes from Ireland or South Africa, the same is true. Two or three days ago you passed a bill in violation of your promise that you would repeal war measures, and you have reenacted the worst war measure which has done more than any other to interfere with the peace and comfort of the people of this country.

Now, they propose to say to Germany if you have 100 people here we will let 3 more come in. They propose to say to Italy if you have 400 people here we will let 3 out of every 100 come in. There are people in the country who fought for this country, whose aged father and minor children are over there being held, some starving to-day in the capitals of Europe waiting for a visé, for an opportunity to get a passport. What are you doing for the people of Russia—you want their business, you want their trade, and under the provisions of this law a certain number from Russia will be admitted, but your war laws you have reenacted provide that they must have a passport. A passport? In the name of God, from whom—from Lenin and Trotski?

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I yield to the gentleman two minutes more.

Mr. MASON. It is a great thing in this country to change your whole policy, the policy laid down by the fathers when they made the Declaration of Independence against Great Britain, and the foundation of their complaint against Great Britain was that they controlled the immigration of this country. It is a wonderful situation here proposed, to change the whole policy, and you allow seven minutes for discussion. It has never been considered by a committee in the House so far as I know; it has never been considered by the Committee on Foreign Affairs, of which I am a member, and you are saying now, which is an insult to every nation, that only 3 per cent of the people they have here now may come for the next year and three months. Mr. Speaker, no man can do the subject justice. I do not want to delay the game, but I would like permission to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object.

Mr. MASON. Mr. Speaker, I think if gentlemen will be fair—we represent our constituents. I have seven minutes to discuss this most important measure, and I hope the gentleman will give me a chance to analyze this bill.

Mr. McCLINTIC. If the gentleman wants to do that, let him ask unanimous consent and get more time.

Mr. MASON. Mr. Speaker, I ask unanimous consent that I may have 10 minutes more.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the time be extended 10 minutes, and that he shall occupy that time. Is there objection?

Mr. KNUTSON. Mr. Speaker, there are a number of Members who wish to be heard on this question, and if the gentleman from Illinois is to have 15 minutes the rest of us are going to be cut out.

Mr. WINGO. Reserving the right to object, and I shall not object, may I suggest to the gentleman from Washington and the gentleman from Wyoming that there is a great deal of confusion as to this conference report. Members on both sides say they do not understand it. I suggest the wisdom and necessity of extending the time and let the gentleman from Washington control it.

Mr. JOHNSON of Washington. Reserving the right to object, I think if the House will agree to let the gentleman from Illinois [Mr. MASON] state his position, there will be enough time remaining if the House will keep in good order. It is idle to talk as I did this morning, attempting to explain the amendment, when I could not be heard five seats back, although my voice will carry a block and a half.

Mr. WINGO. When we try to get information they immediately shut us off. I have studied this very closely, and if we can not have time I will object to anyone having an extension of time. I am willing that the gentleman from Washington shall control the time.

Mr. GARD. Mr. Speaker, I move to amend the motion of the gentleman from Illinois by extending the time 30 minutes.

The SPEAKER. The gentleman from Illinois is asking unanimous consent.

Mr. GARD. Then I move to amend the request for unanimous consent so as to allow 30 additional minutes for the consideration of this bill, the time to be controlled by the gentleman from Washington, the chairman of the committee.

Mr. MONDELL. Mr. Speaker, we have many important matters before the House to-day. I believe that with a judicious use of the hour the gentleman from Washington controls, it will be sufficient to fully inform the House in regard to this conference report.

The SPEAKER. Objection is made.

Mr. JOHNSON of Washington. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MASON] five minutes more.

Mr. MASON. Mr. Speaker, under this proposed legislation the countries who have the most immigrants will be allowed to send the largest number of immigrants. Now, there will be abundant time to fairly consider this matter of immigration into

this country at the next session. The people have indorsed the Republican Party to do that thing. Inside of 40 or 50 days everything can be provided by law. We will be here and we can discuss openly and fairly the whole matter, and those Members who come here new and fresh from the people will be able, perhaps, to enlighten us about the wishes of the people on this question of immigration.

Why the need of forcing this sort of legislation through without discussion and without education? I have been a student of this matter, somewhat in a feeble way, for many years, and this is the first time I ever heard of the proposition—"Germany, you have 100 people here and you may send 3 more; Ireland, you have nobody here and you can not send anybody; go to the master and get a passport." England can unload her paupers, if the King wants to get rid of them, and put them into our poorhouses, but the people that come from Norway and Sweden can only have 3 more out of every 100 that they had here in 1910.

In the great city that is a part of my district, and all over the State of Illinois, which I represent, there are hundreds and hundreds of people who have made a success here in the United States who want to bring their aged and dependent people here. They are not a burden to the American people. They are consumers, and they become patrons of the farmer and the manufacturer, and the son or brother who has been able to lay by his money to take care of those old people ought to be allowed to bring them in. He spends his money here. They do not come in competition, many of them, with the labor of this country, but under this bill that you propose now for the next 15 months the people here, weighted down and broken hearted, waiting for a renewal of their family relations, finding out for the first time those who are still living and wanting to help them to come here, are told that they can not do it. You shut out all of the people of Russia, taking this bill together with your reenactment of the war law. Suppose a man wants to come here from some one of the various parts of that great Russian territory. How is he going to come here? How can he get in? There is no one there under the law to give him a passport. We can not recognize and do not recognize under this administration the soviet government. As a matter of fact, you close them out entirely, and, whether you like it or not, it is that class of people that you are voting against and working against. You are also voting and working against the Italians, Bohemians, Norwegians, Swedes, Poles, and Jews who want to bring their friends in here. They fought with us. The Italian-Americans and all adopted Americans who went from the city of Chicago brought back glory on account of their own conduct to our flag and to our country, but you say to them, "There are 100 of you people here, and you can pick out 3 more whom you may bring in now for the next 15 months." Again, I say you have gotten into a situation of hysteria. The American people can protect themselves against the bolshevists and against any man who comes here to preach the doctrine of government destruction by force. We know how to handle them in Chicago.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I have objected to others extending their remarks in the RECORD, and I have to be consistent and object.

Mr. MASON. You know a man may be consistent and be wrong.

Mr. VAILE. Mr. Speaker, I think the last remark of the gentleman from Illinois [Mr. MASON] was very appropriate, that we may make a mistake in being too consistent. That remark was made in view of the comment of the gentleman from Oklahoma [Mr. McCLINTIC] that he had to be consistent and prevent the gentleman from Illinois from extending his remarks in the RECORD.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. VAILE. Not now, because there is another consistency that I want to pursue.

Mr. McCLINTIC. The gentleman has made a reference, and I want to reply to it.

Mr. VAILE. I do not think that reference is one which requires a reply.

The SPEAKER. The gentleman declines to yield.

Mr. VAILE. I want to add that there is such a thing as being too consistent on matters of national policy. For many years, as the gentleman from Illinois [Mr. MASON] has pointed out, although he did not view it from quite that angle, we have pursued a national policy of not being careful about who came to the United States or what should be the elements of our population. I wish to comment upon that suggestion.

It has been also stated in argument that we are all immigrants, or the sons of immigrants. If that means that we or our ancestors all came from some other country, of course, it is true, but I submit that it means absolutely nothing whatsoever in argument, because it ignores the great fundamental truth which some people in the United States would have us forget that the people of the United States have a distinct European history, that they are of distinct racial stock, that they have a distinct language, that they brought to this country 300 years ago particular conceptions of Government, that they worked those conceptions of Government into a constitution of their own, and that under that constitution they have developed the most just, wise, and liberal laws of any nation on the face of this globe, laws which have given us a country now attracting the people from all parts of the world. What is that history and that racial stock and that language? That racial stock is, as I shall endeavor to prove to you, at least three-fourths of the Nordic race. It is not the only good race in the world, but it happens to be the race of most of the people who are here. That distinct language is the English language; that distinct history is the history of the constitutional Governments of western Europe, and particularly the history of England, from which we derive our jurisprudence. Whatever help we have got, and we have obtained a whole lot of it from the red blood of other lands, has been by addition to what we already had, not by any change in its form or substance. Going a little more into details, who are the people of the United States? By the first census taken right after the Revolutionary War our total population was figured at about three and a quarter millions.

Patrick Henry, in his "Give me liberty or give me death" speech, said 15,000,000, but that was oratory. Of that three and a quarter millions, 2,600,000 were people of English-speaking stock—coming from England, Ireland, and Scotland. Of the 2,600,000, a little over 2,300,000 were people from England. What is the situation to-day? By the 1900 census we have about 34 per cent of people and by the 1910 census about 35 per cent of people who themselves were born in some other country than the United States or who had one ancestor born in some other country. About one-third of that 34 and 35 per cent, by the 1910 census, are of English-speaking birth or parentage. In other words, only about one-quarter of our present population is of non-English-speaking stock.

Other stocks are fine, and we have obtained lots of strength from them; but a nation, as was suggested very appropriately by somebody at the peace conference, is a country where they have a history of their own, a language of their own, institutions of their own, and enough national consciousness to preserve them. We are starting here this very day on a policy of preserving what we have. We are glad to welcome others who will come with us and be absorbed with us and be like us, and that is one reason why we have selected the census of 1910. We may have made a mistake in selecting that census, but it can not be much of a mistake in any event, and if it is a mistake at all we shall have 15 months in which to find it out.

And why should gentlemen who are opposed to any restriction of immigration stand up here and object to such a liberal provision as will allow upward of 40,000 from Italy? Why should gentlemen who do not entirely agree with my view stand up here and object to applying the same percentage rates to people from Germany and Austria, countries which have given us some of our best citizens in the past? [Applause.] We shall soon be formally as well as actually at peace, and we should not then discriminate against those countries.

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Washington. Mr. Speaker——

Mr. BLANTON. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Yes; briefly.

Mr. BLANTON. Under this proposed legislation we have a restriction which will reduce immigration to 500,000 or less for 15 months' time. Without this proposed legislation we have probably no restriction. Is that so?

Mr. JOHNSON of Washington. Yes. The point is here that without some restriction anybody in the world, except China and some Asiatic countries, who can pass the tests of the present immigration law may come to the United States, whether they are needed or not.

Mr. BLANTON. But this restricts to a certain number?

Mr. JOHNSON of Washington. That is correct.

Mr. RAKER. Is not the gentleman going to yield a little time to some Members on this side of the House?

Mr. JOHNSON of Washington. I want to do so, but I will submit——

Mr. RAKER. Does not the gentleman think he ought to do so?

Mr. JOHNSON of Washington. Yes; but I want to submit the situation to my fellow conferee and see if he will not agree with me. Our time is now about out—will be out within about 15 minutes. Numerous queries are being made and detailed statements are wanted concerning the bill. If Members will take time on the floor to discuss all of the intricacies and angles of the whole immigration problem, the gavel will fall at 12 o'clock noon and find us still at it.

Mr. RAKER. Let me call attention.

Mr. JOHNSON of Washington. How much time does the gentleman want? I will give him five minutes.

Mr. SABATH. Mr. Speaker——

The SPEAKER. The time of the gentleman from Washington is being consumed.

Mr. SABATH. I have been promised by the gentleman from Washington some time.

Mr. JOHNSON of Washington. How much time does the gentleman want?

Mr. SABATH. And I think I am entitled to some time.

Mr. JOHNSON of Washington. I will yield to the gentleman from Illinois [Mr. SABATH] five minutes.

Mr. SABATH. Mr. Speaker, I fully appreciate that it matters not how iniquitous and how discriminatory this bill is, in the great desire to "save" the Nation of the imminent imaginary danger which is claimed threatens our country from immigration, the majority of the Members will vote for it. Mr. Speaker, I am more than satisfied that if the Members of this House could dismiss from their minds the misleading reports, statements, and articles, and others their strong prejudice, this bill would not receive the approval of the House.

Mr. Speaker, on the morning of the 6th of December, and before the House convened, the Committee on Immigration and Naturalization, unwarranted and in violation of the rules and precedents of this House, reported a bill which had not been introduced in the House nor referred to the committee. The bill, however, was amended and humanized on the floor of the House so that when it finally passed it was a fair and reasonable, though unnecessary, measure. Notwithstanding that the House was unduly hasty in considering and passing the bill, I was pleased with the point of view that was displayed by the majority of the Members that day. Though the bill as amended on the floor of the House suspended immigration for a period of 12 months, it did not exclude the blood relatives of those now resident in the United States, and thus made it possible to bring about the reunion of families. It provided that a citizen of the United States who is a resident of the United States may, under regulations prescribed by the Secretary of Labor, send for an otherwise admissible wife, parent, grandparent, unmarried son or brother under 21 years of age, unmarried or widowed daughter or sister, grandson under 16 years of age whose father is dead, and any alien who has declared his intention to become a citizen of the United States, and who is a resident of the United States, may make application to bring in an admissible husband or wife, unmarried son under 21 years of age, or unmarried or widowed daughter.

Mr. Speaker, the bill also authorized the Secretary of Labor the right of discretion to waive the literacy test of such relatives.

The Senate has stricken out all after the enacting clause of the House bill and substituted in lieu thereof a complete new bill embodying a new principle never considered by this House, namely, the so-called percentage basis. Mr. Speaker, the House conferees instead of endeavoring to carry out the action of the House succeeded in eliminating the only two favorable provisions in the Senate bill—namely, the provision that excluded from the 3 per cent ratio aliens returning from temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denominations, professors, or persons employed as domestic servants, and also the provision that the Secretary of Labor may in individual cases admit aliens in excess of the maximum number when, in his opinion, such action is justifiable as a measure of humanity.

Mr. Speaker, the bill as agreed upon by the conferees now before the House is so uncertain in many of its provisions that it will create not only complications but will cause to thousands of those unfortunate peoples, most of whom are desirous of coming for the purpose of joining their relatives, others again who are fleeing from oppression, persecution, and starvation, hardships impossible to describe.

Mr. Speaker, the bill as amended and passed by the House made it clear that no one but the blood relatives and a few clearly designated and exempted classes could come. This bill provides that 3 per cent of any nationality residing in the United States are permitted to come. The Senate, realizing the uncertainty that this provision would cause, has provided that reports should be made from time to time as to the number of any given nationality that have already been admitted. This provision was intended to safeguard those desiring to come, so when they reach our shores they will not be turned back because their quota has been reached. If the committee had only considered how impossible it will be to bring that information to the anxious people who have secured passage on ships in the ports of the various countries, I can not help but believe that they would have hesitated before adopting this uncertain provision. I would rather see twenty—yes, fifty—aliens being estopped and prevented from coming than to see one deported after reaching our shores.

No one who is familiar with the trials and hardships that such aliens are subjected to before reaching this country can appreciate how justified I am in making this statement. In fact, I would rather see our doors completely closed than this narrow steel or iron gate partially opened, because then, when the 3 per cent is reached, the gates abruptly shut and many are bound to be crushed.

This bill will also discriminate against the wives and children of those who come from the countries which have secured their independence but, unfortunately, have not been recognized by the United States. It will also close the doors to political refugees and those fleeing from religious persecution. The provision that the census of 1910 should govern will discriminate against the people who were former subjects of Austria-Hungary, and of Germany, but who have secured their freedom and independence, and who no longer are known as Austro-Hungarians or Germans, but now known as French, Alsace-Lorrainers, Czecho-Slovaks, Poles, and Jugo-Slavs. No one can deny that these people that are so discriminated against in this bill are the very people that have shown the very greatest amount of loyalty and patriotism during the greatest hour of our need.

The time nor do the rules of the House permit me to insert the number that will come from the various countries, and I only regret that the membership of this House is not given a chance and opportunity to study these figures as embodied in the report of the conferees.

If that would be possible, I feel that many a Member would not cast his vote for this iniquitous, un-American, harsh, and inhumane measure.

Mr. ROMJUE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROMJUE. How much time is there remaining?

The SPEAKER. Six minutes.

Mr. JOHNSON of Washington. Mr. Speaker, I think I have six minutes.

The SPEAKER. Yes.

Mr. JOHNSON of Washington. Mr. Speaker, I ask to be notified when I have consumed five minutes.

Mr. STEVENSON. Before beginning will the gentleman permit one question. I see on the thirteenth page the words "for the purpose of this act nationality shall be determined by country or birth, but the term 'country' shall not be held to include colonies or dependencies, which colonies or dependencies shall be considered as separate countries." Now, the question is, take, for instance, Ireland. Would it be a separate country, or can England absorb all the 3 per cent coming here and Ireland be shut out? That is a question that appeals to me.

Mr. JOHNSON of Washington. If it is considered part of the British Empire, it does.

Several gentlemen rose.

Mr. JOHNSON of Washington. I can only answer one at a time.

Mr. RAKER. There is no chance for any Members on this side of the House if the gentleman only has six minutes.

The SPEAKER. There will be abundant time if the House so desires. The time has not been fixed yet, and if the House desires to hear gentlemen, it has control of the time.

Mr. JOHNSON of Washington. Now, gentlemen, I ask not to be interrupted for about four minutes.

Mr. SABATH. Before you make that request, may I ask a question? Is the gentleman aware of the report that appears in to-day's Post showing that the Federation of Labor is opposed to this bill?

Mr. JOHNSON of Washington. I do not think the great body of the Federation of Labor has acted on this matter; their leaders here may have acted in opposition, but if they have it would not make any difference. [Applause.] Their leaders acted ahead of the last election, and with what result?

Mr. FOCHT. What language is that printed in? Is it Yiddish?

Mr. SABATH. No; it is the Washington Post.

Mr. JOHNSON of Washington. Mr. Speaker, this is more than a question of labor's desires. Besides, the debate is not entitled to cover the whole immigration problem. We are trying to discuss what is in the Senate amendment to the House bill as amended in conference. I have tried to explain the provisions.

The whole thing simmers now to this: There has been a demand for steps, some legislation, that might act as a bar to an influx of immigration from all the countries of Europe greater than we, the people of the United States, can stand, particularly at this time when there is much unemployment. This measure is temporary, pure and simple. The objections of the gentleman from Illinois [Mr. SABATH] are met in a provision to the clause which I desire to call to your particular attention, the one that is marked (d) at the bottom of page 2 of the report:

Provided further, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, * * * may be admitted, notwithstanding the maximum number of aliens of the same nationality—

And so forth.

It provides that they may come in and shall be counted up to the maximum, but when that maximum is reached they shall still come in. An alien returning from a visit may come in, no matter what the count. Business men and tourists may come in. This legislation is designed pure and simple, my friends, to shut down for 15 months on the number of immigrants who are disposing of everything they have got in nearly all of the European countries in the effort to get to the United States, the effects of which we saw during the six months up to January 1, and which now have caused, this very morning, 20 ships to be out in New York Harbor unloadable, even for passengers, immigrants, or cargo. The time is here, my friends, to make a suspension of immigration, as extensive as can be secured in this amendment, if you want suspension at all. The problem is as simple as can be. I can not discuss the paragraphs further in the time limit. Do we need suspension?

I have a brief statement made over in Pennsylvania on last Washington's Birthday by Dr. Paul Shorey, of the University of Chicago, which in my opinion answers the question.

Mr. SABATH. Professor of what?

Mr. JOHNSON of Washington (continuing). He says——

Mr. SABATH. Professor of what?

Mr. JOHNSON of Washington. Professor of Greek in the University of Chicago.

Mr. SABATH. Oh, professor of Greek.

Mr. JOHNSON of Washington. He says:

Our American spiritual unity, which seemed so secure a few decades ago, is not yet forfeited but is gravely threatened. The two chief measures that will preserve it are, first, the temporary restriction of immigration until we have digested our present surfeit of un-Americanized aliens; and, second, the intelligent foresight and the fearless resolution to insist that this is, ought to be, and shall remain a Nation of one language.

[Applause.]

He says further:

It is a false sentiment to protest that we are proposing to persecute the poor immigrant. It is as much to the interest of his children as ours that America shall not be flooded, and that it should remain free from the feuds and misunderstandings of Europe.

[Applause.]

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Washington moves the previous question on the conference report.

Mr. WINGO. Mr. Speaker, the gentleman promised to explain the bill, but has not done it. Why does he want to shut off the debate?

Mr. JOHNSON of Washington. I have explained it three times.

Mr. SABATH. He has explained it as well as it can be explained. It can not be explained.

The SPEAKER. The question is on ordering the previous question.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WINGO. Division, Mr. Speaker.

The House divided; and there were—ayes 132, noes 24.

So the previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. TAGUE. Division, Mr. Speaker.

The House divided; and there were—ayes 146, noes 28.

Mr. SABATH. Mr. Speaker, I make the point there is no quorum present.

The SPEAKER. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members; as many as are in favor of agreeing to the conference report will, as their names are called, vote "yea"; as many as are opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 296, nays 40, answered "present" 2, not voting 90, as follows:

YEAS—296.

Ackerman	Evans, Nebr.	Lankford	Ricketts
Almon	Evans, Nev.	Larsen	Robinson, N. C.
Anderson	Fairfield	Layton	Robsion, Ky.
Andrews, Nebr.	Farr	Lazaro	Rogers
Anthony	Fields	Lea, Calif.	Romjue
Ashbrook	Fisher	Lee, Ga.	Rose
Aswell	Flood	Lehlbach	Rouse
Bankhead	Focht	Lesher	Rowe
Barbour	Fordney	Linthicum	Sanders, La.
Barkley	Foster	Little	Sanders, N. Y.
Begg	French	Longworth	Schall
Benham	Fuller	Luce	Scott
Black	Gandy	Lufkin	Sells
Bland, Ind.	Gard	Luhring	Shreve
Bland, Mo.	Garrett	McArthur	Sinclair
Bland, Va.	Godwin, N. C.	McClintic	Sinnott
Blanton	Goodall	McCulloch	Sisson
Boies	Goodykoontz	McDuffie	Slemp
Bowers	Gould	McFadden	Smith, Idaho
Bowling	Graham, Ill.	McKenzie	Smith, Mich.
Box	Green, Iowa	McKeown	Smithwick
Brand	Greene, Vt.	McLaughlin, Mich.	Snell
Briggs	Griest	McLaughlin, Nebr.	Snyder
Brinson	Hadley	McLeod	Steagall
Brooks, Ill.	Hardy, Colo.	McPherson	Stedman
Brooks, Pa.	Hardy, Tex.	Magee	Steenerson
Buchanan	Harreld	Major	Stephens, Miss.
Burroughs	Harrison	Mapes	Stephens, Ohio
Butler	Hastings	Martin	Stevenson
Byrnes, S. C.	Haugen	Mays	Stoll
Byrns, Tenn.	Hawley	Merritt	Strong, Kans.
Campbell, Kans.	Hayden	Michener	Strong, Pa.
Campbell, Pa.	Hays	Miller	Summers, Wash.
Cannon	Hernandez	Milligan	Sumners, Tex.
Cantrill	Hersey	Montague	Sweet
Caraway	Hersman	Moore, Ohio	Swindall
Carss	Hickey	Moore, Va.	Swope
Carter	Hicks	Moores, Ind.	Taylor, Ark.
Christopherson	Hill	Mott	Taylor, Colo.
Clark, Fla.	Hoch	Mudd	Taylor, Tenn.
Cole	Hoey	Murphy	Temple
Collier	Holland	Neely	Thompson
Connally	Houghton	Nelson, Mo.	Tillman
Cooper	Howard	Nelson, Wis.	Timberlake
Copley	Huddleston	Newton, Minn.	Tincher
Crago	Hulings	Newton, Mo.	Towner
Cramton	Hull, Iowa	Nicholls	Treadway
Crisp	Hull, Tenn.	Nolan	Vaile
Crowther	Humphreys	O'Connor	Vestal
Currie, Mich.	Hutchinson	Ogden	Vinson
Dale	Jacoway	Oldfield	Voigt
Dallinger	James, Va.	Oliver	Volstead
Darrow	Jefferis	Olney	Walters
Davis, Minn.	Johnson, Ky.	Osborne	Ward
Davis, Tenn.	Johnson, Miss.	Overstreet	Wason
Dempsey	Johnson, S. Dak.	Padgett	Watson
Denison	Johnson, Wash.	Paige	Weaver
Dickinson, Iowa	Jones, Pa.	Park	Webster
Dickinson, Mo.	Jones, Tex.	Parker	Welling
Dominick	Kearns	Parrish	Welty
Doremus	Keller	Peters	Whaley
Dowell	Kelley, Mich.	Purnell	Wheeler
Drane	Kelly, Pa.	Quin	White, Kans.
Drewry	Kendall	Radcliffe	White, Me.
Dunbar	Kettner	Rainey, Henry T.	Williams
Dupré	Kiess	Raker	Wilson, Ill.
Eagle	Kincheloe	Ramseyer	Wilson, La.
Echols	Kinkaid	Randall, Calif.	Woods, Va.
Edmonds	Kleczka	Randall, Wis.	Woodyard
Elliott	Knutson	Rayburn	Wright
Elston	Kraus	Reber	Yates
Emerson	Lampert	Reed, N. Y.	Young, N. Dak.
Esch	Langley	Reed, W. Va.	Young, Tex.
Evans, Mont.	Lanham	Rhodes	Zihlman

NAYS—40.

Babka	Freeman	Kennedy, R. I.	Riordan
Britten	Gallagher	King	Sabath
Browne	Gallivan	McAndrews	Sherwood
Burdick	Ganly	MacGregor	Siegel
Carew	Glynn	Mason	Smith, Ill.
Chindblom	Goldfogle	Mead	Tague
Cleary	Greene, Mass.	Minahan, N. J.	Tilson
Coady	Griffin	O'Connell	Tinkham
Cullen	Igoe	Pell	Walsh
Eagan	Juul	Phelan	Wood, Ind.

ANSWERED "PRESENT"—2.

Bell Mansfield

NOT VOTING—90.

Andrews, Md.	Clark, Mo.	Dyer	Hamilton
Ayres	Classon	Ellsworth	Hudspeth
Bacharach	Costello	Ferris	Husted
Baer	Curry, Calif.	Fess	Ireland
Bee	Davey	Fish	James, Mich.
Benson	Dent	Frear	Johnston, N. Y.
Brumbaugh	Dewalt	Garner	Kahn
Burke	Donovan	Good	Kennedy, Iowa
Caldwell	Dooling	Goodwin, Ark.	Kitchin
Candler	Doughton	Graham, Pa.	Kreider
Casey	Dunn	Hamill	Lonergan

McGlennon	Patterson	Rubey	Thomas
McKinley	Perlman	Rucker	Upshaw
McKinley	Porter	Sanders, Ind.	Vare
Madden	Pou	Sanford	Venable
Maher	Rainey, Ala.	Scully	Volk
Mann, Ill.	Rainey, John W.	Sears	Watkins
Mann, S. C.	Ramsey	Sims	Wilson, Pa.
Monahan, Wis.	Ransley	Small	Wingo
Mondell	Reavis	Smith, N. Y.	Winslow
Moon	Riddick	Steele	Wise
Mooney	Rodenberg	Stiness	
Morin	Rowan	Sullivan	

So the conference report was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. BELL (for) with Mr. VARE (against).

Mr. CURRY of California (for) with Mr. SULLIVAN (against).

Mr. UPSHAW (for) with Mr. PERLMAN (against).

Mr. PORTER (for) with Mr. SMITH of New York (against).

Mr. FESS (for) with Mr. VOLK (against).

Until further notice:

Mr. MADDEN with Mr. POU.

Mr. DUNN with Mr. CLARK of Missouri.

Mr. KAHN with Mr. DENT.

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. RAMSEY with Mr. MANSFIELD.

Mr. MONDELL with Mr. WINGO.

Mr. IRELAND with Mr. BEE.

Mr. MANN of Illinois with Mr. SIMS.

Mr. GOOD with Mr. AYRES.

Mr. BURKE with Mr. GOODWIN of Arkansas.

Mr. DYER with Mr. MCKINLEY.

Mr. FISH with Mr. DEWALT.

Mr. KREIDER with Mr. STEELE.

Mr. MCKINLEY with Mr. CANDLER.

Mr. REAVIS with Mr. KITCHIN.

Mr. RODENBERG with Mr. JOHN W. RAINEY.

Mr. SANDERS of Indiana with Mr. DONOVAN.

Mr. WINSLOW with Mr. VENABLE.

Mr. BACHARACH with Mr. RUCKER.

Mr. CLASSON with Mr. SMALL.

Mr. HUSTED with Mr. FERRIS.

Mr. KENNEDY of Iowa with Mr. WILSON of Pennsylvania.

Mr. MONAHAN of Wisconsin with Mr. DOOLING.

Mr. RIDDICK with Mr. MOON.

Mr. STINESS with Mr. WATKINS.

Mr. SANFORD with Mr. CASEY.

Mr. COSTELLO with Mr. DOUGHTON.

Mr. ELLSWORTH with Mr. HUDSPETH.

Mr. BAER with Mr. SEARS.

Mr. RANSLEY with Mr. THOMAS.

Mr. GRAHAM of Pennsylvania with Mr. WISE.

Mr. MORIN with Mr. ROWAN.

Mr. PATTERSON with Mr. GARNER.

Mr. JAMES of Michigan with Mr. MAHER.

Mr. HAMILTON with Mr. MCGLENNON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The conference report is agreed to. The Doorkeeper will open the doors.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the last vote was laid on the table.

LANDS IN FORT BELKNAP INDIAN RESERVATION, MONT.

Mr. SNYDER. Mr. Speaker, I move to take from the Speaker's table the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, disagree to the Senate amendments, and agree to a conference.

The SPEAKER. The gentleman from New York moves to take from the Speaker's table the bill H. R. 13225, with Senate amendments, disagree to all the Senate amendments, and agree to a conference. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Chair will appoint the following as conferees on the part of the House: Mr. SNYDER, Mr. CAMPBELL of Kansas, and Mr. CARTER.

EMERGENCY TARIFF LEGISLATION—CONFERENCE REPORT.

Mr. FORDNEY. Mr. Speaker, I call up the conference report on the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The SPEAKER. The Clerk will report it.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 19, 20, and 21, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert a comma and the following: "except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert a semicolon and the following: "olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than 5 gallons"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"19. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40 degrees, 24 per cent ad valorem; testing above 40 degrees and not above 56 degrees, 3½ cents per gallon; testing above 56 degrees, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be; according to polariscopic test."

And the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"20. Butter, and substitutes therefor, 6 cents per pound."

And the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"24. Wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $2.35 per pound; if stemmed, $3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

"The term 'wrapper tobacco' as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term 'filler tobacco' means all other leaf tobacco."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"25. Apples, 30 cents per bushel."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"26. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"27. Olives, in solution, 25 cents per gallon; olives, not in solution, 3 cents per pound."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "16 and 18"; and the Senate agree to the same.

J. W. FORDNEY,
WM. R. GREEN,
NICHOLAS LONGWORTH,
Managers on the part of the House.

BOIES PENROSE,
P. J. MCCUMBER,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

On No. 1: The House bill imposed a duty of 30 cents per bushel on wheat. The Senate amendment increases the rate to 40 cents, and the House recedes with an amendment making the rate 35 cents per bushel.

On No. 2: The House bill contained no duty on flaxseed. The Senate amendment proposes a duty of 30 cents per bushel of 56 pounds, and the House recedes.

On No. 3: The Senate amendment proposes to except rice cleaned for use in the manufacture of canned foods from the duty of 2 cents per pound upon cleaned rice imposed by the House bill, and the House recedes with an amendment making it clear that the rice excepted from the 2-cent rate shall pay 1 cent per pound as provided by existing law.

On No. 4: The Senate amendment proposes to raise the duty on lemons from 1½ cents per pound, as provided in the House bill, to 2 cents per pound, and the House recedes.

On No. 5: The Senate amendment proposes a duty on olive oil of 60 cents per gallon in bulk and of 70 cents per gallon in containers of less than 5 gallons. The House bill contained no duty on olive oil. The House recedes with an amendment making the duty 40 cents per gallon in bulk and 50 cents per gallon in containers of less than 5 gallons.

On Nos. 6 and 7: The House bill imposed a duty of 2½ cents per pound on fresh mutton and lamb. The Senate amendment proposes in lieu a duty of 2 cents per pound on fresh or frozen beef, veal, mutton, lamb, and pork, and a duty of 25 per cent ad valorem on meats of all kinds, prepared or preserved, not specially provided for in the bill, and the House recedes.

On No. 8: The Senate amendment proposes to admit free of duty cattle and sheep and other stock imported for breeding purposes, and the House recedes.

On No. 9: This amendment is a change of paragraph number, and the House recedes.

On No. 10: The House bill imposed a duty of 7 cents per pound on cotton having a staple of 1⅛ inches or more in length. The Senate amendment proposes the same rate of duty on cotton having a staple of 1⅛ inches or more in length, and the Senate recedes.

On Nos. 11, 12, 13, 14, 15, and 16: These amendments are changes in paragraph numbers and references to paragraph numbers, and the House recedes.

On No. 17: The Senate amendment proposes to impose an additional duty on sugar and molasses equal to that imposed by existing law. The House bill contained no such provision, and the House recedes with an amendment imposing a duty on sugar and molasses in substitution for the existing duty, lower than the duty proposed by the Senate amendment plus that imposed by existing law, but higher than the duty imposed by existing law.

The following table shows the rates of duty imposed upon sugar by the Senate amendment when added to those imposed by existing law, and the rates agreed to by the conferees in substitution for those imposed by existing law:

Sugar (degrees).	Proposed rates (per pound).	
	Combination of Senate amendment and existing law.	As agreed to in conference in substitution for existing law.
	Cents.	*Cents.*
75	1.42	1.15
76	1.472	1.20
77	1.524	1.24
78	1.578	1.28
79	1.623	1.32
80	1.68	1.36
81	1.732	1.40
82	1.784	1.44
83	1.835	1.48
84	1.888	1.52
85	1.94	1.53
86	1.992	1.60
87	2.044	1.64
88	2.096	1.68
89	2.148	1.72
90	2.20	1.76
91	2.252	1.80
92	2.304	1.84
93	2.356	1.88
94	2.408	1.92
95	2.46	1.96
96	2.512	2.00

The following table shows the rates of duty imposed upon molasses by the Senate amendment when added to those imposed by existing law, and the rates agreed to by the conferees in substitution for those imposed by existing law:

Molasses.	Proposed rates.	
	Combination of Senate amendment and existing law.	As agreed to in conference in substitution for existing law.
Not above 40°	30 per cent	24 per cent.
Above 40° and not above 56°	4½ cents per gallon	3½ cents per gallon.
56° and above	9 cents per gallon	7 cents per gallon.

On No. 18: The Senate amendment proposes a duty of 8 cents per pound on butter and substitutes therefor. The House bill imposed no such duty, and the House recedes with an amendment making the rate of duty 6 cents per pound instead of 8 cents.

On No. 19: The Senate amendment proposes a duty of 23 per cent ad valorem on cheese and substitutes therefor. The House bill contained no such provision, and the House recedes.

On No. 20: The Senate amendment proposes a duty of 2 cents per gallon on fresh milk and 5 cents per gallon on cream. The House bill contained no such provision, and the House recedes.

On No. 21: The Senate amendment proposes a duty of 2 cents per pound on milk, preserved or condensed, or sterilized by heating or other processes, including the weight of the immediate covering, and a duty of 5 cents per pound on sugar of milk. The House bill contained no such provision, and the House recedes.

On No. 22: The Senate amendment proposes a duty on wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries when mixed or packed together, if unstemmed, $2.85 per pound; if stemmed, $3.50 per pound; and a duty on filler tobacco not specially provided for in the bill, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound. The House bill contained no such provision, and the House recedes with an amendment reducing the Senate rate of $2.85 per pound to $2.35 per pound, and the Senate rate of $3.50 per pound to $3 per pound.

On No. 23: The Senate amendment proposes a rate of 15 per cent ad valorem on hides of cattle, raw or uncured, whether dry, salted, or pickled, with a proviso for a drawback on leather exported, made from imported hides. The House bill contained no such provision, and the Senate recedes.

On No. 24: The Senate amendment proposes a duty of 10 per cent ad valorem upon hides of the kind provided for in amendment No. 23 when advanced in any manner or by any process of manufacture, and manufactures of which such hides are a component material. The House bill contained no such provision, and the Senate recedes.

On No. 25: The Senate amendment proposes a duty of 30 cents per bushel on apples, with a proviso that if Canada at any time imposes a greater duty on apples from the United States then the rate on all apples imported into this country shall be increased so as to make it the same as on apples imported into Canada from the United States. The House bill contained no such provision, and the House recedes with an amendment striking out the proviso and changing the paragraph number.

On No. 26: The Senate amendment proposes a duty of 4 cents per pound on cherries in a raw state, preserved in brine or otherwise. The House bill contained no such provision, and the House recedes with an amendment making the rate 3 cents instead of 4 cents, and changing the paragraph number.

On No. 27: The Senate amendment proposes a duty of 25 cents per gallon on olives in solution and 5 cents per pound on olives not in solution. The House bill contained no such duty, and the House recedes with an amendment reducing the rate on olives not in solution to 3 cents per pound and changing the paragraph number.

On No. 28: This is a clerical amendment making references to paragraph numbers, and the House recedes with an amendment making further clerical changes.

J. W. FORDNEY,
WM. R. GREEN,
NICHOLAS LONGWORTH,
Managers on the part of the House.

Mr. FORDNEY. Mr. Speaker, I want to see if we can arrange as to the time with the gentleman from Illinois [Mr. HENRY T. RAINEY]. Because of the rush of business in the House I hope the gentleman will agree to as little time as possible for general debate.

Mr. HENRY T. RAINEY. I will be glad to. We have a good many demands on this side. We will try to get along with as little time as possible.

Mr. FORDNEY. We have requests for one hour's time here. Will it be agreeable to the gentleman to agree to two hours' debate, at which time the previous question shall be considered as ordered? I will yield half the time to the gentleman from Illinois, and we will control the other half.

Mr. HENRY T. RAINEY. Yes.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the time for debate shall be two hours—one half to be controlled by myself and the other half to be controlled by the gentleman from Illinois [Mr. HENRY T. RAINEY], and that at the end of that two hours the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time for debate shall be limited to two hours—one half to be controlled by the gentleman from Illinois [Mr. HENRY T. RAINEY] and the other half by himself, and that at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Michigan is recognized.

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, this bill is what is known as the emergency tariff bill. When it passed the House it carried duties on certain items or articles, chiefly farm products. The bill went to the Senate and was amended there, and several articles, chiefly farm products, have been added to the bill by the Senate. The House and the Senate conferees met and have agreed to all the changes in the bill. Briefly I will explain those changes.

When the bill passed the House it carried a rate of duty of 30 cents a bushel on wheat. The Senate increased the rate to 40 cents a bushel, and the conferees have agreed on 35 cents a bushel. Thirty-five cents per bushel on wheat now is not as high an ad valorem duty as was 25 cents per bushel in the Payne tariff law, considering the price of wheat in the market at that time and now.

There was no change in the duty upon wool. The Senate accepted the House provision.

The Senate made some changes by adding certain articles, agricultural products mainly, sugar, molasses, and articles of fruits.

The Senate added a duty of 15 per cent on hides and 10 per cent on certain leather goods. It was found, however, that the Senate had made a mistake, because certain articles of leather on which they placed a duty of 10 per cent now carry a duty of from 30 to 35 per cent in existing laws. Therefore they were reducing the duty on leather from 30 to 35 per cent to 10 per cent, but adding 10 per cent on all leather goods now on the free list; and that provision of the bill added by the Senate was stricken from the bill both as to hides and leather goods.

Sugar was the one item on which there was more contention between the conferees than upon any other item in the bill. The bill did not carry a duty on sugar or molasses as it left the House. The Senate provided 2½ cents per pound on full duty-paying sugar, and under our treaty with Cuba, Cuba would be entitled to a 20 per cent reduction therefrom, which would mean 2 cents per pound on Cuban sugar brought to this country.

The conferees agreed to 2 cents a pound on sugar of 96 degrees, which means 20 per cent off for Cuba, or $1.60 per hundred pounds on 96-degree sugar coming from Cuba. Last year we had an extraordinary amount of imports of sugar. We imported 3,872,000 short tons of all kinds of sugar from the various countries. Not for many years before have we imported as much duty-paying sugar from other countries and from Cuba as was imported last year. At the time Cuba placed such an enormous price upon her raw sugar the refiners of this country went to every country in the world for sugar and broke the market and brought down the price of imported raw sugar. But in the face of that fact we imported 76 per cent from Cuba of our total imports of dutiable sugar.

We produce in this country 25 per cent of our consumption. We import 25 per cent of our consumption from our insular possessions, and that sugar does not pay any duty. Therefore an average of about 50 per cent of our consumption comes from Cuba. Last year, while the price of sugar was so exceedingly high, the difference between the price paid by the consumers of this country on imported sugar compared with the price for which the Government compelled domestic sugar manufacturers to sell their domestic-made sugar amounted to $600,000,000 in six months, or enough money to build sugar factories in this country that would produce more sugar than all the people consume annually. So, my friends, under a condition over which our Government had no control, being compelled to go to foreign countries for sugar, our people paid the penalty, and all that is needed to enable us to produce all the sugar in this country that our people consume is protection to that domestic industry. [Applause.]

There never has been a time in our history when the consumers of this country purchased sugar at as low a price as when we had a high protective tariff on sugar, with the single exception of the lifetime of the McKinley bill, which paid a bounty of 2 cents a pound on domestic-made sugar. That law was held to be unconstitutional and was repealed. Now, because we could not get an agreement in any other way, the House conferees have agreed with the Senate conferees on a duty of 2 cents a pound on 96-degree full duty-paying sugar, and I hope the House will accept what the conferees felt they were obliged to agree to.

Tobacco wrappers were another item in the bill over which there was a considerable argument. Under existing law and under the Payne law certain tobacco wrappers paid $1.85 a pound duty and others paid $2.50 per pound. The Senate placed an additional dollar on those two items of wrapper tobacco. The conferees agreed to split the difference and make the duty $2.35 on certain tobacco wrappers and $3 on the others.

Other items in the bill affect less important farm products.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GREEN of Iowa. With relation to the duty on sugar, while the full duty is 2 cents a pound, the gentleman does not mean that the American consumer will pay that much, because we get nearly all our sugar from Cuba, and will get practically all of it this year from there, upon which the duty will be how much?

Mr. FORDNEY. One dollar and sixty cents per hundred pounds. I have always contended, and I always will contend, because it is my firm conviction, that a protective tariff—placed upon a competitive product made in this country—generally lowers the price of the article to the consumer.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Minnesota.

Mr. NEWTON of Minnesota. Does the gentleman know how large a stock of sugar the refiners in this country have on hand to-day?

Mr. FORDNEY. The beet sugar and cane sugar domestic manufacturers have yet on hand a very large proportion of their total output for last season, for the reason that the sugar manufacturers of this country this year entered into an agreement with the farmers guaranteeing them $10 a ton for their beets, and an additional $1 per ton on beets for every 1 cent per pound that sugar sold for above 9 cents a pound. The price has gone down to about 7 cents a pound, and the sugar manufacturers of this country now stand to lose at least $40 a ton upon their total product this year in the United States.

Mr. NEWTON of Minnesota. Will the gentleman yield further?

Mr. FORDNEY. Yes.

Mr. NEWTON of Minnesota. Can they not recoup their losses growing out of that from the enormous profits that they made upon what they sold to the American consumers a year or seven months ago?

Mr. FORDNEY. No; and I will tell you why, brother. The Government fixed the price for the domestic manufacturers of beet sugar at 12 cents a pound, and they were not permitted to sell above that price, when you had to pay 30 cents a pound for imported sugar. Therefore the domestic manufacturers did not receive the benefit of the exorbitant prices which you mention.

Mr. NEWTON of Minnesota. Did not the domestic manufacturer have the benefit of the imported raw sugar, and has he not to-day on hand stocks made from the imported raw sugar?

Mr. FORDNEY. The gentleman is speaking now of the refiner, who is not a producer of domestic sugar. He, the refiner, refines foreign imported sugar, except what little raw sugar he purchases from the Louisiana sugar grower, and on that sugar the refiner fixes the price that the sugar manufacturer of this country must take; and the sugar producers of Louisiana have their sugar on hand yet, and can not sell it for enough to pay the cost of production, and I am informed that much of the beet sugar is yet unsold.

Mr. NEWTON of Minnesota. Can the gentleman tell me how large a stock of imported sugar the refiners have on hand?

Mr. FORDNEY. No. I do not believe there is a very large stock on hand, for this reason: Just before the break in the price came the refiners notified their customers over the country, so I am informed, about as follows: "If you want sugar you must take it now or go without during the canning season"; and they, the refiners, unloaded at 24 or 25 cents a pound, and shortly after they had made those contracts reduced the price to 20 cents, and the price has gone on down until to-day sugar is selling below 7 cents f. o. b. New York. And the wholesalers of this country have a stock of sugar on hand that they paid 24 and 25 cents a pound for.

Mr. PADGETT. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. PADGETT. The gentleman stated a while ago that the refiner has fixed the price of Louisiana sugar. If that is true, how will the Louisiana sugar producer be benefited by this tariff measure?

Mr. FORDNEY. This price I have spoken of was last year. Now we have an open market.

Mr. PADGETT. What will keep the refiner from fixing the price the coming year?

Mr. FORDNEY. The Louisiana planters are producers of raw sugar and manufacturers of refined sugar. The refiners have always fixed the price of Louisiana sugar manufactured with a margin so small that the planters have lived from hand to mouth.

Mr. PADGETT. What is there in this legislation that will relieve the Louisiana planters from that condition? I think they ought to be relieved.

Mr. FORDNEY. It will prevent the Cubans from underselling the Louisiana planters at a time when the refiners of this country wish to destroy the domestic product.

Mr. MARTIN. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. MARTIN. Louisiana now produces direct-consumption sugar, and produces little raw sugar. Eighty per cent is direct-consumption sugar.

Mr. PADGETT. The gentleman means that they are refining their own sugar.

Mr. MARTIN. Yes; they are making what they call direct-consumption sugar, and you can not tell the difference between that and the refined sugar.

Mr. FORDNEY. The treatment received by the Louisiana sugar manufacturers was so bad that the Louisiana sugar manufacturers have been obliged to change their methods for producing raw to refined sugar in order to live.

Mr. PADGETT. What I was trying to do was to get some information as to how this legislation would operate to relieve the Louisiana sugar planters. That is what I want to see accomplished.

Mr. MARTIN. We have taken the matter into our own hands by making direct-consumption sugar.

Mr. FORDNEY. When the Underwood tariff bill became a law it reduced the duty on imported sugar from 1.685 to 1 cent, and 42 per cent of the Louisiana sugar manufacturers went out of business inside of six months.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. YOUNG of Texas. When the bill was originally reported to the House you had a tariff on hides.

Mr. FORDNEY. No; the gentleman is mistaken. The Senate put in hides.

Mr. YOUNG of Texas. The Senate put a duty on hides. When the conference report comes back, however, that item is cut out.

Mr. FORDNEY. It is, and I will tell you why.

Mr. YOUNG of Texas. The packers are very much interested in that, are they not?

Mr. FORDNEY. No; the packers have not asked for a duty on hides. The Senate placed in the bill a duty of 15 per cent on hides and 10 per cent on certain leather goods, putting a duty higher on the raw material than on the finished product. When we called their attention to their mistake they discovered that there were many leather goods in the Underwood law now bearing a rate of duty of 30 to 35 per cent ad valorem that their action reduced these rates to 10 per cent. They intended to add an additional duty of 10 per cent, but they forgot to put in the word "additional." There was nothing for the conferees to do but to accept it as the Senate wrote it or strike the whole thing out, because they put a higher duty on the raw material than they did on leather goods, such as harnesses and saddles, and so the whole matter was stricken from the bill.

Mr. SABATH. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. SABATH. The gentleman stated that the manufacturers and refiners forced the wholesalers and jobbers to buy sugar from them at about 24 cents a pound, and then commenced to lower the price.

Mr. FORDNEY. Immediately.

Mr. SABATH. How much did the sugar cost them?

Mr. FORDNEY. The refiners had loaded up with high-priced Cuban sugar, and they saw a break in the price coming, and so they unloaded on the innocent public.

Mr. SABATH. From whom did the refiners buy the sugar?

Mr. FORDNEY. From Cuba.

Mr. SABATH. And they paid this tremendous price?

Mr. FORDNEY. They did. They did the fair thing after they had unloaded the sugar; they went out and purchased from the world outside and broke the Cuban price and also broke many of the wholesale dealers at the same time. As the bill passed the House the Treasury Department estimated that it would yield an additional $125,000,000 of revenue under the present law.

The item added by the Senate is estimated to furnish about $55,000,000 additional, making a total of $180,000,000. But I believe that the Treasury Department is too high in its estimate for the reason that they placed a large portion of the $125,000,000 on wool, and we have now 22 or 23 months' wool in this country for the factories, and they are importing it by millions of pounds, and by the time we can have some legislation on wool there will be more than twice the present wool stock in the hands of the manufacturers of this country.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. NEWTON of Minnesota. I notice the Senate bill provides for 30 cents a bushel on flaxseed, and in the Underwood bill it is 10 cents.

Mr. FORDNEY. I think that is right.

Mr. NEWTON of Minnesota. And I notice that there does not seem to be any compensatory duty on linseed oil.

Mr. FORDNEY. No; because it was not a matter in conference. It was not in the bill, and the Senate put no such provision in the bill, and we had no power to change it.

Mr. NEWTON of Minnesota. The effect is to disturb the equilibrium between the duty on flaxseed at the present time and the present duty on linseed oil.

Mr. FORDNEY. If it does, it will increase it on the raw material and not benefit the oil.

Mr. FOCHT. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. FOCHT. Are we to understand now that on the item of leather, both hides and the finished product, you have removed the duty?

Mr. FORDNEY. They are out of the bill and stand as in the Underwood tariff.

Mr. FOCHT. What about the consideration of a bounty? Was that taken up on the leather products manufactured here and shipped abroad?

Mr. FORDNEY. There is nothing in the bill with reference to leather or hides.

Mr. FOCHT. It is all wide open?

Mr. FORDNEY. Yes; as it is in the existing Underwood tariff law. Mr. Speaker, the effect of the offering of low-priced foreign goods on the American market is a temporary increasing

of imports which displace American-made goods and deprive American labor of employment. With the diminished purchasing power of the American people in general, imports then decline. Those who believe America should let down the bars to foreign-made goods in order to aid Europe should take notice. A nation of unemployed can help no one. It is not so much the quantity of imports that harms American industries and the workers employed therein as it is the kind of goods and the price at which such goods are offered. The offering of competitive products at lower than the American cost of production is what we must guard against. The trend of imports tells the story.

Following the armistice, imports steadily increased until the month of June, 1920, and thereafter imports have declined. More goods have been offered from abroad since June, 1920, than prior thereto at lower prices, and ship space has gone begging, but the American people in general have not the money with which to purchase.

Imports to the United States in—	
June, 1920	$552,605,534
July, 1920	537,118,000
August, 1920	513,111,000
September, 1920	363,290,000
October, 1920	334,055,000
November, 1920	321,211,000
December, 1920	266,112,000
January, 1921	209,000,000

Compared with imports in June, 1920, imports last month were but 37.8 per cent.

When this bill was first presented to the House the Government actuary estimated it would produce $125,585,514 in additional import duties.

The bill in its present form, as agreed to in conference, contains a number of amendments that will produce additional revenue as compared with the bill passed by the House.

The following is an estimate of such additional revenue showing the commodities on which additional duties are proposed by conference amendments:

Wheat	$320,000
Flaxseed	2,200,000
Lemons	510,000
Olive oil	860,000
Fresh and frozen meats	510,000
Prepared and preserved meats	1,300,000
Sugar and molasses	42,000,000
Butter	1,250,000
Cheese	160,000
Fresh milk and cream	85,000
Condensed milk and sugar of milk	410,000
Wrapper tobacco	4,800,000
Olives	465,000
	54,871,000
	125,585,514
	180,456,514

I hope the report will be agreed to. Mr. Speaker, I reserve the remainder of my time.

Mr. HENRY T. RAINEY. Mr. Speaker, with the accuracy which characterizes always the statements made by my colleague on the committee, the gentleman from Michigan [Mr. FORDNEY], he has correctly stated the Senate items upon which the conferees have agreed. My colleague on the committee is always absolutely honest and conscientious in statements as to his beliefs with reference to the economic effect of tariff rates, especially if the rates are particularly high. He presents them always as a remedy for every economic ill. Up in the lumber sections of Michigan a young man studied medicine. He proceeded with his studies until he learned how to cure fits. Then his money gave out, and he never got any further. However, he successfully practiced medicine in the lumber sections of Michigan all the rest of his life, and his remedy was exceedingly simple. Whenever a patient came to him he just gave him something that threw him into fits, and then he cured the fits. So the gentleman from Michigan, no matter what the economic difficulty may be, reaches the conclusion that it is caused by the fact that tariffs are not high enough and he proceeds to raise the tariff. He was honest when he said a while ago that he believed that a high tariff made lower prices. I remember that just before the conferees agreed upon this bill I told some of my friends and neighbors here in Washington that the time had come for them to buy sugar, because it would go up as soon as it became apparent that the conferees proposed to suggest to the House and to the Senate that they agreed in part to the Senate amendments and increased the tariff on sugar. Some of them have just phoned me this morning stating that, although sugar was selling at the Piggly-Wiggly stores in this city, which are large distributors of sugar, three days ago for $7.35 a hundred, this morning, with this report pending and the certainty of its passage, the price of sugar has been increased to $9 per hundred pounds. This is something that anybody can verify. The wholesale price of refined sugar also went up 25 points day before yesterday and 10 points yesterday.

A question arose a moment ago as to the tariff on hides. The Senate put a tariff on hides upon the theory that the farmer ought to get more for his hides, and the conferees took it off. The argument under which the tariff on hides was taken off was exceedingly simple and conclusive from the protection standpoint. It has been advanced by the shoe manufacturers before the Ways and Means Committee for a long time. The hides, they say, are a by-product, therefore there ought not to be any tariff on hides. The argument in effect is this: You can not raise a steer or a cow unless it has a hide on it. Therefore, a hide is a by-product. Therefore, it does not make any difference whether the farmer gets anything for the hide or not. It is a by-product, he is not trying to raise hides, he is trying to raise a dairy animal or a beef animal, and that is all there is to it. Is not that perfectly plain? Some day some ambitious farmer Burbank may succeed in developing a hideless steer, and whenever he does he can meet the Republican position absolutely with reference to a tariff on hides.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. McCLINTIC. Speaking about a hideless steer, I want to say that they have been successful in crossing a Brahma cow with a buffalo and have produced an animal that does not have a hide, similar to a steer. It is different in that the cross produces a fur, and the skin can be used as a robe.

Mr. HENRY T. RAINEY. I hope that will ultimately solve the difficulty from a protection standpoint, so far as the farmers are concerned. I thank the gentleman for his contribution to my speech. I presume, however, the theory would apply that the farmer ought not to get anything for the fur from a protection standpoint.

A tariff on apples? Yes; this bill puts a tariff on apples of 30 cents a bushel, an increase of 300 per cent in the tariff on apples. We bring in $50,000 worth of apples a year, and we exported $12,000,000 worth of apples last year. In other words, for every $1 worth of apples that we bring into this country we export $240 worth of apples. So, from a Republican standpoint, this is an industry that is in danger from importation, and it ought to be protected.

Wheat. My colleague correctly stated what the conferees did with respect to wheat. They boosted the House bill 5 cents, and we have a tax in this bill of 35 cents per bushel on wheat, the highest tax ever imposed in this country or in any other country upon any bread grain, upon the theory that we ought to prevent importations of wheat from Canada. The wheat that comes in from Canada goes right through here and goes to England, and we compete always in Liverpool with wheat from Canada. But the committees have not considered the alarming fact—and it is an alarming fact—that our surplus of wheat is absolutely gone. Our surplus of wheat has been announced for a number of months for the year 1920 at 220,000,000 bushels, and the exportations of wheat up to the present time amount to 300,000,000 bushels. That does not include the millions of bushels that will be exported in the month of March. In other words, we have used up our entire surplus of wheat and 80,000,000 bushels of our reserves in the face of a mild winter, which does not kill insect pests; in the face of a new kind of insect pest, the green bug, which is advancing on the wheat fields of the winter-wheat section of the country, sweeping every field bare as it comes. Wheat will be high enough before the winter-wheat harvest commences without any remedy of this kind, and we will be begging for wheat, for wheat from Canada or from any other source, if we can possibly get it. The policy of the United Kingdom at the present time in buying wheat on this market is a wise economic policy. They are the only buyer that we have. The commercial bakers are not competing with them. The United Kingdom buys a few million bushels for March delivery, and up goes the price of wheat. Nobody else buys, and in a few days it goes down again. Then they buy some more. This buying, conducted on a tremendous scale, is depleting us of wheat, and no remedy has been suggested by the party which is responsible for legislation in this House to meet that sort of an unfortunate condition.

The bill as reported by the Senate places a tariff on pork. Not a pound of it comes into this country, and yet there is a tariff on it in this bill, the same as on other frozen meats. It certainly will not benefit the farmer.

Then, in order to balance this bill from a Republican standpoint and to make it logical from a Republican standpoint, they put a tariff on cherries, a tariff which raises the present tariff 1,350 per cent.

At the present time cherries are taxed 10 cents a bushel and the effect of this item in this bill is to tax cherries $1.35 a

bushel, an increase of 1,350 per cent on cherries. I am wondering why that happened. No cherries come into this country, or the amount that does come in is so inconsiderable it is not even listed in the monthly summaries. Yet we get this tremendous advance. Years ago they brought into the country in quite large quantities these large red maraschino cherries which were used in the manufacture of cocktails. That was the principal use for them, and they brought them in in the good old Payne-Aldrich tariff law days for 25 cents a bushel then, and the principal use was to embellish the cocktails that stood on long mahogany bars in those days in our cities. But the cocktail has disappeared from American life. It is as extinct as the dodo, and yet they put on the cherries which went into the cocktail this immense increase in tariff of 1,350 per cent, and I see, as I look at some of my old, blue-bellied protection friends on the Republican side, that they recall with pleasure the old days of the Payne-Aldrich tariff bill when cherries came in from Italy and were added to the seductive cocktails which stood on the long bars in our cities. Now, the demand for this tax on cherries, which no longer come in, this protection of nonexistent cocktails, comes from a Northwestern State where they raise cherries, and from a State which almost the first of all went dry in the recent dry movement, so it can not be for the purpose of helping out that dry section of the country that this tax is put on. We are compelled therefore to reach the conclusion that it is inspired by the memories of long ago. [Laughter.] And we are erecting this tremendous tax, and a State, which went dry years and years before the rest of the country went dry, will reap the benefit in order to erect at the graves of dead and departed cocktails this splendid monument. [Applause.]

The SPEAKER pro tempore. The gentleman has consumed 15 minutes.

Mr. HENRY T. RAINEY. I regret that I can not, under my arrangement of time, continue longer. But we can all rest securely to-night. The Republican Party has protected the ghosts of nonexistent cocktails from contact with cherries grown by alleged cheaper labor in Italy. But even this 1,350 per cent increase will not have the effect of bringing back the cocktails; as an industry the manufacture of this seductive American drink has disappeared forever. [Applause and laughter.]

Mr. GREEN of Iowa. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I realize that there is no particular object in saying very much about this conference report. It is bound to be accepted, and the sooner we reach a vote possibly the better. I want to refer, however, to one item in the conference report, and that is the duty on meat whereby the House conferees have accepted 2 cents per pound on fresh or frozen meats. That item can only be a direct benefit to the packing industry of this country. [Applause on the Democratic side.] I do not see where the producer will ever benefit one particle by that increase in the price of meat. This will undoubtedly increase the price to the consumer, but it will all be absorbed before it gets back to the man on the farm. And the same applies to some of these other items. It applies to the sugar item, the wheat item, and so on through.

In speaking of this conference report I want to reiterate what I said last Saturday, that it may not be altogether a sectional or local bill, but it is nevertheless a class bill, and I differ absolutely with my good friend, the Member from Ohio [Mr. FESS], who said that those who were voting against this bill were putting themselves in a class of considering the tariff a local issue. It is because this bill we are about to adopt here to-day is local and class—for one particular class—that I, for one, will not accept this conference report. If it were a national bill, I would vote for the products of the West as quickly as I would for the manufactured industries of the East. That is what I want, a national tariff bill, not a sectional nor a class tariff bill such as this one is. In other words, when the House conferees ask you to accept the conference report as it comes back to us to-day, in my opinion, they have split the difference with the Senate and in some instances gone fifty-fifty with them—it is only that much decrease in its badness from what the Senate sent to us and asked us to agree to. It is just as much a class bill as it was when we passed it in the House. Now, the gentleman from Kansas [Mr. CAMPBELL] on Saturday last made a reference with which I absolutely agree. It was that the producer of Kansas and the manufacturer of New England were mutually dependent on each other, and if the industries of the East did not prosper the farmers of the West would feel its effect, and vice versa. I agree to that——

Mr. WHITE of Kansas rose.

Mr. TREADWAY. I have only about two minutes, and if the gentleman will kindly allow me to use my time. I do not wish to be discourteous; I am only quoting what Mr. CAMPBELL said. I absolutely agree with that principle, but if you do not protect the industries of the East and give them a chance to prosper, how can that prosperity be reflected to the farmer of the West? I agree with the theory that it ought to be mutual. Now, one other gentleman, the gentleman from New York [Mr. DEMPSEY], made a reference in criticism of myself and my colleague from Massachusetts for not supporting this bill, wherein he said it was the only tariff bill, and we knew it, that we could vote for at this time. That is true. It is the only one, but it is so poor a one that I do not want to vote for it. [Applause.] I want to be in a position to be free to act upon the great problem of the tariff for the best interests of the entire country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GREEN of Iowa. Will the gentleman from Illinois use some of his time?

Mr. HENRY T. RAINEY. I yield five minutes to the gentleman from Louisiana [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker and gentlemen of the House, I voted for this bill when it was reported from the Ways and Means Committee and I voted for the bill when it came up for consideration on the floor of the House. I voted for it notwithstanding the fact that the greatest agricultural product in my State received no consideration in this bill and is now selling at from 4 to 5 cents below the cost of production, due entirely to foreign competition.

But the fact that a great industry of my State had been treated unjustly at the hands of the Ways and Means Committee of this House was, in my opinion, no good reason why I should not lend a helping hand to other suffering industries of this country, and I therefore voted for the bill. [Applause.] I was much disappointed when I failed to convince a majority of the members of the Ways and Means Committee that sugar should have been included in this bill; disappointed because our people are in a suffering condition, as I will try to show you in a few moments, if the limited time allotted me will permit. But the Senate concluded they would give some consideration to sugar, and they placed a duty of 1 cent a pound upon the raw Cuban product. When the bill went to conference the conferees reduced the duty to six-tenths of a cent a pound upon the Cuban raw sugar, and while this is entirely inadequate under present conditions, yet we are thankful for small favors. Believing, as I do, that this bill has been improved and sweetened by the conferees, I shall take great pleasure in voting to adopt the conference report. [Applause.]

Now, coming to the Louisiana situation, I wish to state to this House that we are now face to face with a situation that is unparalleled in the history of the industry. It is even worse than the condition which followed the passage of the Underwood bill, which threatened to put sugar upon the free list. Our people in Louisiana raised a crop, small though it was, of some 200,000 tons, and yet they have not been able to find a market for their crop. The man who grew the cane, that cost him from $12 to $15 a ton to raise, brought it to the factory and was told by the factory owner, who was unable to find a market for his product, that he had no money with which to pay for the cane. He said, "The best I can do for you is to pay you the cost of harvesting and give you the balance in sugar, and if you will not accept sugar, we will then take your product and put it in the warehouse, and when we do find a market for sugar we will pay you." Some of them have been compelled to sell their sugar at 6 cents a pound, some at 6½ cents a pound, and some as high as 7, which means that the small farmer has lost from $5 to $6 a ton on every ton of cane raised by him, and the factory owners have suffered a proportionate loss.

Many of them are in this situation: Their sugar is in the warehouse; they have not been paid for their crop; they have no money upon which to start another crop, and the banks refuse to advance it. If this bill is passed, confidence will be partially restored in Louisiana, and our money lenders and bankers will be willing to advance money to these poor people and give them a chance to plant and harvest another crop.

The gentleman from Illinois stated a moment ago that some one told him over the phone that——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MARTIN. Will the gentleman give me one minute more?

Mr. HENRY T. RAINEY. I yield one minute more to the gentleman.

Mr. MARTIN. He stated that some one had told him over the phone that the wholesale price of sugar had advanced from 7.35 cents to 9 cents a pound. Is that right?

Mr. HENRY T. RAINEY. The retail price.

Mr. MARTIN. Then that retailer is a profiteer, because the price of sugar has not advanced either in New York or in Louisiana because of the introduction of this bill. This bill has not yet become a law, and even if it had it would not warrant an increase in the price of sugar to the extent of 1.65 cents per pound. The price in New York is 4¼ cents for Cuban sugar delivered in New York, and in Louisiana we are still unable to sell our sugar for more than 6 to 7 cents a pound, which is about 4 cents a pound less than it costs us to produce it.

Mr. HENRY T. RAINEY. Perhaps the gentleman can explain the difference this bill makes with the profiteer.

Mr. MARTIN. It makes considerable difference to the Louisiana producer. The retailer in Washington can and will profiteer whether there is a duty on sugar or not.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. COLLIER].

Mr. COLLIER. Mr. Speaker, I want to say at the outset that I feel a sympathy for the sugar farmers in Louisiana and I have great sympathy for the cotton farmers all over this country. The sugar farmer in Louisiana as well as the cotton farmer, and as well as farmers in other sections of the country, have been suffering by reason of a depressed market and a depressed price, but I can not understand, if the chairman of this committee is correct in his statement, how this tax of 2 cents a pound on sugar will make it cheaper to the consumer. And if my friend from Louisiana [Mr. MARTIN] is correct in his statement that the Louisiana cane growers are producing sugar way below the cost of production—and I know they are and he is correct in his statement—I can not see how, if on the one hand, this tax will lower the price of sugar, and, on the other, it is now being sold below the price and the cost of its production, it is going to benefit the farmer that is raising the cane. And I would like to ask the chairman of the committee how a bill with a tax on wool proposed and intended to extend for only 10 months, can benefit the woolgrower, when the gentleman from Michigan [Mr. FORDNEY] says that before this bill will become a law there will be over two years' supply stored away; nearly a year and a half supply in storage after this bill expires. Now, I would like to have those inconsistencies explained.

But there is one thing that gives me great hope and great comfort, and that is the speeches made by the gentlemen from New England. And, my friends, when we get this great majority over here in a few days, and when we find that one section of the country is wanting to pile the taxes mountain high upon everything that another section uses, you are going to see a warm time over on the Republican side.

When they put a tax of 6 cents a pound on butter, when they place a tax of 2 cents a pound on sugar, when they put a tax of nearly $2 a barrel on flour you are going to find that the great consuming masses of this country are going to raise their protest. And in that same New England, where the light appears to be now breaking, I fear it will soon be obscured by dark clouds when those manufacturers come and ask for their protection, which we have not put in this bill but which they will get in a short time. When a man on the farm out on the prairies and on the plains and in other sections of the country wants to buy an agricultural implement, or anything else he may need in his business, he will find what this protection will cost him.

But, my friends, I look with pleasure to the time when those two great conflicting interests will meet on this floor. This bill is a repudiation—the first big repudiation—of the Republican platform, which the chairman of the committee stated in the hearings was out of date. This is the first repudiation of the promise to decrease the high cost of living, because everyone knows that this tax is intended for only one purpose, and that is——

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman from Mississippi has expired.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield to the gentleman five minutes additional.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes additional.

Mr. COLLIER. It is intended to increase the tax on everything that a man puts on his breakfast table. But so far as we Democrats are concerned, politically, we should hail with some degree of pleasurable anticipation a tariff bill and have no apprehension concerning it other than on account of the harm it will do the great masses of the people, because the Republicans never have attempted to bring in a tariff bill or revise the general tariff schedules without bringing well-nigh ruin and disaster to their party. Protection, my Democratic friends, has never been indorsed by the American people for any appreciable length of time. That is a matter of history. Since 1890 our friends on the Republican side have brought in three general tariff bills. After the McKinley bill was enacted, so great a storm of disapproval swept over this country that the great McKinley himself went down in defeat, and in less than two years after the enactment of that bill the Republican majority which put that measure upon the statute books was decreased to only 88 Republican Members.

What did the Democrats do? They strayed off after other issues. The money question was the paramount issue, and the Republicans got back in control. Heedless of that bitter experience with the McKinley bill, they put the Dingley law on the statute books. What happened then? It was only the demoralized condition of the Democratic Party, divided as they were on the money question, together with the War with Spain, that saved the Dingley Act from meeting the same fate that was meted out to the McKinley law, and that great Republican majority which enacted the Dingley Act was in the next election reduced to a majority of 23. We know that in less than eight years after the Dingley law was put on the statute books there was a clamor all over this country for a revision downward or a repeal of that act.

This demand on the part of the American people for a revision downward of that law was so great that the Republican Party in its platform declared, and Republican orators all over this country stated, that they would revise those rates downward. The American people took them at their word. The Payne-Aldrich law was enacted, the tariff was revised upward, and in less than three years afterwards the Republican Party was almost destroyed.

Now you are bringing in simply a forerunner of what you are going to bring in in a few months. I can not, like the economic gentleman from Michigan [Mr. FORDNEY] and the gentleman from Iowa [Mr. GREEN] and others on the committee, look with prophetic eye into the future and see the result of every economic move made by Congress; but I do know that the tariff was no issue in this recent campaign. We have repeatedly had people come before us in the committee who stated that they voted the Republican ticket, but not with the intention of having a general tariff act passed at this time, when we are selling more than $4,000,000,000 of our products to the countries abroad than we are buying from them.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has again expired.

Mr. COLLIER. May I have one minute more?

Mr. HENRY T. RAINEY. I yield to the gentleman one minute more.

Mr. COLLIER. I say I can not look into the future and say if you bring in another tariff bill that it is going to defeat you. I would not say that, because I have seen too many guilty men escape punishment to believe that every offense meets with its just desert. The teachings of the past and the lessons of history are the only criteria by which we can judge the future. In the last 30 years you have brought in three tariff bills, two of them well-nigh destroyed your party, and it was only the demoralized condition of your adversaries, together with the fact that we were at war with a foreign country, that the other one did not meet the same fate. But it did cut your majority down to 23. [Applause on the Democratic side.]

Mr. GREEN of Iowa. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 10 minutes.

Mr. LONGWORTH. Mr. Speaker, my friend from Mississippi [Mr. COLLIER] has just asserted that this bill is the inevitable forerunner of what we upon this side of the House intend to do later in the framing of a permanent tariff bill. I want my colleagues to understand, so far as I am concerned, at least, that that statement is inaccurate. The outstanding feature of this bill is that it is an emergency tariff law, pure and simple. It is to continue in operation at the outside but 10 months. It is to remedy a condition that exists now, and not one which can reasonably be presumed to exist in the future.

For myself, I am not committed in my vote on any of these tariff rates to a similar vote when we take up the question of a permanent tariff law, and no gentleman here ought to feel that in voting for this conference report he is in any way committed to vote for similar rates if they should happen to be brought in in a permanent tariff law.

Many of the rates in this conference report are, in my opinion, too high. They are not nearly as high, however, as they would have been had we accepted the Senate amendments. In fact,

there was but one tariff rate in the bill presented by the House that was higher than the rate in the Payne law. Practically every amendment offered in the Senate provided rates substantially higher than the Payne law.

In that respect the report of the conferees is a decided improvement over the Senate bill. Many of the amendments adopted in the Senate bill were adopted at the suggestion of one Senator. I do not believe that that is a scientific way to revise the tariff of the United States. I can imagine in that august body something like this occurring in the consideration of a tariff law—and it is not stretching the probabilities immensely—I can conceive of some dignified Senator rising in his place and saying that he had a constituent who kept a bee, and he suggested therefore a duty on honey, and that amendment would be accepted very gladly and made a part of the law. [Laughter.]

That is not the way to revise the tariff scientifically. But it was this condition—and not a theory—that confronted us conferees when we met.

It is all very well for the gentleman from Illinois to be humorous on the subject of cherries. I do not think that cherry duty was either necessary or important. Similarly with regard to apples. There is this excuse for the duty on apples: The only apples that come into this country come into one State from Canada, and Canada imposes against us a duty of 30 cents. We simply do the same thing against Canada that Canada does against us. I was rather surprised that my learned and distinguished friend from Illinois in discussing the subject of fruits left out that great California fruit, the lemon. The Senate in its wisdom increased the duty on lemons from a cent and a quarter to 2 cents.

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. HENRY T. RAINEY. We have been handed so many lemons in these tariff bills that we did not think that was necessary. [Laughter.]

Mr. LONGWORTH. I think the gentleman who handed us this lemon was a very great and distinguished Democratic leader. I recall that during the last campaign the Governor of Ohio, the Democratic candidate for the Presidency, went through southern California advocating a duty on lemons not only sufficient to equalize the difference in cost of production here and abroad, but also sufficient to pay the freight on California lemons to New York. That was the influence, gentlemen. It was the late Democratic candidate for President who influenced Congress and compelled us to put this outrageous duty on lemons. [Laughter.] If there was a lemon handed to us, it was by the former leader of my distinguished friend's party.

Mr. HENRY T. RAINEY. I call the attention of my friend to the fact that if the Democratic candidate did make that promise in California, the results do not indicate that the Californians wanted an increase in the price of their lemons. [Laughter.]

Mr. LONGWORTH. I dislike to think what California would have done to Gov. Cox if he had not advocated that duty on lemons. It is horrible to contemplate. [Laughter.]

Gentlemen, this bill, or at least the major portion of this bill, is absolutely defensible. There never has existed such a situation in this country as that recently with regard to the live-stock industry and with regard to wool and possibly with regard to wheat. The situation of the farmers of this country has been disastrous. Under free wool there have been importations of wool into this country, landed here at a price with which no woolgrower in the United States can possibly compete. The consequence has been that a situation has arisen which made it almost inevitable that unless some relief was given in the West and in the South, particularly in the State of Texas, the flocks would actually disappear from this country. The farmers and woolgrowers could not afford to feed their sheep. Their wool was pledged to the banks, and the banks were about to foreclose, and they would have had nothing to pay except from the sale of the ewes. Now, you may destroy an ordinary agricultural crop absolutely. You may not raise a bushel of wheat or a bushel of corn, and you can reproduce your wheat and your corn next year; but if you destroy your sheep crop or your cattle crop, you have destroyed them practically forever. If you destroy your ewes and your cows, it will take you 20 years and maybe more to restore your crop; and from that point of view this legislation is absolutely justified. I am informed by gentlemen who are thoroughly conversant with this subject that even though there is no reasonable hope that this bill will finally be enacted into law, the passage of the bill in this House has immensely relieved the situation in the West, in Texas, and in the other big cattle-growing States.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GREEN of Iowa. I yield to the gentleman one minute more.

Mr. LONGWORTH. I do not know what the ultimate fate of this bill may be. Some gentleman on that side may be more in the confidence of the present Executive than I am. I assume that the bill will be vetoed; but I repeat that leaving out some of the smaller matters, which are of comparatively little importance, we have been justified in so far as some of the most important agricultural products of this country are concerned, in taking the action that we have taken in passing this bill and in the action we are about to take in adopting this conference report. [Applause.]

Mr. GREEN of Iowa. I yield four minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, it is impossible under the circumstances to debate this bill in four minutes, but I wish to present one proposition with as much precision as I am capable of.

The condition of the agricultural interests is serious. It is as serious now as when the House passed the emergency tariff bill in December. It will certainly remain serious for some time. The condition is an emergency condition due largely to the fact that agricultural products are being brought into the United States and sold at an abnormally low price. There can be no doubt that the price at which the foreigner sells here his wool and wheat and sugar, for example, is less in some cases and hardly more in others than the cost of production. That is a dumping process. Against that process, so far as manufactured articles are concerned, the House attempted to guard when it passed the antidumping bill in 1919, without a roll call. Against that process, as I understand, England is guarding by legislation recently or about to be enacted. Why we should not guard against it in respect to agricultural products is something that I can not understand.

The House bill has been amended, but not so as to destroy the principle involved or materially affect it. Having voted for the House bill, I would be in an indefensible position if I declined to vote for the bill as amended. Therefore, I have no hesitation in supporting the bill as it now stands. It is a temporary emergency measure limited to 10 months, and it is essentially an antidumping measure. It does not commit those who support it to any permanent tariff doctrine or policy. I know, of course, that some of those who support it do so with the hope and expectation that it will not become a law. There never was a time when the agricultural interests were not the playground of cold-blooded politicians. But I am casting my vote with the hope that the bill will go through both Houses and will receive the approval of the President. [Applause.]

If that happens, I do not predict that much immediate relief would be afforded. There will be little and perhaps in the course of a few weeks no advance of prices, but, because the inflow of foreign products would be checked, the American market would be saved from further demoralization and kept open for American producers. Thus it would afford some prospective relief to the agricultural interests. [Applause.]

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. MOORE of Virginia. Yes.

Mr. LINTHICUM. What particular product does the gentleman refer to as coming into this country?

Mr. MOORE of Virginia. Sugar has been coming into this country for some time, and according to the best information I have obtained—and I have endeavored to obtain reliable information—sugar has been sold for less than the cost of production in Cuba. I understand the same thing is true of wool, wheat, and other of the products covered by the bill.

Mr. HENRY T. RAINEY. I yield 10 minutes to the gentleman from Arkansas [Mr. OLDFIELD].

Mr. OLDFIELD. Mr. Speaker, I agree with my friend from Ohio [Mr. LONGWORTH] that the agricultural industry is in a serious situation, but I do not agree with him that this bill is the remedy. I want to repeat here, my friends, that the remedy is not a prohibitory tariff on wheat and other farm products, but the remedy is an outlet and a market for our surplus products. There can be no question about that. If there is one thing in a tariff discussion that Democrats and Republicans agree upon it is that a tariff does no good to the producers of a product if that product is exported to foreign countries in great quantities. We all agree upon that. The chairman of the Committee on Ways and Means, my friend the gentleman from Michigan [Mr. FORDNEY], would not disagree to that statement. He could not afford to do it. That very question was investigated in 1911 by a distinguished committee of the United States Senate. And here is what they say about farm products and the

tariff on farm products. They mention barley, corn, rye, oats, wheat, cattle, and hogs:

> The groups of articles which have shown the greatest advance—the products of the forests and the products of the farm—are those for which there has been practically no change in tariff during the past 10 years.
>
> That the tariff is not the cause of the present advance is conclusively shown by the fact that the greatest advance has been made in commodities which are usually produced in sufficient quantities to furnish a large surplus to other countries.

In other words, according to this report made by a Republican committee of the Senate in 1911, the tariff on farm products does not benefit the farmers because the products—wheat, corn, and cotton—are exported in great quantities, hence the price is fixed by the world price.

Now, who made that report, my friends? Senator LODGE, Senator Gallinger, Senator McCUMBER, Senator SMOOT, Senator Crawford, Republicans; Senator Clarke, one of the ablest men that ever served in the United States Senate, a Democrat from Arkansas; Senator Johnston of Alabama; and Senator SMITH of South Carolina. That being true, my friends, what is the situation? They talk about a prohibitive tariff on wheat. Why, are we helping the wheat farmers of this country? It is impossible to do it, and I will tell you why. We imported last year 35,000,000 bushels of wheat, and we exported 218,000,000 bushels. Mr. McCoy, an expert in the Treasury Department and one of the greatest in America, says that it is a prohibitive tariff and will drive Canadian wheat into the Liverpool market, which will bear down the price of the American wheat in the world's market.

We have a prohibitive duty on flour. The farmers of this country do not produce flour. The millers produce flour. Ah, my friends, when you put 20 per cent ad valorem on flour you will raise the price of bread to the consumers of the country in the interest of the millers on the Canadian border, and you know it.

Mr. LONGWORTH. Will the gentleman yield?

Mr. OLDFIELD. I will, but I have but little time.

Mr. LONGWORTH. I would like to know where the gentleman finds the quotation from Mr. McCoy that this is prohibitive.

Mr. OLDFIELD. I had a telephone from him a little while ago.

Mr. LONGWORTH. He sent in an estimate that it will raise $150,000,000 revenue.

Mr. OLDFIELD. I am talking about wheat and flour; it is prohibitive on those.

Mr. LONGWORTH. But the gentleman's remarks apply to the entire bill.

Mr. OLDFIELD. I do not think so. If so, I did not intend them to. Now, gentlemen, what does this mean? It means that you will raise the price of bread to the consumers of this country without benefiting the wheat farmer in the least. Why, you are a set of highwaymen to do any such thing as that. It is outrageous, if you please. This is a stick-up bill and nothing else. The ordinary highwayman in this country would not do it. I saw where a man was robbed in New York the other day, and the robber gave the man robbed enough money to get to the hotel and to buy his breakfast. But you people say to the consumers of this country you will pay this tariff graft to the millers of the country or you will starve. It is all the way through the bill.

You talk about a prohibitive tariff on another food product—beans—2,000,000 bushels imported and 1,750,000 bushels exported. And yet you say the Chinese are dumping the product in this country.

I was surprised at my friend from Virginia when he said that he feared the dumping of farm products. Who would buy them? The farmers are broke and the manufacturers have shut down. If you expect the laborers of the country to pay higher prices, where do you expect they will get the money? Four millions of them walking the streets to-day, and yet you expect to raise the price of bread to them.

Now, take the sugar proposition. Every person in this country consumes annually 90 pounds of sugar. Under this tariff they will pay 2 cents a pound, for all admit that it will raise the price to the extent of the tariff. That is $1.80 per head in every State in this Union. In my State we have 2,000,000 people, and that means $3,600,000 that my people must pay, and only half of it goes into the Treasury of the United States. One million eight hundred thousand dollars goes into the pockets of the beet-sugar growers, the cane-sugar growers, and the sugar refineries. I say it is unfair to the consumers of the United States to compel every State in this Union to take this money out of the pocket of one man and put it into the pocket of another, to take money from one man who has earned it and give it to men who have not earned it—as this measure does.

The wool proposition is the same, absolutely. You say to the people who have to wear woolen clothes in this country we will fix a tariff on wool higher than the Payne-Aldrich law, and then at the next session of Congress the wool manufacturers will write a tariff rate on woolen goods, and we will contribute several hundred million dollars to the woolgrowers, the wool manufacturers, and make the 105,000,000 consumers, who must have woolen clothing, contribute to that extent. It is not fair; it is not just. I can not for the life of me see how any Democrat can vote for this bill. I do not believe real Democrats want to support the bill.

Mr. HARDY of Texas. I want to call the gentleman's attention to the fact that woolen goods are taxed.

Mr. OLDFIELD. I understand. Gentlemen, the farmers of this country do not produce frozen meat. They produce hogs and cattle and sheep, but the packers produce frozen meat. They have packing establishments in Argentina and Brazil. They will ship frozen beef and frozen mutton, and this tariff will raise the price to the extent of the tariff, 2 cents a pound, on the product, and when shipped into this country the consumers of meat in this country will have to pay that price.

The farmers will not be benefited, because the packers buy their products. The farmers have but one purchaser—the packers of the country. The packers fix the price of the farmers' cattle, hogs, and sheep, and they will also fix the price of meat products by adding the tariff. They will add the tariff to it, and the consuming centers of the country, which must have meat, will put up the money, which goes into the pockets not only of the Treasury but into the pockets of the packers' trust of the country. You say in this bill that the consumers of meat must pay this tariff graft or starve.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield one minute more to the gentleman from Arkansas.

Mr. OLDFIELD. Mr. Speaker, a word in conclusion to my Democratic friends. You should not vote for this bill. The Democratic Party will cease to exist, and it ought to die, when it embarks on a legislative policy of taxing all the people for the benefit of a few of the people, a taxation policy which enriches the few at the expense of the many, which every protective tariff measure does. You can not hope to compete with our Republican friends for the support of the great combinations of wealth in this country. We must appeal, as we have always appealed, to the manhood and womanhood of America to support our party because it is pledged to secure equal rights and privileges to all men and to resist all legislative schemes which seek to give undue advantage to any man or class of men over the rest of the people of the country. [Applause.]

Mr. GREEN of Iowa. Mr. Speaker, I yield four minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Speaker, our Democratic colleagues on the Ways and Means Committee do not seem to be able to agree very well. The gentleman from Illinois [Mr. RAINEY], in his speech made recently, claimed that wheat in Winnipeg was higher in price than at Minneapolis, and that it was folly to put any tariff on at all, because the price in Canada for wheat was higher than in the United States. Then his colleague on the committee, my good friend [Mr. OLDFIELD], has just told us that the tariff proposed for wheat is going to be prohibitive, and he thinks it is a scandalous thing to put a prohibitive tariff on wheat against Canada. I think these gentlemen, who belong to our Ways and Means Committee, ought to get together and talk things over before they attempt to enlighten this House. Again, the gentleman from Illinois [Mr. RAINEY], also says that a tariff on Canadian wheat will raise the price, and we have just listened to a long argument from the gentleman from Arkansas [Mr. OLDFIELD], in which he says that it will not raise the price, that it is an absolutely silly proposition to think it will raise the price, since he claims we export wheat.

Mr. HENRY T. RAINEY rose.

Mr. YOUNG of North Dakota. I can not yield.

Mr. HENRY T. RAINEY. But I did not say the tariff on wheat would raise the price of wheat.

Mr. YOUNG of North Dakota. The gentleman took a lot of time to tell how short the supply of wheat was in the United States, and if I understood him correctly he claimed that we had even used up 80,000,000 bushels of what he calls our reserves of wheat. Of course if that were true, it could not mean anything else than that the price of wheat would be raised in the United States.

Mr. HENRY T. RAINEY. Undoubtedly that is true.

Mr. YOUNG of North Dakota. I am perfectly willing to admit that it will raise the price of wheat. That is why we ask for a duty in this bill. We would not come in here to ask to have duties placed on wheat if it were not going to do us any good, and I am very glad to say, and I am very glad to know, that most of the Members of this House are willing that the farmer should have a fair price for wheat—a price sufficient to cover his cost of production plus a reasonable profit. I am aware that there are some short-sighted and selfish people who believe they should have protective duties on the manufactured stuff which they sell and oppose a protective duty on the agricultural products which they buy. These people are fond of criticizing the farmers and telling them how to run their business. To these critics I would say: Quit kicking the cow or let go of the teats.

What we need to-day in the United States more than anything else is to restore the purchasing power of the farmers of the country. The ordinary farmer purchases more stuff than the ordinary consumer in the city.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. GREEN of Iowa. Mr. Speaker, I yield one minute more to the gentleman.

Mr. YOUNG of North Dakota. Mr. Speaker, when you consider that one-third of the population is engaged in farming, and that their purchases have been estimated to be greater than those of the ordinary city consumer on account of the fact that they buy so much machinery and so many things that are needed in connection with their business, you can readily see what it means to destroy, as has been done practically, the purchasing power of the farmers of the country. When you restore the price of wheat, when you restore the price of live stock, when you restore the price of other things produced on the farms of the United States you will see this country prosperous again.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has again expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes.

OSAGE INDIANS IN OKLAHOMA.

Mr. SNYDER. Mr. Speaker, I rise to ask unanimous consent that the bill (S. 4039) to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," together with the report thereon, be withdrawn and referred back to the Committee on Indian Affairs.

The SPEAKER pro tempore. The Chair would state that the time is in the control of the gentleman from Iowa and the gentleman from Illinois. If there is no objection, the Chair will recognize the gentleman from New York to make this request.

Mr. GREEN of Iowa. I have no objection. It will not be taken out of the time.

The SPEAKER pro tempore. It will not be taken out of the time. The gentleman from New York asks unanimous consent that Senate bill 4039 and the report be withdrawn and referred back to the committee on Indian Affairs. Is there objection?

There was no objection.

EMERGENCY TARIFF LEGISLATION.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman from Illinois kindly use the remainder of his time now?

Mr. HENRY T. RAINEY. Mr. Speaker, I yield the remainder of my time to the gentleman from Tennessee [Mr. HULL].

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 17 minutes.

Mr. HULL of Tennessee. Mr. Speaker, I have been somewhat at a loss to ascertain the exact place which this bill occupies in the legislative program of the majority party for this session of Congress. This was first heralded as a farmers' emergency tariff bill. I judge it was drafted within probably 30 minutes, a period of time corresponding to the spirit of the emergency alleged. I say this in view of the many errors, mistakes, erudities, and other deformities of various kinds which occur in almost every paragraph and section of the bill. That fact was well attested by the distinguished gentleman from Michigan [Mr. FORDNEY], who floundered here for some five minutes in trying to explain to the House technical phases as the cause of the exclusion of hides, which was finally left in a still more involved situation than it was when he commenced. The same fact was later attested by the plain utterance of my distinguished friend from Massachusetts [Mr. TREADWAY].

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. HULL of Tennessee. Yes.

Mr. GREEN of Iowa. The gentleman was one of the conferees. I think the gentleman understands very well that the reason hides and leather went out is because the bill in the Senate was in such a state with reference to those items that necessarily everyone agreed they should go out.

Mr. HULL of Tennessee. They went out, in my opinion, for the same reason that the stand-pat majority threw them out of the Payne tariff bill and for the same reason that they will be thrown out of the new Republican bill to be written next summer.

Mr. GREEN of Iowa. Oh, the gentleman does not mean to state that.

Mr. HULL of Tennessee. The gentleman from Michigan has stated the other side. Mr. Speaker, this was heralded as an emergency proposition, and while seeming haste was exhibited in its drafting and passage through the House it has been lingering and slumbering and sojourning at different stages for more than a month at this time. It went to conference a week ago, and yet the conferees have consumed a week practically before it gets back to the House, although it took probably only 30 minutes to draft the entire bill in the beginning. If this were an emergency bill, why the occasion for any delay on the part of those having it in charge? The truth seems to be that a major portion of the press of the country, irrespective of party, has condemned this bill as being unscientific, uneconomic, and not calculated to render any real relief to the farmers or to any other class of business in this country, but rather injury to each.

What happened next? The press, I notice, on many occasions have stated that the majority party had declined to pass a budget bill at this session because the President would veto it if passed. Notwithstanding the fact that the President has indirectly said that he would veto the pending tariff bill if sent to him and has stated in his veto message that he would approve a budget bill if sent to him the majority now propose to withhold the budget legislation from him and to pass up to him this tariff monstrosity, which is still heralded as an emergency proposition, and we now find time to consume two hours here in the consideration, in the belated consideration, of this measure after they know that the bill may die as a pocket veto, and after they know it is probably too late for Congress to have an opportunity to pass the bill over the veto of the President. The majority now consume the time of the House and the time of the Senate, I say, notwithstanding we have this budget legislation, notwithstanding the great uproar a short time ago to repeal all war legislation——

Mr. FOCHT. Will the gentleman yield for a question?

Mr. HULL of Tennessee. I have not the time just now.

Mr. FOCHT. Just a second, because I would like to know——

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. HULL of Tennessee. Notwithstanding the pledges and promises to repeal war legislation and to pass appropriations for public highways, to consider packers' legislation, and other meritorious measures pressing for consideration, this bill, which they have allowed to slumber for more than a month, although of a pretended emergency nature, is brought in to displace in the House and Senate all these important measures. I, of course, do not accuse the majority of bad faith, but I do believe that all the facts and circumstances indicating bad faith in the introduction and the handling of this bill would, if it were a crime, convict a man of a criminal offense before almost any jury in the United States. [Applause on the Democratic side.] Now, the truth is, in my candid opinion, that this bill has done more to discredit the mental integrity of Congress in the eyes of intelligent and sound conservative business people all over this country than any other measure that has come in here within many a year. My friend from Ohio [Mr. LONGWORTH] discredits the bill practically in his speech because he takes pains at the outset to announce that he will not be bound by any of these rate precedents which the bill establishes, although he must know that this bill is brought in here simply to whet the appetites of those who are expected to organize the tariff forces preparatory to general high-tariff legislation a few months later, and this will be pointed to as a precedent as to its rates and classifications, and Members will be held to their position now taken. This is the entering wedge. The next bill will contain these or the Payne rates as a minimum and they will build to them if certain influences prevail. Now, Mr. Speaker, I conceive the situation even from the standpoint of a protectionist is that the country will be facing an entirely new set of conditions in certain

important respects under the operation of the next system of high protective tariff in this country.

In the first place we have $15,000,000,000 due us from Europe. In the second place we are producing more than we ever produced before of foodstuffs, agricultural products, raw materials, and manufactured goods. We are shipping and selling more than $8,000,000,000 of these surpluses to all the countries of the world; it is recognized by the ablest tax authorities that 17 per cent of our manufactures are exported and sold abroad, and it is said, in that connection, that the last 20 per cent of a business dominates the success of that business and fixes its prosperity. By the same rule the export of 17 per cent of these products to which I have referred are the key to our domestic prosperity. And yet this bill is urged here. Why, a doctor might just as well use the laying on of hands to a fresh wound as a suitable medical treatment as for Congress to bring in this tariff measure as a remedy for the existing conditions. The price of farm products has slumped; yes, they have slumped in almost half the world while the other half is starving for them. The prices of raw materials, foodstuffs, and manufactured articles have slumped; yes, they have slumped elsewhere as they have here, all as a result of the war's effects, and that presents the exact problem that confronts us to-day, and that is how to find a market at reasonable prices for this $8,000,000,000 of surplus, and you can not find that market simply by obstructing the small scattering amounts of imports that are coming in here in the form of the different commodities referred to in this bill. The problem is to get our surplus commodities of this class out of the country into a good market where they are so greatly needed, and I shall read presently a statement of the imports for each of these articles which shows that there is nothing resembling an emergency so far as damaging imports are concerned.

Mr. FOCHT. Will the gentleman allow me to ask him a question before he begins?

Mr. HULL of Tennessee. If the gentleman will be very brief.

Mr. FOCHT. Just a question. According to the gentleman's process of reasoning it is apparent that he is going to disregard the 85 or 90 per cent of products at home in order to find a cheap market for that 10 per cent, scouring the earth for selling 10 per cent to cheap nations while leaving the larger——

Mr. HULL of Tennessee. I can not yield further; the gentleman wholly misunderstands the economic situation.

Mr. FOCHT. Oh, no.

Mr. HULL of Tennessee. Unless you are able to export your existing surpluses you will not have any real domestic prosperity. This condition is the real trouble at this time. Now, the principal trouble with the markets for our products abroad is the exchange situation, and that does not raise a practical tariff question. Some gentlemen have said that other nations have been enacting tariffs to deal with that. I notice some of them have enacted a more arbitrary piece of legislation in the nature of a licensing law, because a 50 per cent tariff would be required to meet the exchange situation this week, and it might have to be 200 per cent next week. Under such a condition a tariff is wholly inadequate and a licensing method would be the only remedy to deal with that.

Now, just as soon as the people of this Nation can help those of other countries to establish credits and restore the exchange situation, which will enable them to take and to pay for our surplus products, then you will see real prosperity come back to this country, and you will not see it come back in suitable measure before that time.

Now, Mr. Speaker, I want to call attention just briefly to the fact that this is a pretended emergency measure, and yet this Nation is practically on an importing basis for wheat at this time. My friends in the wheat belt will find that if they would leave off the tariff against Canada and let the Canadian and the American wheat meet in the English market, as it does, we would have constant stability of prices, and that is the only means by which we will have stability of market prices in wheat in this country. You put a little tariff on it and you will have fluctuations constantly, you will have artificial conditions, and the farmer will lose more than he can gain from any kind of tariff.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. HULL of Tennessee. I am sorry that I have not the time. I wish I could. Please do not think me discourteous.

Figures as to wheat were given you by the gentleman from Arkansas [Mr. OLDFIELD]. Now, take beans. Beans are a product raised principally in California and Michigan. They are put in here as an emergency item. And yet for December we only imported 38,610 bushels, valued at $112,000, while we exported 52,684 bushels, at a value of $260,000. We raised about 9,000,000 bushels of beans last year and imported 2,000,000 bushels, and our domestic consumption prior to the war was 11,000,000 bushels. So the bean situation has adjusted itself. Yet that is put in here, I repeat, as one of the policies of this emergency measure.

Mr. BRIGGS. Will the gentleman state from what figures he is reading?

Mr. HULL of Tennessee. From the official reports of the Department of Commerce.

Now, take potatoes. There were 321,000 bushels imported in December, for $308,000, while we exported 541,000 bushels, for $815,000, and a corresponding amount of imports and exports for the entire year of 1920. This is another so-called emergency item that has prompted the introduction of this bill.

Take onions; 46,000 bushels were imported in December, for $50,000, and 54,000 bushels exported, for $77,000. Imports and exports for the entire year were in similar proportion. That is another pressing emergency item that is brought in here.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

The gentleman from Iowa [Mr. GREEN] is recognized for 10 minutes.

Mr. GREEN of Iowa. Mr. Speaker, the gentleman from Tennessee [Mr. HULL], my friend who has just spoken, is ordinarily not inclined to make unfounded statements. But, Mr. Speaker, these are prohibition days, and when the gentleman from Tennessee, after the members of his party over on the other side of the Capitol have made a six weeks' filibuster against this bill, comes in here and charges us with bad faith and endeavoring to delay the passage of this bill, there are a large number of people who would like to know where he gets his stock of nervine.

Mr. Speaker, if there is anything that I do regret, it is that this bill can be treated with a pocket veto. If the President should veto it, and this bill comes back to the House, the gentleman from Tennessee knows what would happen. The merits of this bill are such that sufficient from his own side would give us the numbers to pass it over the presidential veto.

Mr. Speaker, on the occasion when this bill was before the House, and when it was passed originally, I stated that the agricultural interests of this country had lost in the depreciation of the value of their crops for 1920 below that of 1919 the staggering total of $5,000,000,000. Only a few weeks have elapsed since that bill was passed, and yet the most expert statisticians in the country add another billion to that amount and estimate the total loss at $6,000,000,000.

Gentlemen on the other side say that this is no emergency. They may treat this matter as a mere jest and a joke. If this is not an emergency, I do not know what could make one. The situation is something that is simply unparalleled and utterly unprecedented in the history of this country.

Now, Mr. Speaker, some gentlemen have said that this bill would not raise prices to the consumer—even gentlemen on the other side. I agree with them. That is a part of their argument that I will accept. If all of this tariff of 35 cents a bushel were added to the price of wheat—and even the gentleman from Illinois [Mr. HENRY T. RAINEY] says it will not be—it would not cost the consumer more than an infinitesimal fraction of a cent upon a loaf of bread. This bill is not intended to raise prices to the consumer. The purpose is to stop this ruinous process of going down, down, down of agricultural products until the farmer of the country is utterly ruined.

Mr. LINTHICUM. Will the gentleman yield? You say the intention is not to raise prices to the consumer. I can not get it through my mind how you are going to raise the price of what the farmer receives for his product unless you raise the price to the consumer also.

Mr. GREEN of Iowa. I can not furnish the gentleman ears. I said it was to stop this unprecedented decline that is going on in the price of food products.

Mr. FOCHT. And is it not also to protect our own market against the products of Canada and Argentina?

Mr. GREEN of Iowa. Certainly. Our own farmers are entitled to our own market. This bill in its nature is an antidumping bill; that is what it is. And as an antidumping bill, to protect the farmers of this country, I call upon the gentlemen on the Republican side and the gentlemen on the Democratic side to support it with equal consistency. The Underwood bill, put through by the gentlemen on the other side, under which we are now working, had an antidumping clause in it.

We propose to put an antidumping clause in any bill that we put through. This bill is merely in effect an antidumping bill. During the progress of the recent war, by reason of the interruption of transportation facilities, supplies accumulated to an extraordinary extent in some countries. Frozen mutton piled up not merely by the millions of pounds, but by the hundreds of millions of pounds in Australia and New Zealand. Wool accumulated not merely by millions of pounds, but by hundreds

of millions of pounds in Australia and Argentina. Beef accumulated in the same manner. Wheat piled up in Australia, and at the close of the conflict here was the only place where they could find the cold cash on a gold basis, and with the exchange in their favor the foreigner proceeded to dump all this great product upon us and deprive the American farmer of the American market. The result, as I stated, is this utterly unparalleled and unprecedented decline in the value of farm products, thus crushing the farmer under the weight of foreign competition.

Oh, gentlemen say there is not any emergency and that this is class legislation. I would like to take some of them out to the farming regions where they can visualize the situation for themselves. I would like to take them out to the great sheep-raising ranges where sheep were mortgaged for not more than one-third of their value, and where the owners, indebted to banks, are asking the bankers to cancel debts due them by taking over the mortgaged property. I would like to show them the accumulations of the wool producers, with 60,000,000 pounds of wool stored up which they can not sell. I would like to take them out among the wheat growers of the Northwest, aid for whom is contained in the bill brought over from the Senate at this time. I would like to show them the conditions in Nebraska, where farmers have burned corn for fuel and where more corn would be burned if it were not for the sentiment against it. Yet gentlemen say there is no emergency here and that it will not benefit the farmer!

Who knows best and who is likely to know best about this? The farmer himself wants this bill passed and insists upon it, and gentlemen who do not vote for it and who live in farming regions will hear from them when this bill is passed through this House.

Now, some gentlemen on this side say that the farmer is no worse off than some others. What situation in any other branch of business approaches that of the farmer? You can go down South among the cotton fields and find field after field standing there, with the bolls of cotton yet upon them, not picked because there would not be enough resulting from the work of picking to pay for the labor of bringing it to the gin. You can go out even in my country, in rich, fertile Iowa, the garden of the universe, and find fields of corn standing there. Why? Because the tenant can not realize enough from them to pay his rent and has gone away and left everything for the landlord.

Do gentlemen on this side think that farmers in that condition are able to buy manufactured goods? Do they think that is the best way to build up a market for manufactured products, by leaving the farmer in this situation? This must all begin with the farmer. It is true that men walk the streets, idle, in the manufacturing districts. Why? Because the farmer can not buy. That is the reason. Put him in a condition to buy, give the consumer employment, and he will no longer occupy that position. Why, my friend from Massachusetts [Mr. LUCE] said the other day that he spoke for the consumer. But if the consumer has the power to buy, instead of walking the streets without any wages, will he not be put in a far better position than he is in now, and will not the factories once more begin to turn their wheels when the farmer is able to resume his old position as the best customer the manufacturer ever had? No, this is not class legislation. It is for the benefit of the whole country.

One statement has been made with reference to this bill that, perhaps, deserves attention. While it is hardly necessary that I should contradict it, because anyone who reads it must know that it is not correct, yet I think I should not pass it by at this time. I saw in some of the papers that appeared in the East the statement that there was no compensation for the manufacturer for the wool duty that is contained in this bill. That statement is not correct. The compensating duty is there, and while it is not equalized in all respects as I would like to see it done if we were making a complete bill, yet it is more in some articles than the manufacturers are likely to get when a complete bill is introduced and passed in this House.

My friend from Tennessee [Mr. HULL] said that the gentleman from Ohio [Mr. LONGWORTH] admitted that these rates are wrong. The gentleman from Ohio did nothing of the kind. He admitted that he would not favor some of the rates in this emergency bill for a complete and permanent tariff bill. If my friend from Tennessee, who is usually so well informed on most subjects, is unable to see the difference between making the rates for a temporary and emergency tariff bill and a complete and permanent tariff bill, then I recommend that he give a little further study to the tariff. [Applause on the Republican side.]

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired. All time has expired. The previous question has been ordered. The question is on agreeing to the conference report.

The question was taken; and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. LONGWORTH. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Ohio asks for the yeas and nays.

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of agreeing to the conference report will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 205, nays 128, answered "present" 2, not voting 93, as follows:

YEAS—205.

Ackerman	Foster	Little	Sanders, N. Y.
Anderson	Frear	Longworth	Schall
Andrews, Nebr.	French	Luhring	Scott
Anthony	Fuller	McCulloch	Sells
Ashbrook	Gandy	McFadden	Shreve
Aswell	Good	McKenzie	Sinclair
Barbour	Goodall	McKinley	Sinnott
Bee	Goodykoontz	McLaughlin, Mich.	Smith, Idaho
Begg	Graham, Ill.	McLaughlin, Nebr.	Smith, Ill.
Benham	Green, Iowa	McLeod	Smith, Mich.
Bland, Ind.	Greene, Mass.	McPherson	Smithwick
Blanton	Griest	MacGregor	Snell
Boies	Hadley	Magee	Snyder
Bowers	Hardy, Colo.	Mann, Ill.	Steagall
Britten	Harreld	Mansfield	Steenerson
Brooks, Ill.	Haugen	Mapes	Strong, Kans.
Brooks, Pa.	Hawley	Martin	Strong, Pa.
Browne	Hays	Mason	Summers, Wash.
Butler	Hernandez	Michener	Sweet
Campbell, Kans.	Hersey	Miller	Swindall
Cannon	Hersman	Monahan, Wis.	Swope
Chindblom	Hickey	Mondell	Taylor, Colo.
Christopherson	Hicks	Moore, Ohio	Taylor, Tenn.
Clark, Fla.	Hoch	Moore, Va.	Temple
Cole	Holland	Mott	Timberlake
Cooper	Houghton	Mudd	Tincher
Copley	Hull, Iowa	Nelson, Wis.	Towner
Crago	Hutchinson	Newton, Mo.	Upshaw
Cramton	Jefferis	Nolan	Vaile
Crisp	Johnson, S. Dak.	O'Connor	Vestal
Crowther	Johnson, Wash.	Ogden	Voigt
Currie, Mich.	Jones, Pa.	Osborne	Volstead
Darrow	Jones, Tex.	Padgett	Walters
Davis, Minn.	Juul	Park	Ward
Dempsey	Kelley, Mich.	Parker	Wason
Denison	Kelly, Pa.	Parrish	Watson
Dickinson, Iowa	Kendall	Porter	Webster
Dowell	Kettner	Purnell	Welling
Drewry	Kiess	Radcliffe	Wheeler
Dunbar	King	Raker	White, Kans.
Dupré	Kinkaid	Ramsey	White, Me.
Dyer	Kleczka	Ramseyer	Wilson, Ill.
Echols	Knutson	Randall, Calif.	Wilson, La.
Elliott	Kraus	Reber	Wood, Ind.
Elston	Lampert	Reed, N. Y.	Woodyard
Emerson	Langley	Reed, W. Va.	Wright
Esch	Lankford	Rhodes	Yates
Evans, Nebr.	Layton	Ricketts	Young, N. Dak.
Fairfield	Lazaro	Riddick	Zihlman
Farr	Lea, Calif.	Robsion, Ky.	
Focht	Lee, Ga.	Rose	
Fordney	Lehlbach	Sanders, La.	

NAYS—128.

Almon	Eagan	Lesher	Riordan
Babka	Eagle	Linthicum	Robinson, N. C.
Bankhead	Evans, Mont.	Luce	Rogers
Barkley	Ferris	Lufkin	Romjue
Black	Fields	McAndrews	Rouse
Bland, Mo.	Fisher	McClintic	Rucker
Bland, Va.	Freeman	McDuffie	Sabath
Bowling	Gallagher	McKeown	Sanford
Box	Gallivan	Major	Sherwood
Brand	Ganly	Mays	Siegel
Briggs	Gard	Mead	Sims
Brinson	Garrett	Merritt	Sisson
Buchanan	Glynn	Milligan	Small
Burdick	Godwin, N. C.	Minahan, N. J.	Stedman
Burroughs	Goldfogle	Montague	Stephens, Miss.
Byrnes, S. C.	Greene, Vt.	Moores, Ind.	Stevenson
Byrns, Tenn.	Griffin	Neely	Stoll
Candler	Hardy, Tex.	Nelson, Mo.	Sumners, Tex.
Cantrill	Hastings	Newton, Minn.	Tague
Carew	Hoey	Nicholls	Taylor, Ark.
Carss	Howard	O'Connell	Tillman
Carter	Huddleston	Oldfield	Tilson
Cleary	Hull, Tenn.	Oliver	Tinkham
Coady	Igoe	Olney	Treadway
Collier	James, Va.	Overstreet	Venable
Connally	Johnson, Ky.	Paige	Vinson
Cullen	Johnson, Miss.	Pell	Walsh
Dallinger	Keller	Peters	Weaver
Davis, Tenn.	Kennedy, R. I.	Phelan	Wingo
Dickinson, Mo.	Kincheloe	Quin	Winslow
Dominick	Lanham	Rainey, Henry T.	Woods, Va.
Doremus	Larsen	Rayburn	Young, Tex.

ANSWERED "PRESENT"—2.

Jacoway Whaley

NOT VOTING—93.

Andrews, Md.	Dunn	Kearns	Rowan
Ayres	Edmonds	Kennedy, Iowa	Rowe
Bacharach	Ellsworth	Kitchin	Rubey
Baer	Evans, Nev.	Kreider	Sanders, Ind.
Bell	Fess	Lonergan	Scully
Benson	Fish	McArthur	Sears
Brumbaugh	Flood	McGlennon	Slemp
Burke	Garner	McKinley	Smith, N. Y.
Caldwell	Goodwin, Ark.	Madden	Steele
Campbell, Pa.	Gould	Maher	Stephens, Ohio
Caraway	Graham, Pa.	Mann, S. C.	Stiness
Casey	Hamill	Moon	Sullivan
Clark, Mo.	Hamilton	Mooney	Thomas
Classon	Harrison	Morin	Thompson
Costello	Hayden	Murphy	Vare
Curry, Calif.	Hill	Patterson	Volk
Dale	Hudspeth	Perlman	Watkins
Davey	Hulings	Pou	Welty
Dent	Humphreys	Rainey, Ala.	Williams
Dewalt	Husted	Rainey, John W.	Wilson, Pa.
Donovan	Ireland	Randall, Wis.	Wise
Dooling	James, Mich.	Ransley	
Doughton	Johnston, N. Y.	Reavis	
Drane	Kahn	Rodenberg	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. KREIDER (for) with Mr. BELL (against).

Mr. CURRY of California (for) with Mr. KITCHIN (against).

Mr. FESS (for) with Mr. VOLK (against).

Mr. MCARTHUR (for) with Mr. WHALEY (against).

Mr. RODENBERG (for) with Mr. SULLIVAN (against).

Mr. WILLIAMS (for) with Mr. THOMAS (against).

Mr. THOMPSON (for) with Mr. SMITH of New York (against).

Mr. BACHARACH (for) with Mr. MAHER (against).

Mr. ROWE (for) with Mr. ROWAN (against).

Mr. KAHN (for) with Mr. JACOWAY (against).

Mr. VARE (for) with Mr. PERLMAN (against).

Until further notice:

Mr. MADDEN with Mr. POU.

Mr. DUNN with Mr. CLARK of Missouri.

Mr. IRELAND with Mr. FLOOD.

Mr. STEPHENS of Ohio with Mr. DRANE.

Mr. EDMONDS with Mr. CAMPBELL of Pennsylvania.

Mr. RANDALL of Wisconsin with Mr. HAYDEN.

Mr. SLEMP with Mr. HARRISON.

Mr. KEARNS with Mr. HUMPHREYS.

Mr. HUSTED with Mr. JOHN W. RAINEY.

Mr. JAMES of Michigan with Mr. CARAWAY.

Mr. HILL with Mr. CALDWELL.

Mr. MURPHY with Mr. AYRES.

Mr. CLASSON with Mr. EVANS of Nevada.

Mr. MORIN with Mr. STEELE.

Mr. DALE with Mr. MOONEY.

Mr. RANSLEY with Mr. DAVEY.

Mr. GOULD with Mr. JOHNSTON of New York.

Mr. HULINGS with Mr. DENT.

Mr. JACOWAY. Mr. Speaker, I voted nay, but I am paired with the gentleman from California, Mr. KAHN, and wish to withdraw that vote and answer "present."

The result of the vote was announced as above recorded.

On motion of Mr. FORDNEY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15935. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I move that the House agree to the conference asked by the Senate on the sundry civil appropriation bill, H. R. 15422.

The SPEAKER. The gentleman from Iowa calls up the sundry civil appropriation bill and moves that the House agree to the conference asked by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee.

CONFERENCE REPORT ON LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I call up the conference report on the bill H. R. 15543, the legislative bill.

The Clerk read the conference report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 25, 26, 31, 40, 41, 42, 43, 44, 47, 56, 57, 70, 78, 79, 93, 94, 96, 103, 105, 109, and 110.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 27, 28, 32, 33, 35, 36, 45, 48, 49, 50, 51, 52, 55, 60, 61, 62, 64, 65, 67, 68, 71, 72, 73, 74, 75, 77, 89, 90, 91, 92, 97, 100, 101, 102, 104, 106, 107, 108, and 111, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$87,800"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$275,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Section of surety bonds: Clerks—1 of class 3, 1 of class 2, 2 of class 1, 1, $1,000; assistant messenger; in all, $7,120."

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Pierce accounting machine, $255,000: *Provided*, That no part of this sum shall be expended for the installation of machines until the Director of the War Risk Bureau certifies to the Secretary of the Treasury that said machines are working satisfactorily."

And the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Carson City (Nev.) Mint: Assayer in charge, who shall also perform the duties of melter, chief clerk, and cashier, $1,800.

"For services of workman and other employees, $1,500.

"For incidental and contingent expenses, $600."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agreed to the same with an amendment as follows: In lieu of the sum proposed insert "$25,000"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "northwest," in line 5; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the number proposed insert "36"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendement as follows: In lieu of the number proposed insert "64"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendement as follows: In lieu of the number proposed insert "31"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendement as follows: In lieu of

the matter inserted by said amendment insert the following: "one $720"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$310,750"; and the Senate agree to the same.

The committee of conference have not agreed upon the following amendments of the Senate numbered 29, 30, 34, 37, 38, 46, 58, 59, 63, 76, 80, 82, 95, 98, 99, 112, 113, and 114.

WILL R. WOOD,
EDWARD H. WASON,
T. U. SISSON,
Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On Nos. 1 to 21, inclusive, relating to the Senate: Provides for a messenger at $1,000, in lieu of a telegrapher at $1,500 and a page at $600, in the office of the Vice President; restores the salary of a file clerk and an assistant journal clerk at $2,500 each, stricken out by the Senate, and strikes out the language, inserted by the Senate, requiring other clerks to perform the duties of the file clerk and assistant journal clerk; strikes out, as proposed by the Senate, two clerks at $2,220 each, one clerk at $2,100, one clerk at $1,800, and two clerks at $1,600 each, and provides for a clerk at $1,740 in lieu thereof; strikes out the name of an employee in the document room and provides for a clerk at $1,440, instead of an assistant at that salary; provides for an additional messenger at $1,800 and one at $1,440 in the office of the Sergeant at Arms, and increases the pay of a laborer from $840 to $900. Increases the following appropriations for contingent expenses, as proposed by the Senate: Maintenance of motor vehicles from $7,000 to $10,000, expenses of inquiries and investigations from $25,000 to $100,000, reporting proceedings of the Senate from $30,000 to $40,000. Reduces the appropriation for folding speeches from $10,000 to $5,000, and appropriates $2 000, instead of $1,500, as proposed by the House and $2,500 as proposed by the Senate, for fuel.

On Nos. 22, 23, and 24, relating to the Capitol police: Strikes out, as proposed by the Senate, 14 privates at $1,050 each and 10 privates at $840 each.

On No. 25: Strikes out the increase of $3,000 proposed by the Senate in the Speaker's salary.

On No. 26: Strikes out the increase of $10,000 proposed by the Senate in the appropriation for the Legislative Reference Service in the Library of Congress.

On Nos. 27 and 28: Provides for a book cleaner at $720 in the office of the Superintendent of the Library Building.

On No. 31: Strikes out the increase of $3,000 proposed by the Senate in the compensation of the Vice President.

On Nos. 32 and 33, relating to the office of the President of the United States: Makes the appropriation for miscellaneous expenses available for special services and increases the amount from $30,000 to $36,000, as proposed by the Senate.

On Nos. 35 and 36, relating to the Civil Service Commission: Inserts authority for the employment of one person at $3,000 under the appropriation for temporary employees, and provides, as proposed by the Senate, that the appropriation for rent shall not be expended if space can be assigned in other Government buildings.

On Nos. 39 to 44, inclusive, relating to the State Department: Appropriates $275,000, instead of $250,000, as proposed by the House, and $300,000, as proposed by the Senate, for temporary employees; strikes out the appropriations, inserted by the Senate, for passport bureaus at New York, San Francisco, Seattle, and Key West; and strikes out the appropriation of $15,000, inserted by the Senate, to provide a fireproof receptacle for the Declaration of Independence and other valuable papers.

On No. 45: Makes a correction in the text of the title of the appropriation for the Arlington Building.

On Nos. 47 to 53, inclusive, relating to the Division of Appointments in the Treasury Department: Places the Section of Surety Bonds under the Division of Appointments, as proposed by the House; reduces the clerical force for the division proper, as proposed by the Senate; and inserts under the Division of Appointments the force proposed by the Senate for the Section of Surety Bonds, modified so as to eliminate the appropriation of $2,250 for a chief of the section.

On Nos. 54 to 57, inclusive, relating to the Bureau of War Risk Insurance: Inserts the appropriation of $255,000 proposed by the Senate for the Pierce accounting machine, modified so as to provide that no part of the appropriation shall be expended for installation of the machine until it has been demonstrated to work satisfactorily; and strikes out the language, inserted by the Senate, relative to soliciting the reinstatement of lapsed insurance.

On No. 60: Reduces from $25,000 to $24,000, as proposed by the Senate, the appropriation for gas, electric current, etc., for the Treasury Department.

On No. 61: Increases from $300 to $500, as proposed by the Senate, the amount which may be used for street car fares in the District of Columbia for the Treasury Department.

On No. 62: Reduces from $30,000,000 to $29,600,000, as proposed by the Senate, the appropriation for assessing and collecting internal-revenue taxes.

On No. 64: Provides, as proposed by the Senate, that the appropriation for rent for the Bureau of Internal Revenue in the District of Columbia shall not be expended if space can be assigned in other Government buildings.

On No. 65: Appropriates $7,200, as proposed by the Senate, for the Deadwood, S. Dak., assay office.

On No. 66: Appropriates $3,900, instead of $4,400 as proposed by the Senate, for the Carson City, Nev., Mint.

On Nos. 67 and 68: Reduces from $10,000 to $5,000, as proposed by the Senate, the compensation of the Assistant Secretary of War.

On No. 69: Appropriates $25,000, instead of $20,000 as proposed by the House and $30,000 as proposed by the Senate, for additional employees in the office of the Judge Advocate General.

On No. 70: Strikes out the authority, inserted by the Senate, for a chief clerk at $2,500 in the office of the Chief of the Air Service.

On Nos. 71 and 72, relating to the office of the Quartermaster General: Increases the appropriation for additional employees from $250,000 to $543,140, as proposed by the Senate, and provides, as proposed by the Senate, for 11 additional employees at rates of compensation in excess of $1,800 per annum.

On No. 73: Inserts the authority, proposed by the Senate, for an additional employee at $3,000 in the office of the Chief of Finance.

On Nos. 74 and 75, relating to the office of the Surgeon General: Strikes out, as proposed by the Senate, the appropriation of $2,100 for a chemist and that of $1,600 for an assistant chemist.

On No. 77: Inserts the authority, proposed by the Senate, for one employee at $3,000 and one at $2,000 in the office of the Chief of the Chemical Warfare Service.

On Nos. 78 and 79: Provides that the appropriations for public buildings and grounds in Washington shall be paid on the basis of 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States instead of on the 50-50 basis, as proposed by the Senate.

On No. 81: Inserts the authority, proposed by the Senate, for the removal of the Council of National Defense Building and the Corcoran Courts Building and strikes out the authority, inserted by the Senate, giving the Public Buildings Commission general jurisdiction to authorize the removal of the temporary office buildings.

On Nos. 83 to 88, inclusive, relating to the Indian Office: Provides for 36 clerks of class 2, instead of 34, as proposed by the House, and 38, as proposed by the Senate; provides for 64 clerks of class 1, instead of 60, as proposed by the House, and 68, as proposed by the Senate; provides for 31 clerks at $1,000 each, instead of 30, as proposed by the House, and 32, as proposed by the Senate; provides for a clerk at $720, instead of 2, as proposed by the Senate; and provides for 3 assistant messengers at $720 each, instead of 2, as proposed by the House, and 4, as proposed by the Senate.

On Nos. 89 and 90: Appropriates $2,750 for the deputy disbursing clerk in the Pension Office, instead of $2,500, as proposed by the House.

On No. 91: Inserts the authority, proposed by the Senate, to enable the Patent Office to produce copies of foreign patent drawings.

On No. 92: Appropriates $5,300, as proposed by the Senate, for the office of surveyor general of South Dakota.

On Nos. 93, 94, and 96, relating to the Post Office Department: Strikes out the increase of 13 clerks at $1,200 each, inserted by the Senate, and strikes out the increase of $200, inserted by the Senate, for the purchase of books.

On Nos. 97 and 100, relating to the Department of Justice: Provides for a change in the title of the chief clerk, as proposed by the Senate, and also provides that the appropriation for rent shall not be expended if space can be assigned to the department in other Government buildings.

On No. 101: Reduces from $1,215,000 to $1,000,000, as proposed by the Senate, the appropriation for the Bureau of the Census.

On Nos. 102, 103, and 104, relating to the Bureau of Foreign and Domestic Commerce: Increases the amount which may be expended for branch offices in the United States from $75,000 to $100,000, as proposed by the Senate; strikes out the authority, inserted by the Senate, to make the appropriation for the promotion of commerce with South and Central America available for expenditure in Europe; and increases the appropriation for the promotion of commerce with the Far East from $100,000 to $150,000, as proposed by the Senate.

On No. 105: Strikes out the appropriation of $19,340, inserted by the Senate, for the Division of Information in the Bureau of Immigration.

On Nos. 106 and 107: Strikes out the appropriation of $3,000 for the clerk of the district court in Hawaii.

On No. 108: Strikes out the appropriation of $3,000 for the clerk of the district court for Porto Rico.

On Nos. 109 to 111, inclusive, relating to the Court of Claims: Strikes out the increase of $500, proposed by the Senate, in the salary of the chief clerk and inserts the language, proposed by the Senate, making the appropriation of $1,000 for reporting the decisions of the court available for payment without reference to the laws prohibiting the payment of two salaries where the compensation amounts to more than $2,500.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 29: Relating to the transfer of a motor truck from the War Department to the Library of Congress.

On No. 30: Relating to the transfer of two motor trucks from the War Department to the Botanic Garden.

On No. 34: Providing that the secretary of the Civil Service Commission shall be deemed an "employee" for the purposes of this act.

On Nos. 37 and 38: Changing the title of "Counselor of the State Department" to "Undersecretary of State."

On No. 46: Relating to the General Supply Committee; providing for the transfer of two motor trucks from the War Department; authorizing the issuance to the other departments of the Government, or the sale commercially, of surplus typewriting machines which have become unfit for further use; and authorizing the General Supply Committee to make repairs to typewriting machines belonging to other departments of the Government.

On No. 58: Appropriating $200,000,000 for the purchase of bonds of Federal land banks.

On No. 59: Providing for the transfer of three motor trucks from the War Department to the Treasury Department.

On No. 63: Increasing from $7,100,000 to $7,500,000 the appropriation for the enforcement of the national prohibition act.

On No. 76: Authorizing the detail of not to exceed eight warrant officers or enlisted men to the office of the Chief of Coast Artillery.

On No. 80: Authorizing the transfer of an automobile from the War Department to the Superintendent of the State, War, and Navy Buildings.

On No. 82: Appropriating $75,000 to make the Navy Department office building available to accommodate the offices of the Shipping Board.

On No. 95: Authorizing the transfer of a motor truck from the War Department to the Post Office Department.

On Nos. 98 and 99: Appropriating $3,000 for an assistant chief clerk in the Department of Justice.

On No. 112: Fixing the purchase price of typewriting machines, providing for the transfer of typewriting machines from the War Department to the General Supply Committee, and the sale of such machines by the General Supply Committee to other branches of the Government service.

On No. 113: Relating to the additional compensation of civilian employees of the Government ($240 bonus).

On No. 114: Authorizing the sale to the city of Chicago for street purposes the interest of the United States to certain land in that city.

WILL R. WOOD,
EDWARD H. WASON,
T. U. SISSON,
Managers on the part of the House.

Mr. WOOD of Indiana. Mr. Speaker, I want to say a word of explanation of the conference report. The Senate added 114 amendments to this bill. The House has receded from 59; it has receded and agreed to 14 with amendments; the Senate receded from 83 amendments; and 18 are brought back to the House.

The bill as it passed the House carried $109,781,488.75. The Senate added for farm loan bonds $200,000,000. The Senate added for other items, $702,380.

The items to which the House has agreed added $760,480 to the bill as it passed the House, and other amendments to which the House has agreed reduced the total of bill as passed by the House $674,940, making a net addition to the bill as passed the House of $85,530 as the agreement has been effected thus far. The Senate has receded from items amounting to $139,050.

The Senate receded from increases from $12,000 to $15,000 in salaries of Vice President and the Speaker. For temporary employees in the State Department the House carried $250,000 and the Senate carried $300,000, and the conferees agreed on $275,000.

The following passport bureaus went out: New York, $15,620; San Francisco, $7,500; Seattle, $7,500; Key West, $3,500.

The Bureau of War Risk item of $255,000 for Pierce accounting machines is included in the bill.

The appropriation for collecting income and profits taxes is reduced from $30,000,000 to $29,600,000, and the House conferees have agreed to the reduction.

The Deadwood Assay Office and the Carson Mint are restored to the bill.

The salary of the Assistant Secretary of War is reduced from $10,000 to $5,000.

The Quartermaster General's fund for temporary employees is increased from $250,000 to $543,140. The Army bill carries a provision to prevent him from duplicating the field force which this appropriation provides for.

I desire to state in passing that this increase was made for the purpose of bringing to Washington the clerical force now engaged by the Quartermaster General in different parts of the country, so it would reduce the overhead, and, in consequence, reduce the number of employees. It is estimated that it will result in a saving of more than $200,000 in the clerical force alone.

Mr. BRIGGS. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BRIGGS. What reduction in the number of employees is there between this bill as it now is and as it passed the House?

Mr. WOOD of Indiana. It is very slight.

Mr. BRIGGS. I understood the gentleman to say when the bill was before the House that the reduction was something like 11,000 or 12,000 employees?

Mr. WOOD of Indiana. Approximately 11,000.

Mr. BRIGGS. Under the Senate amendment, has that been increased or decreased?

Mr. WOOD of Indiana. It has been increased slightly, but I do not think more than 100.

Mr. MACGREGOR. There were 36,000 employees in the Quartermaster's Department; does the order recently issued reduce the number by 11,000?

Mr. WOOD of Indiana. No; I was talking about the total net reduction in the city of Washington. There are not 26,000 in the Quartermaster's Department; there is not that number in the War Department altogether taken care of in this bill.

Mr. MACGREGOR. There were 36,000 employees in the Quartermaster's Department, as I understand.

Mr. WOOD of Indiana. I do not know how many there are throughout the United States, but a large proportion of the salaries of clerks not employed in the city of Washington is carried in the Army bill and not carried in this bill at all.

Mr. ROUSE. How many employees connected with the Quartermaster General's office are outside of Washington and are to be brought back?

Mr. WOOD of Indiana. I think in the neighborhood of 200.

Mr. MCKENZIE. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MCKENZIE. I desire to ask the gentleman from Indiana if amendment 67, which cuts the salary of the Assistant Secretary of War from $10,000 as provided in the House bill to $5,000,

has been agreed upon by the conferees of the House and the Senate?

Mr. WOOD of Indiana. It has, and the House has agreed to the Senate amendment.

Mr. McKENZIE. Were the conferees advised of the law providing for a salary of $10,000 for the Assistant Secretary of War?

Mr. WOOD of Indiana. The House conferees were advised of it and the Senate conferees were likewise advised of it, and it was discussed. All the conferees were cognizant of the fact that in the Army bill it provided that the Assistant Secretary of War would be paid $10,000. There was a difference of opinion among the conferees as to whether it was contemplated when the salary was fixed that the law with reference to building up the Army would be what it is now or whether it would be an Army of 500,000 or 300,000. They took into consideration the fact that the salary was increased about the close of the war and that there was a great deal more necessity then for a $10,000 man than there is now.

There is this thing, too, that confronted the conferees: The Assistant Secretary of the Navy, whose duties correspond with those of the Assistant Secretary of War, is receiving but $5,000 a year, and we felt that the disparity in these two salaries would cause some discussion and perhaps a great amount of dissention. The conferees on the part of the House finally receded and concurred in the amendment adopted by the Senate.

Mr. McKENZIE. That being true, we are foreclosed from getting any action on this particular amendment unless the whole conference report so far as it has been agreed upon is voted down.

Mr. WOOD of Indiana. That is correct.

Mr. McKENZIE. Will the gentleman yield to me just a moment? I want to call his attention to the fact that when the Military Affairs Committee enacted the reorganization bill, one of the great questions that was discussed and considered at that time was the question of the Assistant Secretary of War, or properly, a minister of munitions, and his duties, because one of the things that has been a constant matter of friction, so far as the Army has been concerned, is the interference of staff officers in the procurement of supplies for our Military Establishment.

Mr. WOOD of Indiana. That same interference is going on now, is it not?

Mr. McKENZIE. I understand that it is. The law has not been observed, but I want to say to the gentleman from Indiana—and I hope gentlemen at the other end of this Capitol will take notice of the fact—that we provided in that law that the Assistant Secretary of War should have charge of the procurement of all supplies and matériel, and the officers in the Military Establishment who have charge of the buying for their various departments should function up through the Assistant Secretary of War, and thence to the Secretary, rather than through the General Staff. That has not been observed, but we hope in the future that it will be.

Placing all of those duties upon this officer, we realized, as the gentleman must realize and as every other man in the House must realize, that in order to get a man of caliber to fill a position of that kind we must pay him a decent salary. For that reason we abolished the Second and Third Assistant Secretaries of War and provided that the First Assistant should receive a salary of $10,000 a year, because, if he is the right kind of man, he will save this Government hundreds of thousands of dollars; and I must say, with all due respect to my good friend from Indiana, that I am surprised—I am really surprised—that a thing of this kind could occur and go right on through the conference without any objection.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. WALSH. Do I understand the gentleman to say that some assistant to a Cabinet officer would save the Government hundreds of millions of dollars?

Mr. McKENZIE. I said hundreds of thousands of dollars. I said it, and I mean it. I am sure he can do it.

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. ANDREWS of Nebraska. I understand the statutory salary is $10,000 for the Assistant Secretary of War?

Mr. WOOD of Indiana. Yes.

Mr. ANDREWS of Nebraska. And we make an appropriation of $5,000?

Mr. WOOD of Indiana. Yes.

Mr. ANDREWS of Nebraska. Then, he has a ground for legal claim against the Government for $5,000 more?

Mr. WOOD of Indiana. There is no doubt about that. Congress, however, can exercise the right to pay the claim or not, as it sees fit.

Mr. ANDREWS of Nebraska. That is, it will repudiate one-half the salary. Is that the policy we are working upon under this conference report?

Mr. WOOD of Indiana. That is not the policy; and I say to the gentleman from Nebraska and the gentleman from Illinois they should understand that it is not the purpose of these conferees to repudiate anybody's law, but we do expect to be a little mindful of the money in the Treasury of the United States.

Mr. ANDREWS of Nebraska. But you do not save anything. You have a legal liability of $5,000 while you pay only one-half of the statutory salary.

Mr. WOOD of Indiana. The gentleman from Nebraska may have an opportunity of voting upon that, and if that condition arises, then he can take his share of the responsibility.

Mr. ANDREWS of Nebraska. I am willing to do that.

Mr. MANN of Illinois. Not if the Assistant Secretary of War takes the money, because this law provides that appropriations are in full compensation. If he takes the $5,000, then he has no claim.

Mr. CONNALLY. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CONNALLY. What has been the policy of the Committee on Appropriations with reference to this appropriation since the Army bill went into effect? It has only been to appropriate $5,000, has it not?

Mr. WOOD of Indiana. Yes. I will state to the gentleman that I think the Members of this House should know that while it is true that in the Army bill, which the gentleman from Illinois has called attention to, it was provided that the Assistant Secretary of War should become a real, live, acting officer, yet that condition has not been brought about. The fact of the business is that he is a mere clerk, even under the law enacted by this Congress, and it will be sufficient time to pay a salary commensurate with the office when the performance of duty is commensurate with the duties prescribed in the statute.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. SNELL. As I understand it, the Senate has receded from amendment No. 40, which provided for a passport bureau in New York City.

Mr. WOOD of Indiana. That is correct.

Mr. SNELL. I would like to know what argument prevailed upon the committee to cut that out and at the same time reestablish a mint office at Carson City?

Mr. WOOD of Indiana. The gentleman asks a double question. Which one does he want answered first?

Mr. SNELL. Either one.

Mr. WOOD of Indiana. With reference to the passport proposition, there is no warrant of law authorizing a branch passport office at San Francisco and none authorizing a branch passport office at New York City.

Mr. SNELL. I appreciate that.

Mr. WOOD of Indiana. They were created during the war as a matter of convenience, and they resulted in a very great convenience at that time. There is a misapprehension with reference to what these branch offices do. They do not issue any original passports, except in very exceptional cases.

Mr. SNELL. Is the gentleman correct in that statement?

Mr. WOOD of Indiana. Except in most extraordinarily exceptional cases—emergency cases.

Mr. SNELL. I understood the office issued 41,000 in New York City last year.

Mr. WOOD of Indiana. I do not know how many they issued, but they must have authority, either by telephone or telegram, from the home office before that can be done. During the war when there was a very great amount of congestion in these centers, and when there was a great amount of ignorance among our people as to the necessity of having a passport, and great numbers of people were going to New York and San Francisco, believing that no passports were necessary, in such cases these exceptional passports were issued.

Before we got into this war there were very few passports used. You did not have to have a passport to go to Europe or to go to South America, and I understand there were very few places where you were required to have a passport, but in order to protect ourselves during the war period nobody could get out of this country or get into it without a passport. Now that the war is over, except technically, and we are getting back to normalcy again, this passport business is also easing up.

Mr. SNELL. As I understand we have already extended that act two years.

Mr. WOOD of Indiana. Now, the people of this country know the countries where passports are required, and there they have to have a passport to get out. Here is another thing. I will admit it is convenient to New York City——

Mr. SNELL. Is it not a convenience to the people throughout the country?

Mr. WOOD of Indiana. Yes; it is convenient in San Francisco, and it would be a convenience in Savannah, and it would be a convenience in Galveston.

Mr. SNELL. But those places will not compare with New York City where 90 per cent of all sailings start from. You can not compare Savannah with New York City as a port.

Mr. WOOD of Indiana. If the gentleman will let me proceed, here is what happened. This thing was inaugurated without any warrant of law.

Mr. SNELL. I agree to that.

Mr. WOOD of Indiana. Now, they add three more of these assistant passport offices, and there are applications for more than 20 more. Where is it going to end?

Mr. SNELL. It seems to me——

Mr. SMITH of Idaho. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I will.

Mr. SMITH of Idaho. Is the gentleman aware that under this arrangement you have perfected that the people living on the Pacific coast who go abroad must put in their application for a passport at least two weeks in advance, where under the existing regulations they can go to San Francisco and make their application and sail on the next boat, if there is a boat sailing the next day?

Mr. WOOD of Indiana. That is absolutely a mistake. The only chance that a person can have to sail the next day would be by convincing the Department of State in Washington of a most extraordinary necessity. This is what happened, and I know all about it. We had the Secretary of State before us, and he ought to know, that except in these extraordinary emergencies that the purpose served by these branch offices is of assisting a gentleman or lady who wished a passport in preparing their application, and it is sent through that office to Washington, just the same as you would have to send it, and your people would be no better off than before, except you might have the assistance of some one in San Francisco or New York to help you prepare the application.

Mr. SMITH of Idaho. Except you get your passport in case of an emergency within 24 hours.

Mr. WOOD of Indiana. The same authority in the Department of State can take care of these emergency cases just as well without a passport division as with a passport division by just simply designating somebody for these cases.

Mr. SNELL. Who will they designate?

Mr. WOOD of Indiana. I apprehend they will designate somebody locally to attend to this.

Mr. SMITH of Idaho. They have a provision appropriating to pay the salary.

Mr. SNELL. I am interested in taking care of these emergency cases and in economy, too.

Mr. WOOD of Indiana. This is one of these many war necessities that came into being that is now trying to survive as a peace-time convenience.

Mr. SABATH. Was not that made permanent by the act passed yesterday?

Mr. SMITH of Idaho. Will the gentleman yield for another question? I am interested in economy, as the gentleman is, but is it not true that instead of this saving money that it actually loses money to the Government for the reason that when you get a passport in New York or San Francisco you pay the dollar and it goes into the Federal Treasury, and in every other place where they do not have a passport office the dollar paid goes into the hands of the county clerk or commissioner or whoever has charge of these applications for passports? It is as a matter of fact not a saving of money to the Government, but you are losing money.

Mr. WOOD of Indiana. There is where you are taking it out of one pocket and putting it in the other and thinking you are effecting an economy. I admit it is true this fee is paid to the Government instead of paying it to a county clerk or somebody in the court. I do not know exactly, but I have been informed that during the last year the amount of the receipts from the New York office was somewhere in the neighborhood of $20,000.

Mr. PARKER. Four hundred thousand dollars, $10 fee for 41,000.

Mr. WOOD of Indiana. Oh, the $10 apiece, that is what you had to pay in order to get the passport?

Mr. PARKER. That makes $400,000 by my calculations.

Mr. WOOD of Indiana. But the $1 fee was for preparing the passport, and it only amounts to about $40,000. The business is declining and it is apt to decline as the intelligence of the people——

Mr. SNELL. As I understand it, it is in the interest of economy and regardless of the convenience of the people that that was done?

Mr. WOOD of Indiana. That is it.

Mr. SNELL. Answering the second part of my question, why could not the Carson City mint be cut out for the same reason?

Mr. WOOD of Indiana. I am of the opinion that it could be. I am of the opinion that all those institutions could be cut out without any great or material damage, and the assay offices as well. Now, these gentlemen who live in the West—and we had two of them on the conference committee on the other side—say it is not the amount of the ore that actually goes through these offices that should measure their importance, but that it is a very great encouragement to the men who are prospecting in these several localities to find out whether or not they have actually got pay dirt, and rather than to send it away to some other place where they can get an assay, by getting the Government assay it gives their ore a value it otherwise would not have and saves it from being depreciated by people who are trying to depreciate ores as they are trying to depreciate everything else. And they pointed out the fact that now, above all other times, they were trying to encourage the development of mines in the West, and for a year or two at least this ought to be continued. I was willing to give the benefit of the doubt.

Mr. PARKER. Is it not true that before the war there was no law allowing the establishment of a passport bureau in New York?

Mr. WOOD of Indiana. There is not any now.

Mr. PARKER. I grant you that. Why was it?

Mr. WOOD of Indiana. I tried to explain it to you as well as I could. We established that and a whole lot of other things not authorized by law for the purpose of convenience.

Mr. PARKER. Before the war anybody who went abroad went without a passport. Everybody now has to have a passport. You would make it appear that the majority of people going abroad from New York live in New York. In fact, not 10 per cent of those who live in New York want these passports.

Mr. WOOD of Indiana. Every Member of Congress every week in his life has some correspondence with somebody back home with reference to getting a passport.

Mr. PARKER. Does not the same emergency exist now as existed when it was first put into effect, for the convenience of the whole public?

Mr. WOOD of Indiana. It does not, for the reason that a whole lot of people who were going on the assumption that they did not need a passport landed in New York. Now they know they have got to have a passport, and they get it before they leave home.

Mr. PARKER. A lot of them do not do it.

Mr. WOOD of Indiana. Because they know that this bureau is now here.

Mr. PARKER. I know that there were a thousand they made out in New York from requests over the telephone.

Mr. CLEARY. Mr. Speaker, I want to read a telegram I have just received from the Merchants' Association of New York.

It says:

NEW YORK, N. Y., *February 25, 1921.*

Hon. WILLIAM E. CLEARY,
House of Representatives, Washington, D. C.:

Learn House conference legislative, executive, and judiciary appropriation bill do not concur with Senate provision for retaining New York passport office. Matter vital importance all travelers from New York State and entire country. Appreciate it if you will see conference, urging inclusion Senate appropriation $20,000 for this object.

THE MERCHANTS' ASSOCIATION OF NEW YORK.

Mr. WOOD of Indiana. I have had some of those, too.

Now, in addition to what I have already stated, I desire to state that the surveyor office at Deadwood was restored.

The Capitol police force was reduced by 14 privates at $1,050 and 10 privates at $840 each. The appropriation for promoting commerce in the Far East was increased from $100,000 to $150,000. The Division of Information, amounting to $19,340, was eliminated from the bill. We are bringing back these following items to the House for action:

Appropriating $200,000,000 for the purchase of bonds of the Federal Land Bank which, under the agreement entered into last night, goes over for determination until Tuesday. We increased the appropriation for prohibition enforcement from $7,100,000 to $7,500,000. We are appropriating $75,000 to fit

up the new Navy Building to accommodate the Shipping Board. This item, it is estimated, will save $86,000 in rent and $45,000 in watch force. One hundred and seventy-five thousand square feet of space will be made available. There are also a number of items whereby we transfer trucks from the War Department to various specified other departments of the Government. The gentleman will remember that these were all, except one, in the bill in the House, and went out upon points of order raised at the time. They have been reinserted, and will be up for your consideration. Also, fixing the price of typewriters and providing for the transfer of machines from the War Department to the General Supply Committee. Also the bonus question. And also there is an item we brought here, because it was new legislation, put on by the other side, authorizing the sale of some land in the city of Chicago to the city of Chicago for street purposes.

Mr. BRIGGS. Will the gentleman yield?

Mr. WOOD of Indiana. I yield.

Mr. BRIGGS. I discover in amendments Nos. 71 and 72 an appropriation for additional employees in the office of the Quartermaster General was raised from $250,000 to $543,000. Will the gentleman explain the necessity for that?

Mr. WOOD of Indiana. I explained that a while ago by stating that it was for the purpose of bringing the clerical force of the Quartermaster General from outside, so they could all be consolidated here, whereby it would reduce the necessity for as much supervision as is now required and where it would reduce the overhead expense of these several places where they are now and result in a net saving over what it is now costing the Government of over $200,000 a year.

Mr. BRIGGS. It does not increase the number of employees, but it centralizes them here in Washington?

Mr. WOOD of Indiana. It centralizes them and reduces them.

Mr. BRIGGS. It just stated "additional employees." I gathered from that that it was an increase in numbers.

Mr. WOOD of Indiana. These outside clerks were carried before in the Army bill, and the estimated reduction by reason of this consolidation made by the Quartermaster General indicates that it will result in a saving to the Government of 239 employees in number and the net saving in money is estimated at $313,902.

Mr. BRIGGS. The bill now before us also carries the clerks' bonus again?

Mr. WOOD of Indiana. Yes.

Now, Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The gentleman from Indiana moves the adoption of the conference report. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the amendments in disagreement.

The Clerk read as follows:

Amendment No. 29: Page 26, line 2, insert: "*Provided*, That within 30 days after the approval of this act the Secretary of War is authorized and directed to deliver to the Library of Congress, without payment therefor, one 1-ton truck."

Mr. WOOD of Indiana. Mr. Speaker, I desire to ask unanimous consent that amendments No. 29, 30, 59, 80, and 95 may be voted on en bloc. All of these amendments are provisions requiring the War Department to furnish to various other departments trucks for the use of those respective departments, except that in one case it is an automobile for the use of one of the departments. I will further state that all of these amendments were in the bill when it was presented to the House and went out on points of order, except one, which is added, but which is exactly like the others.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the specified amendments be considered together. Is there objection?

There was no objection.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in Senate amendments No. 29, 30, 59, 80, and 95.

The SPEAKER. The gentleman from Indiana moves that the House recede and concur in the Senate amendments specified. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 34: Page 29, line 7, after the figures "$2,500" insert: "*Provided*, That the secretary of the Civil Service Commission shall be deemed an employee for the purposes of this act."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in amendment No. 34.

Mr. SNELL. Mr. Speaker, will the gentleman just explain what that means; what is the purpose of that?

Mr. WOOD of Indiana. I will state what that is. The secretary of the Civil Service Commission, Mr. Doyle, who has been connected with the Civil Service Commission ever since it was created, was designated as an officer and not an employee, and in consequence he could not receive the bonus, the salary being $2,500. The purpose of this amendment was to make it possible for him to receive it.

Mr. CONNALLY. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CONNALLY. Will the effect of this amendment be to provide that any future appointments to that position will be governed by civil-service rules?

Mr. WOOD of Indiana. No; it would not. He is only an employee for the purposes of this act. That is the only effect of it.

Mr. CONNALLY. You only intend the effect of this to be that for the purpose of receiving the $240 he would be considered an employee, so as to get the bonus?

Mr. WOOD of Indiana. That is it, for the purposes of this act.

Mr. CONNALLY. How much does he get?

Mr. WOOD of Indiana. Two thousand five hundred dollars.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 37: Page 32, line 2, strike out "Counselor for the Department" and insert in lieu thereof "Undersecretary of State."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in Senate amendment 37.

Mr. CONNALLY. Will the gentleman yield me five minutes?

Mr. WOOD of Indiana. Yes; I will yield the gentleman five minutes.

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, probably any objection to the motion to recede and concur will prove futile, but I desire to register here now, as I have done on prior occasions, my objection to legislation of this character upon an appropriation bill.

The majority side of this House has announced the doctrine that it does not propose to permit legislation on appropriation bills. This is purely a legislative proposition. Under the existing law this position is known as counselor for the Department of State. It has been known as such for a great many years. The Senate by this amendment proposes to change the designation to Undersecretary of State.

Mr. SISSON. Will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. SISSON. The present title is not English enough, you know. We must have an Undersecretary of State.

Mr. CONNALLY. I thank the gentleman for contributing to this discussion. The only reason urged for changing the designation is that counselor does not comport with the nomenclature employed among foreign diplomatic services. If this country wants to maintain its own individuality, its own personality, we ought to disregard such flimsy and unsubstantive arguments. The prestige and the influence of this great Nation at foreign courts does not depend upon our catering to the customs of those courts; they do not depend upon so frail a thread as the mere social amenities observed by diplomats.

We shall attain a higher position by adhering to the traditions of this Nation and maintaining that democratic simplicity which distinguished Benjamin Franklin and Thomas Jefferson and John Jay and the other great diplomats of this country, who reflected honor upon it in its very inception. I insist that we can best preserve our national prestige abroad by pursuing the course which we have pursued heretofore. Why not let them bend their system to meet ours, rather than that we should, in obsequious deference to their practice, change the title which in the solemn statute law of this country is denominated "Counselor of State"? If we mean to adhere to the rule which forbids the Senate legislating on appropriation bills, we should refuse to concur in the Senate amendment, and let the Foreign Affairs Committee, if it so desires, bring in a bill changing the designation of this office. The law fixes the salary at $7,500 and the official can perform his functions under the title of counselor for the Department of State as acceptably as he can under that of Undersecretary of State.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. CONNALLY. I yield to the gentleman.

Mr. FAIRFIELD. Will the gentleman kindly explain what are the functions of this official? Are they legal?

Mr. CONNALLY. Not legal entirely. The position is really that of First Assistant Secretary of State.

Mr. FAIRFIELD. He is really not a counselor in the legal sense.

Mr. CONNALLY. He is a counselor, so far as diplomatic affairs are concerned.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. WOOD of Indiana. I ask for a vote on the motion that the House recede and concur.

The SPEAKER. The question is on receding and concurring in the Senate amendment.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. CONNALLY. I suggest the absence of a quorum.

SEVERAL MEMBERS. Do not do that.

Mr. CONNALLY. I withdraw the point.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 38: Page 32, line 23, strike out the words "counselor of the department" and insert in lieu thereof the word "Undersecretary."

Mr. WOOD of Indiana. Mr. Speaker, this makes the title conform to that adopted in the preceding amendment.

I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 46: Page 40, line 5, insert:

"*Provided further*, That within 30 days after the approval of this act the Secretary of War is authorized and directed to transfer to the Secretary of the Treasury without payment therefor two light motor trucks for use of the General Supply Committee: *Provided further*, That typewriters and computing machines transferred to the General Supply Committee as surplus, where such machines have become unfit for further use, may, in the discretion of the Secretary or the Treasury, be issued to other Government departments and establishments at exchange prices quoted in the current general schedule of supplies, or sold commercially, provided the price obtained is in excess of the exchange prices.

"Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the General Supply Committee, payment therefor to be effected by transfer and counter warrant, charging the proper appropriation and crediting the appropriation 'General Supply Committee, Transfer of Office Material, Supplies, and Equipment.'"

Mr. WOOD of Indiana. Mr. Speaker, the language just read is the exact language which was in the House bill, and all that which pertains to typewriters is now current law. The other, pertaining to bookkeeping machines, and so forth, is new law. I move that the House concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act, three years from the date of purchase, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House insist upon its disagreement, and under the agreement that was made last night I ask that the determination of this question be postponed until Tuesday.

Mr. SISSON. This is the amendment where we unanimously agreed to postpone it. I do not know that it is absolutely necessary, because the conferees would insist on bringing it back anyway. I think the record will have to show a disagreement to get it back. Of course, I would like to have the conferees agree.

Mr. WOOD of Indiana. I have already entered the motion to insist upon the disagreement, and that the question be postponed until Tuesday.

The SPEAKER. The gentleman moves that the House insist upon its disagreement and asks that the determination of the question be postponed until next Tuesday. Is there objection to the request of the gentleman from Indiana that the determination of the question be postponed until next Tuesday?

Mr. JOHNSON of Mississippi. Reserving the right to object, why is the request made?

Mr. WOOD of Indiana. There has been some talk about there being a decision handed down by the Supreme Court in regard to the constitutionality of the farm loan bank act by Monday, and that might have a good deal to do with this matter.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 66, line 21, strike out the figures "$7,100,000" and insert "$7,500,000."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House insist on its disagreement to this amendment. This is the amendment which I told the gentlemen would be brought back for consideration, and I desire to state briefly what it is. The original item in the House bill carried $6,500,000 for the enforcement of the prohibition act. By an amendment offered on the floor during the consideration of the bill an addition of $600,000 was made, and at that time it was stated that that would be all that they needed. The Senate for some reason has added $400,000 more, making it $7,500,000. Your committee feels that the amount that we proposed originally was ample, and certainly the amount increased by the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD] making it $7,100,000 would be more than ample. This year they have $5,500,000 with a deficiency of $1,400,000, making a total of $6,900,000. That represents the cost for the current year and it does seem to me that $7,100,000 ought to be sufficient for this year if $6,900,000 was sufficient for the current year. While this Congress desires, and has repeatedly evinced the sentiment that the prohibition act should be enforced, there should be no more extravagance connected with the enforcement of this law than the enforcement of any other law, and because of the fact that this is a lot of new machinery, while of necessity there is friction, where of necessity there must be waste, until the thing can be reduced to a scientific and systematic operation, we ought not to load money on those charged with the responsibility of this thing simply because they can put a few men here and a few men there. We better go slow in this matter.

It appears to me that the people who have charge of the enforcement can best serve the cause they are attempting to serve by retrenching as much as possible and working within the means they have and see that they weed out here and there the inefficiency which they admit exists in every section of the country so that they can get a workable machine made up of trusty men upon whom they can rely and with that army of workers they can come to the Congress of the United States and get whatever means and money are necessary. It strikes me that during the period of formation of the organization we ought not to be so lavish with expenditures.

Mr. TINCHER. Mr. Speaker, I offer a preferential motion. I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Kansas offers a preferential motion that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. TINCHER) there were 40 ayes and 42 noes.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 210, nays 92, not voting 126, as follows:

YEAS—210.

Ackerman	Brinson	Crisp	Fields
Almon	Brooks, Ill.	Crowther	Fisher
Andrews, Nebr.	Brooks, Pa.	Currie, Mich.	Focht
Ashbrook	Browne	Dallinger	Foster
Aswell	Burroughs	Darrow	French
Bankhead	Campbell, Kans.	Davis, Tenn.	Fuller
Barbour	Candler	Dempsey	Gard
Barkley	Caraway	Denison	Garrett
Benham	Carss	Dickinson, Iowa	Godwin, N. C
Bland, Mo.	Carter	Dickinson, Mo.	Graham, Ill.
Bland, Va.	Chindblom	Dowell	Green, Iowa
Blanton	Christopherson	Dunbar	Greene, Mass.
Boles	Clark, Fla.	Elliott	Griest
Bowers	Cole	Emerson	Hadley
Bowling	Collier	Esch	Hardy, Colo.
Box	Connally	Evans, Mont.	Harrison
Brand	Cooper	Fairfield	Hawley
Briggs	Cramton	Farr	Hernandez

Hersey	Lee, Ga.	Purnell	Sumners, Tex.
Hersman	Little	Quin	Sweet
Hickey	Luce	Rainey, Henry T.	Swindall
Hicks	Luhring	Raker	Swope
Hoch	McClintic	Ramseyer	Taylor, Ark.
Holland	McFadden	Randall, Calif.	Taylor, Colo.
Houghton	McKenzie	Randall, Wis.	Taylor, Tenn.
Huddleston	McKeown	Rayburn	Temple
Hulings	McKinley	Reed, N. Y.	Thompson
Hull, Tenn.	McLaughlin, Mich.	Ricketts	Tillman
Humphreys	McLaughlin, Nebr.	Riddick	Timberlake
Hutchinson	McLeod	Robsion, Ky.	Tincher
Igoe	Major	Romjue	Towner
Jacoway	Mapes	Rose	Upshaw
James, Va.	Mays	Rucker	Vaile
Johnson, Ky.	Michener	Sanders, N. Y.	Vestal
Johnson, Miss.	Miller	Schall	Vinson
Johnson, S. Dak.	Milligan	Scott	Volstead
Johnson, Wash.	Monahan, Wis.	Sells	Walters
Jones, Pa.	Montague	Shreve	Weaver
Jones, Tex.	Moore, Ohio	Sinclair	Webster
Kearns	Moore, Va.	Sinnott	Welling
Keller	Murphy	Smith, Idaho	Welty
Kelly, Pa.	Neely	Smith, Mich.	White, Kans.
Kendall	Nelson, Mo.	Smithwick	White, Me.
Kiess	Nelson, Wis.	Snell	Wilson, Ill.
King	Oldfield	Steagall	Wilson, Pa.
Kinkaid	Oliver	Stedman	Wingo
Langley	Osborne	Steenerson	Woods, Va.
Lanham	Overstreet	Stephens, Miss.	Wright
Lankford	Padgett	Stevenson	Yates
Larsen	Park	Stoll	Young, N. Dak.
Layton	Parker	Strong, Kans.	Young, Tex.
Lazaro	Parrish	Strong, Pa.	
Lea, Calif.	Peters	Summers, Wash.	

NAYS—92.

Anderson	Fordney	McPherson	Rogers
Babka	Freeman	MacGregor	Rouse
Bee	Gallagher	Mann, Ill.	Sabath
Begg	Gallivan	Mansfield	Sanford
Black	Ganly	Mead	Sherwood
Brumbaugh	Glynn	Merritt	Siegel
Burdick	Goldfogle	Minahan, N. J.	Sisson
Byrnes, S. C.	Goodykoontz	Mondell	Smith, Ill.
Campbell, Pa.	Greene, Vt.	Moores, Ind.	Snyder
Cannon	Hardy, Tex.	Mudd	Stephens, Ohio
Cleary	Hays	Newton, Mo.	Tague
Coady	Hull, Iowa	Nolan	Tilson
Crago	Juul	O'Connell	Tinkham
Cullen	Kelley, Mich.	O'Connor	Treadway
Davis, Minn.	Kleczka	Ogden	Voigt
Dominick	Knutson	Paige	Walsh
Doremus	Kraus	Pell	Ward
Dupré	Lampert	Phelan	Wason
Dyer	Lehlbach	Porter	Watson
Eagan	Lesher	Radcliffe	Whaley
Echols	Linthicum	Ramsey	Wilson, La.
Elston	Longworth	Reed, W. Va.	Winslow
Evans, Nev.	Lufkin	Riordan	Wood, Ind.

NOT VOTING—126.

Andrews, Md.	Eagle	Kahn	Ransley
Anthony	Edmonds	Kennedy, Iowa	Reavis
Ayres	Ellsworth	Kennedy, R. I.	Reber
Bacharach	Evans, Nebr.	Kettner	Rhodes
Baer	Ferris	Kincheloe	Robinson, N. C.
Bell	Fess	Kitchin	Rodenberg
Benson	Fish	Kreider	Rowan
Bland, Ind.	Flood	Lonergan	Rowe
Britten	Frear	McAndrews	Rubey
Buchanan	Gandy	McArthur	Sanders, Ind.
Burke	Garner	McCulloch	Sanders, La.
Butler	Good	McDuffie	Scully
Byrns, Tenn.	Goodall	McGlennon	Sears
Caldwell	Goodwin, Ark.	McKiniry	Sims
Cantrill	Gould	Madden	Slemp
Carew	Graham, Pa.	Magee	Small
Casey	Griffin	Maher	Smith, N. Y.
Clark, Mo.	Hamill	Mann, S. C.	Steele
Classon	Hamilton	Martin	Stiness
Copley	Harreld	Mason	Sullivan
Costello	Hastings	Moon	Thomas
Curry, Calif.	Haugen	Mooney	Vare
Dale	Hayden	Morin	Venable
Davey	Hill	Mott	Volk
Dent	Hoey	Newton, Minn.	Watkins
Dewalt	Howard	Nicholls	Wheeler
Donovan	Hudspeth	Olney	Williams
Dooling	Husted	Patterson	Wise
Doughton	Ireland	Perlman	Woodyard
Drane	James, Mich.	Pou	Zihlman
Drewry	Jefferis	Rainey, Ala.	
Dunn	Johnston, N. Y.	Rainey, John W.	

So the motion to recede and concur was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. NEWTON of Minnesota (for) with Mr. BRITTEN (against).

Mr. FOSTER (for) with Mr. SULLIVAN (against).

Until further notice:

Mr. MADDEN with Mr. POU.

Mr. DUNN with Mr. CLARK of Missouri.

Mr. KREIDER with Mr. BELL.

Mr. MCARTHUR with Mr. WHALEY.

Mr. IRELAND with Mr. FLOOD.

Mr HARRELD with Mr. FERRIS.

Mr. FREAR with Mr. KINCHELOE.

Mr. WILLIAMS with Mr. HOWARD.

Mr. EDMONDS with Mr. OLNEY.

Mr. MASON with Mr. WINGO.

Mr. BUTLER with Mr. MCDUFFIE.

Mr. ANTHONY with Mr. BYRNS of Tennessee.

Mr. FESS with Mr. CANTRILL.

Mr. MOTT with Mr. BUCHANAN.

Mr. HAUGEN with Mr. GRIFFIN.

Mr. BLAND of Indiana with Mr. DREWRY.

Mr. KENNEDY of Rhode Island with Mr. HOEY.

Mr. EVANS of Nebraska with Mr. CAREW.

Mr. MAGEE with Mr. SANDERS of Louisiana.

Mr. RANSLEY with Mr. HASTINGS.

Mr. WOODYARD with Mr. MARTIN.

Mr. ZIHLMAN with Mr. KETTNER.

Mr. RHODES with Mr. NICHOLLS.

Mr. WHEELER with Mr. MCANDREWS.

Mr. REBER with Mr. ROBINSON of North Carolina.

The result of the vote was announced as above recorded.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent to consider the last Senate amendment to this bill at this time, amendment No. 114, page 164. It is a local matter relating to Chicago, and I have an engagement with a very fair lady and I may not be here at the time it is reached in its regular order.

The SPEAKER. The gentleman from Illinois asks unanimous consent to consider amendment No. 114 now. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

SEC. 7. That in consideration of an ordinance passed by the City Council of the city of Chicago on February 4, 1921, giving to the United States the use and maintenance for 20 years from July 1, 1921, of certain premises in the city of Chicago for barge-office quarters, upon terms and conditions therein set forth and payment to the United States of the appraised value of the land to be condemned, such value to be not less than $25.50 per square foot, the city of Chicago is hereby authorized to acquire for street purposes by condemnation proceedings all interest of the United States in and to lot 10 in block 2 in Fort Dearborn addition to Chicago, section 10, township 39 north, range 14 east, of the third principal meridian, in the city of Chicago, in the State of Illinois.

Mr. MANN of Illinois. Will the gentleman from Indiana yield me five minutes?

Mr. WOOD of Indiana. I yield the gentleman five minutes.

Mr. MANN of Illinois. Mr. Speaker, the city of Chicago, in the process of making better communications between the north and south sides of the city, is widening several streets in connection with the Rush Street Bridge, which is the easterly bridge over the Chicago River. The Government of the United States owns what is called the old barge property, an irregular piece of land 5½ feet at one end and 35 or 40 at the other end, with sides of different length. It is not in use; probably never would be built upon. The Government rents a barge office, and I am told that the expense of the rental, light, heat, janitor service, and so forth, amounts to about $1,500 a year. The city of Chicago has an ordinance passed for the condemnation of the land necessary for the widening of those streets. This property is included in the condemnation suit, but, of course, the Government can not be brought into the suit without the consent of Congress. The city of Chicago has offered to construct on the Rush Street Bridge itself a tower commanding a view of the river, in the very best of order, and rent it to the Government for 20 years at a nominal rental of $10 a year, and besides desires the privilege of paying full value for the property taken, which in the bill is fixed at not less than $25.50 per square foot, which is the appraised value made by the Treasury Department. All of the Government officials who know about it are in favor of the proposition. It seems to be absolutely just. The rental which will be given to the Government in the 20 years will amount to $30,000. The value of the property is probably $25,000 or $30,000. That will be paid for in full by the city, but it is necessary to have it in the condemnation proceedings, because that is the only way that we have of carrying out the project. I move that the House recede from its disagreement and concur in the Senate amendment.

Mr. WOOD of Indiana. I have no objection.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 79, line 24, after the figures "$22,360" insert: *Provided*, That nothing contained in this act or any other act shall be construed as precluding the detail upon duties of a technical or military nature of not to exceed eight warrant officers, or enlisted men of the Coast Artillery Corps, in the office of the Chief of Coast Artillery.

Mr. WOOD of Indiana. Mr. Speaker, I will state that the purpose of this amendment is to permit the detail of eight warrant officers to the District of Columbia. Under the law these warrant officers can not be employed in the District of Columbia, but if this authorization is granted it will permit their use in

the discharge of technical duties here, resulting in a saving to the Government, for if they can not be used technical civilians will have to be employed.

I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 101, after line 7, insert: To enable the Secretary of the Navy to install cerain fittings and make such necessary changes, alterations, and moves in the new Navy Building, Seventeenth and B Streets northwest, as will provide sufficient office space for the accommodation of the United States Shipping Board, $75,000, or so much thereof as may be necessary.

Mr. WOOD of Indiana. Mr. Speaker, the purpose of this amendment is to utilize part of the space of the Government building for the accommodation of the Shipping Board, which will result in a saving of about $75,000 a year that otherwise would have to be expended for rent, and it will also give employment to that much space in one of the Government buildings. I desire to move that the House recede and concur in this amendment with the following amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from Indiana moves to recede and concur in Senate amendment No. 82, and agree to the same with an amendment, which the Clerk will report.

The Clerk read as follows:

In the last line of the matter inserted by Senate amendment, after the word "necessary," insert the following: "to be available immediately."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Amendment No. 98: Page 125, line 5, after the figures "$500" insert the words "assistant chief clerk, $3,000."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 98. This amendment was put on the bill after a hearing showing that the Department of Justice was in need of this additional position.

The SPEAKER. The question is on the motion of the gentleman from Indiana to recede and concur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 99: Page 126, line 2, strike out the figures "$484,310" and insert "$487,310."

Mr. WOOD of Indiana. The purpose of this amendment is to change the total. I move that the House recede and concur.

The SPEAKER. The gentleman from Indiana moves that the House recede and concur in the Senate amendment.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 112: On page 157, strike out all of lines 1 to 17, inclusive, and insert:

"SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any standard typewriting machine, except bookkeeping and billing machines, at a price in excess of the following, to wit: For correspondence models with carriages which will accommodate paper 10 inches in width, $70; for models with carriages which will accommodate paper 12 inches in width, $75; for models with carriages which will accommodate paper 14 inches in width, $77.50; for models with carriages which will accommodate paper 16 inches in width, $82.50; for models with carriages which will accommodate paper 18 inches in width, $85; for models with carriages which will accommodate paper 20 inches in width, $92.50; for models with carriages which will accommodate paper 22 inches in width, $95; for models with carriages which will accommodate paper 24 inches in width, $97.50; for models with carriages which will accommodate paper 26 inches in width, $100; for models with carriages which will accommodate paper 28 inches in width, $102.50; for models with carriages which will accommodate paper 30 inches in width $105; for models with carriages which will accommodate paper 32 inches in width, $107.50."

All purchases of typewriting machines during the fiscal year 1922 by the various branches of the Government of the United States for use in the District of Columbia or in the field, except as hereinafter provided, shall be made from the surplus machines in the stock of the General Supply Committee. The War Department shall furnish the General Supply Committee, immediately upon the approval of this act, a complete inventory of the various makes, models, and classes of typewriters in its possession, the condition of such machines, and the point of storage, and shall turn over to the General Supply Committee such typewriting machines in such quantities as the Secretary of the Treasury from time to time may call for by specific requisition for sale to the various services of the Government. If the General Supply Committee is unable to furnish serviceable machines to any branch of the Government, it shall furnish unserviceable machines at current exchange prices and such machines shall then be applied by the branch of the Government receiving them as part payment for new machines from commercial sources in accordance with the prices fixed in the preceding paragraph. And in selling typewriting machines to the various branches of the Government service the General Supply Committee may accept an equal number of unserviceable machines as part payment thereon at the exchange prices quoted in the current general schedule of supplies. Until June 30, 1922, the War Department shall not dispose of any typewriting machines except to the General Supply Committee as authorized herein.

Mr. WOOD of Indiana. Mr. Speaker, I wish to state to the House that it is my intention to move to concur in the Senate amendment with some amendments. The major portion of the language already read, and which will be in the motion to recede and concur with an amendment, is the same as the language now in the current law, except that those of you who have the bill before you will see that we provided under the old law for the purchase of typewriting machines during the fiscal year 1921 for the various branches of the Government of the United States for use in the District of Columbia, and so forth, and we provide an amendment there that that should only apply to the executive and independent establishments.

There has been great complaint made to the Clerk of the House with reference to the provision for typewriters for the use of the Members under this law as it now stands, and this amendment will provide that the Members may get the character of machine that they desire. We have also stricken from the current law the limitation or provision which provided that until June 30, 1922, the War Department shall not dispose of any typewriting machine except to the General Supply Committee, as authorized herein. We struck that out for the reason that the War Department has been using that as an excuse for not declaring a surplus of a very great number of machines, and perhaps technically they were right. They have a great many machines like the little Coronas, that were used during the war by the various clerks, and so forth, that there is no demand for in the departmental service now, and there are a great many other machines that are not used in the departmental service which are not salable and can not be salable with this provision in it. So the amendment I am offering provides for striking out that portion of it.

The other portion, which is new, provided by the amendment has to do with fixing the prices of these machines. Under the old law and the current law the prices used in the purchase of these machines go back as far as 1914, and they were a jumble of prices. The Senate in its amendment has attempted to fix the prices as indicated by the amendment read by the Clerk, but a mistake was discovered with reference to them. Instead of the $85 machine, that machine should be $87.50, and the $92.50 should be $94, and the $100 machine should be $103.50, and the $102.50 should be $104. These were made to correspond with the prices compared with the smaller priced machines. And the average price that is now being paid, the current price, is made the same now for all similar machines, which is at $70. This will result in the Government's paying from $1.50 to $2.50 for the most of the machines that are in use, and I think applies to all of them, except possibly the Royal machine, which was sold cheaper to the Government than any other—sold for $58.50—which brings that up to the level of the $70, and gives them a minimum of $11.

Mr. MILLER. What was the basis of these prices? How did they get them?

Mr. WOOD of Indiana. It was fixed in 1914, as I understand, at the time these various machine companies were competing against each other and offering all kinds of prices to different branches of the Government, and even to different divisions in the same department, each trying to outbid the other for advertising purposes. And by reason of some legislation at that time, instead of agreeing upon a fixed price, they agreed that the Government should not pay a higher price to any manufacturing concern than the lowest price that any of the departments were paying.

Mr. MILLER. Does this fix a minimum price or maximum price?

Mr. WOOD of Indiana. It fixes a maximum price.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes; I yield.

Mr. SNYDER. Is it the effect of the amendment to strike out the figures as to the amount to be paid? For instance, the bill now states that a certain typewriter shall be $70 and certain others $72.50, and so on.

Mr. WOOD of Indiana. Yes.

Mr. SNYDER. Does the amendment that the gentleman offers strike out the figures?

Mr. WOOD of Indiana. I have indicated the ones that are changed, and the only ones that are changed.

Mr. SNYDER. Will the gentleman yield to me two or three minutes to make a statement in regard to that?

Mr. WOOD of Indiana. Yes.

Mr. SNYDER. Mr. Speaker, the effect of this amendment as it stands now, with the prices written in, will be almost disastrous to the typewriter interests of this country, for the very reason that the Government is buying these typewriters at a lower price than they are offered for to the public, due to the

fact that the gentleman just stated, that in the years gone by the sale of typewriters to the Government was used as an advertisement for the sale of typewriters elsewhere. But it has come about that the American typewriters are used almost universally abroad. Now we are passing a bill here fixing in it a price in figures that the Government is to pay for typewriters.

I want to ask the gentleman whether he thinks that the prices of those typewriters being advertised as the prices that the Government shall pay, any foreign Government that is now buying typewriters in this country would be willing to pay a larger price than the one mentioned in the bill? As since it is conceded, and the testimony all shows, that these figures are approximately the cost of producing typewriters in this country, does he think it fair to force into a bill the price of a commodity that will fix the world value?

It is eminently unfair and ought not to be put into this bill. It is not a question with me or with the typewriter concerns so much now as to what they get for a typewriter, but that the Government is now fixing a price in figures not only for itself but for everyone else.

I would like to say further that within a week one of these typewriter concerns was solicited by the Du Pont Powder Co., that desired to buy a large number of typewriters, to quote prices of machines, and immediately this question was raised, "Do you expect us to pay more for typewriters than the Government of the United States is paying for them?" It was stated that the Government had fixed the price, and that, of course, the typewriter concerns had nothing to do but accept it. Well, the Du Pont people said, "If it will help you any, we will call a meeting of the board of directors, and we will have a resolution passed that we can not pay more than this price for typewriters."

Now, I maintain that this is the only commodity that the Government buys that it sets the price upon, and we are fixing a price here for the typewriter concerns, not only for this Government but for any other Government that desires to buy them.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. WALSH. Does the gentleman know that there is any truth in this assertion that is sometimes made that the typewriters which are manufactured in this country, several of the makes which are used by the Government, are, as a matter of fact, in a trust, and that the typewriter manufacture of the United States is, in fact, a monopoly?

Mr. SNYDER. No; I do not so understand. I know that these men are competing in the market as seriously against each other as the producers of any other commodity that is being offered to the public.

Mr. WALSH. There is not much difference in the prices of different standard machines.

Mr. SNYDER. I am not quarreling with the price at which the Government buys typewriters, but I say it is putting a penalty upon the typewriter concerns in this country that are selling to the Government typewriters and forcing them to make that same proposition to other Governments that are buying typewriters in large quantities. I do not think that provision should be put in there. I think the amendment should be so framed that it would not disclose the actual price. It is unfair to the typewriter manufacturers, due to the fact that we do not do it to anybody else.

Mr. WOOD of Indiana. Mr. Speaker, in answer to what the gentleman from New York [Mr. SNYDER] has said, I will state that it is almost an impossible thing to adopt language that would serve the purpose that the gentleman from New York would like to serve with respect to these typewriter manufacturing concerns in the sale of their machines abroad and commercially. The prices fixed by this amendment are maximum prices. We hope that the supply committee may be able to buy many of these machines for a less figure than that fixed. It is far more to the advantage of the manufacturer that the prices be fixed as we are now fixing them than under the old scheme, where under the law they were compelled to furnish their machines to the Government at a smaller price than that at which they will be compelled to furnish them under this maximum price. If there was any disadvantage to them, it has been removed to some little degree. Now, this provision is only for this year, when it is the hope and the desire of the committee, if we can find out the actual cost of the manufacture of these machines, with the decrease in the cost of material and labor, that a lower price may be fixed upon them for the future.

Mr. SNYDER. Taking the gentleman's statement that this is only for this year, would it not have been better to have waited a year to see if a scheme could not be figured out that would be satisfactory? Would it not be better to do that than to ruin the business of a big industry in this country by fixing a price of 30 or 35 per cent below the price at which the typewriter must be sold in order for the industry to succeed in this country?

Mr. SISSON. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Mississippi.

Mr. SISSON. Mr. Speaker and gentlemen of the House, I do not know of any one provision that has given the committee any more trouble to arrange it satisfactorily than this item here. The subcommittee share largely the gentleman's view in reference to the principle of fixing the price of an article in the bill. In fact, that is most objectionable to me. If I could have had my way about it I would not have fixed the price of anything by law. This does not do that exactly. It is a proviso that virtually means that no more than a certain amount of money shall be paid for typewriters of a certain kind. Now, I do not share the alarm of my friend [Mr. SNYDER] about this destroying the typewriter companies throughout the country. From the various hearings that we have had, extending back several years, I do not think the typewriter companies selling in large quantities at the figures fixed in this bill will suffer any loss, but I believe the dividends will be ample for people who want to make a reasonable return on their money. But that is not the point. The point I object to is that the Government ought not to fix the price at all.

Mr. SNYDER. Will the gentleman yield?

Mr. SISSON. In a moment. At the same time if you gentlemen had to go through the mill as this subcommittee have had to, and as the committee in the Senate have gone through the mill, and if you had had the various difficulties that we have had in arriving at a just and fair proposition for the Government and at the same time for the typewriter companies, you would appreciate that we have done the very best we could in this item, and we have done the best we could to satisfy to a certain extent the demands of the typewriter companies and at the same time protect the Goverment.

Mr. SNYDER. The only objection I have to the proposition is that the figures are written in the bill, and that is a penalty on the typewriter concerns, and those figures ought to be stricken out.

Mr. SISSON. Personally I share the views of the gentleman exactly.

Mr. SNYDER. And I want to say to the gentleman one thing further, in reply to what he says about the profits of typewriter companies. I have lived for 35 years next to one of the biggest typewriter concerns in this country, and they have never declared a dividend.

Mr. SISSON. You will find a great many railroads that do not make money, and a great many farms that do not make money. Still that may be due to bad management. One man may own a farm on one side of a fence and another man may own another farm identically like it on the other side of the fence, and one man will make money and the other will not. Then there are certain prices that people ought to pay for all of these commodities, and I feel that we have fixed a very fair amount; and I do not believe the agents of the typewriter companies who talk to us will say that this price is too small, with the amendment offered by the gentleman from Indiana [Mr. WOOD].

They do not say that; they do not say that the price is too small. They will not say that in selling typewriters in large quantities there is no margin of profit.

Mr. REED of West Virginia. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. REED of West Virginia. Will it be possible for the Government to sell the machines for a price so that anyone can not find out the Government price?

Mr. SISSON. I think the gentleman from West Virginia has stated the facts. If anybody wants to find out the price that the Government pays they can go and make the inquiry. Now, I do not object to the price fixing on this matter on the same grounds that the gentleman from New York does. I do not believe in fixing the price of anything by the Government; I do not believe in fixing the price of things by law. The gentleman from New York does not want it written in the bill for fear it will injure business. I do not want to injure anybody's business. The only reason that he gives is that he says he does not want it printed in the law. As the gentleman from Virginia says, when the Government makes a contract for the purchase of typewriters or automobiles, anyone can go and find out what price the Government paid.

Mr. SNYDER. But the Government is not putting it in the law and advertising it. The gentleman has overlooked the fact that these typewriters were sold to the Government at cost.

Mr. SISSON. If the typewriter companies find this bed too hard, it was not made by the Congress nor by the subcommittee. This bed was made by the typewriter companies by virtue of their dealings with the Government in the first place, and Congress had to take the matter in hand to stop the abuses that have grown up.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede, and concur with the following amendment.

The Clerk read as follows:

Mr. WOOD of Indiana moves that the House recede from its disagreement to Senate amendment No. 112, and agree to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following:

"SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any standard typewriting machine, except bookkeeping and billing machines, at a price in excess of the following, to wit: For correspondence models, with carriages which will accommodate paper 10 inches in width, $70; for models with carriages which will accommodate paper 12 inches in width, $75; for models with carriages which will accommodate paper 14 inches in width, $77.50; for models with carriages which will accommodate paper 16 inches in width, $82.50; for models with carriages which will accommodate paper 18 inches in width, $87.50; for models with carriages which will accommodate paper 20 inches in width, $94; for models with carriages which will accommodate paper 22 inches in width, $95; for models with carriages which will accommodate paper 24 inches in width, $97.50; for models with carriages which will accommodate paper 26 inches in width, $103.50; for models with carriages which will accommodate paper 28 inches in width, $104; for models with carriages which will accommodate paper 30 inches in width, $105; for models with carriages which will accommodate paper 32 inches in width, $107.50.

"All purchases of typewriting machines during the fiscal year 1922 by executive departments and independent establishments for use in the District of Columbia or in the field, except as hereinafter provided, shall be made from the surplus machines in the stock of the General Supply Committee. The War Department shall furnish the General Supply Committee, immediately upon the approval of this act, a complete inventory of the various makes, models, and classes of typewriters in its possession, the condition of such machines, and the point of storage, and shall turn over to the General Supply Committee such typewriting machines in such quantities as the Secretary of the Treasury from time to time may call for by specific requisition for sale to the various services of the Government. If the General Supply Committee is unable to furnish serviceable machines to any branch of the Government, it shall furnish unserviceable machines at current exchange prices, and such machines shall then be applied by the branch of the Government receiving them as part payment for new machines from commercial sources in accordance with the prices fixed in the preceding paragraph. And in selling typewriting machines to the various branches of the Government service the General Supply Committee may accept an equal number of unserviceable machines as part payment thereon at the exchange prices quoted in the current general schedule of supplies."

Mr. SNYDER. Mr. Speaker, I move to recede and concur with an amendment by striking out section 4.

Mr. LINTHICUM. Will the gentleman yield to me to ask the gentleman from Indiana a question?

Mr. SNYDER. I will.

Mr. LINTHICUM. I want to know why bookkeeping and billing machines were excepted?

Mr. WOOD of Indiana. Because there was no reason for their being in. There are very few of these machines purchased.

Mr. LINTHICUM. Then, you can purchase them at any price that you can arrange for; there is no price fixed?

Mr. WOOD of Indiana. Through the General Supply Committee; yes.

Mr. SNYDER. My motion is to amend the motion of the gentleman from Indiana.

The SPEAKER. The gentleman from Indiana has offered an amendment striking out all of the Senate amendment.

Mr. SNYDER. The amendment of the gentleman from Indiana carries the figures that are objectionable, and what I desire is to strike out that part with reference to the figures beginning on line 24.

The SPEAKER. The gentleman wishes to amend the amendment of the gentleman from Indiana by striking out the first paragraph of the amendment.

Mr. SNYDER. That is what I want.

The SPEAKER. The gentleman proposes to amend the amendment of the gentleman from Indiana by striking out the first paragraph.

Mr. WALSH. Will the gentleman from Indiana yield?

Mr. WOOD of Indiana. Yes.

Mr. WALSH. Will the gentleman state what was the idea of striking out the words "by various branches of the Government of the United States for use of the District of Columbia" and restricting it to the Executive?

Mr. WOOD of Indiana. That occurred because of the very great number of complaints made by Members of the House that they could not get new machines and could not get the character of machines they desired.

Mr. WALSH. But if the gentleman will permit——

Mr. BLANTON. Mr. Speaker, I make the point of order that the hour of 6 o'clock has arrived.

The SPEAKER. The Chair will determine when the hour of 6 has arrived.

Mr. BLANTON. I would like to submit a point of order, that under the previous order of the House the House should recess.

The SPEAKER. The Chair will recess the House at 6 o'clock.

Mr. WALSH. Mr. Speaker, if the gentleman will permit, in the language of his amendment he says "If the General Supply Committee is unable to furnish serviceable machines to any branch of the Government." That would seem to convey the impression——

The SPEAKER. The hour of 6 o'clock having arrived, the House will stand in recess until 8 o'clock p. m.

RECESS.

Accordingly (6 o'clock p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

SPEAKERS PRO TEMPORE FOR MEMORIAL EXERCISES.

The SPEAKER. The Chair will designate Mr. FORDNEY, of Michigan, to preside to-morrow over the memorial exercises for Mr. NICHOLS, of Michigan; and Mr. CARTER, of Oklahoma, over the exercises for Mr. MORGAN, of Oklahoma.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present. I withhold that temporarily.

Mr. WOOD of Indiana. Mr. Speaker, I wish to modify the amendment which I proposed to Senate amendment 112 just before the recess by striking out in next to the last sentence of the proposed amendment the word "branch" and inserting in lieu thereof the words "such service," and in the same sentence immediately following, and in the second line, the word "branch" and insert in lieu thereof the word "service," and in the last sentence strike out the words "branches of the Government service" and insert the word "services." I have indicated this amendment to the Clerk.

The SPEAKER. The gentleman from Indiana asks unanimous consent to modify his amendment in the manner which the Clerk will report.

The Clerk read as follows:

In the last sentence of the amendment strike out the word "branch" and insert in lieu thereof "such service." In the second line below where it first occurs strike out the word "branch" and insert the word "service." And in the last sentence strike out "branches of the Government service" and insert in lieu thereof the word "service."

The SPEAKER. Without objection the amendment will be——

Mr. BLANTON. Mr. Speaker, reserving the right to object—does this amendment increase the maximum limit as set by the Senate amendment or decrease it?

Mr. WOOD of Indiana. Well, it has nothing to do with decrease or increase. It makes the amendment consistent with reference to the amendment we made providing for the furnishing of typewriters to Members of Congress.

Mr. BLANTON. The price is the same as the Senate amendment?

Mr. WOOD of Indiana. It has nothing to do with that.

Mr. BLANTON. I mean the original amendment, it does not change the price at all as fixed by the Senate amendment?

Mr. WOOD of Indiana. The amendment changes the price in reference to three different classes of machines.

Mr. BLANTON. Increases it?

Mr. WOOD of Indiana. Yes; a dollar and a half or two dollars. That was done because of a mistake in the computation.

Mr. BLANTON. It is just merely to correct a mistake and it does not purposely increase the price?

Mr. WOOD of Indiana. Absolutely not.

Mr. SNYDER. Mr. Speaker, I offer as an amendment to strike out the first paragraph of the amendment down to and including the figures "$107.50."

The SPEAKER. The gentleman from New York moves to amend the amendment by striking out the first paragraph thereof.

Mr. SNYDER. Mr. Speaker, as I stated before the recess, the reason for this is that this establishes and fixes the price the world over on typewriters which have been heretofore sold to the Government and are being sold to the Government in such quantities as they are being to-day on the basis of no profit considering the advantage of being sold to the Government at the purchase price. If this amendment of the gentleman from Indiana is adopted the typewriting concerns of this

country will be unable to sell typewriters outside of the United States to Governments for a price greater than this, which will be a great hardship to them, and if this section is stricken out it will not cost the Government of the United States one penny, because the purchase of typewriters would recur instantly to the price that is being paid to-day, which is in some cases a little less than these figures mentioned. It is, in my judgment, penalizing the typewriting concerns of this country to advertise the prices that the Government is paying in figures so that one can see as they run what the prices are that the Government is paying, and in addition to that it works a hardship upon the people of this country. The purchasers of large quantities of typewriters naturally get a lower price than those who buy a single typewriter, but no concern can sell their goods at a price which is just nominally above the cost of the article, and it has been stated by the chairman of the subcommittee that they only proposed to carry those prices for one year.

Now, I say, that that being so, it would be a great deal better for the people of this country to have that omitted for this year and see during the year if some arrangement can not be perfected whereby you can get along without fixing prices. This also establishes a precedent. This is the first time in the history of this Congress, so far as I have been able to discover, when the Government has advertised the price it pays for any commodity. It is establishing a bad precedent, and it will not be long before the Government will be unable to buy from manufacturers in this country at a better price than the ordinary consumer, if this thing is continued.

Mr. TILSON. Does the gentleman know when these prices were fixed?

Mr. SNYDER. These prices in here?

Mr. TILSON. The prices given in the original Senate amendment?

Mr. SNYDER. Within the last week or 10 days.

Mr. TILSON. Those are the present prices at which the Government can buy these typewriters?

Mr. SNYDER. There has been a great discussion about this matter. The committee, I am sure, has worked hard on it, and consistently, with the endeavor not to give the typewriter people more for their goods, notwithstanding the fact that they are entitled to it. But the gentlemen of this House know that that is the only commodity that the United States Government has purchased from anyone during the period of the war that they have not made an increase on. They are selling them to-day at the price they got in 1913 and 1914. Is it fair to them to insist that they shall continue at the old price and advertise the price so that they can not get a dollar more from anybody else? I assure you that my motion to strike out that section is justifiable and should be carried by this House.

Mr. WOOD of Indiana. Mr. Speaker, I desire to say in answer to the gentleman from New York [Mr. SNYDER] that the committee appreciates the position occupied by these typewriter manufacturing concerns. I do not think it is nearly as serious as the gentleman from New York seems to think it is, or as it is represented to me by these manufacturing concerns. But I wish to call the attention of the House to the situation that we will be in in the event that this proposed amendment is adopted. Unless something else is offered in its place the Government of the United States will be at the mercy of these typewriter men. As was suggested by the gentleman from Mississippi [Mr. SISSON] before we recessed, the Members of this House are not responsible for the unfortunate condition in which these firms find themselves. They prepared their own resting place, and it has been the effort of this subcommittee, and of the House, I think, to relieve them as far as possible and at the same time protect the best interests of the Government.

Now, as I stated before, this thing is to last but one year, and unless the gentleman from New York [Mr. SNYDER] can offer us something better than we have offered in trying to relieve them—and we thought we had relieved them some, and we have—certainly his amendment should be voted down, and the Government of the United States should not be left to the mercy of these typewriter people.

Mr. SNYDER. The gentleman knows that several propositions have been presented for the consideration of the committee, and some of the committee were favorable to the proposition which left the typewriter concerns in the same position that they are in now, before this law becomes an act. The gentleman has stated on this floor that there were many thousands of typewriters in existence. This amendment of his fixes it so that there will be a complete interchange of typewriters between the various departments, and, further than that, this House will be supplied with second-hand typewriters for its use by reason of this, and if his statement and the statement of the committee is correct with regard to the number of typewriters we have now in Government ownership, it will not be necessary to purchase any typewriters for the next year. So nobody will be harmed by striking out this section. The manufacturers and the laboring men that operate those factories will be benefited by reason of striking this thing from the bill.

Mr. SISSON. Mr. Speaker, I want to say to the committee, in addition to what was said before we took the recess, that your subcommittee of conference has done everything on earth that they could to get this matter settled. Now, if you should send this matter back to conference, you will put us right back into the situation where the House and the Senate conferees have been at great difference. We have had a great deal of difficulty in getting what we have now gotten. I do not like, nor, I will say frankly, do your conferees like, the idea of fixing the price, but, as it was argued by the Senate conferees, this is not fixing the price, it is simply putting a limitation on it; and if you will read the language there you will see it is simply a limitation that more than this amount of money shall not be paid for these typewriters. Now, it is the best relief we can get for the situation. What the gentleman says is largely true in reference to the price that has been paid for the typewriters. But there was never such a purchase of typewriters in the history of the world than when the War Department and the other departments of the Government took practically all the typewriters that could be manufactured.

Mr. KNUTSON. Will the gentleman yield for a question?

Mr. SISSON. Yes.

Mr. KNUTSON. How many typewriters were purchased?

Mr. SISSON. I wish I could tell you.

Mr. KNUTSON. Approximately?

Mr. SISSON. If you can determine by a month's investigation the number of typewriters that were purchased, I think the subcommittee will give you a chromo of efficiency. Nobody knows.

Mr. KNUTSON. I have heard that 200,000 were purchased by the War Department. How far is that off?

Mr. SISSON. I do not know. I understand that, as a matter of fact, the typewriters purchased for overseas and typewriters purchased for use in the United States were about 200,000.

Mr. KNUTSON. That is by the War Department?

Mr. SISSON. Yes; that is by the War Department alone. Be that as it may, I believe I and the two other conferees have gone into this matter as fully as we could. We wanted to find out the situation with regard to typewriters, but we did not know that the typewriters were in town. The chairman of this subcommittee happened to hear a rumor to the effect that there were some typewriters stored in a certain building, but did not know how many. My friend, the chairman of this subcommittee [Mr. WOOD of Indiana], and the gentleman from New Hampshire [Mr. WASON] and I went down and found the garage, and went up on the third floor and up to the fourth floor of that garage, which was about 120 feet wide and 250 feet long, and there were perfect piles and piles of typewriters that had never been taken out of the boxes, besides numerous typewriters that had practically never been used. There they were, stacked pile on pile.

We found those typewriters by making an investigation on our own hook. Then we began to find some more typewriters here and there.

Now, I do not believe the typewriter manufacturers of the country have the right to claim that they have not been fairly treated. I would like, if I had the time now, to tell the House some of the things that the subcommittee has had to deal with, and about the general conduct of the typewriter people. As my friend said, if this is a bad bed for the typewriter manufacturers, God knows they have made it themselves, and they must lie in it. [Applause.]

Neither I myself nor either of these two gentlemen who were on the conference with me would do any typewriter manufacturer any injustice. In fact, we objected seriously to the fixing of a price in the bill. We wanted them to make a profit, and we wanted them to make a return, in secret if they desired, as to the cost of manufacturing these typewriters, under oath, and then we would have been glad to see them get a percentage of profit.

Now, listen, gentlemen: We can not ourselves make this provision. We have got to deal with the Senate conferees. I think the typewriter factories are extremely fortunate in the fact that we were able to get the agreement that we have obtained out of the Senate conferees on this matter. I think the subcommittee has done a good service to the typewriter companies.

Now, in conclusion, let me say that we agree with the gentleman from New York [Mr. SNYDER] that we ought not to fix the prices of commodities, but if you will take that provision a

read it, you will see that it is in the nature of a limitation; and if these gentlemen do not want to sell the typewriters at those prices there is no compulsion on them to dispose of them at those prices.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. SNYDER. The gentleman has just stated that he has found thousands of typewriters in this city?

Mr. SISSON. Yes.

Mr. SNYDER. And there will not be any great need for any more for a year?

Mr. SISSON. I should think so.

Mr. SNYDER. So do I. Now, since we both believe that there will be no further purchases for the time being, what harm will there be in striking out these words?

Mr. SISSON. I thought I had said enough on this subject in the statement I have made, but the gentleman continues to provoke me to say something more. It was understood when the Government purchased these typewriters it was advised that they should not be put back on the market at a price too low, for fear that would break the market price. For that reason the War Department has been holding on with grim tenacity to these typewriters which it has in its possession. We have done our best. I want to congratulate the gentleman from Indiana and the gentleman from New Hampshire, my colleagues, on the result that we have obtained.

Mr. SABATH. Is there any evidence as to the amount of money that these manufacturers of typewriters have lost on those typewriters? [Laughter.]

Mr. SISSON. Never a word, and I never heard of it until this afternoon.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana [Mr. WOOD] to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 113, page 160, line 4, insert:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive during the fiscal year ending June 30, 1922, additional compensation at the rate of $240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of $200 per annum, or where an employee, whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation: *Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission, and the Women's Bureau, who shall be included and except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of the said Bureau of War Risk Insurance who are compensated at rates below $400 per annum shall receive additional compensation only at the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the Government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the minimum-wage board and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $240 per annum and the average number by grades receiving the same at each other rate.

Mr. NOLAN. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment numbered 113 and agree to the same.

The SPEAKER. The gentleman from California moves that the House recede and concur. The question is on the gentleman's motion.

Mr. BLANTON. I ask for a division of that question.

Mr. WOOD of Indiana. Mr. Speaker, I offer a motion to recede and concur with certain amendments, and I also ask for a division of the question.

The SPEAKER. The gentleman demands a division of the question, to which he is entitled. The question is on the motion to recede.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 169, noes 1.

Mr. BLANTON. I make the point of no quorum present.

The SPEAKER. The gentleman from Texas makes the point of no quorum present. The Chair will count. [After counting.] One hundred and seventy-eight Members present; not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 255, nays 3, not voting 170, as follows:

YEAS—255.

Ackerman	Carter	Focht	Humphreys
Almon	Chindblom	Fordney	Hutchinson
Anderson	Christopherson	Foster	Igoe
Andrews, Nebr.	Cleary	Freeman	Jacoway
Anthony	Coady	French	Johnson, Ky.
Ashbrook	Cole	Fuller	Johnson, Miss.
Aswell	Collier	Gallagher	Johnson, S. Dak.
Babka	Connally	Gallivan	Johnson, Wash.
Bankhead	Cooper	Ganly	Jones, Tex.
Barbour	Crago	Gard	Kearns
Barkley	Cramton	Garrett	Keller.
Bee	Crisp	Glynn	Kelly, Pa.
Begg	Crowther	Goodykoontz	Kennedy, R. I.
Benham	Cullen	Graham, Ill.	Kiess
Black	Currie, Mich.	Green, Iowa	Kincheloe
Bland, Mo.	Curry, Calif.	Greene, Mass.	King
Bland, Va.	Dallinger	Greene, Vt.	Kinkaid
Boies	Darrow	Griest	Kleczka
Bowers	Davis, Tenn.	Griffin	Knutson
Bowling	Denison	Hadley	Lampert
Box	Dickinson, Iowa	Hardy, Colo.	Lanham
Brand	Doremus	Harrison	Lankford
Briggs	Dowell	Hastings	Larsen
Brooks, Ill.	Dunbar	Hawley	Layton
Brooks, Pa.	Dyer	Hayden	Lazaro
Buchanan	Eagan	Hays	Lee, Ga.
Burdick	Echols	Hernandez	Lehlbach
Burke	Elliott	Hersey	Lesher
Burroughs	Emerson	Hickey	Linthicum
Byrnes, S. C.	Esch	Hoch	Little
Byrns, Tenn.	Evans, Nebr.	Hoey	Luce
Campbell, Kans.	Fairfield	Holland	Lufkin
Campbell, Pa.	Farr	Huddleston	Luhring
Candler	Ferris	Hudspeth	McAndrews
Carew	Fields	Hulings	McClintic
Carss	Fisher	Hull, Iowa	McFadden

McKeown	Ogden	Scott	Tincher
McLaughlin, Nebr.	Oldfield	Sells	Towner
McLeod	Osborne	Shreve	Treadway
MacGregor	Overstreet	Siegel	Valle
Magee	Padgett	Sinclair	Vestal
Major	Park	Sinnott	Vinson
Mansfield	Parrish	Sisson	Voigt
Mapes	Peters	Smith, Idaho	Volstead
Martin	Phelan	Smith, Mich.	Walters
Mays	Porter	Smithwick	Ward
Mead	Purnell	Stedman	Wason
Michener	Radcliffe	Steenerson	Watson
Miller	Raker	Stephens, Ohio	Weaver
Milligan	Ramseyer	Stoll	Webster
Minahan, N. J.	Randall, Wis.	Strong, Kans.	Welling
Monahan, Wis.	Rayburn	Strong, Pa.	White, Kans.
Mondell	Reed, N. Y.	Summers, Wash.	Wilson, La.
Moore, Ohio	Reed, W. Va.	Sumners, Tex.	Wilson, Pa.
Moore, Va.	Rhodes	Sweet	Wingo
Mudd	Ricketts	Swindall	Winslow
Murphy	Riddick	Swope	Wood, Ind.
Nelson, Mo.	Riordan	Tague	Woods, Va.
Nelson, Wis.	Robsion, Ky.	Taylor, Ark.	Woodyard
Newton, Minn.	Rogers	Taylor, Tenn.	Wright
Newton, Mo.	Romjue	Thompson	Yates
Nolan	Rose	Tillman	Young, N. Dak.
O'Connell	Rouse	Tilson	Zihlman
O'Connor	Sabath	Timberlake	

NAYS—3.

Blanton	Quin	Walsh

NOT VOTING—170.

Andrews, Md.	Fess	Longworth	Rowe
Ayres	Fish	McArthur	Rubey
Bacharach	Flood	McCulloch	Rucker
Baer	Frear	McDuffie	Sanders, Ind.
Bell	Gandy	McGlennon	Sanders, La.
Benson	Garner	McKenzie	Sanders, N. Y.
Bland, Ind.	Godwin, N. C.	McKinley	Sanford
Brinson	Goldfogle	McKinley	Schall
Britten	Good	McLaughlin, Mich.	Scully
Browne	Goodall	McPherson	Sears
Brumbaugh	Goodwin, Ark.	Madden	Sherwood
Butler	Gould	Maher	Sims
Caldwell	Graham, Pa.	Mann, Ill.	Slemp
Cannon	Hamill	Mann, S. C.	Small
Cantrill	Hamilton	Mason	Smith, Ill.
Caraway	Hardy, Tex.	Merritt	Smith, N. Y.
Casey	Harreld	Montague	Snell
Clark, Fla.	Haugen	Moon	Snyder
Clark, Mo.	Hersman	Mooney	Steagall
Classon	Hicks	Moores, Ind.	Steele
Copley	Hill	Morin	Stephens, Miss.
Costello	Houghton	Mott	Stevenson
Dale	Howard	Neely	Stiness
Davey	Hull, Tenn.	Nicholls	Sullivan
Davis, Minn.	Husted	Oliver	Taylor, Colo.
Dempsey	Ireland	Olney	Temple
Dent	James, Mich.	Paige	Thomas
Dewalt	James, Va.	Parker	Tinkham
Dickinson, Mo.	Jefferis	Patterson	Upshaw
Dominick	Johnston, N. Y.	Pell	Vare
Donovan	Jones, Pa.	Perlman	Venable
Dooling	Juul	Pou	Volk
Doughton	Kahn	Rainey, Ala.	Watkins
Drane	Kelley, Mich.	Rainey, Henry T.	Welty
Drewry	Kendall	Rainey, John W.	Whaley
Dunn	Kennedy, Iowa	Ramsey	Wheeler
Dupré	Kettner	Randall, Calif.	White, Me.
Eagle	Kitchin	Ransley	Williams
Edmonds	Kraus	Reavis	Wilson, Ill.
Ellsworth	Kreider	Reber	Wise
Elston	Langley	Robinson, N. C.	Young, Tex.
Evans, Mont.	Lea, Calif.	Rodenberg	
Evans, Nev.	Lonergan	Rowan	

So the motion to recede was agreed to.

The Clerk announced the following additional pairs:

Mr. McARTHUR with Mr. WHALEY.
Mr. SCHALL with Mr. POU.
Mr. LANGLEY with Mr. CLARK of Florida.
Mr. DAVIS of Minnesota with Mr. MONTAGUE.
Mr. TEMPLE with Mr. PELL.
Mr. McLAUGHLIN of Michigan with Mr. HARDY of Texas.
Mr. PERLMAN with Mr. STEVENSON.
Mr. KELLEY of Michigan with Mr. DICKINSON of Missouri.
Mr. SLEMP with Mr. DUPRÉ.
Mr. WILLIAMS with Mr. NICHOLLS.
Mr. MERRITT with Mr. STEAGALL.
Mr. WHEELER with Mr. HOWARD.
Mr. BUTLER with Mr. TAYLOR of Colorado.
Mr. CANNON with Mr. SHERWOOD.
Mr. MADDEN with Mr. SIMS.
Mr. WHITE of Maine with Mr. BRIGGS.
Mr. ELSTON with Mr. YOUNG of Texas.
Mr. HOUGHTON with Mr. UPSHAW.
Mr. DEMPSEY with Mr. HERSMAN.
Mr. PAIGE with Mr. RUBEY.
Mr. TINKHAM with Mr. CARAWAY.
Mr. JEFFERIS with Mr. LEA of California.
Mr. VOLK with Mr. RANDALL of California.
Mr. RANSLEY with Mr. OLIVER.
Mr. LONGWORTH with Mr. JAMES of Virginia.
Mr. HICKS with Mr. SULLIVAN.
Mr. SNELL with Mr. McDUFFIE.
Mr. BROWNE with Mr. NEELY.
Mr. McPHERSON with Mr. RUCKER.
Mr. MOORES of Indiana with Mr. SMALL.
Mr. PARKER with Mr. STEPHENS of Mississippi.
Mr. SANDERS of New York with Mr. BRINSON.
Mr. JONES of Pennsylvania with Mr. EVANS of Montana.
Mr. KRAUS with Mr. WATKINS.
Mr. KENDALL with Mr. ROBINSON of North Carolina.
Mr. MANN of Illinois with Mr. DOMINICK.
Mr. GOOD with Mr. BELL.
Mr. SNYDER with Mr. HULL of Tennessee.

The result of the vote was announced as above recorded.

Mr. WOOD of Indiana. Mr. Speaker, I offer a motion to concur with an amendment.

Mr. BARKLEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. Does not the motion of the gentleman from California [Mr. NOLAN] come first?

The SPEAKER. No; after the motion is divided the amendment has preference. The gentleman from Indiana offers an amendment to the motion of the gentleman from California to concur, which amendment the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana to the Senate amendment: In lieu of the matter inserted by the Senate amendment insert:

"SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1922, additional compensation at the rate of $240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of $200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

"The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission, who shall be included and except that employees of the Bureau of War Risk Insurance, officers and members of the Metropolitan police of the District of Columbia and the United States park police who receive the compensation fixed by the act approved December 5, 1919, and officers and members of the fire department of the District of Columbia who receive the compensation fixed by the act approved January 24, 1920, shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of the said Bureau of War Risk Insurance who are compensated at rates below $400 per annum shall receive additional compensation only at the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

"Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

"Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

"So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

"So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the Minimum Wage Board, the community center department, and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

"So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

"Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $240 per annum and the average number by grades receiving the same at each other rate."

Mr. DUNBAR. Mr. Speaker, I desire to offer the following amendment to the amendment:

The Clerk read as follows:

Amendment by Mr. DUNBAR to the amendment offered by Mr. WOOD of Indiana: In the second paragraph of the amendment, after "the United States Tariff Commission," insert the words "and the Bureau of War Risk Insurance," and strike out the following: "Employees of the Bureau of War Risk Insurance," and also strike out the following: "*Provided*, That the employees of the said Bureau of War Risk Insurance were compensated at rates below $400 per annum shall receive additional compensation only at the rate of 60 per cent at the annual rate of compensation received by such employees."

Mr. NOLAN. Mr. Speaker, I would like to come to some agreement as to the time. The gentleman from Indiana has one hour, and those of us in favor of the motion to concur would like to have 30 minutes.

Mr. WOOD of Indiana. Mr. Speaker, the trouble with the request of the gentleman from California is that I understand he is opposed to this motion, or a certain portion of it, and some other gentlemen are opposed to certain other portions of it. I am perfectly willing to give the combined opposition half of my hour.

Mr. BLACK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLACK. Is it in order to offer an amendment now, or will the amendment of the gentleman from Indiana [Mr. DUNBAR] have to be voted on first?

The SPEAKER. The amendment of the gentleman from Indiana [Mr. DUNBAR] will have to be voted on before any other amendment can be offered.

Mr. WOOD of Indiana. Mr. Speaker, I will yield five minutes to the gentleman from Indiana [Mr. DUNBAR].

Mr. DYER. Will the gentleman yield? I understand that debate will take an hour.

Mr. WOOD of Indiana. I have an hour to dispose of the question, but I hope that it will not take that time.

Mr. DYER. I understand, under the order, the House is to adjourn at 10 o'clock.

The SPEAKER. There is no such order; there is no time fixed for adjournment.

Mr. DUNBAR. Mr. Speaker and gentlemen of the Congress, the object of this amendment which I have offered is to pay the employees of the Bureau of War Risk Insurance $240 bonus, the same bonus that is paid to the other clerks in different departments doing the same kind of work. Now, I think it is generally admitted that the work required of the Bureau of War Risk Insurance is far-reaching in that it affects a greater number of persons in the United States than the work performed by any other department.

I make that motion in order that they may receive a salary equal to those who are paid for doing similar work in other departments. I wish to quote to you from the findings of the Congressional Joint Commission on Reclassification of Salaries the lack of equity and uniformity in the present rate of compensation as applied to the clerk of the Bureau of War Risk Insurance. This is to be found in chapter 2, page 21, of the report of the commission. I read:

Comparison between the employees of the Bureau of War Risk Insurance and the "war workers" in the War Department shows the bonus introduces a further variation. The statistical evidence tends to indicate that the War Department paid higher basic salaries than the Bureau of War Risk Insurance for the same work in many large clerical classes.

Mr. LITTLE. Does the Senate amendment include that?

Mr. DUNBAR. The Senate amendment provides for a bonus of $120. My amendment provides for $240.

The difference was commonly about $100. Given a $120 bonus to the employees of the Bureau of War Risk Insurance and a $240 bonus to the employees of the War Department, increases the common variation to $220.

Mr. VESTAL. The gentleman's amendment, as I understand it, simply puts back into the bill the same provision that was in the House bill in the first place before the whole bonus question went out on a point of order.

Mr. DUNBAR. That is my understanding.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. BARKLEY. Is the gentleman's amendment an amendment to the amendment of the gentleman from Indiana [Mr. WOOD] or to the Senate amendment?

Mr. DUNBAR. It is an amendment to the amendment of the gentleman from Indiana [Mr. WOOD].

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman from Indiana has expired.

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to proceed for five minutes additional in addition to the hour allotted to the gentleman from Indiana [Mr. WOOD]. Is there objection?

There was no objection.

Mr. LAYTON. Mr. Speaker, will the gentleman yield for a question?

Mr. DUNBAR. Yes.

Mr. LAYTON. Is there any difference between the basic salary of the employees of the War Risk Insurance and the other bureaus?

Mr. DUNBAR. There is.

Mr. LAYTON. Is it higher in the War Risk Insurance Bureau than the average in other bureaus?

Mr. DUNBAR. It is lower.

Mr. LAYTON. The basic salary is lower?

Mr. DUNBAR. The basic salary is lower.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. NEWTON of Minnesota. With the gentleman's amendment adopted, will it place the employees of the War Risk Insurance Bureau in the same position they are now in for the present fiscal year?

Mr. DUNBAR. It will increase them $120.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield for another question?

Mr. DUNBAR. Yes.

Mr. BARKLEY. Those who desire to vote to concur in the Senate amendment but at the same time would like to increase the bonus for the employees of the War Risk Insurance Bureau will have an opportunity to do that only provided the Wood amendment is voted down?

Mr. DUNBAR. If the Wood amendment is voted down, I have another amendment ready to offer to take the place of the amendment that I have now presented. I continue to quote from the findings of the congressional commission:

At a hearing on November 29, 1920, before the subcommittee of the House Committee on Appropriations, for the fiscal year 1922 Commissioner Williams, of the Bureau of Internal Revenue, stated that his employees received an average annual salary of $1,605 (without bonus), which has been officially corrected to $1,660.

The average salaries, exclusive of the bonus were: $1,660 per annum, January 31, 1921, in the Bureau of Internal Revenue; $1,377 per annum, February 5, 1921, in the Bureau of War Risk Insurance.

That is nearly $300 less in the War Risk Bureau than the amount paid for similar work in the Internal Revenue Bureau.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. DUNBAR. Just let me finish this statement. I am informed by Mr. Jones, the director in charge, that he has great difficulty in retaining clerks in his employment for the reason that they leave positions in the Bureau of War Risk Insurance and are employed in similar positions in the Internal Revenue Department. I now yield.

Mr. CRISP. Will the gentleman tell the House what reason is advanced why the employees in the War Risk Insurance Bureau should receive a bonus of only $120 and the other employees doing similar work a bonus of $240?

Mr. DUNBAR. I do not know the reason for that, except possibly that when the Bureau of War Risk was first established the basic salary paid was then a little bit larger than the basic salary paid in the other departments. But that has long since ceased to exist. I have a compilation here of statistics prepared by the Congressional Joint Commission of Reclassification of Salaries, presented April 30, 1919. Of 12,591 employees in the Bureau of War Risk, as compared with 50,488 employees in the Treasury, War, and Navy Departments, statistics show that the average salary, exclusive of bonus, received by the clerks in the War Risk Bureau, who were entitled to a bonus, was $1,186 per year, while the average salary received by those employed in the other agencies in similar work was $1,239 per

year. The average salary, including the bonus as paid, is as follows:

In the Bureau of War Risk Insurance, $1,306, and the amount paid in the other agencies which I have just mentioned—the Treasury, War, and Navy Departments—for doing similar work is $1,479, or an average of $173 per annum more than is paid to the employees in the Bureau of War Risk.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to proceed for two additional minutes, in addition to the time allotted to the gentleman from Indiana [Mr. WOOD]. Is there objection?

There was no objection.

Mr. DUNBAR. The report shows that those employed in the Bureau of War Risk Insurance received $173 less than those doing similar work in other departments. Now, if we increase the bonus under my amendment from $120 a year to $240 a year to the employees of the War Risk Insurance, they would still receive $53 a year less than is paid for doing similar work in other departments, and I submit to you, gentlemen, here to-night, that their work affects every soldier boy in the land who may be appealing for compensation, and because of the small wages paid to these employees in the Bureau of War Risk Insurance it can not be expected that they can do as efficient work so that our soldier boys may receive the justice and prompt consideration to which they are entitled. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. NOLAN].

Mr. NOLAN. Mr. Speaker, I am in favor of the application of the $240 per year bonus for Federal employees without discrimination. I am in favor of its application to employees of the War Risk Insurance Bureau; I am in favor of its application to the policemen and firemen of the District of Columbia [applause]; I am in favor of its application to the Women's Bureau; and I am in favor of its application to the navy-yard and arsenal employees of the country. [Applause.] The parliamentary situation is such here now that if the amendment of the gentleman from Indiana [Mr. DUNBAR] to the amendment of the gentleman from Indiana [Mr. WOOD] is adopted you will deprive the policemen and firemen of the District of Columbia of $120 per year and cut their bonus to $120 instead of $240. My suggestion to the House is that you vote down the amendment offered by the gentleman from Indiana [Mr. DUNBAR]——

Mr. DUNBAR. Will the gentleman yield?

Mr. NOLAN. In just a moment—also the amendment of the gentleman from Indiana [Mr. WOOD], and we can then take the amendment offered by the gentleman from Indiana [Mr. DUNBAR] and add it as an amendment to my motion to concur in the Senate amendment.

Mr. DUNBAR. Will the gentleman yield?

Mr. NOLAN. The gentleman has had 12 or 14 minutes, and I have to cover a good deal of ground. Now, the navy yard and arsenal employees of this country are doing a great work, they are doing a constructive work, and they are entitled to as much consideration as any other set of employees, and if you adopt the substitute or amendment of the gentleman from Indiana [Mr. WOOD] to my motion to concur, you are going to reduce the wages of the navy-yard and arsenal employees of this country $240 a year. Now, to prove that assertion I am going to read you a letter that was written by the Secretary of the Navy, Mr. Daniels, to Mr. FREAR, a Member of this House, under date of January 11, three days before the legislative bill passed this House. It is addressed to Mr. FREAR, and I am going to read that portion that particularly pertains to the action of the Navy Department.

MY DEAR MR. FREAR: I have your letter of January 11 in regard to the allowance of the $240 per annum bonus to employees of the Naval Establishment.

Prior to the increase authorized by the department, effective September 16, 1920—

Effective September 16, last year, remember—

the rate of pay for representative trades was $6.40 per diem, or $0.80 per hour. Under the 5 per cent increase allowed under the above-mentioned readjustment, which was in addition to the allowance of the congressional bonus of $240 per annum, the basic rate of pay for representative trades was $6.72 per diem, or $0.84 per hour, which, plus the above-mentioned bonus of $0.76 plus per diem, or $0.09½ plus per hour, equals $0.93½ per hour, this being the official rate determined and approved by me as a proper and just rate at this time.

At that time, taking into consideration the fact that those gentlemen have been enjoying since the 1st of July last this congressional bonus of $240 a year and an additional 5 per cent granted them by the Wage Adjustment Board of last September, the Secretary of the Navy tells you that the present rate of pay, including the bonus, of 93½ cents per hour is a proper rate of pay for the mechanical trades. Now, there is only one way to meet this situation and meet it right, if we want to give each and every department of the Government fair and just treatment without discrimination, and that is to vote down the amendment and give us an opportunity to vote upon the motion to concur in the Senate amendment and include the War Risk employees. Now, the navy-yard and arsenal employees are entitled to equal consideration. The chairman of the subcommittee will tell you that their wages are fixed from time to time by law and that the amount of money that they receive annually ought to be taken out of the naval appropriation bill and not through this legislative bill. Now, it does not make any difference how they get it. The civilian employees of the Navy Department and the civilian employees of the War Department are provided for in this legislative bill, and why differentiate between them at this time and the mechanical employees and have this House of Representatives go on record as favoring the reduction of wages from the rate set by the Secretary of the Navy that he says is fair—93½ cents per hour?

Mr. BARKLEY. Will the gentleman yield?

Mr. NOLAN. I yield.

Mr. BARKLEY. If I understand it, the Senate amendment gives the navy-yard employees the $240 bonus. Is that correct?

Mr. NOLAN. It does.

Mr. BARKLEY. It also gives the policemen and fireman in the District $240?

Mr. NOLAN. It does.

Mr. BARKLEY. And it also gives the War Risk employees $240?

Mr. NOLAN. No; it is $120. To correct that it will be necessary to vote down and offer an amendment.

Mr. BARKLEY. I appreciate the fact that the Senate amendment includes $120 for the employees of the War Risk Insurance Bureau.

Mr. NOLAN. I call attention to the fact that the navy-yard and arsenal employees and the policemen and firemen of the District of Columbia will be beneficiaries of the $240 bonus if my amendment prevails.

Mr. BARKLEY. Does the amendment of the gentleman from Indiana eliminate navy-yard employees?

Mr. NOLAN. Absolutely.

Mr. BARKLEY. Does it reduce the War Risk Insurance employees to $120 bonus?

Mr. NOLAN. It holds it at $120.

Mr. BARKLEY. And what does it do to the firemen and police?

Mr. NOLAN. It holds them to $120.

Mr. GALLIVAN. And it also reduces it to the employees in the Women's Bureau?

Mr. NOLAN. Yes.

Mr. CHINDBLOM. How does that compensation of approximately 93½ cents compare with the pay received by civilian employees in the same trade in the localities where the navy yards are located?

Mr. NOLAN. It is based absolutely on what is paid for similar employment throughout the country. A committee that was appointed by the Secretary of the Navy, which consisted of the Assistant Secretary of the Navy and one other, fixed 93½ cents an hour as the proper rate, taking into consideration the fact that these men were enjoying a bonus.

Mr. DUNBAR. The gentleman thinks it best to vote down my amendment and then vote down the amendment of the chairman of the committee? Does he not think it would be best to vote for my amendment, so that if the amendment of the gentleman from Indiana [Mr. WOOD] is voted down we will have another opportunity to restore the Bureau of War Risk employees?

Mr. NOLAN. If the gentleman wants to get this thing straightened out instead of having it in a parliamentary tangle, if he can get unanimous consent to withdraw his amendment he can vote down the amendment of his colleague and attach his amendment to my motion to concur.

Mr. BARKLEY. Will the gentleman yield again?

Mr. NOLAN. I will.

Mr. BARKLEY. Assuming the House would adopt the Wood amendment, would it be better or worse to adopt as an amendment to it the amendment of the gentleman from Indiana [Mr. DUNBAR]?

Mr. NOLAN. If you adopt the Wood amendment, you discriminate against the navy-yard and arsenal employees and the policemen and firemen of the District of Columbia.

Mr. BARKLEY. Assuming that the House does that?

Mr. NOLAN. I assume they will not.

Mr. LITTLE. Does not the gentleman think we had better put the Dunbar amendment on, so that if the Wood amendment does carry, DUNBAR's will also?

Mr. FIELDS. In other words, those of us who want to give the employees of the War Risk Bureau $240 ought to vote for the Dunbar amendment every time we have a chance?

Mr. TAGUE. Is it not a fact that in computing the wage for the employees of the navy yards and arsenals we must take into consideration the fact that they are not permitted to earn overtime, notwithstanding the fact that they are compelled to work overtime, but must take that out in compensatory time?

Mr. NOLAN. They must take it out in part time. I think, gentlemen of the House, the navy-yard and arsenal employees surrendered during the past year something they had enjoyed for a great many years, and that is the half holiday with full pay. They now work 44 hours a week and get 44 hours' pay, and are not now enjoying the holidays formerly enjoyed by them.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. NOLAN. I trust the House will vote down the Wood amendment.

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SABATH. If the amendment offered by the gentleman from Indiana [Mr. DUNBAR] should be voted down, would he be permitted to offer it to the amendment of the gentleman from California [Mr. NOLAN]?

The SPEAKER pro tempore. The Chair does not understand the gentleman's parliamentary inquiry.

Mr. SABATH. If the amendment offered by the gentleman from Indiana [Mr. DUNBAR] should be defeated, can he then offer it anew to the motion that has been offered by the gentleman from California [Mr. NOLAN]?

The SPEAKER pro tempore. The Chair would state that the gentleman from Indiana [Mr. DUNBAR] can only offer one amendment once. He could not offer the identical amendment to another motion.

Mr. BARKLEY. Mr. Speaker, does the Chair mean to hold that this amendment, having been offered to the substitute offered by the gentleman from Indiana [Mr. WOOD], if it is defeated later on it would not be in order to offer it as an amendment to the motion of the gentleman from California [Mr. NOLAN] to concur in the Senate amendment?

The SPEAKER pro tempore. The Chair would state that the amendment of the gentleman from Indiana [Mr. DUNBAR] offered to the amendment proposed by the gentleman from Indiana [Mr. WOOD] having been voted down, it would not be in order for him to offer the identical amendment.

Mr. BARKLEY. Would it be in order for any other Member to offer it?

Mr. NOLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Let the Chair finish his statement.

Mr. BARKLEY. Could it be offered to another amendment?

The SPEAKER pro tempore. The amendment could be offered to the amendment of the Senate.

Mr. DUNBAR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DUNBAR. Suppose the amendment which I offered to the amendment of the gentleman from Indiana [Mr. WOOD] should pass, and then the amendment offered by the chairman of the committee [Mr. WOOD] with my amendment added should not pass—his amendment as amended—then would I have an opportunity at another time to offer my amendment?

The SPEAKER pro tempore. The gentleman could offer it as an amendment to the Senate amendment.

Mr. DUNBAR. I would have the opportunity?

The SPEAKER pro tempore. The Chair understands so.

Mr. WOOD of Indiana. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 10 minutes.

Mr. SISSON. Mr. Speaker, I hope the House will take into consideration, in voting upon this question, the fact that the $240 bonus is a pure gratuity. I hope you will take into consideration the fact that when this bonus was granted I was one of the Members of Congress who felt the justness of it at that time to take care of the actual increase in the cost of living. A great many employees were taken into the Government service during the war under lump-sum appropriations whose salaries were very much higher than those employees who were on the statutory roll, and for that reason in some cases the Committee on Appropriations limited the application of the bonus to those who were regularly on the statutory roll, because whenever a lump-sum appropriation controlled the salaries the recipients got anywhere from 50 per cent more to twice as much salary as those on the statutory roll. Since the war ended, to a very great extent, you have gotten down to the statutory roll.

Now, the amendment offered by the gentleman from Indiana [Mr. WOOD] retains the bonus of $240, and the application of that bonus is just as it is in the current law. The application of the $120 bonus also is just as it is in the current law. There are many Members of Congress who believe that this bonus ought to cease now, but rather than do the employees any injury your Committee on Appropriations reported to this House—and a point of order was made against it—the present bonus now carried in the current law. It went over to the Senate, and there the item was loaded down with an amendment as to which no one in this House knows, nor will the Senate hearings show, how much burden that will impose upon the Federal Treasury. There were no elaborate hearings held, such as there were when the committee first wrote the bonus in the beginning of the bonus proposition.

Now, we hope that a reorganization of the salaries may come about during the next year, and that one year from the 1st of July next we may be able to eliminate this gratuity entirely.

But when gentlemen talk about the bonus being given to the employees of the arsenals and navy yards throughout the country, in my judgment they are doing a gross injustice to every employee in the Government service on the statutory roll. The lowest rate of pay to crafts in the arsenals and navy yards is 80 cents an hour, and if they work overtime they get an increased compensation. Now, that is the lowest wage, and that wage was fixed by a board which took into consideration the highest wage paid outside of the navy yards in like employments, and then fixed that on the average slightly above that which is paid in outside employments in the neighborhood of these navy yards.

Mr. LITTLE. When were the rates fixed?

Mr. SISSON. They were fixed at several times, but the last time they were fixed was about a year ago. That was when the wages were highest in America. And I want to say to this House that when you look abroad in the land upon the suffering condition of labor everywhere, not only in New England, not only on the Pacific coast, but in the South and throughout the country, you will find that these people in the navy yards are getting vastly more compensation than the suffering people who are paying the tax burdens, that these navy-yard employees are getting vastly more than the taxpayers themselves are getting in the most favored labor situations.

Mr. CRISP. Will the gentleman yield?

Mr. SISSON. I yield to the gentleman from Georgia.

Mr. CRISP. Admitting that the bonus is a gratuity and that the salaries paid in the War Risk Insurance are about the same as those paid in the other departments, why did your committee recommend a bonus of $240 to the other civil employees of the Government and $120 to the employees of the War Risk Insurance?

Mr. SISSON. I presume my friend has been on a good many conferences. If I were speaking for myself alone I would give the War Risk Bureau employees the same bonus that we give to the others.

Mr. CRISP. I think they ought to be treated alike.

Mr. SISSON. But the gentleman must understand that in these conferences you have not only your own differences to settle, but you have got to settle with the conferees, and we have brought back here an amendment which the Senate conferees will support, and we felt that we ought to have the support of the House in it, because the policy will be to get rid of the bonus as soon as possible. Therefore for this next year why enlarge this gratuity? We ought to get rid of it as quickly as possible. We all believe in paying employees fair salaries, but there is nothing fair in paying a bonus on top of the already big salaries that we find in the Government service. Therefore I think this House will do wisely to follow the committee. If they want to adopt the amendment offered by the gentleman from Indiana [Mr. DUNBAR] with reference to the War Risk Insurance employees, I myself personally have no objection to that; but in the event that you do adopt that, then unless you want to go into the Treasury far more deeply than many of you realize, and if you expect to do the right and the just and the fair thing by the taxpayers, do not go any further. I beg your pardon for mentioning the despised taxpayers in this House, because when you mention them in connection with Government salaries you usually find a cold response; but I want to raise my voice humbly in behalf of those people who sent this enormous Republican majority here to vote for economy, to

ask you now: Where are you going? How much money will it cost you to include the employees of the navy yard and all the employees of that character? How many thousands and thousands of these men will there be? What evidence have you upon which to base it? Remember that they are getting from $6.40 a day—the lowest salary—to $12 or $15 a day, and getting a certain leave of absence, and in the navy yards getting medical attention, getting the finest services which the surgeons of the American Navy can give them, getting their dental work free, getting all their medical service. In view of this I want to ask you: Can you go back home to the taxpayers and say to them that you have taken this additional sum out of their pockets to give these already highly paid and highly favored employees this additional bonus?

I want to say this much in support of the amendment which your conferees have brought back here. We agreed upon it unanimously after quite a long conference, and it is no easy matter to iron out these differences. And now in the closing hours of this session this bill ought to be gotten ready to be engrossed. It ought to pass and it ought to pass at this session, and I do not think it ought to be held up for one moment unnecessarily.

Mr. RAMSEYER. Have the Senate conferees agreed to it?

Mr. SISSON. They will agree to it.

The SPEAKER. The time of the gentleman has expired.

Mr. WOOD of Indiana. I yield to the gentleman one minute more.

Mr. SISSON. The Senate conferees will agree to this amendment which we offer. In other words, we could not agree to it in conference, because under the new rule, this being legislation on an appropriation bill, we were forced to bring back to this House a disagreement. Except for that your conferees would have agreed on this amendment, which the gentleman from Indiana [Mr. WOOD] now offers to you, and we are coming to you and asking you to indorse our labors, because it was with some difficulty that we reached this agreement.

Mr. WOOD of Indiana. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, in spite of all the confusion and complexity in the present situation, as elaborated by the gentleman from Mississippi [Mr. SISSON], one thing stands out clearly and distinctly. That is that the Senate amendment on this bonus provision does justice to the policemen and firemen of the District of Columbia, while the amendment offered by the gentleman from Indiana [Mr. WOOD] discriminates against these protectors of life and property, as faithful and efficient as any in the United States.

There has been grave injustice done them in the past. When the act was passed fixing the compensation for the policemen and firemen, it was definitely understood by the House that the full bonus of $240 was to be paid to them. I quote from the report of the District Committee which accompanied the bill:

> To these above basic salaries amounting to $2,500 or less will be added the Government bonus of $240 per annum.

The bonus was not paid these men despite this express promise. Instead they were given $120 bonus last year, on what line of reasoning I have never been able to discover.

Now, there comes this proposition to-night to continue this unjust discrimination. There might be some reason for it if the policemen and firemen of Washington were higher paid than those of other cities of the same size. But the very opposite is true. The fighters against fire and crime in the District are about the poorest compensated in comparison with similar sized cities in all the country.

Do you realize that a fireman in the Youngstown, Ohio, fire department receives more pay than the basic salary of a captain in the Washington fire department? Youngstown is a magnificent little city, but it is not yet in the class of the Capital of the United States.

Seattle, Wash., Jersey City, Bridgeport, and Newark all pay their highest grade privates in the fire department $2,000 a year, while the basic pay in Washington is $1,660. Hoboken, N. J., pays $2,250; New York City, $2,280; Detroit, Mich., $2,160. These cities and many more pay a much larger salary than Washington policemen and firemen will receive even with the full bonus of $240.

The situation with regard to policemen is exactly the same. Other cities of similar size pay more than the Washington men will receive even with the bonus.

Mr. Speaker, the policemen and firemen of 25 of the smaller cities in Pennsylvania are supplied with various articles of uniform and equipment. In Washington these men must pay for all these articles, absolutely essential for their public work, out of their own pockets.

Other Government employees, on an 8-hour day and a 6-day week, are given 30 days leave with pay each year. The policemen and firemen, on a 12-hour day and 7-day week, receive 20 days leave a year.

Is there not discrimination enough without the further injustice of taking half the bonus from these faithful public servants?

The men who serve in these positions must pass a rigid physical test and they must serve eight years before reaching the rank of highest-grade privates, with its basic pay of $1,660 a year.

In view of all the facts, no class of employees in all the service are so justly entitled to this bonus as these policemen and firemen.

They are, indeed, of those "who can not boast of the morrow, for they know not what a day may bring forth." The other night a police officer was killed while in the performance of duty. Scarcely a week passes without the casualty record of these departments being increased through the death or injury of a member who gave life or limb for the protection of the people and the property of this Capital City.

Let us do justice to them in this action. They have been promised this bonus of $240 a year. They have deserved it, and they will deserve it in the year ahead. Let us see that they get it. [Applause.]

Mr. WOOD of Indiana. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Speaker, the Senate amendment which comes to us for consideration to-night was thoroughly discussed in the Senate and was adopted by a record vote. Now, the gentleman from California in reading the letter from the Secretary of the Navy to Mr. FREAR neglected, through inadvertence, I think, to read one sentence of that letter:

> Should Congress fail to continue the bonus, the result will be the automatic decrease of an amount received by the men below the sum which I have already approved as being just and proper.

Now, when this matter was before the House on the question of the employees of the arsenal and navy yards I put in as a part of my remarks the wages received in private establishments for similar kinds of work, and it showed that in the Watertown Arsenal, in my district, the rate, even with the bonus, was less than that paid in private establishments for the same kind of work—in some cases very much less.

It has been repeatedly stated that the bonus to the arsenal and navy-yard employees was in addition to the average wage paid in private establishments. That statement is not true so far as the Watertown Arsenal is concerned; and I understand it is not true so far as any arsenal or navy yard is concerned. These men received the bonus through the last fiscal year, but for some unknown reason the Committee on Appropriations of the House proposed to take it away, and it has been restored in the Senate.

I simply want to say to my Republican colleagues that the Republican Party in some of our industrial centers has been accused of being unfriendly to labor, and I can not see how we can go back to our constituents and defend the proposition of taking away the bonus given to all the other civilian employees of the Government from the policemen, firemen, and the employees of the arsenals and navy yards.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield three minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, there has been more or less discussion from time to time as to the understanding of the House at the time the salary increase legislation was passed for the policemen and firemen of the District. Of course I can not tell what the understanding of the other members of the House was, but it certainly was the understanding of the members of the District Committee that they were to receive the regular bonus in addition to the increase provided in that legislation. The members of the House subcommittee who framed the bill took into consideration the fact that the men would receive the bonus, knowing that if they increased the pay of the men to a point where it would be sufficient under the abnormal conditions which existed at that time and still exist, without the bonus, that that pay would continue after conditions got back to normal, and under normal conditions it would perhaps be too much.

Mr. JOHNSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. MAPES. Yes.

Mr. JOHNSON of Kentucky. I wish to state that I was present as a member of the District Committee when the matter now under discussion was under consideration. I can state

without fear of contradiction that the basic salaries of the policemen and firemen would have been made larger than they are except for the fact that it was understood in the committee that they were to get the same bonus that other people were to get. [Applause.]

Mr. MAPES. I am glad the gentleman from Kentucky has made that statement. I think every member of the committee would indorse the statement. I want to say this, that these men in the police and fire departments are, as a rule, men with family responsibilities, and the testimony taken before the committee showed that a great many of them were obliged to seek private employment in order to make enough to meet their necessary family expenses. Some of them were being helped out by the more fortunate brothers or relatives, and one man, I remember, said that he was working in the Potomac Electric Power Co.'s office—I believe it was—for four hours or more a day, hastening over there as soon as his eight hours were up in the department.

Mr. CRAGO. Mr. Speaker, will the gentleman yield?

Mr. MAPES. Testimony of that kind which came before the committee was the rule rather than the exception.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield four minutes to the gentleman from Virginia [Mr. WOODS].

Mr. WOODS of Virginia. Mr. Speaker, I call the attention of the House, in respect to the policemen and firemen of the District, to a circumstance which seems to have been overlooked. It will be recalled that in 1919 this body attached to the bill a provision that the policemen and firemen of the District should withdraw their affiliation with any organization which used the strike as a means of enforcing its demands. They had affiliated with the American Federation of Labor. We rightfully said to these men, "You must owe allegiance solely to your Government and to the community which you serve." They acquiesced in that. They surrendered their affiliation with that organization, which we all know has been somewhat potent in influencing legislation and in protecting its membership. Since that was done, it seems to me it is doubly incumbent upon this House to carry out the understanding which was had at that time in respect to fixing the basic salary that they could trust to Congress to properly compensate them. Mr. GOULD, of New York, was on that subcommittee. I was on it. We discussed the question deliberately that if we fixed a high salary in those abnormal times it would be difficult to reduce it when living costs became normal. Therefore we concluded to fix a low basic salary, with the understanding, and the distinct understanding, that the bonus should be added to it until living costs became normal.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. WOODS of Virginia. In just a moment. Later on, when I was presenting this question to the Committee of the Whole, the question was distinctly asked me by the gentleman from Texas [Mr. BLACK] as to whether or not it was the understanding that to the basic salary we were fixing the bonus should be added, to which I replied affirmatively. I now yield to the gentleman from Massachusetts.

Mr. TREADWAY. Will the gentleman explain why the evident intention of the House to retain the $240 bonus for the policemen and firemen did not become part of the bonus system, why it was reduced to $120?

Mr. WOODS of Virginia. There is no reason, and that is what I am trying to tell this House now.

There can be no good reason; and good faith, gentlemen, and simple, common honesty demand we restore that bonus to these men, and the only thing that can save this House from committing what would seem to be a breach of faith is the consideration that you might take the view that living costs have already come down to such amount as would justify it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD of Indiana. I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, if the bonus is given to any employee, it should be given to the policemen and firemen, although I am still against paying bonuses to civilians. This is not the first bonus to be paid to civilian employees, for we have already paid three bonuses of $240 each and one of $120, making $840 to each civilian employee already paid. By the record vote a moment ago, with only three votes against it, is shown a determination by this House to pay the fifth bonus to civilians. Yet there is still existing the discrimination we have been making against one class of worthy Americans in the United States that ought to be rectified, and I speak of the soldier boys and all the ex-service men who carried that flag to victory in France and on the sea and brought home the greatest world victory ever known in the history of warfare. They have been appealing for some recognition, for simple justice, and yet this House has done nothing beyond sending a bill months ago to the Senate without further action, and the whole matter is now in a pigeonhole. What are we going to do for the soldier boys of this country, for many of them are in need and dire necessity at this time?

I want to say that if we do justice to any employees let us do justice to the policemen, and let us do justice to the firemen, and let us see to it if we can before this Congress adjourns that more than the little $60—not enough to buy a good suit of clothes—is given to the soldier boys and all ex-service men, no matter how much taxes we levy upon the profiteers in the war to pay for it. Let us do justice, no matter what it costs. The profiteers should pay for it. Are we going to consider cost when we begin to consider the men who fought the battles of this country and carried that flag for us when it was a dangerous, arduous duty, who faced the death trenches of France at $30 a month? Gentlemen speak of 80 cents an hour and of $2,500 a year, seven hours a day! Our soldiers fought for 24 hours a day, and if they had ever faltered a moment at their post of duty they would have been shot against a brick wall with everlasting dishonor. I want to see no discrimination. I want to see all employees treated alike; but before Congress adjourns let us do our duty by the soldiers and the sailors, the ex-service men of this country, before we pay another bonus to civilian employees.

Mr. BARKLEY. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. BARKLEY. I agree entirely with what the gentleman from Texas says concerning the soldiers, but the House having passed the soldiers' bonus bill and sent it to the Senate, what else can the House do in that regard at this time?

Mr. BLANTON. Well, the gentleman knows that the House steering committee can do wonders if it sets its head to it. It has influence in the Senate, and it can send word to bring that bill back passed, and then get it through conference and enact it into law before we adjourn.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, I offer an amendment which I send to the Clerk's desk and ask to be read.

The SPEAKER pro tempore. The gentleman from Texas offers an amendment which he sends to the Clerk's desk to be read for information.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Strike out the figures "$2,500" wherever they occur in the amendment offered by the gentleman from Indiana [Mr. WOOD] and insert the figures "$2,000"; strike out the figures "$2,740" wherever they occur in said amendment and insert the figures "$2,240."

Mr. BLACK. Gentlemen of the House, in the time allotted to me I will try briefly to explain what my amendment will accomplish if it should be adopted. The Wood amendment, in part, reads as follows:

That all civilian employees of the Government of the United States and the District of Columbia who receive a total compensation at the rate of $2,500 per annum or less during the fiscal year ending June 30, 1922, shall receive the $240 per annum bonus, provided such employees as receive a total of annual compensation at a rate of more than $2,500 and less than $2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum.

Now, my amendment if adopted would provide that the bonus should be paid to all Government employees who receive $2,000 or less per annum, and that any Government employee who receives less than $2,240 per annum should receive enough to make it $2,240, so that no employee would be reduced in salary. In other words, the Wood amendment gives the bonus to employees up to $2,500, and where their salaries do not exceed $2,740 it gives them the additional to make the $2,740. My amendment would only pay the bonus to employees receiving $2,000 or less.

Now, I do not expect that my amendment will be adopted, because it would accomplish some economy, and the House is not in the habit of adopting economy amendments. It has been my experience that economy has more friends in debate and less on roll call than any subject I know. But I think, in view of the changed conditions that are now taking place, we might well consider as to whether or not we shall pay a bonus to employees who receive more than $2,000 per year.

A day or two ago I read figures in a speech, which I delivered in the House, showing that since the fall of 1920 agricultural products have decreased more than 50 per cent in a great

many cases. And I do not intend to go back to my people in a time like this and tell them I voted to pay a bonus to men who are making more than $2,000 a year. It is getting time we were paying some attention to the rights of the taxpayer as well as the Government employees.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Speaker and gentlemen of the House, I wish to call your attention to the parliamentary situation. The amendment I have offered is what is practically current law, except it takes the bonus away from the arsenal and navy-yard employees. It leaves the bonus exactly what it now is, a payment to the clerks in general, except $120 to those employed in the War Risk Bureau and $120 to those employed in the police department and in the fire department.

Now, then, the gentleman from Indiana [Mr. DUNBAR] has introduced an amendment to my amendment to increase the salary of those employed in the War Risk Bureau to $240. Many people think, and I confess I can see no reason after the investigations I made with reference to the equalization of the salaries between the War Risk Bureau and other departments, why they should not receive that same salary. Now, that item should stand or fall upon what you think is best. I asked for a division of these questions, so that each one of these items should stand or fall as you want them. Those of you who think the policemen and firemen should have an additional $120 per year will have an opportunity, if you so desire, to amend this motion of mine to increase it to $240. I am not one of those who are of the opinion—and I am still unconvinced—that we should give them the $240. I may be wrong. I want to be right. I take the position I occupy for the reason that the salaries of these policemen and these firemen have been increased since the war, and you can examine the increases I have before me, and you will find that the least increase is greater than the maximum bonus of $240, without a single exception.

Mr. WOODS of Virginia. Will the gentleman yield for a question?

Mr. WOOD of Indiana. No.

I wish to call those facts to your attention. The gentleman from Virginia [Mr. WOODS] said, and the gentleman from Michigan [Mr. MAPES] said, and the gentleman from Kentucky also, I think, testified, that if they had not considered the bonus would be added they at that time would have made their basic salary more than they did make it. If that is correct, we ought to keep faith with them.

But there is one class here that we can not justify ourselves in giving this bonus to. If we do it we are not only going to outrage the Treasury of the United States, but we are going to outrage every other civil service employee in this Government. I refer to those employees in the navy yards and arsenals. You can take the testimony of Mr. Woodbury, the Assistant Secretary of the Navy, who tells us—and it is in the record as a part of the hearings—that the gentlemen in the arsenal—and the same is true of those in the Navy—are to-day receiving more than men receive for like service anywhere else in the United States. And this thing you must take into consideration, that not only are they receiving more than men employed in the same service outside are receiving, but they are paid when the factory is shut down for repairs. They have 30 days' leave and vacation during the year. They have their sick leave, too, if you please. None of these perquisites is granted to those employed in like service on the outside. I say it would not only be an outrage against the Treasury of the United States, but a greater outrage, if possible, against the other civil service employees of the Government. In order to do exact justice, if we are to grant this $240 bonus to the arsenal and navy-yard employees, we should increase the salaries of every other civil service employee upon a basis equal to salaries received on the outside by those doing like service, and then give them a bonus on top of that. That is what we ought to do. It is a considerable item, and is worthy your attention, for if this bonus goes on, in addition to those employees receiving far more than anybody else is receiving for like service, we will take out of the Treasury very near $30,000,000 for the payment of these bonuses. And bear this in mind, that the salaries of those employed in the arsenals and navy yards are changed from time to time by this salary-adjustment board. They were changed very nearly a year ago.

Their salaries were then made equal, if you please, to the salaries received by those who were doing like work outside. That salary remains fixed, and will remain fixed at that figure until this wage-adjustment board readjusts it, while the salaries received by men on the outside are constantly going down, down, down. And if that adjustment were made to-day, instead of having been made a year ago, it would result, if you please, in a reduction of at least 30 per cent.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. I regret I have not the time to yield. So, gentlemen, we ought not to let any maudlin sentimentality run away with us. We should not let specious appeals run away with us. We should decide each question in accordance with the facts ascertained and stated in each case. I honestly believe that the employees of the War Risk Insurance should receive the same bonus that other civil service employees receive. There is a difference of opinion here with reference to whether the firemen and policemen should or should not receive the total bonus of $240.

Mr. BURKE. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. No; I do not yield. Let those who think they ought to have it offer such an amendment. Let each class be considered upon its respective merits. But I insist that no one, in face of the facts, in face of what has been said by Mr. Woodbury, the Assistant Secretary of the Navy, should support any attempt to bestow this bonus on the employees at work in the Government arsenals and navy yards. The Assistant Secretary of the Navy, Mr. Woodbury, who has been very regardful of the interests of those working under him, tells us that those men are receiving, without the bonus, more than those in similar work outside receive, and Secretary Daniels says the same thing.

Therefore; gentlemen, we can not in justice to the taxpayers of the United States afford to vote a single cent as bonus to the arsenal employees and the navy-yard employees.

Mr. BURKE. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. I do not yield.

I ask you, gentleman, to take and consider first the amendment offered by the gentleman from Indiana [Mr. DUNBAR] in reference to increasing the bonus to those employed in the War Risk Bureau. Then let some one, if he desires, offer an amendment to increase the bonus of those in the fire department and police department, and then you can vote upon it as a separate amendment, and then vote upon the amendment as amended. That is all I desire to say upon this question.

Mr. Speaker, I move the previous question.

Mr. BURKE. Mr. Speaker, I ask unanimous consent for five minutes at this time.

Mr. WOOD of Indiana. Mr. Speaker, I desire to withdraw my motion for the previous question.

The SPEAKER pro tempore. The gentleman from Indiana withdraws his motion of the previous question. The question now is on the motion——

Mr. BURKE. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARKLEY. In the event that the Dunbar amendment should be defeated and the Wood motion should be adopted, will there then be any further opportunity to offer an amendment touching either the firemen and policemen, or the War Risk employees, or the navy-yard employees?

The SPEAKER pro tempore. There would not.

Mr. BURKE. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to address the House for five minutes. Is there objection?

Mr. NEELY. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from West Virginia objects.

Mr. DENISON and Mr. KING rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois rise?

Mr. DENISON. I would like to ask, if the amendment offered by the gentleman from Indiana [Mr. DUNBAR] is adopted, will it not then be in order to offer a further amendment with reference to the firemen and policemen before the vote on——

The SPEAKER pro tempore. If the amendment of the gentleman from Indiana is adopted, it would not be in order to offer any further amendment which would change the Dunbar amendment, but it would be in order to offer an amendment amending any other part.

Mr. KING. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count.

Mr. BURKE. Mr. Speaker, a parliamentary inquiry.

Mr. KING. Mr. Speaker, at the request of the gentleman from Pennsylvania [Mr. BURKE] I withdraw the point of no quorum.

The SPEAKER pro tempore. The gentleman from Illinois withdraws the point of no quorum. The question is on the motion offered by the gentleman from Indiana [Mr. DUNBAR].

Mr. QUIN. Mr. Speaker, I would like to hear that motion reported again.

The SPEAKER pro tempore. Without objection, the Clerk will again report the Dunbar amendment.

The amendment of Mr. DUNBAR was again read.

The SPEAKER pro tempore (Mr. WALSH). The question is on the amendment of the gentleman from Indiana [Mr. DUNBAR].

The question being taken, on a division (demanded by Mr. BLACK) there were—ayes 189, noes 7.

Accordingly the amendment was agreed to.

Mr. NOLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. NOLAN. Inasmuch as the Dunbar amendment to the amendment of the gentleman from Indiana [Mr. WOOD] has been adopted, I wish to ask, if the amendment of the gentleman from Indiana [Mr. WOOD] is now voted down, will it not be in order to offer the Dunbar amendment again?

The SPEAKER pro tempore. The Chair has already answered that inquiry, that it would be in order to offer the Dunbar amendment to the Senate amendment.

Mr. MAPES. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

Mr. MAPES. Before offering the amendment I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MAPES. If the motion should be made and carried to strike out of the Wood amendment all reference to the policemen and firemen of the District of Columbia, would that give them the bonus, or would it be necessary to make the motion to strike out $120 and insert $240?

The SPEAKER pro tempore. The Chair will state that that does not appear to be a parliamentary inquiry, but is a question as to the meaning of the words of the amendment.

Mr. LITTLE. Mr. Speaker, I desire to offer an amendment.

Mr. BLACK. I have an amendment.

The SPEAKER pro tempore. The Chair has recognized the gentleman from Michigan [Mr. MAPES], who said he desired to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MAPES:
In line 13 of the second paragraph strike out the words "except that," and in line 20 of the second paragraph strike out the words "at one-half."

Mr. MAPES. Mr. Speaker, on that amendment I move the previous question.

The SPEAKER pro tempore. The gentleman from Michigan moves the previous question upon the amendment which he has offered.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment of the gentleman from Michigan [Mr. MAPES].

The amendment was agreed to.

Mr. BLACK. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. BLACK. To offer an amendment.

The SPEAKER pro tempore. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK:
Strike out the figures "$2,500" wherever they occcur in the Senate amendment and insert the figures "$2,000," and strike out the figures "$2,740" wherever they occur in said amendment and insert the figures "$2,240."

Mr. CHINDBLOM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Illinois will state his parliamentary inquiry.

Mr. CHINDBLOM. Is the Senate amendment now before the House?

The SPEAKER pro tempore. It is not.

Mr. CHINDBLOM. I make the point of order that the amendment is not in the proper form. It relates to the Senate amendment.

The SPEAKER pro tempore. The Chair thinks that the motion offered by the gentleman from Texas [Mr. BLACK] is a motion to amend the Senate amendment. The Chair will state that the amendment of the gentleman from Indiana was one offered apparently as a substitute for the Senate amendment. The amendment offered by the gentleman from Texas [Mr. BLACK] is an amendment which apparently seeks to perfect the text of the Senate amendment, and therefore would be in order. The question is upon the motion of the gentleman from Texas [Mr. BLACK].

The question being taken, on a division (demanded by Mr. BLANTON), there were—ayes 15, noes 178.

Accordingly the amendment was rejected.

Mr. GOOD. Mr. Speaker, I desire to offer an amendment.

The SPEAKER pro tempore. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 161, at the end of line 13, insert: "*Provided further*, That the rate of total annual compensation received by employees whose pay is adjustable from time to time through wage boards or similar authority shall not exceed the commercial rate paid locally for the same class of service."

Mr. IGOE. I make a point of order against that amendment.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. IGOE. That it is not germane; that it seeks to write into this bill legislation not germane to the paragraph under consideration.

Mr. GOOD. It certainly is germane.

Mr. ANDERSON. It is a limitation.

Mr. GOOD. It is a limitation on the appropriation.

The SPEAKER pro tempore. The Chair will state that the amendment seems to be a limitation upon the provision with reference to the payment of a bonus to certain employees and limits or restricts the payment to a certain class who would otherwise be included if the restriction did not apply, and the Chair overrules the point of order.

Mr. GOOD. Mr. Speaker, I have long felt that the bonus provided for by Congress, if any objection could be made to it at all, has not been generous enough to meet the increased cost of living. So far as the vast number of Government employees are concerned we have provided but one increase and that has been an increase of $20 per month. But there is another class of Government employees whose wages are fixed by wage boards. These wage boards are directed by law to fix the compensation on the current rate paid in the community. We know that the wage boards in fixing the rates for increase of wages have increased them from 50 to 200 per cent for some of the Government employees. These Government employees have had the increase that all other employees of a similar character throughout the United States have enjoyed. Their wages have been increased.

My amendment simply provides that when wage boards increase the wages of employees and bring them up to the level paid by employers of labor of like employment then they shall not be entitled to a further bonus. They have already had their bonus, and in some cases it amounts to $700, $800, or $900 a year, and in some cases more than that. It doubles the pay, and my amendment simply provides that this class of employees shall not have a double bonus. When the wages are once increased by wage boards, that will be the end of it.

Not so with the Government employees in Washington and elsewhere whose wages are fixed in this bill and other bills. They have had no increase since the war began and no increase except this $240 bonus. We do not give them any more than that here. But it is proposed that they shall not have an increase of wage where the wage board have increased their salaries. We mean to say that we will not put on top of that $240. Here is a man employed in the navy yard who gets $1,000 a year, here is a man employed in the machine shop alongside of him and his wages are $1,000 a year. Here is another employee in private establishment and his wages are $1,000 a year, but we come back to the man in the navy yard and say, notwithstanding his wages have been increased 30 or 40 per cent, we will give him $240 more, which is $240 more for like employment than the man gets in the private establishment. It seems to me it is fair and just, and I hope the amendment will be agreed to, and I move the previous question.

Mr. WOOD of Indiana. Mr. Speaker, I move the previous question on the Senate amendment and all amendments thereto.

Mr. IGOE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. IGOE. If the previous question is adopted will that shut off the Dunbar amendment?

The SPEAKER pro tempore. It shuts off all amendments. The question is on ordering the previous question.

The question was taken; and there were 126 ayes and 71 noes.

Mr. IGOE. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Missouri demands the yeas and nays.

Mr. BARKLEY. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARKLEY. If the previous question should be ordered and the Wood amendment should be voted down, would it then be in order to offer a further amendment to the Senate amendment?

The SPEAKER pro tempore. It would not. The question is on ordering the yeas and nays.

The question was taken; and the yeas and nays were ordered.

Mr. MAPES. Mr. Speaker, I want to present a unanimous-consent request. In the motion which I sent to the Clerk's desk the word "at" was stricken out, and to have the amendment read properly the word "at" should be stricken out of the amendment. I ask unanimous consent that the word "at" may be stricken out.

Mr. NOLAN. Mr. Speaker, I object.

Mr. GALLIVAN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The Chair would state that that motion is not in order, the yeas and nays having been ordered on the previous question.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GALLIVAN. Will the Chair kindly inform the House how a unanimous-consent request can be entertained when a motion to adjourn can not?

The SPEAKER pro tempore. The gentleman can submit a unanimous-consent request that the House adjourn, but a motion to adjourn is not in order. The question is on ordering the previous question.

The question was taken; and there were—yeas 147, nays 132, answered "present" 1, not voting 148, as follows:

YEAS—147.

Ackerman	Ferris	Layton	Scott
Anderson	Fisher	Lee, Ga.	Sherwood
Ashbrook	Fordney	Lehlbach	Sisson
Begg	Foster	Lesher	Steagall
Benham	Freeman	Luce	Stedman
Black	French	Luhring	Steenerson
Bland, Mo.	Fuller	McDuffie	Stephens, Miss.
Blanton	Garrett	McFadden	Stephens, Ohio
Boies	Glynn	McLaughlin, Nebr.	Stoll
Bowling	Godwin, N. C.	McPherson	Strong, Kans.
Brand	Good	MacGregor	Strong, Pa.
Brooks, Ill.	Goodykoontz	Magee	Sumners, Tex.
Brumbaugh	Green, Iowa	Major	Swindall
Buchanan	Greene, Mass.	Michener	Taylor, Colo.
Burroughs	Greene, Vt.	Mondell	Taylor, Tenn.
Byrnes, S. C.	Griest	Nelson, Mo.	Tillman
Byrns, Tenn.	Hardy, Colo.	Newton, Minn.	Tilson
Campbell, Kans.	Harreld	Oldfield	Timberlake
Campbell, Pa.	Haugen	Oliver	Tincher
Chindblom	Hawley	Padgett	Treadway
Christopherson	Hernandez	Paige	Valle
Clark, Fla.	Hickey	Park	Vestal
Collier	Hicks	Parrish	Vinson
Connally	Hoch	Peters	Volstead
Cramton	Hoey	Porter	Walsh
Crisp	Hulings	Purnell	Ward
Currie, Mich.	Hull, Tenn.	Quin	Wason
Davis, Tenn.	Hutchinson	Radcliffe	Watson
Dempsey	Jacoway	Ramseyer	Weaver
Denison	Jones, Tex.	Rayburn	Welling
Dickinson, Iowa	Kearns	Reber	White, Kans.
Doremus	Kelley, Mich.	Rhodes	Wilson, La.
Dyer	Kiess	Ricketts	Winslow
Eagle	Kincheloe	Riddick	Wood, Ind.
Elliott	Kinkaid	Rogers	Woods, Va.
Esch	Kraus	Romjue	Young, Tex.
Evans, Nebr.	Langley	Rose	

NAYS—132.

Almon	Farr	Lankford	Phelan
Andrews, Nebr.	Fields	Larsen	Raker
Aswell	Focht	Lazaro	Randall, Calif.
Babka	Gallagher	Lea, Calif.	Randall, Wis.
Bankhead	Gallivan	Linthicum	Reed, N. Y.
Barbour	Gandy	Little	Reed, W. Va.
Barkley	Ganly	Lufkin	Robsion, Ky.
Bee	Gard	McAndrews	Rouse
Bland, Va.	Goldfogle	McClintic	Sells
Bowers	Graham, Ill.	McKeown	Siegel
Box	Griffin	McLeod	Sinclair
Briggs	Hadley	Mansfield	Sinnott
Burdick	Harrison	Mapes	Smith, Idaho
Burke	Hastings	Martin	Smith, Mich.
Carew	Hayden	Mays	Smithwick
Carss	Hays	Mead	Summers, Wash.
Carter	Hersey	Miller	Sweet
Cleary	Holland	Milligan	Swope
Coady	Huddleston	Minahan, N. J.	Tague
Cooper	Hull, Iowa	Monahan, Wis.	Taylor, Ark.
Crago	Humphreys	Moore, Ohio	Thompson
Crowther	Igoe	Moore, Va.	Tinkham
Cullen	Johnson, Ky.	Mudd	Towner
Curry, Calif.	Johnson, Wash.	Murphy	Voigt
Dallinger	Juul	Neely	Walters
Darrow	Keller	Nelson, Wis.	Webster
Donovan	Kelly, Pa.	Newton, Mo.	Wheeler
Dowell	Kennedy, R. I.	Nolan	Williams
Dunbar	King	O'Connell	Wilson, Pa.
Eagan	Kleczka	O'Connor	Wingo
Echols	Knutson	Ogden	Yates
Emerson	Lampert	Osborne	Young, N. Dak.
Fairfield	Lanham	Parker	Zihlman

ANSWERED "PRESENT"—1.

Sabath

NOT VOTING—148.

Andrews, Md.	Edmonds	Lonergan	Rowan
Anthony	Ellsworth	Longworth	Rowe
Ayres	Elston	McArthur	Rubey
Bacharach	Evans, Mont.	McCulloch	Rucker
Baer	Evans, Nev.	McGlennon	Sanders, Ind.
Bell	Fess	McKenzie	Sanders, La.
Benson	Fish	McKiniry	Sanders, N. Y.
Bland, Ind.	Flood	McKinley	Sanford
Brinson	Frear	McLaughlin, Mich.	Schall
Britten	Garner	Madden	Scully
Brooks, Pa.	Goodall	Maher	Sears
Browne	Goodwin, Ark.	Mann, Ill.	Shreve
Butler	Gould	Mann, S. C.	Sims
Caldwell	Graham, Pa.	Mason	Slemp
Candler	Hamill	Merritt	Small
Cannon	Hamilton	Montague	Smith, Ill.
Cantrill	Hardy, Tex.	Moon	Smith, N. Y.
Caraway	Hersman	Mooney	Snell
Casey	Hill	Moores, Ind.	Snyder
Clark, Mo.	Houghton	Morin	Steele
Classon	Howard	Mott	Stevenson
Cole	Hudspeth	Nicholls	Stiness
Copley	Husted	Olney	Sullivan
Costello	Ireland	Overstreet	Temple
Dale	James, Mich.	Patterson	Thomas
Davey	James, Va.	Pell	Upshaw
Davis, Minn.	Jefferis	Perlman	Vare
Dent	Johnson, Miss.	Pou	Venable
Dewalt	Johnson, S. Dak.	Rainey, Ala.	Volk
Dickinson, Mo.	Johnston, N. Y.	Rainey, Henry T.	Watkins
Dominick	Jones, Pa.	Rainey, John W.	Welty
Dooling	Kahn	Ramsey	Whaley
Doughton	Kendall	Ransley	White, Me.
Drane	Kennedy, Iowa	Reavis	Wilson, Ill.
Drewry	Kettner	Riordan	Wise
Dunn	Kitchin	Robinson, N. C.	Woodyard
Dupré	Kreider	Rodenberg	Wright

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MANN of Illinois with Mr. SABATH.

Mr. MCLAUGHLIN of Michigan with Mr. HARDY of Texas.

Mr. SHREVE with Mr. ROBINSON of North Carolina.

Mr. MCARTHUR with Mr. WHALEY.

Mr. SCHALL with Mr. POU.

Mr. ANTHONY with Mr. BELL.

Mr. EDMONDS with Mr. DEWALT.

Mr. DAVIS of Minnesota with Mr. MONTAGUE.

Mr. DUNN with Mr. CLARK of Missouri.

Mr. CANNON with Mr. FLOOD.

Mr. FESS with Mr. OVERSTREET.

Mr. RODENBERG with Mr. THOMAS.

Mr. GOODALL with Mr. RAINEY of Alabama.

Mr. MASON with Mr. KETTNER.

Mr. KENNEDY of Iowa with Mr. MAHER.

Mr. PATTERSON with Mr. RUBEY.

Mr. WOODYARD with Mr. HUDSPETH.

Mr. VARE with Mr. MOONEY.

Mr. SANFORD with Mr. RIORDAN.

Mr. COPLEY with Mr. AYRES.

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. COSTELLO with Mr. CANTRILL.

Mr. GRAHAM of Pennsylvania with Mr. OLNEY.

Mr. SNYDER with Mr. CALDWELL.

Mr. BRITTEN with Mr. WRIGHT.

Mr. VOLK with Mr. CANDLER.

Mr. JAMES of Michigan with Mr. MOON.

Mr. WHITE of Maine with Mr. NICHOLLS.

Mr. RANSLEY with Mr. WISE.

Mr. ELLSWORTH with Mr. DOOLING.

Mr. BLAND of Indiana with Mr. WELTY.

Mr. MCCULLOCH with Mr. DREWRY.

Mr. JOHNSON of South Dakota with Mr. VENABLE.

Mr. STINESS with Mr. CASEY.

Mr. HILL with Mr. JOHNSON of Mississippi.

Mr. MOTT with Mr. SMITH of New York.

Mr. ELSTON with Mr. MANN of South Carolina.

Mr. SMITH of Illinois with Mr. ROWAN.

Mr. MERRITT with Mr. DOMINICK.

Mr. BROOKS of Pennsylvania with Mr. WATKINS.

Mr. FREAR with Mr. EVANS of Nevada.

Mr. SANDERS of Indiana with Mr. RUCKER.

Mr. MCKENZIE with Mr. KITCHIN.

Mr. MORIN with Mr. STEELE.

Mr. BROWNE with Mr. CARAWAY.

Mr. HAMILTON with Mr. SEARS.

Mr. REAVIS with Mr. GARNER.

Mr. FRENCH with Mr. GOODWIN of Arkansas.

Mr. CLASSON with Mr. SULLIVAN.

Mr. BUTLER with Mr. MCGLENNON.

Mr. HUSTED with Mr. DAVEY.

Mr. KAHN with Mr. DENT.

Mr. COLE with Mr. DICKINSON of Missouri.
Mr. GOULD with Mr. DOUGHTON.
Mr. FISH with Mr. DRANE.
Mr. DALE with Mr. HERSMAN.
Mr. IRELAND with Mr. SANDERS of Louisiana.
Mr. SNELL with Mr. MCKINIRY.
Mr. MCKINLEY with Mr. JOHN W. RAINEY.
Mr. RAMSEY with Mr. JOHNSTON of New York.
Mr. KREIDER with Mr. HENRY T. RAINEY.
Mr. JEFFERIS with Mr. HOWARD.
Mr. ROWE with Mr. LONERGAN.

Mr. SABATH. Mr. Speaker, I voted "no," but I have a pair with the gentleman from Illinois, Mr. MANN, and not knowing how he would vote I desire to withdraw my vote of no and answer "present."

The name of Mr. SABATH was called, and he answered "present."

The result of the vote was announced as above recorded.

Mr. NOLAN. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

On a division (demanded by Mr. NOLAN) there were—ayes 41, noes 148.

Mr. NOLAN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. Forty-eight gentlemen have arisen—not a sufficient number.

So the motion was rejected.

The SPEAKER pro tempore. The question is upon the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

On a division (demanded by Mr. NOLAN) there were—ayes 149, noes 80.

So the amendment was agreed to.

The SPEAKER pro tempore. The question now is——

Mr. LITTLE. Mr. Speaker, I rise to offer an amendment, which I ask to be read.

The SPEAKER pro tempore. The Chair will state that amendments are not in order, the previous question having been ordered. The question now is upon the amendment offered by the gentleman from Indiana as amended.

Mr. CAMPBELL of Kansas. May we have the amendment reported?

Mr. NOLAN. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER pro tempore. Fifty-seven gentlemen have arisen, a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 173, nays 101, answered "present" 1, not voting 152, as follows:

YEAS 173.

Ackerman	Foster	Lesher	Sherwood
Anderson	Freeman	Little	Siegel
Andrews, Nebr.	French	Luce	Sisson
Ashbrook	Fuller	Luhring	Smith, Idaho
Begg	Gandy	McClintic	Stedman
Benham	Ganly	McDuffie	Steenerson
Bland, Mo.	Garrett	McFadden	Stephens, Miss.
Boles	Glynn	McLaughlin, Nebr.	Stephens, Ohio
Brand	Good	McLeod	Stoll
Brooks, Ill.	Goodykoontz	McPherson	Strong, Kans.
Brumbaugh	Green, Iowa	Magee	Strong, Pa.
Buchanan	Greene, Mass.	Major	Summers, Wash.
Burroughs	Greene, Vt.	Mays	Sweet
Byrns, Tenn.	Griest	Michener	Swindall
Campbell, Pa.	Griffin	Monahan, Wis.	Swope
Caraway	Hadley	Mondell	Thompson
Carter	Hardy, Colo.	Moore, Ohio	Tillman
Chindblom	Harreld	Murphy	Tilson
Christopherson	Harrison	Nelson, Mo.	Timberlake
Clark, Fla.	Hastings	Newton, Minn.	Tincher
Cleary	Haugen	Ogden	Treadway
Cole	Hays	Oldfield	Valle
Collier	Hernandez	Osborne	Vestal
Connally	Hickey	Padgett	Vinson
Cooper	Hoch	Paige	Volstead
Crago	Hoey	Park	Walsh
Cramton	Hull, Tenn.	Peters	Ward
Crisp	Hutchinson	Porter	Wason
Currie, Mich.	Jacoway	Purnell	Watson
Darrow	Johnson, Ky.	Radcliffe	Webster
Davis, Tenn.	Johnson, S. Dak.	Raker	Welling
Dempsey	Johnson, Wash.	Ramseyer	Wheeler
Denison	Kearns	Randall, Calif.	White, Kans.
Dickinson, Iowa	Kelley, Mich.	Reber	Williams
Doremus	Kiess	Reed, W. Va.	Wilson, Ill.
Dunbar	Kincheloe	Rhodes	Wilson, La.
Dyer	Kinkaid	Ricketts	Wilson, Pa.
Elliott	Knutson	Riddick	Wingo
Emerson	Kraus	Rogers	Winslow
Esch	Langley	Romjue	Wood, Ind.
Evans, Nebr.	Larsen	Rose	Woods, Va.
Fairfield	Layton	Rouse	Woodyard
Ferris	Lee, Ga.	Scott	
Fields	Lehlbach	Sells	

NAYS—101.

Almon	Echols	Lanham	Phelan
Aswell	Farr	Lankford	Quin
Babka	Fisher	Lazaro	Randall, Wis.
Bankhead	Focht	Lea, Calif.	Rayburn
Barbour	Gallagher	Linthicum	Reed, N. Y.
Barkley	Gallivan	Lufkin	Robsion, Ky.
Black	Gard	McAndrews	Sinclair
Bland, Va.	Godwin, N. C.	McKeown	Sinnott
Blanton	Graham, Ill.	MacGregor	Smith, Mich.
Bowers	Hawley	Mansfield	Smithwick
Bowling	Hayden	Mapes	Steagall
Box	Hersey	Martin	Sumners, Tex.
Briggs	Holland	Mead	Tague
Burtick	Huddleston	Miller	Taylor, Ark.
Burke	Hulings	Milligan	Taylor, Tenn.
Campbell, Kans.	Hull, Iowa	Minahan, N. J.	Tinkham
Carew	Humphreys	Moore, Va.	Towner
Carss	Igoe	Neely	Voigt
Coady	Jones, Tex.	Nelson, Wis.	Weaver
Crowther	Juul	Newton, Mo.	Yates
Cullen	Keller	Nolan	Young, N. Dak.
Curry, Calif.	Kelly, Pa.	O'Connell	Young, Tex.
Dallinger	Kennedy, R. I.	O'Connor	Zihlman
Donovan	King	Oliver	
Dowell	Kleczka	Parker	
Eagan	Lampert	Parrish	

ANSWERED "PRESENT"—1.

Sabath

NOT VOTING—152.

Andrews, Md.	Edmonds	Kreider	Rodenberg
Anthony	Ellsworth	Lonergan	Rowan
Ayres	Elston	Longworth	Rowe
Bacharach	Evans, Mont.	McArthur	Rubey
Baer	Evans, Nev.	McCulloch	Rucker
Bee	Fess	McGlennon	Sanders, Ind.
Bell	Fish	McKenzie	Sanders, La.
Benson	Flood	McKinley	Sanders, N. Y.
Bland, Ind.	Fordney	McKinley	Sanford
Brinson	Frear	McLaughlin, Mich.	Schall
Britten	Garner	Madden	Scully
Brooks, Pa.	Goldfogle	Maher	Sears
Browne	Goodall	Mann, Ill.	Shreve
Butler	Goodwin, Ark.	Mann, S. C.	Sims
Byrnes, S. C.	Gould	Mason	Slemp
Caldwell	Graham, Pa.	Merritt	Small
Candler	Hamill	Montague	Smith, Ill.
Cannon	Hamilton	Moon	Smith, N. Y.
Cantrill	Hardy, Tex.	Mooney	Snell
Casey	Hersman	Moores, Ind.	Snyder
Clark, Mo.	Hicks	Morin	Steele
Classon	Hill	Mott	Stevenson
Copley	Houghton	Mudd	Stiness
Costello	Howard	Nicholls	Sullivan
Dale	Hudspeth	Olney	Taylor, Colo.
Davey	Husted	Overstreet	Temple
Davis, Minn.	Ireland	Patterson	Thomas
Dent	James, Mich.	Pell	Upshaw
Dewalt	James, Va.	Perlman	Vare
Dickinson, Mo.	Jefferis	Pou	Venable
Dominick	Johnson, Miss.	Rainey, Ala.	Volk
Dooling	Johnston, N. Y.	Rainey, Henry T.	Walters
Doughton	Jones, Pa.	Rainey, John W.	Watkins
Drane	Kahn	Ramsey	Welty
Drewry	Kendall	Ransley	Whaley
Dunn	Kennedy, Iowa	Reavis	White, Me.
Dupré	Kettner	Riordan	Wise
Eagle	Kitchin	Robinson, N. C.	Wright

So the amendment of Mr. WOOD of Indiana, as amended, was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FORDNEY with Mr. BYRNES of South Carolina.
Mr. MANN of Illinois with Mr. SABATH.
Mr. KENDALL with Mr. BEE.
Mr. VESTAL with Mr. GOLDFOGLE.
Mr. WALTERS with Mr. TAYLOR of Colorado.
Mr. MUDD with Mr. VENABLE.
Mr. BROWNE with Mr. HUDSPETH.
Mr. BAER with Mr. DICKINSON of Missouri.
Mr. BACHARACH with Mr. EAGLE.
Mr. HICKS with Mr. GOODWIN of Arkansas.
Mr. MCLAUGHLIN of Michigan with Mr. HARDY of Texas.
Mr. SHREVE with Mr. ROBINSON of North Carolina.
Mr. MCARTHUR with Mr. WHALEY.
Mr. DAVIS of Minnesota with Mr. MONTAGUE.
Mr. SCHALL with Mr. POU.
Mr. ANTHONY with Mr. BELL.
Mr. CANNON with Mr. FLOOD.

Mr. SABATH. Mr. Speaker, I voted "nay." I am paired with the gentleman from Illinois, Mr. MANN, and desire to be recorded as "present."

The result of the vote was announced as above recorded.

Mr. MAPES. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. MAPES. To submit a unanimous-consent request.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MAPES. I renew my request to strike out the word "at" where it last appears in the motion which I submitted, and which was adopted.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the word "at" where it last appears in his motion to amend the amendment of the gentleman from Indiana [Mr. WOOD] may be stricken out. Is there objection?

Mr. BLACK. Reserving the right to object, may it be reported, Mr. Speaker?

The SPEAKER pro tempore. The Clerk will report the amendment without the word "at."

The Clerk read as follows:

In line 13 of the second paragraph, strike out the words "except that," and in line 20 of the second paragraph strike out "one-half."

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

PENSIONS.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13944) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and I move to concur in the amendments of the Senate.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table an omnibus pension bill and concur in the amendments of the Senate. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the Senate amendments.

HOUR OF DAILY MEETING, COMMENCING MONDAY, FEBRUARY 28, 1921.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the hour of meeting Monday and the balance of next week shall be at 11 oclock a. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the hour of meeting beginning Monday of next week shall be at 11 o'clock a. m. Is there objection? [After a pause.] The Chair hears none.

Does the gentleman wish to make any announcement as to further business?

Mr. MONDELL. There will be no further business, Mr. Speaker, to-night except the conference reports on the pension bills and the submission of a conference report on the agricultural appropriation bill.

The SPEAKER. Not to be acted upon?

Mr. MONDELL. Not to be acted upon.

AGRICULTURAL APPROPRIATIONS.

Mr. ANDERSON, from the committee of conference, submitted a conference report on the bill (H. R. 15812), making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, for printing under the rules.

PENSIONS.

The SPEAKER. The Clerk will report the Senate amendments on the bill H. R. 13944, the omnibus pension bill.

The Senate amendments were read.

Mr. FULLER. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

On motion of Mr. FULLER, a motion to reconsider the vote by which the Senate amendments were agreed to was laid on the table.

Mr. SELLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 14063, an act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and move to concur in the Senate amendments.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table an omnibus pension bill——

Mr. McCLINTIC. Mr. Speaker, how long will it take?

Mr. SELLS. I am going to ask unanimous consent to dispense with the reading of the Senate amendments. They have all been reported favorably to the House by the Committee on Pensions.

The SPEAKER. It will not take over five minutes, anyhow. I think they had best be read. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. SELLS. Mr. Speaker, I move to concur in the Senate amendments.

The SPEAKER. The gentleman from Tennessee moves to concur in the Senate amendments. The question is on agreeing to that motion.

The motion was agreed to.

On motion of Mr. SELLS, a motion to reconsider the vote whereby the Senate amendments were agreed to was laid on the table.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

Senate concurrent resolution 35.

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States earnestly calls upon the people of the United States to contribute out of their substance to the humanitarian activities in behalf of the needy of the world—

to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 14461. An act to limit the immigration of aliens into the United States.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 15872. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922;

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes;

H. R. 1856. An act for the relief of Arthur J. Burdick;

H. R. 13402. An act for the purchase of lands occupied by experiment vineyards near Fresno and Oakville, Calif.;

H. R. 15682. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922;

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 15935. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 15962. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes; and

H. R. 15441. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes.

EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I wish to propound a unanimous-consent request. A few evenings ago Mr. Walter Camp delivered in the House Office Building, at the request of certain Members, a lecture on "How to keep well." Many of the Members attended, and quite a number of them, as well as some of those who did not attend, have asked me if Mr. Camp would permit his lecture to be published in the RECORD. I have Mr. Camp's permission to do so, and I should like to extend my remarks in the RECORD by printing that lecture for the benefit of the Members of the House.

Mr. McCLINTIC. Reserving the right to object, Mr. Speaker, there will be nothing extended except that lecture?

Mr. TILSON. Just the lecture of Mr. Camp.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. AYRES, for two days, on account of illness;

To Mr. WATKINS (at the request of Mr. WILSON of Louisiana), on account of death in his family; and

To Mr. REAVIS (at the request of Mr. EVANS of Nebraska), on account of illness of himself and a member of his family.

ADJOURNMENT.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly at 11 o'clock and 36 minutes p. m.) the House adjourned until to-morrow, Sunday, February 27, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

428. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of waterway connecting Indian River and San Carlos Bay, Fla., by way of St. Lucie River, St. Lucie Canal, Lake Okechobee, and Caloosahatchee River; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 233) giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States, reported the same without amendment, accompanied by a report (No. 1376), which said bill and report were referred to the House Calendar.

Mr. SNYDER, from the Committee on Indian Affairs, to which was referred the bill (S. 4039) to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," reported the same with an amendment, accompanied by a report (No. 1377), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (H. R. 6375) for the relief of Kentucky drafted men, reported the same adversely, accompanied by a report (No. 1378), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 3213) for the relief of George M. Leahy, receiver of the New Orleans Mechanics' Society, of New Orleans, in the State of Louisiana, reported the same adversely, accompanied by a report (No. 1379), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 4160) for the relief of Leander Mason and others, heirs of Thomas M. Mason, deceased, reported the same adversely, accompanied by a report (No. 1380), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 6932) for the relief of Edward B. Fox, administrator of the last surviving partner of the firm of Child, Pratt & Fox, reported the same adversely, accompanied by a report (No. 1381), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 4152) for the relief of J. C. Hendricks, administrator of the estate of Samuel Houston, deceased, reported the same adversely, accompanied by a report (No. 1382), which said bill and report were laid on the table.

Mr. O'CONNELL, from the Committee on War Claims, to which was referred the bill (H. R. 1801) for the relief of the legal representatives of Robert Dillon, deceased, reported the same without amendment, accompanied by a report (No. 1383), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 16082) for the relief of Thomas F. Rose, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOORE of Virginia: A bill (H. R. 16153) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of West Virginia: A bill (H. R. 16154) providing for the election of a Delegate to the House of Representatives from the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROMJUE: A bill (H. R. 16155) to create a separate bureau in the Department of the Interior, to be known as the Bureau for the Incapacitated Soldiers and Sailors of the World War, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MACGREGOR: Resolution (H. Res. 699) appointing a committee to investigate Fox Hills Hospital and the officers of the Federal Board for Vocational Education in New York City; to the Committee on Rules.

By the SPEAKER (by request): Memorial from the Legislature of the State of Montana, asking that certain lands known as the Gates of the Rocky Mountains be established as a national monument; to the Committee on the Public Lands.

Also (by request), memorial from the Legislature of the State of Maine, favoring an amendment to the water power act so that there shall be no interference with and control of the water powers within the State of Maine; to the Committee on Water Power.

By Mr. BURDICK: Memorial from the Legislature of the State of Rhode Island, favoring legislation now pending in Congress for the relief of disabled World War veterans; to the Committee on Ways and Means.

By Mr. KLECZKA: Memorial from the Legislature of the State of Wisconsin, urging the passage of House bill 11641 and Senate bill 3686; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: Memorial from the Legislature of the State of Maine, urging an amendment to the Federal water-power act, so that there will be no Federal interference with water-power control in the State of Maine; to the Committee on Water Power.

By Mr. RIDDICK: Memorial from the Legislature of the State of Montana, requesting that certain public lands known as the Gates of the Rocky Mountains be withdrawn from entry and set aside for a national monument; to the Committee on the Public Lands.

By Mr. STEENERSON: Memorial from the Legislature of the State of Minnesota, favoring tariff legislation of agricultural products from foreign countries; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. KLECZKA introduced a bill (H. R. 16156) granting a pension to John F. Brannan, which was referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6079. By the SPEAKER (by request): Petition of Ste. Cecile Council, No. 115, of L'Union St. Jean-Baptiste d'Amerique, of Ware, and St. Joseph Council, No. 9, L'Union St. Jean-Baptiste d'Amerique, of Turners Falls, both in the State of Massachusetts, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6080. By Mr. CRAMTON: Petition of Rev. W. J. O'Rourke and the parishioners of Sacred Heart Church, Caro, Mich., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6081. By Mr. DOREMUS: Petition of Polar Bear Post, Veterans of Foreign Wars, No. 436, of Detroit, Mich., commending the Department of Justice in suppressing radical organizations that advocate the overthrow of our Government by force and violence; to the Committee on the Judiciary.

6082. By Mr. EMERSON: Petition of the Cleveland Chamber of Commerce, of Cleveland, Ohio, opposing the nationalization of industry; to the Committee on Agriculture.

6083. By Mr. KELLY of Pennsylvania: Petition of the Knights of St. George, of Pittsburgh, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6084. By Mr. KENNEDY of Rhode Island: Resolution of Council Marguerite Bourgeois, L'Union St. Jean Baptiste d'Amerique, Pawtucket, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6085. Also, resolutions of Council Marie Stuart, Pawtucket; Council Gagnon, Woonsocket; Council St. Jean Baptiste, Central Falls; Council Juliette, Woonsocket; Council Notre Dame de Lourdes, Providence; and Council Marie de L'Incarnation, Woonsocket, all in the State of Rhode Island, all affiliated with L'Union St. Jean Baptiste d'Amerique, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6086. Also, resolutions of Council St. Jean Baptiste, L'Union St. Jean Baptiste d'Amerique, of Manville, and Council Madeline de Vercheres, of Woonsocket, both in the State of Rhode Island, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6087. By Mr. KLECZKA: Petition of 670 citizens of Milwaukee, Wis., protesting against the passage of the Smith-Towner bill providing for Federal aid to State schools; to the Committee on Education.

6088. Also, petition of St. Catherine's Court 246, W. C. O. F., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6089. By Mr. MAGEE: Petition of Mr. Joseph Haas and other citizens of Syracuse, N. Y., protesting against alleged conditions in the occupied zone on the Rhine; to the Committee on Foreign Affairs.

6090. By Mr. O'CONNELL: Petition of the Merchants' Association of New York, favoring an appropriation of $20,000 for the retention of the passport office in New York City; to the Committee on Appropriations.

6091. By Mr. HENRY T. RAINEY: Petition of B. R. Pruitt and other citizens of Beardstown, Ill., favoring beer and light wines and opposing the Sunday blue laws; to the Committee on the Judiciary.

6092. By Mr. RAKER: Petition of J. F. Baker, of Copperopolis; Henry W. Bowen, of Woodlief; A. G. Chapman, of Guadalupe; George Shane, of Napa; W. C. Brown, of Beswick; all in the State of California, asking extra compensation for star-route contractors; to the Committee on the Post Office and Post Roads.

6093. Also, petition of the Pasadena Ice Co., of Pasadena, Calif., favoring a 1-cent drop-letter rate; to the Committee on the Post Office and Post Roads.

6094. Also, petition of the Solano Farm Bureau, of Fairfield, Calif., urging a protective tariff on olives; to the Committee on Ways and Means.

6095. Also, petition of Maillard & Schmiedell, of San Francisco; Moore Shipbuilding Co., of Oakland; and the California White & Sugar Pine Manufacturers' Association, of San Francisco, all in the State of California, protesting against the Federal live-stock bill and the Federal coal bill; to the Committee on Agriculture.

6096. Also, petition of the Los Angeles Chamber of Commerce, urging protection for the epsom salts industry of California; to the Committee on Ways and Means.

6097. Also, petition of the Improvement Club of Auburn, and the Alpha Literary and Improvement Club of Lompoc, both in the State of California, indorsing the Smith-Towner bill, the Sheppard-Towner bill, the Rogers bill, and the Fess bill; to the Committee on Education.

6098. Also, petition of the San Francisco Chamber of Commerce, by Seth Man, opposing that section of House bill 9521 which makes dairy products cold-storage goods if moving in refrigeration for more than 10 days; to the Committee on Agriculture.

6099. Also, petition of Herbert Myrick, of Springfield, Mass., in support of the Muscle Shoals project; to the Committee on Appropriations.

6100. By Mr. RIORDAN: Petition of George Gregory and sundry citizens of New Brighton and Long Island, N. Y., protesting against the occupation of Germany by French colonial troops; to the Committee on Foreign Affairs.

6101. By Mr. TEMPLE: Petition of Albert A. Reineke, of Monaca, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6102. By Mr. WOODYARD: Petition of James Wood Chapter of the Daughters of the American Revolution, Parkersburg, W. Va., favoring the passage of the Fess-Capper bill; to the Committee on Education.

6103. By Mr. ZIHLMAN: Petition of Hagerstown Central Labor Union, favoring the establishment of trade relations with the Russian Government; to the Committee on Foreign Affairs.

6104: Also, petition of Washington Camp, No. 41, Patriotic Order Sons of America, through Elmer Lewis, president, Thomas G. Jeffries, secretary, and Thomas H. Morgan, favoring immediate passage of the Smith-Towner bill; to the Committee on Education.

6105. By Mr. BABKA: Petition of Licensed Tugman's Protective Association, Local No. 5, Cleveland, Ohio, favoring a duty on imported fish; to the Committee on Ways and Means.

6106. By Mr. GLYNN: Petition of the General Board of l'Union St. Jean-Baptiste d'Amérique, Waterbury, Conn., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6107. Also, petition of Washington Camp, No. 18, Patriotic Order Sons of America, Waterbury, Conn., to make armistice day, November 11, a State and National holiday; to the Committee on the Library.

6108. By Mr. YATES: Petition of Mr. William Weindel, of Pierron, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

6109. Also, petition of Mr. L. M. Pierron, of Pierron, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

6110. Also, petition of Mr. O. B. McGlasson, of Chicago, Ill., of the McNeil & Higgins Co., Chicago, protesting against the cold-storage bill, which has been referred to the Senate and House conference committee; to the Committee on Agriculture.

6111. Also, petition of Mr. R. J. Schreiber, of Pierron, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

6112. Also, petition of Mr. W. J. Abbott, Pierron, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

6113. Also, petition of Mr. Oscar Frey, of Pierron, Ill., protesting against the Smith-Towner Bill; to the Committee on Education.

6114. Also, petition of Miss Aloys Bock, of Pierron, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

6115. Also, petition of Mr. Albert N. Merritt, of Chicago, Ill., protesting against the conference-committee amendments to the cold-storage bill as passed by the Senate; to the Committee on Agriculture.

6116. Also, petition of Mr. William Fellowes Morgan, of the Merchants' Association of New York, N. Y., protesting against the Muscle Shoals project; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 27, 1921.*

The House met at 12 o'clock noon, and was called to order by Mr. FORDNEY as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, possess with Thy spirit our souls; for spirit may meet spirit and soul mingle with soul in consolation and hope.

Behold, I stand at the door, and knock: if any man shall hear my voice, and open the door, I will come in to him, and will sup with him, and he with me.

We have assembled to memorialize the lives, characters, and public services of two men who have served upon the floor of this House and left behind them records that may give light and comfort to those who follow them. Be with their comrades, friends, and kinsfolk in this hour of distress and sorrow. Comfort them with the blessed hope of the immortality of the soul, that has come down to us through the ages and has been recorded in public writ.

Let not your heart be troubled; ye believe in God, believe also in me.

In my Father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you.

And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also.

Blessed thought! We thank Thee, our Father, for that thought, for that consolation, for that hope; in Jesus Christ our Lord. Amen.

THE JOURNAL.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent that the reading of the Journal be deferred until to-morrow.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the reading of the Journal be deferred until to-morrow. Is there objection?

There was no objection.

THE LATE REPRESENTATIVE NICHOLS, OF MICHIGAN.

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. McLAUGHLIN of Michigan, by unanimous consent,
Ordered, That Sunday, February 27, 1921, at 12 o'clock noon, be set apart for addresses on the life, character, and public service of Hon. CHARLES A. NICHOLS, late a Representative from the State of Michigan.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Michigan offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 700.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. CHARLES A. NICHOLS, late a Representative from the State of Michigan.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of the day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

Mr. DOREMUS. Mr. Speaker, we assemble to-day to honor the memory of and pay our tribute of respect to a departed colleague.

CHARLES A. NICHOLS was the son of Thomas and Jane Fletcher Nichols, and was born at Boyne, Mich., August 25, 1876. Early in life he manifested a deep interest in politics. His first active political work was performed in the campaign of 1896. Although at that time scarcely 21 years of age he organized a First Voters' McKinley Club and was elected its president. Soon thereafter he became a newspaper reporter, beginning his journalistic work on the Detroit Journal, with which paper he remained for about two years. In 1898 he became attached to the staff of the Detroit News, upon which paper he achieved a country-wide reputation as a reporter and investigator of crimes.

About 20 years ago a woman's body was uncovered in the woods near the village of Royal Oak, Mich., where it had lain for nearly a year. Much of the clothing had been torn from the body. The feet had been stripped of shoes, and there was no evidence to prove the identification of the victim. The police were baffled and had about given up hope of solving the mystery when Mr. NICHOLS went to work on the case. The masterly manner in which he handled this celebrated case and landed the murderer in the penitentiary is yet fresh in the minds of many people in Michigan. It is regarded in police annals as one of the finest pieces of detective work ever done in Michigan or in any other State. He remained with the News until July 1, 1905, when he was appointed secretary of the Detroit police department.

In 1909 Mr. NICHOLS was elected clerk of the city of Detroit. He was reelected, serving in that capacity for a period of four years. He was a strong supporter of Theodore Roosevelt in 1912 and went down to defeat with the progressive leader as a candidate for reelection to the office of city clerk. Two years later he was a candidate for Congress on the Republican ticket in the new thirteenth district of Michigan and was elected. He was reelected in 1916 and again in 1918. In Congress he soon became known to his colleagues as a man of independent thought and action. It was his fortune to serve during the most momentous period of American history, and on all questions which came before Congress he was guided by a fine spirit of patriotism. Indeed, I may truthfully say that in his public career Mr. NICHOLS steadfastly refused to sacrifice principle for expediency. He never hesitated to place what he believed to be his country's welfare above personal considerations. At the time of his death he was a member of the Committees on the Public Lands, Insular Affairs, Industrial Arts and Expositions, and the chairman of the Census Committee.

I speak to-day of our departed friend and colleague as one who knew him intimately. Close personal association with him gave me an opportunity to fairly assess those qualities of mind and heart which endeared him to his friends and stamped him a man's man and a faithful public servant. First of all, being true to nature, he could not be otherwise than true to himself. Ostentation and display were foreign to his nature. In him there was no taint of affectation.

Mr. NICHOLS had a keen sense of his responsibility to the public. He squared his official acts with his highest conception of duty. He possessed moral courage to an exceptional degree, and when the path of duty lay clear he never hesitated to follow it.

When quite a young man the work of providing for his mother devolved upon him. It was a duty that he never shirked, and his devotion to her continued until the hour of his death.

His friends were his most valued possessions. Among them his happiest hours were passed. His loyalty to them was intense. He found great delight in doing little acts of kindness. It can be truly said of him that he left the world better than he found it. What better monument can any man rear to his memory?

Mr. SMITH of Michigan. Mr. Speaker, we meet to-day to commemorate the life and character of our departed friend and colleague, CHARLES A. NICHOLS. He departed this life in the noonday of his active career, in the city of Washington, at the age of 44 years. He passed away at his home where he was entertaining friends, and apparently in the best of health. There is not one of us who knew him who did not feel that in his departure he had lost a personal friend. He was kind-hearted, of a pleasing disposition, manly, upright, courteous, and knew the value of friends. He was serving his third term in Congress. He started a poor orphan boy, and was the author of his own career. He was born in Michigan. His first work was that of journalism, then secretary of the police commission of his home city, afterwards city clerk of Detroit, which position he held for two terms. Then the opportunity came and he was elected to the Sixty-fourth Congress from the thirteenth district of Michigan. The successful career of our departed friend shows the opportunity that any young man of ordinary ability has in our country for advancement. Here wealth, position, and honor are the prizes offered for energy, and every poor boy can compete. I might add that failure only comes to those who let opportunity go, or are indifferent to their own best interests. Mr. NICHOLS was a man of untiring energy, industrious, and of good, plain, everyday judgment and common sense. We all miss him, and now that his book of life is closed we may still revere his memory, praise his good qualities, and are pleased that we knew him.

What the future holds for us we know not. Whether we cross the river in darkness, or we are ushered to a higher and better life, where happiness awaits, it is not given us to know. The intelligence of the world, the highest and brightest minds, all believe in a Divinity, and that the future is eternal. But we are authors of our own career in this life, and for guidance I have often thought of the admonition of the revered Bryant—

So live, that when thy summons comes to join
The innumerable caravan which moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approach thy grave
Like one that wraps the drapery of his couch
About him, and lies down to pleasant dreams.

Mr. NICHOLS was at the time of his decease very much interested in adjusted compensation for the World War veterans. Indeed, he had a deep solicitation for their welfare, not only during the war, but afterwards. He was instrumental in having the Three hundred and thirty-ninth Regiment returned from Russia, and went to the seacoast to accompany the remains of the boys who had made the supreme sacrifice for their country back to their long homes. I think Mr. NICHOLS would be glad to have this said of him because of his untiring efforts in their behalf. He wished them to have an extra compensation as a slight contribution to the financial sacrifices they made to join the service and sustain the flag.

I was privileged to attend his funeral in his home city of Detroit. His body lay in state in the city hall, where he had devoted his services in former years to the welfare of his city. Throngs crowded the corridors, civic societies passed by his

remains, showing the high esteem and respect in which he had engrafted himself into the affection of the inhabitants of all classes in the city; and as he lived, upright and just and true in life, so now will we with affectionate remembrance hold him in high esteem in the innermost recesses of our remembrance as our friend and colleague, an upright citizen, and leave him not to be forgotten, but remembered for all time to come. We can only say adieu and abide our time, when we must all make the same journey. May it be well with us then as I am sure it was with Mr. NICHOLS.

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark;

For tho' from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

—Tennyson.

Mr. CURRIE of Michigan. Mr. Speaker, it is fitting and proper that we should gather here and endeavor to honor, in a humble way, the memory of our late colleague. We miss his companionship and his counsel. In his untimely death family and friends were grievously shocked and the Nation suffered a distinct loss.

Mr. NICHOLS, through diligent and faithful service, had reached a high place in the councils of the greatest legislative body on the face of the earth. He was chairman of the Committee on Census. Every 10 years a Federal census is taken, and the legislation for the census of 1920 stands as the handiwork of the Hon. CHARLES A. NICHOLS.

He was a student of public affairs who never lost sight of his mission and trust. His vigorous efforts before committees and upon the floor of the House accomplished much good and saved the Nation vast sums of money. His earnest and aggressive work before governmental bureaus and departments brought relief and happiness to many a weary and discouraged soldier and sailor boy. No person was too humble for an audience with him, and no man was great enough to deter him in his mission of right and justice as he saw it.

The soldiers had in him a true and sympathetic friend. I remember that when the first ship bearing bodies of our heroes who died in Russia was on its way to the United States it was Mr. NICHOLS who challenged the attention of Congress to its duty on behalf of the Nation to honor their memory by a suitable service at the docks in New York.

Along life's pathway, whether it was as a press reporter, city official, or a Congressman of the United States, his thought and action showed him the friend of man. No testimonial of high esteem that our words may speak here to-day can equal that mute tribute by thousands of his home people at Detroit—rich, poor, humble, and great—who formed a procession that was hours in passing as his body lie in state at the city hall.

My friends, the true test of a successful life is not how long but how useful to his fellow beings; and, measured by that standard, the life of CHARLES A. NICHOLS was a distinct success.

Mr. CRAMTON. Mr. Speaker, it is very timely that as we are gathered here to-day to pay tribute to the services of our colleague, CHARLES A. NICHOLS, mention should be made of the fact that it was through his activity that the Congress, representing the people of the Nation, arranged that tribute should be paid at New York when the first of our dead from the Great War came back to our shores. It was the occasion of the return of the dead of the Three hundred and thirty-ninth Regiment from northern Russia, but they chanced to be the first of our Nation's dead to be returned, and Mr. NICHOLS felt that that opportunity should not be permitted to pass without the Nation paying its tribute, not only to those dead but to all who had given their lives in the great conflict upon the other side. Through his activity at the War Department and on the floor of this House that opportunity was not permitted to pass without being properly recognized. Mr. NICHOLS was the chairman of the committee that had those services in charge. Now, he, too, has passed, and we pay tribute, not to one who served his country on the field of battle or in the military service but to one who served his country with no less devotion in civic place of high responsibility.

To those of us who served with him, members of the delegation from the State of Michigan, his sudden death was to each and every one of us a shock. It was more than that. It took from each one of us a highly valued friend; because to those of us who knew him best he was not Congressman NICHOLS, but he was CHARLIE NICHOLS. He was not alone a public servant honored highly by his city and his congressional district, but he was the man and the friend.

It is a pleasure to me to recall that, not having met him personally when he came into Congress, although I had known much of him, though political conditions threatened at first to lead to some separation of our paths, that difference was not permitted to stand in the way of the growth of a deep and real friendship between us. Very early in my acquaintance with him I found what each day of that acquaintance only emphasized, that the great thing about CHARLIE NICHOLS was his real, deep humanity, his thorough sincerity of purpose, and his courage to face and perform a duty.

It comes back to me now, the first time that I saw CHARLIE NICHOLS. It was at the famous Bay City convention in Michigan in 1912. He was in office in the city of Detroit as city clerk, and could have remained in that office indefinitely with his strong ties of friendship throughout the city. But when the contest came, through the candidacy of Theodore Roosevelt, it appealed to CHARLIE NICHOLS with such force that he gave to it all the devotion of his nature and put upon the altar of sacrifice his position in the city government of Detroit. In the course of that contest, he made a tremendous fight against odds in the city of Detroit, and carried with him to the State convention a delegation from that county, a convention where all was tumult, as the two factions gathered from all over Michigan for the most bitter political conflict in Michigan for a generation. The State militia had been called out as a police measure. I, as a spectator, was on my way into the convention, was endeavoring to get into the Armory Building where it was in session. I was on my way in with a visitor's ticket when I saw CHARLIE NICHOLS on his way out, his delegation excluded, and he physically thrown out of the convention, passed back through the packed lobby, handed along over the heads of all by burly hangers-on of the opposing faction.

That first sight of him has always emphasized to me that while his was a mild and gentle nature, nevertheless when he embraced a cause he was willing to put everything into it; that while he loved peace, he was willing to fight for his principles and ideals.

Mention has been made of the fact that CHARLIE NICHOLS was preeminent as a newspaper man. A mutual friend of his and mine who served with him in the newspaper game and is now on the bench in the city of Detroit, the Hon. Arthur E. Gordon, knowing him better in his newspaper days than I did, I asked my friend to give me something of his estimate of CHARLIE NICHOLS as a newspaper reporter and as a man. He has handed me this:

"CHARLIE NICHOLS as a reporter and a man.

"I can not differentiate, because a decent reporter is always a man.

"CHARLES A. NICHOLS was a decent reporter. I knew him in the beginning of his career in the newspaper business; was with him on the Detroit News in 1898 and 1899 and against him on the Detroit Journal from 1899 to 1903 while he was still on the News.

"He began on the police beat, that prolific source of good newspaper men, where cubs are sent to learn to observe human nature and to write about concrete things. Any man can be a fair police reporter if he is industrious and observing. He can be a good police reporter or a star police reporter if he has reasoning faculties developed to a high enough degree; if he is endowed with those subtle qualities which enable him to win the confidence of utter strangers within a few minutes; to extract from them the most sacredly preserved secrets; to pick out the handful of grain concealed within the bushel of chaff which is poured out in moments of great strain by principals in or witnesses to some great tragedy; if he is trained in logical reasoning, so that he can follow a tenuous trail marked only here and there by a definite fact which serves as a guidepost to the solution of a criminal mystery.

"This was CHARLES A. NICHOLS as a reporter. He was a star police reporter. He solved many of the great murder mysteries of Detroit of two generations ago when the police and trained detectives were utterly at sea or resolutely following the wrong trail. He was more than this as a reporter. He never betrayed a confidence. Because he would let himself be scooped on a big story rather than disclose to the public what had been told him in confidence or under a pledge that it be withheld until the happening of some event he had the confidence of the

heads of the detective and police bureaus and of the courts. He always played fair with his fellow newspaper men. Therein lies the greatest test of a man in the newspaper business or profession. No reporter can have the confidence of his fellow reporters unless he has consistently played fair with them. He must not stoop to petty deceptions. He must not lie to them.

"CHARLES A. NICHOLS had no enemy among the newspaper men of Detroit. He was loyal to his paper to the highest degree. He spared no effort, no expenditure of time or energy in pursuing the elusive story which makes the paper. While at work he knew nothing but the objective. He spared no effort to get a better story than the reporter opposing him on the other papers, yet he was always fair, so that after the bitter competition of the day the stoutest competitors were oftenest closest of friends. Thus it was with CHARLES A. NICHOLS. His rival on the opposing paper was usually seen around the town with him at night after the competition for that day had ceased and the evanescent glory of the day's scoop had passed into newspaper history.

"And this is the measure of a man in the newspaper profession, that he can be indefatigable in the interests of his paper while at work, yet be so fair to the man he is trying to beat that he can not fail to win the respect and friendship of his opponent. This was CHARLES A. NICHOLS, brilliant newspaper man, criminal investigator, and decent man, imbued with the highest qualities of American citizenship. These qualities which served him in such good stead as a newspaper reporter were broadened and enlarged by his newspaper career, and his sympathies were so sharpened by his experience that when he entered the field of politics he never lost his human interest, his ability to get the other man's viewpoint, to see both sides of the 'story,' and not form hasty conclusions. As a result he was a capable public servant, always being the highest type of man."

My friend Gordon has emphasized the real point, that when we come into public service we continue in public service to be just the kind of men that we were before we came into public service. And a man who has played the game fairly, who has been earnest and indefatigable in his work before he came to Congress, will prove earnest and indefatigable in his work here.

So CHARLES A. NICHOLS, in the short time he was in Congress, rose to the chairmanship of the Committee on the Census, and distinguished himself as well by thorough work on the Public Lands Committee, where he was rendering a real public service. But the real tribute to NICHOLS the man and NICHOLS the Congressman, after all, is not in what we may have to say here, but in the expression of respect and love for him which poured out not here alone, but poured out in his home city upon the occasion of the return of his body to that city.

I remember, and will long remember, as we stood there in the corridors of the city hall, the building where he had served the city as city clerk, where he had always been ready to perform service to and help the humblest citizen of Detroit who came to him for aid—in that city hall, as his body lay there in state, the people for hours poured through the corridors to pay their silent tribute of love and respect to the man that they knew as the friend of each and every one of them.

Mr. MICHENER. Mr. Speaker, we have met here on this Sabbath Day to pay our tribute of love and respect to our late lamented colleague, Congressman CHARLES A. NICHOLS. These services are not perfunctory in their character; they are more. It is but proper that this, the greatest legislative body in the world, should set aside this day to commemorate the memory of one of its departed Members. Each one of us has his small place to fill in the great human family, and when the death angel beckons we must of necessity leave vacant chairs. Today we mingle with our friends, we enjoy their associations, but we know not what the morrow holds in store for us. The ties formed in this body are difficult to sever, and these occasions bring us face to face with realities.

The grim reaper has exacted an unusual toll from the Sixty-sixth Congress. Fourteen times has he entered our ranks. Fourteen times have we realized that—

> Death takes us unawares
> And stays our hurrying feet,
> The great design unfinished lies,
> Our lives are incomplete.

It has been said that death is the black camel that stops at every man's door. It is seldom welcome but sure to come. It lies in every passing breeze and lurks in every flower.

> Leaves have their time to fall,
> And flowers to wither at the north wind's breath,
> And stars to set; but all,
> Thou hast all seasons for thine own, O Death!

And so when we learned of the passing of our colleague it seemed that his going was untimely, unwarranted. In the prime of life, in the bloom of manhood, in the day of his usefulness, his final summons came. Without warning, unexpected, it was a great shock to his friends. He surely died at the post of duty. I met him in the House Office Building on that Sunday afternoon; he was in apparent good health—jovial and agreeable, as usual—and in but a few hours later cold in death.

I first met Mr. NICHOLS in the closing days of the Sixty-fifth Congress—about two years ago. I came to Washington, as most new Members do, to get acquainted with the surroundings. I will ever remember the courtesy and consideration shown me by Mr. NICHOLS. From that time on he was my friend. I soon learned to love him for his true worth. He was a kind, genial, whole-souled, companionable man. To know him was to admire him. True to his friends always. One could not know Mr. NICHOLS long without knowing something of his home life. His devotion to his widowed mother was marked. The consideration of her pleasure entered into his every plan. On many occasions during the sessions of Congress I have known him to leave his seat on the floor just to call up mother and see that all was well with her. Such attention, thoughtfulness, and love of mother always inspires admiration and confidence, and so it seemed but fitting that the end should come as it did, in his mother's arms.

It was my privilege to accompany the funeral party to Detroit. I did not wonder at the large number of friends at the depot and at the funeral. There were members of organizations, military and civil; there were his friends—all knew him, all mourned his loss. As the body lay in state in the great city hall of Detroit, in which building he had so faithfully served his people, I saw many people in solemn procession pass the coffin and take a last look at all that was mortal of their friend. Some had known him as a lad, some had known him as a young newspaper reporter, some had known him as a mature newspaper writer, some had known him as secretary of the police department, some had known him as city clerk, some had known him as their Representative in Congress. All knew him to be worthy of confidence, all loved him. Three times was he elected to Congress, each time by an increased majority. He was truly a self-made man. His career should be an inspiration to every American lad. He conclusively exemplified opportunity in America. He again demonstrated that the "barefoot boy, with cheek of tan," is a presidential possibility. His success was not the result of chance, it was the result of merit.

It can be honestly said that "when he departed he took a man's life along with him." What is true greatness and true success, except the development of those qualities which we summarize and emphasize in the one word—manhood. It touches the attractive as well as the noble features in the life of man. It is a word difficult to define, yet, without definition, we recognized and appreciated it in Congressman NICHOLS. He lived out his days and his years in the State of his birth. He held the affection and the friendship of the home folks, and after all—

> Friends are in life's exchange the sterling coin;
> True, tender for all the rarest forms of joy;
> The only pauper is the friendless man.

Judged by this standard our friend was, indeed, a wealthy man. No constituent was too humble or too lowly to receive the utmost consideration. His office was the clearing house for the wants and requests of all ex-service men. No member of this body took a keener interest in the welfare of those who served during the late war, and those who were dependent upon them. It was Mr. NICHOLS who introduced the first resolution in Congress providing that suitable arrangements be made for the reception of the remains of those who made the supreme sacrifice on the other side. His office was the headquarters for Michigan American Legion Welfare Officers while in Washington, and in his death these boys lost an earnest supporter and an energetic advocate. It is not for me, a comparatively new Member here, to call attention to the legislative ability and statesmanship of our colleague. This will be done far better by those who have had longer service with him, and who are better qualified to speak.

Suffice it for me to say that the thirteenth congressional district has lost an able Representative, the State has lost an honored citizen, and the country has lost a wise legislator. His faults we write upon the sand, his virtues upon the tablets of love and memory.

Mr. McLEOD. Mr. Speaker, although I was not fortunate enough to be numbered among his bosom friends, I do not believe there were many people in Detroit who were unfamiliar

with the name of my predecessor, the late Congressman NICHOLS, and I consider it a great honor to be allowed to pay my tribute to his memory at this ceremony.

A President could not have been accorded a more befitting burial than that bestowed upon him by the people of his loved city. His sudden tragic death from heart failure occurred in the arms of his revered mother. On the arrival of his body from Washington it was met by an array of policemen and a squad of medaled service men in their overseas uniforms. His body lay in state for two days at the city hall, where it was viewed by thousands of mourners.

His presence among his friends was always welcome on account of his care-free, lovable disposition. He always looked on the sunny side of life, even when everything went dead wrong. He was a man of sympathetic understanding and never failed to extend a helping hand to a discouraged fellow creature. Longfellow said:

Into each life some rain must fall.

Mr. NICHOLS therefore must have had his share; but such days were never intimated to or inflicted on his friends. One of his most commendable and noticeable attributes was his devoted attention to his constant companion, his mother, a frail sweet-faced gray-haired mother, such as poets love to describe.

At the age when most boys are enjoying the free existence of school life he had undertaken the arduous task of a newspaper reporter. He was famous for his ability in solving homicide cases which others had abandoned.

He was appointed secretary of the Detroit police department in 1905, where he served three years. In 1908 his merit was rewarded by his election to the public office of city clerk and his reelection in 1910. In 1914 the public further displayed their confidence in him by sending him to the United States Congress. I need not go into the details of his service here, as you, my dear colleagues, are acquainted with his unblemished record here. However, I can not but touch upon his patriotic war record. During this critical time he never once flinched. He took an important part in the legislation for the welfare of soldiers. He served his constituents well in all capacities. Even a few hours before his untimely death, which was on Sunday, when he should have been resting after the strenuous toil of the week, he was writing a report upon a measure of vital importance to every man and woman in the country, as it related to the extraordinary cost of shoes.

My great desire is that I may have the wisdom to follow in his footsteps here.

How can he be dead who lives immortal in the hearts of men?

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent that Members who so desire may extend their remarks in the RECORD on the life and character of the late CHARLES A. NICHOLS.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. WHITE of Kansas. Mr. Speaker, until I came here this morning, I knew little more of the life of CHARLES A. NICHOLS before I met him upon entering on my duties in the Sixty-sixth Congress than I found in one of the very briefest biographies in the Congressional Directory. I can not speak of the record of his life and achievements with the familiarity that his colleagues are able to speak, but I am pleased and honored, Mr. Speaker and gentlemen, to speak for a few minutes of my friend CHARLES A. NICHOLS.

It is not for me to explore the domain of metaphysical idealism. I indulge in no speculation, for me it is sound philosophy—true religion, and supreme consolation to hold to that maxim. I know that it shall be well with the righteous.

And whatever betides beyond the frontier of the unknown world, I believe that a conscious entity of our departed friend is consciously existent, and that with the same intense courage that characterized his work here, his undaunted soul is to-day grappling in the forum of eternity with its mysterious problems. Ironquill says, in what I regard as one of his greatest poems, The Washerwoman's Song, giving expression to that spirit of doubt which assails, perplexes, and at times tortures the thinking mind—

Human hopes and human creeds
Have their root in human needs;
Yet I would not want to strip
From the washerwoman's lip
Any songs that she may sing,
Any comfort songs may bring.
For the woman has a friend
That will keep her to the end.

But again the same writer, in his poem "Criterion," which seems to be a reflective answer or an echo of that apparently agnostic sentiment expressed in the "Washerwoman's Song," says:

And yet the soul doth seem to be
In sunshine which it can not see.
Sometimes the spirit seems to roam
Above the clouds, above the foam,
Back to some half-forgotten home;
And so I think that it may be
That man and his finality
Is not an ideality, but is, indeed, reality.

CHARLES NICHOLS's faith was of a positive, unquestioning character. I know this, for he told me so. It was builded upon the words of Him Who spake as never man spake, Who said, "Because I live, you shall live also." I think of few men whom I have met in a long period of private and official life who in so short a time I came to know so well and to esteem so highly as I did the gentleman from Michigan, the Hon. CHARLES NICHOLS, in respect for whose memory and services we meet here to-day. It was largely due, perhaps, because of our mutual service on the Committee on the Public Lands. In this connection I feel there is no impropriety in referring to one incident at least in the official experience of Mr. NICHOLS, which illustrates in a high degree his quality as a statesman and his rare political integrity. He was enthusiastically for the payment of a soldier's bonus to the American ex-service men of the great World War.

Although not rugged in health, he devoted much time and energy to advancing this legislation, but he opposed with equal energy the bill, H. R. 487, authorizing the appropriation of $500,000,000 for the establishment of projects upon Government reclaimed land. Seventeen members of the committee were strongly in favor of the measure, while only four opposed it, but so strongly that, on account of the objections urged by Mr. NICHOLS, a minority view, written by him, was signed and printed; and it was due to his opposition more than to any other one thing that the measure failed. It was an exhibition of unusual, yet of admirable courage, to throw down the gage of battle to a great committee of the House and to the majority leadership on his own side, when there was every probability of being misunderstood. These are the qualities that compel admiration from everyone; but beyond all this, it was the splendid qualities of the man of which I am thinking most. His was the gentle, kindly spirit. I spent many happy hours in his office, and he in mine, and when you and I have invoked every source of consolation, have conjured the beauty and usefulness of his life in terms of love and admiration, contemplating all of the fine and noble qualities of a splendid man that show in all the acts of that wonderously perfect life, and in none more perfectly than in the tender care and solicitude shown for the dear kind mother, to be so cruelly and unexpectedly bereaved, we must pause disconsolate because we have no voice with which to reach the ear of him whom we have loved. Hopeless of entire consolation we ask the age old question, never affirmatively answered—

Can storied urn, or animated bust,
Back to its mansion call the fleeting breath?
Can honour's voice provoke the silent dust,
Or flatt'ry soothe the dull cold ear of death?

Time, at once the builder and the leveler, thou shalt, thou must write justly and truly the story of this man's life; and there shall appear no recorded act unworthy of a noble man.

Mr. SIEGEL. Mr. Speaker, it is said by the psalmist that "man is like to vanity. His days are as a shadow that passeth away."

We know these things to be self-evident, and yet during the short space of time which man has upon this earth he accomplishes very often in a short span of life more than many others succeed in doing in a much longer one. Our able, esteemed, kind-hearted, industrious worker and patriotic friend CHARLES A. NICHOLS was no exception. He passed away when yet young in years. But he is mourned by all who recognized the value of his real conscientious and earnest work for one of the largest constituencies which any Member of the House has ever represented. He looked after the affairs of thousands of young men who entered the service from the city of Detroit. His district, according to the latest figures of the 1920 census, had a couple of hundred thousand of inhabitants, to which task he devoted himself with all the energy and strength which a man of his years possessed.

I first met him when he came to Congress over five years ago. He discussed with me at that time the complex problems of a heterogeneous population such as his. He and I compared the

efforts which we were both exerting to make that population homogeneous. Later, when we both served on the Census Committee, of which he was the honored chairman at the time of his decease, we frequently discussed the same problem. He typified the highest ideal of American citizenship. His devotion to his mother and his great love and affection for her won for him the highest admiration of all who knew him. His sincerity in all his undertakings was thoroughly appreciated by all who met him. He loved this country and its institutions to the utmost. He took great pride in the great city of Detroit.

Frequent, indeed, were his references to the soldier boys on the other side, and when the first of our heroes came back to America it was upon his resolution that a committee of the House and Senate were sent to meet and receive the honored dead, whose memories we shall ever hold in the highest esteem and respect. He died the same as a soldier upon the field of battle. On that same Sunday afternoon, which was to be his last, he wrote the report, which the Census Committee later adopted as its report, upon the skin and hide bill, which became a law. That evening he hoped to return and examine it once more. When he left the House Office Building on that Sunday afternoon little did he think or know that he would never again return to it.

On the other side a couple of years ago I used the expression "That where there is life there is death." If ever the statement was true, it was in the case of our dear lamented friend, CHARLES A. NICHOLS. If the gathering of wealth was to be deemed the foundation of success, then CHARLES A. NICHOLS was a failure; but to me, Mr. Speaker, he made the greatest progress which a human being could make, because he believed in service. Service and sacrifice were his motto. There is no greater love than that of mother for her child. There is no greater obedience to the mandate of the Ten Commandments than to honor and obey thy parents. CHARLES A. NICHOLS carried and followed that commandment in the fullest sense of the term. He typified the man described by Henry Victor Morgan in his famous poem, "Success":

I hold that man alone succeeds
Whose life is crowned by noble deeds,
Who cares not for the world's applause,
But scorns vain custom's outgrown laws;
Who feels not dwarfed by nature's show,
But deep within himself doth know
That conscious man is greater far
Than ocean, land, or distant star;
Who does not count his wealth by gold,
His worth by office he may hold,
But he feels himself, as man alone,
As good as king upon a throne;
Who, battling 'gainst each seeming wrong,
Can meet disaster with a song,
Feel sure of victory in defeat,
And rise refreshed the foe to meet;
Who only lives the world to bless,
Can never fail—he is success.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. CARTER] will please take the chair.

Mr. CARTER took the chair as Speaker pro tempore.

Mr. FORDNEY. Mr. Speaker, the House of Representatives is full of men who started life with little. The American boy, no matter how poor, has hovering over his cradle the angels of Political Liberty and Unlimited Opportunity. Give him health and he can rise as high as he will. We meet to-day to honor the memory of a boy who was born poor, who rose high, who was good to his mother, and who was one of the countless examples of what this country does for those who render faithful service.

CHARLES A. NICHOLS was a product of the finest region in all the world—a child of the Old Northwest. New England is proud of her Puritans, and Virginia of her Cavaliers. The thirteen Colonies brought forth this Government; but the fairest child of the Revolution was the territory northwest of the Ohio River, where labor has always been free and where opportunity has showered her choicest blessings on her sons. That great territory got her political bearings even before the rest of the United States, because her immortal ordinance of '87 was adopted before the Constitution, and no other Government charter had ever equaled it. One sentence in it contains more of the spirit of human progress than all the mandates of kings. I wish it could be written on the sky: "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged."

Under this influence the Old Northwest Territory has produced more Presidents and statesmen than any other part of the United States. And into this atmosphere and these traditions CHARLES A. NICHOLS was born at the little town of Boyne, Charlevoix County, Mich., amid the music of the sawmills and the perfume of the pines. He got his education in the unsurpassed public schools which the State of Michigan provides for all her children. He learned to write forcible English; and that accomplishment, with a natural nose for news, gave him employment as a newspaper reporter in Detroit, so he became intimately acquainted with the affairs of that phenomenal city. He probably never enjoyed himself more than while he was a police reporter in the most rapidly growing city in America. He saw a greasy young mechanic riding about the streets in a queer horseless wagon with iron-bound tires and a trail of smoke; and from those experiments he beheld the rocketlike growth of the greatest automobile manufacturing center in the world. He loved the city and its stately river, with its endless movie show of ships, a more numerous fleet than can be seen in any harbor on any ocean.

In his work as a police reporter he was fortunate in his field. On one side of the river was his home city and country, on the other side was the Canadian frontier, and across that border many a fleeing lawbreaker carried the plots of international detective stories more interesting than any fiction. Young NICHOLS had a great capacity for observation, and the ability to tell a true story well. So he won wide acquaintance and an enduring good name. There are unhappy countries where criminals are in less danger than honest men, where poverty is permanent, where speech is enslaved, and newspapers are either subservient or suppressed. CHARLES A. NICHOLS, as a police reporter, helped to make crime a dangerous business for the criminals. When he had written and lived more detective stories than any novelist ever wrote, there came to Mr. NICHOLS the opportunity to become a public servant, first as secretary to the police board; afterwards he was elected city clerk of Detroit, and then he was three times chosen to represent a great industrial district in the House of Representatives. He learned to know his people and their needs, and he served them well.

Mr. NICHOLS as a Member of this House was the same efficient, straightforward, independent man that he had been in his public service at home. He seldom spoke on the floor, but the less he spoke the more he heard, and there have been men here who talked loud and often who have never attained the influence or the affection in which Mr. NICHOLS was held.

At the time he died he was chairman of the Committee on the Census. It is the work of this committee to provide for the taking, every 10 years, of the record of our national growth. Figures can not picture it, but they give some idea. In 1800 the census found in the Northwest Territory 51,000 people. In 1850 the number had grown to 4,500,000, and in 1920 to 21,000,000, or about one-fifth of the population of the United States. These millions live in a country where the hired laborer of to-day is working for himself to-morrow and hiring others the day after; where the good man can not be kept down and where every boy has a chance; which was never better shown than in the life of our beloved friend and fellow Member, CHARLES NICHOLS.

THE LATE REPRESENTATIVE MORGAN, OF OKLAHOMA.

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. CARTER, by unanimous consent,
Ordered, That Sunday, February 27, 1921, be set apart for addresses on the life, character, and public service of Hon. DICK T. MORGAN, late a Representative from the State of Oklahoma.

Mr. SWINDALL. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Oklahoma offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 701.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. DICK T. MORGAN, late a Representative from the State of Oklahoma.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House at the conclusion of these exercises shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that all Members be permitted to extend their remarks in the RECORD. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, we are here to-day to pay tribute to the memory of our departed colleague, DICK T. MORGAN, whom I have known intimately and well for over 30 years. My first acquaintance with Mr. MORGAN was in the pioneer days of Oklahoma in 1889. Those were days that tested the mettle of men, and he was one of Oklahoma's pioneers who even in those days met the test. He was to me in those days a boyhood benefactor. When I first met him he was engaged in the publication of Morgan's Land Laws, a publication that was of great benefit to the early settlers of Oklahoma and one which is now often referred to by the courts of Oklahoma in decisions relating to real estate titles, especially on the west side of the State. It was in the capacity of a boy printer working on that publication that I first came to know him intimately, and I have never forgotten the kindly interest that this good man took in me as a boy at that time and have on numerous occasions had reason to remember the good advice given me by him in the days in which I was passing from boyhood to manhood. Ever after we were intimate friends, and I mourn his loss to-day.

Mr. MORGAN was a strong and courageous man, never hesitating to do what he believed was right. He had many warm friends who at all times stood by him loyally. He has done a great deal for his district in Oklahoma and for the entire State, and for this he will long be remembered even by those who knew him slightly. The greatest service that can be rendered is to give to those who are in need of help and who are unable to help themselves and are unable to return to you the services which you might render them or the benefits which you might bestow upon them; in other words, unselfish service and favors from a pure motive with no hope of return or personal reward. In his service to his district and State Mr. MORGAN was unselfish and untiring in his efforts to help those who needed help. He was the soul of courtesy, true as steel, firm as a rock. No man ever did him a kindness he did not repay. His death is a loss to his State and to the Republic. He was patriotic in the fullest sense of the term. He cherished America, the same as an infant loves its mother. He exemplified true home life in every way. He was devoted to his wife and children, and in their company he found rest and pleasure. DICK T. MORGAN has passed to the great beyond, but he leaves many behind who will long mourn his loss and always keep his name in pleasant memory. So on this Sabbath morning I say peace to his ashes and rest and happiness to his soul.

Mr. HASTINGS. Mr. Speaker, the death of DICK THOMPSON MORGAN came as a shock to each Member of the Oklahoma delegation and to his thousands of friends in our home State.

When I last saw him, he was in his usual good health. He was about to leave for home to enjoy a well-earned vacation. I deeply regret that when death came I was out of the State on the Pacific coast and not privileged to attend the funeral.

Before coming to Congress six years ago I had a slight acquaintance with him. He was known by reputation to practically every one of the citizens of our home State. While serving in the House with him I learned to know him intimately and to appreciate his many admirable qualities. He was one of the hardest working men in Congress. No man kept in closer touch with the people of his district than he did, and no man more nearly represented their views upon the floor of the House than DICK T. MORGAN. He represented one of the great agricultural districts of the Southwest, and his intense loyalty to the farmer was well known to every Member of the House. He took a deep interest in all legislation affecting the farmers of the country, and they had no more loyal or intelligent supporter.

He was greatly interested in rural credits and wrote a splendid book upon the subject. I preserved the volume that he was kind enough to give me and appreciate the vast amount of data that he collected. When the farm loan act was up for consideration, he took an active interest in the bill and was of material assistance in securing legislation upon the subject.

He was the ranking majority member of the Judiciary Committee and took much interest in the work of the committee.

While DICK THOMPSON MORGAN was a Republican, he was liberal in his views, loyal to his friends, and trusted by each Member of the Oklahoma delegation. We were always glad to invite him into our councils and glad to have his advice. He leaves to his wife and son a splendid reputation and the heritage of a good name. He was a faithful and affectionate husband, a loyal and consistent friend, and a patriotic and beloved public servant. The district, State, and Nation that he so loyally and patriotically served will miss him. I want to take occasion to say this word in behalf of his memory and to express my appreciation for his confidence and friendship.

Mr. CHRISTOPHERSON. Mr. Speaker and gentlemen of the House, it was not my pleasure to have known the late Congressman DICK T. MORGAN for a long time, but you did not have to know him long in order to realize that he was one who had a warm feeling and abundance of good fellowship for his fellowman.

He was ever sociable, genial, jovial, and with a smile of good cheer that radiated friendship and which quickly removed that reserve usually present with strangers. With him you quickly felt a close and friendly acquaintance. In his daily life he truly exemplified the thought of him who said:

Let me live in my house by the side of the road and be a friend of man.

To the new Members was he especially considerate and thoughtful. Notwithstanding his many duties, his active participation in committee work and the daily sessions of the House, Mr. MORGAN always found time to encourage and advise a new Member in the procedure of legislation. His was a kindly disposition. He not only sought success on his own behalf, but was always on the alert to be of help and service to a fellow Member whose experience and knowledge of legislation was not as broad as his own.

I had the pleasure to serve with him upon the Judiciary Committee of this House, and there had the opportunity to observe his work. You did not associate with him long until you realized that he was not only industrious and painstaking, but that he also showed a conscientious devotion to his public duties and service. In his work you readily realized that he was guided not by that which was politic or expedient, but that he always tried to determine what was the right, just, and equitable side of any matter under discussion, and having determined that question Mr. MORGAN always supported that side fearlessly and with determination until the matter was finally settled.

Just after the close of the last session and before our departure for home I had a very pleasant visit with Mr. MORGAN. He was then talking enthusiastically about a trip that he contemplated taking, with his good wife, during the vacation. He was looking forward to a pleasant journey with all the hope and pleasure that one could anticipate from a vacation and a well-earned rest. But death is ever present, and the wisest knoweth not how soon, for even then the angel of death was near. In a few days he laid his cold hand upon the brow of our colleague, Mr. MORGAN, and he was asleep, and we realize to-day that his voice has been stilled forever. As we recall that he is with us no more we are again reminded how uncertain is our tenure of life, and there comes to mind the lines of the poet, who said:

What is life? 'Tis a beautiful shell
Thrown up by eternity's flow
On Time's bank of quicksand to dwell,
And a moment it's loveliness to show.

Gone back to its elements grand
Is the billow that washed it ashore;
See, another now washes the strand
And the beautiful shell is no more.

Mr. SMITH of Michigan. Mr. Speaker and gentlemen of the House, when I first came to Congress, 10 years ago, I lived at the same hotel with Mr. MORGAN, and when I last met him, last summer, we were living at the same hotel. I knew him very well. He was a man of fine social qualities and upright character, and one who made warm friends. He represented that fine, young, aggressive State that is making such progress in the galaxy of the States of our Union, and he represented it with ability, energy, and intelligence. He was always loyal to its interests. He never missed an occasion when he could promote its welfare. He was active on the floor and was especially interested in the progress of agriculture. He was an authority upon the farm loan law, concerning which he wrote a volume, and he was an enthusiastic champion of that law.

Mr. MORGAN was a man of high qualities, noble purposes, sincere, and upright. He was an indefatigable worker. Our offices were on the same floor of the House Office Building. While some of us visited our offices on the Sabbath, his office was always locked on that day; but on every other day he was continually at work. No legislation escaped his attention. He ably represented the farmers and never seemed to tire of discussing matters relating to farm work. He was not averse to being told that his devotion to the progress of agriculture was producing good results, for the interests of the farmer were his interests.

We know not of the future, but we do know that our time comes. Mr. MORGAN frequently spoke of the future life, and I am sure all is well with him. I have in mind the lines of Michigan's philosopher-poet, Edgar Guest, which seem to me to express the sentiment that he so often voiced:

There is no death. I'm sure of that.
The thing that seems to be
Is but the touch of winter
That lays bare the spreading tree.

And as the roses bloom again
When all the snow has gone,
So do the souls of men arise
With brighter raiment on.

O weary heart, be strong, be brave,
Nor wince beneath the sting.
Beyond the gates of death there lies
The sweet, eternal spring.

This was the belief of our friend and worthy colleague, now deceased, whose voice is stilled for all time to come. We can only say, "Farewell, beloved colleague."

Mr. FERRIS. Mr. Speaker and gentlemen of the Congress, the House of Representatives is convened to-day in extraordinary session to pay honor and a last mark of respect to our late colleague, DICK T. MORGAN, of Oklahoma. His life and character eminently entitle him to be thus honored.

How often we have sat at the bier of a departed friend and heard virtues extolled that the deceased did not possess—how different with MORGAN. No one would or could challenge one step in his spotless life. No one could or would detract from his brilliant record of devotion to duty and usefulness in life. In citizenship, religion, law, politics, and statesmanship he was a man every day.

How often we have observed lives marked with success that do not square with our sense of morals, justice, or right living—how different with MORGAN. His high ideals, his exalted sense of justice between man and man; his fine moral fiber; his rare judgment of things and men; his devotion to duty, are all milestones pointing the way to the successful life he led.

Differ with him in politics, yes; but they were honest differences. No man of stature loses respect for his fellow men who have honest differences with him; only those of small stature and inferior mentality would ever exact a less high circumscribed rule.

Death always comes too soon. Few of us, yea, are any of us in health or in full possession of our faculties ever quite ready to embrace it; it is that thought that we must leave behind the known and the explored for the unknown and unexplored. This thought that death always comes too soon is even made more marked and conspicuous when a life full of usefulness and devotion to duty is cut down in the midday of hope, achievement, and success.

Who is there among us that has not pondered over the perplexity of a human life? Who is there here or elsewhere who has not sought to fathom the problem of why it is that to-day we are full of hope, joy, life, and activity, while to-morrow we are but the poorest clay? Looking backward through 6,000 years of recorded history, the problem of the human life is as perplexing to-day as it was in the beginning.

The gifted Ingersoll proceeds to say:

I do not say there is no life beyond the grave; I simply say I do not know.

The Book of Books, that has stood the test of time and reason for more than nineteen hundred years, tells us that there is life and hope and joy beyond the grave. It affords all men the blessed assurance that the grave is not the end.

I pause and ask who of us here to-day or elsewhere is willing to trade the words of hope and life laid down in the Book of Books for that bleak, dismal, and erring doctine, "I do not know"?

Everything about us breathes the blessed assurance of a life other than this one; a life beyond the grave. The flowers, the plants, the foliage is cut down by the frost of winter simply to return to us in springtime more glorious, beautiful, and gorgeous than before.

If matter, mute and inanimate, can be molded into a multitude of forms, can never die, can we not be again reassured and made certain of the fact that there is a future for the soul of the man made in the image of his Creator?

No; I feel as certain as that I live that the soul of the late DICK T. MORGAN is safe and secure in the arms of his Maker, in that land where the din and smoke of battle never goes; in that land that is fairer than day; in that beautiful isle of somewhere where there is no death, no sorrow, remorse, waiting, and disappointment, but where all is peace, hope, joy, and rest.

His mantle of love, charity, and regard for the humble toiler and producer of the country has fallen on no one man or small group of men, but it is the golden heritage of State and Nation. So sympathetic with the weak, still so able to discern injustice and grapple with the strong. He is the sweetest memory that has yet graced the pages of Oklahoma's fleeting vestibule of time. The somber poverty of his youth, the rapid rise to fame in both State and Nation, must of necessity shatter the skepticism of the skeptic, inspire new faith in the faithless. His was a life well worthy of emulation. He was an honorable man every day. His place in history is secure. He belongs to the ages. Peace to his ashes.

Mr. HARRELD. Mr. Speaker, in 1907 the great State of Oklahoma was born. It was the offspring of the wedlock between what was known as Oklahoma Territory and Indian Territory. Into that State came the heterogeneous population of both of those Territories. Immediately there came up the necessity of that great State choosing its officials to represent it in the Congress of the United States as well as in the halls of the legislature and in the executive offices of the State. The best people of that State, because of this heterogeneous population that had accumulated from various parts of the Nation were rather uneasy in their selection of these public officials. Among its population were men of ability and distinction that had migrated there from other States. There was also among its population adventurers and men who had made failures and even been convicted of crime in other States who had migrated to that State to take another trial at life and its problems. These last were aggressive aspirants for political preferment, and so the people of that great State were put to it in choosing their officials. They were obliged in many cases to choose between men whose reputations were not established, with whom they were not acquainted, and in some instances, perhaps, mistakes were made in the selection of officers. I am glad to say that that day is gone, and the people know each other and have come in touch with each other and understand each other.

There was one man about whose integrity there was never any doubt. That man offered himself as a candidate for Congress. That man was DICK T. MORGAN, not unknown to the people of the State, because he had served the public in that State for years in various capacities. He was a man in whom the people had confidence, and he soon came to the front as one of the citizens of that State upon whom dependence and reliance could be had. The people delighted to honor him and did honor him, and, though he was no longer young at the time of his death, he was commonly known in that country as "DICK." People did not think of him as other than a young man at all. Some people did call him "Uncle DICK," but he was one man in whom the people of that State had absolute and entire confidence, and it was more a term of affection than otherwise.

There were a few traits of character that DICK possessed that I want to talk about. One has been touched upon by the gentleman from Michigan [Mr. SMITH], and that was his piety and his devotion to the cause of Christianity. He was the strictest observer of the Sabbath that I have ever known. I think that fact was mentioned by the gentleman from Michigan. I remember an incident that illustrated this phase of his character. During the last session of this Congress one of the high officials of this House gave a reception on Sunday afternoon. That was because there was no other time, perhaps, for a reception on account of the press of business in the House. On the morning of that reception I said to Uncle DICK, "I am going to the reception, and if you and your wife would like a seat in our car I would be glad to have you go." He said, "I thank you very much, but Mrs. Morgan and I have decided not to go." I said, "That is rather strange; this is the only reception this officer has given this year. I should think you ought to make a special effort to go." Then he said, in a modest way, "Mrs. Morgan and I do not attend public receptions on Sunday."

It illustrated the character of the man. When he believed in a thing he was firm in that belief and had the courage to make known his conviction when pressed for a reason.

He was apparently a modest man, but he had the inherent firmness to stand by his convictions. He was very much interested in the World War veterans' welfare. He gave a great deal of time and consideration to a plan by which he expected to provide a method by which the veterans could procure homes on the farms. As the gentleman from Michigan said, he was an authority on the question of rural credits and farm-loan banks and the laws relating thereto. He had sought to work out along the same line a system by which the World War veterans could purchase homes on long-time credits. He had spent a great deal of time and energy in perfecting that system. When the time came to consider the soldiers' bonus bill he was an earnest advocate of that bill and sought to have incorporated in the adjusted compensation bill his system of credits to ex-service men purchasing homes. It was through his efforts it was adopted as one of the five optional plans in a modified form, and to-day it is one of the most popular of all the proposed

optional plans embraced in the bonus bill which passed the House last session.

During the last year it was my pleasure to come in direct contact with the constituents of his district. It is remarkable how he had ingratiated himself into the affections of his constituency. I have never seen a people who were so fond of their Representative as the people of his district were of him. There, after all, is the test of a man's success. What do the people whom he served think of him. Measured by that standard DICK MORGAN was a success as a Congressman because people knew and appreciated his work. When he died he was brought to Oklahoma City, my home city, and there the funeral was held, and there he was interred. While his home for many years had been at Woodward, Okla., he had formerly lived in Oklahoma City, and Oklahoma City had formerly been in his district which he represented in Congress, although not in his district at the time of his death. His son lives there and is an honored practitioner at the bar. I presume at the request of his son he was buried there. It was my good fortune to be present and to witness the homage that was paid him then and there.

Men came from every county in his district to attend the funeral, men came from all over the State of Oklahoma to attend the funeral, and the long line of those who came there to testify to their reverence for him was another evidence of the esteem in which DICK T. MORGAN was held. The people of Oklahoma appreciate the loss they have sustained. They also appreciate the nice things that are said of him to-day by his colleagues in this House, and they feel that the standards of official life are greatly enhanced and greatly improved by having had as their distinguished citizen and public servant DICK T. MORGAN.

Mr. YATES. Mr. Speaker and gentlemen of the House, a certain poet has said of a man more celebrated than any of us—

> The color of the ground was in him, the red earth;
> The smack and tang of elemental things;
> The rectitude and patience of the cliff;
> The good-will of the rain that loves all leaves;
> The friendly welcome of the wayside well.

And further along in the same poem are these words—

> He held his place—
> Held the long purpose like a growing tree—
> Held on through blame and faltered not at praise.
> And when he fell in whirlwind he went down
> As when a lordly cedar, green with boughs,
> Goes down with a great shout upon the hills,
> And leaves a lonesome place against the sky.

Of course I did not come here this afternoon in order that you might hear me talk, and you did not come here to hear me. I simply came to pay respect to one who is entitled to our respect. A man very near to me said that he had served four years as governor of his State, eight years in the legislature, six years in the Senate, and four years in this House, and that the ideal public service for an American was the American House of Commons, the House of Representatives. I believe that. This is a great place, this House of Representatives. If these walls could speak to-day, they could tell a tale of eloquence unsurpassed in all the world, and I often feel as if there are looking down upon us memories, characters, and personalities not to be surpassed in all history. It is a significant thing that the House pauses to do honor to those who have striven, and striven hard, to be worthy of this place.

The House of Representatives is in session, the distinguished Speaker has delegated and appointed a distinguished citizen of the State of Oklahoma to preside over this session; the officers of the House are in their place, the mace—the symbol of authority of the House—is in its place; and I feel that it is a remarkable thing that in a most busy time, in the most busy period of the session, men should come here from the committee to which this man belonged and from the State in which he lived and from both the great parties of the House, to pay their little, simple, informal, and sincere tribute. The clash and clatter and clamor which only last night lasted almost to midnight are stilled when we contemplate the place in which one stood who tried to do his duty, and after all that is the greatest thing that any of us can do or hope to do.

I did not know Mr. MORGAN at all, you might say, until I became acquainted with him all at once, and in a long conversation about many things I got from him a conception of his character exemplified by these words in the verse which I have already quoted—

> The friendly welcome of the wayside well.

He was friendly, and he gave a friendly welcome. He was friendly to me and told me the thing that I wanted to know when I felt lonesome and homesick and out of place and thought I never would fit, and I am grateful to him for that. Upon inquiry I find that he was friendly to others, and if you or I were in his place and this meeting were called here to do honor to you or to me he would want to pay his little tribute as we are trying to do to-day. I am very glad, without any formality, as a member of the great Committee on the Judiciary, of which he was the highest member except the chairman, to testify in a modest way to the fact that he always did his duty, and in a personal way I want to give my thanks to him for his friendliness to me.

Mr. MCKEOWN. Mr. Speaker and gentlemen of the House, it was at the close of a long, hot day in August, 1901, nearly 20 years ago, that I first saw DICK MORGAN. It was in southwestern Oklahoma, just before the opening of that wonderful country. I, in company with others, had driven in a covered wagon into that country seeking an opportunity to file on a homestead at the opening. One of the things which I deemed essential to success was a copy of MORGAN'S land laws. At that time Mr. MORGAN was a striking figure; he had a long, black, flowing beard, which attracted one's attention to his attractive personality. The one thing that distinguished him from his fellow citizens of that day was his wonderful Christian character. His display of culture was quite noticeable in that western country at the day. DICK T. MORGAN was a highly educated man.

He is a living example of what education will do for a man. Back in Indiana he was graduated in 1876 from the Union Christian College with the degree of bachelor of science. Later he taught in that school as a professor of mathematics. Afterwards he attended the Central Law School, at Indianapolis, where he graduated with the degree of bachelor of laws in 1880, and afterwards, as an appreciation of his ability, there was conferred upon him the degree of doctor of laws by Bethany College, of Bethany, W. Va. He was a man of good ability, peculiar in many respects, but one who displayed a strong friendship for his fellow man. I never saw him again, although I read frequently of him, until I met him in the halls of Congress. Being of a different political faith than myself, I wondered how he would treat a new Democratic Member from Oklahoma. I was agreeably surprised at the welcome I received at his hands, so much so that I could not realize for a few minutes that he was of a different political faith.

I want to add my testimony to that of my colleague from Oklahoma, Mr. HASTINGS, in emphasizing the fact that in DICK T. MORGAN there was a colleague, though differing in political faith, in whom you could put absolute confidence. The Democratic members of the delegation from Oklahoma welcomed him in conference upon the many difficult questions that came before them for solution during the terrible days of the war. We had no hesitation in unburdening ourselves in his presence and to him, because we had implicit confidence in his honor and his integrity, and likewise he had a similar confidence in the Democratic membership from Oklahoma. The one striking feature of DICK T. MORGAN was his high personal character. It marked him as a man of distinction, and it was a pleasure to know him, because of his wonderful Christian character.

His legislative career here in the Congress from the time he entered this House in the Sixty-first Congress is to be found in the record of the Congress, down to and including the second session of the Sixty-sixth Congress. The record is replete with many things accomplished in behalf of the people of Oklahoma and of the Nation as a whole.

He had a wonderful hold upon his people, which was due partly to the fact that he was one of the ablest organizers I have ever seen in politics. He knew the people in every school district. He could communicate with the people of his district and send information to every part of it within a few hours, because he had a live organization in every school district. He had the confidence of his fellow men, of his constituents, and of his colleagues in Congress. He paid special attention to those things that affected rural communities and those engaged in the tilling of the soil. It is a sad thing to have taken from us a man so useful when the Nation needs such men so badly. But I have an abiding faith that he is happy in the living presence of the Savior of men, who will say to DICK MORGAN, "Thou good and faithful servant, enter thou into the joy of thy Lord."

Mr. MORGAN was a kind, indulgent husband, a loving father, and an affectionate grandfather. The last conversation I had with him was about his grandchildren. He had just purchased some little things that he wished to send to them as an evidence of how much he thought of them, just before he started on his journey to the Canadian Provinces. His sudden death came as a great shock to those who had learned to love him. But his time had come, and—

> He folded his tent like the Arabs,
> And silently stole away.

Mr. TINCHER. Mr. Speaker, I am reminded to-day of the closing hours of the special session of this Congress. Hon. DICK T. MORGAN had the floor practically up to the hour set for the falling of the gavel which closed that Congress. He was making an appeal to his colleagues on a subject dear to his heart, and that was the subject of rural credits. No better testimony of the statesmanship and farsightedness of Mr. MORGAN can there be than the speech which he then made, as we think of the existing condition pertaining to the subject concerning which he spoke, that of agriculture.

A few days before his death the news was flashed over the wires, which subsequently proved to be untrue, of the defeat of the distinguished chairman of the Judiciary Committee. To those of us who were familiar with the parliamentary situation in the American Congress and interested in the great Southwest it immediately became apparent how important was the place that Mr. MORGAN had in this House. I wrote him a letter, which I am sure he never received, congratulating him upon the fact that he would be the next chairman of the Judiciary Committee.

DICK MORGAN'S district will always remember him as a mild mannered, kindly gentleman. I doubt if it would be possible for the constituency that he so ably represented ever to fully understand that by reason of seniority and his ability as a fighter he was in the best position to represent the great Southwest of any man in the American Congress. His death causes a vacancy in the representation of that section of the country on this important committee which it takes a man to fill. He had gained that position by reason of long and faithful service.

Mr. MORGAN advocated some bills which some did not entirely agree with. His activity in behalf of the plan for rural credits to the soldiers was known to every Member of Congress and was, perhaps, the best-advertised piece of legislation in behalf of ex-service men that any Congressman has championed; and the most severe criticism I ever heard of that bill was expressed by a colleague who said to him, "DICK, that bill is based for success upon the absolute honesty of every man who has a transaction with the Government under that law." Mr. MORGAN said, "Yes, I always assume that toward my fellow man."

I have known Mr. MORGAN a long time. He lived in our district and practiced law at Garden City. Our districts adjoined for 200 miles. I am proud of the fact that he was my friend; he got pleasure out of assisting a new Member of Congress. The great Southwest lost in his death on able, industrious statesman, who was thoroughly acquainted with our needs and in sympathy with his people. On behalf of the neighbor State of Kansas I can only say we were proud of him as a neighbor and a statesman.

Mr. McCLINTIC. Mr. Speaker, on two occasions the flag of our Nation has been draped at half mast because of the death of two distinguished Oklahoma citizens who were serving as Members of the House of Representatives. The first Member of this body from the State of Oklahoma to be called by the Divine Creator was the late Joe B. Thompson, of Pauls Valley, Okla., and to-day we are here to pay the last sad tribute to the memory of our distinguished colleague and friend, the late Representative DICK T. MORGAN, of Woodward, Okla. No Member of Congress, regardless of his political affiliations, ever rendered more patriotic service to his State and to his people than the one whom we honor to-day.

For a number of years Mr. MORGAN was the only Republican member of the Oklahoma congressional delegation, and while serving in this capacity it can be said that he always cooperated with the Democratic members by doing all in his power to promote the welfare of the Nation and the State of Oklahoma. During the war with Germany it was a most noticeable fact that he stood by the President in the advocacy of every measure which was presented in the interest of the Nation, and his public utterances on legislation for the interest of all the people show that he was conscientious in the performance of all his duties.

Congressman MORGAN came to Oklahoma soon after the Territory was opened for settlement and was appointed registrar of the United States land office at Woodward, Okla. He always took an active interest in every matter pertaining to the welfare of his party, and his counsel and advice was always sought by his party leaders. He was probably more interested in matters relating to agriculture than in any other subject. During the consideration of the different measures which were in the interest of the farmers he always championed their cause, and in addition to introducing a number of bills for the purpose of legislating additional benefits to the agricultural class, he was the author of a most excellent publication, entitled "Land Credits—a Plea for the American Farmer."

Congressman MORGAN was a native of the State of Indiana. He served one term as a member of the Indiana Legislature. He became a Member of the Sixty-first Congress and was elected to each succeeding Congress until his death. His service in the House of Representatives was such as to cause him to be held in high esteem by all of the Members, and by his death the State of Oklahoma has lost one of its most faithful public servants and a Member who was held in high esteem by all who knew him.

Congressman MORGAN was a member of the Christian Church and was one of the trustees of the Phillip Christian University, which is located at Enid, Okla. His entire life was filled with devotion to his home, his State, and his Nation. He has left behind him an example which will always stand out as a milepost of faithfulness, and his record is commendable from every standpoint.

He was a true Christian in every sense of the word. His death will be mourned by his thousands of friends and colleagues, and in departing this life he has truly left his footprints on the sands of time.

Mr. VOLSTEAD. Mr. Speaker, for several years I knew DICK MORGAN quite well. We lived in the same hotel here at Washington and served on the same committees in the House of Representatives. When I last saw him there was nothing to suggest that I was bidding him farewell for the last time. He looked hale and hearty; his appearance indicated that he had years of useful work ahead of him.

Members of Congress are, as a rule, pretty good judges of the character of their associates. The membership of the House, with very few, if any, exceptions, entertained for Mr. MORGAN the kindliest feelings and a genuine regard for his splendid personal qualities. Everyone had the utmost confidence in his entire honesty and in his untiring devotion to his duties, both private and public. His faithfulness reminds me of some passages from Lord Lytton's Lucile. I quote:

It is not the deed
A man does, but the way that he does it, should plead
For the man's compensation in doing it.

Here,
My next neighbor's a man with twelve thousand a year,
Who deems that life has not a pastime more pleasant
Than to follow a fox or to slaughter a pheasant.
Yet this fellow goes through a contested election,
Lives in London, and sits, like the soul of dejection,
All the day through upon a committee, and late
To the last, every night, through the dreary debate.
One asks himself why, without murmur or question,
He foregoes all his tastes, and destroys his digestion,
For a labor of which the result seems so small.
"The man is ambitious," you say. Not at all.

Then, I ask,
What inspires and consoles such a self-imposed task
As the life of this man, but the sense of its duty?
And I swear that the eyes of the haughtiest beauty
Have never inspired in my soul that intense,
Reverential, and loving, and absolute sense
Of heartfelt admiration I feel for this man,
As I see him beside me, there, wearing the wan
London daylight away, on his humdrum committee;
So unconscious of all that awakens my pity,
And wonder—and worship, I might say.

To me
There seems something nobler than genius to be
In that dull, patient labor no genius relieves,
That absence of all joy which yet never grieves;
The humility of it! the grandeur withal!
The sublimity of it!
His work is the duty to which he was born;
He accepts it, without ostentation or scorn;
And this man is no uncommon type (I thank Heaven!)
Of this land's common men.

Mr. MORGAN was not only honest and industrious, he was a man of ideas and convictions and he always had the courage to defend his views and to stand to his guns to the last.

Representing a farming community, he made a special study of their needs and could always be found on the firing line when any legislation in the interest of the farmers was under consideration. He gave much attention to personal farm credit, and wrote a book and introduced bills dealing with that subject. As a pioneer in that line he deserves much credit. No doubt some day legislation to secure what he sought will be written on our statute books and the name of DICK MORGAN will then be remembered as one of its chief promoters. I shall not attempt to enumerate the measures in which during his busy years here he was interested. Suffice it to say that during all of the time that I have known him he strove honestly, faithfully, and efficiently to perform his full duty. He performed those duties well and won and deserved the esteem and love of his associates and those he represented. We are glad to honor his memory. His career is one to be emulated.

Mr. GOODYKOONTZ. Mr. Speaker, when death came to Mr. MORGAN he was holding the position of ranking member of the Committee on the Judiciary—the lawyers' committee—of the House, consisting of 21 members, a miniature legislative body within itself. Upon entering Congress I was assigned to that committee, and in that way was placed in right close contact with Mr. MORGAN.

My associations with Mr. MORGAN on the great committee I have mentioned, as also in this Chamber, were very pleasant.

Mr. MORGAN zealously guarded the interests of farmers and of soldiers and lost no opportunity of defending the just rights of these worthy members of society. Mr. MORGAN was a live wire. Active rather than static—a potential force in formulating policies and shaping legislation.

Mr. MORGAN was a gentleman of culture and great erudition and walked uprightly before God and man. What may be said of him here to-day are not the words of flattery, for such can not "soothe the dull cold ear of death"; but they are the testimony of associates and friends, to be recorded as a memorial to a worthy fellow Member, in order that history may teach to all the lesson of his excellent life.

It is to be regretted that Mr. MORGAN could not have lived longer to serve his great State, for he was yet in his prime, but concerning this we will have to accept the philosophy of Cicero. In Friendship and Old Age, Cicero tells us that we should not mourn for the dead; that to his mind—

> nothing whatever seems of long duration in which there is any end. For when that time arrives, then the time which has passed has flowed away; that only remains which you have secured by virtue and right conduct. Hours, indeed, depart from us, and days and months and years; nor does past time ever return * * *. Whatever time is assigned to each to live, with that he ought to be content.

Cicero believed that the souls of men were immortal, and therefore it mattered not how long a man should dwell upon the earth.

Judge MORGAN was of a deeply religious nature, and when the time came for him to begin his journey and as he entered the valley leading to the undiscovered land, united with Bryant in saying:

> He who, from zone to zone,
> Guides through the bountless sky thy certain flight
> In the long way that I must tread alone,
> Will lead my steps aright.

Mr. SWINDALL. Mr. Speaker and gentlemen of the House, I consider it an honor to pay my tribute to the high character, integrity, and public service of the late DICK T. MORGAN, as well as his service to humanity in the rôle of a private citizen.

He served the people of his native State of Indiana as a member of the lower house of the legislature in the session of 1880–81. He was appointed registrar of the United States land office at Woodward, Okla., by President Roosevelt, in 1904. It was at the last date I became personally acquainted with him. At the time of his appointment there was a large amount of business being transacted at the United States land office at Woodward, Okla. Testimony had been taken in a number of contest cases in which the former registrar and receiver had not had time to render opinions. Mr. MORGAN immediately got busy and decided these cases. His service was so efficient in this work that when the Alva and Woodward land offices were consolidated in 1908, and by reason thereof Mr. MORGAN lost his position as registrar of the Woodward land office, the members of his party decided he should be a candidate for Congress from the second district of the State of Oklahoma. He consented to enter the primary and was nominated and elected and has served the people of the State as Representative in Congress from the second and eighth congressional districts since that time to the date of his death. He would have been the nominee of his party in 1920 and would have been elected by the largest majority he ever received had it not been for his untimely death. Had he lived to fill his term he would have honestly and faithfully served his district, State, and Nation for a period of 12 years.

During his residence in Woodward he and I lived within two blocks of each other and were warm personal and political friends. In 1912 it was the view of the Democrats and Republicans that the member of the Republican State committee must be nominated at the primary election. I was induced by Mr. MORGAN and a number of his friends to become a candidate for State committeeman and was selected at the primary election. Since that time I have taken an active part in each of his congressional campaigns and became well acquainted with his work as a Member of Congress and his private life as a citizen of our State. Politically he was a Republican, but after his election he was truly a representative of the people of his district, State, and Nation. He did not carry politics into his high office as a Member of Congress, but at all times honestly, faithfully, and fearlessly endeavored to represent the citizens of the Nation to the best of his knowledge, skill, and understanding. I feel that this is the highest compliment that may be paid to my good friend and late fellow-townsman. I appreciate very much the kind remarks of his many friends expressed upon the floor of this House to-day, and I may say that the kind eulogies in memory of his efficient service will be appreciated by every citizen of his district, as well as the citizens of the State and the Nation who informed themselves upon his public career.

In politics, as in private life, he believed in dealing fairly and justly with every citizen. He would respond as promptly to the call of the most humble citizen of his State as he would to the most powerful and influential member of his own party. During the World War he advocated such measures as were proposed by the President to make the American Army the most efficient army engaged in the great struggle for the rights of humanity. After the armistice was signed, he worked diligently to secure the discharge of all soldiers engaged in the agricultural enterprise in order that they might return to their homes and carry on their former avocations. He was also a strong advocate of the soldiers' land bill, which, in substance, later became one of the component parts of the bill for the relief of American soldiers engaged in the World War. He did this purely from the standpoint of an American citizen and statesman and in justice to our noble soldiers who so valiantly stood by the American Government in the greatest struggle ever known to the world.

Mr. MORGAN was a Christian gentleman. He was a member of the Christian Church and led a truly pure and Christian life. We believe that from what we know of him, and from what his many friends have said concerning him, that his life, public and private, may be expressed in the beautiful lines of the poet who said:

> Do your work as well,
> Both the unseen and the seen,
> Make the house where God may dwell
> Beautiful, entire, and clean.

It was his wish that he might be buried at Oklahoma City, the home of his only son, Porter H. Morgan; so in accordance with his wishes, at Oklahoma City on July 10, 1920, we consigned his dust to dust, and commended his spirit to God who gave it.

The SPEAKER pro tempore. In accordance with the resolution previously adopted the House stands adjourned.

Accordingly (at 2 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Monday, February 28, 1921, at 11 o'clock a. m.

SENATE.

MONDAY, *February 28, 1921.*

(Legislative day of Thursday, February 24, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McLean	Smith, Md.
Ball	Gore	McNary	Smith, S. C.
Beckham	Gronna	Moses	Smoot
Borah	Hale	Myers	Spencer
Brandegee	Harris	Nelson	Stanley
Calder	Harrison	New	Sterling
Capper	Heflin	Norris	Sutherland
Chamberlain	Henderson	Overman	Swanson
Colt	Hitchcock	Owen	Thomas
Culberson	Jones, N. Mex.	Page	Townsend
Cummins	Jones, Wash.	Phelan	Trammell
Curtis	Kellogg	Phipps	Underwood
Dial	Kendrick	Pittman	Wadsworth
Dillingham	Kenyon	Poindexter	Walsh, Mass.
Edge	Keyes	Pomerene	Walsh, Mont.
Elkins	King	Ransdell	Warren
Fernald	Kirby	Reed	Watson
Fletcher	Knox	Robinson	Williams
France	La Follette	Sheppard	Willis
Frelinghuysen	Lenroot	Shields	Wolcott
Gay	Lodge	Simmons	
Gerry	McCumber	Smith, Ariz.	
Glass	McKellar	Smith, Ga.	

The VICE PRESIDENT. Eighty-nine Senators have answered to the roll call. There is a quorum present.

GIFT OF SILVER VASE TO VICE PRESIDENT.

Mr. LODGE. Mr. President, the Sixty-sixth Congress is drawing to its close. For eight years, sir, you have presided over the deliberations of the Senate. By the passage of time and the processes of election you will leave the chair on the 4th of March.

It is the desire of the Senate to manifest in something more than a formal resolution the personal regret which all of us feel at the fact that we are about to separate. Separation in the brief life allotted to us here always has an element of sadness. But I desire—and I am sure I am speaking in behalf of all the Senators—to express to you the affection that we feel for you, our sense of your unvarying kindness to each one of us, the thoroughly human way in which you have always dealt with us individually, and we wish that you should take with you a symbol of our feelings. We know that you are not going to forget us, any more than we shall forget you and all our many pleasant relations over a period of great strain and great events; but we have felt that some gift, an inanimate object, might serve from time to time, when your eye rested upon it, to remind you of the feeling that we all have and the regret that we all feel personally that the hour of parting is so close at hand.

In behalf of the Senate—and I know that the leader on the other side will express the same feeling—we all desire to give you every good wish in the future, and that you should know that you take with you our affection, our hopes for your happiness and prosperity, and, although I need not express a hope on this, that you will not forget the many days we have spent together in the service of our common and beloved country.

Mr. UNDERWOOD. Mr. President, the fates called you to preside over the Senate of the United States in the most tumultuous and dangerous era of the world's affairs, and I may say, I think, without contradiction, in a time when matters of moment before the Senate were as great, if not greater, than those that ever came before the Senate previously in the history of the country.

You served your country well in this trying era. You leave here with the respect and confidence of your colleagues who have served with you in the Senate. The gift that your friends here ask you to take home with you is not presented to you for its intrinsic value; we ask you to take this token home with you as a reminder always of the love and the friendship and the confidence of the men who served with you during this great era embracing your incumbency of the office of Vice President of the United States.

May happiness, success, and good fortune be with you always is the wish of the friends you leave behind you.

The VICE PRESIDENT. Senators, I can hardly be expected to voice the emotions of this moment. I do not forget the day when I came to you, when, as a tumultous Indiana politician I looked askance upon the Senate of the United States, and when, I fear, the Senate of the United States wondered what the American people meant in such a choice as they had made.

This has been a great school for me; a school of my old age. It has taught me that there is not a man in this body who is not a double man; a man who has a brain that he devotes exclusively to the determination of the great problems which from time to time confront the deliberations of this body; but underneath that man of brain there is another man, a man of heart; and I have found in the eight years of deliberations with the United States Senate that—

> The heart is wiser than the intellect
> And works with swifter hands and surer feet
> Toward wise conclusions.

There was a time in my life when I thought I would like to be a great man; when I hoped that in some mysterious way I could listen to the plaudits of the multitudes and plume myself upon the accomplishment of some great purpose for mankind. I have learned here to long for that no longer; to have but one supreme desire; that as the days are coming closer and closer when I shall put aside the purple curtains of twilight and go out I know not whither; but I hope without fear I can so live the days to come as to keep what I think I have—the friendship of the Senators of the United States. Others may have what they will, but for me—may I call you brethren?—but for me, brethren, I shall not forget your generosity, your patience, your overlooking of the faults and foibles of a too often ill-tempered man. I shall not forget the friendly handclasp nor the generous elbow touch of humanity. I shall go remembering all these generous years and be content in the thought that if I can not have greatness I may yet retain friendship.

I shall take this, your generous gift, with me out to Indiana. The people of Indiana will think it is a loving cup. They will imagine that it has been presented to me as a memorial of the eighteenth amendment to the Constitution of the United States. [Laughter.] If it be such, it will meet with the approval of most of the people of Indiana, but it will be a source of sincere regret to some, I know, that you did not fill it up. [Laughter.]

Senators, as all evil comes to an end, so all good times cease. Ours has ended. May the man who takes my place learn to know that beneath the bitterness of partisan controversy in the United States Senate there is a warm, human, loving heart that seeks, after all, only friendship and good will. I thank you. [Prolonged applause on the floor and in the galleries, Senators rising in their places.]

REFERENCE OF INDIAN CLAIMS TO THE COURT OF CLAIMS.

Mr. GORE. Mr. President, I ask unanimous consent for the present consideration of Order of Business 781, being the bill (H. R. 10105) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes. The bill is a local one relating to Oklahoma, and I do not think it will take over two minutes to pass it. If it leads to any debate, I will withdraw the request.

The VICE PRESIDENT. Is there any objection?

Mr. HARRISON. Mr. President, reserving the right to object, if it is understood that an amendment which I intend to propose shall be agreed to—and I understand the amendment is agreeable to those who are interested in the proposed legislation—I shall have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

The first amendment was, on page 1, line 6, after the words "with the," to strike out "Choctaw, Chickasaw"; and, in line 9, after the word "said," to strike out "Choctaw, Chickasaw," so as to read:

That jurisdiction be, and is hereby, conferred upon the Court of Claims to hear, examine, consider, and adjudicate any and all claims arising under or growing out of any treaty stipulation or agreement of the United States with the Cherokee, Creek, or Seminole Indian Nations or Tribes, or any act of Congress, in relation to Indian affairs, which said Cherokee, Creek, or Seminole Indian Nations or Tribes may have against the United States, and which claims have not heretofore been determined or adjudicated.

Mr. GORE. Mr. President, in view of an agreement which has been reached amongst Senators concerning the matter, I ask the Senate to disagree to the amendment striking out the words "Choctaw, Chickasaw."

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

The next amendment of the Committee on Indian Affairs was, on page 2, line 7, after the words "United States," to insert the following proviso:

Provided further, however, That the provisions of this act shall not be construed to confer jurisdiction upon the court to hear, examine, consider, and adjudicate any balance claimed to be due on the so-called Loyal Creek claim, or any amount claimed to be due to equalize allotments among members of the Five Civilized Tribes.

The amendment was agreed to.

Mr. HARRISON. I desire to offer an amendment, which I understand is agreeable to the parties interested.

The VICE PRESIDENT. The amendment proposed by the Senator from Mississippi will be stated.

The READING CLERK. On page 2, after line 17, it is proposed to insert a new paragraph, as follows:

Mississippi Choctaws, so called, composed of all those certified Choctaw Indians and their descendants heretofore enrolled, a roll thereof to be made up under the direction of the court, to whom privileges were granted and guaranteed under any provision of the treaty of 1830, east or west of the Mississippi River as the case may be, acting together or separately as one or two bodies as they may be advised, shall have the status of a nation or tribe for all purposes under this act, judgment in such case to be rendered in favor of the individual claimant to whom same equitably belongs, in whole or part: *Provided,* That the petition or petitions on their part shall be verified by the attorney or attorneys employed by them.

Mr. GORE. I shall offer no objection to the amendment, but will allow it to go to conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The amendment reported by the committee to amend the title was rejected.

PANAMA RAILROAD CO.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Interoceanic Canals:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the Seventy-first Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1920.

WOODROW WILSON.

THE WHITE HOUSE,
28 February, 1921.

CREDENTIALS.

Mr. MCNARY presented a certificate of the governor of Oregon certifying to the election of ROBERT N. STANFIELD as a United States Senator for the term beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF OREGON,
EXECUTIVE DEPARTMENT.

(Certificate of election.)

To all to whom these presents shall come, greeting:

Know ye that it appearing from the official canvass of the vote cast at the general election held within and for the State of Oregon on Tuesday, the 2d day of November, A. D. 1920, that ROBERT N. STANFIELD, of Multnomah County, State of Oregon, received the highest number of votes cast for the office of United States Senator in Congress at said general election: Now, therefore,

I, W. T. Vinton, governor of the State of Oregon, by virtue of the authority vested in me under the laws of the State of Oregon, do hereby grant this certificate of election and declare said ROBERT N. STANFIELD, of Multnomah County, State of Oregon, to be duly elected to the office of United States Senator in Congress of the State of Oregon for the term of six years, beginning March 4, A. D. 1921.

In testimony whereof I have hereunto set my hand and caused the seal of the State of Oregon to be hereunto affixed.

Done at the capitol, at Salem, Oreg., this 29th day of November, A. D. 1920.

W. T. VINTON, *Governor.*

By the governor:
[SEAL.]

SAM R. KOZER,
Secretary of State.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hemstead, its enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANTHONY, Mr. CRAMTON, and Mr. SISSON were appointed managers of the conference on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; that it had receded from its disagreement to the amendments of the Senate Nos. 29, 30, 34, 37, 38, 46, 59, 63, 76, 80, 95, 98, 99, and 114 to the bill; that it had receded from its disagreement to the amendments of the Senate Nos. 82, 112, and 113, and had agreed to each thereof with an amendment; and that it insisted on its disagreement to the amendment of the Senate No. 58.

The message also announced that the Speaker of the House had appointed, additional to those previously appointed, Mr. SLEMP and Mr. DENT as managers of the conference on the part of the House on the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 14461. An act to limit the immigration of aliens into the United States.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND (for Mr. NEWBERRY) presented memorials of sundry citizens of Highland Park, Milan, Detroit, Pontiac, Grand Rapids, Royal Oak, Houghton, Benton Harbor, Owosso, Otsego, Plymouth, Vassar, and Marquette, all in the State of Michigan, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented telegrams in the nature of petitions of sundry American Legion Posts of Pontiac, Port Huron, Houghton, Saginaw, Escanaba, Adrian, Grand Rapids, Ortonville, St. Clair, Royal Oak, Stanton, Alpena, Lapeer, Wakefield, Jackson, Ishpeming, Frankenmuth, Boyne City, Lake Linden, Capac, Ludington, St. Louis, Jackson, Mackinaw City, Lake Odessa, Battle Creek, Portland, Ypsilanti, Grand Haven, Ann Arbor, Sault Ste. Marie, Tecumseh, and Marcellus, all in the State of Michigan, favoring the passage of the so-called adjusted compensation bill, which were referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a resolution of Phillips-Elliot-Hodges Post, No. 22, American Legion, of Saginaw, Mich., protesting against remission of the war debts of France and the Allies, and also a loan of $2,000,000,000 to Germany for the reestablishment of trade relations, which was referred to the Committee on Foreign Relations.

He also (for Mr. NEWBERRY) presented a petition of the pastor and trustees of Zions Evangelical Church, of Mount Clemens, Mich., protesting against the presence and action of French colonial troops in the occupied zone of the Rhine, which was referred to the Committee on Foreign Relations.

He also (for Mr. NEWBERRY) presented a petition of sundry members of Frenchtown Grange, No. 749, of Monroe, Mich., favoring the passage of the truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

Mr. BALL presented memorials of Anna G. Walsh and Mrs. William Green, of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented a telegram in the nature of a petition of the Southern Association of Dyers and Cleaners, of Birmingham, Ala., favoring the passage of the truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Somerset County Pomono Grange, No. 39, of the State of Pennsylvania, praying for the enactment of legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. MYERS presented a memorial of sundry citizens of Park County, Mont., remonstrating against the enactment of legislation increasing the tariff duty on wrapper tobacco, which was referred to the Committee on Finance.

Mr. MOSES presented a resolution of the Retail Jewelers' Association of Manchester, N. H., favoring a turnover sales tax of 1 per cent, which was referred to the Committee on Finance.

Mr. PHIPPS presented a joint memorial of the Legislature of Colorado, which was referred to the Committee on Military Affairs, as follows:

Senate Joint Memorial 1, by Senators Fairfield, King, and Bashor.

To the Hon. Woodrow Wilson, President of the United States of America; the Hon. Newton D. Baker, Secretary of War; the Congress of the United States, and more particularly to the Members of Congress from Colorado, the General Assembly of the State of Colorado respectfully represents:

Whereas we are informed that one Frank Zimmer, a citizen of this State, together with a companion in arms, both of whom are veterans of the American Expeditionary Forces in the World War, and who reenlisted for service in Germany, are now under arrest by German authorities at Eberbach, Germany, charged with assault as the result of their attempt to arrest Grover C. Bergdoll, the wealthy draft evader and slacker; and

Whereas the flagrant manner in which said Bergdoll has used his money and influence to flaunt his disrespect of American authority and military regulations before the world has focused the attention of our citizens and all the civilized world upon his case, making his recapture and punishment a test of our sovereign powers and our efficiency in law enforcement; and

Whereas said Bergdoll is a criminal and a fugitive from justice, and efforts to bring him to justice should be applauded and rewarded rather than disapproved and punished: Now, therefore,

Your memorialists, the senate and house of representatives of the Twenty-third General Assembly of the State of Colorado, do respectfully request and urge that the United States Government take such action as may be found necessary to secure the release of those veterans and patriots who are now detained by German authority upon German soil and to secure their safe return to American authority.

It is directed that this memorial be entered in the records of the general assembly, and that copies hereof be forwarded by the secretary of state to the President of the United States, the Secretary of War, the President of the United States Senate, the Speaker of the House of Representatives, and each of the Members of Congress from Colorado.

EARL COOLEY,
President of the Senate.
N. N. MCLEAN,
Secretary of the Senate.

BILLS AND JOINT RESOLUTIONS.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 5041) to amend section 206 (C) of an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended; and for other purposes," approved February 28, 1920; to the Committee on Interstate Commerce.

By Mr. DIAL:

A bill (S. 5042) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge; to the Committee on the Judiciary.

By Mr. PITTMAN:

A bill (S. 5043) to aid in the reclamation of lands in the bed of Winnemucca Lake, in the State of Nevada, to the Committee on Public Lands.

By Mr. SMITH of South Carolina:

A bill (S. 5044) granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga.; to the Committee on Commerce.

By Mr. McLEAN:

A joint resolutuion (S. J. Res. 263) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States; to the Committee on Banking and Currency.

STREET RAILWAYS IN THE DISTRICT OF COLUMBIA.

Mr. POMERENE, from the Committee on the District of Columbia, to which was referred the bill (S. 4973) to amend the provisions of an act relating to certain railway corporations owning or operating street railways in the District of Columbia, approved June 5, 1905, reported it with amendments and submitted a report (No. 822) thereon.

HEARINGS BY COMMITTEE ON STANDARDS, WEIGHTS, AND MEASURES.

Mr. REED submitted the following resolution (S. Res. 467), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Standards, Weights, and Measures, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding $1.25 per printed page to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recesses of the Senate.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 27, 1921, approved and signed bills and a joint resolution of the following titles:

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act;

S. 4682. An act to amend section 74 of the Judicial Code, as amended;

S. 4683. An act to amend section 11 (m) of the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts approved September 7, 1916, and March 3, 1919;

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended; and

S. J. Res. 161. Joint resolution to exempt the New York State Barge Canal from the provisions of the transportation act, 1920, and for other purposes.

EMERGENCY TARIFF—CONFERENCE REPORT.

Mr. McCUMBER. Mr. President, I move that the Senate proceed to the consideration of the conference report on the emergency tariff bill.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The reading clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 19, 20, and 21, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert a comma and the following: "except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert a semicolon and the following: "olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than 5 gallons"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amedment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"19. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40°, 24 per cent ad valorem; testing above 40° and not above 56°, 3½ cents per gallon; testing above 56°, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test."

And the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"20. Butter, and substitutes therefor, 6 cents per pound."

And the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"24. Wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $2.35 per pound; if stemmed, $3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

"The term wrapper tobacco as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term filler tobacco means all other leaf tobacco."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and

agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"25. Apples, 30 cents per bushel."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"26. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"27. Olives, in solution, 25 cents per gallon; olives not in solution, 3 cents per pound."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "16 and 18"; and the Senate agree to the same.

BOIES PENROSE,
P. J. MCCUMBER,
REED SMOOT,
Managers on the part of the Senate.

J. W. FORDNEY,
WM. R. GREEN,
NICHOLAS LONGWORTH,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. McCUMBER. Mr. President, a very few changes have been made in the bill under the conference report. The first amendment is in relation to wheat, on which as the bill passed the Senate a duty of 40 cents a bushel was imposed. That has been reduced to 35 cents.

The proposed duty on olive oil has been reduced from 50 cents to 40 cents per gallon in bulk, and from 70 to 50 cents per gallon in containers of less than 5 gallons.

The duty on frozen meat has been made 2 cents.

On sugar the duty has been reduced to bring the rate down to not to exceed 2 cents per pound. I think that will make the rate $1.60 per hundred on Cuban sugar.

The duty on butter has been reduced from 8 cents to 6 cents a pound, and the duty on apples has been changed so as to read "30 cents a bushel," the provision of the bill as passed by the Senate proposing a duty in reference to apples from Canada of 30 cents a box. All reference to Canada has been stricken out, so that the duty is 30 cents a bushel from any country.

As the bill passed the Senate a duty of 4 cents a pound was imposed on cherries. That has been reduced to 3 cents a pound.

The items I have mentioned substantially cover the changes made by the conference report.

Mr. POMERENE. Mr. President, I have not had an opportunity to examine the report, but, as I understand, there was some change made in the proposed tariff on sugar as the bill passed the Senate. Will the Senator kindly explain what the reduction is now under the conference report?

Mr. McCUMBER. The rate on sugar is reduced so that Cuban sugar now will be taxed about $1.60 a hundred, instead of 2 cents, and the reduction brings it down to 2 cents as the maximum amount per pound.

Mr. POMERENE. How much is that above the tariff under the present law?

Mr. McCUMBER. The tariff under the present law, I believe, is about 1 cent.

Mr. FLETCHER. May I ask the Senator whether it is true, according to his understanding, that sugar has gone up within the past week 2 cents a pound?

Mr. McCUMBER. I have not kept track of the market reports.

Mr. FLETCHER. I understand that is the case; that the market has already advanced 2 cents in contemplation of this proposed act.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from North Carolina?

Mr. McCUMBER. I yield the floor.

Mr. SIMMONS. Mr. President, I do not desire to detain the Senate long in a discussion of the conference report upon the emergency tariff bill; but I think it would be dereliction in duty if this side of the Chamber should permit that report to come to a vote without further discussion.

The conference report makes some slight reductions in the duties imposed in the bill as it passed the Senate; but these reductions are only slight, and, in the main, the bill is just what it was when the Senate passed it. Practically all of the Senate amendments were retained. There was, however, one very striking and very significant exception. The conferees struck out bodily the Senate amendment imposing a duty of 15 per cent upon hides. This, I believe, is the only Senate amendment that was stricken from the bill altogether.

The duty of 15 per cent on hides is one of the few duties imposed in this bill as it passed the Senate which might have been of considerable help to the stock raisers of this country, provided always the packers had not seen fit to rob them of such benefits as otherwise would have accrued from that duty. I say this duty might have been of considerable value to the stock raisers of the country because the importations of hides in the past few months—I might say during the past six months—have been far greater, relatively speaking, than the importations of any of the other commodities upon which duties are imposed in this measure.

It is well understood that the value of a duty upon any product depends upon whether or not there are importations of that product and upon the volume of those importations. Therefore, I say that this duty which was stricken out by the conferees because of the large importations of the commodity affected might have been of real value to the farmers.

Why under these circumstances was it stricken out? I have been unable to ascertain, except for the reason, as I understand it, that the Senator from Massachusetts [Mr. LODGE] desired a duty upon manufactured leather to compensate its producers for the increased cost of their raw material, and in drawing his amendment, which was adopted by the Senate, he made a mistake, in that while he intended to increase the present duty upon manufactured leather, which is 30 per cent under existing law, to the extent of 10 per cent, thereby making that duty 40 per cent, he so drafted the amendment that it reduced the present duty from 30 per cent to 10 per cent. Because of that situation the conferees struck out both the Senate amendment and the House provision imposing a duty of 15 per cent on hides, which duty, as I say, might have been of material value to the stock raisers of the country.

Mr. McCUMBER. Mr. President, if I may ask the Senator a question, he does not desire the Senate to understand that this which he has mentioned was the only thing upon which the conferees acted in striking out this amendment?

Mr. SIMMONS. No; of course I would not go quite that far. There may have been some opposition to the duty on hides per se.

Mr. McCUMBER. May I give the reason, if the Senator was not there all the time? The principal reason urged by the House members was that the packers, who are also tanners, always bought their hides with the cattle, and of course there was no duty therefore upon the home hides, while the independent tanners must always buy their hides and import them, and that this would give an advantage to the packers in the matter of tanning their own hides. That was the principal reason insisted upon by the House members. I am not going into the argument as to the pros and cons of it, but I want the Senate to have a clear understanding of the two propositions that the House insisted upon as reasons for their objecting to the Senate amendment.

Mr. JONES of New Mexico. Mr. President——

Mr. SIMMONS. I yield to the Senator. I yield because I think this is a very important matter.

Mr. JONES of New Mexico. I certainly agree with the Senator from North Carolina. It is a very important matter, and I should like to have anyone who is able to do so explain the difference between this duty upon hides, in its operation along the lines which have just been suggested by the Senator from North Dakota, and the duty upon wool.

When sheep are sold in the market, and bought by the packers, there is quite a recognition of the difference in value between the price of the pelt without the wool and with the wool, whether the fleece has been shorn or not. It seems to me that the principle in the one case is precisely the same as in the other. Everyone recognizes that the price of hides has much to do with the price of cattle, and especially that class of cattle which is known as tanners and which constitutes a very large proportion of the cattle which find their way into the general markets of the country.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I yield.

Mr. McCUMBER. That was practically the position taken by the Senate conferees. They insisted that when the packer bought cattle he bought hide and all, and if hides were more valuable because of this protection he paid more for the cattle and paid more for the hide; therefore their reasons for rejecting it upon the ground that it placed an extra tax upon those who import it did not seem to us to be sound. Nevertheless they insisted, and with that insistence upon this proposition and their insistence upon the other proposition, just mentioned by the Senator from North Carolina [Mr. SIMMONS], it was necessary, in order to get an agreement, for a short period at least, that we leave out the hide proposition entirely.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield to the Senator.

Mr. THOMAS. It seems to me, from a very cursory examination of the conference report, that in regard to leather the compensatory duty is going to the manufacturer, while in respect to hides that duty was not granted.

Mr. McCUMBER. There was much more insistence upon the other feature by the House conferees.

Mr. SIMMONS. Mr. President, this duty of 15 per cent on hides is practically everything this bill conceded to the cattle raisers of the country, some Senators, on this side of the Chamber, being allured by that provision of the bill probably more than by any other in it, voted for the measure. The Senate understood and the Senate conferees understood, as well as the House understood and the House conferees understood, the effect of the duty upon hides. We knew, when we fixed this duty, whether we were imposing the duty for the benefit of the packers or for the benefit of the cattle raiser. Of course it is possible always for these trusts to cheat the people out of what they are entitled to; that has to be taken into consideration. But we had taken all those matters into consideration when we passed the bill, and the Senate had deliberately decided that if this emergency tariff bill was to be passed, this one provision in favor of the cattle raisers of the country should be an integral part of it.

I, as well as the Senator from North Dakota [Mr. McCUMBER], heard the discussion in conference. I heard some talk there about the packers robbing the cattle raisers of the benefit of this duty. I take it that if that had been the only objection made by the conferees on the part of the House, the conferees on the part of the Senate would never have yielded on this provision of the bill.

The truth is, Mr. President, in the conferences there was far more discussion of the effect upon the measure of the mistake which has been made by the Senator from Massachusetts [Mr. LODGE] in introducing his amendment for a 10 per cent additional compensatory duty for the manufacturers by leaving out the very important word "additional." The Senator from Massachusetts asked that the duty be raised to a point where it would have been nearly three times the duty upon the raw material. He made a mistake. The conferees said, "We can not correct that mistake without injustice to the manufacturer of the raw product." But the conferees were wrong, Mr. President. The conferees had the power to strike out the amendment of the Senator from Massachusetts, and that would have left the duty of 30 per cent given under existing law upon the manufactures of leather, or twice as high a duty as that imposed upon the raw material in the Senate amendment.

Here we have a conference committee slaughtering one of the most important provisions of a bill, because they are unable, by reason of a mistake, to grant to the manufacturers of that raw material a compensatory duty of 300 per cent instead of 200 per cent. That is the secret of the whole business, and nothing illustrates better the principle which runs through this bill, and all "protective" tariff bills, of giving to the manufacturer by way of a "compensatory" duty an additional protective rate greater than is given to the producer of his raw material.

I undertake to say, Mr. President, that if you give this bill, as it passed the Senate and House and as it was acted upon by the conferees, a close scrutiny and analysis, you will find that it contains that vicious discrimination to be found in all of our "protective" tariff legislation in favor of the manufacturers, and that even in passing a bill ostensibly for the purpose of helping the farmer the farmer's interest as well as that of the consumer is made secondary to that of the manufacturers.

Mr. President, I do not recall, since I have been connected with tariff legislation, a more flagrant miscarriage of justice than was perpetuated by the conferees in the slaughter of this Senate amendment with reference to hides, especially when you consider the chief purpose and reason for that slaughter.

I have no doubt, after hearing the discussions in the conference, that if the matter could have been so adjusted under the rules that the manufacturers of these hides could have secured 300 per cent compensatory duty instead of 200 per cent, the duty on hides would have remained in the bill. But I do not wish to devote any more time to that.

The conferees somewhat reduced the Senate increase in the duty on Sumatra wrapper tobacco, grown principally in Connecticut and Massachusetts, I believe, and grown there under cover. They reduced the additional duty on Sumatra tobacco from $1 a pound to 50 cents a pound, still leaving a duty of $3 a pound upon unstemmed Sumatra wrapper tobacco. They retained 50 cents per pound of the proposed increase in this duty in the face of the fact that one of the conferees on the part of the House had in his possession information, and communicated that fact to the conferees, that on that very day unstemmed Sumatra tobacco was selling at the rate of $5 a pound in the markets of this country.

An emergency tariff, indeed! A tariff ostensively to help the farmer against an abnormal depreciation in the prices of his product; a tariff intended and calculated, it is claimed, to lift up the prices of agricultural products to a fairly remunerative price level! Instead of striking out that additional duty proposed, when it was brought to the attention of the conferees that the price of this agricultural product had advanced to the unheard of figures of $5 a pound, they retained one-half of it, and thereby added 50 cents per pound to the already existing duty of $2.50 a pound to help out the distressed producers of this Connecticut product.

Now, a word upon sugar. As I said before, there are not many provisions in this bill which can be of any benefit to the farmer or producer, because there are either no importations, or the importations are so negligible that the duty upon them will not affect the price of the domestic product, notably so in the case of corn; notably so in the case of the ordinary type of tobacco grown in this country; notably the case with the growers of the 12,000,000 bales of short-staple cotton in this country. It can not be of any help to the men raising these products, not only because imports are negligible but because of our large excess production and heavy exports placing prices upon an export basis.

The duties that are imposed on these products in the bill for the benefit of the farmer in most instances are fake duties. They are such transparent frauds that they deceive no one except the overcredulous. There are some of them, however, not many of them, that are not fake duties. There are a few of the duties imposed in the bill that will increase the domestic price of the commodity. Sugar is one of those items. No one can question the fact that on account of the vast importations of sugar into the country, on account of the fact that we do not raise all the sugar we consume, but only about half as much, that any duty imposed on sugar will immediately raise the price of all the sugar produced in the United States as well as the price of the imported sugar at the port of entry to the extent of the duty.

On the Finance Committee are some of the strongest friends of the sugar industry in this body, possessed of full information, and yet deliberately that committee added sugar to the items contained in the bill and fixed the duty at 3 cents a pound. When the bill came to the Senate there was no suggestion or intimation that the duty be changed, that it was excessive, that it should be reduced to a reasonable figure, until the rapid-fire assaults of this side of the Chamber against the iniquity of imposing this additional tax upon this product in the interest of the cane and beet producers and sugar refiners of the country, thereby placing a tax of $300,000,000 every year upon the breakfast table of the poor and the rich alike. When that situation was fully developed, when the shocking wrongs of this increased protection to this product were exposed an amendment was proposed by the committee reducing the annual burden to be placed upon the breakfast table from $300,000,000 a year to $100,000,000 a year.

Then the matter went to conference, and when it got into conference the duty on sugar was a little bit further reduced, but only a little bit. Cuban sugar under the bill would have paid 2 cents additional, but was reduced in conference to 1.60 cents, though the rate remains at 2 cents per pound on all other sugar. Why was that reduction made in conference? Here is one of the most significant things about the whole business, a fact that I

desire to impress upon the minds of Senators. I will tell why this sugar duty was reduced. It was not because there was any change of heart on the part of the protectionists of the Republican Party represented on that conference committee, either on the part of the House or the Senate, but because the Republican conferees on the part of the House said, "The Members of the House are getting restless—alarmed—over the thought of increasing duties much beyond the Payne-Aldrich rates," and expressed doubt if the Senate amendment rates much in excess of those fixed by the Payne-Aldrich Act were adopted by the conferees whether the bill could be put through the House.

Not only in the case of sugar, but also in the case of other commodities added by the Senate, was this suggestion made by the House conferees, spokesmen as they were of a body that only a few weeks ago wrote into this bill duties ranging from 20 to 300 per cent higher than those fixed by the Payne-Aldrich bill. My fellow Senators, think of the House conferees under these circumstances, when these Senate amendments were under consideration, with uplifted hands, appealing to the Senate conferees to pull down their rates nearer to the basis of the Payne-Aldrich enactment.

But one inference can be drawn from this ludicrous spectacle, and that is that since the House passed the bill fixing the rates from 20 to 300 per cent in excess of the Payne-Aldrich bill, they have heard from home—heard from the people, heard from an indignant press speaking in behalf of the millions of consumers of these products.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SIMMONS. In just a moment. Let me complete this thought.

Now they are asking for a reduction of the Senate rates, which were no higher than, in fact not as high as, the House rates, down to the level of the Payne-Aldrich bill. Oh, Senators, when I sat there and listened to those appeals I could not help smiling when the thought came to me, "If you could only get hold of the House rates"—they were beyond their reach because they were not in conference—"if you could only get hold of the House rates! Now that the fear of the people has been put into your hearts, how you would slash those rates!" It is a mighty good thing to hear from the people occasionally, and the people have been heard from in this matter. And in response we have the House conferees trying to reduce those Senate rates in excess of those of the Payne-Aldrich bill.

I now yield to the Senator from Utah.

Mr. SMOOT. The Senator said no friend of the amendment made a protest against it until it was discussed upon the Democratic side of the Chamber. I think I told the Senator the day the bill was reported that I would not support the amendment. I know I told the Senator from Colorado [Mr. THOMAS] that I would not support the amendment as it was reported to the Senate, referring to the sugar schedule.

Mr. THOMAS. That is correct.

Mr. SMOOT. I thought all Senators understood it. I have not heard from the people, I have not heard from the press, and I think the Senator ought to be perfectly fair.

Mr. SIMMONS. I am anxious to be fair to the Senator. I have no recollection of the Senator saying anything of that kind to me, but I will say I think the Senator from Utah takes a very much saner view of these matters than a good many of his Republican colleagues. I wish to say that I have not found the Senator, in connection with the tariff levies, ready to go to the extreme limit that others have gone.

Mr. President, there was some little reduction in conference of the duty on butter, cheese and cheese substitutes, and condensed milk. I do not think these reductions amount to very much, in view of the fact that we export several hundred times more of those products, speaking of them as an aggregate quantity, than we import.

Mr. FLETCHER. Mr. President, may I interrupt in connection with the Senator's argument with reference to the operations of the bill? It seems to me somewhat irritated by the condition as to milk, and not only as to sugar, which, as I understand, has advanced 2 cents a pound in the last week in contemplation of the passage of the pending measure. Whereas the farmer, the dairyman, is getting no increase in the price of his milk, my information is, and it is quite reliable, that condensed milk has advanced over 2 cents a pound within the last week or 10 days. That is quite an item to the consumers of the country, and it is done merely in contemplation of what this measure provides.

Mr. SIMMONS. I am not at all surprised at the feeling of the Senator. I was told this morning that sugar had, as the Senator says, advanced 2 cents a pound, and I am not surprised to hear of the other advances the Senator mentions.

Mr. SMOOT. Two cents a pound?

Mr. SIMMONS. Yes.

Mr. SMOOT. The Senator is mistaken.

Mr. FLETCHER. That is in the retail market.

Mr. SMOOT. I do not know what the retail market is. The sugar market on Saturday disclosed that Cuban sugar had advanced about one-quarter of a cent a pound from its price when the bill was introduced to the figure at which it sold last Saturday. Of course, when you talk about the retailer, you can not touch him. The retailer has too many votes and the retailer is the one who has been profiteering upon the people of the United States.

Mr. THOMAS. We can not touch the retailer, but the retailer will touch the consumer all right.

Mr. SMOOT. Undoubtedly.

Mr. FLETCHER. The trouble is that the consumer has nothing to do with what goes on in Cuba or what goes on with the refiners and that sort of thing. He does not know about that. He can not keep up with that. But he does know when he goes to market and the groceryman charges him 2 more cents to-day than he charged him on yesterday; he not only understands that but he begins to feel it after a while. The same is true in reference to condensed milk.

Mr. SMOOT. I have not bought any sugar at retail, so I do not know what the price is, but I do know when we began to discuss the question there were places retailing sugar for 8 cents a pound; I mean the Piggly-Wigglies or whatever they call them. Their advertisements were in the paper. The regular grocers were selling sugar at 8½ cents a pound. I do not know what it is to-day, but I can find out in a few moments; but if anyone is selling sugar at a 2 cent per pound increase, it is not because the price of sugar has been advanced by the refiner or by those who produce beet sugar in the West.

Mr. FLETCHER. I find in the CONGRESSIONAL RECORD of Saturday, in the discussion in the House, that Mr. HENRY T. RAINEY had this to say:

> Some of them have just phoned me this morning stating that, although sugar was selling at the Piggly-Wiggly stores in this city, which are large distributors of sugar, three days ago for $7.35 a hundred, this morning, with this report pending and the certainty of its passage, the price of sugar has been increased to $9 per hundred pounds.

Mr. SMOOT. Of course, it was not selling at the Piggly-Wiggly stores at $7.35 at any time. It did sell there for a while at 8 cents a pound, when they were making the run on sugar. The regular price of sugar was 8½ cents anywhere else. In fact, I bought a sack of it, and had to pay $8.75. If they are selling it at 2 cents a pound more, there is no excuse other than profiteering on the part of the man who sells the sugar.

Mr. SIMMONS. As I have said, most of the duties imposed in this bill will not increase the price of the products upon which they are to be levied, supposedly in behalf of the producer, and with a view of raising those prices to a point where production would be profitable.

But there are many of them, as I have said heretofore, which will have the undoubted effect of increasing the cost of these products, in some instances to an unreasonable extent, to the consumer without material, or, at least, to anything like the same extent benefiting the producer.

Mr. President, the Republican Party came into power on a distinct promise to the people, namely, that it would immediately, without delay, by every instrumentality in its power reduce the high cost of living that had grown to be one of the greatest evils that confronted and oppressed the people. There was a crying demand when the World War was over that such legislation be enacted and such administrative measures be pursued as were intended and calculated to bring about that result. If the Republican Party has passed one single act since it came into power in Congress which is intended or calculated to reduce the high cost of living in this country, I have never heard of it, and I would be glad to be advised if it is claimed that there has been any such legislation.

On the contrary, Mr. President, the very first piece of positive affirmative legislation offered by the Republican Party that could affect and would affect the prices of products, especially the necessaries of life, the very first measure of that kind which is presented here is a measure not by implication intended to raise prices, but by express admission and proud avowal upon the floor of the Senate is proclaimed as a measure intended to increase and advance the prices, not only of a number of necessary staple food products but of the clothing which the people wear.

A striking and astonishing thing about this bill, Mr. President, is that most of the duties it levies for this ostensible purpose which will or can be effective in raising prices are duties granting additional protection to industries that really need no additional protection, giving protection to industries that are either controlled by a trust or whose product is now selling higher than it sold for before the war. Take sugar, for instance. It is deliberately proposed in this bill to increase the duty on

sugar—in the interest of the cane and beet sugar producers and the sugar refiners, in order to add to the producers' profits in the sale of this essential of life—and sugar is an essential of life, already artificially enhanced in price by what has always been regarded as a high protective rate. It is deliberately proposed that this necessity of life, now selling far beyond what it sold for in prewar times, be further artificially increased in the interest of the refiners as well as producers of the cane and beet, thereby, as I said, laying by legislation an additional burden of $100,000,000 a year upon the breakfast tables of 25,000,000 American households.

But the Republican majority have not stopped there. The Senate put in this bill an amendment which the conferees have not touched, imposing a duty of 2 cents a pound on fresh and frozen meats imported into this country. It is admitted that large quantities of frozen meat were imported last year from Argentina. This duty will undoubtedly be effective; if it is not effective in helping the cattle growers and the meat raisers, it will be effective in helping the meat packers; it will furnish them an excuse and that is all they want for raising their prices. Under any and all conditions it is absolutely certain, I say to the Senator from New Mexico [Mr. JONES], that if this duty remains in the bill, as it will if the conference report is agreed to, the packers will make it the excuse for adding that much at least to the price of their products. Every Senator here knows that the packers have it in their power to fix the price of meats at any figure they see fit. Nothing restrains them except public opinion, and they brush that aside if they can find a plausible excuse, or pretense of excuse, and the majority have written in this bill all the excuse that the packers want.

There are consumed in this country, I believe, according to the statistics, about 24,000,000,000 pounds of meat every year. Two cents a pound upon that—meat products we annually consume—will amount to between four hundred and five hundred million dollars. What does the Republican Party, pledged to reducing the cost of living, have to say to this provision imposing between four hundred and five hundred million dollars a year upon the food of the poor and the rich alike in this country? That meat duty remains in the conference report. I felt after the exposure of this item of the bill upon the floor of the Senate that the Republican conferees would at least have enough consideration for the people of this country to strike it out, but they did not do so.

Now, the Senator from North Dakota says that the duty we are imposing by this bill upon wheat of 35 cents a bushel, which means $2.10 a barrel on flour, will be effective, and that it will raise the price of wheat very nearly, if not quite, to the limit of this protective duty. If it does, Mr. President, then what will we have? It is estimated that every man, woman, and child consumes annually on an average a barrel and a half of flour. The conferees did cut the duty 5 cents. They cut it down upon the same plea that was, as I stated, made by the House conferees with reference to sugar, namely, that the country would not stand for duties much in excess of the Payne-Aldrich rates. Upon that plea, made in the conference committee when this item came up, as a matter of compromise 5 cents a bushel was cut off, and the duty was reduced from 40 cents to 35 cents.

Mr. THOMAS. Mr. President, the Senator's statement reminds me of something I saw in the papers a day or two ago. A man was held up by a footpad and robbed of all he had except 5 cents, which were left him to get home on the street car.

Mr. SIMMONS. That is about the way it is going to be in this case, Mr. President. But let me finish. What will be the effect of this duty? If it is effective in the way and to the extent stated and claimed by the Senator from North Dakota, in charge of this bill and who represents on this floor one of the chief wheat-growing sections of this country and who is a member of the Finance Committee and a very able and a very fair-minded member, too—if it has that effect, that provision of the bill will levy an additional $200,000,000 upon the dining table of the poor and rich alike.

There is another provision in the bill which I had hoped would be stricken out. Its iniquities were so transparent and were so conclusively demonstrated in the argument in the Senate, that I did hope it would be stricken out. I refer to the compensatory duty upon manufactures of cotton.

An utterly worthless duty of 7 cents a pound was imposed on raw cotton—a duty that will help none of the producers of the 12,000,000 bales of short-staple cotton in this country, not a whit, not worth the snap of my finger. I am a cotton farmer, and I know what I am talking about; but because of this utterly useless duty imposed upon the raw material, the friends of the textile manufacturers of the country insisted upon putting in this bill a provision that will allow a compensatory duty of 7 cents a pound upon the manufactured products brought in from abroad.

Of course, as all of these fine goods that we get from Europe are made in part of Egyptian cotton, that means, as I explained when this item was up in the Senate, that we will have to pay a duty of 7 cents a pound on nearly all the cotton materials, including clothing, that we import, and of course the domestic manufacturer will take advantage of that, as they will have a right to do, and advance their price accordingly; and so the people of this country would have to pay a duty of 7 cents a pound upon practically all the cotton goods they would buy.

I have no means of estimating—in fact, I have not tried to estimate—the extent of the burden this item would impose upon the consuming public, but I think it would not fall far below $100,000,000. Add it all together—$100,000,000 on account of sugar; four hundred millions or more on account of meat, frozen and fresh; two hundred millions on account of wheat; one hundred millions on accounts of clothes—and this bill, in four of its provisions, would add to the cost of living something like one billion dollars a year. That is the way in which the Republican Party proposes to reduce the cost of living!

Help the farmer? Why, Mr. President, the farmer will soon realize, if this bill is passed and should receive presidential approval, that its benefits to him will be small compared to the additional amount he will have to pay by reason of it for such of these necessities as he does not produce.

A more transparent, unblushing fraud was never attempted to be perpetrated upon a people than the Republican politicians who are responsible and sponsors for this legislation are now seeking to fasten upon the American people, not because they believe in it—no, no! They do not believe in it any more than I do. They are led to do this thing, this wicked thing, for supposed partisan advantage, as a vehicle for the propagation of their protective tariff theories, to lure the farmer into the acceptance of that scheme of taxation, and by placating him with this miserable sop to make his resistance less formidable to highly protective rates to be laid in the projected scheme of general tariff revision upon the things the farmer buys. It is a conspiracy of deceit contrived and perpetrated in name and guise of friendship.

Mr. President, the members of the party in power have had abundant opportunity during their 2-year term here to help the farmer if they wanted to in ways that would be unquestionable and in measures that would be of great benefit and value to him. Have they availed themselves of a single proffered opportunity, however inviting it has been? On the contrary, they have passed these opportunities and importunities by in silence, if not with contempt.

Here a few days ago we had up a bill, and an amendment was offered to it which provided for an appropriation of $200,000,000 to be advanced to the Federal farm loan bank to enable that institution to advance money to the farmer upon his land, and relieve him to some extent from the distressed situation in which he finds himself to-day. You will remember what happened. What was the response of the other side of the Chamber, now pretending to be the friends of the farmer, to that proposition? It passed, it got through; but, Senators, you know that it received the sanction of this body only by and through the votes of Democratic Senators, aided by a few progressive Republicans on the other side. You know that that measure, fraught with so much benefit to the farmer—a measure that it was so apparent would have brought much needed relief to him in his present condition—received no sympathy from the other side of the Chamber, except in isolated instances.

I think my good friend the Senator from South Dakota [Mr. STERLING], who sits over there, offered an amendment to one of the appropriation bills a few days ago proposing to utilize the $100,000,000 that the Federal reserve banks have accumulated by way of profits, not to be invested in farm-land mortgages, as the measure I have just spoken about provided, but to be lent to him upon his agricultural products, and thus to reach and relieve another aspect of the farmer's troubles. Coupled with the measure providing $200,000,000 for farm-loan banks I can conceive of no two measures that this Congress could pass that would afford as much immediate relief to the farmers in their present situation as those two measures. I want to ask the Senator from South Dakota what sort of a reception his amendment met with from the committee in charge of the bill to which he offered it as an amendment, as I understand?

Mr. STERLING. Mr. President, I will say to the Senator from North Carolina that he is familiar with the reception that the bill had at the hands of the committee.

Mr. SIMMONS. That reception was a point of order against it?

Mr. STERLING. A point of order.

Mr. SIMMONS. They incontinently kicked it out on a technicality.

Mr. STERLING. But I will say to the Senator from North Carolina that that point of order was finally waived. After I had given notice that I should move to suspend the rules, the chairman of the committee waived the point of order, and a vote was taken upon the proposition here in the Senate.

Mr. SIMMONS. Upon the proposition to suspend the rules?

Mr. STERLING. No; a vote was taken on the proposition directly in the Senate. The chairman of the committee finally waived the point of order, and a vote was taken. That was the status. I want to say, further, that I should have pressed the matter further, and should have introduced it as an amendment to another bill, but for the fact that the Secretary of the Treasury had taken the net earnings for the year 1920, under very doubtful authority, and applied them to the payment of the debts of the Government.

Mr. SIMMONS. The fact remains that the Senator's amendment was presented and voted down.

Mr. STERLING. Yes.

Mr. SIMMONS. The other side of the Chamber, of course, is responsible for legislation. They have a majority here, and it was defeated—on a viva voce vote, I presume.

Again, Mr. President, only a few days ago—I believe it has not quite come to a final determination yet—we had a battle royal here in the Senate over a matter in which the farmers of the country are profoundly interested. It was a measure intended largely, and advocated for that purpose, to enable the farmer to get his fertilizers, which in many parts of the country constitute a very essential part of the cost of production, at a lower price than fertilizers are now being offered to him for. I refer to the Muscle Shoals proposition. Senators will remember what sort of a reception this measure—advocated by such friends of the farmer as the senior Senator from South Carolina [Mr. SMITH] as a sure means of reducing the cost of the farmer's fertilizer—received from the other side of this Chamber.

Never since I have been here has the other side of the Chamber made so persistent, so determined, and such a resolute fight against a proposition of this importance, asked for in behalf of such a large part of the people, and that part so greatly in need of help, as the fight made upon this measure. That fight has been carried to conference. The Republican Party in both Houses have set themselves against it.

Mr. President, there is another measure in which the farmers are more deeply interested than any other class of our people which has had hard sledding, the good-roads proposition. Senators know how earnestly the friends of the farmers on this side of the Chamber have pressed the good-roads matter, how earnestly we advocated putting in one of the appropriation bills an amendment appropriating $100,000,000 to carry on the good work of improving the rural highways of the country—highways which are used by the city folks largely for pleasure, but highways which are used by the farmer as a means of getting his products to the market. The farmers ask for good roads, hard-surfaced roads, in order that they might, by the use of automobiles and motor trucks, protect themselves, in part at least, against the high freight and passenger rates charged, and permitted under the law to be charged, by the railroads. They were appealing to Congress for a little help, that they may get their products, which are selling now below the cost of production, to market at less cost. Here was an opportunity to help that vast army who follow that occupation which in best conditions is surrounded and fraught with so many discomforts, inconveniences, hardships, and sacrifices, but so essential to the well-being of all the people, and to mitigate to some degree the trials, tribulations, and difficulties of those who follow it.

In answer to that proposition, the committee in charge of the bill to which it was sought to apply this amendment, through its chairman and his lieutenants, supported by the Republican side of the Chamber, defeated a motion to suspend the rules of the Senate in order to make this amendment in favor of farmers in order. I challenge them here and now, speaking here as a farmer myself and in behalf of the farmers—and I have a right to speak for them, for practically every dollar I have in the world, except that invested in my home, is invested in farm property—I challenge the majority side of this Chamber to show me one single measure it has proposed, or has permitted to pass the Senate, in favor of the farmer, except this measly, niggardly, fraudulent, deceptive, and iniquitous bill, drawn, in the last analysis, so that it will help, not the farmer, but certain great, powerful trusts, notably the packers' trust, the sugar refining trust, and so forth. Where there are any benefits of any consequence in this bill for anybody, they, and not the farmers, are going to be the beneficiaries.

Mr. President, the time for argument has passed, and I will not pursue that any longer. I think I give expression to what is known and understood here, and on the outside as well, understood and talked about by practically everybody. I believe I give expression to what is known as a fact when I say that while there are those who are supporting this measure in a laudable desire to help a helpless class of overburdened toilers, there are those who are supporting it, not because they believe in it, for they are opposed to it; not because they want it to become law, for they do not, but because they believe it will never become a law; supporting it for partisan advantage; supporting it as a vehicle of propaganda in favor of the protective tariff theory; supporting it in the interest of partisan politics and not because they wish its enactment for the benefit and relief of the distressed farmers of the country.

These enemies of the bill, these men on the other side of the Chamber who are as much opposed to this bill as I am opposed to it, who believe that its enactment into law would be a calamity, nevertheless, have voted for it, and will vote for the conference report. But they voted for it only because they felt certain that the President would veto it, and I now say to these Republican supporters of the bill, if Mr. Harding were in the White House instead of Mr. Wilson, you would not adopt this conference report; if Mr. Harding had been in the White House instead of Mr. Wilson the day you voted on this bill in the Senate, it would have been overwhelmingly defeated here—and with your votes.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER (Mr. CALDER in the chair). Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. I yield.

Mr. MOSES. Can the Senator from North Carolina give us any assurance that this hope of a presidential veto will be gratified?

Mr. SIMMONS. The Senator from New Hampshire was the one shining exception. The Senator had the courage to vote against the bill, notwithstanding the arguments that were urged upon him in the interest of the partisan advantage. I will say to the Senator I sincerely hope and confidently believe it will be vetoed.

Mr. MOSES. I did vote against it, Mr. President, and I purpose to vote against this conference report, if it ever comes to a vote. I resent the imputation, Mr. President, that this is a Republican measure. It is neither a Republican measure nor a Democratic measure. It is class legislation of the most vicious kind, as I regard it. If it is to have any party appellation at all, Mr. President, it is to be described as soviet legislation.

Mr. SIMMONS. I invite the Senator to continue in his characterization. I was very much interested in his speech the other day. It was the finest characterization of the iniquities and the fraudulency of the measure, if I may be permitted to coin a word, that I ever heard.

Mr. MOSES. Mr. President, I am deeply grateful to the Senator from North Carolina for his complimentary allusion to my feeble remarks of the other day. I regret that I can not accept his invitation to continue, because the one thing I have taken away from such classical study as I pursued in the days of my youth is to fear the Greeks when bearing gifts.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I yield.

Mr. McCUMBER. I am pleased to find the Senator from North Carolina and the Senator from New Hampshire in such wonderful agreement upon this bill. I have just heard the Senator from North Carolina condemning earnestly the Payne-Aldrich tariff law, which the Senator from New Hampshire offered as an amendment to this bill.

Mr. SIMMONS. No; I have not had much to say about the Payne-Aldrich law. I only referred to the little unpleasantness in the conference over the rates of that repudiated measure.

Mr. McCUMBER. I hope the Senator will pardon me for interrupting him, but when it went over on Saturday I understood that the Senator wanted about 10 minutes to discuss this conference report. I know that his address has been elongated somewhat by interruptions, but——

Mr. SIMMONS. I confess, Mr. President, I did not expect to occupy much time. But this bill is a subject which causes one, when he wakes up to its iniquities, to enthuse in his opposition and denunciation of it and leads him into paths of thought and discussion he did not intend to travel.

Mr. MOSES. Mr. President, it is perfectly true that the Senator from North Carolina and the Senator from New Hampshire are in accord with reference to this measure. It is also true that those two Senators are probably as far apart as the poles upon the general subject of tariff legislation.

As I said in the remarks which the Senator from North Carolina has been so good as to compliment, I am an all-around protectionist. I believe that if wool is to be protected manufactures of wool should be equally protected. It is for that reason, Mr. President, that I voted for the compensatory duties contained in the amendment offered by the Senator from Massachusetts [Mr. LODGE]. It is for that reason that I offered my amendment to the bill—to give us relief in every section of American industry.

This emergency, if an emergency exists, is not confined merely to the agricultural portions of the community; it is widespread in every part of the land. It was produced in the first instance, as I believe, by the consumers' strike, to which the Senator from Connecticut so graphically alluded in the course of the debate upon the bill, and owing to that consumers' strike mills and factories have been compelled to shut down, because there was no market for their wares. But people have had to continue to buy the things which they must eat. The bill to my mind puts an absolutely unjust burden upon the portion of the community which could not raise but had to buy the things which they eat.

Because of the one-sided, unnatural arrangement of the schedules of the bill I could not vote for it. I have never felt that the emergency was by any means as acute as the Senator from North Dakota [Mr. MCCUMBER] has sought to make us believe. I have felt that the bill was designed to benefit a particular class in the country who, as everyone knows, received high prices for their products during the swollen days of the war, and if they spent those profits in the purchase of limousines and in trips to Miami and Palm Beach the country should not now be penalized.

Their crisis, if any exists, is by no means absolute. It is comparative, and it is comparative only with the high prices of the days of the war. If they were to compact the sum total of their distress into a motto, it could be expressed no better than by the advertisement "Used car for sale."

Mr. SIMMONS. Mr. President, the measure is such a wretched farce that the sooner the curtain is rung down the better. I am not going to continue my discussion. In a few hours, or it may be in less than an hour, the seal of approval by the Congress will be placed upon this iniquity. In the meantime I sympathize somewhat with the members of that contingent upon the other side of the aisle to whom I referred a little while ago when I said that while they were uproariously for the bill, they were for it provided it was vetoed. I sympathize with them. As the time draws near I have noticed various evidences of impatience on their part, impatience for speed and action, accompanied with nervousness and apprehension.

I can understand it, Mr. President. They feel reasonably certain that the President is going to veto the measure. They almost feel that his action in that behalf is beyond doubt, and yet there is just a lingering fear on their part that, perchance, by some turn of the wheel of fortune he might approve it. They are not uneasy about the result of the vote on the conference report. They know what that is going to be, but they are uneasy, just slightly nervous, about the fate of the bill at the other end of the Avenue. However strongly and confidently they may believe that it is going to be vetoed, they are not quite certain about it. Their impatience in this regard will not be abated, their nerves will not be steadied, their apprehensions will not be quieted, and they will not be altogether happy and serene until they hear for a certainty from the White House that the deed has been done and that this misshapen creature which they have brought into the world is dead. That is the only apprehension in the Republican mind now.

What a panic would be precipitated upon the other side of the Chamber if to-morrow morning they should wake up and find that the bill had not been vetoed, that the child they have brought into existence is not dead. Oh, they want the child to be born, and born alive, because they think in the birth there will come to them and their party advantage, but, above all things, they hope and pray that that child will be speedily put to death at the other end of the Avenue. I have no doubt it will be duly dispatched when the bill arrives there. I, for one, am content that it should be so; content that this legislative monstrosity, this bastard of legislation, should meet its death at the hands of a great Democratic President, at the hands of the man known of all men as one who has won his high place in office by reason of the public confidence in his devotion and consecration to the cause of the people. However, I wish to say now, and I say it to my Republican colleagues and offer it as a prediction, and I am willing that the prediction be recorded, that if President Wilson vetoes this measure, as he will, the Republican Party in Congress will never give President-to-be Harding, after he reaches the White House, an opportunity to sign it or one of similar import.

Mr. PAGE. Mr. President, I have listened with a great deal of interest to the remarks of the Senator from North Carolina on the question of hide duties. This morning I received a letter from a customer of mine in Germany, a tanner, at Weinheim, in Baden, perhaps the largest tanner of calfskins in the world, certainly one of the largest. Up to the time of the war he was among my very best customers for raw calfskins. Of late I have had no trade with him until this month, when I received an order for some hides. I must confess my surprise. I do not know what it means, unless it is that the price of hides has receded to such an extent here that there is a temptation to come from Germany to Vermont to replenish their stock of raw material.

Mr. SIMMONS. I hope the Senator will recall the statement I made that the importations of hides had been more excessive than the importations of any other article upon which a duty is provided in the bill, and therefore, if there was anything in the bill that might be benefited by the tariff, hides are one item; and yet the duty on hides was stricken out.

Mr. PAGE. As the Senator will remember, in the olden times of the Payne-Aldrich bill I was in favor of free hides. I do not know that I have changed my views now. It is not because I am not a good protectionist, but rather because I think the conditions that affect the hide trade are so peculiar that I am rather inclined to be a believer in nondutiable hides. Without taking the time of the Senate, I should like permission to insert in the RECORD, without reading, the letter to which I have referred.

The PRESIDING OFFICER. If there is no objection, permission is granted.

The letter referred to is as follows:

The president of the German tanners' association writes about the effect of the treaty of Versailles on the German leather industry as follows:

"In order to come to a clear understanding of the effect of the Versailles treaty and the corresponding agreements of Spa and Paris on the German leather industry, there must be distinguished between the general and special effects both treaties are impressing on this industry. All the difficulties on 'change and the checking of the production, existing in all other German industries, have come about the leather industry, too. This industry is dependent with regard to three-fourths of its raw material on foreign countries. The financial disorder of our country in consequence of the severe conditions of the Versailles treaty and the following agreements, the complete disorganization of our traffic, the continual fluctuations of the change of the 'mark,' do not permit the entering of any risked business on a larger scale abroad. Therefore we are deficient of raw material. The exchange of goods from one country to another is almost impossible, as nearly all financially strong countries are suffering from overproduction, viz, they are closing themselves by prohibition and hindrance of import and export. The increase of production, the only possible means for our recovery, has been prevented till now by the terribly heavy terms of the Versailles treaty, setting at defiance any attempt of restoration.

"The general want of coal, another consequence of the Spa arrangements, deprived the leather industry of this most important material. The industry tried to supply coal by consuming bark and by the use of brown coal, wood, and turf, after altering the boilers. A lot of firms do not know whether there will be to-morrow at their disposal a sufficient quantity of fuel. There can be no doubt that steam engines can not be kept going on by the use of bark. At any rate under such circumstances the wanted degree of heat will not be obtained to dry the leather in bad weather. Thus the tanning industry, one of the largest German industries has been forced in consequence of the agreement of Spa to reduce its working capacity considerably.

"In particular the effect of the Versailles treaty makes itself felt by section 68, which provides that Germany must import free of duty from Alsace-Lorraine the same quantities of goods she used to buy there before the war. Exact figures about the production of the Alastian firms during the war are known, and these figures are built up upon the controlled self-estimates of their production in the last year of peace.

"Well known are furthermore the figures of distribution of hides and skins on basis of the productivity of these firms during the war.

"There is further before us an estimate of home consumption in that country and another with regard to the export of leather before the war. On basis of these calculations Alsace-Lorraine ought to export to Germany not more than 4,300 tons of sole leather, beltings, harness, and russet leather, and 220 tons of chrome upper leather.

"France has fixed the quantity of the products enjoying exemption from duty in virtue of the article 68 of the treaty of peace at 12,500 tons for leather for the year of 1920–21. The war production of the old and larger Germany amounted to 3,000 to 4,000 tons of leather monthly, viz, about 50,000 tons a year, including the occupied countries. Alsace-Lorraine shall now be allowed to import free of duty one-fourth of the whole war production. This is naturally a heavy burden on the German industry and certainly against the sense of the treaty that three times as much leather is imported this way than would correspond with the production of these Provinces. For the larger part, the leather imported on this section 68 is not homemade, but of French, Spanish, and Italian origin.

"What is the use of a tariff on leather which anyway forms a very small compensation for the surplus of cost, caused by the duty on tanning extracts, if such quantities of leather are imported free of

duty through the Alsatian hole from all countries of the world, partly of inferior quality and even heavily and fraudulently charged?

"There is no need to comment on such facts; they speak for themselves. The world expects from Germany reparations and indemnities; how shall she pay, when the last Paris agreements make export impossible by charging on one side export taxes and forbidding on the other side free entrance of German goods and German merchants in foreign countries?

"And who is going to pay that tax? Certainly not Germany. The consequence would be that the German exporting industry, which must pay the imports of food and raw material for the whole nation, gets ruined. The effect on the foreign markets of raw material is clear. Who would buy in Germany under such conditions the Egyptian or American cotton; who could buy East Indian or American hides and skins or foreign leather for making shoes unless so much cheaper as amounts the charge of the new tribute? And the consumers in all countries certainly had to pay higher prices and get poorer quality if a large factor of international competition is knocked dead.

"Conditions caused by the diplomats at Versailles and the following negotiations are not encouraging for the German industry; nevertheless we are convinced that the sound sense of the merchants all over the world finally gets away with all these barriers to human welfare, unless bolshevism shall rule over the world."

Mr. THOMAS. Mr. President, I desire to record a last word of protest to the bill before it receives sanction of the Senate. I shall try to be very brief.

I opposed the measure when it was before the Senate. Hence I will content myself with a summary of the objections which I then recorded against it. I knew it would receive the final sanction of both Houses and go to conference, and I was equally certain that virtually every amendment which the Senate placed upon it would be accepted, as would have been any other amendments which this body in its wisdom or in the interest of localities might have seen fit to insert. It is now here in its last stages, and we shall accept the conference report, as a foregone fact.

The bill is entitled "An act to impose temporary duties upon certain agricultural products, to meet present emergencies, to provide revenue, and for other purposes." That title is entirely misleading. It should be called "An act to impose temporary duties upon certain agricultural products to meet emergency political obligations." If not, it otherwise would have been reported without any consideration at all from the Ways and Means Committee of the House and but very little at the hands of the Finance Committee of the Senate. The Payne-Aldrich bill was called a bill of abominations, and truly so. Public opinion of America denounced that bill as the limit of high protection, but this goes so far beyond that measure as to make it appear more than equitable by comparison. If that was a bill of abominations, this is a bill of damnations, and in my judgment the most infamous measure that has ever received the approval of an American Congress; for it is a fraud, a deception, and an inquity from its inception to its close.

While those who advocate it may be perfectly sincere in their convictions of its needs, they will discover, if the bill becomes a law, that its only effect will be to increase, and measurably increase, the high cost of living, while bringing benefit to none.

During the discussion here to-day it has been disclosed that two essential necessities of life have already risen in price to the consumer, sugar being quoted to-day and Saturday to the consumer at 2 cents a pound in advance of the previously prevailing price. That means the levy of a tax upon the American consumers of sugar of $100,000 a day. Whether this bill be approved or vetoed, it is even now at work upon the pocketbook of the consumer and will so continue until it has been disposed of. The newspaper dispatches of last week, Mr. President, carried accounts of several enormous and sensational robberies, principally directed against the Post Office Department, and in each instance the bandits made away with the loot. I can have some respect for that sort of robbery, because a man who perpetrates it takes the law in his hands and also takes some chances with his life; but a robbery which is coolly, carefully, and craftily designed, as a legislative act deliberately conferring upon one class of our people the power to levy toll upon all the rest, and to do so safely, securely, and reputably, presents a contrast between the man of action and the man who sneaks into the back door and levies his tribute during the absence of the family from home to the advantage of the former.

Personally I do not know whether the President will veto this bill or not; I have never presumed to speak for him since I have been a Member of the Senate, and I certainly have no authority to do so now; but if I wished the Harding administration ill, which I do not, if I entertained any personal animosity toward the Republican Party, which I do not, and if the prayers of the wicked availed anything, which they never do, I should pray for his approval of this bill, for in the event it becomes a law, or anything approaching it is ever enacted into law, then I say to my Republican brethren woe unto your coming administration. You defied public sentiment upon this subject, ignored your platform in 1909, and enacted a bill which caused your undoing, split your party asunder, and placed the Democratic Party in power. If you think the people have changed their convictions since that time, if you think by increasing the extent of your tariff robberies, and including within their pale every producer of agricultural products, it will add to your prestige and overcome this former disadvantage, then you certainly reckon against all my experience of the operations of human nature.

If this bill is good for anything, it must levy an enormous toll upon all of the consumers of the country. I defy any man to contradict that statement. If you levy that toll upon the consumers of the country, think you that they will bear it with equanimity, or be comforted with the notion that else this bill shall operate some industry or industries will be ruined? Oh, no, Mr. President; I know that protection is running to-day like a mad dog, with foam on its lips, throughout every community in the United States, and the poison of its virus is dividing people into classes everywhere. Every class has its organization, with its Washington lobby bent upon securing class legislation. Mr. Gompers the other day announced what he pleased to call a new declaration of independence for labor, the substance of which is the demand by organized labor of exemption for its membership from the operation of our general laws. It has just as much right to demand such exemption as the wool grower or the stock grower or the farmer or the manufacturer or any other protected industry has to demand and secure the unequal operations of the law. You can not grant one and withhold the other.

The secretary of the American Protective Tariff League in 1911, in a circular letter, declared that once the farmer found out that protection was not for him there would be an end to the system. He therefore urged everybody to besiege and beseech Representatives and Senators to vote against the reciprocity treaty, lest they discover the fact through its operation. He knows, that great organization knows, every man who has deliberately studied the subject must know, that a high protective tariff upon agricultural products means nothing at all to the producer, but everything to the manufacturer, who is entitled in consequence of the imposition to his compensatory duty; in other words, the right to ask and to receive twice the tariff protection that he otherwise would enjoy. That has cropped out in this bill. The compensatory duty appears here for the manufacturer of woolen goods and for the manufacturer of cotton goods; and they are to-day quietly rubbing their hands in satisfaction and hoping for the passage of this bill, since theirs will be the victory and not the farmers and the woolgrowers, who seem to think—and it is a very natural thought, for they have been so taught—that if the Government will only go into partnership with them to the full the whole country will prosper in general while they will flourish in particular.

Mr. President, the legislative history of the United States has disclosed a constant succession of tariff agitation and antitariff agitation. These have succeeded each other like the tides of the ocean, and I presume will continue so to do as long as this great economic question is involved in politics and forms a line of division between political parties.

If we can use the power of taxation to this extent we can use it whenever a class is strong enough to insist upon the imposition of a tax of any kind upon the property holders of the United States for their benefit. That will be tested out successfully in the next Congress, when the bonus bill, which will increase the national debt to the extent of at least three and a half billion dollars, will be enacted and taxes will be levied upon one class of people solely, openly, and unblushingly for the benefit of another class of people, and that in a country which pretends at least to be one of liberty, equality, and justice. The time is coming—and it is the only bright ray I see in this line of economic legislation—when everybody will be protected against everybody else, and protection will thus defeat itself, because there will be no longer any class to be robbed for the benefit of some other class.

The Republican Party has won the greatest political victory in the history of the country. Flushed with success and power, in absolute control of all the departments of the Government, it proposes—and properly so from its standpoint—to rectify all the evils of commercial conditions by the enactment of a general tariff law, doubtless going far beyond the standards of the Payne-Aldrich law, which, instead of tempting prosperity, will only increase the burdens now weighing business and industry and enterprise to the very earth.

These things, Mr. President, can not be done with impunity. The history of the United States demonstrates that no political party is in so much danger as when it seems to be absolutely supreme. From the good days when Franklin Pierce, in 1852, was by an overwhelming vote elected President of the United States, down to the close of this administration, which carried three-fourths of all the States in 1916, and is now about to ex-

pire, the unbroken course of history reveals that each of the great parties so coming into power has incurred the resentment of the populace, which have in turn passed them into the oblivion of the immediate future. That was a profound reflection of Anne of Austria to Cardinal Mazarin many years ago, when in the course of a controversy she said, "My Lord Cardinal, God does not pay every week or month, but He always pays some time." We can not outrage economic laws by artificial and disturbing legislation without sooner or later confronting the consequences and paying their penalties.

This conference report will soon be adopted. It will then go to the President for his approval or, at this late hour in the session, for his pocket veto.

I know, Mr. President, and I betray no confidences in so declaring, that a very large proportion of the Members of the House and the Senate who support this bill will look upon the President's disapproval with almost as much satisfaction and with a deeper sigh of relief than will be expressed by anybody on this side of the Chamber. The fate of the bill will be in his hands; and he can not better crown his eight years of splendid public service, for which, in due time, posterity will give him credit, than by sending this bill back to the House of Representatives bearing the stamp of his disapproval.

Mr. McCUMBER. Mr. President, I have never attempted to suggest to the Senate what the action of President Wilson would be upon this bill. A great many Senators on the other side, and possibly some few on this side, have assumed that because he belongs to the Democratic Party he will necessarily veto any bill that smacks of protection; but I can not forget, and I doubt very much if the President will forget, that he is not the President of the Democratic Party alone. So long as he holds his position, he is the President of the United States—President of the States of North Dakota and Minnesota and the entire Northwest, just as much as he is the President of New York or New Hampshire or South Carolina.

That being the case, I have confidence that whatever the President does he will do according to his best judgment as the President of the United States. I do not know what his information may be with reference to the conditions in the Northwest at this time. If he is as uninformed of the conditions of that section as is the Senator from New Hampshire [Mr. MOSES], he may veto this bill without any further consideration. But assuming that he understands the situation where in a single purely agricultural State 35 banks have gone to the wall in the last month, and assuming that he understands the critical situation in those States, I still have hope that he will look at this bill as an emergency measure, and that just before we begin to get ready for the planting of the next crop he will, by signing this bill, give an encouragement to the entire Northwestern section, that they may have some hope for the future of their industries that will justify them in continuing.

I hope before the President signs or disapproves this bill some one will bring to his attention, if it has not already been brought to his attention, the actual condition of the Northwest and the farming section of my State and eastern Montana and Idaho and other sections of the Northwest, and of those sections that have been engaged in raising sheep. If he understands that situation, I will trust to his heart and his conscience to approve this bill.

Mr. HITCHCOCK. Mr. President, as a Democrat I have a good deal of respect for the legitimate Republican doctrine of protection. Something can be said in its favor. It presents an issue which fairly divides honest opinion in this country. In my judgment, however, this bill does not represent an honest effort at protection.

I sympathize with what the Senator from North Dakota [Mr. McCUMBER] says concerning the hardships of the wheat raisers in his State. I sympathize with them because I know from the evils that wheat raisers in Nebraska contend with that there are serious conditions, but I know absolutely that no wheat raiser in his State and no wheat raiser or corn raiser in my State is suffering from any condition which by any possible stretch of the imagination can be cured by erecting a tariff barrier against imports or by imposing a tariff on the products which the producers of my State and of his State raise.

I can not look upon this bill as anything less than an attempt to pass off a gold brick on a class of agriculturists in the West and the South who are suffering from hard times. It is an attempt, apparently purely political, to make propaganda at this session, not to enact a tariff bill for the benefit of the farmers, because no one supposes for an instant that this bill is to be enacted. It is an attempt by congressional action to suggest an argument to the agricultural classes that a protective tariff would be good for them in order that at the next session they may look with complacence upon an attempt which is to be made to impose high or prohibitory duties upon manufactured goods which they must purchase.

Mr. President, the farmers of my State can not be deceived by any such effort. The farmers of my State who raise wheat know that this country raises every year much more wheat than it can consume, and that it is a steady exporter of wheat to other countries. They know that the small quantity which comes into this country from Canada comes here only on its way to the markets of the world, and that it has absolutely no effect upon the American price for wheat. If the wheat that is raised in Canada does not come to the American markets on its way to the European markets, it will go directly to Liverpool and our American wheat will meet it in Liverpool.

The farmers of my State know that last year this country raised a crop of wheat amounting to something like 800,000,000 bushels, and that approximately a third of that crop has been or is being exported to Europe. They are not alarmed by the fact that some 35,000,000 bushels of wheat have come here from Canada, because they know that we have exported already up to the first of this year something like 220,000,000 bushels of wheat. They know that the price of wheat in the United States is regulated by the supply and price of wheat in Liverpool and in other foreign markets, and they are not alarmed over the 35,000,000 bushels of wheat which comes here, which pass through our mills or pass over our railroads to the ports of export in this country on their way to the great markets abroad.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. Yes.

Mr. BORAH. Assuming the argument of the Senator from Nebraska to be sound, there are, nevertheless, a great many farmers in the West who entertain a different view. The question which I desire to ask the Senator, however, is this:

If it be true that this bill will not in any way affect the price of wheat, it can not, as suggested by the Senator from Colorado [Mr. THOMAS] a few moments ago, have the effect of raising the price of breadstuffs so far as that particular feature of the bill is concerned, can it?

Mr. HITCHCOCK. A tariff upon the small amount of wheat that is imported here?

Mr. BORAH. Yes. I say, if as the Senator says it does not change the price of wheat, if it does not give any protection to the American wheat grower because his market is controlled by the markets of the world, then the mere fact of laying this duty on it would not raise the price of breadstuffs?

Mr. HITCHCOCK. I think not. I think it is a farcical attempt. It is simply an attempt to lead the wheat raiser to believe that there is a virtue in protection of which he can get the benefit. There is not any. The American wheat raiser can not by any means secure any benefit from protection. The American manufacturer can, and in order to make the American wheat raiser content when the Republican program is adopted for a protective tariff on manufactures this attempt is now being made in Congress to win over the American wheat raiser to the idea of a protective tariff for manufacturers by giving the farmer a gold brick.

What is true of wheat is true of corn. Our production of corn is something like 2,500,000,000 bushels a year, and the exports during last year were something like 33,000,000 bushels. The export of last year's crop is still going on, but there were 33,000,000 bushels exported last year, and yet because 3,000,000 bushels were imported into this country the corn producer is offered the gold brick of a protective tariff of 15 cents a bushel upon imported corn.

Now, I do not know how it is with the corn producer in other States, but the corn raiser in Nebraska is too intelligent a man to be deceived by that argument. You are not going to convert the corn producer of Nebraska to accept the protective tariff by offering him a protective duty on the little bit of corn that dribbles into the United States from other countries. He knows that we produce all the corn we need and consume. He knows that we have an exportable surplus, and do export it, and he is not afraid of the few bushels of corn coming from any other country to the United States.

So I repeat, Mr. President, this is not an attempt to enact legislation, because no one believes that this bill is to pass, and no one has believed at any time that it was to pass. You have simply been taking up the time of the House and the Senate for the sake of seducing the agricultural sentiment of the country into an acquiescence later on of a protective tariff for the benefit of the industries of the country at the expense of the agricultural classes.

Mr. President, there is a side to this to which I think people in this country should give some attention. For two years now the United States has been confronted with a very serious situation. We have a great surplus of exportable products from our

mines and our fields and our manufacturing interests. The difficulty we have found and the difficulty we will find, in exporting that surplus, is the difficulty of securing pay for it. During the last two years our exports to Europe have amounted to something like eight thousand million dollars per year, and our imports to five thousand million dollars per year. In other words, Europe, anxious as her people are to secure our raw materials and to secure some of our manufactured goods, has not been able to send to us the products of her making to pay for what she needs. She has only been able to send us five thousand million dollars' worth a year, although she has taken from us eight thousand million dollars' worth a year.

Europe would take a great deal more than eight thousand million dollars a year of our products if she could pay for them. She has not been able to pay for them with her own products, she can not pay for them in gold, and the result has been that something like three thousand million dollars a year difference has been made up by buying from us on time.

Mr. President, the time is approaching when Europe can not buy from us on credit. The time is approaching when Europe, if she can not pay for our products in products of her own, will be compelled to reduce her purchase of our products. It is here already. Already we are suffering in this country from the fact that Europe is not able to take over the products of ours which we are desirous of selling. We have a great depression in cotton, a great depression in copper, a great depression in our manufacturing industries, a depression in agricultural products, and a depression in cattle, because we can not sell the surplus.

Now, it is proposed seriously, and at the next session of Congress it will be proposed practically, to erect tariff barriers against Europe, and make it more difficult than ever for Europe to send us her products. Do Senators realize that that means a restriction on our exports, a greater depression in our industries, a protracted depression in our agricultural products? Mr. President, instead of erecting tariff barriers against Europe, we ought to be devising ways and means to permit Europe to pay for the surpluses we have in this country with the things she can sell to us.

The credit on exports has been stretched to the limit. Three thousand million dollars of credit we gave Europe last year, the difference between what we sold to her and what we bought from her. Three thousand million dollars of credit we gave to Europe the year before, the difference between what we sold to her and what we bought from her. That credit has resulted in stretching the credit in our banks. That expanded credit has made interest rates high to borrowers in this country. The credit of our banking institutions and of our financial institutions generally has been stretched in order that Americans might sell to Europe on credit because there is a shortage of imports. How long can that continue?

So I say, Mr. President, instead of proposing to erect barriers against imports from Europe, we should be promoting imports from abroad in order that we may export abroad, and that issue is one of the issues which will come before Congress at the next session.

Mr. SMITH of Arizona. By the argument the Senator is making I am reminded that we find ourselves building an expensive merchant marine to bring products into this country and erecting a tariff wall to keep them out.

Mr. HITCHCOCK. Very true. That is the inconsistent attitude we are in—taxing the American people to build ships in order that commerce of this country may be carried and proposing to cut down that commerce. At this very moment the commerce of the United States is on the decline from lack of imports.

In January of this year our imports were smaller than for any month during the last three years. Our imports last month were $209,000,000. For January a year ago they were $470,000,000. Our exports also, in consequence, inevitably, declined nearly a hundred million dollars, and we are confronted at the present time with the inevitable decline in the foreign commerce of the United States, because Europe is not able to buy our products and pay for them, either in her own products or in gold, because she has no gold, and she has been borrowing of us about to the limit; and yet it is seriously proposed now to erect a tariff barrier against the products of Europe which might otherwise come here to pay for the products which we sell to Europe.

Mr. President, it is worth while noting the condition of our neighbor on the north—Canada. It is solemnly proposed in this bill to erect a tariff barrier against the small quantity of wheat which comes from Canada to the United States. The fact is that the Canadiam commerce is a highly valuable commerce to the people of the United States. We sell to Canada every year something like $800,000,000 of our products. We buy from Canada only about one-half that quantity, and now it is proposed, by a barrier on Canadian wheat, to prevent that wheat coming in, and I suppose there will be presented at the next session of Congress tariffs on others of the products of Canada, so as to make trade with Canada difficult for the United States.

I simply want to voice my protest against this bill in the hour of its final passage, and in closing to condemn it, as I did at the beginning, as a gold brick—not a serious attempt to pass legislation but as an attempt to gold brick the agriculturists of the West into the false impression that they will derive some benefit from the protective-tariff scheme.

Mr. President, it is too late. The West opened its eyes a number of years ago, and one of the important influences in bringing about that era during which the western agricultural States voted the Democratic ticket and put Democrats in office was the fact that the West became convinced that its interest did not lie in the direction of a protective tariff.

MILITARY NOMINATIONS.

Mr. WADSWORTH. Mr. President, the President of the United States has sent in additional nominations affecting the Army of the United States, and I therefore ask unanimous consent, as in open executive session, that there be referred to the Committee on Military Affairs all nominations for original appointments in the Army, all nominations for transfer from one branch of the service to another, and all nominations for confirmation, below the grade of brigadier general. This is the class of nominations which the Senate upon prior occasions has unanimously permitted to be referred to the Committee on Military Affairs.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Is there any objection to the request of the Senator from New York?

Mr. McKELLAR. Those are not the same nominations we were discussing on Friday?

Mr. WADSWORTH. These are additional names sent to the Senate, and I am simply asking that they be referred to the Committee on Military Affairs.

Mr. McKELLAR. I have no objection to their going to the committee, but I want to say that so far as the captains, first lieutenants, and second lieutenants who are to be promoted are concerned I have objection, and I think this is just as good a time as any to state to the Senate my objection.

But I will stop long enough to let the nominations indicated by the Senator from New York go to the committee, and then I want to make a statement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and the nominations will be referred to the Committee on Military Affairs.

Mr. McKELLAR. Mr. President, in reference to the nominations for promotion from the grades of second lieutenant, first lieutenant, and captain, I wish to call the attention of the Senate to the present law in reference to promotions.

Under the construction of the Army reorganization act by the War Department men appointed from the emergency forces in the ranks of colonel, lieutenant colonel, and major are appointed with regard to their respective grades, but under another provision of the act captains and lieutenants are thrown in hodgepodge and are appointed indiscriminately, without respect to their grades. I read from page 16 of the act as to captains and lieutenants:

> Third, captains and lieutenants of the Regular Army and Philippine Scouts, originally appointed since April 6, 1917, shall be arranged among themselves according to commissioned service rendered prior to November 11, 1918, and shall be placed at the foot of the list as prepared to this point.

The effect of the holding of the department as to this provision is that all captains, first lieutenants, and second lieutenants are placed in one body, when it comes to promotions on the single list, and the captain, first lieutenant, or second lieutenant who has the longest commissioned service is held to be entitled to promotion ahead of the higher officer who has not had so long a service. Results of test examinations held with such care last summer are without force or effect. If a second lieutenant had one day's longer service than a captain, he is promoted over the captain.

To illustrate what I mean, suppose two men in the emergency forces have applied for commissions in the Regular Army. One was appointed a captain on the 2d of July, 1917, and the other a second lieutenant on the 1st of July, 1917. The one who was appointed a captain, let us assume, was promoted to major, then to lieutenant colonel, and then to colonel, if you please, in the emergency forces, all because of distinguished service. The man who was appointed on the 1st of July as a second lieutenant remained a second lieutenant all the way through the emergency.

He did not go up; he was not promoted. He did nothing to deserve promotion. After the war was over the colonel in the emergency forces and the second lieutenant in the emergency forces both appeared before one of the boards constituted under this act in order to receive appointments in the Regular Army. The four boards who examined this colonel and this lieutenant, after a careful examination, determined that the colonel was entitled to a captaincy and that the lieutenant was entitled to a second lieutenancy. In that state of affairs those appointments were made and have been heretofore confirmed by the Senate. Now it is proposed to appoint the second lieutenant to a captaincy.

Under the holding of the department this second lieutenant, who has already received his commission, is promoted over the captain on the single list and will receive his majority before the previously appointed captain. I do not think that is fair. It is not fair to the men who have stood the examinations. They were asked to stand examinations for these appointments. Four boards passed upon their qualifications—education, fitness, ability, and moral character—and under this ruling of the department the man who was appointed a captain will find himself below the man who was appointed a second lieutenant. There is nothing fair about that. It means a demoralization of the forces.

I find this peculiar condition of affairs in regard to these appointments. I do not know whether this last batch of nominations will complete the list or not, but the Army will have a general and, I hope, two lieutenant generals, a great many major generals, a great many brigadier generals, a great many colonels, a great many lieutenant colonels, a great many majors, and a great number of captains, but it will not have any lieutenants. We will have a lieutenantless Army. There are now practically no lieutenants in the Army. Second lieutenants under this ruling are being appointed to captaincies without any examination, except the physical examination. They are promoted right over the first lieutenants, provided the second lieutenants have had longer commissioned service. Such action is intolerable. It is not fair or just to the men who have stood the examination and it is not in my judgment in accordance with what was intended by Congress.

Mr. President, in order to correct the injustice, I introduced some time ago an amendment which would require the appointments or promotions to be made within the respective grades of captain, of first lieutenant, and of second lieutenant. I tried to get the amendment agreed to in committee when the Army bill was up for consideration and I was unable to do it. In that situation there is only one thing I can do and that is, when the nominations come in promoting second and first lieutenants over captains in the way I have stated, to object to their promotion. As I understand, it now requires unanimous consent for officers to be promoted, and I propose to withhold my consent to their promotion, believing that it is right. Ordinarily I would not do this, but I can not bring myself to agree to the great injustice thus proposed to be done to many officers and the Army itself.

I make this statement about it for the purpose of calling the attention of the Senate to the rule of promotion as announced by the department and to the injustice of the situation and the injustice of the interpretation of the Army reorganization bill.

Before I close I wish to call attention to the method by which it can be corrected. I have offered an amendment which proposes to strike out the third clause of paragraph (d) of section 24a, and insert in lieu thereof the following paragraph that I read a little while ago:

> Third. Captains and lieutenants of the Regular Army and Philippine Scouts originally appointed since April 6, 1917, shall be arranged among themselves in their respective grades according to commissioned service rendered prior to November 11, 1918, and shall be placed at the foot of the list as prepared to this point.

Mr. President, the emergency officers who stood these examinations were not told by the department that if or when they were appointed captains they would be subject to have all first and second lieutenants promoted over them who had a longer commissioned service. If this rule was going to be made by the department, it ought to have been made known to them. Many officers who accepted captaincies did so, of course, on the theory that when promotions came they would be entitled to them and that those who had won only first or second lieutenancies would not be promoted over them. I have no doubt that many of these men accepted captaincies who would not have accepted them if they had known that first and second lieutenants having longer service would be promoted over them. Senator CAPPER the other day told of a captain that would have 1,100 other captains, first, and second lieutenants promoted over him under this holding of the department. Further, Mr. President, there should not be one rule of promotions applied to colonels, lieutenant colonels, and majors, and another and different rule applied to the promotions of captains, first lieutenants, and second lieutenants.

If promotions were thus to be made, due notice ought to have been given to that effect when the examinations were held. There should have been no separate examinations for captains or first and second lieutenants. I have no doubt many men were selected as second lieutenants who would not have been appointed to captaincies at all. Indeed, I know of such cases. And yet under this ruling of the department all first and second lieutenants were in substance made captains and their commissions are proposed to be dated back to July 1, 1920. The result is that we have, as I stated before, practically no lieutenants in the Army. We had better save a few of these first and second lieutenants for emergencies. My distinguished and esteemed friend from Minnesota, Mr. NELSON, stated when the Army reorganization bill was up last spring that it provided for a top-heavy Army. I do not know what he would have said about it if he had known that under it, in less than a year, we were to have no lieutenants in the Army at all. In the late war with Germany the lieutenants of the Army did wonderful fighting, and yet our present Army will have no lieutenants if these promotions are permitted. The result is, Mr. President, I shall object to the promotions of these first and second lieutenants to captaincies, and let the matter go over to another session, when we can remedy this defect. It should be remedied before we indorse it by confirmation of these promotions.

Mr. McCUMBER. Mr. President——

Mr. McKELLAR. I yield to the Senator from North Dakota.

Mr. McCUMBER. Inasmuch as we are discussing something that is not before the Senate at present, and inasmuch as there will be ample opportunity later to discuss that matter, and as we have been expecting a vote upon the conference report on the tariff measure for some little time, may I ask the Senator if he will not permit us to proceed and get a vote upon the conference report at this time?

Mr. McKELLAR. I am going to take only a few moments more. I wish to say to the Senator from North Dakota that there is a difference between the emergency tariff bill and the question of the promotion of these officers. Some of the second lieutenants are going to be promoted 1,100 numbers ahead of those who made a better showing and stood a better examination than the lieutenants and who have become captains through examinations. The Senator's tariff bill, which I know is important to him, is a matter of no concern to the country, because the country knows it is not going to become the law. In going through the form of passing his tariff bill we are dealing with something that is not important practically, because everybody knows that as soon as it is passed—and it is going to be passed—the President is going to veto it, to the great gratification of a large number of our Republican friends. We are talking about a vain and idle thing when we discuss the emergency tariff bill, and the session is drawing to a close. We are simply wasting the time of the Senate in considering it. Many Senators on that side are holding their nose when they vote for it. I have postponed making this statement to the Senate about these promotions in the Army for a number of days, hoping to have an opportune time; but it seemed that it did not come, and I thought the matter ought to be submitted to the Senate. It is a live, active question and ought to have consideration, while the Senator's bill is dead before it is passed.

Mr. President, I do not believe the Senate will agree to the confirmation of second lieutenants who have been promoted over first lieutenants in the first place and captains in the second place. It is wrong in principle and policy. I am sure the Senate will not do it.

For the reasons which I have called to the attention of the Senate I have taken a little of the valuable time of the Senator from North Dakota in making the statement to the Senate, because it is important.

I apologize to him for interrupting the consideration of his bill, and would not have done it if I had not considered it under the circumstances of much more importance.

PROPOSED REFERENCE OF POST-OFFICE NOMINATIONS.

Mr. FLETCHER. Mr. President, I desire just a moment to ask unanimous consent for the reference of certain appointments that have been made by the President. I refer to the list of former service men and widows of former service men who have been appointed as postmasters and whose names are now before the Senate, and which list appears in the CONGRESSIONAL RECORD of February 5. I ask unanimous consent, as in open executive session, that the nominations be referred to the Committee on Post Offices and Post Roads.

Mr. McCUMBER. I object.

The PRESIDING OFFICER. Objection is made.

EMERGENCY TARIFF—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. JONES of New Mexico. Mr. President, I stated some days ago why I had supported the bill which is now before the Senate of the United States as an emergency tariff bill, and I do not intend to make any remarks upon the merits of the bill as a whole; I think it would be a consumption of time to no purpose; but I do wish to express my disappointment at the action of the conference committee to which the bill was referred. I of course do not intend to express any doubt that the conferees on the part of the Senate performed their duty as conscientiously as they could have done, but the result is that the report which is now before the Senate has eliminated the provision for a modest tariff upon hides.

The bill as originally framed by the House and which came to the Finance Committee of the Senate made no provision for a duty upon meats or upon hides. There was no attempt made to take care of the great cattle industry of the country, an industry to which we look for the principal meat products of the country. We all realized that the industry had suffered greatly by reason of the great depression in the price of cattle and of meat products; so when the matter came to the Senate Committee on Finance an amendment was proposed placing a duty of 2 cents per pound upon the importation of fresh meats. A very modest duty of 15 per cent ad valorem was likewise suggested upon hides, with the hope that if any of the industries were to be benefited by the passage of the bill that industry would at least receive some slight benefit from the measure.

When the matter came into the Senate an amendment was proposed placing a duty of 10 per cent ad valorem upon advanced hide products. That amendment, as I understand, was offered by the senior Senator from Massachusetts [Mr. LODGE]. It was agreed to by the Senate, but apparently the Senator from Massachusetts misjudged the situation and found that there was already a tariff of 30 per cent ad valorem upon manufactured leather products and that his amendment would be in the nature of a reduction. Therefore when the matter came before the conferees it was thought that the way to handle it, rather than to do anything that might at all mitigate against the interest of the manufacturers of hides, was to strike out the duty on hides altogether, as well as the 10 per cent ad valorem duty upon manufactured products.

The result is that the action of the conference committee takes away any duty upon hides and leaves the situation as it is at the present time, with an ad valorem of 30 per cent upon the manufactured product. It has been stated on the floor of the Senate this morning that that duty upon hides was stricken out in conference because it was alleged that the packers of the country practically controlled the hide industry; that they purchased practically all of the hides that went into the market of the country; that they purchased the cattle which carried the hides, and the price of which would enter into the sale of the animal at the packers' market.

But I desire to call attention to the fact that that can not be so, because there is left in the bill, according to the conference report, the duty of 2 cents a pound upon fresh meat, and if the packers controlled the hide industry of the country they controlled the meat industry, and whereas the importation of hides is a comparatively small matter, yet the control of the meat products of the country affects vitally every household in the land, and they have left in the bill the tariff of 2 cents a pound upon meats. If the packers control the one industry they control the other. I submit that there is absolutely no reason why there should be retained in the bill the provision of 2 cents a pound upon meat and the provision of 15 per cent ad valorem upon hides stricken out, because if the argument of the packers applies to the hides it applies to the meats.

A member of the conference committee has stated on the floor this morning that the reason why the tariff upon hides was stricken out was because under the rule the conference committee could not increase the compensatory duty upon the manufactured product. It is true that striking out the 10 per cent ad valorem amendment upon manufactured products would have left the tariff upon the manufactured products still 30 per cent, notwithstanding the fact that the manufacturers of hides had such a controlling influence, at least with the House conferees, that they were able to strike out absolutely any provision for a tariff upon hides. They wanted to get the hides free and yet retain the 30 per cent ad valorem duty upon the manufactured products.

I wish to say to those Senators who have been influential in this respect that the time has come when the people of the country are not going to permit this high tariff for the benefit of any particular section of the country. They are not going to levy a high tariff upon the manufactured products and leave out a tariff upon the raw materials. I wish the people of the western country to understand that cattlemen all over the country, the man who takes the hides to the markets from any section of the country, under the provisions of the conference report will be deprived of the benefit of any kind of a tariff, because under the rule the conferees could not increase the compensatory duty upon the manufactured product, although the manufacturers are now reaping the benefit of a duty of 30 per cent ad valorem. I think the people of the country should understand this fact.

I am going to vote for the conference report because I believe there is a great emergency in the country. I can not say that this bill will do the many good things that have been predicted for it, but if it will do any good I believe it ought to be passed in order to help relieve the very depressing situation which prevails throughout the country. I express the hope that when the bill shall pass, as I believe it will, the President of the United States will approve of it, so that the country may at least psychologically reap some benefit from this legislation, which, at least, is proposed in the attempt to relieve a very deplorable situation.

Mr. ASHURST. Mr. President, will the Senator from New Mexico yield to me at this point?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Arizona?

Mr. JONES of New Mexico. I yield.

Mr. ASHURST. If I correctly understand the Senator's able speech, the conferees have in their report eliminated the duty upon hides?

Mr. JONES of New Mexico. That is quite true.

Mr. ASHURST. And have not made a corresponding reduction in the duty on the manufactured article?

Mr. JONES of New Mexico. Under the existing law there is a duty of 30 per cent upon the manufactured article. The Senator from Massachusetts [Mr. LODGE] proposed an amendment to the bill when it was previously in the Senate placing a duty of 10 per cent ad valorem upon the manufactured products. That amendment was agreed to by the Senate, but, apparently, he later found that that would put the manufacturers in a less advantageous position than they now are, so the conferees eliminated the amendment.

Mr. SIMMONS. In other words, the Senator from Massachusetts evidently intended that the 10 per cent duty should be in addition to the present 30 per cent duty, but he left out "in addition," thereby reducing the duty, contrary to his expectation, from 40 per cent to 10 per cent.

Mr. ASHURST. Mr. President, those on both sides of the Senate and the House of Representatives who have voted for this bill, in my judgment, have voted for it upon the hypothesis solely and only that it was a farmers' emergency tariff bill. I am sure that most of the Members of the House and of the Senate who have voted for the bill believe that its psychological effect might be considerable in stimulating the agricultural industries of our country which already have been too much discriminated against. The bill still contains some value, but I regret and deplore—I will not characterize it as bad faith, for that would be unparliamentary—the circumstance if in this, which is supposed to be a farmers' bill, a bill solely and only to encourage and stimulate agriculture, they have done that which for 100 years has disgraced the annals of our legislative halls, to wit, kept a protective tariff on the manufactured article and retained the products of the farm, the field, and the ranch on the free list.

Mr. McCUMBER. Mr. President, will the Senator from Arizona yield to me?

Mr. ASHURST. I want first to finish my statement.

Those Senators who have voted for the bill may be justified in now voting for the conference report, but I wish it understood, so far as my vote is concerned, that I regret the alteration by the conferees. The bill yet has some effect for good in stimulating and encouraging our agricultural industries, but discriminations must not continue. If this be a sample of what Senators on the other side are going to give us in the tariff bill yet to come, if in the future they are going to give us a tariff bill which puts the manufactured article under a high protective tariff and places the products of the farm, the field, and the ranch on the free list, then again will their party be hurled from a towering eminence to the place where it was hurled in 1912.

I thought the time had come in America when the Republican Party, or at least the Democratic Party, had learned that a country can not subsist with such a gross discrimination written into its laws as the placing of manufactured leather which goes into boots and shoes under a high protective tariff and the raw material, which the farmer and the ranchman produces, on the free list.

Mr. McCUMBER. Will the Senator from New Mexico yield to me?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. JONES of New Mexico. I yield.

Mr. McCUMBER. The Senator from Arizona is not contending, is he, that the conference committee has done anything with reference to the Underwood-Simmons tariff law?

Mr. ASHURST. I contend that the conferees took the duty off hides.

Mr. McCUMBER. We have not interfered with that. The emergency tariff bill as it passed the other House contained nothing with reference to hides. The Senate put a compensatory duty on hides, but the House Members would not agree to it, and we thought it was better to put the bill through even with that left out, keeping the law unchanged as provided in the Underwood-Simmons tariff law, than to have the bill fail of passing the two Houses. That is practically all there was to it. I am as strongly in favor as is either the Senator from New Mexico or the Senator from Arizona of a duty on hides, because they are the farmer's finished product; they are not raw material to him; but we have not time to further consider that matter now in the closing days of the session. When, however, we frame our next tariff law, Senators will find that I shall stand pretty firmly for a protection on hides as well as on meat.

Mr. JONES of New Mexico. Mr. President——

Mr. ASHURST. If the Senator from New Mexico will further yield to me, all I want to ask of any Senator is this: "Are you for protection?" "Very well; then your foot may be upon the unriven rock as a philosophy of government, providing you extend the burdens and benefits to all alike." "Sir, are you for tariff for revenue only?" "You may plant your foot on the unriven rock as a philosophy of government if you raise revenue from the products of the farm, the field, and the ranch just as you raise revenue from the products of the factory." "Sir, are you for that absurd, hazy, nebulous thing which exists in the imagination only of theorists—free trade?" "You may even make a fair argument for that absurd doctrine if you believe in free trade in all things"; but how, in the name of fairness, how in the name of conscientious legislation, any Congress, now or hereafter, could put the manufactured article under the protection of a high tariff duty and then say to the farmer and the ranchman, "Sir, you must compete with the cheap foreign markets in order that our home factories may obtain their raw material cheaper."

When I first came to the Senate I was not much of a compromiser; I demanded the whole loaf or none; but I have learned a vast deal of legislation; I have learned that legislation is not logical; 2 and 2 make 4, that is logical; but it is impossible to legislate logically; there must be give and take if you ever expect to get anywhere. You must be able to negotiate compromises; you must sometimes accredit the other fellow with at least a grain of wisdom or a small particle of information. So, deploring that the duty on hides has been eliminated, or that the Senate conferees yielded on that item, I expect to vote for the report.

Mr. SHEPPARD. Mr. President, may I call the attention of the Senator from Arizona to what the conferees did, both as to hides and manufactures of hides?

Mr. ASHURST. So far as I am concerned, I will be glad to have the Senator do so, although the Senator from New Mexico has the floor.

Mr. JONES of New Mexico. I have no objection to the Senator from Texas making the statement.

Mr. SHEPPARD. Mr. President, the conference report not only struck out the duty on hides but also the duty which the Senate added on hides in the various processes of manufacture, thereby not leaving any discrimination, so far as the conference report is concerned, in this particular measure.

Mr. JONES of New Mexico. That is quite true, and I made a statement to that effect in the early part of my remarks; but it seems to me, in view of the peculiar conditions, that, when the manufacturer already has an ad valorem tariff of 30 per cent upon the manufactured product in any process of manufacture, including the cost of hides, labor, and everything else, if he found himself in this predicament, at least he might have compromised with his conscience by permitting the cattleman to have a duty of 15 per cent ad valorem on hides.

Mr. REED. Compromised his profits, not his conscience.

Mr. JONES of New Mexico. The suggestion has been made that the compromise should refer to profits only and not to conscience. I imagine that some manufacturers still have consciences, and they might reach some compromise of their conscience, but they have not done that; the duty on hides has been stricken out. I wish to say now that when we come to frame the regular tariff bill, if the manufacturers are going to be so insistent upon the preservation of their own profits, without regard to anybody else, they may meet with considerable trouble in framing tariff legislation at the next session of Congress.

Mr. SIMMONS. Mr. President, will the Senator yield to me for a moment before he takes his seat?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from North Carolina?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. SIMMONS. The matter could have been adjusted in conference so that the manufacturers of leather would have a compensatory duty of 200 per cent, but it could not be adjusted so that they would get a compensatory duty of 300 per cent. That was what they wanted, and because they could not get that the duty on hides was stricken out.

Mr. JONES of New Mexico. I am very glad the Senator, who is a member of the conference committee, has made that statement.

Mr. REED. Mr. President, I wish to say further a word of protest before this bill comes to a final vote. The bill is a repudiation of a great fundamental Democratic doctrine. Those Democrats who have given it their support now find, even before it has become a law, that their desertion of the Democratic faith has already placed them in a defenseless position.

The bill as reported by the conferees comes stripped of some of the important advantages they hoped to obtain for their constituents, while it retains all of the advantages the protected manufacturers had been granted. Thus early Democrats who have abandoned the faith find how dangerous it is to tamper with a principle and begin to realize the helplessness of their position.

Mr. ASHURST. Mr. President——

Mr. REED. Just a moment, the Democrats who have abandoned the old party faith for a temporary expedient are now driven into a corner by the representatives of the great manufacturers who have always profited by tariff legislation. Does the Senator from Arizona wish to ask me a question?

Mr. ASHURST. It will be so long that possibly I should not interrupt the Senator, but he has intimated that Senators who are supporting this bill are departing from the straight and narrow path of Democracy. Now, let us see in what respect——

Mr. REED. Does the Senator wish to ask me a question or does he desire to make a speech?

Mr. ASHURST. I want to engage the Senator in a colloquy, if he will permit, for two or three minutes.

Those of us on this side who are supporting the bill insist that it can not be democratic to grant favors to one set of citizens and deny them to others; that it can not be democracy to enact laws for the benefit of one citizen that do not apply equally to all citizens; in other words, we insist that the burdens and benefits of government must be distributed equally and alike to all.

Following that philosophy, we say if you be for free trade, should your mind be captivated by that impossible vagary, if you are honest, you will extend free trade to everything; if you be for protection, you will protect everything; if you seek revenue, sir, you will seek revenue from everything. What right have you as a Democrat to say we will replenish our Treasury by a duty upon this article, but not upon that? What right has a Republican to say, "We will protect this article, but not that?" What right has a wild-eyed free trader to say, "We will have free trade on this, but not on that?"

James Madison, a Democrat, who wrote the first tariff bill, who for eight years was President, and who during the eight years preceding that time was Secretary of State under Thomas Jefferson, was for a tariff on raw material; Jefferson, the father of the Democratic Party, was for a tariff on raw material; Andrew Jackson, who not only won with his sword the liberties of the people but sustained them as well with his pen, likewise was for a tariff on raw material.

Tariff duties on manufactured articles and free raw material that goes into the finished product is a heresy that has crept into the Democratic Party within the past 30 years. Call the roll of those who built up the Democratic Party; call the roll of those Democrats who for 50 years occupied the Presidency,

and it will be found that they were for a tariff on raw material if there were imposed a tariff on the manufactured articles. Call the roll of the immortal Senators and Representatives who have served their country and enriched the annals of the Democratic Party, and it will be found they were all for free trade for the finished product if there was to be free trade for the raw material. Protection for none or protection for all. Equal rights to all, special privileges to none. It is unjust and undemocratic to say to the farmer, "Sir, produce, produce, in a free trade unprotected market," and then say to the manufacturer, "You may sell in a protected market."

Mr. President, I thank the Senator for permitting this interruption. The Senator's Democracy is so unquestioned and his record as a Democrat is so unblemished that I fear his charge that we have departed from the faith may injure some of us, because when he announces the doctrine of Democracy all Democrats listen, knowing his splendid record in the past as a Democrat.

Mr. REED. Mr. President, in answering "the question" just asked permit me to say that I have never achieved anything so satisfactory as to have inspired the remarkable specimen of eloquence with which the Senator from Arizona has just entertained, delighted the Senate, and enlightened the country.

I do not intend to review the history of the tariff question nor to engage in any discussion about what Mr. Madison or Mr. Jefferson may have said a hundred years ago. I should be quite willing to do so if the time of the Senate were not just now so precious.

If I know anything about Democratic doctrine, it is that the levying of a tax not to raise revenue but raise the profits of a favored class is wrong in principle and opposed to the fundamentals of the Democratic Party. Against that heresy Democracy has steadfastly stood since before the distinguished Senator from Arizona was born.

If I know anything about the philosophy of government as maintained by my party, it is that a law which takes the property of one citizen and gives it to another without compensation is an unjust law. That robbery is still robbery, although perpetrated under the form of law.

The Republican Party have held to the theory that it is justifiable to tax one citizen for the benefit of another. The Democratic Party have denied that doctrine in every platform, on every stump, in every forum, for the past 50 years. Any attempt by a Democrat, by verbal gymnastics, to avoid the consequences of a vote in favor of this Republican protective measure will not for a moment deceive the American people.

We have now a tariff which was levied for revenue purposes. Without claiming that it is perfect, its purpose was to raise revenue for the Government, and not to raise profits for the manufacturers. We have steadfastly so declared, and thus justified that law. It is proposed now to pass this bill, not for the purpose of raising revenue, but for the purpose of tariff protection. The argument that has been made in favor of the bill is that the farmer needs protection; that the bill is to shut out competition and raise the price of the farmer's product to him. We all know that it is not intended the bill will raise revenue for the Government.

What is the justification offered by Democrats who vote in favor of this bill? Is it not that we already have a tariff law upon the statute books; that it affords protection to certain manufacturers, and that therefore a vote in favor of this bill can be excused?

It merely equalizes the situation by extending protection to the farmer. The fallacy in this argument is that we are not now operating under a protective tariff. The law upon the statute books is not a protective measure but a revenue measure.

When the Democrats enacted it they distinctly disclaimed the doctrine of protection. Accordingly, those who now vote in favor of this bill, which is purely protective, can not justify themselves, for they are endeavoring to graft on a Democratic revenue law the Republican doctrine of protection.

The purpose is boldly declared to be to raise the price upon those commodities which are raised by the constituents of Senators who support this measure. Thus these gentlemen place themselves in the position of sanctioning protection.

How, then, can they be heard to object to a bill which will be speedily reported by the new Republican Congress and which will place high protective duties upon manufactured products?

Our friends on this side who support the present bill will be confronted by their own arguments, and, having voted for a protective tariff upon farm products, can not be heard to object to a tariff upon manufactured products.

The present law—which, as I have shown, is a revenue law—is wicked and unjust. The Senator assumes it to be a protective tariff law. "Therefore," says the Senator, "I insist on extending the robbery to cover my own people."

Mr. MYERS. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I will yield to the Senator for a question.

Mr. MYERS. Has the Senator never believed in emergency legislation to meet emergency conditions?

Mr. REED. I shall discuss the emergency question in a moment.

Mr. MYERS. I will ask the Senator in that connection this question, the two together:

When the farmers of the West, who have for years combated droughts and high prices of all farm machinery and labor, last year made extraordinary efforts to put in a large wheat crop in response to the appeal to have America help feed the world, and produced that crop under enormous costs of labor and high-priced machinery, and have a part of it left over, does the Senator think it is right for them to be compelled to sell what wheat they have left at less than it cost them to produce it?

Mr. REED. I shall answer both of those questions in a moment. I prefer to wait a moment, until I arrive at that topic.

Mr. ASHURST. Mr. President, will the Senator yield to me at that point?

Mr. REED. I can not answer three questions at once. I will yield to the Senator, though. I can not help but do that.

Mr. ASHURST. The Senator is undoubtedly one of the ablest men in debate in this country. I know him well enough to know that he wants to be fair. That is his impulse of heart and mind. I am only solicitous at this point that he state my position accurately, and I know the Senator did not intend to state it with inaccuracy a moment ago.

My position is simply this: If it be the policy of our Government to have protection, then I simply insist that protection must be extended to the products of the fields, farms, and ranches alike with the products of the factories. If the policy of our Government be simply a tariff for revenue only, then I insist again that the revenue must be raised from the products of the ranch and the fields just as it is raised from the products of the factories.

I repeat that if theorists again obtain control of the executive branch of the Government and they conclude to have free trade, then I shall insist, as I do in the case of protection and as I do in the case of tariff for revenue, that you must treat all alike—free trade for all if you desire free trade, protection for all if you have it for one; raise the revenue from all if you raise it from one. I simply wish to make my position clear.

Mr. REED. I think the Senator made his position clear. I think he made it clear in the first instance. I do not think I misrepresented him. I certainly did not intend to do so.

Mr. ASHURST. I know that.

Mr. REED. I repeat the Senator's position is that we now have a protective tariff, and that therefore we ought to extend it to include the farmer; but it happens that we have not a protective tariff, but a tariff that the Democrats passed and that they declared to be a revenue tariff; and on to that revenue tariff, which we have always declared to be honest, the Senator proposes to graft a thing that we have always declared to be dishonest and robbery under the form of law; namely, a tariff for protective purposes alone.

That is the trouble with the Senator's logic. Now, if the Republicans bring in at the next session a high protective tariff bill, and leave out the products of the Senator's State, he may then protest, as he now protests, that he has a right to put farm products in; but, living under a tariff for revenue, enacted by Democratic Congresses, signed by a Democratic President, which we have defended on the ground that it is a tariff for revenue only and not a protective tariff, he proposes to graft onto it as gross a piece of bald protectionism, baldly announced, as has ever been conceived. That is the fault in the Senator's logic. All of which leads me to the observation that poor Hancock was about right when he said that in his judgment the tariff was a local issue; in other words, that many men were in favor of a tariff when there was some benefit flowing to them or to their immediate constituencies.

Mr. ASHURST. I think I can improve on Gen. Hancock's epigram. Every man is a free trader after he gets his own interest protected.

Mr. REED. Very well; you can turn it around, and after all what have you said, except that every man is in favor of robbing if he is permitted to divide the loot. Such a man sits here not for the purpose of enacting legislation for the benefit of all the country. He regards legislation as a pork-barrel proposition. Out of that barrel he proposes to grab with both hands

everything that will be of particular benefit to his own community. He pursues his nefarious business in utter disregard of the interests of the rest of the country and of his high duties as a public servant. That is about as sordid and about as contemptible a position as a man can take. It is on the level with what was formerly claimed to be the case with reference to appropriation bills. As to them it was claimed that votes were mustered by giving to each Congressman some particular thing he wanted. In order to get that thing, it was asserted, he would vote for a thousand things he knew were unjust. He voted for a lot of loot because he could get some pork.

Mr. ASHURST. The Senator does not apply that to me?

Mr. REED. No; I am merely replying to the Senator's argument. I am trying to show him where his enthusiasm leads him. Suppose the Senate and the House were to adopt that sort of philosophy, and were to boldly declare that they have proposed to have regard only to the interests of their own communities, which, being interpreted, is to have regard for their own political interests, so that they may continue to hold their seats—suppose all Members were to adopt that policy. Then every man in the Congress would be nothing but a public thief in a high place, engaged in the business of picking the pockets of the taxpayers through the agency of the Government of the United States. That is a fine philosophy to be announced as a rule of conduct.

I think I can answer, in my poor way, the question of the Senator from Montana [Mr. MYERS]. He inquired whether I believed there ever existed such a thing as an emergency, and whether we might not meet an emergency by proper legislation. Mr. President, of course emergencies arise, and when a real emergency does exist which can be met by proper legislation which will do justice to the rest of the country, we are all ready to provide the remedy.

What is this emergency, and how will any benefits accrue to the farmer? The whole world was upon a level of very high prices. Farmers, in common with others, were receiving high prices. Now the values of farm products all over the world have dropped. The farmer is suffering from that depression of prices. It is an economic situation existing not in the United States alone but in every country of the world.

Mr. MYERS. I call the Senator's attention to the fact that the price of the farmer's wheat was fixed during the war, and he did not reap the enormous prices that people engaged in business or commerce did.

Mr. REED. May I ask the Senator a question?

Mr. MYERS. Certainly.

Mr. REED. I ask the Senator if he did not vote to give Mr. Hoover the powers under which he regulated the price of the farmer's wheat?

Mr. MYERS. I did——

Mr. REED. I ask him also if I did not stand here in the Senate within 3 feet of the Senator from Montana, hour after hour, and declare that Mr. Hoover would employ his powers to license grain dealers and millers to cut down the farmer's prices, and if, nothwithstanding my warnings and my prophecies, the Senator did not vote to give Hoover those powers?

Mr. MYERS. I did; because I do not believe in profiteering by farmers or anybody else, and I voted to fix a price on the farmer's wheat, and I now vote to give the farmer justice and enable him to get a little more for his wheat than what it costs to produce it. I do not believe any producer of a necessity of life ought to be expected or compelled to receive less than what it costs to produce the article.

Mr. REED. In other words, the Senator is now ready to make restitution for his previous wrong.

Mr. MYERS. To give equality. I believe in equality.

Mr. REED. No; you can not give equality. Mr. President, as suggested by a Senator near me, cost is never the basis of market price; it is an incident. But let us see how you are going to give back to the farmer the thing which you took from him. When you denied him the markets of the world in which to sell——

Mr. MYERS. I want to remove from the Senator's mind a wrong impression of Mr. Hoover. I do not want the Senator to have any more wrong impressions than necessary, and I want him to know that Congress fixed the price of wheat and not Mr. Hoover.

Mr. REED. Congress never fixed the price of a bushel of wheat on earth.

Mr. MYERS. It passed an act fixing the price of wheat.

Mr. REED. No, it did not. Congress passed an act declaring that the Government would guarantee that wheat should not go below a certain price. This it did to encourage the farmer to plant heavily. But it never fixed the price at which the farmer should sell his wheat. Congress also gave Mr. Hoover the power to license grain dealers and millers and to organize the Export Grain Corporation. The latter concern was organized and always completely dominated by Mr. Hoover. Not a bushel of wheat could be shipped abroad except it was sold to the grain corporation. Thus the export trade was placed completely under Mr. Hoover's control. Having the power to license the grain dealer and miller, Mr. Hoover, in cold and deliberate abuse of his authority to license, fixed absolutely the price he would permit the miller and grain dealer to pay for wheat. This price he fixed at the minimum price guaranteed by the Government.

The miller and grain dealer, together with the export corporation, controlled by Mr. Hoover, constituted the entire market in which grains could be sold. Over them all Hoover had the power of life and death. He could condemn them to ruin by the simple process of revoking their license to do business. Thus he deprived the farmer of any market for his wheat at any price except that which Mr. Hoover arbitrarily fixed.

It was a willful abuse of the licensing power granted by Congress, for that power was given solely to stop the cornering of the grain market and the hoarding of necessities. It was intended to punish those who were violating the laws of good morals and honest trade. It was intended to prevent a cornering of the market. Mr. Hoover employed it to corner the market and to arbitrarily fix prices. It was one of the baldest misuses of power ever known in the history of this or any other country.

I repeat that Congress never intended that Hoover should fix the price of wheat or the price of the other necessities of life. The debates in the Senate show this beyond peradventure or dispute. The whole course of the legislation and the public discussion at the time demonstrates the truth of what I have said.

But because Congress gave Hoover the right to license a miller in order to prevent profiteering, or over a grain dealer in order to prevent profiteering, he exercised that power of life and death for an entirely different purpose, namely, to regulate the price of wheat, and said to his licensees, "If you pay more than a certain amount for wheat, viz, the minimum price fixed by Congress, I will destroy your business." That is how the farmer's market was taken from him and the price of his wheat fixed.

Mr. MYERS. I suggest that it was the evident intention of Congress to give the farmer enough for his wheat to give him a reasonable profit, and no more.

Mr. REED. So long as the law was on the statute books, the farmers did receive the guaranteed price Congress had fixed. But during all that time Hoover deprived him of the higher price he could have obtained in the market. I deny the statement that Congress meant to fix the maximum price.

Mr. President, I do not want to stand here and engage in continued colloquies, although they are very interesting, because I do not want to hold the Senate away from the business which it has before it. I could talk this bill to death; two or three of us, at least, could talk it to death. But I am not disposed to take that course. I want, however, to finish my reply to the Senator from Montana. He proposes now that we shall make restitution to the farmer for what he says Hoover, or as he mistakenly puts it, Congress took from him during the war. He now declares that the farmer ought to have had the benefit of the open market of the world during the war, and that market having been denied him, we ought now make restitution. How is that to be done?

Mr. MYERS. If the Senator will permit, I do not say that. I say that the farmer should not have the privilege of profiteering, and that he should not now have imposed upon him starvation.

Mr. REED. The Senator's statement was that the farmer was not allowed to enjoy the profits of the war as others were, and that now he is entitled to this protection by way of compensation.

Let us analyze that. We speak about the farmer as though he were one man, and as though, having taken from this aggregate man the advantage of an open market and deprived him, let us say, of a billion dollars, we can now, by passing this law, put back the billion into this pocket. But it happens that the farmer is not one man; he is many millions of men. Some farmers raised wheat during the war, and some of them did not.

Many of those who did not raise wheat during the war are raising it now, and many of those who raised wheat during the war are raising something else, or they have quit farming. Many, in fact, are dead. You can not, therefore, by this bill restore the money to the pockets from which it was taken. You do not know how much any man has lost, nor who has lost it. The benefits of this bill will not flow to the man who lost the

money but to anybody who happens just now to be raising wheat. So that there is nothing in that argument. You can not carry it out. You do me no good, if I have been wronged by a law, by passing a law which may put something in the pockets of John Smith or William Jones, who were, perhaps, not even farmers during the war.

But, Mr. President, the real and substantial objection to this bill, outside of the great question of principle, is, as I started to say when I was interrupted, that when you undertake to play the game of protection with the manufacturers of this country, when you admit the principle of protection, you have put your head in the lion's mouth. There never has been a time when the New England manufacturer did not know how to take care of himself. I said the other day, and I employ the same expression, a New England manufacturer can go around one of our western statesmen just like a cooper around a barrel. He can "head him in" and close up the bung hole before the poor fellow knows what is being done to him.

The eastern manufacturer makes a scientific study of the tariff. He knows the markets. He understands the effect of competition. He carefully devises laws which will prevent competition and which will enable him to extort unnatural and unjust profits from the American people. He knows just how to frame the laws and the influence necessary to secure their enactment.

Some western and southern Democrats now propose to join these eastern protectionists. You are now asking exactly what they ask, namely, a law to shut out competition.

The difference between these Democrats and the eastern manufacturer is this: The eastern manufacturer contends for a law which he knows actually will shut out a vigorous and effective competition. The proponents of this bill are contending for a law which will not shut out competition, because the competition does not exist.

The eastern manufacturer contends for something substantial which will benefit him. You are contending for something unsubstantial and which will bring no benefit to the farmers you so valiantly profess to champion.

The American woolen manufacturer knows that if you take down the tariff wall he will be met immediately by large shipments of goods from abroad which will compel him to cut his prices to the American purchaser. But he also knows—and we ought to have sense enough to know—when we raise more wheat than can be consumed at home, and must therefore ship hundreds of millions of bushels abroad every year, that a law which proposes to tax wheat coming into this country can not materially advance the price of wheat.

We ought to have sense enough to know that when we accept a doctrine of protection on farm products which we do not import we at the same time commit ourselves to the doctrine of protection on manufactured products which we can import and ought to import. We ought to recognize the fact that a high tariff on manufactured goods will enrich the manufacturer and impoverish all the people, including the farmer. We ought to know that we can not raise the price of a farm product by prohibiting its importation when all the time we are producing a surplus which we are obliged to export.

Mr. MYERS. Whom will it hurt, as far as wheat is concerned?

Mr. REED. Very well, if the bill is not going to hurt anybody, then it is not going to help anybody. If it does not raise the price of wheat, then you are offering your farmer a paper resolution, written in fraud, conceived in chicanery, and put forth for the purpose of deception.

Mr. OVERMAN. A gold brick.

Mr. REED. Yes; a gold brick, a term that out West even we are beginning to understand, and incidentally they are beginning to understand the legislative gold brick quite as well as they do one made of metal.

Will some one tell me, when the farmer of this country is obliged to find a market abroad for 218,000,000 bushels of his wheat is he to be benefited by this bill? If the farmer does not sell this surplus abroad it will rot in his bin. How is he going to be materially benefited by a law that proposes to tax grain coming into this country?

Oh, but some one says "Grain does come in."

This last year there were some 30,000,000 bushels of grain, in round numbers, that came in, and that wheat competes with our wheat. It does not require much thought to discern the fallacy in that assertion. The Dominion of Canada and the United States of America are all on the same piece of land. There is nothing that divides them during a good part of the way but a red line drawn on the map. The same kind of land lies immediately to the north that lies immediately to the south of that line. The same kind of people live in both countries. The wages upon the Canadian farm are higher to-day than they are upon the American farm. Canada is an exporter of wheat, and the United States is an exporter of wheat. The wheat raised just north of the Minnesota line or the Dakota line competes with the wheat raised just south of it—where? Wherever they meet in the general markets of the world. Bushel for bushel, they compete with each other. There in that market they reach exactly the same level of price.

But Canadian wheat comes into our country notwithstanding that fact, and why? Simply because of two circumstances. First, railroad lines are so built that a part of the country of Canada is tributary to the immediate markets of this country. Just as wheat will flow from the State of Minnesota naturally to the great mills of Minnesota, just as it will flow from Dakota to the great mills of Minnesota, because that milling center is on the shortest and most direct route, so some of the wheat raised in Canada flowing along the natural lines of commerce comes to those great mills to be ground into flour.

There is another reason which I can illustrate. I happen to live, as Senators all know, in Kansas City, where we have the great wheat belt of Kansas and the great wheat belt of Missouri to draw from. We have at Kansas City a market which I think is the third or fourth of the entire country.

A vast volume of wheat is grown right around us, and yet while that is true we bring wheat from northern Minnesota and from Dakota, of and for what reason? Because they raise certain varieties of wheat that are slightly different from the wheat raised in Kansas and Missouri. The mixing of the different grades of wheat produces a better flour than the wheats will produce if ground alone. The same principle applies to the great mills of Minnesota. They have the wheat hauled to them from the South and they have wheat hauled from the North. Being a great center of production and milling, a large quantity of Canadian wheat has come in there purely for the economic reasons to which I have referred.

But what happens to that wheat? What is the result? The first result is a better grade of flour. The second result is that we do the milling in this country and we make the profit. The third result is that our people have whatever economic benefits flow from the highly sensible transaction.

But while we have brought in 30,000,000 bushels more of wheat than there was in this country, at the same time we had to send out 225,000,000 bushels. But what of it? It simply means that a little more of the wheat that is down near the seaboard will be shipped abroad, and in the long run the farmer's price will be fixed by the wheat that is sent abroad, just as it would have been had no wheat been imported.

If the Canadian wheat had not come here, we would have had to meet it in the foreign market and sold our grain there in competition with it.

The price of the surplus we send abroad will be affected by this competition, and the price of the surplus will fix the price in the domestic market.

Is any Democrat going to deny that? Must I stand and argue that to Democrats? There is not a Democrat here who has not stood on the platforms of his State and declared to the people that protection upon farm products is of no value, because we have a surplus to ship abroad, and that the price of the surplus fixes the price in the home market.

There is one thing we may accomplish. We may stop that wheat flowing naturally into our mills. We may make those mills bring wheat a little farther to their hoppers, and then when we get through with all of it we will find the price over in Europe has fixed the price here.

Mr. WILLIAMS. And has increased the price of flour here.

Mr. REED. Yes; and we will probably have increased the price of flour here, because we will have interfered with the natural flow of the wheat along the most economical lines.

Mr. President, will some of the learned gentlemen take a pencil and figure out how they are going to sell 218,000,000 bushels of wheat over in Liverpool and then arbitrarily raise the price here 30 or 40 cents beyond the price received in Liverpool? Imagine yourself in the wheat business with a million bushels of wheat on hand, demanding, upon the passage of this bill, an arbitrary raise above the market price of 40 or 50 cents a bushel. Imagine everyone else in the country that has any wheat to ship abroad making the same demand. Of course, you would not send the wheat abroad, for you could not sell it there for a cent more than you can now. Then what would you do with it?

You would keep your wheat and after you had kept it awhile you would conclude you would rather have the foreign price than nothing and so you would sell at that price. If you were buying wheat, would you buy and pay 40 or 50 cents more than the price abroad with full knowledge that there was a

surplus of 225,000,000 bushels in the country that had to go abroad and be sold at the foreign price? You would know that if you bought and paid in excess of what you could get abroad, at the end of the season you would find yourself bankrupt because you would eventually be compelled to sell your wheat at the foreign level. That is all there is in the question.

Mr. SIMMONS. Mr. President, will the Senator let me make a suggestion?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Missouri yield to the Senator from North Carolina?

Mr. REED. With pleasure.

Mr. SIMMONS. If the 25,000,000 bushels of Canadian wheat had not been exported to this country and sold here in competition with our wheat, it would have been exported to Europe and there would have been sold in competition with our exported wheat.

Mr. REED. I tried to express the same idea, but I did not do so in so clear a way as the Senator has.

The fact is there are not enough mouths in this country to eat our wheat. There are mouths abroad that want it, but our wheat raisers have to sell their wheat over there in competition, so what are we offering the farmer? I do not wish to use harsh terms. I believe I will not say what I had in mind because it might sound cruel, but this I will say: This bill is an apple of Sodom, which will turn to ashes upon the lips of the American farmer.

Now, I am coming to the second point. I said that you were conceding the Republican doctrine and that you were going to pay the price. Before the bill got out of the committee the manufacturing protectionist had written his doctrine into it. He had assured himself of real swag in exchange for the farmers' imaginary swag. He is, in fact, the man who gets all the swag, because, as I have said, he is in competition with foreign manufacturers in this market. Observe when you put your little tariff here on wool and at the same time tell us that there is so much wool in this country that we can not use it for years—and if that is true no other wool can be shipped in here to amount to anything—how the manufacturer proceeded to take care of himself. He at once insisted upon a compensatory duty.

I read from the bill:

> Manufactures of wool or hair of the kind provided for in paragraph 17 is the component material of chief value, 45 cents a pound in addition to the rates of duty imposed thereon by existing law.

It works in this way: A tariff of 10 cents a pound is placed upon raw wool. Does the manufacturer get a compensating tariff of 45 cents only on the manufactured wool? Not at all. He gets a tariff of "45 cents a pound on any article in which wool is the chief component of value." Accordingly he puts a small amount of wool in shoddy goods, 90 per cent of which in weight and material may have been made out of rags from the hospitals and pesthouses of the world. Of course, the 10 per cent of wool that he puts in to hold the stuff together until he can sell it to the unsuspecting citizen is the chief component in value, whereupon he collects 45 per cent not only on the wool that he has put into that garment but 45 per cent on the shoddy as well. With a countenance as impassive as the Sphinx, apparently as innocent as a babe, this gentleman puts this over. I will venture the assertion that the committee that wrote this "farmers' bill" did not know that it was providing the shoddy and the cotton that goes into goods are protected 45 per cent along with the wool.

The cotton raiser is here also seeking a duty on the only kind of cotton the production of which is monopolized—for the one grade of cotton that can be raised on only a few patches of ground in the United States. The great bulk of that cotton must be imported. That gentleman wants to be protected on his cotton. What is the price the American people must pay? A compensatory duty on cotton goods is to be paid by every man who wears a shirt, by every woman who wears a cotton dress. Every time we use any cotton for any purpose there will be some of this particular variety of cotton shown to be in the article, and we shall pay a tariff duty on all the manufactured cotton goods.

Also we are going to protect lemons. There are a few lemons imported into this country. I wish there were many more. I am getting a little tired of the Fruit Growers' Association of California, which has grown into a huge monopoly, fixing the price of lemons for the country. The duty on lemons, however, will not do any good out in Montana; it will not do any good out in Missouri.

The only place that is to be benefited by that duty is a little ground out in California. Everybody who drinks a glass of lemonade will have to pay that tax.

Now, Mr. President, just a final word. Where does this new doctrine bring us? The steel manufacturer claims he can not manufacture steel without protection; the copper manufacturer claims he can not manufacture without protection; the lead and zinc concerns cry for protection; the woolen and cotton goods men demand protection; the glass and queens ware men insist upon protection. Nobody can compete with foreign industry; everybody will be destroyed unless he is protected.

At last comes the American farmer—not the American farmer, but a few gentlemen who, I think, are mistaken in the idea that they represent him—and it is said he can not compete with the foreign producer. Yet we must sell something abroad.

Are we to erect a wall around our country and get rich by trading with each other? Why are we building vast argosies to ply between our ports and the ports of other countries if they are to carry nothing in their bottoms? The tariff advocate says, "You must bring nothing here, because it will destroy our industries." He further says, "We can not compete with foreign goods and products at home." Well, if we can not compete with them at home, how can we compete with them abroad? So the doctrine denies our ability to maintain ourselves in the world; to trade with anybody for anything under any circumstances. Is it proposed that we shall create a condition in this country where we shall have high prices here for American goods and those goods be sold at a low price to foreigners? Is the result of all our legislation to be that we shall fatten American concerns with high prices paid by the American people and let foreigners have the benefit of low prices?

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I yield to the Senator.

Mr. THOMAS. Of course, the Senator from Missouri recalls that the decadence of our old merchant marine began and continued with the operation of the protective tariff?

Mr. REED. Yes; I remember that; but the fact seems to have been forgotten by many.

Mr. President, I have taken too much time, but I want to express this thought in conclusion: I venture to make the prediction that the American protectionist will speedily undergo a change of heart. The time when we can talk about infant industries has passed. The infant of 50 years ago is the giant to-day standing astride the world. There is not in any country under the bending sky to be found such vast and invincible combinations of talent and of money and of energy and of labor as are possessed in the United States of America. Those who recently sought to build great fleets of vessels did it upon the theory that we were to extend our foreign trade; of gathering in other lands their dollars and bringing them here to add to our wealth. They were right.

The day has come when America must enter the markets of the world; when she must send her flag into every port; when American-branded goods must be found on the counters of every civilized people and even among savage tribes. The day has come when America must cease the policy of isolation, so far as our trade and commerce are concerned. We must be prepared to compete with the world; we must be prepared and we are prepared to go into the markets of the world and meet foreign competition.

We hear a reference to the old question of pauper labor. That is a theory that has been exploded in every Democratic platform. I feel this afternoon as though I were making a speech 15 years ago; then we had a party and a flag that we followed, and on that flag was branded, if not free trade, at least "tariff for revenue only."

We heard then about pauper labor. It was a cry that was not raised by labor but by the capitalists who wanted to profit from labor, and who in those days ground the face of labor with a cruelty that was indescribable. Even while they were talking about pauper labor at the same time they were importing under contract the cheapest labor they could get in all the world and putting it in their mills to take the place of the higher class of labor that existed in this country.

These were the men who raised the cry of pauper labor. Sir, we have all gone over the old beaten path of this argument until I hesitate to repeat it; but it seems that memories are short and it is being forgotten.

The fact is that it is clearly demonstrable that with modern machinery, backed by the brains of intelligent labor, the cost of labor in any given article is less in the first-class mills of the country than it is when the article is produced by the so-called pauper labor of foreign lands.

The only real competitor the United States has to-day is not the pauper labor of the world, but is the labor of the most intelligent and highly civilized countries of the world. Before we had

our disagreement with Germany it was German competition and English competition and French competition and Norwegian and Swedish competition and Dutch competition that our merchants and manufacturers had to fear; we never had to fear the competition of India. The lazzaroni of the earth produced with their fingers in the dull way their ancestors had produced a thousand years ago. Chinese manufacturers never came into competition with American manufacturers except as to a few choice silks, or something of that kind, which we could not produce in this country as skillfully as they could. Production to-day is not a question of labor so much as it is of machinery.

Between the day when our grandmothers sat at the spinning wheel and spun the flax and twisted the yarn and wove with their little hand looms the clothing for the backs of themselves and their children, when every hand had to be busy late into day and this, when a mighty factory is run by steam, and when a garment represented almost nothing but labor—between that day and this, when a mighty factory is run by steam, and when one employee can watch 10 or 12 machines that with numberless fingers and with the skill of magic do the work that a hundred or two hundred people formerly did—between these two extremes there is no comparison. There is no more comparison between the pauper laborer of the world, as a competitive factor, and our labor than there is between the uncivilized barbarian with his bow and arrow and the modern soldier with his deadly cannon and other instruments of destruction.

Just as the backward races can not barehanded charge in the mouths of our guns, just as they fall as the autumn leaves before the advance of our men equipped with modern arms, so economically they must give way. They are not and can not be our competitors.

Mr. President, I would not have spoken for more than five minutes if I had not been asked questions and led aside. This bill, Democrats, is a repudiation of our old doctrines. Sugar coat it as you may, it is the same old pill. I regret to see some of my brethren take a position in favor of it, because I know that their action will come home to plague us. I know that no man who votes for this measure can with consistency oppose the bill that I suspect is now being incubated in the offices of the great factories of the East—a bill that will be put over in the next Congress by the immense Republican majority that will assemble here after the 4th of March. But I am not going to stand and try to defeat the bill by a filibuster, although I am sorely tempted to do so. If it is to pass, let it pass, and perhaps our people will all the sooner find out how shallow is the pretense and how hollow the mockery of this so-called farmers' emergency tariff bill.

Mr. UNDERWOOD obtained the floor.

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gronna	McLean	Smith, S. C.
Ball	Hale	McNary	Smoot
Beckham	Harris	Moses	Spencer
Borah	Harrison	Myers	Stanley
Brandegee	Heflin	Nelson	Sterling
Calder	Henderson	New	Sutherland
Capper	Hitchcock	Norris	Swanson
Chamberlain	Jones, N. Mex.	Overman	Thomas
Colt	Jones, Wash.	Phelan	Trammell
Culberson	Kellogg	Phipps	Underwood
Curtis	Kendrick	Pittman	Wadsworth
Dial	Kenyon	Poindexter	Walsh, Mass.
Dillingham	Keyes	Pomerene	Walsh, Mont.
Edge	King	Ransdell	Warren
Elkins	Kirby	Reed	Watson
Fernald	Knox	Sheppard	Williams
Fletcher	La Follette	Shields	Willis
Gay	Lenroot	Simmons	Wolcott
Gerry	Lodge	Smith, Ariz.	
Glass	McCumber	Smith, Ga.	
Gooding	McKellar	Smith, Md.	

The PRESIDING OFFICER. Eighty-one Senators have answered to the roll call. There is a quorum present.

Mr. UNDERWOOD. Mr. President, I do not intend to detain the Senate at any length in the discussion of the pending bill, nor do I intend to discuss the details of the measure; but this bill is of too great importance, too vital to the people of the United States, to go through and go to the President unless a serious protest is made against its passage on the fundamental principles of government and taxation, every one of which it violates within the folds of the bill.

I think it is conceded, and no man disputes these facts, that most, if not all, of the duties levied in this bill provide for a higher rate of taxation than any legislation that has been levied on similar articles at any time heretofore in the history of this Government. I think it is conceded and not disputed that the real purpose of the bill is not to raise revenue for the benefit of the Treasury of the United States, but to establish an embargo on the importation of certain classes of foreign goods coming into this country by erecting a tax wall at the customhouse so high that it will cut off entirely the inward flow of commerce so far as most of the items named in the bill are concerned.

If that be true—and, so far as I know, it is admitted—then, Mr. President, the passage of this bill establishes a new era in the problem not only of levying taxes but of carrying on our foreign commerce so far as this Nation is concerned.

It establishes a most serious and dangerous precedent. It is true that one or two items in the bill will be revenue producers, such as sugar; but practically all the items have erected this wall so high that with the tax levied at the customhouse nothing can come in, it being the intention of the proponents of the measure to establish an embargo against foreign competition in order to pyramid prices at home. Of course as to how far the measure will be effective is dependent on many factors that can not be controlled by the bill. Some of the commodities in this bill have their prices fixed in the markets of the world, and others have their values fixed in the home market. On the one hand, for instance, is wheat, a world product, whose final market is established by the prices fixed on the Liverpool exchange; and on the other hand, within the folds of this bill, is corn, a domestic product, whose prices are fixed entirely within the domestic market. So, under those circumstances, no man can predict with safety whether the effect of this bill is going to be to stimulate prices all along the line or whether its effect will be otherwise; but we do know this: No matter what may be the ultimate effect of the bill, we do know the purpose for which it is proposed, and that is the establishment of an embargo on commerce by the hand of taxation—something that even the Republican Party never had the face to propose in the palmiest days of Republican protection.

Then, on the other hand, we have a new problem that is confronting the country—the problem of continuing our foreign trade, developing foreign markets for our excess production, and the collection of the debts due us by nations abroad.

For a quarter of a century or more after the close of the Civil War, during the period when a high protective tariff was maintained in this country, we were a debtor Nation; and notwithstanding the fact that that tariff had a tendency to keep out of this country foreign goods, yet it could be maintained without destroying the business life of the nations with which we dealt, because we were a debtor Nation. If they did not have the gold to pay us for our commodities, when they could not barter or exchange, they held vast amounts of American securities, and could pay us for our goods in the return of American securities, or with the interest on the debts that we owed in Europe, and the dividends.

But to-day no such condition confronts us. We are the one great creditor Nation of the world. The surplus gold of the world is locked in our vaults. American securities which are owned abroad have long since come home. There is no way by which the purchasers of American goods can pay the American people for the price of trade except through barter and exchange. If we have reached the period in the history of the country where the dominant party in control of this Nation for the next four years is about to launch a policy of government that stands for exclusion of foreign trade, the country should know it. If we are about to enter upon a policy that is to close the doors to importations from abroad, and give no chance to exchange our commodities for our neighbor's commodities, and thereby exclude foreign trade, we destroy the export business of the United States.

But not only that, the people of the world owe this Government and the people of America in the neighborhood of $20,000,000,000, Government debts and private debts, and when you continue this policy and say, now that they have no gold to pay you with, and have no American securities to pay you with, that you propose to erect an embargo at the customhouse so that they can not pay your debts by selling you the products of their land and their factories and their mills, then you force repudiation upon them, and must let the burden of that indebtedness go back on your own people, and they become the sufferers in the end.

I take it that the party in power in this Chamber, the Republican Party, would not have proposed this measure if they had not determined on a policy for the future. I know and you know that you can not propose this measure now and repudiate it a few months from now. If this measure is adopted and becomes a law, the man who does not believe it means disaster and ruin to the country is a man without vision and without foresight, in my judgment.

Mr. President, I have said what I wished to say in opposition to this conference report. An extended argument on my part would accomplish nothing. I know that the vote is already prepared for delivery. But it will not end here, and when the hour comes when the American people realize the folly of this legislation there will be a day of reckoning yet to come.

Mr. WILLIAMS. Mr. President, I have listened with my usual pleasure to the Senator from Alabama [Mr. UNDERWOOD]. I listened but a moment before with renewed pleasure to the Senator from Missouri [Mr. REED], between whom and me of recent months there has been very little concordance of opinion. But I think that a moment ago he made one of the most brilliant and one of the most profound analyses of the falsity of the whole protective system that I have ever listened to in this Chamber.

I never had an intellect which permitted my momentary unfriendship for a man to interfere with my appreciation of his intellectual ability. I especially listened to his analysis of the bête noire of all the economists for a long time and the "scarecrow" that the Republican Party has held out as a fright to the view of the people in the shape of an image of "pauper labor."

I just want to say that I wish the Senator from Missouri had gone one step farther while he was disclosing the fact that pauper labor was powerless, and had shown the real cause of its powerlessness, because there are two weapons which it does not possess nor ever can possess. One weapon is machinery and the other is intelligence. It needs intelligence even to operate the clumsiest machinery.

The fact is that pauper labor is always helpless, no matter how cheap its per diem purchase, as compared with intelligent labor, whose value is measured in its per product purchase, because pauper labor has not the machinery and has not the intelligence.

Then, I would wish that he had gone one step farther and had said two other things which are always true. Those two other things are these: *Machinery is capitalized intellect* and *intelligence is capitalized labor*. The two together spell accumulation, and accumulation of invention and intelligence spells civilization. I just wanted to add those words to the debate, and shall rest content with the final judgment of the people.

Mr. SIMMONS. Mr. President, I hope we can now have the vote on the emergency tariff bill.

Mr. SMOOT and Mr. SIMMONS called for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I understand that if he were present he would vote as I am about to vote. I vote "yea."

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK], who would vote on this question as I shall vote. I vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I am informed that he is in favor of this bill, so I am free to vote. I vote "yea."

Mr. MCCUMBER (when Mr. PENROSE's name was called). The senior Senator from Pennsylvania [Mr. PENROSE] is necessarily absent from the Senate, having been called away. If he were present and not paired he would vote "yea."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], who has not been able to be present, and I have not been able to secure a transfer of my pair. If that Senator were present and I were entitled to vote, I should take infinite pleasure in voting "nay"; but as it is, I must withhold my vote.

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from Arkansas [Mr. ROBINSON], and vote "nay."

Mr. WILLIAMS. I have secured a transfer of my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Arizona [Mr. SMITH]. I vote "nay."

Mr. GERRY. I desire to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON] on official business.

The result was announced—yeas 49, nays 36, as follows:

YEAS—49.

Ashurst	Dillingham	Jones, N. Mex.	McCumber
Ball	Elkins	Jones, Wash.	McLean
Borah	Fernald	Kellogg	McNary
Brandegee	Frelinghuysen	Kendrick	Myers
Calder	Gay	Kenyon	Nelson
Capper	Gooding	Knox	New
Chamberlain	Gronna	La Follette	Norris
Cummins	Hale	Lenroot	Phelan
Curtis	Henderson	Lodge	Phipps
Pittman	Smoot	Townsend	Willis
Poindexter	Spencer	Wadsworth	
Ransdell	Sterling	Warren	
Sheppard	Sutherland	Watson	

NAYS—36.

Beckham	Harris	Overman	Stanley
Colt	Harrison	Owen	Swanson
Culberson	Heflin	Pomerene	Thomas
Dial	Hitchcock	Reed	Trammell
Edge	Keyes	Shields	Underwood
Fletcher	King	Simmons	Walsh, Mass.
Gerry	Kirby	Smith, Ga.	Walsh, Mont.
Glass	McKellar	Smith, Md.	Williams
Gore	Moses	Smith, S. C.	Wolcott

NOT VOTING—11.

Fall	Johnson, S. Dak.	Page	Sherman
France	McCormick	Penrose	Smith, Ariz.
Johnson, Calif.	Newberry	Robinson	

So the conference report was agreed to.

BONUS FOR EX-SOLDIERS.

Mr. MCCUMBER. Mr. President, I am instructed by the Committee on Finance to report back favorably with certain amendments the bill (H. R. 14157) to provide adjusted compensation for veterans of the World War, to provide revenues therefor, and for other purposes, and I submit a report (No. 821) thereon.

I am instructed also to state that the Senator from Colorado [Mr. THOMAS] will file a minority report.

I have been requested also in making the report to present a short statement of the action of the committee thereon. I hope that Senators will allow me this opportunity without interruption so that I may present the matter clearly in 5 or 10 minutes to the end that we may all understand it without going through the more voluminous report.

The bill, known as the soldiers' bonus bill, passed the House in the very closing days of the last session. It contained five different schemes of remuneration, all except the cash plan, in their details, being complex and exceedingly difficult of cost estimate.

As it was apparent even at that time that the Treasury could not meet the added obligation created by the proposed law under our present revenue system, these several bonus proposals were accompanied by a tax scheme which gave little heed to what the business on which it was levied could stand.

Of course, it was not expected and it was not possible that the bill should be considered by the Congress until the assembling of the short winter session; and it is apparent to anyone acquainted with the work of Congress that during the short session, with all the supply bills and other legislation necessary for the conduct of the Government, no such revision of our tax laws as contemplated could be accomplished.

It has been asserted on the floor and elsewhere that the Finance Committee has had this bill since the last of May, 1920. Of course, Senators and Members of Congress know this is not true. They know that Congress adjourned June 5 and did not meet until the month of December. So the committee has had the bill only during part of December, all of January, and part of February.

Hearings were given by the committee early in the session. At the same time hearings were given on the emergency tariff bill. It is needless to say that there are members of the committee who are intensely opposed to this legislation at this time, and that the Secretary of the Treasury considers it most unwise to either add to the taxes or to issue bonds for this purpose.

The exact time at which the bill shall become a law is not so important, provided it is passed a sufficient time prior to the beginning of payments thereunder to enable the veterans to make their selection. The bill, both as it passed the House and as recommended by the Committee on Finance of the Senate, fixes a time in the future for the beginning of the payments thereunder. Therefore, the question whether it becomes a law at the close of this session or early in the next session is not at all important.

The one important thing to the veteran is that its enactment is certain. The important thing to the country is that the payments to be made under it shall begin at such a period as will enable the country to tide over present deficits, and that its obligation, whatever it may be, shall be established to the end that the revenue bill to be taken up in April may be framed with that obligation in view. I hope we can pass it this session. But I appreciate that with the supply bills knocking loudly at our doors, any Senator or number of Senators, however small, could delay final action until the April session.

The committee decided a few days ago to report the bill favorably with such amendments as would postpone the beginning of the payments under it until a period 18 months later than that fixed by the House bill, and would leave the method

of meeting the obligation to be determined by the Congress at the April session. I was instructed to present to the committee as accurate a statement as possible as to what this legislation would cost the country, and how that cost would be distributed throughout the ensuing years.

I immediately began my work and have continued it every day, including Sunday, and with the aid of the Actuary from the Treasury Department have just completed the necessary tables to present the matter intelligently to the Congress and to the country.

The Treasury reports show that for the fiscal years 1921 and 1922 there will be an aggregate deficit of nearly $3,500,000,000. If this bill is to go into effect July 1, 1921, as it passed the House, we must issue bonds to meet its requirements. The Secretary of the Treasury deems it most unwise to force a loan at this time, under the depressed conditions of the country and with a sure falling off of revenues. I think we may assume that the Secretary of the Treasury is in accord with the Executive, and therefore the enactment of the bill without such extension of the time of payments thereunder as will pass its obligations over these deficit years might meet with Executive disapproval. The committee, considering all these matters, fixed January 1, 1923, as the date for the beginning of payments thereunder. I think the bill should be passed in that form, leaving the conference committee of the two Houses to get together on some exact date which would not be earlier than July 1, 1921, nor later than January 1, 1923. Or, if the Senate believe that a date earlier than January 1, 1923, should be fixed, it can voice its judgment by an appropriate amendment. I believe that greater progress and better results could be obtained by passing the bill as presented by the Senate committee.

In order to arrive at anything definite we must determine as nearly as may be the number who will avail themselves of each provision of the bill. And, as we may differ in the matter of our estimates of this number, it will necessitate several tables, taking several different estimates as their basis. And with all of them before us, showing the absolute minimum and the possible maximum, we can arrive at a conclusion that will be approximately correct as to the cost and how much must be appropriated each year to cover it.

In making these computations it was necessary to ascertain the number having overseas service, the number having home service, the man days at home and the man days abroad, the average days' service at home, and the average days' service abroad. The 60 days must first be deducted from the home service, and if less than 60 days of such service, then the balance must be deducted from the overseas service. We must estimate for the number who will in all probability apply for each plan, and we must submit several tables based upon different estimates of these proportionate numbers. In each case we must make use of mortuary tables to determine the number of deaths, and must make allowance therefor.

In the certificate plan we must, in addition, estimate the number of borrowers and the percentage of borrowings. We must again make allowance for deaths each year, and the amounts that will become immediately due by reason of such deaths. We must make allowances in each table for yearly repayments of borrowings.

A brief statement of the general plan of the bill, the merits of the bill, the precedents for like legislation, what other countries are doing for their soldiers, the reasons guiding us in making our estimates for the proportionate number applying under each plan, and the tables presenting these estimates are all set forth in full in the report.

Table I shows the cost to the country if every veteran should accept the cash plan, together with the amount to be paid each year. This cash plan involves the minimum expenditure.

Table II shows the total cost if every veteran should accept the certificate plan, with no borrowings, together with the estimated amount to be paid each year due to deaths.

The only purpose of this table, No. II, is to show the greatest possible cost to the country. The two together present the two extremes. The cash plan would require nearly all of the entire debt to be paid in the first two years, a small balance running into the third year. The certificate plan, though involving a much larger sum, would distribute the payments over 20 years.

Table III shows the total cost if 80 per cent of the veterans should accept the certificate plan and 20 per cent the cash plan, together with the cost each year, making allowance for an estimate of 33⅓ per cent of borrowings and payment of full amounts assured on account of deaths. It is my opinion that this table will be the most accurate one presented.

Under the 20-year endowment plan employed by the principal insurance companies, about 15 per cent of the total insurance is represented in borrowings. We have a little more than doubled that amount in our estimate.

Table IV shows the cost if 66⅔ per cent should apply for the certificate plan and 33⅓ per cent for the cash plan, making allowance for deaths and estimating the borrowings at 33⅓ per cent.

The experience tables of the large insurance companies carrying 20-year endowment insurance policies show about 15 per cent of the total insurance loaned out to the policyholders. To be conservative, we have more than doubled this amount.

Table V shows the total cost if 50 per cent should apply for the certificate plan and 50 per cent for the cash plan, making the same allowance for deaths and borrowings.

All three of these last-mentioned tables must, of course, allow for the installment repayments.

Following the concluding pages of the report we have—

Total number in service in Army		4,262,105
Total man days' service from Apr. 5, 1917, to July 1, 1919		1,427,325,000
Average days' service per man		334.89
Total number overseas force in Army		2,022,635
Total man days' service overseas from Apr. 5, 1917, to July 1, 1919		709,740,000
Average days' service per man overseas		350.90
Total number exclusively in home service force		2,239,470
Total man days' home service from Apr. 5, 1917, to July 1, 1919		717,585,000
Average days' service per man home service, less 60 days to be deducted first from home service		260.42
Number of deaths in service overseas		80,635
Number of deaths home service		34,617
Total deaths in service		115,282
Number of officers above rank of captain in overseas force (estimated)		7,000
Number of officers above rank of captain in home service (estimated)		7,500
Total number of officers above rank of captain		14,500
Number of deaths in Army from July 1, 1919, to Jan. 1, 1923 (estimated)		117,586
Number in Army entitled to benefits Jan. 1, 1923		4,014,767
Total number in service in Navy		551,736
Deaths in service	2,341	
Officers above rank of lieutenant (estimated)	1,895	
		4,236
Number entitled to benefits of this bill July 1, 1919		547,500
Deaths between July 1, 1919, and Jan. 1, 1923		15,579
Number entitled to benefits Jan. 1, 1923		531,921
Overseas force (estimated)		500,000
Home force (estimated		47,500
Average length of service	days	325
Less 60 days deducted	do	265
Total number Army and Navy entitled to benefits Jan. 1, 1923		4,546,688

The cost tables show as follows:

1. On the basis that every veteran should accept the cash plan—

Total cost	$1,547,904,395
To be appropriated for in 1923	909,337,600
To be appropriated for in 1924	600,014,102
To be appropriated for in 1925	38,552,693

2. On the basis that every veteran should accept the certificate plan, with no borrowings, and making allowance for annual payments on account of deaths—

Total amount in 1943 would aggregate	$5,251,364,907
To be appropriated for in 1923	44,256,180

This sum increases yearly up to 1942, when—

The amount required would be	56,962,190
Leaving all the balance to be paid in a single payment due in 1943 of	4,290,280,031

But as suggested, these two tables do not indicate what, in fact, will be the operation of the law, but are given to show possible minimum and maximum costs and place a limit upon extreme calculations.

3. On the basis that 20 per cent of the veterans should accept the cash-payment plan and 80 per cent the certificate plan, and assuming that one-third of those entitled borrow on their certificates the full amount they are entitled to borrow, and making allowance for repayments, and also for deaths, the total amount in 1943 would aggregate $4,356,338,615.

The yearly payments, however, would be—

1923	$217,302,544
1924	155,456,774
1925	94,108,665
1926	70,228,416
1927	59,441,691

After 1927 the annual payments would decrease on account of repayment of borrowings until 1936, when the repayments on account of loans would be more than sufficient to meet the payments on account of deaths and loans. This would continue until 1940, when the excess of payments on account of deaths would amount to $2,543,321. These payments would increase until in 1942 they would amount to $19,325,219. The final payment on account of maturity in 1943 would amount to $3,383,692,496.

4. On the basis that one-third of the veterans should accept the cash-payment plan and two-thirds the certificate plan, making the same allowance as in previous tables, the entire cost up to and including 1943 would be $3,888,282,142.

The yearly payments would be as follows:

1923	$332,641,720
1924	229,566,161
1925	84,348,649

From 1925 the amounts would decrease until 1935, when there would be no cost until 1939, four years, during which period the repayments would exceed the amounts necessary to meet the obligation. There would be a balance due at the maturity of the certificates in 1943 of $2,819,743,747.

5. On the basis that 50 per cent of the veterans take the cash-payment plan and 50 per cent the certificate plan, making the same allowance as in the previous tables, the entire cost up to and including 1943 would be $3,303,153,231.

The yearly payments would be as follows:

1923	$476,796,890
1924	322,165,772
1925	72,146,424

These yearly amounts then decrease each year to 1936. Then there would be an excess of repayments of loans over payments on account of loans and deaths for the four years, 1936, 1937, 1938, and 1939, of over $20,000,000. A final payment upon the matured certificates would be due in 1943 of $2,114,807,810.

It will thus be seen that while this bill provides for a very large sum, when distributed over the 20 years, under any reasonable estimate of the proportionate number that will apply for each plan, the yearly cost will not be burdensome. And if, as suggested in the report, the debts due this country from our war associates should be funded into long-time, interest-bearing bonds the interest thereon will far more than take care of the obligations created by the bill without any increase whatever in our taxes.

NAVAL APPROPRIATIONS.

Mr. POINDEXTER. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. BORAH. Mr. President, I understand the motion is debatable.

The VICE PRESIDENT. It is.

Mr. BORAH. I desire to submit some observations.

Mr. POMERENE. Mr. President, will the Senator yield to me for a moment to enable me to submit a proposed amendment to the pending bill?

Mr. BORAH. I yield.

Mr. POMERENE. I submit an amendment intended to be proposed by me to House bill 15975, the naval appropriation bill, which I ask may be printed, lie on the table, and be incorporated in the RECORD.

There being no objection, the amendment was ordered to be printed, to lie on the table, and to be printed in the RECORD, as follows:

Provided, That the President is hereby authorized in his discretion to delay in whole or in part the building program herein provided for, for a period of six months, in order to enable him to arrange for a conference with the Governments of Great Britain, Japan, and such other powers as to him may seem proper, with the view of reducing substantially the naval building program of the several Governments so participating in said conference; and if they agree upon such plan of reduction the President is hereby further authorized to suspend, in whole or in part, the said building program in order to enable him to carry out any agreement thus made.

Mr. THOMAS. On behalf of the Senator from Illinois [Mr. MCCORMICK] I submit an amendment intended to be proposed by him to House bill 15975, the naval appropriation bill.

There being no objection, the amendment was ordered to lie on the table and be printed, as follows:

On page 6, after line 3, insert the following:
"Historical pictorial record of the American fleet in foreign waters: To enable the Secretary of the Navy, under such rules and regulations as he may prescribe, to authorize and employ Burnell Poole to continue his work on an historical pictorial record of the operation of the American fleet in foreign waters, $25,000."

Mr. STERLING. Mr. President, will the Senator yield to me?

Mr. BORAH. I yield to the Senator from South Dakota.

Mr. STERLING. Mr. President, if the Senator will yield, I should like to bring before the Senate the joint resolution repealing war time legislation.

Mr. BORAH. What was the request?

Mr. STERLING. The request is that I may bring before the Senate the joint resolution declaring that certain war time acts of Congress—joint resolutions and proclamations—shall be construed as if the war had terminated.

Mr. BORAH. At the present time there is a motion before the Senate. If I may have the attention of the Senator from Washington, I desire to say that there are some remarks upon the naval bill that I should like to make before the motion is finally put. I understand, of course, that the Senator will ultimately get his bill before the Senate, but I do desire to say something in regard to it before the motion to take it up is voted upon. If, however, the Senator from Washington will delay his request so that the Senator from South Dakota may prefer his, of course I have no objection. I simply do not want to lose my opportunity to say what seems to me to be relevant before the bill is taken up.

Mr. POINDEXTER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. POINDEXTER. Rule IX is not perfectly clear to me. I notice that preference is given to a motion to proceed to the consideration of an appropriation bill, and certain other motions are in order, and the rule provides that—

Each of the foregoing motions shall be decided without debate and shall have precedence in the order above named.

The VICE PRESIDENT. That is after the consideration of bills not objected to, and not later than 2 o'clock. This is after 2 o'clock, and the motion is debatable.

Mr. POINDEXTER. The rule is not particularly clear, and that is why I asked the Chair.

I will say to the Senator from Idaho, so far as I am concerned and in accordance with conversations I have had with the Senator from South Dakota, that when the naval bill is taken up for consideration I shall give consent, so far as I am concerned, to proceeding for a brief time to the consideration of the matter of which the Senator from South Dakota has spoken; but I desire to get the naval bill up first.

Mr. BORAH. Mr. President, what I said to the Senator from Washington was that there are some observations upon this measure which I feel, in justice to the committee and myself, too, that I should make before the motion to take it up is voted upon, and I do not want to lose the opportunity to do so. If the Senator from Washington will permit the Senator from South Dakota to proceed without my losing my right to speak before the motion is voted upon, I have no objection to the agreement which they have made being carried out. In fact, I am anxious to have the agreement carried out.

Mr. STERLING. I so understood; and, furthermore, I do not think it will take a long time to dispose of the joint resolution.

Mr. SMITH of South Carolina. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SMITH of South Carolina. A proposal to take up an appropriation bill after 2 o'clock is debatable; is it not?

The VICE PRESIDENT. Certainly.

Mr. SMITH of South Carolina. If that be the case, and the Chair so rules, the Senator can get his opportunity to discuss it before the bill is taken up.

The VICE PRESIDENT. This is the exact parliamentary situation: The Senator from Washington [Mr. POINDEXTER] has moved to proceed to the consideration of the naval appropriation bill. The Senator from Idaho [Mr. BORAH] has the floor for the purpose of discussing the question as to whether it shall or shall not be taken up, or saying anything else he wants to say. The Senator from South Dakota [Mr. STERLING] interrupts by asking to take up another measure. He can take it up only by unanimous consent. He can not displace the motion of the Senator from Washington, but he can take it up by unanimous consent.

Mr. POINDEXTER. Mr. President, I object to the displacement of the motion which I made. I will state, however, that in conversation with the Senator from South Dakota I told him that, so far as I was concerned, I should allow him to take up his matter for a brief time after the naval bill is laid before the Senate.

Mr. STERLING. I will state that it is not my desire at all to displace the naval appropriation bill; and I will ask unanimous consent, if permitted, if the Senator from Idaho will yield for that purpose, to take up this joint resolution.

The VICE PRESIDENT. The Senator from Washington has already objected to that.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. I yield.

Mr. WALSH of Montana. I understood that the request of the Senator from South Dakota for unanimous consent was before the Senate.

The VICE PRESIDENT. The Senator from Washington said he would object; that he wanted a vote on the question as to whether or not the naval bill should be taken up; so that disposes of the request for the present.

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Mexico?

Mr. BORAH. I yield.

Mr. JONES of New Mexico. I should like to inquire of the Senator if he would be willing for me to offer at this time some amendments that I have prepared to the soldiers' bonus bill and make a short explanation of those amendments? I should like to have my amendments and the statement I desire to make in regard to them get in the RECORD along with the statement made awhile ago by the Senator from North Dakota [Mr. MCCUMBER].

Mr. BORAH. Mr. President, I should be pleased to accommodate the Senator from New Mexico if it were not for the fact that I might lose an opportunity, in view of the rapidity with which things move in these days, to make the observations which I desire to make. Of course, on the question of time, nothing would be gained one way or the other whether I speak now or after the bill is up; but there are some suggestions which I desire to make which I think ought to be made before the bill comes up, and it is not a question of time; it is a question of the propriety of the occasion when they should be made. I do not want to yield to the Senator from New Mexico unless it is satisfactory to the Senator from Washington, for I rather suspect that the Senator from Washington is under the impression that I am trying to kill time, which I am not.

Mr. POINDEXTER. I am very glad to be reassured by the Senator from Idaho. I shall be compelled to object to the interruption of the remarks of the Senator from Idaho.

Mr. JONES of New Mexico. Mr. President, I understand that it is out of order, and that the Senator from Washington has a right to object, but I want to state to the Senator from Washington now that I am going to oppose the taking up of the naval bill until the bonus bill is disposed of.

Mr. BORAH. Mr. President, I was not entirely oblivious to the remark which the Senator from Washington [Mr. POINDEXTER] made, that he was glad to be reassured that I was not here for the purpose of occupying time. There are a great many dilatory motions which might have been made in regard to this bill which have not been made, and so far as I am concerned there will not be any dilatory motions made. I simply desire to discuss the bill upon what I believe to be its merits, and I do not desire to be hurried, although it is in the closing hours of the session, but I promise the Senator in good faith that I shall not talk against time.

Mr. President, there is a great deal of discussion just now, in the press and elsewhere, about having an adequate Navy. I am myself for an adequate Navy, if I understand what the term means. One of the first important votes which I cast in this body after I came here was a vote in approval of what was known as President Roosevelt's naval building program. I think it was for four or five battleships, and I voted in favor of that program. I also voted for the great naval program of 1916, and supported it, and I am still unconscious of any modification of views in regard to this subject. I certainly desire a sufficient, adequate Navy; and it is not my purpose, now or at any other time, to change my position in regard to that important matter. Of course, in saying that the adequacy of a Navy must be measured by the conditions and circumstances of the particular occasion when it is being built, and also the circumstances and conditions under which it is being built. If we should be so successful as to secure an agreement among the great naval powers of the world, that which would constitute an adequate Navy under such an agreement would be one thing, while if we should fail to secure any such agreement, of course, what would constitute an adequate Navy would be an entirely different thing. I have no desire, however, to throw any vote of mine or any limited influence which I may have in favor of a weak Navy or an insufficient Navy or an inadequate Navy. I have in no sense modified my views as to the necessity of an adequate Navy.

So much for a matter which is not really relevant to the point which I rose to discuss. If I understand the parliamentary situation with reference to the naval bill, to take it up at this time is really to waste time. This bill at the present time carries something over $500,000,000 of appropriations. If it were a question of appropriations alone, a mere question of getting the money out of the Treasury, it would be a comparatively simple matter, and it would not necessarily involve any considerable discussion.

We might be opposed to the amount appropriated or we might be in favor of it, but there would be only one question involved. But this naval bill involves not only the question of a stupendous appropriation of five hundred and odd million dollars, but it involves a number of other matters—the size of the Navy, the kind of a Navy, the building program, and certain other propositions which have been attached, as for establishing a naval base upon the Pacific coast, a matter which is bound to lead to long discussion. If we were considering this bill other than in the closing days of the session, we would not expect to close the discussion of it under three or four days' time, and the time could very well be occupied, and very legitimately occupied, to the illumination not only of the Senate, I have no doubt, but of the country, if that discussion should go on. So, if we should consider this bill with any degree of care at all, it would be practically impossible to get it into conference before 48 hours prior to the time when adjournment would take place.

The House appropriated $400,000,000, in round figures, for a navy. No such sum for a navy was ever before contemplated in time of peace in the history of the world. The House appropriation alone, with nothing added to it, exceeds any appropriation or any provision of any program that any country ever made in time of peace in the history of the world for its navy. But, notwithstanding the fact that so large a sum was appropriated in the House, the Senate committee has seen fit, in its wisdom or unwisdom, to add one hundred and odd million more.

So we have the judgment of the House as to the sufficiency of the appropriation of four hundred millions, then we have the other sum of a hundred million added by the Senate committee, all of which involves, as you will see as we proceed, not only the question of the appropriation but it involves the other question of the kind of program we shall have with reference to construction.

The House bill met with a great deal of opposition in the House, and, if I may be permitted to say so—and I do not think I am trespassing upon the rules—it passed the House after the assurance of the leader of the majority that not one dollar would be accepted in the way of increase when it came back to the House, and that is a part of the record of the debate. In order to allay the very strong and persistent opposition, it was practically a part of the program in the House that there should be no increase made by this body that they would accept.

We have, therefore, this parliamentary situation, that $100,000,000 has been added, with three days, at the outside, to consider this bill in this body, in conference, and in the House, with the program understood to be in the House that no additions should be made to the bill. I repeat, therefore, that, judging the parliamentary situation as we see it and as it appears to be a matter of record, there is no possible chance to pass this bill at this session and to give it any consideration such as it deserves at all.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield.

Mr. NORRIS. Can the Senator cite us to the day and the page of the CONGRESSIONAL RECORD where that debate took place? Has he the RECORD before him?

Mr. BORAH. I have not it here, but it was on the 14th of this month, the debate beginning on page 3144 of the RECORD. The Senator will find it under the naval debate.

As I looked at the House bill, Mr. President, it seemed to me a very liberal bill, indeed, even from the standpoint of those who are in favor of a very large and strong Navy. It provided a personnel of 100,000, about twenty-odd thousand greater than that of Japan and within 5,000 of being equal to that of Great Britain.

There was considerable discussion over the point in the House, and they finally agreed upon that number, as I have said. The Senate has added to the personnel, making it 120,000, thereby adding an expenditure of something over $37,000,000.

In addition to that, the House bill provided for the entire building program of 1916. It did not limit it or curtail it or suspend it or modify it in any sense whatever. So the House bill would be considered, under all ordinary circumstances, as a very reasonable bill, even by those who are in favor of a large Navy. To my mind, while I am in favor of a strong Navy, it seems to me an extravagant bill.

If we will recur to the expenditures which have been made at other times, we will find by comparison how very liberal the House was in regard to this matter. Let us take the appropriations for the Navy from 1910 to 1912. In 1910 we appropriated $133,216,693 for the Navy. That was at the time of the beginning of the building program, under President Taft's administration, at a time characterized as very extraordinary and very extravagant. In 1911 we appropriated $127,818,681. In 1912 we appropriated $120,739,055. In 1913 we appropriated $142,550,000.

The House, in other words, in a time of peace, as against the prior appropriations, appropriated close to two and a half or

three times the amount which we were appropriating prior to the war, and the House bill would seem to be a very liberal bill.

Take another comparison, Mr. President. The building program of Great Britain in 1912, at a time when Germany and Great Britain were really in competition in naval building, was only $80,662,790, and Germany, which, we are advised continuously, was in 1912 preparing for the Great War, in anticipation of the conflict appropriated for new construction that year $59,455,935; France appropriated $35,574,380; Russia appropriated $34,487,900.

The total appropriations for the naval construction of these four great powers in 1912 were $210,181,005, and we can grasp something of the liberality of the bill which passed the House when we contemplate that it provides for more than a hundred million dollars in excess of the entire building program of those four great powers in 1912.

In 1913 Great Britain appropriated $93,380,400; Germany, $55,054,415; Russia, $60,412,580; and France, $44,465,320.

The total combined appropriations for the building programs of those four powers in 1913 were only $253,312,715.

Can it be said, Mr. President, that in a time of peace a bill which provides for $400,000,000 is not sufficiently liberal to satisfy the demands for an adequate Navy, when we contemplate that upon the eve of the Great War, when it is said that some of them were knowingly and all of them unconsciously preparing for the great conflict, those nations appropriated a little over that amount combined?

I touch upon another subject here, although very briefly, because I propose to refer to it later, that these great building programs did not prevent war. At the time the Great War began the combined navy of the Entente was very much greater than the combined navy of the Triple Alliance. They had been building against one another from 1900 on, adding year by year, and I simply pause here to say to those who now seem to anticipate some trouble in some direction, and that by this stupendous program we will overawe some power, that it did not so operate in the great contest between Germany and Great Britain. However, that is aside from the question which I now desire to present.

The total naval expenditure of Great Britain for all purposes in 1912 was $228,082,700. The total naval expenditures of Germany were only $113,047,700 in 1913.

The entire outlay by Great Britain in that year was a little over half of what the House has already provided for in this bill, and the entire outlay for naval appropriations in 1913 for Germany were $113,000,000, a little over a third of what the House has provided for in this bill.

It is one thing, Mr. President, to be for an adequate Navy and for reasonable preparation for unexpected or expected difficulties; but does the Senate want to enter upon the consideration of this bill under the whip and lash to get through when we have $400,000,000 appropriated by the House and a hundred and six odd millions added by the Senate of the United States? With all due respect to those who framed the bill, it seems to me that they ought to permit the bill to go over, so that it can be considered under circumstances and conditions which will enable us to deal with it as should be done.

Now, the personnel of Great Britain in 1912 was 134,000 men. It is at this time 105,000. The personnel of the German Navy in 1912 was 60,805; of France, 58,649 men; of Russia, 46,655 men; and of Austria-Hungary, 17,277 men. The Triple Entente all combined had a personnel of 238,294 men and the Triple Alliance 108,669 men.

The House bill gives us a Navy, if it is completed, it has been estimated, 31 per cent stronger and greater than that of the navy of Great Britain. Is it not sufficient? Have we become intoxicated? Has the psychology of war not departed at all?

The program of the House bill, if it is completed, will give us a Navy two and one-fourth times greater than that of Japan. What possible reason can there be for our adding $100,000,000?

Of course, if the bill comes before the Senate at this time, under these circumstances, anyone who has any convictions upon the subject must necessarily insist upon adjusting the bill to what he believes to be a reasonable appropriation.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. PHIPPS in the chair). Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I yield.

Mr. KELLOGG. I dislike to interrupt the Senator, but what did I understand the Senator to say the House bill would furnish in proportion to the British Navy?

Mr. BORAH. A Navy 31 per cent stronger than the British Navy and two and one-fourth times stronger than that of Japan. If there is any doubt about that, I shall be glad to have some one say so.

Mr. BALL. Mr. President, I should like to ask in what manner the figures show it is 31 per cent greater? Is it in personnel or in armament, or how?

Mr. BORAH. I will tell the Senator how I figure. I figure upon the expert testimony of members of the Navy, both in this country and abroad. I do not as a layman undertake to say, of course, what it would be, but that has been stated by men who have served their lifetime in the Navy, and I do not believe it can be successfully disputed. What strength does the Senator from Delaware think we will have compared to their navy?

Mr. BALL. We will still be very much inferior to Great Britain's Navy when we complete the present program, according to all the testimony given before the committee.

Mr. BORAH. Oh, no; not according to all the testimony, as I shall read it as the debate proceeds.

Mr. BALL. Before the Senate committee?

Mr. BORAH. Yes; before the Senate committee, for reasons which I shall discuss later, but not before the House committee, and not all before the Senate committee, either. That may be a matter which we shall wish to debate a little later. I do not desire at this time to take up time in the discussion of it, but I think I shall be able to show that that is the conclusion of men who, I believe, know.

Mr. BALL. I merely desired thoroughly to understand the statement of the Senator from Idaho.

Mr. BORAH. That was the statement.

Mr. BALL. It is so at variance with all the testimony that we had before the committee that I thought possibly the Senator was misstating his own proposition.

Mr. BORAH. No. I beg leave to say to the Senator that I have read the testimony, and I do not think my statement is at variance with the testimony. I am quite aware that it is at variance with the testimony of Admiral Coontz and some gentlemen who take a different view of it, but it is not at variance with the testimony of men who have earned the right to state their view in regard to it and by reason of their service and experience are entitled to consideration when that view is expressed. It may be a matter of debate which is correct.

Mr. BALL. It is scarcely a matter of debate. It is a matter of fact. So far as the personnel of the two countries is concerned, it can be ascertained. So far as the armament of the two countries is concerned, that can be ascertained. It is a matter of fact; it is not a matter of debate.

Mr. BORAH. If it is a matter of fact, there will be some testimony somewhere to establish the fact, and that is what I refer to.

I think it worth while to inquire at this time what is the state of the Treasury. What is the condition that confronts us with reference to these appropriations?

Mr. POMERENE. Mr. President——

Mr. BORAH. I yield to the Senator from Ohio.

Mr. POMERENE. Before the Senator goes into that branch of the matter, can he give to the Senate a statement of the relative appropriations which are being made by Great Britain and Japan and the United States?

Mr. BORAH. I did not clearly understand the Senator's question.

Mr. POMERENE. What appropriations are being made or contemplated by Great Britain and Japan for navy purposes?

Mr. BORAH. I have been unable to get the exact appropriations for this year. I have seen statements in the public press in regard to it, but I do not know, as I did not undertake to get figures, whether they are correct or not.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Idaho whether it is not a fact that the large building program upon which Japan has now entered was the direct result of our very large building program announced a few years ago? Are we not directly responsible for the great building program upon which Japan has entered in her effort to maintain her position on the Pacific?

Mr. BORAH. That statement has been made by Japanese statesmen. Of course, I do not know what the facts are, but they have made that contention.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. KING. If I may trespass upon the time of the Senator, I should like to reply to the Senator from Nebraska. I think there is a great deal of misapprehension as to the size of the naval program upon which it is alleged Japan has entered. As a matter of fact, Japan appropriated last year for her entire naval program approximately 230,000,000 yen. That would be approximately $115,000,000. The national legislature was un-

able to agree as to her naval appropriation for the following year. Under the rule which prevails in Japan, as I am advised, if there is no agreement in the Diet with respect to appropriations for the following year, then the amount of the appropriation for the preceding year governs—that is to say, the same appropriation is carried—so that for the current year the appropriation of Japan for her entire naval budget is about $115,000,000,

There is a great deal of talk by jingoists in the United States, who desire to force a war between the United States and Japan, or between the United States and England, in regard to the enormous appropriations for war which Japan is making. There is a great deal of nonsense concerning this subject.

Mr. BORAH. I have not the figures as to how much Japan is appropriating this year. I have seen statements of what she was to have as compared with our Navy, but I do not state it, because I do not know how much Japan is appropriating for this year. I am only stating figures thus far which are official and matters of record.

Mr. HITCHCOCK. I was not seeking to develop what Japan was appropriating this year, but I think the Senator is aware that it is pretty well understood that Japan has entered upon a large building program to be carried out during the next few years. What I desired to ask him was whether we ourselves are not responsible for that effort of Japan, and whether we are not by our enormous building program stimulating the Japanese in their great building program in the Pacific?

Mr. BORAH. Count Ishii stated at Geneva, after France had objected to the disarmament program, that Japan was building by reason of the United States building, and that Japan would be very glad to enter into an understanding or agreement with the United States by which the building program should be reduced, changed, or modified. It was by reason of that interview of Count Ishii that I was led immediately to introduce a resolution in this body providing for Japan, Great Britain, and the United States sitting down together to enter upon such an agreement. If those who favor the resolution are successful, it need not be very long until we have Japan, the United States, and Great Britain in close conference to determine the sincerity of each of those powers with reference to the oft-insinuated proposition that one is building because the other is building.

I know of no way by which to test the sincerity of the three great powers except to bring them directly into contact with each other in conference. If it be true that Japan is building because the United States is building such a large Navy, that matter can soon be determined, because I think the people of the United States—I do not know whether all individuals in it, but the people of the United States as a whole—would insist upon the United States curtailing her program provided Japan would be willing to do so.

Mr. THOMAS. Mr. President——

Mr. BORAH. I yield.

Mr. THOMAS. The present program was instituted by the naval act of 1916, and one of the arguments in support of the bill was that Japan was then engaged in the construction of a very formidable navy. On the 27th of June of that year I addressed the Senate in opposition to the bill and made the assertion that if the program were adopted it would inevitably lead to increased building, and necessarily so, by such nations as Japan and Great Britain, both of which would attribute our sudden activity and the enormous plan for a Navy which was then outlined to some aggressive policy, either then secretly existing or thereafter to be developed, against which they should prepare.

That program was also stimulated by a phantom expedition from Japan to lower California, and the press, to say nothing of some of the addresses upon the floor of the Senate, called attention to that sinister action, which afterwards turned out to be the arrival of, I think, two boats engaged in a duty and ordered to extricate some small boat from quicksands or from a condition which it had gotten into and which needed this additional help in order that it might get back to Japan.

I have no doubt that within the next two or three months some other expedition equally substantial and equally formidable will be heralded over the country as the reason why this enormous expenditure of money at this time should continue.

Mr. BORAH. In reply to the Senator from Nebraska, and also the Senator from Colorado, of course we can only judge the situation at this distance by the statements of the representative men of Japan and the reliance which we are willing to place upon those statements. The two Governments have never been brought together, and we shall never know the real situation, the real sincerity behind the professed willingness to curtail naval building until they are brought together.

Germany started her naval program in 1900; immediately England added to her program; the next year Germany added to hers, and Great Britain did likewise. They were never willing to bring themselves to the conference table. The result was that that went on just as the discussion is now going on between the United States and Japan. The public prints conveyed the impression to the effect that one nation was building by reason of the fact that the other was building and that both were willing to stop if one would stop, but they never did come in contact with one another. The result was that their building program finally ended in the deluge of 1914. That is precisely, in my judgment, where the controversy will end between the United States and Japan unless we can come into friendly conference and reach an agreement.

I believe that this trouble spoken of can be avoided. I am sure it is our solemn duty to try.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Idaho yield to the Senator from Nevada?

Mr. BORAH. I yield.

Mr. PITTMAN. While it is true that the navies of the allied and associated powers did not prevent war, is it not equally true that those large navies did prevent a victory by our enemies?

Mr. BORAH. The Senator from Idaho has not proposed that we disarm in case Japan does not disarm. But is it not equally true that if Germany and England, say in 1905, when Germany proposed her second naval program, had entered into an agreement to stop all naval building beyond a very moderate degree, at least, in all probability there would not have been any war at all?

Mr. PITTMAN. Mr. President, I am not opposing the resolution of the Senator from Idaho; I am heartily in favor of it; but there have been some statements here on the floor that would seem to cast a reflection upon the war preparations made by our own country and by our allies just prior to the breaking out of the war and during the war. I think those preparations were all necessary, as has been demonstrated by the history of the war.

Mr. BORAH. Mr. President, it may be they were necessary from the viewpoint of the Senator, but I think they were wholly unnecessary from the standpoint of reason or of sound statesmanship.

Mr. PITTMAN. I agree with the Senator from Idaho; but we have made one great effort since the war to get on a basis of sound reasoning and to settle disputes by arbitration and adjudication by peaceful means; and so far that has been a failure. What success the efforts of the Senator from Idaho will have is as problematical as the former; in fact, there is every reason to believe that it will be a failure. Nevertheless, we should try it. I am with the Senator in his effort to accomplish it; but I do not believe in stopping preparations for self-defense while we are seeking to avoid an offensive means of settling disputes.

Mr. BORAH. I do not know that the Senator from Nevada and the Senator from Idaho are in disagreement; but I do not like to have so distinguished a Senator advise the other nations of the world while we are urging this proposition that it is going to be a failure, because there is where the difficulty arose with reference to the proposed agreement between Germany and Great Britain. All the governmental agencies, all the governmental powers, and all the governmental influences were constantly advising to the effect that by reason of the treachery and deceit and deception of the other power they could never hope to arrive at any agreement.

Mr. President, I am perfectly willing to have what I consider a reasonable navy, an adequate navy, until we reach that agreement; but I disagree with the Senator entirely upon the proposition that there is no reasonable basis for a hope of any such agreement being made. I firmly believe that there is such reason and that we should proceed upon the theory that an agreement can be reached.

The situation is a little different now from what it was before the World War. The people now are very much more interested in the question. The masses in Japan are discussing the question practically as fully as are the masses in this country or in Great Britain. We have about reached the point where the people can not longer endure the burden which is being imposed upon them by their Governments in their preparation for war.

Now, just a word with reference to another matter which the Senator suggested. I hope he will not suggest it again, because it would lead to a long debate.

Mr. PITTMAN. Then I shall not do so.

Mr. BORAH. I refer to the proposition that there was an effort made to adjust matters by arbitration, and so forth. I suppose the Senator has reference to the League of Nations. The Senator from Nevada knows that the Senator from Idaho thinks that that league was a league for war; that it was built for war, and was intended for war, and could not accomplish anything but war.

Mr. PITTMAN. I shall not revert to that any more, because I do not desire a long debate under the circumstances. However, I desire to say that I hope the Senator from Idaho is right in regard to the feeling of the populace of Japan. We were informed with regard to the people of Germany that they had a pacifist feeling and were opposed to the militaristic party in Germany, but it did not turn out that way. I am not at all sure that it will turn out that way in the case of Japan. In my opinion, the greatest hope of success for the plan formulated by the Senator from Idaho is to call attention to the fact that, just as Germany could not outbuild Great Britain and that her attempt to outbuild Great Britain was an utter failure, so Japan can not outbuild this country, nor can any other country in the world outbuild it; that while we are anxious to adopt disarmament, we are going to be prepared and to have as strong as, if not a stronger, fighting force on the waters and on the land, if necessary, than any nation that may attack us. I think that would be the strongest argument for the pacifists.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. In just a moment I will yield to the Senator from Montana. I want to read a quotation of the actual words used by one of the great English leaders in 1905 or 1906, at a time when they were discussing the probability of Germany and England getting together. He says:

> A fleet of British line of battleships are the best negotiators in Europe.

Mr. PITTMAN. Mr. President, Germany was the nation that was responsible for the failure of the naval holiday between those countries, and she has paid for her responsibility by almost practical annihilation.

Mr. BORAH. Well, as to the responsibility, I am going to discuss that a little later.

I now yield to the Senator from Montana.

Mr. WALSH of Montana. Mr. President, I desire to recur to the view expressed by the Senator from Idaho to the effect that if an agreement had been entered into by Germany and Great Britain limiting the naval building program of each the war would not have occurred. Of course, an agreement of that character, having no wider scope than that, would allow Germany to develop her great army without let or hindrance; and I apprehend that if the naval building program of these two countries were limited and Germany were permitted to expand her army without limit, not only would the war have occurred but in all probability it would have occurred earlier than it did.

While I am in entire accord with all of the views expressed by the Senator from Idaho as to the necessity, so far as the interests of the world are concerned, that the building program of these naval nations should be limited, wars will not be pervented until we also accomplish a reduction of the land forces. I think that the Senator upon reflection will agree that Germany might be quite willing to limit her naval building program if she were at the same time at liberty to expand at will her great army, because by that she would be able practically to accomplish her purpose without regard to her navy.

Mr. BORAH. Mr. President, the Senator from Idaho did not make the suggestion he did in regard to that without reflection. The Senator from Montana will recall that from the time of Frederick the Great until the year 1900, when Germany was unifying the German States and building up the greatest military force in the world, England and Germany were upon the best of terms, cordial in every respect, assisting one another, and that there was never any estrangement of the slightest nature between Gremany and England until Germany began to build her navy.

Mr. WALSH of Montana. Mr. President——

Mr. BORAH. I will yield in a moment. After the naval building program commenced the two countries immediately began to look upon one another with disfavor; bitterness grew apace; the newspapers began the discussion of war in both countries, saying that if either nation was going to defend its commercial interest it must fight for it. So that by the time the other difficulties arose in 1914 the old friendship of Germany and England which had been able to control the situation was entirely dissipated and gone, and there was no one to negotiate peace or to hold the balance in favor of peace when the turmoil came in 1914. Had these two nations been friendly, had bitterness and suspicion and jealousy not been engendered because of naval competition they could have in all probability reached a settlement in August, 1914.

I say again, upon reflection, that I have no doubt at all that when the future historian comes to analyze the facts and to uncover the real situation it will not be the assassination at Sarajevo, in Bosnia, to which will be attributed the Great War, but the naval competition between Germany and Great Britain which went on from 1900 to 1914.

Mr. WALSH of Montana. Mr. President, I am perfectly satisfied that the historian will not overlook the powerful influence of the development of Germany's great army as a determining factor as well as the expansion of her navy; but the influences that bring about great historical events are many, complicated, and complex. Of course, from the time of Frederick the Great down to very modern times France was the enemy of both Great Britain and Germany, threatening to dominate the world through her great military power. She never had a formidable navy; it was through her army that she expected to dominate the world. That was the circumstance which made friends of Germany and Great Britain. Subsequently, however, Germany was the great power which threatened to dominate the world through her powerful army, not through her navy at all. So I do not agree with the Senator that we can dismiss from all consideration the likelihood of Germany dominating all Europe not through her navy but through her army as the great factor in the precipitation of the conflict of 1914.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. BORAH. I yield.

Mr. OWEN. The army of Germany has been practically dissipated; the Allies are agreed upon the plan of disarmament of their armies; it only remains that the competition of navies may endanger the future peace of the world. So, the Senator from Idaho, in my judgment, is entirely right in making an earnest and resolute effort to bring about an end of this rivalry of competitive naval armaments. I hope that he will succeed; I believe that he ought to succeed; and I think the Senate ought to help him in the effort.

Mr. WALSH of Montana. Mr. President, I trust that nothing that I said will be considered as in opposition to the views expressed by the Senator from Oklahoma. I fully agree that the necessity of the case requires such an agreement, but I insist that it does not go far enough. With respect to that feature, however, I will have something more to say before we get through.

Mr. BORAH. I shall not pursue that digression longer, because it comes up more properly upon another phase of this matter, at which time, if we have time, we can discuss it more at length.

At the time that we digressed to take up the particular subject now being discussed, I had recurred to the condition of the United States Treasury, to the situation which confronts us at the time we are making these appropriations.

We all know that the distress throughout the business region of the country, and more particularly throughout the agricultural region of the country, is very serious. So far as the conditions throughout the Middle West and the West are concerned, they have practically reached the point of paralysis. There is really nothing doing. The banks have reached their limit. The farmers and the live-stock men can not pay their taxes, and they are not prepared to go into the work of raising another crop. They can not even get the means ordinarily given them at the beginning of each year from the banks to assist them; and one of the things which is most discouraging to them of all others, according to the communications which I have and the press which I read in that region of the country, is the fact that when they look toward the city of Washington they see nothing but additional appropriations and additional taxes. There is no encouragement that there will be relief at any time at the rate at which we are now going.

I could read a multitude of letters, but I want to read a single paragraph from a letter of one of the great bankers of the West, written to another business man, not to me, but I had permission to take a paragraph from his letter. He says:

> The situation throughout our part of the United States is full of peril. A kind of paralysis is upon this part of the country. Nothing moves. The farmers and stockmen are discouraged and ugly. The banks have reached their limit. Some of them are in a dangerous condition, and when we look toward Congress in the hope of encouragement, at least, we see appropriations piling up as never before in the history of our country.
>
> I realize there is not a great deal that Congress could do in the way of actual legislation to affirmatively assist us. Perhaps our situation is not such as to be reached by legislation; but it would seem, if Con-

gress knows the condition of the country, the distress of business, that it would restrain within reason our expenditures before we are literally buried in taxes.

I have an idea that that portrays a situation which is almost universal in the agricultural and live-stock regions of the United States, and we know, according to reports which are reliable, that there are some three and a quarter million men out of employment. Under those conditions, we are not only justified in looking to the question of appropriations, but we are justified, when we are called upon to make an appropriation, in taking into consideration the financial and economic condition of the country.

I would not advocate here leaving our defense inadequate or our Navy inadequate, even if it did increase a burden already seemingly unbearable; but when the House has already appropriated $400,000,000 for the Navy, which gives us a personnel of 100,000 men and a Navy, when the program is completed, equal to if not greater than any other Navy in the world, can we not, out of deference to those who see no light ahead upon this question of our economic condition, defer adding $106,000,000 to the bill in the Senate of the United States.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. I yield.

Mr. SMITH of Georgia. Has the Senator given the Senate a chance to vote upon taking up his resolution with reference to this conference?

Mr. BORAH. No.

Mr. SMITH of Georgia. The Senator has not made a direct motion that it be taken up?

Mr. BORAH. No; I have not. I have it pending.

Mr. SMITH of Georgia. I hope the Senator will make it. I shall certainly support it.

Mr. BORAH. Yes; I shall.

Mr. SMITH of Georgia. And I am ready to take it up and dispose of it before we go on with any other measure.

Mr. BORAH. Mr. President, these remarks, as I say, were preliminary to voting on this motion. I realize, of course, that the Senator from Washington and the Naval Affairs Committee are likely to insist upon going ahead; but I have said this much in order that you may know that some of us feel very sincerely about this matter, and that we feel that there ought not to be any additions made to this bill without the most convincing reasons. Almost every important item in the bill has been increased, and we shall have to know the reasons for it, and those reasons ought to be, it seems to me, very controlling at this time.

I want to say just one word again before I sit down in regard to my position with regard to the Navy.

If we are wholly unable to reach an agreement with regard to the Navy and naval building, I am perfectly willing to go along with any reasonable program with reference to this matter; but there are two things which we ought to have in view which seems to me possible. The first is reaching an agreement, and the second is determining what is an adequate Navy and what is a modern Navy before we proceed to expend money as we are now doing. Let us strive in every possible way to come to an agreement to disarm. We can afford to lead in an effort to get this agreement. If it can not be secured, let us be sure that we are not wasting money in building an obsolete Navy and then wake up to the fact that we have to spend billions in order to get a modern Navy.

Mr. THOMAS. Mr. President, at the request of the junior Senator from Illinois [Mr. MCCORMICK] I offer an amendment to the pending bill, and ask that it be printed and lie on the table.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. DICK T. MORGAN, late a Representative from the State of Oklahoma.

The message also communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. CHARLES A. NICHOLS, late a Representative from the State of Michigan.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

BONUS FOR EX-SOLDIERS.

Mr. JONES of New Mexico. Mr. President, I feel that the Senate, for the few remaining days of this session of Congress, may well devote its efforts to something that will be of more material and immediate benefit to the country, or to certain interests of the country, than the naval appropriation bill.

It is known that we are to have a special session of Congress beginning early in the month of April. I remember very well the efforts that were made upon the floor of this body in 1919 to defer the so-called supply bills, and it was frequently stated upon the other side of the Chamber that no harm could come from such action, that we would have to have a special session of Congress, and in fact the postponement of the supply bills was used as a means for forcing the calling of a special session of Congress. No such purpose is necessary at this time. It is openly announced that we are to have a special session of Congress beginning the 1st of April. This bill for the Navy can only begin to operate after the 1st of next July.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from New Mexico yield to the Senator from Wisconsin?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. LA FOLLETTE. I should like to remind the Senator that the defeat of the appropriation bills in 1919, eight or nine of them, resulted very beneficially to the country. Those bills were brought in here at a very late hour. The appropriations which they carried were very large. I, for one, was convinced that opportunity for reasonable discussion was not possible in the few hours of the life of that Congress then remaining, and I believed that if the bills were defeated at that time and could be considered in an extra session with time for deliberation the excessive appropriations would be very greatly reduced; and I remember definitely that as those bills were enacted at the extra session they carried an aggregate of almost $1,000,000,000 less than the amount which they carried at the time they were proposed in the last hours of the final session of the Sixty-fifth Congress.

Mr. JONES of New Mexico. I agree with the Senator from Wisconsin that the appropriation bills as finally enacted in that year were for a very much less sum than had previously been estimated, because when the estimates for those bills were prepared the armistice had not yet been signed, and it was not known that the war was to end so soon, and it could not have been known what amount of money would be required for the necessities of the Government. It is true that the previous estimates were modified, and as time went on, when the special session did come around, there was a very marked reduction in the amount of the appropriations as compared with the estimates, and even the final estimates that had been furnished by the various departments.

Mr. LA FOLLETTE. If the Senator will pardon me further——

Mr. JONES of New Mexico. I am glad to yield.

Mr. LA FOLLETTE. I did not refer to the estimates, which were made, of course, months before the appropriation bills were reported. I was not instituting a comparison between the amount of the estimates and the appropriations that were made at the extra session, but between the amounts which the appropriation bills carried and which they would have carried had they been passed in the last days of February and the first days of March two years ago and the amounts which they carried when they were passed in May, three months following, when there was time for deliberation and a full discussion of the items of the bill.

Mr. JONES of New Mexico. The Senator is unquestionably accurate as to the facts; but it must not be overlooked that those bills were prepared and presented to the Senate by the various committees on the basis of the official estimates which had been previously made.

Mr. LA FOLLETTE. Those estimates were made after the armistice.

Mr. JONES of New Mexico. That, however, does not concern the real point which I wanted to bring to the attention of the Senate. I merely wanted to observe and have the Senate realize that it is not absolutely essential to pass the naval appropriation bill at this session of Congress; that we are going to have a special session, and this appropriation bill will not go into

force or effect until the 1st of next July; and that if there is business of the Government which ought to be done which is of an emergency nature we ought to devote our time to those things rather than put in our time during these last few hours in passing an appropriation bill which will not go into effect for some months to come.

The Senator from North Dakota [Mr. McCUMBER] this afternoon, in presenting the report of the Finance Committee on the so-called soldiers' bonus bill, rather intimated that it was not expected to pass that bill through the Senate at this session of Congress. He did not make that statement, but, to my great surprise, after he had presented the report of the committee he made no effort to bring the bill before the Congress for its consideration.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from North Dakota?

Mr. JONES of New Mexico. I yield.

Mr. McCUMBER. The Senator would hardly expect me to do that before the report, which gives all the information, is printed. I assume it will be printed to-morrow. So far as the expectation of passing the bill is concerned, that is entirely with the Senate, of course. I think the Senator could not have heard me correctly, because I expressed the hope that we would pass the bill at the present session.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Colorado?

Mr. JONES of New Mexico. I yield.

Mr. THOMAS. At the time the Senator from North Dakota presented the report of the committee I announced that I reserved the right to file a minority report. I have not yet had time to prepare that report. I shall do it as soon as possible. I should certainly object to the consideration of the bill before that report is prepared.

Mr. JONES of New Mexico. I did not know the Senator from Colorado had not as yet prepared his minority report. I am glad to be advised that the Senator from North Dakota has not given up hope that the bill may be considered by the Senate at the present session of Congress. But, from remarks which he made and from the general course of the bill through the House and through the Congress as a whole, I had rather inferred that hope had gone. However, I am glad now to be advised to the contrary.

That being the case, it is important at this time that the Senate should understand some of the features of this bill and realize the importance of its consideration at this session of Congress, and what may be accomplished if the bill should become a law at this time, and yet not bankrupt the country from a financial point of view.

The Senator from North Dakota, if I was able to understand the purport of his presentation, wanted the Senate to believe that it was important to pass this bill only that the ex-service men might know what they may hope for some time in the future. No intimation was made that the bill might be changed so as to bring about any immediate relief, or to do anything in the immediate future which would carry out to any extent the purposes of this bill, and I want to observe that that position has undoubtedly been the position of this Congress, both in the House and in the Senate.

This is a bill heralded as being for the benefit of the ex-service man. In it are provisions for the payment of a cash bonus, so called.

In it are provisions for an indebtedness certificate. In it are provisions for vocational training, a land-settlement plan, and a home loaning plan. Yet, Mr. President, not a dollar is appropriated by this bill for any purpose, which clearly demonstrates, it seems to me, that the framers of the bill which passed the House did not have it in mind that they were seriously dealing with the situation. After providing for these various plans, what follows? The very last section of the bill reads:

> There is hereby authorized to be appropriated such amount as may be necessary to carry out the provisions of this act.

"There is hereby authorized to be appropriated!" Why could they not have made the appropriation then and there to carry out the provisions of the bill if they wanted to confer any immediate benefit, or give any immediate relief, or provide for the adjustment of compensation due to these ex-service men? But not a dollar of appropriation is provided in that measure, and I may add that the bill which comes to the Senate now from the Finance Committee likewise does not appropriate a single dollar for the purpose of carrying the provisions of the bill into effect, and the purpose in passing such legislation as is proposed here now must be other than to afford the relief which most of us feel the ex-service men are entitled to.

Further, the bill passed the House on the 20th of last May. From that time to this not a committee of the House has undertaken by any other bill to provide a dollar to bring about the relief suggested in the bill. This bill came over to the Senate, was referred to the Finance Committee along in January, and the Finance Committee for one or two days held some so-called hearings; but from that time until last Thursday the Finance Committee did not move in regard to this bill at all, and on last Thursday, when the committee was called in session, we were met with the information that the Treasury Department was still behind in some of the desired statistics.

On Friday we were met with the same information, and only on Saturday afternoon did the subcommittee which had had this matter under consideration finally submit to the whole committee a report, and that report then was not printed, and not a single copy of that report has been available to any member of the committee, so far as I know, except the one member who drafted it. In that situation, the bill is brought in at this time, on the 28th day of February, 1921, less than four days before the adjournment of this Congress.

What is the country to understand from this situation? Do you believe that the ex-service men, those who sustained this country in its hour of stress, are going to feel that this is a bona fide attempt to relieve them in any way whatsoever?

I know, Mr. President, that much has been said in the press of the country and much has been said upon the floor of the Senate, about the situation of the Treasury of the United States, and it has been suggested that if this bill should become a law, there would be an immediate charge upon the Treasury of about $2,000,000,000. Of course, if that should be the result, if we might reasonably anticipate such a result, I agree that we could not afford to pass this bill until some provision was made to reimburse the Treasury.

But my judgment is that there is no occasion to bring about a situation which would result in that disaster to the Treasury. There are several of the features suggested by this bill which might be put into operation, which might perform a very wholesome service, and yet not be of sufficient burden to bend the Treasury, or to even tend to bankrupt it, as has been suggested upon the floor of the Senate.

We all have heard something of what has been going on in regard to the finances of this country. We have read with pride how the floating indebtedness of the Government has been reduced during the last year and more, and we have had, through the report of the Secretary of the Treasury, a statement that if $4,000,000,000 can be raised annually, in the course of the next two or three years we shall be able to retire several billion dollars which the Treasury is anticipating as floating indebtedness of the country, or which will become such.

I make the suggestion that if there is a real necessity, if there is any kind of an obligation which this Government owes to the ex-service men, which can be met, even in part, by the Treasury, without another bond issue, will it not be better to do that than to simply take a pride in reducing the other indebtedness of this country? I think I can show how, through this bill, if properly amended, we can perform a very great service to these men, and that it will not cost the Government in the immediate future anything like what has been suggested or what has been anticipated.

It must be recalled that there are several provisions in the bill. The first provision is the payment of a cash sum of money to the various ex-soldiers, and it is anticipated that if that is to be done, if they would all take the cash at once, it would amount probably to a little less than a billion and a half dollars. Even if we had to pay that, it would be distributed over a period of more than two years. The average would be less than three-quarters of a billion dollars, and if I recall the statement of the Secretary of the Treasury, it is expected the floating indebtedness of the country will be reduced by about that amount each year during the next three or four years.

But even if we should defer the cash bonus feature of this bill there is much good that can be accomplished, and to my mind the greatest good that could be accomplished, and with the appropriation of a very small sum of money, relatively speaking. The next item of the bill provides for the issuance of adjusted service certificates. By putting into operation that part of the bill, not a dollar would be necessary to meet any of those certificates under at least two years.

There is no reason, so far as I know, why we should not go ahead and put into operation the provisions of Title III, providing for the adjusted service certificates. Those, in effect, as stated by the distinguished Senator from North Dakota who presents the bill, are endowment insurance policies, with a loan feature. They can not borrow any money on them for two years, but they are insurance policies. Some of the soldiers will die within the next two years, and unless the bill be passed

and that feature be put into operation there will have been made no provision for the ex-service men or their families or the dependents of those who may die during the next two or three years or before the bill goes into operation.

It does seem to me that this is a provision of the bill which ought to receive the immediate favorable action of the Senate. I do not see how the House can oppose it. They have already passed a bill with that provision in it. If Senators mean what they say, why not put it into operation and let the ex-service men begin to get the benefit of it, when the money part of the bill to any measurable extent will be deferred for several years to come?

The next title of the bill, Title IV, is the one which relates to vocational training aid. It does seem to me, if the Congress owes to these people anything in the nature of vocational training aid, that we ought to provide for it immediately. The statement has been made to the committee that the average age of the ex-service men at the time of their discharge from the Army was 25 years. Their average age next year will be 28. If we are going to provide vocational training aid for a man, should we not provide it before he is 30 years of age? If he is going to prepare himself to follow a vocation in life, when are we going to prepare him? Are we going to wait until he is 30 years of age or more and then offer him something in the way of vocational training? It does seem to me that that provision of the bill ought to be put into operation now if we mean to offer any assistance to those for whom the provision was intended. Is vocational training aid to be deferred until the ex-service men average 30 years of age? I do not believe the Congress intends that.

I do not believe there is any reason why there should not be an appropriation which will carry that feature of the bill into effect. Just recently in the Senate we have authorized the Treasurer of the United States to purchase $200,000,000 of bonds of the farm land banks. Fortunately the Supreme Court of the United States to-day has decided that the bonds issued by that bank are constitutional, and the country will now take those bonds and it will not be necessary for the Treasury of the United States to buy them. So, may I not ask that we should at least provide $100,000,000 of that sum for the purpose of instituting vocational training aid provisions of the bill—just $100,000,000?

The Senator from Idaho [Mr. BORAH] just a little while ago pointed out where we could save $106,000,000 in a reduction of the naval appropriations. Why not apply that to furnishing vocational aid for the ex-service men if we ever expect to do it at all? Of course, if Senators desire to camouflage the situation, if they desire to make some one believe something without any substance behind it, it is not necessary to do this thing. But if they really intend to let these young men have vocational training which will fit them for the walks of life, let us do it now when they are entering life, when they are seeking their vocation, when they are entering upon their business careers. Let us do it now. I submit that an appropriation of $100,000,000 for the purpose of carrying into effect Title IV of the bill would not be any great burden upon the Treasury at this time, certainly not a burden as compared to the benefits which the men would derive from it. If they are ever entitled to any such provision, let us give it to them now, give it to them while it will do them good, and start them out in life at a much earlier period.

The next title of the bill, Title VI, is called the land-settlement provision. To my mind that is a most wholesome provision of the bill. It was stated that a large number of ex-service men had already expressed their desire for farms. The land-settlement plan does not provide alone for the irrigation of lands in the West, but provides for drainage of lands, for putting into proper condition the cut-over lands of the country, millions of acres, and for doing something in each State in the Union, if possible, to provide homes and farms for the ex-service men. I heartily approve of the plan. It passed the House and has been reported out to the Senate by the Committee on Finance. No one particularly objected to that feature of the bill, but unfortunately at the conclusion of Title VI we find this provision:

> The board shall for the fiscal year ending June 30, 1921, and annually thereafter, submit to Congress estimates of the amount necessary to be expended by it in executing the provisions of this title.

Then follows this remarkable provision:

> There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the aggregate sum of $250,000,000, to be available for expenditure by the board, in accordance with the provisions of this title, during a period not to exceed 10 years after the passage of this act.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. JONES of New Mexico. I yield.

Mr. NORRIS. The report not yet having been printed, I am unable to ascertain without inquiry what the report shows. I wish to ask the Senator whether in the action of the committee on the bill they have stricken out the land-settlement provision?

Mr. JONES of New Mexico. No; that provision is not stricken out; but there is no provision made for carrying it into effect.

Mr. NORRIS. I remember an hour or two ago listening to the very interesting explanation of the bill by the Senator from North Dakota [Mr. MCCUMBER], but I do not believe there was any estimate made in that explanatory statement with regard to the land-settlement part of the bill. I should like to inquire whether the committee considered that feature?

Mr. JONES of New Mexico. I must say to the Senator that I do not recall that there was any mention made in the report of the committee about that feature of the bill. I do not recall any, but that feature of the bill was left in the bill to be reported to the Senate.

Mr. NORRIS. I heard the Senator make the statement just a few moments ago that he regarded that as an important feature of the bill. I gave some attention to the bill at the time it came over from the House, and I myself thought that the part of the bill which would result in the greatest benefit to the country and to the men was the land-settlement part of it. I was always in doubt as to just how many or what proportion of men would choose it, but in talking with a great many of the former soldiers I have found that almost without exception they regard that as the best part of the bill, some of them going so far as to say that perhaps there ought to be something put in the bill to make it more likely that more of them would choose that provision.

Mr. JONES of New Mexico. I am very glad the Senator from Nebraska has made the suggestion and that he realizes the importance of that provision of the bill. I certainly agree with the view he has expressed. I see no reason why there should not now be made an appropriation sufficient to start this great work. The bill provides for $250,000,000 in 10 years. Why not let us provide $25,000,000 of it right now?

Let us consider for a moment that provision of the bill. When do we expect to furnish homes for the ex-service men? If we start upon that work immediately, it will be months before a single one of them can avail himself of the benefits of that provision. If we believe that is a thing which should come to them and be done, why not begin now and appropriate $25,000,000 to begin the work? We have got to organize a force, we have to select the projects, we have got to find the lands which we wish to reclaim, whether by irrigation, drainage, or otherwise, and under the terms of the bill we should find land, if feasible, in every State in the Union. If this is to be done, why not start now? It does seem to me that unless the Congress desires to camouflage the situation it will make an appropriation at least to carry this feature of the bill into effect.

Mr. PITTMAN. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator from Nevada.

Mr. PITTMAN. The Senator is a member of the committee which had the bill in charge. While I listened as carefully as I could when the Senator from North Dakota [Mr. MCCUMBER] was describing the report, there were times when by reason of confusion in the Chamber I could not follow him. I wish to ask the Senator if I have reached a correct understanding of the report. I understand that as far as the adjusted service pay is concerned the committee have changed the bill as it came from the House by substituting January, 1923, for July 1, 1921, as the date of the commencement of the quarterly payments. Is that correct?

Mr. JONES of New Mexico. That is true.

Mr. PITTMAN. In addition to that, I understand the bill makes no appropriation looking to the carrying out of those payments, and that it makes no appropriation for the organization of the various commissions provided for in the bill?

Mr. JONES of New Mexico. The bill does not appropriate a single dollar for any purpose.

Mr. PITTMAN. And all of the provisions of the House bill under Title VII, entitled "Victory taxes," providing for an additional surtax on incomes, stock and bond taxes, produce-exchange taxes, and so forth, which was the method provided by the House for raising sufficient funds to meet the requirements of the bill, have been stricken out?

Mr. JONES of New Mexico. Every provision in the bill as it came from the House for the purpose of providing the means for raising revenue has been stricken from the bill.

Mr. PITTMAN. As I interpret that state of facts, so far as adjusted service pay is concerned, that is practically indefinitely

postponed; in other words, the Senate committee promises the ex-service men that in 1923 it is their intention to proceed along the lines stated in the bill so far as adjusting service pay is concerned, but is it not a fact——

Mr. JONES of New Mexico. If the Senator will pardon me, I believe the proposition might be stated in this way: The bill as now reported to the Senate amounts in effect to a mere statement by this Congress that this Congress is willing that some future Congress may provide some means of paying these men an adjusted service pay.

Mr. PITTMAN. What I was going to state is this: As I understand, the promise by one Congress that another Congress shall do a certain thing is not binding in any way; that it is not even considered morally binding, is it, on subsequent Congresses?

Mr. JONES of New Mexico. Not in the slightest degree. This bill only provides that these things shall be done provided some future Congress shall make an appropriation for that purpose.

Mr. PITTMAN. Then the ex-service men are in no better position than if they should bring the matter to the attention of the Congress which will be in session on January, 1923?

Mr. JONES of New Mexico. I can not see how they can receive any material benefit from the bill. Of course, there is one thing it will do: It will provide legislation, so that when we come to the consideration of some general appropriation bill, if the Appropriations Committee desires so to do, it may put an appropriation on a general appropriation bill providing for the execution of this measure. That, to my mind, is the only real effect the passage of this bill will have—to enable an appropriating committee in the future, in some general appropriation bill, to make provision for the purpose contemplated, because it would then be authorized by law.

Mr. PITTMAN. The reason I have asked the questions is this: I am receiving telegrams to-day suggesting that there has been a favorable report upon this bill by the committee and urging me to support the report. I know that those who are wiring me do not understand what the report is, because some of the telegrams state that the committee have reported favorably on the bill as prepared and suggested by the legion. I want it definitely understood that I shall not vote for the committee amendment changing the date as it is provided in the House bill from January, 1921, to January, 1923; but notwithstanding that——

Mr. JONES of New Mexico. If the Senator will pardon me, I might make this suggestion: To my mind it is wholly immaterial whether the Senator votes for that amendment or not, because even if that amendment is not made this bill could not furnish a single dollar to any one of the ex-service men. So it is immaterial whether the amendment is put in or not, according to my view of the matter.

Mr. PITTMAN. Do not the ex-service men, so far as the Senator from New Mexico knows, expect some benefit from this proposed act?

Mr. JONES of New Mexico. I will say to the Senator from Nevada that all of the opposition in the press that I have read which has been directed toward this bill is based on the ground that if it should become a law there would be an immediate drain upon the Treasury which it could not stand, but when the bill is analyzed it is found that it can not drain a single dollar out of the Treasury.

Mr. PITTMAN. I wish to say, Mr. President, if the Senator will permit me—and I do not want to take up any time with further speeches on the matter—that I am deeply interested in this question. I do not believe our soldiers since their return have received the consideration to which they are entitled. I think we have forgotten the sacrifices that they made for those who stayed at home; I think we have forgotten the suffering which they endured; I imagine we are thinking more of the reduction in our incomes than we are of doing justice to these men whom we can never repay. We have caused them to wait now for two years. They have been waiting not for a bill to be passed which provides that some day we shall put in force and effect legislation in their behalf, but they have been waiting to have such legislation put into effect now; yet we are proposing to put them off longer and longer. Senators may feel that the tax situation of the country requires delay; and yet the other House provided a method of taxation that would raise the necessary funds, as I understand.

Mr. McCUMBER. I want to deny that, Mr. President. The House provided nothing of the kind. The bill that was sent over here would not raise the necessary funds. I have heard a good deal of demagogic utterances on this whole subject. While I am not the chairman of the Committee on Finance, that committee have reported the bill, and Senators can make the bill what they wish in the Senate. They will have an opportunity to do so. The time that is taken up in discussing it in connection with another bill, a motion to consider which is now pending, is time lost. I will join with the Senators to-morrow, if they wish to vote the necesstary funds, to make a cash payment or anything else they may see fit, but the criticisms that are attempted to be made are unfounded.

The Senator from New Mexico [Mr. JONES] is a member of the Committee on Finance. I have heard none of these criticisms urged before that committee. I have heard of no great assistance being rendered or any particular effort to get the bill hurried through the committee by the Senator.

Mr. JONES of New Mexico. Mr. President——

Mr. McCUMBER. I have been ready to take up the matter with him at any time, being friendly to this proposition. The Senator knows as well as I do that we have got to represent both the interests of the soldier and the interests of the taxpaying public. The Senator knows that there are those upon the committee who are desperately opposed to this bill being passed at all at this session. The Senator knows as well as I do that in April we will have Congress in session and that any appropriation bill necessary to carry out what shall be agreed upon to be the law can be put through the proper appropriating committee. That is what the committee has had in view. The Senator from Nevada knows that the Committee on Finance is not an appropriating committee; it simply provides the machinery, and the Committee on Appropriations provides the money to take care of the measure under proper estimates.

The committee which has reported this bill have acted in the best of faith. I would fix a little earlier time than the last of December, 1922; but that is for the Senate to determine when the bill comes before it. If we get the pending bill out of the way we will have the other one before us very quickly for disposition.

Mr. JONES of New Mexico. Mr. President, I trust that the Senator from North Dakota may be willing to withdraw one expression which he used in his recent remarks, to the effect that he had heard enough demagogy on this bill. I want to say to the Senator that that is a word which I have not yet used, but if we consider the history of this bill from the time that it started in the House of Representatives until this good hour it seems to me that somebody else has the right to use the word which the Senator from North Dakota has employed. He certainly does not intend to apply that word to me, because he knows that the Finance Committee did not have the bill under consideration until Thursday of last week. Where was the opportunity to study the bill?

The Senator from North Dakota also knows that I have been asking him for a copy of his report. The Senator from North Dakota further knows that on last Saturday, when the Committee on Finance decided to report the bill, we then only had a report, which he read to the committee. We had no opportunity to suggest amendments; and on that occasion I specifically reserved the right to propose amendments in the Senate. A statement or inference as to dereliction in working with the committee is wholly unwarranted by the facts.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nevada?

Mr. JONES of New Mexico. I yield.

Mr. PITTMAN. I was just about to finish a sentence when interrupted. I merely wish to say that while the House did not provide, as has been stated, the means or funds through taxation to raise this amount to cover the full period of years, they did provide, as I understand—and I am not a member of the Finance Committee, but base my statement on a hasty examination of the bill as it comes from the committee—for the raising of large sums of money through increasing taxes on large incomes and also upon stock sales and transactions of that kind on stock exchanges which would take care of the immediate needs. I do not know why the money can not be raised if it is desired to tax those who have the incomes with which to pay it.

Of course, I understand that when you attempt to raise the taxes much higher a great many more people will complain, but that does not concern me at all; and if it is demagoguery to be willing to take part of the profits—not the principal but a part more of the profits—away from those who have made enormous profits out of the war, and pay it to those men who sacrificed and suffered for us, that our liberties might endure and that we might live in peace and prosperity, then I welcome the charge of demagoguery.

And so it seems to appear from arguments that to save the incomes is statesmanship and to attempt to do justice to our soldiers is demagoguery.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Washington?

Mr. JONES of New Mexico. I yield to the Senator from Washington.

Mr. POINDEXTER. I am very much in sympathy with what the Senator has been saying. This bill having passed the House, there might be a possibility of taking some action in the Senate and getting an agreement; but, of course, we can not consider two bills at the same time, and if the Senator will allow us to proceed with the naval appropriation bill and get it out of the way, I will join with him in an effort to accomplish the object that he has so well stated.

I hope, therefore, the Senator will allow us to go ahead with the naval bill.

Mr. JONES of New Mexico. Mr. President, I am always glad to accommodate my cordial friend from Washington when I think it can be done without detriment to the public interest; but from the remarks which I listened to this afternoon from the Senator from Idaho I am quite convinced that it would be a useless waste of time to take up the naval bill now, in the closing days of this session. The Senator from Idaho did not say that he was determined that that bill should not pass; but when a Senator, loquacious, eloquent, well informed, announces to the Senate that certain features of such a bill should be considered deliberately and at length I think we all understand just what that means. So I believe that it would be a waste of time to take up that bill, and, if I were unkind enough, it seems to me the observation would be justified that when this bill is brought upon the floor of the Senate and presented to it—this bill which I deem to be an emergency measure, a bill which promises some result—when I see this bill presented to the Senate without any effort to bring it up for consideration, and upon the other side of the Chamber a motion is made to take up the naval bill when we all know what the ultimate result probably will be, it would seem to indicate that there was some plan somewhere to prevent this bill from becoming a law at this session of Congress.

Mr. GERRY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Rhode Island?

Mr. JONES of New Mexico. I yield.

Mr. GERRY. Is it not true that when the bill was before the committee a vote was had on the question whether the date should be made January 1, 1923, or whether the date in the House bill of July 1, 1921, should be retained? I know that the Senator from New Mexico and the Senator from Rhode Island voted for the 1921 date.

Mr. JONES of New Mexico. That is correct.

Mr. GERRY. The Senator from North Dakota [Mr. McCUMBER] was opposed to this, and I am very glad to see that apparently from his statement on the floor he has rather changed his mind about it and thinks that an earlier date than January 1, 1923, may be set.

Mr. JONES of New Mexico. Mr. President, the truth of the situation is, as I understand—and I do not blame the Senator from North Dakota for that situation, either—that this matter has been deferred until the closing hours of this Congress, and the conclusion has been finally reached that this Senate must do something, must take some action, or must meet with the resentment which will necessarily come from these ex-service men and their friends and the other patriotic citizens of this country who believe that they should receive some kind of compensation for the services which they have contributed to the country.

I do not blame the Senator from North Dakota. If I recall correctly, he was appointed chairman of the subcommittee only a short time ago, and I believe I have heard him make the statement in committee that from that time to the present he has been hard at work on the bill. So I acquit him of any intention to delay this bill or of any intention to take any teeth out of it, if it ever had any teeth in it, but this is the situation which confronts us and the country now, and it does seem to me that it devolves upon us to take this situation in hand and deal with it so as to bring about some affirmative result and to do something to show that we mean what we pretend to mean.

Mr. President, there are three things which it seems to me can be done here without the employment of very much money.

The Senate Finance Committee proposes to strike out the provisions of this bill for raising the funds by taxation. No consideration really has been given by the committee to that feature, except in the most perfunctory way. It may be that the provisions in this bill for raising funds are not what they should be, that we can raise this money in some other way, the large amount, if it should ever be necessary, but I want to refer to another feature of this bill which in all probability will make it unnecessary at any time to raise any very large sum of money, as has been suggested in the report of the chairman of the committee.

To my mind, there is a very unwise provision on page 3 of this bill. For instance, it provides:

> Applications for adjusted-service pay shall be made within six months after the passage of this act.
>
> Applications for adjusted-service certificates shall be made within one year after the passage of this act.
>
> Applications for vocational training aid or for farm or home aid shall be made within one year after the passage of this act * * *.
>
> Applications for land-settlement aid shall be made within one year after the passage of this act * * *.

And then it says:

> Any application not made within the time provided therefor shall be held void.

I can not for the life of me conceive any reason for putting such a provision as that into this bill. I have heard it said by many ex-service men that they do not want anything from this Government of ours at this time; that they do not need it; that they do not want anything, and would not accept the provisions of this bill if they were entitled to them. Now, then, why limit the time within which the application may be filed? That same ex-service man through his patriotism might decline to accept any adjustment of pay at this time, but in the mutations of time circumstances may change, and then he would be confronted with this provision:

> Any application not made within the time provided therefor shall be held void.

Do we want to make any such provision as that? Moreover, do we want to force the ex-service man within the next six months to say whether he wants to take the adjusted pay, or whether he wants to take a certificate, or whether he wants to take a home settlement or vocational training? Do you want to force him to do that within the next six months?

Fellow Senators, how can the ex-service man decide in six months whether he wants to take a home-settlement benefit or not? No selection of the homes has been made. We do not know where the projects are going to be; and to force him to make his selection within six months, or be forever barred, is doing him an absolute injustice, and the effect of it will be to force practically all of them to choose the bonus or cash payment plan. That, indeed, might and would make a great burden upon the Treasury; but if you defer the time or have the time unlimited within which the selection may be made, I imagine that thousands and hundreds of thousands of these men will not make their selection now. They will want to wait and see what the home-settlement plan is going to amount to. They will want to wait and see whether they desire to take an adjusted-service certificate. They might want to wait and determine to borrow the money for the purchase of a home or a farm as provided in this bill; but if you force them to make a decision now you force them to select the payment of this sum in cash, and to my mind they ought to be discouraged from accepting cash just as much as we can possibly do it.

Another provision that we might put in this bill is this: We passed a few years ago what is known as a stock-grazing homestead law. We propose to give to a settler upon the public domain 640 acres of land if he will go there and improve it. He does not have to live on it, but we give it to him if he will simply go there and improve it. Now, the reason why those lands have not been improved and taken up under that law is this: Six hundred and forty acres of those lands is not enough to enable a man to go and establish a little stock ranch and make a living on the land. So I have prepared an amendment to this bill, providing that an ex-service man may purchase of those lands 1,280 acres at $1.25 an acre, and have his adjusted-service pay applied to the purchase price.

I have the amendment prepared here, and I submit that there can be no valid reason suggested why this plan should not be adopted; and if it is adopted it will afford homes, it will afford aid to hundreds and thousands of these ex-service men, and will not cost this Government a dollar. Why should not that be done?

I provide that those lands which have been classified under the stock-grazing homestead law may be purchased at $1.25 an acre, or that other lands of less value, which have been classified as of less value and are put outside the stock-grazing homestead law because they are not of sufficient value, may be purchased. So the amendment is limited to that. I propose that we appropriate $100,000,000 for the purpose of furnishing vocational training if the ex-service men want it, $25,000,000 for the purpose of starting the home-settlement feature of this bill, and then I propose to put in this amendment allowing the soldiers to purchase these lands upon the public domain and get them into private ownership, private use, and have them become sub-

ject to taxation for State purposes. I provide that the cash proceeds derived therefrom shall be divided, one half going to the State where the land is found, and the other half going to the Reclamation Fund, the half going to the State to be appropriated as the legislature may provide for either common public schools or the building of roads.

So, Mr. President, I offer the three amendments which I have had prepared, and ask that they may be printed as proposed amendments to the bill. I will state also that while I have prepared no amendment I shall, on consideration of the bill, move to strike out, on page 3, lines 5 to 24, inclusive, being all of those provisions requiring the ex-service man to make his selection within a limited time.

The PRESIDING OFFICER. The amendments offered by the Senator from New Mexco [Mr. JONES] to House bill 14157 will be printed and lie on the table.

Mr. JONES of New Mexico. Mr. President, it does seem to me that in this late hour of this Congress it would be a waste of time to take up the naval appropriation bill, which is now sought to be brought up, and instead of doing that I hope the Senate will take up this adjusted-compensation bill and consider it. Let us put it in shape. The Senator from North Dakota [Mr. MCCUMBER] very properly suggested that if the bill is not in shape the Senate could take hold of it and put it in shape. Let us do it. Let us not waste our time in considering a bill which can accomplish no result and which can as well be considered at the special session of the next Congress.

Mr. MCCUMBER. Mr. President, the Senator from New Mexico [Mr. JONES] is a member of the Committee on Finance. I have been a member of that committee for some years. In all my experience I have never known of a time when the committee would not at any time suggested by any Member call up any bill before the committee for amendment or for suggestion. I know that it was in the power of the Senator from New Mexico to request a meeting to consider any part of any bill at any time, and that a meeting would have been called especially at his request. I do not think it lies in the mouth of anyone to say that that committee, of which he is a member, has not acted expeditiously upon any bill, when the power was in his hands, as well as in those of other members of the committee, to bring about action at any time if he thought there was any delay.

But, Mr. President, there has been a great deal of work not only before that committee but before every committee of the Senate in the present short session.

Mr. JONES of New Mexico. Mr. President, will the Senator yield for a question?

Mr. MCCUMBER. I yield to the Senator with pleasure.

Mr. JONES of New Mexico. I desire to make this statement in response to what the Senator has just said: I have not been a member of this body as long as the Senator from North Dakota, but if any such rule prevails as he has just announced I must say I have never heard of it before.

If it was within the power of a single member of the committee to bring together a meeting of the committee this is the first time that information has come to my ears. The Senator, it does seem to me, in his great spirit of fairness, ought to observe, what seems to be the prevailing opinion in this body as well as throughout the country, that the chairman of the committee and a few on the majority side of the committee control absolutely the proceedings of the committee.

Mr. MCCUMBER. Mr. President, the chairman of the committee is not the whole committee in any one of the committees of the Senate, and he is not in the Finance Committee. The chairman of the Finance Committee has been absent a great part of the time on account of sickness. There has never been a time in which any member of that committee has asked for a meeting when the member next below the chairman has not immediately proceeded to ask the committee to meet in response to the request of that member, and it would not make any difference whether that member was on the minority or the majority side.

Mr. President, let us deal honestly with the subject. Let us not try to play upon anybody or for any purpose. Let us deal fairly by the country, and deal fairly by the committee, and fairly by the people who have to pay the taxes. We are confronted with an enormous deficit. The people of the country are tax burdened. The American people are generous, generous even to a fault, and more than generous at all times toward those who fight their battles. The man who goes into the Army or Navy has never had just cause to complain of the impulse of the American people to do the right thing by him at all times.

But, Mr. President, we know we are confronted with conditions that are not at all agreeable. The country at the present time, so far as business is concerned, is almost prostrated. We have to raise by taxation very large sums to meet our liabilities. I believe we can meet this added liability in the way I have suggested, without any additional taxation whatever.

The Senator from New Mexico criticizes the Senate committee, or seems to criticize it, because of some provisions in the bill as it passed the House. We had hearings, and most of those hearings were given over to those who were ex-service men, who represented the American Legion, and other organizations of those men. Their testimony uniformly was that they were entirely satisfied with the bill as it passed the House. They were not desirous of having any amendments, and preferred that there should be none.

When it came to the question as to the time when it should go into effect we were assured that they would have confidence that the Congress would make it applicable as soon as the conditions of the country would warrant it, and that whatever the Congress did they would be satisfied with it; and I am certain that that is their sentiment.

I admit that a difference of 18 months, between July 1, 1921, and December, 1922, measures quite an extent in the lives of those who desire to take advantage of two provisions; that is, the land provision and that providing for industrial education. But that can be fixed in the Senate to whatever time the Senate thinks would be the proper time. I am satisfied that 95 per cent of the men, at least, will choose either the cash or the insurance or certificate proposition, and those are the provisions which will cost the greatest sum of money to the American people.

Therefore in making this report I was careful to cover the minimum and also the possible maximum cost, and then gave tables showing the figures all the way between those two extremes, to show what would be the probable cost to the American people, and even independent of the action of the committee, I made an additional suggestion, which I thought proper, as to how the money might be raised without any additional taxation whatever. I believe it can be done, and I believe we could probably begin at a little earlier date if the Senate thought proper. But I do not think we should select July 1, 1921, because we are too near that date at the present time to raise the necessary revenue to provide the bills for it and to put in action the machinery which will be necessary. I want to give the ex-soldier sufficient time to be educated as to just exactly what these provisions mean to him before he is called upon even to exercise his judgment at all, and I think six months should be the least number of months that should be allowed for this purpose before he is even required to make any selection whatever.

The committee is acting in the best of faith. I stated in my presentation this morning that, whatever date we fix, I thought we ought to put it right through now, so that when we meet in April we can immediately prepare our revenue and our appropriation bills to meet the estimated requirements of the bill.

Mr. JONES of New Mexico. Mr. President, I should like to ask the Senator a question bearing upon the remarks which he has just made. As I understood the Senator, he said that the bill was satisfactory to the ex-service men.

Mr. MCCUMBER. I stated that, according to the testimony, as the bill passed the House it was satisfactory to the ex-service men, and I stated, as to those who were before us, just what the testimony showed.

Mr. JONES of New Mexico. I should like to ask the Senator, in this connection, if he does not understand that the ex-service men, in expressing such approval of the bill, understood that the bill made provision for the payment of money?

Mr. MCCUMBER. Of course.

Mr. JONES of New Mexico. Does the bill make any such provision?

Mr. MCCUMBER. The bill as it passed the House makes provision for the payment of the money, and of course so does the bill that we have reported. The only difference is the time when the payments shall begin, and the Senate will fix the exact date, when it passes upon this bill, I assume. Inasmuch as there is so much difference between those who take an extreme view and those who wish to take a moderate view, as to the proper time, I for one thought it was best to determine that matter in the Senate itself, and gave the two dates. The Senator knows that it was voted in the committee to put the date off to a still further time, even a year later, which of course was voted down.

Mr. JONES of New Mexico. Will the Senator permit another question?

Mr. MCCUMBER. Certainly.

Mr. JONES of New Mexico. Does the Senator want us to understand that if the bill were to become a law as it passed the House, or as reported to the Senate, the ex-service man

would get a dollar under it, without further legislation by Congress?

Mr. McCUMBER. Mr. President, I do not care what kind of a law we pass that is necessary to fix a monetary obligation upon the country, we have to depend upon Congress to make appropriations for the payments. Does any officer in the Army or Navy know that he is going to be paid two years from now? Yes; he knows that, his salary being fixed, that Congress will make the necessary appropriation. Do the soldiers know that they are going to be paid if we pass a law which provides that they shall be paid? Certainly, they know that Congress will make appropriate provision in the appropriation bills for the payments.

We do not know to-day exactly how much money will be paid each year. We can not know until the applications begin to come in.

If we pass the bill to-day, we can make a fair estimate. Even if we fix on July 1, 1921, as the date for the beginning of payments, we can make a fair estimate as to how much will be required before the end of the next fiscal year, and between April 4 and June 30 of 1921 we can pass an appropriation bill to cover the estimate. It is not necessary, it not only is not necessary but it is not proper that the bill should carry the appropriation to make the payments that will be made during all of the next 20 years.

Mr. JONES of New Mexico. Mr. President, the bill passed the House on the 20th of last May. It provided for the operation of the adjusted service pay beginning on the 1st of July, 1921, just a few months from the present time. Even if the Senator from North Dakota believes that the Appropriations Committee will make appropriations for carrying out the provisions of such a bill as this, has there been any attempt on the part of the Committee on Appropriations of the House even to consider any legislation looking toward the actual appropriation of money for the purpose, and should the ex-service men be satisfied with this legislation which alone would not provide the payment of a single dollar?

Mr. McCUMBER. The time to make an appropriation for any law is when we know what the law will be. When a bill is passed which provides for many and devious ways through which we are to determine the amount which will be necessary, we have got to wait until we see what the law is and then trust the proper Appropriations Committee to make the appropriation. I will guarantee to the Senator that if we pass the bill at this session there will be an appropriation made, even though it takes effect July 1, 1921, and I could add a like guaranty that if it passes at any time before July 1, 1921, the necessary appropriation will be made to carry it into effect. I would rather have it passed now. I think it ought to pass before we begin the consideration of our revenue bill, because the revenue bill should be framed in accordance with the requirements of the Government, and we should know the additional requirements just as soon as possible.

NAVAL APPROPRIATIONS.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). The question is on the motion of the Senator from Washington [Mr. POINDEXTER], that the Senate proceed to the consideration of House bill 15975, the naval appropriation bill.

Mr. LA FOLLETTE. On that I demand the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. KNOX (when his name was called). May I inquire if the senior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDING OFFICER. He has not.

Mr. KNOX. I withhold my vote, being paired with that Senator.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. I transfer my pair to the junior Senator from California [Mr. JOHNSON] and vote "yea."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the junior Senator from Georgia [Mr. HARRIS] and vote "yea."

Mr. FERNALD. Making the same announcement as before, I transfer my pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. KNOX. I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from Oregon [Mr. MCNARY] and vote "yea."

Mr. McCUMBER (after having voted in the affirmative). I transfer my pair with the senior Senator from Colorado [Mr. THOMAS] to the junior Senator from Vermont [Mr. PAGE] and allow my vote to stand.

Mr. GERRY. I was requested to announce that the Senator from Georgia [Mr. HARRIS] and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 43, nays 7, as follows:

YEAS—43.

Ball	Gooding	Moses	Stanley
Brandegee	Hale	New	Sterling
Calder	Heflin	Overman	Sutherland
Capper	Jones, Wash.	Phipps	Townsend
Curtis	Kellogg	Poindexter	Trammell
Dial	Keyes	Pomerene	Underwood
Elkins	Knox	Sheppard	Wadsworth
Fernald	Lenroot	Simmons	Warren
Fletcher	Lodge	Smith, Ga.	Willis
France	McCumber	Smoot	Wolcott
Gerry	McKellar	Spencer	

NAYS—7.

Borah	Kenyon	La Follette	Smith, S. C.
Jones, N. Mex.	King	Norris	

NOT VOTING—46.

Ashurst	Gore	McNary	Sherman
Beckham	Gronna	Myers	Shields
Chamberlain	Harris	Nelson	Smith, Ariz.
Colt	Harrison	Newberry	Smith, Md.
Culberson	Henderson	Owen	Swanson
Cummins	Hitchcock	Page	Thomas
Dillingham	Johnson, Calif.	Penrose	Walsh, Mass.
Edge	Johnson, S. Dak.	Phelan	Walsh, Mont.
Fall	Kendrick	Pittman	Watson
Frelinghuysen	Kirby	Ransdell	Williams
Gay	McCormick	Reed	
Glass	McLean	Robinson	

So Mr. POINDEXTER's motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. POINDEXTER. Mr. President, I ask unanimous consent to dispense with the formal reading of the bill, that the bill be read for amendments, and that the committee amendments be first considered.

Mr. BORAH. May I ask the Senator from Washington if it is the intention to-night, after he has held the Senate as long as he desires, to take a recess or adjourn?

Mr. POINDEXTER. To take a recess. I ask unanimous consent that when we conclude the sitting to-night, the Senate shall take a recess until 11 o'clock to-morrow morning.

Mr. BORAH. Just a moment. That is a point concerning which I desire to be informed. I gave notice a day or two ago, under Rule XL, of a motion to suspend the rules, and since that time we have been taking a recess and have had no adjournment. Do I understand that my notice would be available notwithstanding the fact we have had no adjournment?

Mr. POINDEXTER. That is my understanding.

The PRESIDING OFFICER. The opinion of the Chair is that the rule which has been followed is that a calendar day must elapse. Inasmuch as that rule has been followed, the Chair thinks the motion of the Senator would be in order, and that the rule would apply to the notice given by the Senator from Idaho.

The Senator from Washington has submitted a request for unanimous consent to dispense with the formal reading of the bill, and that the bill be read for amendments, and that committee amendments be first considered.

Mr. KING. Mr. President. I do not wish to object, but I desire to call the attention of the Senator to the fact that to-morrow at 10.30 and 11 o'clock a number of committees are to meet. I have two such meetings—I think the purpose is to conclude a number of pending and important matters—and perhaps they will be the last meetings of the committees, and doubtless a large number of other committees are meeting. If the

Senator could make it 12 o'clock, it would give us a chance to get rid of those important matters.

Mr. POINDEXTER. I will say to the Senator from Utah, so far as his committee meetings are concerned, that if he will allow us to proceed at 11 o'clock, if any matter in which he is interested should come up during his committee meeting I shall be very glad to have it go over until he can be here.

Mr. KING. I do not want to object, but I thought my suggestion might be in the interest of economy of time and the expedition of business.

Mr. LODGE. If the Senator will allow me, I desire to say I hope the Senator from Utah will not object to making it 11 o'clock, because it is better to meet at 11 o'clock than to add an hour at night, and that is what would have to be done.

The PRESIDING OFFICER. Without objection, the request of the Senator from Washington is granted.

Mr. POINDEXTER. The second request which I desire to make is that when the Senate concludes its sitting to-day it take a recess until 11 o'clock to-morrow.

The PRESIDING OFFICER. The Senate has heard the request of the Senator from Washington. Is there objection? The Chair hears none, and it is so ordered.

REFERENCE OF NOMINATIONS.

Mr. JONES of Washington. Mr. President, I ask unanimous consent to have referred to the Committee on Commerce, as in open executive session, certain nominations—1 in the Steamboat-Inspection Service, 11 in the Coast Guard, and 17 in the Coast and Geodetic Survey.

Mr. SMOOT. Those were the nominations asked to be referred to which I objected the other day, but I find, upon examination, that they are regular promotions, just the same as the regular promotions in the Army or Navy. Therefore I have no objection to the course suggested by the Senator from Washington.

The PRESIDING OFFICER. Without objection, the request of the Senator from Washington is granted.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The reading clerk proceeded to read the bill.

Mr. POINDEXTER. Mr. President, I have asked that the formal reading of the bill be dispensed with and that it be read for amendments, the committee amendments to be first considered.

The PRESIDING OFFICER. The Secretary is following the usual procedure in such cases.

Mr. BORAH. I do not understand that by granting the request of the Senator from Washington the Secretary is relieved from reading the bill. The bill is now being read for committee amendments, but the bill has to be read.

Mr. POINDEXTER. Of course, if the Senator from Idaho desires the entire bill to be read, that is all right.

Mr. BORAH. I understood that the Senator from Washington had simply asked to dispense with the formal reading of the bill and to have it read for committee amendments. That is what the Secretary is now doing. I repeat, the bill has to be read.

Mr. POINDEXTER. If the Senator desires it, of course, that is all right; but I thought it would save time simply to read the amendments.

Mr. KING. I should like to have the bill read.

The reading of the bill was resumed.

The first amendment of the Committee on Naval Affairs was, on page 2, line 14, after the word "employees," to insert "and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen," so as to read:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers of the Navy and Naval Reserve Force while traveling under orders in the United States, and for actual personal expenses of officers of the Navy and Naval Reserve Force while traveling abroad under orders, and for traveling expenses of civilian employees; and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen.

The amendment was agreed to.

The next amendment was, on page 3, line 14, under the heading, "Pay, miscellaneous," to increase the appropriation "for telephone rentals and tolls, telegrams and cablegrams, postage," etc., from "$250,000" to "$400,000."

Mr. KING. Mr. President, the first item which we encounter in the consideration of the pending bill calling for an appropriation is an increase over that carried by the House bill. The House appropriation with reference to this item called for $250,000, while the bill, as reported by the Senate committee, carries $400,000. The Senator from Idaho [Mr. BORAH] a few moments ago called attention to the fact that the bill increases the appropriations carried by the House bill by more than $105,000,000.

Mr. President, an examination of the testimony and the bill, in my opinion, fails to justify these tremendous increases. I do not recall at this moment the various estimates which constitute this aggregate sum of $400,000; but the House committee examined into these items—and I say it with all due respect to the Senate committee—with far more particularity than did the Senate committee. Yet, Mr. President, an examination of the House hearings discloses how pitifully imperfect is the information which is furnished. I have not the time to take up the specific items concerning which testimony was given in the House; but an examination of almost any one of them selected at random will show that substantially all the testimony was given by interested naval officers or persons representing the Navy Department. Of course, it would be unparliamentary, and perhaps improper, upon my part to comment upon the procedure employed by the other branch of the legislative body in obtaining data as the basis of projected legislation, and particularly appropriation bills; but I aver—and I do not think the statement can be successfully controverted—that the testimony adduced before the House Naval Committee with respect to the items carried in the House naval appropriation bill was wholly inadequate to enable legislators intelligently to act.

Some representative of the Navy Department interested in the appropriation appears before the House committee. Already the House has been advised from estimates which have been furnished by the Navy Department that the Navy wants appropriations of given sums for specific or general purposes. Senators will keep in mind the fact that the estimates which were submitted by the Navy Department exceeded the House bill and the Senate bill by several hundred million dollars, as I now recall. In support of those estimates representatives of various bureaus or executive agencies of the Navy Department appear before the House committee, which considers the estimates, and reference is made to some estimate of $100,000 or $1,000,000 or $40,000,000, and then in a perfunctory manner statements are submitted with respect to the estimates which have been furnished. The testimony which has been adduced for the guidance of Senators is, in my opinion, insufficient to enable them to reach an intelligent and rational conclusion with respect to the various items for which appropriations are sought. Mr. President, the hearings are practically ex parte; interested witnesses appear, while the taxpayer is not represented. Others who might throw additional light upon the various items and who are not interested or who are seeking the welfare of the taxpayers are not before the committee; countervailing evidence is not submitted, and the record is made up on the ex parte statements of interested witnesses.

I do not want to speak in disparagement of the honor, the integrity, of the high character of the personnel of the Navy. I believe that the naval officers of the United States in all of the essentials embraced within the terms, character and manhood, measure up to a very high standard; yet human nature manifests itself even in naval officers as it exhibits itself in all persons in every walk of life. We are governed more or less by self-interest; persons are influenced more or less by the question of benefits and advantages which may flow directly or indirectly either to them or to a cause in which they are deeply interested. So, Mr. President, unconsciously, by reason of that natural trait of human character, we are oftentimes led to support measures which do not deserve success, and we earnestly and jealously push to a successful issue policies which careful scrutiny and dispassionate consideration would convince us are improper or at least imprudent and improvident.

The very fact that the estimates which are submitted by the Navy Department and by other executive agencies of the Government exceed by hundreds of millions, and, indeed, by billions of dollars the revenues of the Government, is conclusive evidence that the estimates which are submitted should receive the most careful scrutiny at the hands of both the House and Senate; and, indeed, is evidence that those preparing the estimates are not always guided by a desire for the public welfare.

Moreover, Mr. President, as a corollary to that observation it is evident that the testimony which they give before these committees in support of the estimates—and the testimony, of course, is absolutely in line with the estimates—must be taken

with caution, if not distrust, and ought to be weighed by the legislative branches of the Government with the utmost care, and judgment should not be reached unless the testimony and the facts clearly point the way.

Mr. President, I have been astounded and indeed grieved at the estimates which have been furnished from time to time by executive departments of the Government since I have been a Member of this body. There seems to be a rivalry between departments as to which can submit the largest estimates and obtain the largest appropriations from the Treasury of the United States. The distinguished Senator from North Dakota [Mr. MCCUMBER], if I understood his statement correctly, made the observation a few moments ago, when he was discussing the bonus bill, that there was a deficit now, or would be a deficit with the appropriation bills now before the Senate, of considerably more than $2,000,000,000; and he stated, as I remember his figures, that in the event that certain legislation were enacted the deficit would be three billion four hundred or five hundred millions of dollars.

Mr. President, such sums as those mentioned by the Senator would silence even my distinguished friend who is championing this bill in the Senate—a deficit of $2,000,000,000 confronting the Republican Party after it has been in power in the legislative branch of the Government but two years! The revenues which are being derived under existing law have wrung from the people billions of dollars. As I recall, we will obtain from the various revenue bills now in force approximately $5,000,000,000 for the current year. There was a time, not very far in the past, when our appropriations scarcely exceeded a billion dollars. The appropriations for the first two years of Republican control of the legislative branch of the Government will exceed $5,000,000,000 per annum, and the two years of their control of the House and the Senate will find them, notwithstanding these stupendous taxes collected from the people, with a deficit of more than $2,000,000,000.

I think that that statement is modest. I think the deficit will exceed that amount, because the revenue for the current year, because of the decrease in the business of the country, will be materially reduced; and with the reduction in the revenue there will, of course, be an increase in the deficit which is being incurred as a result of these tremendous expenditures.

The Senator from Idaho [Mr. BORAH] just read an excerpt from a letter written by a business man in the West, speaking about the demoralized condition of business, the despair that has taken possession of the cattle and sheep men, and the general paralysis that exists in the industrial life of the people. From the high tide of a splendid and beneficent prosperity which resulted from Democratic ascendancy, we are now confronted with business paralysis in all parts of the land, despair in business circles, stagnation in the economic life of the Republic, and industrial unrest, indeed almost turbulence, in many portions of the United States.

Mr. President, it was announced following the great victory of the Republican Party that stocks would rise, that there would be increased activity in all branches of business and that the prosperity of this country would be the greatest in its history. Republicans foresaw, so they said, an emergence from the twilight of business depression into the splendid sunlight of prosperity. But, Mr. President, Mr. Harding was elected in November. A number of months have passed since the Republican victory—a victory so overwhelming that it amazed the Republicans, and I must confess that it stupefied the Democrats—but I have looked in vain to find the evidences of this prophesied prosperity that was to come like a majestic flood and sweep over the entire country. Republicans won the election two years ago and obtained control of this body, as also the House of Representatives. It was then said by the majority party, "We are going to have good times," and that prosperity would increase because of the Republican victory, but business refused to respond to Republican victory or Republican promises.

Mr. President, I do not want to be partisan. I want to say that the business and industrial conditions of the country have resulted, not because of Republican successes; they were absolutely inevitable. I would not be unfair enough to charge that the present economic conditions and the industrial disaster which have come to the American people are to be attributed to Republican success. The trouble is fundamentally not superficial and goes deeper than mere election results. But there are too many people who look to the Government as the fountain of prosperity or as the cause of adversity. We have been taught, unfortunately, by many of the false political prophets in our midst, that our prosperity depends upon the Government rather than upon the people themselves. There are too many false teachers in the land who insist that the power that gives us beneficent things rests with the Government, rather than with the people themselves.

Mr. President, the power for weal or for woe, politically or industrially, rests with the people, not with the Government. It is time that men and women in this Republic began to realize the fact that they are the arbiters of their own economic as well as their political destiny, and that there are tides surging throughout the world affecting the political and the economic conditions of humanity that are beyond the control of political organizations and beyond the omnipotent power of the most paternalistic of governments. There are certain laws that are operative in the economic world, and if we by legislation seek to nullify them we only add to our misfortune and contribute to our woes.

Mr. President, it is a profound discovery of the German philosophers that we find exemplified in sociological conditions, in the social organism, those principles of evolution and growth and progress and development which find expression in the biological world. There is universality of law, and its violation in the economic world is attended with serious consequences. The progress of the government depends upon the individual units within the government. A bold, courageous, industrious, enterprising people will compel success, and will bring prosperity, regardless of adverse conditions by which they may be surrounded. Prosperity is a plant that grows through the individualism and industry and thrift and courage and manhood and self-reliance of the people. There may be exotic growths, superficial in character, the product of unwise law, and legislation which flies in the face of the inexorable laws governing the world; but in the end the natural laws of progress will assert themselves, and the exotic plants will wither and die, and the hardy plants which have grown in the sunlight and in the shadow and in the storm of opposition and of rivalry will survive.

The letter which the Senator from Idaho read contained a statement which is pertinent. The writer said: "I do not know that Congress can do anything to relieve the situation." I know one thing that Congress can do. Congress can let the people alone. It can reduce taxes and limit appropriations.

Adam Smith refers to the conditions essential to progress and happiness. They call for light taxes and a "tolerable" degree of justice. If there were more independence, I mean personal independence, more self-reliance, a greater faith in local self-government, it would make for the welfare and advancement of the people.

The people want an opportunity to work out their own destiny, untrammeled and unhampered by the powerful and omnipotent hand of a paternalistic government. Mr. President, the Government of the United States unfortunately for a number of years has been drifting away from what I regard as sound political principles. It is adopting a policy which more and more develops a spirit of paternalism and more and more enervates and atrophies the individuals and the States.

The people come from every part of our land to Congress for relief, instead of appealing to and relying upon themselves, and if it is a matter for governmental interposition, to their own States, which have to do with their local and domestic affairs. The Federal Government has certain functions to perform. They are determined by the Constitution of the United States. This is a Government of enumerated powers, and the Federal Government may not project itself beyond the limits established by the Constitution of the United States.

But I say we are drifting from those conceptions which our fathers had, and which obtained for many years in this Republic, and the struggle now is for the individuals and for the States to maintain themselves against this rising, omnipotent tide of federalism which seeks their destruction.

So people come to Congress and ask for greater appropriations, and Congress, responding to the importunities of the people, increases the appropriations from year to year, until, as has been stated by the Senator from North Dakota [Mr. MCCUMBER], the appropriations will be so great that we will have a deficit of from two to three billion dollars for the current year.

We are considering now the Naval appropriation bill. Saturday we passed the Army bill. I shall not trespass upon the time of the Senate to read the statistics showing the appropriations made in Great Britain, Germany, France, and other nations of Europe, and Japan, for their armies from 1912, indeed from earlier periods, down to the breaking out of the Great War. I have them here and they are very instructive. Mr. President, without turning to the page showing the appropriations made by Germany, my recollection is that we are appropriating for the coming year for the Army of the United States more than Germany ever appropriated for her army, except during the period of the great World War. We appropriated on Saturday more than $400,000,000 for an Army of 175,000 men. Germany, the greatest military power of Europe, when she had

an army of some half a million to a million men, did not expend in a single year the amount which we appropriated for the next fiscal year for an Army of 175,000 men; and we are at peace and more than two years removed from the war.

Mr. President, whatever the Federal Government does it does in an extravagant, wasteful manner. It costs the Federal Government more than any civilized Government in the world to execute a given program, and it is wasteful, measured by the activities of private business. We have developed a spirit of extravagance and wastefulness upon the part of the Federal Government and its officials, so our expenses mount and increase in the War Department and in the Navy Department, and have attained heights never before reached, except during the period of war. The end of the war brings no relief from taxation and promises no economies.

The Senator from Idaho [Mr. BORAH] called attention to the expenditures made by our Government for naval purposes for a number of years last past, and showed that the appropriation asked for now, over $500,000,000, was two or three times greater than it ever was prior to the breaking out of the war.

What is the reason for these tremendous expenses, Mr. President? Is it impossible for the Federal Government to function along business lines, along the paths of economy and efficiency? Shall we confess that democracy is a failure, and that we can not, in the administration of a democratic Government, practice those virtues of economy and efficiency which we must allege characterize autocratic governments? This much must be said for Germany, that notwithstanding she was a military power and was autocratic, and, indeed, in many respects despotic, she enforced economy and efficiency, and in the army and in the navy for every mark which was expended she got a corresponding benefit.

The item under consideration now, Mr. President, is increased, as I have stated, from that which is found in the bill as it passed the House. So it is with nearly every other item in the bill. If this were the only increase, it would not excite any particular attention. We turn to the very next item, on page 4, line 10, and find an increase there of half a million dollars. On the following page, page 5, as it passed the House, the bill carried $440,000, under that particular paragraph, for aviation, and the Senate committee recommended an increase to $1,440,000; and, indeed, on the following line the amount seems to be increased to $6,125,750, showing an increase of more than five millions and a half above that which was carried in the bill as it passed the House.

In lines 18 and 19 the bill, as it passed the House, carried an appropriation of $1,615,000 "for continuing experiments and development work on all types of aircraft." That has been increased to $3,000,000.

On lines 20 and 22, the item for "new construction, buildings, and improvements at air stations at a total cost not to exceed $1,339,000," seems to be an entirely new item. The aggregate increase there is the amount which I last mentioned.

On the following page the item of $6,913,431 is increased, so that the Senate committee bill carries $18,729,000.

On page 7 there seems to be a new item of $2,500,000. When I say new, I mean an item that was not found in the bill as it passed the House.

On page 9, under the head of "Bureau of Navigation," the amount appropriated by the House was $3,500,000. The Senate committee bill carries $4,500,000.

On line 9 of the same page, there is an item of $100,000 which is entirely new, no corresponding item being found in the bill as it passed the House.

Page 10 carries an amendment of $100,000. I am not sure but what that, however, is the same amount carried by an item which was stricken out.

Page 11 increases the appropriation for miscellaneous items, under the head of "Instruments and Supplies," from $750,000 to $850,000.

Page 12 increases the amount, under the head of "Naval Training Station, California," from $125,000 to $150,000.

On line 23 there is an increase in the item from $185,000 to $300,000, under the head of "Naval Training Station, Rhode Island."

On page 13, under the head of "Naval Training Station, Great Lakes," the item has been increased from $400,000 to $500,000.

On pages 15 and 16, under the head of "Summer Schools for Boys," is a new item, $200,000.

Under the head of "Naval Reserve Force Board," page 17, the item has been increased from $50,000 to $100,000, and under the head of "Receiving Barracks," lines 12 and 13, the item has been increased from $50,000 to $100,000.

On page 20, under the head of "Bureau of Ordnance," there has been an increase of $1,000,000, so that the item stands $15,000,000, as provided in the Senate committee bill.

On page 22, under the head of "Bureau of Yards and Docks," there is an increase of from $7,500,000 to $9,000,000.

On page 22, lines 23, 24, and 25, there are increases of $140,000.

On page 23, Mr. President, there are two new items, $1,150,000 and $40,000, under the head of "Navy Yard, Charleston, S. C."

On lines 15 and 16 is a new item, carrying $800,000, for a naval station at Key West, Fla.

On page 24 there is an item of $500,000, which is new, for Pier 4, 700-foot extension, and a corresponding increase in the aggregate amount carried in that paragraph.

On page 25 there is a new item of $1,000,000, but there is a continuing appropriation, or, rather, obligation assumed by the appropriation, of $1,975,000.

The next item, submarine base at New London, carries $50,000, which is a new item.

On lines 23 to 25, on page 25, is a new item, $1,499,000, for a submarine and destroyer base upon the island of Guam.

On page 26 is an item to continue the development of a permanent training station, $1,000,000.

The House appropriated $1,000,000 to complete it, but evidently the Senate committee felt that the amount allowed by the House for the completion was inadequate, and they are appropriating $1,000,000 to continue development. Apparently there is no limitation upon the amount which may be expended in the prosecution of that work.

In lines 4, 5, 6, and 7 on the same page is carried an appropriation of $800,000 for a new naval air station at Sand Point, Wash. That is a new item not carried in the bill as it passed the House.

It is worthy of comment at this point that there seems to be a determination upon the part of the Navy Department to diffuse rather than to concentrate, and to increase the number of naval bases, aviation fields, submarine bases, and various plants and agencies of the Government. It would be economy if we would concentrate our naval activities, our construction plants, our naval bases. I think it was Admiral Sims who testified in one of the hearings that it would be better if there were fewer naval bases and naval plants, arsenals, and yards. We have a large establishment at Portsmouth, N. H., a still larger one at Boston, a large navy yard at Brooklyn, a great establishment at Philadelphia, a large plant at Norfolk. We have expended a large sum of money at Charleston, S. C. Various amounts have been appropriated for ports along the coast of Florida. The pending bill, in addition to appropriations for those particular points, carries great appropriations for additional bases and plants and establishments, not only upon the Atlantic but upon the Pacific coast.

There is one item which occurs to me at this point, and which will provoke some discussion, I fancy, before we get through with it, providing more than a million dollars to begin the construction of a plant at Alameda, Calif. The Government of the United States has expended about $32,000,000 at Mare Island, and has developed, perhaps, the most efficient naval construction plant in the world.

The record which the Mare Island plant had during the war was unequaled in this country or in any other country. Notwithstanding the appropriation of $32,000,000 for that plant in San Francisco Bay, there is a project now which, before it is completed, will cost at least $100,000,000 for a plant in the same bay. Of course, it means the ultimate scrapping of Mare Island and the loss of the $32,000,000 which has been expended there. I know Senators will say that we will continue the Mare Island plant, and that we will build a large naval base at Alameda. The time will come when the overhead of two bases or plants will not be maintained. One or the other plant, if we construct the one at Alameda, will be dismantled, and, of course, it will be the one which will perhaps cost the lesser amount. So the appropriations made for Mare Island will be lost, and the pending bill commits us to a policy of expending $100,000,000 more in San Francisco Bay.

I have here reports and data which I shall read if the chairman of the committee insists upon that item, and which will take several hours to present. It is a great mistake, in my opinion, now to make an appropriation of a single dollar for the Alameda base. Of course, the bill does not come out boldly, as it ought to do, and declare for an ultimate appropriation of what the proposed base will cost, namely, $100,000,000; but there is in the bill an insinuating item of only a million five hundred dollars; but when we appropriate this amount, then we have permitted the camel to put its nose into the tent, and it

will not be content until it takes possession of the tent. In the next session of Congress we will be called upon to appropriate $10,000,000 or more, and at the next session $20,000,000, and so on, until $100,000,000 will be expended. In my opinion this project should not be undertaken. It is a mistake, and we should refuse to agree to the committee's amendment.

Mr. HALE rose.

Mr. KING. I yield to the Senator from Maine.

Mr. HALE. The question of the appropriation for Alameda will come before the Senate in due order, and the same is true of the other matters to which the Senator has referred. The particular amendment before the Senate at the present time——

Mr. KING. Mr. President, I yielded to the Senator to ask a question if he desires. The Senator can not enlighten me as to the item which is before us.

Mr. HALE. I wish to call the Senator's attention to the fact that the particular item is on page 3 of the bill, $400,000 for telephone rental and tolls, telegrams, and cablegrams. The committee would be very glad to answer any questions on the other matters as they come up in the due course of the consideration of the bill.

Mr. KING. I am very much obliged to the Senator from Maine for suggesting that the committee will be glad to answer questions as they arise during the course of the consideration of the bill.

Mr. HALE. The chairman of the subcommittee who has charge of the bill is at present away from the floor of the Senate, and in his absence I shall be glad to answer any questions that I can.

Mr. KING. I have no doubt the Senator from Maine, who is one of the most valuable members upon the Committee on Naval Affairs, can furnish a great deal of information to myself as well as to other Senators upon the naval affairs of the Government and upon the modus operandi of the Navy Department and upon the method by which the estimates are obtained. I have no doubt the Senator can furnish us a great deal of information, and I can assure my distinguished friend that he will be called upon to furnish a great deal before the bill gets through the Senate. I can assure him further that unless the information is satisfactory the bill will not get through the Senate during this session of Congress.

I was commenting very briefly, because I shall consider the Alameda item a little later when in due course we reach it, upon the proposition involved in the Alameda proposal. It is merely illustrative of the method of the Government in the way in which it does business. It is illustrative of the devious ways, I may say, of the Army and the Navy in securing appropriations, the extravagant methods employed in the Army and in the Navy of the United States. As has been suggested by the distinguished Senator at my right [Mr. OWEN], they do not pay the bills, and they do not care how the bills are paid. For every dollar that we take out of the United States Treasury we have to send a taxgatherer to the homes of the people of the United States. The money that comes from the Treasury to meet these extravagant demands of officials of the Government comes from the sweat and the toil of labor and from the earnings and savings of the people.

Money does not flow into the Treasury from the sunbeams or the smiles of Federal officials. It is obtained as a result of the enactment of burdensome laws, enforced by the strong arm of Federal officials and, if necessary, by the gun and the bayonet of the military of the United States. The American people seem to forget where the money comes from that we appropriate out of the Treasury of the United States. I received a letter only yesterday, which I read this morning, calling upon the Government of the United States to appropriate at once $500,000,000 for the purpose of impounding the waters of some of the streams and rivers of the United States for use in reclaiming arid and semiarid lands. The gentleman who wrote the letter did not seem to appreciate the fact that before we could get $500,000,000 we would have to increase the taxes, and he, in common with other Americans, would be compelled to pay his share of that amount.

We have been so indiscriminate in our appropriations, so lavish, so prodigal, and so wasteful that many of the American people have become so voracious and demand still more and rely upon the Government to appropriate for local and State concerns. If we appropriate $1,000,000,000, they want $2,000,000,000. If we appropriate $2,000,000,000, they demand $3,000,000,000. And all the time the Liberty bonds go down and the taxes are increased and the burdens resting upon business are intensified until difficulty is experienced in meeting the exactions of the Government and economic conditions which threaten paralysis to our industrial life.

I have said that the item of $1,250,000 for Alameda is one of the illustrations of the method by which the Federal Government is induced to make lavish appropriations in the end. A small amount is asked. It seems unimportant, and the Government is committed to a policy which in the end calls for millions and tens of millions of dollars. It is claimed that this Government is the most extravagant Government on the face of the earth to-day; that the expenses of the Federal Government exceed the expenses of any other Government, notwithstanding the dual form of our Government and the fact that States are expending hundreds of millions annually for the maintenance of the State governments.

And all these Federal, State, county, and municipal burdens rest upon the people and are increasing at a ratio entirely disproportionate to the increase in wealth and population of the country.

I shall not at this time further examine these items, but I venture the assertion, Mr. President, that at least 90 per cent of the items have been increased by the Senate committee. The House bill carried an aggregate of $400,000,000; the Senate committee has increased the amount by $105,000,000; and this, Mr. President, at a time when we are at peace with the world; when we are not menaced by a single foe; when we have no foreign entanglements and no foreign relations that are provocative of war.

It has been said during the debate this afternoon, in a colloquy with the Senator from Idaho [Mr. BORAH], as I understood the situation, that if we should build the most powerful Navy in the world it would enable us more effectually to negotiate for disarmament. I deny the premises, Mr. President. I believe the argument is fallacious. I believe when we aver that we shall have the biggest Navy in the world now, at the conclusion of the World War, and at the same time profess a desire for peace, that the nations of the world may view with suspicion and skepticism the professions in which we indulge. If we want to impress the nations of the earth with the thought that we desire peace let us set an example of peace; if we want the nations to emulate us, let us set an example that is worthy of emulation. The braggart, the thug, the armed man on the streets brandishing his weapons and breathing out threats against his fellows may not impress those with whom he comes in contact with the idea that he is a lover of peace, no matter how eloquently he may affirm that he is.

Mr. President, it is not sacrilegious upon this occasion to refer to the noble beatitudes by which we should be inspired. We want to be peacemakers, and it is the peacemakers who are "blessed" and "shall be called the children of God," and the meek who "shall inherit the earth." This Nation stands upon the glittering heights of the New World. Its example should illumine the world. In the darkness and in the light the radiance of this Nation gleams out upon the tempestuous seas for the guidance of those nations which are tossed upon the billows and the stormy seas of national existence. If this Nation desires other nations to pursue the paths of peace, let the American Nation set an example for peace; if it wants disarmament, let it set the example that will press an eloquent plea for disarmament; if it desires the day to come when men shall not learn the arts of war and when the lion and the lamb shall lie down together, let this great Nation that fears no nation or all nations set an example. It will thus become potential in moving forward the standard of justice and righteousness and will lead all nations into the paths of amity and peace.

Mr. STERLING and Mr. OWEN addressed the Chair.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from South Dakota.

Mr. STERLING. Mr. President, I wonder if the Senator from Utah has concluded?

Mr. KING. Oh, no.

The PRESIDING OFFICER. The Chair begs pardon of the Senator.

Mr. KING. I yield to the Senator from South Dakota, if he desires.

REPEAL OF WAR LEGISLATION.

Mr. STERLING. I wish to ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed with the further consideration of House joint resolution 382, being No. 662 on the calendar.

The PRESIDING OFFICER. Will the Senator from Utah yield for that purpose?

Mr. KING. I am very happy to yield to my friend from South Dakota.

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maine?

Mr. KING. I yield to the Senator.

Mr. HALE. Can the Senator from South Dakota inform us how long it will take to dispose of the joint resolution for which he asks consideration?

Mr. STERLING. I think it will take a very short time, I will say to the Senator from Maine.

Mr. OVERMAN. I think there ought to be more Senators here, though I do not know that I have any objection——

Mr. STERLING. I know of no Senator who is opposed to the joint resolution, and I hope that the Senator will not call for a quorum. I may say to the Senator from North Carolina [Mr. OVERMAN] that I have conferred with Senators who made some question about this joint resolution when it was previously before the Senate on Saturday last.

Mr. OVERMAN. I do not desire to make any opposition to the joint resolution, but I merely think there should be more Senators present.

Mr. UNDERWOOD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. KING. I yield to the Senator from Alabama.

Mr. UNDERWOOD. The responsibility, of course, for passing the supply bills rests with the majority party, and if Senators on the other side of the Chamber desire to lay aside a supply bill to take up the joint resolution in charge of the Senator from South Dakota, I shall not object. I am heartily in favor of the repeal of the war-time legislation, but I think the important bills that should be disposed of now are the supply bills which have got to go to conference. However, I am not in charge of the legislation, and neither is this side of the House responsible for the passage of the supply bills.

Mr. STERLING. Mr. President, I think the Senator from Alabama realizes that the joint resolution to repeal the war legislation is an important measure.

Mr. UNDERWOOD. Undoubtedly; but it is legislation which may be passed without going to conference.

Mr. HALE. Mr. President, I think what the Senator from Alabama says——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maine?

Mr. KING. I yield for a question.

Mr. HALE. I think what the Senator from Alabama says is entirely right; that the appropriation bill ought to have the right of way. If, however, the Senator from South Dakota can assure the Senate that it will not take over half an hour to dispose of the joint resolution which he has in charge, I should be entirely willing to yield for that purpose.

Mr. STERLING. I should not like to give an absolute assurance that it would not take more than half an hour, but I think it will take less time than that.

Mr. HALE. Will the Senator agree at the expiration of a half hour's time to return to the consideration of the naval appropriation bill now pending, provided he can not by that time secure action on the joint resolution?

Mr. STERLING. Yes; I will agree to that.

Mr. HALE. Very well.

Mr. OVERMAN. Mr. President, there were Senators on the floor when the joint resolution was under consideration on Saturday who objected to it. I do not see them on the floor at the present time and I do not know what their feelings now are in regard to the matter; but I do not think that action should be taken in their absence, if they are opposed to it. So far as I am concerned, I have no objection.

Mr. STERLING. The Senator from Colorado [Mr. THOMAS] was the Senator who made objection when the joint resolution went over on Saturday. The Senator from Colorado told me this morning, however, that he had no further objection to the measure.

Mr. OVERMAN. I understood the Senator from Arkansas [Mr. ROBINSON] also had some objection.

Mr. STERLING. The Senator from Arkansas also told me the day when the joint resolution was last under consideration, after the discussion which then occurred, that he had no further objection to it.

Mr. OVERMAN. I have, I repeat, no objection to the joint resolution being considered if those Senators are satisfied—and the Senator assures me they are—but I did not want advantage taken of them in their absence.

The PRESIDING OFFICER. Is there objection made to the request of the Senator from South Dakota?

Mr. UNDERWOOD. Mr. President, was there a limitation on the time to be devoted to the consideration of the joint resolution?

Mr. HALE. Half an hour.

Mr. STERLING. Half an hour.

The PRESIDING OFFICER. Is there objection to the request being amended to include a limitation of half an hour?

Mr. UNDERWOOD. Mr. President, I have no objection to the limitation, but a number of Senators are not here who are interested in the measure, and if there is to be a limitation of time on its consideration I will be compelled to ask for a quorum in order that the absent Senators may have an opportunity to be heard. If they come in here and there is no objection, I will raise none; but I am not willing at this time of night to have a joint resolution of this importance brought up and have a limitation as to time placed on its consideration. As a matter of fact, I do not think under the rules the Senator can make such an agreement without a quorum being called.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McKellar	Smoot
Ball	Gronna	Moses	Spencer
Borah	Hale	New	Stanley
Brandegee	Heflin	Norris	Sterling
Calder	Hitchcock	Overman	Sutherland
Cummins	Jones, N. Mex.	Owen	Townsend
Curtis	Jones, Wash	Phipps	Trammell
Dial	Kenyon	Poindexter	Underwood
Dillingham	Keyes	Pomerene	Wadsworth
Elkins	King	Reed	Walsh, Mont.
Fletcher	Kirby	Sheppard	Warren
Frelinghuysen	Knox	Simmons	Willis
Gerry	Lenroot	Smith, Ga.	Wolcott
Glass	McCumber	Smith, S. C	

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum of the Senate is present.

Mr. JONES of New Mexico. Mr. President, I move that the Senate proceed to the consideration of H. R. 14157, an act to provide adjusted compensation for veterans of the World War; to provide revenue therefor; and for other purposes.

Mr. STERLING. Mr. President, a point of order. Unanimous consent has been given, as I understand, for the consideration of this House joint resolution.

The PRESIDING OFFICER. The Chair is informed by the Secretaries at the desk that while unanimous consent was asked it was not given, as a matter of record.

Mr. FLETCHER. That is the question that is pending.

The PRESIDING OFFICER. The Senator from South Dakota asked unanimous consent to lay aside the unfinished business for half an hour, and the Chair was about to put that question when the absence of a quorum was suggested.

Mr. JONES of New Mexico. Will the Senator from South Dakota state the purpose of his request for unanimous consent?

Mr. STERLING. The purpose is the consideration of House joint resolution 382, being the joint resolution which, in effect, repeals war-time legislation.

Mr. JONES of New Mexico. I will withhold my motion until the Senator from South Dakota has preferred his request.

Mr. STERLING. I thank the Senator.

Mr. SMOOT. Has unanimous consent been granted?

The PRESIDING OFFICER. No; not yet. Is there objection to the request made by the Senator from South Dakota?

Mr. POINDEXTER. I understand that the request is that the unfinished business be temporarily laid aside for one-half hour for the purpose of taking up the measure referred to by the Senator from South Dakota.

The PRESIDING OFFICER. And not to displace the unfinished business except for a half hour. That is the understanding of the Chair. Is there objection? There being none, it is so ordered.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

Mr. STERLING. Mr. President, the joint resolution has been read. I wish to offer the following amendment:

On lines 15 and 16, on page 3 of the joint resolution, strike out the words "between the Governments and people aforesaid" and insert the same language after the word "war," in line 18, so that it shall read:

> During the existence of a state of war or during such state of war and a limited period of time thereafter shall be construed and administered as if such war between the Governments and people aforesaid terminated on the date when this resolution becomes effective.

I also desire to offer one other amendment.

The PRESIDING OFFICER. Will the Senator from South Dakota kindly suspend at this point until the first amendment is disposed of, unless he wishes to present them as a whole—as one amendment?

Mr. STERLING. Certainly.

Mr. KING. I suggest that the bill be read and the amendment indicated to the particular clause to be amended.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 3, lines 15 and 16, it is proposed to strike out the words "between the Governments and people aforesaid" and to insert the same words after the word "war," in line 18.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from South Dakota to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. STERLING. The second amendment I propose is as follows:

On page 4, lines 1 and 2, strike out the words "the amendment thereto" and insert in lieu thereof the words and numerals "Title 2 of the act," so that it will read:

Title 2 of the act entitled "The food control and District of Columbia rents act.

The effect of this will be to leave excepted from the provisions of this joint resolution the food control act, but not to leave excepted from the provisions of the joint resolution section 4 of the food control act, which was amended by a later act of Congress, and which, as I am informed, was to-day declared unconstitutional in the decision of the Supreme Court.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 4, lines 1 and 2, it is proposed to strike out the words "the amendment thereto" and insert "Title 2 of the act," so that if amended it will read:

(40 Stats., p. 276), Title 2 of the act entitled "The food control and District of Columbia rents act."

Mr. UNDERWOOD. Mr. President, will the Senator advise us now what effect that has on the so-called Lever Act?

Mr. STERLING. The Lever Act will be excepted from the provisions of this joint resolution, which, in effect, of course, repeals the war-time legislation. It excepts the Lever Act, the food-control act, with the exception, of course, of the amendment to section 4 of the act, which was passed, as the Senator will recall, in connection with the rent commission act.

Mr. BORAH. It leaves the Lever Act the law of the land, except that part which the Supreme Court to-day said was unconstitutional?

Mr. STERLING. Yes.

Mr. BORAH. That was the criminal feature of the act; was it not?

Mr. STERLING. Yes.

Mr. BORAH. The unfortunate part is that the court did not hold it all unconstitutional.

Mr. STERLING. Section 4 of the original act would stand, I suppose.

Mr. WALSH of Montana. Mr. President, I think the Senator from South Dakota ought to give to the Senate some reasons why the food control act should be continued, if there are any. I confess that at the present time I do not know why it should not be repealed.

Let me remark in this connection that this joint resolution repeals a whole lot of legislation most of which is entirely inoperative now. Much ado has been made about the delay in repealing this legislation, and perhaps it ought to have been repealed a long time ago; but those features of the war legislation which really have any virility whatever to them yet remain unrepealed by the measure that is before us. I have not been able to understand why the food control act should not be entirely repealed. Something was said about the necessity of keeping it in force in order to control the coal profiteers; but we have not been able to utilize it to any appreciable extent to correct evils of that character, if the report of the committee investigating that subject is to be relied upon.

Mr. UNDERWOOD. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Alabama?

Mr. WALSH of Montana. I do.

Mr. UNDERWOOD. I am not familiar with this joint resolution. I am not on the committee, nor have I read the decision of to-day of the Supreme Court; but my understanding is that the Supreme Court of the United States to-day held that the penalty clauses of the food control act, the so-called Lever Act, were unconstitutional. Does that leave any vitality at all to the Lever Act?

Mr. WALSH of Montana. Practically none.

Mr. UNDERWOOD. Is there any reason, then, why we should continue to keep it on the statute books?

Mr. WALSH of Montana. That, I am able to say to the Senator, was the consideration which induced the committee, after such consideration as it gave it, to except it from the operation of this repealing measure, namely, that it might be available for the purpose of punishing profiteers, and particularly profiteers in coal; but if the effect of the decision rendered to-day is as the Senator from Alabama understands it to be, that is an additional reason why the whole thing should go.

Mr. FLETCHER. Mr. President, may I ask the Senator what effect this has upon the Alien Property Custodian trust?

Mr. WALSH of Montana. The alien property act is retained in force, that being one of the acts which still has some function to perform, and we do not undertake to repeal that. The fact is that the repealing act of which so much has been heard repeals only the things that are innocuous now; and therefore I am a little surprised that the Senate should take up any time, when time is so precious, to consider the measure.

Mr. STERLING. Mr. President, I think it quite proper, if not urgent, that these various acts passed as war-time legislation, and the effect of which, anyhow, should be terminated at the end of the war, should be formerly repealed or construed, anyhow, the construction being in effect a repeal of these acts. That is what the House joint resolution provides, and there is an insistent demand that they be repealed.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. STERLING. Yes.

Mr. KING. I suggest to the Senator for his consideration—and I ask the Senator from Montana to give me his attention while I make this observation—that there have been a number of convictions under a provision of the act in regard to hoarding. I am inclined to think that those convictions would be quite compatible with the decision of the Supreme Court of the United States, and it seems to me that those cases would stand upon an entirely different footing from those that were brought under section 4, and it might not be proper to repeal this act, because I know a number of convictions are pending now, either in the Circuit Court of Appeals or in the Supreme Court of the United States. There was no question about the offense of hoarding as defined by the statute. Now, do we want to repeal this law and leave those convictions to go by the board?

Mr. WALSH of Montana. My understanding is that the bill expressly preserves the right to prosecute offenses already committed.

Mr. KING. If that be true, then the point I suggested has no merit.

Mr. WALSH of Montana. I inquire of the Senator from South Dakota whether my understanding is not correct?

Mr. STERLING. I did not understand the Senator.

Mr. WALSH of Montana. My recollection is that there is a provision in this joint resolution to the effect that offenses heretofore committed in violation of the acts repealed may be prosecuted as though they were in force.

Mr. STERLING. I will say to the Senator from Montana that I do not think there is any such distinct provision in the joint resolution.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Georgia?

Mr. STERLING. I yield.

Mr. SMITH of Georgia. As I understand the decision of the Supreme Court, it does not reach all of the provisions of the Lever Act. It only reaches that provision which undertakes to make a crime out of charging unreasonable profits, the court holding that the term "unreasonable profits" is so uncertain that it does not put a defendant upon notice of what would or would not be a crime, and that therefore an indictment for making an unreasonable profit could not be sustained. What was an unreasonable profit the act did not say, and the defendant would not know, when he was making a charge, whether the profit was or was not unreasonable. In that particular case parties sold sugar at 20 cents a pound which had been bought at 12 cents a pound, when at the time they could not buy sugar on the market at 22 cents a pound. The court held that that provision in the act was unconstitutional, but the balance of the Lever Act was left in force, both that provision which applied to coal and that which applied to hoarding.

Mr. STERLING. The Senator from Georgia is correct in his interpretation of the opinion of the Supreme Court, as I understand it, which was that the act was unconstitutional because of uncertainty and vagueness in section 4 of the food control act as amended.

Mr. WOLCOTT. Mr. President, may I ask the Senator from South Dakota what effect this joint resolution will have, if it becomes a law, on the act familiarly known as the Overman Act?

Mr. STERLING. It will make it ineffective. The effect of the joint resolution is to repeal the Overman Act.

Mr. WOLCOTT. Doubtless that act should be repealed; but, as I recall the act, it provided that after the lapse of a certain

length of time, upon the termination of the war, the changes that had been made by authority of the act, in the way of transferring one office over to another or the duties of one office to another should no longer prevail, and the departmental situation should revert to what it was before the passage of the act.

Mr. OVERMAN. Six months was the time fixed.

Mr. WOLCOTT. Six months, I recall, was the time. I would like to make this suggestion for the Senator's consideration: If there were any transfers of authority from one office to another or the abolishment of any particular office or bureau under the authority of that act, it might require a little time for the civil establishment to reform itself in that particular. Therefore, would it be wise summarily to repeal that act and allow no lapse of a little time for the retransfer of functions to take place? It might create confusion.

Mr. SMITH of Georgia. The six months provided in the Overman Act will run from the passage of this joint resolution.

Mr. WOLCOTT. No; I think the Senator is in error.

Mr. SMITH of Georgia. Oh, yes; clearly that is the case. The Overman Act provided six months' time for the restoration of the departments, or the assignments, to their prior legal status, after the termination of the war. The joint resolution simply fixes the termination of the war with the passage of this act, and the six months provided by the Overman Act will run from the passage of the joint resolution.

Mr. WOLCOTT. May I ask the Senator from Georgia how he construes the language of the joint resolution which I shall read? I may say I have never read the measure before, and I am asking for information. It reads:

> And any act of Congress or any provision of any such act that by its terms is in force only during the existence of a state of war between the Governments and people aforesaid, or during such state of war and a limited period of time thereafter, shall be construed and administered as if such war terminated on the date when this resolution becomes effective, any provision of such law to the contrary notwithstanding.

Mr. SMITH of Georgia. Precisely.

Mr. WOLCOTT. What is the idea of the insertion of the clause "and a limited period of time thereafter"?

Mr. SMITH of Georgia. It means that the termination of the war shall be construed as taking place now, and "a limited period of time thereafter" shall apply still, just as though the act had not been passed; that the time for the enforcement of the acts shall continue, as contained in the acts, the same length of time after the passage of this act which it would have continued had the war been terminated by a proclamation of the President. That is what we meant by it in the Judiciary Committee.

Mr. WOLCOTT. If that be the intent, it seems to me it is rather inadequately expressed.

Mr. REED. Mr. President, I think we are all embarrassed by the fact that we have not had an opportunity to read the text of the opinion of the Supreme Court rendered to-day. I was in attendance on the court, but was obliged to leave just before that opinion was rendered. But a very good lawyer who was present told me that the opinion was very sweeping, and that in his opinion it destroyed all those features of the Lever Act which had to do with the punishment of citizens for selling goods at unreasonable profits, and similar clauses, the main ground of the opinion being that the statute was utterly vague, and that it gave neither the defendant, the court, nor the jury the opportunity to know really what a man was being tried for.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from South Dakota?

Mr. REED. I yield.

Mr. STERLING. The Senator from Missouri admits, I suppose, that that simply relates to section 4, as amended by the act of October 22, 1919?

Mr. SMITH of Georgia. I can give the Senator some information in regard to that. I am familiar with the case that was primarily under consideration. It was an indictment against a wholesale firm for selling sugar at an unreasonable profit, at 20 cents a pound, when they paid 12 cents a pound, and it fell under section 4 of the act. I was told by one of the justices that the effect of the decision was to hold the language "an unreasonable profit" to be so indefinite that it did not place the public upon notice as to what would be a crime.

Mr. REED. I think that is correct, and I think the Senator in charge of the joint resolution is correct when he says that the particular case was based upon section 4.

I speak with great embarrassment, because I have not read the opinion, but if I am accurately informed with reference to it, the reasoning would seem to me to apply to many other features of the measure. I think it is worth taking a moment to try to get the situation with reference to it fairly before the Senate. [After a pause.] However, I have just been informed that under a unanimous-consent agreement the joint resolution will be voted upon in seven minutes. Is that correct?

Mr. STERLING. That is about right, I will say to the Senator.

Mr. REED. Then I will try to say what I have to say in a very short space of time.

The PRESIDING OFFICER. There are still 10 minutes left.

Mr. REED. The joint resolution now pending before us, as I understand, leaves intact the Lever Act, except section 4.

Mr. STERLING. Except section 4.

Mr. REED. The Lever Act with section 4 out still contains some of the most drastic of the war powers which were granted. Under it the coal mines of the country can be seized. Under it the President can declare emergencies and fix the price of coal. Under it certain businesses can be compelled to take out licenses, I notice as I glance over it hurriedly. Under it a man can be punished for being guilty of what they call hoarding, and I do not think there is a farmer in the United States who has been able to hold his wheat, or his cotton, who has not been guilty of a crime under that act, for he has been holding it for the purpose of increasing the price. Indeed that is one of the property rights which an American citizen has at any time, except in time of war; and no one would think of denying it to him.

I think the whole Lever Act was badly conceived, and that it ought to be taken off the statute books of this country. It was enacted as a war measure. I opposed it then because of its extreme provision, but other Senators voted for it because we had war times and they thought it was necessary to do anything and everything to put power in the hands of the Government so that the Government could act in a manner they regarded as more effective than it could follow under the law as it stood.

I ask the Senator from South Dakota to submit the question so that we can have a vote on striking out the Lever Act and its amendments, and if we can have that vote I shall not take any time in discussing it.

Mr. STERLING. Any Senator, I suppose, can move an amendment to strike out the provision that retains the Lever Act. I do not feel like doing it.

Mr. REED. I have not the joint resolution before me. Will the Senator call attention to that language, and I will move to strike it out?

Mr. SMITH of South Carolina. Here is a copy of the joint resolution.

Mr. STERLING. Beginning on line 22, on page 3, it extends over to a part of line 1 on page 4.

Mr. WALSH of Montana. Mr. President, I have given some consideration to this, I will say to the Senator from Missouri, and I concur with him in his view about the matter. His object will be accomplished by striking out so much of the amendment on pages 3 and 4 as begins with the word "the," in line 22, down to and including the numerals "297," in line 4 on page 4, namely:

> The act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917 (40 Stat., p. 276), the amendment thereto entitled "The food control and District of Columbia rents act," approved October 22, 1919 (41 Stat., p. 297).

Mr. STERLING. Mr. President, I submit to the Senator from Montana that all that should not be stricken out, if we intend to retain the rent commission act. It has already been amended so as to include Title 2 of the act entitled "The food control and District of Columbia rents act." That strikes out the important part of the amendatory food control act.

Mr. WALSH of Montana. I had that idea myself, Mr. President, and was going to conclude with the numerals "276," in line 1, on page 4, and then make a slight amendment in the language which followed it. But I had before me the so-called food control and District of Columbia rent act, approved October 22, 1919, and there is not a word in the joint resolution as to rents in the District of Columbia.

Mr. STERLING. If the Senator will read Title 2 of that act, he will find that all that title relates to that section.

Mr. WALSH of Montana. Then the Senator wants to retain Title 2.

Mr. STERLING. Yes. If the Senator from Montana will excuse me, the Senator from Missouri would accomplish his purpose, I think, if he provides by his amendment that the language beginning on line 22, of page 3, after the words "to wit," and extending down to the figures "276," in line 1, on page 4, be stricken out, because an amendment has already pre-

vailed which retains Title 2 of the act entitled "The food control and District of Columbia rents act." Title 2 relates to the rent commission.

Mr. REED. I was obliged, coming in as I did, to get my information in this way, and I am obliged to Senators who have been following the bill for their courtesy. I now move to amend by striking out the following language on pages 3 and 4:

The act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products, and fuel," approved August 10, 1917 (40 Stat., p. 276).

I make that motion, but I wish also to make an inquiry. How does that cover the act of October 22, 1919?

Mr. STERLING. It covers it in this way, that no part of that act is retained under the provision of the joint resolution except Title 2.

Mr. REED. It is covered otherwise in the joint resolution?

Mr. STERLING. Yes.

Mr. REED. I move the amendment.

The PRESIDING OFFICER. The Senator from Missouri has moved the following amendment, which will be stated by the Secretary.

The READING CLERK. On page 3, beginning at line 22, the Senator from Missouri moves to strike out the following language:

The act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products, and fuel," approved August 10, 1917 (40 Stat., p. 276).

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The joint resolution is still as in Committee of the Whole and open to amendment.

Mr. WALSH of Montana. Mr. President, I wish to inquire of the Senator from North Dakota if it were not really intended to preserve the pending prosecutions under the act?

Mr. STERLING. I think so.

Mr. WALSH of Montana. Then I offer for that purpose the amendment to the amendment, which I send to the desk.

The PRESIDING OFFICER. The Senator from Montana proposes the following amendment to the amendment, which will be read:

The READING CLERK. Insert at the end of the bill the following:

Nothing herein contained shall be held to exempt from prosecution or to relieve from punishment any offense heretofore committed in violation of any act hereby repealed or which may be committed while it remains in force as herein provided.

Mr. STERLING. I accept the amendment.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

Mr. STERLING. I move that the Senate request a conference with the House of Representatives upon the joint resolution and amendment and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. STERLING, Mr. NELSON, and Mr. OVERMAN conferees on the part of the Senate.

LOANS ON AGRICULTURAL PAPER.

Mr. SMITH of South Carolina. Mr. President, I have consulted with a number of Senators. We are all aware of the fact that the most distressing condition exists amongst the farmers of the country. We are about to adjourn and it seems to me that it is the duty of the Congress to bend every effort to take care, as far as it can be done legally, of the basic industry of the country which is now in perhaps the worst condition it has been in in the history of the country. We have under our control now the financial system of the country as we never have had it before. It is more amenable to the direct indications of Congress than ever before. I ask unanimous consent that there may be considered, while the pending bill is temporarily laid aside, without reference to the committee, a joint resolution which I am quite sure every Member of the Senate is willing to accord to those in distress. We are about to vote $10,000,000 to protect the country from a foreign foe, and this is simply extending aid to those who must support the country, no matter whether we have a foe or not.

Mr. POINDEXTER. Mr. President——

Mr. SMITH of South Carolina. I yield to the Senator from Washington.

Mr. POINDEXTER. I do not ask the Senator to yield. I understood that he was asking unanimous consent.

Mr. SMITH of South Carolina. All I am doing is this: I ask to have the joint resolution read, and then if there is objection I shall ask to have it referred to the Committee on Agriculture and Forestry. I hope, however, that a reference will not be necessary, because the time is very short, to see if we can get a report and then have it considered later.

The PRESIDING OFFICER. Is there objection to having the joint resolution read at this time?

Mr. POINDEXTER. It is a brief resolution. While I shall have to object to its consideration, I have no objection to having it read.

Mr. SMITH of South Carolina. I did not understand the Senator's proposition.

Mr. POINDEXTER. I have no objection to having the joint resolution read.

Mr. SMITH of South Carolina. If it leads to any discussion, I shall ask that it be referred to the Committee on Agriculture and Forestry.

Mr. POINDEXTER. That is another question. If the Senator desires to have it read, I shall not object to that, but I am compelled to object to its consideration. I am familiar with the joint resolution.

Mr. SMITH of South Carolina. If the joint resolution can be taken up by unanimous consent and it leads to no discussion, would not the Senator be willing to have it passed? It will take only a minute if there is no objection.

Mr. POINDEXTER. I think the mere reading of it, if the Senator will allow the joint resolution to be read, will disclose at once the fact that it will lead to discussion.

The PRESIDING OFFICER. The joint resolution will be read.

The joint resolution (S. J. Res. 264) to authorize renewal of loans on agricultural paper was read the first time at length, as follows:

Whereas the present market conditions for farm products are entailing such losses as to threaten disaster to all those engaged in farming; and

Whereas the present demoralized state of this country, with certain foreign nations, is such as to promise little relief in the immediate future: Therefore be it

Resolved, etc., That the Federal Reserve Board is hereby authorized and directed to allow and encourage member banks to renew loans secured by safe agricultural paper for such a length of time as in the judgment of the board may be necessary to enable farmers to tide over the present demoralized and disastrous condition of the markets.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. MOSES. I object.

The PRESIDING OFFICER. Objection is made.

Mr. JONES of New Mexico obtained the floor.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from South Carolina?

Mr. JONES of New Mexico. I yield.

Mr. SMITH of South Carolina. I ask that the joint resolution be referred to the Committee on Agriculture and Forestry. I desire to state to the Senate that perhaps there will be a time when we will discuss the measure. Of course, it may not pass, but I rather suspect we will have a discussion of it.

Mr. HEFLIN. I would suggest to the Senator——

The PRESIDING OFFICER. The Senator from New Mexico has the floor. Does he yield to the Senator from Alabama?

Mr. JONES of New Mexico. I yield.

Mr. HEFLIN. If the Senator from New Mexico will permit, we can discuss it now quite at length. I should like to discuss it for an hour and a half or two hours. If the Senator from Washington thinks he will save time, we can proceed to a discussion of it now.

Mr. SMITH of South Carolina. I am quite sure that unless it is passed it will take a day or a day and a half to discuss it. I rather think it will take that long. If the Senator from New Mexico will allow me, it is a joint resolution simply calling attention of the Federal Reserve Board to the fact that the purpose of the Congress was, as far as possible, to extend aid to that defenseless part of our industrial world which is not able to defend itself like other organizations and productive units of the Government.

Mr. NORRIS and Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield; and if so, to whom?

Mr. JONES of New Mexico. I yield to the Senator from Nebraska.

Mr. NORRIS. I should like to suggest to the Senator from South Carolina that in substance—and I think in effect—the joint resolution which he introduces is the same as the joint resolution that was once reported by the Committee on Agricul-

ture and Forestry at this session of Congress and passed by the Senate, and that went out in conference. Am I correct about that?

Mr. SMITH of South Carolina. No.

Mr. NORRIS. It was connected up with a joint resolution reviving the War Finance Corporation.

Mr. SMITH of South Carolina. The difference between the resolution to which the Senator refers and the joint resolution which I have just introduced is that the resolution to which he refers was incorporated in section 2 of the measure rehabilitating the War Finance Corporation.

Mr. GLASS. It did not go out in conference, but the House Committee on Banking and Currency eliminated it and reported the joint resolution to the House.

Mr. NORRIS. I understand.

Mr. SMITH of South Carolina. It provided a limitation upon the interest to be charged.

Mr. NORRIS. Yes; that is true.

Mr. SMITH of South Carolina. The joint resolution which I have just introduced simply provides for a renewal of loans on safe agricultural paper.

Mr. NORRIS. Of course, it is not a copy of the previous provision, and I do not contend that, but I think it would have the same effect that we intended the former resolution should have. After considerable debate in the Senate it was passed, but the House struck it out, and we concurred in the House amendment.

Mr. SMITH of South Carolina. I think perhaps it went out in the House. I do not remember that it reached conference. However, it went out. If the Senator will permit me, I think every Senator is aware of the fact that something of this kind should be done in order to encourage those who are suffering to-day from a condition that has not been paralleled in the country.

Mr. NORRIS. I do not think the Senator understands the object I had in view, which was favorable to his joint resolution. On the ground that the Senate had already passed it, it did not seem to me it was necessary for it to go to the committee which had passed on it before.

Mr. MOSES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MOSES. I wish to inquire the status of the joint resolution introduced by the Senator from South Carolina?

Mr. SMITH of South Carolina. It has been referred to the Committee on Agriculture and Forestry.

Mr. MOSES. It should be referred to the Committee on Banking and Currency inasmuch as it is a banking question.

The PRESIDING OFFICER. The Senator from South Carolina has twice asked that the joint resolution be referred, but before the Chair could take such action other Senators rose and were recognized. Without objection it will be referred——

Mr. POMERENE. Just one moment, please.

Mr. SMITH of South Carolina. I ask that the joint resolution be referred to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Without objection——

Mr. MOSES. I move that the joint resolution be referred to the Committee on Banking and Currency rather than to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Does the Senator from New Mexico yield for that purpose?

Mr. JONES of New Mexico. I do not believe, Mr. President, that I will yield for that purpose. It seems to me that the joint resolution presented by the Senator from South Carolina ought to be referred to the Committee on Agriculture, as I understand it has been so referred; and I do not believe I will yield for a motion to refer to another committee.

Mr. POMERENE, Mr. CALDER, and Mr. MOSES addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield; and if so, to whom?

Mr. JONES of New Mexico. I yield to the Senator from Ohio.

Mr. POMERENE. May I ask the Presiding Officer when the joint resolution was referred to the Committee on Agriculture?

The PRESIDING OFFICER. Begging the Senator's pardon, the Chair will state that the Senator from South Carolina asked that the joint resolution be referred to the Committee on Agriculture, but before the Chair could make the statement that it was so referred another Senator secured recognition, and the joint resolution has not been referred.

Mr. POMERENE. Mr. President——

Mr. MOSES. I have moved that the joint resolution be referred to the Committee on Banking and Currency.

The PRESIDING OFFICER. The Chair is of the opinion that that motion is in order.

Mr. JONES of New Mexico. It is evident——

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. JONES of New Mexico. I decline to yield further.

Mr. MOSES. Then I rise to a point of order. I wish to know what has become of my motion?

Mr. JONES of New Mexico. I may say that the joint resolution presented by the Senator from South Carolina was presented out of order when another matter was before the Senate, and we have reached the present parliamentary stage.

Evidently it is going to provoke considerable discussion to dispose of the matters which Senators have in mind. The Senator from New Hampshire [Mr. MOSES] has moved that the joint resolution be referred to the Committee on Banking and Currency. That will undoubtedly cause debate. I had obtained the floor for the purpose of making a motion which I deem to be of more importance than whether the joint resolution of the Senator from South Carolina shall be referred to the Committee on Agriculture or whether it shall go to the Committee on Banking and Currency.

Mr. MOSES. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. MOSES. My point of order is that the joint resolution of the Senator from South Carolina has not been properly introduced, and, therefore, is not before the Senate at all.

The PRESIDING OFFICER. The Chair will state that unanimous consent was granted for the reading of the resolution.

Mr. MOSES. But only for information.

The PRESIDING OFFICER. The resolution was introduced, but it has not been referred. The motion of the Senator from New Hampshire is in order; he can move to refer the resolution to the Committee on Banking and Currency. That will be the pending motion, but the Senator from New Mexico [Mr. JONES] has the floor.

Mr. MOSES. Mr. President——

Mr. POINDEXTER. I make the point of order against the motion of the Senator from New Hampshire. I do not think that the consideration of that question is in order pending the consideration of the naval appropriation bill.

The PRESIDING OFFICER. There is some force in the point of order, but it does not now apply, because the Senator can not move the reference of the resolution while the Senator from New Mexico [Mr. JONES] has the floor. The motion of the Senator from New Hampshire will be in order when he secures the floor.

Mr. MOSES. Then, where is the joint resolution?

The PRESIDING OFFICER. The joint solution is now on the table.

Mr. MOSES. I am content that the joint resolution shall stay there.

Mr. BRANDEGEE. I rise to a question of order.

The PRESIDING OFFICER. The Senator from Connecticut will state his question of order?

Mr. BRANDEGEE. The joint resolution of the Senator from South Carolina was not introduced in the Senate in the way the rule provides that it shall be introduced, and hence is not subject to being referred. The Senator from South Carolina rose in his place and asked unanimous consent to have a document read here. It was read for the purpose of information, as the Senator from New Hampshire has stated; it was not introduced. Objection was made to its consideration and to the granting of the unanimous consent requested by the Senator from South Carolina. The joint resolution has not been introduced, and, therefore, can not be referred.

Mr. SMITH of South Carolina. Mr. President, when objection was made by the Senator from Washington to the present consideration of the joint resolution I stated that I would ask if it was not considered that it be referred to the Committee on Agriculture and Forestry. The Senator from Washington said he would object to the present consideration of the resolution, but he did not object to the reading of it. Then I asked that the joint resolution be read and referred to the Committee on Agriculture, and I heard no objection to that request.

Mr. MOSES. Oh, Mr. President, I objected.

Mr. SMITH of South Carolina. The joint resolution has been read, and the only question is the question of reference.

The PRESIDING OFFICER. The Chair will, without any discourtesy, settle the question by simply holding that the resolution has been introduced; it is on the table; and the motion of the Senator from New Hampshire [Mr. MOSES] to refer to the Committee on Banking and Currency is the pending question. The Senator from New Mexico [Mr. JONES] has the floor.

Mr. REED and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield, and if so, to whom?

Mr. JONES of New Mexico. I yield to the Senator from Missouri.

Mr. REED. I wish to ask the author of the joint resolution what he means by this language:

Whereas the present demoralized state of this country with certain foreign nations is such as to promise little relief in the immediate future.

Mr. SMITH of South Carolina. What I mean by the words "little relief" is little relief to the farmers of the country. That is what I had in view.

Mr. REED. I inquire about the clause which refers to "the present demoralized state of this country with certain foreign nations."

Mr. SMITH of South Carolina. I had in mind the status in which we find ourselves with certain foreign nations. We are still technically at war with Germany; our markets are absolutely demoralized by that; and so I referred to the present demoralized condition in which we find ourselves in relation to foreign countries.

Mr. REED. I am obliged to the Senator. I think I understand what he has in mind.

The PRESIDING OFFICER. The Senator from New Mexico has the floor, but if he yields again he will lose the floor.

Mr. JONES of New Mexico. I have no objection to disposing of the pending matter which has been discussed at some length, provided I shall not lose the floor. I rose for the purpose of making a motion; then, on yielding in a courteous manner to a Senator, to have all this complication to arise is entirely beside what I thought I was bringing on myself. I decline to yield to the Senator from New Hampshire for the purpose of making a motion that the resolution be referred to the Committee on Banking and Currency. So I am compelled to make a parliamentary inquiry. Is a motion now in order to proceed to the consideration of House bill 14157?

The PRESIDING OFFICER. It is.

Mr. POINDEXTER. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator from Washington.

Mr. POINDEXTER. Do I understand the Senator to have made a motion to proceed to the consideration of the bill named by him?

Mr. JONES of New Mexico. That was the purpose for which I rose; and I now make a parliamentary inquiry, whether or not that motion is in order? If it is in order, I desire to make the motion.

Mr. POINDEXTER. Mr. President, I should like to be heard for a moment on that question.

Mr. JONES of New Mexico. If the motion is in order, I desire to make some remarks upon it myself before yielding the floor.

The PRESIDING OFFICER. The Senator's motion is in order.

Mr. POINDEXTER. Mr. President, I should like to be heard before the Chair rules on that. I understand it is the so-called bonus bill to which the Senator from New Mexico refers?

Mr. JONES of New Mexico. The Senator is quite right.

Mr. POINDEXTER. Under Rule XXVI of the Senate, and also under Rule XXII, the motion is not in order. The bonus bill is here upon the report of a committee. Rule XXVI provides that reports of committees must lie over one day and be printed in order that the Senate may be informed. I will ask the attention of the Chair to the second paragraph of Rule XXVI, which provides:

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

This report was made to-day; I am informed that a member of the committee has given notice that he will submit a minority report; and, in order that the Senate may be informed as to the nature of the report, I invoke Rule XXVI, and make the point of order against the consideration of the motion at the present time. Also my own opinion is—I do not know that the question has heretofore been raised—that while a question is pending as it is now in the Senate upon an amendment of the committee to the naval appropriation bill, under Rule XXII the motion is not in order. That rule provides—

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.

Those are the only motions that are in order.

The PRESIDING OFFICER. Will the Senator enlighten the Chair as to what motion, then, is pending?

Mr. POINDETER. As I understand, the question is upon the amendment reported by the committee to the naval appropriation bill. Also, Mr. President, I will ask the Chair to consider Rule XXVI, which I have called to the Chair's attention.

Mr. SMITH of Georgia. The tendency of any bill is a question, but surely that does not prevent a motion to proceed to the consideration of some other bill. The suggestion of the Senator, however, that this report has only been made to-day and must lie over until to-morrow seems to be conclusive.

Mr. SMITH of South Carolina. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Chair will settle, first, the point of order made by the Senator from Washington, if the Senator from South Carolina will pardon the Chair.

Mr. SMITH of South Carolina. I should like to make a parliamentary inquiry.

The Chair ruled a moment ago that the question of the reference of the joint resolution was now the pending question. If that be true, I should like to have a vote taken on its reference, as to whether it shall be referred to the Committee on Agriculture and Forestry or to the Committee on Banking and Currency.

The PRESIDING OFFICER. The Senator is correct in that the Chair held that; but the Chair meant—the Chair was unfortunate in expression—that when the question of reference properly came before the Senate and the Senator got unanimous consent, it would be in order at that time; but the Chair is impressed with the strength and force of the point of order made by the Senator from Washington under paragraph 2 of Rule XXVI——

Mr. KING. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. Just a moment. The Chair is informed that the bill which the Senator from New Mexico has moved to take up was reported to-day, and the rule requires all reports of committees to lie over one day for consideration.

Mr. JONES of New Mexico. Mr. President, I desire to say that I think the ruling of the Chair is correct; so I withhold my motion for to-night; but I give notice now that on to-morrow I shall make the motion to take up for consideration House bill No. 14157.

Mr. SMITH of South Carolina. Now, Mr. President, the motion with reference to the joint resolution, I understand, is in order.

Mr. POINDEXTER. I make the point of order against taking up that question. The question before the Senate is the amendment to the naval appropriation bill, and it has not been displaced either by unanimous consent or by a motion.

The PRESIDING OFFICER. The record will disclose better than the Chair's memory as to whether or not unanimous consent was granted for more than the reading of the joint resolution. Its introduction does not necessarily carry a reference. Unanimous consent, in the opinion of the Chair, was granted for its introduction, but that does not necessarily ipso facto carry with it a reference.

Mr. POINDEXTER. I ask for the regular order.

Mr. KING. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will kindly state it.

Mr. KING. If a resolution has been offered of the character of that offered by the Senator from South Carolina and it has been read, assume that it lies on the table, may it not, when any Senator gets the floor, upon his motion, be referred?

The PRESIDING OFFICER. Unquestionably, were it not for the way in which the unanimous consent was expressed.

Mr. SMITH of South Carolina. Mr. President, just to bring the matter to an issue, I will ask the Senator from Washington to allow a vote to be taken on the question of the reference. I think we will save time by it.

Mr. POINDEXTER. Mr. President, I understand, of course, the implication of the Senator's remarks; but, whatever the result may be, it is impossible for me to sacrifice the opportunity for the consideration of the appropriation bill upon any such intimation as that of the Senator from South Carolina. It is obvious that this motion will lead to debate; how much debate, no person can tell. If that motion can be considered, any other similar motion can be considered, and it will be impossible to proceed with the appropriation bill.

Mr. SMITH of South Carolina. I do not think it will lead to any debate. I think the question could be voted upon in a few moments, because this is a matter that is simply one of reference. I understand the object of the Senator from New Hampshire, perhaps, in asking that it be referred to the Committee on Banking and Currency.

Mr. MOSES. Mr. President——

Mr. SMITH of South Carolina. I have introduced this joint resolution in good faith, and I have consulted Senators on the

other side and on this side, and I have found not one that I had time to consult that was opposed to the general principle of the joint resolution.

Mr. BRANDEGEE. Mr. President, again I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRANDEGEE. The Senate is considering the naval appropriation bill. That bill can not be swept off the floor by motions made by Senators to refer to a committee some resolution unanimous consent for the consideration of which was refused. The whole naval appropriation bill can not be swept aside in that way. The regular order is to be proceeded with.

The Senator rose and interrupted the consideration of the naval appropriation bill by requesting unanimous consent to have a joint resolution read. Consent was granted to have it read. It was read. The word "introduction" was not mentioned by the Senator. He did not say, "I introduce a resolution," and he could not have said it, and he could have made no motion about it. He was not in order; but when he rose and asked unanimous consent, of course that interrupted the proceedings and his unanimous-consent request was denied, and that was the end of his joint resolution. It never was introduced, and there is no question on its reference.

The PRESIDING OFFICER. The Chair will read, at the top of page 18, Rule XIV, clause 1:

> Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

The Chair holds that the joint resolution is before the Senate, and has been introduced, but not referred, and may not be referred at this time, owing to the objection.

Mr. BRANDEGEE. It was out of order to introduce it except by unanimous consent, and the Senator did not ask unanimous consent.

Mr. HEFLIN. Mr. President——

The PRESIDING OFFICER. Just a moment, please. Possibly that is true; but the Senator, in the Chair's opinion, obtained unanimous consent to introduce it but not to have it referred.

Mr. HEFLIN. I submit that the Chair is correct. It was not necessary to say, "I am going to introduce a joint resolution." When the Senator said, "I want to consider it without reference," it means the same thing, and it has been read and is now the property of the Senate; but in order that we may go into the matter thoroughly and that everybody may understand it, I suggest the absence of a quorum, to save time.

Mr. POINDEXTER. I ask for the regular order.

The PRESIDING OFFICER. The Senator from Alabama has suggested the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gore	McKellar	Smith, S. C.
Ball	Hale	McNary	Smoot
Borah	Heflin	Moses	Spencer
Brandegee	Hitchcock	New	Sterling
Calder	Jones, N. Mex.	Norris	Sutherland
Colt	Jones, Wash.	Overman	Townsend
Curtis	Kenyon	Owen	Trammell
Dial	Keyes	Phipps	Underwood
Dillingham	King	Poindexter	Wadsworth
Elkins	Kirby	Pomerene	Walsh, Mass.
Fletcher	Knox	Reed	Walsh, Mont.
Gerry	Lenroot	Sheppard	Warren
Glass	Lodge	Simmons	Willis
Gooding	McCumber	Smith, Ga.	Wolcott

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

Mr. SMITH of South Carolina. Mr. President, this matter could have been very easily settled. If the Senate thinks that the condition in which the farmers of this country are is not sufficiently serious to extend to them some particle of relief, or at least take cognizance of it by the passage of such a joint resolution as I have introduced, they could have referred it to a committee.

It is hardly proper for a Senator to intimate that a committee such as the Agricultural Committee did not understand the principles of banking and currency, particularly as it related to the agricultural interests of the country; that they did not have sufficient knowledge of that intricate business to pass upon a joint resolution involving some instructions to the board of governors whom we have intrusted with the enforcement of a law passed by this and the other body.

Mr. President, all that the joint resolution I have introduced is intended to accomplish is to direct the Federal Reserve Board to encourage renewals of loans based on safe agricultural paper. The cry is coming from every section of the country that the banks are calling for these matured loans. The markets have gone down so that to-day the products held by the farmers, which cost them peak prices to produce, are now disastrously below the cost of production.

Suppose the banker, as good bankers are supposed to do—good from their viewpoint—forces the liquidation of the loans based on agricultural products—the farmers will not get enough to pay their fertilizer bills in the East, and not much more than enough to pay for the gathering of the crops in the Northwest and in the West. In that condition this joint resolution simply asks, instructs, and directs the Federal Reserve Board to allow the member banks and to encourage the member banks to renew these loans in order that the distressing conditions in which the farmers of the country find themselves may be relieved.

We have sent millions of dollars to the suffering ones of Europe. That was right and proper. I would have felt ashamed of my country had it not responded to the call of distress from abroad. But here we do not ask for an appropriation; we ask that special attention should be given to the basic industry of the country.

There is not a Senator here who does not recognize and realize, if he studies the problem at all, that the farmers of this country are not in a position to protect themselves against financial disaster. They have no reserve fund. They are not organized, as the great corporations are organized, so that from time to time during their prosperous years they can lay by a reserve fund for a season of disaster such as has now come upon them. They are unorganized, helpless, and defenseless before a storm such as this, and to-day they are standing with what little accumulations they have made swept away, and the Senate has gone on record to-night that it will not tolerate even a suggestion to the financial body we have created, and that we boasted was able to meet just this situation, to look into the terrible conditions now prevalent throughout the agricultural districts of the country, and direct them, not to extend a new loan, not to interfere with their rate of interest, but to allow and encourage a renewal of these loans, until the disastrous condition that is now confronting them, that was brought about by no act on the part of the farmers themselves, has passed. This body refuses even to allow the consideration of the joint resolution and its reference to the Committee on Agriculture and Forestry, but remains here and continues working on a bill that proposes to appropriate out of the Treasury of the United States $500,000,000 for the creation of battleships, and to put ourselves in a state of preparedness against some foreign foe.

I am not pretending to say that the provisions of the naval appropriation bill are not wise, but I do say that to-night there is a condition in this country fraught with more danger to us than the threatened encroachment of a foreign foe upon us.

Mr. President, I recognize the fact that a majority of the Senators in this body are not in sympathy with those who produce the food and the clothing of this Nation. I had hoped that the mere introduction of this joint resolution would have been a sufficient appeal to this body for its immediate passage. I was not surprised when the Senator from Washington [Mr. POINDEXTER] took occasion to object to the interference with the passage of the bill of which he has charge; but when the reference of this joint resolution to a committee where it might be strangled was seriously contemplated I was astonished. Is it possible that Senators to-night do not realize the condition in which this country now finds itself?

Planting time is here, and we have appropriated in the Agricultural appropriation bill $5,000,000 for the purpose of buying seed to help certain farmers of the Northwest to seed their lands and to take a lien on the products of their fields for its repayment. The price of live stock has gone down to where live-stock raisers are now sacrificing their product. It was reported to the Committee on Agriculture and Forestry that they were actually destroying their cattle and feeding the carcasses to hogs and saving the hides. Sheep are being butchered and fed to hogs. Horses are being destroyed and fed to hogs. The price of corn has gone down to a point where those who produce it stand face to face with financial ruin. The price of wheat is dropping every day. The price of cotton in the South has gone down to a point where it is lower than in the years preceding the war.

All this is because credit has been refused and the banks are calling for a liquidation of the loans, leaving the farmers helpless and defenseless. Yet the Senate votes the largest appropriations ever voted in the history of the country, and has not passed one single piece of legislation looking to the relief of those upon whom the prosperity of the country depends.

It is idle to say that the farmer is in the same category with other business men and must take his medicine. Every man knows that he is disorganized and financially unable to cope with the panic that has him now in its grip. What farmer or set of farmers in the country has ever named the price of a

single product produced of the staple crops? Who names the price of the farmer's wheat of the West? Who names the price of the farmer's cotton of the South? Who names the price of the farmer's cattle on the plains of the West? It is the men who sit about the tables in the stock and grain exchanges.

We have heard the emergency tariff bill discussed, and the question was whether we should put a tariff on the products of the farm. The Senator from Missouri [Mr. REED] this afternoon called attention to the fact that we placed a tariff on manufactured products, and asked who was the first beneficiary of that protection. It was the owner of the plant, and it was left to his sweet will as to whether he would divide or give any of the benefits that accrued to him to the laborers about his plant.

The farmer to-day in the production of his crops has not the naming of the price of a pound of the staple crops or a bushel of any of the grain that he raises. We, in arranging our financial affairs, make it easy for the money changers and exchanges to get accommodation, and leave the great bulk of people, upon whom the prosperity of the country depends, at the mercy of those whose object it is to make a profit. But when we come to the toiling masses in the fields, those who produce the bread that we eat and the clothes that we wear, not a line nor a word has been written since we met in December until the present time that looks to any practical relief for that great body of our people who conduct the basic industry of the country.

There was actual opposition to the reinstatement of the War Finance Corporation. There was opposition to every measure that has been introduced here that looks to the direct and specific relief of those engaged in agriculture. We are appropriating millions upon millions of dollars for those things that are organized, for those who are in a position to help themselves, but not one line of legislation nor one dollar of appropriation to take care of those upon whom the welfare of the country rests.

When the Federal reserve act was passed it was the boast of the Democratic Party that we had created and brought into effect a law that would forever remove the possibility of a panic, and there are those who are going about the country now saying that we never were in a better position than we now find ourselves. If the condition in which the country now finds itself is not a panic, then I do not understand the meaning of the term.

Bankruptcy, ruin, failure, exist throughout the country, brought about by the restriction of credit and the unfortunate deflation of our currency. We have the report of the Comptroller of the Currency on the desks of Senators this morning making the showing that our gold reserve is above the requirement of the law; waiving certain requirements which are admissible by law, it is alleged that $2,000,000,000 in addition to that already outstanding might be issued. Yet the people are impoverished, driven into ruin, because they can not get sufficient loans to meet the pressing obligations that are upon them in the production of the crops, and their holdings of the year must be sacrificed.

Mr. President, I have introduced the joint resolution in good faith. A similar resolution passed the Senate once before, and yet, in spite of the fact that every Senator must know and realize the condition in which the country is to-day from an agricultural standpoint, we will not even say that we are willing to have all the loans that are now existent extended until there can be some legislation passed that may relieve the situation in which we find ourselves.

Mr. HEFLIN. If the Senator will pardon me, his joint resolution says good farm paper, and the banks are to be the judges as to whether it is good or not. It does not direct them to extend loans on paper that is not good, but only on paper that in the judgment of sound banking is good.

Mr. SMITH of South Carolina. I drafted the joint resolution hurriedly this afternoon because there had come to me, not from my section of the country alone, but from every section of the country, letters and telegrams depicting a condition that is simply a reflection on the Senate and on the Congress. Men are forced into poverty, forced into ruin, while the banks of the country have on hand more money than ever before in the history of the country.

This condition is the natural and logical result of the unfortunate position taken by certain men in authority. I recognize the fact that during the war prices were inflated, but I also recognize the fact that whereas before the war we had less than a billion dollars of outstanding bonded indebtedness, after the war we had $26,000,000,000 of indebtedness. The Government has issued its obligations to its people and those who own the bonds to the extent of practically $26,000,000,000. That is one form of currency, or it was promised to be. It at least is the obligation that the Government must meet and liquidate.

The only way that we will deflate the real outstanding obligations and the currency of the country is in the liquidation of its obligations. How are we going to liquidate those vast obligations outstanding on the part of the Government except by taxation and the retirement of the bonds purchased in the open market or by the redemption of them at maturity?

We have gone at this thing from the wrong angle. Had there been encouragement of production, had prices been left to the law of supply and demand, the income taxes of the country would not have shrunk to the miserable proportions that they are to-day, with the excess profits practically swept out of existence, and yet the obligation of the Government remaining the same. Her ability through her people to meet it has been cut fourfold. How are we to meet the obligations of the Government through the form of taxation, the only way we may meet them, unless the people are able to meet the burden of taxation?

Are we going to meet them by impoverishing the cotton growers of the South, the wheat and cattle raisers of the West, to the point where they will quit the fields, and flock to the towns; or are we going to meet them by encouraging production in the great fields, forests, and mines of the country at a profit, and then out of the profit secure our taxes?

Land values and commodity values have shrunk to a fourth of the former figures, and not one dollar of our indebtedness has been liquidated. Our ability to meet the obligations of the Government in the form of bonds is $18,000,000,000 less, according to the statement of the Comptroller of the Currency, than it was a year ago. What is the proper attitude of those of us charged with the legislative affairs of the Government? It is to see to it that the sources of revenue shall be encouraged. Will we encourage it by breaking the markets of the country, making serfs and peons out of those who produce the raw material that goes into our factories, or will we do it by encouraging the production of an abundant supply and giving to the man who produces the raw material a profit and a hope in the future?

In less than three years from the cessation of the war we have come to the point of an indebtedness surpassing any the country ever dreamed of. I have already alluded to the great shrinkage in the Nation's resources. Cotton has shrunk, wheat has shrunk, cattle have shrunk, in value and in price, the farmers are demoralized, credit is demoralized, and yet the interest on bonds is going on. From whom are we going to get the money with which to meet these obligations? From what source are we going to get it? Our excess-profits tax will amount practically to nothing. Our income tax has shrunk more than half.

Then, the burden of taxation falls where? From what source are you to get it? With factories running half time, farmers demoralized, business at a standstill, and the people quaking with the fear that always comes when hope is deferred, here, when a joint resolution is introduced directing the financial power of the Government to grant relief to those who must of necessity be the very basis of our prosperity, the Senate takes it as a huge joke. Who is the farmer? Why should he be considered? Why should we accede to the desires of those who desire a big Army and a big Navy and grant instant relief to every conceivable business except the man upon whom in the ultimate analysis the whole welfare of the country rests?

Mr. President, I propose before I am through with this joint resolution to put the Senate on record, if it be possible, as to what their attitude is toward granting some relief to those who to-night know not what to do, with the planting time of their crop on hand. I am advised that less than 12 per cent of the fertilizer used on the Atlantic seaboard from Maine to Florida has been sold, and this is the 1st of March. I am further advised that there is, perhaps, but one-half of the land that has heretofore been tilled which will be tilled this year, because of the lack of credit to plant and cultivate it. That condition is not restricted to my section alone; the same cry comes from every section of the country.

I want to tell the Senate here to-night that we are not dealing with the same class on the farm that we dealt with 12 years ago. The facilities for communication and transportation and education are so perfect to-day as compared with the same conditions on the farm in former years that the man in the country is as well informed as the man in the city, and though he is unorganized and is unable to defend himself from a financial standpoint, he has sense enough not to grow food and clothing and himself go barefoot and naked. If the city offers him a better opportunity for temporary relief from financial stringency, he will rush to the city, and that is what is being done now. Yet the United States Senate obstinately refuses

even to consider a measure which proposes to give direction to the body that we created that they shall allow and encourage the renewal of loans to those upon whom the destiny of the country depends.

RECESS.

Mr. POINDEXTER and Mr. HEFLIN addressed the Chair.

The VICE PRESIDENT. The Senator from Washington.

Mr. POINDEXTER. I move that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. HEFLIN. Mr. President, I make a point of order that a motion to take a recess is not now in order.

The VICE PRESIDENT. The point of order is overruled. The question is on the motion of the Senator from Washington.

Mr. HEFLIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HEFLIN. I suggest the absence of a quorum, if that is a parliamentary inquiry.

The VICE PRESIDENT. No; it is not. The question is on the motion of the Senator from Washington.

The motion was agreed to; and (at 10 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, March 1, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 28 (legislative day of February 24), 1921.

George Lawrence Bean, of New Hampshire, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

COAST AND GEODETIC SURVEY.

Jack Senior, of New York, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Raymond Pugh Eyman, of Ohio, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Leo Cuthbert Dyke, of New York, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Chester Howard Ober, of Rhode Island, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

George Clay Jones, of Oregon, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Charles Shaw, of Massachusetts, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Carl Alexander Egner, of Indiana, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Leroy Preston Raynor, of New York, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Lyman Davis Graham, of Pennsylvania, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Max Orville Witherbee, of Colorado, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Payson Austin Perrin, of Massachusetts, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Roland Drew Horne, of Massachusetts, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Benjamin Haines Rigg, of New Jersey, to be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy.

Oliver Scott Reading, of Illinois, to be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy.

Charles Keith Green, of California, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Charles Justus Itter, jr., of Pennsylvania, to be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy.

SUPERVISING INSPECTOR STEAMBOAT-INSPECTION SERVICE.

William J. Macdonald, of Michigan, to be supervising inspector for the fourth district in the Steamboat-Inspection Service.

COAST GUARD.

Martin W. Rasmussen to be district superintendent in the Coast Guard of the United States, to take effect from September 9, 1920, to fill an existing vacancy.

Ralph T. Crowley to be district superintendent in the Coast Guard of the United States, to take effect from September 10, 1920, to fill an existing vacancy.

Cadet Noble G. Ricketts, to be an ensign in the Coast Guard of the United States, to rank as such from October 13, 1920.

Cadet Paul K. Perry to be an ensign in the Coast Guard of the United States, to rank as such from October 11, 1920.

Cadet Arthur G. Hall to be an ensign in the Coast Guard of the United States to rank as such from October 11, 1920.

Cadet Irving W. Buckalew to be an ensign in the Coast Guard of the United States, to rank as such from October 7, 1920.

Cadet Harold G. Bradbury to be an ensign in the Coast Guard of the United States, to rank as such from October 12, 1920.

Cadet Ephraim Zoole to be an ensign in the Coast Guard of the United States, to rank as such from October 8, 1920.

Cadet Merlin O'Neil to be an ensign in the Coast Guard of the United States, to take effect from date of oath.

Cadet Carleton T. Smith to be an ensign in the Coast Guard of the United States, to take effect from date of oath.

Cadet Norman H. Leslie to be an ensign in the Coast Guard of the United States, to take effect from date of oath.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

Maj. Henry Holden Sheen, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1916.

Maj. Joseph Edward Barzynski, Infantry, July 30, 1920, with rank from July 1, 1920.

Maj. Laurance Oldham Mathews, Infantry, October 29, 1920, with rank from July 1, 1920.

Maj. Laurence Wilfred Redington, Infantry, with rank from July 1, 1920.

Capt. Lee W. Card, Infantry, with rank from July 1, 1920.

Capt. Harry Pforzheimer, Infantry, with rank from July 1, 1920.

Capt. Louie Arnold Beard, Field Artillery, July 1, 1920, with rank from May 15, 1917.

First Lieut. Thomas Grafton Hanson, jr., Field Artillery, July 1, 1920, with rank from June 5, 1917.

First Lieut. Martin Owen Cahill, Field Artillery, October 15, 1920, with rank from July 1, 1920.

First Lieut. Wilbur Storm Elliott, Infantry, with rank from August 9, 1917.

Second Lieut. Engmann August Andersen, Cavalry, with rank from July 1, 1920.

ORDNANCE DEPARTMENT.

Maj. Hermann Heinrich Zornig, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.

Capt. John Adams Brooks, jr., Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.

First Lieut. Charlie Edward Hart, Cavalry, with rank from August 20, 1919.

First Lieut. Forrest Clifford Shaffer, Coast Artillery Corps, July 1, 1920, with rank from August 30, 1917.

First Lieut. Rudolph Francis Whitelegg, Infantry, July 1, 1920, with rank from August 30, 1917.

First Lieut. John Will Coffey, Coast Artillery Corps, with rank from August 30, 1917.

First Lieut. Jesse Andrew Rogers, jr., Infantry, with rank from July 1, 1920.

SIGNAL CORPS.

Lieut. Col. George Ernest Kumpe, Infantry, October 12, 1920, with rank from July 1, 1920.

Maj. Stanley Livingston James, Infantry, with rank from July 1, 1920.

CHEMICAL WARFARE SERVICE.

Maj. Adelno Gibson, Coast Artillery Corps, with rank from July 1, 1920.

Second Lieut. Patrick Francis Powers, Infantry, with rank from July 1, 1920.

COAST ARTILLERY CORPS.

Col. Charles Henry Hilton, Quartermaster Corps, with rank from July 1, 1920.

Maj. Stewart Oscar Elting, Cavalry, August 5, 1920, with rank from July 1, 1920.

Second Lieut. Joseph Honore Rousseau, jr., Infantry, August 27, 1920, with rank from July 2, 1920.

Second Lieut. Edward Carl Engelhart, Cavalry, September 11, 1920, with rank from July 2, 1920.

FINANCE DEPARTMENT.

Second Lieut. Henry Stehman Hostetter, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

Second Lieut. Emmet Crawford Morton, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

AIR SERVICE.

First Lieut. Edgar Peter Sorensen, Coast Artillery Corps, October 20, 1920, with rank from July 1, 1920.

Second Lieut. William Joseph Flood, Infantry, October 30, 1920, with rank from July 1, 1920.

FIELD ARTILLERY.

Capt. Alfred John Betcher, Infantry, July 1, 1920, with rank from May 15, 1917.

Capt. Clifford Barrington King, Cavalry, July 1, 1920, with rank from July 24, 1917.

First Lieut. Hiram Wendell Tarkington, Infantry, July 1, 1920, with rank from September 21, 1919.

First Lieut. Wesley Collins Dever, Infantry, with rank from June 4, 1920.

First Lieut. John Hamilton Wise, Infantry, with rank from July 1, 1920.

CAVALRY.

Second Lieut. John William Wofford, Infantry, September 10, 1920, with rank from July 2, 1920.

INFANTRY.

Capt. Leon Ewart Savage, Quartermaster Corps, with rank from July 1, 1920.

PROMOTIONS IN THE REGULAR ARMY.

To be colonel with rank from February 11, 1921.

Lieut. Col. John Lesesne DeWitt, Infantry.

To be lieutenant colonel with rank from February 8, 1921.

Maj. Leo Asa Dewey, Infantry.

To be captains with rank from July 1, 1920.

First Lieut. Charles Challice, jr., Quartermaster Corps.
First Lieut. Loyal Moyer Haynes, Field Artillery.
First Lieut. Cecil John Gridley, Infantry.
First Lieut. Clyde Lloyd Hyssong, Infantry.
First Lieut. Ernest Frederick Apeldorn, jr., Cavalry.
First Lieut. Donald Parker Spalding, Infantry.
First Lieut. William Donald Tabor, Cavalry.
First Lieut. Cornelius Edward Ryan, Infantry.
First Lieut. William Henry Crampton, Infantry.
First Lieut. Irvin Henry Zeliff, Cavalry.
First Lieut. John Henry Ringe, Infantry.
First Lieut. William H. Killian, Cavalry.

To be first lieutenants with rank from July 1, 1920.

Second Lieut. Samuel Wilber Stephens, Infantry.
Second Lieut. Richard Cohron Lowry, Coast Artillery Corps.
Second Lieut. Albert Edgar Billing, Infantry.
Second Lieut. George Richard Thompson, Quartermaster Corps.
Second Lieut. Jess Garnett Boykin, Cavalry.
Second Lieut. Charles Moorman Hurt, Cavalry.
Second Lieut. James Dallace Bender Infantry.
Second Lieut. Ellis Bates, Infantry.
Second Lieut. George Pryor Johnson, Air Service.
Second Lieut. Clyde Virginius Finter, Air Service.
Second Lieut. Michael Cardon Shea, Field Artillery.
Second Lieut. Charles John Wynne, Quartermaster Corps.
Second Lieut. Holland Spencer Chamness, Infantry.
Second Lieut. Julian Horace George, Infantry.
Second Lieut. Walter Cortland Wagner, Infantry.
Second Lieut. Anderson Hassell Norton, Cavalry.
Second Lieut. Hanford Nichols Lockwood, jr., Field Artillery.
Second Lieut. John Markham Ferguson, Infantry.
Second Lieut. John Calvin Sandlin, Infantry.
Second Lieut. Leslie Eugene Bowman, Quartermaster Corps.
Second Lieut. Horace Benjamin Smith, Infantry.
Second Lieut. Joseph Addison Dubois, Infantry.
Second Lieut. Barlow Winston, Infantry.
Second Lieut. Maurice Rose, Infantry.
Second Lieut. Chester Morse Willingham, Infantry.
Second Lieut. Gene Russell Mauger, Cavalry.
Second Lieut. Frank L. Burns, Infantry.
Second Lieut. William Burl Johnson, Quartermaster Corps.
Second Lieut. Winfield Rose McKay, Infantry.
Second Lieut. James Bernays Lowrey, Infantry.
Second Lieut. James Harrison Donahue, Infantry.
Second Lieut. Thomas Patrick Walsh, Coast Artillery Corps.
Second Lieut. Warren Benedict Scanlon, Infantry.
Second Lieut. William Robert Hamby, Cavalry.
Second Lieut. Buckner Miller Creel, Cavalry.
Second Lieut. Ralph Andrew Eiler, Field Artillery.
Second Lieut. Theodore Ernest Voigt, Cavalry.
Second Lieut. Douglas Johnston, Air Service.
Second Lieut. Lawrence Pradere Hickey, Air Service.
Second Lieut. Severn Teackle Wallis, jr., Field Artillery.
Second Lieut. Charles Murray Rees, Infantry.
Second Lieut. William May, Infantry.
Second Lieut. Chester Wright Gates, Quartermaster Corps.
Second Lieut. Harold Herbert Fisher, Infantry.
Second Lieut. Silas Warren Robertson, Cavalry.
Second Lieut. Donald Van Niman Bonnett, Infantry.
Second Lieut. William Henry Johnson, Infantry.
Second Lieut. Wiley Hubbard O'Mohundro, Infantry.
Second Lieut. Edmund Graham West, Quartermaster Corps.
Second Lieut. Ranald Trevor Adams, Infantry.
Second Lieut. Roger Shaw McCullough, Air Service.
Second Lieut. Robert Oliver White, Quartermaster Corps.
Second Lieut. Charles William Dietz, Quartermaster Corps.
Second Lieut. Samuel Howes Baker, Quartermaster Corps.
Second Lieut. John Parr Temple, Air Service.
Second Lieut. Timothy Sapia Bosch, Infantry.
Second Lieut. Juan Luis Oliver, Infantry.
Second Lieut. Eduardo Andino, Infantry.
Second Lieut. William Joseph Flood, Air Service.
Second Lieut. Lynn Packard Vane, Coast Artillery Corps.
Second Lieut. Lewis Rinehart Pfoutz Reese, Air Service.
Second Lieut. Philip Gilstrap Bruton, Corps of Engineers.
Second Lieut. Horace Leland Porter, Corps of Engineers.
Second Lieut. Carl Gilbert Holmes, Field Artillery.
Second Lieut. Edwin Forrest Carey, Air Service.
Second Lieut. Elmer Warren Miller, Coast Artillery Corps.
Second Lieut. Guy Malcolm Kinman, Infantry.
Second Lieut. Linton Yates Hartman, Coast Artillery Corps.
Second Lieut. Peter LeToney, Infantry.
Second Lieut. Robert Louis Renth, Infantry.
Second Lieut. Joseph Cuthbert Dolan, Field Artillery.
Second Lieut. Abraham Lincoln Bullard, Coast Artillery Corps.
Second Lieut. William Lincoln Hamilton, Cavalry.
Second Lieut. Oscar Norvell Barney, Air Service.
Second Lieut. Thomas Florence McCarthy, Infantry.
Second Lieut. Roy Henry Speck, Cavalry.
Second Lieut. Charles Augustus Reif, Infantry.
Second Lieut. Arthur Kay Ladd, Air Service.
Second Lieut. Charles Stevenson Denny, Coast Artillery Corps.
Second Lieut. Otto Montrose Low, Quartermaster Corps.
Second Lieut. Benjamin Arthur Thomas, Cavalry.
Second Lieut. Joseph Kenneth Creamer, Infantry.
Second Lieut. Leonard Eby Lilley, Infantry.
Second Lieut. Glenn Earl Carothers, Infantry.
Second Lieut. Frank Thomas Madigan, Infantry.
Second Lieut. John Hilliard Healy, Cavalry.
Second Lieut. David Francis Finnerty, Infantry.
Second Lieut. Edward Clay Atkinson, Infantry.
Second Lieut. Lloyd Nelson Winters, Infantry.
Second Lieut. William Windom Dixon, Air Service.
Second Lieut. Christian Stephen Andersen, Coast Artillery Corps.
Second Lieut. Clarence Beaver Lober, Air Service.
Second Lieut. Everett Dudley Yerby, Cavalry.
Second Lieut. Ralph Jacob Mitchell, Coast Artillery Corps.
Second Lieut. Russell Raymond Louden, Infantry.
Second Lieut. George Ferdinand Stutsman, jr., Cavalry.
Second Lieut. Frank Potter Albrook, Air Service.
Second Lieut. Arthur John Melanson, Air Service.
Second Lieut. Theodore Joseph Koenig, Air Service.
Second Lieut. Lemiel Lafayette Reece, Infantry.
Second Lieut. Willis Lamar Claxton, Coast Artillery Corps.
Second Lieut. Grandison Gardner, Air Service.
Second Lieut. Benners Brasfield Vail, Cavalry.
Second Lieut. Walter Bingham Cochran, Infantry.
Second Lieut. Omer Osmer Niergarth, Air Service.
Second Lieut. Roy Alphonso Carter, Infantry.
Second Lieut. Pearne Clark Wilders, Infantry.
Second Lieut. Charles W. Fake, Cavalry.
Second Lieut. Clifford Durward Overfelt, Infantry.
Second Lieut. Roderick Norman Ott, Air Service.
Second Lieut. George Van Studdiford, Infantry.
Second Lieut. William Byron Walters, Coast Artillery Corps.
Second Lieut. John Blaney, Air Service.
Second Lieut. Leland Fries Strader, Cavalry.
Second Lieut. Percy Waldo Seymour, Infantry.
Second Lieut. Garland Thomas Rowland, Infantry.
Second Lieut. Lee Caraway Bizzell, Infantry.
Second Lieut. Marion Milton Pharr, Field Artillery.
Second Lieut. Walter Lee Sherfey, Infantry.
Second Lieut. James Victor Gagne, Cavalry.
Second Lieut. James Courtney Browne, Cavalry.
Second Lieut. John Boardman Lord, Field Artillery.

Second Lieut. Polk Johnson Atkinson, Field Artillery.
Second Lieut. Frank Norman Mallory, Infantry.
Second Lieut. Edmund Rucks Shugart, Infantry.
Second Lieut. Ulmont William Holly, Infantry.
Second Lieut. Rex Henry Burger, Infantry.
Second Lieut. Clarence Turner Davis, Infantry.
Second Lieut. Frank Rate Williams, Infantry.
Second Lieut. Harvey John Thornton, Field Artillery.
Second Lieut. Harold Joseph LaCroix, Infantry.
Second Lieut. Joseph Phillip Donnovin, Field Artillery.
Second Lieut. Andre Leonard Violante, Quartermaster Corps.
Second Lieut. Leighton Nicol Smith, Cavalry.
Second Lieut. Louis Urgel Labine, Infantry.
Second Lieut. William Barmore Sharp, Infantry.
Second Lieut. Marcus Ellis Jones, Cavalry.
Second Lieut. Harold Patrick Hennessy, Air Service.
Second Lieut. Victor Emerson Biehn, Infantry.
Second Lieut. Robert Robinson, Infantry.
Second Lieut. Aubrey Hornsby, Air Service.
Second Lieut. Lawrence Lofton Cobb, Infantry.
Second Lieut. William Havely McKee, Infantry.
Second Lieut. Garnett Hamilton Wilson, Cavalry.
Second Lieut. Francis Xavier Oberst, Infantry.
Second Lieut. Edwin Moore Burnett, Infantry.
Second Lieut. Richard Hawley Slider, Field Artillery.
Second Lieut. Andrew Edward Forsyth, Cavalry.
Second Lieut. Justus Smith Davidson, Infantry.
Second Lieut. Mark Histand Doty, Infantry.
Second Lieut. Charles Peter Prime, Air Service.
Second Lieut. Otto Rudolph Stillinger, Cavalry.
Second Lieut. Chauncey Whitney Sampsell, Cavalry.
Second Lieut. Hugh Gibson Culton, Cavalry.
Second Lieut. Paul Allen Reichle, Field Artillery.
Second Lieut. Hubert Taylor Sutton, Cavalry.
Second Lieut. Gerald Bradford Devore, Infantry.
Second Lieut. Wallis Ammi Frederick, Air Service.
Second Lieut. James Emerson Bush, Field Artillery.
Second Lieut. Edward Raymond Golden, Infantry.
Second Lieut. Herbert Joseph McChrystal, Infantry.
Second Lieut. Auby Casey Strickland, Infantry.
Second Lieut. William Christopher Sinclair, Infantry.
Second Lieut. James Harry Newberry, Infantry.
Second Lieut. John Max Lentz, Field Artillery.
Second Lieut. William Young McBurney, Infantry.
Second Lieut. Vincent Douglas Mee, Infantry.
Second Lieut. Charles Weess Hanna, Infantry.
Second Lieut. William Lawrence Kay, jr., Infantry.
Second Lieut. James Willard Harris, Infantry.
Second Lieut. Albert Edgar Cannon, Infantry.
Second Lieut. Harry Marten Schwarze, Cavalry.
Second Lieut. Philip Wallace Ricamore, Infantry.
Second Lieut. Benjamin Kenney Erdman, Infantry.
Second Lieut. Geoffrey Cooke Bunting, Coast Artillery Corps.
Second Lieut. Orin Lee Davidson, Infantry.
Second Lieut. James Patrick Boland, Field Artillery.
Second Lieut. Thomas Francis Hickey, Infantry.
Second Lieut. Emmett Michael Connor, Infantry.
Second Lieut. John Joseph Dunn, Infantry.
Second Lieut. Clyde Hurschale Phillips, Infantry.
Second Lieut. Edward Albert Kimball, Infantry.
Second Lieut. Thomas James Chrisman, Infantry.
Second Lieut. Benjamin Harrison Graban, Cavalry.
Second Lieut. Louis North Eller, Air Service.
Second Lieut. George Stainback Deaderick, Infantry.
Second Lieut. Ashley Chadbourne McKinley, Air Service.
Second Lieut. Fred Charles Dierstein, Infantry.
Second Lieut. John William Irwin, Infantry.
Second Lieut. Robert LeRoy Nesbit, Infantry.
Second Lieut. Lawrence Haley Caruthers, Field Artillery.
Second Lieut. Elmer Dane Pangburn, Infantry.
Second Lieut. Thomas John Carroll, Air Service.
Second Lieut. John Beveridge, jr., Air Service.
Second Lieut. Michael Everett McHugo, Air Service.
Second Lieut. Edward Lewis Searl, jr., Air Service.
Second Lieut. Lloyd H. Duffin, Field Artillery.
Second Lieut. Vincent James Meloy, Air Service.
Second Lieut. Charles Egbert Branshaw, Air Service.
Second Lieut. Leigh Wade, Air Service.
Second Lieut. Earle Hayden Tonkin, Air Service.
Second Lieut. Ivan Leon Foster, Infantry.
Second Lieut. John Robert Hall, Air Service.
Second Lieut. Joseph Ignatius Sullivan, Air Service.
Second Lieut. Edward Whiting Raley, Air Service.
Second Lieut. Dache McClain Reeves, Air Service.
Second Lieut. Oliver Perry Gothlin, jr., Air Service.
Second Lieut. Mark Henry Redman, Air Service.
Second Lieut. Wallace Marmaduke Allison, Quartermaster Corps.
Second Lieut. Oscar George Fegan, Quartermaster Corps.
Second Lieut. Thomas Jefferson Davis, Infantry.
Second Lieut. Harvey William Prosser, Air Service.
Second Lieut. Eugene Robert Cowles, Infantry.
Second Lieut. John Francis Aleure, Quartermaster Corps.
Second Lieut. Robert Victor Ignico, Air Service.
Second Lieut. Rutledge Maurice Lawson, Infantry.
Second Lieut. Jacob Marcellus Woodard, Air Service.
Second Lieut. Harry George Rennagel, Infantry.
Second Lieut. Dudley Hamilton Woodin, Infantry.
Second Lieut. Leland Ross Hewitt, Air Service.
Second Lieut. Frederick William Evans, Air Service.
Second Lieut. Oliver Edward Cound, Quartermaster Corps.
Second Lieut. Frank La Rue, Infantry.
Second Lieut. Alfred Baxter Baker, Air Service.
Second Lieut. Fred Cyrus Nelson, Air Service.
Second Lieut. Delbert Emerick Jones, Air Service.
Second Lieut. Charles Douglas, Air Service.
Second Lieut. Hugh Albert Bivins, Air Service.
Second Lieut. Clyde Antone Kuntz, Air Service.
Second Lieut. Elmer John Bowling, Air Service.
Second Lieut. Orin Jay Bushey, Air Service.
Second Lieut. Robert Shirley Clayton, Cavalry.
Second Lieut. John William Beck, Field Artillery.
Second Lieut. Robert Strong Worthington, Air Service.
Second Lieut. Louis Philip Moriarty, Air Service.
Second Lieut. George Washington Polk, jr., Air Service.
Second Lieut. Charles Norton Monteith, Air Service.
Second Lieut. Cleveland William McDermott, Air Service.
Second Lieut. George Howell Burgess, Air Service.
Second Lieut. Thomas Vincent Hynes, Air Service.
Second Lieut. Frederick William Niedermeyer, jr., Air Service.
Second Lieut. James Gradon Taylor, Air Service.
Second Lieut. Leland Wilbur Miller, Air Service.
Second Lieut. William De Voe Coney, Air Service.
Second Lieut. Elbert Wiley Franklin, Air Service.
Second Lieut. Raphael Baez, jr., Air Service.
Second Lieut. Robert Halbert Finley, Air Service.
Second Lieut. Clarence Herbert Welch, Air Service.
Second Lieut. Alfred Jefferson Lyon, Air Service.
Second Lieut. Harold Lyman Clark, Air Service.
Second Lieut. James Montrose Graham Thomson Neely, Air Service.
Second Lieut. Sam Love Ellis, Air Service.
Second Lieut. George Godfrey Lundberg, Air Service.
Second Lieut. Eugene Lowry Eubank, Air Service.
Second Lieut. Howard Dutton Norris, Air Service.
Second Lieut. Frank Martyn Paul, Air Service.
Second Lieut. Samuel Martin Connell, Air Service.
Second Lieut. John Edwin Upston, Air Service.
Second Lieut. Reuben Curtis Moffat, Air Service.
Second Lieut. Paul Langdon Williams, Air Service.
Second Lieut. Thomas Aloysius Hoy, Infantry.
Second Lieut. Theodore Julius Lindorff, Coast Artillery Corps.
Second Lieut. William Alexander Marsh, Infantry.
Second Lieut. George Thomas Barnes, Quartermaster Corps.
Second Lieut. Samuel Custer Eaton, jr., Air Service.
Second Lieut. Joseph John Gutkowski, Infantry.
Second Lieut. Charles Albert Welcker, Infantry.
Second Lieut. Joseph Francis Binford, Infantry.
Second Lieut. Harry Wesley Bauer, Field Artillery.
Second Lieut. Joseph Horace Landrum, Field Artillery.
Second Lieut. George Roland McElroy, Cavalry.
Second Lieut. Garrett Bruce Shomber, Cavalry.
Second Lieut. John Redmond Thornton, Cavalry.
Second Lieut. Bayard Johnson, Air Service.
Second Lieut. Mortimer Francis Sullivan, Cavalry.
Second Lieut. Eggleston Westley Peach, Infantry.
Second Lieut. George Lawrence Potter, Infantry.
Second Lieut. Leslie Dillon Carter, Cavalry.
Second Lieut. Don Riley, Infantry.
Second Lieut. Pembroke Augustine Brawner, jr., Infantry.
Second Lieut. Isaac Leonard Kitts, Field Artillery.
Second Lieut. Fred Charles Thomas, Cavalry.
Second Lieut. Harold Lewis Turner, Infantry.
Second Lieut. Merrill Deitz Mann, Air Service.
Second Lieut. Ezra Rice Frost, jr., Air Service.
Second Lieut. Maurice Shefstad Hill, Air Service.
Second Lieut. Edgar Andrew Liebhauser, Air Service.
Second Lieut. Charles Lester Morse, Air Service.
Second Lieut. Albert Carl Foulk, Air Service.
Second Lieut. Edward Vincent Harbeck, Air Service.

Second Lieut. Frank Walter Seifert, Air Service.
Second Lieut. Austin Murray Coates, Infantry.
Second Lieut. Edward Ernest Hildreth, Air Service.
Second Lieut. Courtney Whitney, Air Service.
Second Lieut. Phillips Melville, Air Service.
Second Lieut. John Gordon Williams, Air Service.
Second Lieut. Kenneth Gatiss Fraser, Air Service.
Second Lieut. William Colb Morris, Air Service.
Second Lieut. George William Pardy, Air Service.
Second Lieut. Bernard Scott Thompson, Air Service.
Second Lieut. Willis Ratcliffe Taylor, Air Service.
Second Lieut. Robert Duane Knapp, Air Service.
Second Lieut. Louis Braswell Knight, Infantry.
Second Lieut. Howard Bratton, jr., Cavalry.
Second Lieut. James Harold Doolittle, Air Service.
Second Lieut. James Thomas Curry, jr., Air Service.
Second Lieut. Burdette Mase Fitch, Field Artillery.
Second Lieut. William Bettencourt Souza, Air Service.
Second Lieut. Marll James Plumb, Air Service.
Second Lieut. Alfred Lindeburg, Air Service.
Second Lieut. Joseph Alexis Wilson, Air Service.
Second Lieut. Clements McMullen, Air Service.
Second Lieut. Ames Scribner Albro, Air Service.
Second Lieut. Milo McCune, Air Service.
Second Lieut. Charles McKinley Robinson, Air Service.
Second Lieut. John Sanderson Crawford, Air Service.
Second Lieut. Charles Yawkey Banfill, Air Service.
Second Lieut. Myron Ray Wood, Air Service.
Second Lieut. Isaac Jackson Williams, Air Service.
Second Lieut. Clarence Edward Shankle, Air Service.
Second Lieut. Donald Lloyd Bruner, Air Service.
Second Lieut. William Joseph Gainey, Quartermaster Corps.
Second Lieut. Lloyd Chartley Blackburn, Air Service.
Second Lieut. Leslie Philip Arnold, Air Service.
Second Lieut. Edward Jenkins, Air Service.
Second Lieut. Audrey Baxter Ballard, Air Service.
Second Lieut. Gerald Edward Grimes, Air Service.
Second Lieut. John Henry Gardner, Air Service.
Second Lieut. William Campbell Goldsborough, Air Service.
Second Lieut. Louis Ogden Davis, Coast Artillery Corps.
Second Lieut. James Howard Smith, Coast Artillery Corps.
Second Lieut. Clarence Omer Bell, Coast Artillery Corps.
Second Lieut. Arthur Girard Hamilton, Air Service.
Second Lieut. Charles Mellis Myers, Coast Artillery Corps.
Second Lieut. Cyrus Quinton Shelton, Coast Artillery Corps.
Second Lieut. Edward Huffner Wood, Air Service.
Second Lieut. Emil Charles Kiel, Air Service.
Second Lieut. Silas Clearman Hyndshaw, Air Service.
Second Lieut. Harold Lee George, Air Service.
Second Lieut. Lewis Allego Dayton, Air Service.
Second Lieut. Younger Arnold Pitts, Air Service.
Second Lieut. Howard Zabriskie Bogert, Air Service.
Second Lieut. Burnie Raymond Dallas, Air Service.
Second Lieut. Benjamin Franklin Griffin, Air Service.
Second Lieut. Ward Fisk Robinson, Air Service.
Second Lieut. Harry Albert Fudge, Cavalry.
Second Lieut. Lyle Meredon Shields, Infantry.
Second Lieut. Harvey James Golightly, Infantry.
Second Lieut. Charles Hale Dowman, Air Service.
Second Lieut. Thomas Hayden Davies, Infantry.
Second Lieut. Lewis Andrus Day, Infantry.
Second Lieut. Solomon Bernard Ebert, Air Service.
Second Lieut. Claude Weaver Feagin, Quartermaster Corps.
Second Lieut. Harry Anton Johnson, Air Service.
Second Lieut. Charles William Walton, Air Service.
Second Lieut. Barney McKinney Giles, Air Service.
Second Lieut. Roy Travis McLamore, Infantry.
Second Lieut. Bernard Joseph Tooher, Air Service.
Second Lieut. Albert Francis Hegenberger, Air Service.
Second Lieut. Norman Reuben Wood, Air Service.
Second Lieut. Wendell Holzworth Brookley, Air Service.
Second Lieut. William Stephen Fitzpatrick, Air Service.
Second Lieut. Max Frank Schneider, Air Service.
Second Lieut. Donald Gardner Stitt, Air Service.
Second Lieut. Eugene Walter Lewis, Quartermaster Corps.
Second Lieut. James Brian Edmunds, Cavalry.
Second Lieut. Oscar William Koch, Cavalry.
Second Lieut. Reis Joseph Ryland, Signal Corps.
Second Lieut. Harold Farnsworth Hubbell, Signal Corps.
Second Lieut. Glenn Charles Salisbury, Air Service.
Second Lieut. Harold Ralph Wells, Air Service.
Second Lieut. Malcolm Stoney Lawton, Air Service.
Second Lieut. Floyd Albert Lundell, Air Service.
Second Lieut. Jasper Kemper McDuffie, Air Service.
Second Lieut. Ross Corbett Kirkpatrick, Air Service.
Second Lieut. Mark Rhey Woodward, Air Service.
Second Lieut. Howard Knox Ramey, Air Service.
Second Lieut. Theodore Shafer Van Veghten, Air Service.
Second Lieut. Lionel H. Dunlap, Air Service.
Second Lieut. Russell Ralph Fox, Air Service.
Second Lieut. Stanley Smith, Air Service.
Second Lieut. Harold Daniel Smith, Air Service.
Second Lieut. Albert Brill, Field Artillery.
Second Lieut. Charles Walter Hensey, Field Artillery.
Second Lieut. Henry Edward Wooldridge, Air Service.
Second Lieut. Marion Larimore Elliott, Air Service.
Second Lieut. Irwin Stuart Amberg, Air Service.
Second Lieut. Earle J. Carpenter, Air Service.
Second Lieut. James Pratt Hodges, Air Service.
Second Lieut. Oakley George Kelly, Air Service.
Second Lieut. Welcome Bridges Elston, Air Service.
Second Lieut. James Alexander Mollison, Air Service.
Second Lieut. Harold Webster Beaton, Air Service.
Second Lieut. Talcott Proudman Smith, Air Service.
Second Lieut. Gilbert Shaw Graves, jr., Air Service.
Second Lieut. Stewart Wellington Torney, Air Service.
Second Lieut. William Grayson Moore, Air Service.
Second Lieut. Lawrence Brownlee Savage, Quartermaster Corps.
Second Lieut. Leland Stanford Andrews, Air Service.
Second Lieut. Edwin Thomas May, Infantry.
Second Lieut. Edgar Eugene Glenn, Air Service.
Second Lieut. Joe Jones Yeats, Infantry.
Second Lieut. Harold Arthur Daly, Infantry.
Second Lieut. John Millan Pennewill, Air Service.
Second Lieut. William Henry Buechner, Infantry.
Second Lieut. John William Monahan, Air Service.
Second Lieut. Ernest Emery Harmon, Air Service.
Second Lieut. Cortlandt Spencer Johnson, Air Service.
Second Lieut. Harold Rentsch Rivers, Air Service.
Second Lieut. Henry Walter Ulmo, Coast Artillery Corps.
Second Lieut. Charles Carl Chauncey, Air Service.
Second Lieut. Walter Eugene Richards, Air Service.
Second Lieut. James Ellsworth Adams, Air Service.
Second Lieut. Robert Elmer Selff, Air Service.
Second Lieut. Roy Bradford Mosher, Air Service.
Second Lieut. Frederick Eugene Coyne, jr., Field Artillery.
Second Lieut. John Myers McCulloch, Air Service.
Second Lieut. Richard Kemp LeBrou, Air Service.
Second Lieut. Charles Wesley Sullivan, Air Service.
Second Lieut. Luther Earl Keithly, Quartermaster Corps.
Second Lieut. Paul Harter Leech, Quartermaster Corps.
Second Lieut. George William Haskins, Air Service.
Second Lieut. Ernest Arthur DeWitt, Infantry.
Second Lieut. Albert Henry Johnson, Infantry.
Second Lieut. Neal Dow Franklin, Infantry.
Second Lieut. Louis Joseph Harant, Infantry.
Second Lieut. William Simmons Sullivan, Air Service.
Second Lieut. Eugene Cooper Batten, Air Service.
Second Lieut. Henry Joachim Boettcher, Infantry.
Second Lieut. Lonnie Ottis Field, Field Artillery.
Second Lieut. Stanley Mitchell Ames, Air Service.
Second Lieut. Melvin B. Asp, Air Service.
Second Lieut. Royal Beard Lea, Air Service.
Second Lieut. Maurice Stewart Kerr, Infantry.
Second Lieut. George Clement McDonald, Air Service.
Second Lieut. Peter Emanuel Skanse, Air Service.
Second Lieut. Alfred Evans Waller, Air Service.
Second Lieut. Clarence Roscoe MacIver, Air Service.
Second Lieut. Harold Amos Moore, Air Service.
Second Lieut. Malcolm Nebeker Stewart, Air Service.
Second Lieut. John William Benton, Air Service.
Second Lieut. John George Shannonhouse, Chemical Warfare Service.
Second Lieut. Odas Moon, Air Service.
Second Lieut. Dean Bryan Belt, Air Service.
Second Lieut. Arthur George Liggett, Air Service.
Second Lieut. Westside Torkel Larson, Air Service.
Second Lieut. Andrew Daniel Hopping, Infantry.
Second Lieut. Newton Longfellow, Air Service.
Second Lieut. Fred Evans Woodward, Air Service.
Second Lieut. Lloyd Barnett, Air Service.
Second Lieut. John Arthur Laird, jr., Air Service.
Second Lieut. Bushrod Hoppin, Air Service.
Second Lieut. Charles William Steinmetz, Air Service.
Second Lieut. Owen Evans Spruance, Air Service.
Second Lieut. John Myrddin Davies, Air Service.
Second Lieut. William Norris White, Field Artillery.
Second Lieut. Reuben Dallam Biggs, Air Service.
Second Lieut. Wendell Brown McCoy, Air Service.

Second Lieut. Francis Warren Nunenmacher, Air Service.
Second Lieut. Laurence Claude, Air Service.
Second Lieut. John Augustus Barksdale, Quartermaster Corps.
Second Lieut. Laurence Delmore, Quartermaster Corps.
Second Lieut. Harold Franklyn Rouse, Air Service.
Second Lieut. Thomas Lonnie Gilbert, Air Service.
Second Lieut. Harold Arthur Bartron, Air Service.
Second Lieut. James Douglas Givens, Air Service.
Second Lieut. Benjamin Shields Catlin, jr., Air Service.
Second Lieut. Harold DeLancey Stetson, Quartermaster Corps.
Second Lieut. William Cushman Farnum, Air Service.
Second Lieut. Charles Milton Cummings, Air Service.
Second Lieut. Robert Grant Thorp, Quartermaster Corps.
Second Lieut. Harold Kirkham Hine, Air Service.
Second Lieut. Joseph Williams Benson, Air Service.
Second Lieut. Frederick Dan Lynch, Air Service.
Second Lieut. James Atwater Woodruff, Air Service.
Second Lieut. Robert Wallace Burke, Infantry.
Second Lieut. Lester James Maitland, Air Service.
Second Lieut. John Lee Shea, Field Artillery.
Second Lieut. Sterling Knox Harrod, Infantry.
Second Lieut. Earle Henry Manzelman, Air Service.
Second Lieut. William Warren Welsh, Air Service.
Second Lieut. Arthur Ignatius Ennis, Air Service.
Second Lieut. Paul Duane Casey, Infantry.
Second Lieut. LeRoy William Yarborough, Infantry.
Second Lieut. Orville Ervin Davis, Quartermaster Corps.
Second Lieut. John Thomas McKay, Quartermaster Corps.
Second Lieut. Percival Adams Wakeman, Infantry.
Second Lieut. Hyman Jackson Crigger, Field Artillery.
Second Lieut. Floyd Thomas Gillespie, Infantry.
Second Lieut. Hal C. Bush, Infantry.
Second Lieut. William Henry Speidel, Infantry.
Second Lieut. Herbert Linus Berry, Field Artillery.
Second Lieut. Robert Owen Montgomery, Field Artillery.
Second Lieut. Horace Napoleon Gibson, Infantry.
Second Lieut. Sidney Frank Wharton, Infantry.
Second Lieut. David Marsh Todd, Infantry.
Second Lieut. Dayton Locke Robinson, Infantry.
Second Lieut. Arvid Edward Maurice Fogelberg, Infantry.
Second Lieut. James Yancey LeGette, Field Artillery.
Second Lieut. Howard Samuel Paddock, Signal Corps.
Second Lieut. William Thomas O'Reilly, Infantry.
Second Lieut. James Bryan McDavid, Infantry.
Second Lieut. Henry Elmer Sowell, Field Artillery.
Second Lieut. James Webb Newberry, Infantry.
Second Lieut. John Frederick Whiteley, Air Service.
Second Lieut. Edward Clay Johnson, Infantry.
Second Lieut. Grissom Edward Haynes, Air Service.
Second Lieut. Guy Lewis McNeil, Air Service.
Second Lieut. James Lebbeus Carman, Infantry.
Second Lieut. Landon Johnson Lockett, Infantry.
Second Lieut. Charles Henry Calais, Infantry.
Second Lieut. Oscar Lee Ansley, Infantry.
Second Lieut. William Thomas Johnson, Infantry.
Second Lieut. Clarence Prescott Talbot, Air Service.
Second Lieut. Graham Percy Brotherson, Infantry.
Second Lieut. Charles Deans Calley, Field Artillery.
Second Lieut. Alfred Liljevalch Jewett, Air Service.
Second Lieut. Raymond Calvin Milyard, Air Service.
Second Lieut. Louie Clifford Mallory, Air Service.
Second Lieut. Bob Childs, Infantry.
Second Lieut. Lewis Selwyn Webster, Air Service.
Second Lieut. William Andrew Smith, Infantry.
Second Lieut. Roy William Camblin, Air Service.
Second Lieut. Ray Eric Cavenee, Infantry.
Second Lieut. Wade Darragh Killen, Infantry.
Second Lieut. Andrew Jackson Schriver, Infantry.
Second Lieut. Frank James Lawrence, Infantry.
Second Lieut. Day Jewell, Quartermaster Corps.
Second Lieut. Dorrance Scott Roysdon, Infantry.
Second Lieut. William Francis Joyce, Infantry.
Second Lieut. Maurice Eugene Knowles, Infantry.
Second Lieut. Hyatt Floyd Newell, Infantry.
Second Lieut. William Harry Mosby, Quartermaster Corps.
Second Lieut. John Easton McCammon, Infantry.
Second Lieut. Matthew Edward Finn, Air Service.
Second Lieut. John Brandon Wright, Air Service.
Second Lieut. Albert Faitoute Hebbard, Air Service.
Second Lieut. Clarence Lee King, Infantry.
Second Lieut. Evers Abbey, Air Service.
Second Lieut. Henry Lee Kinnison, jr., Infantry.
Second Lieut. Helmuth Ernst Beine, Infantry.
Second Lieut. Harold Frederick Greene, Infantry.
Second Lieut. Harrison Gage Crocker, Air Service.
Second Lieut. Charles Glendower Ellicott, Air Service.
Second Lieut. Chester Arthur Horne, Field Artillery.
Second Lieut. Harry Luther Coates, Infantry.
Second Lieut. William Edmund Connolly, Air Service.
Second Lieut. Benjamin Buckles Cassiday, Air Service.
Second Lieut. Frank Lauderdale Cook, Air Service.
Second Lieut. Bernard Tobias Castor, Air Service.
Second Lieut. Homer Barron Chandler, Air Service.
Second Lieut. Carl Weston Pyle, Air Service.
Second Lieut. Edwin Morgan Pendleton, Infantry.
Second Lieut. Walter Thomas Meyer, Air Service.
Second Lieut. Valentine Stone Miner, Air Service.
Second Lieut. Myron Emmett O'Hanly, Air Service.
Second Lieut. Harry Forest Colliver, Air Service.
Second Lieut. Charles Homer Martin, Cavalry.
Second Lieut. Willard Shaw Clark, Air Service.
Second Lieut. Homer B. Pettit, Corps of Engineers.
Second Lieut. John Spalding Miller, Infantry.
Second Lieut. William Stilwell Conrow, Cavalry.
Second Lieut. Cornelius John Kenney, Air Service.
Second Lieut. Winfield Scott Hamlin, Air Service.
Second Lieut. Thomas Joseph McDonald, Infantry.
Second Lieut. Leo George Clarke, Infantry.
Second Lieut. Joseph Thaddeus Zak, Infantry.
Second Lieut. Alfred Gideon Anderson, Infantry.
Second Lieut. Hugh Carlton Dorrien, Infantry.
Second Lieut. James Carl Horne, Infantry.
Second Lieut. Werner Watson Moore, Quartermaster Corps.
Second Lieut. Fremont Byron Hodson, Infantry.
Second Lieut. Robert Theodore Zane, Air Service.
Second Lieut. Rudolph William Broedlow, Infantry.
Second Lieut. Marvin Clifton Bradley, Infantry.
Second Lieut. Albert Edmund Rothermich, Infantry.
Second Lieut. Stowe Thompson Sutton, Infantry.
Second Lieut. James Ainsworth Brown, Infantry.
Second Lieut. Elliott Raymond Thorpe, Infantry.
Second Lieut. John Carson Grable, Field Artillery.
Second Lieut. Oscar Douglas Sugg, Infantry.
Second Lieut. LeRoy Allen Walthall, Air Service.
Second Lieut. Lucas Victor Beau, jr., Air Service.
Second Lieut. Arthur Lee Shreve, Field Artillery.
Second Lieut. Daniel Edward Morgan, Infantry.
Second Lieut. Newman Raiford Laughinghouse, Air Service.
Second Lieut. Ambrose Victor Clinton, Air Service.
Second Lieut. William Jones Hanlon, Air Service.
Second Lieut. John Harold McFall, Finance Department.
Second Lieut. Hiram Wilson Sheridan, Air Service.
Second Lieut. Howard Arnold Craig, Air Service.
Second Lieut. David Robert Stinson, Air Service.
Second Lieut. Joseph Theodore Morris, Air Service.
Second Lieut. Carl Hiestand Myers, Air Service.
Second Lieut. Armor Simpson Heffley, Air Service.
Second Lieut. William Robert Sweeley, Air Service.
Second Lieut. Raymond Carl Zettel, Infantry.
Second Lieut. Carl Grammer Eliason, Air Service.
Second Lieut. George Allan McHenry, jr., Air Service.
Second Lieut. Oscar Harmon Harris, Quartermaster Corps.
Second Lieut. Erling Schriver Norby, Air Service.
Second Lieut. Carlyle Howe Ridenour, Air Service.
Second Lieut. Carl Anson Cover, Air Service.
Second Lieut. Russell Carrigan MacDonald, Air Service.
Second Lieut. Bennett Edward Meyers, Air Service.
Second Lieut. Laurel Eugene Stone, Quartermaster Corps.
Second Lieut. Robert Storie Heald, Air Service.
Second Lieut. Warren Arthur Maxwell, Air Service.
Second Lieut. Walter Hannumn Carlisle, Coast Artillery Corps.
Second Lieut. William H. Papenfoth, Coast Artillery Corps.
Second Lieut. Harry Leon Speck, Air Service.
Second Lieut. Frederick Mercer Hopkins, jr., Air Service.
Second Lieut. Rupert Edison Starr, Coast Artillery Corps.
Second Lieut. James Desmond Summers, Coast Artillery Corps.
Second Lieut. George Edgar Rice, Air Service.
Second Lieut. Frank Edward White, Air Service.
Second Lieut. Lowell Whittier Bassett, Air Service.
Second Lieut. Dudley Ely Rowland, Air Service.
Second Lieut. Edward Michael Powers, Air Service.
Second Lieut. Maurice Edgar Jennings, Chemical Warfare Service.
Second Lieut. Victor Emile Bertrandias, Air Service.
Second Lieut. Felix Marcus Alexander, Infantry.
Second Lieut. Everett Listeman Kirkpatrick, Air Service.
Second Lieut. William Burleigh Clarke, Air Service.
Second Lieut. Howell Harrell, Quartermaster Corps.
Second Lieut. Paul Edmund Burrows, Air Service.

Second Lieut. George Harold Brown, Air Service.
Second Lieut. Elmer Daniel Perrin, Air Service.
Second Lieut. Wallace Robinson Fletcher, Air Service.
Second Lieut. Dale Vincent Gaffney, Air Service.
Second Lieut. Thomas Kennedy Matthews, Air Service.
Second Lieut. Kenneth Bonner Wolfe, Air Service.
Second Lieut. Stanley Powloski, Infantry.
Second Lieut. Harry Lincoln Calvin, Quartermaster Corps.
Second Lieut. William Tillmon Agee, Air Service.
Second Lieut. Fraser Richardson, Cavalry.
Second Lieut. Clifford Irving Hunn, Cavalry.
Second Lieut. Chester Howard Elmes, Infantry.
Second Lieut. John Vernon Hart, Air Service.
Second Lieut. Richard Hartnett Magee, Air Service.
Second Lieut. Charles Simpson Carroll, Quartermaster Corps.
Second Lieut. Henry Harold Reily, Air Service.
Second Lieut. Samuel DeWitt Tallmadge, Quartermaster Corps.
Second Lieut. Donald Dakin Lamson, Coast Artillery Corps.
Second Lieut. Augustus Dawson Sanders, Infantry.
Second Lieut. William James Wagenknight, jr., Infantry.
Second Lieut. Cola Edgar Stone, Finance Department.
Second Lieut. Mitchell Franklin Orr, Quartermaster Corps.
Second Lieut. Edward Milan Taylor, Field Artillery.
Second Lieut. Dayton Dudley Watson, Air Service.
Second Lieut. Herschel David Baker, Field Artillery.
Second Lieut. Herbert Edward Baker, Field Artillery.
Second Lieut. Donald David Fitzgerald, Air Service.
Second Lieut. Ulmont Ogden Cumming, Field Artillery.
Second Lieut. Thomas Standifer Gunby, Field Artillery.
Second Lieut. Andrew Paul Sullivan, Coast Artillery Corps.
Second Lieut. Austin Walrath Martenstein, Air Service.
Second Lieut. Edwin Barton Bobzien, Air Service.
Second Lieut. William Carl Gabriel, Air Service.
Second Lieut. John D. Corkille, Air Service.
Second Lieut. Henry Few Sessions, Air Service.
Second Lieut. DuVal Crump Watkins, Quartermaster Corps.
Second Lieut. Levi L. Beery, Air Service.
Second Lieut. Carlton Foster Bond, Air Service.
Second Lieut. Roland Lester Spencer, Air Service.
Second Lieut. Willis Clark Conover, Infantry.
Second Lieut. Morton McDonald Jones, Cavalry.
Second Lieut. Robert MacKenzie Shaw, Infantry.
Second Lieut. John DeForest Barker, Air Service.
Second Lieut. James Albert Durnford, Quartermaster Corps.
Second Lieut. Frank Griffin Marchman, Quartermaster Corps.
Second Lieut. Francis Hugh Antony McKeon, Infantry.
Second Lieut. Edwin Johnson, Air Service.
Second Lieut. Clifford Augustus Smith, Infantry.
Second Lieut. Warren Rice Carter, Air Service.
Second Lieut. Thomas Francis Sheehan, Cavalry.
Second Lieut. Thad Victor Foster, Air Service.
Second Lieut. James Bayard Haley, Quartermaster Corps.
Second Lieut. Charles Eugene Schwarz, Quartermaster Corps.
Second Lieut. Marshall Eugene Darby, Ordnance Department.
Second Lieut. George Cocke Bland, Quartermaster Corps.
Second Lieut. John Cyrus Gates, Quartermaster Corps.
Second Lieut. James Flannery, Air Service.
Second Lieut. Harold Alling McGinnis, Air Service.
Second Lieut. Harry Arthur Halverson, Air Service.
Second Lieut. Charles Theodore Skow, Air Service.
Second Lieut. Morton Howard McKinnon, Air Service.
Second Lieut. Nathan William Thomas, Quartermaster Corps.
Second Lieut. Walter Bernard Hough, Air Service.
Second Lieut. James Caviness Rickner, Infantry.
Second Lieut. Guy Clifton Benson, Field Artillery.
Second Lieut. William Michael Lanagan, Air Service.
Second Lieut. George Platt Tourtellot, Air Service.
Second Lieut. George Hendricks Beverley, Air Service.
Second Lieut. Harrison Jay Hartman, Air Service.
Second Lieut. Walter Kellsey Burgess, Air Service.
Second Lieut. Paul California Wilkins, Air Service.
Second Lieut. Gustavus Franzle Chapman, Quartermaster Corps.
Second Lieut. Arthur Leslie Thornton, Air Service.
Second Lieut. Norman Delroy Brophy, Air Service.
Second Lieut. Raymond Morrison, Air Service.
Second Lieut. Alexander Pearson, jr., Air Service.
Second Lieut. Rupert Julian, Air Service.
Second Lieut. Graham Mead St. John, Air Service.
Second Lieut. Wallace Gordon Smith, Air Service.
Second Lieut. Charles Adam Horn, Air Service.
Second Lieut. Ployer Peter Hill, Air Service.
Second Lieut. Clarence Chamberlin Wilson, Air Service.
Second Lieut. Byron Elihu Gates, Air Service.
Second Lieut. Elmer Karl Pettibone, Quartermaster Corps.
Second Lieut. Wendell Eugene Goodrich, Air Service.
Second Lieut. William Lewis Boyd, Air Service.
Second Lieut. Leon Edgar Sharon, Air Service.
Second Lieut. James Houston McWilliams, Field Artillery.
Second Lieut. James Ferris Morison, Field Artillery.
Second Lieut. Oscar Monthan, Air Service.
Second Lieut. Ivan Lewis Proctor, Air Service.
Second Lieut. Matthew Ebbert Webber, Chemical Warfare Service.
Second Lieut. Wilfred Morey Clare, Air Service.
Second Lieut. Delmar Hall Dunton, Air Service.
Second Lieut. Hjalmar Frithijof Carlson, Air Service.
Second Lieut. Orvil Arson Anderson, Air Service.
Second Lieut. Emile Tisdale Kennedy, Air Service.
Second Lieut. Joseph Edwin Virgin, Air Service.
Second Lieut. Charles Reed Evans, Air Service.
Second Lieut. Hugh Chester Downey, Air Service.
Second Lieut. John Joseph Powers, Quartermaster Corps.
Second Lieut. George William Goddard, Air Service.
Second Lieut. Jack Greer, Air Service.
Second Lieut. Guy Kirksey, Air Service.
Second Lieut. Thomas Herbert Chapman, Quartermaster Corps.
Second Lieut. Robert Franklin Jones, Quartermaster Corps.
Second Lieut. Harry Hobson Mills, Air Service.
Second Lieut. Joseph Luther Walecka, Philippine Scouts.
Second Lieut. Angier Hobbs Foster, Air Service.
Second Lieut. Edwin Sullivan, Air Service.
Second Lieut. Carroll Ray Hutchins, Quartermaster Corps.
Second Lieut. John Raymond Drumm, Air Service.
Second Lieut. Oliver Kendall Robbins, Air Service.
Second Lieut. William Joseph White, Air Service.
Second Lieut. John Fidelis Connell, Quartermaster Corps.
Second Lieut. Faye Sherman Gullet, Air Service.
Second Lieut. John Raglan Glascock, Air Service.
Second Lieut. George Vardeman McPike, Air Service.
Second Lieut. Ray L. Owens, Air Service.
Second Lieut. Henry Leonard Kersh, Field Artillery.
Second Lieut. Lloyd Russell Garrison, Field Artillery.
Second Lieut. Charles Gage Brenneman, Air Service.
Second Lieut. Reuben Castor, Cavalry.
Second Lieut. Leland Hudson Barnes, Field Artillery.
Second Lieut. Clarence Richard Sutherland, Field Artillery.
Second Lieut. Raymond George Miller, Field Artillery.
Second Lieut. Clyde Milton Hallam, Field Artillery.
Second Lieut. Nicolas Fosdick Galbraith, Field Artillery.
Second Lieut. William A. Enos, Field Artillery.
Second Lieut. Richard Royall Baker, jr., Field Artillery.
Second Lieut. Norman Joseph Eckert, Field Artillery.
Second Lieut. Hugh Cort, Field Artillery.
Second Lieut. Benjamin Rhoten Morton, Air Service.
Second Lieut. Samuel Oliver Carter, Air Service.
Second Lieut. Jasper Ewing Brady, jr., Infantry.
Second Lieut. George Good Cressey, Air Service.
Second Lieut. Orville L. Stephens, Air Service.
Second Lieut. Clarence Edgar Crumrine, Air Service.
Second Lieut. John Albert Wyatt, Air Service.
Second Lieut. George William Snow, Air Service.
Second Lieut. Morris Langdon Tucker, Air Service.
Second Lieut. William King Moran, Air Service.
Second Lieut. Corley Perry McDarment, Air Service.
Second Lieut. Russell Hay Cooper, Air Service.
Second Lieut. Gaylord Leon Phipps, Infantry.
Second Lieut. Henry Guy Woodward, Air Service.
Second Lieut. Clifford James Moore, Quartermaster Corps.
Second Lieut. John Ross Morgan, Air Service.
Second Lieut. Pittman Wall Mills, Air Service.
Second Lieut. Robert Dudley Moor, Air Service.
Second Lieut. Roscoe Caleb Wriston, Air Service.
Second Lieut. Charles Edwin Thomas, jr., Air Service.
Second Lieut. Fredrick Andrew Johnson, Air Service.
Second Lieut. Henry William Brandhorst, Infantry.
Second Lieut. Leonard Roberts Smith, Infantry.
Second Lieut. Stanley Noble Partridge, Infantry.
Second Lieut. John Bigham Crandell, Quartermaster Corps.
Second Lieut. James Bumer Jordan, Air Service.
Second Lieut. Albin Nace Caldwell, Quartermaster Corps.
Second Lieut. Arvel Joshua Monger, Infantry.
Second Lieut. John Hamilton Judd, Infantry.
Second Lieut. Thomas Jefferson Ford, Infantry.
Second Lieut. Charles Richardson Smith, Infantry.
Second Lieut. Walter Franklin Graham, Infantry.
Second Lieut. Raymond Edward Shum, Infantry.
Second Lieut. Charles Vernon Barnum, Cavalry.
Second Lieut. Kenton Parkes Cooley, Infantry.

Second Lieut. Lester Erasmus Gruber, Infantry.
Second Lieut. Frederick William Wennerberg, Infantry.
Second Lieut. Alfred Nelson Taylor, Infantry.
Second Lieut. William John Hardy, Infantry.
Second Lieut. Jack Edmund Rycroft, Infantry.
Second Lieut. Harold David Porter, Infantry.
Second Lieut. Ben Robert Jacobs, Infantry.
Second Lieut. Mark Christian Neff, Infantry.
Second Lieut. Thomas Henry Foster, Infantry.
Second Lieut. Lewis Dabney Hixson, Infantry.
Second Lieut. Clyde Girard Banks, Infantry.
Second Lieut. Lyle Sayers Lindsey, Infantry.
Second Lieut. Ivan Downes Yeaton, Infantry.
Second Lieut. Thomas Everett Winstead, Infantry.
Second Lieut. Harry Cullins, Infantry.
Second Lieut. Alfred Edwin McKenney, Infantry.
Second Lieut. Henry Bosard Ellison, Infantry.
Second Lieut. Robert Don McKnight, Infantry.
Second Lieut. Joe Arthur Hinton, Infantry.
Second Lieut. William Paul Hayes, Infantry.
Second Lieut. Earl Monroe Miner, Infantry.
Second Lieut. Eugene Lemuel Miller, Infantry.
Second Lieut. Reuben Ellis Jenkins, Infantry.
Second Lieut. Patrick Francis Powers, Infantry.
Second Lieut. Howard E. Pulliam, Infantry.
Second Lieut. Millard Fillmore Willet Oliver, Infantry.
Second Lieut. Arthur Lowell Johnson, Air Service.
Second Lieut. Thomas Alfred Northam, Infantry.
Second Lieut. James Robert Manees, Infantry.
Second Lieut. Roland Samuel Henderson, Infantry.
Second Lieut. James Cecilius White, Infantry.
Second Lieut. Norman Drysdale Gillet, Infantry.
Second Lieut. Jack Clemens Hodgson, Infantry.
Second Lieut. William Keifer Behler, Infantry.
Second Lieut. Victor Walter Smith, Infantry.
Second Lieut. Robert Clay Beckett, Infantry.
Second Lieut. Carlisle Clyde Dusenbury, Infantry.
Second Lieut. James Leland Bolt, Infantry.
Second Lieut. George Andrew Glover, Infantry.
Second Lieut. John A. Kase, Air Service.
Second Lieut. Theodore Thomas Teague, Signal Corps.
Second Lieut. Russell Calvert Worthington, Quartermaster Corps.
Second Lieut. Clifford Elleman, Air Service.
Second Lieut. Eugene Vincent Elder, Signal Corps.
Second Lieut. Carter Weldon Clarke, Signal Corps.
Second Lieut. Ralph Gordon Richards, Quartermaster Corps.
Second Lieut. Paul LaRue Neal, Signal Corps.
Second Lieut. Ray Guy Harris, Air Service.
Second Lieut. Wallace Caldwell Cummings, Air Service.
Second Lieut. James Cole Shively, Air Service.
Second Lieut. Clifford Smith, Quartermaster Corps.
Second Lieut. Karl Derby Guenther, Air Service.
Second Lieut. Francis Harold Vanderwerker, Field Artillery.
Second Lieut. James Culver Cluck, Air Service.
Second Lieut. Stacy C. Hinkle, Air Service.
Second Lieut. Richard Geter Rogers, Quartermaster Corps.
Second Lieut. Joseph Felix Routhier, Finance Department.
Second Lieut. Robert Taylor Strode, Field Artillery.
Second Lieut. Thomas Harrison Ward, Air Service.
Second Lieut. Henry Beaumont Pennell Boody, Field Artillery.
Second Lieut. Charles Willard Getchell, Air Service.
Second Lieut. Julius Trousdale Berry, Field Artillery.
Second Lieut. Russell Dean Powell, Field Artillery.
Second Lieut. Charles Rudolph Carlson, Field Artillery.
Second Lieut. William Clinton McCarthy, Field Artillery.
Second Lieut. Charles Herbert Day, Field Artillery.
Second Lieut. Thomas Oscar Foreman, Field Artillery.
Second Lieut. Harry Lee Watts, jr., Field Artillery.
Second Lieut. Tonnes Dennison, Field Artillery.
Second Lieut. Harold Engerud, Cavalry.
Second Lieut. Raymond Thomas Joseph Higgins, Field Artillery.
Second Lieut. Sidney Cushman Page, Cavalry.
Second Lieut. David Dick Caldwell, Field Artillery.
Second Lieut. Walter Talcott Wilsey, Quartermaster Corps.
Second Lieut. Albert James Hastings, Field Artillery.
Second Lieut. Paul Ruthven Jones, Field Artillery.
Second Lieut. Seward Lincoln Mains, jr., Field Artillery.
Second Lieut. Herbert Glendonne Messer, Signal Corps.
Second Lieut. Frederic Cooley Eveleth, Field Artillery.
Second Lieut. Edwin Karl Pohlson, Infantry.
Second Lieut. Charles Kellogg McAlister, Field Artillery.
Second Lieut. Thomas Francis Keefe, Field Artillery.
Second Lieut. Edward Harold Metzger, Field Artillery.
Second Lieut. Clinton Steele Berrien, Field Artillery.
Second Lieut. Raymond Adelbert Knapp, Coast Artillery Corps.
Second Lieut. Courtland Moshier Brown, Air Service.
Second Lieut. Newman Hall Cherry, Quartermaster Corps.
Second Lieut. Harold Hopkins Miller, Coast Artillery Corps.
Second Lieut. Joseph Walter Francis Resing, Infantry.
Second Lieut. Henry William Kunkel, Air Service.
Second Lieut. Keith Kirkman Tatom, Infantry.
Second Lieut. Harry Walter Killpack, Infantry.
Second Lieut. Paul Revere Taylor, Infantry.
Second Lieut. William Noel Amis, Air Service.
Second Lieut. James Thomas Falin, Quartermaster Corps.
Second Lieut. Jack Joseph O'Connell, Air Service.
Second Lieut. Alva Edison McConnell, Quartermaster Corps.
Second Lieut. Hez McClellan, Air Service.
Second Lieut. Harold Hibbard Carr, Air Service.
Second Lieut. Alphonse Stoeckle, Cavalry.
Second Lieut. Timothy Alexander McLellan, Philippine Scouts.
Second Lieut. James Russell Brownell, Philippine Scouts.
Second Lieut. Carley Lawrence Marshall, Infantry.
Second Lieut. Fred Griffith Threatt, Philippine Scouts.
Second Lieut. Frank Daniel Huarte, Philippine Scouts.
Second Lieut. Hugh Tom Edwards, Infantry.
Second Lieut. Otho Burdette, Philippine Scouts.
Second Lieut. Harold Russell Jordan, Philippine Scouts.
Second Lieut. Charles Edgar Burchett, Philippine Scouts.
Second Lieut. Edward Moore Masterson, Philippine Scouts.
Second Lieut. John Charles Brown, Philippine Scouts.
Second Lieut. Henderson Wilcox Allen, Philippine Scouts.
Second Lieut. Arthur Burton Clark, Cavalry.
Second Lieut. Edwin Milton Bush, jr., Philippine Scouts.
Second Lieut. John Wesley Hill, Philippine Scouts.
Second Lieut. Frederick Brodie Forbes, Infantry.
Second Lieut. William Augustus Weinberger, Infantry.
Second Lieut. Onie Ray Dilley, Philippine Scouts.
Second Lieut. Andrew Bruyette Mangum, Philippine Scouts.
Second Lieut. William Ernest Donegan, Infantry.
Second Lieut. Herbert Sherman Nettleton, Cavalry.
Second Lieut. Thomas Brooks, Air Service.
Second Lieut. Cyrus Bettis, Air Service.
Second Lieut. Rufus Benjamin Davidson, Air Service.
Second Lieut. Stanley Milward Umstead, Air Service.
Second Lieut. Howard Carlton Brandt, Air Service.
Second Lieut. Roland Birnn, Air Service.
Second Lieut. Stanton Thomas Smith, Air Service.
Second Lieut. Stephen Edward Stancisko, Field Artillery.
Second Lieut. Edward Vincent Freeman, Quartermaster Corps.
Second Lieut. Kenneth Garrett, Air Service.
Second Lieut. James Joseph Langin, Air Service.
Second Lieut. Norman Crawford Caum, Infantry.
Second Lieut. Howard James Edmands, Philippine Scouts.
Second Lieut. Glenn Clinton Holcomb, Infantry.
Second Lieut. Earl Thomas McCullough, Infantry.
Second Lieut. Alexander Sinclair Reynolds, Field Artillery.
Second Lieut. Gerard Swarthout, Quartermaster Corps.
Second Lieut. Allan Francis Sullivan, Infantry.
Second Lieut. William Clarkson Huggins, Field Artillery.
Second Lieut. Thomas Walter Roane, Infantry.
Second Lieut. William Herman Jaeger, Field Artillery.
Second Lieut. James Alva Murphey, Infantry.
Second Lieut. William Daniel Schas, Infantry.
Second Lieut. William Robert Schaefer, Field Artillery.
Second Lieut. Moses Alexander, Infantry.
Second Lieut. James Merrill Robinson, Coast Artillery Corps.
Second Lieut. Kenneth Edgar Kline, Infantry.
Second Lieut. Donald Dewey McCaskey, Infantry.
Second Lieut. Allen Agee Goodwyn, Infantry.
Second Lieut. Ralph Elmer Alexander, Infantry.
Second Lieut. Frederick Reinhold Undritz, Infantry.
Second Lieut. Robert Howard Wylie, Infantry.
Second Lieut. Frank Wolle Stout, Infantry.
Second Lieut. Francis Emerson Charlton, Infantry.
Second Lieut. Charles Drysdale Simmonds, Infantry.
Second Lieut. Albert Pierson, Infantry.
Second Lieut. Sylvian Gaston Kindall, Infantry.
Second Lieut. John Hancock Holder, Quartermaster Corps.
Second Lieut. Joseph Popenjoy Bailey, Air Service.
Second Lieut. John McDonough Early, Air Service.
Second Lieut. Otto Lucratus McDaniel, Field Artillery.
Second Lieut. Francis Pat Booker, Air Service.
Second Lieut. John Theodore Lawson, Air Service.
Second Lieut. Kenneth Campbell McGregor, Air Service.
Second Lieut. Rafael Louis Salzmann, Infantry.
Second Lieut. Riley Finley Ennis, Infantry.
Second Lieut. Clarence Frost Horton, Air Service.
Second Lieut. Francis Paul Connelly, Finance Department.

Second Lieut. Oliver Allen Gottschalk, Air Service.
Second Lieut. Harry Joseph Martin, Air Service.
Second Lieut. Lawrence Cornwallis Collins, Infantry.
Second Lieut. Hewitt Warren Richmond, Coast Artillery Corps.
Second Lieut. Porter Tate Gregory, Coast Artillery Corps.
Second Lieut. James Hiram Bedford, Coast Artillery Corps.
Second Lieut. Ray Edward Dingeman, Coast Artillery Corps.
Second Lieut. Max Frederic Moyer, Air Service.
Second Lieut. Arthur Edmond Wilson, Coast Artillery Corps.
Second Lieut. George Cobb Wynne, Quartermaster Corps.
Second Lieut. George Franklin Nichols, Coast Artillery Corps.
Second Lieut. Spencer Hall, Air Service.
Second Lieut. Harry Frederick Meyers, Coast Artillery Corps.
Second Lieut. Ola Aloysius Nelson, Coast Artillery Corps.
Second Lieut. Robert Lowry Freeman, Cavalry.
Second Lieut. Harry Isaac Rosen, Quartermaster Corps.
Second Lieut. William Chauncey Hutt, Quartermaster Corps.
Second Lieut. Arthur Nicholas Ziegler, Infantry.
Second Lieut. Robert Homer Soule, Infantry.
Second Lieut. Pardoe Martin, Air Service.
Second Lieut. John Augustus Hunt, Quartermaster Corps.
Second Lieut. Raymond Rudolph Brown, Air Service.
Second Lieut. George Barnett Bloom, Infantry.
Second Lieut. William Ernest Griffin, Coast Artillery Corps.
Second Lieut. James Sharp Eldredge, Air Service.
Second Lieut. Edwin Charles Lickman, Infantry.
Second Lieut. Patrick Collins, Infantry.
Second Lieut. Rudolph George Schmidt, Quartermaster Corps.
Second Lieut. Harrison William Johnson, Infantry.
Second Lieut. Ralph Willerton French, Quartermaster Corps.
Second Lieut. Corwin Lynn Rogers, Quartermaster Corps.
Second Lieut. Joseph Elmer Monhollan, Infantry.
Second Lieut. William Prentiss Pittman, Infantry.
Second Lieut. Clifton Tredway Hunt, Corps of Engineers.
Second Lieut. Robert Scurlark Moore, Infantry.
Second Lieut. Aloysius Tagliabue, Infantry.
Second Lieut. Victor Otto Overcash, Infantry.
Second Lieut. David Ray Nimocks, Infantry.
Second Lieut. Archie Bird Whitlow, Infantry.
Second Lieut. Willam Thrower Fitts, jr., Infantry.
Second Lieut. William Kennett McKittrick, Infantry.
Second Lieut. Fredrik Lorentsen Knudsen, jr., Infantry.
Second Lieut. Jessie Thomas Harris, Infantry.
Second Lieut. Raymond Nesbitt Hutto, Philippine Scouts.
Second Lieut. Crowell Edward Pease, Field Artillery.
Second Lieut. Claude Bertram Avera, Quartermaster Corps
Second Lieut. William John McKiernan, jr., Air Service.
Second Lieut. Hobart Dewey Reed, Field Artillery.
Second Lieut. Frederick Buchanan Rosenbaum, Infantry.

PROMOTIONS IN THE PHILIPPINE SCOUTS.

To be first lieutenants with rank from July 1, 1920.

Second Lieut. Herbert Lee Merritt, Philippine Scouts.
Second Lieut. Furmon Arthur Shults, Philippine Scouts.
Second Lieut. Harry W. Howard, Philippine Scouts.
Second Lieut. Eustaquio Baclig y Sabio, Philippine Scouts.
First Lieut. Thomas Luther Spoon, Dental Corps, from September 10, 1920.
First Lieut. Earle Robbins, Dental Corps, from September 10, 1920.
First Lieut. Roy Albert Stout, Dental Corps, from September 12, 1920.
First Lieut. Oscar William Thompson, Dental Corps, from September 12, 1920.
First Lieut. Howard Austin Hale, Dental Corps, from September 18, 1920.
First Lieut. William Swann Shuttleworth, Dental Corps, from October 19, 1920.
First Lieut. Milton Julius Damlos, Dental Corps, from September 10, 1920.
First Lieut. Thomas Floyd Davis, Dental Corps, from February 4, 1921.

VETERINARY CORPS.

To be first lieutenants.

Second Lieut. Earl Floyd Long, Veterinary Corps, from September 4, 1920.
Second Lieut. Patrick Henry Hudgins, Veterinary Corps, from September 10, 1920.
Second Lieut. Gerald Woodward FitzGerald, Veterinary Corps, from September 13, 1920.
Second Lieut. Russell Samuel Shannon, Veterinary Corps, from September 17, 1920.
Second Lieut. Joseph Kiriam Dornblaser, Veterinary Corps, from September 16, 1920.
Second Lieut. Peter Thomas Carpenter, Veterinary Corps, from September 22, 1920.
Second Lieut. Samuel George Kielsmeier, Veterinary Corps, from September 22, 1920.

CHAPLAIN.

To be chaplain with the rank of captain.

Chaplain Adolf John Schliesser, from June 4, 1920.

WITHDRAWALS.

Executive nominations withdrawn from the Senate February 28 (legislative day of February 24), 1921.

Maj. John Baxter Sanford, Infantry, to be lieutenant colonel, with rank from July 1, 1920.
First Lieut. Charles William Hagen, Infantry, to be captain, with rank from July 1, 1920.
First Lieut. Ernest Frederick Apeldorn, jr., Infantry, to be captain, with rank from July 1, 1920.
First Lieut. Irvin Henry Zeliff, Field Artillery, to be captain, with rank from July 1, 1920.
Chaplain Adolph John Schliesser to be chaplain, with the rank of captain, from June 4, 1920.

QUARTERMASTER CORPS.

Maj. Henry Holden Sheen, Coast Artillery Corps, July 1, 1920, with rank from July 1, 1920.
Maj. Joseph Edward Barzynsky, Infantry, July 30, 1920, with rank from July 1, 1920.
Maj. Laurence Oldham Mathews, Infantry, October 29, 1920, with rank from July 1, 1920.
Capt. Louis Arnold Beard, Field Artillery, July 1, 1920, with rank from May 15, 1917.
First Lieut. Thomas Grafton Hanson, Field Artillery, July 1, 1920, with rank from June 5, 1917.
First Lieut. Martin Owen Cahill, Field Artillery, July 1, 1920, with rank from July 1, 1920.

FINANCE DEPARTMENT.

Second Lieut. Henry Stephen Hostetter, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.
Second Lieut. Emmett Crawford Morton, Quartermaster Corps, July 1, 1920, with rank from June 3, 1916.

ORDNANCE DEPARTMENT.

Maj. Herman Heinrich Zornig, Coast Artillery Corps, September 4, 1920, with rank from July 1, 1920.
Capt. John Adams Brooks, Coast Artillery Corps, July 1, 1920, with rank from July 25, 1917.
First Lieut. Charles Edward Hart, Cavalry, with rank from August 20, 1919.
First Lieut. Forrest Clifford Shaffer, Coast Artillery Corps, July 1, 1920, with rank from August 30, 1920.
First Lieut. Rudolph Francis Whitelegg, Infantry, July 1, 1920, with rank from August 30, 1920.

SIGNAL CORPS.

Lieut. Col. George Ernest Kumpe, Infantry, July 1, 1920, with rank from July 1, 1920.
First Lieut. William Clarke Webster, Infantry, July 1, 1920, with rank from January 28, 1919.

CAVALRY.

Second Lieut. John Williams Wofford, Infantry, September 10, 1920, with rank from July 2, 1920.

FIELD ARTILLERY.

Capt. Arthur John Betcher, Infantry, July 1, 1920, with rank from May 15, 1917.
Capt. Clifford Barrington King, Cavalry, July 1, 1920, with rank from June 24, 1917.
First Lieut. John Victor Anderson, Field Artillery, July 1, 1920, with rank from December 19, 1918.
First Lieut. Christopher Columbus Strawn, Cavalry, July 1, 1920, with rank from March 25, 1919.
First Lieut. Hiram Wendall Tarkington, Infantry, July 1, 1920, with rank from September 21, 1919.

COAST ARTILLERY CORPS.

Maj. Stewart Oscar Eltinge, Cavalry, August 5, 1920, with rank from July 1, 1920.
Second Lieut. Joseph Honoro Rousseau, jr., Infantry, August 27, 1920, with rank from July 2, 1920.
Second Lieut. Edward Carl Englehart, Cavalry, September 11, 1920, with rank from July 2, 1920.

AIR SERVICE.

First Lieut. Edgar Peter Sorenson, Coast Artillery Corps, October 20, 1920, with rank from July 1, 1920.
Second Lieut. Joseph Flood, Infantry, October 30, 1920, with rank from July 1, 1920.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 28, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, we acknowledge Thy sovereignty. At Thy footstool may we learn to do well. Give a sweet peace unto those who are sick, and bless them with the calm of heaven. And may Thy heart ever be open like an infinite door; through Jesus Christ our Lord. Amen.

The Journals of the proceedings of Saturday, February 26, 1921, and of Sunday, February 27, 1921, were read and approved.

RESIGNATION OF CHAPLAIN COUDEN.

The SPEAKER laid before the House the following letter:

WASHINGTON, D. C., *February 28, 1921.*

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I beg hereby to respectfully resign as Chaplain of the House of Representatives, and request that my resignation be accepted at once.

Sincerely,

HENRY N. COUDEN, *Chaplain.*

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

REQUEST TO EXTEND REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of fish-rescue work in the Mississippi River.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks on the subject indicated. Is there objection?

Mr. McCLINTIC. I object.

ARMY APPROPRIATIONS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Army appropriation bill, H. R. 15943, to disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the Army appropriation bill, disagree to all the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. GREENE of Vermont. Reserving the right to object, does the gentleman from Michigan feel like making any statement with regard to the amendment creating the office of lieutenant general and filling it by the appointment of Maj. Gens. Liggett and Bullard?

Mr. CRAMTON. The gentleman will understand that I am simply acting in the momentary absence of the gentleman from Kansas [Mr. ANTHONY]. The amendment referred to by the gentleman from Vermont, however, being, as I understand, one that could not be agreed to without an authorization from the House, of course, would not be agreed to without such authorization.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, has the gentleman communicated with the gentleman from Alabama [Mr. DENT] with regard to his request?

Mr. CRAMTON. I will say that I am not sure that the gentleman from Alabama [Mr. DENT] is in the city. While I have not communicated with the gentleman from Mississippi [Mr. SISSON], I am sure he has no objection.

Mr. GARD. The gentleman is informed that there are no objections on the minority side to going into conference on the bill?

Mr. CRAMTON. I hope there is no objection at this stage of the session.

Mr. GARD. I mean no objection from members of the committee?

Mr. CRAMTON. Oh, no.

Mr. GARD. Then, I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Will the gentleman from Michigan indicate the conferees?

Mr. CRAMTON. I do not know whether the gentleman from Alabama [Mr. DENT] is in the city.

The SPEAKER. Of course, the gentleman can not appoint him contingently.

Mr. CRAMTON. Then, I suggest the gentleman from Kansas [Mr. ANTHONY] and the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The Chair appoints as conferees on the Army appropriation bill Mr. ANTHONY, Mr. CRAMTON, and Mr. SISSON.

Mr. MANN of Illinois. Mr. Speaker, I do not know whether unanimous consent will be given or not. I ask unanimous consent that the conferees on the Army bill be authorized to agree in conference upon the Senate amendments which otherwise would have to be brought back to the House. There are a number of Senate amendments about which there would be no disagreement in the House. It is getting to the time in the session when it is quite necessary for the enrolling clerks to be able to enroll as much of these bills as possible. I think the gentleman would be willing to state that certain amendments would not be agreed to in conference without being brought back to the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the conferees be authorized by the House to agree to the Senate amendments. Is there objection?

Mr. JOHNSON of South Dakota. Reserving the right to object, what amendments?

Mr. MANN of Illinois. To agree in conference in regard to Senate amendments.

Mr. JOHNSON of South Dakota. To what amendments?

Mr. MANN of Illinois. That would include the ones that are subject to disposition by the House.

Mr. JOHNSON of South Dakota. Would that allow a vote in the House?

Mr. BLANTON. I object, Mr. Speaker.

Mr. MANN of Illinois. I hope the gentleman will not object at present.

Mr. BLANTON. There are a number of amendments that the House would object to.

Mr. MANN of Illinois. I think the gentleman from Michigan [Mr. CRAMTON] is willing to state that those amendments will be brought back to the House, but there are about half the Senate amendments about which I think there is no disagreement at all in the House. If they can be disposed of in conference so that the enrolling clerk can go ahead with the enrolling of that part of the bill, it will expedite matters very much.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLANTON. By agreeing to the gentleman's request we would leave it to the conferees as to what amendments the House would probably not object to.

Mr. MANN of Illinois. I suppose that the gentleman from Michigan would be willing to state what amendments he would bring back.

Mr. BANKHEAD. Is not this a rather unusual request?

Mr. MANN of Illinois. This request never has been made before.

Mr. BANKHEAD. That is my understanding. I think it is a unique request.

Mr. GREENE of Vermont. It has never been necessary to make it before; we have not had this practice before.

Mr. MANN of Illinois. I have no disposition to prevent action of the House on any amendment that is in real controversy.

Mr. MONDELL. I understand the gentleman from Michigan has a list of the Senate amendments which the committee would bring back if the Senate did not recede. It might be well for the gentleman to read that list and then if Members are agreeable to have the other amendments agreed to in conference it would expedite matters very much.

Mr. GARD. Mr. Speaker, I think it would be better at this time to proceed in the regular way, and I object.

CONFERENCE REPORT ON AGRICULTURAL BILL.

Mr. ANDERSON. Mr. Speaker, I call up the conference report on the agricultural bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota calls up the conference report on the agricultural appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement were read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agricul-

ture for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 14, 17, 20, 21, 22, 24, 27, 28, 30, 43, 45, 47, 50, 52, 53, 54, 60, 61, 63, 66, 75, 81, 88, 96, 97, and 98.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 9, 13, 15, 23, 25, 26, 29, 34, 37, 38, 39, 44, 51, 59, 68, 69, 70, 74, 77, 86, 87, 90, 94, 99, 104, 106, 109, 110, and 113; and agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$56,860"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$379,705"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$20,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$85,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,034,282"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,499,302"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$178,500, of which $10,000 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$190,000: *Provided*, That not less than $40,000 shall be used for investigating methods for the control and eradication of the grasshopper"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$165,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum "$65,000" proposed in said amendment insert the sum "$55,000," and in lieu of the sum "$25,000" named in said amendment insert the sum "$15,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$56,500"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$62,330: *Provided*, That $10,000 shall be used for investigation of the blowfly and screw worm"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$865,010"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,669,280"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$477,240"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$742,255"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$823,325"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$52,820"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$71,500"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,650,980"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,847,300"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum "$350,000" proposed in said amendment insert the sum "$300,000," and in lieu of the sum "$100,000" named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,389,560"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$80,000"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,004,444"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$400,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 4, 7, 8, 10, 11, 12, 31, 32, 33, 40, 46, 48, 49, 78, 79, 80, 82, 89, 91, 92, 93, 102, 103, 107, 112, 114, 115, 116, 117, 118, and 119.

SYDNEY ANDERSON,
WALTER W. MAGEE,
JAMES F. BYRNES,
Managers on the part of the House.

A. J. GRONNA,
WM. S. KENYON,
E. D. SMITH,
THOS. P. GORE,
CHAS. L. MCNARY,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On Nos. 1, 2, and 3, relating to the Secretary's office: Restores the appropriation of $5,000 for a director of regulatory work, which was stricken out by the Senate.

On Nos. 5 and 6, relating to the Weather Bureau: Inserts the appropriation of $9,000, proposed by the Senate, for observations, reports, etc., for the protection of horticultural interests from frost damage; and strikes out the increase of $100,000, proposed by the Senate, for the maintenance of aerological stations.

On No. 9: Corrects an error in the amount set aside for administrative and operating expenses in connection with the eradication of tuberculosis.

On No. 13: Increases the appropriation for investigation of plant diseases from $62,020 to $72,000, as proposed by the Senate, and makes $10,000 of the amount available for research in brown rot and kindred diseases of peach trees.

On No. 14: Strikes out the increase of $114,000, proposed by the Senate, for eradication or control of the white pine blister rust.

On No. 15: Strikes out the increase of $4,600, proposed by the Senate, for investigations of diseases of cotton, truck, and forage crops.

On No. 16: Appropriates $56,860, instead of $51,860, as proposed by the House and $61,860 as proposed by the Senate, for investigating the physiology of crop plants.

On No. 17: Appropriates $50,000 as proposed by the House, instead of $40,000 as proposed by the Senate, for soil-bacteriology and plant-nutrition investigations.

On Nos. 18 and 19: Appropriates $379,705, instead of $359,705 as proposed by the House and $391,705 as proposed by the Senate, for cereal investigations; and provides that $20,000, instead of $32,000 as proposed by the Senate, shall be used for investigating the wheat scab or blight.

On Nos. 20, 21, and 22: Strikes out the changes proposed by the Senate in the phraseology of the appropriation to meet the emergency caused by diseases of wheat and other cereals.

On No. 23: Increases from $32,000 to $41,000, as proposed by the Senate, the appropriation for the investigation of tobacco.

On No. 24: Appropriates $94,115 as proposed by the House, instead of $100,000 as proposed by the Senate, for sugar plant investigations; and strikes out the authority, proposed by the Senate, for the use of $7,000 for a special greenhouse on the Arlington Farm.

On No. 25: Increases from $159,000 to $169,000, as proposed by the Senate, the appropriation for investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions.

On No. 26: Increases from $70,000 to $94,420, as proposed by the Senate, the appropriation for investigations in connection with western irrigation agriculture.

On No. 27: Strike out the increase of $10,000 proposed by the Senate in the appropriation for investigation of the culture of various kinds of nuts.

On No. 28: Strikes out language, proposed by the Senate, relative to investigations of the effect of transportation on fruits.

On No. 29: Reduces from $20,000 to $15,000, as proposed by the Senate, the appropriation for the upkeep of the gardens and grounds of the Department of Agriculture in Washington.

On No. 30: Strikes out language, proposed by the Senate, relative to studies of the effect of transportation on truck and related crops.

On No. 34: Makes a typographical correction in the text of the bill.

On No. 35: Appropriates $325,000, instead of $250,000 as proposed by the House and $400,000 as proposed by the Senate, for forest-products investigations.

On No. 36: Appropriates $85,000, instead of $50,000 as proposed by the House and $130,000 as proposed by the Senate, for investigations and experiments to determine methods for management of forests and forest lands, and strikes out the provisos inserted by the Senate.

On Nos. 37, 38, and 39: Make verbal corrections in the text of the bill.

On Nos. 41 and 42: Corrects totals in the bill.

On No. 43: Strikes out the language, inserted by the Senate, providing for cooperation with the Bureau of Chemistry by persons, associations, or corporations.

On No. 44: Inserts authority, proposed by the Senate, making the appropriation for investigation of the manufacture of table sirup available for the investigation of the manufacture of sugar.

On No. 45: Strikes out the increase of $26,500, proposed by the Senate, in the appropriation for the study and improvement of methods of dehydrating materials used for food.

On No. 47: Strikes out the appropriation of $15,000, inserted by the Senate, for the study of methods of home tanning of leather used on the farm.

On No. 50: Strikes out the increase of $10,000, proposed by the Senate, in the appropriation for the chemical investigations of soils.

On No. 51: Provides, as proposed by the Senate, that the appropriation for investigations of the sources of supply of fertilizers shall be available for investigation of "methods of obtaining" fertilizers.

On No. 52: Strikes out language, proposed by the Senate, limiting the appropriation for the examination of soils to aid in the classification of agricultural lands to lands within the national forests.

On Nos. 53 and 54: Correct totals in the bill.

On No. 55: Appropriates $178,500, as proposed by the House, for investigations of insects affecting deciduous fruits, orchards, etc., and makes $10,000 of that sum immediately available, as proposed by the Senate.

On No. 56: Appropriates $190,000, instead of $175,660, as proposed by the House, and $200,000 as proposed by the Senate, for investigation of insects affecting cereal and forage crops; and provides that $40,000 of that sum shall be used for investigating methods for the control and eradication of the grasshopper.

On No. 57: Appropriates $165,000, instead of $150,000, as proposed by the House, and $175,000, as proposed by the Senate, for investigations of insects affecting southern field crops.

On No. 58: Appropriates $55,000, instead of $40,000, as proposed by the House, and $65,000, as proposed by the Senate, for investigation of insects affecting forests, and provides that $15,000 of that sum, instead of $25,000, as proposed by the Senate, shall be used for preventing infestations of insects injurious to forest trees on and near the national forests.

On No. 59: Increases from $110,000 to $120,000, as proposed by the Senate, the appropriation for investigation of insects affecting truck crops.

On Nos. 60, 61, and 62: Appropriates $56,500, instead of $51,500, as proposed by the House, and $60,000, as proposed by the Senate, for investigation of insects affecting citrus and other tropical and subtropical plants; and strikes out reference to the camphor thrip.

On No. 63: Strikes out the appropriation of $20,000, inserted by the Senate, for the investigation of insects affecting greenhouse florist's stock and other ornamental plants.

On No. 64: Appropriates $62,330, instead of $52,330 as proposed by the House and $70,000 as proposed by the Senate, for the investigation of miscellaneous insects; and provides that $10,000 of that sum, instead of $17,000 as proposed by the Senate, shall be used for investigation of the blowfly and screw worm.

On No. 65: Corrects a total in the bill.

On No. 66: Strikes out language proposed by the Senate, making the appropriation for preventing the spread of the gypsy and brown-tail moths available for developing methods of dealing with the coddling moth.

On No. 67: Corrects a total in the bill.

On Nos. 68 and 69: Increases from $5,000 to $7,500, as proposed by the Senate, the appropriation for the Sullys Hill National Park game preserve.

On Nos. 70 and 71: Appropriates $477,240, instead of $452,240 as proposed by the House and $550,000 as proposed by the Senate, for the investigation of food habits of birds and mammals.

On Nos. 72 and 73: Corrects totals in the bill.

On Nos. 74, 75, and 76, relating to the Division of Accounts and Disbursements: Appropriates for an additional clerk at $1,600 as proposed by the Senate and strikes out the additional clerk at $1,200.

On Nos. 77 and 81: Provides for an assistant editor at $2,000 in the Division of Publications and strikes out the language, proposed by the Senate, making $3,000 of the appropriation for emergency employments and extra labor available for salaries for the distribution of bulletins.

On Nos. 83, 84, and 85: Appropriates $71,500, instead of $61,500 as proposed by the House and $81,500 as proposed by the Senate, for administration of the Hatch, Adams, and Smith-Lever acts and administration of the insular experiment stations in Alaska, Hawaii, Porto Rico, Guam, and the Virgin Islands.

On Nos. 86 and 87: Makes verbal corrections in the text of the bill.

On No. 88: Strikes out the increase of $11,000, proposed by the Senate, in the appropriation for road-management investigations.

On No. 90: Increases from $62,440 to $72,000, as proposed by the Senate, the appropriation for irrigation investigations.

On No. 94: Makes a verbal correction in the text of the bill.

On No. 95: Provides that $30,000, instead of $20,000, as proposed by the House and $40,000 as proposed by the Senate, of the appropriation for information on the marketing and distribution of farm products shall be used for a study of the methods of prevention of losses of fruits and vegetables in storage and in transit.

On Nos. 96, 97, and 98: Provides for the food-products inspection service of the Bureau of Markets in the language proposed by the House instead of the language proposed by the Senate.

On No. 99: Provides, as proposed by the Senate, that $30,000 instead of $25,860, of the appropriation for cotton-standardization investigations may be used for testing the waste, tensile strength, and bleaching qualities of different grades and classes of cotton to determine their spinning value.

On No. 100: Appropriates $300,000, instead of $250,000, as proposed by the House and $350,000 as proposed by the Senate, for crop-estimating work, and provides that $50,000 of that sum, instead of $100,000, as proposed by the Senate, shall be used for collecting and disseminating to interested persons information relative to the world's supply of and need of American agricultural products, marketing methods, prices, etc., in foreign countries.

On No. 101: Corrects a total in the bill.

On No. 104: Makes a typographical correction in the text of the bill.

On No. 105: Appropriates $80,000, instead of $65,000, as proposed by the House and $100,000 as proposed by the Senate, for the administration of the United States warehouse act.

On No. 106: Makes a typographical correction in the text of the bill.

On No. 108: corrects a total in the bill.

On Nos. 109 and 110: Increases from $115,400 to $125,000, as proposed by the Senate, the appropriation for general expenses for enforcement of the insecticide act.

On No. 111: Appropriates $400,000, instead of $125,000 as proposed by the House and $625,000 as proposed by the Senate, for cooperative fire protection of the forested watersheds of navigable streams.

On No. 113: Provides, as proposed by the Senate, that the appropriation for the control and prevention of spread of the Mexican bean beetle shall be available for expenditure in States other than the State of Alabama.

The committee of conference have not agreed upon the following amendments of the Senate:

On Nos. 4, 7, and 8: Appropriating $11,450 for a printing office in the Weather Bureau in Washington.

On No. 10: Making $8,000 available for buildings at the United States sheep experiment station in Clark County, Idaho.

On Nos. 11 and 12: Appropriating $3,000 for an administrative assistant in seed and plant distribution in the Bureau of Plant Industry.

On Nos. 31, 32, and 33: Relating to the appropriation of $300,000 for the purchase and distribution of valuable seeds.

On No. 40: Relating to the payment of grazing fees for the use of the national forests during the calendar year 1921.

On Nos. 46, 48, and 49: Appropriating $25,000 for investigation and development of methods for the prevention of plant-dust explosions and resulting fires.

On Nos. 78, 79, 80, and 82, relating to the Division of Publications: Appropriating $2,500 for a chief cinematographer and striking out an assistant in the document section at $1,800.

On No. 89: Authorizing the expenditure from the 3 per cent administrative fund provided by the Federal aid road act of July 11, 1916, of $148,200 for investigations of road materials.

On Nos. 91, 92, and 93: Appropriating $15,000 for supervising the preparation, distribution, and use of surplus war explosives for agricultural purposes.

On No. 102: Conferring upon the Bureau of Markets and Crop Estimates the powers and duties imposed on the Bureau of Statistics and the Bureau of Crop Estimates.

On No. 103: Authorizing the use during the fiscal year 1922 of moneys received from the sale of cotton in connection with the enforcement of the cotton futures act.

On No. 107: Relating to the disbursement among the growers of the wool clip of 1918 of sums collected or recovered by the Government from those who handled any part of such clip.

On No. 112: Appropriating $10,000 for the establishment of a live-stock department at the field station, Woodward, Okla.

On No. 114: Appropriating $5,000 for use of the joint committee on short-time rural credits.

On Nos. 115 and 116: Appropriating $5,000,000 for the purchase of seed grain for drought-stricken areas.

On No. 117: Authorizing the President to extend invitations to foreign Governments to be represented in a world's dairy congress to be held in the United States in 1922.

On No. 118: Directing the Secretary of Agriculture to submit to Congress at the beginning of each regular session a report relative to the completion of investigations and duplication of work.

On No. 119: The total of the bill.

SYDNEY ANDERSON,
WALTER W. MAGEE,
JAMES F. BYRNES,
Managers on the part of the House.

Mr. ANDERSON. Mr. Speaker, the amount carried in conference report, as agreed to, is $34,334,600. The Senate conferees receded on amendments carrying a total of $864,515. The House agreed to amendments of the Senate carrying amounts in addition to the House bill amounting to $666,600. There are in disagreement amendments carrying a net total of $4,700,000.

Mr. LANGLEY. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. LANGLEY. Did the House conferees agree to the Senate amendment 31, striking out the congressional distribution of garden and flower seeds?

Mr. ANDERSON. The House conferees did not agree to that, that is one of those items in disagreement which have been brought back to the House.

Mr. LANGLEY. If the gentleman intends to move to recede and concur in that amendment, I would like to be permitted to make a motion to insist on the House provision.

Mr. ANDERSON. The gentleman has the right, but I would be glad to give the gentleman the opportunity.

Mr. SINNOTT. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. SINNOTT. There was an item for the protection of forests of $500,000 and I am unable to find it. Can the gentleman tell me the number of the item and what was done with it?

Mr. ANDERSON. That is an item on page 82 of the bill, being amendment 111. The House bill carried $125,000, and the Senate added $500,000, making a total of $625,000. The conferees have agreed on $400,000.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

For the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications, including the pay of additional employees, when necessary, $11,450: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said bureau.

Mr. ANDERSON. Mr. Speaker, this item has been carried in the bill for many years. It is necessary in order to permit the prompt printing of maps and weather reports and other publications in the Weather Bureau. This work can not be done at the Government Printing Office but has to be done at the Weather Bureau in order that it may be printed promptly. I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Amendment No. 7: Page 8, line 1, strike out "$1,519,540" and insert "$1,539,990."

Mr. ANDERSON. Mr. Speaker, that is to correct a total. I move that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 8: Page 8, line 3, strike out the figures "$1,866,120" and insert "$1,886,570."

Mr. ANDERSON. Mr. Speaker, this is also a total. I move that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Provided further, That of the sum thus appropriated $8,000 is hereby made immediately available for the erection of necessary buildings at the United States sheep experiment station in Clark County, Idaho, to furnish facilities for the investigation of problems pertaining to the sheep and wool industry on the farms and ranges of the Western States.

Mr. ANDERSON. Mr. Speaker, this is an item which has been carried in the bill for many years. It relates to the range sheep work which is carried on in Clark County, Idaho. It provides that $8,000 of the sum appropriated may be used for the construction of buildings. It does not call for an additional appropriation.

Mr. SNELL. Is that an item we have voted on in the House?

Mr. ANDERSON. No; this went out on a point of order.

Mr. SNELL. What does the gentleman mean by saying it does not require a special appropriation?

Mr. ANDERSON. Because the money is already appropriated, and this is only an allocation of the amount for construction.

Mr. HAUGEN. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HAUGEN. What seems to be the necessity for this appropriation? We have been carrying it for a number of years, and it seems that it ought to have been sufficient to take care of that little flock of sheep out there after we have appropriated as many years as we have.

Mr. ANDERSON. That item was very thoroughly discussed in the House. The estimate carried a request for buildings at that station amounting to $16,250. These items included a horse barn at a cost of $3,000; a winter headquarters, at some distance from the present headquarters, estimated to cost $1,750; an extension of the lambing sheds, at a cost of $3,500; storage reservoir and fire mains amounting to $3,000; and superintendent's residence amounting to $5,000. The committee was of the opinion that the department would be able to construct the necessary buildings within the limit of $8,000, and therefore allocated that amount to the appropriation.

Mr. HAUGEN. Does that include all the buildings enumerated?

Mr. ANDERSON. No; it includes less than one-half of the buildings proposed.

Mr. HAUGEN. Does it include the $5,000 residence?

Mr. ANDERSON. No. Mr. Speaker, I move to recede and concur in the Senate amendment.

The question was taken, and the motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. WADSWORTH, Mr. SUTHERLAND, Mr. NEW, Mr. FLETCHER, and Mr. MCKELLAR as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River; and

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing was received from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

On February 26, 1921:

H. R. 15836. An act to amend the transportation act, 1920.

On February 28, 1921:

H. J. Res. 215. Joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel, September 26, 1918, to receive pay and allowances that would have accrued to said officers;

H. J. Res. 465. Joint resolution for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers;

H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.;

H. R. 646. An act for the relief of Perry E. Borchers because of losses suffered, due to destruction of property and termination of contract for services because of smallpox while in the employ of the Navy Department in Cuba;

H. R. 8038. An act to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 8692. An act authorizing the exchange of lands within the Montezuma National Forest, in Colorado;

H. R. 9840. An act for the relief of Capt. E. V. Dickson;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.; and

H. R. 11841. An act to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893.

ADDITIONAL CONFEREES, ARMY APPROPRIATION BILL.

The SPEAKER. The Chair will appoint as additional conferees on the Army appropriation bill the gentleman from Virginia [Mr. SLEMP] and the gentleman from Alabama [Mr. DENT].

AGRICULTURAL APPROPRIATION BILL.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 16, line 7, after the figures "$3,000," insert "one administrative assistant in seed and plant distribution, $3,000."

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that this amendment be temporarily passed over along with amendment No. 12.

The SPEAKER. The gentleman from Minnesota asks unanimous consent temporarily that this amendment be passed over. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next amendment.

The Clerk read as follows:

Page 17, line 17, strike out the figures "$498,500" and insert in lieu thereof "$501,500."

Mr. ANDERSON. On that amendment I make the same request, that it be passed over.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next amendment.

The Clerk read as follows:

Page 26, line 1, strike out all of pages 26, 27, 28, down to and including line 15, as follows:

"Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $360,000. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cutting, and plants.

Mr. ANDERSON. Mr. Speaker, I move that the House recede and concur in the Senate amendment. I yield 10 minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker——

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. LANGLEY. I am greatly pressed for time, but I will yield to my friend from Washington for a brief question.

Mr. JOHNSON of Washington. I would like to ask the gentleman if the House of Representatives is about to start for the third time in one session with the great pumpkin-seed contest?

Mr. LANGLEY. When I am for a proposition as righteous as this, I do not care how many times it comes up. I want it to keep coming up until the right thing is done. I think the gentleman from Washington would be a very good man to join in the pumpkin-seed contest on the side of the farmer, and I really believe that the gentleman, whom I happen to know is the farmers' friend, is for it, too, and is just kidding.

Mr. Speaker, I move that the House insist upon the provision contained in the House bill so that——

Mr. BLANTON. Mr. Speaker, I make the point of order that that is not a proper motion as put by the gentleman.

Mr. LANGLEY. The gentleman interrupted me before I had finished my motion.

Mr. ANDERSON. I did not hear the gentleman's motion.

Mr. LANGLEY. In order that it may be pending, I move that the House insist upon its disagreement to the Senate amendment. Mr. Speaker, I shall not detain the House more than two or three minutes. I think this is a time when we farmers should all stick together. [Laughter.] I have always been grateful to the Supreme Ruler of the Universe for permitting me to be born and reared on a farm. I have heard gentlemen in the many years I have been here denounce this and that, sometimes seriously and sometimes camouflaging, usually the latter, for home consumption. [Laughter.] I have heard them rave against what they called the mileage graft, and yet when they were voted down they were there in the front line by the cashier's desk to draw the mileage or were jostling the fellows who were in front. [Laughter.] These gentlemen who are opposing this on the ground that it is graft are simply mistaken about it. I have noticed one thing, and that is that the gentlemen who are always opposing this congressional distribution of seed are the stingiest men in the House with their quotas when we go to them to beg or borrow some.

Mr. DYER. Will the gentleman yield?

Mr. LANGLEY. I will.

Mr. DYER. Will the gentleman state again what his motion is with reference to this?

Mr. LANGLEY. I move to insist on the disagreement to the Senate amendment.

Mr. DYER. Do I understand the conferees in the House and Senate have agreed to the Senate amendment?

Mr. LANGLEY. My understanding from the gentleman from Minnesota is that there is a disagreement and he wants a vote of the House on the question to guide him and his associates as to the action the House conferees shall take.

Mr. DYER. If the motion prevails, then we would still have a chance——

Mr. LANGLEY. For it to go back to conference; yes.

Mr. DYER. And we still have a chance——

Mr. MANN of Illinois. The gentleman's statement should not mislead anybody in the House. The vote will come first on the amendment of the gentleman from Minnesota to concur in the Senate amendment.

Mr. LANGLEY. Exactly; that is what I was going to say. The vote comes on the motion to concur and, of course, I am quite sure the majority is going to vote no, and then the question will be on my motion to disagree and send it back to conference. That is my understanding of the parliamentary situation.

Mr. DYER. It comes first upon the motion of the gentleman from Minnesota to concur, so that those who vote aye to concur would vote——

Mr. LANGLEY. Would vote against the farmer.

Mr. DYER. Vote against seeds.

Mr. LANGLEY. Exactly.

Mr. DYER. So we want to vote that motion down and then vote on the gentleman's proposition.

Mr. LANGLEY. Of course, and vote in favor of it.

Mr. McKENZIE. You would not be voting against the farmers who write to us protesting against this appropriation.

Mr. LANGLEY. I have not had any protests myself, and I doubt if anyone has had many, except from those who are interested in selling garden seeds.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. LAYTON. As a matter of fact, while the garden-seed distribution began as a farm proposition years and years ago, is it not true that to-day the free seeds are more useful, more beneficial to the people at large and are more popular in all of the large cities for our school children who are engaged in using these seeds in their little gardens than for the farmer who plants a thousand acres of wheat? That farmer does not want these seeds, but in my judgment the best proposition there is in this bill, the proposition which brings more return for the money invested than anything else in the bill, is the free distribution of these seeds to the children of the little towns and villages and cities. [Applause.]

Mr. LANGLEY. Quite true. I brought out substantially the same argument when the question was under debate in the House upon my motion to amend the committee's bill by inserting this seed item.

May I not add to this that I have gone to a number of gentlemen who are voting against this congressional seed distribution but failed to get any from them; and I know many of them who have gone and secured an extra allotment of garden seed. They say they need them all, although they are voting against them. You could not take a crowbar and prize a hundred packages of seed out of any one of their allotments, and still they are voting the other way. Such inconsistency passeth my understanding.

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman to speak a little louder?

Mr. LANGLEY. I am doing my best. The gentleman will observe that I am a bit hoarse.

Mr. MOORE of Virginia. All we have been able to hear over here is the statement of the gentleman that he is a farmer. [Laughter.]

Mr. LANGLEY. Yes; I am a farmer, and I think my appearance shows it about as much as does that of the gentleman from Virginia. I want to say to my Republican colleagues, at the risk of losing the votes of some of my Democratic farmer friends on this question, that in my judgment you could not strike a greater blow to the Republican Party, especially in the farming and mountain sections of the Appalachian Range, than to let it go out to the public that a Republican Congress has abandoned the practice of more than 50 years of sending these garden seeds out to the farmers.

We have been scattering money by the millions, like waste paper, and yet when we ask for a few thousand dollars of appropriation to send out these vegetable and flower seeds to the people of the country, gentlemen object to it upon the ground of economy. Why do not they object to these flower contests and chrysanthemum exhibits, and things of that sort, and the sending of cut flowers to homes of high Government officials, all at Government expense, instead of sending a few cents' worth of useful seeds to the farmers up the creeks and hollows, as well as out on the plains?

Mr. BROOKS of Pennsylvania. Does the gentleman not think a great deal of the objection of Members is due to the fact that they want to save a little work in distributing these seeds?

Mr. LANGLEY. I think that is not the case. This is a bad time in the history of our country for the people generally to get the impression that some Member of Congress or his secretary wants to avoid the trouble of addressing a few thousand packages of garden seed. I have done it myself. I have sat up until midnight many a night doing that sort of work since I have been in Congress.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. BARKLEY. I desire to get a little information about the parliamentary situation.

Mr. LANGLEY. I suggest that the gentleman had better ask the Speaker about that.

Mr. BARKLEY. Mr. Speaker, if I understand the way the situation now is, those who desire to retain garden seeds will vote against the motion of the gentleman from Minnesota [Mr. ANDERSON] to concur in the Senate amendment.

Mr. LANGLEY. Yes; I have already made that quite clear, I think.

Mr. BARKLEY. And if that motion is defeated, then the gentleman from Kentucky has moved that the House further insist upon its disagreement to the Senate amendment, and the vote will come upon that.

Mr. LANGLEY. Yes.

Mr. BARKLEY. Has the gentleman any assurance, or does he know as to how the gentleman from Minnesota will view the vote against his motion to concur? Will he regard that as tantamount to instructions on the part of the House to the conferees on the part of the House?

Mr. LANGLEY. The gentleman from Minnesota is a very eminent Member of the House, and I think he will construe such a vote as any other Member of the House would construe it, as an instruction to him to insist on the House provision. Will the gentleman from Minnesota yield me five minutes more?

Mr. ANDERSON. Has the gentleman's time expired?

Mr. LANGLEY. Yes.

Mr. ANDERSON. I yield five minutes to the gentleman from Kentucky.

Mr. LANGLEY. Mr. Speaker, I yield two minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Speaker, I have never taken any part in this seed controversy, but a good deal has been said about the waste of money in the distribution of seed. I represent an agricultural district. I have a number of very large cotton mills in my district, and probably 10,000 people in my district are engaged as laborers in those cotton mills. The mills desire the seeds to distribute among those people. The mill people are furnished with a house, with a flower garden, with a vegetable garden, and I find a great demand from these mill people to have the seeds with which to plant their vegetable gardens. It is not merely a matter of farm operation but it is a matter of encouraging the people who work from 8 to 10 hours a day in the cotton mills to have both vegetable and flower gardens from which they acquire not only their vegetables for their own use, but also the pleasure and beauty of flowers in their front yards. [Applause.] I have a tremendous demand for that kind of thing, and I plead here for the operatives in the mills as well as the farming people. Gentlemen talk about the farmers not wanting them. My mail for the last four to six weeks has carried an average of 50 requests a day from women on the farms in my district for garden seeds, and many of them for both flower and garden seeds. I hope the motion of the gentleman from Minnesota will not prevail.

Mr. ANDERSON. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Speaker, there has been more time consumed in this body discussing the seed proposition than a great many questions of importance. There have been all kinds of arguments offered why the seeds ought to be furnished free. I want to ask Members of this House a direct question. By what principle do you bring yourselves to believe that you ought to furnish free seeds to everybody rather than free anything else? On what right, on what governmental doctrine, do you base your claim that you should send free seeds out and not send a package of free nails or free clothing or utensils of any kind?

Mr. LANGLEY. Mr. Speaker, I will answer the gentleman's question.

Mr. BEGG. I will say to the gentleman that he will have plenty of time to answer it in his own time. So far as free seeds are concerned, when you say it is for the farmers, it is a hoax, pure and simple. The seeds are not governmentally tested as pure seeds. It is a fake to say that they are sent out for test purposes, because no test or report is required.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. BEGG. Not a single bit of advancement ever came from the sending out of governmental free seeds to either the Department of Agriculture or agriculture generally in this country. The production of this country has not been increased one dollar by sending out these free seeds.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. BEGG. I want to say, for one, that there is not any excuse nor any reason for sending these seeds to the cities.

The gentleman from South Carolina [Mr. STEVENSON] made a great plea for the laboring men. They can go to a 5 and 10 cent store and buy as many as we would send them for 10 cents. He makes a great plea that it will give them something to do in the evening. Bless you, if you save them this 10 cents, it will only mean one more picture show. It is the principle of the thing that I object to. It is socialistic, pure and simple. You will recall the corn laws in Rome. When a man got something for nothing, of course he was for it. It comes easy, apparently. You who are for this proposition are complaining about governmental extravagance and want to reduce the taxes.

Mr. LAYTON. Will the gentleman yield?

Mr. BEGG. I will not yield to the gentleman.

Every proposition before this House that calls for an appropriation is voted on with the idea that it is for the Republican Party. The gentleman from Kentucky [Mr. LANGLEY] says that the Republican Party can not strike a worse blow at the mountain States than to cut off free seed. Well, all I have to say about that is that the Republican Party will stay in power longer if it stops some of these things that are taking money out of the Treasury, rather than to follow in the footsteps of the party that is just going out of power.

Mr. LANGLEY. Does not the gentleman know that this has been in vogue for more than 50 years?

Mr. BEGG. The gentleman knows that all right.

There is another thing. By what manner or process of reasoning do we bring ourselves to say that we will appropriate for enough seeds for every fourth family? I say that if the seed proposition is a good thing and it ought to be done, there should be mailed a package of seed to every voter in the United States.

Mr. LAYTON. That is not reasonable.

Mr. BEGG. The gentleman says that is not reasonable. If it is not reasonable, you have no right to appropriate money that comes out of the taxpayers' pocket to give something to a preferred class.

Mr. LAYTON. Let me show you something——

Mr. BEGG. I told the gentleman I did not have time to yield.

Mr. LAYTON. We send doctors out to cure hog cholera.

Mr. BEGG. I think this matter ought to have serious consideration. In another decade, if we continue to go on as we have been doing, it will not only be free seeds but it will be free medicine.

Mr. LAYTON. It is now.

Mr. BEGG. And it will be free everything else.

Mr. LAYTON. It is getting so now.

Mr. BEGG. And the individual will not be called upon to act on his own initiative for anything that he needs.

Mr. ANDERSON. Mr. Speaker, I yield three minutes to the gentleman from Florida [Mr. CLARK]. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, I have not any recollection that I have ever spoken upon this proposition. It is possible that on one occasion I did make a remark or two about it. I am in favor of this appropriation, because I believe that it is educational, and that it is not a question of giving somebody something. The people in my district are not asking the Government of the United States to give them anything. We are able to take care of ourselves. We are able to buy garden seeds. But the minute it goes out to the people of this country that Congress has ceased this distribution, you will see the Seed Trust put seed beyond the reach of the ordinary man. [Applause.]

It is regarded by some Members of Congress as undignified and unstatesmanlike to support the seed proposition; yet the only means by which those gentlemen, some of them, can perpetuate the memory of the fact that they have ever been in Congress is by the placing of their names on a package of vegetable seeds. Some of these gentlemen, as I say, seem to think that it is the highest mark of statesmanship to take this floor and oppose vegetable seeds and things of that character. The gentleman from Ohio [Mr. BEGG], a minute or two ago, in lecturing his side of the House on economy, said they ought to stop a lot of these things that would not perpetuate themselves. Let me tell you: If you give the people of this country these seeds for the benefit of the school children of the country and educate them along agricultural lines, you will do better in the expenditure of money than you will by keeping these contested-election cases off until the last days of the session and giving both Members of Congress the salary and the perquisites for the entire two years. Why do you not try these cases within 30 or 60 days and wind them up, and give the seeds to the men who are entitled to them, and not take them away from the school children of the land? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LANGLEY. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Speaker, I do not desire to take the time of the House except to answer a statement made by the gentleman from Ohio [Mr. BEGG]. He said that there is no earthly excuse for sending the seeds to the cities. I represent in this House a city district, and the requests which I have for seeds—flower and vegetable—have been ever since I have been here, for over 10 years, more than the quota that is allowed me. We have requests not only from people who want flower gardens but from some who do not even have the space in which to put them, except to plant some of them in a box, for instance, in a portion of the district where they have no yards. The institutions such as the hospitals, the homes for orphans, the homes for the aged, and the schools, all ask for and are anxious to obtain them, and they make the most valuable use of them. I think it would be unjust to deprive the little children of the public schools, who take a great interest in having these gardens in the schools. If the seeds did not come from the Government, they would not ordinarily plant any. And so in these institutions the flower seeds and the garden seeds have done a great deal of good and help out. To deprive them of this, which they have had for so many years, looks to me, and will look to them, as though the

Government does not appreciate the opportunity of reaching the people directly with a little proposition of this kind. I doubt that some Members are so lazy as not to want to send out these seeds, or do not want to pay for clerk hire to do it. I do not think that is true; but I think that some of them, who have been here only a little while, do not understand the situation when they make these charges. But if they do stay here and understand the situation and the needs, there will be no denial of this seed distribution. The city people want them, the people of my district want them, and I hope the motion of the gentleman from Minnesota to recede and concur will not be agreed to. Vote "no" on that, and then we will vote on the proposition of the gentleman from Kentucky.

Mr. ANDERSON. Mr. Speaker, I yield three minutes to the gentleman from Nebraska [Mr. MCLAUGHLIN].

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I earnestly hope that the motion of the gentleman from Minnesota [Mr. ANDERSON] to recede and concur will prevail. This is the annual fight that has been before the Congress for many years. When this provision came before the House recently, by extraordinary effort there was a mere majority of seven votes cast in favor of putting in the seed provision. The Senate has again wisely striken out the item.

The gentleman from Ohio [Mr. BEGG] stated a number of facts pertinent to this situation. Very few people in agricultural districts, where we would suppose that people would be interested in this proposition, are in favor of it. The district I represent is wholly an agricultural district, and I have received more protests against this seed appropriation and more requests for its discontinuation than upon any other subject of legislation that has been before the Congress.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I can not yield in three minutes. The gentleman had his time.

The gentleman from Florida [Mr. CLARK] stated that this was the only practice that made it possible for some gentlemen's names to be remembered as having been in Congress. If that is true, I think it would be better if they were entirely forgotten.

Gentlemen speak of sending these seeds to schools. Yes; I have been sending them to school superintendents, to city and county superintendents of schools, and principals of schools. I did it this year, and they came back to me with a protest to stop it, because they said, "You are not sending us enough seeds to go to every family," and when we give them to only one family out of four or five they say it is not a fair practice and that we should not send any.

Mr. LANGLEY. That is the reason why the appropriation has been increased 50 per cent in the amendment, to give enough to go around.

Mr. McLAUGHLIN of Nebraska. But the regrettable thing connected with this proposition is that gentlemen do not say what is really in their minds when they discuss this subject. They believe it will help them politically. [Laughter.] One of my colleagues came to me last year and asked me to give him a part of my quota of seeds, stating that the fight in his district was so close that he needed every possible help, and that if he did not send out sufficient garden seeds he would be defeated. [Laughter.] That is the reason why gentlemen stick to this old, worn-out practice and vote this needless appropriation upon the people of the country. [Laughter and applause.]

Mr. ANDERSON. Mr. Speaker, I yield three minutes to the gentleman from Georgia [Mr. UPSHAW].

The SPEAKER. The gentleman from Georgia is recognized for three minutes.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, most of us, perhaps all of us, who are in favor of continuing the garden and farm seed distribution are willing to confess that our offices would be relieved of a good deal of work if the distribution were discontinued. But we are willing to work, and I think the gentleman from Nebraska [Mr. MCLAUGHLIN], who has just taken his seat, will agree that we ought to be willing to work if it will increase the patriotism and the production of the people who elected us. [Applause.]

The gentleman from Ohio [Mr. BEGG] has inveighed against the matter of giving away things free. Listen. We furnish through the Agricultural Department free medicine for sick pigs and free medicine for sick calves and cows and colts and what not. Yes; and free fish for ponds and streams. We furnish free treatment for the ailments of corn and wheat and cotton and tobacco; and if that is "socialism" and "paternalism," as he styles it, for us to vote for this encouragement of the youth of our land, then everything that this Government does for the building of good roads and the encouragement of education and agricultural production might come under the ban of the same indictment. [Applause.]

I want to say to you that more of these letters come to me from the city than from the country, bringing a touch of the refreshing country into the crowded city life, and those letters are an inspiration. I love to think of the industrious boys and girls, to say nothing about the older ones, in the humble homes of the city, and likewise in rural life, who are thus tied on to the flag of their country by this practical investment in their earnest efforts to have beautiful homes and fruitful gardens. [Applause.]

Mr. ANDERSON. Mr. Speaker, I do not think this proposal is entirely without merit. I am willing to concede that the congressional seed distribution has some educational as well as political value. This amendment, however, carries $121,000 more than was ever carried before for this distribution.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. I do not yield.

Mr. LANGLEY. The gentleman is inaccurate in his statement.

The SPEAKER. The gentleman declines to yield.

Mr. ANDERSON. The gentleman from Kentucky suggests that that statement is inaccurate. At least it carries $121,000 more than was carried last year. We owe something, it seems to me, to ourselves, and to the country in this matter. Now, when we are chopping off a thousand dollars here and a few millions there from necessary investigational and control work in order to exercise the highest degree of economy in these days when people are protesting against taxation, it seems to me we can well afford to forego what little political advantage or what little educational advantage there may be in this appropriation. The Senate was very insistent that this appropriation should go out. There was a vote in the Senate in which I think the Senate amendment was agreed to without a dissenting vote; and I want to say to gentlemen of the House that if this amendment goes back into conference of course the House conferees will be obliged to stand for the position of the House, and we may find ourselves in great difficulty in securing an agricultural appropriation bill at all. I hope the motion that I have made will be agreed to.

Mr. Speaker, I move the previous question.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. I desire to submit a privileged request. I ask for a division of the motion.

The SPEAKER. The gentleman from Minnesota moves the previous question.

The previous question was ordered.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Missouri [Mr. DYER] demands that the motion to recede and concur be divided. As many as are in favor of receding will say "aye."

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BLANTON. A division, Mr. Speaker.

Mr. ANDERSON. I ask for a division.

The SPEAKER. A division is demanded. As many as are in favor of receding will rise and stand until they are counted. [After counting.] On this vote the ayes are 67 and the noes are 114.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. ANDERSON. I ask for the yeas and nays.

The SPEAKER. On the motion to recede?

Mr. ANDERSON. Yes.

The SPEAKER. The gentleman from Texas makes the point of no quorum present. The Chair will count. [After counting.] There is clearly a quorum present. The gentleman from Minnesota demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Forty-two Members rising, not a sufficient number, and the yeas and nays are refused.

Mr. DYER. Mr. Speaker, I desire to submit a request for unanimous consent.

The SPEAKER. The gentleman will state it.

Mr. DYER. If we are going to have the yeas and nays——

SEVERAL MEMBERS. We are not.

The SPEAKER. The yeas and nays have been refused.

Mr. LANGLEY. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. What was the result of the vote on the motion to recede?

The SPEAKER. The noes had it.

Mr. LANGLEY. Now, Mr. Speaker, did the Chair recognize my motion a while ago to insist?

The SPEAKER. The Chair will recognize the gentleman.

Mr. LANGLEY. I move to insist on the disagreement of the House to the Senate amendment.

The SPEAKER. The gentleman from Kentucky moves that the House further insist on its disagreement.

Mr. ANDERSON. I make a preferential motion that the House recede and concur in the Senate amendment with an amendment striking out $360,000 and inserting $250,000.

Mr. LANGLEY. That is not enough.

The SPEAKER. The gentleman from Minnesota makes a preferential motion, which the Clerk will report.

Mr. LANGLEY. Would it be in order now to move to amend that amendment? If so, I desire to move to amend.

Mr. ANDERSON. I move the previous question on the motion.

The SPEAKER. The gentleman from Minnesota makes a motion on which he demands the previous question. The Clerk will report the gentleman's motion.

The Clerk read as follows:

Mr. ANDERSON moves to recede from the Senate amendment and concur therein with an amendment striking out $360,000 and inserting in lieu thereof $250,000.

Mr. MANN of Illinois. I make a point of order against the amendment.

The SPEAKER. The gentleman from Illinois will state his point of order.

Mr. MANN of Illinois. I am not sure about the facts. I understand the gentleman from Minnesota moved to recede and concur, and that the gentleman from Kentucky [Mr. LANGLEY] while that motion was pending moved that the House further insist upon its disagreement to the Senate amendment, and that the gentleman from Minnesota [Mr. ANDERSON] moved the previous question. If that be the fact, it is too late to move another motion until these motions have been disposed of.

Mr. ANDERSON. The question now is on the motion to concur with an amendment.

Mr. MANN of Illinois. Of course, if the House has receded; but I thought the vote was that the House would not recede.

The SPEAKER. The House refused to recede.

Mr. MANN of Illinois. Then the motion to amend is not in order. The question now is on the motion to further insist upon the disagreement. The motion is pending, and upon that the previous question was ordered.

The SPEAKER. The Chair thinks that is correct. The question is on the motion of the gentleman from Kentucky [Mr. LANGLEY] that the House further insist.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. DYER. Division!

Mr. LANGLEY. Let us have the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. LANGLEY] that the House further insist.

The question was taken; and there were—yeas 198, nays 134, answered "present" 1, not voting 95, as follows:

YEAS—198.

Almon	Dyer	Keller	O'Connell
Aswell	Echols	Kendall	O'Connor
Ayres	Evans, Mont.	Kiess	Oldfield
Bacharach	Farr	Kincheloe	Oliver
Bankhead	Ferris	King	Olney
Barkley	Fields	Kreider	Osborne
Bee	Fish	Lampert	Overstreet
Benham	Fisher	Langley	Padgett
Black	Fordney	Lanham	Park
Bland, Ind.	Fuller	Lankford	Parker
Boies	Gallagher	Larsen	Patterson
Bowers	Gallivan	Layton	Porter
Bowling	Ganly	Lazaro	Pou
Briggs	Gard	Lea, Calif.	Quin
Brooks, Ill.	Garrett	Lee, Ga.	Raker
Brooks, Pa.	Goodykoontz	Lehlbach	Ramsey
Burke	Greene, Mass.	Little	Randall, Calif.
Byrns, Tenn.	Griest	Longworth	Ransley
Campbell, Pa.	Griffin	McClintic	Reed, W. Va.
Candler	Hardy, Colo.	McDuffie	Rhodes
Cantrill	Hardy, Tex.	McKeown	Ricketts
Caraway	Hastings	McKinley	Riddick
Carew	Hawley	Major	Robinson, N. C.
Carss	Hays	Mann, Ill.	Robsion, Ky.
Carter	Hernandez	Martin	Romjue
Clark, Fla.	Hickey	Mason	Rouse
Cleary	Hill	Mays	Rucker
Copley	Hoey	Mead	Sabath
Crago	Holland	Miller	Sanders, Ind.
Crisp	Houghton	Milligan	Sanders, N. Y.
Crowther	Howard	Minahan, N. J.	Schall
Cullen	Huddleston	Moores, Ind.	Sells
Davey	Hudspeth	Mott	Siegel
Davis, Minn.	Hull, Iowa	Mudd	Sims
Davis, Tenn.	Humphreys	Murphy	Sinclair
Denison	Igoe	Nelson, Mo.	Sisson
Dewalt	Jacoway	Nelson, Wis.	Slemp
Dickinson, Mo.	James, Va.	Newton, Minn.	Smith, Idaho
Drane	Jefferis	Newton, Mo.	Smith, Ill.
Drewry	Johnson, Ky.	Nicholls	Smithwick
Dupré	Johnson, Miss.	Nolan	Steagall
Stedman	Thompson	Vinson	Wood, Ind.
Stephens, Ohio	Tillman	Voigt	Woods, Va.
Stevenson	Timberlake	Volk	Woodyard
Stoll	Tincher	Weaver	Wright
Sweet	Tinkham	Welty	Young, N. Dak.
Swope	Upshaw	Whaley	Young, Tex.
Tague	Valle	White, Kans.	Zihlman
Taylor, Ark.	Venable	Wilson, La.	
Taylor, Colo.	Vestal	Wilson, Pa.	

NAYS—134.

Ackerman	Dunn	Knutson	Reed, N. Y.
Anderson	Elliott	Kraus	Rogers
Andrews, Nebr.	Elston	Linthicum	Rose
Anthony	Esch	Luce	Sanford
Ashbrook	Evans, Nebr.	Lufkin	Scott
Babka	Evans, Nev.	Luhring	Sherwood
Barbour	Fairfield	McAndrews	Shreve
Begg	Fess	McArthur	Sinnott
Bland, Mo.	Frear	McKenzie	Smith, Mich.
Bland, Va.	French	McLaughlin, Mich.	Snell
Blanton	Godwin, N. C.	McLaughlin, Nebr.	Snyder
Box	Gould	McLeod	Stiness
Brand	Graham, Ill.	McPherson	Strong, Kans.
Britten	Green, Iowa	Madden	Strong, Pa.
Browne	Greene, Vt.	Mansfield	Summers, Wash.
Buchanan	Hayden	Mapes	Sumners, Tex.
Burdick	Hersey	Michener	Swindall
Burroughs	Hersman	Mondell	Temple
Butler	Hicks	Montague	Tilson
Byrnes, S. C.	Hoch	Moore, Ohio	Towner
Campbell, Kans.	Hulings	Moore, Va.	Treadway
Cannon	Husted	Ogden	Volstead
Chindblom	Hutchinson	Paige	Walters
Christopherson	Ireland	Parrish	Ward
Coady	Johnson, S. Dak.	Pell	Wason
Cooper	Johnson, Wash.	Perlman	Watson
Cramton	Jones, Pa.	Peters	Webster
Currie, Mich.	Jones, Tex.	Purnell	Welling
Dallinger	Kearns	Radcliffe	Wheeler
Darrow	Kelley, Mich.	Ramseyer	White, Me.
Dempsey	Kelly, Pa.	Randall, Wis.	Winslow
Dickinson, Iowa	Kennedy, R. I.	Rayburn	Yates
Dowell	Kinkaid	Reavis	
Dunbar	Kleczka	Reber	

ANSWERED "PRESENT"—1.

Haugen

NOT VOTING—95.

Andrews, Md.	Edmonds	Kahn	Riordan
Baer	Ellsworth	Kennedy, Iowa	Rodenberg
Bell	Emerson	Kettner	Rowan
Benson	Flood	Kitchin	Rowe
Brinson	Focht	Lesher	Rubey
Brumbaugh	Foster	Lonergan	Sanders, La.
Caldwell	Freeman	McCulloch	Scully
Casey	Gandy	McFadden	Sears
Clark, Mo.	Garner	McGlennon	Small
Classon	Glynn	McKinley	Smith, N. Y.
Cole	Goldfogle	MacGregor	Steele
Collier	Good	Magee	Steenerson
Connally	Goodall	Maher	Stephens, Miss.
Costello	Goodwin, Ark.	Mann, S. C.	Sullivan
Curry, Calif.	Graham, Pa.	Merritt	Taylor, Tenn.
Dale	Hadley	Monahan, Wis.	Thomas
Dent	Hamill	Moon	Vare
Dominick	Hamilton	Mooney	Walsh
Donovan	Harreld	Morin	Watkins
Dooling	Harrison	Neely	Williams
Doremus	Hull, Tenn.	Phelan	Wilson, Ill.
Doughton	James, Mich.	Rainey, Ala.	Wingo
Eagan	Johnston, N. Y.	Rainey, Henry T.	Wise
Eagle	Juul	Rainey, John W.	

So the motion was agreed to.

The following pairs were announced until further notice:

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. KAHN with Mr. DENT.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. KENNEDY of Iowa with Mr. CLARK of Missouri.

Mr. ELLSWORTH with Mr. KITCHIN.

Mr. JAMES of Michigan with Mr. SULLIVAN.

Mr. CURRY of California with Mr. GARNER.

Mr. WILSON of Illinois with Mr. JOHN W. RAINEY.

Mr. CLASSON with Mr. GOLDFOGLE.

Mr. FOCHT with Mr. BELL.

Mr. WALSH with Mr. CONNALLY.

Mr. HAUGEN with Mr. SMALL.

Mr. RODENBERG with Mr. WINGO.

Mr. WILLIAMS with Mr. THOMAS.

Mr. EDMONDS with Mr. DOUGHTON.

Mr. GLYNN with Mr. DOMINICK.

Mr. HAMILTON with Mr. GOODWIN of Arkansas.

Mr. GOOD with Mr. FLOOD.

Mr. FOSTER with Mr. BRINSON.

Mr. HARRELD with Mr. COLLIER.

Mr. MCCULLOCH with Mr. SMITH of New York.

Mr. VARE with Mr. MOON.

Mr. MONAHAN of Wisconsin with Mr. WATKINS.

Mr. STEENERSON with Mr. NEELY.

Mr. JUUL with Mr. MCKINLEY.

Mr. TAYLOR of Tennessee with Mr. ROWAN.

Mr. COSTELLO with Mr. WISE.

Mr. MACGREGOR with Mr. RIORDAN.

Mr. ROWE with Mr. LESHER.
Mr. GOODALL with Mr. EAGAN.
Mr. HADLEY with Mr. HULL of Tennessee.
Mr. EMERSON with Mr. MAHER.
Mr. BAER with Mr. GANDY.
Mr. DALE with Mr. STEPHENS of Mississippi.
Mr. MORIN with Mr. HARRISON.
Mr. COLE with Mr. PHELAN.
Mr. MERRITT with Mr. SANDERS of Louisiana.
Mr. SEARS (for) with Mr. MAGEE (against).

The result of the vote was announced as above recorded.

On motion of Mr. LANGLEY, a motion to reconsider the last vote was laid on the table.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 32: Page 28, line 24, strike out the figures "$2,568,770" and insert "$2,394,235."

Mr. ANDERSON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 33: Page 29, line 1, strike out "$3,067,270" and insert "$2,895,735."

Mr. ANDERSON. Mr. Speaker, I move the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 40:
"*And provided also*, That the grazing fees payable under existing law for the use of national forests during the calendar year 1921 may be paid, at the option of the holder of a permit, in two equal installments, the first half of said fees on the 1st day of August, 1921, and the remaining half on the 1st day of October, 1921, and in the event such payments are not made on or before such deferred dates, penalties shall be thereafter imposed in accordance with the provisions of existing law."

Mr. ANDERSON. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment 40 and concur in the same with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In lieu of the matter inserted by said Senate amendment insert: "*And provided also*, That the grazing fees payable under existing law for the use of the national forests during the calendar year 1921, may be paid on the 1st day of September, 1921, and in the event such payment is not made on or before such deferred date, penalties shall be hereafter imposed in accordance with the provisions of existing law."

Mr. ANDERSON. Mr. Speaker, under the existing law and the regulations of the Department of Agriculture, grazing fees on the national forests are required to be paid in advance. Everyone is familiar with the situation in the stock-growing sections of the country; that has been discussed a great many times on the floor in connection with the tariff bill and other legislation, and I do not need to discuss that. The amendment of the Senate provides that the grazing fees, instead of being paid in advance this year, may be paid in two equal installments, one on the 1st of August and the second on the 1st of October, 1921. There seems to be no necessity for providing that payments shall be made in two installments. That would practically double the work in collecting the grazing fees. Those primarily interested in the matter said that it would be entirely satisfactory if one payment was required, and that payment deferred until the 1st of September. I have offered this amendment to the Senate amendment with a view of concurring in what I understand was the view of those who originally offered it.

Mr. TAYLOR of Colorado. Does this meet with the approval of the Forestry Service?

Mr. ANDERSON. Yes; I understand so. The Forestry Service made no objection and agreed that it might be made in one payment.

Mr. GARD. This only applies for the current year.

Mr. ANDERSON. Only for the current year. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The motion is to recede and concur with the amendment which has been reported.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 46: For the investigation and development of methods for the prevention of grain-dust, smut-dust, and other plant-dust explosions and resulting fires, including fires in cotton gins and cotton-oil mills, $25,000.

Mr. ANDERSON. Mr. Speaker, I move to concur in the Senate amendment. I should like to say in this connection that the estimate for this work has been made by the Department of Agriculture for the last three or four years. The Grain Corporation considered this work of such value in its conservation of grain in the elevators as well as in the stack that it made an allotment out of its funds of $250,000 for the purpose of investigating these explosions and fires. The department has developed a means of preventing fires resulting from static electricity that is generated in threshing machines. It is thought that the same thing is possible in connection with cotton gins, cement mills, starch mills, and flour mills where large amounts of dust collect in the process of manufacture. If that is possible, this appropriation will make possible a saving of very large losses through dust explosions.

The SPEAKER. The question is on the gentleman's motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Amendment 48: In all, for general expenses, $973,061.

Mr. ANDERSON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment.

The Clerk read as follows:

In lieu of the sum mentioned insert "$969,561."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 49: Total for Bureau of Chemistry, $1,303,751.

Mr. ANDERSON. Mr. Speaker, I move that the House recede and concur with an amendment.

The SPEAKER. The gentleman from Minnesota moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the sum proposed insert "$1,300,251."

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 78: Page 59, line 22, insert after the figures "$3,000" "one chief cinematographer, $1,800."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 79: Page 59, line 25, strike out "assistant in the document section, $1,800."

Mr. ANDERSON. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 80: Page 60, line 17, strike out "$252,180" and insert "$254,880."

Mr. ANDERSON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 82: Page 61, line 24, strike out "$380,110" and insert "$282,110."

Mr. ANDERSON. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 89: Page 70, line 17, insert: "For investigations of the chemical and physical character of road materials, for conducting laboratory and field experiments, and for studies and investigations in road design, independently or in cooperation with the State highway departments and other agencies, $148,200, payable out of the administrative fund provided by the Federal aid road act of July 11, 1916, as amended."

Mr. ANDERSON. Mr. Speaker, I move that the House recede and concur. I would like to say in respect to this amendment that this is an item which has been carried in the bill for several years. It was carried in the bill as it was reported by the House committee, but went out on a point of order. It is the item under which the basic investigational and experimental work which lies at the foundation of all road construction in the United States is done. There is this difference between this amendment and the language heretofore carried: This amendment provides that the sum carried in the item shall be paid out of the funds for administrative expenses of the public roads

appropriations, whereas heretofore we have made a direct appropriation. It does not increase the total of the bill. There is a balance of about $5,000,000 in the administrative fund, which is ample to carry on the administration of the act, and includes this item.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. FESS. I understood the gentleman to say that this item has been carried from year to year?

Mr. ANDERSON. Yes.

Mr. FESS. Is the gentleman satisfied that the expenditure of the money is justified?

Mr. ANDERSON. We expect to spend next year something over $400,000,000 in the construction of roads. It seems to me that $148,000 is a very small sum to be spent on basic experimental work which determines the character of the specifications upon which the roads are constructed.

Mr. FESS. Where is this experimental work carried on?

Mr. ANDERSON. Part of it is done in Washington on the Arlington farm and part of it in the field.

Mr. FESS. I agree with the gentleman that there is not any line of work that requires greater care and better material for road building, especially when we are entering upon such a Federal campaign. I have wondered whether we are getting specific results out of this expenditure for experimentation.

Mr. ANDERSON. I think we are getting very satisfactory results, considering the status of road-building knowledge when this work commenced.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. Is the amount, $148,200, based on the present facilities for this work, or is it in excess of the present facilities with a view of enlargement?

Mr. ANDERSON. The appropriation carried last year was about one-half of the appropriation carried this year. The gentleman will bear in mind that road construction will be very much larger this year than it has been heretofore, and that this matter of experimentation and investigation in the art of road building is a progressive one.

Mr. CHINDBLOM. I have no objection to the appropriation. I simply wanted to know whether it is based on the existing facilities or whether it provides for an increase in those facilities.

Mr. ANDERSON. I do not know what the gentleman has in mind when he speaks of existing facilities.

Mr. CHINDBLOM. They have been doing this work?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. Is it estimated that this amount would carry on the present work, or will it provide for some increase in the present work?

Mr. ANDERSON. It will enlarge the present work.

The SPEAKER. The question is on the motion of the gentleman from Minnesota to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 91: Page 72, line 16, insert:

"For supervising the preparation, distribution, and use of picric acid, trinitrotoluol, trojan powder, and such other surplus war explosives as may be made available for use in clearing stumps and stones from agricultural land, independently or in cooperation with agricultural colleges and other agencies, and for investigating and reporting upon the results obtained from the use of the explosives, $15,000."

Mr. ANDERSON. Mr. Speaker, I move that the House recede and concur in this amendment. This provision was also carried in the House bill, but went out on a point of order. The facts about it are as follows: The War Department has some 12,000,000 pounds of picric acid and other explosives which are suitable for blasting operations on the farms in the North and the Northwest. This picric acid and the other explosives carried in this item, unlike T. N. T., deteriorate in storage. If this amendment is not agreed to and if we are not able to use this for the purposes contemplated, it will have to be transported from Sparta, Wis., where most of it now is, to Fort Wingate, in New Mexico, where in all probability it will deteriorate and become worthless. This is a measure of conservation on the one side and a measure which will be of great advantage to the settlers in the pioneer parts of the country on the other.

Mr. BRIGGS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. BRIGGS. How is this disposed of to those who are interested—at the cost to the Government?

Mr. ANDERSON. It is disposed of at cost of cartridging, with the addition of the transportation charges.

Mr. SINNOTT. Is this language broad enough to permit the use of explosives for the purpose of breaking up hardpan?

Mr. ANDERSON. In connection with agricultural operations?

Mr. SINNOTT. Yes.

Mr. ANDERSON. I should think so.

Mr. HAWLEY. Is the gentleman sure about that?

Mr. ANDERSON. I supposed that hardpan was stone. Of course, I know technically that it is not.

Mr. HAWLEY. In some places in the fruit-growing sections of the country for instance an indurated layer is found underneath the surface soil and is called hardpan. The roots of the trees can not readily penetrate it. A charge of explosive is placed in this layer and a hole blown in it. In that they plant the trees, so that the feeding roots can go down through the hardpan to the water and subsistence below. The gentleman believes that these explosives could be used for such work?

Mr. ANDERSON. Well, that was not in contemplation when this amendment was originally drafted but I do not imagine any objection will be made for using it for that purpose. There is plenty of it for everybody.

The SPEAKER. The question is on the motion of the gentleman to recede and concur.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 92: Page 72, line 23, strike out the figures "$329,500" and insert in lieu thereof "$365,060."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ANDERSON moves to recede and concur with the following amendment: In lieu of the sum proposed insert "$354,060."

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 93: Page 72, line 24, strike out the figures "$443,960" and insert in lieu thereof "$479,520."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

In lieu of the sum proposed insert "$468,520."

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 71, line 12, insert: "That hereafter the powers conferred and the duties imposed by law on the Bureau of Statistics and the Bureau of Crop Estimates of the Department of Agriculture shall be exercised and performed by the Bureau of Markets and Crop Estimates."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur. This is language carrying out the consolidation of the Bureau of Markets and the Bureau of Crop Estimates as carried under the present bill.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 75, line 26, after the figures "$138,831," insert: "*Provided*, That any moneys received from or in connection with the sale of cotton purchased for the preparation of practical forms of the official cotton standards and condemned as unsuitable for such use may be expended by the Secretary of Agriculture during the fiscal year ending June 30, 1922, for the purchase of other cotton for such use."

Mr. ANDERSON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 79, line 10, after the figures "$15,000," insert "and to continue, as far as practicable, the distribution among the growers of the wool clip of 1918 of all sums heretofore or hereafter collected or recovered with or without suit by the Government from all persons, firms, or corporations which handled any part of the wool clip of 1918, which said regulations are hereby legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. ANDERSON moves to recede and concur in the Senate amendment with the following amendment. Of the matter inserted by said amendment strike out the following: "which said regulations are hereby legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior of Congress been specifically authorized and directed."

Mr. ANDERSON. Mr. Speaker, during the war all purchases of wool were taken over by the Government. As a part of the regulations incident to the Government controlling the purchases of wool it was provided that the profits of those engaged in the purchase of wool under the Government regulations should not exceed a certain amount either per pound or upon the value of the wool. There were quite a large number of instances in which the profits of those buying the wool were in excess of the amounts allowed by the regulations. The Department of Agriculture succeeded the domestic wool section of the War Industries Board in the work of collecting back from those purchasers of wool the amount of profits which they made in excess of what they were allowed under the regulations. The amount so collected is prorated among the farmers from whom the wool was purchased. The Senate amendment undertook not only to provide for the continuance of this work but to legalize the regulations under which the profits were determined.

The House committee felt that whatever rights the Government had and whatever rights the private individuals had under these regulations were determined by the regulations themselves and that the Congress would be entirely outside of its province in undertaking to establish a different liability than the regulations themselves established. Therefore the House committee agreed to the amendment tentatively with an amendment striking out the provision which provided that legalization.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MOORE of Virginia. Was not the Senate theory this, that without this particular provision which the gentleman proposes to strike out there might not be sufficient basis for suits that ought to be brought and should be maintained, the thought being that probably injustice has been done to the woolgrowers, but if they should litigate without such provision as the Senate has incorporated the defense might be based upon an assertion of the invalidity of the regulations?

Mr. ANDERSON. Well, it does not seem to me that the Congress can by such a provision as this legalize regulations which they had not authority to make and under which both private parties and the Government got whatever rights they now assert. That would be in the nature of an ex post facto law.

Mr. MOORE of Virginia. An ex post facto law applies to criminal matters. If there should be a question as to the regulations, would not the provision the gentleman designs to strike out prove a helpful provision? It could do no harm to retain the language which the Senate incorporated as it seems to me.

Mr. ANDERSON. I think the House conferees ought not to agree to a provision of that sort. I think the House ought not to agree to it. It is a proposition which involves a very close question of law, and very close questions of law can not be very well considered in a conference upon an Agricultural bill.

Mr. MANN of Illinois. I suppose the gentleman takes the view, as certainly I do, that if a regulation is invalid people have a right to treat it as invalid. It ought not to be made law now—two years later.

Mr. MOORE of Virginia. Let me say that as a result of a conference in which I participated some time ago with some of the officials of the Agricultural Department there is reason to believe that the regulations were supposed to be valid and by everybody were assumed to be a proper basis of action. Those regulations were adopted in good faith. They were not contested or doubted at the time they were made. Now, litigation may occur, and any question as to the validity of the regulations may be removed by the provision of the Senate amendment that is under discussion here.

Mr. MANN of Illinois. I suppose we could provide the law should take effect 10 years ago, an ex post facto law relating to a criminal matter. But is it fair?

Mr. MOORE of Virginia. I think in this case it is entirely fair, because of the moral question involved. So far as I have been able to ascertain, there was no sort of doubt expressed at the time of the transaction that the regulations were all right and ought to be adhered to, but some dealers have raised a doubt in order to escape the payment they are supposed to be liable for.

Mr. MANN of Illinois. I think it would be very unfortunate to say to any department of the Government, "You go ahead and make illegal regulations under authority to make legal regulations, and then have Congress, after the transaction is completed, legalize the regulations." If we commence it, we will be asked to do it very frequently.

Mr. MOORE of Virginia. Some woolgrowers have been put in a very helpless condition. This amendment might assist them in collecting what is due them, and I am in favor of retaining it, but I do not make any particular point of it.

Mr. MANN of Illinois. I hope the departments will make legal regulations, and I hope in this case they have.

Mr. MOORE of Virginia. Sometimes, I may say to my friend, it is doubtful when we act here whether we do or do not do the legal thing. I find that the Supreme Court divides on very important questions, having great doubt.

Mr. MANN of Illinois. For that reason the gentleman does not assume, however, to follow the opinion of the minority of the court? You would not ask Congress to provide that the minority of the court laid down the law and not the majority?

Mr. MOORE of Virginia. Quite frequently Congress has done that.

Mr. MANN of Illinois. Not to my knowledge.

Mr. ANDERSON. Mr. Speaker, I ask for a vote.

The SPEAKER. The gentleman from Minnesota moves to recede and concur in the Senate amendment.

The motion was agreed to.

The Clerk read the following amendment:

Amendment 112. Page 83, line 18, insert: "Field station, Woodward, Okla.: For the establishment in connection with the Woodward (Okla.) field station of a live-stock department, through which experiments and demonstrations in live-stock breeding, growing, and feeding, including both beef and dairy animals, may be made, $10,000, of which sum the Secretary is hereby authorized to use not exceeding $3,000 for the purpose of building additional sheds, stalls, and pens for the protection and care of said animals."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur in the Senate amendment.

This proposition was carried in last year's bill, with the exception of the provision which permits $3,000 to be spent for the purpose of building additional sheds, stalls, pens, and so forth. In the absence of provisions authorizing the construction of buildings, the department was unable to carry on the work, with the result that the sum carried in last year's bill will go back into the Treasury. This provision carries out what it is understood was the intention of the Senate last year.

Mr. SNELL. Is this the same proposition as the other? It does not increase the appropriation for the sheep sheds?

Mr. ANDERSON. It does not increase the appropriation.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. MANN of Illinois. Just what is meant by the establishment of a "live-stock department"?

Mr. ANDERSON. There is a station now at Woodward, Okla., a dry-land station, where they are carrying on experiments connected with the growth of plant life. They desire to have, as I understand it, in addition, a department for the study of questions relating to live-stock production. And this provides for the additional work.

Mr. MANN of Illinois. I think they have chosen a very poor name for it, by calling it a "department."

Mr. ANDERSON. I have no difficulty in agreeing with the gentleman upon that. We can not very well correct it now.

Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The Clerk read the following amendment:

Amendment 114. Page 88, line 15, insert: "To enable the joint committee of the two Houses on short-time rural credits constituted and appointed in pursuance of Public, No. 234, Sixty-sixth Congress, 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921,' to continue and complete its labors and reports, $5,000."

Mr. ANDERSON. Mr. Speaker, I move that the House recede and concur.

Mr. SNELL. Will the gentleman please explain just what that is?

Mr. ANDERSON. I will say that last year the Congress provided for the creation of a joint congressional committee to study the question of short-time rural credits. Owing to the fact that the farm loan act was under question in a suit before the Supreme Court, I understand that the commission has not made any investigations this year and has not spent any of the money which was provided by the appropriation we carried last year creating the commission. It it desired, as soon as the question with respect to the farm loan act is determined, to go on with this work, and this simply provides a reappropriation.

Mr. SNELL. They have not spent any money so far?

Mr. ANDERSON. I understand they have not. If they have spent any, it has been a very small amount.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. SNELL. Yes.

Mr. MANN of Illinois. Does the gentleman know whether there is any case on record where a joint congressional committee has completed its work within the limit of time under which it was appointed?

Mr. ANDERSON. I do not; and I presume this proposition is in accordance with the precedents.

Mr. MANN of Illinois. We are constantly criticizing the executive departments of the Government because they do not do a work within the time provided. I do not recall now any instance where a congressional committee or a joint committee has done its work within the time provided by law.

Mr. ANDERSON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 115: Page 88, line 21, insert:

"Purchase of seed grain for drought-stricken areas: That the Secretary of Agriculture is hereby authorized, for the crop of 1921, to make advances or loans to farmers in the drought-stricken areas of the United States, where he shall find that special need for such assistance exists, for the purchase of wheat, oats, and barley for seed purposes when necessary, to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $300. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $5,000,000 immediately available."

Mr. ANDERSON. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and agree with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota moves that the House recede and concur with an amendment. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ANDERSON moves that the House recede from its disagreement to Senate amendment 115, and agree to the same with the following amendment: Strike out the matter inserted by said amendment and insert in lieu thereof the following:

"Purchase of seed grain for drought-stricken areas: That the Secretary of Agriculture is hereby authorized, for the crop of 1921, to make advances or loans to farmers in the drought-stricken areas of the United States, where he shall find that special need for such assistance exists, for the purchase of wheat, oats, barley, and flaxseed for seed purposes and when necessary to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $200. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $2,000,000, to be immediately available."

Mr. LONGWORTH. I could not distinctly hear the reading. I would like to ask the gentleman from Minnesota if there is any change in the proposed amendment except the substitution of "$2,000,000" for "$5,000,000"?

Mr. ANDERSON. Yes. In addition to that, it changes the maximum amount which can be loaned to each farmer to $200 instead of $300, and includes, in addition, under the grains upon which the loans can be made, flaxseed.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MANN of Illinois. It is assumed that the people who raise flaxseed know that it is not a grain, when by law the gentleman would have it considered as a grain. The gentleman has a provision which I think is the same as the Senate amendment, whereby an agreement with the farmer is made to use the seed obtained by him for the production of grain. I think it will be difficult to get the farmer to produce grain by sowing flaxseed. However, that may be technical; I do not know.

Mr. MONDELL. Is it the thought of the gentleman that flaxseed would not be included in the seeds that may be purchased?

Mr. MANN of Illinois. He has named flaxseed.

Mr. ANDERSON. The Supreme Court of Minnesota has held that flaxseed is not grain, and I think the same thing has been held in other States.

I ask unanimous consent, Mr. Speaker, to modify my amendment by inserting after the word "grain," at the end of the second sentence, I think it is, the words "or flaxseed."

The SPEAKER. The gentleman from Minnesota asks unanimous consent to modify the amendment. The Clerk will report the modified amendment.

The Clerk read as follows:

Mr. ANDERSON asks unanimous consent to modify his amendment by inserting after the word "grain" in the first sentence the words "or flaxseed."

The SPEAKER. Is there objection to the modification?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. BYRNES of South Carolina. I want to know if the gentleman is going to make a statement about this, because I am opposed to the motion, and I would like to make a short statement concerning it.

Mr. ANDERSON. I want to make a short statement myself, and then I shall be glad to yield to the gentleman from South Carolina or any other gentleman who desires to discuss the proposition, within limits, of course. How much time does the gentleman desire?

Mr. BYRNES of South Carolina. I want to have some time in which to discuss it. The Senate amendment involves $5,000,000 and is offered at the closing days of the session. I would like to have 20 minutes. It should be explained what is to be voted on. I may not use that much time myself, but I think we should have at least 25 minutes over here on this side.

Mr. ANDERSON. Mr. Speaker, the amendment now under consideration authorizes the Secretary of Agriculture to make advances or loans to farmers for the purpose of purchasing seed, or to procure such seed and sell it to the farmers in the drought-stricken sections of the United States. The Senate amendment limited the amount to be loaned to one farmer to $300, and carried an appropriation of $5,000,000. The amendment which I have offered, in addition to adding flaxseed to the grains which might be purchased, or for which loans could be made, reduces the amount which can be loaned to any farmer from $300 to $200, and the appropriation is reduced from $5,000,000 to $2,000,000.

In fixing the amount at $2,000,000 I undertook to fix it at the lowest amount which I thought would meet the requirements in these sections of the country, as I understand them to be. While the amendment in its terms applies generally to the United States, it is my understanding that the sections chiefly affected by the amendment are North and South Dakota and Montana. A very small portion, if any, of South Dakota is affected by the drought. The drought exists for the most part in spots over the entire State of North Dakota, and very largely over the entire State of Montana. Some counties are very much worse off than others. I understand that in North Dakota 35 out of 53 counties had a practical crop failure last year, and a practical crop failure the year before. In some sections there have been more than two successive crop failures. There are sections of Montana in which there have been three and four successive failures of crops. In these sections the people are entirely destitute. Their condition is not only pitiable but desperate—so desperate that during the last winter the National Red Cross made an allotment of $50,000 to relieve the distress in Montana and in parts of North Dakota, which was supplemented by funds and by help from district and local Red Cross chapters.

There is not any doubt in my mind that these people are in desperate need. The whole question, as I see it, is whether it is a matter in which the Federal Government is justified in making an appropriation. If the counties concerned were in such a condition as to permit them to take care of the situation, it seems to me clear that the Federal Government ought to make no appropriation. But, as a matter of fact, because there have been successive droughts, the counties have loaned up to the limit allowed by law. They can not sell any more bonds for the purpose of making these loans. I understand the finances of the State of North Dakota are in such a condition that the State is unable to sell its bonds, and consequently unable to take care of the people in these drought-stricken sections. In Montana the counties are in very much the same situation as they are in North Dakota. I am told that the State has a constitutional provision preventing it from issuing bonds for the purpose of relieving this distress.

Mr. COPLEY. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. COPLEY. What is the reason that the State of North Dakota can not sell its bonds?

Mr. ANDERSON. I think the reason is because the State of North Dakota has a government which is not sufficiently stable so that people who have money are willing to loan it upon the bonds of the State.

Mr. COPLEY. Will the gentleman yield for another question?

Mr. ANDERSON. Yes.

Mr. COPLEY. Who selected the State government of North Dakota?

Mr. ANDERSON. The gentleman knows as much about that as I do. I suppose the people of North Dakota selected it.

Mr. SNELL. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. SNELL. Who will administer these loans, provided they are granted?

Mr. ANDERSON. They will be made through the Secretary of Agriculture, and I understand the same procedure will be followed as was followed in the case of the $5,000,000 allotment that was made by the President for the purpose of making loans in this section and in the Southwest in 1919.

Mr. SNELL. Did he depend on local representation in making these loans?

Mr. ANDERSON. No; the work was done, as I understand, through the Treasury Department and the Federal reserve banks and the local banks.

Mr. SNELL. I was going to ask the gentleman whether people who have had such an irresponsible State government of their own would have anything to do with the distribution of this money if it were granted to them?

Mr. ANDERSON. That would be a matter within the discretion of the Secretary of Agriculture under this amendment. I should hope, so far as I am concerned, that these loans will not be made through the local governments.

Mr. SNELL. I certainly hope so; and I think everybody else does.

Mr. ANDERSON. I think the Secretary of Agriculture would take that view.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. SMITH of Michigan. Is the seed grain to be purchased by the Agricultural Department and then furnished to the farmers, or will the Agricultural Department hand the money over to them?

Mr. ANDERSON. It might be done in either way under this amendment. The Government could purchase the grain and furnish it, or it could make a loan under conditions which would insure that it would be used for the purpose of seed grain by the farmers and that the seed grain would be planted by them.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. BANKHEAD. Does the gentleman know of any legislative precedent in past Congresses for an appropriation of this character, of money to be loaned directly to individuals?

Mr. ANDERSON. I do not know of any direct legislative precedent that I can call to mind at the moment. If my recollection serves me correctly, I think the House passed a law for this purpose two or three years ago, during the war, but that bill did not pass the Senate.

Mr. CANNON. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CANNON. Is not this substantially a gift? They have nothing to mortgage, have they?

Mr. BUTLER. No.

Mr. ANDERSON. No; they are mortgaged to the limit, as I understand it. Of course, the gentleman understands that there will go with this a lien upon the crop to be grown with the seed; not only a lien upon the crop grown from the seed thus furnished or bought with the money that is loaned, but a lien on the entire crop grown by the farmer. The situation in that respect is this: In my judgment, if these sections of the country get a crop this year, a very large percentage of the money will be paid back. If they do not get a crop, in all probability there will be a very small proportion of the money paid back. I base that upon the fact that in 1919 the President gave the Secretary of Agriculture an allotment for this purpose, and in the Southwest, where the seed planted was succeeded by a crop, 90 per cent of the money came back, but in those sections where there was a succeeding crop failure a very small proportion of the money came back. So that, in my judgment, it depends on whether they get a crop or not; and, as there have been two or three failures, the gambling percentage is in favor of their getting a crop this year.

Mr. HICKS. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HICKS. I understand three or four years ago we loaned some $4,000,000 for a proposition of this kind.

Mr. ANDERSON. Four million and a half.

Mr. HICKS. How much of that money has been returned to the Treasury of the United States?

Mr. ANDERSON. I understand that about one-third of it has been returned, and that practically all of that which was returned came from the section where they made a crop following this loan and the planting of the seed which was purchased by it.

Mr. HICKS. Is not the section to which we loaned the seed three or four years ago the same section to which this loan will apply?

Mr. ANDERSON. Part of it is.

Mr. HICKS. Was there not a proviso in the previous loan which provided that if the crop of wheat did not exceed 10 bushels an acre, the loan would not have to be returned to the Government?

Mr. ANDERSON. No; the gentleman is in error about that. There was no such proviso in the regulations attached to the loan. But last year the appropriation bill carried a provision to the effect that where the yield had been less than 5 bushels an acre the amount should be remitted. That was not the exact language, but that was the effect of it. Some of it was remitted in this way which under other conditions would have been paid.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. As I understand it, this advance is to be made entirely in the event of drought?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. And not by reason of any unfavorable conditions that exist elsewhere, but by reason of local, physical conditions occasioned by the weather, resulting in the failure of crops.

Mr. ANDERSON. Exactly. This results from elemental conditions over which the Government and Congress can exercise no control.

Mr. CHINDBLOM. It would furnish no precedent for other interests to come to Congress and seek aid because of the disadvantage they labored under by economic conditions.

Mr. ANDERSON. I should say not. We have appropriated money in cases of disaster by fire and flood. In the section represented by my friend from South Carolina we appropriated at one time $540,000 on account of flood conditions existing there. This does not create any new precedent which would bring in other applications in the future.

Mr. SNELL. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SNELL. Is not this a different proposition than where you appropriate money to relieve disaster by flood or fire. This condition has prevailed in this territory for three years.

Mr. ANDERSON. For two years in a part of it, one year in a part, and in some others three and some four. I will say frankly to the gentleman that I think it would be a sound economic result if many of these people would move away from these places where there is no prospect of making successful agriculture. But the gentleman knows that the production of wheat in this country, which is the bread of this country and of the world, grows largely in this section of the country where wheat raising is normally precarious, and we must have wheat raised there or we will not have wheat enough to supply ourselves and have any surplus for export.

Mr. SNELL. Is not there a good supply of wheat in the country at the present time, and there has not been any raised in this country out there for three years?

Mr. ANDERSON. There was at the beginning of the present crop season a small surplus, but I do not apprehend that there is any surplus at present. The gentleman from New York will realize the possibilities of getting a crop of 600,000,000 bushels this year and 1,000,000,000 the next year from the same acreage, but if you reduce the crop acreage you may have a situation that would be disastrous.

Mr. FESS. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. FESS. Is not the language in lines 24 and 25 giving power to the Secretary of Agriculture to say whether the need does exist very broad? What will be the basis upon which that judgment will be reached, that the need is such that the Government should do it?

Mr. ANDERSON. I think that resolves itself into a much more practical thing than is indicated by the gentleman's inquiry. As a matter of fact—we might as well be frank about the matter—the only section that I know of that this applies to is a section of North Dakota—possibly a part of South Dakota and Montana.

Mr. FESS. If the gentleman will remember, in 1914 representation was made here to us from the South of the cotton-stricken section, and this same relief was asked for. We declined it on the basis that the need did not appeal to us sufficiently and that we ought not to enter upon this sort of legislation. We

did do something two years ago, I think. I would like to know whether the gentleman knows what was the result of our effort.

Mr. ANDERSON. I have already answered that. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Speaker and gentlemen of the House, there is more involved in this piece of legislation than simply an appropriation of two or five million dollars. If the appropriation was alone involved, it would be worth while to discuss it, because $2,000,000 is quite a sum of money. But there is a question of policy involved, and I want every gentleman to listen to the discussion of the proposition.

There is this question of policy involved: If you vote for this amendment of the Senate, or for the substitute amendment that has been offered by the gentleman from Minnesota [Mr. ANDERSON], you are voting not only for the appropriation but you will begin a new policy of this Government, and that policy is that the Government makes direct loans to the private citizen of this Nation—going into the banking business. That is the proposition involved. Now, if you want to embark on that policy, vote for the amendment placed in the bill by the Senate or for the substitute, because that contains this new policy on which this Government is beginning to enter. As far as I am concerned I do not think it a correct policy. I think it is a dangerous policy, and the danger is shown in this very piece of legislation. What do you gentlemen know about the necessities of the section of the country to which this money is to be carried? I know nothing except the statements that have been made here this morning. This matter was not brought before the Committee on Agriculture during the present session of Congress. We had no hearings upon it, and if you embark upon the policy now you do it without any congressional investigation; you do it simply by a floor amendment. It is a dangerous policy for this Congress to enter into. Legislation such as this ought not to be passed. If you have a right to relieve the distress by making these loans in this section of the country, why do you stop with that kind of distress? I can take you to the great section of the country from which I come. We made a wonderful crop, and yet we are afflicted because of the fact that we have no market for that crop. The farmers throughout the entire South are bankrupt and unable to finance another crop this year. If it is right because of drought to extend loans as you are undertaking to do here, why is it not right for the Government to grant aid when a great section of this country suffers from another calamity, and why should they not come and ask loans at the hands of the Government? I am not in favor of their doing it. I think it is a wrong policy to enter upon. I think private enterprise should take care of these things, and if we enter upon this policy now, I tell you that it will rise up to give you trouble every year that Congress shall meet. More and more we are asking this Government to do too much for the private citizen. We are more and more encouraging the private citizen to come to Washington, that he may have some aid from the Treasury of the United States, and when you are doing that you are undermining the principles on which our Government is founded.

I do not want that time to come when the private citizen in my district and in the other districts of the Nation shall look to the Government as a parent of the citizen and appeal to it as a parent. I would rather have them understand that the Government is their Government, protecting their liberties and their rights, and that they owe the Government the responsibility of supporting it. I am not in favor of this policy, and I shall vote against both the Senate amendment and the substitute offered by the gentleman from Minnesota [Mr. ANDERSON]. [Applause.]

Mr. ANDERSON. Mr. Speaker, I yield 10 minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Speaker, this amendment comes as a result of Senate bill 2508, which was an act to appropriate $5,000,000 for the purchase of seed grain to be supplied to the farmers in the drought-stricken areas of the United States. That bill passed the Senate on February 21, 1921. A reference to the CONGRESSIONAL RECORD of that day, on page 3531, in the remarks of the Senator from North Dakota [Mr. GRONNA], discloses the fact that he spoke as follows:

> I am glad to say the farmers are not affected in the eastern portion of North Dakota, or even in the central part of the State, but in the western part of the State, and over a large area in Montana, and in the western part of South Dakota, and in many other sections the farmers are absolutely helpless and will not be able to purchase seed grain.

On page 3534 I find, when a question was asked as to what amount of money would be necessary in each State, the following statement was made:

> I have made an estimate as to what other States will require. It may not be absolutely correct, but I believe the State of Montana will require at least two and a quarter million dollars, the State of North Dakota will require one and three-quarter million dollars, and the State of South Dakota will require at least one million dollars to help out in this great emergency.

Mr. Speaker, this presents a peculiar situation. Gentlemen come to this Congress asking for an appropriation of $1,000,000 to help the farmers of South Dakota, when, so far as I have been able to find out, so far as my colleague, the gentleman from South Dakota [Mr. CHRISTOPHERSON], has been able to find out, not one farmer is seeking this sort of an appropriation to purchase seed wheat. I do not deny, and I believe it to be true, that the State of Montana does need assistance and that the State of North Dakota does need some assistance. I am going to give some reasons for that in addition to the drought.

Mr. YOUNG of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Not now. Here are two States, North Dakota and South Dakota, carved out of one Territory, the same number of people in each State, each entering statehood with exactly the same kind of laws. To-day the State of South Dakota has borrowed in the open market $30,000,000 at from 5 to 6 per cent and has loaned it to its farmers, and it has no difficulty in selling its bonds and taking care of its citizens and attending to its obligations. It has had few bank failures, and conditions are such that we do not come to this Congress asking for an appropriation from any source with which to buy seed wheat or to purchase anything else. In North Dakota the State government is bankrupt, large numbers of banks have failed, and the people are facing disaster. Those two States lie side by side, and in South Dakota we collect from the people through the Red Cross to help the people of the adjoining State of North Dakota. The reasons for that are clear, and it is because in North Dakota a few years ago there was gathered together a great bunch of political agitators, long-haired socialists, I. W. W's, bolshevists of all kinds, who deluded the good citizens of North Dakota, and they entered into a line of experiments that have absolutely bankrupted the people of the State and its government to such an extent that you could not sell their State bonds on any market in the world. In order to give them an opportunity to put in a crop this year it is probably necessary for us of South Dakota and you of the rest of the United States to come in and take them out of the difficulty into which they inserted themselves. That is the reason I am going to vote for this bill, and the only reason, because I know there is a class of people in North Dakota who are not bolshevists any more than the rest of you. I know there are people in North Dakota who feel worse than anyone else in the world because their banks have broken and because the people have lost their money. I do not want to punish those few people because the majority in North Dakota fell into this trap that had been so carefully prepared for them by the Industrial Workers of the World, by the radical wing of the Socialist Party, and by the bunch of men who came in there and operated upon the farmers of that State by going out and assessing them $16 each upon the theory that they could perfect a form of government better than had ever been perfected in all the history of the world.

Mr. YOUNG of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Not until I have finished my statement. I want to repeat that in voting for this I am voting for it against my better judgment, because the majority of the people of that State put themselves in the position in which they find themselves when they surrendered to the bunch of men who came in there for personal gain and not to help the people of the State.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. In a moment I will yield. I call attention to the fact that to-day, while there are two Nonpartisan League Representatives in this House from North Dakota, Mr. BAER and Mr. SINCLAIR, neither one of them nor any person connected with the Nonpartisan League seems anxious to give this bill any assistance or is willing to answer any questions, but the fight for this bill devolves upon the gentleman from North Dakota [Mr. YOUNG] and the gentleman from Montana [Mr. RIDDICK], both of whom have been advocating sound legislation for many years.

And the question should be asked by the people of North Dakota, Where were their Representatives of the Nonpartisan League when this question came before the House of Representatives for action on this particular day? I yield to the gentleman from North Dakota.

Mr. YOUNG of North Dakota. I think it is only fair to say that Mr. SINCLAIR is present and supporting this bill.

Mr. JOHNSON of South Dakota. Does the gentleman really think that he should reply for Mr. SINCLAIR with respect to the statements I have made?

Mr. YOUNG of North Dakota. I am only answering the statement whether he was here and supporting this bill.

Mr. JOHNSON of South Dakota. Undoubtedly the other gentlemen to whom I have referred will secure time from the gentleman from Minnesota to discuss their banking law and some of the statutes. I now yield to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. I understand there is a million dollars of this for South Dakota. The gentleman is not going to vote for that; he is going to move to strike that out, is he not?

Mr. JOHNSON of South Dakota. I will say that the chairman of the subcommittee [Mr. ANDERSON] reduced that appropriation from $5,000,000 to $2,000,000 largely because of the fact we are not asking for something for South Dakota. We do not want it ourselves. [Applause.]

Mr. FESS. Will the gentleman yield for a question?

Mr. JOHNSON of South Dakota. I will yield to the gentleman from Ohio.

Mr. FESS. Would the gentleman state what is the situation fiscally in respect to the banks of North Dakota?

Mr. JOHNSON of South Dakota. It will be a pleasure to answer. I will say to the gentleman that a great number of banks of North Dakota failed because this long-haired socialistic crew I have mentioned before formed a State bank. They gathered the liquid capital of the State up and put it into unsound loans and long-time loans so nobody could ever get to it, and those who received this money have not been able to pay back this money into the central bank.

Mr. FESS. One other question. Is it not true that it is money they want rather than seed?

Mr. JOHNSON of South Dakota. I would say to the gentleman that there is no question in my mind that they need money out there and will need a great many more millions if they continue their present system of government.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. SMITH of Michigan. That is, whether the State is under the same government now, of this bolshevik, I. W. W. crew, as the gentleman described it?

Mr. JOHNSON of South Dakota. I would say to the gentleman there has been some little change in the last two years when they returned to sanity in one legislative body, and after the experience they have had they will probably turn all of these socialists who have come to North Dakota back to the place from whence they came and the State will probably be conducted upon a sane basis.

Mr. SMITH of Michigan. I understand they are trying to extend their form of government in some of the other Western States.

Mr. JOHNSON of South Dakota. I will say they are trying to extend their form of government to States such as Kansas and Nebraska, but I have too much confidence in the intelligence, integrity, and judgment of the people of those States to believe they will get very far with that, especially when they learn the facts about North Dakota.

Mr. COPLEY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. COPLEY. How is it that this bolshevik government there did not issue paper certificates for State indebtedness which might be used to pay the farmers who voted to put them in office for their products?

Mr. JOHNSON of South Dakota. I would say to the gentleman from Illinois I have been trying to answer that question, and there is no certificate of indebtedness to be issued in the State by the present government in North Dakota that any intelligent man would buy expecting he would be paid unless they return to sound governmental economic principles. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ANDERSON. Mr. Speaker, I yield 20 minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, I know that in the closing days of a short session many things are put through which would never see the light of day at any other time, but I am not ready to believe that this House is going to concur either in the Senate amendment or in the motion made by the gentleman from Minnesota. I represent an agricultural district, and I know I am in sympathy with the farmer. I know the distressed condition existing in many States of the Union to-day, but I believe of all the propositions that have ever been submitted to this Congress there is none so lacking in merit as this. The gentleman from South Dakota [Mr. JOHNSON] referred to the fact that this proposition passed the Senate as a separate measure on February 21. It is pending in the Committee on Appropriations. As a separate measure it would never be reported from any committee of this House. If reported to the House not a handful of men would ever vote for it. The only chance for consideration is that in the closing days of this session it is tacked on an appropriation bill and comes back to the House and you are asked to agree to it in order to pass the appropriation bill. An appropriation of $2,000,000 for no reason other than that if you do not now agree you may cause the conferees to remain out longer upon this bill. Now, I want to tell you what is proposed, and I think $2,000,000 worth talking about. I wish that before Members of the House vote upon this proposition they could go down in the Sergeant at Arms' office and make out their income-tax returns. I believe they would devote serious thought to it. But here is the proposition:

> That the Secretary of Agriculture is authorized to make advances or loans to farmers in the drought-stricken areas of the United States where he shall find especial need for such assistance exists, for the purchase of wheat, oats, barley—

And so forth.

Where is this drought-striken area? Who contends there is such an area? The chairman of the Committee on Agriculture of the Senate, Senator GRONNA, of North Dakota, says there is a drought-stricken area. The gentleman from South Dakota [Mr. JOHNSON] states that he has not had a request for assistance from any man in his State. What does the Secretary of Agriculture say? Why, when the Senator from North Dakota presented this measure to the Senate he was asked whether or not the Secretary of Agriculture was in favor of it. He said that he thought the department was, though the Secretary of Agriculture said it was a matter for Congress to consider.

Now, I want you to listen to this letter from the Secretary of Agriculture to Senator GRONNA, if you desire the facts before you vote $2,000,000 or $5,000,000 out of the Treasury. Senator GRONNA sent his resolution to the Secretary of Agriculture, and this is the response of the Secretary:

> I have had careful inquiry made in the several bureaus of this department whether information has been received to indicate that there is any serious shortage of seed grain in any part of the country. All information which the department has indicates that there is at least a normal supply of seed grain, including wheat, oats, and barley, in practically all portions of the country where these grains constitute important crops.
>
> The conditions existing in the spring-wheat belt are, no doubt, distressing, as they are in other sections of the country, including even the corn belt, where recent settlers and tenant farmers have been unable to dispose of their crops at prices which would clear off the indebtedness incurred in their production.

Now, can any gentleman construe that letter as meaning that the Secretary of Agriculture believes that this is a wise measure?

Mr. BUTLER. What is the date of the letter?

Mr. BYRNES of South Carolina. It is dated February 11—two weeks ago.

I want to go on and prove this case.

Mr. SMITH of Idaho. Will the gentleman answer an inquiry?

Mr. BYRNES of South Carolina. Yes.

Mr. SMITH of Idaho. The Secretary referred to the fact that the farmers in the corn belt have been unable to sell their crops. Consequently they have plenty of seed. This appropriation is for the relief of farmers who had no crop last year or the year before, and have no money with which to buy seeds.

Mr. BYRNES of South Carolina. But the Secretary says it is not so. He says that he has information from the several bureaus that there is no shortage of seed grain in any part of the country; that all of the information the department has indicates that there is at least a normal supply of seed grain, including wheat, oats, and barley, in all sections. And I am going to prove that that is true.

Mr. SMITH of Idaho. Will the gentleman yield further?

Mr. BYRNES of South Carolina. I can not, because I want to prove that statement.

Here is the Monthly Crop Reporter, dated December, 1920. I will ask gentlemen to listen to this. If anybody thinks there is a condition demanding relief, let him look at the figures. Here are the official figures.

Spring wheat, 1920, the average production was 10.8 per acre, the country over. Let us see what happened in North Dakota. In North Dakota you will find the average production was 9. It only lacked 1 bushel per acre there of meeting the average the country over.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. BYRNES of South Carolina. I can not. If I get through my statement, I will.

To be specific, in 1920, the production in North Dakota was 68,400,000 bushels, and the production the year before, 1919, was only 55,200,000, or 13,200,000 bushels increase over the previous year. Talk about a shortage! You have increased the production. Now, let us see about other crops. Here is barley. In North Dakota, in 1919, the production was only 13,800,000. In 1920, this past year, it was 22,680,000.

Mr. KNUTSON. Will the gentleman yield?

Mr. BYRNES of South Carolina. When I get through this statement I will.

Mr. STRONG of Kansas. Can you give us Minnesota?

Mr. KNUTSON. Minnesota is not in on this.

Mr. BYRNES of South Carolina. There is no statement from anybody as to what they need, except from the Senator from North Dakota.

Mr. STRONG of Kansas. How is Montana?

Mr. BYRNES of South Carolina. Montana, in 1919, produced of spring wheat 8,500,000 bushels; in 1920, produced 15,950,000; and of barley, where it produced only 540,000 bushels in 1919, it produced, in 1920, 1,540,000, an increase of a million bushels. Those are the latest figures.

Mr. SMITH of Idaho. Will you give us the acre production?

Mr. BYRNES of South Carolina. Yes; I will tell you that. In the case of North Dakota the acreage was 7,600,000 in 1920 and 8,000,000 in 1919, so that on a smaller acreage in 1920 they have produced 13,000,000 more bushels of wheat. I am glad the gentleman suggested it to me. I forgot it. But that is the case. Who says they need it? The Senator from North Dakota. You pass this, and tell the Secretary of Agriculture to look after it, and where is he going to find this drought-stricken area? He says he does not know. What are you going to force him to do? To go to the CONGRESSIONAL RECORD to find out what you intended, because there alone can he find it. Now, if he looks at the RECORD, what will he find? He will find that the Senator from North Dakota, the chairman of the Senate Agricultural Committee, states that this distribution must be made immediately in the State of North Dakota. When the question is asked as to how he shall attempt to distribute this $5,000,000, this $300 to any fellow who wants to borrow, he is told by the chairman of the Agricultural Committee of the Senate that the commissioners and the county attorneys have announced their willingness to attend to it. Now, think of that! Just think of $5,000,000 or $2,000,000 being turned over to your county commissioners and mine for distribution. One of the faithful will present himself to the commissioners and say, "I want $300." If the applicant has been loyal to the nonpartisan organization in North Dakota, you know that the commissioner has got to give him the maximum. If you are going to throw away $2,000,000, why not give it to the Congressmen and let them distribute it when they get back home. If you are going to be asked by people who are in a bad fix for a little loan, why not let us, instead of the county commissioners, loan the Government money? It is a cinch. [Laughter.] My friend from Ohio, Mr. FESS, asks about it as a business proposition. The gentleman from North Dakota will tell you that this money will be paid back. They said so in 1918, when they asked for a similar appropriation. They said they had to have assistance in order to increase food production during the war, and the President came across with $5,000,000 out of his presidential fund, and it was loaned out there through the Federal land banks. They had a guaranty provision that if a fellow produced over five bushels to an acre he had to chip in to help out the fellows who did not. Kansas and Oklahoma paid back nearly 100 per cent and helped the other fellows. But let us see what was done by the North Dakota farmers in whose behalf this aid is asked.

Their loans were handled out of the St. Paul bank; the disbursements in the form of loans amounted to $358,370, and they paid back only $69,012—a little less than 19 per cent. Of course, they did not pay it back.

Then what happened? In the Senate they tacked on an amendment to the last agricultural bill to the effect that any farmer who produced 5 bushels or less should have his note canceled, and they have got the clerks down there as busy as a one-armed paperhanger canceling notes to-day. [Laughter.]

The State of Montana was handled through the Spokane Land Bank. They loaned out of the Spokane Land Bank $1,950,000, and up to date they have got back but $10,073. A great business! The best business in the world. Gentlemen admit there is nothing to that. They admit there is no drought-stricken condition demanding charity, but they admit that some of the banks up there are in bad, and this is the way they are going to try to cure it. They are going to tell these socialists that my friend from North Dakota was talking about that, inasmuch as the State has got in bad by going into the banking business, they will also put the United States Government in bad by going into the banking business.

Mr. LONGWORTH. What was the rate of interest?

Mr. BYRNES of South Carolina. Six per cent. Those who paid up paid that rate. But you are going to cure the socialism of North Dakota by putting the United States in the very socialistic business that you condemned on the part of the Nonpartisan League.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. MADDEN. Of course, they could agree to pay any rate of interest if they did not intend to pay the principal?

Mr. BYRNES of South Carolina. Yes. They might agree to pay 50 per cent. I have a friend who says he never refuses to sign a petition or to sign a note at any rate of interest, because he never intends to pay. [Laughter.]

If you adopt the motion of the gentleman from Minnesota, you will instruct your conferees, who up to this time have been standing out against the whole thing, to stand for $2,000,000. The Senate conferees say they want $5,000,000. I have no criticism to make of the Senate. Nobody can do that here with propriety; but, my friends, I wonder what would happen if some part of that senatorial courtesy should be transferred over here. For instance, if I advocated a proposition of this kind here and you asked me why I did it, I would say, "The gentleman from Arkansas [Mr. WINGO] is interested in it. This is his item." [Laughter.] But I suppose the small amount of $5,000,000 between friends is not to be considered in the closing days of the session. [Laughter.]

Mr. WINGO. Do not saddle this on me, even at the end of the session. [Renewed laughter.]

Mr. BYRNES of South Carolina. No; I know the gentleman is not for it. I happened to see you first. My friends, we must have some sanity. Talk about killing the bill! Let the Senate vote on this proposition. It is true they can tie up the bill. If they want to stick, let them stick. If it kills the bill, you will save from $2,000,000 to $5,000,000 for your people, and you could not put in a better day's work than that. As a separate measure this proposition could never pass.

Mr. MADDEN. Further than that, you will refrain from setting a precedent that should not be established.

Mr. BYRNES of South Carolina. Yes. This precedent will come back to haunt you year after year. You tell people when they are in trouble that the Government will lend money to them, as in this case, and whenever the banks want to be relieved they will start a similar agitation. If there was any justification for such an appropriation during the war as a war measure, there certainly is none now.

Who will collect this money? The county commissioner, I suppose, will go out in the fall and collect it. If he lends Tom, Dick, and Harry the money, do you think he would force them to pay it, especially if they supported him?

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BARKLEY. The Supreme Court has just held constitutional the farm loan act. Will that help?

Mr. BYRNES of South Carolina. Yes; it will help to the extent that the farm loan banks in that section have applications that have been approved. But if you put this thing in here they will not pay it. Nobody expects them to pay. The Government can not properly go into this business. I know that a proposition may be submitted here on any day which is regarded as ridiculous and that when the majortiy leaders change their minds and get behind it and make a motion to put it through that it becomes a perfectly legitimate function of government. But if you can transform this proposition into a legitimate function of government, I would like to know how you could do it. By doing this you are simply bringing Santa Claus to the farmers of North Dakota in the springtime. If you are going to send Santa Claus out to distribute $200 per man in North Dakota, why not send him into all the sections of the country that are in a bad fix? Do not let him go just to one man and make all the others dissatisfied. You will cause jealousy among the others. Before you vote to do it go downstairs and fill out your income-tax return. [Laughter.]

The majority leader asked me the other day on the floor whether I would help him hold down appropriations. I told him I would do my best to help. I would like to know now if he is willing to help hold down appropriations. If he does not help us defeat this raid, then we might as well throw up our hands and say, "On with the dance. Let joy be unconfined and appropriations be unrestrained." [Applause and laughter.]

The SPEAKER pro tempore (Mr. DOWELL). The time of the gentleman from South Carolina has expired.

Mr. ANDERSON. Mr. Speaker, I yield 10 minutes to the gentleman from North Dakota.

Mr. YOUNG of North Dakota. Mr. Speaker, first of all, I want to say that this is no place to wash North Dakota's political linen. I have neither time nor inclination to do it, and do not propose to be diverted from the real subject before us.

Wheat was one of the few commodities the price of which was controlled during the recent war. The day before the Government of the United States fixed a price on wheat it was selling for more than a dollar a bushel higher than it was selling on the day following, and the day after the control of the Government ceased wheat started to jump and rapidly went up to a point over a dollar a bushel higher than it was on the last day of Government control. The profits of the farmers were commandeered.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of North Dakota. No; I do not want to go into that question too far. It would eat up all of my time. But I want to say just this, that if during the entire period the price of wheat was under Government control the farmers had been able to obtain the normal market price there would not be any request here now from Montana and North Dakota for the Government to make loans for seed grain.

The gentleman from New York [Mr. SNELL] wanted to know whether there was not plenty of wheat now in the country. I want to tell you this: This proposition of foodstuffs for the Nation is something that the Congress ought to be thinking about. There is a situation now facing us and a situation that will face us in the next year or two where we may be taken to task for not having satisfactorily answered the question of where our people are going to get their bread.

In spite of the statements that the winter crop is looking well, I want to call attention to the fact that the winter acreage is very much reduced, and the spring acreage is certainly going to be very greatly reduced, according to every forecast and every estimate we can get from those who ought to know. There is a world shortage. Dr. Taylor, formerly connected with the Department of Agriculture, in the Saturday Evening Post, has very thoroughly discussed that situation and given the figures after returning from Europe where he studied the problem. There is an undoubted shortage of wheat, a very great shortage in Europe and other portions of the globe, and there is a shortage on this hemisphere. In the United States, for instance, two years ago this month we had a visible supply of 145,000,000 bushels, a year ago 75,000,000 bushels, and now 31,000,000 bushels, so you will see that the supply of wheat is being rapidly reduced. At Minneapolis and Duluth, for instance, a year ago there was a visible supply of 8,000,000 bushels of wheat and rye, as against a visible supply of 3,000,000 bushels at this time.

Mr. CAMPBELL of Kansas. That was in the elevators?

Mr. YOUNG of North Dakota. Yes.

Mr. CAMPBELL of Kansas. The farmers are not selling it now.

Mr. YOUNG of North Dakota. Pretty nearly all the wheat is in elevators, either in Minneapolis or out in the country. It has not been sold, but it has been hauled into town and put in the elevators, and it is visible. I was talking about the visible supply.

Mr. Speaker, something has been said about establishing a precedent, particularly by our friends on that side of the aisle. I want to call attention to the fact that the President of the United States set aside $5,000,000 out of his war emergency fund for this very purpose of making seed loans to farmers. Other precedents might be cited——

Mr. LONGWORTH. Will the gentleman yield for a very brief question?

Mr. YOUNG of North Dakota. Yes, indeed.

Mr. LONGWORTH. Does not the gentleman think that if the President will permit the bill that passed on Saturday to become a law it will greatly relieve this situation?

Mr. YOUNG of North Dakota. I think it would to some extent. It might not relieve particular areas which were so hard hit, but I think it would help the situation generally. I want to call attention to another fact, and that is that when the proposed appropriation was reduced by the committee from $5,000,000 to $2,000,000 it was with the distinct understanding that South Dakota was not wanting or asking for any of the seed under this appropriation. I hope the gentleman from South Dakota [Mr. JOHNSON] will bear this in mind.

The chairman of the committee has given you a statement as to the needs. I simply want to add this, that there was no guesswork at all about the number who require seed and who can not get it unless they get it from the Government. These statistics showing 8,533 farmers actually in need of seed in North Dakota were prepared with very great care by an actual canvass made throughout the drought areas, and I am satisfied that they are accurate and that they represent only those particular cases where it will be absolutely impossible to raise the money.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. YOUNG of North Dakota. Yes.

Mr. LAYTON. Evidently this money is not going for winter wheat, because that has already been sown everywhere. Is the money to be used for wheat for spring sowing?

Mr. YOUNG of North Dakota. Yes.

Mr. YATES. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. YATES. Do you favor the $5,000,000?

Mr. YOUNG of North Dakota. I am asking now for the amount that the committee has recommended—$2,000,000. It ought to be more. I fear many farmers who have made a brave struggle against adverse circumstances and conditions will not be taken care of because of the insufficiency of the appropriation.

Mr. BARKLEY. Will the gentleman yield there for a question?

Mr. YOUNG of North Dakota. Yes; certainly.

Mr. BARKLEY. The gentleman from Ohio [Mr. LONGWORTH] a moment ago suggested that the tariff bill which passed Saturday might relieve the situation. I understand that tariff bill practically prohibits the shipment of wheat into your State, does it not?

Mr. YOUNG of North Dakota. I do not yield for a discussion of the tariff. There is not time.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. ANDERSON. I yield to the gentleman three minutes more.

Mr. SNELL. Will the gentleman yield for a question?

Mr. YOUNG of North Dakota. Yes.

Mr. SNELL. What proportion of your country up there raises winter wheat and what proportion spring wheat?

Mr. YOUNG of North Dakota. It is entirely a spring-wheat area.

Mr. SNELL. Is the same true of Montana?

Mr. YOUNG of North Dakota. Yes. And I will say this, too, that most of the wheat in the United States is grown in areas where the crop is uncertain. It may not be good judgment for the farmers to continue to grow wheat, but if they do not continue to grow wheat we will be facing a serious situation. We have got to get our bread supply from somewhere, and I think it will be exercising good judgment for us in Congress to encourage the growing of wheat in the United States. It will cost our people much more if we become dependent upon other countries for our bread supply.

Mr. YATES. Will the gentleman permit one more question?

Mr. YOUNG of North Dakota. Yes.

Mr. YATES. On what basis was the amount of $2,000,000 arrived at?

Mr. YOUNG of North Dakota. A canvass was made to ascertain those who would require the seed, and they went only to those localities where it was known that the banks could not extend loans and where the county itself had gone to the limit of its bonded indebtedness and there was no possibility of raising the money in that way, and then in that area a canvass was made to find out how many would absolutely require it. Those are the only localities that were canvassed, and the names of those who simply asked for it were not all submitted. Upon the contrary, the list that was prepared and handed in to the committee represented only those who absolutely needed it.

Mr. BARBOUR. Will the gentleman yield for a question?

Mr. YOUNG of North Dakota. Yes.

Mr. BARBOUR. Can the gentleman state how long it has been since there was a crop in that section?

Mr. YOUNG of North Dakota. As the chairman of the subcommittee has said, that varies from one year to four years.

Mr. BARBOUR. Is this a section which does on an average yield an annual crop, or is the average yield once in two years, or three years, or four years?

Mr. YOUNG of North Dakota. Take, for instance, the county of Bottineau, which might be called representative of this area. In the last 20 years it has had crops more than half of the time.

Mr. BARBOUR. Are the crops large when they do have one?

Mr. YOUNG of North Dakota. The yield is never large in western North Dakota and Montana.

Mr. BARBOUR. Usually where there is a failure of crops for two or three years, when you do get one you get a pretty good one?

Mr. YOUNG of North Dakota. Hope springs eternal in the human breast. We think out there that this year, after a good

long wait, we will get a good, big crop of wheat, and I hope you will give those farmers in the drought-stricken areas a chance to produce it.

The SPEAKER. The time of the gentleman has again expired.

Mr. ANDERSON. Mr. Speaker, I ask that my time be extended 25 minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that his time be extended 25 minutes. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Speaker, I yield five minutes to the gentleman from Montana [Mr. RIDDICK].

Mr. RIDDICK. Mr. Speaker and gentlemen of the House, I wish to speak briefly and tell you of conditions that have come under my personal observation in relation to this matter. Under ordinary circumstances I would be opposed to paternalistic legislation of this character, as would the people of my part of the country. But the conditions which exist are not ordinary conditions. I personally know that thousands of people in Montana are facing not only terrific losses but actual ruin and that the passage of this measure is the only thing that can save them. The conditions are so unusual and so serious as to be in the nature of a catastrophe. One or two years of drought creates a serious situation even in the older farming sections.

Mr. MADDEN. Will the gentleman yield?

Mr. RIDDICK. After I make my statement.

Mr. MADDEN. I want the gentleman to yield right there. The gentleman spoke of drought. How does the gentleman account for the fact that the crop was so much larger in 1920 than in 1919?

Mr. RIDDICK. If the gentleman will permit me, I will answer that question in a moment. I said one or two years of drought in any farming community is a serious matter, even in the older sections of the country, where farmers have something laid by for a rainy day. But in the western country, where the young farmers have gone as pioneers and have started in with very little capital and where one crop failure wipes out nearly everything they have, three successive crop failures and four successive crop failures such as have been experienced in certain sections of Montana have brought distress and suffering beyond my powers to describe.

Now, answering the question of the gentleman from Illinois and in an effort to throw more light upon the statement made by the gentleman from South Carolina, who quoted statistics showing that Montana raised quite a wheat crop last year, permit me to say that there have been sections in Montana, including the irrigated sections, where tremendous crops have been raised even during these dry years. It is well known that under ordinary conditions the Montana crop yield per acre excels that of every other State in the Union, both as to wheat and other small grains, and some sections of Montana last year, which were favored by rain and where there was irrigation, produced yields as indicated. But we also have large sections of territory in Montana, larger than many Eastern States in extent, where there have been three and four years of successive crop failures. The young men farmers on this land, who have gone there from other States to reclaim and populate the West, own their land. They have their farm machinery ready to go to work, they have their work horses, and they are anxious to remain upon their farms and continue to produce, but to do so they must find some way to secure necessary seed. They are unable to get further credit at the banks. The merchants and the banks have heroically helped through this trying period. Some banks have had to close because their reserves fell below the legal limit; other banks are only able to maintain their legal reserves by extraordinary efforts. They can not extend further help.

The counties have extended credit up to the amounts permitted under the law. A constitutional provision makes it impossible for the State of Montana to extend its credit. Thousands of people are facing a situation where they will have to leave that country and add to the congestion in the crowded cities. They will have to abandon and lose their lifetime savings, and they will bring ruin to merchants and banks, that may spread no one can tell how far, unless aid comes quickly. This not only means financial ruin for thousands of people in that great State, but it will literally mean the breaking up of homes and heartbreaking suffering in many, many cases.

Mr. BARBOUR. Will the gentleman yield?

Mr. RIDDICK. I will.

Mr. BARBOUR. Can the gentleman state where the idea of coming to Congress for this relief originated?

Mr. RIDDICK. It originated in the minds of the people out there, who realize that there is now no other place to which they can turn for the only relief that can save them. At the last session of Congress I introduced this measure. It was given a careful hearing before the House Agricultural Committee, and on January 30 a year ago that committee made a favorable report on the measure without a single dissenting vote, as the records will show.

Mr. BARBOUR. Did the idea originate with the gentleman?

Mr. RIDDICK. With me and my friends in Montana. In the last few weeks I have filed in this Congress petitions signed by thousands of Montana farmers praying that Congress grant this relief.

Mr. BARBOUR. I am interested in this, because we have had three dry years in California and the grain farmers have suffered thereby, but it had not occurred to me to come and ask for congressional relief.

Mr. RIDDICK. I do not know about your needs in California, but in Montana the farmers are asking Congress for the relief which they can hope for from no other source.

Mr. JOHNSON of Mississippi. Is it not possible for these people to get relief by applying to the farm loan bank, which the Supreme Court of the United States has just held constitutional?

Mr. RIDDICK. Before the farm loan bank could function, even in the face of the favorable Supreme Court decision which has just been made, the planting season would be over and these drought-stricken farmers would have been compelled to face ruin and leave the State by thousands, and dire calamity would overtake them and that part of the country. Not only would thousands of farmers be ruined, but merchants who have been extending them credit and also the banks.

Now, I want to say just a word about the difference between the $5,000,000 seed loan two years ago and this proposed loan. The purpose of that loan was quite different from the purpose of this loan. While the war was on a great many people were doing necessary work under cost-plus contracts, which were yielding them large profits. There were strikes in some quarters for increased wages. By the fixing of the price of wheat any possible profits which wheat farmers might make was commandeered for the general good of our Army and the country. During that period the President loaned $5,000,000 out of his war emergency fund to be used for the purchase of seed, with the provision that if the crop yield was less than 5 bushels per acre the seed money borrowed would not have to be repaid.

The purpose of that loan was not particularly to help save a threatened calamity, but to stimulate the planting of wheat and the sharing of losses in case of crop failure between the Government and the individual farmers, who in the most favorable circumstances were prohibited from making much, if any, profit by the price-fixing arrangement. One of the reasons why our farmers are in peculiarly straitened circumstances now is because that while everybody else was permitted to make enormous profits during the war, they alone were discriminated against for the good of the whole country, and for that very reason, in addition to the other reasons, they have been unable to lay anything by for the lean years.

The experts of the Weather Bureau show by the curves indicating wet and dry seasons in Montana that the peak of the drought has been passed and that the situation promises to be a good deal better. While our Nation is so generously extending aid to China and Poland and other foreign countries in the way of loans and gifts, that suffering may be alleviated among these alien peoples, I urge that the Members of the Congress shall not harden their hearts to the dire need of our sturdy young American farmers who are doing the pioneering in the Western State of Montana. I hope you will vote to extend this needed relief in the way of a short-time loan which will be repaid promptly by a people who will in the future bless you for standing by them in their hour of need.

Mr. ANDERSON. Mr. Speaker, I yield five minutes to the gentleman from North Dakota [Mr. SINCLAIR].

Mr. SINCLAIR. Mr. Speaker and gentlemen of the House, I am strongly in favor of this amendment to the Agricultural bill, notwithstanding the fact that the gentleman from South Dakota said that I was not on the floor of the House. I have been here continuously since the session opened, and have been working for this proposition for a long time. I feel that this appropriation is justified because of the peculiar conditions that exist in the new homestead region of western North Dakota, the eastern part of Montana, and other portions of the country. Everybody knows that this part of the United States has been suffering for the past few years from an almost unprecedented drought. And yet it is a region capable of producing millions of bushels

of the finest wheat that can be grown. The present deplorable conditions are not due to any fault of our farmers, and they have stuck nobly by their tasks in an effort to own their little homesteads. They have reached the limit of their individual resources. The various counties have rendered all the aid that the laws will permit. Now, as a last resort, they have come to their Government, asking, not charity, but simply for a loan that will enable them to continue their farming operations another year. In my opinion it is not only right but highly advisable for the Government to encourage agriculture in every way possible, for if the present trend to the cities and away from the farm continues this Nation will inevitably face a diminished production that will result in an infinitely increased cost of living. Only one-fourth of the arable land of the United States is now under cultivation. I believe the Federal Government should do all it can to keep the present farmers on the land, and it is our duty by proper encouragement to help distribute the population so that a parity between city and country may be maintained. If this is wisely done, our country will support a population of 200,000,000 just as comfortably as it does the present number. This problem, then, is one for business men as well as farmers.

If it is true, as has been stated on the floor of this House a good many times, that one farmer is as good a customer of the business and manufacturing interests of the country as four other individuals, then this amendment is certainly justifiable.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. SINCLAIR. Yes.

Mr. BARKLEY. For the last two years the tobacco farmers of Kentucky have been unable to market their crops because of the breakdown of the European market. They are very sorely in need of a loan. Will the gentleman support an amendment to this proposition to loan them money also?

Mr. SINCLAIR. I have not given that matter any thought. I do not believe the tobacco industry is on the same plane as the wheat industry. A man may want tobacco, but that is a luxury. When he wants bread he is hungry. That he needs every day.

Mr. BARKLEY. Besides that, the Government gets an enormous revenue out of the tobacco business.

Mr. SINCLAIR. I do not care to yield any further along that line. I want to say that just across the Canadian border the Government of Canada is offering inducements for settlers that are a great deal more favorable than any such thing as this. We can not afford to lose any of our settlers in the western part of the country. As soon as they have learned how to farm under new conditions, and have had a little more instruction from our Government upon the crops that will grow best, they will make a success, but in the initial period, in the early stages of homesteading they do need help. The Canadian Government advances loans to the extent of probably $2,000 in some cases to new settlers in Saskatchewan and Alberta, and they are entering into competition with our farmers here.

In five minutes I have not time to go into the program of the nonpartisan league. The gentleman from South Dakota [Mr. JOHNSON] stated that all of the farmers out there are bolsheviks. You never heard of bolshevists who were home owners and home lovers as my people are. They are struggling to own their own homes and live in them and they need a little assistance. The State government may have made some mistakes. I am not here to say that it has not, but certainly they have had sufficient cause and reason for the experimentation they are carrying on there. For over 20 years the farmers of my State have been at the mercy of the grain speculators. If, during this time, they had received the value of their work and product, it might not now be necessary for them to ask for help during the lean years. They are trying to build up their own individual homes and save their own individual property. If they have made mistakes, those mistakes have been of the head, rather than of the heart. They are patriotic, liberty-loving citizens, and compare favorably with any other class in the United States. Every State official that we have is a man of intelligence and integrity. Most of them have lived there for 30 years. Our governor is a university graduate and a very intelligent and able man. I think it is hardly fair for the gentleman from South Dakota [Mr. JOHNSON] to cast aspersions upon his character and motives. We have our own political differences up there and we are fighting them out, and if we have time I believe we will be able to settle them and settle them in a manner that is favorable and fair to the citizens of our State. [Applause.]

North Dakota has received a lot of unjust and unfair advertising that is unwarranted by the facts. Its financial condition is no worse than many other States dependent solely upon agriculture.

Mr. ANDERSON. Mr. Speaker, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the action proposed by the gentleman from Minnesota [Mr. ANDERSON] and the expenditure suggested is, it is true, unusual, but it is not without precedent by any manner of means. When I was a boy and lived in northwestern Iowa, there was a time when that section of Iowa and practically all of Nebraska and Kansas that was then settled was devastated for a period of years by hordes of grasshoppers, which destroyed the crops of the settlers. My recollection is that it was Congress that came to the relief of those people. At any rate, I remember very well as a boy the distribution of seed grain throughout northwestern Iowa, Kansas, and Nebraska.

The people with whom I lived did not have to borrow from the Government to get seed; they were rather fortunate, but many of our neighbors were only able to remain on their lands by reason of the fact that they were furnished seed. My recollection is that both Congress and the State of Iowa furnished seed.

Mr. CROWTHER. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CROWTHER. Does the gentleman think that the distress of these agriculturists is any greater than the distress of two or three million people in the industrial communities who are out of work now?

Mr. MONDELL. I do not know; I do not pretend to say. I do know that at various times in the settlement of the West it has been necessary for public agencies to come to the relief of the settlers. Very frequently it has been the State, and in this case perhaps it ought to be the States. There are some difficulties, however, apparently in securing the needed relief from the State. In North Dakota it is said that that is due to the fact that North Dakota has not been well governed during the last few years and that, due to that fact, the credit of the Commonwealth and its counties has been sadly lowered, and that the Commonwealth can not come to the relief of its people for that reason. If that be true, and I express no opinion on the subject, we ought to remember the need of the people, in view of the condition of the Commonwealth. So far as the State of Montana is concerned, that State has gone through a series of years of very severe drought, and many of the counties which have heretofore relieved their own people are, I am told, unable to furnish the relief required now.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield for a question as to that fact?

Mr. MONDELL. Yes.

Mr. BYRNES of South Carolina. Does the gentleman know that the production, according to the agricultural department, was higher in Montana than the average of the country?

Mr. MONDELL. It does not make a particle of difference whether Joe and Jack and Bill have produced more wheat if Jim and George have not produced any at all and are in dire need.

Mr. BYRNES of South Carolina. The State ought to be able to help them if the State has made a good crop.

Mr. MONDELL. The gentleman's statement does not prove anything.

Mr. BYRNES of South Carolina. I am quoting the statement of the Secretary of Agriculture.

Mr. MONDELL. In my own State we have had for years local organizations at our county seats that have helped the farmers during the trying period of early settlement in the matter of furnishing him seed grain.

We have been able to do that in the past, and we expect to be able to do it in the future. Let me remind gentlemen that furnishing relief is not a matter without precedent. In 1913 we appropriated $650,000 for the relief of certain flood sufferers in Mississippi, Ohio, and Alabama. In 1916——

Mr. SNELL. Will the gentleman yield for a question there?

Mr. MONDELL. I can not yield at just this moment. In 1916 we appropriated $540,000 for the relief of flood sufferers in the State of my friend who has just spoken in opposition to this amendment. North Carolina, South Carolina, Georgia, Alabama, and Florida were given—not loaned, but given—$540,000. Mississippi, Ohio, and Alabama had been given, not loaned, $650,000 in 1913 to relieve their distress caused by floods. We appropriated in all—we gave, we did not loan—$2,500,000 for the relief of the situation caused by the earthquake and the fire in San Francisco. So that the Congress has heretofore relieved distress by making direct gifts or grants. This is a loan. The gentleman from Minnesota who favors the amendment suggested that perhaps there was some doubt about the wisdom of settlers going upon some of those western lands in that unsettled region and trying to grow crops. I can well remember when the growing of the ordinary farm crops was considered a very uncertain thing anywhere west of the first tier of counties west of the Missouri River, in North and South Dakota, anywhere west of east-

ern Kansas or Nebraska, and when the farmer who went beyond the center of those States took his fortune in his hands and was compelled to endure the privations of years of drought. Through all that country there have been waves of devastating droughts that have driven settlers from their homes and left the country for a time in its original unsettled state. The settler having lost everything, his lands passed into the hands of loan companies and from them to new venturers at a low price, and the second or third crop of settlers finally completed the conquest. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. I would like to have five minutes more.

Mr. ANDERSON. I will yield the gentleman five additional minutes.

Mr. MONDELL. I helped build a railroad once, years ago, across Kansas, 52 miles without a settler the entire distance, but with a sod house, ruined and abandoned, on every quarter section of the entire area. [Applause.] It is true we did not relieve those people and help them hold on, but it would have been better if we had. They went back to their wives' folks in Missouri and elsewhere. They lost all they had, and finally the lands were bought up for a song. But now that part of Kansas blooms and blossoms as a rose. There is no man wise enough to say how far into the semiarid region you can successfully carry agriculture without irrigation. These people are trying to prove that you can carry agriculture successfully to the very foot of the Rockies [applause] and they have proven it as to considerable areas. But they have gone through three bad years, very bad years, of drought in Montana and North Dakota, and the question is, are you going to say to them, "Leave your farms, go back east and rent, or go to Canada where they are making loans to settlers."

Mr. MADDEN. What did they say to Kansas when she was in trouble?

Mr. MONDELL. Well, whenever Kansas needed help she got it; sometimes she got it from the Government, but generally those settlements had other settlements lying close to them that could help them out. It has so happened that northern Montana has suffered so long, her droughts have continued for so long, that the banks and the communities and the municipal organizations can not well carry those settlers along. The question is, shall we say to them, "Abandon your farms, give up the effort, go back whence you came, leave all of your efforts behind you as a total loss," or will we loan them $100 or $200 each with which to buy seed in order that they may make an effort another year? We may not get it all back, I am not sure we will, but we will get a large portion of it back, and we will get it all back if they make good, if they raise a crop. If they do not, it is possible that some of this country will yet have to be abandoned as agricultural country; I hope not, but let us help these people while they are making their trial. They are courageous and hardy; let us give them another chance. It will be a mighty good investment. [Applause.]

Mr. ANDERSON. I yield four minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER. Mr. Speaker, the people of my State are not unmindful, and certainly not ungrateful, of the favors extended by the General Government to those in need in the past. The gentleman from Wyoming [Mr. MONDELL] has correctly stated that in 1913 and 1916 help was given by the National Congress to flood sufferers in Alabama, Mississippi, South Carolina, Georgia, and Florida. The help so extended came at a time when our people were in need and without that help it would have been difficult, if not impossible, for people living in some sections to have replanted their crops that had been washed away by flood. So far as I am concerned, if the farmers of North Dakota are now in need of seed I shall gladly vote for this appropriation. [Applause.] There may be some—like the gentleman from South Carolina—who feel that sufficient proof has not been submitted to show any widespread need by the farmers of Montana and North Dakota, but may I call attention to the fact that this appropriation, if made, is to be placed in the hands of the Secretary of Agriculture, and he is only authorized to lend money to farmers living in drought sections, who actually need help for the purpose of enabling them to plant their crops? If there is no need, then no money will be lent, and certainly the appropriation, if made, is so safeguarded as to give assurance that it will not be unwisely or improvidently expended. I personally know that in wide areas of Alabama, Georgia, Florida, Mississippi, and South Carolina, the money appropriated by Congress for flood sufferers was wisely used. It certainly would be ill becoming of any Representative from those States, in whose districts national funds have been asked for and accepted, to now deny to North Dakota the help that her farmers are asking. [Applause.]

What matters it now whether the people of North Dakota have made mistakes in the past? They are the sufferers from such mistakes, and I am glad to know that they seem to be rapidly repenting. I recognize that much of the legislation passed in the State of North Dakota during the last few years has been extremely unwise, and will continue for some time to entail heavy loss on her people; but certainly that fact should not deter Congress from extending help to worthy farmers who are now suffering from a disaster which has left them penniless and unable to provide even seed for planting their crops.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. OLIVER. Yes.

Mr. JOHNSON of Mississippi. Why should we refuse to help the people of North Dakota when we are extending help to nearly all the European countries and to China? We have helped other sections of the United States, and why should we refuse to help these people?

Mr. OLIVER. Certainly there can be no reason why we should deny them help. I would not vote for this appropriation if it was not safeguarded; but this only seeks to place the money in the hands of the Secretary of Agriculture with authority to lend it where clear cases of need are shown, need arising from causes over which the sufferers had no control. Remember, he is only authorized to lend the money where he finds actual need therefor. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ANDERSON. Mr. Speaker, the gentleman from Kansas [Mr. CAMPBELL] says that Kansas has never asked or received aid from the Federal Government. I find upon examination of the records that of the $5,000,000 which the President allotted to provide seed for the drought-stricken sections of the United States in 1919 the State of Kansas received $943,000. [Applause.] I find that the State of Oklahoma received $773,000; the State of Texas, $292,000; the State of New Mexico, $16,000. Are these gentlemen from the States who received this money, and received it gladly, now going to vote against an appropriation to do for North Dakota and Montana the same things as were done for them?

Mr. MONDELL. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. MONDELL. Wyoming did not receive any of that.

Mr. ANDERSON. Not a dollar.

Mr. BLACK. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. BLACK. Is it not true that in that same year Montana and North Dakota received a large loan, and is it not true that Kansas, Texas, and Oklahoma paid back a much greater percentage of it than the other two States?

Mr. ANDERSON. Undoubtedly they did, because they got a crop yield that North Dakota and Montana did not get, a crop which was in part the result of loans made for seed from the $5,000,000 allotted by the President. The fact that North Dakota and Montana got no crop from that seed is not a reason for refusing this appropriation but a reason for giving it. We have appropriated $100,000,000 to feed the starving people of Europe. Ninety-three million dollars of that $100,000,000 has been spent, and with it we shipped some millions of bushels of wheat. Are we going to be more tender with the starving people of Europe than we are with the distressed and destitute people of our own country?

I have here a long list of cases in which the Federal Government has extended aid to destitute and desperate people. As far back as 1867 I find that the Federal Government made an appropriation of $50,000 for the purchase of seed to aid the destitute and drought-stricken sections of the South. I find that in 1875 the Congress of the United States made an appropriation for the purchase of seed to be used in those sections of the country that had been ravished by the grasshopper. That was an appropriation of $30,000, and in the same year we made an additional appropriation for the same purpose of $150,000.

Mr. MONDELL. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MONDELL. Then I was correct in my recollection that the Congress had provided for the grasshopper sufferers?

Mr. ANDERSON. The gentleman is correct in that statement.

I find that in 1882 the Federal Government made an appropriation for furnishing food to flood sufferers in the Mississippi Valley. I find that in 1884 Congress again made an appropriation to relieve flood sufferers in the Ohio Valley. Again, in 1897, the Congress made an appropriation to relieve flood sufferers in the Mississippi Valley. Are you gentlemen, whose constituents and whose predecessors gladly received this aid, going now to refuse to give the aid which is asked for the destitute people of North Dakota and Montana?

Mr. HUSTED. Does the gentleman from Minnesota consider the condition which exists in this area now comparable to the condition that existed as a result of the floods in the Mississippi Valley and the condition which existed as the result of the grasshopper pest?

Mr. ANDERSON. They are all the results of elemental hazards which the people in the communities can not and do not control.

I find that in 1913——

Mr. HUSTED. Have these people been brought to great destitution?

Mr. ANDERSON. I will say that they have been brought to such a degree of destitution that the National Red Cross made an allotment of $50,000 to furnish food and clothing to them during the winter, and they recommended to the district and local chapters of the Red Cross that they furnish such aid as they could under the circumstances.

Mr. HUSTED. Are they greatly in want of the necessities of life at the present time?

Mr. ANDERSON. I am told that the conditions with some of these are pitiable indeed. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman to recede and concur in the Senate amendment with an amendment.

Mr. TIMBERLAKE. Mr. Speaker, may we have that amendment reported?

The SPEAKER. Without objection, it will be again reported.

The amendment was again read.

The SPEAKER. The question is on agreeing to the Senate amendment as amended.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. ANDERSON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 82, noes 62.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from South Carolina demands the yeas and nays.

Mr. BYRNES of South Carolina. I make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety-one Members are present, not a quorum. The Doorkeeper will close the doors; the Sergeant at Arms will notify the absentees. As many as are in favor of the motion to recede and concur with an amendment will, as their names are called, vote "yea," and those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 151, not voting 94, as follows:

YEAS—183.

Ackerman	Evans, Nebr.	Kelly, Pa.	Purnell
Almon	Farr	Kettner	Quin
Anderson	Ferris	King	Raker
Andrews, Nebr.	Fields	Kinkaid	Ramsey
Ashbrook	Fisher	Knutson	Ramseyer
Babka	Focht	Kreider	Randall, Calif.
Bankhead	Fordney	Lampert	Randall, Wis.
Barbour	Frear	Langley	Ransley
Barkley	French	Lankford	Reavis
Benham	Fuller	Lazaro	Reed, N. Y.
Bland, Va.	Gallivan	Lee, Ga.	Rhodes
Boies	Gandy	Lehlbach	Riddick
Bowers	Glynn	Little	Robsion, Ky.
Bowling	Green, Iowa	Luhring	Romjue
Briggs	Greene, Mass.	McArthur	Sabath
Brinson	Griest	McDuffie	Sanders, N. Y.
Brooks, Ill.	Hadley	McKeown	Schall
Brooks, Pa.	Hardy, Colo.	McKinley	Shreve
Browne	Harreld	McLaughlin, Nebr.	Sims
Buchanan	Hastings	Magee	Sinclair
Burroughs	Haugen	Mann, Ill.	Sinnott
Candler	Hawley	Mansfield	Smith, Idaho
Cannon	Hayden	Martin	Smith, Ill.
Caraway	Hays	Mason	Smithwick
Carss	Hernandez	Mays	Steenerson
Chindblom	Hersman	Merritt	Strong, Kans.
Christopherson	Hickey	Miller	Strong, Pa.
Clark, Fla.	Hoch	Minahan, N. J.	Summers, Wash.
Collier	Houghton	Monahan, Wis.	Sweet
Cooper	Howard	Mondell	Swindall
Curry, Calif.	Huddleston	Moores, Ind.	Taylor, Colo.
Dallinger	Hudspeth	Murphy	Thompson
Davis, Minn.	Hull, Iowa	Nelson, Mo.	Timberlake
Denison	Humphreys	Nelson, Wis.	Tincher
Dickinson, Iowa	Hutchinson	Newton, Minn.	Towner
Dickinson, Mo.	Igoe	Nolan	Upshaw
Dowell	Johnson, Ky.	O'Connor	Vaile
Dunbar	Johnson, Miss.	Oliver	Voigt
Dupré	Johnson, S. Dak.	Osborne	Volstead
Eagan	Johnson, Wash.	Padgett	Walters
Elliott	Juul	Parrish	Wason
Esch	Keller	Patterson	Weaver
Evans, Mont.	Kelley, Mich.	Pou	Webster
Welling	White, Kans.	Wilson, Pa.	Young, N. Dak.
Welty	Wilson, Ill.	Woods, Va.	Zihlman
Wheeler	Wilson, La.	Yates	

NAYS—151.

Aswell	Elston	Longworth	Rouse
Bacharach	Fairfield	Luce	Rucker
Bee	Fess	Lufkin	Sanders, Ind.
Begg	Fish	McClintic	Sanford
Bell	Flood	McKenzie	Scott
Black	Foster	McLaughlin, Mich.	Sherwood
Bland, Ind.	Freeman	McLeod	Siegel
Blanton	Ganly	McPherson	Smith, Mich.
Box	Gard	MacGregor	Snell
Brand	Garrett	Madden	Snyder
Britten	Godwin, N. C.	Major	Stedman
Burdick	Gould	Mapes	Steele
Butler	Graham, Ill.	Michener	Stephens, Ohio
Byrnes, S. C.	Greene, Vt.	Milligan	Stevenson
Campbell, Kans.	Griffin	Montague	Stiness
Campbell, Pa.	Hardy, Tex.	Moore, Ohio	Stoll
Cantrill	Hersey	Moore, Va.	Swope
Carter	Hicks	Mott	Tague
Cleary	Hill	Mudd	Taylor, Tenn.
Coady	Hoey	Neely	Temple
Connally	Holland	Nicholls	Tillman
Copley	Hull, Tenn.	O'Connell	Tilson
Crago	Husted	Ogden	Tinkham
Crisp	Ireland	Oldfield	Treadway
Crowther	Jacoway	Olney	Venable
Cullen	James, Va.	Overstreet	Vestal
Currie, Mich.	Jones, Pa.	Paige	Vinson
Darrow	Jones, Tex.	Parker	Volk
Davis, Tenn.	Kearns	Pell	Walsh
Dempsey	Kiess	Perlman	Ward
Dewalt	Kinchelce	Phelan	Watson
Donovan	Kraus	Radcliffe	Whaley
Drane	Lanham	Rayburn	White, Me.
Drewry	Larsen	Reber	Williams
Dunn	Layton	Reed, W. Va.	Wingo
Eagle	Lea, Calif.	Ricketts	Winslow
Echols	Lesher	Rogers	Wright
Edmonds	Linthicum	Rose	

NOT VOTING—94.

Andrews, Md.	Dyer	Kleczka	Rowe
Anthony	Ellsworth	Lonergan	Rubey
Ayres	Emerson	McAndrews	Sanders, La.
Baer	Evans, Nev.	McCulloch	Scully
Benson	Gallagher	McFadden	Sears
Bland, Mo.	Garner	McGlennon	Sells
Brumbaugh	Goldfogle	McKiniry	Sisson
Burke	Good	Maher	Slemp
Byrns, Tenn.	Goodall	Mann, S. C.	Small
Caldwell	Goodwin, Ark.	Mead	Smith, N. Y.
Carew	Goodykoontz	Moon	Steagall
Casey	Graham, Pa.	Mooney	Stephens, Miss.
Clark, Mo.	Hamill	Morin	Sullivan
Classon	Hamilton	Newton, Mo.	Sumners, Tex.
Cole	Harrison	Park	Taylor, Ark.
Costello	Hulings	Peters	Thomas
Cramton	James, Mich.	Porter	Vare
Dale	Jefferis	Rainey, Ala.	Watkins
Davey	Johnston, N. Y.	Rainey, Henry T.	Wise
Dent	Kahn	Rainey, John W.	Wood, Ind.
Dominick	Kendall	Riordan	Woodyard
Dooling	Kennedy, Iowa	Robinson, N. C.	Young, Tex.
Doremus	Kennedy, R. I.	Rodenberg	
Doughton	Kitchin	Rowan	

So the motion was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. BAER (for) with Mr. YOUNG of Texas (against).

Until further notice:

Mr. NEWTON of Missouri with Mr. BYRNS of Tennessee.

Mr. ANTHONY with Mr. SISSON.

Mr. KENNEDY of Rhode Island with Mr. MEAD.

Mr. SLEMP with Mr. TAYLOR of Arkansas.

Mr. GOODALL with Mr. CAREW.

Mr. JEFFERIS with Mr. RUBEY.

Mr. GRAHAM of Pennsylvania with Mr. STEAGALL.

Mr. WOODYARD with Mr. AYRES.

Mr. CRAMTON with Mr. FIELDS.

Mr. RODENBERG with Mr. MCANDREWS.

Mr. WOOD of Indiana with Mr. HENRY T. RAINEY.

Mr. BURKE with Mr. GALLAGHER.

Mr. KLECZKA with Mr. SEARS.

Mr. SELLS with Mr. DOUGHTON.

Mr. COLE with Mr. SUMNERS of Texas.

Mr. PETERS with Mr. THOMAS.

Mr. ROWE with Mr. SANDERS of Louisiana.

Mr. GOODYKOONTZ with Mr. JOHN W. RAINEY.

Mr. KENDALL with Mr. RIORDAN.

Mr. GOOD with Mr. GARNER.

Mr. PORTER with Mr. MCGLENNON.

Mr. DYER with Mr. ROBINSON of North Carolina.

Mr. HULINGS with Mr. DOREMUS.

Mr. MCFADDEN with Mr. PARK.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 116: Page 89, line 18, insert the following:
"SEC. 2. That any person who shall knowingly make any false representation for the purpose of obtaining an advance, loan, or sale under this act shall, upon conviction thereof, be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding six months, or both."

Mr. ANDERSON. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Minnesota moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ANDERSON moves to recede and concur with the following amendment: Of the matter inserted by said amendment strike out the following: "SEC. 2."

Mr. ANDERSON. Mr. Speaker, the words "Sec. 2" were inserted by a mistake of the printer and should be stricken out, leaving the rest of the matter inserted by the Senate amendment as a paragraph.

The SPEAKER. Without objection, the motion will be agreed to.

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 117: Page 89, line 23, insert the following:
"SEC. 3. That the President be, and he is hereby, authorized and requested to extend invitations to foreign Governments to be represented by delegates in a world's dairy congress to be held in the United States in 1922: *Provided*, That nothing herein contained shall be construed to create any pecuniary obligation on the part of the Government of the United States."

Mr. ANDERSON. I move to recede and concur with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Of the matter inserted by said amendment strike out the following: "SEC. 3."

Mr. ANDERSON. Mr. Speaker, this is an amendment similar to the preceding one, simply striking out the words "Sec. 3." The remainder of the matter in the amendment has been favorably reported by the Committee on Foreign Affairs and ought to be adopted. I move to recede and concur with the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 118: Page 90, line 4, insert the following:
"SEC. 4. The Secretary of Agriculture is directed hereafter to submit to Congress at the beginning of each regular session a report showing what investigations devolved upon the Department of Agriculture have been completed during the preceding fiscal year, and also showing what services, if any, devolved upon the department are being performed or duplicated, in whole or in part, by any other department, bureau, or agency of the Government."

Mr. ANDERSON. I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Minnesota moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Of the matter inserted by said amendment strike out the following: "Sec. 4."

Mr. CANNON. Will the gentleman explain his amendment?

Mr. ANDERSON. The amendment simply strikes out the words "Sec. 4." This amendment has no relation to the preceding paragraph. The words "Sec. 4" ought to be omitted. They were put in, in the first place, by an error of the Government Printing Office.

The Senate amendment itself requires the Secretary of Agriculture to report at the beginning of each session of Congress what investigations carried on by the department during the preceding fiscal year can be discontinued, and whether there is any duplication in the work being done in the department. There seems to be a feeling that some of the investigations which were begun many years ago have reached a point where they can be discontinued, and possibly there is some duplication of work between the Department of Agriculture and the Bureau of Standards and the Bureau of Fisheries. I know of no reason why the amendment should not be adopted.

The SPEAKER. The question is on the motion to recede and concur, with the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 119: Page 90, line 14, strike out "$33,668,009" and insert in lieu thereof "$39,909,274."

Mr. ANDERSON. I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

Mr. ANDERSON. Now, I ask to return to amendments 11 and 12, which were passed over.

The SPEAKER. The Clerk will report amendment numbered 11.

The Clerk read as follows:

Amendment No. 11: Page 16, line 7, after the figures "$3,000," insert "one administrative assistant in seed and plant distribution, $3,000."

Mr. ANDERSON. I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 12: Page 17, line 7, after the word "all," strike out the figures "$498,500" and insert in lieu thereof "$501,500."

Mr. ANDERSON. I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

Mr. ANDERSON. Mr. Speaker, I ask for a further conference with the Senate.

The SPEAKER. The gentleman asks a further conference with the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. ANDERSON, Mr. MAGEE, and Mr. BYRNES of South Carolina.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 14461. An act to limit the immigration of aliens into the United States.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PANAMA RAILROAD CO.

The SPEAKER laid before the House the following message from the President, which, with the accompanying documents, was referred to the Committee on Interstate and Foreign Commerce:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the Seventy-fifth Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1920.

WOODROW WILSON.

THE WHITE HOUSE,
28 February, 1921.

CONTESTED-ELECTION CASE OF WICKERSHAM AGAINST SULZER AND GRIGSBY.

Mr. DOWELL. Mr. Speaker, I desire to call up a privileged report, the contested-election case from Alaska of James Wickersham against Charles A. Sulzer and George B. Grisby, and I desire to offer a resolution.

The SPEAKER. The gentleman from Iowa calls up a contested-election case and submits a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Charles A. Sulzer was not elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress, and George B. Grigsby, who is now occupying the seat made vacant by the death of said Sulzer, is not entitled to a seat herein.

Resolved, That James Wickersham was duly elected a Delegate from the Territory of Alaska in this Congress and is entitled to a seat herein.

Mr. KING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KING. I understand that Mr. Sulzer is dead. Can we act upon that matter here in the House when the Member is dead and gone?

The SPEAKER. This is a contested-election case which was referred to the committee and the committee has reported upon it.

Mr. DOWELL. May I inquire of the gentleman from Texas how much time is desired on that side?

Mr. HUDSPETH. I have requests for enough time to make two hours and a half on this side. Two years ago they consumed from two to three days in the discussion of the case, and the record in this case is as voluminous as it was in that.

Mr. DOWELL. I appreciate that fact, but the condition of the calendar is such that we will be unable to get that much time.

Mr. HUDSPETH. The requests that I have will amount to more than that time. How much time does the gentleman expect to use on that side?

Mr. DOWELL. The same time as gentlemen use on that side.

Mr. HUDSPETH. Well, I will be willing to agree on five hours.

Mr. DOWELL. We must close this case up in a short time, as other matters are pressing. We must get through it as soon as possible.

Mr. MONDELL. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. MONDELL. I was under the impression that this case could be disposed of in two hours—one hour on a side.

Mr. HUDSPETH. I would state that the record in this case comprises 800 pages, and I do not think you can discuss it in 30 minutes.

Mr. MONDELL. One hour on each side is suggested.

Mr. HUDSPETH. I certainly would like to have a half an hour and my colleague [Mr. O'CONNELL] would like a half an hour.

Mr. MONDELL. If we had an abundance of time we would be delighted to hear the gentlemen at length; unfortunately we are close to the end of the session.

Mr. HUDSPETH. I appreciate that, but in order to do justice to this case I do not think we should have less than two hours on a side.

Mr. DOWELL. Can not the gentlemen get along with one hour on that side?

Mr. HUDSPETH. I do not think so.

Mr. DOWELL. We have more to talk on on this side than you have on that side, but, in order to facilitate matters, I am willing to get through with it in an hour on this side, because I know the pressure there is for other matters, and I think this case should be completed as soon as possible. Can not the gentleman get along with one hour?

Mr. HUDSPETH. No; I would not attempt to discuss the case and present it to the House under 30 minutes. I assume that the House wants to hear the facts, and I am going to try and give them to the House so that they can pass on it intelligently.

Mr. MONDELL. The gentleman will certainly be able to cover the case in an hour and a half?

Mr. HUDSPETH. As I said to the gentleman from Iowa, I noticed that two years ago they consumed three days in the discussion of the case.

Mr. MONDELL. We then had plenty of time; but the gentleman realizes that we are within three days of the end of the session, with some appropriation bills to be considered. The gentleman realizes that it is necessary that we shall reduce the time on this matter as much as possible.

Mr. HUDSPETH. I appreciate that. I want to curtail the time as much as possible, and am willing to take two hours on this side.

Mr. MONDELL. An hour and a half. I realize that we can not conclude this matter to-day, and if we give any further time, I think the gentleman ought to be able to get along on an hour and a half.

Mr. HUDSPETH. If we had an hour and a half on a side we could not conclude to-day.

Mr. MONDELL. No; we can not conclude to-day.

Mr. HUDSPETH. Then, why not give us more than an hour and a half?

Mr. MONDELL. Because we have a number of important matters coming up to-morrow; we have a caucus to-night, so that we can not run beyond 6 o'clock.

Mr. HUDSPETH. I have conferred with my colleagues, and they do not think we can get through in an hour and a half.

Mr. MONDELL. I do not see how we can make it a longer time than an hour and a half, and I think under the circumstances that is very liberal.

Mr. GARD. Is it the purpose of the gentleman that we should have a night session to-morrow night?

Mr. MONDELL. It is, if we have business requiring it, and I think we will. We have a great deal of business left.

Mr. GARD. I suggest that we go on with this case this afternoon and again to-morrow night.

Mr. FIELDS. Is this proposition for an hour and a half on each side?

Mr. MONDELL. Yes.

Mr. HUDSPETH. Well, I do not think it a sufficient time, but if it is agreeable to others I will accept.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the time be limited to three hours, one hour and a half on each side, one-half to be controlled by himself and one-half by the gentleman from Texas [Mr. HUDSPETH]; is there objection?

Mr. FERRIS. Reserving the right to object, I do not think you will have changed a single vote by these long speeches. There are some other matters which have been waiting for weeks and months more important than this. I do not think at this late day that we ought to have three hours of debate on an election case.

Mr. MONDELL. I agree with the gentleman fully; but we want to be reasonable even at this late day in the session.

Mr. FERRIS. I call attention to the fact that there has been a great exercise of patience on bills which are much more important, involving an entire people and an entire State, of vital interest to our State. We can pass it in 20 minutes, but we can not get the 20 minutes.

Mr. MONDELL. Well, if the gentleman insists, we may move the previous question within the hour.

Mr. MANN of Illinois. You might try it, but you will fail; you can not throw a man out of the House without giving him a chance to be heard. It will not work.

Mr. MONDELL. I think the gentleman ought to agree to three hours.

Mr. COLLIER. That is an hour and a half on a side?

Mr. MONDELL. Yes. A bill in which the gentleman from Oklahoma [Mr. FERRIS] is vitally interested, and in which we are all interested, I think, will follow this.

Mr. FERRIS. Would not the majority leader consent to let a bill be sandwiched in somewhere, under suspension, that would not take over 20 minutes.

Mr. DOWELL. Consent will not be given that any bill come in front of this contested-election case.

Mr. FERRIS. I do not want to stand in the attitude of making an objection.

Mr. MANN of Illinois. Objection will not do any good; it would not shorten the time.

Mr. FERRIS. It might.

Mr. MANN of Illinois. Oh, no.

The SPEAKER. Is there objection?

Mr. COLLIER. Mr. Speaker, I think this is a matter of great importance to the people who are interested, and that an hour and a half on a side is not asking too much.

Mr. HUDSPETH. They have agreed to that.

Mr. DOWELL. Mr. Speaker, I ask unanimous consent that the time be limited to three hours, one-half to be controlled by the gentleman from Texas [Mr. HUDSPETH] and one-half by myself; that the gentleman from Texas be permitted to yield a part of his time to the contestee, Mr. Grigsby, and that I be permitted to yield a part of my time to the contestant, Mr.

Wickersham, and that at the end of the time allotted the previous question shall be considered as ordered.

Mr. MANN of Illinois. And that meanwhile the gentleman from Texas have permission to offer a substitute. Of course, he has that right anyway.

The SPEAKER. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, does the gentleman intend to continue this to-morrow, until it is concluded?

Mr. DOWELL. Yes.

Mr. MANN of Illinois. There might be conference reports come in, or a suspension of the rules.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. What is the proper time for the gentleman from Texas to offer a substitute?

The SPEAKER. The Chair is of the same opinion just expressed by the gentleman from Illinois [Mr. MANN] that he has the right to offer it at any time before the previous question is ordered.

Mr. DOWELL. The previous question will also be considered as ordered on any amendment or substitute?

The SPEAKER. Certainly. Is there objection? [After a pause.] The Chair hears none and it is so ordered.

Mr. HUDSPETH. Mr. Speaker, I offer the following substitute which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That James Wickersham was not elected a Delegate to the Sixty-sixth Congress from the Territory of Alaska, and is not entitled to a seat in said Congress.

Resolved, That Charles A. Sulzer was duly elected a Delegate from the Territory of Alaska to the Sixth-sixth Congress, and that said Charles A. Sulzer having died, and George B. Grigsby having been elected at a special election as a Delegate from the Territory of Alaska, and having been sworn in as a Member of the House of Representatives on July 1, 1920, that the said Grigsby is entitled to retain his seat therein.

Mr. DOWELL. Mr. Speaker, this contest differs in some respects from many of the contests that have been brought before the House. The certificate of election in this case was issued to Mr. Sulzer as a Delegate from Alaska after the death of Mr. Sulzer. This certificate was duly filed. Thereafter Mr. Wickersham served notice upon the Clerk and attempted to proceed with a contest. Later on a resolution was offered in the House after Mr. Grigsby had been elected at a special election called for that purpose to fill the vacancy caused by the death of Mr. Sulzer. The House passed the resolution which provided a method by which this contest might be continued or by which the contest might be carried on, extending the time for taking the testimony and consolidating the Grigsby case with the case of Mr. Wickersham against Sulzer. The two contests, as it were, are in the same case.

Your committee present its findings in the report filed herein, and recommend the passing of the resolution declaring that Mr. Wickersham was elected at the regular election in November, 1918, and as he was elected at the regular election, the death of Mr. Sulzer caused no vacancy, and therefore there was no vacancy to fill and Mr. Grigsby is not entitled to the seat.

As was suggested by the gentleman from Texas [Mr. HUDSPETH], this case required a great deal of investigation. The arguments on each side before the committee lasted 12 hours. The record in the case is very voluminous and it will hardly be possible to go over this case in the time allotted. I do want to call attention, if I can, to some of the things which controlled the committee in making its findings. Your committee are unable to agree upon the law and the facts in the case, and the minority have filed their views and will present their reasons for their findings.

Two years ago there was a contest of the same character here involving some of the same questions that are involved in this case. That case was then before a committee, a majority of whom were from the other side of the House. The committee presented a unanimous report and it was presented to the House by the chairman of the committee, the gentleman from Louisiana [Mr. WILSON]. In that report the committee went into many of the questions which are being considered in this case. So far as the questions involved in the case before the last Congress are concerned, your committee adopted the law in the report submitted to that Congress, believing that that case was carefully investigated and well considered. That report was from the Committee on Elections No. 1. That case determined, as I have suggested, a number of questions involved in this case and which I will not now take the time to go into, as it is fully covered in the report. This committee has followed identically that report. Forty-four of these soldiers who enlisted in the United States voted in Alaska, and these 44 were placed under the rule laid down by the former committee.

Congress adopted a law regulating the elections in Alaska. Under the law that Congress has adopted it requires that everyone entitled to vote shall be a resident of the Territory for one year and of the precinct for 30 days. Under this law a number who did not vote in their proper precincts were not entitled to vote, as determined by your committee, and I call attention to the fact that this question was determined by Mr. Grigsby in this contest, he then being the attorney general of Alaska. Mr. Grigsby at that time was legal advisor of the canvassing board, and I want to read to you his opinion which states clearly the law with reference to this question. It appears that the legislature of Alaska attempted to enact a law in conflict with the act of Congress relating to elections in Alaska, and it is to that act that reference is made in this opinion. I read you this opinion:

I have to advise you that the legislature in attempting to change the qualifications of voters by this act exceeded its power, the qualifications having been fixed by the act of May 7, 1906, and continued in full force and effect by the organic act or constitution of Alaska. The organic act expressly authorized the legislature to extend the elective franchise to women, but in no other way authorized the changing of the qualifications of electors by the legislature.

Respectfully submitted.

GEORGE B. GRIGSBY, *Attorney General.*

I am not going to dwell upon that further than to give you the law that was laid down by Congress and followed by Mr. Grigsby as attorney general.

With reference to the Indian vote, the committee followed the action of the former committee. Judge Wickersham protested with a great deal of vigor, and sometimes very vehemently, that the Indians should not be permitted to vote. This committee, however, followed the opinion laid down by the former committee and held that we would let this vote stand. Judge Wickersham would have gained many votes by excluding the Indian vote, but your committee felt that because the House overwhelmingly adopted the opinion in the other case we ought to follow literally the opinion rendered in that decision.

Now, I want to come to another question with reference to this election which is a sample of some of the things done in this election. In what is known as the 40-mile district there were five voting precincts. The law laid down by the Congress provides that the commissioner may create voting precincts by entering of record 60 days before the election and by giving notice thereof. Just before the election, about 35 days, Mr. Donovan, who was commissioner of the 40-mile district, redistricted the 40-mile district, putting it into three voting precincts. Now, I call your attention to how this was done. The law required that it should be done 60 days before the election. Mr. Grigsby in the hearings before this committee stated the following:

But the order is irregular and defective in these particulars technically.

It was not made 60 days before the election and it compelled 15 or 18 voters if they wanted to vote to walk or ride a distance of 14 to 16 miles and return, and some of them did it and some of them got mad and would not do it.

Now, I am setting this out because there is no controversy on the question of the law. The law required this to be done 60 days before. It was not done in compliance with the law, and therefore my contention is that the district recreated was not lawfully done, and therefore this vote should not be lawfully counted. Now, what are the facts? Twenty or twenty-one witnesses were called in this case and testified that they lived in the two precincts which were absorbed in the other three. Those two precincts were what were known as Jack Wade precinct and Steel Creek precinct. These were both post offices and centers in their localities. The other precincts were not post offices, but people came to these post offices to get their mail. The two precincts which were abolished in this district were Republican precincts. Both of them were known to be Republican precincts. Here is the testimony of one witness and the others were similar. Remember there were 20 who failed to vote, and he said they could not vote because of the change, that the distance had been made so great they were unable to vote. These people did not have automobiles, they were poor people who had but one remedy, and that was to walk the 16 miles and return. I read from the testimony of C. D. Arnold, page 260 of the record:

Q. How far is it from Steel Creek to the Moose polling place and return?—A. Thirty miles.

Q. Would it be a two days' trip in November?—A. Yes.

Q. What would the expense be?—A. $8.

Q. How many voters are there resident at Moose Creek?—A. Two.

Q. Where does Moose Creek and all of the Moose voting precincts get mail?—A. Steel Creek and Jack Wade post offices.

They moved these precincts by this method, and, mark you, in violation of law. They moved them from the post office where

the people from the other precincts came to get their mail and placed them 15 to 16 miles away—one place, Moose Creek, where only 2 voters resided, thus depriving 20 voters from voting, some of them having resided there for many years and had been voting at this precinct for six years. This precinct had been established for at least six years. Many voters were disfranchised by this unlawful act of the commissioner. Now, I want to call your attention to the law, as some may not understand how the committee arrived at its conclusion. Everyone knows that these 20 voters ought to have had an opportunity to vote at this election. Sixteen or seventeen of them testified, if permitted to vote, they would have voted for Judge Wickersham. Two or three testified they would have voted for Mr. Sulzer. The commissioner who made this change in the program knew what the result would be. The other precincts were not Republican, and he knew it. These two precincts were the only Republican precincts in his district, and they were abolished by adding them to another one 15 or 16 miles away.

The SPEAKER pro tempore. The gentleman has consumed 20 minutes.

Mr. DOWELL. I will take 10 minutes more. We had a similar case in the Forty-fourth Congress. Now, my position is that no one who has a right to vote—and those were all qualified as voters in Alaska, and in these precincts—my position is that no one ought to be deprived of the right to cast his vote by a manipulation, and especially in violation of law; that every one of these 20 voters ought to have had the right to go to the polling places that they had been going to for the past six years and cast their vote for a Delegate from Alaska. In the Forty-fourth Congress a case arose similar to this one.

Mr. YATES. Will the gentleman state what the majority was as finally found?

Mr. DOWELL. The committee have found that Wickersham was elected by 37 majority. The original vote was 33 for Sulzer, and I will say, in counting the ballots, 2 more votes were added to the vote of Wickersham, making 31. But I want to call attention to this committee report in the Forty-fourth Congress in the case of Cox against Strait, from Minnesota, page 310, Rowell's Digest.

The law of Minnesota authorized the board of supervisors to fix the boundaries of precincts just as this Congress authorized the commissioner in Alaska to fix the precincts in Alaska, and the board of supervisors were given authority to fix those precincts at any stated meeting of the board in January or September. They had a legal right to hold special meetings which they held, and on the 5th of October they held a special meeting and they then fixed the precincts for the election to follow, which is identically the question involved here. Commissioner Donovan fixed these precincts at a time not authorized by law, being less than 60 days prior to the election.

Let me read to you what was said by the committee in that case:

> The allegation that certain precincts in Lyon County were illegally established was sustained. The law provided that the board of county commissioners should meet at certain times in the year, and in extra sessions at other times when deemed necessary by a majority of the board. At their stated meetings in January and September they were empowered, under certain circumstances, to establish election districts. The election districts complained of in this county were established at an extra session, and were hence illegal. All the votes cast at them were rejected.

There was nothing in that case that deprived any voter of the right to vote. But the committee held as a question of law, by reason of the fact that they did not comply with the law, that notwithstanding no harm was done, they should refuse to count 111 votes for the contestee. And that report was accepted by the House, and your committee have followed it, as it is directly in line with this case.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. DOWELL. I can not. I have only a few minutes.

There is one other question I want to take up, and that is in the Cache Creek precinct. Cache Creek was the place where they voted at 5 o'clock in the morning. I want to call your attention to it, because it is one of the places where it may be immaterial whether this precinct is counted or not so far as this election is concerned, because if you count all of it or do not count any of it, it may not affect the result here.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. DOWELL. I can not. I have not the time.

Mr. YOUNG of North Dakota. I want to know when the day starts up there.

Mr. DOWELL. The law provides the polls shall be open from 8 o'clock a. m. until 7 p. m. Cache Creek was a little camp that was broken up. They were leaving that camp on the morning of election. I call your attention to this, because some queer things happened up there pretty nearly in the middle of the night. There were five witnesses who testified in this case. Some 23 votes were cast there.

The camp moved out that morning, except probably some five or six people who remained, and took all their baggage. I want to call attention to the testimony of one witness, who is the only witness that testified directly, and who answered questions in such a way that indicated that he was trying to state the facts. The rest of them were evasive, uncertain, not definite. But Malcolm McDonald—I take it from the name that he was a newcomer; Scotchman—testified as follows. He is the only witness that fixed the time definitely, the only one that could put his finger upon it and say what the time was when they pulled out. The testimony says:

> Q. Mr. McDonald, how early in the morning did you begin to pack up before leaving, as near as you can recollect?—A. At 4 o'clock I was out in the yard getting ready.
>
> * * * * * * *
>
> Q. About what time did you have breakfast?—A. About 4 o'clock. * * * I noticed the time when I went to breakfast.
>
> Q. What time was it?—A. Ten minutes after 4.
>
> Q. How long after that did you leave, do you recollect?—A. Not more than an hour.

And further he says:

> I think I can remember nearly. I am sure myself that it was not more than 5 o'clock. I do not think it was after 5 when we pulled out.

Every one of some 23 to 26—and some of them put the number as high as 30—who were entitled to vote, cast his vote before he left the camp, and left the polls there, if they were left, almost unguarded.

Now, here comes more of this.

> Q. Did you vote?—A. No, sir.

This is not one of the partisans, now, gentlemen. They say he is not naturalized; that he only had his first papers. He says that he did not vote. But he states the reason he did not want to vote.

> Q. For what reason?—A. There had been arguments about it, and I thought it was illegal.
>
> Q. With whom did you have arguments, Mr. McDonald?—A. Mattocks.
>
> * * * * * * *
>
> Q. On the morning of the election?—A. Before that; it had been talked over the night before.
>
> Q. Were there any others present when you were having this talk?—A. I did not speak to anyone but Harris.

Harris is one of the shareholders of the Cache Creek Dredging Co., he says.

> I said, "What are you going to do about this election?"
>
> Q. What did Harris say?—A. Harris said, "If they all want to vote, we'll shove the clock ahead and make it time."
>
> Q. Was Harris one of the judges of election?—A. I understand that he was. I was not in where they voted. He was appointed one.

Now, that is not all. They took him to task because he said he did not vote because he thought it was illegal, and they asked him:

> You made the statement you would not vote because you thought the election was illegal. Isn't it a fact that you knew you were not entitled to vote, not being a citizen?—A. No; I thought I could vote.

The SPEAKER pro tempore. The gentleman has now consumed 30 minutes.

Mr. DOWELL. I will take five minutes more.

He said:

> No; I thought I could vote, having my first papers.
>
> Q. You thought you could vote on your first papers?—A. Yes, sir.

Here is a man who thought he could vote, even though he only had his first papers. Now, here is other testimony of one who did vote, and this question was asked him:

> Wouldn't you be positive you were in the precinct 30 days before election?—A. I could not say as to that; would not try to.

This is one of the men who voted and left before 5 o'clock in the morning, according to Mr. McDonald.

Now, here is another one that testified, Mr. Kingsbury. Here are the questions that were asked him. Listen to his answers:

> Q. What time did the polls open, Mr. Kingsbury?—A. I would not say, sir.
>
> Q. What time did you vote?—A. I could not say that.

Further questions asked him were as follows: "Was it before 8 o'clock?" The answer was, "I could not say it was before 8 o'clock." "Was it after 8 o'clock?" The answer was, "I could not say it was after 8 o'clock." The next question was, "You could not say what time it was?" The answer was, "No; I could not say."

That is the kind of testimony that was given here. But here is something more: One James Wheelock testified. He voted. The question was asked of him, "At what time of day did you vote?" He said, "That I could not say. I never noticed the time." "What was the condition of the light?" and so forth. "It was lamplight." "Where was the voting done, Mr. Whee-

lock?" The answer was, "In the dining room of the company's camp." "Is that where you voted?" "No, sir; I voted in my place. They brought me the ballot box." "From the place where the election was held?" "Yes, sir." "Was the lamp lit?" "Yes, sir." "Was it dark outside?" "Yes, sir."

Think of it, gentlemen, 5 o'clock in the morning, out with a lantern and a ballot box, hunting votes to put in this ballot box, that they might leave at 5 o'clock in the morning! It seems to me, gentlemen, that while it may not be necessary to the election of Judge Wickersham that this precinct be eliminated, there is no one who would want to establish such a precedent and expect an election there hereafter to be conducted in accordance with law.

I want to call your attention to the law applicable to this case. In a California case—Tebbe *v.* Smith (41 Pac. Rep., 457 Calif.)—which was quoted and approved by the Supreme Court of Texas in the case of Savage *v.* Humphreys (118 Southwestern Rep., 893).

I read from this opinion:

In this case we are quite willing to believe that the misconduct of the officers of Lake precinct was prompted by nothing worse than ignorance—

In this case the polls were open about three hours after time.

In this case we are quite willing to believe that the misconduct of the officers of Lake precinct was prompted by nothing worse than ignorance and lack of appreciation of the responsibility of their positions, and we may say further—for such is the evidence—that no harm is shown to have resulted from their conduct; but, looking to the purity of elections and integrity of the ballot box, we are constrained to hold that conduct like this amounts in itself to such a failure to observe the substantial requirements of the law as must invalidate the election. And while reluctant so to hold in this instance, we are confirmed in the opinion by consideration of the fact that any other interpretation would add grave peril to the safe conduct of our elections, which are already harassed by dangers enough.

The SPEAKER pro tempore. The gentleman has occupied 35 minutes. The gentleman from Texas [Mr. HUDSPETH] is recognized.

Mr. HUDSPETH. Mr. Speaker, I yield 15 minutes to the gentleman from Louisiana [Mr. O'CONNOR].

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 15 minutes.

Mr. O'CONNOR. Mr. Speaker and Members of the House, in order to fully understand this contested-election case and to have a full appreciation of the arguments that will be made by the Members in behalf of the majority report, as well as those of the minority who submitted their views for the consideration of the House, permit me to make this statement of the case:

STATEMENT OF THE CASE.

At the general election held in Alaska on November 5, 1918, James Wickersham, the contestant herein, was the Republican candidate and Charles A. Sulzer was the Democratic candidate for Delegate to Congress. Francis Connolly was the Socialist candidate, but received only a few hundred votes.

From the official count as reported by the canvassing board Francis Connolly received 329 votes, Charles A. Sulzer 4,487 votes, James Wickersham 4,454 votes. Sulzer's plurality, 33.

Before the canvassing board had completed the canvass and announced the result, and on April 15, 1919, Charles A. Sulzer died. The canvassing board completed the canvass and declared the result on April 17, 1919, and issued a certificate of election certifying the election of Charles A. Sulzer, which certificate was duly filed with the Clerk of the House of Representatives.

The Legislature of Alaska passed an act providing for a special election to fill the vacancy caused by the death of Mr. Sulzer. This act was approved on April 28, 1919. Under this act the governor called a special election, which was held on June 3, 1919, at which special election James Wickersham was not a candidate, and George B. Grigsby received a majority of the votes cast, and the canvassing board on June 14, 1919, issued a certificate of election to George B. Grigsby, the contestee herein, which certificate was filed on July 1, 1919, and he was sworn in and took his seat in the House of Representatives as such Delegate from Alaska on said date.

After the death of Charles A. Sulzer, and after the certificate of election had been issued to him, James Wickersham, the contestant, on May 3, 1919, filed notice of contest with the Clerk of the House, and under this notice took some ex parte testimony in the case. Contestant also about June 23, 1919, served notice of contest on Mr. Grigsby, notifying him of his intention to contest the special election of June 3, and also the election of Sulzer on November 5, 1918.

The Committee on Elections, finding the testimony taken by contestant was ex parte, therefore could not consider such evidence in the case. On account of the death of Sulzer and the contestant being unable to comply with the statute relative to notice and the taking of testimony on the 28th day of July, 1919, the House of Representatives passed a consolidating resolution extending the time for taking testimony for 90 days from the date of passing the resolution, and providing the manner of giving notice and taking the testimony, substituting George B. Grigsby in all necessary respects for Charles A. Sulzer, deceased, in this contest.

Under this resolution both parties took testimony, which was fully submitted to the committee, and the committee has fully considered all of this evidence, including the arguments of counsel. The questions in this case are, first, the election on November 5, 1918, as between James Wickersham, contestant, and Charles A. Sulzer; second, the election of George B. Grigsby at the special election of June 3, 1919. The special election was to fill the vacancy caused by the death of Charles A. Sulzer, and in the event Sulzer was duly elected on the 5th of November, 1918, the question then turns to the objections contestant makes to the special election on June 3, 1919. In the event James Wickersham was elected on November 5, 1918, and not Charles A. Sulzer, there was no vacancy created by the death of Charles A. Sulzer, and therefore no vacancy could be filled at the special election on June 3, 1919.

The record in this case is very voluminous, involving many controversies of fact and a number of questions of law. I will endeavor in the time allotted to me to touch upon but a few of the very high spots, or peaks, that stand out from this sea of facts and law and precedent. If I had had my way, in view of the limited time allowed for the presentation of this case, I would have divided that time between Judge Wickersham and Mr. Grigsby and permitted each of them to present his own view and his own case. I am satisfied that if that plan had obtained you would have rendered judgment in favor of Mr. Grigsby, because under such an arrangement he might be able to present the unanswerable case which he so brilliantly made before the committee. Even under the present circumstances, Mr. Speaker, and with the very limited time which will be allowed him if he present the case one-half as well as he did before the committee, there will be no doubt about the decision you will render. He will be under a handicap as a result of an inability to present his argument as fully as he desires, but the justice that is in his cause and the irresistible logic with which he presents it to you for your consideration will, I have no doubt, determine the decision in his favor.

I have no feeling against Judge Wickersham, the contestant in this case, either personally or politically. I have no hostility to him because he marches behind Republican banners. I feel no antagonism to him because he wears the Republican badge.

Personally I have found him to be a charming gentleman with an agreeable personality. I believe that he is a virile, dominating character. I have no political bias in favor of Mr. Grigsby, as I realized from the moment that I was made a member of the Committee on Elections that I was to act more in a judicial than a legislative capacity.

The legislator is always mindful of the solemn duties that he has to perform and though he is never forgetful of his oath of office the political complexities, plans, and aspirations of his party may at times unconsciously obscure his judgment. Not so with one who has to bear the great responsibility of deciding justly between men and upon matters of great moment to the welfare of the Nation. Every man, I think, recognizes to a certain extent the full meaning of the maxim "Noblesse oblige"—rank imposes obligations—but no one recognizes the obligation more than the upright judge who venerates the institution over which he presides. I have approached this case as a judge free from party prejudice rather than as a legislator who might unconsciously view it, with its political colorings, from a biased standpoint. Before proceeding to a discussion of the contest, again permit me at the risk of tautology and redundancy of expression to say that I concede to others what I wish granted to myself—the right to criticize the judgment of my fellows when called upon to do so in my public capacity and character, free from rancor or passion, keeping in mind the eternal truth that no man possesses the inflexible touchstone of truth, and that men equally honest and sincere will draw opposite conclusions from a given state of facts. I will discuss this report as the subjects therein appeal to my mind, and not in the order in which they are arranged in that report.

One of the peaks in this case and the first one which I shall discuss is known as Cache Creek precinct. It is difficult, notwithstanding my affection and esteem for the majority Members, to read this finding on this phase of our investigation without indignation. Perhaps in order to understand this and other chapters in this amazing report, we might do well to look at the map of Alaska. Within that great inclosure whose shores

are washed by the Arctic, North Pacific, and Bering Seas are approximately 600,000 square miles of territory—a land of mist and snow, stupendous mountains, great lakes, canyons, and vast wonderful stretches, over which miners make their way for miles by trail when breaking summer camp and heading for winter quarters. At this period of the year the days are very short and in order to make a journey one has to start early and run the risk of losing the trail. In this Cache Creek precinct Connolly received 1 vote, Sulzer 23, and Wickersham 2 votes. Election day fell on the last day that the men of Cache Creek had to "hit it" for another, a winter camp. On the night before it was agreed by unanimous consent, as it were, to vote early, and then begin the dangerous journey ahead and with might and main beat the sun to it, and reach the end of the trail before night closed in on them. Not a single voter was deprived of or denied his rights or privileges. Not a man was heard to complain that he was injured, not a protest from a single American citizen, and yet, I almost hesitate to say it, the majority threw out, flung on the trash heap, as it were, this ballot box, divested red-blooded Americans of their birthright, men who toil and moil far from the madding crowd's ignoble strife, and for no other reason in the world than that the poll was opened a little too early, that the majesty of the law was ignored, offended against because the miners did not wait until the hour fixed had arrived and then perhaps lose the trail in an unbroken country where trails are few and far between.

There is a gentleman in this House who sits on the Republican side, who is more than friendly to me, who has been almost affectionately disposed to me from the time I came to Congress. I have ofttimes laughed in admiration at the manner in which he takes this floor, when moved to exasperation by what he considers the twaddle offered as a reason in support of a weak or inconsistent position by Members, and cries out in stentorian tones, "Bunk!" I wish I could adopt that tone to-day in denouncing this judgment of the committee. I wish I had his manner and could feelingly express the words that would burn and blister this judgment. I wish I had his raucous yell of anger and his strident voice to denounce this majority report.

To justify this finding which strikes down the rights of their countrymen the majority submits the case of Verney *v.* Justice (86 Ky., 595) decided in Kentucky before Alaska was acquired by the United States, a decision which dealt with conditions in a populous State and circumstances totally different than obtains in tremendous Alaska, as large in area as Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, and all of the Southern States put together except Texas, a decision as applicable to Alaska as it would be to the moon, if that be not a burned out and uninhabitable satellite, as astronomers tell us; or the planet Mars, if there be contests on that far-away mysterious sphere. What a superstitious regard for precedents, what a reverence for the principle of mortmain—the dead hand ruling tyrannically and denying justice to the living. One is tempted, at the risk of being trite, to alter the celebrated exclamation of Mme. de Roland while going to the guillotine, and shout out, "Oh, law! oh, precedents, what political crimes are committed in your name!" But injustice can never be law and no precedent will be applied that would support such a monstrous iniquity that it is sought to perpetrate here. Nay, the common law itself is nothing else but reason. It is the perfection of reason, so declared Edward Coke. So declares millions of common-sensed English-speaking people.

Mr. Speaker, that finding was a part of a whittling-down process, pursued unconsciously perhaps, but relentlessly. Sulzer's majority was 33. It invited a contest. So be it. Attention committee! Do your duty! "Theirs not to reason why, theirs but to do or die," politically. On to the dump heap with Grigsby and Sulzer! The living foe and the dead enemy must go down in a common ruin! Already you see the end. Why, of course you do. But let us follow on, for the oppression that lies behind this terrible judgment may have value for liberty-loving souls who would love liberty in the darkest hours and loneliest cells. By order of "the committee," or the majority members thereof, Sulzer is stripped of 23 votes, a net loss of 21 votes, and Freedom may shriek in Alaska if she will.

Forty Mile district! What romance and adventure lies in the name, but in the future it will also be associated with the grossest miscarriage of justice ever perpetrated in the name of law and order within the history of the Congress of the United States. Let me give you the history of "Forty Mile" in so far as it affects this contest and as it is written into their report by the majority:

The contestant charges that in the Forty Mile district there was an official suppression in the election in certain precincts in the district in the interest of Mr. Sulzer, whereby the contestant lost some 20 votes. The testimony discloses that prior to the election in 1918 there were five voting precincts in this district, known as the Jack Wade precinct, Steel Creek precinct, Franklin precinct, Chicken precinct, and Moose Creek precinct. That about October 1, 1918, Commissioner Donovan, of the district, made an order redistricting the district into three voting precincts, to wit, Franklin, Chicken, and Moose Creek, thereby abolishing the Jack Wade and Steel Creek voting precincts in the district, or rather merging these precincts into the other three precincts, and it is charged that this was done for the purpose and that it had the effect of placing the voting precincts at such great distances from the voters that the voters in the Jack Wade and Steel Creek precincts, by reason of the great distance, were unable to reach the polls and to cast their ballots at the election. The authority and duty of the commissioner in providing voting precincts in the various election districts is defined in section 5 of the act of Congress of May 7, 1906, and is as follows:

"SEC. 5. That all of the territory in each recording district now existing or hereafter created situate outside of an incorporated town shall, for the purpose of this act, constitute one election district; that in each year in which a Delegate is to be elected the commissioner in each of said election districts shall, at least 30 days before the date of said first election and at least 60 days before the date of each subsequent election, issue an order and notice, signed by him and entered in his records in a book to be kept by him for that purpose, in which said order and notice he shall—

"First. Divide his election district into such number of voting precincts as may in his judgment be necessary or convenient, defining the boundaries of each precinct by natural objects and permanent monuments or landmarks as far as practicable and in such manner that the boundaries of each can be readily determined and become generally known from such description, specifying a polling place in each of said precincts, and give to each voting place an appropriate name by which the same shall thereafter be designated: *Provided, however,* That no such voting precinct shall be established with less than 30 qualified voters resident therein; that the precincts established as aforesaid shall remain as permanent precincts for all subsequent elections, unless discontinued or changed by order of the commissioner of that district.

"Second. Give notice of said election, specifying in said notice, among other things, the date of such election, the boundary of the voting precincts as established, the location of the polling place in the precinct, and the hours between which said polling places will be open. Said order and notice shall be given publicity by said commissioner by posting copies of the same at least 20 days before the date of said first election and at least 30 days before the date of each subsequent election, etc."

The election of November 5, 1918, was not the first election after the passage of the act, and therefore the order, under this act, must be made at least 60 days before the date of the election. The evidence, however, shows that it was made and signed on October 1, 1918, calling the election for November 5, 1918. We herewith set out a copy of the order of Commissioner Donovan with reference to this voting district:

"ORDER AND NOTICE OF ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 1918.

"In the office of the United States commissioner at Franklin, Alaska, fourth judicial division, in the matter of the election of a Delegate to the House of Representatives from the Territory of Alaska, one member of the Senate of the Territory of Alaska, four members of the House of Representatives of the Territory of Alaska, one road commissioner for road district No. 4.

"In pursuance of an act of Congress approved May 7, 1906, entitled 'An act providing for the election of a Delegate to the House of Representatives from the Territory of Alaska,' I, John J. Donovan, United States commissioner, in and for the Forty Mile precinct, fourth division, Territory of Alaska, do hereby order that said recording district be, and the same is hereby, divided into the following voting precincts, the boundaries thereof defined, a polling place specified, and a notice of said election published, fixing the date of said election, and designating the said polling places as follows, and the hours between which said polling places will be open:

"1. *Moose Creek precinct.*—It is ordered that the boundaries of said precinct shall be as follows: Commencing on the Forty Mile River, at the international boundary line, thence running upstream to the mouth of O'Brien Creek, including all tributaries flowing into the said Forty Mile River and Walkers Fork and all its tributaries, from the mouth of Cherry Creek upstream to the international boundary line.

"2. *Franklin voting precinct.*—It is ordered that the boundaries of said precinct shall be as follows: Commencing on the Forty Mile River at the mouth of O'Brien Creek, thence running upstream and including all tributaries of the North Fork, within the boundaries of the Forty Mile precinct, and all tributaries of the South Fork upstream to the mouth of Walkers Fork, thence in an easterly direction to the mouth of Cherry Creek on said Walkers Fork and all its tributaries flowing into Walkers Fork.

"3. *Chicken voting precinct.*—It is ordered that the boundaries of said precinct shall be as follows: Commencing at the mouth of Walkers Fork on the South Fork of the Forty Mile River, thence in a southerly direction, including Dennison Fork and all its tributaries, Mosquito Fork and all its tributaries, and the Tanana Basin within the boundaries of the Forty Mile precinct.

"4. That the several polling places herein designated will be open for the reception of votes from 8 o'clock unto 7 o'clock p. m. on the day of said election, to wit, the 5th day of November, 1918.

"Dated this the 1st day of October, 1918.

"JOHN J. DONOVAN,
"United States Commissioner in and
"for the Forty Mile Precinct,
"Territory of Alaska."

This order fixing the precincts in this district is not in compliance with the law above set forth. It was not issued and entered in his records 60 days before the date of the election and does not specify a polling place in each precinct, as required by law, and does not give the location of the polling places in each precinct, as provided by law.

Prior to the election on November 5, 1918, there had been five polling places in the election district as above stated. These had been established for some years and were well known to the voters. These could be changed only under the provisions of the law. In this instance the commissioner had received a letter from the clerk of Judge Bunnell, which was approved either before or after its signing. The last clause of the letter of instructions was as follows:

"The attention of one or two commissioners is directed to section 396 of the Compiled Laws of Alaska. The law does not contemplate the establishing of voting precincts in places where many prior elections have proven that there are but five or six votes. While it is not be-

lieved that any considerable number of voters should be deprived of their franchise by reason of having no voting precinct established, yet it is a matter which should receive the careful attention of the commissioner creating the same.

"Respectfully,

"J. E. CLARK, *Clerk.*

"(In the District Court for the Territory of Alaska, Fourth Judicial District.)"

The record in this case discloses that 20 witnesses were called who lived in the Jack Wade and Steel Creek precincts. These were citizens and lawful voters of these precincts. All of these witnesses testified they were unable to vote because it would require at least two days, and traveling a distance of some thirty-odd miles, to and returning from the voting precincts as designated by the commissioner. Three of these voters testified had they been permitted to vote they would have voted for Mr. Sulzer. One testified he would have voted the Socialist ticket. All of the others testified they would have voted for Mr. Wickersham for Delegate from Alaska.

John Ostergard, who testified he would have voted for Sulzer, page 265 of the record, states:

"Q. Is it not true that in redistricting the Forty Mile recording precinct J. J. Donovan, the United States commissioner, retained only those that had before given a Democratic majority, i. e., Chicken, Franklin, and Moose voting precincts, and eliminated both Steel and Jack Wade precincts, usually giving a Republican vote?—A. Yes."

Brost, a Democrat, testified, page 262 of the record, as follows:

"Q. Is it not true that the United States commissioner, in redistricting the Forty Mile precinct, eliminated the Steel and Jack Wade voting precincts, the two that gave a Republican majority?—A. Yes."

In the election in 1916 the vote at Jack Wade precinct was: Sulzer, 3; Wickersham, 9; Lewis, 9, making a total of 21 votes. In the Steel Creek precinct: Sulzer, 1; Wickersham, 9; Lewis, 2, making a total of 12 votes.

Ewing, who testified, page 262 of the record, said:

"Q. How far is it from Steel Creek to Moose and return?—A. Thirty miles.

"Q. Is it a two-day trip in November?—A. Yes, sir.

"Q. How many resident voters are there at Moose Creek?—A. Two.

"Q. Where do the voters of Moose Creek get their mail?—A. Steel Creek."

J. A. Kemp testified he had been a resident of Steel Creek for a number of years. The record, page 261, discloses the following:

"From your mercantile acquaintance of the residents of both Jack Wade and Steel precincts, would you say the vote of 1916 had materially changed in 1918?—A. Most certainly not.

"Q. As a matter of fact, where do the voters of the Moose Creek precinct go for their mail?—A. Steel Creek post office, and some to Jack Wade.

"Q. Is Moose a post office?—A. No."

T. E. Phillips, a merchant at Wade, page 259 of the record, says:

"Q. Which has the larger population, Franklin or Jack Wade?—A. Wade, by four times as much."

C. D. Arnold, on page 260 of the record, testified as follows:

"Q. How far is it from Steel Creek to the Moose polling place and return?—A. Thirty miles.

"Q. Would it be a two days' trip in November?—A. Yes.

"Q. What would the expense be?—A. Eight dollars.

"Q. How many voters are there resident at Moose Creek?—A. Two.

"Q. Where does Moose Creek and all of the Moose voting precincts get mail?—A. Steel Creek and Jack Wade post offices."

We have set out this testimony because it clearly shows that the changing of the precincts by the commissioner was not entirely in the interest of economy. The abolishing of the Jack Wade and Steel Creek precincts, the largest centers in this division, both of them having post offices where the residents for miles around went for their mail, and including the territory of these precincts in other precincts, and the placing of the voting precincts at Franklin, Chicken, and Moose Creek, the latter place having only two residents, the committee believes was for the purpose of depriving the voters of Jack Wade and Steel Creek precincts from having an opportunity to cast their votes. This action of the commissioner, as shown by the record, was in violation of law and did deprive 20 legal voters from casting their votes at the election.

These 20 voters had a legal right to vote and should have been permitted to vote and could have voted had the commissioner conducted the election in compliance with the law. Had they been permitted to vote, Connolly would have received 1 additional vote, Sulzer 3 additional votes, and Wickersham 16 additional votes in the two precincts abolished and absorbed into the other precincts. If these votes are counted 1 vote should be added to the aggregate vote for Connolly, 3 votes to the aggregate vote for Sulzer, and 16 votes to the aggregate vote for Wickersham.

However, the committee finds that the whole action of the commissioner in the Forty Mile district in redistricting said district on the 1st day of October, 1918, was in violation of the law, and this action of the commissioner did deprive at least 20 legal voters from casting their ballots at said election, and said action was without authority or jurisdiction.

It is the judgment of the committee that the votes cast in said entire district, which includes the precincts of Chicken, Franklin, and Moose Creek, were illegal and should be rejected. In the three precincts in this district the vote case was as follows:

	Connolly.	Sulzer.	Wickersham.
Chicken precinct		7	8
Franklin precinct		6	3
Moose Creek precinct	3	10	2
Total	3	23	13

Your committee therefore finds that from the aggregate vote of Connolly there should be deducted 3 votes; from the aggregate vote of Sulzer there should be deducted 23 votes; and from the aggregate vote of Wickersham there should be deducted 13 votes, a net loss to Sulzer of 10 votes.

Why did not the minority Members give value and credit to the 20 votes of those who they claim had a right to vote and should have been permitted to vote? The answer is apparent to anyone who will take the trouble to examine the figures, because such action would have resulted in giving Connolly a total of 4 votes, Sulzer 26, and Wickersham 29 votes, admitting that the computation or distribution of the 20 votes of those who did not vote is correct. That procedure would give Wickersham only 3 majority—not enough. Strip Sulzer, even though he is dead and in his grave, to the bone! Throw out the whole district; that will cut Sulzer to the extent of a net loss of 10 votes. Why this outrage? The votes are needed!

Did not the commissioner neglect to enter the order in his book, at least 60 days prior to the election, even though the voters and electors had ample notice? Keep that in mind; it was not entered in the book. The mysterious awe that took possession of the Roman when he mentioned the Sibyline books and the reverence attached to the readings and interpretations by the curators of the temple and repository of the books was hilarious joy compared with the profound humility and hushed tones of the majority when they referred to this failure to record the order in the book.

But steady; the end is near. One more outrage, before the culminating act which will close, mark finis, to this political tragedy, or farce as you choose to view it. The soldier must be denied his right, but he must be stripped with a soft and caressing hand, otherwise it might arouse the resentment of 4,000,000 who wore the uniform and whose anger is to be feared. Go easy now! Honeyed words may be found in an old report. Listen how easy they flow:

The question of domicile or place of residence of those in the military service of the country, either as officers or as men in the line, has been before Congress and in the courts in a number of cases, but not of very recent date so far as Congress is concerned. The subject is one of great importance and absorbing interest just at this time, not only in this case and in Alaska but throughout the country.

The soldier has an interest in knowing what construction is going to be placed upon the law affecting his domicile with its civil and political rights and privileges during his absence in the service of the country, while, on the other hand, the public is equally concerned as to the conditions under which a new domicile or residence may be acquired by those in the military service and stationed at many places in the several States.

Of course, domicile is more a question of fact than law; a soldier who has reenlisted and reenlisted and lived for years in Alaska, off the reservation, and has married or done any other act that creates that residence we call domicile, has a right to vote. But hold, ye majority of the committee, that domicile means the place he left at the time of original enlistment and before going to Alaska! That will kill the soldier vote. There are soldiers from all parts of the country out there. Listen to this:

In the case under consideration the evidence shows that 44 soldiers in the United States Army, stationed in Alaska, voted for Delegate at the election on the 5th day of November, 1918. As in the former case, each and all of the 44 voters in question in this case came to Alaska as soldiers in the United States Army. They remained in such service from the date of their arrival in Alaska up to the date of the election, and were in Alaska in such service on that date. All of them were enlisted and accepted for service in the States; and as indicated by the record, the number of men and dates of enlistment being as follows: Eight in 1917, 2 in 1916, 5 in 1915, 6 in 1914, 6 in 1913, 2 in 1912, 2 in 1911, 1 in 1909, 2 in 1908, 1 in 1907, 3 in 1903, 1 in 1899, 1 in 1898, 4 in ——, of whom there were 6 from Washington State; 3 each from Minnesota, California, and New York; 2 each from Texas, Illinois, Oklahoma, Kentucky, Louisiana, and Missouri; and 1 each from Georgia, Ohio, Virginia, West Virginia, Montana, South Dakota, Michigan, Kansas, Iowa, Wisconsin, and New Jersey; and 5 from States not specified.

A few of these were honorably discharged and immediately reenlisted in Alaska; and each and all of them had been in the Territory more than a year immediately preceding the date of election, and in the precinct more than 30 days immediately preceding the election day.

"If they had acquired a legal domicile in Alaska, they were entitled to vote, and the vote should be counted; otherwise not. To become a citizen and a qualified elector in Alaska a bona fide residence of 1 year in the Territory and 30 days in the voting precinct is required."

This is the rule laid down in the former case, and under this rule the House excluded all of this vote.

Remember, soldiers, you are not denied the right to vote. Perish the thought! How can we, who belong to a party that has always deplored the election laws of the Southern States passed by them to preserve their culture, their civilization, their racial purity—how can we who have protested against these enactments deny you who are bone of our bone and blood of our blood and flesh of our flesh your sacred rights? Exercise your rights, boys—you of Louisiana—if you can get the money with which to make the trip; get the steamer, and come down the sea, then cross the continent and then 1,500 miles southward, register in your former home, comply with all the registration laws of Louisiana; then you may vote. What wonderful interpretations to obscure the fundamental truth that a soldier may vote at his domicile; that a domicile is more a question of fact than of law. What attenuated refinements and ponderous, sonorous sentences to inform a soldier that he can not do the possible and convenient thing in Alaska, but that he may perform his duty by accomplishing an impossible journey,

at incredible expense to himself. Again, with my friend who yells "Bunk!" I shout "Twaddle!" "Rot!" "Balderdash!" But just the same the whittling goes on, and the soldier vote is stricken down regardless of domicile acquired or not and Sulzer is reduced 35 votes, a net loss of 26 votes.

The "guff" of some authorities has supported us—the majority on the committee—in our hour of need, in the name of justice. We have knocked out Sulzer and Grigsby. Let justice be done though the heavens fall.

One more chapter and we close the book. It is a fitting finale:

Sections 1859–1860, Revised Statutes U. S., fixed the qualifications of electors in the Territories. They are as follows:

"SEC. 1859. Every male citizen above the age of 21, including persons who have legally declared their intention to become citizens in any Territory hereafter organized, and who are actual residents of such Territory at the time of the organization thereof, shall be entitled to vote at the first election in such Territory, and to hold any office therein; subject, nevertheless, to the limitations specified in the next section.

"SEC. 1860. At all subsequent elections, however, in any Territory hereafter organized by Congress, as well as at all elections in Territories already organized, the qualification of voters and of holding office shall be such as may be prescribed by the legislative assembly of each Territory; subject, nevertheless, to the following restrictions on the power of the legislative assembly, namely:

"First. The right of suffrage and of holding office shall be exercised only by citizens of the United States above the age of 21 years, and by those above that age who have declared on oath, before a competent court of record, their intention to become such, and have taken an oath to support the Constitution and Government of the United States.

"Second. There shall be no denial of the elective franchise or of holding office to a citizen on account of race, color, or previous condition of servitude.

"Third. No officer, soldier, seaman, mariner, or other person in the Army or Navy, or attached to troops in the service of the United States, shall be allowed to vote in any Territory, by reason of being on service therein, unless such Territory is, and has been for the period of six months, his permanent domicile.

"Fourth. No person belonging to the Army or Navy shall be elected to or hold any civil office or appointment in any Territory."

In 1906 Congress passed an act governing elections in Alaska. In August, 1912, Congress passed an act creating a legislative assembly in Alaska, and in the act changed the time of election for Delegates to Congress, and provided that "all of the provisions of the aforesaid act shall continue to be in full force and effect and shall apply to the said election in every respect as is now provided for the election to be held in the month of August therein." It is clear to anyone that this provision is a redundancy and should be treated as surplusage as the act of 1906 would remain in force without it and be the law in every respect until changed, in accordance with the grant of powers, by the legislative assembly, both by virtue of the act of 1912 and sections 1859 and 1860. It was not the intention of Congress to treat Alaska differently from the other Territories, and where the qualifications of electors were left to the wisdom of the Territorial legislatures it was never intended to "strait-jacket" and "Chinese shoe" Alaska, bind her hand and foot, and deny to her legislature the right to fix the qualification of voters. Alaska had the right to pass the act making the district instead of the precinct the unit for voting purposes. That act was for several years observed, respected, but the closeness of the political contests, their extreme bitterness, the personal hostilities and resentments aroused drove men into searching for the means by which to promote their own fortunes and party interests while divesting the other party of its support through apparently arbitrary constructions of the laws. "All's fair in love and war and politics," became the slogan. What was constitutional and not was discussed and all in connection with the winning or losing of the votes. The majority of this committee have adopted Wickersham's construction—that Alaska has no right to fix the district as the unit instead of the precinct. Of course, Sulzer loses 21 votes, or a net loss of 10 votes, as a result of this construction.

Did Freedom give her last shriek when Kosciusko fell? Or has she a few more shrieks with which to express her agony and despair when tortured by tyranny and oppression and bunk and piffle and balderdash? Sulzer's plurality of 33 has been cut to pieces and sufficient additional votes thrown out to give Wickersham a plurality of 37 votes.

My speech is ended; my protest is filed; my duty is performed. You, now, gentlemen of the House, have a duty to perform, a duty you can not escape; you must pronounce judgment. I do not believe the Republicans of this country will give their approbation, their approval, to the report when they understand it. I do not believe in their heart of hearts that the Republicans of this House who will vote to sustain it believe it expresses justice, law, equity, or the "fair and square deal" which was such a powerful phrase when uttered by a great leader who is no more. Yes, Members of this House, you have a duty to perform, and in the years to come the faithful or unfaithful discharge of it will be a consolation or a desolation to you. In the words of the great orator who sleeps his last sleep at Marshfield:

With consciences satisfied with the discharge of duty, no consequences can harm you. There is no evil that we can not either face or fly from but the consciousness of duty disregarded. A sense of duty pursues us ever. It is omnipresent like the Deity. If we take to ourselves the wings of the morning and dwell in the uttermost parts of the sea, duty performed or duty violated is still with us for our happiness or our misery. If we say that the darkness shall cover us, in the darkness as in the light our obligations are with us. We can not escape their power or fly from their presence. They are with us in this life, will be with us at its close; and in that scene of inconceivable solemnity which lies yet farther onward we shall find ourselves surrounded by the consciousness of duty—to pain us wherever it has been violated and to console us so far as God may have given us the grace to perform it.

Mr. DOWELL. Mr. Speaker, I will ask the gentleman from Texas to use some of his time now.

Mr. HUDSPETH. We expect that the next speaker will be Mr. GRIGSBY.

Mr. DOWELL. I suggest that he speak now.

Mr. O'CONNOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. HICKS). The gentleman will state it.

Mr. O'CONNOR. Has not the contestee the right to close the discussion of this resolution?

The SPEAKER pro tempore. The Chair will state to the gentleman from Louisiana that if he will allow the Chair to look up a precedent, he will reply to him in a few moments.

Mr. O'CONNOR. I think the Chair will find that in the Tague-Fitzgerald case it was held that the contestee has the right to close.

Mr. DOWELL. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House of Representatives, we are nearing the end of one of the longest and most tedious cases that it has ever been my luck to help try. I have not time in 10 minutes to go into this matter very extensively, but during that time I am going to confine my attention to the individual frauds in Alaska.

It has been stated to you that the law in Alaska, as passed by this Congress, requires everyone who desires to vote to reside in the precinct where he desires to vote for at least 30 days prior to the election. It has also been stated to you that the Alaskan Legislature, in violation of that act, and without any delegation of authority of Congress, passed a law allowing anybody to vote in any precinct in the judicial division in which he had lived. In other words, if he lived in one precinct in the judicial division and he was at some other precinct in that division on election day, he could vote there. Mr. Grigsby, who was the attorney general of Alaska, in a well-written opinion to the governor of Alaska, the man who was chairman of the board of canvassers in Alaska, held that when the Alaskan Legislature passed that act, they were without the power to do it and the act was void. Consequently it left the voter in the position that he had to be a resident of the precinct for 30 days before he could vote.

In looking over these votes the committee carefully studied the evidence in regard to the individual vote and we found that 19 people had voted in the wrong precinct, and that they had voted for Sulzer. Among those was Mr. Sulzer himself. Mr. Sulzer had a legal residence in a place they call Sulzer. On the morning of the election he showed up at a place called Ketchikan. The evidence showed that he offered to vote at that place and was challenged, that he was told that he could vote if he would make an affidavit that he had been a resident of the precinct for 30 days. This he refused to do, and he moved on down to a little place further down the hill that they call Charcoal Point, and there he found an election board that was more in sympathy with him, and there he cast his vote in violation of the law of Alaska. I am not surprised that other people violated the law up there, when the candidate himself violated it.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. ELLIOTT. Yes.

Mr. CHINDBLOM. Charcoal Point is 50 miles from Sulzer.

Mr. ELLIOTT. Yes; both of these places are far removed from Sulzer, Several voters showed up at precincts in Alaska on the morning boat. They never had resided in these places. They got off the boat and went up to the election booths and voted. I do not say that they voted corruptly, because they thought this law, this illegal act of the Legislature of Alaska, was in force, allowing them to vote.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. LINTHICUM. Was the opinion of the Attorney General written before or after the election?

Mr. ELLIOTT. After the election.

Mr. CHINDBLOM. But before this election.

Mr. ELLIOTT. No; it was when they were counting these ballots.

Mr. LINTHICUM. Was it rendered before or after the November election when Mr. Sulzer was a candidate?

Mr. ELLIOTT. It was rendered in 1919 when they were counting the ballots. The election was held in November, 1918, and the ballots were not counted and disposed of until the next April. It was sometime during the time they were counting the ballots that Mr. Grigsby rendered this opinion to the governor, who was the chairman of the board of canvassers.

Mr. LINTHICUM. Then when Mr. Sulzer voted in November it was before this opinion had been rendered, and he was presumed to be within his rights until the opinion which came after that time.

Mr. ELLIOTT. Mr. Grigsby was not in this election.

Mr. LINTHICUM. I know, but the gentleman said that Mr. Sulzer voted and that he ought not to have voted, and what could you expect other people to do, if the opinion was not rendered until after that time? Then the law presumed to be in force.

Mr. ELLIOTT. Well, it does not make any difference whether it was presumed to be or not; it was not and it was illegal.

Mr. LINTHICUM. The law was on the statute books——

Mr. ELLIOTT. I do not yield for an argument in my time.

Mr. LINTHICUM. I wanted to show he did not do a wrong act.

Mr. ELLIOTT. I made the statement Mr. Sulzer voted in that precinct and he voted in a precinct 50 miles from where he lived, and I said Mr. Grigsby, as attorney general of Alaska, in deciding on this case, said, in a written opinion, and a well-written opinion, that the law was illegal, and consequently all of those people who voted out of their precincts upon the theory they had the right to vote in a judicial division cast illegal votes.

Mr. YATES. The date of the opinion is given as of February 12, 1919. Is that right?

Mr. ELLIOTT. That is right. Now, all of those people who voted illegally did not vote for Sulzer. We threw out 10 votes of men whom we found had voted for Wickersham, and when we got through we cast out 19 of these ballots for Sulzer and 10 for Wickersham. Now, in addition to that there were three people who lived at Valdez Bay precinct and voted over at Valdez. There was no question about their voting illegally, but the question came up how they voted, and the evidence does not show how they voted, so we had, under the rules laid down by this House in other election cases, to apportion this vote. Now, in the election in that precinct Connolly received 80 votes—he was the Socialists' candidate—Sulzer 180 votes, and James Wickersham 66 votes; so in apportioning those three votes we apportioned two of them against Sulzer and 1 against Wickersham, and that was as near as we could come to complying with the rule of apportionment in the vote cast.

Mr. STEVENSON. Will the gentleman yield?

Mr. ELLIOTT. I will.

Mr. STEVENSON. I want to ascertain if these people had voted at their home precinct were qualified to vote there?

Mr. ELLIOTT. If they had voted in their own precinct, they would have been.

Mr. STEVENSON. They were simply thrown out because they voted in the wrong precinct?

Mr. ELLIOTT. Yes. Now, here is another. Of these individual votes we threw out 21 for Sulzer and 11 for Wickersham, making a net gain for Wickersham of 10 votes. Now, there were some other peculiar things in this election. Over at Chicaloon precinct there was a man there by the name of John Probst. His evidence shows that he came to that precinct along in the afternoon between 2 and 3 o'clock and asked permission to vote, and they told him that he could not vote because the election board had taken the ballot box and books and had gone up the creek about a thousand feet to get the vote of a man who was sick with the flu. He testified that he was there ready and willing to vote for Mr. Wickersham, but by reason of the fact that this board, in violation of the law, had taken the election supplies and gone up the creek a thousand feet away from the polls that he was not permitted to vote, and consequently he lost the right to vote for Wickersham. Now, there was the situation there, a very plain illegal act. So far as we know the rest of the people who voted in that district voted legally. The committee had no desire to disfranchise any of those people. As we could not find out how the sick man voted up the creek, we could not throw his vote out; had we thrown out the whole precinct on account of the illegal act of the election board in leaving the election precinct with their books and tally papers, it would have resulted in a net loss of 10 votes for Sulzer, but justice compelled us to the conclusion that Wickersham was entitled to this vote, and rather than throw out the whole precinct we counted the vote for him. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HUDSPETH. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I had not intended to say anything in this matter, because I am not on the committee, but when fraud is alleged in this election it seems to me somebody ought to contradict that statement. The majority report, as submitted, proposes to seat Judge Wickersham mainly upon three points. First, that the election in one precinct was held at 5 o'clock in the morning instead of at 8 o'clock, as prescribed by law. We all know that in November it is not daylight until way late in the morning. These men had to go to a certain point which they had to make during the daytime, and if they wanted to make it during the light hours and not lose the trail, they had to have the election early.

Now, I appeal to any common-sense people whether that was not the best thing to do.

Mr. JOHNSON of Washington. Will the gentleman yield? It is dark all day in that part of Alaska.

Mr. LINTHICUM. I rather thought so myself, but I did not want to make that statement.

Now, what would appeal to the ordinary citizen living up there in Alaska? Would it not be to say, "Boys, there are only about 18 of us here; let us vote now, and then we can proceed on our journey." And the consequence was they took the ballot box and all hands voted, and they took the ballot box to one man who was not there and gave him a chance to vote. So every man in the camp who wanted to vote did vote, at 5 o'clock instead of 8 o'clock, because they wanted to proceed on their journey. There was no charge whatever as to any fraud in this nor even the intention or semblance of fraud.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LINTHICUM. No; I can not. I have only five minutes. Was not that a fair, honorable, and just proposition? Now, then, what is the next proposition? There was a law passed by the Alaska Legislature which said to the voters in this Territory of 600,000 square miles, "If you are away down there 200 or 500 miles from your polling place and you can prove you are a citizen, you can vote down there." And Sulzer and 16 others, I believe it was, found themselves away from their precinct, and they voted in the place where they were, which they had a perfect right, as they thought, to do under the law which had been passed by the legislature. But later, in February, 1919, about three months after the election, the Attorney General said that the law was unconstitutional. Therefore the votes cast outside the home precinct are all thrown out. This act is said to have been illegal; that they ought not to have voted outside their own precinct; and that it was against the rules of the election laws. But these men thought they were doing the right thing and were within the law until it had been construed by the Attorney General to be unconstitutional. And yet you not alone throw their votes out, but you charge them with fraud, and charge Mr. Sulzer with fraud for so voting. How were any of them to know that the law was not constitutional?

And coming now to this contest, what I am particularly interested in is this: Here you have Mr. Wickersham, who comes here and contests the election of a man who is dead. He comes the second time. He contested in the last Congress, if you remember. He was seated and served only about one week and we paid him $15,000 salary and several thousand dollars mileage and clerk hire, and gave him all his expenses, and he went away from here with a very goodly sum of money for services of about one week. Now he comes to us with another contest for the Sixty-sixth Congress.

Mr. RICKETTS. The gentleman will not say if he was legally entitled to the money, according to the rules of this House, that he would want to deprive him of what belonged to him?

Mr. LINTHICUM. No; this House seated him, and when he was so seated he was entitled to it.

The SPEAKER. The time of the gentleman has expired.

Mr. LINTHICUM. Can the gentleman yield me two minutes more?

Mr. HUDSPETH. I can not. I have not the time.

HOUR OF MEETING TO-MORROW.

Mr. GARRETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARRETT. I ask unanimous consent for one moment in order to make an inquiry of the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Speaker, would it be agreeable to the gentleman from Wyoming to have an agreement that the House meet at 10.30 in the morning, and that we now adjourn?

Mr. MONDELL. I am very much afraid, Mr. Speaker, that it would be very difficult to inform all the Members as to that change in the program. I would rather run a half hour longer, if that is agreeable, and then meet at 11.

Mr. GARRETT. There would be just as much time lost in a roll call after 11 as there would be at 10.30.

Mr. MONDELL. If the gentleman will allow us to use five minutes more now, I think at the expiration of the five-minute speech I can give the gentleman my answer.

WICKERSHAM AGAINST SULZER AND GRIGSBY.

Mr. HUDSPETH. Mr. Speaker, I would like to yield one more minute to the gentleman from Maryland. He wanted to finish his statement.

Mr. LINTHICUM. Mr. Speaker, as I was saying, after that last contest the gentleman served only about one week and we gave him those funds. Here he comes into the House again with another contest, and a majority report within five days of the termination of the session favors his seating when his contestant, Mr. Sulzer, is dead and a special election held by which another, Mr. Grigsby, has been elected from Alaska and has received the salary and performed the duties. We are asked to unseat Mr. Grigsby, seat Mr. Wickersham, pay him $15,000 salary for five days for this Congress and his mileage, and such other emoluments as go with the office. I contend that he was not elected, and in the present financial stress of this country we must go slow; the man who has not performed the services is not entitled to any gratuity from the House of Representatives unless his election was certain beyond doubt, and I protest against it at this time. This is a time to be just but not generous. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman from Maryland has again expired.

Mr. DOWELL. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. HAYS].

The SPEAKER pro tempore. The gentleman from Missouri is recognized for five minutes.

Mr. HAYS. Mr. Speaker, I am astonished at the nature of the last argument that has been made to this House. The gentleman from Maryland [Mr. LINTHICUM] has stated that Wickersham was a contestant two years ago and was seated; he has implied that the fact of the contest made two years ago should bar Wickersham from further attention in a contest proceeding at this time. Permit me to say that it is a matter of small importance as to whether the seat in this House is awarded to Mr. Grigsby or to Mr. Wickersham. The paramount proposition is whether the electorate of Alaska shall have the privilege of asserting their choice at an election or whether the election shall be dominated and determined by a corrupt political machine.

In the limited time at my command it will not be possible for me to make a detailed analysis of the many controverted points appearing in this election contest. My remarks will, therefore, deal only with the general principles involved.

The Committee on Elections, of which I am a member, has analyzed this case most thoroughly, and the task has been neither pleasant nor easy. At the general election in 1918 James Wickersham, Charles A. Sulzer, and Francis Connolly were rivals for the office of Delegate from Alaska. The canvassing board counted the returns and announced the vote as follows: Sulzer, 4,487; Wickersham, 4,454; and Connolly, 329, giving Sulzer a plurality of 33. Wickersham, the Republican candidate, charged that the election machinery of Alaska was manipulated to his disadvantage. He instituted a contest proceeding. On April 15, 1919, Sulzer died, and two days later the canvassing board issued a certificate of election, declaring that Sulzer had been elected. Shortly thereafter a special election was ordered in Alaska to fill the vacancy created by Sulzer's death. George B. Grigsby became the Democratic candidate. Wickersham, still contending that he had been lawfully chosen at the preceding general election in 1918, declined to submit his name for the special election in 1919. As a result of that special election George B. Grigsby was declared the victor. Thereupon Wickersham broadened his contest proceedings so as to make them challenge the right of Grigsby as the successor of Sulzer. The House of Representatives, by a resolution passed on the 28th day of July, 1919, consolidated the case of Wickersham against Sulzer with the case of Wickersham against Grigsby into one contest. This was eminently the proper procedure on the part of the House, because Grigsby, by virtue of the special election, had become heir to whatever rights to a seat in this House had been enjoyed by Sulzer. If Sulzer was legally elected, then Grigsby is entitled to a seat, for the reason that he was chosen to fill the vacancy caused by Sulzer's death. On the other hand, if Sulzer was not legally elected in 1918, his death could not create a vacancy and the special election was a nullity. The determination of this case, therefore, hinges upon the validity of the general election in 1918 in Alaska. Grigsby stands here to-day in the shoes of Sulzer and as his political heir. When we determine the 1918 contest between Wickersham and Sulzer it will settle the collateral question of Grigsby's right to a seat in this body.

The members of the two political parties who comprise our Committee on Elections have been honest and diligent in their efforts. We have spent weeks in analyzing the case, and I believe that every man has tried to reach an honest decision in making his conclusions. A large number of witnesses were called by the contending parties and the written transcript of their sworn testimony has been carefully reviewed; we have examined the ballots; we have studied the law and read the briefs; and we have listened to exhaustive arguments on every phase of the matter.

As the logical result of that painstaking and exhaustive inquiry the majority of the members of the committee honestly believe that the 1918 election in Alaska was shot through with fraud and corruption, and that the manipulation of the political machine controlling the elections operated to defeat Wickersham, who was the choice of a majority of the voters.

Mr. Speaker, I deplore the fact that so many Members show evidence of regarding this case as a personal contest between Wickersham and Grigsby. Some men here unfortunately seem to think our only function is to award a prize to the most popular man. But again I say the real thing for determination is whether the will of the people or the cunning plan of a political machine shall prevail.

I want to say, so far as Mr. Grigsby is concerned, that his defeat, if he shall be defeated in this vote, is no reflection on him. I do not charge Grigsby with fraud, but I do charge that Sulzer was elected by fraud, and that Grigsby can claim no higher rights than Sulzer might have claimed had he lived. While I do not desire to assail Grigsby, I do desire to charge as unfair some of the methods that have been used by his partisans on this floor. Every Member of Congress is glad to be advised by his constituents as to their views about legislative matters. An election contest, however, is not a legislative matter, but should be considered as a cold, dispassionate analysis of the facts submitted to the committee and the House, and should be settled according to the facts involved.

One of my good friends at home has just sent me a telegram which reads:

Many of your friends here are anxious for the success of Grigsby over Wickersham.

My constituent who sent the telegram is a splendid gentleman, but he knows no more of the merits of this election controversy than the man in the moon. I do not hesitate to affirm that the telegram was not an original thought with him, and I charge that it was inspired by some one in Washington. The Washington partisans of a contesting claimant, who undertake to sway votes on this floor without regard to evidence, are using tactics quite as unfair as were employed by the election machine in Alaska.

It has been my pleasure to associate a great deal with Grigsby during the months he has been here, and I have found him to be an admirable gentleman, and one who would grace a seat in this Hall. On the other hand, I know but little about Wickersham. Yet, it is not a question of choice between the men so much as to guarantee a square deal for the people of Alaska. As we sit here to-day we are judges acting under an oath of office, each one clothed with authority as a trier of fact to determine the will of the people at the general election of 1918 in Alaska. When we vote on this contest it should not be for the purpose of achieving a partisan victory, neither should we vote according to the promptings or friendship or of prejudice. Let the cold facts in the case determine the result. Briefly summarized, each one of the following outstanding facts contributed to deprive Wickersham of votes to which he was entitled, and to give Sulzer votes to which he was not entitled.

The Legislature of Alaska passed an election law contravening the provisions of the Federal statute, which forms the organic law of the Territory, and which amounts to its constitution.

The election officials without warrant or authority of law divided one of the election districts into new precincts in such

a way as to abolish long-established precincts, and to prevent a large number of voters from exercising their right of franchise.

In one instance the polls were opened at 5 o'clock in the morning, and the voting was practically all finished before the hour of 8 o'clock, when the polls were permitted to open under the law.

The ballot box was taken in one case a long distance from the polls to accommodate a voter who could not come to the polling place.

Voters were permitted to cast their ballots in precincts in which they did not reside. Even Sulzer himself offered to vote in one precinct where he did not reside, and, when denied that privilege, he went to another precinct in which he did not reside and cast a fraudulent ballot.

Soldiers were permitted to vote who were not citizens of Alaska but who only had a military residence there.

All of these irregularities and many more were permitted and encouraged by the corrupt organization in control of the election machinery, with the result that the certificate of election awarded to Sulzer was an outrage upon the voting public in Alaska.

Our committee, after the careful review of more than 700 pages of printed record in this case, believes that Wickersham was elected by a plurality of 37 votes.

Mr. HUDSPETH. Mr. Speaker, how does the time stand?

The SPEAKER. The gentleman from Texas has 64 minutes and the gentleman from Iowa has 40 minutes remaining.

Mr. RAYBURN. Mr. Speaker, I am going to make a point of no quorum.

Mr. DOWELL. Did not the gentleman from Texas say he would use 20 minutes to-night and the rest in the morning?

Mr. HUDSPETH. I would very much prefer to use all of my time at once.

Mr. LINTHICUM. Mr. Speaker, I move that the House do now adjourn.

Mr. MONDELL. Will the gentleman withhold that a moment?

Mr. LINTHICUM. Certainly.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10.30 a. m. to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10.30 a. m. to-morrow. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MCFADDEN, for three days, on account of illness.

ADJOURNMENT.

Mr. DOWELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until Tuesday, March 1, 1921, at 10.30 a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 15687) granting certain public lands to the city of Phoenix, Ariz., for municipal purposes, reported the same with amendments, accompanied by a report (No. 1385), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (S. 4511) authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River highway, reported the same without amendment, accompanied by a report (No. 1387), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 15006) for the relief of E. W. McComas, reported the same with amendments, accompanied by a report (No. 1386), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. IRELAND: Resolution (H. Res. 702) for the employment of additional help in the enrolling room; to the Committee on Accounts.

By Mr. MASON: Resolution (H. Res. 703) to pay the Capitol and House Office Building police forces $200 for extra services; to the Committee on Accounts.

By the SPEAKER (by request): Memorial from the Legislature of the State of Utah, favoring the modification of the present coal, shale, and oil leasing law; to the Committee on the Public Lands.

Also (by request), memorial from the Legislature of the State of Idaho, favoring emergency legislation which will permit the use of the vessels of the Shipping Board and Emergency Fleet to carry foodstuffs and supplies to China and the Near East; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial from the Legislature of the State of Arkansas, favoring the erection of a tubercular sanatorium at Booneville, Ark; to the Committee on Public Buildings and Grounds.

Also, memorial from the Legislature of the State of Utah, favoring a reduction of 50 per cent in our annual naval expenditures for a period of five years, providing England and Japan do the same; to the Committee on Foreign Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho, favoring the McFadden bill; to the Committee on Mines and Mining.

Also, memorial from the Legislature of the State of Idaho, urging emergency legislation permitting the employ of vessels in transporting supplies to China and the Near East; to the Committee on Interstate and Foreign Commerce.

By Mr. STINESS: Memorial of the Legislature of Rhode Island, in aid of legislation now pending in Congress for the benefit of the disabled men of the World War; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLSTEAD: Memorial from the Legislature of the State of Minnesota, favoring a tariff on agricultural products imported from other countries; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. HERNANDEZ introduced a bill (H. R. 16157) granting an increase of pension to Juana Royval de Martinez, which was referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6117. By the SPEAKER (by request): Petition of Council St. Thomas d'Aquin, No. 324, l'Union St. Jean Baptiste d'Amerique, of Springfield, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6118. Also (by request), petition of New York Wholesale Grocers' Association, opposing a gross sales or turnover tax; to the Committee on Ways and Means.

6119. By Mr. BABKA: Petition of the council of the city of Cleveland, Ohio, favoring the location of a tubercular sanatorium in that city; to the Committee on Interstate and Foreign Commerce.

6120. By Mr. BURDICK: Resolution of the general board of l'Union St. Jean Baptiste d'Amerique protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6121. By Mr. BURROUGHS: Resolution of l'Union St. Jean Baptiste d'Amerique Council St. Antoine No. 81, Manchester, N. H., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6122. Also, resolution of L'Union St. Jean Baptiste d'Amerique, Council St. Edmond, No. 252, Manchester, N. H., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6123. Also, resolution of L'Union St. Jean Baptiste d'Amerique, Council Ste. Irene, No. 285, Somersworth, N. H., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6124. By Mr. CANNON: Petition of citizens of the eighteenth district of Illinois, praying for an amendment to the Volstead Act; to the Committee on the Judiciary.

6125. By Mr. DALLINGER: Petition of Council Notre Dame, No. 327, of L'Union St. Jean Baptiste d'Amerique, protesting

against the passage of the Smith-Towner bill; to the Committee on Education.

6126. By Mr. EMERSON: Petition of the City Council of Cleveland, Ohio, favoring the location of one of the hospitals in the city of Cleveland; to the Committee on Interstate and Foreign Commerce.

6127. By Mr. ESCH: Petition of Wisconsin Retail Lumberman's Association of Milwaukee, Wis., opposing a duty on lumber imported from Canada; to the Committee on Ways and Means.

6128. By Mr. HERSEY: Petition of the general board of L'Union St. Jean Baptiste d'Amerique, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6129. Also, petition of Council Vallee St. Jean, No. 246, L'Union St. Jean-Baptiste d'Amerique, of Fort Kent, Me., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6130. By Mr. KENNEDY of Rhode Island: Resolution of Council Labelle, L'Union St. Jean Baptiste d'Amerique, of Woonsocket, R. I.; and resolution of Council Notre Dame de Lourdes, L'Union St. Jean Baptiste d'Amerique, Passoag, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6131. By Mr. KLECZKA: Petition of 48 citizens of Milwaukee, Wis., protesting against enactment of Smith-Towner bill; to the Committee on Education.

6132. Also, petition of 185 citizens of Milwaukee, Wis., protesting against enactment of Smith-Towner bill; to the Committee on Education.

6133. By Mr. MANN of Illinois: Petition of citizens of Chicago, Ill., favoring an amendment to the Volstead Act; to the Committee on the Judiciary.

6134. By Mr. MORIN: Petition of members of St. Augustine Rectory, Pittsburgh, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6135. Also, petition of the Ingram Borough school district, Ingram, Pa., urging passage of the Smith-Towner bill; to the Committee on Education.

6136. By Mr. O'CONNELL: Petition of Spanish Green Olive Importers' Association, of New York, opposing the passage of the Haugen bill (H. R. 10311); to the Committee on Agriculture.

6137. Also, petition of New York Wholesale Grocers' Association, opposing a gross sales or turnover tax; to the Committee on Ways and Means.

6138. By Mr. PETERS: Petition of the La Fayette Council, L'Union St. Jean-Baptiste d'Amerique, of Skowhegan, Me., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6139. By Mr. RANDALL of Wisconsin: Petition of residents of Kenosha, Wis., requesting an amendment to the Volstead enforcement law, permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

6140. By Mr. ROGERS: Petition of Council Notre Dame de Lourdes, No. 292, L'Union St. Jean Baptiste d'Amerique, of Lowell, Mass., and Council Ste. Therese, No. 351, same organization, of Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6141. By Mr. ROWAN: Petition of S. G. Bayne, president Seaboard National Bank, opposing the Haugen bill; to the Committee on Agriculture.

6142. Also, petitions of Young Women's Societies of the Church of St. Thomas the Apostle, Frank J. Guck and 100 others, Patrick Jones and 11 others, and Anna Marie McHugh, all of New York City, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6143. Also, petition of the Merchants' Association of New York, favoring the continuing of the passport office maintained in New York City by the Department of State; to the Committee on Appropriations.

6144. By Mr. SNELL: Petition of L'Union St. Jean Baptiste d'Amerique, Council Charbonneau No. 39, of Keeseville, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6145. Also, petition of L'Union St. Jean Baptiste d'Amerique, Council Champlain No. 38, of Champlain, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6146. Also, petition of L'Union St. Jean Baptiste d'Amerique, Council Notre Dame, No. 339, of Ogdensburg, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6147. Also, petition of L'Union St. Jean Baptiste d'Amerique, Council Chagnon, No. 316, of Chazy, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6148. Also, petition of L'Union St. Jean Baptiste d'Amerique, Council Legrand, No. 272, of Malone, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6149. By Mr. STINESS: Petition of South Kingstown and Narragansett Poultry Association, of Rhode Island, urging the enactment of tariff legislation to protect the hen, egg, and allied industries of the United States; to the Committee on Ways and Means.

6150. By Mr. TAGUE: Petition of Maturity Court, Daughters of Isabella, and Mary A. Murphy and Katherine T. Delanty, all of Boston, Mass., protesting against the Smith-Towner bill; to the Committee on Education.

6151. Also, petition of Drs. George, Leonard, and Sherman, of Boston, Mass., concerning Senate bill 4927; to the Committee on Ways and Means.

6152. Also, petition of Howes Bros. Co., of Boston, Mass., concerning packer bills; to the Committee on Agriculture.

6153. Also, petition of Society for the Protection of New Hampshire Forests, in favor appropriation for blister rust; to the Committee on Agriculture.

6154. Also, petition of International Association Bridge, Structural, and Ornamental Iron Workers, in favor bonus of $240 to Federal employees; to the Committee on Appropriations.

6155. Also, petition of Boston Post Office Clerk Association, in favor of the Steenerson bill (H. R. 15906); to the Committee on the Post Office and Post Roads.

6156. Also, petition of the National Budget Committee, in favor budget act; to the Committee on Appropriations.

6157. Also, petition of Frank N. Nathan Co., against the McFadden gold bill; to the Committee on Banking and Currency.

6158. Also, petition of New England Dressed Meat & Wool Co., against the Haugen bill (H. R. 15995); to the Committee on Agriculture.

6159. Also, petition of Division 72, Ancient Order of Hibernians, of Boston, Mass., protesting against the Smith-Towner bill; to the Committee on Education.

6160. Also, petition of Boston Progressive Retail Jewelers' Association, against the McFadden bill; to the Committee on Banking and Currency.

6161. Also, petition of Cheverus Council, No. 6, Massachusetts Catholic Order of Foresters, opposed to the Smith-Towner bill; to the Committee on Education.

6162. Also, petition of National Retail Hardware Association, to extend time for filing claims under section 206 (c) of transportation act; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *March 1, 1921.*

(Legislative day of Thursday, February 24, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McLean	Smith, Md.
Ball	Harris	McNary	Smith, S. C.
Borah	Harrison	Moses	Smoot
Brandegee	Heflin	Myers	Spencer
Calder	Henderson	Nelson	Sterling
Capper	Hitchcock	New	Sutherland
Colt	Jones, N. Mex.	Norris	Swanson
Culberson	Jones, Wash.	Overman	Thomas
Curtis	Kellogg	Owen	Townsend
Dial	Kendrick	Phelan	Trammell
Dillingham	Kenyon	Phipps	Underwood
Edge	Keyes	Pittman	Wadsworth
Elkins	King	Poindexter	Walsh, Mass.
Fernald	Kirby	Pomerene	Walsh, Mont.
France	Knox	Ransdell	Warren
Frelinghuysen	La Follette	Robinson	Willis
Gay	Lenroot	Sheppard	Wolcott
Glass	Lodge	Shields	
Gooding	McCumber	Simmons	
Gronna	McKellar	Smith, Ga.	

Mr. PITTMAN. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is absent on official business.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. There is a quorum present.

DISTRICT OF COLUMBIA WATER SUPPLY.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Board of Commissioners of the District of Columbia submitting a supplemental estimate of appropriation in the sum of $200,000 for increasing the water supply of the District of Columbia, which was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922; that it had receded from its disagreement to the amendments of the Senate numbered 4, 7, 8, 10, 46, 78, 89, 91, 102, 103, 112, and 114, and agreed to the same; that it had receded from its disagreement to the amendments of the Senate numbered 40, 48, 49, 92, 93, 107, 115, 116, 117, and 118, and agreed to each thereof with an amendment; that it insisted upon its disagreement to the amendments of the Senate numbered 11, 12, 13, 32, 33, 79, 80, 82, and 119; and asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ANDERSON, Mr. MAGEE, and Mr. BYRNES of South Carolina managers at the further conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. MYERS presented a joint resolution of the Legislature of Montana, which was referred to the Committee on Public Lands, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of senate joint resolution No. 3, enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Jos. M. Dixon, governor of said State, on the 23d day of February, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 24th day of February, A. D. 1921.

[SEAL.] C. T. STEWART,
Secretary of State.
By CLIFFORD L. WALKER, *Deputy.*

Senate joint resolution 3. Introduced by Donlan.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas there was granted to the State of Montana by the United States large tracts of timberland within said State for educational purposes; and

Whereas by the terms of said grant it was provided that said lands "shall be disposed of only at public sale and at a price not less than $10 per acre, the proceeds to constitute a permanent school fund ——"; and

Whereas pursuant to the laws of the State of Montana the State has sold and disposed of the timber from a large acreage of the said timberlands and the lands so cut over are valuable only as timberlands and for timber culture and have no value for agriculture or other purposes, and that it is to the interests of the State of Montana and the educational institutions for which said lands were granted that said cut-over lands be reforested; and

Whereas said cut-over lands are widely scattered and in most cases isolated and by reason thereof it is impracticable and uneconomic to undertake the reforesting and care thereof, and that in order that this important work may be successfully carried on the State should be permitted to exchange said cut-over lands that are valuable only for timber culture for other lands of like character and of the same value to the end that the State may acquire or secure its holdings in a compact body in order that reforesting may be undertaken in a businesslike and economic manner: Now, therefore, be it

Resolved (the house of representatives concurring), That we, the Seventeenth Legislative Assembly of the State of Montana, do hereby petition the Congress of the United States to immediately enact such legislation as will permit the State of Montana to dispose of the cut-over timberlands heretofore granted by exchange so that a reforesting program may be successfully and economically carried out by said State of Montana; and be it further

Resolved, That a copy hereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives of the State of Montana in Congress and that they be urged to use their best efforts to obtain congressional action herein indicated.

NELSON STORY, Jr.,
President of the Senate.
FRED L. GIBSON,
Speaker of the House.

Approved February 23, 1921.

JOS. M. DIXON,
Governor.

Filed February 23, 1921, at 3.20 o'clock p. m.

C. T. STEWART,
Secretary of State.

Mr. MYERS presented a resolution of the Lewistown Woman's Club, of Lewistown, Mont., protesting against commercializing the national parks, which was referred to the Committee on Commerce.

Mr. McLEAN presented a memorial of New London County Pomona Grange, of Norwich, Conn., remonstrating against the so-called daylight savings bill, which was referred to the Committee on Interstate Commerce.

He also presented a telegram in the nature of a petition of Eddy Glover Post, No. 6, American Legion, of New Britain, Conn., favoring the fivefold adjusted compensation plan for the benefit of ex-service men, which was ordered to lie on the table.

He also presented a memorial of the Woman's Club of New Haven, Conn., remonstrating against the enactment of legislation commercializing the national parks, which was referred to the Committee on Commerce.

He also presented memorials of Court Schiller, No. 117, Foresters of America, of Meriden, and Meriden Lodge, No. 276, D. O. H., of Meriden, both in the State of Connecticut, protesting against the presence and action of French colonial troops in the occupied zone of the Rhine, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Woman's Christian Temperance Union of Waterbury, Conn., protesting against an appropriation being made in the Agricultural appropriation bill for the investigation and improvement of tobacco, which was ordered to lie on the table.

He also presented memorials of Council Ste. Anne, No. 205, l'Union St. Jean-Baptiste d'Amerique, of Hartford; Marquette Council, Knights of Columbus, of Ridgefield; John Leo Sullivan, of New Britain; and Branch No. 627, Ladies' Catholic and Benevolent Association, of Winsted; all in the State of Connecticut, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of Washington Camp, No. 18, Patriotic Order Sons of America, of Waterbury, Conn., favoring legislation making armistice day a legal holiday, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a resolution of the Lane County Grange, of Eugene, Oreg., favoring legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. SMITH of Georgia, from the Committee on Education and Labor, to which was referred the bill (S. 1017) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes, reported it with amendments and submitted a report (No. 824) thereon.

Mr. REED, from the Committee on Standards, Weights, and Measures, to which was referred the bill (H. R. 9755) to establish the standard of weights and measures for the following wheat-mill and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes, reported it without amendment.

Mr. SPENCER, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 2086) to provide for the erection of a public building on ground already acquired at Caruthersville, in the State of Missouri, reported it without amendment.

BONUS FOR EX-SOLDIERS.

Mr. THOMAS submitted his views, being a minority report to the bill (H. R. 14157) to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes, which was ordered to be printed as part 2 of report No. 821.

AMENDMENT OF INTERSTATE COMMERCE ACT.

Mr. KNOX submitted an amendment intended to be proposed by him to the bill (S. 4933) to amend the interstate commerce act by adding thereto a new section, No. 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by adding a new paragraph to section 10 thereof, which was ordered to lie on the table and be printed.

APPOINTMENTS OF POSTMASTERS.

Mr. HITCHCOCK. Mr. President, in the presidential campaign of 1916 the Civil Service Reform Association addressed a letter to the Republican candidate for President, Mr. Hughes, and the Democratic candidate for President, Woodrow Wilson, making inquiry as to what policy each would adopt in the event of election and the demand that post offices of the first, second, and third class should thereafter be filled under the civil-

service rules instead of by arbitrary Executive appointment. Mr. Hughes answered at once that if elected President of the United States he would inaugurate a policy of civil-service reform and have all postmasters of the first, second, and third class, as well as the fourth class, selected by a civil-service examination. President Wilson replied in substantially the same terms. The result was that on the 31st of March, 1917, immediately after President Wilson's second term began, he promulgated an Executive order under which the postmasters of the first, second, and third class, known as presidential offices, should thereafter be selected as the result of a civil-service examination.

That order has now been in effect for nearly four years, and as the term of President Wilson is drawing to its close, it seems to me a proper time to put in the RECORD what has been the result of that reform. I will say frankly that during the last four years the operation of the reform has not been altogether acceptable or agreeable to Senators on this side of the aisle. It has not been a pleasant operation to see the appointment under a Democratic administration of Republican postmasters throughout the country, but it is proper at this time, at the close of the present administration, to examine briefly what the operations have been.

No one has known until lately what the exact figures or approximate figures are. Upon the other side of the aisle Republicans have claimed that it has been a farce. Upon this side of the aisle many Senators have thought that most of the appointments have fallen to Republicans. So I desire to take up now briefly what the results have been. First, let me read a paragraph from a dispatch appearing in the Evening Star of this city a few days ago and reading as follows:

ST. AUGUSTINE, FLA., *February 24.*

One of Warren G. Harding's first acts as President of the United States will be to rescind the order of President Wilson placing all postmasters under the protection of the civil service. Mr. Harding will insist that merit should control in the appointment of postmasters, but he does not believe the Democrats who have been placed in the postmasterships during the last eight years should be perpetuated in office.

I do not know whether that is authentic or not, and it is not of great importance at this time, but it raises the question and creates a doubt whether the reform is to be continued, and makes it decidedly proper to have placed in the RECORD what the actual facts in that reform have been.

I ask permission to place in the RECORD at this point, without reading, the Executive order of President Wilson promulgated March 31, 1917, and with it the statement of the Postmaster General concerning that order and the regulation which went into effect with it.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

EXECUTIVE ORDER.

Hereafter when a vacancy occurs in the position of postmaster of any office of the first, second, or third class as the result of death, resignation, removal, or on the recommendation of the First Assistant Postmaster General, approved by the Postmaster General, to the effect that the efficiency or needs of the service requires that a change shall be made, the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated the said commission shall certify the result thereof to the Postmaster General, who shall submit to the President the name of the highest qualified eligible for appointment to fill such vacancy, unless it is established that the character or residence of such applicant disqualifies him for appointment. No person who has passed his sixty-fifth birthday shall be given the examination herein provided for.

WOODROW WILSON.

MARCH 31, 1917.

The Postmaster General made the following statement in giving out the Executive order:

"The order speaks for itself and it will be observed.

"Incumbent postmasters of the classes referred to who are rendering good service and who continue to administer the affairs of their offices with ability will not be disturbed in such offices by any recommendation made by the head of the department. It is due them, however, at this time to make it clear that hereafter the supervisory officials of the department will be more exacting in the enforcement of those postal rules and regulations which make for increased efficiency, and postmasters will not only be expected to devote their time during office hours to a proper administration of their respective offices, but they will be required to thoroughly acquaint themselves with the various postal activities under their charge, and in the future to occupy such part of their time not properly given to administrative work to the performance of some part of those activities."

The First Assistant Postmaster General, who has charge of the post-office service, stated that it is the most advanced step ever taken in the Postal Service toward increased efficiency and businesslike administration, and that no doubt the necessary legislation to place these positions entirely within the classified service will be enacted in the near future.

WASHINGTON D. C., *March 31, 1917.*

Mr. HITCHCOCK. Mr. President, since that order was issued some 2,700 vacancies in first, second, and third class post offices in the United States have occurred. A short time ago, desiring to know what the exact facts were, I addressed a letter to the Postmaster General, asking him to advise me, if he could, what the results had been under the operation of that order. In order to ascertain what the results had been the Postmaster General directed the First Assistant Postmaster General to address a letter to every postmaster appointed to fill a first, second, or third class vacancy during the last four years, and I ask at this point to insert that letter in the RECORD.

I will say, in brief, that the letter merely asks the appointee to state his party affiliations for statistical purposes, and assures him that no partisan or political use shall be made of it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT,
FIRST ASSISTANT POSTMASTER GENERAL,
Washington, February 12, 1921.

(Personal.)

POSTMASTER: On March 31, 1917, the President issued an Executive order whereby appointments to presidential post offices were made as the result of an open competitive examination, the result thereof being certified by the Civil Service Commission to the Postmaster General, who submitted to the President the name of the highest qualified eligible for appointment, unless it was established that the character or residence of such applicant disqualified him for appointment.

In accordance with this order you were appointed postmaster, the appointment being based solely on merit, as shown by the result of the examination. It is now claimed by some that in making these appointments the department has shown discrimination for political reasons. The department is without knowledge of the political affiliations of those appointed under the Executive order, as politics was not considered. It will be to the interest of the service to demonstrate that there has been an impartial administration of this order. As all appointments have been submitted to the Senate, it can not affect the selection or appointment of anyone, and in order to enable the department to answer this charge, which is unfounded, you will state in the space below your political affiliations.

It is not desired to know how you voted in any particular election or whether you voted for any particular candidate, but the party with which you usually affiliate.

Please reply at the earliest date possible.

J. C. KOONS,
First Assistant.

Name of office, ———.
I am affiliated with ——— Party.
Date, ———.

——— ———, *Postmaster.*

Mr. HITCHCOCK. Mr. President, as a result of that inquiry of the Postmaster General I am able to give the following information:

From the 2,700 inquiries made by the Postmaster General of the 2,700 appointees to first, second, and third class offices, information has been secured from 2,110 and this information reveals the following facts:

Postmasters appointed to fill vacancies during the last four years are reported as follows:

Democratic affiliation	1,012
Republican affiliation	907
Independent	32
Prohibition	10
Socialist	3
No affiliation	129
Dead	7
Blank	10
Total	2,110

On its face this statement shows a very fair distribution between the parties, particularly when we take into account that in most of the Southern States any competitive examination with educational qualifications must necessarily be confined to white people, most of whom belong to the Democratic Party. If we except the 11 Southern States and consider only the 37 States where the parties are more nearly equally represented we find that the summary in these 37 States is as follows:

Democratic affiliation	598
Republican affiliation	846
Independent	26
Prohibition	9
Socialist	3
No affiliation	95
Dead	6
Blank	9
Total	1,592

We find that in such Republican States as Massachusetts out of 28 vacancies Republicans have been given the office in 20 cases.

I may say that, according to my recollection, one of those cases was the city of Boston, in which a Republican was appointed postmaster. I think the Senator from Massachusetts will bear me out in that statement.

Mr. BORAH. Mr. President, what was the Senator's statement in regard to Massachusetts?

Mr. HITCHCOCK. My statement in regard to Massachusetts was that out of 28 vacancies occurring during the last four years Republicans have been given the post offices in 20 cases.

Mr. POMERENE. In how many cases?

Mr. HITCHCOCK. Twenty cases out of twenty-eight.

Mr. WALSH of Massachusetts. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. I might add that, so far as I have been able to learn the political affiliations of the 28 postmasters in Massachusetts, all of them are Republicans; I do not know of any Democrats.

Mr. HITCHCOCK. There are some who report themselves as Democrats. I shall put the statement in the RECORD in detail.

In Michigan out of 68 vacancies, 46 went to Republicans, while in Minnesota, out of 80 vacancies, 55 went to Republicans.

In my own State, out of 90 vacancies, 55 were filled by Republicans and only 21 by Democrats.

These are naturally offset when we come to the Democratic States. In Texas, for instance, out of 119 vacancies 98 were filled by Democrats and 11 by Republicans, while in Mississippi 37 were filled by Democrats and only 1 by a Republican.

This showing, Mr. President, is very conclusive evidence that the Post Office Department has during the last four years administered with an honest effort this attempt at civil-service reform and has endeavored to carry the Executive order into effect in good faith and to take out of political patronage absolutely the appointment of postmasters nominated by the President and confirmed by the Senate.

In order that this record may be made complete, I ask to have inserted the following tabulated statements giving the appointments in each State together with the party affiliation of all men appointed so far as the returns have been received since the inquiry was made. They bear out the summaries which I have already given.

The new administration may wipe out this reform and in defiance of a public opinion which called for it may throw all of the post offices of the country back into political patronage but the record will remain that this administration has made an honest effort to establish the reform.

Mr. President, at this point I ask to have inserted in the RECORD the tabulated statement which I hold in my hand, which gives the statistics for each State in the Union.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

States and Territories.	Democrat.	Republican.	Independent.	Prohibition.	Socialist.	No affiliation.	Dead.	Blank.	Total.
Alabama	24	6				4			34
Alaska									
Arizona	7	3				3			13
Arkansas	30	5				1			36
California	14	33		1	1	1	1		51
Colorado	15	10				2			27
Connecticut	5	10				1		1	17
Delaware	2	1							3
District of Columbia									
Florida	18	7				3			28
Georgia	38	6	3			8			55
Guam									
Hawaii									
Idaho	5	11		1		1			18
Illinois	33	62	1	1		7	1	1	103
Indiana	29	19				1			49
Iowa	18	63	2	1		9		1	94
Kansas	20	29		1		9			59
Kentucky	33	5				1			39
Louisiana	35	4	1						40
Maine	10	18	2		1	2			33
Maryland	10	4							14
Massachusetts	6	20	2						28
Michigan	16	46	2			4			68
Minnesota	15	55	2	1		7			80
Mississippi	37	1				4			42
Missouri	54	18	1			4	1		78
Montana	10	25				4	1		40
Nebraska	21	55	2	1		11			90
Nevada	1	2				2			5
New Hampshire	4	7				1			12
New Jersey	11	21				1			33
New Mexico	7	3							10
New York	36	40	1		1	3		1	82
North Carolina	51	9				2			62
North Dakota	16	26				1			43
Ohio	29	34	2			5		1	71
Oklahoma	61	26	2			2		1	92
Oregon	5	11							16
Pennsylvania	37	55	2	1		3		2	100
Rhode Island	1								1
South Carolina	35	2		1		1			39
South Dakota	18	27				5		1	51
Tennessee	24	8							32
Texas	98	11	2			8			119
Utah	4	4				1			9
Vermont	3	3	1						7
Virginia	15	5				2	1	1	24
Washington	10	23	1			1	1		36
West Virginia	31	10							41
Wisconsin	7	54	3	1		4	1		70
Wyoming	2	10							12
Total	1,012	907	32	10	3	129	7	10	2,110

Omitting the 11 Southern States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, the tabulation is as follows:

Democrat	598
Republican	846
Independent	26
Prohibition	9
Socialist	3
No affiliation	95
Dead	6
Blank	9
Total	1,592

Mr. HITCHCOCK. Mr. President, I also ask leave to add to my remarks extracts from a number of letters received by the First Assistant Postmaster General from Republican postmasters who bear testimony to the genuine character of the reform brought about by the establishment of the merit system in naming postmasters. The names of the writers are not given, neither are the names of the towns, because I have no disposition to expose the authors of the letters to any possible resentment from partisan neighbors. I could add many more to the same purpose, but these will suffice to show the good faith in which the reform has been carried out.

I ask that these letters be inserted in the RECORD at this point as samples of those received from the Republican appointees in various parts of the country.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters referred to are as follows:

FEBRUARY 16, 1921.

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.

DEAR SIR: While these few words may be superfluous, I feel that I should further state that I have affiliated with the Republican Party for the past 20 years.

So far as I have been able to ascertain, the question of politics did not enter into either the examination or my subsequent appointment to this office.

Yours, respectfully, ——— ———.

—

FEBRUARY 17, 1921.

POSTMASTER:

I am returning to-day answer to your inquiry as to my party affiliation. I do not think, however, that the mere statement that I am and always have been a Republican is sufficient answer in my case to the inquiry.

For 40 years I have edited Republican newspapers in * * *. More than 30 of those years I edited newspapers in this city. They were not merely Republican in name. I was regarded as a radical, uncompromising, "stand-pat" Republican. With that record I entered the contest for * * * post office when it was announced that civil-service rules would govern the appointment.

When the Civil Service Commission made its report I was the highest on the list, and my name was certified to Postmaster General Burleson, who promptly recommended me for appointment, and President Wilson at once made the appointment as recommended. If there is any question or doubt as to the fairness or consistency of the administration in living up to its pledges in this line, my own case should be sufficient to prove the doubt groundless. I desire to give my testimony as to the absolute fairness of the department in making these appointments.

* * * * * * *

Very truly, yours,

———, *Postmaster.*

—

FEBRUARY 17, 1921.

In connection with the inclosed letter I wish to make this additional statement, which you are at liberty to use:

I was rejected by the local board in August, 1917, because of bad eyes, and a little later the local banker called my attention to the Executive order and of the call for a competitive examination for office of postmaster at ——— and advised me to look into it.

Being advised by various persons, some of whom were holding civil-service appointments, that politics was not considered in such examinations and that my standing on my examination alone would govern, I made application for permission to take the examination.

Of the four applicants who took the examination, the other three were affiliated with the Democratic Party, and two have been candidates for other offices. I and my father before me have always been affiliated with the Republican Party.

No information was asked of me at any time as to my political affiliations, and I can say further that the Democratic committeeman from this precinct worked for one of the candidates and that a friend of another of the candidates who happened to be at the Capitol made a special call in the interests of his friend, and I can also say further that one of the applicants also had petitions signed by about 25 asking for his appointment.

* * * * * * *

Respectfully, yours,

———, *Postmaster.*

—

FEBRUARY 15, 1921.

I was one of six who took examinations for this position. I was the only one who was Republican; the rest were Democrats; two boasted of party influence. I simply took the examination. I had taught in grammar and high school; been superintendent of schools for 25 years; and for 2 years had been treasurer and head bookkeeper of a ——— corporation doing some thousands of dollars a week of business. I felt that if I did not get the position there must be something wrong about "civil service," but I got it, although in the "wrong" party. I never voted a Democratic ticket in my life. * * *

———, *Postmaster.*

—

FEBRUARY 16, 1921.

The Republican Party will do well to copy the Democratic Party in the matter of post-office appointments. A lot of my friends thought there would be no use for me to take the examination for postmaster on account of being a Republican, but politics did not enter into the matter at all. The Democratic Party has been very fair as far as I am concerned, and the Republican Party will make a mistake if the old political spoils system is employed in making post-office appointments.

* * * * * * *

Respectfully, yours,

———, *Postmaster.*

—

FEBRUARY 15, 1921.

At time of my appointment I was Republican county chairman.

—

FEBRUARY 17, 1921.

Have been Republican county chairman 10 years.

—

FEBRUARY 18, 1921.

FIRST ASSISTANT, *Washington:*

In reply to inclosed communication, I wish to submit the following facts in connection with my appointment as postmaster at this place: I am in possession of three commissions signed by Republican Presidents for postmaster at another office of the third class, and at the examination held for Postmaster at * * * the other applicant was a Democrat and chairman of the precinct committee, so I can truthfully state that there was no discrimination shown in this case for political or other reasons. The Hon. FRANK W. MONDELL will verify that he has recommended me to the previous appointments as postmaster under a Republican administration, and am satisfied that the ruling of March 31, 1917, was strictly adhered to in this case. Any further information will be cheerfully supplied.

———, *Postmaster.*

FEBRUARY 17, 1921.

The charges of political discrimination by your department are unfounded.

Respectfully, ——— ———.

Mr. HITCHCOCK. Mr. President, let me say in conclusion that this reform has not been altogether to the comfort of Democratic Senators and Representatives, but it was a reform pledged to the people of the United States by President Wilson; it was a reform pledged to the people of the United States by the then candidate for President, Mr. Hughes, who is now to appear as the head of the Cabinet in the incoming administration. If it is carried out by the incoming administration it will be a reform permanently established in this country, because no other administration will ever venture to change it.

Mr. President, let me say further that I do not stand here as an advocate of the Executive order in the language in which it was written; I think it was overdrastic. I urged the President to modify it; I believe it should have been modified; I believe that the President should have some discretionary power in the appointment of postmasters. I think that the Executive order should have been so modified, and I hope it will be so modified, that all that the Civil Service Commission shall do shall be to subject to a test the candidates for postmaster in the first, second, and third class offices, and report a list of eligibles to the President, leaving the President, with the advice of Senators and Representatives, some discretion to select from those eligibles. But the reform has been started, and I hope that our Republican friends will not destroy the start that has been made.

Mr. LODGE subsequently said: Mr. President, I do not desire to delay action on the conference report a moment or to take the attention of the Senate away from that subject. However, when I came into the Senate this morning the Senator from Nebraska [Mr. HITCHCOCK] was making some observations—I did not hear all he said—in regard to the presidential order in reference to postmasters. I merely desire to have that order printed in the RECORD, if it has not already been ordered to be done.

The VICE PRESIDENT. The order has been ordered printed in the RECORD.

Mr. LODGE. Then, of course, it is not necessary to have it again printed.

I wish to call attention merely to two matters. The proposed examination for postmasters under the order does not place them in the classified service. In the second place, I wish to call attention to the fact that the order is very cunningly drawn. It provides:

> Hereafter when a vacancy occurs in the position of postmaster at any office of the first, second, or third class as the result of death, resignation, removal—

It excludes the expiration of a commission as creating a vacancy. Of course, the result of that would be that postmasters holding offices would be kept in office without examination. The purpose of that, I think, I need not go into.

Mr. HITCHCOCK. If the Senator will submit to a question, I desire to ask, would not such a position be analogous to other civil-service positions that are held during good behavior?

Mr. LODGE. It is not a civil-service position; it is specifically stated that the order does not put it in the classified service.

Mr. HITCHCOCK. I understand that.

Mr. LODGE. But the point is that the expiration of a commission does not create a vacancy. Therefore, the man who is in office may be reappointed without the examination; and that, of course, was the purpose of the order.

Mr. HITCHCOCK. I will ask the Senator whether a continuance in office during good behavior is not analogous to the general plan of civil-service reform pertaining to the classified service?

Mr. LODGE. I do not think it has anything to do with civil-service reform. I think it is a plan for keeping in post offices appointees who are now there.

Mr. HITCHCOCK. Is it not the plan of the classified service to keep a person in office during good behavior?

Mr. LODGE. In the general classified civil service employees are there by competitive examination.

Mr. HITCHCOCK. Exactly.

Mr. LODGE. And come into the classified service with certain rights defined by law——

Mr. HITCHCOCK. So do postmasters.

Mr. LODGE. The post-office appointees referred to get no such rights, and under the Executive order most of the vacancies have been excluded by not making the expiration of a commission create a vacancy. If this effort were genuine, the expiration of a commission would create a vacancy and postmasters in office would be compelled to stand examination with outsiders; but they are explicitly excluded.

Mr. HITCHCOCK. Mr. President, the point I am making is that this process of continuing postmasters in office during good behavior is entirely analogous with the general rule governing the classified service, and while postmasters are put into this status by an Executive order that is in exact accord with the demand for civil-service reform.

Mr. LODGE. But those in the classified service who are kept there during good behavior have passed competitive examinations.

Mr. HITCHCOCK. That is so of postmasters.

Mr. LODGE. No; I beg the Senator's pardon. The postmasters who are to be kept are required to pass no examination at any time or even to be examined by a commission, and that is the object of the cunning drafting of the order.

Mr. UNDERWOOD. Mr. President, I dislike to delay the Senator in charge of the conference report; but, if he will pardon me for about five minutes, I should like to say something for the RECORD. The Senator from Massachusetts has evidently stated his party's position on the question of the removal of postmasters.

Mr. LODGE. Mr. President, let me explain to the Senator that I have stated no position but my own. I wanted to show what I consider to be the humbug of this order.

Mr. UNDERWOOD. It will undoubtedly be reflected as his party's position. I have no criticism of the Senator reflecting his party's position on this question, but I think the RECORD should clearly define the position.

As to whether or not the Republican Party when it comes into power next Friday intends to continue the efforts of President Wilson to place all of the postmasters in the United States under the civil service law or a qualified civil service law is a matter of policy for that party, on which it must go to the country; but there is no reason why there should be a misunderstanding as to the situation.

The classified civil service laws were passed a quarter of a century ago or more, and they authorized the President of the United States to blanket into the classified service any employees of the Government that he desired, except those whose nominations required confirmation by the Senate. When that was done under a Republican administration no civil-service examination was ever held for the men who were in office. They were first blanketed in by Executive order, and then they held during the period of good behavior.

Mr. LODGE. The Senator knows as well as I that that has been done by every administration.

Mr. UNDERWOOD. Certainly.

Mr. LODGE. Mr. Cleveland blanketed in 40,000 postmasters at one time.

Mr. UNDERWOOD. Undoubtedly; I am not criticizing that position; I am merely criticizing the position of the Senator in trying to differentiate in this case. Of course, there have been times when it has been convenient for our Republican friends to remove the blanket and get rid of surplus civil-service employees, and after they had put their own kind into office to return the blanket and protect their own appointees. In this case the President of the United States could not by Executive order apply the civil service laws to first, second, and third class postmasters, because their nominations have to be confirmed by the Senate. It was not cunning on the President's part in drawing this order that kept these men in office to continue to serve without a reexamination after their terms had expired; it was merely an attempt on the part of the Executive, so far as he was able to do so, to follow the sentiment of the existing law in connection with civil-service matters, to make all original appointments by competitive examination, and then establish the precedent that if a man served well and faithfully, as he would do if the position were strictly under the classified service, to return his name to the Senate without a reexamination, because civil-service rules do not contemplate the turning out of office of a faithful and capable servant. There was nothing cunning in the order.

Mr. LODGE. There was no examination, of course, but simply an inspector would be sent to report as to the postmaster.

Mr. UNDERWOOD. Undoubtedly; but that is the case in the classified service in connection with bureaus in Washington. If a department has any ground for turning out an employee, they turn him out, whether he is under the classified service or not, but if he is capable and efficient they retain him.

I admit that the President did not have the opportunity to put these men directly under the classified service, because they must be confirmed by the Senate; but he took the position that so far as the Executive was concerned, if they were faithful and capable servants, performing their duties well, he would, at the expiration of their terms, return their nominations to the Senate for confirmation.

Mr. LODGE. Without any examination at all.

Mr. UNDERWOOD. Certainly not.

Mr. LODGE. Because the expiration of the commission does not create a vacancy, under this order.

Mr. UNDERWOOD. Certainly not. The Senator does not seem to understand the position that I take.

Mr. LODGE. I understand it, I think, perfectly.

Mr. UNDERWOOD. The Senator says that the order was made by the President with cunning, as if he had made this order in order to keep in office men of his political faith. Not at all. The President was trying to liken his order, as nearly as was practical, to the civil service laws of the country.

Mr. LODGE. It never occurred to me that the President drafted the order.

Mr. UNDERWOOD. Well, I am saying it came from him, or whoever it is.

Mr. GLASS. Mr. President, permit me to suggest that, however cunningly the Executive order may have been contrived, it does not appear to have been cunningly administered, since under the order 50 per cent of the appointees were Republicans.

Mr. MOSES. Oh, no; that merely shows the superior intelligence of the Republican contestants in the examinations.

Mr. UNDERWOOD. I will say to the Senator from New Hampshire that while he may claim the intelligence of the country for his party, he has not demonstrated it. At any rate, it shows that under President Wilson's administration of the post offices of the country under this order he attempted to live up to the principles and policies of the civil service laws of the United States; and I do not think it is right to attempt to controvert those facts or leave a slur on his position.

If the Republican Party conclude to take the back track on civil-service reform and go to the spoils system, that is your responsibility, not ours; but I say, if you are going to take that position, take it openly, tell the country what you are doing, and do not try to camouflage the situation. Say that you are going to turn these Democrats out because you want to put Republicans in. You have the power. You can take the responsibility of it to the country.

EXTENSION OF CREDITS FOR EXPORT TRADE.

Mr. SMITH of Georgia. Mr. President, we all recognize the necessity for restoring our export business to central Europe. The Senate has recognized the importance of establishing credits there and helping to maintain those credits. The passage by Congress of the joint resolution directing a resumption of work by the War Finance Corporation was a recognition of the importance of this question. I think most of us regret that the Treasury Department took the position that the War Finance Corporation could not in any way assist in establishing credits in Germany and Austria and other countries with which we have been at war and are now technically at war.

I hold in my hands quite an interesting article from the New York Commercial of January 29, 1921, by Mr. Ludwig Nissen, in which he discusses the importance of rehabilitating our export trade to central Europe and the necessity for credits in connection therewith. While he, perhaps, goes somewhat further in the line of these credits than I would go, yet I consider his article so interesting that I desire to have it printed in the RECORD as a part of my remarks, and I ask permission to do so.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and permission is granted.

The article referred to is as follows:

URGES MORE LOANS TO HELP EUROPE—SAYS CREDITS WOULD RELEASE UNITED STATES SURPLUS GOODS—REHABILITATION OF STABLE AMERICAN EXPORT TRADE DEPENDS UPON POLICY OF HARDING ADMINISTRATION, IS VIEW OF LUDWIG NISSEN, FORMER HEAD OF WHOLESALE JEWELERS.

[By Ludwig Nissen, former president Wholesale Jewelers' Association.]

The rehabilitation of a stable American export trade depends upon the policy of the incoming national administration. America can have no profitable foreign trade without her participation in the reestablishment of equitable economic relations all the world over.

The first requisite to the attainment of that condition must be the conclusion of peace with former enemies with whom, by the way, she formerly carried on an enormous import and export trade.

The great industrial plants of Germany have, for decades past, proved to be the heart strings of the economic world. The continued paralyzation of these industries can only be compared to the partial paralyzation of the heart of the human body, which makes for inactivity, indolence, inefficiency, irregularity of action, and practical stoppage of the functioning of all contributory organs.

All Europe, including Germany, needs raw materials. We have them in great abundance. At the present time we have them piling up on us to such an extent that we can hardly find warehouse room for them. Many of them rot or in some other way deteriorate. The same applies to our surplus foodstuffs. In the cases of both commodities the storing and hoarding of them clogs commerce. The lack of foreign markets for our surplus products of fields, farms, mines, and factories curbs ambition and energy and will lessen production, throw labor out of employment, weaken our financial structure, and throw the whole economic system of our country into inevitable chaos and lethargy. It does more than that. Money is kept at high rates, and therefore kept beyond reach for productive, labor-employing enterprise by credits

being tied up in unsold commodities. If the banks should attempt to withdraw these credits, immense losses will be sustained by the banks as well as by the borrowers. Sell these hoarded commodities and credits will be released, money will become easier and naturally flow into legitimate channels of a healthfully reviving business.

In order to accomplish the sale of our great surplus of raw materials it will be necessary to devise some system of credits upon which the countries needing them can buy them. This should be easy. Frequently a creditor has to extend new credits in order to protect credits already granted—the liquidation of which would be doubtful and often impossible without the new credits to put the debtor in a position to work out a hazardous situation. We have loaned European nations approximately $10,000,000,000 for the purposes of destruction.

It would not be throwing good money after bad to loan a few more billions for the purposes of reconstruction, for in that way they would be set upon the road to recovery and prosperity, furnishing thereby a guaranty of ultimate liquidation of all their obligations to us. Simultaneously this would create an immediate outgo of our surplus of raw materials and foodstuffs, simulate new production, and by providing universal employment also forthwith increase consumption. This would within a comparatively short time lead to the beneficent return of normal conditions in which production and consumption would fairly balance each other.

Can anyone imagine, however, that this result can be brought about for our country alone without regard to conditions in other and all other countries? No! Just as it is impossible for the body human to be happy in one part while miserable in the other so it is with the body politic. The economic fabric of the world at large must be made to dovetail in order to present a harmonious and coordinate whole. Any attempt therefore to foster prosperity and happiness in one part of the world to the exclusion of other parts must lead to failure and consequent misery, discontent, unrest, labor disturbances, financial unsettlements, and all the ails and ills of an unhealthy economic system.

The first immediate necessity for healthful and helpful cooperation of all countries should be the insistence of the world upon the definite fixing of the German indemnity to be paid to the Allies. It should be fixed upon the basis of possibility to pay within a short time limit for the present generation to liquidate. No settlement intending to bind unborn generations to liquidation of undetermined and indeterminate obligations to foreign countries could possibly be expected to meet with successful execution. It would mean to be born into slavery.

The spirit of mankind rebels against the thought of working to pay a debt the limit of which is not known and may never be reached. Uncertainty, suspense, fear of never ending calamity, of slavery lead to desperation; and desperation leads to violence, which may mean the outbreak of new wars. A law against common sense is unenforceable. A contract against public policy is illegal. And so the settlement of international difference intended to controvert the law of nature will not win the approval of the second sober thought of humanity.

In order, therefore, to get the world moving along in peace and amity and all working with hope and confidence toward the realization of the spirit of the brotherhood of man, the world should insist upon the immediate settlement of the question of indemnity in such a way as to secure the friendly cooperation of all nations toward the reestablishment of normal economic conditions.

A short time ago at a dinner attended by some of New York's greatest thinkers of questions of economics this same thought was advanced by two very forceful speakers as being particularly in the interest of France. From that point of view one gentleman in a carefully prepared essay mildly dissented in calm and deliberate argument, and although he seemed to represent the minority sentiment of those present he retained the respect of all his hearers by his considerate handling of the subject.

Another gentleman, however, with great vehemence interjected that if it were a question of economics alone that view might be accepted as correct. But that was not the only question to be considered. He declared that the rehabilitation of German industries would make her financially and materially strong in every way and might in a short time put France at her mercy again. This must be prevented for France needed security against that very condition and for that reason Germany must be kept down.

If that sort of view is to be adopted by America as its guiding star, Germany will be a long time recovering her position of usefulness to the world; but in the meantime the rest of the world—and particularly those countries expecting to benefit from the receipt of German indemnities—will continue to suffer with her. And, as for our foreign trade, it will continue to be stagnant, and with it our whole system of economics—farming, mining, manufacturing, shipping, financing, and all the activities that have made our country great, rich, and powerful—will remain in the same condition of stagnancy.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, I ask consent of the Senator in charge of the naval appropriations bill, who is entitled to the floor, to present and have considered a partial report of the committee of conference on the legislative, executive, and judicial appropriation bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming?

NAVAL APPROPRIATIONS.

Mr. POINDEXTER. Mr. President, before consenting to take up the conference report I wish to call attention to the situation in regard to the naval appropriation bill. There seems to be an idea being circulated in the Senate that there is no chance to enact the naval appropriation bill at this session of Congress. I have heard a number of statements made to the effect that in whatever form we pass the bill in the Senate, if it is changed in any way from the bill which was passed by the House, we will be unable to agree with the House conferees and that the bill will fail. Of course, if the Senate is to accept as a guide for its conduct in connection with a great appropriation bill a statement of that kind, it might as well abdicate its functions. I do not suppose that there ever was an appropriation bill taken up in the Senate to which amendments were made and which went to conference with the other House of Congress as to which it was not necessary and was not the fact that certain compromises and adjustments in the matters of disagreement between the two Houses were made.

In my opinion, the United States is confronted at the present time in its foreign relations by a very critical situation. For the first time in the history of the United States we now have an opportunity, as a result of the war, of securing an adequate Navy to protect and defend the interests of the United States throughout the world. That is about the only thing which we got out of the war. We did not even get the Island of Yap. Japan obtained a great empire of the Pacific Islands, extending her dominion over an area of the earth's surface of some 4,000,000 square miles of land and water.

The United States got nothing. After these matters had been disposed of and other countries had obtained the sanction of the great powers that adjusted the differences following the war and had obtained possession of these islands, after it was too late for the United States to protect its interests, we began to assert them and say that we wanted the island of Yap; but we did not get it. What we did get out of the war, however, by reason of the enactment of the naval building program of 1916, was an opportunity to secure an adequate Navy. Now it is proposed to destroy that. On both sides of the Chamber here there is a disposition among a few Senators to delay, and possibly to defeat, any naval appropriation bill at all.

Mr. WARREN. Mr. President, I will ask my friend if he denies me the opportunity to present and have considered the conference report on the legislative bill?

Mr. POINDEXTER. If the Senator will yield for just a very few moments, I will state my position in regard to his application.

Mr. WARREN. I think the Senator will not accuse me of attempting either to delay or to defeat his bill.

Mr. POINDEXTER. Not at all. The Senator from Wyoming has given no indication of any desire either to delay or to defeat this measure.

The other day the Senator from Idaho [Mr. BORAH] stated upon the floor of the Senate that he did not desire to delay this bill, and I am sure that he does not. I take his statement in absolute good faith; but whatever his intentions may be in that regard, he and those who are cooperating with him are adopting a course which will have the effect of defeating the bill, on account of the short time that will elapse before the adjournment of the session, unless they should change their attitude in regard to it.

Among the other things that the Senator from Idaho stated as of interest to him in connection with this bill was the adoption of an amendment providing for a limitation-of-armaments conference. He has proposed an amendment to the bill on that subject:

> The President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval.

Mr. President, I have not any objection whatever to the object of that amendment; and I stated to the Senator from Idaho several days ago that not only had I no objection to the object which he has in view in the presentation of this amendment, but that I am heartily in favor of it. I think the form of the amendment would have to be changed if it were to have any effect, because under the Constitution of the United States nobody can formulate treaties and agreements between nations except, in the first place, the President of the United States, by and with the advice and consent of the Senate. I have no objection to the appointment of representatives of the United States to confer with other countries as to a plan of disarmament. I have always thought that a great opportunity was overlooked at the Paris peace conference, when for six months, at a time when the affairs of the world were being molded, the representatives of the United States, with the power that they had from the wealth and the armies of this country, which at that time were mobilized for war, did not take advantage of the opportunity to formulate and present to the various powers that had been engaged in that war some specific plan for the limitation of armaments; but they allowed the opportunity to go by. No effort was made to formulate or to present any such plan.

If there is any possibility of arriving at any such agreement, and having that agreement submitted to the various countries for their approval, I not only do not object to it but I am heartily in favor of it. I want to say, however, that it is very largely an act of supererogation for the United States Senate

to pass a resolution to that effect. The only purpose or object which could be accomplished by it would be as an expression of opinion. It is not necessary as a matter of law. The Constitution vests in the President of the United States the authority to do that very thing. It makes it his duty to do so if he considers it necessary for the welfare of the country. The President of the United States alone has the power to initiate and to negotiate treaties. Then he is to submit whatever is the result of those negotiations to the Senate for its ratification.

Not only is the authority that is proposed by the amendment vested in the President by the Constitution, but the Senate and also the House of Representatives have long ago indicated their attitude upon it, for in connection with this very building program which is the basis of this appropriation bill, which was adopted in 1916 under the impetus which was given by the threat of a great world war, in the very act in which we authorized the construction of the battleships and battle cruisers, Congress authorized and instructed the President of the United States to negotiate with foreign countries for a limitation of armaments, and that law is still in effect. I want to call attention specifically to it.

This act was approved August 29, 1916. It provided, as I said before, for 10 battleships, for 6 battle cruisers, for 10 scout cruisers, for 50 torpedo-boat destroyers, for 9 fleet submarines, for 58 coast submarines; and in connection with that, and appropriately in connection with it—because without power to back up the policies which the representatives of this country might agree upon, their representations would be of no force or value in negotiations with foreign countries—while they provided for negotiations for a limitation of armaments, Congress gave to the United States the necessary forces to back up whatever position it might take, and they provided in this bill:

It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm, and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.

In view of the premises, the President is authorized and requested to invite, at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal, to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendation to their respective Governments for approval.

In substance, that is identical with the amendment proposed by the Senator from Idaho.

The President is hereby authorized to appoint nine citizens of the United States, who, in his judgment, shall be qualified for the mission by eminence in the law and by devotion to the cause of peace, to be representatives of the United States in such a conference. The President shall fix the compensation of said representatives, and such secretaries and other employees as may be needed. Two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set aside and placed at the disposal of the President to carry into effect the provisions of this paragraph.

That authorization is still upon the statute books; and what object would one have in objecting, if it becomes a matter of importance in the parliamentary situation of Congress, to its repetition? What would it add to the influence which Congress might have upon the action of the Executive, if any influence in addition to his constitutional prerogatives and duties were needed?

Mr. President, the Senator from Idaho has fallen into a number of errors in regard to the Naval Establishment of the United States, undoubtedly based upon information which he has relied upon. For instance, the Senator from Idaho stated in his address the other day that this appropriation bill carries something over $500,000,000. It does not. It carries something under $500,000,000.

Mr. BORAH. How much under?

Mr. POINDEXTER. Several million dollars.

Mr. WARREN. Mr. President, let me ask the Senator whether I am to have unanimous consent to consider this conference report or not. We are skating on thin ice. It is getting toward the end of the session.

Mr. POINDEXTER. We are also skating on thin ice with the naval bill.

Mr. WARREN. I do not think it would be any satisfaction to the Senator, even if it turns out that he loses his bill, to have the legislative bill killed, also.

Mr. POINDEXTER. There is no reason why we should lose the naval bill. If the Senate wants to pass the naval bill, it can pass it, and it can be enacted by Congress. I want to see whether or not they want to assume the responsibility for defeating it. I will yield to the Senator in a very few moments.

It is not a question, as I said in my last remark, of how much over or how much under $500,000,000 the bill carries. It is under and not over. That is the point to which I want to call attention.

The Senator from Idaho stated in his remarks that if the appropriations provided for in the House bill were enacted, and the program provided for in that bill were carried out, the United States would have a Navy 31 per cent greater than that of Great Britain, as I recollect his remarks. The fact of the case is that we will have a Navy about 50 per cent less than the navy of Great Britain instead of 31 per cent greater. If we should carry out that part of the program that is provided for in the House bill, we would still be in the middle instead of at the conclusion of the building program in which we are now engaged.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. POINDEXTER. I yield.

Mr. LENROOT. I will ask the Senator if the personnel of our Navy to-day is not larger than the personnel of the navy of Great Britain?

Mr. POINDEXTER. It is about the same.

Mr. LENROOT. It is larger, however, is it not?

Mr. POINDEXTER. Not when you take into consideration the marines, who serve upon the British battleships and man the guns that are manned by sailors in the American Navy, and when you take into consideration the 30,000 trained reserves that are subject to the call of the British Navy at any moment, in peace or in war. Furthermore, Mr. President, I want to call the Senator's attention to the fact that the British Navy is upon an entirely different establishment from the American Navy. Their enlistments are, first, an enlistment of 5 years, and then an enlistment of 7 years, making 12 years' enlistment, and under the inducements and the practice of the British people it is almost the invariable custom for British sailors to reenlist for the second term. The consequence is that they have a navy of older men and of trained men, whereas the United States has a Navy composed very largely of recruits, 20,000 of whom have to be in training camps at all times in order to fit them for service on board of a battleship. That is the situation and the difference between the personnel of the American Navy and the British Navy.

Mr. FRANCE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Maryland?

Mr. POINDEXTER. I yield to the Senator from Maryland.

Mr. FRANCE. In connection with the question as to whether this bill should pass or not, I desire to ask the Senator what proportion of the 1916 program can be carried on under the provisions of the bill, and with the sums appropriated made under it. It seems to me that that program has been very materially cut.

Mr. POINDEXTER. About 10 per cent. The appropriation in this bill for the building program of 1916 is the same that it was in the bill as it passed the House. The Senate committee made no change whatever in the amount appropriated by the House, and while there has been considerable talk about a building holiday, and the bill does not provide for a building holiday, yet the appropriation that is made by the House, and which the Senate committee has not undertaken to increase, practically would bring about a building holiday, because it will slow down the work upon the program so as to delay its completion for two years.

Mr. FRANCE. Mr. President, I desire to say that I think the Senate is making a very grave, if not a fatal, blunder in acceding to any policy which will cut down the 1916 program, and personally I feel that it would be almost better to have this bill not pass than to have it pass with such a curtailment of that program as would be involved under its provisions.

Mr. POINDEXTER. The House apparently went upon the theory, on the testimony that was submitted to it, that the appropriation of $90,000,000 would be sufficient to carry on the building program upon the capital ships at the same rate at which it was carried on last year. They overlooked the fact that last year the building resources of the United States in naval construction were engaged in completing work upon destroyers which were adopted as an emergency war measure, in order to fight the submarine, which program is now completed; that they were not engaged at that time in speeding up the program upon the capital-ship construction which was provided for in the act of 1916; and that this $90,000,000 will make it impossible for the Navy to carry on that work at the speed at which it ought to be carried on, which would enable it to have these ships in 1923, as was at first proposed, but would postpone the completion of it until 1925. But, in view of the situation in the House, and the attitude of certain Senators, and on

account of certain other provisions we put in this bill, the Senate committee has not undertaken to increase that amount, but has left it identically as provided in the House.

Another statement made by the Senator from Idaho [Mr. BORAH], which is an error, is that the bill as it passed the House provided for the carrying on of the entire building program of 1916. That is not correct. The bill as it passed the House expressly forbade the use of any of the money appropriated in the bill upon any ship which is not already under construction or contracted for.

In the 1916 program there were 6 fleet submarines, great submarine cruisers, they might be called, supposed to be able to accompany the fleet at sea, with a wide radius of action, which had not been contracted for, and were not under construction, and which were left out of the bill by the House. Also, in addition to that, there were 12 destroyers provided for in the 1916 program which are not provided for, but the construction of which is expressly forbidden in the bill as it passed the House; and, in addition to that, a transport. So that there were 12 destroyers, 6 fleet submarines, and 1 transport in the 1916 program, which the bill as it passed the House did not provide for, in contradistinction of the statement made by the Senator that it provided for all of that program.

Mr. EDGE. Mr. President, I was called from the Chamber when the Senator from Washington was discussing the disarmament amendment to the pending bill, and I did not hear his line of conclusions as to that amendment. Would the Senator, so far as in his power, as the Senator in charge of the bill, accept for consideration at this time the amendment offered by the Senator from Idaho?

Mr. POINDEXTER. I shall be very glad to accept it at any time. I think it would be better, instead of providing that the representatives of the United States should have authority to enter into an agreement, that it should provide that they would have authority to negotiate and propose a plan of disarmament, to be submitted to the Senate of the United States, in accordance with the Constitution. That would have to be done anyhow. But I have no objection to the particular form of it, because that matter will take care of itself. We are compelled to follow the limitations of the Constitution, whatever the form of the proposed amendment might be.

Mr. EDGE. Mr. President, my only thought in asking the direct question was to see if it was not possible to find some common ground upon which it might be possible to pass the naval appropriation bill. If the consideration of that amendment bears directly upon it, though I am not sure whether it does or not, it would seem to me we might make haste by taking up the bill and considering that amendment. If the amendment is agreed to, in whatever form finally decided upon, it might have an effect in securing definite action upon the entire measure.

Mr. WARREN. Mr. President, I think the Senator from Washington will agree by this time that I am entitled to have an answer as to whether I am or am not to be allowed to get up this conference report. I wish to say to the Senator that a report from a conference committee is always in order, and could be sent up and read at the desk. But I wanted to get the consent of the Senator, if possible, to have it considered.

Mr. POINDEXTER. I wish the Senator could give me about 10 minutes before making his motion.

Mr. WARREN. What does the Senator request?

Mr. POINDEXTER. I would like to complete my statement. I think I can do it in 10 minutes.

Mr. WARREN. There will be a great many statements of others, perhaps, which may follow. Had the Senator thought of that? This is a partial report, and it has to go back for further consideration. I want to get back to the conference myself.

Mr. POINDEXTER. It can not possibly endanger the report.

Mr. WARREN. I have to accept the Senator's decision, if he is not willing to grant my request.

The VICE PRESIDENT. The Chair thought the Senator from Wyoming was just yielding the floor. The Senator from Wyoming had the floor, and the Senator from Washington had not any right to proceed unless the Senator from Wyoming had given his consent. The Chair thought the Senator from Wyoming had given the floor to the Senator from Washington.

Mr. WARREN. I have; but the Senator from Washington does not now give his consent for me to bring up this report, and I desire to have it read. However, I am perfectly willing to allow the Senator to proceed.

Mr. POINDEXTER. I will complete what I have to say in a few moments. It has been under considerable difficulties that we have gotten to the consideration of this matter.

Now, I wish to comment on the statement made by the Senator from Idaho [Mr. BORAH] as to the relative strength of the navies of the world. I think he said the American Navy, if these programs were carried out, would be about two and a half times the size of the Japanese Navy. That is not a matter of guesswork; it is not a matter of surmise or speculation. When the programs of the respective countries are carried out the Japanese Navy will be about 75 per cent of the strength of the American Navy. But there is a great deal of doubt as to whether or not it will not be the equal of the American Navy, instead of the American Navy being two and a half times the strength of the Japanese Navy. At the present time Japan has four modern battle cruisers in commission, armed with 14-inch guns. The United States has not one. Japan has six modern scout cruisers. The United States has only three old and almost obsolete scout cruisers.

When these programs are carried out, when the United States has completed the 1916 program, if it is ever allowed to complete it, it will have six battle cruisers. Japan will have 12.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. POINDEXTER. In just one moment. At the present time of ships of the first line, armed with guns over 12-inch, the United States has 11 and the Japanese have 9.

Four of the nine Japanese ships of the first line, capital ships, are battle cruisers of great speed and of enormous radius of action, which could sweep the Pacific Ocean, and which no battleship could compete with as to speed, or as to radius of action, or as to ability to deliver a surprise attack.

When the building programs of Japan and the United States shall have been completed, if ours ever is completed, if we are not compelled to stop ours halfway, after having expended $500,000,000 upon it, and leave the ships half constructed or a quarter constructed, the United States will have 27 ships of the first line, including 6 battle cruisers, and Japan will have 24, including 12 battle cruisers.

I yield to the Senator from Massachusetts.

Mr. LODGE. I only wanted to give some figures in connection with the battle cruisers. It will take just a moment.

Mr. POINDEXTER. I would be very glad to have the Senator give them.

Mr. LODGE. Japan has now afloat four battle cruisers of 110,000 tons. She has authorized and in course of construction four battle cruisers of 40,000 tons each. One is building, the others are all appropriated for, what we should call "authorized." She has four others projected of 40,000 tons each.

Mr. POINDEXTER. The Senator from Idaho cited a number of figures as to the amounts of money appropriated in 1912 and 1913 for the purpose of construction by Germany, by France, by Great Britain, and by Japan, and he stated it in such a way that the casual hearer would have gotten a notion—I know that was not the intention of the Senator from Idaho, because it was perfectly plain upon reading his remarks what he meant—but the impression might well have been gotten that those were the total appropriations for naval purposes by those countries, but what he said was that they were the appropriations for construction of new vessels in the Navy, and I want to call attention to the fact that while he said that back in 1912 and 1913 the construction program in Great Britain calls for $93,000,000, in Germany $55,000,000, in Russia $60,000,000, and in France $44,000,000, the construction program contained in the present bill, with the exception of two airplane carriers, which are provided for in a Senate amendment, calls for only $90,000,000, notwithstanding the vast increase in wages and in the cost of material between 1912 and 1921.

The Senator spoke of the great cost of the Navy. It is great, and one of the reasons for that is the increase in the pay of the American sailor, for which the Senator from Idaho and myself voted. If we cut down the pay of the American sailor, we can reduce the cost of the maintenance of the American Navy. I do not think we want to do that now. Ultimately we may have to return to a prewar basis and immediately the cost of the Navy will be reduced. The common American sailor of the lowest grade gets $30 a month and a great many accessories in the way of clothing and food. The Japanese sailor gets practically nothing, but some provision is made by the Japanese Government for the care of his family. The American sailor is one of the best paid men in the world. Congress has provided for his rations and written into the law what shall be contained in the ration of an American sailor. I am told that life at sea gives them a great appetite and they eat more than the soldiers in the Army. Congress has pro-

vided liberally for them, whereas the Japanese sailor lives largely upon a diet of rice.

The Senator from Idaho speaks of the cost of the French Navy. My recollection is that the French soldiers and sailors are paid about 8 cents a day. We can not compare the cost of the respective navies without taking those things into consideration.

Mr. BRANDEGEE. Mr. President, will the Senator permit an inquiry at that point?

Mr. POINDEXTER. I yield.

Mr. BRANDEGEE. As I understand it the Senate committee have recommended that about $100,000,000 in round numbers be appropriated in addition to the amount called for in the bill as it passed the House.

Mr. POINDEXTER. That is true.

Mr. BRANDEGEE. Is the Senator able to state what proportion of that increase of $100,000,000 is due to new naval construction or armament?

Mr. POINDEXTER. Fifteen million dollars.

Mr. BRANDEGEE. That is beyond what the House recommended?

Mr. POINDEXTER. Yes. The House provision as to new construction is not changed, but left just exactly as it was, $90,000,000 for carrying out the 1916 program in which we are already engaged. But in accordance with the theory that has been so emphatically presented by the Senator from Idaho that we ought to pay more attention to aviation in the Navy and upon the urgent recommendation of the technical officers of the Navy, the Senate committee have provided an increased appropriation for aviation. We provide for two airplane carriers. That is the only new construction of ships for which the bill provides, and we appropriate to be applied on account of that construction, $15,000,000. The ships cost, with armor and armament complete, something like $26,500,000 apiece. We have none at the present time. Great Britain has six. Japan is building two similar to the two which we are undertaking to recommend by the amendment.

It is said—and we have to accept the advice of technical men from some source, who may be mistaken, though I do not know that the Senator from Idaho claims that they are—that airplane carriers are essential features of a naval aviation service. They are to carry something like 80 planes and to go with the fleet, mother ships of the planes from which they are launched to take the air. Without them, and unless the Navy is equipped with them, we are at a disadvantage.

We have provided an increase from $6,000,000 to $18,000,000 for the procurement of new aircraft and maintenance and operation of the aviation service. That is one thing that the Senator from Idaho has emphasized. The House bill did not provide for the procurement of new aircraft. That is one of the principal items of increase. The Senate committee have provided for the maintenance of the personnel of the Navy at its present force, not for an increase. The present authorized force of the Navy is 143,000 men. We have prepared appropriations supposed to be sufficient for the maintenance of a force of 120,000 men. While the House nominally provides appropriations for the support of 100,000 personnel, the Navy Department claim that the appropriation contained in the bill as it passed the House is only sufficient for the maintenance of 80,000 men. The Senate committee adopted a compromise between the urgent request and recommendations of the Navy Department and the amount provided in the House bill.

There is another feature of the bill to which I wish to call attention before I sit down, and that is that while we authorized new construction in the form of two airplane carriers, we have canceled the authority which is in the existing law for the construction of 12 destroyers, upon the conclusion of the committee that the fleet at the present time is sufficiently supplied with torpedo boat destroyers. That particular item of the 12 destroyers costing some $26,000,000 should be credited to the committee as a set-off against the amount by which the committee has increased the total amount appropriated in the House bill. Of course the principal increases in the bill come from the proposed increase in personnel, increase in pay, and increase in food and rations, which are necessary to maintain the Navy at its present status, with 20,000 of the recruits of which the Navy is composed in training camps instead of upon ships.

I shall not take time at present to discuss the status in which the Navy will be left at these various figures. If we ever come down to 100,000 men, four ships of the fighting force of the Navy will have to be put into reserve, the complement of men upon board all the ships will be reduced, the destroyers of the Navy will be put into reserve, with the exception of 80, and instead of maintaining a condition in the Navy to meet an emergency it will be put practically upon a basis of 50 per cent reserve. The American Navy has established a system of fire control on board its ships which necessitates the employment of more men than are employed in other navies, and which the department and those who have examined the question in minute detail believe increases the efficiency of the Navy.

If the bill goes over until the next session of Congress, the emergency matters for which the special session of Congress will be called will be impeded and obstructed by the practical necessity of continuing the controversy about the American Navy and the naval appropriation bill. Personally I think it is of the utmost importance for the country that the Navy should be maintained at its full present strength; that the building program of 1916, in the midst of which we are now engaged, should be carried out to its completion; that it is false economy to stint the appropriation for the necessity of prosecuting that work with vigor and with speed; and that the bill should be passed at this session of Congress and not relegated to the uncertainties of the short period of time that will be possible to secure for its consideration in the extra session which is to come before the 1st of July.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 25, 26, 31, 40, 41, 42, 43, 44, 47, 56, 57, 70, 78, 79, 93, 94, 96, 103, 105, 109, and 110.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 27, 28, 32, 33, 35, 36, 45, 48, 49, 50, 51, 52, 55, 60, 61, 62, 64, 65, 67, 68, 71, 72, 73, 74, 75, 77, 89, 90, 91, 92, 97, 100, 101, 102, 104, 106, 107, 108, and 111, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$87,800"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$275,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Section of surety bonds: Clerks—1 of class 3, 1 of class 2, 2 of class 1, 1, $1,000; assistant messenger; in all, $7,120."

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Pierce accounting machines, $255,000: *Provided*, That no part of this sum shall be expended for the installation of machines until the Director of the War Risk Bureau certifies to the Secretary of the Treasury that said machines are working satisfactorily."

And the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Carson City (Nev.) Mint: Assayer in charge, who shall also perform the duties of melter, chief clerk, and cashier, $1,800.

"For services of workman and other employees, $1,500.

"For incidental and contingent expenses, $600."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$25,000"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "northwest," in line 5; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the number proposed insert "36"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the number proposed insert "64"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the number proposed insert "31"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "one $720"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$310,750"; and the Senate agree to the same.

The committee of conference have not agreed upon the following amendments of the Senate numbered 29, 30, 34, 37, 38, 46, 58, 59, 63, 76, 80, 82, 95, 98, 99, 112, 113, and 114.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

WILL. R. WOOD,
EDWARD H. WASON,
T. U. SISSON,
Managers on the part of the House.

Mr. CALDER. Mr. President, I did not hear all the numbers of the Senate amendments that were agreed to or rejected. I wish to inquire of the chairman of the Committee on Appropriations, the Senator from Wyoming [Mr. WARREN], concerning amendment numbered 40, which relates to the New York passport bureau. How was that disposed of?

Mr. WARREN. That is not in the agreement. The Senate was compelled to recede from the three items which cover the passport bureaus. If the Senator will allow me, I will make a report as to the condition of matters in the conference.

The long list of disagreements which the Secretary last read has been concurred in by the House, with the exception of four; so that while there is a large number apparently in conference, yet it is reduced to four items, and I shall state what they are.

One of them is for repairs of the naval building for the Shipping Board in the exchange that is to be made, and the amendment merely makes the amount immediately available, which, of course, is highly necessary.

The next one is a trifling matter relating to typewriters—to regulate the rise in price from one to the other, according to the length of the carriage of the machine.

The third one is numbered 58, which is the $200,000,000 that the Senate sought to authorize the Treasury to use in the purchase of farm land bank bonds; but by a decision yesterday of the Supreme Court that is made unnecessary, so that I am enabled to move that the Senate recede from that amendment, with no necessity of further disagreement, which the House asked only for the purpose of carrying it over until they should learn what was the opinion of the court.

The fourth and last amendment refers to the bonus for employees. That was changed, in that the House moved to amend it by making the War Risk Insurance Bureau operative clerks receive $240 instead of $120, as the Senate had provided. They voted against the adoption of the Senate amendment regarding Navy Shipping Board employees and that class of employees for which there is a wage commission to regulate the wages.

They also refused to indorse the bonus for the Women's Bureau, the employees of that bureau being provided for in a lump-sum appropriation.

The VICE PRESIDENT. Is there objection to the conference report as agreed upon?

Mr. BRANDEGEE. After the Senator from Wyoming has finished his statement, I desire to reserve the right to object, Mr. President.

The VICE PRESIDENT. The Chair thought the Senator from Wyoming had concluded, or he would not have made the inquiry.

Mr. WARREN. I was about to make a motion with respect to the four items in disagreement.

Mr. BRANDEGEE. Before the motion is put, I wish to ask a question of the Senator from Wyoming, but I do not want to interrupt him.

The VICE PRESIDENT. The Chair thinks the first question is on agreeing to the conference report. Until that is done the Chair could not entertain any other motion.

Mr. BRANDEGEE. Before agreeing to the conference report, I did not know but that it might be in order for me to ask a question of the Senator from Wyoming.

The VICE PRESIDENT. That would be in order.

Mr. BRANDEGEE. I am not able to give the number of the amendment which I have in mind, but the Senate struck out a House provision, which the House had inserted in the bill, preventing the clerk of a United States court from receiving any compensation for services rendered when he might be appointed as a master or receiver or to any such ministerial position as that. I wished to ask the Senator from Wyoming whether or not the Senate had receded from that amendment?

I received this morning a letter from a gentleman who had written me about the matter previously, explaining it, and from his letter it would appear that his understanding was that the Senate had receded. I simply wished to ascertain what the situation was before making any remarks.

Mr. WARREN. The Senate receded on that amendment, the other House contending that quite lately the question of compensation of court clerks had been provided for in a special law, which carried the authority to the Attorney General to fix the salaries of the various clerks. The list of adjusted clerks' salaries, together with a statement concerning the matter, had been cited to the comptroller; and, notwithstanding that the department itself had undertaken to correct one or two errors, as they viewed it afterwards, the comptroller took the view that that could not be done without legislation.

Mr. JONES of Washington. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Washington will state it.

Mr. JONES of Washington. I desire to ask whether or not the Senate has given consent for the consideration of the conference report?

The VICE PRESIDENT. The Chair has been proceeding on that theory, though actual consent was not given.

Mr. POINDEXTER. I ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of considering the conference report.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BRANDEGEE. Mr. President, I do not understand the statement which has been made by the Senator from Wyoming [Mr. WARREN], and I am not sure that I understand the situation. The provision which the House put in the bill did not attempt to alter the salaries of the clerks of the courts at all, as I understand. The clerks of the courts receive the salaries which have been established by the law. The House put a provision in the bill under which if the court appoints a clerk to do something for which he is not compensated at all by his regular salary he may not receive any compensation for that extra work.

Clerks of courts are frequently appointed to positions by the judge of the court of which they are clerks; they do the work involved after office hours and at night, and are able to pick up a little additional money in that way, which they earn. I can see no reason why they should not be allowed to have it if the court allows it to them and it has been earned, as well as to have somebody else appointed to the position. The practice may have been abused in some cases; I do not know.

Mr. THOMAS. Does not the Senator perceive the possibility of infinite abuse, once the door is opened to such outside employment? It seems to me it would be a very dangerous innovation.

Mr. BRANDEGEE. It is not an innovation. The House provision changes the existing law.

Mr. WARREN. The existing law provides that they shall receive no extra compensation.

Mr. BRANDEGEE. Oh, no.

Mr. THOMAS. If it is an innovation, I think it ought to be prohibited.

Mr. BRANDEGEE. I differ with the Senator entirely in my understanding of the matter. I am inclined to think that the House provision was put on for the purpose of affecting a particular case, but I can not be positive about that. The amendment which we have been discussing was offered in the Senate by the Senator from Ohio [Mr. POMERENE]. Of course, I am not going to oppose the adoption of the conference report because the amendment was stricken out, but I thought the Senate amendment was a wise one. I am sorry the Senate conferees yielded on the matter; that is all.

Mr. WARREN. We were compelled to do so.

Mr. President, I ask now to consider these four differences.

The VICE PRESIDENT. The question still is on agreeing to the conference report.

Mr. HARRISON. Mr. President——

Mr. POMERENE. Mr. President, just a word, if I may.

The Senator from Connecticut a moment ago referred to the Senate amendment which had been offered by myself to strike out the provision of the House bill which prevented the appointment of clerks or deputy clerks as masters or referees in equity or other cases which were tried before the court. I recognize that it is possible, without a provision of that kind, that some injustice may be done by certain judges, so also injustices may take place with the House provision in the bill. But I submit that the judges can take care of that situation better than the Congress of the United States.

I have received letters and telegrams on this subject from the judges in my own State, one of whom is a Democrat and one of whom is a Republican, both of them high-class judges. There are deputy clerks in their courts whose pay is so insignificantly small that they can not maintain themselves unless they do get some outside compensation of this kind. One of these judges writes me that they are going to lose the services of some of these deputy clerks if this House provision remains in the bill.

I am very sorry that the Senate conferees surrendered to the House conferees upon that subject. In my judgment, the judges are better capable of choosing referees and masters than anyone else. It is their duty, and I dare say they would not choose these clerks or deputy clerks as masters or referees unless they were of the opinion that they could perform this service and perform it satisfactorily to the court and to the litigants.

At this late hour I do not know what can be done. I suspect that nothing can be done, unless the conferees feel that by a further conference upon this subject they could persuade the House conferees to change their vews; and I want to ask the chairman of the committee what, in his judgment, might be done in that behalf if a further conference is held?

Mr. OVERMAN. Mr. President, if the Senator will allow me to say a word, nothing can be done. There has been a fight made here for years and years, and there have been petitions by lawyers and bar associations, to do away entirely with the fee system of the clerks. In response to that sentiment, after several years of work on it, we passed a law giving the Attorney General power to look into the question and fix the salaries of all the clerks and these other men and do away with all of the fees. No fee system is allowed.

There has been scandal in this country of the worst sort between judges and clerks as the result of the clerks being appointed masters or being appointed to some office that ought to be given to some good lawyer outside, away from the court; and the idea of the Judiciary Committee was to do away with the fee system and with the idea of the judges appointing clerks to these positions. Let them appoint some outsider and make the clerk do the work for which he is appointed and pay him a good salary for it, leaving it to the Attorney General to look into the matter and fix his salary.

The salaries have been fixed and the fee system has been done away with, and while there might be some exceptional cases where the judge ought to appoint the clerk, this provision ought to be enacted, so that no clerk can be appointed by the judge to any position of the kind. Let him get his salary and let some other attorney get the fees as master in equity.

Mr. POMERENE. Yes; but that is looking at the matter from the standpoint of the lawyer.

Mr. CALDER. Mr. President, will the Senator from Ohio yield?

Mr. POMERENE. Pardon me for just one moment until I answer the Senator from North Carolina, if I may. That is entirely a different proposition. This amendment does not relate to the fee system. I agree with the Senator that the compensation of clerks by the fee system was rightly abolished; but this goes to the question of the appointment of a master or a referee. As my good friend the Senator from North Carolina says, they should be upon a salary basis and properly paid, reasonably paid. That is just what you have not done. They are not reasonably paid.

Mr. OVERMAN. That is a matter for the Attorney General to handle.

Mr. POMERENE. Mr. President, I have had this question up with the Attorney General in times past. The deputy clerks have received no increase in their salaries at all, unless they got the benefit of this bonus, and I think they did get the bonus. Everyone else was getting an increase in pay; but these clerks, who render faithful and efficient service, have been so miserably paid that they have not been able to maintain themselves and their families. To permit the clerks and their deputies to be eligible for appointment as masters or referees gives an opportunity for some little additional compensation, and I am in thorough sympathy with the position taken by the Senator from Connecticut upon this amendment.

Mr. KENYON. Mr. President, I should like to ask the Senator from Ohio whether the compensation of the deputy clerks in the Federal courts is fixed by the Attorney General now?

Mr. POMERENE. I rather think that is true. Yes; I am confident that that is so, and the compensation of the deputy marshals as well.

Mr. KENYON. I think it is, too. I am sorry this change has been made. I know deputy clerks in the Federal courts who are working 10 and 12 hours a day and getting a mere pittance, and I do not understand why we deal in such a niggardly manner with these clerks. I am sorry this change has been made.

Mr. POMERENE. They could not be here to speak for themselves.

Mr. OVERMAN. Mr. President, we took evidence and had all the clerks of the United States here before the Judiciary Committee, and we tried to fix their compensation, and not knowing exactly how to fix it we left it to the Attorney General to go into the matter and see what the proper salary was, basing it upon the fees they had received, and the salaries have been fixed, at the discretion of the Attorney General, by a statute. We have had evidence before us of outrageous scandals, where men have been appointed by the judge and the judge has borrowed some of the money they received and put it in his pocket. We tried to abolish all that. I am not reflecting on anybody, but I say it came to be a scandal in this country.

Mr. POMERENE. May I ask the Senator how long ago that was?

Mr. OVERMAN. Why, it has been only a few years ago.

Mr. POMERENE. I think the Senator will find that it has been longer than that.

Mr. OVERMAN. No; it has not. It has been since I have been in the Senate.

Mr. POMERENE. The Senator has been here a good many years, and I hope he will be here a good many years more.

Mr. OVERMAN. I thank the Senator; but the Senator asked me how long ago it was. I think it was six years ago when this evidence came before us that a judge had appointed a man master in equity and he got a large sum in hand and the judge borrowed it from him, and we talked about impeaching the judge. This happened in several instances, and we wanted to stop all that sort of thing.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. If I have the floor, I yield.

Mr. HARRISON. I wanted to make a motion here, or suggest a division of a question, when we get down to the brass tacks of this proposition. I understood that the Senator was going to ask that the conference report be adopted by the Senate, and that on four amendments he was going to ask for concurrence in the House amendments. I was going to ask for a division, so far as the motion applied to amendment No. 113.

Mr. WARREN. I intended to ask, and do intend to ask, that action shall be taken on each one of the four individually. I do not propose to group them together.

Mr. HARRISON. That is all right.

Mr. CALDER. Mr. President——

Mr. WARREN. If I may be allowed a moment in the matter of this report, I hope the Senator from Ohio understands that when a committee goes into conference with a couple of hundred differences it is impossible for the Senate to maintain its position on all of those matters, and, on the other hand, it is the duty of the conferees to maintain, so far as they can, all of

those; and that was done in this case. I am sorry, of course, to see the matter defeated, because my sympathies were with it; but the presentation by the House left us in a position where we had every right to recede.

Now, with all these different items the Senator is not alone in feeling discouraged about some one item. I know that the chairman of the Appropriations Committee, because of his office as chairman of the conference committee, has many disappointments and he is willing to take all the criticisms and all the troubles of everybody, and he does not ask any sympathy, nor does he ask any choice of language so long as Senators keep in order; but he does wish them to consider what they would do in the same place. We have here two contending bodies, the House and the Senate. They differ not so much as would seem at first sight, because some things from the House went out on the point of order, and others perhaps could not, so that many of the amendments the Senate put on can almost immediately be accepted by the House, as a great many of them are now accepted; but, on the other hand, the House has the same right to insist that we have, and unless somebody gives way somewhere I fear we shall have no legislation. Of course, as to the merits of the case, whatever they may be, we have finally to reach a reconciliation or lose our bill.

Mr. POMERENE. Mr. President, I recognize the difficulties that conferees encounter, but I think I know something about the conditions in the Federal courts in Ohio. I do not think Senators appreciate the extent to which the business of those courts has been increasing in the last few years, and the striking out of that provision is going to cripple the courts in Ohio—and I speak of them because I know whereof I speak. It is going to deprive the public of the service of some very efficient men. That will be the result.

Mr. WARREN. Yet the Ohio Members of Congress were all there when this bill was framed and passed.

Mr. POMERENE. Does the Senator know whether their attention was called to this or not?

Mr. WARREN. I assume the Members of Congress from Ohio are ever vigilant, as the Senators from Ohio are. I have no reason to think otherwise.

Mr. POMERENE. We have a very able delegation from Ohio in the other House, but they are not omniscient. In that respect they do not differ from other Representatives and other Senators.

There is another matter I wanted to call attention to. I observe that the amendment providing for an increase in the salary of the Vice President by $3,000 was also stricken out. The same explanation for the striking out of this increase no doubt will be made by the conferees. I regret exceedingly that it has been stricken out.

Mr. WARREN. No more than I.

Mr. POMERENE. I do not know the incoming Vice President; I have never had the pleasure of meeting him. I admire his public career.

I think I know something of the demands made upon the occupant of the Vice President's chair, whoever he may be. Out in Ohio we have rollers in our iron and steel mills who get as much pay in a year as the United States of America gives its Vice President. I do not think the great American people have any right to ask the Vice President to serve for the small salary which he gets. He is second in rank in our Government. He succeeds the President if anything should befall him. I am not going to make any objection to the striking out of this increase because at this late hour it will do no good.

Mr. CALDER. Mr. President, I want to add a word to what the Senator from Connecticut [Mr. BRANDEGEE] and the Senator from Ohio [Mr. POMERENE] have said concerning the provision in the bill forbidding clerks and deputy clerks of courts from acting as referees and masters in chancery.

When this amendment was put in the bill I received a complaint regarding it from one of the clerks in one of the New York courts, and then, after the Senator from Ohio had stricken it from the bill in the Senate, I was called upon by one of the judges of the District Court for the Southern District of New York regarding this matter. This court has more business than any other district court in the country; in fact, in that court we have four district judges holding terms of court continuously, and usually two judges from outside the city assisting.

The deputy clerk of that court receives a salary of $3,000 a year. He acts as referee and master in hundreds of cases assigned to him by the judges of the court. The judges tell me—and in this they are supported by a number of lawyers who have discussed the matter with me—that not only is this a benefit to the clerks, but it is of advantage to the court, to litigants, and to the lawyers who practice in the courts. I am told that if this remains permanent law, it will be a matter of great inconvenience to the business of the courts. The condition of legislation is such that it seems impossible to change it now. If it goes in as a permanent law, immediately on the convening of the new Congress I shall introduce a bill to repeal this provision. I know that nearing the end of the session, it is perhaps impossible to adjust this, but it is a very grave mistake, Mr. President, and one which never should have been made.

While I am on my feet I want to say a word about amendment No. 40, which refers to the New York passport bureau. We have at the New York customhouse a bureau where people may apply for passports. The amendment continuing that bureau was placed in the bill in the Senate. It has been stricken out in conference. It simply provided for an appropriation of $15,500 to carry on the business of that office for the next fiscal year.

Mr. President, in the New York bureau last year 41,000 applications were filed for passports. That is double the number of passports given in the entire country in the years before the war. The last calendar year the State Department issued 168,000 passports. That is nearly double the number granted in 1919 and eight times the number issued in 1912. People are traveling on business and for other purposes, and to-day no one goes abroad without a passport.

The bureaus in New York and San Francisco were established for the convenience of the traveling public and for the convenience, too, of the State Department. There is a fee charged, a fee given to the officers of the court, or of the State courts, when the petition is made up. From these fees alone last year the New York passport office received $25,000, which otherwise would have gone into the pockets of the clerks in the State courts or the local justices of the peace.

So, Mr. President, we have stricken out of this bill a provision that was a matter of great convenience to the traveling public and besides was profitable to the Government. For the life of me I can not see why the Senate conferees agreed to this. It must have been apparent to them, if they had made any inquiry about it at all, that there would really have been no charge upon the Government if this had been left in.

I shall not protest further, because the House has agreed to this particular provision cutting out this item, and it would be useless to do anything further about it. But I prophesy that before the 1st of July comes some action will be taken by Congress restoring this instrumentality, which was so necessary and convenient for the entire country.

Mr. McLEAN. I would like to inquire of the Senator in charge of the bill if the amendment which authorizes the Secretary of the Treasury to continue the chaplains in the Public Health Service hospitals was retained?

Mr. WARREN. It was not.

Mr. McLEAN. Does the Senator remember whether it was stricken out because it was considered to be unnecessary, or as too expensive?

Mr. WARREN. It is not always allowable for conferees to expose on the floor of the Senate everything said in a conference, but it was considered by the House conferees unnecessary at the present time, and looked upon as a move to establish a sort of bureau of chaplains, so that they could be here in Washington, and receive grades all the way up to colonel, perhaps to brigadier general, and so on. I do not entertain that belief myself. I simply say that is one of the many things which came up in the struggle we made for them. I may not always appear to be a good Christian, but I assure the Senator I was on the Lord's side in the chaplain matter, and did the best I could.

Mr. McLEAN. I think it would not be out of place for the Lord to have one bureau in Washington, and I am sorry that the Senator being on the Lord's side felt it to be his duty to surrender his position.

Mr. WARREN. I think perhaps that bureau would be very lonesome.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. CALDER. Would the adoption of the report carry with it the approval of the action of the House on the bonus amendment?

Mr. WARREN. Oh, no.

The VICE PRESIDENT. It would not.

The conference report was agreed to.

The VICE PRESIDENT laid before the Senate the action of the House, which the Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
February 26, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 29, 30, 34, 37, 38, 46, 59, 63, 76, 80, 95, 98, 99 and 114 to the bill (H. R. 15543) entitled "An act making appro-

priations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," and agrees to the same;

That the House recedes from its disagreement to Senate amendment numbered 82 and agrees to the same with the following amendment: In the last line of the matter inserted by said amendment, after the word "necessary" insert the following: ", to be available immediately."

That the House recedes from its disagreement to Senate amendment numbered 112 and agrees to the same with the following amendment: In lieu of the matter inserted by said amendment insert the following:

"SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any standard typewriting machine, except bookkeeping and billing machines, at a price in excess of the following, to wit: For correspondence models with carriages which will accommodate paper 10 inches in width, $70; for models with carriages which will accommodate paper 12 inches in width, $75; for models with carriages which will accommodate paper 14 inches in width, $77.50; for models with carriages which will accommodate paper 16 inches in width, $82.50; for models with carriages which will accommodate paper 18 inches in width, $87.50; for models with carriages which will accommodate paper 20 inches in width, $94; for models with carriages which will accommodate paper 22 inches in width, $95; for models with carriages which will accommodate paper 24 inches in width, $97.50; for models with carriages which will accommodate paper 26 inches in width, $103.50; for models with carriages which will accommodate paper 28 inches in width, $104; for models with carriages which will accommodate paper 30 inches in width, $105; for models with carriages which will accommodate paper 32 inches in width, $107.50.

"All purchases of typewriting machines during the fiscal year 1922 by executive departments and independent establishments for use in the District of Columbia or in the field, except as hereinafter provided, shall be made from the surplus machines in the stock of the General Supply Committee. The War Department shall furnish the General Supply Committee, immediately upon the approval of this act, a complete inventory of the various makes, models, and classes of typewriters in its possession, the condition of such machines, and the point of storage, and shall turn over to the General Supply Committee such typewriting machines in such quantities as the Secretary of the Treasury from time to time may call for by specific requisition for sale to the various services of the Government. If the General Supply Committee is unable to furnish serviceable machines to any such service of the Government, it shall furnish unserviceable machines at current exchange prices and such machines shall then be applied by the service of the Government receiving them as part payment for new machines from commercial sources in accordance with the prices fixed in the preceding paragraph. And in selling typewriting machines to the various services the General Supply Committee may accept an equal number of unserviceable machines as part payment thereon at the exchange prices quoted in the current general schedule of supplies."

That the House recedes from its disagreement to the amendment of the Senate numbered 113 and agrees to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following:

"SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1922, additional compensation at the rate of $240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per centum of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of $200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

"The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission and the Bureau of War Risk Insurance, who shall be included, and officers and members of the Metropolitan police of the District of Columbia and the United States park police who receive the compensation fixed by the act approved December 5, 1919, and officers and members of the fire department of the District of Columbia who receive the compensation fixed by the act approved January 24, 1920, shall receive increased compensation at the rate allowed by this section for other employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

"Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

"Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

"So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

"So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the Minimum Wage Board, the community center department, and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

"So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

"Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $240 per annum and the average number by grades receiving the same at each other rate."

That the House insists upon its disagreement to the amendment of the Senate numbered 58.

Mr. WARREN. Mr. President, the House insisted upon amendment numbered 58, based entirely upon the uncertainty of what the Supreme Court would decide in the matter of the constitutionality of the Federal land-bank bonds. That decision came yesterday and renders the call for the money unnecessary, and therefore I move that as to amendment No. 58 the Senate recede from its amendment.

The motion was agreed to.

Mr. WARREN. I move that as to amendment numbered 82, which refers to repairs of the Navy building for the Shipping Board, the Senate recede from its insistence and agree to the House amendment to the Senate amendment, making the sum immediately available. That is the only difference.

The motion was agreed to.

Mr. WARREN. As to amendment numbered 112, that is a matter of typewriters, which is no difference of consequence, and I move that the Senate in that case agree to the House amendment to the Senate amendment.

The motion was agreed to.

Mr. WARREN. The question of amendment numbered 113, the remaining matter, is that of the bonus, which the Secretary has just read, and as there may be some Senators here now who were not present when I explained before, I will say that the differences are that the House has allowed all of the bonuses that the Senate provided for directly, and in addition has changed the $120 bonus to $240 in the case of the employees of the War Risk Insurance Bureau. They have changed the language which is supposed to refer to navy yards, and so forth, and inserted language which is nearly the same, if not quite the same, as first contained in the bill, and which provides that the bonus shall not apply to those workmen who get per diem compensation and whose wages are fixed on a regular scale by wage boards or commissions constituted for that purpose.

I move the concurrence of the Senate in the amendment of the House to the Senate amendment as stated.

Mr. HARRISON. May I ask the Senator a question? The Senate, by a very large vote, placed amendments in the bill touching the navy-yard workmen and touching the Women's Bureau. Of course, the motion that the Senator has made is a preferential motion. Will he not change his motion to disagree to the House amendment and insist on the Senate amendment and let it go back to conference again in that way?

Mr. WARREN. The same result will be accomplished, of course, if that is done.

Mr. HARRISON. It will be brought in, then, if the Senate adopts the amendment.

Mr. WARREN. If my motion is voted down, of course the only motion then will be to insist further, and to ask a further conference.

Mr. HARRISON. We are trying to expedite business. If the motion of the Senator is insisted upon there will be quite a good deal of debate on the proposition. If the motion could be

stated the other way—to insist on the Senate amendment and let the matter go back to conference—there would be no debate, I am quite sure, and the matter could be expedited.

Mr. WARREN. It is as broad as it is long. I realize we are skating on very thin ice now. We have lost the sundry civil bill already, apparently, and we have a long route to travel with this bill even if we should get an early determination, because it is one of the longest bills, a bill that contains more figures than any other, a bill that requires very difficult work in the matter of engrossing to get it ready and get it into another conference and then secure another opportunity on the floor to report it back; and then to have it enrolled and to get the signature of the Presiding Officer, and all the other things that must be done very carefully, and then to get the enrolled bill sent to the Executive, who may not be able to be here at the Capitol when the time comes.

However, if the Senator is going to insist upon that suggestion, I can withdraw my motion.

Mr. HARRISON. I think it will expedite the matter if the Senator will change the motion in that way.

Mr. WARREN. Then if I may do so, I withdraw my motion and ask that as to amendment numbered 113 the Senate insist upon its amendment and ask a further conference with the House and that the Presiding Officer appoint the conferees upon the part of the Senate.

Mr. HARRISON. I understood the motion was to disagree to the House amendment and insist further upon the Senate amendment?

Mr. WARREN. Yes.

Mr. POMERENE. To what does that relate?

Mr. HARRISON. It relates to the navy yard workmen.

Mr. POMERENE. Will the Senator yield for a question?

Mr. WARREN. Certainly.

Mr. POMERENE. The question with regard to a bonus to naval employees was discussed at considerable length. I understand what the Senator's position was with regard to that, but I have not heard a reason assigned for the denial of the bonus to the Women's Bureau. I should like an explanation of that matter from the standpoint of the committee.

Mr. WARREN. I do not wish to take up any time. I do not know what may have been their considerations. I did not read the RECORD. The appropriation was a lump sum and that was, of course, included with the other lump sums. The Women's Bureau has an appropriation of $75,000.

Mr. POMERENE. Do I understand it to be the position of the chairman of the committee that those employees were in fact given the bonus previously out of the lump sum? Is that the Senator's position?

Mr. WARREN. The Women's Bureau was only established last year and they were provided only $8,500. Five thousand dollars of that went to one person and $3,500 to another. By legislation since then we have extended that, and it is provided that they shall have a larger sum. In the meantime, before the matter came to consideration, we could not tell what salaries they had paid, because they were paid out of a lump sum.

Mr. SMOOT. Mr. President, I can say to the Senator that Miss Anderson, the head of the bureau, filed a statement of the salaries which are being paid. I will call the Senator's attention to them so that he can see exactly how much of a bonus was paid. For instance, we will start with messengers. The statutory compensation of a messenger is $840. The messenger was paid by the Women's Bureau $1,080, which would apparently make the $240 bonus. If we add $240 more, the messenger will receive $1,320.

Take the chief clerk. The chief clerk there is getting $2,700. Nearly every chief clerk we have now in any of the departments, outside of some in the Treasury Department and one or two in other departments, receives $2,250. The statistical clerk receives $2,200. I can point to hundreds of statisticians in other departments who get only $2,000. The bonus does not, of course, affect Miss Anderson. Some of the investigating assistants get $3,000 and the industrial supervisors get $3,000. We have supervisors in the field for the Interior Department, making examinations of public lands all over the United States and they get $2,650. Field examiners in this bureau get $3,000. If there is any justice in that, I can not see it.

Mr. POMERENE. How many of those employees were there?

Mr. SMOOT. Enough to take up the full amount of the lump-sum appropriation. The appropriation is a lump sum.

Mr. POMERENE. What is the lump sum?

Mr. SMOOT. Eighty-five thousand dollars.

Mr. SMITH of South Carolina. Mr. President, may I have the attention of the chairman of the committee just a moment? I was not in the Chamber, perhaps, or did not notice what action was taken on Senate amendment No. 58.

Mr. WARREN. That amendment was disagreed to and sent back because of our amendment calling for $200,000,000. The decision of the Supreme Court yesterday was considered to settle that matter, and therefore the motion has just been agreed to that we recede from our amendment.

Mr. SMITH of South Carolina. The reason why I am asking the Senator the question is because some information has come to me indirectly that the Farm Loan Board may be in need of funds before it can sell its bonds in the open market. As this is a mere authorization, it is the opinion, I understand, of some of the members of that board that it might be well to leave the authorization in the bill until the condition of the market has improved.

Mr. THOMAS. Mr. President——

Mr. SMITH of South Carolina. I yield to the Senator from Colorado.

Mr. THOMAS. I desire to ask the Senator from South Carolina if he has noticed that the Supreme Court of the United States on yesterday rendered a decision affirming the constitutionality of the farm loan bank act?

Mr. SMITH of South Carolina. It is in view of that decision that I am making this statement. I understood the chairman to state that on account of the decision of the Supreme Court, and in view of that decision, the House has agreed to strike this provision from the bill. The information I have is to the effect that, though the decision has relieved the situation so far as the functioning of the Farm Loan Board is concerned, they still might find it difficult, on account of the demoralized condition of the money market at present, to obtain certain moneys which they need, and, as this is only an authorization, it is thought perhaps it might be well to leave it in the bill, to be used at the discretion of the Secretary of the Treasury.

Mr. WARREN. Mr. President, I do not understand there is any demoralization of the money market, so far as capital seeking tax-free bonds is concerned. The Senator from South Carolina, as he keeps up with the times and all matters pertaining to this subject, has, of course, noticed that tax-free bonds have been going up in price lately. They are higher to-day than they were two weeks ago and were higher then than they were a month previous, because capital is seeking nontaxable bonds. The Senator from South Carolina, I think, may be perfectly assured that there are probably farm loan bonds being sold already, or they will be sold under the decision of the Supreme Court. The Farm Loan Board have the bonds, and that body has been now firmly established by the finding of the highest tribunal in the land as being sound under the Constitution. So I have no idea that there is going to be any embarrassment in reference to the sale of the bonds.

Mr. SMITH of South Carolina. All I care to say about the matter is that I have discharged my responsibility in the case. The information to which I have referred was given to me just awhile ago. Of course, if the committee which has the bill in charge thinks that the character of the bonds is such that striking out this clause will not embarrass the operations of the Farm Loan Board, I have nothing to say. I merely thought, perhaps, that it might be well to leave the amendment in the bill, as it is a mere authorization, to be used at the discretion of the Secretary of the Treasury, and that it might enable the board to get to work more rapidly than it otherwise could.

The VICE PRESIDENT. As the Chair understands that the motion of the Senator from Wyoming——

Mr. WARREN. The motion which I have already made is before the Senate.

The VICE PRESIDENT. The Chair understands that the Senator's motion was that the Senate disagree to the House amendment to the Senate amendment, that the Senate insist upon its amendment, and ask for a further conference with the other House.

Mr. WARREN. On amendment No. 113; and that the Senate ask the House for a further conference, the Chair to appoint the conferees on the part of the Senate.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate at the further conference.

CAMPAIGN EXPENDITURES.

Mr. KENYON. I ask unanimous consent to submit a report from the Committee on Privileges and Elections. It is the report of the subcommittee appointed to investigate campaign expenditures. I am instructed by the Committee on Privileges and Elections to make the report directly to the Senate. I think the report should be printed in the RECORD. It is not a long report, as we have boiled it down.

The VICE PRESIDENT. Without objection, it is so ordered.

The report (No. 823) is as follows:

[Senate Report No. 823, Sixty-sixth Congress, third session.]

The Committee on Privileges and Elections, which was directed by a resolution adopted on May 20, 1920, to investigate and report the campaign expenditures of the various presidential candidates of all parties, have completed their investigation and submit herewith a report in relation thereto.

On the 20th day of May, 1920, the Senate passed the following resolution:

[Senate resolution 357, Sixty-sixth Congress, second session.]

"*Resolved*, That the Committee on Privileges and Elections, or any subcommittee thereof, is instructed to investigate forthwith and report to the Senate as soon as possible the campaign expenditures of the various presidential candidates in both parties, the names of the persons, firms, or corporations subscribing, the amount contributed, the method of expenditure of said sums, and all facts in relation thereto, not only as to the subscriptions of money and expenditures thereof, but as to the use of any other means or influence, including the promise or use of patronage and the providing of funds for setting up contesting delegations, and all other facts in relation thereto that would not only be of public interest but would aid the Congress in any necessary remedial legislation.

"That said Committee on Privileges and Elections, or any subcommittee thereof, is hereby empowered to sit and act at such time and place as it may deem necessary; to require by subpœna, or otherwise, the attendance of witnesses, the production of books, papers, and documents; to employ stenographers at a cost of not exceeding $1 per printed page. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

"The expense thereof shall be paid from the contingent fund of the Senate on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

On the 21st day of May, 1920, the Committee on Privileges and Elections passed the following resolution:

"*Resolved*, That a subcommittee of five members, of which three shall constitute a quorum, be appointed by the chairman to conduct the investigation with which the committee is charged by Senate resolution 357, and that it proceed at once to prosecute the same; that the managers of the campaigns of the various candidates or persons reputed to be candidates be requested by telegraph to attend before the subcommittee on Monday, May 24, 1920; that the hearings before the said subcommittee be public and that it be directed to proceed in the work with which it is charged with all dispatch. The subcommittee may appoint one or more of its members to investigate any particular question or questions. The subcommittee shall report to the full committee."

The chairman of the Committee on Privileges and Elections, Senator DILLINGHAM, on the 21st day of May, 1920, appointed the following subcommittee: Senator WILLIAM S. KENYON (chairman), Senator ATLEE POMERENE, Senator JAMES A. REED, Senator WALTER E. EDGE, and Senator SELDEN P. SPENCER.

On June 5, 1920, the Senate also passed the following resolution:

[Senate resolution 383, Sixty-sixth Congress, second session.]

"*Resolved*, That the powers conferred upon the Committee on Privileges and Elections and the subcommittee heretofore appointed by it under Senate resolution 357 be, and they are hereby, extended so as to authorize and require the Committee on Privileges and Elections, or the subcommittee thereof now acting under Senate Resolution 357, to investigate, after the adjournment of the Democratic national convention, and before the November elections, 1920, the receipts and expenditures of the several political committees, and the receipts and expenditures of the campaigns conducted by and on behalf of, or against, the election of the several candidates for President and Vice President, and the United States Senate, and for said purposes the said Committee on Privileges and Elections, or the said subcommittee, and the members thereof, are hereby clothed with the same powers conferred on said committee and said subcommittee, and the members thereof, by said resolution No. 357; and they are further directed to make report of their proceedings to the Senate not later than the first Monday in December, 1920."

On the 7th day of December, 1920, the Senate extended the time in which the committee should make report.

These three resolutions constitute the authority under which the Subcommittee of Privileges and Elections conducted its investigation. The report will deal with the subjects as follows:

I. The campaign funds of the various candidates for the nomination of President in both the Republican and Democratic conventions, gathered from both receipts and expenditures.

II. The amounts expended by the various national committees of the respective parties during the campaign, these committees being as follows: (a) Republican national committee, (b) Democratic national committee, (c) Republican congressional committee (d) Democratic congressional committee, (e) Republican senatorial committee, (f) Bureau of senatorial elections, Democratic national committee.

III. The amounts received by State committees in the various States outside of the sums received from the national committee.

I.

The committee investigated the receipts and expenditures of money in connection with the candidacies of 17 persons, including avowed candidates in both the Republican and Democratic Parties and those not formally candidates, but in whose interests activities were apparent.

In certain instances the financial interlocking arrangements of the various organizations in the interest of a candidate were of such a nature that it is difficult to arrive at a specified sum as representing the total funds used. The following compilation, however, based both upon the testimony taken and an examination of the financial statements of receipts and expenditures, as furnished the committee is, in our judgment, a fair statement of the approximate amounts of the campaign funds used in the interest of each candidate as found by the committee. The list is alphabetically arranged.

Dr. Nicholas Murray Butler, Republican	$40,550
Gov. Calvin Coolidge, Republican	68,375
Gov. James M. Cox, Democrat	22,000
Gov. Edward I. Edwards, Democrat	12,900
Senator Joseph Irwin France, Republican	None.
James W. Gerard, Democrat	$14,040
Senator Warren G. Harding, Republican	113,109
Senator Gilbert M. Hitchcock, Democrat	3,337
Herbert Hoover, Republican	173,542
Senator Hiram W. Johnson, Republican	194,393
Gov. Frank O. Lowden, Republican	414,984
William G. McAdoo, Democrat	None.
Senator Robert L. Owen, Democrat	8,595
A. Mitchell Palmer, Democrat	59,610
Senator Miles Poindexter, Republican	77,150
Senator Howard Sutherland, Republican	4,145
Gen. Leonard Wood, Republican	1,773,303
Total	2,980,033

Some explanation of the above may be in order. For instance as to the Wood campaign:

Mr. Sprague, who is the national treasurer of the Wood campaign committee, testified to receipts of (see hearings, S. Res. 357, pt. 1, p. 518)		$1,180,043
Mr. Stebbins, who had to do with handling funds In the East for two Wood organizations, received at one time	$156,271	
At another time	280,213	
Making a total of (pt. 5, p. 779)		436,484
In addition to these were the funds received from Indiana not included in the Sprague or Stebbins accounts amounting to (pt. 1, p. 523)		21,000
In Michigan there was money collected and expended not accounted for in these other matters, of (pt. 1, p. 236)	54,266	
And (pt. 2, p. 621)	23,000	
Making a total of		77,266
In addition to this, Mr. Loeb testified to receiving (pt. 6, p. 864)		406,000
Making a total of		2,120,793
In this there are some duplications; in the Stebbins totals there is duplication of (pt. 5, p. 777)	$77,490	
In the Stebbins account there is accounted for by Loeb (pt. 5, p. 77)	130,000	
In the Loeb account there is accounted for by Sprague (pt. 1, p. 509; pt. 6, p. 864)	225,000	
Making a total duplication of		432,490
Deducting this from the $2,120,793 leaves a balance of		1,688,303
There should be added to this the amounts collected by Mr. King (pt. 1, p. 286)		91,000
Making a total of		1,779,303
And there should be deducted from this the amount Mr. Loeb testified was returned to Col. Procter (pt. 6, p. 864)		6,000
Which leaves a balance of		1,773,303

Campaign, Senator HIRAM W. JOHNSON:	
Amount raised and disbursed by the eastern manager (pt. 1, p. 37)	72,230
Amount raised in California (pt. 3, p. 723)	113,000
Amount raised in Michigan (pt. 1, pp. 203, 204, 205)	7,250
Amount raised in Nebraska (pt. 1, p. 369)	1,913
Making a total of	194,393

Campaign, Herbert Hoover:	
The Hoover National Republican Club collected (pt. 1, p. 98)	66,332
The Pennsylvania Hoover Club collected (pt. 1, p. 115)	20,000
The Hoover Republican Club of California collected (pt. 5, p. 796)	87,210
Making a total of	173,542

The last two items are independent of any funds received from California.

We insert these illustrations merely to show how we reach the sum totals expended by the various campaign committees in the preconvention campaign. It has been difficult to arrive at entirely accurate totals, but we believe our figures show the situation fairly and as accurately as it is possible to do. Undoubtedly as to some of the candidates more was spent than is here indicated.

II.

In this connection we set forth the disbursements of the national organizations of both the Republican and Democratic Parties from the time of the national conventions up to the end of the periods of disbursements in connection with the presidential election of November 2, 1920. Both of the great political parties claim they closed the campaign with a deficit. Consequently we do not set out the receipts but the disbursements, as they will more clearly show the amounts expended in the campaign, it being reasonable to suppose that the deficits will be eliminated by subsequent contributions.

We have not ascertained the disbursements of the Socialist Party or the Farm Labor Party. Reports were requested from the Socialist Party, but they were not furnished, and as the real contest was between the two great parties the committee believe it sufficient to set forth their expenditures. In this connection we desire to call attention to the fact that there are many organizations in the country of a semi-political nature, active in political matters, which organizations, however, had no candidates for the Presidency, but did exert their influence in various ways in the election. As they were not conducting campaigns for the Presidency the committee did not feel warranted in entering into an investigation of their activities. If the Senate should desire that their receipts and expenditures and general method of operation be investigated, the committee is quite willing to do so. It would, we think, require further authorization from the Senate and an extension of time in which the committee should make its final report.

We believe the activities of the various quasi-political organizations should be investigated and a statement given to the Congress and to the public as to what their activities and objects are.

Following is a statement of the disbursements of the national organizations of both Republican and Democratic Parties from the time of the national conventions up to the close of the campaign in connection with the presidential election of November 2, 1920, including the post-election financial statements:

Republican national committee (does not include a loan of $306,233.50 to the Republican congressional committee, a major portion of which the records show was paid back, or the loan of $100,000 to the senatorial committee, which the records show was repaid in full)	$5,319,729.32
Democratic national committee	1,318,274.02
Total	6,638,003.34
Republican congressional committee	375,969.05
Democratic congressional committee	24,498.05
Total	400,467.10
Republican Senatorial committee	326,980.29
Bureau of senatorial elections, Democratic national committee	6,675.00
Total	333,655.29
Making a grand total of	7,372,125.73

We do not deem it essential to set forth in this report all the particulars involved in these various disbursements. The figures furnished us do not go at all into minute detail, but we have been furnished with lists of contributors of $100 or more. We file these lists with the report, and they will be subject to inspection in the office of the Secretary of the Senate. The expense of printing the same would be enormous, and we do not believe the situation demands it. Anyone desiring specific information on these matters may examine these lists in the office of the Secretary of the Senate.

We group the amounts sent by the Republican senatorial committee into the respective States as shown by figures presented, and it is as follows:

Arizona	$23,000	New Hampshire	$5,500
California	6,500	New York	4,000
Colorado	13,000	North Carolina	2,500
Idaho	13,000	Ohio	8,000
Indiana	10,000	Oklahoma	15,500
Iowa	5,000	Oregon	15,450
Kansas	3,000	South Dakota	5,000
Kentucky	3,000	Utah	12,000
Maine	1,000	Virginia	500
Maryland	8,000	Washington	7,725
Missouri	10,000	Wisconsin	10,000
Nevada	17,000		

III.

The expenditures of the national committees do not show the entire amounts used in the campaign, but, of course, it is practically impossible to show such amounts. It would necessitate not only getting the State expenditures, but the county and township expenditures, likewise the expenditures of independent groups and individuals. This the committee did not feel warranted in undertaking. We have, however, endeavored to secure from the respective political committees of the various States the amounts collected by them outside of the amounts received from the national committees.

It was developed in the hearings that the Republican national committee had a joint collection arrangement with the Republican State committees in various States whereby funds were collected by the national committee and returned to the State committee. The figures we have heretofore shown as to the national committees would cover these items, but the report would not be complete without showing the receipts by the State committees of contributions separate and distinct from the contribution of the national committee. Your committee therefore made an effort to secure from the various State committees a statement of the aggregate receipts of the State party organizations independent of the funds raised by the national committees.

In the early part of January, 1921, the chairman of the committee addressed a letter to the chairman of the Republican State committee and to the chairman of the Democratic State central committee in each State in the Union, including the District of Columbia, asking him to furnish the committee with a sworn statement of the aggregate receipts and expenditures of his State party organization for any purpose in connection with the presidential campaign of 1920, independent of any funds collected by or for or received from the national party organization or any agency or branch of the same. In instances where the replies were not forthcoming after a reasonable time the letters were followed up by urgent telegrams.

The response to this request for information was quite general, and as a result the committee is able to attach a table showing the receipts by States of such contributions, with but two Republican and three Democratic committee reports missing. The statements returned were of varied character. A great many indicated that the funds collected were used in part in connection with the campaigns for State and other local officers, for United States Senator, Congressmen, etc. Many furnished certified copies of statements filed in compliance with State law, and in these instances it was necessary to deduct the apparent contributions by the national party organizations for the purposes of this compilation, which, in so far as possible, contains only information responsive to the purpose of the inquiry. Owing to varied systems of keeping accounts by the committees of the different States, it soon became apparent from an examination of the statements returned that it would be impracticable to attempt to tabulate the disbursements without duplication of funds accounted for by the national party organizations. Many of the committees apparently were able to determine with some degree of accuracy the amounts received from sources other than the national organizations, but their records were such that they could give only the disbursements of funds collected from all sources. Inasmuch as it can reasonably be assumed that the amount of the funds collected outside of the contributions of the national party organizations were expended in connection with the presidential and local political campaigns of 1920, the tabulation of the receipts furnishes also the most accurate figures of the disbursements for the purpose of this inquiry that can be supplied from the statements furnished by the various State committees. We include herewith such tabulation:

Aggregate receipts of the Republican and Democratic State committees, respectively, in connection with the presidential campaign of 1920, exclusive of funds received from the national organizations of the two respective parties.

[In many instances these funds were used in part in connection with the local campaigns for State officers, etc.]

	Republican.	Democratic.
Alabama	$115.00	$5,000.00
Arizona	38,366.28	15,482.50
Arkansas	193.75	None.
California	35,000.00	
Colorado	99,626.99	10,346.00
Connecticut	[1] 66,596.58	39,699.40
Delaware	[2] 46,258.65	17,964.54
District of Columbia	8,804.00	7,843.82
Florida	2,339.50	None.
Georgia	None.	None.
Idaho	25,970.95	4,260.00
Illinois	42,634.07	9,925.00
Indiana	215,938.15	74,692.66
Iowa	13,138.54	14,174.99
Kansas		13,587.64
Kentucky	59,182.45	62,930.23
Louisiana	1,022.50	None.
Maine	15,055.35	6,537.76
Maryland	50,577.00	57,889.63
Massachusetts	133,658.31	25,335.21
Michigan	4,848.50	24,478.79
Minnesota	9,993.26	6,736.08
Mississippi	700.00	None.
Missouri	23,884.80	56,901.69
Montana	35,060.27	6,508.50
Nebraska	11,155.19	10,752.92
Nevada	3,753.45	11,485.00
New Hampshire	24,653.66	11,121.41
New Jersey	None.	10,745.00
New Mexico	23,189.32	15,858.73
New York	479,699.19	63,373.00
North Carolina	[3] 4,880.18	16,418.95
North Dakota	3,835.43	2,000.00
Ohio	74,373.90	58,815.00
Oklahoma	55,663.68	63,575.45
Oregon	8,205.24	12,633.28
Pennsylvania	139,613.25	58,512.08
Rhode Island	25,000.00	9,552.00
South Carolina	706.00	500.00
South Dakota	8,948.51	6,706.00
Tennessee		17,932.16
Texas	25,148.95	2,668.75
Utah	10,475.00	
Vermont	2,192.00	686.41
Virginia	925.00	2,596.00
Washington	[4] 116,537.45	18,476.00
West Virginia	84,872.31	25,803.06
Wisconsin	None.	7,818.00
Wyoming	45,237.93	
Total	2,078,060.55	838,323.64

[1] This amount includes $64,185 received from the National and State ways and means committee which had receipts of $84,148.46, of which $15,000 went to the national committee. (See letter of J. H. Roraback.)

[2] Amount received and distributed by Delaware Republican finance committee. Of this amount the Republican State committee received $8,653.79 and distributed $6,097.89. (See letter of Chas. Warner, chairman, for details.)

[3] This amount is arrived at by subtracting from the total disbursements of the Republican State executive committee $12,744, the amount contributed by the national committee $7,863.82, as shown by Mr. Upham's Exhibit 4, page 1256 of the campaign committee hearings. (See letter of Gilliam Grissom, secretary.)

[4] From Nov. 1, 1918. Considerable expenditure prior to national convention including the expenses of an educational campaign to counteract activities of Non-Partisan League. (See letter of Charles Hebberd, chairman.)

These letters we also insert at this point.

DELAWARE REPUBLICAN FINANCE COMMITTEE,
Wilmington, Del., January 31, 1921.

Hon. WILLIAM S. KENYON, Chairman,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: Further answering recent communications on aggregate receipts and disbursements for local use in Delaware by our Republican committees, will advise:

The Delaware Republican finance committee received and disbursed	$46,258.65
The Republican State committee—	
Received	8,653.79
Disbursed	6,097.89

I explained in my former correspondence that the finance committee was the clearing house for all receipts and disbursements, and on approved budget requests the finance committee disbursed directly to the five operating committees, viz, the State committee, the Wilmington city committee, and the three county committees. Hence the report above of the receipts of the State committee is a part of the total disbursements also reported above for the finance committee.

Trust this answers your purposes.

Very truly, yours,

CHARLES WARNER, *Chairman.*

REPUBLICAN STATE EXECUTIVE COMMITTEE,
Greensboro, N. C., January 31, 1921.

Hon. WILLIAM S. KENYON,
Washington.

DEAR SENATOR: Your letter addressed to Chairman Frank A. Linney, of Boone, N. C., has been referred to this office for answer.

Accordingly, the sworn statements as filed with the secretary of state of North Carolina are copied and inclosed to you.

Let me say that the money expended in the late campaign in this State has no doubt been shown in the statements of the Republican national committee.

This committee, by our request, sent to our State a collector who received contributions and turned same over to the national committee, who in turn returned the funds for use here where collected.

Let me suggest that very aptly this office will be able to give any desired information as to our committee's expenses.

Most respectfully,

GILLIAM GRISSOM, *Secretary.*

—

REPUBLICAN STATE EXECUTIVE COMMITTEE,
Greensboro, N. C., October 23, 1920.

The SECRETARY OF STATE,
Raleigh, N. C.

DEAR SIR: The following is a statement of the expenses of the Republican State executive committee from the beginning of active campaign to the time for preelection report:

Postage, printing, stationery	$3,576
Clerical help, typewriting, addressing, folding	3,290
Furniture, heat, light, rent, water	432
Traveling expenses, speakers, organizers	847
Telephone, telegraph, messenger	240
Literature, advertising	1,358
Total	9,743

The above received from J. J. Jenkins, treasurer.

Personally appeared before me Gilliam Grissom, to me well known, who being first duly sworn deposes and says that the foregoing statement is true to the best of his knowledge and belief.

Subscribed and sworn to before me this 23d day of October, 1920.

S. S. MITCHELL, *Notary Public.*

—

REPUBLICAN STATE EXECUTIVE COMMITTEE,
Greensboro, N. C., November 11, 1920.

The SECRETARY OF STATE,
Raleigh, N. C.

DEAR SIR: The following is a statement of expenditures of the Republican State executive committee, as required to be reported within 10 days after election:

Postage, stationery	$1,354
Advertising, printing	717
Clerk hire	487
Telephone, telegraph	163
Traveling expenses, speakings	280
Total	3,001

There appeared before me Gilliam Grissom, known to me, and swears the above statement is true to the best of his knowledge and belief, this 11th day of November, 1920.

S. S. MITCHELL, *Notary Public.*

—

REPUBLICAN STATE EXECUTIVE COMMITTEE,
Greensboro, N. C., November 20, 1920.

The SECRETARY OF STATE,
Raleigh, N. C.

DEAR SIR: The following is a statement of expenditures of the Republican State executive committee, as required to be reported within 20 days after election:

Postage, stationery	$1,354
Advertising, printing	717
Clerk hire	487
Telephone, telegraph	163
Traveling expenses, speakings	280
Total	3,001

There appeared before me Gilliam Grissom, known to me, and swears the above statement is true to the best of his knowledge and belief.

S. S. MITCHELL, *Notary Public.*

—

CONNECTICUT REPUBLICAN STATE CENTRAL COMMITTEE,
Hartford, Conn., February 2, 1921.

Hon. W. S. KENYON,
United States Senate, Washington, D. C.

DEAR SIR: On my return to Hartford this week I found your telegram of January 27 asking for statement of contributions and expenditures of National and State ways and means committee in the last campaign.

This request, I assume, also includes a statement of the receipts and expenditures of the State committee.

I am inclosing herewith a synopsis of the receipts and expenditures of both the State committee and National and State ways and means committee for the last campaign, which I think answers your requirements.

Both of these statements are on file in the office of the secretary of state and are public documents. I can obtain and send to you certified copies should you desire it.

The statement of the National and State ways and means committee is very voluminous, as the receipts of $84,000 are made up of contributions ranging from 25 cents to $1,000.

Very truly, yours, J. H. RORABACK.

—

Connecticut Republican State central committee—Campaign of 1920.

Receipts.		
Balance on hand last campaign		$2,201.42
Charles L. Spencer, treasurer (National and State ways and means committee)		64,185.00
John A. Macdonald, assistant treasurer		$210.16
Total		66,596.58
Expenses of campaign		64,268.42
Balance on hand		2,328.16

National and State ways and means committee for Connecticut—Campaign of 1920.

Receipts	$84,148.46
Disbursements	81,715.11
Principal items of disbursements:	
State committee	64,185.00
National committee	15,000.00

—

SPOKANE, WASH., *January 31, 1921.*

Hon. WILLIAM S. KENYON,
Senate Office Building, Washington, D. C.

DEAR SIR: Replying to your letter of January 7 to Mr. S. A. Walker, former chairman of the Republican State central committee, I inclose herewith a statement of the aggregate receipts and expenditures by the Republican State central committee of Washington from November 1, 1918, to November 15, 1920.

You will please note that the aggregate expenditures include considerable expenditure prior to the Republican national convention, including the expenses of a preconvention educational campaign to counteract the activities of the Nonpartisan League in State politics, and this should not be considered a part of the expenditures of the national campaign. I regret that I have not the data available for segregating these expenditures.

Also, I beg to call your attention to the item of $36,059.82, allotments to county central committees as per Schedule I. These funds were collected by the ways and means committee of the State central committee, but were turned over to the various county central committees for expenditure by them.

Also, it should be noted that the balance of the expenditures of the State committee, viz, $73,820.57, included the expenses of the campaign for the election of State officers as well as the national, senatorial, and congressional campaigns within the State. It is, however, impossible to segregate these State campaign expenditures from the others. I may say, however, that the expenditures for the State campaign probably exceeded those for the national, congressional, and senatorial campaigns, as we had in this State a very strong farmer labor party (including the Nonpartisan League) whose especial interest was to capture the State government, and which had, we thought, a rather formidable candidate for governor.

There have been a few expenditures, aggregating several hundred dollars, made since November 15, 1920, which are not included in the inclosed report. I have written my Seattle office for an itemized statement of these subsequent expenditures, and shall forward it to you as a supplemental report upon receipt.

I trust that this will give you the desired information.

CHAS. HEBBERD,
Chairman Republican State Central Committee.

—

Washington Republican State central committee, Seattle, Wash.—Statement of cash receipts and disbursements, Nov. 1, 1918, to Nov. 15, 1920.

Receipts		$116,537.45
Disbursements:		
Allotments to county central committees as per Schedule I		36,059.82
State campaign expenditures—		
Speakers' and organizers' salaries and expenses	$34,660.40	
Printing and stationery, campaign literature, and express	9,704.03	
Office salaries	7,127.01	
Stenographers' salaries	3,565.82	
Telephone and telegraph	2,879.58	
Advertising	2,766.16	
Office rent	2,175.00	
Office supplies and expense	1,734.98	
Finance committee expense	1,404.10	
Banquets, etc	1,397.95	
Publicity	1,539.56	
King County Republican Club	1,100.00	
Postage	950.70	
Sundry hall rentals	650.00	
Miscellaneous expenses	605.81	
Clipping service	266.47	
Refund	200.00	
Radicalism	500.00	
Furniture and equipment	593.00	
		73,820.57
		109,880.39
Balance on deposit Nov. 15 1920		6,657.06

CHAS. HEBBERD,
Chairman Republican State Central Committee.

Sworn and subscribed to before me this 31st day of January, 1921.

[SEAL.] G. S. HEBBERD,
Notary Public, County of Spokane, State of Washington.

SCHEDULE I.

Analysis of statement of cash receipts and disbursements.

Allotments	$36,059.82
King County	17,921.00
Spokane County	4,500.00
Pierce County	4,100.00
King County Republican Club	1,758.34
Skagit County	841.18
Walla Walla County	800.00
Women's Republican Club	784.40

Adams County	$685.00
Lewis County	556.35
Stevens County	545.00
Pacific County	515.83
Whitman County	500.00
Pend Oreille County	361.00
Kitsap County	300.00
Thurston County	250.00
Klickitat County	250.00
Kittitas County	212.50
Chelan County	206.25
Grant County	200.00
Columbia County	171.87
Franklin County	150.00
Snohomish County	150.00
Clarke County	100.00
Wahkiakum County	90.00
Benton County	78.60
Garfield County	32.50

SPOKANE, WASH., *February 5, 1921.*

Hon. WILLIAM S. KENYON,
Senate Office Building, Washington, D. C.

DEAR SIR: I inclose herewith supplemental statement of expenditures of the Republican State central committee of Washington, from November 16, 1920, to February 1, 1921.

This is the supplemental statement which I stated in my letter of January 31 I would forward to you as soon as the items were available.

Very truly, yours,

CHARLES HEBBERD.

Supplemental statement of Washington Republican State central committee, Seattle Wash.—Statement of cash receipts and disbursements, Nov. 16, 1920, to Feb. 1, 1921.

Allotment to county central committees, Mason County		$250.00
Speakers' and organizers' salaries and expenses	$112.90	
Telephone and telegraph	129.16	
Office rent	90.00	
Miscellaneous expenses	143.25	
Postage	15.00	
Stenographers' salaries	133.85	
Printing and stationery	419.00	
		1,043.16
Total		1,293.16

CHAS. HEBBERD,
Chairman Republican State Central Committee.

Sworn and subscribed to before me this 5th day of February, 1921.

[SEAL.] G. S. HEBBERD,
Notary Public.

The two Republican reports missing in the above tabulation are Tennessee and Kansas. Correspondence on file indicates that the first mentioned will be forthcoming.

The three Democratic reports missing are California, Utah, and Wyoming. Correspondence indicates that the first two mentioned will be forthcoming. We do not feel warranted, however, in further delaying this report.

From the figures gathered, as we have herein set out, it appears that the two great political parties, through their various national organizations, including expenditures of State committees, spent in the presidential campaign of 1920 a sum in excess of ten and a quarter million dollars:

Or, to be more exact	$10,338,509.92
Of which the expenditures of the Republican Party were	8,100,739.21
And the expenditures of the Democratic Party were	2,237,770.71

These figures do not by any means represent the entire amount of money expended in the campaign, as we have heretofore explained. The funds collected, of course, were not used exclusively in the presidential campaign. They were used likewise in the election of Senators and Congressmen and State officials.

The resolutions under which the committee has acted do not provide for recommendations to the Senate on the part of the committee. Naturally the committee has discussed remedies to limit the amount of campaign expenditures, for they feel that the expenditure of these vast sums is a present and growing menace to the Nation. We recognize there are constitutional difficulties involved in the passage of laws to regulate expenditures in presidential campaigns, but are of the opinion that the Committee on Privileges and Elections of the Senate should in the next Congress take up the question of remedial legislation, and if a constitutional amendment should be necessary that the proper steps be taken to submit the same, as provided by the Constitution. The subject is of such importance that the next Congress should give early attention thereto.

We have made this report as brief as possible. The evidence taken by the committee is voluminous and comprises 22 volumes.

Since the above report was prepared, the return from the Democratic State committee of Utah has been received and we attach the same hereto:

STATE OF UTAH,
County of Salt Lake, ss:

George G. Smith, being first duly sworn, upon oath deposes and says: That he is a citizen of the United States over the age of 21 years, a resident of the city and county of Salt Lake, State of Utah, and treasurer of the Utah Democratic State central committee; that the total aggregate receipts and expenditures of the Democratic State central committee of Utah for all purposes in connection with the presidential and State campaign of 1920, independent of any funds collected by or for or received from the Democratic national committee or any agency or branch thereof is as follows:

Receipts	$11,210.55
Disbursements	10,987.57

GEO. G. SMITH.

Subscribed and sworn to before me this 27th day of January, A. D. 1921.

[SEAL.] HENRY D. MOYLE,
Notary Public.

My commission expires September 12, 1923.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. GRONNA. I ask the Senator from Washington to yield to me in order that I may submit a conference report on House bill 15812, the Agricultural appropriation bill. As I am sure the report will not lead to any extended debate, I ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Is there objection?

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, which was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 14, 17, 20, 21, 22, 24, 27, 28, 30, 43, 45, 47, 50, 52, 53, 54, 60, 61, 63, 66, 75, 81, 88, 96, 97, and 98.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 9, 13, 15, 23, 25, 26, 29, 34, 37, 38, 39, 44, 51, 59, 68, 69, 70, 74, 77, 86, 87, 90, 94, 99, 104, 106, 109, 110, and 113; and agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$56,860"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$379,705"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$20,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$85,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,034,282"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,499,302"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$178,500, of which $10,000 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$190,000: *Provided*, That not less than $40,000 shall be used for investigating methods for the control and eradication of the grasshopper"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$165,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum "$65,000" proposed in said amendment insert the sum

"$55,000," and in lieu of the sum "$25,000" named in said amendment insert the sum "$15,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$56,500"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$62,330: *Provided*, That $10,000 shall be used for investigation of the blowfly and screw worm"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$865,010"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,669,280"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$477,240"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$742,255"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$823,325"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$52,820"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$71,500"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,650,980"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,847,300"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum "$350,000" proposed in said amendment insert the sum "$300,000," and in lieu of the sum "$100,000" named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,389,560"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$80,000"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,004,444"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$400,000"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 4, 7, 8, 10, 11, 12, 31, 32, 33. 40, 46, 48, 49, 78, 79, 80, 82, 89, 91, 92, 93, 102, 103, 107, 112, 114, 115, 116, 117, 118, and 119.

A. J. GRONNA,
WM. S. KENYON,
E. D. SMITH,
THOS. P. GORE,
CHAS. L. MCNARY,
Managers on the part of the Senate.

SYDNEY ANDERSON,
WALTER W. MAGEE,
JAMES F. BYRNES,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER. The Chair lays before the Senate the action of the House of Representatives on the bill, which will be read.

The reading clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
February 28, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 4, 7, 8, 10, 46, 78, 89, 91, 102, 103, 112, and 114 to the bill (H. R. 15812) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922," and agrees to the same.

That the House recedes from its disagreement to Senate amendment numbered 40, and agrees to the same with the following amendment:

In lieu of the matter inserted by said amendment insert the following: "*: And provided also*, That the grazing fees payable under existing law for the use of national forests during the calendar year 1921 may be paid on the 1st day of September, 1921, and in the event such payment is not made on or before such deferred date, penalties shall be thereafter imposed in accordance with the provisions of existing law."

That the House recede from its disagreement to Senate amendment numbered 48, and agrees to the same with the following amendment:

In lieu of the sum proposed, insert "$969,561."

That the House recedes from its disagreement to Senate amendment numbered 49, and agrees to the same with the following amendment:

In lieu of the sum proposed, insert "$1,300,251."

That the House recedes from its disagreement to Senate amendment numbered 92, and agrees to the same with the following amendment:

In lieu of the sum proposed, insert "$354,060."

That the House recedes from its disagreement to Senate amendment numbered 93, and agrees to the same with the following amendment:

In lieu of the sum proposed, insert "$468,520."

That the House recedes from its disagreement to Senate amendment numbered 107, and agrees to the same with the following amendment:

Of the matter inserted by said amendment, strike out the following: ", which said regulations are hereby legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed."

That the House recedes from its disagreement to Senate amendment numbered 115, and agrees to the same with the following amendment:

Strike out the matter inserted by said amendment and insert in lieu thereof the following:

"Purchase of seed grain for drought-stricken areas: That the Secretary of Agriculture is hereby authorized, for the crop of 1921, to make advances or loans to farmers in the drought-stricken areas of the United States, where he shall find that special need for such assistance exists, for the purchase of wheat, oats, barley, and flaxseed for seed purposes and, when necessary, to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain or flaxseed. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $200. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $2,000,000, to be immediately available."

That the House recedes from its disagreement to the amendment of the Senate numbered 116, and agrees to the same with an amendment as follows: In the first line thereof strike out "SEC. 2."

That the House recedes from its disagreement to Senate amendment numbered 117, and agrees to the same with the following amendment: Of the matter inserted by said amendment, strike out the following: "SEC. 3."

That the House recedes from its disagreement to Senate amendment numbered 118, and agrees to the same with the following amendment: Of the matter inserted by said amendment, strike out the following: "SEC. 4."

That the House insists upon its disagreement to the amendments of the Senate numbered 11, 12, 31, 32, 33, 79, 80, 82, and 119, and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. ANDERSON, Mr. MAGEE, and Mr. BYRNES of South Carolina be the managers of the conference on the part of the House.

Mr. GRONNA. I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 40, 48, 49, 92, 93, 107, 117, and 118.

Mr. KING. Mr. President, I should like to have an explanation from the Senator in regard to those items. May I inquire if included in those items is the one which provides for the Department of Agriculture becoming a bank and loaning money on unplanted crops?

Mr. GRONNA. Mr. President, I will say to the Senator from Utah that it is my intention not to ask for action on that particular amendment at this time. The amount has been reduced from $5,000,000 to $2,000,000. Furthermore, a mistake has been made in separating it into two different propositions numbered 115 and 116. The matter constitutes really one item, but has been separated into two sections. So that matter will not come up at this particular time. The House has requested a further conference on the free-seed amendment and on a few other items, and I shall request that the item referred to by the Senator from Utah go back to conference. It will not be disposed of this morning.

Mr. KING. Let me inquire of the Senator whether or not when the bill left the Senate it contained any provision under the terms of which the Secretary of Agriculture became a banker to loan money to farmers or agriculturists upon the security of unplanted crops or otherwise?

Mr. GRONNA. Mr. President, this is not a new matter. During the war $5,000,000 were set aside to enable the Secretary of Agriculture to carry on the same work, although the money was handled then through the Federal reserve banks. Under the provisions of this item, the Secretary of Agriculture may make such rules as he sees fit, and he may make loans either through the banks or in accordance with any rules and regulations he may provide. The Senator knows this is only an emergency measure. The amount has been reduced to $2,000,000 by the House.

Mr. KING. That which was justified during the war in the exercise of the war powers of the Government ought not to become a precedent to guide the Government in days of peace. While we may all sympathize, and all do sympathize, with the demoralization in the agricultural industry—and I might add that there is a paralysis in many other industries in the United States—I can not conceive of any theory upon which the Government of the United States should invest the Secretary of Agriculture with the discretionary power to make advances to agriculturists, any more than I can conceive of the Government of the United States authorizing the Secretary of Commerce to loan money to retailers or other business men of the United States because they might experience hard times or difficulties in the execution of their undertakings. I think it is a very unwise precedent.

Mr. GRONNA. Mr. President——

Mr. KING. If the Senator will pardon me, I have no objection if upon mature consideration the Banking and Currency Committee will report a measure under the terms of which more liberal credits may be extended to agriculturists, those credits being extended through the operations of the Federal reserve bank; but the Senator sees that if you establish a precedent of permitting executive agencies of the Government to loan money at their will to all industries or any industry in the United States you are going to convert the Federal Government into a sort of an eleemosynary institution, and the applications for loans will be so stupendous as to make it absolutely impossible to secure by taxation sufficient money with which to meet even a moiety of them.

Mr. GRONNA. The Senator from Utah and I do not disagree on most of these propositions.

Mr. KING. I hope we do not disagree on this.

Mr. GRONNA. But I want to remind the Senator from Utah that on yesterday the Supreme Court of the United States held that the Goevrnment of the United States had the right to establish fiscal agencies throughout the country, known as Federal farm loan banks. That was a proposition which was debated on the floor of this Chamber for weeks and for months by the very ablest of Senators. It was contended, of course, that it was unconstitutional. There were a few of us hayseeds who believed that we were living in a progressive age, and that it was not only right and just but in accordance with the Federal Constitution to make it possible to increase production through the cooperation of our Government and make it possible for our farmers to get cheaper money, which is in the interest of the consuming public.

Now, this is practically the same idea. If the State were able to do this, I will say to the Senator, or if it were possible to do it through individuals, I should be the last one to ask for legislation of this sort; but we have gone into the matter very carefully, we have made a thorough survey, and we have come to the conclusion—and any man who will study the question must come to the same conclusion—that the only way to solve the question is for the Federal Government to loan its credit to the farmers until they can raise a crop. It is not an appropriation intended as a gift; it is only a loan. The Government may lose a small amount in extending its credit in this way, but the amount will be infinitesimal, because I am sure that the Secretary of Agriculture will exercise the utmost care in the transaction of this particular business; and we can not afford to let eight or nine thousand farmers in my State alone let their farms lie idle, which means that they must leave those farms. It applies not only to my State, but to the eastern and northern part of Montana, where they have had droughts for the last three years.

As I said to the Senator, however, I do not wish to take up the time in discussing that matter now, because it is going back to conference anyway.

Mr. KING. That provision originated in the House, did it?

Mr. GRONNA. No; it originated in the Senate. A separate bill was introduced by me some time ago, and was passed by the Senate by a unanimous vote. It was found that the House did not take action. The same provision was then incorporated into the agricultural appropriation bill, and again passed the Senate by a unanimous vote. Now, the House has cut that down from $5,000,000 to $2,000,000. It has reduced the amount that each farmer may receive from $300 to $200. I believe the amount is too small. I believe that we should have had $5,000,000, and I also believe that we should have left the amount that each farmer could obtain at the amount of $300; but that is the action of the House, and it was taken upon a vote.

Mr. KING. Then does the Senator desire the Senate to disagree to that action?

Mr. GRONNA. The Senate will have to disagree, because a mistake has been made. Two propositions have been made of it, when there should be only one. Amendments numbered 115 and 116 should be one amendment. There are two sections in the bill as it passed the Senate.

Mr. KING. May I inquire of the Senator whether the action which he desires the Senate now to take will be susceptible of the construction by the House conferees, or by the House, that the Senate adheres to the original proposition as it passed the Senate?

Mr. GRONNA. Of course, personally, I should prefer to see the Senate provision agreed to, but the old saying that "Half a loaf is better than no bread" is true in this case. I hope that the House conferees will see their way clear to give us at least $3,000,000 to $3,500,000 for this purpose.

Mr. KING. May I inquire of the Senator whether the conferees, or his committee which reported the bill to which he refers, considered the proposition of making these loans through existing governmental agencies, to wit, the Federal Farm Loan Board, instead of committing this authority to the Secretary of Agriculture?

Mr. GRONNA. Yes; that was considered very thoroughly, and the Secretary has the right now, and has the authority under the language of this item, to transact the business either through the Federal reserve banks or through the Federal farm loan banks.

Mr. KING. But, after all, he is the source of authority, and his determination of the modus operandi is a finality?

Mr. GRONNA. Yes; he necessarily must be. It is an agricultural proposition.

Mr. KING. He may employ the Federal reserve bank, or, rather, the farm loan bank, if it will accept employment at his hands; or, if not, he may proceed and make the loans independently.

Mr. GRONNA. I will say to the Senator that this is an item in regard to which I believe all agencies of the Government will be glad to cooperate and assist. It is not done for profit in any way whatever. It is just to help out in an emergency.

Mr. KING. As it strikes me now, while I do not recall the other measure, I should prefer, if there is an exigency such as to call for aid by the Government, to make a direct gift rather than to permit executive agencies, such as a department or a bureau, to go out and extend credit to whomsoever they please within a certain class. I think it is a dangerous precedent and will provoke applications from almost every activity in our industrial and economic life to secure financial aid from the Government with respect to private activities. The broker, the stock raiser, the merchant, everybody that experiences some difficulty in making loans, will come to the Government of the United States and he will not apply through governmental agencies such as the Federal reserve bank or through the farm loan system, both of which are authorized to

extend credit, but he will seek a direct appropriation from the Government of the United States. So the result will be that we shall be compelled to tax the people of the country millions and hundreds of millions of dollars every year to loan to all branches of trade and industry and to these various activities. The school-teachers and the lawyers and the doctors and the merchants and everybody else will want loans and will come to us for their loans at a low rate of interest, and Uncle Sam will either have to increase the taxes to levels of which we can scarcely conceive because of their altitude or be compelled to issue bonds and sell them upon a market where the price of the bonds will constantly go down, and we shall be further encumbering the Government with debt obligations.

The Senator is a banker; the Senator is a student of financial affairs, a man of sound judgment upon fiscal questions, and I am sure he must see the danger of the precedent which he seeks now to have established.

Mr. GRONNA. I agree with the Senator from Utah that if the matter were abused it would be better not to establish the precedent; but the precedents have been established on so many occasions that the matter is not a new one.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota that the Senate agree to the amendments of the House to certain Senate amendments.

The motion was agreed to.

Mr. GRONNA. Now, I move that the Senate disagree to the House amendments to Senate amendments numbered 115 and 116 and request a further conference on those amendments.

Mr. KING. Will the Senator state what those two items are?

Mr. GRONNA. They are the matters we have just discussed, the seed-grain items.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota.

The motion was agreed to.

Mr. GRONNA. Now, I move that the Senate further insist, and agree to the further conference asked by the House, on Senate amendments numbered 11, 12, 31, 32, 33, 79, 80, 82, and 119, and ask that the Chair appoint the conferees.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota.

The motion was agreed to; and the Presiding Officer appointed Mr. GRONNA, Mr. KENYON, Mr. MCNARY, Mr. GORE, and Mr. SMITH of South Carolina conferees on the part of the Senate.

COMMITTEE ON STANDARDS, WEIGHTS, AND MEASURES.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolution 467, authorizing the Committee on Standards, Weights, and Measures to sit during the sixty-sixth Congress and to employ a stenographer to report hearings held by the committee, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Senate resolution 467, submitted by Mr. REED on February 28, 1921, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Standards, Weights, and Measures, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding $1.25 per printed page to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recesses of the Senate.

HEIRS OF A. R. VERMILLION, DECEASED.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolution 446, to vote six months' pay to the family of a policeman in the employ of the Senate who recently died, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Senate resolution 446, submitted by Mr. SMITH of Maryland on February 11, 1921, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to H. M. Vermillion, Ella M. Nessmith, Viola Keppler, and Olga M. Hunter, son and daughters of A. R. Vermillion, late a policeman in the Capitol (authorized by the sundry civil act), a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

ROSE SMITH DUDLEY.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably a resolution to vote six months' pay to the family of the late enrolling clerk of the Senate, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Senate resolution 465, submitted by Mr. PHIPPS on February 26, 1921, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Rose Smith Dudley, widow of Charles R. Dudley, late enrolling clerk of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

CONFIRMATION OF COAST GUARD AND OTHER NOMINATIONS.

Mr. JONES of Washington. I ask unanimous consent, as in open executive session, to report from the Committee on Commerce certain nominations in the Coast Guard, the Coast and Geodetic Survey, and the Department of Commerce, and ask for their confirmation. I will state that these are the nominations that were referred to the committee on yesterday.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there objection?

Mr. SMOOT. They are regular promotions, as I understand?

Mr. JONES of Washington. Regular promotions.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. ROBINSON. I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. The Chair hears no objection, and they will be so considered. The nominations will be stated.

The Assistant Secretary read the nominations, as follows:

COAST AND GEODETIC SURVEY.

Jack Senior, of New York, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Raymond Pugh Eyman, of Ohio, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Leo Cuthbert Dyke, of New York, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Chester Howard Ober, of Rhode Island, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

George Clay Jones, of Oregon, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Charles Shaw, of Massachusetts, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Carl Alexander Egner, of Indiana, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Leroy Preston Raynor, of New York, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Lyman Davis Graham, of Pennsylvania, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Max Orville Witherbee, of Colorado, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Payson Austin Perrin, of Massachusetts, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Roland Drew Horne, of Massachusetts, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

George Lawrence Bean, of New Hampshire, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Benjamin Haines Rigg, of New Jersey, to be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy.

Oliver Scott Reading, of Illinois, to be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy.

Charles Keith Green, of California, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Charles Justus Iiter, jr., of Pennsylvania, to be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy.

SUPERVISING INSPECTOR STEAMBOAT-INSPECTION SERVICE.

William J. Macdonald, of Michigan, to be supervising inspector for the fourth district in the Steamboat-Inspection Service.

COAST GUARD.

Martin W. Rasmussen to be district superintendent in the Coast Guard of the United States, to take effect from September 9, 1920, to fill an existing vacancy.

Ralph T. Crowley to be district superintendent in the Coast Guard of the United States, to take effect from September 10, 1920, to fill an existing vacancy.

Cadet Noble G. Ricketts, to be an ensign in the Coast Guard of the United States, to rank as such from October 13, 1920.

Cadet Paul K. Perry to be an ensign in the Coast Guard of the United States, to rank as such from October 11, 1920.

Cadet Arthur G. Hall to be an ensign in the Coast Guard of the United States, to rank as such from October 11, 1920.

Cadet Irving W. Bucknlew to be an ensign in the Coast Guard of the United States, to rank as such from October 7, 1920.

Cadet Harold G. Bradbury to be an ensign in the Coast Guard of the United States, to rank as such from October 12, 1920.

Cadet Ephraim Zoele to be an ensign in the Coast Guard of the United States, to rank as such from October 8, 1920.

Cadet Merlin O'Neil to be an ensign in the Coast Guard of the United States, to take effect from date of oath.

Cadet Carleton T. Smith to be an ensign in the Coast Guard of the United States, to take effect from date of oath.

Cadet Norman H. Leslie to be an ensign in the Coast Guard of the United States, to take effect from date of oath.

The PRESIDING OFFICER. Is there objection to the confirmation of these officers? The Chair hears none, and they are confirmed, and the President will be notified.

Mr. POINDEXTER. Mr. President, I ask that the Senate resume the consideration of the naval appropriation bill.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McLean	Spencer
Ball	Harris	McNary	Sterling
Borah	Harrison	Myers	Sutherland
Brandegee	Heflin	Nelson	Swanson
Capper	Jones, Wash.	New	Thomas
Culberson	Kellogg	Overman	Townsend
Dial	Kendrick	Phipps	Trammell
Dillingham	Kenyon	Pittman	Underwood
Edge	Keyes	Poindexter	Wadsworth
Elkins	King	Pomerene	Walsh, Mass.
Fernald	Kirby	Ransdell	Walsh, Mont.
Fletcher	La Follette	Reed	Watson
France	Lenroot	Robinson	Williams
Frelinghuysen	Lodge	Sheppard	Willis
Gerry	McCumber	Smith, Ga.	
Gooding	McKellar	Smoot	

The PRESIDING OFFICER. Sixty-two Senators have answered the roll call. There is a quorum present.

Mr. BORAH. Mr. President, the Senator from Washington spoke frankly about the situation in his remarks this morning, and seemed to address his remarks particularly to the Senator from Idaho, and he desires to speak with equal frankness of the situation as he sees it. I say candidly to the Senator from Washington that I do not see how it is possible to pass this bill at this session. I do not say that in the sense that I propose to talk against time, or anything of that kind, but we have now been considering the bill since yesterday morning at 11 o'clock, and we have gotten to the second page. A number of other matters have interfered and interrupted the program, and that is what will be happening from now on until the 4th of March.

There are a great many things in this bill, at least four or five vital questions, any discussion of which will make it impossible to pass the bill, and I have not any doubt but what they will be discussed, not alone by the Senator from Idaho, but by a great many other Senators in the Chamber. So I say to the Senator with frankness that I do not think the bill can pass at this session, and so far as any responsibility for its not passing is concerned, under the present circumstances I am willing to assume that responsibility.

However, if the Senate proceeds with the bill, I shall simply content myself with a discussion of the committee amendments as they are taken up and the amendments which are to be proposed, and if the bill can pass under those circumstances, very well and good.

I would much prefer to see the bill pass, as I think it ought to be, within reason, than to see it fail. But I say with equal frankness that I would very much prefer to see it fail than to see it pass in its present form.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. I submit to the Senator from Idaho that it will be impossible to attain the object he says he prefers, the passage of the bill in a different form, unless the bill is submitted to the Senate for a vote on its various features for amendment and Senators be given an opportunity to consider the amendments proposed by the Senate committee. Unless that is done, of course the bill can not be changed. You can not change a bill unless you vote on the amendments to it.

Mr. BORAH. I shall not interfere with the Senate voting on amendments, so far as I am concerned. While I am not charged openly with filibustering, it has been intimated that the result of my conduct is the same as it would be if I were filibustering. Mr. President, yesterday afternoon I occupied within eight minutes of the same length of time occupied by the able Senator from Washington this morning, and I am sure the Senator from Washington was not designedly seeking to interfere with the passage of the bill. But he felt there were some features of it which ought to be discussed, and with his usual sincerity and ability he discussed them. I felt yesterday afternoon that I should present some of the reasons why I thought the bill ought not to be urged at this time, and I took within eight minutes of the length of time occupied by the Senator from Washington this morning. I have not intended to do anything else but discuss it upon its merits.

The Senator called attention to the fact that my statements made upon yesterday with reference to the amount which the bill carries were erroneous. They were not erroneous, Mr. President, if the record be taken as a guide. I stated that the bill as it came from the House carried in round figures $400,000,000; the bill as it came from the House does actually carry $396,001,249.23. I stated that the Senate committee's increase was over a hundred million dollars. According to the report made by the Senate committee it is $100,518,686.74.

So, while I did not undertake to give the exact figures, I spoke with entire accuracy when I said that in round figures the bill carried $400,000,000 as it passed the House, and I spoke with most exact accuracy when I said that the committee had increased it over a hundred million dollars. There is no disparity between the statements which were made by the Senator from Idaho and the statements made in the report of the Senate committee. The increase of appropriations which I spoke of did not represent the increase which actually takes place under this bill. For instance, consider the Alameda proposition. The bill appropriates, I think, $1,500,000, but it means the expenditure, as has been estimated by different parties, of from $100,000,000 to $150,000,000. In other words, if we pass the bill with the amendments proposed by the Senate we shall be committed to the expenditure, not of a million dollars or a million five hundred thousand dollars but we shall be committed to a program which will cost not less than a hundred million dollars, according to the estimate of everyone I have talked with or whose estimate I have read in the RECORD.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. I do not think I ought to allow to pass without comment the challenge which the Senator from Idaho has made to my statement this morning. I think the Senator from Idaho, if he recalls what I said, will admit that I made no mention of either one of the figures he has just quoted. I did not challenge the accuracy of those statements. I mentioned specifically the statements the accuracy of which I challenged, and I did not refer in any way at all to either one of the statements the Senator has just referred to.

The statement that I said was inaccurate was the statement of the Senator that this bill carried over $500,000,000. That is inaccurate. It carries under $500,000,000. It is true it is but a few millions under, but still it is under, and not over. And I want to say, if the Senator will kindly permit me, in regard to the matter he just mentioned, the appropriation for Alameda, I am not wedded to the Alameda proposition. I realize that it is a controversial question.

I think the Senate committee, as well as the joint committee of the Senate and the House, particularly the latter, have given that matter a great deal more study than the Senator from Idaho has, and many of them have given it much more study than I myself have given it. However, it is a question which involves an examination of a great many factors and considerations, and unless we reach the amendment and present it to the Senate, so that there shall be free debate and free opportunity to go into it, we can not consider those things.

If the Senator takes into consideration in his estimate of the bill the fact that authorizations of expenditures are provided for, he ought to take into consideration also the cancellation of authorizations that are provided for or authorizations that are proposed to be canceled by the bill. The authorized expenditures for the Navy are thereby reduced instead of increased.

Mr. BORAH. I am familiar with those. I shall come to them later.

Mr. POINDEXTER. That ought to be taken into consideration. I wish to say in regard to the Alameda proposition that there are no authorizations carried in the bill except an appropriation of $1,500,000, the purpose of which is stated in the bill, for dredging and filling in land to the extent of some 5,000 acres which is donated to the United States by the city of Alameda.

In so far as the statement of the Senator to the effect that no one has estimated the expenditures at Alameda at less than $100,000,000, that is entirely different from anything I have heard about it before. I have heard some one estimate that within 100 years there might be $100,000,000 expended

there, but there will not be a dollar expended there unless the Congress appropriates the money.

If the Senator reads the bill carefully, he will find that the Alameda item is merely for a supply base, and he will find that the Joint Committee on Naval Affairs in its report upon the matter expressly recommended that it be confined to a supply base and that the construction and repair of ships as now carried on at Mare Island Navy Yard already established shall be continued.

Mr. BORAH. I understand perfectly the language of the bill, and I also understand what the report said, but I understand equally well that to do what we propose to do in the bill is to initiate a naval base at Alameda. It is thoroughly understood that this is the first step which must be taken in order to make it a naval base and to render it worth while, and to have done all the work contemplated in the bill will require an expenditure of $100,000,000.

Mr. POINDEXTER. Then we could submit an amendment on that, and if the Senate agrees with the Senator from Idaho it can be voted out of the bill.

Mr. BORAH. Yes; but it can not be submitted without discussion unless we propose to close our eyes to the situation. What I have said is of course that it ought to be submitted to the Senate, but how are we going to submit that question to the Senate, which will necessarily take a day or two of discussion in order to get the real facts in the record before the Senate? The Senator has stated that the joint committee gave this more consideration than the Senator from Idaho, and I have not any doubt that the committee has done so. Nevertheless the Senator from Idaho has imposed upon himself the task of reading the entire report, and I have it before me pretty well briefed, and I think I know what it means. It is impossible, unless we are just going to shut our eyes and accept upon the recommendation, if I may say so, not of the joint committee, but of the General Board of the Navy, and we must have debate upon it in order to get the facts before the Senate.

Mr. SWANSON. Mr. President, may I say just a word with reference to the Senator's idea about Mare Island. I think he is laboring under a misapprehension. There are two ideas about Mare Island. Some people advocate the abolition of the navy yard at Mare Island, on which I suppose $40,000,000 or $50,000,000 have been expended to perfect it. The Committee on Naval Affairs has never favored that. The difficulty about Mare Island is this: That San Francisco Bay is the chief base for the Pacific Fleet everybody admits except people interested farther north or south, and in order to maintain that fleet we shall be compelled to have a supply base there, and why? It is not the idea to abolish Mare Island. Battleships when equipped with armament and arms can not go up to Mare Island. The water is not deep enough without dredging the channel, at great expense, and then it is too narrow and a little dangerous for battleships with complete armament to go up there. Instead of abolishing Mare Island, the idea is to have a supply base so the fleet can come and get supplies, and nothing but supplies, get ammunition and fuel, and do what is necessary to supply the fleet, and continue to base it on Mare Island. We should continue to base the fleet on San Francisco Bay, which is the best and one of the safest harbors in the world, except Chesapeake Bay, and I am not speaking of the latter because I live in Virginia. They are safe there from the attack of submarines and all other attack.

I do not know of any other scheme we can adopt that will be economical and that will not involve the expenditure of a vast sum of money unless we spend the amount necessary to establish a supply base for Mare Island. We can continue to operate Mare Island and we can continue to build ships there. If we take off all the armament that goes with the ship, it can go up there. It is only when it is completely equipped that it can not get there.

We can spend $5,000,000 or $10,000,000 or whatever Congress desires to spend in the establishment of a supply base, but I think the idea is that this is merely a supplement to Mare Island and that it is the most economical proposition that could be devised, to have a supply base and also a great navy yard in the Pacific to take care of the Pacific Fleet.

Some people have advocated the sale of Mare Island, the demolition of it, the absolute creating of a new navy yard and supply base all in one, but that is not necessary. I have never favored that; I did not favor it when I was chairman of the Committee on Naval Affairs and I do not favor it now. If we desire to have our fleet based on San Francisco, it is necessary to supplement Mare Island with a supply base. They gave this land to the Government absolutely without cost.

Mr. BORAH. Oh, yes; I understand that.

Mr. SWANSON. I do not believe in the expenditure, except for a supply base. We might later on want to have a dry dock there. There is no necessity for that now, because near there we have a dry dock that will take the largest ship in the fleet, where the Government has a preference by reason of a certain payment each year.

I think the exaggeration about Mare Island is simply by some naval officers who have favored more or less the absolute demolition of Mare Island, which I do not favor. I believe the matter ought to be discussed. The policy of Congress is fixed. The Senate will not permit any such waste there as some naval officers and other people contemplate. I know the Naval Committee has no idea of any vast expenditure of money there. I would like to have the Senator from Idaho devise some scheme by which Mare Island may be supplemented with a base where battleships can enter San Francisco Bay, and have a great supply base.

Mr. BORAH. The Senator from Virginia has suggested some things which will come up for discussion a little later.

The Senator from Washington [Mr. POINDEXTER] referred to the resolution which I introduced some time ago seeking to bring the United States and Great Britain and Japan into conference on the question of naval disarmament and indicated the probable willingness of the committee that the resolution should be incorporated in the bill. Of course, I should be very glad to see that done. I realize, as the Senator from Washington said, that it does not mean anything conclusive upon the question of disarmament. It would be an expression of opinion upon the part of the Congress of the United States, which is a very powerful fact, and it would be the first step, and I should like very much to see it happen. But to be entirely frank with the Senator, I would not be willing to have the bill pass in its present form and carrying its present appropriation and its present program simply because we placed in the bill the disarmament resolution and turned it over to the tender mercies of the conferees, practically all of whom, from both Houses, are against it.

Mr. SWANSON. I presume I will be a member of the conference committee. I voted for the Senator's amendment in the Foreign Relations Committee. I favored it there. It is not as strong as the resolution which was included in the program of 1916, when I was in charge of the naval appropriation bill in the Senate. I said at that time, and I would say it in favor of the Naval Committee, that we would be glad to see an agreement for disarmament, but we felt that we were traveling the pathway of preparedness, because we were afraid we could not travel the pathway of peace and disarmament. I, as a member of the conference committee, favored it, and favored it earnestly, and voted for it in the Foreign Relations Committee. I believe it ought to be included in the bill.

I think the people of the country ought to understand that we are only for preparedness and only for a large Navy because other nations are preparing large navies, which might jeopardize our best interests. I favor the amendment going into the bill. I think we should have vision and make a most earnest effort to get an agreement for naval disarmament, and I would hail it with pleasure.

Mr. EDGE. Mr. President, may I ask a question of the Senator from Idaho?

Mr. BORAH. I yield.

Mr. EDGE. Why does the Senator assume that consideration of the so-called disarmament amendment, if adopted, would prevent further consideration of any other amendment which he or any other Senators might have in mind, and how can we determine the feeling of the Senate unless we do have an opportunity to vote upon those amendments?

It seems to me the orderly way is not to assume that in three days we can not consider any other amendment but, as rapidly as possible and with all discussion necessary, we should proceed to vote upon the disarmament amendment.

Like the Senator from Virginia [Mr. SWANSON], I should be very glad to have an opportunity to vote on the disarmament amendment. If the possibility that it will not be included is one of the difficulties which stands in the way of the final passage of this very important bill, it would seem to me that those who particularly favor it, or at least have been responsible for the original introduction of such an amendment, should be the first to desire to have a vote of the Senate upon the amendment.

Mr. BORAH. I am very anxious to have it incorporated in the bill, but I did not want to have it understood, as was suggested this morning by the Senator from New Jersey, that in all probability that would relieve the bill from any further discussion or any further delay. These vast appropriations must be scanned. The taxpayers of this country are entitled to

consideration. I do not want to enter into barter and trade my resolution in favor of unjust and extravagant expenditures. We ought to put in the disarmament resolution and also cut out some of the unnecessary appropriations.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. I notice in the CONGRESSIONAL RECORD, in the remarks of the Senator from Idaho on yesterday, he made the following statement:

> I am myself for an adequate Navy, if I understand what the term means. One of the first important votes which I cast in this body after I came here was a vote in approval of what was known as President Roosevelt's naval building program. I think it was for four or five battleships; and I voted in favor of that program. I also voted for the great naval program of 1916, and supported it, and I am still unconscious of any modification of views in regard to this subject. I certainly desire a sufficient, adequate Navy; and it is not my purpose, now or at any other time, to change my position in regard to that important matter. Of course, in saying that, the adequacy of a Navy must be measured by the conditions and circumstances of the particular occasion when it is being built, and also the circumstances and conditions under which it is being built. If we should be so successful as to secure an agreement among the great naval powers of the world, that which would constitute an adequate Navy under such agreement would be one thing, while if we should fail to secure any such agreement, of course, what would constitute an adequate Navy would be an entirely different thing. I have no desire, however, to throw any vote of mine or any limited influence which I may have in favor of a weak Navy or an insufficient Navy or an inadequate Navy. I have in no sense modified my views as to the necessity of an adequate Navy.

The bill, in so far as the fleet is concerned, provides for nothing whatever but a moderated and slowed-up program or continuance of the construction of the very ships which the Senator from Idaho said he voted for, and which he says he is still in favor of, the only addition to it being a provision for an initial appropriation for two airplane carriers, of which the United States has none at the present time, in connection with the cancellation of authority for 12 submarines, which were authorized in the program for which the Senator from Idaho voted and which he says he still favors.

Furthermore, the Senator from Idaho at other times has urged upon the Senate the importance of the development of naval aviation. One of the items of increase in the bill is a provision for the procurement of airships. While there is no provision in the naval appropriation bill as passed by the House for the procurement of new aircraft, there was an authorization in a bill which was reported out of the Committee on Naval Affairs of the House, and is upon the House Calendar, providing for the procurement of aircraft. As the only means of adopting that legislation, the Senate Naval Committee, in accordance with the universal custom of the Senate, has added it to this bill. It seems to me that with the exception of this increase in the Navy which the Senator is opposed to, and which can be disposed of by a vote, if we are allowed to have a vote, or by conference, if we get to conference, the naval appropriation bill merely carries out those policies and purposes which the Senator says he has advocated and still advocates.

Mr. BORAH. Mr. President, as I said on yesterday, what constitutes an adequate Navy or an inadequate Navy depends entirely upon the circumstances which exist at the time the question of what is an adequate Navy is being determined. I have never suggested anything except a modification of the building program of 1916, a delay in building what are called the battleships of the *Indiana* type until it should be determined whether or not they ought to constitute a part of a modern fighting Navy, and to utilize the money which we were putting into those battleships, which cost from forty to forty-five million dollars each, for building those ships which are now conceded to be an essential and indispensable part of a modern, efficient fighting Navy. I have never suggested the discontinuance of the building of battle cruisers or of any of the ships which the World War has determined to be a part of a modern Navy; but there has been a very pronounced view upon the part of people who are just as earnestly for a big Navy as is the Senator from Washington that to spend $40,000,000 for a battleship at a time when the whole question is being determined as to whether or not the battleship is really of any avail in a modern fight is to waste the money. That is the only modification which I have suggested. It would be the same kind of a case as if the Senator from Washington should have brought in here a program to build pre-Jutland warships and I should say that we should cease to build pre-Jutland warships and build post-Jutland warships.

It would not be indicative of my position against an adequate Navy. It would be rather in favor of an adequate Navy. It is that feature of the situation, Mr. President, which constitutes the difference between the able Senator from Washington and myself as to these appropriations, and it is that kind of building which is going on to which I have heretofore objected.

The Senator from Washington found fault, as did the able Senator from Delaware [Mr. BALL], on yesterday with my statement as to what our Navy would be after we should have completed this program, and they stated it was not a question of opinion, but it was a question of fact, and that they were of an opinion that our Navy would be inferior to the Navy of Great Britain even after we should have completed our program. I observe that even among the most expert and ablest advocates of a big Navy there is a very great difference of opinion upon that question. I will read a paragraph or two from the speech of Representative BRITTEN, which he made in the other House, a man who has given a vast amount of study to this subject, who takes a great interest in it, and who took an active part in the debate. He gives his figures and then gives his conclusions. It was undoubtedly his particular figures—although I find they are supported by two other gentlemen of expert knowledge upon the subject—which I had in mind when I referred to the percentage of strength which our Navy would have over that of Great Britain. He says:

> Mr. Chairman, our Naval Intelligence has brought forth figures to show that we have 33 battleships and battle cruisers built and building while Great Britain has 35 of the same character. When we complete the program of 1916, authorized merely to give us a naval strength commensurate with our position in international affairs, we shall have an advantage of 8,638 tons per ship over the British. In main batteries we shall have 340 guns to 314 for them. Our guns will average 14½ inches in caliber as compared to 13⅝ inches for theirs. In a broadside we shall hurl 548,400 pounds, as against 452,000 pounds. In the secondary battery our guns will number 494 to Britain's 526; but ours have 5.4 inches caliber while theirs have 4.9 inches. We are to have 322 destroyers to 350 for Britain; but ours are to be superior in speed and more up to date. In submarines we are to be equal—150 apiece—and in this field American ingenuity is to throw the weight on our side.
>
> Our ships being more modern, larger, of heavier armor and armament, with superior muzzle velocity, and assuming the personnel aboard to be equal, we would have a net fighting superiority of from 31 to 50 per cent.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. The statement to which I referred as having been made by the Senator and which he mentioned a moment ago, as I understood it, was that if the provisions carried in the House bill——

Mr. BORAH. No; I said the program which it indorsed.

Mr. POINDEXTER. Were adopted, we should have such a Navy as the Senator has described. I challenge that statement, if that was the statement, because that would simply leave us in the middle of the program with the ships but halfway completed.

Mr. BORAH. Of course, the Senator understood perfectly that I was speaking of the program which the House bill purports to carry out—the program of 1916.

Mr. POINDEXTER. But it will require a great many more appropriations in addition to the appropriation carried in this bill before that program is completed.

Mr. BORAH. Certainly; and the appropriations will come just as the night follows the day. If we proceed, for instance, with the six battleships of the *Indiana* type for another six months or a year, no one will have the hardihood to stand here and say, against the able Senator from Washington, that we should stop at that time.

Mr. POINDEXTER. But, of course, we shall not get them unless we are able to have a vote on the bill. If we can not get a vote on the naval bill at this session or at the next session or at some other session, these battleships will fall to pieces in their incompleted state.

Now, if the Senator from Idaho will permit me, I should like to say just a word in comment on the comparison which he has just quoted from the distinguished Member of the House of Representatives. I think I ought to call attention to the fact that his estimate is based upon the assumption that we are going to proceed building the Navy until we complete the program and that Great Britain is not going to do anything at all; it is a comparison between what we will have if we appropriate the necessary money for our Navy and what Great Britain has to-day. Great Britain would not have to add a ship or a ton to her naval forces to have the complement that the Senator from Idaho has described, while the United States would have to carry forward and complete the 1916 program, which is now only barely started.

I desire to say further in comment upon the estimate that while, of course, I do not challenge the view presented by those figures, there are many other views. That is an estimate of the strength of capital ships; but there are many other elements in a navy to consider besides that. If the program is carried out along the lines mentioned in the statement, the United

States will have 13 scout cruisers with which to sweep the seas and attack the commerce of the enemy, while Great Britain will have 73. The United States at the present time has no battle cruisers at all, while Great Britain has 6, and if Great Britain acquires no more and we complete our program we will have 6 and Great Britain will have an equal number. But I think that not sufficient weight is given to the tremendous disparity in favor of Great Britain in the case of the swift scout cruisers which Great Britain will have in comparison with the small number which the United States will have.

Mr. BORAH. Mr. President, the Senator is correct, I presume, in his suggestion that the estimate made by Representative BRITTEN was based upon the present program of Great Britain, which is not a very ambitious one, and the Senator from Washington carrectly assumes that it is based upon the theory that Great Britain will stand still.

Mr. POINDEXTER. She is appropriating $500,000,000 this year for her navy.

Mr. BORAH. Precisely; and that brings me to the discussion for just a moment of a matter which really does not pertain here, but which will come up possibly later for discussion. I refer to the delusion which seems to control the minds of many in connection with competitive naval programs. We hear it said here and we hear it said elsewhere that the United States must continue to build until its Navy is superior, and when it is superior that then it can talk about naval disarmament; in other words, naval disarmament is based upon the proposition that the United States shall acquire the complete and undisputed dominancy. Of course, Mr. President, the very fact that, after signing the armistice, we are going ahead and building the 1916 program incites and excites Japan and Great Britain to the very highest nerve in building their navies, so that when in 1923 or 1924 we approach the completion of our program the proportion of naval strength of the United States will not be any greater then than it is to-day. Does anyone suppose, in the great contest which is going on in Pacific waters, that Japan is going to cease building if we continue our building for the next four or five years, or that Great Britain is going to cease building? Certainly not.

There is another assumption, and that is that Great Britain is unable to build. Great Britain is infinitely better prepared to build than she was at the close of the Napoleonic wars, and she never yielded for a single hour her supremacy of the sea even in those distressful days. If anyone supposes that Great Britain is not able to build or will not be willing to build when the very existence of her empire depends upon her naval supremacy, either secured by actual dominancy or by an agreement which renders her safe, he is, in my judgment, doomed to an awakening.

Mr. EDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. BORAH. I yield.

Mr. EDGE. Recognizing what the Senator from Idaho says as being undoubtedly correct, is not that all the more reason why we should, so far as it is possible without sacrificing principle, pass the disarmament resolution or add it as an amendment to this bill, and give and take on other items in order to pass the naval appropriation bill? Is it not all the more imperative, if the menace exists of which the Senator speaks, for the Congress at this time, before a special extraordinary session is called, to enact into law, if it is humanly possible to do so, the disarmament proposal which the Senator from Idaho has suggested, or something similar to it? Why, then, should we not, in a spirit of compromise, endeavor to put this bill through and make it a law during the next four days?

Mr. BORAH. Mr. President, we might, perhaps, make progress by being frank about the resolution referred to by the Senator from New Jersey, and which has had such enthusiastic support from this side of the Chamber since its introduction.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I yield.

Mr. WILLIAMS. The Senator from Idaho has very well directed attention to the fact that nobody with common sense would expect Great Britain to give up in the midst of a competitive naval building program, and he has stressed the fact that the defense of the British Empire is dependent upon it. I want to call the Senator's attention to the fact that there is something more than that which will motive a British Parliament to keep at the head of the procession, even to the point of bankruptcy, if necessary. It is not merely the defense of the British Empire but it is the fact that the British Islands are so situated that their people can neither be kept clothed nor fed without protecting all the avenues of the sea; and that is the reason why Great Britain would keep on building to the point of bankruptcy, if necessary.

Mr. President, it seems to me, if the Senator will pardon me just one further remark, not in the shape of a question, that to begin again what we had hoped we had finished—an endless emulation of armaments throughout the world, on land and on sea—is the very epitome of madness for those who hope for the peace of the world. Not only will Japan go on, not only will Britain go on, not only will we go on, but just as soon as Germany can recover she will go on; France will go on; everybody will. Are not we the people of all the world who are not afraid of the balance of the world? And can we not afford simply to build a Navy for defense? And in this mad war of emulation and competitive building we would enter it only with the idea of dominancy. Great Britain would enter it with a superior motive, calling for greater sacrifice, of protection of the home population of the British Isles, to keep them clothed and keep them fed.

The Senator from Washington knows that Great Britain, without being able to protect her oversea commerce, would starve in six weeks; and does the Senator imagine that she is going to give up the very foodstuffs upon which her people depend? What is to be the end of all this?

Mr. BORAH. Bankruptcy.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I do.

Mr. POINDEXTER. What does the Senator from Mississippi mean by "a Navy adequate for our defense"?

Mr. WILLIAMS. I mean simply what the phrase says—a Navy adequate for defense, and not intended for offense, not intended for dominancy of the sea, not intended for naval supremacy, but intended to defend America from any and all powers that might attack it.

Mr. POINDEXTER. That is the policy——

Mr. WILLIAMS. In that connection, let me say one more word. A navy adequate for defense means a navy that can meet any other navy that can be mobilized against us for attack. That is what it means. Now, we will have soon, if we have not now, a navy superior to the navy of Great Britain for defensive purposes——

Mr. POINDEXTER. That is what we are trying to get.

Mr. WILLIAMS. Because while Great Britain's navy must be spread in the Indian Ocean, must protect the Suez Canal, must be in the Pacific, and must be in the Mediterranean, we will need for purposes of defense only a navy in the Pacific and a navy in the Atlantic. That is all we need.

Mr. POINDEXTER. According to that, the Senator from Mississippi is in favor of abandoning the island possessions of the country and our maritime commerce upon the high seas. If he is, why, of course, we could get along with a comparatively small navy. I am not in favor of abandoning our commerce or of abandoning our possessions or of abandoning the rights of American citizens.

Mr. WILLIAMS. Oh, Mr. President, everybody who knows the record of the Senator from Mississippi in the other House and in this House of course knows that he is in favor of abandoning the Philippine Islands at the very first decent opportunity we get, so far as that is concerned, but that has nothing to do with this discussion. That is not relevant, nor am I proposing to abandon the defense of our sea commerce at all. I am proposing that we shall have a navy sufficient to protect it, and sufficient to make the most redoubtable powers in the world hesitate forty times about attacking it; but I was merely drawing the picture of the unending and interminable race to mutual bankruptcy between the great powers of the world unless we quit this thing—that is all—and somebody has to quit first.

Mr. BORAH. Mr. President, recurring to the disarmament resolution which I introduced, and the suggestion made by the Senator from New Jersey [Mr. EDGE] as to taking it up and putting it in the bill, as I said before, I should be very glad to have it in the bill when the bill goes through; but there are other matters connected with the bill which are of great moment, and no agreement which could be reached here would prevent debate upon all of these other matters. I trust that when we reach the time that it is to be inserted in the bill the enthusiasm of the Senator from New Jersey and others will not have cooled, and that it will go into the bill.

But, Mr. President, let me say that this resolution was introduced weeks and weeks and weeks ago, and went to the Committee on Foreign Relations, and was finally reported out. As soon as it was reported out, and as soon as it came within the knowledge of the ex-Senator from New York, Mr. Root, he im-

mediately wrote a letter which was made public in which he said no such step should be taken at this time; that we should wait until the incoming administration should develop its policy with reference to disarmament. That has been the program, either express or implied, upon the Republican side of the Chamber since that manifesto was issued. Any Senator who rises here to discuss the armament resolution generally says in the beginning that he is in favor of it, but that it is worthless; that it is ineffective; that it will accomplish nothing, and therefore we can afford to put it in the bill.

Mr. President, that is the kind of reception which the resolution has met over here; and I do not become at all enthusiastic when I am asked to turn the armament resolution over to those who are in favor of it, but who think it is absolutely worthless, and will never accomplish anything.

There has also been put out, for the benefit of the public press and for public opinion, by those who are supposed to be in touch with the incoming administration, the announcement that there is a program coming which will be a program of disarmament. A member of the Naval Affairs Committee said to me yesterday rather frankly, "We are going to put your resolution in the bill, because it will be like the resolution of 1916; it will never hurt anybody." So the Senator from New Jersey will excuse me if I do not become enthusiastic over his suggestion. I shall urge my resolution, but I shall watch the size of the appropriations.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. I might remind the Senator of another precedent equally innocuous. When the purchasing clause of the Sherman silver act was repealed in 1893, a sop was offered to the silver producers in the shape of a resolution committing the United States to international bimetallism.

Mr. BORAH. Yes.

Mr. President, when we get to the proposition of limiting the building program of 1916, I will say to the Senator from Washington that I will take up further the question of the comparative strength of the navies. I do not desire to do so at this time. I only rose to say something in reply to his suggestion of this morning.

Mr. HEFLIN. Mr. President, the Senator from Washington [Mr. POINDEXTER] has become very enthusiastic over this naval bill in the closing hours of the session of the Senate. This bill passed the House about 10 days ago. I wonder why it has been kept in hiding all this time? Why has it not been brought into this Chamber, so that discussion could be had and the bill perfected, if it needed perfecting? Why do they bring it in at this late hour, and then seem to grow impatient because they tell us that they fear they will not have the opportunity to get a vote on it?

Mr. President, last evening the Senator from Washington permitted the consideration of this bill to be halted. He yielded to a Senator on the other side of the Chamber for 30 minutes to consider a measure which was passed in the half hour yielded for that purpose. The Senator from South Carolina [Mr. SMITH], on this side, a member of the Agricultural Committee, rose with a simple joint resolution, containing only five lines, which simply requested and directed the Federal Reserve Board, because of the distressed condition in which we find the farmers of the country, to allow and encourage member banks to renew loans, mark you, on sound farm paper, and the banks were to be the judges of the soundness of such farm paper, for such a time as in their judgment was in keeping with sound business.

The Senator from South Carolina realized that the farmers of the West and the farmers of the South, the great agricultural army, in fact, of the whole country, is in great distress, and he rose in his place as a Senator from a sovereign State in this body to ask the Senator from Washington to give him just a moment or two to consider this very important matter; but the Senator from Washington declined. He would not permit the joint resolution to aid our farmers to be considered at all. He said he would permit it to be read, but that he would not consent to have it considered at that time.

The Senator from South Carolina stated that the joint resolution was brief, and that in his judgment there would be no opposition to it. Mr. President, I know personally that the Senator from South Carolina had spoken to a number of Republican Senators who said that they were not going to oppose the joint resolution. He had spoken to a number on this side who were in favor of it, and no one over here, so far as I know, intended to oppose it; but the Senator from Washington, the chairman of this committee having this bill in charge, deliberately threw away two or three hours last evening by refusing to allow us to consider this resolution. We could have passed the resolution in five minutes and then gone on considering the naval bill until 12 o'clock last night; so the responsibility for the failure to consume two or three hours last night in considering the naval appropriation bill rests purely and wholly upon the Senator from Washington [Mr. POINDEXTER].

When he refused to permit Senator SMITH, on this side, the author of this joint resolution, to have just a few moments I felt it my duty in the interest of legislation in behalf of millions of farmers in distress to make the point of no quorum, and that stopped the proceedings. I had no desire to filibuster against the naval bill. I want an adequate Navy. I am for a Navy big enough to properly protect the interests of our country at home and abroad. I am for an adequate Army, and my position last night was not, I repeat, inspired by any desire to block the passage of the naval bill; but I do not propose to sit here and permit a Senator who has a bill in charge to dispense favors to certain individuals and interests and halt his bill, making a gap of 30 minutes in its consideration, and then, when a proposition comes up that affects vitally millions and millions of American farmers, and only a few moments are requested to consider their interests, I do not intend to sit silent and permit such tactics to be employed if I can prevent it.

I recall, Mr. President, when the United States was involved in war with a foreign country, the President of the United States heard the cry from Great Britain, Belgium, France, and Italy, "Supply us with food or we die." Day by day German submarines were sending to the bottom of the sea merchant ships loaded down with food supplies. These desperadoes of the deep were starving, or threatening with starvation, the allied armies on the battle field.

Then it was that the President of the United States turned to the farmers of our country and said, "I summon you to the colors." They rallied to his call and marshaled themselves beneath the flag. He said to them "Go now and increase your acreage. Put forth greater efforts than ever before. You, by your industry and enterprise, may save the liberty of the world." I repeat, they answered the call. They went out and increased their acreage and by the increased use of their industry and enterprise they made the soil to produce as never before in our history. Be it said to their credit and praise they supplied food sufficient to feed our people at home, our Army, the allied armies, and the civilian populations back of the armies at home.

When the war was over, what happened? The President told the farmers, "You, by reason of your enterprise and industry in producing this great food supply, have enabled us and the Allies to win the war."

Now, Mr. President, that is not all that was told to the farmers of our country. We said to them, "The agencies of production in the Old World are paralyzed. They are stricken down and out of commission and you will be called upon for food supplies for four or five years to come. Go on with your increased production."

And our farmers with that understanding went on producing as before on a large scale. They bought fertilizers at a high price, everything that entered into the cost of production they bought at a high price, and not a word was said about deflating the currency or curtailing credits until the farmer's debts were due and he had to put his produce on the market.

Then what happened? The farmer whose debt-paying power was around $5,000 was reduced in almost the twinkling of an eye to less than $1,000 by the tremendous fall in the price of his products. In what condition did it leave him? He owed $5,000, his produce would bring only $1,000, and it left him owing $4,000, and this debt hangs over him now and the fruits of his investments and year's toil are all gone.

I heard the Senator from South Carolina [Mr. SMITH] appeal to the Senator from Washington [Mr. POINDEXTER] in behalf of this great army of distressed American farmers, but the Senator from Washington refused to permit him to have as much as five minutes to consider the joint resolution he offered, which would have given hope and help to despairing men and women on millions of American farms.

And yet the Senator from Washington complains that he is not allowed to get along with the naval bill. I am not trying to filibuster against the bill. I am simply insisting that American farmers in distress are entitled to at least a few minutes time in which to consider matters that affect their vital interests. I have not attacked this bill, even in its present form. I do submit that the management of it by the Senator from Washington is not helping it any on either side of the Chamber with those who really sympathize with the American farmer in this hour of distress. I do say, Mr. President, that it is infinitely better for this bill to go over for a few days to the next session than to permit this joint resolution to lie dead on the table in this

Chamber. Men are committing suicide because of the darkness and gloom of large debts, and their debt-paying power is being reduced every day. Men are falling by the wayside under the heavy strain, and we are asking permission to consume only a few minutes to consider a measure intended to help them.

Mr. President, the Senator from Washington was not only opposed to considering the joint resolution by the Senate, but he opposed a proposition to refer it to a committee for consideration. The Presiding Officer said that the question was on referring the joint resolution to a committee. I want the Congress and the country to know just what occurred. The Senator from South Carolina said:

> Well, if there is objection to considering the resolution now, we will just refer it to a committee and let the committee either report it favorably or unfavorably.

Then what did the Senator from Washington do, the Senator who is so anxious to gain support for the Navy bill? What did he do then? He said:

> I make the point of order against the motion to refer it to a committee.

Then he undertakes to blame us for consuming a little time in urging legislation that will relieve millions of farmers in distress.

I submit, Mr. President, that the splendid leadership of the Senator from Washington in handling this bill reminds me of what was said by an old fellow of whom I once heard. They said, "How are you, Uncle Johnny?" He answered, "I am enjoying poor health, and getting worse every day."

Mr. President, I am sure that there are many Senators here who do not realize the distressing condition that burdens our farmers to-day. The farmers of the cotton-growing States produced the present crop on the 40-cent basis. Everything that entered into the cost of production was sold to them on that basis. They bought automobiles, with the idea that they would have 40-cent cotton with which to pay for them. They were justified in believing it, because everything they bought to make the crop held up on the 40-cent basis, until they commenced getting the cotton ready to put on the market.

Now, cotton has gone down from above 40 cents a pound to an average of about 7½ or 8 cents. It cost 30 cents a pound to produce that cotton. Senators, that means destruction to the farmers' business in the cotton-growing States. I have heard Senators talk time and again about how difficult it is for the Vice President to live upon the salary paid. I am in favor of paying him a salary sufficient to enable him to live in comfort. But I thought of a poor farmer of my State about whom I heard just a few weeks ago. He brought his cotton to market and sold it at a price far below the cost of production. He hauled his corn to town and sold that. The merchant said, "I do not want to take your corn; the price is low and unprofitable." He said, "I am worried over my debts. Cotton is selling at destructive prices and corn is falling in price. I don't know what to do. I can not stand the strain any longer, so I have decided to dispose of what I have and pay as far as I can on what I owe."

That farmer brought in his four mules, for which he had paid $250 each, and sold them for $75 apiece. All of the products of his farm went for almost nothing, and he left with $1,500 debt still hanging over him. He left the farm and went to town to work for wages. That is what happened in the case of a small farmer who was fairly prosperous.

Yet the Senator from Washington will not permit us to ask the Federal board to sympathize with that poor fellow and extend him a helping hand as he goes down beneath the waves of financial disaster, and then he accuses somebody of filibustering against his bill.

Again, let me say, I was talking to a young man who worked in a Government department in this city two or three years ago. He said, "I do not get enough to live on decently." I said, "How much do you get?" He said, "A hundred dollars a month. It costs me this much for room rent, that much for board, that much laundry bill, and this for wearing apparel, and that for other things." He said, "It just about takes my hundred dollars; sometimes a little more than a hundred." I said, "Yes; that is an embarrassing situation. You ought to have more, and I will help you to get enough to live on." But I have thought of that boy frequently in comparison with the farmer. Whatever may come to him this month he knows he has a month's living ahead of him, and that his salary is certain; it is fixed.

But I invite your attention, Senators, to the farmer who comes up and parts with all his cotton, corn, and other products and walks out of the market place with a debt still hanging over him, with a wife and children at home asking for shoes and clothes, and something to subsist upon.

But we can not get five minutes, under the objection of the Senator from Washington, in charge of the Navy appropriation bill, when he can give 30 minutes for other purposes. But the farmers of the West, of the State of Washington, and all the other western States, and the farmers of the cotton-growing States, ask in vain. We can not halt proceedings long enough for them to have just a few minutes. The Senator from Washington by his objection last evening tied up the proceedings. We failed to obtain a quorum in time to do anything, and he lost the evening, when he could have had the time used in considering the naval bill. He could have had three or four hours if he had granted the farmer five minutes so that we could consider the joint resolution of Senator SMITH.

What is the joint resolution? I want the country to know what the joint resolution is. It reads:

> *Resolved*, That the Federal Reserve Board is hereby authorized and directed to allow and encourage member banks to renew loans secured by safe agricultural paper for such a length of time as in the judgment of the board may be necessary to enable farmers to tide over the present demoralized and disastrous condition of the markets.

Think of it, Senators! Some of you were not here last night. Can you imagine that a joint resolution like that would be objected to? What good reason can be given to the farmers of the country for such treatment when they are crying out for aid in this hour of their great distress?

I shall not consume more time of the Senate now. But some of those farmers voted for you. Oh, if they could just withdraw those little ballots and take them and look at them now and watch the Senator from Washington as he refused to give them five minutes to consider a measure which would give them hope and help them along the way, how glad they would be to get their ballots back. They voted to send you to the Senate, and you are voting to send them to the poorhouse.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). The question is on the committee amendment, which will be stated.

The ASSISTANT SECRETARY. On page 3, line 14, the committee proposes to strike out "$250,000" and insert in lieu thereof "$400,000."

Mr. KING. Mr. President, may I inquire of the Senator from Maine [Mr. HALE] whether the committee insists upon swelling that amount?

Mr. HALE. The committee does insist upon the increased amount. I will state that the estimated cost of telephone rentals and tolls, telegrams, and cablegrams this year up to July 1 is something like $900,000. The estimated cost for handling them for the next fiscal year is five hundred and eighty-odd thousand dollars, and the committee cut the amount down to $400,000. This is the first year that the matter has been put in the bill in a separate item.

I may say that a good deal of the expense of telephone, telegraph, and cable rental is in connection with the radio service, and on the radio service the Government last year made a profit of over a million dollars. It also has saved to itself, in matters which it would otherwise have had to pay for, substantially $5,000,000 on radio service. The sum allowed in the bill is used in connection with that service and with the other expenses of the department, and the committee feel that it is proper to allow the amount.

Mr. BORAH. May I inquire what is the pending amendment?

Mr. HALE. It is the committee amendment, on page 3, increasing the amount for telephone rentals and tolls, telegrams, and cablegrams from $250,000 to $400,000.

Mr. BORAH. I am not particular about that specific amendment. There is one on the next page on which I desire to have a vote.

Mr. HALE. This is merely a limitation.

Mr. KING. Mr. President, before we take a vote upon the pending amendment I desire to submit a few observations. Last evening I was directing attention to the items in the bill and called attention to the fact that substantially every item as reported by the Senate committee was a material increase over the corresponding item reported in the House bill. I took up each of the items, beginning on page 1, and proceeded to direct attention to them until I reached page 17, at which time I yielded to the Senator from South Dakota [Mr. STERLING] to call up for consideration an important measure repealing certain war-time legislation. I think in order that the record may be quite complete and that we may know exactly the items of increase which have been reported by the Senate committee, I shall direct attention to the remaining provisions of the bill in which increases in the appropriations carried by the House bill have been made by the Senate committee.

On page 20 an appropriation was carried in the House bill for the Bureau of Ordnance amounting to $14,000,000. That has been increased to $15,000,000 by the Senate committee.

On page 22 the item for Bureau of Yards and Docks has been increased from $7,500,000 to $9,000,000. The appropriation for dredging at the navy yard in New York has been increased $100,000.

For the navy yard at Charleston there is carried in the bill as reported by the Senate committee an appropriation of $1,150,000 in excess of that carried by the House bill. For the naval station at Key West, Fla., $800,000 is made immediately available, and no appropriation was carried in the House bill for the item.

The navy yard, Puget Sound, Wash., is next. The appropriation in the House bill was $1,405,000, and the Senate committee proposes to increase it to $1,995,000. On page 25 of the bill the appropriation has been increased with respect to the hospital in California a considerable amount, and the Senate committee recommends an appropriation of $1,000,000. The aggregate cost has been increased to $1,975,000.

The next item is for a naval supply base at Alameda, and I called attention very briefly to that yesterday, $1,500,000. The Senator from Idaho [Mr. BORAH] a moment ago was interrogated by the Senator from Virginia [Mr. SWANSON] concerning the item. I wish to say to Senators that that item will receive full consideration before this bill passes the Senate.

The plea made by the distinguished Senator from Virginia, former chairman of the Committee on Naval Affairs, is the same plea which has always been made for the purpose of initiating legislation of this character. A small appropriation is obtained under the most pressing appeals and assertions that it will not involve a very large expenditure, and when that appropriation is obtained the Government is committed to a policy from which it may not extricate itself except at very great loss. As a result, we have military and naval establishments in various parts of the United States greatly in excess of the legitimate needs of the Government, and many of them have been developed through these insinuating and innocent looking appropriations which in the beginning were represented to amount to but a few thousand or at most a few hundred thousand dollars.

The distinguished Senator from Virginia says that the Alameda appropriation will involve only a few million dollars and that $1,500,000 is carried by the bill to begin construction. The figures submitted to the joint committee, and which did not pretend to be complete, called for more than $50,000,000, and it was confessed that no provision for shops or for a construction plant which, as I read the testimony and the implications to be derived from it, would be essential if a modern and adequate naval base is established at Alameda, and it is purposed that such a plant ultimately will be constructed at Alameda if the base shall be established there.

Mr. PHELAN. Mr. President, may I ask the Senator if he is in favor of the establishment of a naval base upon San Francisco Bay at all?

Mr. KING. Yes; I am.

Mr. PHELAN. Then he objects specifically to the Alameda site?

Mr. KING. I do, with the information which I now possess.

Mr. PHELAN. Then the Senator must favor one of the other sites.

Mr. KING. There is already a naval base established on San Francisco Bay at Mare Island. The Government has spent more than $32,000,000 at that point, and the replacement value of the plant and base, according to my information, would be approximately $35,000,000. Of course, the Senator will say that Mare Island is not a naval base. I admit that it is not complete and that to constitute a major naval base, modern and complete, additions will be required. But a naval base should possess a plant such as that now found at Mare Island; it is perhaps the best navy yard in the United States. A dry dock is also there now; and it possesses every advantage for a supply base, and the cost of constructing the supply features would be very small, measured by the amount required to construct one at Alameda. Moreover, at a very reasonable cost larger dry docks could be built and all needed berthing room for a figure much less than that suggested for similar improvements at Alameda.

Mr. PHELAN. If the Senator will allow me, I should like to say that I attended the hearings of the subcommittee of the Committee on Naval Affairs in California on all these matters and had a special hearing of the matter of the Mare Island Navy Yard. I endeavored to assume a disinterested position with respect to the three bases offered on San Francisco Bay, that they might make their cases before a competent tribunal.

There is a unanimity of sentiment in favor of having a base on San Francisco Bay, the greatest inclosed harbor which the United States possesses upon the western coast for such a purpose, but there has been a divergence of views as to which was the most meritorious site within the Bay of San Francisco. I assumed, I say, an impartial attitude, representing the whole State, and was willing to submit the case to the decision of naval experts. I still hold that position, and I assure the Senator that this is a neighborhood quarrel which he has taken up, and not the solution of a naval problem, because the vast preponderance of naval expert testimony is in favor of the Alameda site.

If there was any second choice—and it was a close second—it was opposite, 4 miles away, at Hunters Point, a site within the boundaries of the city of San Francisco, and not at Mare Island. No testimony of value or weight favors having a naval base expansion at Mare Island, notwithstanding the fact that the Government has an obsolete investment there of $35,000,000, the mere cost of a battleship.

Here is Alameda, the selected most eligible site, actually presented to the Government, lands worth, according to witnesses, in the neighborhood of forty or more million dollars, which otherwise could have been developed for harbor and private shipbuilding purposes.

I wish the Senator from Utah to be informed—and this is the first opportunity I have had to tell him—that this is not a question as between the relative value of a Government investment at San Francisco Bay at Mare Island running back through a period of 50 years, and a more suitable site. It is what the modern Navy needs that should govern us. The great ships of the Navy can not, according to expert testimony, utilize Mare Island and its waters, 30 miles north of the Golden Gate through a tortuous channel. If we had a naval engagement outside of the harbor and our ships should come in lame, the testimony of Admiral Rodman, commander of the Pacific Fleet, was that he could not bring those disabled ships for repair and refitting to the Mare Island Navy Yard, where there can not be and where there are no adequate facilities, and where, on account of the fact that the San Joaquin and Sacramento Rivers debouch into the bay at that point and constantly fill it up with silt, the depth of the channel would be difficult to maintain.

These are practical problems which I am discussing. As I said, I entered into this in a disinterested frame of mind to try to find a site for the benefit of the United States and not for the benefit of a particular locality, and I was forced, according to the expert testimony submitted to the joint committee, to the belief that the Alameda site is the most desirable one, and that a base should be established, not for the benefit of localities but for the benefit of the United States Navy, upon San Francisco Bay. Our Pacific Fleet is of no value unless we have such a base. There is danger on the trail. I will warn the Senator from Utah, who lives in the West and who understands the phrase, that there is danger on the trail to-night, and we must have the facilities to keep our fighting craft in condition if we are going to meet the enemy even on equal terms.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. KING. I yield.

Mr. BORAH. The Senator from California speaks of expert testimony in connection with the contention which he has just made. What expert testimony does the Senator refer to in the hearings that were had before the joint committee of Congress on the naval bases on the Pacific coast? To what particular expert does he refer?

Mr. PHELAN. I refer to Admiral Coontz, Admirals Parks and Capps and Taylor. I have listened to the testimony even of Capt. Cox, who was called by the proponents of Mare Island, and who admitted that he was merely discussing the matter of Mare Island as a civilian engineering expert and not as a military expert. There is a nice differentiation. He will tell you that he can build dry docks at Mare Island, but he will not tell you in a military sense that is the best place to build a dry dock. Admiral Rodman said that he could not maneuver his fleet in those waters; that in time of war he would have 500 craft under his command in San Francisco Bay, and he could not turn them around in the waters afforded by Mare Island. If that is so, if all these things are true, then it is idle for us as laymen to discuss them. That is what I have told the people of Mare Island and Vallejo. But I am thinking of the American Navy and not of the destiny of Vallejo, whose agents have been here and whose only accomplishment will be to defeat the military purpose of having a naval base upon San Francisco Bay. It is village politics, I will say to the Senator from Idaho.

Mr. KING. The Senator speaks of San Francisco as a village.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. KING. I yield.

Mr. BORAH. I am not interested in village politics, but I am interested in knowing who the experts are to whom the Senator from California has referred. I have read this entire report and gone over it the second time.

Mr. PHELAN. The experts were Admiral Parks and Admiral Coontz, whom I consider to be the highest authorities, as well as Admirals Capps and Taylor, who are leading authorities on these subjects.

Mr. BORAH. Did they testify before the committee?

Mr. PHELAN. They testified in my hearing. There were three hearings in California where they conferred and consulted and I know they testified before the committee here, because I was present.

Mr. BORAH. I know they made a report, but I have been unable to find their testimony.

Mr. PHELAN. Excuse me, I did not understand the Senator. They made a report which was illuminated by their conversation when interrogated by the members of the committee here, and that would be equivalent to testimony. Much of it was not taken down.

Mr. KING. Mr. President, I am astonished at my good friend from California. He arose, as I understood, for the purpose of giving us light. I listened with attention to the forceful, passionate appeal made by the Senator who comes from "a village" called San Francisco.

Mr. PHELAN. I beg the Senator's pardon. When I referred to villages, I referred to the town of Vallejo, which is fostering the claims of Mare Island, which is immediately opposite, within 500 yards. When a ship was launched at Mare Island the other day it ran into the docks at Vallejo. Such are the facilities for launching ships at that yard.

Mr. KING. The Senator from California speaks of it as a "neighborhood quarrel." I suppose, of course, he includes San Francisco in the neighborhood. He also spoke of it as being a village quarrel. Vallejo could not quarrel with itself; if this question of determining where the naval base shall be is a quarrel, then it quarrels with San Francisco and Oakland, who are the other parties to the quarrel.

Mr. POINDEXTER. Mr. President——

Mr. KING. I yield to the Senator from Washington.

Mr. POINDEXTER. I understand the Senator is opposing the establishment of a supply base at Alameda. I am simply asking the position of the Senator.

Mr. KING. Yes; and I am opposing the appropriation of $1,500,000 carried by the bill as reported by the Senate committee for what is alleged to be a "supply base." The plan is to have a major naval base which will cost tens of millions of dollars. The Senate committee report calls for docking, showing that the plan calls for more than a supply base.

Mr. POINDEXTER. The Senator from Utah evidently has not read the bill as reported by the Senate committee, if he maintains that it calls for more than a supply base.

Mr. KING. The Senator from Utah has read the bill as reported by the Senate committee.

Mr. POINDEXTER. Then the Senator's statement is not correct, for the item does not call for more than a supply base; it calls for a supply base. But what I desire to ask the Senator is will he not allow us to take a vote on it and vote it out, if the majority of the Senate is opposed to it?

Mr. KING. Mr. President, the Senator from Utah would have no other alternative than to allow a vote to be taken upon this item if the bill is under consideration sufficiently long, but I can assure the Senator from Washington that there will be no vote taken upon it until there is a full discussion of the subject.

Mr. POINDEXTER. I suppose that is to enable the Senator from Utah to discuss it sufficiently?

Mr. KING. As well as other Senators, including the able Senator from Washington, who will, of course, have much to say in defense of this provision of the bill.

Mr. POINDEXTER. In order that the Senator from Utah may have full opportunity to discuss the item, I will give notice that I shall request the Senate to remain in session to-night for that purpose.

Mr. KING. Oh, Mr. President, the Senator does not advise us of anything new. We were advised yesterday that his purpose was to do that.

Mr. President, I was diverted by the impassioned address of my good friend from California [Mr. PHELAN], and I am compelled to return to his observations. I deduce from what the Senator has said, Mr. President, that when the possibility of appropriating $100,000,000 is presented to the Senate and there are two claimants in a given State for the locus where the money shall be expended it is a mere "neighborhood quarrel" in which the Senate of the United States has no concern. Certainly the Senator from California does not mean to take the position that we are not concerned as to whether $100,000,000 or any lesser sum shall be taken from the Treasury of the United States for the purpose of establishing a naval base; whether it is called a supply base or a major naval base is immaterial for the purpose of the argument.

Mr. President, this is more than a "neighborhood quarrel." The Senator has alluded to the fact that there are "agents here." I presume he meant that residents of Vallejo or those who are interested in Mare Island are in Washington to present their views. I have been advised that there are "agents" here who have been here for some time in behalf of the program to establish a naval base at Alameda at a cost of $100,000,000.

While I am on that point may I call attention to the propaganda which has been carried on in the Senator's home town and in Oakland and vicinity for this stupendous appropriation? During the naval base referendum campaign in the city of Alameda the Oakland Inquirer, in advising the people to vote in favor of the proposition, stated that—

> The city of Alameda risks nothing in this matter, with the exception of a few hundred dollars to pay for the cost of the election, and stands—

I want Senators to remember this language—

> to gain from the Federal Government a hundred-million-dollar plum.

Of course, I can understand the alacrity with which the distinguished Senator from California, a resident of San Francisco, rushes to the defense of the proposition to spend $100,000,000 in the vicinity of San Francisco. It is, indeed, "a hundred-million-dollar plum," a plum so luscious and inviting that I can not wonder at the zeal of the people of Oakland and vicinity. But it is to be extracted from the Treasury of the United States, to be paid for by the taxpayers of the United States, a plum which will impose additional burdens upon the people of the United States who are already groaning beneath the heavy exactions wrung from them by the Government of the United States. The following article is from the Oakland Inquirer of February 3, 1921:

> WAIT APPROPRIATION BEFORE THE TUBE QUESTION.
>
> Not until the Congress appropriates funds for the construction of the hundred-million-dollar naval base at Alameda will the Alameda council take definite stand on the question of the construction of a tube under the estuary. This was decided at a meeting of the board last evening. Councilman Probst asked for action on the matter, saying that too much is being left to others. Probst's proposal was met with objections immediately, and the matter was laid over until a later date.

Mr. President, as further evidence of the propaganda and the campaign which have been carried on and are still being carried on by the city of Oakland to secure this hundred-million-dollar plum, I call attention to this advertisement appearing in the Oakland Inquirer:

> The coming of the naval base with a hundred million dollars to be spent and 15,000 men to be employed means a tremendous increase of the population and the wealth of Oakland. The beautiful home sites we have for sale in the lake district are sure to double in value. Buy now and save this money. Prices will never be so low again.

The Oakland Inquirer, permit me to state, Mr. President, is owned and edited by Mr. Chapin, who is the chairman of the naval base committee of the Oakland Chamber of Commerce. I am not criticizing Mr. Chapin; I am not criticizing my friend, the Senator from California; I am not criticizing the people of Alameda and Oakland for the earnestness and ability with which they are pushing their campaign to secure this $100,000,000 plum. It is merely confirmatory evidence of the alertness and progressiveness of the people of those cities. Undoubtedly the building of a great naval base at Alameda would be of advantage to San Francisco and Oakland and Alameda; but the important question is: What is best for the United States and for the people of the entire country? This is more than a local question. It involves a national expense and is related to governmental policies.

Mr. PHELAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from California?

Mr. KING. I yield.

Mr. PHELAN. The Senator bears out what I said awhile ago, that this is in some respects, so far as it is being discussed here to-day by the Senator from Utah, a neighborhood quarrel.

Mr. KING. Oh, I will get to the merits of it; the Senator need not fear.

Mr. PHELAN. It involves the rivalry of hopeful villages or cities. San Francisco itself is eliminated, but there is Oakland with 150,000 population on the other side of the bay and growing with portentous rapidity. It sees the advantages, of course, of

having the Government establish a naval base within its limits. It will add greatly to the employment of the people and necessarily increase the population; and so the Senator quotes from a local paper saying that this "million-dollar plum" will be of such great advantage to Oakland that it behooved the people there to support the project. To support what project? To support the gift to the Government of the United States of 5,340 acres of land in the cities of Oakland and Alameda, valued by their experts at approximately $60,000,000.

So the newspaper is preparing the minds of its readers to give away to the Federal Government $60,000,000 in land value!

I think that is perfectly legitimate for the newspaper, not only in the interest of the town but in the interest of the United States Government, to cajole or to induce those good people to give away $60,000,000 of value. I was utterly astonished that Oakland, holding by expert advice the best site for a naval base upon the western coast of America, should have been so foolish as to offer to give anything to the Government of the United States, which is well capable of paying for what it needs in coin of the realm. But these good people—I would call them villagers, they are so bucolic—give $60,000,000 worth of property to the United States in order to locate a naval base there.

If there were no chance for them to get a naval base they might well have done that as an investment, because they could well afford to pay $60,000,000 to have the Government establish a naval base which would give employment, possibly—it is the largest estimate I have heard—to 6,000 people. To secure 6,000 workers in a village even of that respectable class is well worth the investment of $60,000,000 in land value; but there is no prospect that I can see of the Government investing $100,000,000 there within the lifetime of this or the next generation. All that the committee has asked is $1,500,000; and the Senate should be advised that this $100,000,000 is merely a figment of the imagination of the Senator from Utah, reinforced by the exhortations of a local newspaper, which was trying to cajole $60,000,000 worth of land out of the pockets of its constituents for the very worthy purpose of getting an added advantage in the competition between Oakland and San Francisco.

"They are not giving anything, but we give $60,000,000"—a very cogent argument in some courts and before some juries, but I do not think it weighed in the balance with the officers of the Navy of the United States. They made the decision, not because they were getting free land. Naval officers are not concerned in expenditures. You all know that. They are looking for results, and they are seeking the best, and they generally get it. They were not moved by the offer of $60,000,000. So it becomes a mere gratuity; and if Oakland did not give her $60,000,000 in land value we would have to appropriate this money anyhow, because I tell you, Senators, that there is a real need for a naval base upon the west coast, and the experts have given us this one. It is not for us as laymen to say it is not the best base. It is not for us as trustees, perhaps, to reject this munificent gift of the city of Oakland. It is for us, however, to decide that there should be a naval base, and that a beginning should be made.

One million five hundred thousand dollars represents the beginning of the construction of this base, if you approve of a naval base at all, and not $100,000,000. Leave that for future Senates, when the Senator and I will not be here to curb extravagance. Future Senates may vote $100,000,000, but I doubt very much if they will vote $100,000,000 unless there is an actual need proved by the Navy for its expenditure, and then, perhaps, not in a hundred years.

This land can be made available—500 acres of it—at a cost of $6,000 an acre, according to the committee report. That would be $3,000,000—500 multiplied by $6,000 is $3,000,000. That is the estimate here made by the report for preliminary work, and this year $1,500,000 is asked, or one-half that amount. It seems to me a very moderate request, in view of the fact that the Secretary of the Navy asked for $6,500,000.

Everything has been done to begin this great work with diligence and with economy, and $1,500,000 is the only amount that is asked now of the Senate by this bill. The $100,000,000 upon which the Senator has eloquently dwelt exists only in his own imagination. Is not that so, I will ask the Senator from Utah? Has he any authority for saying that this base is going to cost, within his lifetime, $10,000,000, not to speak of $100,000,000?

Mr. KING. When the Senator has concluded in my time I shall be happy to reply.

Mr. PHELAN. I have concluded.

Mr. KING. Mr. President, the Senator says that at a remote period from now neither he nor I will be here to "curb extravagance." I am delighted to know that the Senator during the few days he remains in this Chamber is to be a champion of "economies" on the part of the Government; but he is manifesting his desire for economy by urging an appropriation of $1,500,000 for a project which in the end will cost the United States seventy-five to one hundred million dollars.

The Senator says that total exists only as a figment of my imagination. I wish that were true. I wish there were no foundation for the statement which I have made that this project will cost, if we do not have disarmament, from seventy-five to one hundred million dollars. Why, Mr. President, Admiral Parks has already furnished the committee estimates, which have been printed, calling for more than $50,000,000, and those estimates do not involve the expenditure of a single dollar for the building of a suitable plant, such as is indispensable, I aver, at a major naval base. I shall come to that when we reach this item in the bill, and I shall convince the Senator, notwithstanding he is from San Francisco, and notwithstanding he is a dispassionate judge in this case in favor of Alameda, that he is wrong and that the proposition which I have made will be realized within a very few years.

The Senator says that Oakland is making a present to the Government of land worth $60,000,000. There is a swamp covered with from 12 to 20 feet of water. No one uses it; no one can use it without great improvements are made. The city of Alameda has an inchoate title granted by the State of California, and there is some question whether it can give a legal title or any title for the purposes contemplated by this bill. When the Senator said that it is valuable land, worth $60,000,000, and speaks of this munificent gift of a generous and patriotic people, my mind unconsciously reverts to the desolate sight presented by the swamp and turgid waters which are to be given to the United States for a naval base; and I hoped that when the Senator went beyond the fetid atmosphere of this Chamber and breathed the vitalizing breezes of the Pacific, and basked in the sunlight of glorious California, he would pay a visit to this $60,000,000 proposed gift and then recall his words uttered upon this occasion. It consists of a few hundred acres of mud and water, and to which no bottom has yet been found, though, Mr. President, borings to the number of 32 or more have been made to the depth of 50 feet. Since the Senator is so afraid of Japan and China and the Orient, I suggest that they keep on boring, and they may find their traditional enemy at the end of the hole.

Mr. PHELAN. Mr. President, does the Senator object to interruptions?

Mr. KING. Not at all, if the Senator can throw any light upon this subject, rather than wit.

Mr. PHELAN. I will simply correct the Senator in the fact that it is not a few hundred acres that is involved.

Mr. KING. Oh, well, if the Senator will pardon me, 500 acres is what they propose to reclaim now.

Mr. PHELAN. Yes.

Mr. KING. But there is a proposed grant of a larger amount.

Mr. PHELAN. The grant is 5,340 acres.

Mr. KING. Oh, I understand.

Mr. PHELAN. And it costs, to reclaim this "bottomless pit," $6,000 an acre. That would be sufficient evidence to prove that it is not a bottomless pit. Furthermore, in the greater part of it there are only 2 or 3 feet of water, and not 20 feet of water; so by excavating here you make land there. That is the process of all governmental work under such conditions. So by one motion of the dredge you make deep water on one side and solid land on the other—a most excellent and economical plan.

The borings by Admiral Parks have been subject to scrutiny by the committee; and it is his opinion and the opinion of all other experts that while it is difficult to find bedrock there, there is no question at all about their ability to construct even dry docks, which are considered very heavy, while as to all other construction there is no difficulty at all. So they can construct dry docks where the borings at a depth of several hundred feet do not show bedrock. That is a mere matter of scientific detail. It is the availability of this land, which can easily be made both a deep channel and solid land for the purpose of the Navy, giving facilities for every possible activity of the Navy on these 5,340 acres, that makes it so attractive.

Mr. KING. Mr. President, I regret that my distinguished friend is so unfamiliar with this subject and that he has not read all the hearings, as the Senator from Idaho has done, and as I have done. I regret that he has not read the testimony that has been given upon this particular matter. If so, I am inclined to think that my friend would not make all the statements he has so forcefully expressed here to-day.

I was just stating that the "generosity" of Alameda has found expression in the attempt to convey to the Government of the United States a considerable tract of land which belonged to the State, but some sort of a title to which—and I have the act here before me—has been acquired by the city from the State of California; but I repeat that there may be some question as to whether or not power rests within the corporation to make conveyance of this land for the purpose for which it is to be used. But I am not urging that question, and would not have alluded to this matter except for the statement of the Senator that Mare Island has its "agents here" in their behalf.

Mr. President, I have met two agents, to wit, the son of a Congressman from the State of California and a resident of the city of Vallejo. If there are other "agents" here, the Senator knows them, I do not. They are his constituents. The Senator seems to condemn the representatives from Mare Island or Vallejo for trying to give light to the Senate of the United States upon a matter which involves the expenditure of $100,000,000. The Senator ought to be glad if the patriotic people of Vallejo or vicinity come here for the purpose of enlightening Senators and Congressmen before they are committed to a policy which will involve the expenditure of from fifty to one hundred million dollars. Instead of his rebuking them, he ought to be expressing his commendation of their course.

Mr. PHELAN. Mr. President——

Mr. KING. The only regret I have is that I have not had an opportunity to see more residents from that vicinity who could supply further information, because the only interest I have in this matter is the good of the country. I have no interest in Alameda. I have no interest in Mare Island. I was never there but once in my life, and then to examine the navy yard. I have not a friend or an acquaintance there, and I am here speaking only as a public servant for what I conceive to be the public good. I am not in the embarrassing situation of the distinguished Senator from California, because I can appreciate that with two "villages" in the same neighborhood, with their conflicting claims, there must be some little embarrassment, unless he is a tremendously brave man, in taking sides upon this question.

Mr. PHELAN. Mr. President, I have just announced that I approached this question before the election disinterestedly, taking no sides. The Senator will probably acquit me now of being at all interested, since the elections have been concluded. I have no personal interest in the matter at all, and I do not wish the Senator's remark to remain unchallenged. He says I have rebuked the agents of these several interests for coming to Washington. I have always encouraged the visitation of agents interested in the advocacy of measures pending before Congress, whether related to harbors or otherwise, because, by bringing about a conflict between neighborhoods, you are very apt to elicit the truth. So the president of the Chamber of Commerce of Vallejo, who is in Washington, and is a friend of mine, has advocated the cause of Vallejo with very considerable zeal, and Vallejo stands or falls upon the decision, he believes, of the Congress of the United States. His theory, which has some weight, is that if this great naval base is established on the deep waters of San Francisco Bay, close to the Golden Gate, all the business of Mare Island will ultimately be drawn there, both great and small. But they are assured by the committee report, and the language of the bill itself, that Mare Island shall be maintained as a yard for construction and other purposes; and I believe it must always so remain, and it will be barred simply from the larger work brought about by the great size of our modern naval craft. So Mare Island has a future of its own within its natural limitations.

What I resent is that these agents, after there has been an adjudication by the experts of the Navy, by the subcommittee which visited the ground, and by the whole Committee on Naval Affairs, should come here and prevent the Navy from enjoying a naval base at all upon the Pacific, unless it be a naval base established at Mare Island. It is that narrow and selfish and unworthy spirit which I condemn.

So I told my friends from Vallejo, constituents of mine, upon whose good favor I may subsist, as the gentleman intimates, that it is unworthy Californians to stand in the way of the acquisition by the Federal Government of a naval base because it has not been located at a particular spot. I do not see that they have a leg to stand on, unless it be the leg of selfishness and local advantage. The Navy must have a base; the great weight of testimony gives it to Alameda; the emergency is great; we should therefore get together to get it, not delay nor defeat it.

Mr. KING. Mr. President, I regret to hear the chastisement which my friend, the Senator from California, administers to his own constituents. I regret to hear him rebuke them as being "selfish" because they are doing what I conceive to be a patriotic act. I do not think it becomes the distinguished Senator from California to indulge in the expression to which he gave utterance, that he "resented" the action of the people from his State, after there had been an "adjudication," in coming to Congress to present the facts which they believe to exist in regard to this matter.

I know, Mr. President, that my good friend from California, who is soon, I am very sorry to say, to leave us, and whom I know will always be welcome back in this Chamber, in his calmer moments will regret having said that he expresses "resentment" because people from Vallejo have sought to present to Congress their views upon a question which involves an appropriation of from fifty to one hundred million dollars. The question of a naval base in San Francisco Bay is not involved in any question now at issue. Everybody concedes that there should be a naval base in San Francisco Bay. Indeed, many of us believe that a naval base not complete, however, is there now. It requires additional docking facilities and a larger dry dock for the accommodation of the tremendous battleships which the Senator from Washington [Mr. POINDEXTER] is pleading for, and, of course, which we will have to have if no disarmament shall come.

But why should the Senator "resent" the efforts of men to present to Congress the facts concerning a matter in which the whole Nation is interested? Are we bound by what the Senator denominates as an "adjudication" because some alleged experts and some entitled to the name give their opinion that a given place is the desirable spot for the establishment of a naval base? Experts, Mr. President, have been variously characterized by those who have encountered them in the courts. Mr. President, I shall not indulge in language which might call for expurgation, but there is a progressive idea expressed in the sentence which will readily suggest itself to lawyers who are here in this body.

Mr. President, there is no infallibility in the opinion of experts, and expert testimony is to be weighed with caution.

The greatest expert who has testified upon this question is Capt. Beach, and the next best expert is Commander Cox, a man who is in the service of the Government, and who has been at Mare Island for many years. The latter has built dry docks at Pearl Harbor and other places, and knows the conditions at San Francisco Bay, and where a suitable naval base should be established.

I believe that dispassionate perusal of the testimony of Capt. Beach and Commander Cox will bring conviction that the proper place for a great naval base in the San Francisco Bay is Mare Island, and not upon the swamp lands contiguous to Alameda.

Mr. PHELAN. Mr. President, to keep the record straight, of course the Senator refers to the borings as indicating that the ground is not the best ground for the construction of dry docks?

Mr. KING. I did not discuss it particularly in connection with that; but I will aver, Mr. President, that because of the character of the ground it is not the best place for dry docks.

Mr. PHELAN. When on the opposite side of the bay, 4 miles away, there are two great docks, the greatest on the Pacific coast.

Mr. KING. Hunters Point?

Mr. PHELAN. Hunters Point; which dry docks are available for the Government, and where the dry docks may be further extended. But the testimony is there will be no trouble in building dry docks on the Alameda shore.

Mr. KING. I agree with the Senator, and if I may be pardoned for digressing for a moment, I think there is much evidence in the record in favor of Hunters Point as against Alameda. Indeed, Mr. President, the conclusion which I reached when I first read the testimony was that Hunters Point was very much superior to Alameda, and I was somewhat in doubt as to whether it was not a superior place to Mare Island, if it were not for the great expenditures already made at Mare Island—more than $35,000,000.

Mr. PHELAN. Of course, the $35,000,000 improvements at Mare Island are not to be scrapped.

Mr. KING. Mr. President, there is where my good friend is in error. That is what is said now. That is what is said, and, of course, it is said in good faith; I am not impugning the motives of any man. But, Mr. President, we know that the overhead of maintaining in one harbor two great naval bases would be so great as to forbid such a course. It would be the height of unwisdom and unfair to the Government to have a great naval base at Mare Island employed in constructing battleships and all sorts of craft, and having 20 to 30 miles away another naval base in the same harbor, and from which naval base the

ships, if they needed repairing, would have to proceed for repairs. If we establish a naval base at Alameda, we will scrap the naval base at Mare Island, and the $35,000,000 which have been expended there will have been wasted.

Mr. President, I have scarcely entered upon the discussion of this bill, but I understand that the Senator from Massachusetts has a matter to bring to the attention of the Senate, and I shall now yield to him.

Mr. LODGE. Mr. President, I feel a very profound interest in the naval appropriation bill and its provisions, and I am very anxious that it shall be enacted into law. There is an aspect of the case in regard to the naval bill and the action of the Senate committee which I feel unwilling to discuss in open session, and I therefore take the liberty of moving that the Senate go into secret legislative session.

Mr. POINDEXTER. Mr. President, I think it is very important that the motion should be carried, and I second it.

Mr. KING. May I inquire of the Senator——

The VICE PRESIDENT. It is not debatable. The motion is that the Senate go into secret legislative session.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McLean	Smith, Ariz.
Ball	Gronna	McNary	Smith, Ga.
Beckham	Hale	Moses	Smith, Md.
Borah	Harris	Myers	Smith, S. C.
Brandegee	Harrison	Nelson	Smoot
Calder	Heflin	New	Spencer
Capper	Jones, Wash.	Overman	Sterling
Cummins	Kellogg	Owen	Sutherland
Curtis	Kendrick	Phelan	Swanson
Dial	Kenyon	Phipps	Thomas
Dillingham	Keyes	Pittman	Townsend
Edge	King	Poindexter	Trammell
Elkins	Kirby	Pomerene	Underwood
Fernald	Knox	Ransdell	Wadsworth
Fletcher	La Follette	Reed	Walsh, Mass.
France	Lenroot	Robinson	Walsh, Mont.
Frelinghuysen	Lodge	Sheppard	Williams
Gerry	McCumber	Shields	Willis
Glass	McKellar	Simmons	Wolcott

The VICE PRESIDENT. Seventy-five Senators have answered to the roll call. There is a quorum present. The Senator from Massachusetts [Mr. LODGE] has moved, and the Senator from Washington [Mr. POINDEXTER] has seconded, the motion to close the doors for the discussion of certain business which, in the opinion of the Senator from Massachusetts, requires secrecy. The Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon (at 4 o'clock and 5 minutes p. m.) proceeded to deliberate with closed doors.

After 2 hours and 30 minutes the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House insisted upon its amendment to Senate amendment No. 113 to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON were appointed managers at the further conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The message further announced that the House had passed the bill (S. 5030) authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10074) to enlarge the jurisdiction of the Municipal Court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes; and

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 76. Concurrent resolution to print the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic; and

H. Con. Res. 77. Concurrent resolution to correct the enrolled bill (H. R. 10074) to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, and it was thereupon signed by the Vice President.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had to-day approved and signed the bill (S. 3225) for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year.

NATIONAL ENCAMPMENT, GRAND ARMY OF THE REPUBLIC.

The concurrent resolution (H. Con. Res. 76) to print the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic was referred to the Committee on Printing, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic for the year 1921, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	Lodge	Smith, Ariz.
Ball	Gooding	McCumber	Smith, Md.
Borah	Gronna	McKellar	Smith, S. C.
Brandegee	Hale	McLean	Smoot
Calder	Harris	Moses	Spencer
Capper	Harrison	New	Sutherland
Curtis	Heflin	Overman	Townsend
Dial	Jones, Wash.	Phelan	Trammell
Dillingham	Kellogg	Phipps	Underwood
Edge	Kenyon	Pittman	Wadsworth
Elkins	Keyes	Poindexter	Walsh, Mass.
Fernald	King	Pomerene	Warren
Fletcher	Knox	Ransdell	Williams
France	La Follette	Robinson	Willis
Frelinghuysen	Lenroot	Sheppard	Wolcott

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present.

Mr. POINDEXTER. Mr. President, in view of what has been said, I shall ask that the naval appropriation bill be kept before the Senate until some action is taken on it, and I shall be compelled to decline to yield for other matters.

Mr. BRANDEGEE. Mr. President, the Senator from Idaho [Mr. BORAH] has upon several occasions, if I got the right impression, said in relation to the pending bill—the naval appropriation bill—that he does not think that in the three remaining days of the session it can possibly pass. While I am heartily in favor of this bill, I know it is impossible to drive the bill through simply by holding the Senate in night sessions here, if the Senator and any others who feel as he does, intend to consume the entire time in the discussion of the bill. In view of that, I desire to ask him whether he and those who feel as he does, or, if he can not speak for the others, whether he can make any statement to the Senate in the interest of economy of time in the transaction of the public business which would lead us to decide upon a course?

Mr. BORAH. Mr. President, I stated in my opening remarks on the bill, before the motion to take it up was voted upon, that I did not believe it was possible to pass the bill at this session,

and I am satisfied now that it is not possible to pass the bill at this session. I am perfectly willing to assume any responsibility which may rest upon me individually in saying that, and I am particularly convinced of that fact since this secret session. In addition to that, I have had some conversations with Members of the House, and I know that we are wasting time in passing the Senate bill. I can say to the Senator no more than the fact that it is my opinion that it is impossible to pass the bill at this session.

Mr. BRANDEGEE. Mr. President, if I were required to interpret the statement of the Senator, I should conclude that his reason for thinking it impossible to pass the bill if we stay here all night and day for the next three days was because he did not intend to let it pass.

Mr. BORAH. I do not intend to let it pass in its present condition if I can help it.

Mr. BRANDEGEE. Of course, the Senator and others who think as he does would have a right to vote against all the amendments they did not believe in and all the provisions of the bill they did not believe in, and I should not object to that.

Mr. BORAH. Mr. President, let us take one proposition alone, the question of Alameda. We will have to go into the testimony, and there is not a Senator here, I presume, outside of the members of the Naval Affairs Committee, with the exception of myself, who has read the testimony. It is not a question of having a sufficient naval base upon the Pacific coast; it is a question as to which is the best naval base. That of itself, if it is insisted upon, would take the remainder of this session to discuss.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. BRANDEGEE. I yield.

Mr. PHELAN. If that item is eliminated, do I understand that the Senator from Idaho will not object to the passage of the naval appropriation bill by the Senate?

Mr. BORAH. No; I did not say that. But I was calling attention to the particular item.

Mr. PHELAN. It may be possible to eliminate what the Senator disapproves of.

Mr. BORAH. The Senator from Idaho has had considerable prominence in this discussion, but there are other Senators, on both sides of the Chamber, who feel just as sincerely against this bill as I do, and I could not make any agreement which in my judgment would mean the passage of the bill. But I do not care to shoulder the responsibility upon anybody else. In my opinion, the bill can not pass at this session.

Mr. WILLIAMS. Mr. President, I want to relieve the Senator from Connecticut [Mr. BRANDEGEE] from a little burden which seems to be resting upon his conscience; and I want to relieve the Senator from Idaho [Mr. BORAH] from the burden he thinks he is responsible for. I shall not voluntarily vote for nor allow to pass a bill which inaugurates naval armament emulation among the nations of the earth, and that is what this bill does. I do not plant myself upon the narrow basis the Senator from Idaho did, as to some question of Alameda, or San Francisco, or some other consideration like that. I think, when this bill passes, the American Republic will have announced to the world that it is seeking sea domination, and every other nation will say about the same thing back to us, and that will begin an endless war of finance to build and rebuild and continue to build ships of every description to enable the nations to fight one another and cut one another's throats.

Mr. EDGE. Mr. President, as I have followed the debate of the Senator from Idaho and others, particularly the Senator from Idaho, it seems there is one important feature which must be disposed of before the bill can be considered in detail, and when I say in detail I mean specific provisions which provide for certain activities of the Navy Department. There is one general feature which comes out in the debate as a matter which every Senator I have heard express himself seems to favor but upon which we are not permitted to have an opportunity to vote. It occurred to me that if the desire for disarmament is entirely sincere—and I have no reason in the world to question the sincerity of the movement, and in fact I do not—it might to some extent relieve the objections which seem to be developing on both sides of the Chamber to the consideration of this bill if the Senate could have an opportunity to express itself directly on this matter. So I offer an amendment to the bill covering the subject, and ask unanimous consent for the immediate consideration. I will ask the Secretary to read the amendment.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from New Jersey to the fact that under an arrangement heretofore entered into committee amendments are first to be considered. What is the request of the Senator?

Mr. EDGE. I ask unanimous consent for the consideration of the amendment I am sending to the desk. Of course, I thoroughly appreciate that without unanimous consent I can not proceed further, and I want to have the amendment stated so that I can get a decision on the request.

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

The READING CLERK. The Senator from New Jersey [Mr. EDGE] proposes the following amendment:

The President is authorized and requested, if not incompatible with the public interest, to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which conclusion is to be reported to their respective Governments.

Mr. WILLIAMS. Mr. President, I want to suggest to the Senator that his request is a bit too narrow. He has confined it to the three countries of Great Britain, the United States, and Japan. I will not insist upon including all the great maritime powers of the world, but if he is going to submit it, unless I object, I must insist upon its including at least France and Italy.

Mr. EDGE. Mr. President, in reply to the Senator from Mississippi, he has a perfect right to extend it if he desires. I am asking unanimous consent, under the rules, for the consideration of this amendment.

Mr. WILLIAMS. Then I object to the unanimous consent, if the Senator will not agree to extend it.

The PRESIDING OFFICER. Objection is made.

Mr. EDGE. I did not hear that objection was made, Mr. President. I had concluded my remarks, in which I expressed a willingness to have it extended, and I thought that met the objection of the Senator from Mississippi.

Mr. WILLIAMS. I beg the Senator's pardon; I thought the Senator said that I had a right to object if I wanted to, but that he would not change the wording.

Mr. EDGE. No; I think the Senator misunderstood me. I am entirely ready, for the purpose of securing unanimous consent, if it is possible, in order to get the sentiment of the Members of this body, to extend the amendment to include those two nations.

Mr. WILLIAMS. That will obviate my objection, at any rate. All I want to accomplish is to have included the chief maritime powers of the world.

Mr. BRANDEGEE. Reserving the right to object——

Mr. EDGE. I will ask the Secretary to add those two countries.

The PRESIDING OFFICER. What is the request of the Senator from New Jersey?

Mr. EDGE. The request of the Senator from New Jersey is that unanimous consent be given to consider at once the amendment I have sent to the desk, adding the countries of France and Italy to the wording as I submitted it.

The PRESIDING OFFICER. The Senator from New Jersey asks unanimous consent for the present consideration of the amendment which was reported a moment ago, and as modified, according to his statement just made.

Mr. BRANDEGEE. Reserving the right to object, I desire to ask a question.

The PRESIDING OFFICER. Does the Senator from New Jersey yield?

Mr. EDGE. I yield.

Mr. BRANDEGEE. Mr. President, the first part of that amendment, as it was read, suggested the language used in a resolution which the Senator from Idaho [Mr. BORAH] has pending here, or has had printed. The latter part of the proposed amendment, however, as nearly as I can follow it, if I caught the meaning of it correctly, simply provides that these delegates, if they agree upon a plan of proportionate disarmament, shall report it to the Governments, but does not provide that their agreement shall not go into effect until the Governments have approved. Is that correct?

Mr. EDGE. That is correct. I modified the original amendment so that it would carry out that meaning.

Mr. BRANDEGEE. The Senator proposes to give the delegates, whom we do not know, without future consideration by the Senate, the right to bind the country to such disarmament as the delegates may think proper?

Mr. EDGE. Absolutely not. I am endeavoring, through this amendment, to have accredited delegates appointed by those respective Nations to consider the question of disarmament,

and, if possible, to come to an agreement among themselves, and then report to their respective Governments the agreement they have arrived at, but in no way acticipating, by the wording of the amendment, that the countries themselves must abide by that agreement until the countries have an opportunity to consider the agreement.

Mr. BRANDEGEE. I ask that the amendment may be again reported.

The PRESIDING OFFICER. The Secretary will read the amendment again.

The READING CLERK. The Senator from New Jersey proposes the following amendment:

The President is authorized and requested, if not incompatible with the public interest, to invite the Governments of Great Britain, France, Italy, and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, France, Italy, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which conclusion is to be reported to their respective Governments.

Mr. BRANDEGEE. If I can understand the English language, that certainly gives the delegates authority to make the agreement.

Mr. EDGE. Among themselves.

Mr. BRANDEGEE. And bind all the countries which they represent, and then report to them what they have agreed upon.

Mr. EDGE. The amendment would be a little clearer if we added three words at the end, "for their action," or "for their approval."

Mr. BRANDEGEE. It would be a great deal clearer to me, and much more satisfactory.

Mr. EDGE. I thank the Senator from Connecticut for his suggestion, and, if I may, before the request is put for unanimous consent, I will add the words "for their approval."

Mr. WILLIAMS. The amendment says they shall report to their respective Governments. Of course, that involves the idea that it must be left to their respective Governments to act. Still, in order to make it perfectly plain, it would be very well to put in the words "for the action of those Governments."

Mr. EDGE. I think the objection of the Senator from Connecticut is met by adding the three words I have already suggested, "for their approval," and I ask for unanimous consent with those words added.

Mr. BRANDEGEE. It would be more satisfactory. I think the subject-matter warrants a little more attention to the drafting of it, because where you give the delegates authority to make an agreement, I would want it specifically provided that the agreement shall not bind the powers concerned until reported to their Governments and approved by their respective Governments. In other words, I would want them to make a recommendation, subject to the approval of the powers which appointed them. Before the Senator gets through, he will be able to modify it, I suppose.

Mr. EDGE. Of course, but I feel reasonably confident, with all due regard to the superior legal knowledge of my good friend from Connecticut, that the amendment I have suggested and sent to the desk would accomplish the very thing he wants to have done. I think we can at least get the sentiment of the Senate on the question of trying to do something toward removing the obstacles to the consideration of the naval appropriation bill, if we can secure a vote on this particular proposition, which seems to be the crux of the opposition, as far as I have been able to follow the debate. So I will again ask for unanimous consent for the consideration of the amendment.

Mr. BRANDEGEE. The Senator feels sure that it satisfies him. I do not feel sure that I am quite satisfied about it.

Mr. EDGE. I would be glad to withdraw it temporarily, then.

Mr. BRANDEGEE. No; I shall not ask that. Of course, if I do not like it, I shall not vote for it; but I have no objection to its consideration.

Mr. BORAH. Mr. President, I have no objection to its consideration; that is to say, if we want to waive the rule which we have heretofore established and take up now the question of disarmament. I, of course, am very glad to do that, and I shall not object to it. But it is understood that after we take it up it is subject to amendment and subject to debate, just the same as if it came up in the regular course of business. In other words, I am utterly opposed to putting France and Italy in, and I shall want to be heard upon that. I am willing to take up the amendment, however, and now proceed to the question of what we will insert in this bill on the question of disarmament.

I wish to say to the Senator from New Jersey, however, that I have studied the situation in the Senate, and know it, and there are some four or five amendments waiting on his amendment which will make the rest of the evening very entertaining.

Mr. EDGE. Mr. President, I am entirely satisfied to see the evening consumed if it will be consumed on a direct question before the Senate, and I think one of the most direct questions in connection with the naval appropriation bill is the question of disarmament. I simply presented an amendment for the purpose of having something definite to debate rather than to talk all over the map, which seems to be the usual custom when objection is raised to a pending question. This amendment can be amended in any other way any Senator wishes to suggest if he can get a majority of the votes. However, it is sufficiently comprehensive, in my judgment, as it appears to present a definite question before the Senate, and if we are sincere on the question of disarmament, then I assume I will have unanimous consent and we can take up the consideration of this amendment and modify it in any way found desirable.

Mr. BRANDEGEE. I assume that the unanimous consent already entered into—that the committee amendments shall be considered first—may be modified by this other unanimous consent. I think the rule so provides.

The PRESIDING OFFICER. The Chair thinks that under the rules and practice of the Senate the Senate can agree to this unanimous consent, if it chooses to do so, and the Chair therefore submits the request for unanimous consent presented by the Senator from New Jersey.

The Senator from New Jersey asks unanimous consent for the present consideration of the amendment which has already been reported. Is there objection?

Mr. HEFLIN. Mr. President, I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HEFLIN. If the resolution is taken up now, that sidetracks the consideration of the naval appropriation bill until this question is disposed of?

The PRESIDING OFFICER. The inquiry of the Senator from Alabama hardly presents a parliamentary inquiry. It is not a resolution. If unanimous consent be given for the present consideration of the amendment, it is in order to amend the amendment and to debate the amendment and the amendments thereto.

Mr. HEFLIN. I beg the pardon of the Chair. I got the impression that it was a resolution. I did not know that it was an amendment offered to the pending bill. I could not hear what the Senator from New Jersey said when he sent it to the Secretary's desk.

The PRESIDING OFFICER. It is proposed as an amendment to the pending bill. Is there objection to the request of the Senator from New Jersey? The Chair hears no objection. The Senate, therefore, will now proceed to the consideration of the amendment offered by the Senator from New Jersey [Mr. EDGE].

Mr. BORAH. Mr. President, the amendment is the same as the amendment which I offered to the bill, with the exception of adding France and Italy.

Mr. EDGE. And with an addition at the end.

Mr. BORAH. No; the way it has been restored, the word "conclusion" is used instead of the word "understanding." It reads now:

The President is authorized and requested, if not incompatible with the public interest, to invite the Governments of Great Britain, France, Italy, and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, France, Italy, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which conclusion is to be reported to their respective Governments for their approval.

Mr. EDGE. The words "for their approval" have been added, and also the words "if not incompatible with the public interest."

Mr. BORAH. The words "if not incompatible with the public interest" are an addition to my resolution, but the words "for their approval" are in my resolution. There is really no difference except in the question of adding the Governments of France and Italy.

The same question as to adding France and Italy was before the Committee on Foreign Relations and was there considered. Some Senators, including among others the Senator from Mississippi [Mr. WILLIAMS], were very urgent that they should be included. All are agreed that the only three nations which are engaged in a competitive naval-building program are Great Britain, Japan, and the United States. France has practically no navy or a navy of very little moment, Italy has no navy of any consideration or any moment, that is of any moment so far as the question of disarmament is concerned. As stated by Mr. Hurd, the great naval expert of England:

Indeed, as first-class naval powers, France and Italy have already disappeared below the horizon.

So we are including two nations which can not be included upon any theory of naval competition or upon any theory that it is necessary for them to disarm. They are disarmed. Neither one of them has laid down a capital ship for the last several years and neither one of them is proposing to lay down any capital ships. They are not proposing to add to their navy in any way of any moment whatever that is of any consideration to us. To include them, therefore, is necessarily to bring another element into the question of disarmament, and that is disarmament by land or the reduction of military forces on land.

I ask the Senator from New Jersey to bear in mind that at Geneva, when the question of disarmament came up, France was the nation which led in opposition to any program of disarmament whatever. She stated that she was not in a position even to consider the principle of disarmament at this time, and it was upon her objection that even the pious resolution that we should sometime—a far-off and most elusive sometime, the sometime which is so often spoken of by those who pay lip service to disarmament, but who are not hard and fast in that resolution—consider disarmament, when offered in the Geneva assembly, was not adopted. France was compelled to object to it and vote against it. If we are acting in good faith, as I know the Senator from New Jersey is, what is the use of calling into the conference the nation which has said within the last few months that she could not and would not take up the question of disarmament even for the purpose of manifesting a desire to disarm under present conditions? The same might be said of Italy. We are bringing about a situation which absolutely precludes the possibility of our making any progress toward disarmament. I am sure the Senator from New Jersey does not desire to do that.

Mr. EDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. BORAH. I yield.

Mr. EDGE. I have no intention of entering into a debate on the merits of adding the countries of France and Italy. I did it mainly, as my remarks at the time could well be interpreted, to secure unanimous consent in order that the actual question of disarmament could come directly before the Senate, subject to further amendment as the debate develops.

However, as a brief answer to the suggestion of the Senator from Idaho, I assume that his original resolution and my amendment, worded similarly, would, of course, contemplate the possible additional building program of other countries, France and Italy. Is it not just as well, inasmuch as we are considering the question of general disarmament, and representatives meeting in conference to discuss how it can be brought about, to have the representatives of those great nations, France and Italy, also around the council table even though their navy is negligible and even though they have no definite program for the next five years as contemplated under the amendment? I can not see any real objection to having them considered when the question of disarmament is being considered, rather than not having them in any way a part of the conference.

Mr. BORAH. We know that France has announced her policy relating to disarmament. She announced it at Geneva just a few weeks ago at the time when the Geneva assembly had up the question of disarmament. I regret that I have not before me the resolution which the Geneva assembly desired to pass on the question of disarmament. It was a most inconsequential resolution. It consisted of nothing more, in the language of Lord Cecil, than a pious desire to be in conference, and yet France announced her opposition to it and voted against it.

Mr. McCUMBER. Was that naval or military?

Mr. BORAH. It was disarmament.

Mr. McCUMBER. General disarmament?

Mr. BORAH. Yes, general disarmament; that is, the resolution related to general disarmament. But in her discussion there, through her representatives, France seemed to indicate that at the present time it would have an unfortunate effect upon the military spirit of her own people, and that, owing to the situation in which she was placed with reference to Germany, she had to keep up the military morale or the armament morale of her own people, and therefore her leaders refused even to cast a vote in favor of the principle of disarmament.

Mr. EDGE. Mr. President——

Mr. BORAH. I yield.

Mr. EDGE. I can well understand that France, under existing conditions, most naturally is very determined to maintain an army and a very effective army, but I still do not see why, in a conference absolutely confined to lessening a naval program and in no way referring to an army program, it would not probably be possible to have France and Italy acquiesce to some extent in such a program. It does not necessarily commit them; it does not in fact commit them in the slightest degree, as contemplated by the resolution, to any reduction of their army. I suppose they would naturally feel the same, very likely, that they did at the peace conference. But I can not see any objection to having them participate. We have all to gain and nothing to lose.

Mr. BORAH. Then, why not include Brazil?

Mr. EDGE. There is a limit to all such conferences when you commence them. Naturally you wish to have an assembly of the five great maritime nations of the world.

Mr. BORAH. There is no reason in the world to include Italy and leave out Brazil.

Mr. EDGE. It is a matter of judgment.

Mr. BORAH. Yes; it is a matter of judgment, but I wish to say to the Senator that he is providing a method here by which he will kill the principle of disarmament by simply imposing upon France the burden which she has been willing to assume at Geneva of opposing any program whatever.

Mr. EDGE. The Senator is assuming that she will oppose a naval-reduction program when I see nothing, following his argument, whereby he is justified in making such an assumption as it refers to a navy.

Mr. BORAH. Has the Senator read the debates of the conference representatives? If he has, he will see in a moment that the question of disarmament in whole or in part was covered and discussed, and that France refused to take a stand in favor of the principle, whether applied to a part or the entire question of disarmament. That has only been two weeks ago.

Mr. EDGE. In a general way the Senator from New Jersey followed the discussions of the meeting. However, the pending amendment should not necessarily be confined to the three nations originally contemplated. France originally was not even invited. France was thus encouraged to maintain any contrary position she may have had about general disarmament, either military or naval. The Senator is interested in what I think is a wonderful movement, but he deliberately tells a great nation of the world that we do not even want them to participate in the deliberations, that we assume in advance they will not in any way join the other three nations in bringing about real disarmament.

Mr. BORAH. The French press has said, and one of the public men of France who is now in the peace conference has said, that they would be very glad to see Japan, the United States, and Great Britain proceed with their program of naval disarmament, that France was not in a position to be committed upon the problem. The Senator will recall there was a discussion at the time I offered my resolution that it might be offensive to France because she was not included, and, if the Senator will further recall, the correspondent of the New York Herald printed a number of statements from public men of France to the effect that they did not consider it offensive.

Mr. EDGE. If France has no navy worthy the name, which I think is probably correct compared to the navies of other nations, she has nothing to lose when this is confined absolutely to naval reduction, so I still can not understand why the Senator should assume, confined to that one question in no way of direct interest to her, that she should refuse to be a party to it.

Mr. BORAH. As France has no navy, why does the Senator from New Jersey want her in the conference?

Mr. EDGE. To keep her from having a larger navy in the future if she joins with the rest of the world.

Mr. BORAH. There is no possible chance for France to have a navy in the next five years which would disturb us. She is not proposing to do anything for the next five years. When the Senator brought the resolution into the Senate Chamber he did not have France and Italy included in it. The Senator evidently had reflected upon this resolution before he drew it. He certainly did not write it as he would write a telegram on his way to the depot, and bring it in here without any reflection whatever. He had certainly reflected that it was not proper to include France and Italy in the resolution at all, because he did not include them.

Mr. EDGE. Mr. President, the Senator from New Jersey has reflected for a long time upon the general subject of disarmament, and he is very much in favor of it. The amendment which I have introduced was patterned very much after the amendment which was originally introduced by the Senator from Idaho, as the Senator well knows; it is practically a copy of his amendment.

I have already stated in answer to a similar question by the Senator from Idaho that I included France and Italy primarily to secure unanimous consent to bring the subject before the

Senate, which was otherwise denied. I am not so unreservedly committed to the necessity of including those two countries as might be inferred from my statement, but I do not agree that the inclusion of those two nations is the menace that the Senator from Idaho apparently attempts to make it appear. I do not consider that their inclusion would in any way reduce the possibility of world-wide action; I do not assume that it would in any way destroy the possibility of a world understanding on disarmament. I think it would help it and strengthen it by having representatives of those nations, whether they have any navy or have not any navy. I can hardly consider that a proposition such as this, which is so interesting to every class of citizenship, could be interfered with by the inclusion of the representatives of other great nations, especially when the Senator from Idaho admits that they would not be directly affected, as they have not any navy and, so far as he states, have no large program for a navy in the future.

Mr. BORAH. The Senator from Idaho repeats that it has been but a few weeks since the nations which the Senator from New Jersey wishes to include have expressed themselves in opposition to this proposition. They did so with great deliberation and stated their reasons for their action. To include them at this time is simply to play with the subject; it is to make no progress whatever; it is to brand the action upon its face with insincerity. If France had not declared herself within the last few weeks, and declared herself so broadly that there can be no mistake about her position, there might be some basis for the argument of the Senator from New Jersey; but we know her attitude; it is a settled proposition now. To put into a naval appropriation bill here, which provides for a program of $500,000,000, a resolution which includes two nations, one of which has already objected within a few weeks to even considering the principle, is, in my judgment, to brand the entire transaction with insincerity before the entire country.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New Jersey.

Mr. FRANCE. I offer an amendment to the amendment.

The PRESIDING OFFICER. The Senator from Maryland offers an amendment to the amendment, which the Secretary will state.

The READING CLERK. At the end of the amendment of the Senator from New Jersey it is proposed to add the following:

That the President shall advise an agreement which looks to disarmament on the following plan:

First. That a commission made up of three naval experts from the United States, three from Great Britain, and three from Japan, and three from France and Italy shall make a survey to determine and to tabulate the strength and tonnage of the navy of each of the said powers as on July 1, 1921.

Second. That the United States shall enter upon no agreement which does not look to the speedy reduction of naval armament, particularly on the part of those nations having the greatest naval strength and tonnage.

Third. That any agreement shall provide—

(a) That on January 1, 1923, no nation entering upon such agreement shall have a navy of greater strength and tonnage than that of the nation having the navy of greatest strength and tonnage on July 1, 1921, as determined by the commission heretofore provided.

(b) That on January 1, 1925, no nation entering upon such agreement shall have a navy with a total strength and tonnage in excess of 75 per cent of the total strength and tonnage of that nation having the navy of greatest strength and tonnage on July 1, 1921, as determined by the commission heretofore provided.

(c) That on January 1, 1930, no nation entering upon such agreement shall have a navy with a total strength and tonnage in excess of 50 per cent of the total strength and tonnage of that nation having the navy of greatest strength and tonnage on July 1, 1921, as determined by the commission heretofore provided.

(d) That on January 1, 1935, no nation entering upon such agreement shall have a navy with a total strength and tonnage in excess of 25 per cent of the total strength and tonnage of that nation having the navy of greatest strength and tonnage on July 1, 1921, as determined by the commission heretofore provided.

Fourth. That those nations with navies of lesser strength and tonnage than that of the nation having the greatest strength and tonnage on July 1, 1921, as determined by the commission heretofore provided, shall have the right to increase the strength and tonnage of their navies provided that they do not exceed the limits herein prescribed.

SEC. 2. That it is the sense of the Congress, in case such an understanding can be had, that it will conform its appropriation and building plans to such agreement.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state his inquiry.

Mr. WILLIAMS. The amendment offered by the Senator from Maryland, being an amendment to an amendment submitted by unanimous consent, I take it requires unanimous consent, does it not?

The PRESIDING OFFICER. The Chair thinks not. The Chair thinks that the Senate having consented to the consideration of the amendment proposed by the Senator from New Jersey [Mr. EDGE], it is in order to amend his amendment.

Mr. WILLIAMS. Then, Mr. President, I merely wish to remark that instead of looking like an amendment to an amendment which is being considered by unanimous consent, it looks like a codification——

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Mississippi to the fact that unanimous consent has already been given to consider the amendment proposed by the Senator from New Jersey.

Mr. WILLIAMS. I understand that; but I am now talking about the amendment to the amendment. I have already asked the parliamentary inquiry and the Chair has responded to it. I wish simply to say that this amendment to the amendment looks like the codification of a disarmament proposal, instead of being merely an amendment to an amendment designed to forward the movement for disarmament. It goes into infinite detail, and it commits all sorts of people to a measure to which nobody will consent, so far as I can see. I hope, therefore, that the amendment to the amendment will be rejected.

Mr. FRANCE. Mr. President, I do not care to discuss at length the amendment to the amendment.

It is very simple. It provides for a just and equitable disarmament, one which is just to our own country. In a word, it provides that on July 1 next a committee of naval experts from the powers interested shall meet to determine the tonnage and the strength of the various navies; that the navy of the greatest strength on July 1, 1921, shall be considered to be the maximum of naval armament which shall be permitted, and that, taking that as a maximum, there shall after that be a gradual reduction in naval strength. It does, however, provide that those of lesser naval strength than that nation showing the greatest naval strength on July 1, 1921, may be allowed to build up, whereas those of the greatest strength shall not be allowed to continue their building programs.

Mr. WILLIAMS. Mr. President, will the Senator pardon a question there?

Mr. FRANCE. Yes.

Mr. WILLIAMS. Am I right or not in the supposition that the Senator's proposition involves saying to the remainder of the world that we shall start with the biggest Navy in the world and we shall proportionately decrease?

Mr. FRANCE. I think that is hardly a fair interpretation of the meaning of my proposal. It does, however, say to the world that we do not care to subscribe to the doctrine that we shall perpetually be inferior in naval strength to some other nation.

Mr. WILLIAMS. To any other nation.

Mr. FRANCE. To any other nation.

Mr. WILLIAMS. If the Senator means that, then, of course, he means to submit to the nations of the world a proposition which involves the idea that the United States shall have the biggest navy in the world.

Mr. FRANCE. Not necessarily.

Mr. WILLIAMS. Absolutely necessarily.

Mr. FRANCE. On the contrary, a careful reading of my plan—and it has been before the Senate I will say to the Senator for some time——

Mr. WILLIAMS. If the Senator will pardon me, it is absolutely necessarily so in view of his answer to the last question. He has just said that we would not enter into an agreement where we did not have the whip handle. He did not use the words "whip handle," but it amounts to that.

Mr. FRANCE. The purpose, I will say to the Senator, of my amendment is to bring all nations to an equality. Great Britain, for example, having on July 1, 1921, the greatest navy, would be relieved from any further building. The other nations could build up to the point, not to exceed, however, the total maximum strength of Great Britain on July 1, 1921. Then, on July 1, 1923, no nation shall have a navy exceeding the strength of the British Navy—it would be the British Navy—on July 1, 1921.

Mr. WILLIAMS. The Senator means the strength of our Navy in 1923?

Mr. FRANCE. On January 1, 1923, no nation will be permitted to have a navy of greater strength than that nation having the navy of greatest strength on July 1, 1921.

Mr. WILLIAMS. That would be ourselves, of course.

Mr. FRANCE. No; that would be Great Britain. Great Britain would be shown to have the navy of greatest strength on July 1, 1921.

Mr. WILLIAMS. If it be that our Nation would not have the greatest Navy in 1923, then everything that has been said in advocacy of this bill is false, because it has been said all the time that by that date we would have the biggest Navy in the world.

Mr. POINDEXTER. That is a mistake.

Mr. WILLIAMS. I am glad to be told by the Senator from Washington that I have made a mistake. I so seldom find

myself corrected by him that I am willing to be corrected at almost any moment.

Mr. FRANCE. Mr. President, I do not care to discuss the amendment. I think it speaks for itself. It provides for an equitable plan; it would result in the navies of the great powers coming gradually to a point where they would be equal, and then there would be a rapid reduction of the navies on an equitable basis; so that they would be equal at a certain date and they would be immediately reduced. That is the only equitable plan for naval reduction.

Mr. WILLIAMS. Mr. President, of course in the last remark made by the Senator he has made a psychological mistake. If he really were trying to reach a point where all nations would be equal, then there would be no reason for any nation to contend in spending money in order to become superior; but of course that is all they are spending money for.

Mr. President, I think this matter involves so many points of detail, and it is a matter of so much importance not only to the Senate but to the people of the United States, that there ought really to be a quorum to consider it. I therefore ask before a vote be taken upon this amendment——

Mr. POINDEXTER. Let us vote on it now.

Mr. FRANCE. Will the Senator from Mississippi yield for a moment?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Maryland?

Mr. WILLIAMS. I yield.

Mr. FRANCE. I will say that I do not contemplate asking for a yea-and-nay vote upon my amendment to the amendment, so that it will not be necessary to call for a quorum.

Mr. WILLIAMS. If it were to be passed without a yea-and-nay vote, we would involve the United States Government in an endless program of detail; we would be instructing commissioners from our country and from Great Britain and Japan and France and Italy about matters of detail that ought to be left to the common sense of the commissioners, and we would do it without a yea-and-nay vote. We ought at least to have a yea-and-nay vote upon it, and before we can have a yea-and-nay vote, of course, we must have a quorum.

Mr. POINDEXTER. Mr. President, I ask for a vote.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maryland to the amendment of the Senator from New Jersey. Did the Senator from Mississippi suggest the absence of a quorum? The Chair did not understand him.

Mr. WILLIAMS. Yes; I suggested the absence of a quorum.

The PRESIDING OFFICER. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gronna	McLean	Smith, S. C.
Borah	Hale	Moses	Smoot
Brandegee	Harris	Overman	Spencer
Calder	Heflin	Phelan	Sutherland
Capper	Jones, N. Mex.	Phipps	Thomas
Curtis	Jones, Wash.	Pittman	Townsend
Dial	Kenyon	Poindexter	Trammell
Dillingham	Keyes	Pomerene	Underwood
Edge	King	Ransdell	Wadsworth
Fernald	Knox	Robinson	Walsh, Mont.
France	Lenroot	Sheppard	Warren
Frelinghuysen	Lodge	Shields	Williams
Gerry	McCumber	Smith, Ga.	Wolcott
Gooding	McKellar	Smith, Md.	

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. THOMAS. Mr. President, the amendment offered by the Senator from Maryland [Mr. FRANCE] would seem to be subject to the criticism that while it provides for the appointment of a commission for the purpose of considering the very important subject of reduction of armaments, it assumes to prepare a program for that commission after it is appointed with such minuteness that it might result in defeating itself. Of course, no commission appointed to dispose of so important a subject would presume to act except upon the fullest information, and we of the Senate have not that information and have no way of securing it. There might be and probably would be very potent reasons for adopting some other method, or perhaps some other proportion of relative strength, due to the differences between the geographical boundaries, sea-coast lines, colonial possessions, and other subjects, all of which would necessarily affect the main proposition.

I am heartily in favor of—I will not say disarmament, because that is perhaps an impossible thing. I am heartily in favor, however, of a reduction of armaments, and I should love to see the United States take the lead in that policy, either through negotiation with other maritime powers or by initiating the movement and setting the example on its own account.

I opposed the program of 1916, Mr. President, and attempted at that time to give reasons for my opposition, some of which I think have been verified by results, and none of them have been in anywise adversely affected by the events of the interval between 1916 and 1921. At that time it was asserted that the United States should have a Navy second in power to any in the world. We did not then aspire to supremacy in naval armaments. The reason for limiting our ambitions at that time to a second place were entirely due to the strides that Germany had been making and was then making in the matter of naval construction.

At that time ours was, in fact, the second Navy in the world, but the extent of construction in Germany was not entirely known, and particularly after the empire was virtually cut off from communication after the war by the British blockade.

Just before that time this administration was opposed, or perhaps I should say was lukewarm, upon the subject of an expanded navy. Shortly before the naval program of 1916 its representatives became satisfied that naval expansion was essential, and the German menace was the inspiring motive to the policy of that year. I contended, and so did many of my associates upon this floor, although they were in the minority, that the program announced for that year would inevitably inspire competition and result in increasing expenditures for armaments by every maritime power in the world, and particularly by Japan and Great Britain. The naval bill of that year carried the largest appropriations for a navy ever made by a nation in time of peace, yet it was not one-half the amount which this bill carries, and we are still practically in a time of peace.

The war seems to have transformed the United States from a peace-loving and peace-pursuing people into a potential military power. Prior to the European war armament, whether by land or by sea, was an affair of comparative unimportance. Our isolation from the great powers of the world doubtless had much to do with it; but we prided ourselves upon our capacity to take care of ourselves in the event any exigency requiring it should arise, and upon our reputation as a law-abiding country, enjoying the blessings of freedom, unambitious as to territorial extension, and cultivating the arts of peace with all mankind.

We were told when we entered the war that our purpose was to make the world safe for democracy and were congratulated after the armistice upon having accomplished that benign purpose. But it would seem that it is now necessary for us to bankrupt the Nation in order to make democracy safe for the world, and with a large standing army on land and the largest Navy in the world on sea—both, of course, designed for defensive purposes only, because no army and no navy was ever organized in the world for offensive purposes if the nations engaged in maintaining large armaments are to be believed—instead of making democracy safe for the world we proposed to make the greatest of democracies a menace to the world. We can not build a great navy without using it, nor establish an enormous army without increasing the military spirit. When your neighbor arms himself for defense and goes about the street with a gun in each pocket it is only a question of time when he will utilize his arsenal either upon the pretense of self-defense or because his habits both of mind and of conduct necessarily bring him in conflict either with authority or with the individual. So with nations. Shortly before Germany declared war against France the Crown Prince asked his father what his army was good for if he did not use it—a most pertinent query and one which the Kaiser very shortly afterwards answered effectually, to his own ultimate undoing.

Mr. President, I shall not to-night attempt to discuss the practical, and to my mind the unwise, methods of naval expansion which this bill contemplates, but I do for a few moments want to direct the attention of the Senate to the enormously increasing public expenditures for naval and military purposes in the United States, an increase which is progressive and must soon absorb all of the public revenues, even though they are increased by increase of taxation.

It is not generally known—at least, I do not believe it is—that 93 cents of every dollar paid by the people in Federal taxes is expended for wars we have heretofore waged, and in preparation for wars which we anticipate, leaving 7 cents of every dollar to be devoted to civil administrative purposes. The proportion between the expenditure of our revenue for military purposes and the expenditure for other purposes is a constantly increasing one. Before we entered into the last war about 76 per cent of the public revenues were thus devoted. The difference, of course, has resulted from our engagement in the last war, the burden of which will rest upon the shoulders of the American people for the next four or five generations, to say the least of it, and longer if some spirit of frugality or practice of economy does not overtake succeeding Congresses.

One of the most illuminating articles recently published upon the subject is found in the Saturday Evening Post of February 26, from the pen of Edward G. Lowry. His article is accompanied by two circles, the first showing the relation between the appropriations for obligations arising from recent and previous wars, and for those which are anticipated, and against which we are preparing, and those moneys which are devoted to all other governmental purposes. Less than one-fifteenth part of the circle indicates that part of the revenues which go for what may be termed civil expenditures and needs, and all of the remainder represents appropriations for military and naval purposes.

Another circle represents the average of such expenditures from 1910 to 1919, and the exhibit is a startling one. I read one or two quotations from the article:

About 93 per cent of the money spent by the Government during the last year was on account of past and future wars. So long as we wish to maintain a Military Establishment of 300,000 officers and enlisted men, so long as we feel the necessity of building and maintaining a Navy of the first rank, high taxes are inevitable.

A Government scientist—of whom more later—thought that he could prove to me that—

The cost of all the civil-service activities of the Government during the 10 years from July 1, 1909, to July 1, 1919, averaged $2.15 a year per capita for the population of the country, and during this period the cost increased barely as rapidly as the population of the country increased. At the same time the cost of commodities more than doubled, the cost of living doubled, and the cost of doing private business increased in proportion. Put in other terms, the cost of the civil side of the Federal Government in 1920 was only a little more than half of what it was in 1910, if measured in commodities or if measured in money of equal purchasing power.

The author of this article determined to verify that statement, and therefore obtained all the statistical information possible from the various departments, and particularly the Department of the Treasury, and after obtaining his data, desiring to condense it into proper form, he was greatly embarrassed because it was almost impossible for him to find any machinery, in the way of adding machines, and so forth, which could be used for the accomplishment of such a huge task. He states in the article:

When I got all the figures before me I couldn't add them up. They were staggering.

I went to the biggest bank in Washington and said, "Please total those columns on one of your adding machines."

The assistant cashier took one look at them and replied: "I'm sorry; we can't. Our machines only work up to tens of millions. We never have any need to go above that. Why don't you go round the corner to the adding-machine company and ask them?"

I did, and was told: "You will want an expert operator and one of our 17 bank machines for that job. Try the Treasury and see if they will do it for you."

THE MOUNTING COST OF WAR.

In the Bureau of Internal Revenue they loaned me a machine and an operator.

The only place where he could be accommodated; and here is the important conclusion:

And so I know and can tell you that from 1834 to and through 1919 the War Department actually disbursed $23,002,390,008.65. In the same period the Navy spent $6,907,369,032.84, and pensioners of past wars got $5,634,079,694.23.

That is a thundering total of $29,909,759,041.49 for the Army and Navy alone and leaves out of account the $5,634,079,694.23 for pensions.

Put in another form, the tax burden of 1920 was $37.40 per capita, of which $2.50 was expended for the ordinary affairs of the Government and $34.90 upon our Military and Naval Establishments, plus the pensions, interest upon the public debt, and preparations for future wars, as I have stated.

Mr. President, I think the question which confronts the Congress, and the Nation as well, is this, Is military and naval preparation, whose magnitude leads us inevitably to bankruptcy, worth the price? If it is necessary to carry on a continually increasing military and naval program in order that the Government may live, is it worth preserving if that program leads to inevitable bankruptcy? That is the situation before the country, for this program is constantly extending.

It was stated to-day from several sources that this bill comprises very much more than the program of 1916, and it is insisted that the extension is necessary to meet prevailing conditions. I did not believe it then, and I do not believe it now.

We are at peace with the world. Is there anyone mad enough to believe for a moment, after sober second thought, that such a crime against civilization as a war between the two great English-speaking powers of the world is possible, or that if such a calamity should occur it would not mean the ultimate supremacy of the other races? Does anyone seriously contemplate armed conflict with Japan? Oh, Mr. President, there be differences between nations, serious ones at the present time, but if we who have gone through our recent baptism of blood and sacrifice, the world not yet on its feet after the staggering war of 1914, assume that another World War, or any war between two great modern powers, is the only manner in which their disputes can be adjusted, it is to set aside all our experiences and to belie the civilization of which we proudly boast.

If a government of the people, for the people, and by the people can only exist by having the greatest navy in the world and one of the largest armies, it may be a question whether it has not outlived its usefulness and some change in its form of government should not occur. Militarism and aristocracy or autocracy are not synonymous terms. Militarism can exist in a republic and has done so, and flourished quite as effectively as in monarchies, whether limited or despotic, and unconscious militarism is calculated to grow unseen with every display of military and naval power, and even now I question whether the advocacy of this huge program is not due to that constantly expanding spirit, fed as it is upon hatreds and animosity, all of which might well be avoided, either through the exercise of diplomacy or by other forms of negotiation.

Mr. President, it has been said once or twice here in the debate, and before the bill was reported it was iterated and reiterated upon the floor, that a great Navy is essential for the promotion and protection of our foreign commerce, and that if we are to perform our part in the commercial development of the world and conduct successfully competition with our rivals, we must have behind it the force and the fact and the prestige of the greatest Navy in the world. If that were true, I would doubt the value of our international commerce. It certainly is not worth having if to promote and protect it we must bankrupt ourselves in the construction of a huge naval force. But it is not true. There was a time in the history of the world when America had the greatest merchant marine afloat. It not only required no Navy to enable it to prosper, but, as a matter of fact, we had none worth mentioning.

The great seafaring nations of the world outside of Great Britain are Holland, Norway, Sweden, Japan, and one or two others. Japan has a navy, but she had her merchant marine before her navy was born.

The Norwegian marine fleet is scarcely second to that of Japan or the United States, but she has no navy. Holland is one of the ancient maritime nations. Her navy is negligible. I might assert with equal confidence that a navy is an obstacle rather than a help to the expansion of foreign commerce, and that in that respect we are as well off, and perhaps better off, without than with it. I am very free to confess that if the argument were a sound one it would be the best which has been presented for our consideration, because then the end of our naval armament would be peaceful and commercial rather than militant or aggressive.

But the point which I rose to emphasize and which I will repeat and then yield the floor, is the enormously increasing expenditures of the public moneys in a mad race with other nations for supremacy in naval armament, based upon appeals to the warlike spirit of the people, also to their fears and their apprehensions, enlarged and exaggerated by rumors and gossip concerning the intentions, the purposes, and the animosities of nations with whom we are at peace. If this is to continue, then the war which we have recently fought and fought successfully will have been fought in vain, and the United States which we have preserved has been saved only to be bankrupted by armaments that were never dreamed of before it was fought. The whole system and policy is fundamentally wrong, and it is manifest that as long as it is continued no limitation can be placed upon it.

Everyone says we want a reduction or limitation in armaments, but we must continue as long as the other nations persist in expansion. Japan says the same thing and Great Britain likewise, and soon Italy and France will join in the mad competitive race. Just as long as that spirit persists, just so long will these increasing armaments continue, until some little spark will set the magazine afire and the world will be wrapped again in the flames of war.

Germany was ostensibly ready to limit her military forces if France would, France if Germany would, and both if Russia would do likewise. While these expressions were glibly passed from one to the other, armaments continued until they became so huge and overwhelming that the nations had to resort to war to escape that financial collapse which such expanding conditions necessarily produced. Singular, is it not, that three or four years ago we were denouncing the militarism of Germany as a menace to the world, and having destroyed that menace we are imitating her example upon the seas? The way to diminish our armaments is to diminish them, and I think it is a safe prediction to make that if this the greatest power in the world will have the magnanimity to set the example, other nations of the world will gladly imitate it.

Mr. PHELAN. Mr. President, I had not expected to address the Senate at this time on the Japanese question, but the debate has been precipitated by the opposition to the Senate bill providing for an adequate Navy. The speakers seem to dwell upon the point that the only reason why there should be an adequate Navy would be to meet the menace of Japan. Then they argue that there is no menace and therefore we need not provide adequately for a Navy. If their premises were correct, they would be doubtless right in their conclusions, but the menace of Japan is so manifest that he who runs may read, especially in these later months when Japan, a member of the League of Nations, has cast off all disguise, allied herself with the powers of Europe, where we are not represented, and has apparently assumed an unfriendly position.

It reminds me that, not long ago, was it not a cardinal sin in the Senate to frankly speak in open session of the hostile attitude of other nations toward our own, lest it mar international good neighborhood and friendly relations? But secrecy and silence are poor weapons with which to contend—and so they have been condemned—and now there is between nations a fuller, if not a better, understanding. But ultimately a fuller will lead to a better understanding, and, as Carlyle says, all warfare is misunderstanding. Let us by all means hereafter have the facts elicited by open discussion. I used the word "hostile" advisedly, because there is such a thing as the invasion of a land without the beat of drum and call of fife, and there are manifestations of hostility in other respects without the commission of overt acts.

Japan has risen in 70 years to a position of first-rate importance in the family of nations. I doubt if in all history there is another example of a nation attaining such stature in so short a time. It is a deplorable fact that the United States is responsible for it. Commodore Perry, about 70 years ago, at the mouth of our cannon, forced the opening of Japan to the world; but when the commodore opened Japan he did not know what was in it. A warlike people, they had been engaged from time immemorial in internecine struggle; a people of quick intelligence, they soon adapted themselves to modern methods, and while lacking in the inventive faculties and in initiative, so imitative are they that during this very short period they have attained a high position in manufactures and in the arts of peace.

Their manufactures, from simple textiles to giant dreadnaughts, are capable of meeting in the open market the products of the more refined and advanced nations.

They are still a young and a rude nation, and it is the history of the world that such nations, rising from small beginnings, have overcome the great and the proud nations, because the great and the proud nations, having enjoyed leisure by reason of their great accumulations of wealth, become enfeebled. The men lose their fighting fiber; they lose their taste for conflict; they lose their national spirit; they become what are called rather contemptuously "pacifists." When the Spaniard entered the Caribbean he found some of the natives there willing to accept Spanish domination and to bow their necks to the cruel and galling yoke, and so the Spaniards called them contemptuously "pacificos." So have old nations become pacific—submissive. Fighting is distasteful. Japan, now rising, is one of the young nations of the world, and if we could only get the perspective, projecting ourselves into the future and looking backward, we should see her coming forward—for what purpose? For conquest.

Egypt, Greece, and Rome have all passed through the stage of growth, civilization, leisure, and decay; and the great nations of Europe are in mortal peril now because, devastated by war and enervated by luxury, they find that the only intact peoples of the world are the Asiatics. That great work, The Rising Tide of Color, shows that the Asiatics have always pressed upon European civilization. They have been driven back here and there, as at Vienna by Sobieski, and at Tours by Charles Martel; but the pressure continues, and now Europe is in no position to resist that rising tide of color. This young nation in the Orient, doubtless, will marshal the troops of Asia, including the 400,000,000 population of China, some day, and, making common cause, will not only overwhelm the Pacific and the Pacific littoral, but will overwhelm Europe itself. Hence we should be advised in time. Shall we make a stand?

Charles Martel put off disaster for hundreds of years; so did Sobieski. In the Battle of Marathon, which was one of the decisive battles of the world, the Greeks held back the Asiatics.

So it is a world problem and not a local problem that looms before us. The manifestations in California are merely symptomatic of the general disease. California has taken the same stand that the Europeans took at Marathon, at Vienna, and at Tours in trying to hold back this tide; but the Nation at large does not realize it. We are told by good, easy gentlemen that we shall not need a Navy or an Army because, forsooth, the Japanese menace is a bugaboo; that there is no real substance to it.

In 1910, when the census was taken, there were 20,000 Japanese in California; there are now 100,000. At that time the orientals owned or controlled 70,000 acres of land; now they control or own 624,000 acres out of a total of 3,900,000 acres of the irrigable lands in my State. They control 1 in 6 of these the best tillable acres in California. Yet, numerically, they stand in the proportion of 100,000 to 3,400,000. Those who do not look upon it as a danger say, "Why, there are 3,400,000 of the Caucasian population and only 100,000 Japanese." But the Japanese cluster in colonies, and wherever they go they displace the white man. The white man disappears, and—

> The fell disease, which must destroy at length,
> Grows with its growth and strengthens with its strength.

I happen to have here a comment of Dr. Elwood Mead on that very point. Dr. Elwood Mead is the professor of rural institutions at the University of California and chairman of the State land-settlement board. He gives this as an example—and it is a pertinent example—which will at once inform the Senate of the dangers which are present and imminent:

> In Placer County, for example—

That is one of the central counties in the State, adjoining the county of Sacramento, where is located the State capital.

> In Placer County, for example, 15,000 out of the 19,000 irrigated acres are leased or owned by Japanese. The fine homes of the former tenants are empty; they shelter rats and owls. So far as white people are concerned, the towns are socially dead. The irrigated part of Placer County is practically a little Japan. The people from Nippon dominate its life. Controlling the land, they can perpetuate the ideals, habits, religion, and loyalties of the mother country, and do this indefinitely.

The Japanese, on the acreage they now control, produced last year nearly all the vegetables and a large portion of the small fruits to the value of $67,000,000, and they, contrary to sound economic laws, send the bulk of this money, which they do not leave in trade with their own compatriots, to Japan, constituting an economic drain. How long can this last?

But is not immigration restricted? Partially; yes; but the birth rate is not. One out of every thirteen children born in California is Japanese. The percentage of births to white women is 9.9 per cent; to Japanese women 28.8 per cent.

In the rural portions of Los Angeles County, of which we hear so much, in that very rich and fertile land 33 per cent of all the births to-day are Japanese and in rural Sacramento County as high as 49 per cent.

We may stop Japanese immigration, but that does not cure the evil, because with their enormous birth rate it is estimated that in 90 years there will be more Japanese children born in California than white children. In 7 years the Asiatic children born in Hawaii, taking citizenship under the Constitution of the United States by reason of their birth, will control the political institutions of that Territory. That is the danger. We have an immigration problem. We can settle that by an act of Congress or by treaty, but how can we settle the problem which presents itself to us when, admitted under the forms of law or otherwise, we have a population such as I have described of orientals perpetuating themselves with frightful rapidity. Wallace Irwin, who has just written The Seed of the Sun, a book describing in the form of a romance the conquest of California by the Japanese, says it is an interesting but horrifying thought that when the sun is descending in California it is rising in Japan.

There is an instinctive fear throughout the Pacific among the native tribes, as well as among the Caucasians in California, in Washington, Oregon, New Zealand, Canada, and Australia that their very life is threatened; and in the position they are taking they are simply maintaining the ancient law of self-preservation; that is all there is to it.

I have shown you that there has been a peaceful conquest going on by reason of the lax and generous laws of the United States. We are seeking to put an end to it, and in seeking to put an end to it we are affronting, if you please, Japan. What will Japan do? Theodore Roosevelt was so impressed with the military prowess of this people, after they had whipped China and Russia, that he would not allow California, acting within her jurisdiction, to segregate Japanese and white school children. I have seen in Placer County 70 per cent of all the children in a public school Japanese, and outside the door I could see, pointed to by the teacher of those children, the Shinto temple where all the Japanese children were herded after school hours to be taught the Japanese language, ideals, traditions, and the worship of the Emperor. Shintoism is the worship of the Emperor; he is God given; and the loyalty

of the people of Japan is of a religious character and can not be eradicated. The Emperor holds in loyalty all the sons of Nippon, no matter where they may go.

We have heard much of dual allegiance; it is a single allegiance in the case of the Japanese. They go through the forms of respecting American laws and customs and even seeking citizenship, but their allegiance is to the Emperor. If we became involved in war with Japan, they have a garrison of 100,000 in California and 120,000 in Hawaii Territory, where float the Stars and Stripes over 12,000 Americans. What would become of the military garrison in the Hawaiian Islands, the key of the Pacific, should Japan make an unexpected and determined move? When she moves, she gives no notice; she does not inquire if the Senate is ready to pass upon the naval bill to provide greater strength and security for this country. When she struck at Russia, she was in a state of peace with Russia, but she entered Port Arthur and there began her treacherous yet successful campaign. She could take to-morrow the Philippines and Guam and go armed to Hawaii, and we would be without adequate power to offer immediate resistance.

Only since last year, under the administration of Secretary Daniels, have we had a Pacific Fleet at all. As has been told you by others more competent, our west coast is not defended. The Pacific coast is exposed.

Japan is the German of the Pacific. German trained are her troops. German ideas have been implanted in the Japanese mind during that period—formative—when she was seeking a position in the world, and she has planned to acquire the Pacific piecemeal diplomatically, not necessarily by waging war but nevertheless effectively, if she is given her way. In evidence of this, I need but remind you that she has taken a mandate for the Marshall, Mariana, and the Caroline and other groups of islands north of the Equator, including the island of Yap, bringing her advanced line 2,000 miles nearer Hawaii, and she holds as mandatory those islands to-day. Notwithstanding the fact that the United States, through the President, has made a reservation in favor of Yap, saying it was a necessary link in cable communication, Japan will not yield. The United States had a German concession before the war for cable purposes. The United States seeks to hold that poor privilege in common with other nations, and to internationalize—not to seize, possess, own, and control, but to internationalize—that island in order that we might exercise a right which had been granted to us by Germany before the war. Japan has, however, issued her defi. "The council of the League of Nations," she says, "has given us Yap, and Yap we propose to hold." What are you going to do about it? Are you going to submit to it?

Well, there are those who say, "What is Yap worth? Why fight over Yap?" Well, what is Guam worth? What is the key of the Pacific, the Territory of Hawaii, worth? What of the nose of the camel? "Is it worth a drop of a soldier's blood?" That sounds very well. Nothing is worth a drop of a soldier's blood in times of profound peace. That is the way we talk to mothers and daughters. It is the language of pacifism; but the soldier is willing to give his blood to defend the honor of his country at any time and anywhere, in any land. And so these platitudes are vain. Blood letting will follow wrongdoing. All the mothers and all the daughters and all the old women, let us say, of both sexes, as pacifists have been described, may plead in vain to the young American soldier not to go to the front in defense of the cause of his country.

He will go, and in the late war he went, after it had been made manifest that a great power was trespassing upon our rights, with the ultimate purpose of controlling the destiny of our country. I tell you that Japan has modeled herself after the German high command, the German autocracy, and unless she is restrained, and if we show no disposition to protect rights which we are informed by our own Government are ours lawfully and legally, she will make other trespasses until she will gain the control she seeks without striking a blow, and the world will hold the great American Republic in contempt.

Japan is very much wiser than her neighbors. Do you know that the great Herbert Spencer was drawn into this discussion? When Japan organized her Government she asked Herbert Spencer, the great economist and an accepted authority, whether she should admit foreigners. Herbert Spencer said, "Emphatically, no." I will write you this letter, said he to the learned statesmen of Japan who sought his advice, to be published, however, after my death. I dare not have it published in my lifetime, because it would irritate my countrymen who have been seizing the countries of the world, wherever they were not opposed, and subjugating and destroying the native populations, and he pointed to the example of India, and he pointed to the example, as he might have, of other countries, and he deprecated infiltration by Caucasians into Asiatic countries, not for the benefit of the Asiatics alone but for the benefit of the Europeans as well, because as a biologist he knew the impossibility of these people assimilating. He said: Grant to the foreigners only bare commercial privileges. Do not permit them to own lands. Do not permit them to lease lands. Hold them at arm's length, and make no attempt at intermarriage with them, because it is biologically impossible to produce under such circumstances a race that will not be of a deteriorated character, and he instanced the case of all half-castes, the mestizos and the mulattoes and the mongrels of other countries, where, as was pointed out in certain nameless countries, the Indian and the white man and the black man, each good within his limitations, have been ruined by an attempt at amalgamation.

It has been said that God made the white man, God made the black man, but the devil made the half-caste. So it is impossible to consider the Japanese as capable of coming into our country as the nationals of other lands and assimilating with us, and the Japanese know it. They have refused foreigners all the privileges which I have described—land ownership, intermarriage, land leasing. They have granted, as they were advised by Herbert Spencer, only bare commercial privileges, and it has inured to their great advantage, because they have preserved the purity of their race, and they are in the arts and in manufactures triumphant, and as a fighting people they rank with the best.

I will read this paragraph from the letter of Herbert Spencer, and then ask, if there be no objection, that it be published in full in the RECORD, because it is not generally known. He says:

> I have, for the reasons indicated, entirely approved of the regulations which have been established in America for restraining the Chinese immigration.

You see, the Chinese immigration was an older problem than the Japanese immigration. We barred the Chinese about 1879, and the Japanese did not come along until about 1885, and then they came by way of Hawaii, and they have crept in, making but little noise; and in a land where the Chinese were barred the Japanese were permitted to come until their character was determined, and then there was this opposition upon the west coast to the Japanese as well as there had been in a previous generation to the Chinese; so Herbert Spencer says:

> I have, for the reasons indicated, entirely approved of the regulations which have been established in America for restraining Chinese immigration, and had I the power I would restrict them to the smallest possible amount. my reasons for this decision being that one of two things must happen: If the Chinese are allowed to settle extensively in America, they must either, if they remain unmixed, form a subject race standing in the position, if not of slaves, yet of a class approaching to slaves, or, if they mix, they must form a bad hybrid. In either case, supposing the immigration to be large, immense social mischief must arise, and eventually social disorganization. The same thing will happen if there should be any considerable mixture of European or American races with the Japanese.
>
> You see, therefore, that my advice is strongly conservative in all directions, and I end by saying, as I began, keep other races at arm's length as much as possible.

Japan followed that advice; and when we bar Japanese from the land, when we restrict their immigration, we are simply doing what Japan herself is doing and has successfully done during the last half century. She will not admit Koreans nor Chinese where they compete with her own people, and if we but follow Japan's example we shall be absolutely right. And how can Japan consistently object? But she does.

As I said, even Theodore Roosevelt—who had no love for the Japanese as a people, nor did he desire to see them attempt assimilation with us—was so impressed by their diplomacy and their prowess that he stopped California from regulating the schools; and then what happened? When we undertook to settle the land question Mr. Bryan came, representing the present administration, and interposed his objection, of course at the instance of the Japanese ambassador; but California did not listen at that time to the advice of Mr. Bryan and passed a statute, and subsequently, when it was found inadequate, she passed by initiative—one of the processes we may enjoy under our State constitution—a law which closed all the gaps, so we have to-day a practically perfect law. Ah, if there is anything perfect to resist the chicanery and cunning of the oriental, we have a perfect law which bars Japanese from owning or leasing the soil, also Chinese, and also Hindus, because it relates simply to those who under our Federal naturalization laws are ineligible to citizenship.

I said if there is anything that would bar an oriental it is that law; but since it was enacted this thing has happened, which is very interesting:

In order to prevent the Japanese from changing his form and incorporating himself as a corporation and thus owning land, the Japanese were also barred by the law from forming corporations for land ownership in California. By one of the war statutes, intended to facilitate the naturalization of those otherwise eligible who had enlisted for the war, the courts in the Hawaiian Islands, particularly, have admitted Japanese to citi-

zenship because they had been in the service of the Navy and Army as stewards or waiters or mess boys, and they have actually, to the number of perhaps a thousand or more, become citizens of the United States, in the very face of the Federal law which limits citizenship to those of the white race or of the Negro race or of Negro descent; and so they have slipped cunningly under the door, using a mistaken interpretation of a war statute to become citizens.

If that were all there were to it, it might not interest California; but the Japanese, desiring to own land, have brought these so-called naturalized citizens of Japanese origin to California and used them as dummies to organize corporations, and such corporations have bought the lands. That is history. I will submit for the RECORD, without reading, documentary evidence.

Then there was another question raised quite recently, when the legislature met for the purpose of perfecting its laws with respect to orientals, and asked the advice of Mr. Lansing, then in Paris, as to whether the time was opportune. Of course, the Federal Government always says the time is not opportune. Their business is to maintain "friendly relations" at any cost, and they are seemingly quite willing at any time to sacrifice California and Oregon and Washington and Arizona in the cause of international peace. That is diplomacy. They do not want to disturb the people of the Middle West or the Atlantic seaboard by having an unseemly quarrel with Japan. So they throw California to the wolf in order to satisfy his hunger.

Mr. Lansing advised that no action be taken, and he had probably more reasons than other representatives of previous administrations, because he was negotiating there with the Japanese on the subject of racial equality. But I believed, and still believe, that if California had taken a strong position at that time he could have pointed to this rebellious State which would not heed his advice, and therefore it would have appeared to Japanese diplomatists that the Federal Government did not control the question at all where the question lay entirely within the scope of the State. But we did not pursue that course. So the California Legislature hesitated to cure the defects of the law until the initiative of last year, which was precipitated by the very refusal of the legislature to act. The people acted.

At Paris the Japanese were denied racial equality. This is a point I wish to make in order further to emphasize the necessity of a navy. At the conference in Paris the Japanese asked for racial equality. They wanted recognition by the allied nations, with whom they had fought side by side on terms of equality, of the essential equality of their nationals in the world's field; that is to say, Japan asked that her nationals be given every right and privilege enjoyed by the nationals of every other nation, and on its face it sounded very plausible to those who did not understand its deep significance.

We gladly give the Italians, the French, the Dutch, the English, the Irish, the Scotch, and the Scandinavians all certain privileges, that they may become American citizens by naturalization, and, acquiring citizenship, they may own land, and at any time they may intermarry, and enjoy all the privileges embraced in our American citizenship. If the Japanese were granted those privileges, they would then be free to come into this country, just as the nationals of other lands; they would be free to control our soil by ownership or lease or otherwise, as the nationals of other lands, free to intermarry, free to engage in every pursuit, to enter the Army, the Navy, run for office, and enjoy the elective franchise. When I show you that in California they live in colonies; that they are unassimilable; that they do not intermarry; that they have a great greed for the acquisition of land; that when once they establish themselves they destroy the white man, and are incapable of making a homogeneous American population, you will see the dangers that would flow to the State if we had conceded the principle of racial equality at that Paris conference.

Why was it not conceded? It was because Great Britain, at the instance of her overseas colonies of Australia, New Zealand, South Africa, and Canada, refused to concur, and the United States refused to concur. The President, we are told, was in the chair, and when the motion was put, it was carried by a majority vote of 12 to 6, when the President ruled that the motion was lost; and when the Japanese representative demurred, the President said, "Matters of large importance, under our rules, require unanimity," although but a moment before they had fixed the seat of the League of Nations at Geneva by a majority vote, to which his attention was called by the Japanese; but he said that was a matter of small importance, a mere matter of procedure.

So the ruling of the President requiring unanimity at Paris, backed by Great Britain and her colonies, saved us from having to recognize the principle of racial equality, which would have brought untold disaster upon this country. See how close we were to danger. But the Japanese representative protested the ruling and announced that he would again bring it up for action.

The island of Yap has been given by the council of the League of Nations to Japan, and we have protested that we had prior rights there; but our protest is unheeded. So these allied nations in council, being the functioning League of Nations of the world, are denying the United States her international rights. Does not that indicate that there is need for a larger police force in our front yard, when our house is threatened? Shall we refuse to carry out the naval program of 1916, which gives us superior strength over Japan, and almost equal strength with England, when there are these great questions pending, critical in character? It would be the quintessence of folly to abandon our established position. We now have a great Navy; we now have an invincible Army; and now is the time to sit down at the table and settle these questions with our truculent friend on the other side of the ocean. There is no longer any disguise. Professions in diplomatic terms of friendship mean nothing, because their acts are acts of hostility.

Therefore I believe, not wishing to delay the proceedings of the Senate to-night by unnecessary debate, that the naval appropriation bill as reported by the Senate Committee on Naval Affairs should be passed; that it would be the answer of the United States to the League of Nations, which does not stand in great favor on the other side of the Chamber; it would be the answer of the United States to Japan as to our attitude on the subject of Yap; it would be the answer of the United States to the barring of our trade from those great insular lands in the neighborhood of Guam, where we used to trade, even under German rule, freely in copra and commodities of American manufacture, and where now our merchants are denied. The open door has been the traditional policy of the United States in the Orient, and now, after a World War, which our boys won for the nations of the world, we are least in the scale of nations. Shall we lose our rights and prestige enjoyed before we entered that struggle? We are insolently told to mind our own business. Shall we remain isolated in our aloofness and abandon our trade and our security? These nations have organized and have issued their decree, and if we persist in our folly of opposing the wishes of the united nations of France, Great Britain, Italy, and Japan, functioning as a League of Nations, we will have to do what?

Either pocket our pride and suffer our loss, or assert ourselves. Nobody wants to fight if it can be avoided. That is a concession which I will make to pacifists. I am for peaceful solution where possible, but we have no peace standing if we have no war standing. There is no sane person who will willfully enter into a fight if there is any other way of solving a problem. But it looks to me that with this hostile alliance against us, with no disposition to treat or to act either in justice or in liberality, we must have an armament, and always have an armament, until the conditions of the world change and a chastened human nature becomes more conciliatory. But human nature is one of those things which can not be easily changed. A philosopher has said, "You can drive nature out with a club, but she will surely come back." The most conspicuous thing about us, as well as the meanest thing, it is said, is our human nature, and unless and until by act of Congress we can change human nature—civilizing processes may bring it about—or by act of Congress persuade the League of Nations to surrender the advantages they have seized—negotiation may accomplish it—we will have to maintain a formidable armament, in order that in a selfish and predatory world our voice may be heard.

Confident of the justice of our cause, we only seek a platform from which we may speak. How vain is the unsupported word addressed to the aggressive and ruthless foe. The Liberty on the Dome of the Capitol is an "armed Liberty."

I submit certain papers and ask that they may be printed in the RECORD.

The PRESIDING OFFICER. There being no objection, the matter referred to is ordered printed in the RECORD.

The matter referred to is as follows:

LETTER OF HERBERT SPENCER AGAINST ASSIMILATION OF RACES.

FAIRFIELD, PEWSEY, WILTS, *August 26, 1892.*

MY DEAR SIR: Your proposal to send translations of my two letters to Count Ito, the newly appointed prime minister, is quite satisfactory. I very willingly give my assent.

Respecting the further questions you ask, let me, in the first place, answer generally that the Japanese policy should, I think, be that of keeping Americans and Europeans as much as possible at arm's length. In presence of the more powerful races your position is one of chronic danger, and you should take

every precaution to give as little foothold as possible to foreigners.

It seems to me that the only forms of intercourse which you may with advantage permit are those which are indispensable for the exchange of commodities—importation and exportation of physical and mental products. No further privileges should be allowed to people of other races, and especially to people of the more powerful races, than is absolutely needful for the achievement of these ends. Apparently you are proposing by revision of the treaty with the powers of Europe and America "to open the whole empire to foreigners and foreign capital." I regret this as a fatal policy. If you wish to see what is likely to happen, study the history of India. Once let one of the more powerful races gain a point d'appui and there will inevitably in course of time grow up an aggressive policy which will lead to collisions with the Japanese; these collisions will be represented as attacks by the Japanese which must be avenged, as the case may be; a portion of territory will be seized and required to be made over as a foreign settlement; and from this there will grow eventually subjugation of the entire Japanese Empire. I believe that you will have great difficulty in avoiding this fate in any case, but you will make the process easy if you allow of any privileges to foreigners beyond those which I have indicated.

In pursuance of the advice thus generally indicated I should say, in answer to your first question, that there should be not only a prohibition of foreign persons to hold property in land, but also a refusal to give them leases, and a permission only to reside as annual tenants.

To the second question I should say decidedly prohibit to foreigners the working of the mines owned or worked by Government. Here there would be obviously liable to arise grounds of difference between the Europeans or Americans who worked them and the Government, and these grounds or quarrel would be followed by invocations to the English or American Governments or other powers to send forces to insist on whatever the European workers claimed, for always the habit here and elsewhere among the civilized peoples is to believe what their agents or sellers abroad represent to them.

In the third place, in pursuance of the policy I have indicated, you ought to also keep the coasting trade in your own hands and forbid foreigners to engage in it. This coasting trade is clearly not included in the requirement I have indicated as the sole one to be recognized—a requirement to facilitate exportation and importation of commodities. The distribution of commodities brought to Japan from other places may be properly left to the Japanese themselves, and should be denied to foreigners, for the reason that again the various transactions involved would become so many doors open to quarrels and resulting aggressions.

To your remaining question respecting the intermarriage of foreigners and Japanese, which you say is "now very much agitated among our scholars and politicians," and which you say is "one of the most difficult problems," my reply is that, as rationally answered, there is no difficulty at all. It should be positively forbidden. It is not at root a question of social philosophy. It is at root a question of biology. There is abundant proof, alike furnished by the intermarriages of human races and by the interbreeding of animals, that when the varieties mingled diverge beyond a certain slight degree the result is inevitably a bad one in the long run. I have myself been in the habit of looking at the evidence bearing on this matter for many years past, and my conviction is based on numerous facts derived from numerous sources. This conviction I have within the last half hour verified, for I happen to be staying in the country with a gentleman who is well known and has had much experience respecting the interbreeding of cattle; and he has just, on inquiry, fully confirmed my belief that when, say of the different varieties of sheep, there is an interbreeding of those which are widely unlike, the result, especially in the second generation, is a bad one—there arise an incalculable mixture of traits, and what may be called a chaotic constitution. And the same thing happens among human beings—the Eurasians in India, the half-breeds in America, show this. The physiological basis of this experience appears to be that any one variety of creature in course of many generations acquires a certain constitutional adaptation to its particular form of life, and every other variety similarly acquires its own special adaptation. The consequence is that, if you mix the constitution of two widely divergent varieties which have severally become adapted to widely divergent modes of life, you get a constitution which is adapted to the mode of life of neither—a constitution which will not work properly, because it is not fitted for any set of conditions whatever. By all means, therefore, peremptorily interdict marriages of Japanese with foreigners.

I have for the reasons indicated entirely approved of the regulations which have been established in America for restraining the Chinese immigration, and had I the power I would restrict them to the smallest possible amount, my reasons for this decision being that one of two things must happen. If the Chinese are allowed to settle extensively in America they must either, if they remain unmixed, form a subject race, standing in the position, if not of slaves, yet of a class approaching to slaves; or if they mix they must form a bad hybrid. In either case, supposing the immigration to be large, immense social mischief must arise, and eventually social disorganization. The same thing will happen if there should be any considerable mixture of European or American races with the Japanese.

You see, therefore, that my advice is strongly conservative in all directions, and I end by saying as I began—keep other races at arm's length as much as possible.

I give this advice in confidence. I wish that it should not transpire publicity, at any rate during my life, for I do not desire to rouse the animosity of my fellow countrymen.

I am sincerely, yours,

HERBERT SPENCER.

P. S.—Of course, when I say I wish this advice to be in confidence, I do not interdict the communication of it to Count Ito, but rather wish that he should have the opportunity of taking it into consideration.

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OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., February 1, 1921.

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I beg to acknowledge your letter of December 29, 1920, which has received careful attention in this department and necessitated some investigation as to the methods of handling naturalization cases, particularly those claims for naturalization under the Army act.

I have arrived at the conclusion that the present method of representing the United States in all naturalization cases by the naturalization examiners of the Department of Labor will serve in each instance to call to the attention of the court, wherein naturalization is claimed, the views of the Commissioner of Naturalization as to the meaning of the act of May 9, 1918, and as to those eligible to naturalization thereunder. Such department having trained examiners who appear in every case, I deem it necessary to circularize the several district attorneys and impose upon them the duty of appearing in all such cases and opposing such applicants for naturalization. This department has not rendered any opinion on the construction of the act in question.

I am informed that the case of Richard Sato, who applied for naturalization under the Army act in the district of Oregon, will probably go to the circuit court of appeals for the ninth circuit for a construction of his eligibility under this act, and in that way a judicial determination of the true meaning of the act will be secured, it is hoped, within the near future.

Very respectfully,

A. MITCHELL PALMER,
Attorney General.

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DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February, 1921.

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your letter of the 1st instant, to the Commissioner of Naturalization, with reference to the naturalization of subjects of Japan under the act of May 9, 1918, has been considered by the officer named and has been called to my personal attention by him.

I note that you state that Judge Bledsoe had told you that one of the naturalization examiners requested favorable action in the case of a Japanese, and that the same thing happened in San Francisco and Honolulu. A report has this day been made of the chief naturalization examiner at San Francisco concerning this matter, and instructions have been given which will leave him in no doubt that it is the administrative view that Congress has made no provision for the naturalization of other than free white persons and persons of African nativity and descent, with the exception of the Filipinos referred to in the seventh subdivision of section 4 of the act of June 29, 1906, as amended by the act of May 9, 1918.

It is the duty of the Naturalization Service to bring all facts to the attention of the court in any case pending before it, leaving the court, in whom alone is vested the power to authoritatively decide the question of the admissibility of any alien, to determine whether or not Congress has made provision for the naturalization of such an applicant.

Instructions have been given that in view of the conflict in the decisions regarding this subject every effort should be made to have some case carried to the Supreme Court for ultimate decision.

Very truly, yours,

W. B. WILSON, *Secretary.*

[Excerpt from CONGRESSIONAL RECORD of Apr. 12, 1918, p. 5009.]

NATURALIZATION OF ALIENS IN MILITARY SERVICE.

"Mr. HARDWICK. From the Committee on Immigration I report back favorably with amendments the bill (H. R. 3132) which I send to the desk, and I submit a report (No. 388) thereon. I wish to make a brief statement to the Senate about the bill after the Secretary reads the title.

"The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). The Senator from Georgia submits a report, which the Secretary will state.

"The SECRETARY. Mr. Hardwick, from the Committee on Immigration, reports favorably with amendments the bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization.

"Mr. HARDWICK. I ask unanimous consent for the immediate consideration of the bill reported from the Committee on Immigration.

"The PRESIDING OFFICER. Is there objection?

"Mr. GALLINGER. I shall not object now, but I should like to hear the Senator make his statement before the question is put.

"Mr. HARDWICK. Mr. President, I was about to explain why it is necessary, in my judgment, that the Senate should proceed immediately to consider and pass this proposed legislation. We have in the first draft army of the United States 123,277 alien soldiers, some of whom undoubtedly might have claimed exemption but did not. Of these soldiers, 46,732 hold their first naturalization papers and 76,545 have no naturalization papers whatever.

"It is impossible, or at least it is unfair, to send these soldiers to the battle line in Europe until they have been naturalized and made citizens of this country, so that they will not be subjected to charges of treason against the Governments and princes of whom they were formerly subjects. The War Department is not willing to subject these men to that sort of danger. It is not fair to them and it is not just to the country. They are scattered practically through every command in the Army, or in the new draft army, and it can not be moved as it ought to be moved until these soldiers can be put in a position where this difficulty will be eliminated.

"Now, it seems to me that more important than any debate on any domestic question, more important than any dispute about labor, or more important than any bill about presidential powers over executive departments is a proposition to get the Army of the United States so that it can move to the battle line. This is the paramount reason why I ask unanimous consent for the consideration of this bill as amended by the Senate committee. It is to give the authorities of the country, the War Department, and the Navy Department full power.

"Mr. THOMPSON. Mr. President, may I ask the Senator a question?

"The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kansas?

"Mr. HARDWICK. I do.

"Mr. THOMPSON. Are these the men who are already drafted into the service?

"Mr. HARDWICK. Yes; they are soldiers wearing the uniform already.

"Mr. THOMPSON. And already trained?

"Mr. HARDWICK. There are 123,000 of them already trained, under the flag, and wearing the uniform, who can not justly be sent over to Europe until this legislation is passed.

"Mr. THOMPSON. There ought not to be any debate on that question.

"Mr. HARDWICK. No; there will not be. Now, in order to be fair, let me state that there is more than that involved in this legislation. When the United States declared war, on April 6, 1917, of course, aliens who came from Germany—and subsequently, when we declared war against Austria-Hungary, the same thing was true with reference to that country—could no longer become naturalized in this country. They became alien enemies, so that petitions that had already been filed under the naturalization laws and were already pending in court could not be prosecuted to a successful conclusion in court. The House of Representatives, realizing the injustice of this, passed, some days ago, a bill which provided that where naturalization petitions were pending and the first papers had been taken out prior to the declaration of the war with these countries the court could allow these people to become naturalized upon proper showing of loyalty and good citizenship."

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF CALIFORNIA,
Los Angeles, Calif., February 18, 1921.

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In the Associated Press dispatches of February 10, I noticed a statement emanating from the Department of Labor purporting to quote from a letter written by you to Secretary Wilson to the effect that I "had told you that one of the naturalization examiners requested favorable action in the case of a Japanese," etc. I remember the occasion when we discussed this matter very well—coming down on the train with you from San Francisco, and my statement then made to you was not precisely as you seem to have recited it to the Secretary of Labor, or else I failed to indicate to you with precision just what I had in mind.

The circumstances were these: On March 18, 1919, a Japanese named Myamoto, who had been in the United States Navy as a steward under Admiral Fullam for a number of years, applied for citizenship. The naturalization examiner here, Mr. Frederick K. Jones, was then in receipt of a memorandum from the Deputy Commissioner of Naturalization, Mr. Crist, to the general effect that the act of May 9, 1918, providing for the naturalization of "every alien" who was serving in the Army or Navy, etc., was applicable to Japanese as well as other races. Mr. Jones, the examiner, acquiesced in the suggestion emanating from his superior and stated that in the light of the statements contained therein, he saw no reason to oppose or question the propriety of granting the application. I read the memorandum and glanced rather hastily at the act above referred to, and after adverting to the fact that the act was somewhat complicated in its phraseology, indicated that I saw no reason to question the correctness of the conclusions entertained or the attitude assumed by the department in the premises, and thereupon I proceeded to admit the Japanese to citizenship.

Thereafter, having occasion myself independently to give careful consideration to the statute, I came to the conclusion that it was not the intention of Congress to let down the bars in favor of the Japanese or any other people denied admission under the terms of section 2169 of the Revised Statutes, save Filipinos, and so expressed myself, declining thereafter to admit aliens of the proscribed category.

I did not go into all these details with you in our conversation on the train, but was endeavoring merely to indicate that my first action in the premises was induced by the affirmative attitude and representations of the Department of Labor and of the naturalization examiner here. I did not, however, intend to indicate that the local naturalization examiner had "requested favorable action in the case." The examiner in no case coming before me has ever "requested favorable action." He simply presents the application, together with the Government's attitude, whether favorable or adverse, and awaits the judgment and action of the court.

I am writing at this length merely as a matter of justice to Mr. Jones, the local examiner, and that I myself may be set right in your own mind.

I am, as ever,

Very cordially, yours,

BENJAMIN F. BLEDSOE,
Judge of the United States District Court.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., February 7, 1921.

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your letter of January 24, 1921, requesting information regarding the admission to citizenship of a Japanese person now stationed on the U. S. S. *Mayflower*, and whether there was a general dismissal of Japanese from the Navy immediately before or after the declaration of war with Germany, you are informed that by order of the Supreme Court of the District of Columbia one Tsurusaki Shiro, steward to the President, was admitted to citizenship on February 18, 1919. He has now applied to the court for permission to change his name from Tsurusaki Shiro to Shiro Tsurusaki, claiming the latter to be correct.

You are also informed that there was no general dismissal of Japanese from the Navy immediately before or after the declaration of war, but at the present time no person of Japanese descent is being enlisted in the Navy unless he can prove United States citizenship.

Sincerely, yours, JOSEPHUS DANIELS.
Secretary of the Navy.

[Statistics prepared by the Board of Control of the State of California showing Japanese land control and birth rate.]

"RELATIVE FECUNDITY.

"As to the relative fecundity of Japanese and white women, the figures following are submitted:

Married white women in California (in age groups).

[United States census—1910.]

Age.	Women.
15 to 24 years	54,773
25 to 44 years	258,503
45 years and over	132,315
Total	445,593

"The above figures show 313,281 married white women in California in 1910 under 45 years of age, of the usual child-bearing ages.

MARRIED JAPANESE WOMEN IN CALIFORNIA.

(Special census in 1919 by Japanese Association of America.)

Northern California (married Japanese women)	8,704
Southern California (Japanese women)	6,507
Total	15,211

"The marital condition of the 6,507 Japanese women in southern California was not shown, but they were enumerated in a separate class from the children of both sexes ranging from 1 to 19 years of age. Inasmuch as these Japanese women are classified as above 19 years of age, it will be assumed, for purposes of comparison, that they are all married and of child-bearing ages. In so doing the possibility of overstating the birth rate is practically eliminated, and the results of such comparison would be favorable to the Japanese.

Births.

Race.	Births, 1910.	Births, 1919.	Total for 10 years 1910–1919.
Japanese	719	4,378	28,037
Chinese	277	432	3,822

"(b) In 1910 Japanese births represent 1 out of every 44 children born in the State. In 1919 Japanese births represent 1 out of every 13 children born in the State.

"(c) In 18 selected agricultural counties of the State the average births of Japanese have risen from 3.2 per cent of the total births in 1910 to 12.3 per cent in 1919.

"In the rural parts of Sacramento County 49.7 per cent of all births in 1919 were Japanese.

"CALIFORNIA ALIEN LAND LAW.

"[Enacted by State legislature in 1913.]

"[Chapter 113.]

"An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all acts or parts of acts inconsistent or in conflict herewith.

"(Approved May 19, 1913.)

"*The people of the State of California do enact as follows:*

"SECTION 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit, and inherit real property, or any interest therein, in this State in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

"SEC. 2. All aliens other than those mentioned in section 1 of this act may acquire, possess, enjoy, and transfer real property, or any interest therein, in this State, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

"(The above paragraph refers to the treaty of commerce and navigation of 1911 between America and Japan. See full text as part of this report, p. 115.)

"SEC. 3. Any company, association, or corporation organized under the laws of this or any other State or nation, of which a majority of the members are aliens other than those specified in section 1 of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy, and convey real property, or any interest therein, in this State in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

"SEC. 4. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee can not take real property in this State which, but for said provisions, said heir or devisee would take as such, the court, instead of ordering a distribution of such real property to such heir or devisee shall order a sale of said real property to be made in the manner provided by law for probate sales of real property, and the proceeds of such sale shall be distributed to such heir or devisee in lieu of such real property.

"SEC. 5. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to, and become and remain the property of the State of California. The attorney general shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by section 474 of the Political Code and title 8, part 3, of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings, the title to such real property shall pass to the State of California. The provisions of this section and of sections 2 and 3 of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon, or interest in such property, so long as such real property so acquired shall remain the property of the alien, company, association, or corporation acquiring the same in such manner.

"SEC. 6. Any leasehold or other interest in real property less than the fee, hereafter acquired in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to the State of California. The attorney general shall institute proceedings to have such escheat adjudged and enforced, as provided in section 5 of this act. In such proceedings the court shall determine and adjudge the value of such leasehold, or other interest in such real property, and enter judgment for the State for the amount thereof together with costs. Thereupon the court shall order a sale of real property covered by such leasehold or other interest in the manner provided by section 1271 of the Code of Civil Procedure. Out of the proceeds arising from such sale the amount of the judgment rendered for the State shall be paid into the State treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein.

"SEC. 7. Nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by aliens of real property in this State.

"SEC. 8. All acts and parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

"CALIFORNIA ALIEN LAND LAW OF 1913—HOW EVADED.

"The intent of this law was to prevent aliens who are ineligible to citizenship from owning land in California. This, however, does not prevent American-born children of 'ineligible' alien parents from owning land, and such ineligible aliens soon resorted to the expedient of purchasing land in the names of their American-born children, thereby acquiring the entire control of the land thus owned, as though purchased direct by such aliens.

"Inasmuch as very few of the American-born children of such alien parents have attained legal age, it is necessary to secure the appointment of a guardian of lawful age, or a properly qualified trustee, to act for each of such minor property holders. In many instances the ineligible alien parent has applied for guardianship and has been appointed. Recently, however, superior courts of this State have denied petitions for guardianship filed by ineligible aliens as involving evasions of the land laws of the State. Consequently many of these minor children are now owning and holding land in their own names without guardian or trustee, subject, of course, to the limitations of minors as to transfer, etc., of real property. (Records of superior courts for the counties of Sutter, Los Angeles, Tulare, and Fresno.)

"For the purpose of acquiring alien control of land without the limitations imposed by guardianship or the difficulties of reconveyance by minor children the Japanese resorted to the formation of corporations. The law requires that a majority of the stock be held by American citizens. To overcome this provision 51 per cent of stock is issued to an American citizen,

usually the attorney for the corporation or some employee in his office, who acts as trustee for the real owner of the stock, who may be an ineligible alien or a minor child, American born, of alien parents.

"It is a source of deep regret that there are attorneys in the State who, despite their oath to support the constitution and the laws of this State, nevertheless sell their legal talent in aiding this breach of the spirit and purpose of the alien land law.

"In all these cases the acquisition, development, operation, and control of the farms are entirely in the hands of the ineligible alien, the American trustee being almost invariably merely the holder of a naked trust without any personal investment and without participation in either the management or profits.

"WASHINGTON ALIEN LAND LAW.

"The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this State, except where acquired by inheritance, under mortgage, or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of land hereafter made to any alien directly, or in trust for such alien, shall be void; provided that the provisions of this section shall not apply to lands containing valuable deposits of minerals, metal, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom. Every corporation the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purpose of this prohibition. (Constitution of Washington, art. 2, sec. 33.)

"An effort was made to amend this section to make inapplicable to the conveyance of lands within cities to resident aliens. In the election of November, 1914, the proposal was voted down by a vote of 55,080 to 212,542.

"ARIZONA ALIEN LAND LAW.

"No person, other than a citizen of the United States or who is eligible to citizenship under the existing laws of the United States, and no corporation more than 30 per cent of whose stock is owned by persons other than citizens of the United States or who have declared their intention to become such, or who are eligible to citizenship under existing laws of the United States, shall hereafter acquire any land or title thereto or interest therein, other than mineral lands, or such as may be necessary for the actual working of mines and the reduction of the product thereof; provided that no alien shall acquire title to any land or real property within this State, except as hereinafter provided; and provided further, that this chapter shall not prevent an alien from leasing any land or real property within this State for a period of not exceeding five years; and provided further, that this chapter shall not prevent the holder (whether aliens or nonresidents) of liens upon real estate or any interest therein heretofore or hereafter acquired from holding or taking a valid title to the real estate in the enforcement of such lien; nor shall it prevent any such alien from enforcing any lien or judgment for any debt or liability now existing, or which may hereafter be created, nor from becoming a purchaser at any sale made for the purpose of collecting or enforcing the collection of such debt or judgment, nor preventing widows or heirs who are aliens, or who have not declared their intention to become citizens of the United States, from holding lands by inheritance; but all lands acquired as aforesaid shall be sold within five years after the title thereto shall be perfected in such alien, and in default of such sale within such time, the title of such real estate shall revert and escheat to the State of Arizona; and any person who has, under his declaration to become a citizen, acquired the title to or the right to possession of lands in this State and who fails to complete his citizenship shall be subject to all the provisions of this chapter relating to aliens.

"The provisions of this chapter shall not be construed in any way to prevent or interfere with the ownership of mining lands or lands necessary for the working of mines and the reduction of the products thereof; nor shall the provisions of this chapter be so construed as to conflict in any manner with any rights existing under and by virtue of any treaty of the United States with any other country. (Stats. 1917, p. 57.)

"SOME COUNTRIES HAVING ALIEN LAND LAWS, WITH A DIGEST OF SAME.

"Mexico: Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the department of foreign affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their Governments in respect to the same, under penalty, in case of breach, of forfeiture to the nation of property so acquired. Within a zone of 100 kilometers from the frontiers, and of 50 kilometers from the seacoast, no foreigner shall under any conditions acquire direct ownership of lands and waters.

"Australia: The matter of land ownership is one affecting the individual State governments. In the States of New South Wales, South Australia, and Tasmania restrictions are imposed upon the tenure of lands by aliens. In Victoria and Western Australia there are no such restrictions. Following is a summary of the State laws:

"(1) New South Wales. Under the Crown lands consolidation act, 1913, an alien is not qualified to apply for an original homestead selection, original conditional purchase lease, settlement lease, original homestead lease, or original conditional purchase, unless he has resided in New South Wales for one year, and at the time of making application lodges a declaration of his intention to become naturalized within five years. If he fails to become naturalized within that period, the land is forfeited. This residential limit of 12 months does not, however, apply to applicants for homestead farms, Crown leases, suburban holdings, and leases within irrigation areas, but any alien who becomes the holder of any of these tenures must become naturalized within three years after his becoming such holder. Failure to comply with this regulation involves forfeiture of such holding, together with all improvements thereon.

"(2) Victoria. Under the supreme court act, 1915 (sec. 3), every alien friend resident in Victoria may acquire, either by grant from the Crown or otherwise, both real and personal property.

"(3) Queensland. Under the land act, 1910 (secs. 59b and 62), an alien can not apply for any land in Queensland unless he obtain a certificate that he is able to read and write from dictation words in such language as the minister for lands may direct. If he acquire a selection he must within five years of such acquisition become a naturalized subject.

"(4) South Australia. In South Australia, Asiatics are disqualified from holding perpetual leases of lands in irrigation areas under section 19 of the irrigation and reclaimed lands act, 1914.

"(5) Western Australia. In this State aliens are under no disability as regards the acquisition of the freehold of lands already alienated. Every applicant to acquire Crown lands, whether by a British subject or an alien, is subject to the approval of the minister for lands, with an appeal to the governor in council.

"(6) Tasmania. Under the aliens act, 1861 (sec. 2), aliens can not hold real estate. An alien, if the subject of a friendly State, may, however, occupy lands for any term not exceeding 21 years.

"Pacific Islands. (1) North Borneo: 'Any alien desirous of purchasing land from a native shall address his application to the collector, who, if he sees fit to sanction such purchase, shall, if the native owner consents, acquire the land on behalf of the government and shall fix the premium and quitrent at which the land shall be leased by the government to the applicant, and such new lease shall be issued under Part II or III hereof.' (Ordinances of North Borneo, 1881–1914, p. 349.)

"(2) For New Guinea, New Caledonia, the Society Islands, and other small islands in the South Pacific, statutes or ordinances are not available.

"Japan: There are three ways in which foreigners may hold land in Japan: (1) By ordinary lease, running for any convenient term and renewable at the will of the lessee. The rent of such leased property is, however, liable to a review by the courts, after a certain number of years, on the application of either party. (2) A so-called superficies title may be secured in all parts of Japan, save what may be called colonial areas, running for any number of years. Many such titles now current run for 999 years, and so far as appears they might run for 5,000. These titles give as complete control over the surface of the land as a fee simple title would do. (3) Foreigners may form joint-stock companies and hold land for the purposes indicated by their charters. Some of these charters contain provisions practically limiting membership to foreigners. They are juridical persons formed under the civil code of Japan and are regarded as just as truly Japanese legal persons as though composed solely of Japanese. Foreigners are excluded from membership in corporations subsidized by the Japanese Government.

"Aside from the three classes of holdings mentioned above, in the concessions of the old extra-territorial days, permanent leases are obtainable by purchase, from time to time. The rental on this property is fixed by the terms of the original deeds, at yen, 28 per hundred tsubo (400 square yards) per year

for the business sections and considerably less for the residence sections of the concessions. In Yokohama the rental on the Bluff lots is yen, 12.00 per hundred tsubo. This rental is in lieu of all other taxes, and The Hague Tribunal has decided that this stipulation gives immunity from taxation to all buildings or other improvements on such lots.

"These permanent leases have been the subject of much controversy, but many of the lots have already passed into Japanese hands, and it is probable that this special form of ownership will ere long disappear.

"A new foreign ownership law was passed in 1910, but has never been placed in operation. By this law ownership is permitted to those foreigners who maintain a household or lodging in the country, or to those foreign juridical persons who keep an office in Japan. It compels any foreign landowner who may leave the country, and thus fail to maintain a household or lodging, to sell his property within five years, on penalty of its reversion to the national treasury. Ownership is limited to certain geographical sections.

"This law has not been placed in force, because, it is claimed, it is unsatisfactory to the Government, which desires a more liberal measure. According to press dispatches a new law is now pending before the Imperial Parliament.

"United States—Philippine Islands.—The fourth Philippine Legislature, special session of 1919, in act No. 2874, H. No. 1194, H. Con. Res. No. 37, passed an act which is now in force in the Philippine Islands, and which became a law with the sanction of the Federal Government of the United States and is very specific in all of its sections in confining ownership and leasing of land to citizens of the Philippine Islands or of the United States, except that citizens of countries whose laws grant to citizens of the Philippine Islands the right to acquire land may acquire in the Philippine Islands a parcel of agricultural land not in excess of 100 hectares. Chapter 4, section 12, reads in part as follows: 'Any citizen of the Philippine Islands or of the United States over the age of 18 years * * * may enter a homestead * * *.'

"Chapter 5, section 23, reads as follows: 'Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least 61 per cent of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States, or of any State thereof, and authorized to transact business in the Philippine Islands, and corporate bodies organized in the Philippine Islands authorized under their charters to do so, may purchase any tract of public agricultural land disposable under this act, not to exceed 100 hectares in the case of an individual and 1,024 hectares in that of a corporation or association * * *: *Provided*, That citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire public land as to their own citizens may while such laws are in force, but not thereafter, with the express authorization of the legislature, purchase any parcel of agricultural land not in excess of 100 hectares, available under this act, upon complying with the requirements of this chapter.'

"Chapter 6, section 34, relating to leasing, reads as follows: 'Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least 61 per cent of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States, or of any State thereof, and authorized to transact business in the Philippine Islands, may lease any tract of agricultural public land available for lease under the provisions of this act not exceeding a total of 1,024 hectares: *Provided*, That citizens of countries the laws of which grant to citizens of the Philippine Islands the same rights to lease public land as to their own citizens may, while such laws are in force, but not thereafter, with the express authorization of the legislature, lease any parcel of agricultural land not in excess of 1,024 hectares, available for lease in accordance with this act, * * *.'

"Chapter 7, section 41, relating to free patents of lands, reads as follows: 'Any native of the Philippine Islands * * * shall be entitled under the provisions of this chapter to a free patent * * *.'

"SEC. 120. No land originally acquired in any manner under the provisions of this act, nor any permanent improvement on such land, shall be encumbered, alienated, or transferred, except to persons, corporations, associations, or partnerships who may acquire lands of the public domain under this act; to corporations organized in the Philippine Islands authorized therefor by their charters, and upon express authorization by the Philippine Legislature, to citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire, hold, lease, encumber, dispose of, or alienate land, or permanent improvements thereon, or any interest therein, as to their own citizens, only in the manner and to the extent specified in such laws and while the same are in force, but not thereafter.

"SEC. 121. No land originally acquired in any manner under the provisions of the former public land act, or of any other act, ordinance, royal order, royal decree, or any other provision of law formerly in force in the Philippine Islands with regard to public lands, terrenos baldios y realengos, or lands of any other denomination that were actually or presumptively of the public domain, or by royal grant, or in any other form, nor any permanent improvement on such land, shall be encumbered, alienated, or conveyed, except to persons, corporations, or associations who may acquire land of the public domain under this act, to corporate bodies organized in the Philippine Islands whose charters may authorize them to do so, and upon express authorization by the Philippine Legislature to citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire, hold, lease, encumber, dispose of, or alienate land or permanent improvements thereon or any interest therein as to their own citizens, and only in the manner and to the extent specified in such laws and while the same are in force, but not thereafter: *Provided, however*, That this prohibition shall not be applicable to the conveyance or acquisition by reason of hereditary succession duly acknowledged and legalized by competent courts, nor to lands and improvements acquired or held for industrial or residence purposes while used for such purposes: *Provided further*, That in the event of the ownership of the lands and improvements mentioned in this section and in the last preceding section being transferred by judicial decree to persons, corporations, or associations not legally capacitated to acquire the same under the provisions of this act, such persons, corporations, or associations shall be obliged to alienate said lands or improvements to others so capacitated within the precise period of five years, under the penalty of such property reverting to the government in the contrary case.

"SEC. 122. Any acquisition, conveyance, alienation, transfer, or other contract made or executed in violation of any of the provisions of sections 116, 118, 119, 120, and 121 of this act shall be unlawful and null and void from its execution and shall produce the effect of annulling and canceling the grant, title, patent, or permit originally issued, recognized, or confirmed, actually or presumptively, and cause the reversion of the property and its improvements to the Government."

"HAWAII OPPOSED TO JAPANESE LAND OWNERSHIP.

"Press dispatches from Honolulu, dated April 28, 1920, read as follows:

"'Robert W. Shingle, Territorial senator and member of the legislative commission which recently returned from Washington, in an open letter to the Pacific Commercial Advertiser published here to-day declared that many Congressmen opposed opening of public lands in Hawaii to homesteading because of increasing number of Japanese in the Territory obtaining American citizenship.

"'The United States Congress is almost unanimously averse to the granting of homestead privileges on highly developed public lands in the Territory of Hawaii, because it is by no means satisfied of the complete sincerity of Americanism in the growing class citizenship in these islands,' the letter said.

"'I allude to Hawaiian-born Japanese, thousands of whom annually come into the sacred inheritance of Amercian citizenship.

"'Neither Congress nor I have any intention of calling into question the loyalty of Hawaiian-born Japanese in this Territory. However, America learned a bitter lesson of nationalization during the past five years, one which cost dear in blood and ideals.

"'The problems involved in efforts to obtain a homesteading law were based upon a desire of the Territorial legislature to provide some means for restoration of public lands to Hawaiians. Public lands have been leased and control obtained by others than Hawaiians. To secure a return of these lands, as expiration of leases, to Hawaiians, a rehabilitation bill was submitted to Congress and urged by the commission.'"

NOTE.—Since the above article was published the House of Representatives has passed a homestead law for the Hawaiian Islands, in which the privilege of acquiring a homestead is confined strictly to native Hawaiians who are descendants of the original natives of the islands.

"ALIEN LAND LAW OF JAPAN.

"Japanese law, like the alien land law of California, prohibits aliens from owning land in fee, but permits leaseholds for varying terms of years, confined to industrial and residential purposes—no agricultural lands leased.

"Legislation broadening land ownership by foreigners was attempted in 1910, following representations made by a number of foreign Governments, and was favorably acted upon by the Japanese Diet, but the law has never been promulgated, and is therefore not in force.

"A similar fate attended the more recent efforts of the Japanese Parliament in the same direction, induced apparently by a desire to overcome Mexican arguments against granting Japanese the right to own land.

"MILLIONS OF ACRES AVAILABLE IN JAPAN.

"The impression quite generally prevails in this country that the Japanese are compelled to emigrate to other countries out of sheer necessity of making a living. It is alleged that the population of Japan is increasing so rapidly that the producing lands are not capable of supporting the population. That this is an erroneous impression is evidenced by the following announcement concerning available farm lands in Japan, which was published in the Japanese American News, January 6, 1920, and dated as a dispatch from Tokyo, December 15, 1919:

"'New farm villages opened all over the country—Land untaxed for 40 years—Great inducements to farmers—Japan's big reclamation scheme—5,000,000 acres new farm land.

"'For the past 10 years the department of agriculture and commerce has been conducting an investigation of all arable lands in the different municipalities and Prefectures. The investigation, which was completed two years ago, has shown that there are 2,000,000 cho (5,000,000 acres) of farm land which can be reclaimed under the waste-land reclamation law. Work has already begun this year (1919) for the opening up of 1,500,000 cho (3,250,000 acres) for rice and vegetable fields. The Industrial Bank is to supply the necessary capital, and the scheme extends over 30 years * * *.

"'The Government is to encourage agricultural settlers by grants of aid, low rates, easy payments, and practical exemption of newly opened land from taxation for 40 years.'

"This same erroneous impression is corrected by the statements of Carl Crow, in his book entitled 'Japan and America,' issued in 1916, from page 20 of which we quote the following:

"'It is frequently asserted that every square foot of arable land in Japan is under intensive cultivation. Doubtless this is the impression one gets on coming from America, where, in some places at least, the owners still count their possessions by the section and the quarter section rather than the acre. But a closer study of the area of the country and its development reveals the fact that the present area under cultivation might be appreciably increased. Though theirs is a mountainous country, the Japanese are not mountaineers, but dwellers of the plains and valleys. There they live, contented with their narrow fields; the sides of hills and mountains which would be terraced by Chinese or Igorots remain uncultivated and unproductive. The Government authorities, after a careful survey of the entire country, have reached the conclusion that simply by reclaiming and putting under cultivation the land which is inclined at an angle of less than 15 degrees the area of arable land may be doubled.'

"In this same connection we quote from the April, 1920, issue of Outlook Magazine, the organ of the Interchurch World Movement, which published the following in an article by Mr. Young, of the Japan Chronicle, entitled 'What the World Wants to Know About Japan':

"'Japan is, of course, just becoming an industrial nation. While on the other hand the shortage of labor is becoming a serious question the growth of population is now beyond the ability of the country to feed itself. However, the claims that Japan must go elsewhere to find room for her people is sheer nonsense, for she has the whole of the Hokkaido (the north part of the main land) which is hardly populated.'"

"INITIATIVE, AMENDING CALIFORNIA ALIEN LAND LAW.

[Adopted Nov. 2, 1920.]

"PROPERTY RIGHTS AND DISABILITIES OF ALIENS IN CALIFORNIA.

[Initiative measure to be submitted directly to the electors.]

"Alien land law. Initiative act. Permits acquisition and transfer of real property by aliens eligible to citizenship, to same extent as citizens except as otherwise provided by law; permits other aliens, and companies, associations, and corporations in which they hold majority interest, to acquire and transfer real property only as prescribed by treaty, but prohibiting appointment thereof as guardians of estates of minors consisting wholly or partially of real property or shares in such corporations; provides for escheats in certain cases; requires reports of property holdings to facilitate enforcement of act; prescribes penalties and repeals conflicting acts.

"An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith.

"*The people of the State of California do enact as follows:*

"SECTION 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit, and inherit real property, or any interest therein, in this State, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

"SEC. 2. All aliens other than those mentioned in section 1 of this act may acquire, possess, enjoy, and transfer real property, or any interest therein, in this State, in the manner and to the extent and for the purpose prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

"SEC. 3. Any company, association, or corporation organized under the laws of this or any other State or nation, of which a majority of the members are aliens other than those specified in section 1 of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy, and convey real property, or any interest therein, in this State, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise. Hereafter all aliens other than those specified in section 1 hereof may become members of or acquire shares of stock in any company, association, or corporation that is or may be authorized to acquire, possess, enjoy, or convey agricultural land, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

"SEC. 4. Hereafter no alien mentioned in section 2 hereof and no company, association, or corporation mentioned in section 3 hereof, may be appointed guardian of that portion of the estate of a minor which consists of property which such alien or such company, association, or corporation is inhibited from acquiring, possessing, enjoying, or transferring by reason of the provisions of this act. The public administrator of the proper county, or any other competent person or corporation, may be appointed guardian of the estate of a minor citizen whose parents are ineligible to appointment under the provisions of this section.

"On such notice to the guardian as the court may require, the superior court may remove the guardian of such an estate whenever it appears to the satisfaction of the court:

"(a) That the guardian has failed to file the report required by the provisions of section 5 hereof; or

"(b) That the property of the ward has not been or is not being administered with due regard to the primary interest of the ward; or

"(c) That facts exist which would make the guardian ineligible to appointment in the first instance; or

"(d) That facts establishing any other legal ground for removal exist.

"SEC. 5. (a) The term 'trustee' as used in this section means any person, company, association, or corporation that as guardian, trustee, attorney in fact or agent, or in any other capacity has the title, custody, or control of property, or some interest therein, belonging to an alien mentioned in section 2 hereof, or to the minor child of such an alien, if the property is of such a character that such alien is inhibited from acquiring, possessing, enjoying, or transferring it.

"(b) Annually on or before the 31st day of January every such trustee must file in the office of the secretary of state of California and in the office of the county clerk of each county in which any of the property is situated, a verified written report showing:

"(1) The property, real or personal, held by him for or on behalf of such an alien or minor;

"(2) A statement showing the date when each item of such property came into his possession or control;

"(3) An itemized account of all expenditures, investments, rents, issues, and profits in respect to the administration and control of such property with particular reference to holdings of

corporate stock and leases, cropping contracts, and other agreements in respect to land and the handling or sale of products thereof.

"(c) Any person, company, association, or corporation that violates any provision of this section is guilty of a misdemeanor and shall be punished by a fine not exceeding $1,000 or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

"(d) The provisions of this section are cumulative and are not intended to change the jurisdiction or the rules of practice of courts of justice.

"SEC. 6. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee can not take real property in this State or membership or shares of stock in a company, association, or corporation which, but for said provisions, said heir or devisee would take as such, the court, instead of ordering a distribution of such property to such heir or devisee, shall order a sale of said property to be made in the manner provided by law for probate sales of property and the proceeds of such sale shall be distributed to such heir or devisee in lieu of such property.

"SEC. 7. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to, and become and remain the property of the State of California. The attorney general or district attorney of the proper county shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by section 474 of the Political Code, and title 8, part 3, of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings, the title to such real property shall pass to the State of California. The provisions of this section and of sections 2 and 3 of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon, or interest in such property, so long as such real property so acquired shall remain the property of the alien, company, association, or corporation acquiring the same in such manner. No alien, company, association, or corporation mentioned in section 2 or section 3 hereof shall hold for a longer period than two years the possession of any agricultural land acquired in the enforcement of or in satisfaction of a mortgage or other lien hereafter made or acquired in good faith to secure a debt.

"SEC. 8. Any leasehold or other interest in real property less than the fee, hereafter acquired in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to the State of California. The attorney general or district attorney of the proper county shall institute proceedings to have such escheat adjudged and enforced as provided in section 7 of this act. In such proceedings the court shall determine and adjudge the value of such leasehold or other interest in such real property, and enter judgment for the State for the amount thereof, together with costs. Thereupon the court shall order a sale of the real property covered by such leasehold, or other interest, in the manner provided by section 1271 of the Code of Civil Procedure. Out of the proceeds arising from such sale, the amount of the judgment rendered for the State shall be paid into the State treasury, and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein. Any share of stock or the interest of any member in a company, association, or corporation hereafter acquired in violation of the provisions of section 3 of this act shall escheat to the State of California. Such escheat shall be adjudged and enforced in the same manner as provided in this section for the escheat of a leasehold or other interest in real property less than the fee.

"SEC. 9. Every transfer of real property, or of an interest therein, though colorable in form, shall be void as to the State and the interest thereby conveyed or sought to be conveyed shall escheat to the State if the property interest involved is of such a character that an alien mentioned in section 2 hereof is inhibited from acquiring, possessing, enjoying, or transferring it, and if the conveyance is made with intent to prevent, evade, or avoid escheat as provided for herein.

"A prima facie presumption that the conveyance is made with such intent shall arise upon proof of any of the following groups of facts:

"(a) The taking of the property in the name of a person other than the persons mentioned in section 2 hereof if the consideration is paid or agreed or understood to be paid by an alien mentioned in section 2 hereof;

"(b) The taking of the property in the name of a company, association, or corporation, if the memberships or shares of stock therein held by aliens mentioned in section 2 hereof, together with the memberships or shares of stock held by others but paid for or agreed or understood to be paid for by such aliens, would amount to a majority of the membership or the issued capital stock of such company, association, or corporation;

"(c) The execution of a mortgage in favor of an alien mentioned in section 2 hereof if said mortgagee is given possession, control, or management of the property.

"The enumeration in this section of certain presumptions shall not be so construed as to preclude other presumptions or inferences that reasonably may be made as to the existence of intent to prevent, evade, or avoid escheat as provided for herein.

"SEC. 10. If two or more persons conspire to effect a transfer of real property, or of an interest therein, in violation of the provisions hereof, they are punishable by imprisonment in the county jail or State penitentiary not exceeding two years or by a fine not exceeding $5,000, or both.

"SEC. 11. Nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by aliens of real property in this State.

"SEC. 12. All acts and parts of acts inconsistent or in conflict with the provisions hereof are hereby repealed: *Provided*, That—

"(a) This act shall not affect pending actions or proceedings, but the same may be prosecuted and defended with the same effect as if this act had not been adopted;

"(b) No cause of action arising under any law of this State shall be affected by reason of the adoption of this act whether an action or proceeding has been instituted thereon at the time of the taking effect of this act or not and actions may be brought upon such causes in the same manner, under the same terms and conditions, and with the same effect as if this act had not been adopted;

"(c) This act in so far as it does not add to, take from, or alter an existing law shall be construed as a continuation thereof.

"SEC. 13. The legislature may amend this act in furtherance of its purpose and to facilitate its operation.

"SEC. 14. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The people hereby declare that they would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact than any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

CROPS.

California crop production, 1919. United States Department of Agriculture, Bureau of Crop Estimates.

Crop.	Value.
Corn	$4,908,312
Wheat	33,080,107
Barley	42,561,875
Oats	4,912,201
Potatoes (white)	18,288,960
Hay	75,889,000
Beans	21,322,252
Grain sorghums	6,747,242
Sugar beets	10,632,852
Rice	20,877,770
Cotton	21,011,000
Onions	2,635,000
Truck crops	11,710,000
Cantaloupes	5,587,000
Sweet potatoes	1,997,000
Apples	12,538,000
Peaches	25,901,000
Pears	8,098,000
Apricots	13,564,000
Prunes	31,344,000
Plums	2,575,200
Cherries	1,860,000
Walnuts	14,840,000
Almonds	2,998,600
Figs	2,537,500
Oranges	45,833,000
Lemons	11,359,000
Raisins	35,658,000
Grapes (wine and table)	16,485,000
Total	507,811,881

Japanese farm products—1909 and 1919.

[Figures for 1909 compiled by State bureau of labor statistics; figures for 1919 compiled by Japanese Agricultural Association of California.]

Kind of crop.	Acreage.		Value of products.	
	1909	1919	1909	1919
Berries	4,587	5,949	$729,731	$3,629,400
Celery	.....	3,518	.....	1,105,400
Asparagus	.....	10,027	.....	1,804,860
Seeds and nursery	652	16,847	206,770	3,369,400
Onions	.....	9,883	.....	3,459,050
Tomatoes	.....	7,916	.....	1,068,660
Sugar beets	5,653	51,224	271,050	4,800,360
Cantaloupes	.....	13,481	.....	2,822,150
Green vegetables	33,467	44,188	2,517,160	10,997,000
Potatoes	.....	17,663	.....	5,298,900
Hops	273	1,260	46,000	743,400
Grapes	9,657	54,246	435,350	8,136,900
Beans	.....	41,500	.....	2,525,000
Fruits and nuts	23,139	46,930	1,753,210	8,457,400
Hay, grain, corn	910	43,984	28,530	2,611,100
Rice	.....	24,000	.....	3,600,000
Cotton	193	13,000	17,100	1,950,000
Miscellaneous	4,722	3,011	230,955	766,750
Unimproved	.....	18,402	.....	.....
Total	83,253	427,029	6,235,856	67,145,730

Increase from 1909 to 1919 in lands occupied by Japanese—412.9 per cent.

Increase from 1909 to 1919 in value of crops raised by Japanese—976.8 per cent.

NOTE.—In 1909 their activities were centered in 23 counties; now in 29 counties, the additional counties being Butte, Colusa, Glenn, Yuba, Merced, and Stanislaus. The only additional crops are rice, cotton, and cantaloupes, the remaining crops not specifically tabulated in 1909 being included in the groups "Green vegetables" and "Miscellaneous."

PERCENTAGE OF TOTAL OF EACH CROP DELIVERED TO CANNERIES THAT IS SUPPLIED BY JAPANESE GROWERS.

Tomatoes.

	Per cent.
Sacramento district	80
(Fully 50 per cent is operated exclusively by Japanese, while another 30 per cent is dependent on Japanese labor with whom the American owners are in partnership on a share basis. These two, taken together, make up the 80 per cent.)	
Turlock district	79
Santa Clara Valley district	60
Kings County district	50
Suisun district	31

Asparagus.

Sacramento district	61

Spinach.

Sacramento district	78
Kings County district	90
Santa Clara County district	82
Modesto district	100

Other vegetables.

Sacramento district	90
Santa Clara Valley district	100

Peaches, pears, apricots, plums, cherries.

Sacramento district	7
Turlock district	6
Graton district	2
Kings County district	45
Suisun district	14
Yuba City district	9
Alameda district	8
Santa Clara Valley district	3
Modesto district	2
Contra Costa district	1

"LAND.

"The preceding statistics show 3,893,500 acres now being irrigated in California, which comprise very largely the best lands in the State. Of this total, orientals, on December 31, 1919, occupied 623,752 acres, approximately 16 per cent of the total, of which 88,944 was owned in fee or under contract of purchase and 534,808 acres was held by lease or crop contract. Japanese and Japanese corporations occupy 458,056 acres of the whole total.

"While it is not absolutely true that all lands occupied by orientals are irrigated, this is so nearly the fact that for all practical calculations the figures given for oriental holdings may be taken as irrigated lands. A few counties, notably San Luis Obispo and Solano, show orientals occupying considerably more acreage than the total number of irrigated acres given in the schedule for these counties. However, the very nature of the crops raised by the orientals necessitates irrigation.

"With this slight qualification in mind, it is interesting to note that in some of the richest counties in the State orientals occupy a total acreage ranging from 50 to 75 per cent of the total irrigated area, notably San Joaquin County, with a total of 130,000 irrigated acres, with orientals occupying 95,829 acres; Colusa County, with a total of 70,000, with orientals occupying 51,105; Placer County, with 19,000 total, orientals occupying 16,321; and Sacramento County, with 80,000 total, orientals occupying 64,860.

"It is but fair to state again that this comparison is not absolutely accurate, because the total irrigated areas given on land schedeule No. 2 are actual irrigated lands, whereas the totals of acreage occupied by orientals in each county include all acreage irrigated and unirrigated occupied by orientals. However, very little grain crops or other unirrigated crops are raised by orientals and a very small percentage of the total acreage occupied by orientals is uncultivated and without crops of any kind, the total idle acreage uncropped being about 6½ per cent of the total acreage occupied by orientals.

"Under the schedule of Japanese Farm Products the figures compiled by the State bureau of labor statistics for 1909 show the total acreage occupied by Japanese at that time to be 83,252, and the acreage shown for the year 1919 by the Japanese Agricultural Association of California is 427,029—does not include about 31,000 acres being bought under contract by Japanese-controlled corporations—an increase in the 10-year period of 412.9 per cent. The report for crop valuations for 1909 shows $6,235,856, and for the year 1919 a total of $67,145,730, a total increase in value of crops raised by Japanese during the 10-year period of 976.8 per cent. Because of the character of the crops raised by Japanese their activities are confined almost entirely to 29 counties in the State, these being the highly developed agricultural sections.

"According to the Japanese Association of America in their memorial address to the President of the United States upon his visit to the coast in 1919 'the Japanese in agriculture constitute the most important element in number as well as in other respects,' this statement having been made in reference to Japanese in California.

"Mr. Toyoji Chiba, managing director of the Japanese Agricultural Association of California, says, in his Truth of the Japanese Farming in California, that 58 per cent of the Japanese living in California are settled in agricultural production in the country.

"Should the American farmer view with alarm this rapid increase in agricultural lands occupied by orientals, with the attendant increase in total annual crop valuations?"

STATE LAND LAWS.

[California State Library Law and Legislative Reference Department. Dec. 30, 1920.]

ALIEN PROPERTY RIGHTS.

"I. Aliens have the same rights as citizens.
"Alabama (Const. 1, sec. 34).
"Arkansas (Const. 11, sec. 20).
"Colorado (Const. 11, sec. 27).
"Connecticut (resident aliens and citizens of France) (Gen. Stats., 1918, sec. 5164).
"Delaware (26 Del. 1, chap. 251, secs. 1-3).
"Florida (Const. D. of R., sec. 18).
"Georgia (friendly aliens) (Code, 1911, sec. 2172).
"Idaho (C. S., 1920, sec. 5327).
"Iowa (Const. 1, sec. 22).
"Maine (Rev. Stats., chap. 78, sec. 2).
"Maryland (Ann. Code).
"Massachusetts (R. L., 1902, p. 1267).
"Michigan (Const. xvl, sec. 9).
"Mississippi (resident aliens) (Ann. Code, sec. 2272).
"Nebraska (Const. 1, sec. 25).
"New Hampshire (Pub. Stats., 1901, p. 438).
"New Jersey (1 Comp. Stats., p. 37, sec. 1).
"New Mexico (Const. 11, sec. 22).
"New York (alien friends) (Bird, p. 7269).
"North Carolina (Rev. Stats., 1905, sec. 182).
"North Dakota (Rev. Stats., 1913, sec. 5256).
"Ohio (4 P. & A., sec. 8589).
"Oregon (L. O. L., sec. 7172).
"South Dakota (Const. vl, sec. 14).
"Tennessee (Ann. Code, 1917, sec. 365).
"Texas (resident aliens) (Comp. Stats., 1914, art. 16).
"Virginia (friendly aliens) (Code, 1919, sec. 66).
"West Virginia (Const. 11, sec. 5).
"Wisconsin (Const. 1, sec. 15).
"Wyoming (Const. 1, sec. 29).

"II. Limitations on rights of aliens to hold property.
"Arizona (Stats., 1917, p. 57). No alien or corporation with more than 30 per cent of stock owned by aliens may own land; property acquired by operation of law must be sold within five years unless owner becomes naturalized, or escheat to State; five-year leases permitted. Exception, mining lands.

"II. Limitations on rights of aliens to hold property.—Contd.

"Illinois (1 J. & A., sec. 284). Alien may hold land for six years, at which time, if he is not naturalized, property is forfeited.

"Indiana (2 Burns, sec. 3943, 3944). Alien owning over 320 acres must become naturalized within five years or property is forfeited.

"Kansas (Const., B. or R. sec. 17). Legislature has right to determine alien property rights. In absence of legislation, common-law rule holds. (Johnson v. Olson, 92, K., 821.)

"Kentucky (Stats., 1915, chap. 19, art. 3, secs. 334, 339). Aliens may hold for 25 years for business; other property acquired by operation of law may be held for 8 years.

"Minnesota (Gen. Stats., 1913, sec. 6697). Alien ownership limited to 90,000 square feet, except in cases of citizens of counties whose rights are secured by treaty. Corporation with over 20 per cent of stock owned by aliens prohibited from owning property.

"Missouri (L. Rev. Stats., 1909, secs. 750–752). Ownership permitted only in cases where right is guaranteed by treaty. Corporations with over 20 per cent of stock owned by aliens prohibited from owning property, except in restricted cases.

"Oklahoma (Const., xxii, sec. 1). Absolute prohibition; lands acquired by operation of law must be disposed of in five years.

"Pennsylvania (1 Purd., p. 300, sec. 11). Limited to 5,000 acres of property, with net annual income not exceeding $20,000.

"Washington (Const., 11, sec. 33). Aliens and corporations with majority of stock owned by aliens prohibited from owning property. Exception, mineral lands.

"III. States with no legislation on alien ownership:

"Louisiana.

"Utah.

"FISHING INDUSTRY.

"The fishing industry of the State has grown to enormous proportions, and as a source of food supply is becoming increasingly important every day. In 1916 the total catch of fish, exclusive of shellfish, was 86,490,392 pounds, while in the year 1919 the total catch had increased to 250,453,244 pounds. As to the money value of this product we quote from the report of the State fish and game commission, as follows: 'The wholesale value of the fish marketed fresh at 10 cents per pound would add $5,000,000 to the total value of fishery products (canned and dried) for the year 1919, making a total valuation of $26,417,743 for the year 1919.'

"NATURAL RESOURCES.

"It is contended that food fish is a natural resource, and in common with the other natural resources of the State is regarded as primarily and inherently belonging to the citizens of the State rather than to outsiders or aliens. The report of the State fish and game commission places the total value of the investments in fish canneries alone in California at $7,708,871 up to December 31, 1919, and in these fish canning and packing establishments there are employed 8,242 persons, of whom 1,751 are Japanese. Besides, there are about 200 Japanese employed in wholesale fresh-fish markets in California.

"The orientals, particularly the Japanese, have recognized the importance of this industry and have entered the fishing business in ever-increasing numbers, until to-day there are more Japanese fishermen operating on the coasts of California than any other nationality. On the pages following there is given the total number of commercial fishermen in California, divided into nationalities, for the fiscal years 1915–16, 1917–18, and 1918–19, as compiled by the State fish and game commission during their licensing periods. These records will show that in the 1915–16 license year there were 491 Japanese fishermen out of a total of 3,758, or approximately 13 per cent. The year 1919–20 shows 1,316 Japanese out of a total of 4,671, or 28 per cent of the total.

"From the foregoing it is noted that within a period of about four years the Japanese fishermen have increased in number until they now outnumber any other nationality, having increased about 168 per cent. They also increased from 13 per cent of the total number of fishermen to 28 per cent. Of the total number of fishermen's boats operated from the coasts of California, 355 of them are manned by Japanese and 796 are operated by all other nationalities combined, the total value of the Japanese boats being $1,397,000 and the value of all the other boats being $2,055,000.

"FINANCING JAPANESE FISHERMEN.

"As to the method of financing the Japanese fishermen, we quote from the report of Mr. E. M. Nielsen, of the San Pedro office, State fish and game commission, concerning the Japanese in southern California:

"'In most cases Japanese-owned boats are under obligation to some cannery. The cannery furnishes the Japanese with boat and equipment, turning ownership over to him but holding a mortgage on same until paid for by the Japanese. Each catch the Japanese brings in a certain per cent is taken out and credited on the mortgage of the boat. Investigations show that very few Japanese have their boats paid up in full. Japanese boats are registered with the United States customhouse as Japanese-owned boats. That shows Japanese ownership, according to the registration, but in most cases mortgages are held by some cannery.

"'Located at Fish Harbor (East San Pedro) is a Japanese boat-building plant. This firm employs 14 Japanese. They have cut into the white boat builders considerably, according to information received. Plants operated by Americans claim the Japanese underbid them because they pay their help less and do not turn out as good work. This Japanese firm is now building purse-seine boats both for white and Japanese fishermen.'

"It is clear to be seen that American canneries by financing the Japanese fisherman make possible his operations in competition with American citizens.

"VIOLATION OF FEDERAL NAVIGATION LAWS ALLEGED.

"The State fish and game commission in its report calls attention to the fact that there appear to be many violations of the Federal navigation laws. Page 18, section 9, Revised Statutes 4311, covering the Federal navigation laws, requires vessels of 20 tons or over, engaged in coastwise trade or fisheries, to be enrolled and licensed, and boats of 5 to 20 tons to be licensed only. This latter class—5 to 20 tons—includes, according to the report of the State fish and game commission, 'practically all of the fishing boats at San Pedro and San Diego,' which the commission states are between 5 and 20 tons. The Federal navigation laws require these vessels to be licensed, and the master of the vessel must swear that he is a citizen of the United States, as indicated by the following quotation from the United States Revised Statutes:

"'The master of a licensed vessel shall swear he is a citizen of the United States, and if the vessel is less than 20 tons burden "the husband or managing owner shall swear that she is wholly the property of citizens of the United States." (P. 43, sec. 50, R. S. 4320.) If a licensed vessel is transferred in whole or in part to any person who is not a citizen of the United States, the vessel with her equipment and cargo shall be forfeited.' (P. 260, sec. 281, R. S. 4377.)

"If all of the Japanese fishermen's boats are manned and mastered entirely by Japanese, regardless of whether native-born citizens or not, it seems apparent that in many instances these laws are being violated. Press reports of April 14, 1920, contain the statement that the United States Attorney General has instructed the United States district attorney for the southern district of California to proceed in strict enforcement of these laws, and to prosecute vigorously any violations. It is stated in the same dispatches that an investigation is being made of this matter."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maryland [Mr. FRANCE] to the amendment of the Senator from New Jersey [Mr. EDGE].

The amendment to the amendment was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the following bills:

S. 4554. An act to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession; and

S. 5023. An act to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 12045) to provide for the conveyance of lots on the low grounds of Washington, D. C.

The message further announced that the House had passed with an amendment the bill (S. 4039) to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," in which the concurrence of the Senate was requested.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I wish to bring before the Senate at this time the matter of the conference on the disagreeing votes of the two Houses on the one remaining item in dispute, which, if disposed of, will pass one of the large appropriation bills, namely, the legislative, executive, and judicial appropriation bill.

Mr. POINDEXTER. Does the Senator from Wyoming expect to ask for the consideration of the matter.

Mr. WARREN. I had expected to do that, and I did not anticipate that it would take any considerable length of time to dispose of it. As the Senator knows, it is a rather important matter to conclude.

Mr. POINDEXTER. I hope the Senator will not ask to interrupt the consideration of the pending bill for any length of time.

Mr. WARREN. There is only one item in disagreement, and I hardly think it will take very long to dispose of it.

Mr. KING. Let me inquire of the Senator from Wyoming whether that item is of such importance as to require the presence of Senators? If so, I shall ask for a quorum.

Mr. WARREN. That must rest with the Senator. The item in disagreement is amendment No. 113, which is the amendment providing for the so-called bonus.

Mr. KING. I do not care enough about that to call for a quorum.

Mr. POINDEXTER. I ask that the pending bill be temporarily laid aside for the purpose indicated by the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, that will be done. The Chair hears no objection.

Mr. WARREN. Mr. President, as there is but one item still in disagreement, the only report I have to make is to move that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 113, and agree to the House amendment.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wyoming that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 113, and agree to the amendment of the House.

Mr. FRANCE. I have been informed that there seems to be some misunderstanding on the part of certain Members of the House in reference to the conference report, they having adopted it without an understanding that they were receding from the Senate amendment.

Mr. WARREN. Mr. President, the RECORD itself shows that the House voted on this question knowing every angle of it and took action on it by an aye-and-no vote, which developed a majority of 98 or 99 against the Senate amendment. Furthermore, when it went back to-day they had a very full attendance because of the Wickersham election case; the matter was brought up, and there was a very large majority for the House proposition, probably not a dozen votes being cast against it.

Mr. FRANCE. There seems to be a misunderstanding on the part of some concerning it.

Mr. WARREN. A misunderstanding is easy on the part of some man who might not have been attending to his duty, but the fact is as I have stated to the Senator.

Mr. FRANCE. I am sure of that.

Mr. WARREN. I have merely stated the facts as they are.

Mr. BORAH. Is the effect of this report to abandon the bonus proposition?

Mr. WARREN. It abandons nothing except the contention of the Senate that the employees of the Woman's Bureau should have the bonus. The House was not willing to include them in the provision, as the employees of that bureau are paid from a lump sum. There is also involved the question of whether per diem employees, such as those who are working in the navy yard and whose wages are fixed by wage boards according to agreement to correspond to the wages paid to similar class of labor in private employment, should receive the bonus in addition to their regular wages.

Mr. BORAH. At any rate, I suppose it is the best that could be done?

Mr. WARREN. I will say that the matter has received all the attention that our subcommittee could give it. We have gone to the last ditch, and the question now is whether we will pass the bill or not.

Mr. WALSH of Massachusetts. Mr. President, I should like to ask the Senator from Wyoming whether a yea-and-nay vote was had in the House on this amendment?

Mr. WARREN. A yea-and-nay vote on this matter was shown in the RECORD of two days ago. As to the vote to-day, nobody asked for it, because it was so nearly unanimous, I assume, that nobody cared to call for the yeas and nays.

Mr. WALSH of Massachusetts. Was not the yea-and-nay vote that appeared in the RECORD——

Mr. WARREN. The yea-and-nay vote showed some 98 or 99 majority.

Mr. WALSH of Massachusetts. Permit me to finish my question, please. Was not that yea-and-nay vote upon some subsidiary matter and not upon this direct issue?

Mr. WARREN. It was on this direct matter.

Mr. WALSH of Massachusetts. My information is not in accord with what has been stated; I suppose, however, it is useless to discuss this matter any further, but I want to have my position clearly understood, and I want to make one final protest and the RECORD to show just what is happening here; and I am going to insert in the RECORD, with the permission of the Senate, a letter from a member of the Naval Wage Board who clearly and emphatically sets forth the fact that the failure of the Congress to include naval employees in the bonus this year amounts to a reduction in their wages. So far as I am informed, I want it known that this vote amounts to a reduction in the wages of the naval employees, the arsenal employees, and other employees, and this not only upon the word of the Secretary of the Navy but upon the word also of a member of the Naval Wage Board that adjusted the wages of some of these employees.

I ask that this letter may go in the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

The letter is as follows:

THE ASSISTANT SECRETARY OF THE NAVY,
Washington, March 1, 1921.

MY DEAR SENATOR: I am very glad to give you such information as lies in my power in reply to your letter. I would like, before answering specifically your questions, to clear up what seems to be a general misunderstanding as to the effect of the new adjustment of wages made by the Secretary of the Navy in accordance with the recommendations of the Navy Wage Board, of which I was a member. The situation briefly was this:

The Navy Department, jointly with the Shipping Board, had entered into a definite written agreement at the beginning of the war with the representatives of the employees in navy yards and private shipyards, by which an adjustment of wages was to be undertaken by a special board, which consisted of a representative of the Federation of Labor, a representative for the two departments to the agreement, and a representative of the public, appointed by the President. The two Government departments agreed to this board, which was officially sanctioned, and which established rates of wages as nearly as possible conforming to the current rate of wages for such work existing throughout the United States at the time.

This is the real story of the inception of the Shipbuilding Labor Adjustment Board—the so-called Macy board—organized as a war measure to prevent turnover of labor and extortionate wages and high cost of construction of our war-built shipping.

Furthermore, it was definitely and formally agreed that there should be later adjustments at six months intervals based upon any difference in the cost of living as officially determined by the Statistical Bureau of the Department of Labor—that is, if the cost of living was found by this bureau to have increased, the rates of wages paid by or for the Navy and Shipping Board would be automatically increased proportionately; if decreased, wages would doubtless have been decreased as well.

To this award the Shipping Board and the Navy formally committed themselves. We were thus bound during the war to make three adjustments, each one of which would be more or less automatic, depending upon the figures given us by the Department of Labor Statistical Bureau as to the cost of living. As could not be foreseen, however, there were at the time the first adjustment came due temporary and fictitious increases in the cost of living, which, presumably, would only exist for a short time. To make a six months' adjustment on such data seemed to risk an excessive wage scale in the event the situation changed in a brief time.

The matter was taken up with the representatives of the employees of the yards, and it was agreed to defer any adjustment under the abnormal situation, although it was obvious that such adjustment would have been favorable to the employees of the yards. The same procedure was adopted when the other two periods arrived. Wages, in spite of the increased cost of living, were therefore maintained as of the original award for a period of over one year and a half. After this lapse of time it was felt that we could in justice no longer assume that the cost of living had not become more or less stabilized, and the necessity of adjustment was admitted by the Navy Department, and the recent Navy Wage Board was convened.

While the signing of the armistice resulted in the abolition of the board which originally fixed these wages, and while perhaps technically the department could have avoided using the cost of living in this last adjustment, the good faith of the department required that adjustment should be made under the terms of the agreement entered into, as, having postponed every adjustment of this kind, and to have taken advantage then of the dissolution of the board in making the postponed adjustment would have shown extremely bad faith. The cost of living was therefore taken as the basis for the adjustment rather than the rates of labor outside for similar work, with a statement that this was the last adjustment that should be made on that basis.

What I would like to point out is that had the men been unwilling to waive their undoubted right to the three adjustments provided by

the original signed agreement, taking the official cost of living as secured from the Department of Labor at that date, which would have been the figures we would have been obliged to use, the increased expense to the Government for wages would have amounted to $11,641,303 additional. These figures are beyond dispute as the figures of living costs which would have been presented by the Labor Department at the various adjustment periods were taken from official records and effect of changes consequently involved were computed by the statistical experts of the Navy Department.

Having thus made clear that there was a great saving in adopting this policy, I would be more than glad to specifically answer your questions.

The wage board, having finally determined to make its adjustment on the basis of the original agreement and entirely upon the cost of living, proceeded to apply the figures as to such cost of living and the existing rate of wages.

In applying the justified percentage of increase based on cost of living, the board took into consideration that subsequent to the original award under which the men had worked during the war. Congress, in the form of a bonus, had increased the wages of certain classes of employees to the extent of $240 per annum, and that in making such increase had inserted the following clause in the law:

"*Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees."

It seemed clear to the board that it must consider in making any increases that an increase of $240 a year in these cases had already been made, but must be considered a part of the total increase to be awarded by the board; and in naming a further amount to be awarded them, the $240 should be deducted from the figures arrived at. I think this will make clear that the $240 was considered as part of the justified increase awarded by this board.

The answer to your next question naturally follows. The effect of taking away the bonus is to reduce the wages of the employees by the amount of the bonus taken away from the sum ascertained by the wage board to be a proper current wage.

I would like to call attention to another situation which will arise when the bonus is taken away. There were some cases entitled to an increase, based on the cost of living, where the bonus did not apply. These men were undoubtedly entitled to the full amount of the increase found fair, and therefore have been awarded a greater increase than the others by an amount equivalent to the $240 bonus (which bonus they did not receive). If the bonus is taken away from those now entitled to it, it will leave the other employees receiving that much more than the men who came under the bonus provisions. In other words, the difference between the highest paid men and the regular mechanic will be increased by the amount of the bonus that you take from the mechanic. Of course, this is not a proper nor a fair method of reducing wages, as it does not equally apply to all employes, but only to those receiving the lowest wage.

In regards to the effect in any one trade of taking off the bonus can be best answered by the general statement that the removal of the bonus will reduce the wages, as found justified under the circumstances by the Wage Board, by an amount of $240 a year for all employees now entitled to it.

For confirmation of statements that I have made you in this letter I invite your attention to a statement made by Assistant Secretary Woodbury, which may be found on page 888 of the hearings before the subcommittee of House Committee on Appropriations, third session, Sixty-sixth Congress, on the legislative, executive, and judicial appropriation bill relating to the Navy Department, and particularly to the paragraph in this statement on page 890, which reads as follows in quoting the findings of the Wage Board:

"The board finds that the cost of living has increased since the period of the last wage adjustment 5 per cent more than the partial provision therefor provided by the congressional bonus."

Also to the paragraph on page 891:

"The readjustment in wages recommended by this board took full account of the congressional bonus, and as has previously been reported to you in the case of machinists, this bonus no longer can be considered entirely as a gratuity, as it has become an essential part of the wage necessarily granted by the Navy to fulfill its pledge to labor to readjust wages in accordance with the change in the cost of living."

I trust this letter fully answers your questions.

Yours, very truly,

LOUIS MCHENRY HOWE,
Civilian Member Navy Wage Board.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

Mr. CALDER. Mr. President, before the question is put, I desire to say, following what the Senator from Massachusetts [Mr. WALSH] has stated, that the men employed in the navy yards, naval stations, and arsenals of the United States will on July 1 receive a reduction in pay of $240 annually because of the contemplated action by this motion. Whether or not the Congress of the United States wishes to go on record as reducing the pay of its mechanics and laborers is the question involved in the vote we are about to take. I propose to vote against concurring in the House amendment, because I am not willing that this Congress shall reduce the pay of its workingmen without more complete and definite information on the subject.

Mr. UNDERWOOD. Mr. President, will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. I yield.

Mr. UNDERWOOD. As I understand the proposition that is now before the Senate, the committee has made a full and complete report except on one item.

Mr. WARREN. And we are reporting on that. This is a final report.

Mr. UNDERWOOD. And that item is the bonus to the naval employees?

Mr. WARREN. While it does not read that way, that is the fact of the matter; not that it affects them exactly, as my friend from New York has stated, however.

Mr. UNDERWOOD. As I understand the proposition, the Senate has twice insisted on the item; it has gone to the House, and the House has twice refused it?

Mr. WARREN. It has.

Mr. SMOOT. Absolutely, overwhelmingly.

Mr. UNDERWOOD. I want to say that I have supported this item both times when it was before the Senate; but we have only a few hours left of this Congress, and although we may be earnestly in favor of an item and believe in the justice of it, when you come to passing the bills that must run the Government there must be a limitation as to how far you can go; and I feel now that the Senate on this item, a minor item in the bill, has pressed its point to the extreme limit. If it could be accomplished, I should be glad to see it accomplished; but, as the House of Representatives has refused to yield, I feel that the bill should become a law, and I shall therefore vote to yield in the matter.

Mr. SMITH of South Carolina. Mr. President, I desire to ask the Senator in charge of the bill, if this item fails to become a law, if this provision in the bill is stricken out, what effect will it have upon the wages of the employees in the navy yards, as compared to other Government employees who get this bonus, as to the comparative amount that they get?

Mr. WARREN. The wage board fix the entire wages of these per diem men, and they will get their wages, which are based upon what the same line of service receives in trades of similar nature, so that they get the highest wages that are allowed for that class of work.

This difference of opinion arises out of overindulgence and generosity on the part of the Senate and as recommended to it by the committee, and I must say that it is a case of ingratitude with which I do not feel very well satisfied. At the beginning it was represented to us that when these various wage boards were in session they had not kept up with the rising wages, and that where the men had demanded perhaps a 15 or 20 per cent advance they had been accorded only a 10 or 15 per cent advance, and the statement was then made by a representative of those men that we ought to allow the bonus for one year to make up for this seeming inattention, or, as they felt, injustice upon the part of the wage boards. Now, that one-year bonus they have, and it ends on the 1st day of July, and it was so understood perfectly.

There is no reason to expect that the wage boards are undertaking to do injustice to these men. There is nothing that would indicate it. They hire the men, and the men accept their wages; but the point seems to be to work the wage board for what they are worth and then come to Congress, and upon misrepresentation—which, I am sorry to say, seems to have influenced my friend from New York—they undertake to have us pay an additional bonus of $240, which would carry them $240 a year above other employees of the Government. That is in the RECORD in the statement of the Assistant Secretary of War.

Mr. SMITH of South Carolina. Do I understand the Senator to say that in each class of employment in the navy yards the employees receive an amount similar to that paid for the same kind of work in private life?

Mr. WARREN. They receive, according to the Assistant Secretary of the Navy, more, and have been receiving more.

Mr. SMITH of South Carolina. I want to get at this: There must be, according to the statement of the Senator, then, a standard by which the wage board is governed, and it is not just a question of hiring these laborers at what they can get them at.

Mr. WARREN. Let me submit for the RECORD a quotation from the evidence of the Secretary of the Navy before the Appropriations Committee of the House—Mr. Woodbury—as follows:

HIGH WAGE SCALE OF THE NAVAL ESTABLISHMENT.

Mr. WOOD. Mr. Woodbury, I want to call your attention to a certain position taken by the Secretary on September 4, 1920, in a communication to all the chiefs of bureaus. Section 1 reads as follows:

"The labor wage adjustment board appointed to consider the question of a readjustment in the wages for employees under the Naval Establishment finds that the existing wage scale for the Naval Establishment is higher, the $240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information. The present wage scale of the shipbuilding industry is lower than that of the railroad industry. The difference between the navy-yard scale and the shipbuilding industry is practically the congressional bonus of $240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than $2,740 per annum."

Now, that is what has caused all this trouble, and this statement you have submitted does not cover that.

Mr. CURTIS. That statement is the entire history, and covers that point.

Mr. WARREN. There is, as I understand, an arrangement made between the employees and their employers that their wages are from time to time adjusted by this wage board.

Mr. SMOOT. They are adjusted, I will say to the Senator, by law, and the wage board gives them whatever are the rates prevailing outside, just as the Senator says. Whatever the outside industries are paying for similar work the wage board pays these men.

Mr. SMITH of South Carolina. Do I understand, by "similar wages outside," that the Senator means that they are paid for like work in the same community?

Mr. WARREN. Oh, now, I know the Senator does not want to heckle me; I do not care to go on with the discussion if it can be avoided, because of the pressure of the Navy appropriation bill now before the Senate.

Mr. SMITH of South Carolina. No; I am seeking information.

Mr. WARREN. My information is that which I have taken pains to ascertain during the time this matter has been under discussion, and before that time.

Mr. SMITH of South Carolina. I want the Senator to understand that I have received some communications in reference to this matter.

Mr. WARREN. Undoubtedly.

Mr. SMITH of South Carolina. And I want to vote intelligently on it. I have not gone into the matter. I thought that the employees of the navy yards would come under the bonus, just as the employees here in Washington did, and I wanted to know why they were denied the bonus while the employees of the Government here were given one.

Mr. WARREN. The employees of the Government employed in the same way do not receive the bonus. Other employees do not. We have various lump sums as to this bill and the others in which the wages are made by common understanding or by some wage board, and those are especially excepted from receiving these bonuses, which are the only additions that have been made to various employees—those of class 1, class 2, class 3, class 4, and so forth, and the other statutory places in our Government—and they are the only increases that that line of employment have received during the entire period of the war.

Mr. SMOOT. Last year was the first year that the bonus was given navy yard employees, and last year it was given for the very reason that the Senator from Wyoming has stated, with an absolute understanding and agreement that it would not be asked for this year.

Mr. SMITH of South Carolina. I should like to ask one other question, so that the RECORD may show it. How do the wages received by the employees in the navy yards compare with the wages received, plus the bonus of those employed by the Government here?

Mr. WARREN. As I have shown, the Assistant Secretary of the Navy, who has this particular matter in charge, testified before the committee of the House at considerable length that they were receiving at least $240 per year more than the same class of mechanics were receiving in any other line of industry.

Mr. SMITH of South Carolina. And this other class of mechanics got the bonus?

Mr. WARREN. They got the bonus this one year, as I say, to make up what was a fancied or real injustice to these men before.

Mr. WOLCOTT. Mr. President, will the Senator from Wyoming please repeat briefly what he stated with respect to the bonus allowed the employees in the Women's Bureau? I did not exactly understand how that matter had been disposed of.

Mr. WARREN. So far as the Women's Bureau is concerned, last year, if the Senator will remember, was the first year of the formation of that bureau, and we provided only $8,500 for it, $5,000 of which went to one woman who was in charge, and $3,500 to another as secretary. This year we appropriate in a lump sum $75,000 for that service, and out of that they make their own salaries, with certain maximums, which are that none of the employees shall receive more than $1,800, except those specified, and then they except the $5,000 and the $3,500 and the $2,000, and so forth, so that they are provided for in that way.

Mr. WOLCOTT. What was done with the bonus in the Children's Bureau?

Mr. SMOOT. That is the same as it is now. That is all right.

Mr. WOLCOTT. That is left undisturbed by the report?

Mr. WARREN. That does not appear at all, and it has not been disturbed in this legislation.

Mr. SMOOT. They are appropriated at statutory rates.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The bill is passed.

MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA.

The PRESIDING OFFICER. The Chair lays before the Senate a concurrent resolution from the House of Representatives, which will be read.

The concurrent resolution (H. Con. Res. 77) was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 10074) entitled "An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes," the Clerk of the House be, and he is hereby, authorized and directed to incorporate the following amendment:

On page 9, line 1 after the word "and" strike out the following: "(fuel,' approved August 10, 1917.)" and insert in lieu thereof the following: "fuel,' approved August 10, 1917, and to regulate rents in the District of Columbia."

Mr. KELLOGG. Mr. President, I ask unanimous consent that the concurrent resolution may be considered and agreed to. It is simply for the purpose of correcting the enrollment of a bill where a mistake was made in reciting the title of another act.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent for the present consideration of the House concurrent resolution which has just been read. Is there objection?

The concurrent resolution was considered by unanimous consent and agreed to.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. GRONNA. I submit a conference report on the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, and I ask that it may be read and considered.

The PRESIDING OFFICER. The Senator from North Dakota presents a conference report on the Agricultural appropriation bill, which is in order and which the Secretary will read.

The reading clerk read the report.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent for the present consideration of the conference report. Is there objection?

Mr. JONES of Washington. Mr. President, is it a full agreement?

Mr. GRONNA. It is a full agreement.

Mr. JONES of Washington. Did the Senate conferees recede on the seed provision?

Mr. GRONNA. I will say to the Senator from Washington that the Senator from Iowa [Mr. KENYON], who is a member of the conference committee, has not signed the conference report.

Mr. JONES of Washington. But the majority of the Senate conferees receded?

Mr. GRONNA. A majority of the Senate conferees receded from the amendment of the Senate striking out the provision.

Mr. JONES of Washington. I ask my colleague if he is willing for this conference report to come up for consideration? In view of the fact that the seed amendment was receded from by the Senate conferees, it is likely to take quite a bit of discussion.

Mr. POINDEXTER. I can not yield for that purpose. I had no objection to the presentation of the report.

The PRESIDING OFFICER. The Senator now is asking for present consideration.

Mr. POINDEXTER. I object to that.

Mr. GRONNA. Then I ask leave to withdraw the conference report.

The PRESIDING OFFICER. Without objection, leave will be granted.

Mr. KENYON. Does the Senator think it will take much time to dispose of the report? I want to discuss the seed proposition a moment or two; it is a matter of such tremendous importance to the people that they get the fake Government seeds.

Mr. GRONNA. I do not believe it will take very much time. I do not know of very many Senators who want to discuss the provision for the purchase and distribution of valuable seeds. I will say to the Senator that very reluctantly the Senate conferees agreed to recede, but the House has on two occasions by a record vote—and I might say the last time by an overwhelming vote—insisted that the so-called free-seed provision shall stay in the bill. So far as a majority of the Senate conferees are concerned, we did not feel that we wanted to defeat this legislation just because of that one item. There are only two items in dispute—the purchase and distribution of valuable seeds and the seed-grain proposition. I hope the Senator from Washington will let us go on at least for a few minutes with the conference report. I am very anxious to have it disposed of.

Mr. JONES of Washington. I know the Senator was opposed to the inclusion of that item in the bill. I appreciate the situa-

tion that confronted the conferees. I feel this way about it: This seed provision means an expenditure of five hundred thousand to a million dollars altogether.

Mr. GRONNA. Three hundred and fifty thousand dollars for the seeds and whatever the administrative work would cost.

Mr. JONES of Washington. That is what I mean. It will cost the Government from five hundred thousand to a million dollars, and I think we could well afford to save that amount by putting off the passage of the bill for about a month, because in the next Congress I am satisfied that the seed provision will go out and stay out. If we can save from five hundred thousand to a million dollars by postponing the passage of the bill for a month, I think we would be doing a mighty good service to the country.

Mr. UNDERWOOD. Mr. President, I have just been listening to what the Senator from Washington has said, and it carried me back to the days when he and I served in the House together. He is now predicting that if we defeat a great supply bill, and cut out the seed item, the House of Representatives will change its mind next April and change the complexion of the bill in the matter of seeds. I ask the Senator from Washington if, in the long years we served over there together, he ever heard of anything like that happening.

Mr. JONES of Washington. Yes; I think so.

Mr. UNDERWOOD. I would like to know the incident.

Mr. JONES of Washington. I do not believe we had a condition just like the one now since the Senator and I served there together. The House has been getting a little more against the free-seed distribution. I noticed, when the bill was up a short time ago, the House cut out the provision on one vote, but a short time after it was reinserted. But the next House will have 169 Republican majority, and that 169 majority is not going to retain seeds in the bill.

Mr. OVERMAN. They will all want seeds.

Mr. POINDEXTER. It is evident that this seed question is a very fertile subject of debate and will probably occupy the entire night. I regret very much to object, but I ask the Senator from North Dakota to withhold his application and let us proceed for a while this evening with the naval appropriation bill. I understand the Senator from Iowa [Mr. KENYON] desires to speak on the conference report.

Mr. KENYON. Does not the Senator from Washington think that the problem of getting these little seeds and these little packages to the people of the country is more important than any question of a navy?

Mr. POINDEXTER. Evidently that is the idea which underlies the whole thing. I ask for the regular order.

Mr. HEFLIN. Mr. President, surely the Senator from Washington [Mr. POINDEXTER] is not trying to take from the people the garden and field seed now being sent to them by the Government?

Mr. GRONNA. Mr. President, I have asked leave to withdraw the conference report.

The PRESIDING OFFICER. The Senator from North Dakota asks leave to withdraw the conference report on the Agricultural appropriation bill, and, without objection, leave is granted.

ASSISTANT CLERK TO COMMITTEE ON PUBLIC LANDS.

Mr. SMOOT submitted the following resolution (S. Res. 468), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Lands be, and it is hereby, authorized to employ an assistant clerk during the Sixty-seventh Congress at the rate of $2,000 per annum, to be paid out of the miscellaneous items of the contingent fund of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the following bills:

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River; and

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Senate to the bill (H. R. 11572) for the relief of the John E. Moore Co.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Senate to the bill (H. R. 12634) for the relief of Wilhelm Alexanderson.

The message also announced that the House agreed to the amendment of the Senate to the joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills:

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes;

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12045. An act to provide for the conveyance of lots on the low grounds of Washington, D. C.;

H. R. 12634. An act for the relief of Wilhelm Alexanderson; and

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1922, and for other purposes.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. WALSH of Montana. Mr. President——

Mr. BORAH. Mr. President, the Senator from Montana desires to address the Senate, I presume, upon an amendment which he has offered or proposes to offer. I would like to ask the Senator from New Jersey, in order to simplify the debate and to make progress as rapidly as we can, if he is not willing to modify his amendment so that it will read as it read when he first offered it, by striking out Italy and France?

Mr. EDGE. Mr. President, I am entirely ready to modify the amendment I offered, which we are now considering through unanimous consent, by striking out the words "France" and "Italy."

The PRESIDING OFFICER. The Senator from New Jersey modifies his amendment by striking out the words "France" and "Italy."

Mr. WALSH of Montana. Mr. President, I was absent from the Chamber when the particular matter under discussion assumed a status which entitled it to consideration. I ask the Chair what the question now before the Senate is?

The PRESIDING OFFICER. The Senate is proceeding by unanimous consent, heretofore agreed to, to consider the amendment of the Senator from New Jersey [Mr. EDGE].

Mr. WALSH of Montana. May the amendment of the Senator be read?

The PRESIDING OFFICER. Without objection, the Secretary will report the amendment of the Senator from New Jersey now under consideration.

The ASSISTANT SECRETARY. The Senator from New Jersey [Mr. EDGE] has offered the following amendment:

The President is authorized and requested, if not incompatible with the public interest, to invite the Governments of Great Britain, France, Italy, and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, France, Italy, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which conclusion is to be reported to their respective Governments for their approval.

Mr. WALSH of Montana. Mr. President, I offer the following amendment to the amendment just read.

The PRESIDING OFFICER. The Senator from Montana offers an amendment, which the Secretary will state.

Mr. FLETCHER. Mr. President, may I inquire whether the proposal of the Senator from New Jersey is offered as a substitute for that of the Senator from Idaho, or is it entirely independent of that?

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey is, in substance, the amendment printed at the instance of the Senator from Idaho, and which he announced it was his intention to offer. The Senator from New Jersey offered the pending amendment. The Secretary will now state the amendment offered by the Senator from Montana to the pending amendment.

The ASSISTANT SECRETARY. The Senator from Montana proposes to add, at the end of the amendment proposed by the Senator from New Jersey, the following words:

The President is further requested to express to the Council of the League of Nations the earnest desire of the Government of the United States to cooperate with the commission by the said council appointed charged with the formulation of plans looking to a general reduction of armaments, for submission to the several Governments for their

consideration and action, and that he be, and he hereby is, further requested promptly to designate with due authority representatives to sit with such commission in a consultative capacity pursuant to the invitation heretofore extended by the said council to the Government of the United States.

Mr. WALSH of Montana. Mr. President, it will be observed by those who have followed the discussion of the subject to which it relates that the amendment now offered by me is in substance the same as the resolution introduced by me on the 11th day of December last, four days before a resolution dealing with the same subject was offered by the Senator from Idaho [Mr. BORAH] in substance, as it was reported from the Committee on Foreign Relations, like the amendment now offered by the Senator from New Jersey [Mr. EDGE].

Mr. EDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. WALSH of Montana. I yield.

Mr. EDGE. I am not prepared to accept the addition offered by the Senator from Montana. I feel that it would greatly complicate an earnest desire on the part of many Senators to really obtain action.

Mr. WALSH of Montana. It had not occurred to me to ask the Senator to make my amendment part of his own.

Mr. EDGE. If the Senator desires of course to discuss his amendment, I have nothing further to say at this time.

Mr. WALSH of Montana. I appreciate, as has been expressed here, that the League of Nations is not in very high favor upon the other side of the Chamber, and if any of the Members should be indisposed to vote in favor of a conference on general disarmament assembled on its initiative and should therefore vote against the amendment which I have tendered, I shall offer such another opportunity, should it be rejected, by tendering an equivalent of the following resolution reported favorably by the House Committee on Foreign Affairs some 10 days ago, namely:

That the President be, and he is hereby, authorized and empowered at his discretion to invite the Governments of all nations to send accredited delegates to an international convention to be held in the United States to consider ways and means of bringing about joint disarmament.

I desire to submit some observations on the general subject of the several resolutions.

I am sure it will be wholly unnecessary to address to the United States Senate, as it ought to be to any audience in America, any argument on the desirability of a substantial reduction of armaments and of an agreement among the leading nations at least to that end. We are told, with reasonable accuracy, I dare say, that the countries ranked as civilized are spending $8,000,000,000 annually on their military and naval establishments and are maintaining armies aggregating 2,000,000 men. If the one-half that stupendous sum were saved—and more would be were the forces maintained in anticipation of international war disbanded, as urged by Gen. Bliss—there were no need to call upon the charity of our generous people to save three and a half million children in the war-torn areas of Europe and Asia from starvation. If the one-half that sum were devoted to the rehabilitation of industry and business ruined by the war, there would be no economic crisis to tax the ingenuity of statesmen or the talents of financiers to ward off world-wide commercial paralysis, unemployment, and want. We have been counseling Europe to go to work. If that is the appropriate remedy for her ills, she could recover fast by releasing 1,000,000 men now under arms without any occasion whatever, except for aggressive warfare or to meet aggressive warfare on the part of some other nation similarly armed. France, with a population of 40,000,000, is now maintaining an army of 800,000 men, the while she is staggering under a national debt of over $40,000,000,000; while our country, with a population of nearly 110,000,000, is restive under the burden of supporting its land forces, now numbering less than one-third that number—238,000 men, to be exact.

You were reminded by the public press some months ago that 93 per cent of the enormous sum wrung from the American people as Federal taxes for the year ending June 30, 1920, aggregating approximately $5,000,000,000, went to pay either for the cost or obligations of past wars or to prepare for future wars. But for war costs the revenue derived from tobacco and cigars alone would have taken care of the total expenditures of the Government for the past 10 years. Approximately $1,500,000,000 is the modest sum estimated as necessary by the departments involved for the Army and the Navy for next year, and the pending appropriation bills for these two branches of the service carry almost $900,000,000.

I refrain from further comment on the folly, not to say the crime, of the policy of competitive armaments, and address myself to the more practical question of how to accomplish reduction. As to our Army, we may safely reduce without awaiting action by any other nation or making our action dependent upon that of any other nation, and we may safely reduce to a figure as low as would be proposed in any plan that might be devised pursuant to international agreement.

A force of 280,000 men is now authorized by law and recruiting to the limit is urged by the Secretary of War under the counsel, presumably, of his military advisers. Action has already been taken under which a reduction to 175,000 will be made, and it is not improbable that the number may be limited to not more than 150,000, a course which commands strong support in both Houses of Congress. Though 42,000 men are now serving outside of continental United States, 15,000 of whom are in Germany, we should still have an Army greater than we had in 1916 when it approximated 100,000, including all men in the service beyond seas. I know of no such change in conditions as to render it either necessary or expedient to maintain any greater force than 150,000 in the aggregate.

If the radical cut proposed is made, as seems likely, a reduction in our Army of almost 50 per cent will have been accomplished, a most salutary example to the impoverished nations of Europe that still persist in being armed to the teeth while we are solicited almost daily to relieve the distress of their citizens and subjects rendered destitute or made helpless by the war. Such a course would be a further and more emphatic assurance of good faith on our part in connection with any movement looking to an international agreement for a general reduction of armaments. To that end there are now pending before the Senate two resolutions—the one introduced by myself on December 11, 1920, the other by Senator BORAH three days later. They are as follows:

Whereas pursuant to article 8 of the covenant of the League of Nations, wherein it is recited that "the members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations," the council of the league has appointed a commission with authority to formulate plans for such reduction, to be, when approved by the said council, submitted for the consideration and action of the several Governments; and

Whereas it is reported that the said commission labors under some embarrassment in its work by reason of the fact that the United States is not represented either on the said commission or the said council; and

Whereas the people of the United States have long hoped for some international agreement for the reduction of armaments, not only to preserve peace but that the labor of the world may not be unnecessarily burdened with the ever-mounting cost of maintaining armed forces in accordance with the policy of the powers in the past; and

Whereas the said council of the League of Nations has addressed to the President of the United States a communication inviting it to designate a representative to sit with such commission in a consultative capacity during the study by the commission of the question of the reduction of armaments: Now, therefore, be it

Resolved, etc., That the President be, and he hereby is, requested to express to the council of the League of Nations the earnest desire of the Government of the United States to cooperate with the commission so by the said council appointed and with the said council in the formulation of plans looking to a general reduction of armaments, for submission to the several Governments for their consideration and action, and that he be, and he hereby is, further requested promptly to designate, with due authority, such representative.

Whereas a representative and official of the Japanese Government has advised the world that the Japanese Government could not consent even to consider a program of disarmament on account of the naval building program of the United States; and

Whereas by this statement the world is informed and expected to believe that Japan sincerely desires to support a program of disarmament, but can not in safety to herself do so on account of the attitude and building program of this Government; and

Whereas the only navies whose size and efficiency requires consideration on the part of this Government in determining the question of the size of our Navy are those of Great Britain and of Japan, two Governments long associated by an alliance; and

Whereas the United States is now and has ever been in favor of a practical program of disarmament: Now, therefore, be it

Resolved, etc., That the President of the United States is requested, if not incompatible with the public interests, to advise the Governments of Great Britain and Japan, respectively, that this Government will at once take up directly with their Governments and without waiting upon the action of any other nation the question of disarmament, with a view of quickly coming to an understanding by which the building naval programs of each of said Governments, to wit, that of Great Britain, Japan, and the United States, shall be reduced annually during the next five years 50 per cent of the present estimates or figures.

Second, that it is the sense of the Congress, in case such an understanding can be had, that it will conform its appropriation and building plans to such agreement.

Resolved further, That this proposition is suggested by the Congress of the United States to accomplish immediately a substantial reduction of the naval armaments of the world.

The resolution last above recited was recommended by the Committee on Foreign Relations in the following form:

That the President of the United States is requested, if not incompatible with the public interests, to advise the Governments of Great Britain and Japan, respectively, that this Government will at once take up directly with their Governments and without waiting upon the action of any other nation the question of naval disarmament, with a view of promptly entering into a treaty by which the naval building programs of each of said Governments, to wit, that of Great

Britain, Japan, and the United States, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon.

SEC. 2. That this proposition is suggested by the Congress of the United States to accomplish immediately a substantial reduction of the naval armaments of the world.

These resolutions paraphrased have become the pending amendment by the Senator from New Jersey and the proposed amendment thereto offered by myself as follows, respectively:

THE EDGE AMENDMENT.

The President is authorized and requested, if not incompatible with the public interest, to invite the Governments of Great Britain and Japan to send representatives to a conference which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which conclusion is to be reported to their respective Governments.

THE WALSH AMENDMENT.

The President is further requested to express to the council of the League of Nations the earnest desire of the Government of the United States to cooperate with the commission by the said council appointed charged with the formulation of plans looking to a general reduction of armaments, for submission to the several Governments for their consideration and action, and that he be, and he hereby is, further requested promptly to designate with due authority representatives to sit with such commission in a consultative capacity pursuant to the invitation heretofore extended by the said council to the Government of the United States.

It will be noticed that the Borah resolution looks to an agreement affecting naval strength alone, while the other contemplates a reduction in both the land and naval forces of the several Governments. Moreover, the Borah resolution contemplates retrenchment only in the building program—not in the total expenditures on the navies of the countries named.

That the nature and scope of the resolution introduced by me may be the better understood, let me remind you that by article 8 of the Covenant of the League of Nations the Council is charged with the duty of formulating plans for the reduction of national armaments for the consideration and action of the several Governments, and that it, at its meeting in the month of May last, charged the permanent advisory commission on military, naval, and air questions, appointed by it, as provided in article 9, with the preparation of such plans for its consideration in much the same way as it appointed the commission on which Senator Root served to prepare a plan for a world court. This commission consists of three representatives from each of the eight nations represented on the Council—Great Britain, France, Italy, Japan, Greece, Spain, Belgium, and Brazil—one of whom is a military officer, one a naval officer, and one an air-service officer, except, however, that Brazil is represented by but one negotiator who speaks for all three branches of the service.

Now, though this commission was appointed by the Council of the League of Nations nominally, the members were undoubtedly nominated and in effect appointed by the Governments of the countries from which they respectively come and whose interests it must be plainly understood they represent.

I wish to impress upon you that they must be regarded as much the representatives of their respective Governments as though they had been appointed directly by such Governments, pursuant to some international agreement, to undertake the task with which they are charged. They look to their Governments, respectively, for instructions and not to the Council of the League, or any member of it, except as he may be the conduit through which the wishes and policies of the home Government are conveyed.

This commission, proceeding with its work, was embarrassed by reason of the fact that the United States was not represented. Obviously any plan for a general reduction must embrace this country, and it was quite likely deemed that a plan would have small chance of acceptance by this country in the formulation of which its representatives had had no part, and it was equally obvious that at least some of the nations participating would not and could not agree to any plan which did not contemplate a corresponding reduction in our national armament. Reporting its difficulties to the Council, the president thereof, at its direction, sent a message to President Wilson requesting that our Government send representatives to sit with the commission in a consultative capacity during its consideration of the subject with which it had been specially charged. This message is interesting enough to justify its being read in full. [It was read from the desk, and is as follows:]

The council of the League of Nations, acting on a unanimous recommendation of the permanent military, naval, and air commission of the league, passed at its meeting in Geneva on November 25, invites the Government of the United States to name representatives to sit on that commission in a consultative capacity during the study by the commission of the question of the reduction of armaments, a study which the council has requested the commission to undertake forthwith.

The permanent advisory commission was constituted by the council of the league at its meeting in Rome last May and held its first session at San Sebastian in August. The commission is at present composed of military, naval, and aerial officers of States represented on the council of the league. Its decisions are purely advisory and not in any sense binding, but they represent the common technical judgment of the experts of many countries.

It would, of course, be perfectly understood that the presence of the representatives of the United States would in no way commit the American Government to whatever opinions may be finally put forward in the report of the commission. Nor indeed can that report itself be more than a basis for the consideration by the members of the league of the measures of reductions in armaments which united action may enable them to achieve. Nevertheless, just as in the case of the financial conference at Brussels the presence of an American representative, whose function was only that of giving and receiving information, was an important factor in the success of the work of the conference, so it can not be doubted that the general consideration of the subject of the reduction of armaments will be greatly facilitated if the Government of the United States can see its way to be represented in a similar manner at the meetings of the permanent advisory commission.

The problem is one to which public opinion in all countries attaches the highest importance.

It is unnecessary to point out that the reduction of armaments is essential for the well-being of the world, and that unless some measures of relief can be found by international cooperation for the excessive taxation due to armaments the general economic situation must become increasingly worse.

The council in extending this invitation can not but hope that the Government of the United States, particularly in view of the attitude of America toward the question of the competition in armaments, will not refuse to associate itself with the Governments of the members of the league in beginning the preliminary work necessary for ultimate success and to lend to the present effort an assistance which can in no way encroach upon its own perfect liberty of action.

It was received December 1, 1920. Four days later the President replied declining the invitation thus extended, through the following brief note [read from the desk]:

I have the honor to acknowledge the receipt of your cablegram of December 1 inviting the Government of the United States to name representatives to sit with the military, naval, and air commissions of the league in a consultative capacity during the discussion by the commission on the reduction of armaments, the consideration of which is to be undertaken by it forthwith at the request and on behalf of the council.

The Government of the United States is most sympathetic with any sincere effort to evolve a constructive plan for disarmament, which is necessary for the economic rehabilitation, peace, and stability of the world. The President of the United States is deeply interested in this question and is most desirous of cooperating to this end, but as the Government of the United States is not a member of the league he does not feel justified in appointing a commission to take even a de facto participation in the deliberations of the council or of the commission acting on behalf of the council in the execution of provisions in the covenant of the League of Nations.

I remind you that the communication from the Council necessarily implied that the United States was not a member of the League—the invitation came as to a nation outside the League. Had the United States been a member, no invitation would have been necessary, none would have been sent. It has always seemed to me that to decline upon the ground that the United States is not a member of the league, or that not being a member of the league it does not feel justified in sending representatives to sit with the commission appointed by the Council of the League to frame a plan, is to offer no reason at all for declining to join in this apparently bona fide attempt to solve the difficult problem of world disarmament. The reason assigned, if, indeed, it might be called a reason, is so insubstantial as readily to excite the suspicion that our Government does not care to disarm or to enter into any agreement to that end, because it entertains imperialistic designs attainable only through an incomparable military organization. I confess that this probability gave me no little concern and I must admit some surprise that it did not arouse more apprehension throughout the country.

Ever since 1899 we have been cherishing the belief that the well-meant efforts of the Czar in respect to disarmament in connection with the first Hague Conference were balked by Germany, wedded to the policy of "blood and iron," which eventually brought her to grief. Apprehensive that popular opinion in the peace-loving nations would raise us to the evil eminence heretofore occupied by Germany touching disarmament, and that history would confirm the impression to which our conduct had given rise, I introduced the resolution which you have heard read. It is to be regretted that the President did not see fit to transmit the invitation promptly upon its receipt to the Congress or to the Senate for its advice, or at least attempt in some informal manner to ascertain the temper of the representatives of the people with reference to it, a course which the result of the late election might reasonably have impelled him to take.

Let us now contrast these two proposals, representing the efforts on which it is proposed our Government shall embark with a view to secure relief from the frightful burden of world armament.

The Borah resolution, as heretofore stated, deals only with expenditures in connection with navies, the other with all branches of the military service.

The bulk of the burden of national armaments originates in the land, not in the naval forces. The nations least able to bear the burden are those that maintain or attempt to maintain relatively huge, if not disproportionate, armies. The danger to the peace of the world from a great army is obviously more imminent than from a navy, however formidable. Fortifications can not serve the purpose of offense, or only feebly serve, as observed by Gen. Bliss, and navies that can at best only hover about the coast are somewhat similarly limited.

No great conquest was ever achieved by a navy, though it may serve as a useful auxiliary to an invading army. Concerned, as we are, about the peace of the world as the ultimate to be attained and the reduction of the frightful cost of the prevailing system of alleged national defense as the immediate end to be achieved, we can not be content with accomplishing a reduction in naval expenditures. It is popularly believed that the huge estimates for purposes of war upon which Congress is asked to make appropriations for the ensuing year attain the startling magnitude which characterize them because of extraordinary expenditures contemplated in connection with our naval building program; but despite the fact that they are large—the estimate for the Army still outruns that for the Navy by over $20,000,000—the current estimate for the Army exceeds the appropriation made last year by 75 per cent, while the estimate for the Navy exceeds the last appropriation by but 57 per cent. Moreover, the Navy building program calls for but $184,000,000, of the total of $679,000,000 asked for the Navy. The total carried in the pending bill as reported by the committee is $496,519,935.97, of which $105,000,000 is for new construction, $90,000,000 toward carrying out the 1916 building program, and $15,000,000 toward the new airplane carriers.

This brings me to the question of the reduction in our war expenditures to be accomplished by the Borah resolution or the pending amendment offered by the Senator from New Jersey. Bear in mind, the former, as introduced, does not contemplate a 50 per cent cut in the expenditures for the Navy but a 50 per cent cut of the building program. If the international conference should be held as proposed and the appropriate agreement entered into and the cut accomplished, a saving would be effected, assuming that the entire amount recommended by the committee should be voted, of not to exceed $52,500,000, or about 6 per cent of our total expenditures for or on account of our Army and Navy, assuming the pending appropriation bills pass, an inconsequential sum, less by $60,000,000 than has been saved by our own voluntary action in reducing the Army from 280,000 to 175,000 men. Well might the overburdened taxpayer groan, "The mountain labored and brought forth a mouse."

It seems scarcely of sufficient importance to warrant the calling of an international conference, for, bear in mind, competitive building would not be eliminated, but the expense of it merely curtailed. It is by no means an improbability that such a proffer upon our part would be rejected for that reason while an exposition of the actual figures in the diplomatic exchanges might subject us to the inference of having proposed, to save our faces, a reduction too inconsequential to be taken seriously after having rejected an invitation on no valid ground to participate in an effort to accomplish a general and substantial reduction.

Neither is it unlikely that such a proposal would be rejected for other reasons felt or feigned. It is maintained on behalf of some nations strong on the seas, that disarmament must go on simultaneously in both of the main branches of the military service—that a nation which relies for its prestige and its defense mainly on its ships can not disarm while a neighbor, powerful in its land forces, maintains an inordinately large army. Though Great Britain took heed of Germany's attempt to rival her naval establishment, she did not look with unconcern on the dominating influence of the Kaiser in the affairs of Europe arising from the gigantic and efficient army he commanded, or on the possibility of realizing through it on the "Berlin to Bagdad" dream.

I can not attach to that rivalry the importance as a factor in the bringing on the Great War that is assigned to it by the able and eloquent Senator from Idaho, though through it the strained relations between the two nations concerned grew more tense. Germany believed that England would not enter the war; indeed, claimed that English statesmen had given assurances of Britain's purpose to remain neutral, and that she was thus guilelessly tricked. It was in the great army which she had developed that her confidence rested, believing that by one fell stroke she could annihilate France, then deal leisurely with Russia, and make herself master of Europe. It was because Germany had what she believed to be an irresistible army that she leveled her lance at civilization.

When President Wilson in his letter to Senator HITCHCOCK referred to certain European powers in which the militaristic and imperialistic spirit was recrudescent, if not in full flower, French statesmen, with the sensitiveness that attends a guilty conscience, hastened with marked asperity to exculpate their country from the charge. Considering the opportunities for controversy between France and Great Britain over territory in Asia, now occupied by them in the domain over which the Turk formerly held sway, the present mistress of the seas may be pardoned if she is unwilling to abate to any substantial degree her navy unless France is limited in the land forces she may maintain. If she advanced in general terms such a reason for declining to enter upon the naval holiday proposed, who could assert that she was not acting in entire good faith? If she does not desire to disarm, as is stoutly asserted, meaning, of course, to reduce her naval establishment, we afford her an easy opportunity to evade the issue by tendering her such a proposal as the Borah resolution contemplates. And both she and Japan might diplomatically reply that they are already participants in a plan to reduce armaments generally through the Council of the League of Nations in a way and to an extent that would, if successful, really give relief to the world, and that they could not in good faith toward the other nations associated with them in that effort enter into a new and independent negotiation on the subject in which such other associated nations were not participants. In short, we run the risk of being met with a declination of an invitation extended pursuant to the Borah resolution, involving the chance of a widespread suspicion with respect to our good faith in extending it, intensifying and aggravating the unfavorable impression that must have been made by President Wilson's inconsiderate action on the request of the Council of the League, transmitted through President Hymans.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. WALSH of Montana. I yield.

Mr. HITCHCOCK. I have been reading the Senator's proposed amendment and I notice that it provides for the sending of American delegates to act in a consultative capacity. Will the Senator outline what he means by that? What would be the difference between the status of our delegates and the delegates of other nations? Would they be on a par? Would they have any more or less power than the delegates from other countries?

Mr. WALSH of Montana. There could be no question of power in the matter. The other delegates are appointed by the Council. They are the officers of the Council charged by it with the duty of preparing this plan. Obviously representatives from the United States would be on a somewhat different footing. They would not be responsible to the Council at all. They would simply sit in with the commission thus appointed by the Council, consulting with them concerning the preparation of a plan to be submitted to the Council.

Mr. HITCHCOCK. I understood the Senator to say that the commission would not report to the Council, but that the result of their deliberations would be reported to the various Governments.

Mr. WALSH of Montana. No; the Senator evidently misunderstood me. I said that their instructions would undoubtedly come directly from the various Governments, but of course if they succeeded in devising a plan, that plan would undoubtedly be reported to the Council of the League, and then the Council of the League, if it approved the plan, would submit it to the various Governments for their consideration.

Mr. HITCHCOCK. That is, submit the plan to the forty-odd Governments that are members of the league?

Mr. WALSH of Montana. Exactly.

Mr. HITCHCOCK. That, of course, would involve a considerable delay. Does not the Senator see that much more immediate results could be obtained by means of the simple proposition of bringing the three great naval powers of the world together for immediate action, and is not something to be gained by taking an immediate step, even if it is not so large a step?

Mr. WALSH of Montana. The Senator will understand that my amendment is offered as a supplement to the amendment offered by the Senator from New Jersey, and not as a substitute for it. I am perfectly agreeable to the idea that pending the disposition of the larger question, those three nations should attempt to agree upon a limitation of naval armament. Such a course would be quite in keeping with the general plan, and thus the two need not be antagonistic at all. They could both be carried out harmoniously.

Mr. HITCHCOCK. I have another question that I would like to have the Senator elucidate. If the commission is able to agree upon a plan of general disarmament, that plan is submitted to the various Governments.

Mr. WALSH of Montana. Yes.

Mr. HITCHCOCK. If it is approved by those Governments, they agree that they will not thereafter change that plan with-

out the consent of the Council. Now, does the Senator believe that the United States, not being a member of the Council because not a member of the League, would ever enter into such an agreement?

Mr. WALSH of Montana. I do not take that view at all. The United States is bound by no provision of the Covenant of the League, not having ratified the treaty, and would not be bound by the provision to which the Senator refers. The plan would really amount to a draft of a treaty, and would be a treaty which would have to be ratified by the United States Senate to be obligatory on us. Our obligations would be such only as would be set out in the treaty.

Mr. HITCHCOCK. But the Senator has just said that this commission is not appointed by the Government, that it is the creature of the Council, that it reports to the Council, and therefore we must follow the language of the Covenant of the League in ascertaining what is then the result. In article 8 I find this paragraph, which is of course familiar to the Senator:

> After these plans shall have been adopted by the several Governments the limits of armament therein fixed shall not be exceeded without the concurrence of the council.

If this is a creature of the Council that the Senator proposes the United States to sit in with, as he expresses it, then naturally the proceedings must follow the line laid down in the Covenant of the League, and whatever plan is adopted must remain fixed and can not be changed by any Government agreeing to it without the consent of the council.

Mr. WALSH of Montana. I shall make no attempt to dispossess the Senator from Nebraska of that idea, but I am perfectly clear that no such result would follow, because that provision of the Covenant of the League of Nations could bind no nation except a nation which had subscribed to it, and this country has not subscribed to that provision or any provision of the Covenant of the League.

Mr. BORAH. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from Idaho.

Mr. BORAH. It seems to me, however, that while theoretically the Senator from Montana is correct in his proposition, the Senator from Nebraska would be correct for this reason, that the members of the League of Nations would be bound by the 10-year proposition; and, of course, they would not make a contract to enter into an agreement or program which did not bind any of the other nations to that 10-year proposition if they had to go in for 10 years.

Mr. WALSH of Montana. Undoubtedly it would have to be the subject of provision in the plan. The United States might or might not be willing to bind itself for 10 years. That would be an essential feature of the plan. The United States might be willing to bind itself for five years. If the other nations could not consistently with the provisions of the Covenant bind themselves to less than 10 years, it would then be impossible for them to agree upon the plan. That would be all there would be to that.

The United States would be bound only by such provisions as were incorporated in the treaty which it ratified, if it ever did ratify the plan thus proposed.

There is, however, a stronger reason than any yet urged why the Borah resolution in the form in which it was introduced should not be passed. It proposes that the naval building programs of the United States, Great Britain, and Japan be cut 50 per cent. The present building program of the United States is exceedingly ambitious, while that of Great Britain is most modest. If each country should continue its present program without modification our Navy would surpass that of Great Britain by 1924, if not by 1923. We should, for instance, by that time have 27 battleships of the first line to her 26. We are building 11 such ships; she is building 9. We are building 6 battle cruisers and 10 light cruisers; she is building 1 light cruiser; we are building 35 destroyers, she 11; we shall construct 41 submarines, she 18. Obviously to cut the building program of the three nations mentioned would prolong, if it did not perpetuate, Great Britain's mastery of the seas. From time to time the suggestion is made that there should be a proportionate reduction of the navies of the great maritime nations. Manifestly such a course would have a similar culmination, and the advocacy of it leaves the uncomfortable impression that it is advanced with that end in view rather than to promote peace and to curtail expenditures for naval purposes.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. WALSH of Montana. I yield.

Mr. HITCHCOCK. What different result would be obtained by a conference such as the Senator from Montana suggests with all the nations of the world? Would not that same situation result?

Mr. WALSH of Montana. No; a conference with all the nations in the world would take into consideration the entire strength of each—not only ships that are building, but those which have been built. It would take into consideration the relative situation of all the nations; and a reduction accordingly could be made, and the due relative strength of each be established. It need not necessarily, as would this plan, preserve the superiority of the navy of Great Britain.

It need not be said that I know neither the Senator from Idaho nor the Senator from New Jersey harbors any such purpose, but the boast that "Britannia rules the waves" finds an echo, strangely enough, in some American breasts. Some exult in it from a weakened national spirit, others unreflectingly. "The English Navy saved civilization in the Great War," say these apologists for British supremacy on the seas. Though they saw only as through a glass darkly at its outset, the real significance of the war and the consequences of the triumph of Germany, our people were overwhelmingly friendly to the cause of the Allies from the first and were disposed to endure patiently the manifold violations of our rights as neutrals by the British Admiralty against which our Government made repeated protests. International law as to the rights of neutrals on the high seas, even as it had been worked out by English courts, ceased to exist. A learned Italian writer late in 1914, in a communication breathing the most friendly spirit toward Britain, wrote that "Strictly speaking, no foreign vessel can leave a port without England's consent." It so happened that we were sympathetic with Great Britain in the late war as against the Central Empires. We may be moved by sentiment and interest to incline to her enemies in the next, or be wholly indifferent as to the outcome. In any case, we can not look with equanimity on her supremacy over us as a naval power, now that the United States is the only nation that is singly in her class in a military sense, however we may be gratified or content that she surpasses all the other nations. If it be true that she saved civilization in the late war, through her incomparable navy, it is equally true that she will never save civilization by overpowering the Navy of the United States. I have no sympathy with the view expressed in an editorial in a late number of the New Republic, that we should have a Navy greater than that of Japan, but second to that of Great Britain. If any nation must rule the seas, that nation should be the United States, which covets no new territory, seeks no commercial advantages, exacts no monopolistic concessions, whose "policy is the open door."

Moreover, Mr. President, a fact that must not be overlooked is that in addition to our great coast line upon the Atlantic and the Pacific, our interests demand, our people insist, that we maintain the Monroe doctrine, which requires us to defend all of Central and South America upon both oceans. Our coast line in that sense extends from the Gulf of St. Lawrence around Cape Horn and up to Puget Sound, with some thousands of miles more contributed by Alaska, rivaling, if it does not exceed, that of Great Britain and her colonial dependencies.

But if there are specific objections to or if there are any prejudices even against the amendment which I have tendered, what can be said in opposition to an amendment in substance like that which had the approval of the Committee on Foreign Affairs of the House of Representatives, praying that the President, as is provided in the act of 1916, shall ask the nations of the earth to enter a conference for the purpose of devising a plan for general disarmament? The Senator from Idaho urges that it is useless to take that course, because France has served notice that she will not disarm. Mr. President, we can not take the statement of some particular French statesman made at Geneva in respect to what France will do or what France will not do. She joined officially in the invitation which came to us to participate in the movement already inaugurated. Unanimity being required, she must have concurred through her representative on the Council in authorizing the commission to prepare a plan and in the resolution to invite the United States to join. I undertake to say if any kind of a report reasonable in its character came back to the United States from such a commission, we being represented, which proposed a general reduction in armaments in which due regard to our rights and needs was exhibited, operating to save the people of this country, as it might readily save them, $500,000,000 a year, no political party would dare take the responsibility of rejecting the plan.

The total appropriations, as I said in opening this discussion, for the Army and the Navy for the present year amount to $859,000,000, or within $150,000,000 of a billion dollars. Save half of that to the people of the United States, and we would have saved approximately $500,000,000. Make the same proposal to the people of France. If France had an opportunity under

such a proposition submitted to her people to save an equal amount, what would the tax-burdened people of that country say? France is to-day expending a sum equal, under the ordinary rate of exchange, to at least $1,000,000,000 for the support of her army alone, not to speak of the cost of her navy.

Italy, with a national debt almost equal to her total wealth, has in the field an army of 350,000 men. Put up to the people of impoverished Italy the prospect of saving one-half of the amount which is required to maintain their military establishment, and what will the answer be?

But, Mr. President, if it is true that in the face of these conditions France will decline to enter into a conference, will decline to agree to a reasonable reduction when the opportunity is before her, let France face the odium of the world for perpetuating the present unbearable conditions.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH of Montana. I do.

Mr. OWEN. May I be permitted to remind the Senator that at The Hague conventions in 1899 and in 1907 all the nations of the world there assembled except the Teutonic allies were ready to agree to disarmament.

Mr. WALSH of Montana. Exactly; and that is the question which will address itself to every nation to which this invitation is tendered: "Are you willing to assume the place that Germany occupied in 1899, when she was invited to join in an international agreement to limit or reduce armaments, and declined, while the invitation was accepted by every one of the other great powers of the earth?"

Mr. President, it is a matter of entire indifference to me which of these amendments offered as supplementary to that of the Senator from New Jersey shall be adopted; but, I pray you, do not content yourselves with an amendment such as that offered by the Senator from New Jersey [Mr. EDGE]. In the first place, if it were successful the economy that would be effected, the saving that would result, would be an inconsequential amount. In the second place, so inconsequential is it that in all probability the invitation would be declined, and thus the evil impression which must have been created throughout the world by the declination by the President of M. Hymans's invitation would be accentuated.

Mr. President, if when I introduced this resolution it had been promptly acted upon and approved by the Senate, the representatives would have been appointed, if he had yielded to the request, by President Wilson. Time flies and it is no longer to be contemplated that he will or can select them. If this amendment should express the views of the Congress or of the Senate, the negotiators for our Government will be appointed by the incoming President. I am as earnestly in favor of this amendment as I was the day the resolution out of which it came was introduced. I am no less ardent in its support that the representatives of our country are to be appointed by President Harding rather than by President Wilson, confident that either of them charged with the duty would act in the premises only as a patriotic American citizen. I trust that none of the controversies and animosities of the past concerning the League of Nations will operate upon the mind of any Senator so as to cause him to decline to give his assent to joining in the movement already inaugurated; but, if they should, I trust, at least, that the Senate will give its approval to an amendment in substance like the resolution which has already received the approbation of the House committee.

Mr. FLETCHER. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield to the Senator.

Mr. FLETCHER. I desire to make this inquiry: The Senator has several times alluded in his splendid address to our present naval program. Do I understand the Senator to mean the program decided on in 1916?

Mr. WALSH of Montana. I mean the program decided upon in 1916, as modified by the bill which is before us. We are asked by the pending bill to make an appropriation of $90,000,000 toward the building program of 1916. That contemplates expenditures each year until it is completed, and for the ensuing year we are asked to provide funds to the amount of $90,000,000. Now it is proposed—and that meets my entire approval—that we shall also authorize the construction of two airplane carriers, each to cost $26,000,000, in the aggregate, $52,000,000, and toward that expenditure $15,000,000 more is appropriated by the present bill, making an aggregate appropriation for the building program for the present year of $105,000,000, one-half of that or some fractional part of that being the total saving that can be effected by this international conference which is proposed.

Mr. EDGE. Mr. President, I wish to speak very briefly in reply to the Senator from Montana [Mr. WALSH] and in support of the amendment that I have introduced.

No great reform—a reform which contemplates practically the curtailment of the great physical power of nations—can be accomplished overnight. I take it from the argument of the Senator from Montana that he is in sympathy with this general movement and this desire for international disarmament if it can be accomplished with safety, and I can not conceive, therefore, why he would confuse an earnest effort to accomplish something positive in this direction.

He confuses it by suggesting that we recognize machinery of which we are absolutely no part, the League of Nations; and if I can correctly interpret the verdict of the men and women of this great country as recorded last November, they do not seem to be very anxious that we should ever be a part of the League of Nations. He suggests, through his amendment to the amendment that I have offered, that we confuse this great opportunity by participating in machinery of which, as I said, we form no part, and thus practically put the entire movement in a chaotic condition, with no possible chance for practical results.

We could not, in my judgment, adopt that amendment and proceed practically under the conditions which have already been partially brought out by the Senator from Nebraska [Mr. HITCHCOCK]. It would absolutely result in no positive, affirmative action.

On the other hand, the amendment as offered by the Senator from Idaho [Mr. BORAH], somewhat modified and reoffered by myself, is, I believe, a practical effort to secure the viewpoint of accredited representatives from the three great maritime powers of the world on the subject of a gradual reduction of naval programs consistent with national safety and to report back to their respective countries and to endeavor to mold a public sentiment which will thus in time save billions in taxes, proceeding in a logical way in an endeavor to accomplish something concrete.

The idea of friends of the movement confusing it to such an extent as to make results impossible appeals to me as being very unfortunate, to say the least. So I feel that if we are earnest in endeavoring to ascertain whether it is practical to bring about some type of international disarmament we can only proceed at this time as far as provided under that amendment. If we take the initiative in that way, and that is concurred in by the great countries of Japan and Great Britain, there will be an accredited convention or conference of the representatives of these nations, from which may be evolved something really tangible, affirmative, and worth while.

So I sincerely hope that the amendment to the amendment will not meet with the approval of the Senate.

Mr. WALSH of Montana. Mr. President, in order to meet some objections to the form of the amendment offered, I ask leave to withdraw it, and offer the amendment which I send to the desk as a substitute for it.

The PRESIDING OFFICER. The Senator from Montana withdraws the amendment that he heretofore offered, and submits in lieu of it the amendment which will be stated by the Secretary.

The Assistant Secretary read as follows:

That the President be, and he is hereby, authorized, empowered, and requested, at his discretion, to invite the Governments of the leading nations to send accredited delegates to an international convention, to be held in the United States or elsewhere, to consider ways and means of bringing about joint disarmament.

Mr. WALSH of Montana. Mr. President, the printed text is the resolution as offered in the House and reported favorably by the House Committee on Foreign Affairs. I have made just a slight modification. I will ask the Secretary to read it as it reads in the print, and then to read it as it is changed.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The ASSISTANT SECRETARY. As in print, the amendment reads as follows:

That the President be, and he is hereby, authorized and empowered, at his discretion, to invite the Governments of all nations to send accredited delegates to an international convention, to be held in the United States, to consider ways and means of bringing about joint disarmament.

As modified, it reads as follows:

That the President be, and he is hereby, authorized, empowered, and requested, at his discretion, to invite the Governments of the leading nations to send accredited delegates to an international convention, to be held in the United States or elsewhere, to consider ways and means of bringing about joint disarmament.

Mr. WALSH of Montana. This is offered as a supplement to the amendment offered by the Senator from New Jersey [Mr. EDGE], not as a substitute, so that the two stand together.

Mr. KING. Mr. President, may I inquire of the Senator from Montana what change that makes in his former amendment?

Mr. WALSH of Montana. The former amendment proposed that representatives be sent to sit with the commission ap-

pointed by the Council of the League of Nations. This contemplates an invitation to the various nations of the world to send representatives to an international conference. The invitation will go directly to the leading nations of the earth, and will not go through the League of Nations at all.

Mr. KING. The Senator does not propose to abandon his proposition to appear with the representatives of the league in a consultative capacity?

Mr. WALSH of Montana. Yes; this is a substitute for that.

Mr. BORAH. Mr. President, the amendment offered by the Senator from Montana, as I understand it, abandons the proposition of accepting the invitation extended by the council of the League of Nations, and simply provides for an invitation upon the part of the President to the leading nations that they may come together for the purpose of considering the proposition of general disarmament.

Of course, Mr. President, if that should be adopted, it would be incongruous to adopt another amendment along with it saying that you should call three of the nations together.

If you are going to call all the leading nations to conference, you certainly would not want to make a second call for three of the nations to come together to consider the same question. Either the amendment of the Senator from Montana should prevail, or the amendment offered by the Senator from New Jersey should prevail. They should not both go into this bill. They are in a measure contradictory. They show a lack of purpose and a lack of policy upon our part.

I would much prefer to have the Senator from Montana offer his amendment as a substitute for the amendment which has been offered by the Senator from New Jersey, which is the same language as the resolution which I offered a few days ago, because I would not want to have two invitations provided for—one to three nations, and one to all the nations—to come into conference, one for naval disarmament and the other for general disarmament. I hope the Senator will offer his amendment as a substitute, so that we may have the matter presented in its proper form.

But let me say a word why I think his amendment ought not to be adopted. Of course, Mr. President, if we could have general disarmament, that is what we would all like to have. If there were any hope of our securing such a program at this time, that would undoubtedly be what we would all strive for, and I know that the Senator from Montana urges the proposition in the sincere belief that we may accomplish something along that line. But, in my opinion, any step toward general disarmament is utterly impossible so long as the present conditions in Europe prevail, by reason of the obligations imposed by the Versailles treaty. I am thoroughly satisfied that the situation as it prevails in Europe is such that France can not consider the question of land disarmament, and that Italy can not consider the question of land disarmament, and that therefore an invitation to a general disarmament conference is simply to reassemble the nations of the earth which met at Geneva, with one addition, and have precisely the same thing happen that happened at Geneva.

Mr. WALSH of Montana. Mr. President, will the Senator have the kindness to specify for us why Italy, for instance, can not consent to the reduction of her army of 350,000 men?

Mr. BORAH. I am going to specify the reasons as briefly as I can. But let us take an illustration——

Mr. WALSH of Montana. Pardon me. While the Senator is doing that, will he explain also why France can not possibly reduce her army of 800,000 men, with Germany limited to 100,000?

Mr. BORAH. It does seem as if she could, upon the face of it. But let me call the Senator's attention to the fact that it has been but a few weeks since these nations to which he refers were assembled at Geneva, and that there, when 43 nations of the world assembled, they took up the question of disarmament, and France stated with no lack of certainty or clarity that she was not in a position to consider the question of disarmament at this time. She stated it rather fully, and declared that so long as the Versailles treaty was unexecuted she would not consider and could not consider the question of disarmament. She has made her military alliances throughout Europe. She has undoubtedly her military alliance with Poland. She, in all probability, has her military alliance with Hungary, and she undoubtedly has her military alliance with those other two Republics which we have created since the war. While Germany's army has been reduced to 200,000, day by day and week by week and month by month the press of Paris carries the news and feeds it to the people of Paris and of France that Germany is secretly arming and is clandestinely preparing herself for a renewal, at the very first opportunity, of her attack upon France.

Mr. WALSH of Montana. Mr. President, let me inquire of the Senator whether one of the first duties devolving upon such an international conference would not be to determine the exact facts about such a matter as that and publish them for the information of the world?

Mr. BORAH. Mr. President, it might be the duty of the meeting to determine that fact, but the Senator knows that France will take nobody's word for that except that of France herself. The League of Nations, or a conference, might come absolutely to the conclusion that there was no danger from Germany at all, but under the psychological conditions which exist in France, and by reason of her experience since 1870, no nation can advise France as to the danger which confronts her from Germany. That is a question which France will determine for herself.

Mr. WALSH of Montana. We are advised that the relations between France and Italy are by no means as cordial as they might be, and as we hope they may be, and I inquire of the Senator whether he does not think Italy is maintaining an army of nearly 400,000 men because France has such an enormous army?

Mr. BORAH. Possibly so; but that is all the more reason, Mr. President, why neither one of those nations will consider the question of land disarmament. The psychological conditions in Europe, as I have said, are such, yet so near to the war, that it is yet impracticable as they view it for those nations to disarm. The fact is, Mr. President, that France is bending every energy to build up her army, and she is doing so because she is in constant dread of what may happen her again from Germany.

Take another situation: As a distinguished lecturer in this country said a few days ago, speaking upon this subject, it is utterly useless to talk to Europe—over which he had been traveling for months and months—about land disarmament, until the Russian question is settled. Until that great people shall find poise and contentment land disarmament will not be admissible. We must get a little further away from the conflict. Thus the moment you invite all the great nations of the world into a conference for general disarmament, you proceed at once against those conditions which at this time it is impossible to deal with from the standpoint of disarmament. You have Germany facing France, you have Russia facing the entire situation, and none of those nations were willing at Geneva even to consider the question of disarmament.

You remember that the question of disarmament came before the assembly, and the first resolution presented had some substance to it. It received very little support. It involved the question of general land disarmament, as well as naval disarmament. They whittled it down and down, until, as Lord Cecil said, it consisted of nothing more than an expression of a pious desire to enter upon an investigation as to whether disarmament could be had. I thought I had that resolution in my papers, but I have not. But if you will turn to the resolution upon the morrow, and read it, you will find that it is the most insubstantial, inconsequential resolution that could possibly be written upon the subject.

Yet what did France say? She would not even cast her vote in the Geneva assembly in favor of the principle of disarmament, because France considers that the morale of her people is to a certain extent undermined, and that they are ready to believe that the danger is disappearing the moment that France takes a position in favor of land disarmament, and so France led the fight against the resolution and carried 6 votes with her against a mere expression of a desire at some future time to disarm.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. In just a moment. To call these same nations back to Geneva into a general conference, of course, means that that will happen again which happened before at Geneva, and it is more likely to happen now, because the situation in Europe with reference to France and Germany and Russia is more acute than it was even at the time they were meeting at Geneva, before the council of the League of Nations, which went forward to settle the difficulty at Vilna, had returned in disgust and unable to adjust it.

Now I yield to the Senator from Montana.

Mr. WALSH of Montana. Mr. President, for 20 years it has been useless to propose a general conference for the purpose of accomplishing disarmament by reason of the attitude of Germany. How long does the Senator think we would be obliged to wait until that convenient time shall arrive when every nation will be glad to accept such an invitation?

Mr. BORAH. Mr. President, I am trying to deal with what I conceive to be the practical side of the question of disarmament. There is utterly no use to go up against a situation such as exists in France at this time. The Senator said a few moments ago, "Let France take the odium, or let some other nation take the odium, of refusing to disarm under these circumstances." France took the odium at Geneva, advertised it to the world, and the world offered no criticism upon France, and the world will not offer any criticism upon France until the "German peril," as she sees it, has been eliminated entirely from the European situation. The world will not ask France to disarm until that situation is relieved, and to call France back into a conference within 60 days and ask her to disarm is to suggest to France that she must disarm in the face of a situation which she thinks is perilous to her. It may well be there is no longer a "German peril"; it may be the Senator from Montana so believes, but we know France does not accept that view.

Mr. WALSH of Montana. The Senator will bear in mind that in the month of May last, France, represented upon the council of the League of Nations, gave her vote to a resolution instructing the commission to proceed to devise a plan for disarmament.

Mr. BORAH. Precisely so.

Mr. WALSH of Montana. What has resulted in the change of opinion? What are the circumstances now which did not exist last May?

Mr. BORAH. So far as France is concerned, it is well known that France considers herself in a more dangerous condition than she was last May. France is every day building up her military strength, and nobody criticizes France for doing it. Besides, it is one thing to suggest that some one devise a plan; it is another thing to accept it.

Mr. President, take another situation in Europe. What is France going to do with her Syrian situation if she is asked to disarm? How is she going to govern Syria under her mandate, when Syria is now in a state of rebellion against France? How are they going to deal with Mesopotamia, where England is now expending $40,000,000 a month in the way of maintaining an army for the purpose of governing Mesopotamia? Think, also, of the fact that all Islam is restless and resentful. So you may take any situation which arises under the Versailles treaty in Europe at the present time and it is impossible to get anywhere on land disarmament.

Mr. President, let us turn a minute to the other proposition, the question of whether it is worth while to try to do something upon the question of naval disarmament. I repeat that if we could have what the Senator from Montana wants I would infinitely rather have it than what I have proposed. I have only suggested the proposition which has been before the Senate for some time, because I thought it was the only possible practical step to take.

Let us consider it for a moment. There are now three great nations which are really girding themselves for a race in naval supremacy. We may deal with it as we will, in the words of courtesy or concealment, but we all know in practical effect that is what it amounts to, that they are now entering upon a vast program for the purpose of building up their naval strength, because they feel that the relative situations of these three powers demand it. If those three powers, Mr. President, which are really entering upon this naval competition could be brought together, that would practically include all the nations concerned in naval supremacy and in naval building. I regard France and Italy as of no consequence so far as this program is concerned. There is no reason why these three nations should not disarm, so far as their relationship is concerned, on the matter of the navy.

They have been associated together in the late war; they profess to be friendly with one another, and if they are friendly, then there is no reason why they should not disarm. On the other hand, if it be true that any one or both of these powers professing friendship to the people of the United States and to the Government are unwilling to disarm, then I do not want them in a general conference so they can throw the responsibility upon France or some other nation; and if they do refuse to disarm, the United States is warned in advance as to why they can not disarm.

There is no nation in the world that Japan should be building against, if she is arming against any nation at all, except either England or the United States. She is certainly not arming on the sea against Italy, she is not arming against France, she is not arming against Germany, or Austria-Hungary, or Turkey, or any other nation. So I would bring together the three great powers which are now getting ready for a great naval race and say to them, "Let us enter into an agreement to stop naval competition." There we would have a possible practical step toward disarmament. It may not work; but if it does not work, the insincerity of the nation which refuses to go into it will no longer be a matter of discussion in the public opinion of the world.

The Senator from California [Mr. PHELAN] said a few minutes ago that Japan is a menace to the United States. That has been stated to-night upon the floor of the Senate at a time when we are considering a great naval bill. I am not going to indulge in any criticism of a Senator. I think it was a little unfortunate, however, to say in the discussion of a great naval bill that Japan is a menace, which is to advertise to Japan that we are building this Navy because we regard her as a menace. I do not regard Japan as a menace in any such sense as used.

I realize, of course, the difficulties between these two great nations, or rather differences of view between the nations as to vital questions, might lead to a situation where one would be a menace to the other or where they would be antagonistic to each other, but those difficulties are not insurmountable. They can be settled without war, in my judgment, by bringing Japan and the United States into a conference upon the question of naval competition. They are not questions which should turn us to talk of threats, menace, and war. Wise and considerate action, it seems to me, can adjust these questions without sacrificing our rights or our dignity.

So far as immigration is concerned or the race question or the land question, they are questions that ought to yield to a conference, and until they are brought into a conference I do not think we ought to assume that they are not to be settled except in the processes of war.

What does naval competition between the United States and Japan mean? Suppose we do not go into the conference. Suppose we do not have an understanding. Suppose that we never meet together to get acquainted with each other's situation face to face and try to settle it; but that we go on building a navy and they go on building a navy, and that every time they add to their navy in their Diet they say the United States is a menace to them, and that every time we add to ours it is said here that Japan is a menace to us, what is going to happen? That, Mr. President, is the menace. Let us seek to keep our poise and make an honest, sincere effort to avoid war. I think war with Japan could easily come within the next quarter of a century should we get into a great naval competition, accompanied by threats and denunciation; that is, indeed, the path to war.

That is the thing which will bring on the trouble. Let me give an illustration: From the time of Elizabeth until the beginning of the reign of Edward VII Germany and England were closely associated in international affairs. They were upon the friendliest terms. We recall that England subsidized Frederick the Great in his great struggle in Europe which laid the foundation of the Prussian Empire, loaning him some $3,500,000 a year—not very much now, but very large then. We know that in 1870, during the Franco-Prussian War, England's sympathy was not with France but was with Prussia; that the English Government refused to take any step whatever which would even lead to a manifestation of sympathy upon the part of the Government for France.

It was during the Franco-Prussian War that Prussia and England entered into an understanding by which they agreed that they would take joint action against France if France invaded Belgium. It was in 1887 that Germany and England consulted together when it was thought there was going to be another war between France and Germany. At the Congress of Berlin Bismarck and Disraeli worked hand in hand and glove in glove for the interests of their respective nations. It was under the leadership of a German prince, Prince George of Hesse, supported by the English Navy, that Gibraltar was captured and that great gateway turned over to England. When Bismarck was engaged in his great task of confederating the German States he had the active sympathy of England. So on down until the fatal year of 1900 these two great powers were upon friendly relations to each other, notwithstanding the fact that all during those years Prussia was building up the great land force—that military power which was to make her the dominant nation of all Europe.

What happened in 1900? Before I go into that, however, let me say that it must not be understood that England was not informed as to what was taking place in Germany in the way of building up a great army. I have upon my desk, which I am not going to take the time to read, the articles written by the elder Harrison in 1870 and 1871, in which he plead with the Government of England to give some expression of sympathy to struggling France and to prevent France from

being subjugated and despoiled by Germany. He pointed out the fact that Germany was building up a great military power which would in time lead to trouble with England herself. He pictured in graphic and living language the brutality, the inhuman practices of the military forces of Germany in France in 1870, just as they were pictured again in 1915 and 1916. The real truth and extent of these practices time must determine, but they were no different in 1916 than in 1870, when Germany and England were on friendliest terms.

Notwithstanding the fact that England was advised of the growth and expansion of the military power of Germany, England retained still the friendliest feeling for the German people and the German Government.

But what happened in 1900? In 1900 Germany put out her first naval program. Really in 1898 it was formulated, and in 1900 it was put out. From the day that naval program was provided by Germany the ill will between the two nations began to grow apace. Immediately following the program put out by Germany, England enlarged her naval program. In 1903, three years after Germany's program was put out, the Entente was formed at the instigation or upon the initiative of Edward VII. Then there began that competition in naval building between the German Empire and the English Government which will be found recorded year by year in the story as it was given by Mr. Hurd, the English historian. If I had the time I should read from those volumes showing the arguments which were presented each and every time that naval program was increased in the respective countries. They were to the effect that one country was a menace to the other, and that the negotiator of peace would be a great and dominant navy. Thus they both started out to build a navy sufficiently large to enable them to negotiate through diplomatic channels to a peaceful conclusion. We hear the same argument now.

What happened? The naval competition between Germany and England really, in my judgment, was the underlying cause of the Great War of 1914. If one will read Lord Haldane's book, entitled "Before the War," describing his visit to Germany, the conclusion will be reached that he fully understood that if Germany and England could not sit down together and adjust their differences the naval competition between them must inevitably lead to war. Everybody felt this would be the result, and yet the mad race continued.

What is the situation between Japan and the United States? There is no reason in the world why the United States should have a war with Japan. If we will keep in friendly touch and friendly relation with her, there is no reason why our difficulties should not be adjusted. But bear in mind that we are of a different race, we are of a different language, and when we have nations of different languages that means a vast obstacle in coming to friendly relations. Bear in mind that we have our competition upon the Pacific, that we are both struggling for commercial supremacy on that great ocean. Add to that the constant increasing of our Navy and the constant increasing of the Japanese Navy, and the fear and suspicion which it engenders. It will inevitably lead to trouble with Japan as Germany and England had trouble by reason of the same program. Let us turn from that course, that old road over which the statesmen of Germany and Europe wended their way to the great deluge of 1914. Though we were children we ought to be able to appreciate that fearful example.

I am not one of those who believe that war with Japan is at all necessary, but I do firmly believe that if we enter upon this competitive naval program with Japan, with the differences which already exist, and refuse to come into conference with Japan or refuse to lead the way to a conference, that we as the leaders in this hour are doing precisely what the leaders of Germany and England did from 1900 to 1914. It is for that reason that I offered the resolution to bring together those who are now in competition for the seas, those who are pursuing a policy which leads to war, to see if it is possible that we could have an understanding. If we can not have an understanding, I am willing to go along with any program that prepares for the future.

Mr. President, the Navy, as a negotiator for peace, has never been a success; as a negotiator for war, it has had no equal. From the time of the Armada until the great drama of war was played to a close in the North Sea, naval competition has invariably engendered suspicion, jealousy, hate, and ended at last in broken friendships and discarded treaties and war. No nation has ever come forward to dispute with England the supremacy of the sea and escaped unchallenged and unchastized. Spain, Holland, France, and Germany, each and all, were ambitious at different times to divide with her her authority, and the story is now written out in full, and so plainly it speaks that no one need be mistaken as to the lesson it teaches. Whether in obedience to the law of self-preservation which applies alike to nations and to individuals, or in obedience to a less exalted, but scarcely less commanding, passion, an inherent and indomitable desire to govern, the fact remains she has in the end brought condign punishment to every nation, people, or power seeking to weaken her rule of the Seven Seas.

Now, sir, if the supremacy of the sea must rest with any single power, I want that power to be the United States. When it shall be determined that there is no alternative but this, I will go along with the program which will make the source of authority for the ocean this Capital and no other. But you know and I know what it will cost in treasure and probably in blood. You know and I know that it is in the interest of humanity, of civilization, and of peace that naval competition cease—that that which nature's God has dedicated to the use of all nations and peoples should have no exclusive title in any power. This can only be brought about by the frankest and fullest understanding by the three nations now girding themselves for a race for supremacy. Before we deliberately resolve to enter this race to pin our faith to the rule of force, and to rest the future happiness of our children and our children's children upon the result of a mad contest of dominancy, let us exhaust in good faith every known method and means compatible with honor to get an agreement or an understanding. Let us make haste to confer rather than make haste to build. The latter course has been tried. Poverty, pauperism, bankruptcy, and crime and war have followed in its wake. Let us sincerely, openly, and perseveringly see if we can not lead in the former course.

There has not been much hope for such an agreement until since the war. Prior to that the fateful march of events seemed to exclude the possibility. England and Germany were building against each other, and ambition and commercial rivalry mixed with ancient feuds in adjacent countries, together with the fact that force had been the basis upon which Europe had built civilization from the beginning, seemed to make conciliation and agreements impossible. While England and Germany were thus engaged the rest of the world was compelled to await the fearful outcome—an outcome with which we are now all familiar. Its lessons have sunk deep into the heart of humanity.

But Germany has at present no navy. She has no means nor will she have an opportunity for years to build one. Austria-Hungary, Turkey, and all the Central Powers lie buried in an almost irretrievable ruin, seeking with dim hope to dig themselves from under the débris of a world cataclysm. In fact, it has so come about through fearful cost and sacrifice that England, Japan, and the United States have it within their power to disarm the sea, to rededicate it in complete freedom to all who would travel its highways, and to the uninterrupted commerce of all nations. Milton, with his unfettered imagination, could not picture the paradise regained should these great powers sincerely and unreservedly summon their forces to this great achievement. And I venture the opinion, furthermore, that Dante, though his genius were still instinct with the old spirit, could not paint the hell which awaits an overburdened, discouraged, and tortured world if these nations turn from this task and take up again the old, beaten, and bloody paths leading to war and bankruptcy. The key to the world's peace lies here. The first step to permanent peace is a disarmed sea. It lies within the power of these peoples to achieve this beginning. If we can not succeed now, with the scourge of war still fresh upon us, with the people petitioning their Governments in every clime under the sun for relief from the burdens of conflict, and with the whole matter completely within the direction of the English-speaking race—for what the United States and England decide to do Japan will do, must do—if we can not succeed now, when shall we hope to succeed?

Mr. POINDEXTER. Mr. President, I ask for the regular order; that the amendment of the Senator from Montana [Mr. WALSH] be laid before the Senate and a vote be taken on it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Montana to the amendment of the Senator from New Jersey [Mr. EDGE].

Mr. KING. May I inquire of the Senator from Washington how long he desires to continue the session this evening?

Mr. POINDEXTER. I think that if we sit until 12 o'clock and then take a recess, it would be as much as we could expect, perhaps.

Mr. KING. May I say to the Senator from Washington I think there are a number of Senators who would like to vote

upon the amendment which has been offered? Could we not take a recess now and take a vote to-morrow, not later than 12 o'clock, upon the amendment?

Mr. POINDEXTER. I think, in view of the fact that the amendment has been so ably and so fully discussed to-night, that now is the proper time to take the vote upon it.

Mr. KING. Personally I have no objection to voting now, but I know that a number of Senators——

SEVERAL SENATORS. Vote!

Mr. KING. A number of Senators went home upon the understanding that there would be no vote this evening. I do not feel like calling for a quorum, but I do feel that it is rather unfair to those Senators who left understanding that a recess would be taken at 11 o'clock to take a vote at this time.

Mr. LODGE. Who so understood, and why?

Mr. KING. I think it was a general understanding that we should take a recess at 11 o'clock.

Mr. LODGE. There was nothing said by me or by the Senator from Washington, I believe, that would give ground for any such understanding. I said that I thought that after 11 o'clock we could take a recess.

SEVERAL SENATORS. Vote!

Mr. KING. I shall not call for a quorum, but I repeat that I think it is unfair to take a vote upon this important question in the absence of so many Senators.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Montana to the amendment of the Senator from New Jersey.

Mr. WALSH of Montana. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BRANDEGEE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Connecticut suggests the absence of a quorum. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gooding	Moses	Smith, Ga.
Ball	Gore	Myers	Smith, Md.
Borah	Gronna	New	Smith, S. C.
Brandegee	Hale	Overman	Smoot
Calder	Harris	Owen	Spencer
Capper	Heflin	Phelan	Sutherland
Curtis	Jones, N. Mex.	Phipps	Underwood
Dial	Jones, Wash.	Pittman	Wadsworth
Edge	Kellogg	Poindexter	Walsh, Mass.
Elkins	Kenyon	Pomerene	Walsh, Mont.
Fletcher	King	Ransdell	Warren
France	Lenroot	Reed	Willis
Frelinghuysen	Lodge	Robinson	Wolcott
Gerry	McKellar	Sheppard	
Glass	McNary	Simmons	

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present. The question is on the amendment of the Senator from Montana to the amendment of the Senator from New Jersey, on which the yeas and nays have been ordered.

Mr. WADSWORTH. I ask that the amendment to the amendment be stated.

The PRESIDING OFFICER. Without objection, the Secretary will state the amendment to the amendment.

Mr. REED. I ask that the original amendment be read and be followed then by the amendment to the amendment.

The VICE PRESIDENT. Without objection, both amendments will be read.

The ASSISTANT SECRETARY. The amendment proposed by the Senator from New Jersey [Mr. EDGE] reads as follows:

The President is authorized and requested, if not incompatible with the public interest, to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval building program of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which conclusion is to be reported to their respective Governments for their approval.

To that the Senator from Montana [Mr. WALSH] proposes an amendment in the following words:

That the President be, and he is hereby, authorized, empowered, and requested, in his discretion, to invite the Governments of the leading nations to send accredited delegates to an international convention to be held in the United States or elsewhere to consider ways and means of bringing about joint disarmament.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. Not knowing how he would vote on this question, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. GLASS (when his name was called). I am paired with the Senator from Illinois [Mr. SHERMAN]. I transfer my pair to the Senator from Kentucky [Mr. STANLEY] and will vote. I vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the Senator from Louisiana [Mr. GAY], who is absent. I transfer that pair to the Senator from California [Mr. JOHNSON] and will vote. I vote "nay."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence, and being unable to obtain a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky (Mr. BECKHAM). As he is absent, I transfer that pair to the senior Senator from Michigan [Mr. TOWNSEND] and will vote. I vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Arkansas [Mr. KIRBY] and will vote. I vote "yea."

Mr. SMITH of South Carolina. I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "yea."

Mr. BRANDEGEE. I am informed by the secretary of my pair that were he present he would vote in the same way that I desire to vote. I therefore vote "nay."

Mr. JONES of Washington (after having voted in the negative). Has the senior Senator from Virginia [Mr. SWANSON] voted?

The PRESIDING OFFICER. He has not voted.

Mr. JONES of Washington. He is necessarily absent, and I have promised to take care of him with a pair, but I find that I can transfer that pair to the Senator from Nebraska [Mr. NORRIS]. I do so, and will allow my vote to stand.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

Mr. GRONNA. I have been requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent, and that if present he would vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Minnesota [Mr. NELSON] with the Senator from Arizona [Mr. SMITH];

The Senator from Vermont [Mr. PAGE] with the Senator from Texas [Mr. CULBERSON];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

The result was announced—yeas 28, nays 30, as follows:

YEAS—28.

Ashurst	Harrison	Owen	Sheppard
Dial	Heflin	Phelan	Simmons
Fletcher	Jones, N. Mex.	Pittman	Smith, S. C.
Gerry	King	Pomerene	Underwood
Glass	McKellar	Ransdell	Walsh, Mass.
Gore	Myers	Reed	Walsh, Mont.
Harris	Overman	Robinson	Wolcott

NAYS—30.

Ball	France	Lenroot	Smoot
Borah	Frelinghuysen	Lodge	Spencer
Brandegee	Gooding	McNary	Sutherland
Calder	Gronna	Moses	Wadsworth
Capper	Hale	New	Warren
Curtis	Jones, Wash.	Phipps	Willis
Edge	Kellogg	Poindexter	
Elkins	Kenyon	Smith, Ga.	

NOT VOTING—38.

Beckham	Hitchcock	McLean	Stanley
Chamberlain	Johnson, Calif.	Nelson	Sterling
Colt	Johnson, S. Dak.	Newberry	Swanson
Culberson	Kendrick	Norris	Thomas
Cummins	Keyes	Page	Townsend
Dillingham	Kirby	Penrose	Trammell
Fall	Knox	Sherman	Watson
Fernald	La Follette	Shields	Williams
Gay	McCormick	Smith, Ariz.	
Henderson	McCumber	Smith, Md.	

So the amendment of Mr. WALSH of Montana to Mr. EDGE's amendment was rejected.

Mr. WALSH of Montana. I announce that I shall request a further vote on the amendment offered by me when the bill reaches the Senate.

The PRESIDING OFFICER. The question now recurs upon the amendment of the Senator from New Jersey [Mr. EDGE].

Mr. BORAH. Upon that I ask for the yeas and nays.

Mr. LENROOT. Mr. President, I will ask the Senator from New Jersey whether he will accept a modification of his amendment by striking out, in line 4, the word "an" and inserting the words "a proposed," so that the language will read:

The duty of promptly entering into a proposed understanding or agreement.

Mr. EDGE. I have no objection to the modification. My object is to get this thing started, if possible; and I can not see that that will in any way interfere with the greater object.

The PRESIDING OFFICER. Without objection, the amendment will be modified as suggested. The yeas and nays are demanded on the amendment as modified.

Mr. UNDERWOOD. What is the question?

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. EDGE] as modified.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. GLASS (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. JONES of Washington (when his name was called). In view of the votes of members of the minority, I am going to assume that the Senator from Virginia [Mr. SWANSON], if present, would vote as I shall vote, and I therefore take the liberty of voting. I vote "yea."

Mr. MOSES (when his name was called). Repeating the announcement which I made on the previous roll call, I vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nebraska [Mr. HITCHCOCK], and will vote. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I understand that if he were present he would vote as I shall vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). Making the same announcement that I made before, I vote "yea."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before, I vote "yea."

Mr. BORAH. I desire to state that the Senator from Nebraska [Mr. NORRIS] is detained from the Senate on account of illness. If present, he would vote "yea."

The result was announced—yeas 58, nays 0, as follows:

YEAS—58.

Ashurst	Gooding	McKellar	Simmons
Ball	Gore	McNary	Smith, Ga.
Borah	Gronna	Moses	Smith, Md.
Brandegee	Hale	Myers	Smith, S. C.
Calder	Harris	New	Smoot
Capper	Harrison	Owen	Spencer
Curtis	Heflin	Phelan	Sutherland
Dial	Jones, N. Mex.	Phipps	Underwood
Edge	Jones, Wash.	Pittman	Wadsworth
Elkins	Kellogg	Poindexter	Walsh, Mass.
Fletcher	Kenyon	Pomerene	Walsh, Mont.
France	King	Ransdell	Warren
Frelinghuysen	La Follette	Reed	Willis
Gerry	Lenroot	Robinson	
Glass	Lodge	Sheppard	

NAYS—0.

NOT VOTING—38.

Beckham	Hitchcock	Nelson	Sterling
Chamberlain	Johnson, Calif.	Newberry	Swanson
Colt	Johnson, S. Dak.	Norris	Thomas
Culberson	Kendrick	Overman	Townsend
Cummins	Keyes	Page	Trammell
Dillingham	Kirby	Penrose	Watson
Fall	Knox	Sherman	Williams
Fernald	McCormick	Shields	Wolcott
Gay	McCumber	Smith, Ariz.	
Henderson	McLean	Stanley	

So Mr. EDGE's amendment was agreed to.

OSAGE INDIAN LANDS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4039) to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," which was to strike out all after the enacting clause and insert:

That all that part of the act of June 28, 1906 (34 Stat. L., p. 539), entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," which reserves to the Osage Tribe the oil, gas, coal, or other minerals covered by the lands for the selection and division of which provision is made in that act is hereby amended so that the oil, gas, coal, or other minerals covered by said lands are reserved to the Osage Tribe for the period ending April 7, 1946: *Provided*, That all valid existing oil and gas leases on the 7th day of April, 1931, are hereby renewed upon the same terms and extended, subject to all other conditions and provisions thereof, until the 8th day of April, 1946, and as long thereafter as oil or gas is found in paying quantities, and the Secretary of the Interior and the Osage Council are hereby authorized and directed to offer for lease for oil and gas purposes all of the remaining portion of the unleased Osage land prior to April 8, 1931, offering the same annually at the rate of not less than one-tenth of the unleased area.

SEC. 2. That the bona fide owner or lessee of the surface of the land shall be compensated, under rules and regulations prescribed by the Secretary of the Interior in connection with oil and gas mining operations, for any damage that shall accrue after the passage of this act as a result of the use of such land for oil and gas mining purposes or out of damages to the land or crops thereon occasioned thereby, but nothing herein contained shall be construed to deny to the surface owner or lessee the right to appeal to the courts without the consent of the Secretary of the Interior, in the event he is dissatisfied with the amount of damages awarded him.

SEC. 3. That all members of the Osage Tribe of Indians are hereby declared to be citizens of the United States, but this shall not affect their interest in tribal property or the control of the United States over such property as is now or may hereafter be provided by law, and all restrictions against alienation of their allotment selections, both surplus and homestead, of all adult Osage Indians of less than one-half Indian blood, are hereby removed, and the Secretary of the Interior shall, within four months after the passage of this act, determine what members of said tribe are of less than one-half Indian blood, and their ages, and his determination thereof shall be final and conclusive. The homestead allotments of the members of the Osage Tribe shall not be subject to taxation if held by the original allottee prior to April 8, 1931.

SEC. 4. That from and after the passage of this act the Secretary of the Interior shall cause to be paid at the end of each fiscal quarter to each adult member of the Osage Tribe having a certificate of competency his or her pro rata share, either as a member of the tribe or heir of a deceased member, of the interest on trust funds, the bonus received from the sale of leases, and the royalties received during the previous fiscal quarter, and so long as the income is sufficient to pay to the adult members of said tribe not having a certificate of competency $1,000 quarterly except where incompetent adult members have legal guardians, in which case the income of such incompetents shall be paid to their legal guardians, and to pay for maintenance and education to the parents or natural guardians or legal guardians actually having minor members under 21 years of age personally in charge $500 quarterly out of the income of said minors all of said quarterly payments to legal guardians and adults, not having certificates of competency to be paid under the supervision of the superintendent of the Osage Agency, and to invest the remainder after paying all the taxes of such members either in United States bonds or in Oklahoma State, county, or school bonds, or place the same on time deposits at interest in banks in the State of Oklahoma for the benefit of each individual member under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That at the beginning of each fiscal year there shall first be reserved and set aside out of the Osage tribal funds available for that purpose a sufficient amount of money for the expenditures authorized by Congress out of the Osage funds for that fiscal year: *Provided further*, That all just existing individual obligations of adults not having certificates of competency outstanding upon the passage of this act, when approved by the superintendent of the Osage Agency, shall be paid out of the money of such individual as the same may be placed to his credit in addition to the quarterly allowance provided for herein.

SEC. 5. That the State of Oklahoma is authorized from and after the passage of this act to levy and collect a gross production tax upon all oil and gas produced in Osage County, Okla., and all taxes so collected shall be paid and distributed, and in lieu of all other State and county taxes levied upon the production of oil and gas as provided by the laws of Oklahoma, the Secretary of the Interior is hereby authorized and directed to pay, through the proper officers of the Osage Agency, to the State of Oklahoma, from the amount received by the Osage Tribe of Indians as royalties from production of oil and gas, the per cent levied as gross production tax, to be distributed as provided by the laws of Oklahoma: *Provided*, That the Secretary of the Interior is hereby authorized and directed to pay, through the proper officers of the Osage Agency, to Osage County, Okla., an additional sum equal to 1 per cent of the amount received by the Osage Tribe of Indians as royalties from production of oil and gas, which sum shall be used by said county only for the construction and maintenance of roads and bridges therein: *Provided further*, That the proper officials of Osage County shall make an annual report to the Secretary of the Interior showing that said fund has been used for road and bridge construction and maintenance only.

Mr. OWEN. Mr. President, I ask unanimous consent for the present disposition of the amendment. It will take no time.

Mr. POINDEXTER. Mr. President——

Mr. OWEN. I merely want to make a motion to concur in the House amendment.

Mr. POINDEXTER. Will it lead to discussion?

Mr. OWEN. None whatever.

Mr. POINDEXTER. I will withhold the motion I was about to make so that the Senate can take that action.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent for the present consideration of the amendment. Is there objection? The Chair hears none.

Mr. OWEN. I move that the Senate concur in the House amendment.

The motion was agreed to.

BONUS FOR EX-SOLDIERS.

Mr. POINDEXTER. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

Mr. JONES of New Mexico. A parliamentary inquiry, Mr. President.

Mr. POINDEXTER. I will withhold the motion temporarily.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. JONES of New Mexico. Mr. President, on yesterday the Finance Committee made a report on the soldier bonus bill——

Mr. POINDEXTER. I yield only until we hear what the purpose of the Senator from New Mexico is.

The PRESIDING OFFICER. The Senator announced that he would state a parliamentary inquiry. The Chair has not yet heard his statement.

Mr. POINDEXTER. I do not yield the floor.

Mr. JONES of New Mexico. On yesterday the report of the Finance Committee on the bill (H. R. 14157) to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes, known as the soldiers' bonus bill, was presented to the Senate, and at that time, or some time during the afternoon or evening an objection was made to a motion for the consideration of that report because of the second paragraph of Rule XXVI. The Chair ruled, and I think properly ruled, that under the second paragraph of Rule XXVI the report had to lie over one day. I desire to read that rule and get the view of the Chair upon it.

Mr. POINDEXTER. If the Senator will state his parliamentary inquiry, I have no objection.

Mr. JONES of New Mexico. Mr. President, I am trying to do that as clearly and briefly as I can, and if the Senator will not disturb me, I think I will do it in just a few minutes.

The second paragraph of Rule XXVI reads as follows:

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects in which the committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

The parliamentary inquiry is, does the day referred to in that rule mean a legislative day or a calendar day?

The PRESIDING OFFICER. The Chair thinks it means a legislative day.

Mr. JONES of New Mexico. Then, Mr. President——

Mr. POINDEXTER. Mr. President, I decline to yield further, and insist upon the Chair putting the motion which I have made, to take a recess until 11 o'clock to-morrow morning.

The PRESIDING OFFICER. The Senator from Washington moves that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. JONES of New Mexico. That motion, as I take it, is debatable?

Mr. POINDEXTER. It is not debatable, Mr. President.

Mr. JONES of New Mexico. I submit that it is debatable.

Mr. OWEN. Mr. President——

Mr. JONES of New Mexico. I will yield for a question, if anyone desires to ask a question.

Mr. POINDEXTER. I understood that I had the floor. I did not understand that the Senator from New Mexico had the floor, except as I yielded to him.

The PRESIDING OFFICER. That is true, and the motion is not debatable.

Mr. LODGE. I demand the regular order.

Mr. JONES of New Mexico. Then I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from New Mexico moves that the Senate adjourn. That motion takes precedence of the motion of the Senator from Washington.

Mr. POINDEXTER. I hope the motion will be voted down.

Mr. JONES of New Mexico. On the motion I demand the yeas and nays.

Mr. LENROOT. Was there not a unanimous consent agreement that when we recessed, it should be until 11 o'clock to-morrow?

The PRESIDING OFFICER. No; there was a motion to take a recess until 11 o'clock to-morrow. There was no request for unanimous consent, and pending the motion to take a recess the Senator from New Mexico moved to adjourn.

Mr. POINDEXTER. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. POINDEXTER. Can the Senator from New Mexico make a motion to adjourn pending a motion to take a recess?

The PRESIDING OFFICER. By the express provision of the rules of the Senate a motion to adjourn takes precedence of a motion to take a recess.

Mr. POINDEXTER. In order that we may proceed with the consideration of the naval appropriation bill, I trust the motion to adjourn will be voted down.

The PRESIDING OFFICER. A motion to adjourn is not debatable. The question is on the motion of the Senator from New Mexico that the Senate adjourn, and on that motion the Senator from New Mexico demands the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. GLASS (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. Not seeing him in the Chamber, I transfer my pair to the Senator from New Hampshire [Mr. KEYES] and vote "nay."

Mr. MOSES (when his name was called). Repeating the announcement which I made on the last vote, I vote "nay."

Mr. MYERS (when his name was called). I make the same announcement as to the transfer of my pair and vote "nay."

Mr. SMITH of South Carolina (when his name was called). Making the same announcement I did before, I vote "yea."

The roll call was concluded.

Mr. KELLOGG. Has the senior Senator from North Carolina [Mr. SIMMONS] voted?

The PRESIDING OFFICER. He has not.

Mr. KELLOGG. I transfer my pair with that Senator to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

Mr. ELKINS. Has the Senator from Mississippi [Mr. HARRISON] voted?

The PRESIDING OFFICER. He has not voted.

Mr. ELKINS. I transfer my pair with that Senator to the junior Senator from Iowa [Mr. KENYON] and vote "nay."

Mr. WARREN. I am paired with the Senator from North Carolina [Mr. OVERMAN]. I transfer that pair to the Senator from Michigan [Mr. TOWNSEND] and vote "nay."

The result was announced—yeas, 15, nays 28, as follows:

YEAS—15.

Ashurst	Jones, N. Mex.	Ransdell	Underwood
Glass	King	Robinson	Walsh, Mass.
Harris	La Follette	Sheppard	Walsh, Mont.
Heflin	McKellar	Smith, S. C.	

NAYS—28.

Ball	Elkins	Kellogg	Phipps
Brandegee	Fletcher	Lenroot	Poindexter
Calder	France	Lodge	Smoot
Capper	Frelinghuysen	McNary	Spencer
Curtis	Gooding	Moses	Wadsworth
Dial	Gronna	Myers	Warren
Edge	Hale	New	Willis

NOT VOTING—53.

Beckham	Hitchcock	Norris	Smith, Md.
Borah	Johnson, Calif.	Overman	Stanley
Chamberlain	Johnson, S. Dak.	Owen	Sterling
Colt	Jones, Wash.	Page	Sutherland
Culberson	Kendrick	Penrose	Swanson
Cummins	Kenyon	Phelan	Thomas
Dillingham	Keyes	Pittman	Townsend
Fall	Kirby	Pomerene	Trammell
Ferrald	Knox	Reed	Watson
Gay	McCormick	Sherman	Williams
Gerry	McCumber	Shields	Wolcott
Gore	McLean	Simmons	
Harrison	Nelson	Smith, Ariz.	
Henderson	Newberry	Smith, Ga.	

So the Senate refused to adjourn.

DRAINAGE OF INDIAN ALLOTMENTS OF THE FIVE CIVILIZED TRIBES.

Mr. OWEN. I report back from the Committee on Indian Affairs the message of the President of the United States returning without approval the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914, and recommend that the bill do pass, the objections of the President to the contrary notwithstanding, and submit a written report (No. 825) thereon and ask that the report may be printed in the RECORD.

The report is as follows:

The Committee on Indian Affairs of the Senate, to which was referred the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914, together with the objections of the President thereto, having reconsidered said bill and objections thereto, report the same back to the Senate with the recommendation that said bill do pass, the objections of the President to the contrary notwithstanding. The bill as passed made only the following amendments to the existing statute: On page 2, line 10, it struck out the words "or the United States." This language is surplusage and does not change the law. On page 2, line 25, it struck out the words: "*Provided further*, That in any event such assessment on any Indian allotment shall not exceed $15 per acre, and no such assessment shall be made unless the Indian allottee affected or his legal guardian shall consent thereto: *And.*"

The President withheld his signature solely on the following ground, without explanation:

"Because it seems to me to reduce the number of safeguards from around the property of our Indians when there is no apparent necessity for doing so."

The necessity for the change in the existing law is to permit the assessment of a higher rate than $15 per acre because of the increased cost in constructing drainage since the passage of the original act, approved March 27, 1914, and to take away the right of an allottee to veto a drainage district by refusing his assent.

The amendment does not subject the land of the Indian to assessment, but only moneys in the hands of the Interior Department, and then only after the Secretary of the Interior shall have caused a review of the schedules of assessment against the tract of land and reviewed

the land assessed to ascertain whether such Indian allottee, or his lands, not subject to taxation, have been assessed more than their pro rata share as compared with other lands allotted in said district similarly situated and deriving like benefits. These overflow lands are of very little value, but after proper drainage is established thereon their value is materially enhanced, and the drainage district is of benefit alike to the Indian allottees and the white citizens who own lands intermingled with the Indian lands. The necessity for drainage districts is well known and the Indian is fully protected. This bill was passed by the House of Representatives and the Senate upon favorable reports of the Secretary of the Interior.

Your committee recommends the passage of the following resolution:

"*Resolved*, That the bill pass, two-thirds of the Senators present having voted in the affirmative."

RECESS.

Mr. POINDEXTER. I renew my motion that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 12 o'clock midnight) the Senate took a recess until Wednesday, March 2, 1921, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 1 (legislative day of February 24), 1921.

COAST GUARD.

To be district superintendents.

Ralph T. Crowley.
Martin W. Rasmussen.

To be ensigns.

Harold G. Bradbury.
Irving W. Buckalew.
Arthur G. Hall.
Norman H. Leslie.
Merlin O'Neil.
Paul K. Perry.
Noble G. Ricketts.
Carleton T. Smith.
Ephraim Zoole.

STEAMBOAT-INSPECTION SERVICE.

To be supervising inspector.

William J. Macdonald.

COAST AND GEODETIC SURVEY.

To be hydrographic and geodetic engineers.

Jack Senior.
Raymond Pugh Eyman.
Leo Cuthbert Dyke.
Chester Howard Ober.
George Clay Jones.
Charles Shaw.
Carl Alexander Egner.
Leroy Preston Raynor.
Lyman Davis Graham.
Max Orville Witherbee.
Payson Austin Perrin.
Roland Drew Horne.
George Lawrence Bean.
Charles Keith Green.

To be junior hydrographic and geodetic engineers.

Benjamin Haines Rigg.
Oliver Scott Reading.
Charles Justus Itter, jr.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 1, 1921.*

The House met at 10.30 a. m.

The Rev. Henry N. Couden, D. D., Chaplain Emeritus, offered the following prayer:

O Thou great Father Soul in whom we live and move and have our being, draw near to us as we draw near to Thee, and fill our hearts with the holy spirit of truth to fit us for the arduous duties of the hour. Be with these, the people's Representatives, in these closing hours of the Sixty-sixth Congress, that their work may stand as a record in the history of this great country.

Our hearts go out in deepest sympathy and love to the Member who is now at the point of death and his beloved family. Be with him, O God, and help him through this hour of transition, and bring him finally to Thee, in the spirit of the Lord Jesus Christ, our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

ELECTION OF A CHAPLAIN.

Mr. TOWNER. Mr. Speaker, I move the election of Rev. Dr. James S. Montgomery as Chaplain, to fill the unexpired term caused by the resignation of Dr. Couden, for the remainder of this session.

The motion was agreed to.

Rev. Dr. James Shera Montgomery appeared at the bar of the House and took the oath of office prescribed by law.

GEN. STEPHEN D. RAMSEUR.

Mr. TOWNER. Mr. Speaker, I desire to present a unanimous-consent request. Our colleague, Maj. STEDMAN, delivered an address, together with Col. Du Pont, at the unveiling of a tablet at Winchester, Va., recently to the memory of Gen. Ramseur, who was mortally wounded in the Battle of Cedar Creek. Gen. Ramseur was a very young man, I believe the youngest major general commissioned on either side. He was an intimate friend of a great many of the Union generals, among them Col. Du Pont. When he was mortally wounded at Cedar Creek he was taken to the headquarters of Gen. Sheridan, and was there treated by his own surgeon as well as the Union surgeon, and given the utmost consideration. These two men, one a Confederate officer, our own colleague, and the other a Union soldier who himself had been a fellow student with Gen. Ramseur and who was at his bedside and received his last words when he died—these two men under the circumstances form such an illuminating, pathetic, and admirable scene of what is really American recognition of worth, and the whole transaction in which a Confederate general was received with such distinction and care and tenderness in the headquarters of a Union general, under the most tender solicitude of those with whom but a few hours before he was in deadly conflict—the whole thing is in such striking contrast to the brutality shown by the Germans and their allies in the late war to the prisoners when they were captured that it seems to me it merits calling the special attention of Congress and others to this wonderful, striking, and pathetic scene.

Besides that, this Winchester campaign and Gen. Sheridan's final victory are reviewed by both of these men briefly; the Battle of Cedar Creek is also described, so that it is of historical worth.

For that reason I ask unanimous consent that these two addresses may be inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The addresses are as follows:

"MAJ. GEN. STEPHEN D. RAMSEUR.

"(By Maj. CHARLES M. STEDMAN.)

"(The following address, by Maj. CHARLES M. STEDMAN, Congressman from the fifth North Carolina district, was delivered last week near Winchester, Va., at the unveiling of a bronze tablet on the spot where Gen. Ramseur died.)

"In remote ages far removed from the era in which we dwell, in the centuries of the Roman and Grecian Empires, when their civilization was in the meridian splendor of its greatness, monuments were erected to their illustrious dead to mark their resting place or to perpetuate in the memory of mankind some epoch in their history, or to designate some spot made sacred by deeds of patriotic valor, that the traveler from other lands may halt his footsteps as he approaches the sacred shrine and realize that he is treading on hallowed ground.

"In Egypt in the days of her ancient glory, when renowned in arms and art, the pyramids were reared more than 2,000 years before Christ. These wonderful monuments were erected by the Shepherd Kings or Caphtorim as tombs for themselves and descendants, that their reign might not be forgotten. These facts have been established by their exploration in recent years and the deciphering of Egyptian writings confirming the statements made by the Grecian historians Herodotus, Diodorus, and Strabo.

"The erection of monuments can not be said to have been transmitted by any one people to another. It is a custom born of lofty sentiment. It is an intuitive idea which now prevails amongst all nations. The higher their ideals the more universal is the custom. Everywhere throughout this broad land of ours monuments dot the landscape. They are the memorials of the love and gratitude of a great people for those who have contributed to their glory in war and preeminence in peace.

"The beautiful bronze tablet to be unveiled to-day and the granite column to be erected are intended to mark the house in which Maj. Gen. Stephen D. Ramseur died. I have been invited to deliver an address upon this occasion. I know full well how inadequate I am to do justice to so splendid a theme as the portrayal of the life and career of Gen. Ramseur. My

heart has prompted me, however, to accept the invitation tendered me. In the biographical sketch of the life of one whose character will ever be resplendent in the galaxy of great names which North Carolina has furnished to the world, I am necessarily restricted to-day. If in the poor tribute to his memory which I shall render I shall say aught of praise which any may ascribe to that love for the great deeds of the Confederate soldier which shall ever remain with those who marched under the same banner during the storm of war, I call to witness every surviving comrade who was with him in those days when character was put to its test and with one accord they will answer: 'All you have spoken is true. Much that belonged to his noble spirit has been left unsaid.'

"In the preparation of my address I have been greatly assisted by the admirable sketch of his life made by Gen. William R. Cox, who was with him in his valley campaign, as well as to the beautiful memoir of his early days and his military career prepared by the Rev. Dr. E. H. Harding, who was his chaplain and connection, and also to the personal recollection of Gen. Ramseur by Hon. David S. Schenck, his brother-in-law, which were furnished me through the kindness and courtesy of Judge Schenck's family, all of which I have read with great pleasure. I have quoted from them freely. They should be filed and preserved in every household in our southern land, that those who follow after us may learn from the life of Maj. Gen. Stephen D. Ramseur the lesson of courage, of truth, of morality, of virtue in its broadest sense. His life was heroic, picturesque, and exalted. It appeals to all who read the pages of history.

"He was born on the 31st day of May, 1837, in the village of Lincolnton, the county seat of Lincoln County, N. C., amongst a people who have ever been distinguished for their refinement as well as their attachment to lofty ideals.

"He was the second child of Jacob A. and Lucy M. Ramseur. He inherited from his ancestors patriotic sentiment, loyalty to and attachment for the land of his birth. They fought at Kings Mountain and Eutaw Springs. To his mother, who was a lady of rare excellence of character, he was indebted largely for the mental and moral training which made up a character seldom equaled in those great qualities essential to success and lasting renown. Hon. David Schenck, who married Miss Sallie Wilfong, her second daughter, thus speaks of Mrs. Lucy M. Ramseur:

"As a young lady she was said to have been beautiful and attractive. I knew her intimately from 1849 to her death. She was a woman of great force of character. To a judgment clear and firm she united gentleness, tenderness, and sympathy. Her manners were courteous and fascinating. She was an active and devoted member of the Presbyterian Church, and brought up her children in the teachings of the shorter catechism from their early youth. It was to her that Gen. Ramseur owed the mental and moral foundations of his character.

"His elementary education was received in the schools of Lincolnton and Milton in his native State. At an early age he manifested a strong inclination for military life, but, being unable to secure an appointment to the Military Academy at West Point, he entered the freshman class in Davidson College, North Carolina, where he remained about 18 months. Gen. D. H. Hill, who was at that time professor of mathematics in the college, became interested in his aspirations and mentioned his splendid qualities to the Hon. Burton Craige, who gave him the appointment he had so much at heart. He was graduated at West Point in 1860.

"A large majority of young men in Army life at first prefer the Artillery service, and such was his choice.

"He was commissioned second lieutenant by brevet.

"Lieut. Ramseur was in the United States Army only a few months before the breaking out of hostilities between the States—from June, 1860, to April, 1861. During that period he was occupied in the performance of his duties at Fortress Monroe. In April, 1861, he resigned his commission in the United States Army and tendered his services to the government of the Confederate States at Montgomery. He did not leave the United States Army without pain and distress. He loved the flag of his fathers. But actuated by a supreme sense of duty to the State of his birth, to which he believed his first allegiance due, he hesitated not a moment, but hastened to a conflict whose echoes have reverberated around the world.

"On the 22d of April, 1861, he was commissioned first lieutenant of Artillery and ordered to the Mississippi Department. But before reaching his post of duty he received a telegram stating that he had been elected captain of the Ellis Light Artillery.

"This battery was being organized in Raleigh and had within its ranks young men who represented the very elite of the young men of North Carolina. It was named in honor of the very efficient and beloved governor, whose early death thereafter brought sorrow to all the people of the State he served so well.

"Its officers were Manly, Saunders, Guion, and Bridgers. They were entirely ignorant of Artillery drill. They knew that the membership of their battery was of the very highest order and they desired to see it the pride and glory of the State. They thought not of themselves, but of their country. Their wish was fulfilled.

"They requested Gov. Ellis to furnish them a commander who would bring the battery to the highest state of efficiency. He immediately without hesitation named Lieut. Ramseur. The wisdom of the choice was afterwards made apparent to all. The battery under the training of Capt. Ramseur attained an excellency in drill and an esprit de corps which was surpassed by none other in the incomparable army of northern Virginia.

"Late in the summer of 1861 Capt. Ramseur's battery was sent to Virginia and stationed at Smithfield, on the south side of the James, and received unlimited praise from all who witnessed its wonderful proficiency in every requirement of the Artillery service.

"In the spring of 1862 Capt. Ramseur was ordered to report with his battery to Gen. J. B. Magruder, at Yorktown, who, with a force of less than 15,000 men, confronted McClellan, who was advancing up the peninsula with more than 100,000 men for the capture of Richmond. Gen. Magruder was fully aware of the great worth of Capt. Ramseur. He had known him in the old Army. He was promoted to the rank of major, and all the Artillery of the right wing of Magruder's forces was placed under his command. Here was his first active service in the field.

"McClellan was delayed more than a month by the strategy of Magruder. In the meanwhile Capt. Ramseur was elected lieutenant colonel of the Third North Carolina Regiment of Volunteers, but declined the position. Afterwards he accepted the colonelcy of the Forty-ninth North Carolina Regiment of Infantry.

"He had become greatly attached to his battery and left it with regret, but with complete confidence that Manly and its other officers would maintain its splendid standard of efficiency. He was not mistaken.

"Soon thereafter the Battle of Williamsburg was fought. The battery commanded by Capt. Manly won the applause of all who witnessed its superb conduct. Its fame extended throughout the Army. Years ago I heard Col. D. K. McRae, who commanded the Fifth North Carolina Regiment at Williamsburg, whose charge gave him immortality, speak more than once of the heroism of Capt. Manly upon that field and the destructive fire of his battery.

"With eager joy the historian gilds his pages with the great achievements of artillery and lingers long over their recital. Can no son of the South be found to tell of the deeds of Pegram, of Pelham, of Raskell, and Manly, who reversed the ancient method of fighting with artillery at a long and safe distance and brought it to its highest perfection, always advancing to the front line of battle when the occasion demanded?

"The Forty-ninth Regiment, of which Col. Ramseur assumed command, had just been enlisted, and had been assembled at Raleigh at the camp of instruction. The men were entirely ignorant of infantry tactics and other requirements requisite for active service in the field. Col. Ramseur soon placed the impress of his character as a soldier upon the regiment, and at an early day it was ready to go to the front. This regiment participated in the "seven days fighting" around Richmond and at Malvern Hill. Whilst leading it Col. Ramseur received a severe wound, from which he never fully recovered. He was shot through the right arm above the elbow and was carried to Richmond to the house of Mr. M. S. Valentine. Every possible kindness and attention was shown him, but his wound was of such a serious nature that he was unable to go to his home in North Carolina for more than a month. Whilst at home, and before he was able to return to the field, he was commissioned a brigadier general. This high honor for one so young in years was doubtless due to the conspicuous bravery and reckless daring displayed by him at Malvern Hill, which elicited unstinted praise from the brave but unfortunate Magruder. With that modesty which was so attractive to his friends, he hesitated to accept the honor tendered him. In October, 1862, although entirely unable to use his right hand, he went to Richmond and called upon President Davis and told him of his doubts as to the propriety of accepting the high position conferred upon him.

"President Davis told him to accept the commission and return to his home in North Carolina and remain there until his health was restored. Gen. Ramseur, however, did not return to his home, but went directly to the Army, and was assigned

to the command of the brigade of Gen. George B. Anderson. Gen. Anderson was an officer of great merit, and his place could not be properly filled by any ordinary man.

"The eminent qualifications of Gen. Ramseur for the duties devolving upon him, his chivalrous nature, his pure character without a blemish, his considerate care for the comfort of his men, at once won not only their respect and confidence but the enthusiastic love of all.

"The brigade at the time he assumed command consisted of four North Carolina regiments—the Second, Col. William R. Cox; Fourth, Col. Bryan Grimes; Fourteenth, Col. R. Tyler Bennett; and Thirtieth, Col. Francis M. Parker, an array of names which recalls the memories of the marshals of the Empire when Napoleon was in the zenith of his glory. It was in Rodes's division of Jackson's corps. No event of importance connected with his history transpired until the Chancellorsville campaign.

"On Friday, May 1, Ramseur's brigade left a point near Hamiltons Crossing, where they were in camp, and marched in the direction of Chancellorsville, leading the advance of Gen. Rodes's division. About 7 miles from Fredericksburg the brigade was detached from Rodes's division and ordered to report to Maj. Gen. Anderson. Soon thereafter the enemy was encountered and driven back in great disorder by Ramseur's brigade, with Gen. Posey on its right and Gen. Wright on its left. Night closed the advance, Ramseur's brigade sleeping on their arms with a strong picket line in the front.

"The advance of Ramseur's brigade on Friday afternoon was witnessed by Stonewall Jackson and Gen. A. P. Hill, who thanked Gen. Ramseur on the field for the splendid conduct of his men.

"On Saturday, May 2, about sunrise, Ramseur's brigade marched by a circuitous route to the rear of the enemy, and about 5 o'clock in the afternoon were ordered to attack. The brigade was directed to support Brig. Gen. Colquitt, with orders to overlap his right by one regiment, and it was so placed.

"Saturday night Rodes's division, with Ramseur's brigade, occupied the last line of battle within the entrenchments from which the corps of Siegel had been driven in abject terror.

"On Sunday morning, May 3, Ramseur's brigade advanced about 9 o'clock to the support of the second line. The charge of the brigade upon the last stronghold of the enemy was made in view of Maj. Gen. J. E. B. Stuart and Maj. Gen. R. E. Rodes, who pronounced it the most glorious charge of that most glorious day.

"The Battle of Chancellorsville is considered by many well-informed military critics as the most brilliant of the many victories won by Gen. Robert E. Lee. In this fight Gen. Ramseur won the admiration of all who witnessed his splendid conduct and established forever his reputation as one of the ablest commanders of his rank in the Army of Northern Virginia.

"As he rode along the line of battle dressed in full uniform, the enthusiasm of his men knew no bounds. Many of them threw their hats in the air and cheered for North Carolina.

"In this battle Gen. Ramseur, although severely wounded, refused to leave the field, and was especially mentioned by Gen. Rodes, as well as by Gen. A. P. Hill, who was also wounded, and by Gen. J. E. B. Stuart, who succeeded Gen. Hill in command.

"His marked ability and reckless exposure of his life created a profound impression upon Stonewall Jackson, which he made manifest when mortally wounded by sending a special message to Gen. Lee commending to his notice Gen. Ramseur. Nor did his high qualities escape the attention of Gen. Lee himself, as will be seen by reference to a letter from Gen. Lee to Gov. Vance, of North Carolina, in which he names the brigade and regimental commanders of Ramseur's brigade as among the best of their respective grades in the army:

"HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
"*June 4, 1863.*

"His Excellency ZEBULON B. VANCE,
"*Governor of North Carolina, Raleigh.*

"GOVERNOR: I have the honor to call the attention of your excellency to the reduced condition of Brig. Gen. Ramseur's brigade. Its ranks have been much thinned by the casualties of the battles in which it has been engaged, in all of which it has rendered conspicuous service. I consider its brigade and regimental commanders as among the best of their respective grades in the army, and in the Battle of Chancellorsville, where the brigade was much distinguished and suffered severely, Gen. Ramseur was among those whose conduct was especially commended to my notice by Lieut. Gen. Jackson in a message sent to me after he was wounded. I am very desirous that the efficiency of this brigade should be increased by filling its ranks, and respectfully ask that, if it be in your power, you will send on recruits for its various regiments as soon as possible. If this can not be done, I would recommend that two additional regiments be sent to it if they can be had. I am satisfied that the men could be used in no better way to render valuable service to the country, and win credit for themselves and their State.

"I am with great respect,
"Your obedient servant,

"R. E. LEE, *General.*

"The pages of history will be searched in vain for any higher tribute paid to any soldier in that age of glory than was rendered to Gen. Ramseur by Gen. Robert E. Lee and his great lieutenant, Stonewall Jackson.

"Gen. Ramseur was with Lee when he invaded Pennsylvania and in all the engagements of that campaign fought with his accustomed valor and added renown to the glory won by him at Chancellorsville.

"In the first day's fight at Gettysburg the Confederate forces drove the Federal troops before them in utter rout and pursued them through the town.

"When Ramseur's brigade with Rodes's division occupied a high ridge known as Oak Hill, he urged and most earnestly insisted that the pursuit be continued and Cemetery Heights be captured.

"With the eye of a born soldier he discerned the necessities of the situation at a glance.

"Had his advice been followed, Gettysburg would have told a different tale.

"When our army went into winter quarters near Orange Courthouse after its return from Pennsylvania and there was no possibility of a renewal of active hostilities at an early period, he obtained leave of absence and went to North Carolina to consummate the most cherished wish of his heart—his marriage to Miss Ellen E. Richmond, of Milton, N. C., to whom he was devotedly attached and to whom he had been long engaged. Their marriage had been delayed by the exigencies of his service in the army.

"They were married on the 22d of October, 1863. The world became all sunshine and happiness to both in their mutual affection.

"The constant and uninterrupted defeats of the Army of the Potomac by Lee had caused great dissatisfaction in the North and restless apprehension as to the final result of the war.

"Gen. Grant had met with success in the West and he was made commander of all the armies of the United States, with unlimited resources of men and every appliance of war.

"He crossed the Rapidan on the 4th of May and on the morning of the 5th, with more than 100,000 men, advanced into the dense thickets of the wilderness. Here, to his amazement, he was attacked by Lee and badly worsted.

"In this battle, as always and everywhere, Ramseur's brigade measured up to the full extent of its duty.

"From the battle field of the Wilderness Grant moved to the right of Lee, in the direction of Spotsylvania Court House, hoping to place his army between Lee and Richmond.

"Again, to his surprise, he found Lee in front of him. Here was fought one of the most sanguinary battles of war. Ramseur won laurels which shall never fade so long as the love of chivalric courage and devotion to duty appeals to the hearts of mankind.

"There was severe fighting on the 11th, when Ramseur crossed our works and drove the enemy from our front on the right.

"During that night the guns in front of Johnson's division, at a point known as the 'Salient,' were withdrawn by order of Gen. Lee, who apprehended that Grant would withdraw and continue his march toward Richmond. In some way this fact became known to Gen. Hancock, who commanded the Federal troops in front of that part of our line.

"Early in the morning, before it was entirely light, he assaulted our lines and captured our works, taking many prisoners. It was an hour of peril. To Ramseur was intrusted the grave responsibility of reestablishing the line of our original works.

"I have been unable to find anywhere a description of the conduct of Ramseur's brigade in this terrific contest more graphic or more true than that given by a correspondent of the London Morning Herald, who was allowed free admission to Lee's headquarters. It appeared at the time in the London papers and in other papers elsewhere, but it can not be published too often. It reads as follows:

"The Federalists continued to hold their ground in the salient and along the line of works to the left of that angle within a short distance of the position of Monoghan's (Hays's) Louisianians. Ramseur's North Carolinians of Rodes's division formed, covering Monoghan's right, and being ordered to charge, were received by the enemy with a stubborn resistance. The desperate character of the struggle along that brigade front was told terribly in the hoarseness and rapidity of its musketry. So close was the fighting there for a time that the fire of friend and foe rose up rattling in one common road. Ramseur's North Carolinians dropped in the ranks thick and fast, but still he continued, with glorious constancy, to gain ground foot by foot. Pressing under a fierce fire, resolutely on, on, on, the struggle was about to become one of hand to hand when the Federalists shrank from the bloody trial. Driven back, they were not defeated. The earthworks being at the moment in their immediate rear, they bounded on the opposite side, and, having thus placed them in their front, they renewed the conflict. A rush of an instant brought Ramseur's men to the side of the defense; and, though they crouched close to the slopes, under enfilade from the

guns of the salient, their musketry rattled in deep and deadly fire on the enemy that stood in overwhelming numbers but a few yards from their front. Those brave North Carolinians had thus, in one of the hottest conflicts of the day, succeeded in driving the enemy from the works that had been occupied during the previous night by a brigade which, until the 12th of May, had never yet yielded to a foe—the Stonewall.

"For 20 hours without intermission the men of Ramseur's Brigade fought to reestablish the line of our works. Wherever the strife was most deadly and the carnage greatest there could be seen their heroic leader. He had three horses shot under him and was again severely wounded but refused to leave the field.

"In recognition of his splendid conduct he was promoted to the rank of major general and assigned to the command of Early's division, receiving his commission in June, 1864.

"The green fields of the beautiful Valley of Virginia will ever be associated with the name of Ramseur, whose wondrous deeds have invested them with a new and unfading charm.

"When Gen. Early was ordered to the Valley of Virginia to arrest the march of Hunter, who was advancing in the direction of Lynchburg and devastating the entire country through which he passed, he carried with him Ramseur's, Rodes's, and Gordon's divisions.

"Early united with Breckinridge at Lynchburg. Hunter, who was in camp near that city, learning of the reinforcements to Breckinridge, became panic stricken and retreated during the night. He was pursued by our troops and overtaken at Liberty, where Ramseur's Division attacked and drove him through that place. Hunter continued his precipitate retreat and escaped.

"Early crossed the Potomac into Maryland and entered Frederick, where the Federal troops made a slight show of resistance, Ramseur driving them before him. The Federal authorities at Washington now became greatly alarmed and ordered Gen. Wallace to place such troops as were available between Gen. Early and Washington.

"Wallace confronted the Confederate forces at Monocacy Bridge. Gen. McCausland, with our Cavalry, crossed the river and was promptly assisted by Gordon.

"Gen. Ramseur, with his division, passed over the railroad bridge and engaged Wallace, who was badly defeated with a loss of many prisoners besides his killed and wounded. The Confederate troops continued to advance until they were within 5 miles of Washington. The arrival of additional troops to reinforce those defending Washington caused Gen. Early to retreat to the lower valley, where he remained until ordered to rejoin Lee.

"On the 19th of September at Winchester Gen. Early was defeated by Sheridan, his defeat being largely due to the dislocation of his divisions. Here Ramseur, with 1,700 men, fought the whole of Sheridan's army from early dawn until nearly 10 o'clock. His splendid ability and unrivaled courage cast a radiance upon that field of disaster. With his division unaided he halted Sheridan's advance in the morning for hours, and again later in the afternoon he repelled Sheridan's advance. Upon this field he exhibited the highest order of ability as a commander.

"The conduct of Ramseur at Winchester as well as the marked ability exhibited by him bears a striking similarity to that of Marshal Lannes at Aspern, who conducted the retreat of the French Army and who was mortally wounded and afterwards died in the arms of his Emperor.

"There was no event during his entire military career which could even suggest a mistake or error of judgment on his part, unless it be his moving out from Winchester, where he had been left by Early, and attacking Averill near Stephenson's depot. In so doing he committed no error. He acted just as Gen. Robert E. Lee or Stonewall Jackson or any enterprising officer of courage would have done. He had been informed by Gen. Vaughn, commanding the Cavalry, that Averill, with a small force, was at Stephenson's depot and could be surprised and captured. Relying upon this information Gen. Ramseur advanced against Averill, who, with a large force of both Infantry and Cavalry, repulsed his attack with considerable loss to Ramseur. The error or mistake, if any, was due entirely to information furnished by Gen. Vaughn, who is credited by all properly informed as to the facts with the responsibility for Gen. Ramseur's attack.

"Gen. Rodes, a most efficient officer, having been killed at Winchester, Gen. Ramseur was assigned to the command of his divisions.

"After his defeat at Winchester, Gen. Early retreated to Fishers Hill. Sheridan followed, and on the 22d of September attacked. In this engagement Ramseur's brigade maintained its high reputation.

"Gen. William R. Cox, under order from Gen. Ramseur, withdrew his brigade from the line and went in the direction of the firing. His brigade was formed across the turnpike over which our forces were retreating and had a desperate conflict with a portion of Sheridan's army, repulsing them in a severe encounter.

"After the fight at Fishers Hill Gen. Early fell back to the lower passes of the Blue Ridge, Sheridan following him as far as Staunton.

"After destroying the Central Railroad, he retreated up the valley and occupied a strongly entrenched camp. Gen. Early pursued him.

"Sheridan's camp was plainly visible from our signal station, and it was discovered that the Federal left flank could be easily surprised and overwhelmed, but it required a long and circuitous march.

"This movement was intrusted to Gen. Gordon, who, with Ramseur's division, moved under the darkness of the night and with great secrecy. Gordon attacked early in the morning.

"Sheridan's headquarters were captured by our cavalry and practically his entire army was demoralized. Before 9 o'clock our forces had captured most of their artillery and over 1,500 prisoners.

"Sheridan was at Winchester on his return from Washington. He met his soldiers retreating along the road without the semblance of order—their panic, to some extent, had subsided. Sheridan knew that Longstreet was not with Early and that his army was nearly three times the number of the force opposed to him. By the aid of Gen. Wright with his division, who alone of all of his army retained an organization, he rallied his men and ordered an attack about 3 o'clock in the afternoon. Ramseur chose the line of his defense with great skill and successfully resisted the advance of the Federal forces. Kershaw's division, however, gave way and Ramseur's line being outflanked, his troops also became alarmed and in his effort to hold them firm he fell mortally wounded.

"Gen. Early in a letter to Brig. Gen. Bryan Grimes thus speaks of his conduct on that day:

"HEADQUARTERS VALLEY DISTRICT,
"October 31, 1864.

"Maj. Gen. Ramseur has often proved his courage and his capacity to command; but never did these qualities shine more conspicuously than on the afternoon of the 19th of this month, when, after two divisions on his left had given way and his own was doing the same thing, he rallied a small band and for one hour and a quarter held in check the enemy, until he was shot down himself in endeavoring to stop those who were retiring from the field. I had occasion to point them to the gallant stand made by Ramseur with his small party; and if his spirit could have animated those who left him thus battling, the 19th of October would have had a far different history. He met the death of a hero, and with his fall, the last hope of saving the day was lost. Gen. Ramseur was a soldier of whom his State has reason to be proud—he was brave, chivalrous, and capable.

"Respectfully,

"J. A. EARLY,
"Lieutenant General.

"Brig. Gen. BRYAN GRIMES,
"Commanding Division."

"On the day preceding the Battle of Cedar Creek Gen. Ramseur learned of the birth of his little girl. His face was radiant with joy as he appeared upon the field of battle in full uniform with a small bouquet fastened upon the lapel of his coat. Death had no terror for him. He was the cynosure of all eyes as he rode over the field wherever his presence was necessary. He had two horses killed under him and was mortally wounded when mounting a third late in the afternoon. He was captured and carried to Sheridan's headquarters, where he received both attention and kindness.

"Maj. R. R. Hutchinson, acting adjutant general, was with him when he received his fatal wound and was also captured whilst having him removed from the field.

"He wrote to Mrs. Ramseur after the death of her heroic husband the following letter, full of pathos and giving a graphic account of events and scenes connected with his last hours:

"NEAR STRASBURG, VA., *October 20, 1864.*

"Mrs. S. D. RAMSEUR,
"Milton, N. C.

"DEAR MADAM: I do not know how to write to you; how to express my deep sympathy in your grevious affliction; but the Christian soldier who has gone before us to that other world has asked me to do it, and I must not shrink from the performance of this duty, however painful. I am writing by the side of him whose last thought was of you and his God, his country and his duty. He died this day at 27 minutes past 10 o'clock a. m., and had at least the consolation of having by his side some who wore the same uniform and served in the same holy cause as himself. His last moments were peaceful, his wounds were painful, but his hope in Christ led him to endure all patiently. He received his mortal wound yesterday afternoon (October 19) between the hours of 5 and 6 p. m. at the post of honor and of danger, where he always was. Our troops had fallen back a short distance but had re-formed and were stubbornly contesting a position on a hill which the enemy attacked from three sides. He exposed himself to every shot, cheering and

encouraging all. I was not far from him when I saw his horse shot; he procured another, which was shot also, and immediately after he received his fatal wound (the second), all in the space of a very few minutes. I ran over to him, got some men, and bore him to the rear, your brother joining us on the way. I then went off after an ambulance, found it, but saw on returning with it that he had been left, as I thought, in the enemy's line. This fear was soon after dissipated, however, by seeing him on Capt. Randolph's horse, the captain running alongside and supporting him. We got him then to the ambulance I had brought up. I thought he was safe then, not knowing how dangerous was his wound, and remained with the rear guard. When I was subsequently captured by the enemy's cavalry, I was carried to Gen. Sheridan's headquarters, and learning that Gen. Ramseur had been captured, asked and obtained permission to remain with him. The road had been blocked up by wagons, causing a delay that gave the enemy time to get up and take him prisoner, just south of Strasburg. Many of his former friends (West Pointers) called to see him yesterday and to-day and offered every assistance in their power, Gen. Sheridan among the number. He was taken to Gen. Sheridan's headquarters and made as comfortable as circumstances would permit. Dr. James Gillespie (Cutshaw's Battalion of Artillery), a Confederate surgeon, assisted by the enemy's surgeon, attended to him and did all that could be done under the circumstances. He suffered a good deal from his wound, the ball having entered his right side, penetrating the right and left lungs and lodging near the left side. But the end was peaceful and quiet. He spoke continually of you and sent very many messages to his family, but above all to his wife. He told the ambulance driver to tell Gen. Hoke that he 'died a Christian and had done his duty.' He told me to 'give his love and send some of his hair to his darling wife,' and often wished he could 'see his wife and little child before he died.' He told me to tell you he had a 'firm hope in Christ, and hoped to meet you hereafter.' He died as became a Confederate soldier and a firm believer.

"I inclose the lock of hair he desired sent you.

"Respectfully,

"R. R. HUTCHINSON,
"Major and A. A. G. P. A., C. S."

"Wolfe died upon the heights of Abraham the death of a hero, and as his spirit took its flight to another world, left as a legacy to his countrymen words which will forever live.

"Nelson at Trafalgar illustrated by his conduct and speech his supreme sense of duty to England and her glory.

"The Scotchman who died at Waterloo with his bagpipe in his hand, by the saber of the Cuirassier of the Guard, whilst thinking of Ben Lothian and playing an air of his native land, has been immortalized by Victor Hugo. But which of these three—aye, who of those who live in song and story is more worthy of the crown of immortality than the young hero from North Carolina, who died in the house where we are assembled to-day?

"The kind treatment extended to him after having been carried to Sheridan's headquarters can not be forgotten. He was attended by a Confederate surgeon assisted by the surgeons of Sheridan's command. Sheridan, Custer, and many of his former friends, who were with him at West Point, gathered around the bedside of the dying soldier and rendered all possible assistance. His conduct on the battle fields of the valley had won the admiration of friend and foe alike.

"His body was embalmed by friends in Winchester and sent through our lines and afterwards carried to Lincolnton and buried in the Episcopal churchyard beside his father and mother.

"His wife, who ever carried his image in her heart, died in Concord, N. C., in 1900, and was buried beside him. His last thoughts on earth were of her. Visions of the fields of his glory faded from his memory. Her face was before him and lighted up his dying bed. 'Tell my darling wife I die with a firm faith in Christ and trust to meet her hereafter,' were his last words. They dwell together in the realms of the blessed.

"Wonderful as were his achievements as a military commander, more attractive than the glory won upon the fields of his renown was his Christian character and his faith in the Providence of God. His life was as stainless as that of a pure woman.

"On the 22d day of April, 1858, he was received into the communion of the Presbyterian Church of Lincolnton. He loved the church of his choice. Rev. Dr. E. H. Harding, in his sketch of his life, says:

"The writer of this sketch passed the last two years of the war in close intimacy with Gen. Ramseur. He saw much of his Christian character, and had many conversations with him on religious subjects. During this period he always expressed himself as trusting in Jesus. He read his Bible, and was regularly at church, and always promoted religious observance among his troops. The last winter of his life Mrs. Ramseur spent with him in camp. He had prayers regularly in his family, and read religious books. He spoke particularly of his enjoyments of Jay's 'Christian Contemplation,' a book on the Christian character. He also read his Bible a great deal, and his faith gradually became brighter, more fixed, and calmer. The last sermon he heard was in New Market from the text, 'To him that overcometh will I give to eat of the hidden manna and will give him a white stone.' He enjoyed it and spoke of his satisfaction in it.

"He thus describes his personal appearance:

"In person Gen. Ramseur was of medium height, his figure was slender but well proportioned, very erect, and of fine martial bearing. His brow was large, prominent, well-rounded; his eye large and black and the whole expression open, winning, and striking. His face indicated in a most remarkable manner loftiness of character and purity of sentiment. He was a fine horseman, sitting upon his horse with grace and managing him with skill.

"The military ability of Gen. Ramseur has been questioned by none. Every field upon which he fought bears tribute to his genius. If the history of the era in which he lived is truthful and impartial, upon its pages it will be recorded that he had no superior in skill and capacity as a soldier amongst all those of his own rank in the Army of Northern Virginia, and that few officers of any grade in the Confederate service equaled him in those qualities requisite for high command.

"He was endowed by nature with a type of personal courage which made him absolutely indifferent to danger. He sought upon every battle field the place where the strife was most severe, and was as calm amidst a hurricane of fire as when seated at his breakfast table.

"He made all around him brave and imparted to troops under his command the highest order of esprit de corps.

"He was absolutely impartial and just, otherwise he could never have obtained the control over the hearts of his men to the extent wielded by him.

"He was a rigid disciplinarian, yet not one murmur was ever heard in his command against his most stringent orders.

"Gen. Ramseur's estimate of men was singularly accurate. It was manifest in his choice of friends.

"From early childhood he was greatly attached to Gen. R. F. Hoke, who, next to Gen. Lee and Stonewall Jackson, was the best beloved of all the generals in the Army of Northern Virginia. They were born in the same village and there was a difference of only a few days in their ages. Both were cast in the heroic mold, and from the lofty heights where such spirits are at home look down with scorn upon all that is base and mean.

"As he was being carried from the battle field he sent to Gen. Hoke by the ambulance driver this message: 'Tell Gen. Hoke I die a Christian, and I have done my duty.'

"For Gen. William R. Cox, who led the last charge at Appomattox, and for Gen. Bryan Grimes, who commanded the greater part of the infantry in that last fight, he had sincere affection and friendship.

"During the last years of his life his chaplain, the Rev. Dr. E. H. Harding, was his most intimate friend.

"He was the embodiment of honor and chivalry, and worthy, had he lived in the same era, to have been the associate of Richard Coeur de Leon. He ever helped the weak and those in distress. He was a friend to all humanity.

"He loved little children and they loved him. Children make no mistake in their real friends. They were very happy and full of childish glee when in his presence.

"Unlike Scipo Africanus, the conqueror of Carthage, who died an exile from home and whose remains rested on a foreign shore, he was buried amidst the people he loved so well. Kings Mountain will keep watch over his grave, but his resting place will be in every land where patriotic heroism has a home.

"He died in the triumph and faith of the Christian religion and left a name without blemish and without reproach, a heritage of honor to his wife and to his little girl, whom he had never seen; to his State; and to our common country.

"His name and fame belong not to North Carolina alone, but are the common property of the American people, and will be preserved by them in their pristine splendor when the bronze tablet which we have unveiled to-day has perished by decay and the granite column erected has crumbled into dust."

"ADDRESS OF COL. H. A. DU PONT, SEPTEMBER 16, 1920, AT THE UNVEILING OF THE MONUMENT ERECTED TO THE MEMORY OF MAJ. GEN. STEPHEN D. RAMSEUR, ON THE CEDAR CREEK BATTLE FIELD, NEAR MIDDLETOWN, VA.

"Ladies and gentlemen and representatives of the several societies and Historical Commission of North Carolina, your invitation to be present at the unveiling of the monument to Gen. Ramseur and to speak of my personal relations with that distinguished son of North Carolina was gladly accepted. As a close friend of my youthful days, I held him in most affectionate remembrance, and as I happened to have been personally concerned in much, if not all, that occurred from the time he fell mortally wounded on the Cedar Creek battle field, October 19, 1864, until the end came during the early hours of the following day, I was exceedingly desirous that the information in my possession should be imparted to his immediate relatives and friends.

"My relations with Gen. Ramseur began when I entered the United States Military Academy at West Point, and, as we all know, youthful associations and friendships are not only the strongest but the most enduring. The course of military instruction and discipline at that admirable institution was then five years, and although he entered the academy 12 months before I did we were fellow cadets there for a period of 4 years previous to his graduation in 1860. During the last 10 months of his sojourn at West Point our associations were especially

close, as he was at that time captain of Company B of the Corps of Cadets and was quartered on the second floor of the third division of the barracks, in the room next to the second division and facing south. As I then belonged to the cadet noncommissioned staff, I was not tied down to the quarters of any special company, and roomed with my classmate and close friend, the lamented Hoxton, of Virginia, who at that time was a cadet sergeant of B Company. As our room likewise faced to the south and was separated only by a narrow corridor from that of Ramseur and his classmate, John J. Kerr, also of North Carolina, we four were thrown very much together, and the relations between the two North Carolinians, the Virginian, and the Delawarean were exceedingly cordial. At that time Ramseur was very mature for one of his years, somewhat reserved to those who did not know him intimately, but always quiet, courteous, and dignified, a young man of strong character and great good sense, as well as a most excellent soldier.

"Some 12 months later, when Hoxton and I graduated, the Civil War had already begun, and during the campaign of 1864 in the Valley of Virginia my old friend Ramseur was a division commander of the Confederate forces under Early, while I was chief of artillery and commander of the artillery brigade of Crook's corps, which belonged to Gen. Sheridan's opposing army.

"Ramseur fell at the Battle of Cedar Creek, October 19, 1864, and it was my sad privilege to meet him once more during his last hours at the Belle Grove house, in full view of this very spot, which was then the headquarters of both Sheridan and Crook. Before relating what occurred let me first tell you how he happened to be brought to that house, as I believe that I am the only person now living who has any knowledge of the circumstances. To explain them clearly and satisfactorily it will be necessary to speak of the battle, but I shall try to be as brief as possible.

"As a matter of fact, the Battle of Cedar Creek consisted of two distinct general engagements, fought on the same day. In the first, which began at 5.25 a. m., and continued until about noon, the Conferedate Army surprised and completely defeated the Union troops and drove them from the field with heavy loss. Crook's corps, to which I belonged, was a special sufferer, as it was on the left of the Union line and the first objective of the Confederate attack. Our camps were captured and many prisoners taken, among them the senior medical officer of my Artillery brigade, Dr. Isaac D. Knight, of Philadelphia, surgeon of volunteers with the rank of major, then a man on the wrong side of 60 and not endowed with a very robust physique, who at his age had no business in active service with troops in the field. In spite of this, however, he was not only a highly efficient medical officer but also one of the most calm, affable, warm-hearted, and sensible men I have ever known. When captured, Surg. Knight was not sent to the rear with the other Union prisoners, but was set to work in the field hospitals to assist the Confederate medical officers in caring for the wounded, presumably of both armies.

"In the second engagement, which began between half past 3 and 4 p. m., the Union Army, which meantime had been reformed and realigned, attacked the Confederates, who in their turn were disastrously defeated and driven from the field. Early's left was the first to give way and by 5 o'clock the whole Confederate force was retreating in the utmost disorder down the valley turnpike and across Cedar Creek, Surg. Knight, of course, accompanying it as a prisoner. Ramseur, styled by Gen. Early, 'a most gallant and energetic officer whom no disaster appalled,' was shot through the lungs while making a supreme effort to hold the Confederate line, and was carried to the rear accompanied by his adjutant general, Maj. Hutchinson, his medical officer, and two soldiers, one the driver of the ambulance. My batteries were the first to reach the heights on the north bank of Cedar Creek, and I immediately opened fire upon the retreating army which was in full view, little thinking at the time that the guns were trained upon my chief medical officer as well as upon the wounded friend of my youthful days.

"As soon as the Union Cavalry in pursuit had advanced far enough to come within range of my pieces, I gave the order to cease firing, and at this juncture the following incident occurred, as reported to me next day by Surg. Knight: When the horsemen were close at hand and so near that the capture of the ambulance was inevitable, Maj. Hutchinson hailed Surg. Knight, who, as the fates willed it, happened to be trudging along very near the ambulance in which the wounded general lay. Realizing that their respective rôles were about to be reversed, he accosted the quondam prisoner as follows: 'We surrender to you, sir!' Surg. Knight, who took in the situation, upon receiving the surrender of the general with his two staff officers and two Confederate soldiers, ordered the ambulance to be halted and turned to the rear. When the Cavalry came up Knight claimed the five prisoners, took them back directly to the Belle Grove house, which was Sheridan's headquarters, and turned them over to the chief medical officer of the Union Army, Surg. Ghiselin, of Maryland.

"Ramseur was at once installed in one of the most commodious bedrooms in the house and all possible steps taken, in cooperation with his own medical officer, to mitigate his sufferings. The best evidence of the very special consideration extended to the wounded division commander lies in the fact that his adjutant general as well as his two soldiers were permitted to stay with him. In recent years I have often thought of the striking contrast beween the treatment then and there accorded to Gen. Ramseur and the gross brutality displayed by our German foes during the great conflict which has so recently ended.

"The battle was over and night had fallen; after seeing that my remaining men and horses had all the attention possible under the circumstances, it suddenly dawned upon me that I was almost completely exhausted mentally and physically; that I had not tasted food for more than 24 hours; that I had been almost continuously in the saddle since half past 5 in the morning; and, worst of all, that I had no abiding place, as my personal effects had been taken by the enemy when our camp was captured in the morning. The only recourse was to seek food and shelter at the headquarters of my corps, which, as before stated, were with the Army headquarters at the Belle Grove house. One of the first persons I met there was Gen. Torbert, of Delaware, the commander of the Union Cavalry corps, who lost no time in telling me that Ramseur was lying mortally wounded in the house, which information so acutely shocked and distressed me that I forgot for the time my own necessities and hastened upstairs to see him.

"The room was absolutely still; Ramseur, clad in his major general's uniform, lay on his back in the bed, his eyes closed. At the other end of the room were the four Confederates, the surgeon examining medicine bottles on the window sill; on his right as he faced the window sat Maj. Hutchinson, and on his left in the corner of the room stood the two Confederate soldiers, seemingly men of middle age. Approaching the bed, I said, 'Ramseur, do you know me?' mentioning my name. He opened his eyes, in which I saw recognition and apparently a gleam of pleasure. So great was my physical exhaustion that I seated myself as quietly as possible on the side rail of the bedstead, but the almost imperceptible jar thus occasioned gave the sufferer a thrill of pain, to my extreme distress. Speaking with the greatest effort, he said to me, 'Du Pont, you don't know how I suffer,' and then relapsed into silence and closed his eyes, not, however, before extending his hand and firmly grasping and holding mine. I was deeply moved. Strange as it may seem—illogical, if you please—in that supreme moment he turned with content and satisfaction to the one person present who, though officially a foe, was still, as he instinctively felt, the steadfast personal friend of former days.

"As his condition was hopeless and his time short, the Confederate surgeon very wisely sought only to relieve the excruciating pain. The treatment was simple. From a large bottle of laudanum or other opiate on the window sill he filled a wineglass and, approaching the bed, said, 'Drink this, General.' As soon as the sufferer had swallowed the medicine the medical officer went directly back to the window, carefully refilled the wineglass, returned to the bedside, and again said, 'Drink this, General.' This went on for a considerable time, when at length the effect of the opiate became apparent; Ramseur's hand slowly and gradually relaxed in mine and finally became limp—he was unconscious, and remained so until his death, several hours later.

"Had he been in possession of his faculties, I would have stayed to the end, but as nothing more could be done and my need of food and rest was no longer to be ignored, I withdrew and after getting something to eat fell into a profound slumber. Upon awakening next morning I went directly to Surg. Ghiselin and arranged with him to have Gen. Ramseur's remains sent through the lines to his family.

"Such, my friends, is the brief statement of my personal relations with that gallant soldier and splendid son of the old North State."

JOHN A. MOON.

Mr. PARK. Mr. Speaker, I ask unanimous consent to place in the CONGRESSIONAL RECORD a short editorial reviewing the congressional service of Hon. JOHN A. MOON, and to extend brief remarks of my own.

The SPEAKER. The gentleman from Georgia asks unanimous consent to print in the RECORD a short editorial on the legislative life of Judge MOON. Is there objection?

There was no objection.

LEAVES BEHIND A FINE RECORD—JUDGE JOHN A. MOON RETIRES FROM CONGRESS AFTER SPLENDID SERVICE OF 24 YEARS—MOST ABLE IN DEBATE.

(By John D. Erwin, Washington correspondent of the News.)

WASHINGTON, *February 22.*

With the close of the Sixty-sixth Congress, March 4, Representative JOHN A. MOON, of the third congressional district of Tennessee, will retire after a continuous service in the House of 24 years, during which time he made an enviable reputation as a useful public servant.

Among his numerous friends and admirers here it is a source of the keenest regret that Judge MOON'S health has become impaired to a degree that he can not be at his post at the close of his service, but under the advice of his physician has been forced to seek rest and quiet at his home away from the strain and turmoil of Congress.

Judge MOON proved himself not only an able and serviceable Member of Congress, but he is popular in his district and the State. Throughout his long tenure he was not only invincible before the people of his district, but his commanding influence changed the district from a doubtful one to a Democratic stronghold. He started out in 1896 by overcoming a Republican majority in the district of 3,500 in 1894, and at each succeeding election until the last one increased the Democratic majority. No Democratic contestant for the nomination nor no Republican contestant in the general election could defeat him until the last election, when his district, with the State, went Republican.

He is regarded as one of the ablest debaters in the House. He does not speak often, but when he does he commands the attention of both Democrats and Republicans, and it may be said that in such conflicts in which he engages the force and logic of his arguments are convincing to both sides of the House. While he commands the respect of the Republicans and wields considerable influence over them, he is a stanch Democrat, faithful always to his party, and an aggressive advocate of Democratic measures and principles. He is an ardent supporter of the Democratic administration, and has been all along one of President Wilson's ablest lieutenants in the promotion of constructive legislation.

During his service Judge MOON looked carefully after the manifold interests of his district and his State, which is matter of public record, but his activities have not been restricted to doing things for his district and his State, for he has waged numerous successful battles in behalf of the whole people. Broad-minded, patriotic, and farseeing, his aspirations for legislative accomplishments have embraced his entire country, and in every conflict in which the principles of right and justice have been involved he has been found on the right side, defiant of the wrong and bravely combating whatever opposition may have confronted him.

Judge MOON has never claimed credit for the many valuable things he has done during his service. He has never boasted of his work, but has been content for his record to speak for him. He has remained constantly at his post, devoting his great talents to the public work instrusted to him. With every impulse of his heart for the good of the American populace and their Government and with a vision broad and far-reaching, he has devoted his life to maintain the principles of justice in the legislation enacted and in all the governmental relationship to the public.

Though his splendid record as a public Representative might with propriety have been blazoned in the papers to his great credit, it has not been done, as he has not sought publicity. He has been satisfied to have been of service in the great constructive work he has done, leaving his public performances to be their own commendation.

When he shall have left the field of his long service, where the strength of his mentality and the sterling qualities of his heart have combined to draw him close to men of worth in the body of which he is a Member those who have been associated with him and have learned to know him may appropriately pay him this honest tribute:

"His life was gentle; and the elements
So mixed in him, that nature might stand up
And say to all the world, 'This was a man.'"

Mr. PARK. Mr. Speaker, I know Judge MOON as well, perhaps, as he knows himself—the gentlest of gentlemen, "as brave as the bravest of the Howards," as loyal and true as the "unchanging blue."

In the tale of King Arthur's "glorious knights" is recited a touching incident of Sir Ector de Maris at the bier of Sir Lancelot du Lac, his half brother, "laid out" in the little "quire" of Joyeuse Garde.

Such is befitting to say of the dying lion of the third district of Tennessee, who languishes sick amongst loving relations and friends in Chattanooga.

Said Sir Ector:

Thou were the kindest man that ever struck with sword, and thou were the goodliest person that ever came among press of knights, and thou was the meekest and the gentlest that ever ate in hall among ladies, and thou were the sternest knight to thy mortal foe that ever put spear in the rest.

Let us hope he may have a speedy deliverance from his present bed of pain.

A MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendment joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired, had requested a conference with the House of Representatives, and had appointed Mr. STERLING, Mr. NELSON, and Mr. OVERMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 10105) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes, in which the concurrence of the House of Representatives was requested.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, had agreed to the amendments of the House to the amendments of the Senate Nos. 40, 48, 49, 92, 93, 107, 117, and 118, had further insisted and agreed to the further conference asked by the House on Senate amendments Nos. 11, 12, 31, 32, 33, 79, 80, 82, and 119, had disagreed to the amendments of the House to the amendments of the Senate Nos. 115 and 116, had further insisted upon these said amendments, and had requested a further conference with the House thereon, and had appointed Mr. GRONNA, Mr. KENYON, Mr. MCNARY, Mr. GORE, and Mr. SMITH of South Carolina as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, had receded from its amendment No. 58, had agreed to the amendments of the House to the amendments of the Senate Nos. 82 and 112, had disagreed to the amendment of the House to the amendment of the Senate No. 113, had further insisted upon its said amendment, and had requested a further conference with the House thereon, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

RECESS TO-NIGHT.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 to 8 o'clock this evening.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

CONTESTED-ELECTION CASE OF WICKERSHAM AGAINST SULZER AND GRIGSBY.

Mr. DOWELL. Mr. Speaker, I call up the contested-election case of Wickersham against Sulzer and Grigsby.

Mr. HUDSPETH. Mr. Speaker, I yield 30 minutes to the gentleman from Alaska [Mr. GRIGSBY].

Mr. GRIGSBY. Mr. Speaker, I make a point of order that no quorum is present.

The SPEAKER. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was directed to notify absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Dooling	Harreld	Luhring
Ayres	Doughton	Harrison	McAndrews
Baer	Drewry	Haugen	McArthur
Bee	Eagle	Hersman	McCulloch
Bland, Ind.	Ellsworth	Hill	McGlennon
Bland, Va.	Emerson	Hoey	McLeod
Brinson	Evans, Mont.	Huddleston	Magee
Britten	Evans, Nev.	Hull, Iowa	Maher
Brumbaugh	Ferris	Hull, Tenn.	Mann, S. C.
Buchanan	Fish	Ireland	Mead
Burke	Flood	James, Mich.	Moon
Caldwell	Focht	Johnson, Ky.	Mooney
Cantrill	Fordney	Johnson, Miss.	Morin
Carss	Gallagher	Johnston, N. Y.	Mott
Casey	Gandy	Kahn	Nolan
Clark, Fla.	Garner	Keller	Paige
Clark, Mo.	Goldfogle	Kendall	Pell
Classon	Good	Kennedy, Iowa	Phelan
Connally	Goodwin, Ark.	Kettner	Pou
Costello	Goodykoontz	Kitchin	Rainey, Ala.
Crowther	Gould	Kleczka	Rainey, Henry T.
Curry, Calif.	Graham, Ill.	Lampert	Rainey, John W.
Dempsey	Graham, Pa.	Langley	Randall, Wis.
Denison	Hadley	Lesher	Reed, W. Va.
Dent	Hamill	Little	Riddick
Donovan	Hamilton	Lonergan	Riordan

Rodenberg	Scully	Sullivan	Watkins
Rogers	Sears	Thomas	Wilson, Ill.
Rowan	Sells	Tinkham	Wilson, Pa.
Rubey	Small	Vare	Wise
Sanders, La.	Smith, N. Y.	Venable	
Sanders, N. Y.	Steele	Voigt	
Sanford	Stiness	Walsh	

The SPEAKER. Two hundred and ninety-eight Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. HUDSPETH. Mr. Speaker, I yield 30 minutes to the gentleman from Alaska [Mr. GRIGSBY].

Mr. GRIGSBY. Mr. Speaker and gentlemen of the House, I can not hope to analyze the testimony in this case in the brief time which has been allotted to me. It is contained in a record of 840 pages. It required an argument of 24 hours before the Elections Committee, 12 hours on a side, and at that two-thirds of them do not know anything about the case yet. I am simply going to discuss some of the features of this case and point out to you the way the case came up. Some of you do not know anything about it and naturally could not be expected to.

Charles A. Sulzer was elected Delegate to this Congress from Alaska on November 5, 1918, by 33 votes on the face of the returns. Mr. Wickersham, the contestant, when he came down here to inaugurate his contest contended that if there had not been fraud in the canvass of those votes by the canvassing board, consisting of the governor and other officials of the Territory, a true count of those votes would have made a change of 40 and have entitled him to the certificate; but your Elections Committee made a recount of every ballot cast at that election, resulting in a change of 2 votes, leaving Mr. Sulzer still with a majority of 31 on the face of the returns.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. GRIGSBY. Yes.

Mr. CHINDBLOM. The gentleman does not mean to say that there was a recount of all of the ballots?

Mr. GRIGSBY. I do.

Mr. CHINDBLOM. Why, no. The gentleman knows that there was only an examination of the rejected ballots. The gentleman from Texas [Mr. HUDSPETH] will agree with me on that.

Mr. GRIGSBY. I can not yield to the gentleman, I have only 30 minutes. I know that on the point on which Mr. Wickersham said the change would be made, you found a change of 2 ballots, and you found that Mr. Sulzer was elected by 31 votes.

Mr. HUDSPETH. Wherever there was any question about the ballots there was a recount of every ballot.

Mr. GRIGSBY. Yes. Mr. Speaker, I do not want any more interruptions in my time from anyone. When this canvass was made by the canvassing board in January or February of the following year, the canvassing board had no alternative under the law but to issue a certificate of election to Mr. Sulzer, and no one can dispute that statement. About the time the certificate was issued to him he died. His death caused a vacancy, and under the law of Congress it became the duty of the governor of Alaska to call a special election. He had to call it; he had no alternative; he could have been mandamused to call it. There was a vacancy in the office. He did call an election. I was nominated to run as the Democratic candidate at that election. There was a labor candidate put up. The returns came in at that election from 144 precincts out of 164, in the whole of Alaska, and I was elected by a majority of 1,277 votes in an election duly and legally called, and when the gentleman from Missouri [Mr. HAYS] gets up here and says that I am standing in anybody's shoes and not in my own shoes as a Member of this House he says what is not so.

I was elected by the people of Alaska. It may be that some time in the remote past political exigencies required a rule which would allow a man to sit idly by for two years and refuse to run and put his community to the trouble of going to the expense of an election, making his population walk thousands of miles to vote, and then come in here on the last day of the session and make his biennial descent on the Treasury of the United States. [Applause on Democratic side.] If I had time, I would take this report of this committee and make them ashamed of every word in it. There is not a member of the committee who is responsible for this majority report who can meet me anywhere in public debate and justify it. Why, they do not give the name of a single illegal voter whose vote they cast out. One of them came up here yesterday with a little list of the illegal votes that they say they cast out in order to sustain these findings, and whom did he mention as one of these illegal voters whose vote is cast out? The Hon. Charles A. Sulzer. Mr. Sulzer is the late Delegate to Congress, and he died before any testimony was taken in this case. His mouth is closed. I have conceded for the sake of his everlasting good name that he did not vote for Mr. Wickersham. [Laughter and applause.] This House does not need to take my concession, and I say that if this committee is so hard up to find illegal votes to cast out in order to give this man his $21,000 that they have to go and cast out the vote of the candidate himself who is dead, then they have got a pretty weak case.

This committee knowingly or unknowingly has violated every rule of conducting election contests. There are three rules which the House has laid down in case after case in respect to election contests. One of them is that every presumption and intendment of the law is indulged in favor of the right of suffrage. Every vote is sustained if it possibly can be sustained. Another is that every presumption is indulged in favor of the sitting Member. The third is, and it obtains not only in election contests but in every kind of legal proceeding, that every presumption is indulged in favor of a dead man. This contestant is attacking the title of a dead man.

But he should not come in here and ask to be seated on the strength of a report that does not clearly prove by itself that he is entitled to prevail. Now, I say that instead of indulging these presumptions in favor of a dead man and in favor of the right of suffrage and in favor of the sitting Member, they have pursued exactly the opposite course in every contention in this case. They have thrown out the vote of Charles A. Sulzer, who voted in Ketchikan instead of down at Sulzer, under the Territorial law, on the presumption that he voted for himself. They threw out the vote of his private secretary who came down there from Fairbanks. Now, if I am wrong about that, tell me what votes you did throw out, because I have never been informed and you do not name one of them, but there were between 21 and 25 alleged illegal individual votes and you must have thrown out some of them because you threw out 21. I conceded 13 of them. I can name you 12 that I can analyze that you can not get a vote on your side in favor of throwing out. Steve Reagan, the assistant United States attorney at Ketchikan, and his wife——

Mr. CHINDBLOM. They were not thrown out.

Mr. GRIGSBY. All right. What was thrown out? Give me your list, please. [Applause on the Democratic side.]

Mr. DOWELL. Read them.

Mr. GRIGSBY. All right. Here is William Semar and Mrs. Semar thrown out. There is not any evidence in the case to show how they voted? What is the evidence in the case to show how they voted—William Semar and Mrs. Semar? I have examined the record in reference to these two votes and have not found a line of evidence of any kind in reference to how William Semar and Mrs. Semar voted, unless it was because they went up to the polls in company with people who were thought to be Sulzer supporters. You have thrown out the vote here of Mrs. Kinkaid, and I do recollect in her testimony she testified she did not remember how she voted; does not know to-day. Her husband voted for Sulzer, but she said she did not know how she voted. Bert Heath, a young Ketchikan boy, was away from home six years wandering during his minority. He came back and lived with his father at his father's house, and there was some question as to his legal residence. I concede that. The only evidence as to how he voted was that his father said he thought that young Heath voted for Sulzer. Is not that true?

Mr. KEARNS. Will the gentleman yield?

Mr. GRIGSBY. Yes, sir.

Mr. KEARNS. Had this young man during the six years' absence voted at any place else?

Mr. GRIGSBY. I do not know. There is no evidence of whether he did or not, and, whether he was a resident of Ketchikan or not, here is the damning paper, and you have thrown out his vote, and you have not a line of evidence how he voted except that his father said that he thought the rest of the family voted for Sulzer. If you have any more evidence, state it. [Applause on the Democratic side.] If this vote were the deciding vote in this contest, which it might be, are you going to pay this contestant $21,000 on that kind of evidence? That is as strong a case as you have of the individual illegal votes. J. C. Cochran lived in Ketchikan for years up until shortly before this election in question. He was appointed lighthouse keeper at Lincoln Rock, which is 30 or 40 miles from Ketchikan and outside of Ketchikan recording district. He never lived anywhere else except in Ketchikan, in Alaska, as far as the evidence shows. On election day he left the rock out in the sea, where he was stationed, and returned to his home in Ketchikan and voted. You threw out his vote because he voted in the wrong precinct and said he ought to have voted at

Wrangell, where he had never been in his life, simply because this lighthouse where he was officially stationed came within the boundaries of the Wrangell precinct. There is another vote you have thrown out. Now, there are lots more of them, but I am not going to discuss any more individual votes. I can go on and show that I have a stronger case in respect to 16 votes that you did not allow me, and name them. You allowed me 11 votes. I can show votes you have ignored in your report. But what about all this voting in the wrong precincts? A Territorial law was passed in 1915 by the Territorial legislature.

It was so inconvenient to the population in Alaska to compel them to leave their mining business and their fishing business and other occupations to go 50 or 100 or 200 miles to the home precinct to vote that the legislature passed a law stating that they could vote in any precinct in the division in which they lived, and there are four divisions in Alaska. That was passed in 1915, and it is true I rendered an opinion that the legislature exceeded its powers in passing that act, but you have put a section in the organic act that says that when the legislature passes laws at the session of the legislature they shall be submitted to Congress, and if disapproved by Congress they shall be null and of no effect. That law was passed in 1915, when Mr. Wickersham was sitting in Congress, and he knew what the law was, because he was present at that legislature, and he ran under that law in 1916, and, according to the evidence in this case received several hundred votes cast by persons in wrong precincts in 1916. He served in this Congress from 1915 down to the spring of 1919. Did he ever ask Congress to disapprove that legislative act? No; he ran under that act. My successor, who is sitting here to-day and who is a resident of the fourth division, came down from Nome in 1916, just 30 days in the division, and voted for Wickersham, as did 200 others. Now, does it lie in this man's mouth, who has allowed the people of Alaska to imagine they had the right to make their own election laws, to come down here now and try to grab off this lump sum on a technicality? Is there any equity in this case?

Now, I want to talk a little about the soldier vote. This committee, for whom I have the highest respect as individuals, but not as lawyers or judges, has thrown out 44 soldier votes. They do not name them. They do tell where they enlisted at various places in the States, but they omit to mention that nearly all of them also reenlisted in Alaska. They do not draw any distinction between any of these soldiers. They place them all in the class of soldiers in the Regular Army of the United States who are transferred to a locality and stationed there, and have no status in that locality except as soldiers, and then throw them out wholesale.

And, in the first place, they make a mistake numerically. They say that of the soldier vote in 1918 Wickersham received 5 votes, Sulzer received 24 votes, and 16 of them refused to testify; that of the votes of the ones where the testimony showed for whom they voted there should be deducted a net of 19. There were only 16 soldiers who testified how they voted. Five of them testified they voted for Wickersham; 11 of them testified they voted for Sulzer. Of the 11 that testified they voted for Sulzer, 4 of them were legal voters in Alaska, having reenlisted there. One of them had been out of service for a period of nine months before he reenlisted. Now, there is no law, there is no decision of any court, there is no decision of this House, that a soldier can not acquire a residence. The decision in the contest of three years ago of Wickersham against Sulzer does not say so.

The evidence in that case was simply that a body of soldiers stationed at a couple of forts—Fort Eagle and some other fort up the river—were not entitled to vote. And under the facts they were right. But every authority that I have been able to find announces the doctrine that a soldier can change his residence just the same as anybody else, if he has the opportunity. It is true that his opportunity does not come so often, but when he has it he can change his residence.

Now, this House decided a case back in the Forty-first Congress which is exactly in point to this case. And it is a peculiar thing that the two cases cited by your committee two years ago against this soldier vote are both in favor of the soldier vote. And in the trial of this case before the committee, Mr. Wickersham, the contestant, came before the committee and cited the case of Gen. Ames, of Mississippi, who was elected to the Senate back in 1870 or 1871, and he read the committee report, written by Roscoe Conkling, I believe, which stated that because Gen. Ames was in Mississippi in a military capacity only he was not entitled to a seat in the Senate, and he told your committee that the Senate turned Gen. Ames out of the Senate. When he got through I produced the Senate report of that case and showed that the Senate overturned the report of that committee by a vote of 40 to 12, and seated Gen. Ames, and that he never had been thrown out. He was not in when the question came up; but they seated him, and overturned the committee's report on the theory that the mere filing of his candidacy to run for the United States Senate from Mississippi showed his intention to acquire a residence in that State. And if a candidate for office can acquire a residence in that way, an elector who votes for him certainly has the same right, and so it has been decided by the courts and by this House that when a soldier's term of enlistment expires in the State or Territory where he is stationed, if he reenlists in that State or Territory he acquires a residence there if it is coupled with the requisite intention.

Your committee has thrown out the votes, and nearly all the votes they have thrown out are of boys who enlisted once, twice, three, and four times in Alaska. You have thrown out the votes of seven members of the Signal Corps who reside in Valdez, in homes which they own or rent, and who are married and who pay taxes, and who conduct themselves just as any other citizens.

Now, see what this House says about that proposition in the case of Taylor against Reading, in the Forty-first Congress, which was cited against Mr. Sulzer two years ago, involving 20 soldier votes. I find in looking up that case in the House contested-election cases that the House allowed 13 votes of soldiers in the Regular Army. That case is reported in contested-election cases, second session, Forty-first Congress, Miscellaneous Documents.

Now, what is the theory on which they allowed those votes? [Reads:]

> The third class consist of those who did not reside in the district at the time of their enlistment, but remained for some years; in some cases reenlisting once, twice, and in one case three times. Most of these men had either purchased or rented property, had their homes in the district, and had given other evidence of an intention to select this precinct as the place of their abode.

These votes are allowed by this House, and that decision has never been overruled. And I want to show you what the evidence is in this case along the same line. Now, I am talking about the votes they threw out at Valdez. Here is the testimony:

> Q. Now, were the members of the Signal Corps at Valdez in 1918 residing on a Government reservation?—A. They were not.
> Q. Where did they reside?—A. Some in their own homes in the town—the married ones—and the others in other people's homes as boarders or roomers.
> Q. They resided as other citizens of Valdez?—A. With and as other citizens resided.
> Q. Do you know whether the members of the Signal Corps paid taxes on their property like other citizens there?—A. I know they did.
> Q. Did any of the members of the Signal Corps take part in the municipal elections that were held in the town of Valdez in the spring of 1918?—A. They did.
> Q. Was there any difference in their method of living in Valdez from the way other citizens lived?—A. There was not. They were earning their living, associating with other citizens of the town, and willing to be such.
> Q. And they made personal friends among those living in Valdez?—A. They did.
> Q. Do you remember how many Signal Corps boys stationed at Valdez for the year 1918 married Valdez girls and young ladies who had lived in Valdez?—A. About seven.
> Q. Do you know that those that married owned their own homes in Valdez?—A. Some did.
> Q. Did they live in them?—A. They did.
> Q. And others, how did they live?—A. They rented houses.

That brings it squarely in the rules of this House. Now, these are the Signal Corps votes that they are throwing out here. And every one of them, practically, that goes to Alaska goes there at his own request. It is a selective service, and they go there, and they testify that they go there in the first place with the intention of acquiring a residence there and remaining there when their term of enlistment expires.

There is one man whose vote they have thrown out who has been up there since 1903, who has enlisted and reenlisted and has taken his family there, and who is there yet, working in a bank. He never had any other home. They throw out his vote. No wonder they do not mention the name of a man whose vote they have thrown out. There is no evidence, no testimony, to justify them in saying that 24 of these men voted for Sulzer, because we have only 11 of them as to whom there is any evidence.

They have adopted a rule here as to those concerning whom they did not get any evidence which is a relic of those unregenerate days when you wanted arbitrarily to seat somebody, a relic of the remote past, because nowadays election contests are decided upon their merits. It is called the pro rata rule, which is the most ridiculous, asinine, and absurd method of disposing of an election contest that you can devise. If you do not know what the pro rata method is, I will tell you. It is this: If it is ascertained that there were a certain number of illegal votes cast in a precinct and you do not know for whom

they were cast, you divide them up in accordance with the proportion of the votes cast in that district.

The SPEAKER. The time of the gentleman from Alaska has expired.

Mr. HUDSPETH. I yield the gentleman five minutes more.

The SPEAKER. The gentleman is recognized for five minutes more.

Mr. GRIGSBY. For instance, if I carry a certain precinct 4 to 1, and there were 50 illegal votes cast in that precinct, you would charge 40 to me and 10 to the other man. In other words, if a man comes down here to contest my seat and is unable to furnish evidence, you get it for him by an arbitrary method which can not be right once in 500 times, because there are hundreds of ways in which those votes might have been cast other than in the proportion of 40 for me and 10 for him. Seldom if ever have you arrived at justice in a case decided by such asinine methods. It is vicious and foolish. The true rule would be that if a contestant comes down here, especially if he comes down here contesting the seat of a dead man who is unable to open his mouth, he should be entitled to his seat only upon legal evidence, even if a new election is necessary on account of the casting of illegal votes.

Now, look at the way they have applied their pro rata rule. I will give you some indication of the care with which they have reviewed this case. They have found that there were four Regular Army votes in Valdez Bay. They have prorated them. Now, in the first place, there were but three Regular Army votes in Valdez Bay, and in the second place, one of them, to wit, Joseph Newman, testified that he voted for Wickersham, and we have got the worst of it there again. I could go through this report and tear it to pieces to the satisfaction or dissatisfaction of you gentlemen on the other side if time would permit.

I have said enough now to place you in doubt about it. The gentleman from Missouri [Mr. HAYS] yesterday said that the result of this contest would mean no reflection on me, that it was not my contest, but it was a contest between Mr. Wickersham and Mr. Sulzer. In other words, he is greasing the chute to slip me out into the street. [Laughter.]

But when I shall have got out I shall have been kicked out of Congress. This contestant pledged himself to this Congress in my presence three years ago not to contest this election. I have it right here in the RECORD. You will not find it in the permament official RECORD, because he has changed the permanent official RECORD. But Mr. HARRISON, now Senator, asked him who was elected at the last election, referring to the 1918 election. I read:

Mr. HARRISON of Mississippi. In this last campaign—last November—was the proposition discussed as to whether you were elected or Mr. Sulzer was elected?

Mr. WICKERSHAM. It was discussed a little; yes.

Mr. HARRISON of Mississippi. Well, who was elected in the last election, or has not that been decided

Mr. WICKERSHAM. We do not know yet. The answer will depend on whom you ask. If you ask me, I say that I am elected, and I have no doubt that if you ask Mr. Sulzer he will say that he is; but I am perfectly willing to say that it is so close that nobody can honestly tell you, and that neither you nor we will know until the official count is had.

Mr. HARRISON of Mississippi. And there will probably be a contest over that?

Mr. WICKERSHAM. Not if I lose, because I have had enough of it. [Laughter.]

Now, that is from the daily RECORD of January 4, 1919. You turn to your official RECORD—that is, the permanent RECORD—and you will find language inserted there so that it gives him an "out" to justify this proceeding. It reads:

Not if I lose here.

When he answered the question he said that if he lost the election in 1918 as the result of the canvass he would not contest again; but when your permanent official RECORD appears he says:

If I lose this contest I will not contest again.

[Applause.]

The SPEAKER. The time of the gentleman from Alaska has again expired.

Mr. DOWELL. Mr. Speaker, I yield 20 minutes to Judge Wickersham.

The SPEAKER. The gentleman is recognized for 20 minutes.

Mr. WICKERSHAM. Mr. Speaker and gentlemen of the House, I propose to pay some attention, first, to the one question which my opponent gave most time to, and that was the question of the legality of voting out of one's precinct in the Territory of Alaska in the election of 1918. I will give my attention chiefly to that, because he is so intimately connected with it himself that I think it is important to show to this House that it was a matter of grave moment to him then, as it is now. It was a grave matter to him then as it is now.

The laws passed by Congress for the government of elections in Alaska provide that no man shall vote in that Territory who is not an actual bona fide resident of the Territory of Alaska for one year immediately preceding the date of voting, and in the precinct in which he votes for 30 days immediately preceding the date of that voting. I want to read the law to you, so that there may be absolutely no question about it. It is section 394 of the Compiled Laws of Alaska, a compilation made by Congress; and it is the act of May 7, 1906, an act passed by Congress for holding elections in the Territory of Alaska for the election of a Delegate to Congress. That section provides that—

SEC. 394. All male citizens of the United States 21 years of age and over, who are actual and bona fide residents of Alaska, and who have been such residents continuously during the entire year immediately preceding the election, and who have been such residents continuously for 30 days next preceding the election in the precinct in which they vote, shall be qualified to vote for the election of a Delegate from Alaska.

Now, that is the act of Congress provided for holding elections for the choice of a Member of this House in the Territory of Alaska, and that act specifically requires that a man shall have a bona fide residence in the precinct 30 days immediately preceding the day of election.

In his opinion to the governor and the canvassing board of the Territory, Mr. Grigsby said at the end of the letter:

I have to advise you that the legislature in attempting to change the qualifications of voters by this act—

meaning the act of the legislature allowing persons to vote anywhere in the judicial division—

exceeded its powers, the qualifications having been fixed by the act of May 7, 1906, and continued in full force and effect by the organic act or constitution of Alaska. The organic act expressly authorized the legislature to extend the elective franchise to women, but in no other way authorized the changing of the qualifications of electors by the legislature.

Respectfully submitted. GEORGE B. GRIGSBY,
Attorney General.

Now, that opinion of the attorney general, who is my opponent, was given to the canvassing board and the governor of Alaska in February, 1919, after the election on the previous November 5, 1918. In that opinion he correctly stated the law. But, very shrewdly, a gentleman on the floor yesterday called the attention of this House to the fact that Mr. Grigsby had rendered that opinion after the election, and therefore he was not bound to the same rule of opinion on election day November 5, 1918.

But the evidence in this case shows that on November 5, 1918, Mr. Grigsby was the attorney general of Alaska, and the evidence shows that previous to that election he had drawn instructions to all of the election officers in the Territory of Alaska giving them exactly that opinion, and his evidence in this record is to the same identical effect. If you will turn to his evidence at page 774, of the record, you will find him before the canvassing board; this question was then raised, because a vote had come up which involved that question; this question was put to him by Mr. Garfield (who is a member of the canvassing board):

Mr. GARFIELD. There is only one question, and that is the question of precinct and division being synonymous. If it is, I think his vote should be counted.

The CHAIRMAN. Well, we'll put that up to the attorney general.

Mr. GRIGSBY. What?

The CHAIRMAN. Whether precinct and division are synonymous—whether a man that has been 30 days in a division can vote.

Mr. GRIGSBY. Well: I have instructed all the election officials that 30 days' residence in a precinct is required.

Mr. DAVIDSON. Oh, you did?

Mr. GRIGSBY. Yes.

Mr. DAVIDSON. How about Sulzer voting down at Ketchikan?

Mr. GRIGSBY. I don't know. If he voted where he didn't reside 30 days, it isn't good. I know lots of them that voted because the Territorial statute says they can. The Territorial statute contradicts the Federal statute. Thirty days in a division. The Federal statute is, by reference, incorporated into the organic act.

Now, that was his instruction to the canvassing board prior to the time he wrote the opinion. Those were his instructions to the canvassing board prior to the time he gave his opinion to the governor, and in that statement he says that he had given that instruction to the election officers throughout the Territory of Alaska.

Now all the returns from the Territory of Alaska are here. They are all before this House. They are in charge of the Clerk of the House, and every one of those returns carries upon it the instruction of the attorney general of Alaska, Mr. Grigsby, that nobody can vote who has not been a resident of the precinct for 30 days immediately preceding the date of the election.

"Oh," but some gentleman says, "this is technical." Well, it is not technical. It is not only not technical, but it was the source of the gravest crimes in the Territory of Alaska on election day. One of my opponents on this floor has said, "I do not find anything much in the report rendered by this committee. It seems

to be rather technical." Well, the report is just as fair as is the report rendered by the gentleman from Louisiana two years ago. It has no spectacular announcements in it. It does not call anybody names or declare that anybody is guilty of crimes, and it ought not to do it. It is not the report of a grand jury. It is the report of an election committee, and its sole duty under the law is to point out illegal votes, if any, and to make a report to the House upon the question of illegal votes. The gentleman from Louisiana [Mr. WILSON] did that two years ago in this case under circumstances almost identical with the present case. This committee has done it this time and followed his report word for word in a very large degree. They have not gone into the question of crimes or pointed them out, and very properly so, but the record shows crimes. The record shows a general conspiracy on the part of the Federal brigade in the Territory of Alaska to violate the election laws. Alaska is a Territory, and all of her officials up there except the attorney general and the members of the legislature are appointed from Washington. Her governor is appointed. The collector of customs is appointed from Washington; the surveyor general is appointed from Washington. All of our officials are appointed. We have a regular carpet-bag government, and those people have control of our election machinery. The judges, the clerks, the marshals—all of those officials are Democrats, and opposed to me. All of them have stood together with Mr. Grigsby to run this election.

Now, I wish to go back just for a moment to the question of voting out of your precinct in Alaska.

Mr. Grigsby was in the city of Cordova, Alaska, and he took quite an interest in the matter of this election. On the witness stand he testified as follows:

In Cordova it is now claimed that the town of Cordova went Wickersham for the reason that a great many Wickershamites from the outside precincts of Cordova were permitted to vote in Cordova. It was agreed there, I believe, by the party managers that no challenges would be interposed on that ground, and there was a general sentiment throughout the Territory that the Territorial law was right; that a man should be permitted to vote anywhere in his division that he happens to be on election day, especially since at that time of the year, the close of the mining season, is when men are more or less in transit.

By Judge Wickersham:

Q. But you have given an opinion to the governor of the Territory of Alaska that the law was invalid and void because it was in conflict with the organic act?—A. That was since the election.

Q. You think it is correct?—A. That was certainly my opinion when I gave it.

Q. You say there was an agreement at Cordova wherein everybody was allowed to vote; you lived in the division for 30 days; how do you know that?—A. I heard it talked of.

Q. Somebody told you?—A. I was there when such a stipulation was made.

Q. On election day?—A. Yes; on election day.

Q. When; at what time on election day?—A. This last year; 1918.

Q. Who made the agreement there at Cordova; who was speaking about it?—A. The matter was discussed between Mr. Jimmie Gallen and Bud Sargent, and some others, and they agreed not to interpose any challenges on that ground.

When the stipulation was made to violate the United States statute Mr. Grigsby says he was there.

He made the agreement at Cordova. The matter was discussed and they agreed not to interpose challenges on that ground.

So that between these gentlemen and Grigsby, who was present, the agreement was made that no challenges should be made, and they filled the ballot box at that place with illegal votes.

They did that down at Ketchikan. I want to call attention to Ketchikan. Ketchikan is an incorporated town, and the election officers are nominated by the city officials and not by the Federal brigade. There they had honest election officers, and outside men who came into that place were challenged and not allowed to vote, the election officers having been instructed by Grigsby not to allow any men to vote that had not been residents of Alaska for one year and of the precinct for 30 days. They challenged a lot of these men, and this record shows that the deputy district clerk of Judge Jennings's court—who decided the district court case against me—took them into his automobile at the polling place and run them a mile out of town, where the officials were appointed by the same deputy clerk acting as commissioner, and there voted them all day long, although everybody knew they were not entitled to vote. Many, many men were run out of Ketchikan to this outside place and voted illegally by this deputy clerk of court. The record is clear about it, and nobody dares to deny it. It resulted in this, though your statute provides that any person offering to vote may be challenged.

These are your laws. Congress passed this law for the government of Alaska, and I want you to pay attention to it. We have no jurisdiction to pass election laws, and if you will not enforce your own laws, I do not know who will. This is the law:

SEC. 401. Any person offering to vote may be challenged by any election officer or any other person entitled to vote at the same polling place, or by any duly appointed watcher, and when so challenged, before being allowed to vote he shall make and subscribe to the following oath: "You do solemnly swear (or affirm, as the case may be) that you are 21 years of age and a citizen of the United States; that you are an actual and bona fide resident of Alaska, and have been such a resident during the entire year immediately preceding this election, and have been a resident in this voting precinct for 30 days next preceding this election, and that you have not voted at this election," and further naming the place from which the voter came immediately prior to living in the precinct in which he offers to vote, and giving the length of time of his residence in the former place.

Then, after he has made his affidavit, the person taking it is permitted to vote. I call your special attention to that, that after making that affidavit he is permitted to vote, and there is no further challenge and no way of stopping it.

On election day in Ketchikan certain men came to vote and were challenged by these honest election officers, who were appointed by the city officials of Ketchikan. They were then taken into an automobile, run out of town a mile to be voted, and were voted at Charcoal Point.

Here is what happened in one instance, and it happened in many instances in the Territory of Alaska. This instance was perpetrated in Ketchikan, and at Charcoal Point, by this deputy clerk of Judge Jennings's court; a man by the name of Mahoney, who took these people into his automobile after they had been challenged at Ketchikan, and carried them off to Charcoal Point, and voted them all day long as fast as he could run his automobile up and down the mile track.

Here is the testimony of the election officer at that place—who was appointed by Judge Jennings:

Q. Do you remember George Nix from Hydaburg?—A. I remember there was a man by that name.

Q. An Indian?—A. I think so.

Q. Do you remember whether he was challenged?—A. By Mr. Althouse, I think.

Q. And swore in his vote?—A. Yes, sir.

Q. And you administered the oath to him?—A. I did.

Q. And he swore that he had lived in that precinct 30 days prior to election?—A. Charcoal Point?

Q. Yes.—A. I don't remember.

Q. Do you know the form of the oath you administered to everyone who was challenged?—A. Yes, sir.

Q. You knew he hadn't been a resident of Charcoal Point 30 days?—A. He registered from Sulzer.

Q. Why did you let him commit perjury?—A. I wasn't there to protect him; he ought to know what he was doing.

Q. He was an Indian?—A. Yes.

Q. From Hydaburg?—A. I don't know. Hydaburg or Sulzer—somewhere on the west coast. I read over the affidavit to him—the challenge before he signed it—and he signed it.

Q. And swore to it before you?—A. Yes.

Q. And you at that time knew he wasn't a resident of that precinct?—A. Yes; certainly I did.

Gentlemen of the House, that took place many times on election day because people were not required to vote in the precinct where they resided. Those frauds and perjuries were committed not by my friends, as the evidence shows in this case, but first by Mr. Grigsby, over at Cordova, and by the deputy clerk of the court at Charcoal Point. They occurred in many other places in the Territory of Alaska; but they are not in this report. This is not a grand-jury investigation. It is an investigation merely as to the illegality of these votes; and the fact that these people committed perjury, the fact that they committed other crimes and frauds, is not mentioned in the report, because it is immaterial. It may not be immaterial long, because we are going to have some officials appointed in Alaska in a very short time who will enforce these criminal laws against those men. [Applause on Republican side.]

Mr. Grigsby appeals to you, gentlemen, very feelingly to prevent me from being paid out of the Public Treasury for the time that I have been really and honestly elected Delegate from the Territory of Alaska. He has but three days left to serve himself, even if he is sustained—three days in which he will get his salary—but he says you must not allow me to take out of the Public Treasury the amount of my salary and mileage, because, forsooth, he has but three days to serve. That is not my fault. I did not start these contests. Four years ago, after the election, a suit was instituted in the Territory of Alaska against the canvassing board by my opponent to compel that canvassing board to throw out six precincts and give him a certificate of election. That was done; and it was denounced by Judge Wilson in his report two years ago as illegal and wrong. That was the beginning of these difficulties. The Federal brigade in our Territory, which has control of our elections, which appoints every election officer from one end of the Territory to the other, has been perpetrating frauds of that kind from that day to this; and I have been fighting them, and I am going to continue to fight them as long as they violate election laws in the Territory of Alaska and commit frauds and perjury such as appear in this record. [Applause on the Republican side.]

The SPEAKER. The gentleman's time has expired.

Mr. DOWELL. Mr. Speaker, I will state to the gentleman from Texas that I have but one more speaker on this side.

Mr. HUDSPETH. And the gentleman does not care to use his time now?

Mr. DOWELL. No; I desire to close the case.

Mr. HUDSPETH rose.

Mr. MOORE of Virginia. Mr. Speaker, may I disturb the gentleman for one statement and one question before he begins?

Mr. HUDSPETH. I yield.

Mr. MOORE of Virginia. I find that the Alaska contest in the last Congress was not decided until two months before the Congress ended, on the 4th of January. This contest is going to be decided only two or three days before this Congress ends. Has the gentleman found out as a member of the committee why it is that these very important cases are postponed until the fag end of the last sessions of Congress, when there is no real opportunity for debate or consideration, when we run the risk of acting heedlessly and doing injustice and inviting and deserving the criticism of the country?

Mr. HUDSPETH. Mr. Speaker, I will answer the gentleman by stating that I can not tell him, unless the majority of the committee have estimated the services of Judge Wickersham to be worth $7,000 a day. This contest should have been decided many months ago.

Mr. Speaker, if I were to consult my personal comfort I would not be here to-day, just having risen from a sick bed. I am not so much interested in whether or not Wickersham or Grigsby is seated, but I am interested in this House making a correct decision in election cases. Yesterday the gentleman from Missouri [Mr. HAYS] stated that a great political machine in the Territory of Alaska had controlled elections there for many years. That is the first time I have heard of this machine. The gentleman flourished a telegram or several telegrams from his district, stating that he had been importuned in his district to vote for Grigsby, and that he knew the telegrams emanated from Washington, because he knew that in his district they had not heard of this contest. Probably they have not heard of it in the district represented by the gentleman from Missouri. After looking at him and hearing his speech yesterday I am prepared to agree with him, and to admit that probably they have not heard of this contest in his district, but down in my district, whether they read it in the newspapers or not, they take it for granted that every two years Wickersham has a contest in Congress.

The majority report asks the seating of Wickersham, and does not disclose the name of any illegal voter, except one man named Probst. Up until this good hour the minority of this committee have never seen a list, although often demanding one, until it was produced by the majority this morning showing a list of the voters that they claim were illegal. The gentleman from Illinois [Mr. CHINDBLOM] and myself canvassed the returns, and I think the gentleman will agree with me—and he did at that time—that there was every evidence that the presiding officers were trying to follow the law in this case, and that there were very few discrepancies, as you would usually find in elections covering such a vast territory as is covered in the Territory of Alaska, 600,000 square miles.

After counting many of these ballots, every one where there was any question as to whether or not there were any illegal votes, we decided there were two that should be deducted from Sulzer and given to Wickersham. Understand, this contest was originally between Wickersham and Sulzer. Sulzer died on the 15th of April, 1919. The election took place in November prior to that. Under the law of Alaska the governor called a special election and Grigsby was elected, the gentleman who now holds the seat, as the Delegate from Alaska. The contest to-day is really between Judge Wickersham and Mr. Grigsby, because Mr. Sulzer is dead and can not be here to defend his rights.

The first question raised is relative to the vote of Cache Creek, and they throw out the entire vote.

Mr. GOODYKOONTZ. Mr. Speaker, will the gentleman yield?

Mr. HUDSPETH. No; I can not yield now. Why do they throw out the vote at Cache Creek? Upon the sole testimony of one Red McDonald, who is shown not to be a citizen of the United States nor a qualified voter in Alaska. They were running a dredge there. They had closed this dredge the evening before, preparing to leave the next morning. They packed up their traps and the testimony of six witnesses who are not quoted in the majority report is that the voting took place between 5 and 8 o'clock. Yet the majority report quotes the statement of Red McDonald, who was not even a citizen of the United States nor a voter in the Territory of Alaska, and I note that the chairman of the committee [Mr. DOWELL] yesterday said that there was some discussion between McDonald and some one as to why he did not vote. He said there was some discussion and he did not vote. He knew at that time that he was not a citizen of the United States and so swore to it afterwards and that he had no right to vote. Nevertheless the majority report relies on the testimony of that man and throws out the Cache Creek precinct, and deprives 26 voters of their ballot, of their franchise, and they do it upon the statement of McDonald that the voting took place around 5 o'clock. The gentleman from Washington [Mr. JOHNSON] stated yesterday that it was dark almost during the entire day at that time in that portion of Alaska.

Now, the minutes of the committee will show that originally this committee passed upon the Cache Creek precinct and allowed every vote except one. I say the minutes of your committee will show that you passed upon the Cache Creek precinct and allowed every vote except one, and that is the man where they took the ballot box up to his cabin, and that was rejected. Now, you throw out the entire box, you take 26 voters and deprive them of their ballot, because they say they voted a little too early, and they cite you to a Kentucky case. Now, that Kentucky case, gentlemen, was this; I have it right here. It is the case of Varney against Justice. Under the law the polls closed at 7 o'clock and they continued to vote until 10 o'clock. In that case the court threw out the votes cast after 7 o'clock. They did not throw out the entire box, but what you gentlemen are attempting to do here is to deprive every man there of his right to express his choice for delegate from his Territory notwithstanding that the testimony shows that the three election officers remained and six men remained there all day who belonged to the dredging force.

Yet, you gentlemen come in here and base your statement on the right to throw out these ballots on this Kentucky case, and you throw out the entire vote. The Kentucky case only threw out the votes cast after 7 o'clock. In this instance the election judges remained there the entire day, no evidence of any man having been deprived of his right to vote, no evidence of any fraud committed at Cache Creek, no evidence of any man coming there who was sent away without an opportunity to vote, and yet the majority here in order to seat Judge Wickersham—gentlemen, they intended to count this vote, but when they went to sum up another vote to which I will refer, the Indian vote, it was not leading in the right direction to the seating of Judge Wickersham, and they returned at the dead hours of the night, or some time when the minority was not present, and threw the Cache Creek precinct box out after they had put it upon their minutes as legal, except one man. Why? Because it was not leading in the right direction, and you received your orders overnight, and you had to do it in order to seat Wickersham and give him $21,000 out of the Public Treasury. The testimony is that they turned back the clock two hours. That is the testimony. Then the testimony is that there was two hours difference between the cook's watch and that of Red McDonald, your star witness. I expect every session that clock up over the Speaker's desk will be turned back as a legislative matter. Yet would you hold that acts passed after the clock had been turned back were void, holding as you have in this case, because these men in order to get down to the settlement in the cold time of the year got up and packed their traps and voted? Does any man on that side contend they were not qualified voters; yet Judge Wickersham comes in and says when his watchers got there at 8 o'clock the polls were closed and there is not a single line of testimony that he ever had any watchers; no, you can not find it because the record does not disclose he ever had any watchers or that they appeared at that time. Yet they throw out the votes of 26 people there, take 23 from Sulzer and give them to Wickersham on a discrepancy of an old 8-day clock. Pretty sorely pressed! That is not all; that is not all. Let us take up the Indian vote. You contended, Judge Wickersham, before that committee that the Indian who had not severed his tribal relations was not entitled to vote. You made a speech in which you contended that every Indian who had not severed tribal relations—and I agree with him—was not entitled to vote. What did the committee do? When they got to the Indian vote it was not leading in the right direction to seat Wickersham and they laid off on the Indian vote. Why, I will show you why. If they threw out the illegal Indian voters it would give Sulzer an additional 75 majority, and you know it. Why, let me show you why they laid off of the Indian vote. The testimony of Mr. Dennient, an Indian, by Mr. Rustgard, page 174, is:

Q. Do you know how those natives down there (referring to Klawock) voted; who they voted for?—A. No, sir.

Q. I mean the last election; November 5, 1918.—A. No, sir; but Watson was down there pretty strong for Wickersham.

Q. Who?—A. "Nigger" Watson.

Q. He doesn't live at Klawock, does he?—A. Why, he was there quite a while before the election.

Q. At Klawock?—A. Yes, sir.

Who was "Nigger" Watson? Why, he was the man who carried the news to the Indians that Sulzer had prepared a tenta-

tive bill to prohibit the Indians from fishing. He was a representative of Judge Wickersham and appears in a number of different places, Klawock and Craig, where the Indians had tribal relations and scattered this news that Sulzer had introduced a bill prohibiting them from fishing, and naturally if they could not fish they would think that Sulzer was responsible for it. This "Nigger" Watson as a representative of Judge Wickersham had scattered the seeds among the Indians, and naturally Wickersham got the Indian votes, and when it was shown where it was leading, and that it would increase the Sulzer majority the majority report contents itself by saying, "We will not go into the Indian vote."

If they had gone into it, you know they would have thrown out 43 votes at Klawock and Craig and another place, where the Indians voted, where they stated they never had voted before in their lives, and you know they voted for Wickersham. Why do I say that? Out of the mouth of one of Wickersham's own witnesses, a man by the name of Stackpole. He was asked whom these Indians were voting for, and he said they were voting for Wickersham. And those were the Indians that did not have the right to vote. Wickersham went into it before the committee, and this majority saw where it was leading, and saw that it would increase Sulzer's majority.

Now, take the Forty Mile precinct, and a great deal was said about it by my friend from Iowa [Mr. DOWELL] yesterday. Under the law the United States commissioner has the right once a year, and it is his duty, to change election precincts. Under the law no election precinct shall have less than 30 votes.

That is the law of Alaska. In order to economize Commissioner Donovan changed and cut out the Steel Creek in Forty Mile precinct and the Jack Wade precinct. The gentleman from Iowa said he cut out two Republican precincts. They were not Republican precincts—at least, one was not—in 1916, for in the Jack Wade precinct the Socialist candidate got 9 votes, Wickersham 8 votes, and Sulzer 4. The Jack Wade precinct was carried by the Socialists in 1916. In the Steel Creek precinct there were only 11 votes cast, and in 1916 Wickersham got 7, the Socialists got 2, and Sulzer 1. Now, what is the testimony about that? They claim in the majority report that this precinct should be thrown out, because he changed the boundaries in less than the 60 days provided by law. The law is he shall issue his order within 60 days, and shall post his notice within the precincts within 30 days. It is true he did not issue his order within the 60 days, but he did get his notice up. It was posted down there 35 days before the election, and the law only provides for 30 days.

There is no evidence here that anybody protested they had not received the notice. There is no testimony here that anybody was deprived of their vote by reason of the fact that they did not see this posted notice, but, on the contrary, they did receive notice, for he posted it 35 days before the election.

They say they had to walk 16 miles to vote. Let me say to you gentlemen that in many precincts of western Texas people travel 100 miles to cast their ballots as freemen. And to have the contestant come in here in order to get his biennial allowance of $21,000 they throw out the vote of 27 men at Forty Mile precinct, because they claim they changed the precinct and did not issue the notice in the time provided by law. He did not. But he did issue his notices, and they were posted in the time provided by law, and nobody claims in this report that he was deprived of his right to vote because they were not posted. But in order to give Judge Wickersham his money they deprive these people of their right to vote. And so throughout the entire district.

Now, in the case of The People against Cook, in Eighth New York, in regard to closing time—and this is Judge Willard speaking for the court—it is stated:

> If the inspector, after closing the door at sundown, received the votes of persons already in the room when the outer door was closed, but no legal votes were rejected or illegal votes received, the election is not invalid.

They received votes after sundown. That is one of the leading cases. The judge goes on to say:

> The hour of the day is not the essence of the thing required to be done.

Also in the case of Soper against The County of Sibley the judge says that the failure to post a list of electors 10 days prior to election is not sufficient ground for rejecting the votes of that precinct.

This following former decisions. Also if a large number of voters, with the knowledge, consent, and connivance of the said judges of election, were by violence and threats prevented from casting their votes, it did not vitiate the election.

And you say because he did not issue notice within 60 days, although he posted the notices, the election is void, and you cast out 27 votes there, taking 23 from Sulzer and giving them to Wickersham.

Mr. MICHENER. When was this case that the gentleman is citing from now decided?

Mr. HUDSPETH. It was decided in the Eighth New York, page 67. I do not remember the date.

Mr. MICHENER. When was the Kentucky case decided?

Mr. HUDSPETH. I do not remember the date. They stated it in their brief. It was decided before this contest.

Mr. MICHENER. It might be very material.

Mr. HUDSPETH. They rely on it as their leading case.

Now, the gentleman from West Virginia [Mr. GOODYKOONTZ] wanted to ask me a question, and I yield for a brief one.

Mr. GOODYKOONTZ. The question I wanted to ask was if the notice of this contest was filed by Mr. Wickersham prior to the death of Mr. Sulzer?

Mr. HUDSPETH. He claimed he prepared his notice and was not able to serve it on Sulzer because of Mr. Sulzer dying.

Mr. GOODYKOONTZ. When did Mr. Sulzer die?

Mr. HUDSPETH. On April 15. And he claims he was not able to serve it on Sulzer on account of his death.

The testimony shows there were 45 illegal votes cast at Cordova and Anchorage and another precinct—45 illegal votes, according to the testimony, were in those boxes. I asked the majority why they did not prorate those votes, as you did in those other cases, and "Wickersham carried all three of these boxes," is the answer. They have the evidence of how they voted. Why did they not prorate them, and show the vote as to how the rest of them voted? Why did not you gentlemen come in here in your majority report and prorate those votes?

Now, let me say to you that you can not get around that they are in the record. There were 45 illegal votes cast there, and this committee did not prorate a single one. They prorate where Sulzer carried boxes in which they claimed illegal votes, but when they come to the Wickersham votes, where they are flagrant violations, where men did not even live in the Territory, they do not touch any of those boxes in those three precincts, and yet they come in here and ask you to seat a man and give him $21,000 for three days' services.

Take the Signal Corps men. Here is the testimony—and I will quote it. There were 40 votes. Eleven of them swore that they voted for Sulzer, 4 for Wickersham, and 8 would not testify as to how they voted, and yet there were 16 that Judge Wickersham did not take the testimony of, and he may tell you, or the gentleman who comes after me, that it was because he feared for his life. Now, listen, gentlemen. Here is the testimony right here. In one place the judge says, and it was regrettable, that he was set upon up there my a man by the name of Selby. But he did not try to take the testimony of these other 16.

In one place he says it was because he was afraid of his life, and in another place Judge Wickersham testifies, and also through his attorney, Mr. Ritchie, that the reason why he did not take the testimoney of these other Signal Corps men was because they would go up there and swear that they had voted for Wickersham and he knew they did not.

Think of it! One of these men was an artilleryman, one of those soldiers who served 18 months "over there" fighting for your liberty and mine, "over there" fighting for the poor and the weak against the strong, and fighting for universal democracy, while Judge Wickersham was fighting for what? Pelf, $21,000. And he comes down here and stigmatizes those men, and says the reason why they did not finish taking the testimony—and he is corroborated by his own attorney, Mr. Ritchie—the reason why he did not do it is because they would come up there and swear a lie, and swear that they voted for Wickersham when they had voted for Sulzer. That is his reason. They may tell you that some man attacked him, and it is creditable that he did. It may be in Alaska as it is elsewhere in Texas, where red blood runs in men's veins, that whenever you say a man's sister or his wife has sworn to a lie the warship begins to sail. I suppose that prevails up in Alaska just as it does in Texas; when you say a man's sister or his wife has perjured herself there is sure to be trouble. This lady was named Mrs. Tyer. I read from the record on page 212:

> Mr. WICKERSHAM. I want to notify Mr. and Mrs. Tyer that I shall expect them to be here Thursday. I am going to apply to the commanding officer to keep him here until this matter is settled.

The commanding officer had assembled these men for 37 days before examination. The resolution only called for 30 days' examination.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Will the gentleman from Iowa yield me just two minutes more?

Mr. DOWELL. I regret I can not. I ask unanimous consent, Mr. Speaker, that the gentleman may proceed five minutes more.

Mr. HUDSPETH. Mr. Speaker, I ask unanimous consent that I may proceed for five minutes, and that the gentleman from Iowa may have five minutes more time.

The SPEAKER. The gentleman from Texas asks unanimous consent that the time of debate be extended 10 minutes. Is there objection?

There was no objection.

Mr. HUDSPETH. I read further:

Mr. TYER. Haven't I given my testimony?

Mr. WICKERSHAM. Not as fully as I desire it shall be done.

Mr. DIMOND. The only way, then, is for them to come in and testify they voted for Mr. Sulzer. If they state they voted for Mr. Wickersham they must be harassed and hounded around. If they say they voted and refuse to state for whom they voted, they must be pursued and brought into court on various successive days.

* * * * * * *

Mr. WICKERSHAM. Mr. Dimond, down at Seattle some time ago I took the testimony of Capt. Faust, Mr. Van Wick, Mr. Mooney, and two more soldiers, all of whom, as you know, took the same position as you are now taking, but on further advice all testified very fully and frankly. I want you to know that.

* * * * * * *

Mr. WICKERSHAM. The notary public understands that we haven't the testimony of this lady. She has refused to testify.

Mrs. TYER. Why are you keeping my husband, then?

Mr. WICKERSHAM. I want her to testify to the truth and the whole truth, and she said she would.

Mrs. TYER. Why are you keeping my husband?

Mr. WICKERSHAM. Your husband is being kept because of the resolution of the House of Representatives which requires the assemblage of all these soldiers here for the purpose of testifying.

Mr. TYER. Haven't I testified?

Mr. DIMOND. You and your husband are being kept in order to harass you.

Mr. WICKERSHAM. I want this woman's testimony, and I am going to have it.

Mr. DIMOND. You go ahead and get it. I object to any further delay.

Mr. WICKERSHAM. You can't violate the law with impunity.

Mr. DIMOND. I object to that statement. There is no violation of the law on my part.

Mr. WICKERSHAM. Soldiers ought to be the first ones to walk up and bravely and courageously tell the whole truth.

Mr. TYER. I have told the whole truth, and I object to your saying that probably I told the truth, sir.

Mr. WICKERSHAM. I say you probably told the truth. I have no doubt of it. This place is becoming a menace to civilization, almost.

Mr. DIMOND. You have become a worse menace.

Mr. WICKERSHAM. The House of Representatives don't think so.

Mr. DIMOND. All Alaskans do, however.

Mr. WICKERSHAM. Even a Democratic Congress doesn't think so. I ask for a postponement.

Now, that is the reason why the gentleman says at first he was afraid of his life, and, second, because there had come up there men in the uniform of their country, men who had enlisted in Alaska, men who had fought in the trenches of the Argonne while Judge Wickersham was making his biennial fight for the $21,000 that he expects. These men, he says, would not tell the truth. Then, in another statement he says he was afraid of his life. A man by the name of Selby, the brother of Mrs. Tyer, did jump on him, but there is no connection between the Signal Corps men and this trouble.

If I had time I would show you that a man can acquire a residence in Alaska under the law as a soldier, and that these men, seven of them, had married Valdez girls and had homes there, and that many of them had enlisted in Alaska in 1902 and mixed with the citizens and paid taxes. And yet this committee comes in here and throws out the votes of 40 and gives them to Wickersham; and as to 16 of them he never attempts to take their testimony, although the Secretary of War had assembled them there for the purpose of Mr. Wickersham taking the testimony.

Are you going to seat him on this testimony? I want to say to you, gentlemen, on that side, if you do, the precedent will rise up and plague you. After the Civil War, when sectional passions ran high, they seated men under various pretexts, but when men like Bailey and Gov. Lanham came up here and conferred with men like LODGE and Root, and said: "We will not do it on these pretexts; we will stop these raids on the Treasury," they did stop. But it seems there has been a return to it, gentlemen, or will be if you seat a man like Judge Wickersham. I do not believe you will do it. I do not believe you will give him $7,000 a day for three days, $4,000 for mileage, and $2,000 for expenses, and $15,000 for salary. I say, when you do and give him a seat here, when he is no more entitled to it than I am entitled to the ground upon which this Capitol is situated, you will do a great wrong, and one that will haunt you, and you will be ashamed of the rest of your natural lives. [Applause.]

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Texas has again expired.

Mr. DOWELL. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. REAVIS] the balance of my time.

The SPEAKER. The gentleman from Nebraska is recognized for 10 minutes.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent that the time be extended five minutes, to be controlled by the gentleman from Illinois [Mr. CHINDBLOM].

Mr. HUDSPETH. They gave me five minutes, and I agreed that we would give them five minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that the time be extended five minutes more. Is there objection?

There was no objection.

Mr. CHINDBLOM. May I ask the Speaker to notify me when I have occupied 15 minutes?

Mr. GARD. Mr. Speaker, may I inquire what is the present allotment of time?

The SPEAKER. All the time of the gentleman from Texas [Mr. HUDSPETH] has expired. The gentleman from Illinois [Mr. CHINDBLOM] has 25 minutes, which ends all time.

Mr. CHINDBLOM. Mr. Speaker and gentlemen of the House, this is my first participation in an election contest on the floor of this House. I have listened to some other contests which have been concluded here. I have myself participated in election contests elsewhere, and I will say very frankly that I have been somewhat surprised to find that my assumption that such contests should be determined solely upon the law and the evidence was a little far-fetched, and has not been sustained by some of the discussions on this floor. I presume I can make no answer that will be convincing in reply to the suggestion made a moment ago that there was a "nigger Watson," who participated in this case on behalf of the contestant, Mr. Wickersham, and I presume further that I can make no satisfactory reply to the charge that Mr. Wickersham offended or insulted a lady in Alaska; but I most respectfully suggest that these two elements, for whatever purpose they were introduced here, have no proper part in the discussion of this case.

Mr. Speaker, this committee started upon the consideration of this case in very good humor and in very good accord in spirit and purpose. The gentleman from Texas [Mr. HUDSPETH] suggested that some tentative agreement or arrangement had been made with reference to some of the issues. We did begin to ascertain whether we could arrive at a unanimous conclusion in this case, and tentatively we passed over some controverted questions. We passed over temporarily the Cache Creek proposition, and we also passed over temporarily the Indian vote proposition, and the gentleman from Texas [Mr. HUDSPETH] and the other minority members of the committee were parties to that discussion in the committee. But the gentleman from New York [Mr. ROWAN], who is not here, and who was expected to take the laboring oar in this contest for the contestee, raised a very novel proposition which has not even been discussed by the gentlemen on the other side, namely, that the requirement of a 30 days' residence in the precinct was not borne out by a proper construction of the organic law of Alaska; and there we stopped. We could not go any further in trying to reach a unanimous agreement in the committee when such an issue as that was raised.

Just one word about this question of the compensation of Mr. Wickersham. I hold that question has no part in the discussion of this case. It has no proper place in this debate. The question is whether Mr. Wickersham was elected a Delegate from Alaska. If he was, he is entitled to the money. Why should you start here in this contest and object to his getting his salary, when you pay a salary to every man who is finally seated in an election contest in this House, whether it be in the last days of the session or at any other time during the session? We seated a man the other day, who will get the full salary, and no such issue as that was raised in his case.

But you say that this gentleman, Mr. Wickersham, has made a contest here before. Maybe he did. I was not here, but I find there are antecedents and ramifications of this case which are entirely unknown to a new Member, and I wish some of those antecedents and ramifications would be forgotten and that the whole thing could be settled upon the evidence and the law.

We can not hope in one hour and a half, nor can the other side hope in one hour and a half, to discuss this evidence which is represented by these documents. It is impossible for us to go into the testimony of individual witnesses and tell you what the effect of that testimony is. But I want to say particularly to the Members on this side that the Republican members of this committee sat down together and they went over this testimony and examined every individual case of every voter whose vote is challenged in this report, of every voter who had not a residence of 30 days in the precinct and whose vote was challenged, and of every soldier whose vote was challenged. We sat down and we spent many weary hours examining this testimony, and we reached the conclusions which you will find in the report of the committee.

Somebody has raised the question of fraud. They tell you that votes should not be cast out unless you prove fraud. That is not the rule of law. The rule of law is that there must be fraud shown unless the things complained of affect the result of the election. In this case the things complained of do affect the result of the election. If there is a violation of an election law, no matter how innocent or how unintentional the violation may be, if there is a violation of law which affects the result of the election, then such violation should be taken into account by those reviewing the testimony.

In this case the things of which we complain do affect the result. The votes which have been discarded and thrown out by your committee affect the result directly, because instead of the plurality of 33 votes which Mr. Sulzer received on the face of the returns the elimination of the votes reported by your committee gives Mr. Wickersham a plurality of 37 votes.

In the discussion of this case we have attempted to divide the various issues among the majority members of the committee. Many of you were not here yesterday afternoon and did not hear the discussion by the chairman of the committee [Mr. DOWELL] of some phases of the case, or the discussion by the gentleman from Indiana [Mr. ELLIOTT] of another phase of the case. I can not take the time to repeat what was said by them on the issues which they presented.

I shall try to say a few words with reference to the soldier vote. It may be a popular thing at this very time to charge the majority Members with eliminating soldier votes and making an appeal that soldiers' votes should be allowed to be counted even if they are cast in violation of law. I think all of us have had some experience with reference to soldiers' votes. Fort Sheridan is located in my district in Illinois. Last November I was compelled to advise Republican officers and Republican privates at Fort Sheridan that they could not vote in the election if they had come there through being stationed at Fort Sheridan as soldiers. In the previous case of Wickersham against Sulzer in the Sixty-fifth Congress, the committee of which the distinguished gentleman from Louisiana [Mr. WILSON] was the chairman, a committee controlled by the Democratic side of this House at that time, brought in a report in which they discussed this very question, and they cited with approval the following:

(I. A.) A person in the military service of the United States is entitled to vote where he has his legal residence, provided he has the qualifications prescribed by the laws of the State. He does not lose such residence by reason of being absent in the service of the United States. The laws of a particular State in which he is stationed and has only a temporary as distinguished from a legal residence may, however, permit him to vote in that State after a certain period of actual residence. (Digest of opinions of the Judge Advocates General of the Army, Howland, pp. 976–978.)

McCrary on Elections, sections 90 and 91, page 70, says, and I have the volume here:

SEC. 90. The fact that an elector is a soldier in the Army of the United States does not disqualify him from voting at his place of residence, but he can not acquire a residence, so as to qualify him as a voter, by being stationed at a military post whilst in the service of the United States.

SEC. 91. Soldiers in the United States Army can not acquire a residence by being long quartered in a particular place, and though upon being discharged from the service they remain in the place where they have previously been quartered, if a year's residence in that place is required as a qualification for voting, they must remain there one year from the date of discharge before acquiring the right to vote.

Now, I am just going to give you an idea of where the soldiers' votes came from. I say that the law is, and every authority will bear me out, that a soldier, who has been sent to a particular post and is stationed there as a soldier of the United States under orders of his superior officers, can not acquire a residence for voting purposes while at that post. I will run through the list:

William T. Barr, enlistment residence, Lincoln, Nebr.
Ike A. Beal, enlistment residence, Amarillo, Tex.
J. W. Boon, enlistment residence, Newnan, Ga.
H. B. Connover, enlistment residence, St. Louis, Mo.
R. N. Cummins, enlistment residence, Fairview, W. Va.
Max H. Faust, enlistment residence, New York City.
G. B. Hawley, enlistment residence, Spokane, Wash.
J. P. Lake, enlistment residence, St. Paul, Kans.
J. B. Looney, enlistment residence, Okmulgee, Okla.
P. F. McQuillan, enlistment residence, Rochester, N. Y.
H. R. Morgan, enlistment residence, Seattle, Wash.
H. Van Wyck, enlistment residence, Seattle, Wash.
G. E. Doyle, enlistment residence, Lawton, Wash.
Sidney Gross, enlistment residence, San Francisco, Calif.
——— Wilson, enlistment residence, States.
D. M. Hocker, enlistment residence, Owensboro, Ky.
J. E. Peques, enlistment residence, Oklahoma, Okla.
H. D. Stenbuck, enlistment residence, Milwaukee, Wis.
E. D. Whittle, enlistment residence, Seattle, Wash.
R. H. L. Noaks, enlistment residence, El Paso, Tex.
H. De Marce, enlistment residence, Veblen, S. Dak.
J. M. Campbell, enlistment residence, Norwalk, Ohio.
L. G. Selk, enlistment residence, St. Louis, Mo.
H. G. Wescott, enlistment residence, Seattle, Wash.

They enlisted at these various places in the Army of the United States, were sent to Alaska under orders from the Army officers, and stayed there and served in the Army of the United States. Now, even if their enlistment expired and they remained in Alaska for a few days or a few weeks, if they reenlisted they did not acquire a residence in Alaska by reason of such stay in Alaska.

Mr. GRIGSBY. Will the gentleman yield?

Mr. CHINDBLOM. I can not yield now. I think we have been pretty fair.

Mr. GRIGSBY. Did any of them reenlist in Alaska?

Mr. CHINDBLOM. Yes.

Mr. GRIGSBY. Then why does not the gentleman say so?

Mr. CHINDBLOM. Even if they did reenlist, they could not acquire a residence in Alaska so as to make them legal voters.

Mr. FIELDS. They might have been married and keeping house.

Mr. CHINDBLOM. We have not included any that were married or had homes there.

Mr. GRIGSBY. Where does the evidence show it?

Mr. CHINDBLOM. These 24 men whose names I have read all voted for Sulzer. We threw out five others who voted for Wickersham. We threw out this man Tyer. He was such an extreme partisan that he never would have voted for Wickersham, although he stated that he did vote for Wickersham to muddle the waters and mix up the case.

Now, I can only ask the Members of the House—it is too late to read the hearings or to read the testimony—I can only say this to them: You will have to accept the conclusions of one side or the other in this contest. You will have to accept the conclusions of the majority members of the committee or you will have to accept the conclusions of the minority members. I do not believe that my discussion or any discussion will enlighten Members in any great degree. You can take this record and read detached portions of it—as many people say you can read the Bible—and prove any proposition under Heaven. What you have to do is to take a record of this sort, read it through carefully, and then reach your conclusion.

Mr. ROSE. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. ROSE. Would it not be well to make known, and is it not the fact, that the majority as well as the minority members of the committee coincided with the views presented by Judge Wilson?

Mr. CHINDBLOM. They did.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. CHINDBLOM. Yes. I think it is fair to yield to the gentleman.

Mr. WILSON of Louisiana. I do not know what the testimony in this case is, but all the testimony in the other case was that at the places of enlistment for the soldier to go into Alaska under military orders they went there and remained there under such orders. Is there anything in the record to show that they made any attempt to the contrary?

Mr. CHINDBLOM. There were some reenlistments in your case also. I want to say, however, that there are a number of cases here where the soldiers were conscripted for the recent World War and happened to be in other precincts than the ones in which they lived. We did not throw them out because Mr. Wickersham did not want it done. These soldiers had been conscripted in Alaska, they were in the United States Army for the World War, but they happened on election day to be in some other precinct than the one in which they were conscripted, and we did nothing about them. They were residents of Alaska, but not of the precincts in which they voted. We treated them more generously than we did the civilians. With reference to the civilians, wherever we found a man as to whom the proof showed conclusively that he was not a resident of the precinct in which he voted, we thought it fair to throw that vote out. That matter was discussed yesterday, and I shall not discuss it any further. The organic law of Alaska requires one year's residence in the Territory and 30 days in the precinct.

That law will be nugatory; it will be practically repealed by this Congress if it is not enforced in this election case. They tell you that the distances are great in Alaska. They are; and that is one reason why they should be compelled to observe the law which is established by the Congress.

The gentleman from Texas [Mr. HUDSPETH] said that we "laid off the Indian vote." On the Indian vote we took exactly the same position as was taken by the committee in the 1916 case, of which the gentleman from Louisiana [Mr. WILSON] was the chairman.

Mr. HUDSPETH. But you did not follow Judge Wickersham's suggestion in that case as you did in the other.

Mr. CHINDBLOM. We did not. We took the same view that the former committee did. Take this record and you will find the evidence is so inconclusive, so hazy, so misty, that it is impossible for anybody to reach any definite conclusion in respect to the Indian vote. There is, however, no Indian that lives in tribal relations within the meaning of that term in Alaska, as established by the decisions of the courts. There are no tribes up there. They are not living under the tribal form of government, they have no chiefs under whom they live, and to whose government and laws they are subject.

With respect to the 40-mile district, the gentleman from Texas [Mr. HUDSPETH] said that while the order was not made in time the notices were posted in time. Let us consider the conditions in Alaska. Many of the people live in the wilderness. They live far away from each other. There were five precincts in the 40-mile district. Two of them were Republican precincts. In those precincts the post offices were located, and they were the centers of population. Under the law the commissioner could reduce the number of precincts and change the polling places by entering an order 60 days before the election. If he had entered the order 60 days before the election, the residents of the district and the people interested in the election could have gone to his office and seen the order; but the gentleman says that sufficient was done when he posted the notices. Where did he post them? On the trees and on the backs of barns, wherever they could find a place. What public places are there in Alaska where a man who lives in the wilderness can find notices? The only way he can be advised of a change in the polling places in a Territory of that sort is by personal information, and that personal information could have been given, and would have been given, if the order had been entered of record at the proper time and at the place where it should have been. When they went to the commissioner's office 60 days before the election there was no such order upon the books; but after that time, under the direction of Judge Bunnell, or under his suggestion—and I have concluded from this testimony that he is as bitter a partisan as any man in Alaska—the commissioner only some 35 days before the election entered an order on the record reducing the number of precincts from five to three, and he removed the polling places from the places where the post offices in the district are located.

With reference now to Cache Creek. The gentleman says it is unfair to discard those votes. You do not have to discard those votes to reach the same result as we have reached here. In fact, you can omit Cache Creek precinct and you can omit 40-mile district, and if you take only the votes which were illegally cast on the ground of nonresidence in the precinct, and by soldiers who were not entitled to vote and the other individual votes, you would still have a majority in favor of Mr. Wickersham on the record in this case. But I say with reference to Cache Creek, if this House will say that men residing in a mining or lumber camp can get together the night before the election and say: "Now, to-morrow, we have to leave at daybreak, and the law requires us to have an election from 8 o'clock in the morning until 7 at night, but we are not going to do that, we are going to take these votes in the morning as soon as we get out of bed, and we are going to close the business up and get out of here"—if you decide that elections can be conducted in that way, you will be setting a very bad and a very dangerous precedent. In fact, there have been arguments here which it seems to me entirely ignore the requirements of the law. One gentleman in debate last evening said that it was "fair and honorable to accommodate the voters." This was certainly an accommodation to the voters, and I think this election was conducted for the accommodation in Alaska of every man who wanted to vote for Sulzer. It was an accommodation election.

Mr. Speaker, if a man presents himself to the voters of his district or of his Territory and is defeated in an election by reason of fraud or by reason of violations of law which affect the result, he has the right not only under the Constitution, but under the laws of Congress, under the statutes of the United States, to bring a contest here.

If it is shown that he had been elected, are we going to let our personal prejudices, or any other similar considerations our personal prejudices, or any other similar considerations determine our action in the case, or are men going to have the privilege of coming to the Congress of the United States, to the House of Representatives, and presenting their case, and securing a verdict on the evidence and the law as presented? I think that is the issue here. I am perfectly satisfied, as every member of the majority of the committee is perfectly satisfied, that Mr. Wickersham is entitled to this election. I did not enter this case with any prejudice in favor of Mr. Wickersham. I will say frankly that I think frequently he rubs the fur the wrong way.. Frequently we had clashes in the committee, and I was not disposed for partisan or personal reasons to give him the best of the argument in this case, but I reached the conclusion that he is entitled to this election, that he obtained a clear majority of the votes in Alaska in the November election of 1918.

Some complaint has been made about delay in this case. Mr. Sulzer died on April 15, 1919, and the certificate of election was issued to him on April 17, 1919. Notice of contest could not be given until the certificate had issued. Mr. Wickersham came here. The gentleman from Alaska, Mr. Grigsby, said that the governor was compelled to call a special election. That is not quite so. The Legislature of Alaska got together in a hurry and passed a law for the holding of a special election, while Mr. Wickersham was perfecting this appeal, this contest in this House. Then this House passed a resolution directing that the contest should proceed against Mr. Grigsby as well as against Mr. Sulzer. Under that resolution we have proceeded. The time for taking evidence was extended. After the depositions in Alaska had been taken, we began the hearings before the committee in March of last year. We had just finished the hearings and had very little time to consider the evidence when the House adjourned on June 5 of last year. We got together shortly after the House reconvened last December and we considered this case and the committee filed its report about three weeks ago. I think there has been no undue delay. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. GARRETT. Mr. Speaker, I understand the previous question has been ordered. I move to recommit the report and resolutions in the pending election case of Wickersham against Sulzer and George B. Grigsby to the Committee on Elections No. 3.

The SPEAKER. The gentleman from Tennessee offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. GARRETT moves to recommit the report and resolutions in the pending contested-election case of Wickersham against Sulzer and George B. Grigsby to the Committee on Elections No. 3.

Mr. CHINDBLOM. Mr. Speaker I make the point of order that the previous question was to be considered as ordered at the end of debate.

The SPEAKER. That is true, but that does not preclude a motion to recommit.

Mr. DOWELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to recommit the resolution to the Committee on Elections No. 3.

Mr. DOWELL. On that I demand the yeas and nays.

Mr. GARRETT. Let it advance a step further and the point of order can then be made and the gentleman will get the yeas and nays.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. GARRETT. I make the point of order there is no quorum present.

The SPEAKER. Apparently a quorum has not voted and is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 169, nays 188, answered "present" 3, not voting 68, as follows:

YEAS—169.

Almon	Carss	Flood	Kincheloe
Anthony	Carter	French	King
Ashbrook	Clark, Fla.	Gallivan	Lanham
Aswell	Cleary	Gandy	Lankford
Ayres	Coady	Ganly	Larsen
Babka	Collier	Gard	Lazaro
Bankhead	Connally	Garrett	Lea, Calif.
Barkley	Crisp	Godwin, N. C.	Lee, Ga.
Bee	Cullen	Goodykoontz	Lesher
Bell	Davey	Griffin	Linthicum
Benson	Davis, Tenn.	Hardy, Tex.	McAndrews
Black	Dewalt	Hastings	McClintic
Bland, Mo.	Dickinson, Mo.	Hersman	McDuffie
Bland, Va.	Dominick	Hoey	McGlennon
Blanton	Donovan	Holland	McKeown
Bowers	Doremus	Howard	McKinley
Bowling	Drane	Huddleston	McLaughlin, Nebr.
Box	Drewry	Hudspeth	Major
Brand	Dupré	Hull, Tenn.	Mansfield
Briggs	Dyer	Humphreys	Martin
Buchanan	Eagan	Igoe	Mays
Byrnes, S. C.	Eagle	Jacoway	Mead
Byrns, Tenn.	Echols	James, Va.	Milligan
Campbell, Pa.	Evans, Mont.	Johnson, Ky.	Minahan, N. J.
Candler	Evans, Nev.	Johnson, Miss.	Montague
Cantrill	Ferris	Johnson, S. Dak.	Moore, Va.
Caraway	Fields	Jones, Pa.	Mudd
Carew	Fisher	Jones, Tex.	Neely

Nelson, Mo.	Raker	Steagall	Weaver
Nicholls	Ramsey	Stedman	Welling
O'Connell	Rayburn	Steele	Welty
O'Connor	Riordan	Stephens, Miss.	Whaley
Oldfield	Robinson, N. C.	Stevenson	Wilson, La.
Oliver	Romjue	Stoll	Wilson, Pa.
Olney	Rouse	Sumners, Tex.	Wingo
Overstreet	Rucker	Tague	Woods, Va.
Padgett	Sabath	Taylor, Ark.	Woodyard
Park	Sherwood	Taylor, Colo.	Wright
Parrish	Siegel	Taylor, Tenn.	Young, Tex.
Pell	Sims	Tillman	Zihlman
Phelan	Sisson	Upshaw	
Pou	Small	Venable	
Quin	Smithwick	Vinson	

NAYS—188.

Ackerman	Goodall	McArthur	Sanders, Ind.
Anderson	Gould	McCulloch	Sanders, N. Y.
Andrews, Nebr.	Graham, Ill.	McKenzie	Schall
Bacharach	Green, Iowa	McKinley	Scott
Barbour	Greene, Mass.	McLaughlin, Mich.	Sells
Begg	Greene, Vt.	McLeod	Shreve
Benham	Griest	MacGregor	Sinclair
Bland, Ind.	Hadley	Madden	Sinnott
Boies	Hardy, Colo.	Magee	Slemp
Britten	Harreld	Mann, Ill.	Smith, Idaho
Brooks, Ill.	Haugen	Mapes	Smith, Mich.
Brooks, Pa.	Hawley	Mason	Snell
Browne	Hays	Merritt	Snyder
Burdick	Hernandez	Michener	Steenerson
Burroughs	Hersey	Miller	Stephens, Ohio
Butler	Hickey	Mondell	Stiness
Campbell, Kans.	Hicks	Moore, Ohio	Strong, Kans.
Cannon	Hill	Moores, Ind.	Strong, Pa.
Chindblom	Hoch	Mott	Summers, Wash.
Christopherson	Houghton	Murphy	Sweet
Copley	Hulings	Nelson, Wis.	Swindall
Cramton	Hull, Iowa	Newton, Minn.	Swope
Currie, Mich.	Husted	Nolan	Temple
Dale	Hutchinson	Ogden	Thompson
Dallinger	Ireland	Osborne	Tilson
Darrow	Jefferis	Paige	Timberlake
Davis, Minn.	Johnson, Wash.	Parker	Tincher
Dempsey	Kearns	Patterson	Tinkham
Denison	Keller	Perlman	Towner
Dickinson, Iowa	Kelley, Mich.	Peters	Treadway
Dowell	Kelly, Pa.	Porter	Vaile
Dunbar	Kendall	Purnell	Vestal
Dunn	Kennedy, Iowa	Radcliffe	Volk
Edmonds	Kennedy, R. I.	Ramseyer	Volstead
Elliott	Kinkaid	Randall, Calif.	Walsh
Esch	Kleczka	Randall, Wis.	Walters
Evans, Nebr.	Knutson	Ransley	Ward
Fairfield	Kraus	Reavis	Wason
Farr	Kreider	Reber	Watson
Fess	Lampert	Reed, N. Y.	Webster
Focht	Layton	Reed, W. Va.	Wheeler
Foster	Lehlbach	Rhodes	White, Kans.
Frear	Little	Ricketts	White, Me.
Freeman	Longworth	Robsion, Ky.	Williams
Fuller	Luce	Rogers	Winslow
Glynn	Lufkin	Rose	Wood, Ind.
Good	Luhring	Rowe	Young, N. Dak.

ANSWERED "PRESENT"—3.

Crago	Fish	Kiess

NOT VOTING—68.

Andrews, Md.	Ellsworth	Kettner	Rodenberg
Baer	Elston	Kitchin	Rowan
Brinson	Emerson	Langley	Rubey
Brumbaugh	Fordney	Lonergan	Sanders, La.
Burke	Gallagher	McFadden	Sanford
Caldwell	Garner	McPherson	Scully
Casey	Goldfogle	Maher	Sears
Clark, Mo.	Goodwin, Ark.	Mann, S. C.	Smith, Ill.
Classon	Graham, Pa.	Monahan, Wis.	Smith, N. Y.
Cole	Hamill	Moon	Sullivan
Cooper	Hamilton	Mooney	Thomas
Costello	Harrison	Morin	Vare
Crowther	Hayden	Newton, Mo.	Voigt
Curry, Calif.	James, Mich.	Rainey, Ala.	Watkins
Dent	Johnston, N. Y.	Rainey, Henry T.	Wilson, Ill.
Dooling	Juul	Rainey, John W.	Wise
Doughton	Kahn	Riddick	Yates

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. KITCHIN (for) with Mr. FORDNEY (against).

Mr. BURKE (for) with Mr. LANGLEY (against).

General pairs:

Mr. KAHN with Mr. DENT.

Mr. MCPHERSON with Mr. KETTNER.

Mr. NEWTON of Missouri with Mr. HAYDEN.

Mr. YATES with Mr. BRINSON.

Mr. ANDREWS of Maryland with Mr. GOODWIN of Arkansas.

Mr. CROWTHER with Mr. HENRY T. RAINEY.

Mr. GRAHAM of Pennsylvania with Mr. CLARK of Missouri.

Mr. ELLSWORTH with Mr. THOMAS.

Mr. COLE with Mr. SULLIVAN.

Mr. SANFORD with Mr. CASEY.

Mr. CURRY of California with Mr. WISE.

Mr. MONAHAN of Wisconsin with Mr. ROWAN.

Mr. JUUL with Mr. WATKINS.

Mr. VARE with Mr. RUBEY.

Mr. WILSON of Illinois with Mr. JOHNSTON of New York.

Mr. ELSTON with Mr. DOUGHTON.

Mr. BAER with Mr. MOON.

Mr. JAMES of Michigan with Mr. SMITH of New York.

Mr. VOIGT with Mr. GOLDFOGLE.

Mr. CLASSON with Mr. JOHN W. RAINEY.

Mr. SMITH of Illinois with Mr. GALLAGHER.

Mr. COOPER with Mr. SANDERS of Louisiana.

Mr. COSTELLO with Mr. MANN of South Carolina.

Mr. EMERSON with Mr. BRUMBAUGH.

Mr. HAMILTON with Mr. MAHER.

Mr. MCFADDEN with Mr. RAINEY of Alabama.

Mr. MORIN with Mr. DOOLING.

Mr. RIDDICK with Mr. GARNER.

Mr. RODENBERG with Mr. HARRISON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

The question comes on the resolutions, which the Clerk will report.

Mr. HUDSPETH. Mr. Speaker, I move to substitute the minority for the majority report.

The SPEAKER. That is already pending. The Clerk will report the resolutions.

The Clerk read as follows:

Resolved, That James Wickersham was not elected a Delegate to the Sixty-sixth Congress from the Territory of Alaska, and is not entitled to a seat in said Congress.

Resolved, That Charles A. Sulzer was duly elected a Delegate from the Territory of Alaska to the Sixty-sixth Congress, and that said Charles A. Sulzer having died, and George B. Grigsby having been elected at a special election as a Delegate from the Territory of Alaska, and having been sworn in as a Member of the House of Representatives on July 1, 1920, that the said Grigsby is entitled to retain his seat therein.

Mr. GARRETT. Mr. Speaker, I ask for a division of the question.

The SPEAKER. The gentleman has that right. The question is on agreeing to the first resolution.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 169, nays 179, answered "present" 11, not voting 69, as follows:

YEAS—169.

Almon	Donovan	Lanham	Ramsey
Anthony	Doremus	Lankford	Rayburn
Ashbrook	Drane	Larsen	Reavis
Aswell	Drewry	Layton	Riordan
Ayres	Dupré	Lazaro	Robinson, N. C.
Babka	Dyer	Lea, Calif.	Romjue
Bankhead	Eagan	Lee, Ga.	Rouse
Barkley	Eagle	Lesher	Rucker
Bee	Echols	Linthicum	Sabath
Bell	Evans, Mont.	McAndrews	Sherwood
Benson	Evans, Nev.	McClintic	Sims
Black	Ferris	McDuffie	Sisson
Bland, Mo.	Fields	McGlennon	Small
Bland, Va.	Fisher	McKeown	Smithwick
Blanton	Flood	McKinley	Steagall
Bowers	French	McLaughlin, Nebr.	Stedman
Bowling	Gallivan	Major	Stephens, Miss.
Box	Gandy	Mansfield	Stevenson
Brand	Ganly	Martin	Stoll
Briggs	Gard	Mays	Sumners, Tex.
Brinson	Garrett	Mead	Tague
Buchanan	Godwin, N. C.	Milligan	Taylor, Ark.
Byrnes, S. C.	Goodykoontz	Minahan, N. J.	Taylor, Colo.
Byrns, Tenn.	Griffin	Montague	Taylor, Tenn.
Campbell, Pa.	Hardy, Tex.	Moore, Va.	Tillman
Candler	Hastings	Mudd	Upshaw
Cantrill	Hersman	Neely	Venable
Caraway	Hoey	Nelson, Mo.	Vinson
Carew	Holland	Nicholls	Weaver
Carss	Howard	O'Connell	Welling
Carter	Huddleston	O'Connor	Welty
Clark, Fla.	Hudspeth	Oldfield	Whaley
Cleary	Hull, Tenn.	Oliver	Wilson, Ill.
Coady	Humphreys	Olney	Wilson, La.
Collier	Igoe	Overstreet	Wingo
Connally	Jacoway	Padgett	Woods, Va.
Crisp	James, Va.	Park	Woodyard
Cullen	Johnson, Ky.	Parrish	Wright
Davey	Johnson, Miss.	Pell	Young, Tex.
Davis, Tenn.	Johnson, S. Dak.	Phelan	Zihlman
Dewalt	Jones, Pa.	Pou	
Dickinson, Mo.	Jones, Tex.	Quin	
Dominick	Kincheloe	Raker	

NAYS—179.

Ackerman	Browne	Dallinger	Esch
Anderson	Burdick	Darrow	Evans, Nebr.
Andrews, Md.	Burroughs	Davis, Minn.	Farr
Bacharach	Butler	Dempsey	Fess
Barbour	Campbell, Kans.	Denison	Focht
Begg	Cannon	Dickinson, Iowa	Foster
Bland, Ind.	Chindblom	Dowell	Frear
Boies	Copley	Dunbar	Freeman
Britten	Cramton	Dunn	Fuller
Brooks, Ill.	Currie, Mich.	Edmonds	Glynn
Brooks, Pa.	Dale	Elliott	Good

Goodall	King	Newton, Minn.	Steenerson
Gould	Kinkaid	Ogden	Stephens, Ohio
Graham, Ill.	Kleczka	Osborne	Stiness
Green, Iowa	Knutson	Paige	Strong, Pa.
Greene, Mass.	Kraus	Parker	Summers, Wash.
Greene, Vt.	Kreider	Patterson	Sweet
Griest	Lampert	Peters	Swindall
Hadley	Langley	Porter	Swope
Hardy, Colo.	Lehlbach	Purnell	Thompson
Harreld	Longworth	Radcliffe	Tilson
Haugen	Luce	Ramseyer	Timberlake
Hawley	Lufkin	Randall, Calif.	Tincher
Hays	Luhring	Randall, Wis.	Tinkham
Hernandez	McArthur	Ransley	Towner
Hersey	McCulloch	Reed, N. Y.	Treadway
Hickey	McKenzie	Reed, W. Va.	Vaile
Hicks	McKinley	Rhodes	Vestal
Hill	McLaughlin, Mich.	Ricketts	Volk
Hoch	McLeod	Robsion, Ky.	Volstead
Hull, Iowa	MacGregor	Rogers	Walsh
Husted	Madden	Rose	Walters
Hutchinson	Magee	Rowe	Ward
Ireland	Mann, Ill.	Sanders, Ind.	Wason
Jefferis	Mapes	Sanders, N. Y.	Watson
Johnson, Wash.	Mason	Schall	Webster
Juul	Merritt	Scott	Wheeler
Kearns	Michener	Sells	White, Kans.
Keller	Miller	Shreve	White, Me.
Kelley, Mich.	Mondell	Sinclair	Williams
Kelly, Pa.	Moore, Ohio	Smith, Idaho	Winslow
Kendall	Moores, Ind.	Smith, Ill.	Wood, Ind.
Kennedy, Iowa	Mott	Smith, Mich.	Yates
Kennedy, R. I.	Murphy	Snell	Young, N. Dak.
Kiess	Nelson, Wis.	Snyder	

ANSWERED "PRESENT"—11.

Andrews, Nebr.	Crago	Nolan	Siegel
Christopherson	Fairfield	Perlman	Strong, Kans.
Cooper	Fish	Reber	

NOT VOTING—69.

Baer	Fordney	Lonergan	Sanford
Benham	Gallagher	McFadden	Scully
Brumbaugh	Garner	McPherson	Sears
Burke	Goldfogle	Maher	Sinnott
Caldwell	Goodwin, Ark.	Mann, S. C.	Slemp
Casey	Graham, Pa.	Monahan, Wis.	Smith, N. Y.
Clark, Mo.	Hamill	Moon	Steele
Classon	Hamilton	Mooney	Sullivan
Cole	Harrison	Morin	Temple
Costello	Hayden	Newton, Mo.	Thomas
Crowther	Houghton	Rainey, Ala.	Vare
Curry, Calif.	Hulings	Rainey, Henry T.	Voigt
Dent	James, Mich.	Rainey, John W.	Watkins
Dooling	Johnston, N. Y.	Riddick	Wilson, Pa.
Doughton	Kahn	Rodenberg	Wise
Ellsworth	Kettner	Rowan	
Elston	Kitchin	Rubey	
Emerson	Little	Sanders, La.	

So the resolution was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. KITCHIN (for) with Mr. FORDNEY (against).

Until further notice:

Mr. BURKE with Mr. STEELE.

Mr. HOUGHTON with Mr. MOONEY.

Mr. HULINGS with Mr. CALDWELL.

Mr. TEMPLE with Mr. SEARS.

Mr. LITTLE with Mr. GALLAGHER.

Mr. SINNOTT with Mr. JOHNSTON of New York.

Mr. SLEMP with Mr. WILSON of Pennsylvania.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the second resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Charles A. Sulzer was duly elected a Delegate from the Territory of Alaska to the Sixty-sixth Congress, and that said Charles A. Sulzer having died, and George B. Grigsby having been elected at a special election as a Delegate from the Territory of Alaska, and having been sworn in as a Member of the House of Representatives on July 1, 1920, that the said Grigsby is entitled to retain his seat therein.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARRETT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 179, answered "present" 5, not voting 81, as follows:

YEAS—163.

Almon	Box	Collier	Eagle
Anthony	Brand	Connally	Evans, Mont.
Ashbrook	Briggs	Crisp	Ferris
Aswell	Brinson	Cullen	Fields
Ayres	Buchanan	Davey	Fisher
Babka	Byrnes, S. C.	Davis, Tenn.	Flood
Bankhead	Byrns, Tenn.	Dewalt	French
Barkley	Campbell, Pa.	Dickinson, Mo.	Gallivan
Bee	Candler	Dominick	Gandy
Bell	Cantrill	Donovan	Ganly
Benson	Caraway	Doremus	Gard
Black	Carew	Drane	Garrett
Bland, Mo.	Carss	Drewry	Godwin, N. C.
Bland, Va.	Carter	Dupré	Griffin
Blanton	Cleary	Dyer	Hardy, Tex.
Bowling	Coady	Eagan	Hastings
Hoey	McDuffie	Padgett	Stephens, Miss.
Holland	McGlennon	Park	Stevenson
Howard	McKeown	Parrish	Stoll
Huddleston	McKiniry	Pell	Sumners, Tex.
Hudspeth	McLaughlin, Nebr.	Phelan	Tague
Hull, Tenn.	Major	Pou	Taylor, Ark.
Humphreys	Mansfield	Quin	Taylor, Colo.
Igoe	Martin	Raker	Taylor, Tenn.
Jacoway	Mays	Ramsey	Tillman
James, Va.	Mead	Rayburn	Upshaw
Johnson, Ky.	Milligan	Reavis	Venable
Johnson, Miss.	Minahan, N. J.	Riordan	Vinson
Johnson, S. Dak.	Montague	Robinson, N. C.	Weaver
Jones, Pa.	Moore, Va.	Romjue	Welling
Jones, Tex.	Mudd	Rouse	Welty
Kincheloe	Neely	Rucker	Whaley
Lanham	Nelson, Mo.	Sabath	Wilson, Ill.
Lankford	Nelson, Wis.	Sherwood	Wilson, La.
Larsen	Nicholls	Sims	Wilson, Pa.
Layton	O'Connell	Sisson	Wingo
Lazaro	O'Connor	Small	Woods, Va.
Lee, Ga.	Oldfield	Smithwick	Woodyard
Linthicum	Oliver	Steagall	Wright
McAndrews	Olney	Stedman	Young, Tex.
McClintic	Overstreet	Steele	

NAYS—179.

Ackerman	Glynn	McArthur	Schall
Anderson	Good	McKenzie	Scott
Andrews, Nebr.	Goodall	McKinley	Sells
Bacharach	Gould	McLaughlin, Mich.	Shreve
Barbour	Graham, Ill.	McLeod	Sinclair
Begg	Green, Iowa	McPherson	Slemp
Benham	Greene, Mass.	MacGregor	Smith, Idaho
Bland, Ind.	Greene, Vt.	Madden	Smith, Ill.
Boies	Griest	Magee	Smith, Mich.
Britten	Hadley	Mann, Ill.	Snell
Brooks, Ill.	Hardy, Colo.	Mapes	Snyder
Brooks, Pa.	Haugen	Mason	Steenerson
Browne	Hawley	Merritt	Stephens, Ohio
Burdick	Hays	Michener	Stiness
Burroughs	Hernandez	Miller	Strong, Kans.
Butler	Hersey	Mondell	Strong, Pa.
Campbell, Kans.	Hickey	Moore, Ohio	Sweet
Cannon	Hicks	Moores, Ind.	Swindall
Chindblom	Hill	Mott	Temple
Cooper	Hoch	Murphy	Thompson
Copley	Houghton	Newton, Minn.	Tilson
Cramton	Hull, Iowa	Ogden	Timberlake
Currie, Mich.	Hutchinson	Osborne	Tincher
Dale	Ireland	Paige	Tinkham
Dallinger	Jefferis	Parker	Towner
Darrow	Johnson, Wash.	Patterson	Treadway
Davis, Minn.	Juul	Peters	Vaile
Dempsey	Kearns	Porter	Vestal
Denison	Keller	Purnell	Voigt
Dickinson, Iowa	Kelley, Mich.	Radcliffe	Volstead
Dowell	Kendall	Ramseyer	Walsh
Dunbar	Kennedy, Iowa	Randall, Calif.	Walters
Dunn	Kennedy, R. I.	Randall, Wis.	Ward
Edmonds	King	Ransley	Wason
Elliott	Kinkaid	Reber	Watson
Esch	Knutson	Reed, N. Y.	Webster
Evans, Nebr.	Kraus	Reed, W. Va.	Wheeler
Fairfield	Kreider	Rhodes	White, Kans.
Farr	Lampert	Ricketts	White, Me.
Fess	Lehlbach	Robsion, Ky.	Williams
Focht	Little	Rogers	Winslow
Foster	Longworth	Rose	Wood, Ind.
Frear	Luce	Rowe	Yates
Freeman	Lufkin	Sanders, Ind.	Young, N. Dak.
Fuller	Luhring	Sanders, N. Y.	

ANSWERED "PRESENT"—5.

Christopherson	Fish	Goodykoontz	Nolan
Crago			

NOT VOTING—81.

Andrews, Md.	Evans, Nev.	Kitchin	Rowan
Baer	Fordney	Kleczka	Rubey
Bowers	Gallagher	Langley	Sanders, La.
Brumbaugh	Garner	Lea, Calif.	Sanford
Burke	Goldfogle	Lesher	Scully
Caldwell	Goodwin, Ark.	Lonergan	Sears
Casey	Graham, Pa.	McCulloch	Siegel
Clark, Fla.	Hamill	McFadden	Sinnott
Clark, Mo.	Hamilton	Maher	Smith, N. Y.
Classon	Harreld	Mann, S. C.	Sullivan
Cole	Harrison	Monahan, Wis.	Summers, Wash.
Costello	Hayden	Moon	Swope
Crowther	Hersman	Mooney	Thomas
Curry, Calif.	Hulings	Morin	Vare
Dent	Husted	Newton, Mo.	Volk
Dooling	James, Mich.	Perlman	Watkins
Doughton	Johnston, N. Y.	Rainey, Ala.	Wise
Echols	Kahn	Rainey, Henry T.	Zihlman
Ellsworth	Kelly, Pa.	Rainey, John W.	
Elston	Kettner	Riddick	
Emerson	Kiess	Rodenberg	

So the resolution was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. KITCHIN (for) with Mr. FORDNEY (against).

Mr. CLARK of Florida (for) with Mr. LANGLEY (against).

Until further notice:

Mr. KIESS with Mr. EVANS of Nevada.

Mr. SUMMERS of Washington with Mr. GRIFFIN.

Mr. HARRELD with Mr. SANDERS of Louisiana.

Mr. BOWERS with Mr. GOODWIN of Arkansas.

Mr. ANDREWS of Maryland with Mr. MOONEY.
Mr. ZIHLMAN with Mr. GALLAGHER.
Mr. PERLMAN with Mr. LEA of California.
Mr. BURKE with Mr. SULLIVAN.
Mr. ECHOLS with Mr. LONERGAN.
Mr. MCCULLOCH with Mr. SCULLY.
Mr. SIEGEL with Mr. WATKINS.
Mr. VOLK with Mr. HAMILL.
Mr. HUSTED with Mr. SEARS.
Mr. KELLY of Pennsylvania with Mr. HERSMAN.

Mr. SUMMERS of Washington. Mr. Speaker, how am I recorded? I want to be recorded "no."

The SPEAKER. Did the gentleman vote when the roll was called?

Mr. SUMMERS of Washington. No.

The SPEAKER. Was the gentleman present and listening when his name was called? This is not a no-quorum vote.

Mr. SUMMERS of Washington. No; I was not present.

The SPEAKER. Then the gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the original resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Charles A. Sulzer was not elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress, and George B. Grigsby, who is now occupying the seat made vacant by the death of said Sulzer, is not entitled to a seat herein.

Resolved, That James Wickersham was duly elected a Delegate from the Territory of Alaska in this Congress, and is entitled to a seat herein.

Mr. SUMNERS of Texas. Mr. Speaker, I ask for a division of the question.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry; and if the Speaker finds any difficulty in answering it, I am perfectly willing to withdraw the inquiry.

The House having just voted on a resolution declaring that Mr. Sulzer was elected, and having negatived that proposition, is it necessary now to vote on the proposition that Mr. Sulzer was not elected, in order to reach a vote on the resolution declaring that Mr. Wickersham was elected? It has been the universal ruling, and especially during the Speakership of Mr. CLARK, that when a Senate amendment came to the House and a motion was made to concur in the Senate amendment and that motion was defeated that that was in effect and was treated as a motion carried to disagree to the Senate amendment.

The SPEAKER. It seems to the Chair at first blush that that is a question which should govern gentlemen in demanding a division, rather than a decision by the Chair. As the gentleman says, the House has just voted what is substantially the first clause of this resolution, but it seems to the Chair that if any person desires it, he has a right to demand that the first clause be voted upon separately.

Mr. SUMNERS of Texas. I will state that my reason for asking for a division of the question is that I want a vote on the last proposition in this resolution stripped of everything else.

Mr. DOWELL. Has the gentleman any objection to voting on the first part of the resolution without a roll call, and then having a roll call on the other?

Mr. SUMNERS of Texas. Personally I have no objection to that. I do not know what may be desired on this side, but as far as I am personally concerned I have no objection to the vote being taken without a roll call. But I do want a separate vote.

Mr. DOWELL. In order to save the parliamentary question, Mr. Speaker, we may vote without a roll call upon the first part of the resolution, and then have a roll call on the second part.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. There are apparently three prongs to this motion. One is, resolved that Mr. Sulzer was not elected. Then, resolved that Mr. Grigsby is not entitled to his seat.

The SPEAKER. Those two propositions are both contained in the first resolution.

Mr. BARKLEY. The two in one?

The SPEAKER. Yes. The question is on the first part of the original resolution, declaring that Mr. Sulzer was not elected, and that Mr. Grigsby is not entitled to a seat.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. GARRETT. Mr. Speaker, at the request of many gentlemen on this side I ask for the yeas and nays.

The SPEAKER. The gentleman from Tennessee demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 183, nays 162, answered "present" 9, not voting 74, as follows:

YEAS—183.

Ackerman	Glynn	McArthur	Sanders, N. Y.
Anderson	Good	McKenzie	Schall
Andrews, Md.	Goodall	McKinley	Scott
Andrews, Nebr.	Gould	McLaughlin, Mich.	Sells
Bacharach	Graham, Ill.	McLeod	Shreve
Barbour	Green, Iowa	McPherson	Sinclair
Benham	Greene, Mass.	MacGregor	Smith, Idaho
Bland, Ind.	Greene, Vt.	Madden	Smith, Ill.
Boies	Griest	Magee	Smith, Mich.
Brooks, Ill.	Hadley	Mann, Ill.	Snell
Brooks, Pa.	Hardy, Colo.	Mapes	Snyder
Browne	Harreld	Mason	Steenerson
Burdick	Haugen	Merritt	Stephens, Ohio
Burroughs	Hawley	Michener	Stiness
Butler	Hays	Miller	Strong, Pa.
Campbell, Kans.	Hernandez	Monahan, Wis.	Summers, Wash.
Cannon	Hersey	Mondell	Sweet
Chindblom	Hickey	Moore, Ohio	Swindall
Cooper	Hicks	Moores, Ind.	Swope
Copley	Hill	Mott	Taylor, Tenn.
Crago	Hoch	Murphy	Temple
Cramton	Houghton	Nelson, Wis.	Thompson
Currie, Mich.	Hull, Iowa	Newton, Minn.	Tilson
Dale	Husted	Ogden	Timberlake
Dallinger	Hutchinson	Osborne	Tincher
Darrow	Ireland	Paige	Tinkham
Davis, Minn.	Jefferis	Parker	Towner
Dempsey	Johnson, Wash.	Patterson	Treadway
Denison	Juul	Peters	Vaile
Dickinson, Iowa	Kearns	Porter	Vestal
Dowell	Keller	Purnell	Voigt
Dunbar	Kelley, Mich.	Radcliffe	Volstead
Dunn	Kendall	Ramseyer	Walsh
Edmonds	Kennedy, Iowa	Randall, Calif.	Walters
Elliott	Kennedy, R. I.	Randall, Wis.	Ward
Esch	Kinkaid	Ransley	Wason
Evans, Nebr.	Kleczka	Reber	Watson
Fairfield	Knutson	Reed, N. Y.	Webster
Farr	Kraus	Reed, W. Va.	Wheeler
Fess	Kreider	Rhodes	White, Kans.
Fish	Lampert	Ricketts	White, Me.
Focht	Lehlbach	Robsion, Ky.	Williams
Foster	Little	Rogers	Winslow
Frear	Luce	Rose	Wood, Ind.
Freeman	Lufkin	Rowe	Young, N. Dak.
Fuller	Luhring	Sanders, Ind.	

NAYS—162

Almon	Drane	Lankford	Raker
Ashbrook	Drewry	Larsen	Ramsey
Aswell	Dupré	Layton	Rayburn
Ayres	Dyer	Lazaro	Reavis
Babka	Eagan	Lee, Ga.	Riordan
Bankhead	Eagle	Linthicum	Robinson, N. C.
Barkley	Evans, Mont.	Longworth	Romjue
Bee	Ferris	McAndrews	Rouse
Bell	Fields	McClintic	Rucker
Benson	Fisher	McDuffie	Sabath
Black	Flood	McGlennon	Sherwood
Bland, Mo.	French	McKeown	Sims
Bland, Va.	Gallivan	McKinley	Sisson
Blanton	Gandy	McLaughlin, Nebr.	Small
Bowers	Ganly	Major	Smithwick
Bowling	Gard	Mansfield	Steagall
Box	Garrett	Martin	Stedman
Brand	Godwin, N. C.	Mays	Stephens, Miss.
Briggs	Goldfogle	Mead	Stevenson
Brinson	Goodykoontz	Milligan	Stoll
Buchanan	Griffin	Minahan, N. J.	Sumners, Tex.
Byrnes, S. C.	Hardy, Tex.	Montague	Tague
Byrns, Tenn.	Hastings	Moore, Va.	Taylor, Ark.
Campbell, Pa.	Hersman	Mudd	Taylor, Colo.
Candler	Hoey	Neely	Tillman
Cantrill	Holland	Nelson, Mo.	Upshaw
Caraway	Howard	Nicholls	Venable
Carew	Huddleston	O'Connell	Vinson
Carss	Hudspeth	O'Connor	Weaver
Carter	Hull, Tenn.	Oldfield	Welling
Coady	Humphreys	Oliver	Welty
Collier	Igoe	Olney	Whaley
Connally	Jacoway	Overstreet	Wilson, La.
Crisp	James, Va.	Padgett	Wilson, Pa.
Cullen	Johnson, Ky.	Park	Wingo
Davey	Johnson, Miss.	Parrish	Woods, Va.
Davis, Tenn.	Johnson, S. Dak.	Pell	Woodyard
Dewalt	Jones, Pa.	Phelan	Wright
Dickinson, Mo.	Jones, Tex.	Pou	Young, Tex.
Dominick	Kincheloe	Quinn	
Donovan	Lanham	Rainey, Henry T.	

ANSWERED "PRESENT"—9.

Begg	Kiess	Perlman	Strong, Kans.
Christopherson	Nolan	Siegel	Volk
Fordney			

NOT VOTING—74.

Anthony	Dooling	Hulings	Moon
Baer	Doremus	James, Mich.	Mooney
Britten	Doughton	Johnston, N. Y.	Morin
Brumbaugh	Echols	Kahn	Newton, Mo.
Burke	Ellsworth	Kelly, Pa.	Rainey, Ala.
Caldwell	Elston	Kettner	Rainey, John W.
Casey	Emerson	King	Riddick
Clark, Fla.	Evans, Nev.	Kitchin	Rodenberg
Clark, Mo.	Gallagher	Langley	Rowan
Classon	Garner	Lea, Calif.	Rubey
Cleary	Goodwin, Ark.	Lesher	Sanders, La.
Cole	Graham, Pa.	Lonergan	Sanford
Costello	Hamill	McCulloch	Scully
Crowther	Hamilton	McFadden	Sears
Curry, Calif.	Harrison	Maher	Sinnott
Dent	Hayden	Mann, S. C.	Slemp

Smith, N. Y.	Thomas	Wilson, Ill.	Zihlman
Steele	Vare	Wise	
Sullivan	Watkins	Yates	

So the resolution was agreed to.

The following additional pairs were announced:

Mr. FORDNEY (for) with Mr. KITCHIN (against).

Mr. LANGLEY (for) with Mr. CLARK of Florida (against).

Mr. SLEMP (for) with Mr. ANTHONY (against).

Until further notice:

Mr. BRITTEN with Mr. SEARS.

Mr. GATES with Mr. CLEARY.

Mr. COLE with Mr. MOONEY.

Mr. CROWTHER with Mr. DOREMUS.

Mr. HARDY of Colorado with Mr. KETTNER.

Mr. KELLY of Pennsylvania with Mr. ROWAN.

Mr. KING with Mr. GOODWIN of Arkansas.

Mr. ROBSION of Kentucky with Mr. STEELE.

Mr. WILSON of Illinois with Mr. SANDERS of Louisiana.

Mr. BRUMBAUGH. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman present and listening when his name should have been called?

Mr. BRUMBAUGH. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the last resolution.

The Clerk read as follows:

Resolved, That James Wickersham was duly elected a Delegate from the Territory of Alaska in this Congress and is entitled to a seat herein.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 177, nays 163, answered "present" 10, not voting 78, as follows:

YEAS—177.

Andrews, Md.	Gould	McKenzie	Sells
Barbour	Graham, Ill.	McKinley	Shreve
Benham	Green, Iowa	McLaughlin, Mich.	Sinclair
Bland, Ind.	Greene, Mass.	McLeod	Smith, Idaho
Boies	Greene, Vt.	McPherson	Smith, Ill.
Britten	Griest	MacGregor	Smith, Mich.
Brooks, Ill.	Hadley	Madden	Snell
Brooks, Pa.	Hardy, Colo.	Mann, Ill.	Snyder
Browne	Harreld	Mapes	Steenerson
Burdick	Haugen	Mason	Stephens, Ohio
Burroughs	Hawley	Merritt	Stiness
Butler	Hays	Michener	Strong, Pa.
Campbell, Kans.	Hernandez	Miller	Summers, Wash.
Cannon	Hersey	Monahan, Wis.	Sweet
Chindblom	Hickey	Mondell	Swindall
Cooper	Hicks	Moore, Ohio	Taylor, Tenn.
Copley	Hill	Moores, Ind.	Temple
Crago	Hoch	Murphy	Thompson
Cramton	Houghton	Nelson, Wis.	Tilson
Crowther	Hull, Iowa	Ogden	Timberlake
Currie, Mich.	Husted	Osborne	Tincher
Dale	Hutchinson	Paige	Tinkham
Dallinger	Ireland	Parker	Towner
Darrow	Johnson, Wash.	Patterson	Treadway
Davis, Minn.	Juul	Peters	Vaile
Dempsey	Kearns	Purnell	Vestal
Denison	Keller	Radcliffe	Voigt
Dickinson, Iowa	Kelley, Mich.	Ramseyer	Volstead
Dowell	Kelly, Pa.	Randall, Calif.	Walsh
Dunbar	Kendall	Randall, Wis.	Walters
Dunn	Kennedy, Iowa	Ransley	Ward
Elliott	Kennedy, R. I.	Reber	Wason
Esch	King	Reed, N. Y.	Watson
Fairfield	Kinkaid	Reed, W. Va.	Webster
Farr	Knutson	Rhodes	Wheeler
Fess	Kraus	Ricketts	White, Kans.
Fish	Kreider	Robsion, Ky.	White, Me.
Focht	Lampert	Rogers	Williams
Foster	Lehlbach	Rose	Winslow
Frear	Little	Rowe	Wood, Ind.
Freeman	Longworth	Sanders, Ind.	Yates
Fuller	Luce	Sanders, N. Y.	Young, N. Dak.
Glynn	Lufkin	Sanford	
Good	Luhring	Schall	
Goodall	McArthur	Scott	

NAYS—163.

Almon	Brinson	Dewalt	Ganly
Ashbrook	Brumbaugh	Dickinson, Mo.	Gard
Aswell	Buchanan	Dominick	Garrett
Ayres	Byrnes, S. C.	Donovan	Godwin, N. C.
Babka	Byrns, Tenn.	Doremus	Goldfogle
Bacharach	Campbell, Pa.	Drane	Griffin
Bankhead	Candler	Drewry	Hardy, Tex.
Barkley	Cantrill	Dupré	Hastings
Bee	Caraway	Dyer	Hersman
Begg	Carew	Eagan	Hoey
Bell	Carss	Eagle	Holland
Benson	Carter	Evans, Mont.	Howard
Black	Casey	Evans, Nev.	Huddleston
Bland, Mo.	Coady	Ferris	Hudspeth
Bland, Va.	Collier	Fields	Hull, Tenn.
Blanton	Connally	Fisher	Humphreys
Bowling	Crisp	Flood	Igoe
Box	Cullen	French	Jacoway
Brand	Davey	Gallivan	James, Va.
Briggs	Davis, Tenn.	Gandy	Johnson, Ky.
Johnson, Miss.	Mays	Pou	Stoll
Johnson, S. Dak.	Mead	Quin	Sumners, Tex.
Jones, Pa.	Milligan	Raker	Tague
Jones, Tex.	Minahan, N. J.	Ramsey	Taylor, Ark.
Lanham	Montague	Rayburn	Tillman
Lankford	Moore, Va.	Reavis	Upshaw
Larsen	Mudd	Riordan	Venable
Layton	Neely	Robinson, N. C.	Vinson
Lazaro	Nelson, Mo.	Romjue	Volk
Lee, Ga.	Nicholls	Rouse	Weaver
Linthicum	O'Connell	Rucker	Welling
McAndrews	O'Connor	Sabath	Welty
McClintic	Oldfield	Sherwood	Whaley
McDuffie	Oliver	Sims	Wilson, La.
McGlennon	Olney	Sisson	Wilson, Pa.
McKeown	Overstreet	Small	Wingo
McKinley	Padgett	Smithwick	Woods, Va.
McLaughlin, Nebr.	Park	Steagall	Woodyard
Major	Parrish	Stedman	Wright
Mansfield	Pell	Stephens, Miss.	Young, Tex.
Martin	Phelan	Stevenson	

ANSWERED "PRESENT"—10.

Ackerman	Echols	Goodykoontz	Nolan
Andrews, Nebr.	Edmonds	Kiess	Strong, Kans.
Christopherson	Fordney		

NOT VOTING—78.

Anderson	Gallagher	Lonergan	Rubey
Anthony	Garner	McCulloch	Sanders, La.
Baer	Goodwin, Ark.	McFadden	Scully
Bowers	Graham, Pa.	Magee	Sears
Burke	Hamill	Maher	Siegel
Caldwell	Hamilton	Mann, S. C.	Sinnott
Clark, Fla.	Harrison	Moon	Slemp
Clark, Mo.	Hayden	Mooney	Smith, N. Y.
Classon	Hulings	Morin	Steele
Cleary	James, Mich.	Mott	Sullivan
Cole	Jefferis	Newton, Minn.	Swope
Costello	Johnston, N. Y.	Newton, Mo.	Taylor, Colo.
Curry, Calif.	Kahn	Perlman	Thomas
Dent	Kettner	Porter	Vare
Dooling	Kincheloe	Rainey, Ala.	Watkins
Doughton	Kitchin	Rainey, Henry T.	Wilson, Ill.
Ellsworth	Kleczka	Rainey, John W.	Wise
Elston	Langley	Riddick	Zihlman
Emerson	Lea, Calif.	Rodenberg	
Evans, Nebr.	Lesher	Rowan	

So the resolution was agreed to.

The following additional pairs were announced:

Mr. FORDNEY (for) with Mr. KITCHIN (against).

Mr. LANGLEY (for) with Mr. CLARK of Florida (against).

Mr. SLEMP (for) with Mr. ANTHONY (against).

Mr. MAGEE with Mr. KINCHELOE.

Mr. SWOPE with Mr. HAMILL.

Mr. NEWTON of Minnesota with Mr. SEARS.

Mr. PORTER with Mr. TAYLOR of Colorado.

Mr. BOWERS with Mr. CLEARY.

Mr. EMERSON with Mr. GOODWIN of Arkansas.

Mr. EVANS of Nebraska with Mr. KETTNER.

Mr. JEFFERIS with Mr. LESHER.

Mr. MICHENER with Mr. HENRY T. RAINEY.

Mr. KLECZKA with Mr. ROWAN.

Mr. MOTT with Mr. STEELE.

Mr. SWOPE. Mr. Speaker, I wish to vote "aye."

The SPEAKER. Was the gentleman present in the Hall and listening when his name should have been called?

Mr. SWOPE. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

On motion of Mr. DOWELL, a motion to reconsider the last vote was laid on the table.

Mr. WICKERSHAM appeared at the bar of the House and took the oath of office.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I move to take from the Speaker's table the bill H. R. 15543, the legislative, executive, and judicial appropriation bill, insist on the disagreement of the House to amendment of the Senate No. 113, and agree to the conference asked by the Senate.

The motion was agreed to.

The Chair appointed the following conferees: Mr. WOOD of Indiana, Mr. WASON and Mr. SISSON.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JOHNSON of South Dakota. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of South Dakota. I hold in my hand a photograph of what I believe to be a forged copy of a letter of which there never was an original, which has been brought before this House by reason of a resolution introduced in the House, resolution No. 680, by the gentleman from Virginia [Mr. FLOOD], and is found in Report No. 1341. This photographic copy is, in my opinion, a forged copy of a letter of which there never was an original.

The SPEAKER. The gentleman will state his question of privilege.

Mr. JOHNSON of South Dakota. I am getting to it. This letter was brought in with the desire of making an assault upon Subcommittee No. 3, of which I am the chairman, and upon myself, upon the theory that that committee has hired men who were blackmailers as investigators to conduct certain investigations in a Pittsburgh case which I believe is full of fraud and graft, as will later be developed by the next Attorney General of the United States. I want to submit this to the Speaker and have him determine whether or not the question of personal privilege is there. I believe it is, because it states that this subcommittee——

The SPEAKER. The gentleman will submit to the Chair whatever he relies upon.

Mr. JOHNSON of South Dakota. I shall send to the Speaker the letter which I believe is a forgery, and a copy of the report.

Mr. BANKHEAD. Mr. Speaker, is not the House entitled to the benefit of the information which the gentleman relies upon?

The SPEAKER. If it is so desired. The gentleman will read to the House what he relies upon.

Mr. GARD. Mr. Speaker, I make the point of order that the gentleman should state the question of personal privilege.

The SPEAKER. That is what the Chair has asked the gentleman to do.

Mr. JOHNSON of South Dakota. Mr. Speaker, to do that it probably would be necessary to first read the letter, which is found in House Document 1341, Sixty-sixth Congress, third session.

The SPEAKER. The Chair thinks the gentleman should first read whatever reflects upon him.

Mr. JOHNSON of South Dakota. I would say that that is largely by inference. On page 3 of this report, No. 1341, which, as I say, was brought into this House by the Committee on Military Affairs because of a resolution introduced by the gentleman from Virginia, Mr. FLOOD, is to be found the following letter from the Secretary of War, who transmitted this letter, of which I have a photographic copy, and which, in my opinion, is a rank forgery and never was written. That letter is as follows:

WAR DEPARTMENT,
Washington, February 4, 1920.

Hon. W. J. GRAHAM,
Chairman Select Committee on
Expenditures in the War Department,
House of Representatives, Washington, D. C.

MY DEAR MR. GRAHAM: As you know, I have placed every agency of the War Department at the disposal of the select committee of which you are chairman to assist the committee in conducting the investigation with which it has been charged. It has been my practice to arm those special agents employed by the committee with letters of authority, giving them access to all records of the War Department, including those which are regarded as of a secret or confidential nature.

As public servants to whom the handling of Government business has been intrusted, we are equally responsible that the public interest be safeguarded. Because I am certain of your keen appreciation of this responsibility, I have temporarily withheld certain documents from examination by two special investigators in the employ of Subcommittee No. 3, of which the Hon. ROYAL C. JOHNSON is chairman, until I can bring to your attention certain facts with which I am convinced you can not be acquainted.

The investigators to whom I refer are Mr. J. M. Hill and Mr. C. C. Lindsay, both of whom were at one time intimately connected with an investigation of the claims of the Valley Forging Co. concerning the settlement of contracts for 75-millimeter shell. Both of these persons are known to possess an interest in this investigation not wholly inspired by a desire to safeguard the public interest.

I wish again to assure you that it is my desire to facilitate the work of your committee in every way possible, and all information relative to the particular case to which Mr. Hill and Mr. Lindsay have been assigned is at the committee's disposal. It is my opinion, however, that after a consideration of the case you will agree with me that the services of less-interested persons than either of the two named should be employed.

Very truly, yours,
NEWTON D. BAKER,
Secretary of War.

Mr. Speaker, of course the Secretary of War had no personal information of the matter, and it came undoubtedly through the Military Intelligence of the War Department. They bring my name into it as having hired these investigators whom they claim to be blackmailers. They based that claim upon this photographic copy of an alleged letter, which they do not now have, and of which they never did have the original. There was none. They bring it before this House with the idea of casting aspersions upon me as chairman of the committee, and of attacking Mr. Edmund Leigh, who was brought over here from Baltimore by Mr. Daniel Willard, one of the great railroad men of this country. Mr. Leigh is the former chief detective of the Baltimore & Ohio Railroad, was placed in charge of industry plant protection, and hired many men afterwards in the Government's employ. They make a report upon which the Attorney General in my opinion will be forced to ask indictments, and on which he will secure convictions, in the War Claims Board in Pittsburgh. This is brought here to embarrass that investigation and to attack these men who have made that investigation and to attack me as chairman of the committee, and they come before the House with this letter, which I believe to be a forgery. I believe that states a question of personal privilege.

The SPEAKER. The Chair does not think that the gentleman has made out a case of personal privilege. The most the gentleman can claim, it seems to the Chair, is that there is a charge that he has employed men who are unworthy, but there is no intimation that the gentleman did so knowingly.

Mr. JOHNSON of South Dakota. The Chair does not see anything of personal privilege in this letter?

The SPEAKER. The Chair does not think the gentleman makes out a case of personal privilege.

Mr. JOHNSON of South Dakota. Of couse, I must accept the ruling of the Chair. I can not agree with the Chair, but I recognize that the Chair knows the precedents, so I shall not press the matter further.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On March 1, 1921:

H. R. 15441. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 15935. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 15962. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes;

H. R. 397. An act to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes;

H. R. 567. An act for the relief of John Chick;

H. R. 1035. An act for the relief of the widow of Joseph C. Akin;

H. R. 1430. An act to authorize the addition of certain lands to the Weiser National Forest, Idaho;

H. R. 2946. An act to amend acts to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes;

H. R. 5081. An act for the relief of James E. Adams;

H. R. 5416. An act to authorize corporations organized in the District of Columbia to change their names;

H. R. 7573. An act authorizing the payment of compensation to Pasquale Dolce for personal injuries;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein;

H. R. 9028. An act to authorize the addition of certain lands to the Nezperce National Forest, Idaho;

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 10434. An act to add certain lands to the Targhee National Forest;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 11307. An act to amend section 5146 of the Revised Statutes of the United States in relation to the qualifications of directors of the National Banking Association;

H. R. 13051. An act to add certain lands to the Lemhi National Forest, Idaho;

H. R. 13319. An act for the relief of Wilson Certain;

H. R. 13592. An act to authorize certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to make final proof of their entries;

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico; and

S. 3225. An act for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15275. An act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

JOURNAL OF NATIONAL ENCAMPMENT, GRAND ARMY OF THE REPUBLIC.

Mr. KIESS. Mr. Speaker, I present the following privileged resolution from the Committee on Printing, which I send to the desk and ask to have read.

The Clerk read as follows:

Concurrent resolution (H. Con. Res. 76) to print 1,500 copies of the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic for the year 1921, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

Mr. KIESS. Mr. Speaker, this resolution is passed by every Congress and is to provide for the year 1921. I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

INAUGURATION CEREMONIES.

Mr. REAVIS rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for three minutes. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, would the gentleman care to state what he wishes to discuss?

Mr. REAVIS. Mr. Speaker, a great many inquiries have come to the inaugural committee as to the privileges of Members on inauguration day, and I wanted to state what those privileges were.

The SPEAKER. The gentleman is recognized for three minutes.

Mr. REAVIS. Gentlemen of the House, I will state as briefly as possible the arrangements that have been made for the inaugural ceremony and the privileges that will come to the membership of the House because of those arrangements. Nobody will be admitted into the Capitol Building on the morning of the inauguration except the Members and those holding tickets to the Senate Gallery. Each Member of the House is entitled to one ticket to the Senate Gallery to witness the inauguration of the Vice President and other ceremonies incident thereto. The membership of the House, and that includes, of course, the Members elect, are entitled under the rules of the Senate to the privilege of the floor of the Senate.

After the inauguration in the Senate Chamber is finished all Members of the House and Members elect, together with their guests in the gallery, will go through the Rotunda of the Capitol to the reserved standing-room space immediately in front of the inaugural stand. There will be no seats, and only those admitted to the Capitol on the morning of the inauguration, which includes Members and Members elect and their one guest each, are entitled to this reserve standing space, entrance to which shall be through the Capitol. In addition to that there will be two other standing spaces, one immediately north of the space in front of the inaugural stand and one immediately south. It is thought that those spaces will accommodate between 1,600 and 2,000 people each. The southern standing-room space has been assigned to the membership of the House. Entrance to that standing-room space shall be from the outside through an aisle or alleyway that will be kept open by officers. Admission to the standing-room space, which will be roped off, will be by tickets.

The tickets to this outside standing-room space, three for each Member and each Member-elect, will be distributed some time to-morrow and due notification will be given you. With the space of these two standing-room spaces and the privilege of the Senate floor and one guest in the gallery there are no other privileges given Members.

Mr. HAWLEY. Will the gentleman yield?

Mr. REAVIS. I will.

Mr. HAWLEY. Who will be admitted to these standing places on the east front of the Senate and House wings of the Capitol?

Mr. REAVIS. Those spaces will be roped off. These barricades are being constructed there for the purpose of protecting the crowd from itself. There was an occasion when a large crowd congregated, it was at the time of President McKinley's funeral, when no provisions were taken to protect the crowd from itself in reference to the steps. The crowd behind surged forward and a number were very badly injured. These spaces will be open to everybody except so far as it has been necessary to barricade them to protect the crowd from injury.

Mr. HAWLEY. I do not think the gentleman understood my question. There are being constructed on the east steps of the House near——

Mr. REAVIS. The gentleman means the House Chamber?

Mr. HAWLEY. Yes; on those east steps.

Mr. REAVIS. I have no information with regard to that at all. I know there is no space reserved there that is in the disposition of the inaugural committee.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. REAVIS. I will.

Mr. MANN of Illinois. Does this order forbid employees of the House coming to the House Friday morning?

Mr. REAVIS. No; as a matter of course it would not.

Mr. MANN of Illinois. Not ordinary employees, but——

Mr. REAVIS. The House officers not only have the privilege of the floor of the Senate, but each one will have a ticket for the gallery.

Mr. MANN of Illinois. I know four years ago my secretary was refused admission to the Capitol, until I got busy.

Mr. REAVIS. There is no rule or order to that effect made by the inaugural committee.

Mr. MANN of Illinois. I hope the inaugural committee will not make a ruling that would forbid employees coming to the House.

Mr. REAVIS. No such ruling has been made and no such suggestion has been made.

Mr. DOWELL. Will the gentleman yield?

Mr. REAVIS. I will.

Mr. DOWELL. How may they be admitted if there are no tickets issued?

Mr. REAVIS. Well, I assume those who will be in charge of the door will be familiar with the House employees as well as with the membership of the House. I do not know how otherwise they will be admitted.

Mr. DOWELL. Can the gentleman ascertain how that may be done and advise the Members of the House?

Mr. REAVIS. I will endeavor to do so.

Mr. BARKLEY. Will the gentleman yield?

Mr. REAVIS. I will.

Mr. BARKLEY. I do not think the gentleman understood the question of the gentleman from Oregon. On the east steps there is this big space which they have floored and put banisters all around. What are those for?

Mr. REAVIS. I will state to the gentleman from Kentucky I know nothing about that.

Mr. BARKLEY. Under whose jurisdiction is it?

Mr. REAVIS. Probably under the jurisdiction of the Architect or Superintendent of the Capitol. It may be he has given directions to build such barricades or such platforms as would be necessary to protect the crowd or Government property, but, so far as those spaces are concerned, we have no disposition of them.

The SPEAKER. The Chair thinks that he can answer the question. The Chair was told yesterday that it had been the custom at those steps for such space to be prepared and tickets were issued to them, half of which were given to the Committee on Ways and Means, who have the corner room, and the other half of the tickets, about 200 each, the Chair thinks, to the Speaker, but the Speaker told them he did not think he had any right to them and declined to take them. [Applause.]

Mr. GARRETT. I would just like to say with regard to what was stated a few moments ago by the gentleman from Illinois [Mr. MANN] that there was never any order four years ago by the inaugural committee precluding any of the employees from entering the Capitol. The inaugural committee not only never made such an order but it had never thought of it. I think there was some sort of a regulation, probably put into effect under orders of the Speaker, possibly, for the purpose of protection, that they required identification in some way, and the Sergeant at Arms issued a card or something to the employees which admitted them. The inaugural committee never did anything of that sort, nor was there, I think, any official order to that effect.

Mr. GREENE of Vermont. I would like to ask the gentleman if the word "employees" includes secretaries to Representatives?

Mr. REAVIS. I do not think so, because I do not think they would be classed as Capitol employees.

Mr. GREENE of Vermont. Then, of course, there comes out this great unfairness, inasmuch as some Members of the House have their offices in this building, and their secretaries would be in here, and the secretaries of the others could not get in.

Mr. REAVIS. Without regard to the fairness or unfairness of the proposition, it is a matter that the inaugural committee has no possible jurisdiction of.

Mr. GREENE of Vermont. I am not debating that side of it.

Mr. REAVIS. We have not advanced the proposition. We do not know anything about it.

Mr. RAYBURN. Mr. Speaker, I wanted to ask the gentleman from Nebraska a question, but I think I can propound the question to the Speaker, if he thinks it proper for me to do so.

The SPEAKER. The gentleman can do so by unanimous consent.

Mr. RAYBURN. The only question I wanted to ask was this: The gentleman said that this arrangement out here on the steps had been made in the past by the Speaker and members of the Ways and Means Committee, and the Speaker said he did not care to take the tickets himself. I would just like to know under what authority those arrangements are being made out there for the Ways and Means Committee?

The SPEAKER. The Chair was told by the Superintendent of the Capitol that they were not constructed for any particular person, but the reason the construction was put there was that those steps would be crowded with people, and that unless they put these railings around them injury was pretty certain to result. Therefore, they put the railings around them.

Mr. RAYBURN. I am talking about the platform up on top.

The SPEAKER. That is what I mean. It was put there to prevent the people from being pushed off.

Mr. RAYBURN. I did not understand the statement of the Speaker, then, about the distribution of the tickets.

The SPEAKER. After the platforms were erected, tickets to them were issued, half to the Ways and Means Committee, because their room, I suppose, opens onto that space, and half to the Speaker—I presume that is the theory—because his room also opens on that space.

Mr. RAYBURN. I would certainly have no objection to the Speaker having all the space opening on his room, but I do not see any reason why one committee of the House should have the privilege.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call for the regular order.

FORTIFICATIONS APPROPRIATIONS.

Mr. FRENCH. Mr. Speaker, at the request of Chairman SLEMP, of the fortifications subcommittee, I ask unanimous consent to take from the Speaker's table the fortifications appropriation bill, H. R. 16100, and consider the Senate amendments. It will be my purpose to ask that the House concur in the Senate amendments, and I assume that the Speaker will want to have the Senate amendments reported and have a statement as to what they are.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table the fortifications bill and consider the Senate amendments. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. WINGO. Mr. Speaker——

Mr. GARD. Mr. Speaker, reserving the right to object——

The SPEAKER. The gentleman moves to consider the Senate amendments.

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to know if we can have any copies of this bill. There have been $50,000,000 added to that, and we would like to know what it consists of.

Mr. FRENCH. The gentleman will understand, if he will bear with me a minute, instead of anything being added, we are recovering certain amounts back to the Treasury.

Mr. BLANTON. Will the gentleman state how many million dollars have been added?

Mr. FRENCH. If the gentleman will bear with me now——

Mr. BLANTON. That is an easy question.

Mr. FRENCH. Not a cent has been added by the Senate.

Mr. BLANTON. I mean by this conference report.

Mr. FRENCH. If the gentleman will bear with me a minute, I think I can explain the whole situation. There are 21 amendments. The first two bear upon distinct propositions. The latter 19 bear upon one proposition, but are made up of separate amendments. Now, I think that we can arrange to concur in these amendments, the first separately and the second separately, and the other 19 en bloc. The first amendment is on page 2 of the bill, and the language in the House bill was as follows:

The sum of—

And after that the appropriation of $50,000 for a particular purpose. The Senate has stricken out the words "the sum of" and in lieu thereof has inserted the words "a sum not exceeding."

I have gone over this matter with various members of the subcommittee, with the ranking Member on the Democratic side [Mr. EAGAN], and we are all agreeable to the proposition.

Mr. BLANTON. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. BLANTON. There are 21 different amendments on this proposition, and every one of those amendments increase the appropriation from about $75,000 up to more than $1,000,000.

Mr. FRENCH. If the gentleman will be patient, he will see that his statement is not quite accurate.

Mr. BLANTON. How many millions does it increase it?

Mr. FRENCH. It does not increase it one dollar. There is no appropriation.

The amendments provide for covering money heretofore appropriated back into the Treasury, I will say to the gentleman.

Now, as to amendment No. 2, on page 5 of the bill. The Members of the House will recall that the Committee on Appropriations reported a proviso that the Secretary of War shall sell 2,000 tractors. This went out on a point of order, but was reinserted through the Mann amendment, and it was provided—

that the Secretary of War be authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 2,000 of the tractors owned by the War Department.

To that paragraph there was added an amendment offered by the gentleman from Minnesota [Mr. ANDERSON], providing that 1,250 tractors should be distributed to the highway-department work of the several States. That amendment is left in the bill, but the first amendment providing for the sale of 2,000 tractors the Senate has stricken from the bill.

Mr. BLANTON. If objection is withdrawn, will the gentleman permit us to pass upon each of these items separately?

Mr. FRENCH. I shall have no objection at all.

Mr. BLANTON. You will not force us to count them all as one amendment?

Mr. FRENCH. Not at all. I will withdraw that request if the gentleman desires.

The Senate amendment strikes out the provision of the House bill directing the Secretary of War to sell 2,000 of the tractors owned by the War Department. Now, it was not exactly understood by everybody what the situation was when the Anderson amendment was inserted. Some did not know whether the 1,250 were to be in addition to the 2,000 or to be taken from the 2,000. I think under the strict language of the bill we were directing the Secretary of War to dispose of the 2,000 by sale, and the 1,250 were additional, to be distributed among the highway departments of the several States for use on roads. It may seem advisable just to dispose of the 1,250 instead of the 2,000, or an additional 2,000, and that is what the Senate thought we ought to do.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. FRENCH. I shall be glad to.

Mr. GARD. I remember when we had that matter under consideration on the fortification bill. I made the point of order to the paragraph which the Senate has now stricken out.

Mr. FRENCH. Yes.

Mr. GARD. The gentleman from Illinois [Mr. MANN] offered an amendment, and under the guise of a reduction of the appropriation by lessening the sum appropriated, sought to restore the item. Then the gentleman from Minnesota [Mr. ANDERSON] made an entirely separate and distinct amendment, which was incorporated and remains in the bill. The difference, as I recall, between the first and second propositions was that the Secretary of War was directed to sell, and in the proposition advocated by the gentleman from Minnesota the Secretary was directed to turn over to the Department of Agriculture or the Bureau of Public Roads, I have forgotten which, 1,250 tractors for work on the public roads.

Mr. FRENCH. Yes; 1,250. The one was a sales proposition, and the other was a transfer proposition. The Senate has stricken out the sales proposition and retained the transfer proposition. It was the intention of the House to sell, according to the restored amendment of the gentleman from Illinois, and then to authorize this transfer, so that instead of there being 5,000 that would remain there would be 3,750. It was intended to dispose of 2,000 by sale and 1,250 by transfer from a total of 7,000.

Mr. MANN of Illinois. It was 3,250 altogether. That was perfectly clear.

Mr. FRENCH. Yes; to me it was perfectly clear. Yet the question has been raised whether we wanted to dispose of 1,250 and 2,000, or just 2,000.

I think the interpretation of the gentleman from Illinois and that of the gentleman from Ohio [Mr. GARD] is correct. But the members of the subcommittee feel that since that is the one essential amendment which probably the House would care to

act upon, it is hardly worth sending the bill to conference, and therefore we will ask to concur. Under another bill we have authorized the Secretary to sell the tractors in his discretion.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. FRENCH. Yes; I yield.

Mr. GARD. The remaining propositions are 19 in number?

Mr. FRENCH. Yes.

Mr. GARD. And these are all additional returns made by the War Department of money heretofore advanced and found not to be necessary?

Mr. FRENCH. Yes.

Mr. GARD. How much do these sums aggregate?

Mr. FRENCH. On pages 14 and 15 of the bill as it passed the House we provided for turning back into the Treasury of the United States $233,555,760. Under Gen. Lord still further checking up has been done of the various funds that have been appropriated during the last several years—in fact, some appropriations running back 30 or 40 years—and as a result of this further checking up it is found that various other items can be turned back; and the Senate has added 19 amendments, increasing in the 19 several instances the amount to be turned back, making a total of a little bit more than $17,000,000, so that the grand total to be turned back is $250,807,628.28.

Mr. BYRNS of Tennessee. Mr. Speaker, I call attention to the fact that one of these amendments does not represent a turn back. It represents about $71,000 for aviation in seacoast defense. That is amendment No. 4. I am sure the gentleman did not want to be inaccurate, and I call his attention to it with that idea in mind.

Mr. FRENCH. No. I am in error there. Amendment No. 4 is a separate amendment and refers to a new item.

Mr. BYRNS of Tennessee. That goes back anyway, does it not?

Mr. FRENCH. The item No. 4 is not an increase, I should say, but it is an entirely new item. It is an item that goes back, however. It is not an increase. It is a new item and it is to be turned back into the Treasury.

Mr. GARD. The situation, then, is that in truth and in fact the Senate did not add any of these restorations, but from the time the bill left the House until it got to the Senate there were discovered in the War Department, in the different agencies, reasons for believing that they did not need certain appropriations, and certain additional appropriations were found not to be necessary between the time the bill was considered in the House and the time it was considered in the Senate?

Mr. FRENCH. That is correct.

Mr. GARD. What the Senate did was to put on these amounts to be returned the additional amounts found not to be necessary by the War Department and reported by the War Department to the Senate committee?

Mr. FRENCH. That is correct.

Mr. BLANTON. Amendments Nos. 3 to 21, inclusive, being amounts to be turned back into the Treasury, then it is proper to vote on all of them at one time.

Mr. FRENCH. It was suggested by me at first that we should vote on the three propositions, amendments 1 and 2 separately, and amendments 3 to 21 en bloc.

Mr. BLANTON. I have no objection to doing that.

Mr. FRENCH. Then, Mr. Speaker, I ask unanimous consent that the House vote upon the several amendments, the first and second separately, and the amendments Nos. 3 to 21, inclusive, en bloc.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment No. 1: Page 2, line 24, strike out "the sum of" and insert in lieu thereof "a sum not exceeding."

The SPEAKER. The gentleman moves that the House concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 5, line 12, strike out the following language: "*Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 2,000 of the tractors owned by the War Department."

Mr. FRENCH. I move that the House concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 93, noes 1.

Mr. BLANTON. Mr. Speaker, upon that I make the point of no quorum present. This is an important matter, the sale of 2,000 tractors that the people want sold.

The SPEAKER. The gentleman's statement is out of order. It is clear that there is no quorum present. The Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 291, nays 4, answered "present" 1, not voting 132, as follows:

YEAS—291.

Almon	Echols	Larsen	Robsion, Ky.
Anderson	Elston	Layton	Rogers
Andrews, Md.	Esch	Lazaro	Romjue
Andrews, Nebr.	Evans, Mont.	Lea, Calif.	Rose
Anthony	Evans, Nebr.	Lehlbach	Rouse
Ashbrook	Fairfield	Linthicum	Rowe
Aswell	Farr	Longworth	Sanders, Ind.
Babka	Ferris	Luce	Sanders, N. Y.
Bacharach	Fess	Lufkin	Sanford
Bankhead	Fish	McAndrews	Schall
Barbour	Fisher	McClintic	Scott
Barkley	Fordney	McDuffie	Sherwood
Bee	Foster	McKiniry	Shreve
Begg	French	McKinley	Siegel
Bell	Fuller	McLaughlin, Mich.	Sinclair
Benson	Gallivan	McLaughlin, Nebr.	Sinnott
Bland, Ind.	Ganly	McLeod	Sisson
Bland, Va.	Gard	McPherson	Slemp
Boies	Garrett	Madden	Small
Bowers	Glynn	Magee	Smith, Idaho
Bowling	Godwin, N. C.	Mann, Ill.	Smith, Ill.
Box	Good	Mansfield	Smithwick
Brand	Goodykoontz	Mapes	Snell
Briggs	Gould	Martin	Stedman
Brinson	Graham, Ill.	Mays	Steenerson
Brooks, Ill.	Green, Iowa	Mead	Stephens, Ohio
Brooks, Pa.	Greene, Mass.	Michener	Stevenson
Browne	Greene, Vt.	Miller	Stoll
Buchanan	Griest	Minahan, N. J.	Strong, Kans.
Burdick	Griffin	Mondell	Strong, Pa.
Burroughs	Hardy, Colo.	Montague	Summers, Wash.
Butler	Hastings	Moore, Ohio	Sweet
Byrns, Tenn.	Hawley	Moores, Ind.	Swindall
Campbell, Kans.	Hayden	Mott	Tague
Campbell, Pa.	Hernandez	Murphy	Taylor, Ark.
Cannon	Hersey	Nelson, Mo.	Taylor, Colo.
Cantrill	Hickey	Nelson, Wis.	Taylor, Tenn.
Caraway	Hicks	Newton, Minn.	Temple
Carew	Hoch	Newton, Mo.	Thompson
Carss	Holland	O'Connell	Tillman
Carter	Houghton	O'Connor	Tilson
Casey	Howard	Ogden	Timberlake
Chindblom	Hull, Iowa	Oldfield	Tincher
Christopherson	Humphreys	Oliver	Tinkham
Cleary	Husted	Olney	Treadway
Coady	Hutchinson	Osborne	Upshaw
Collier	Ireland	Overstreet	Vaile
Cooper	Jacoway	Padgett	Venable
Crago	James, Va.	Paige	Vestal
Cramton	Jefferis	Park	Vinson
Crisp	Johnson, Ky.	Parker	Voigt
Crowther	Johnson, Miss.	Parrish	Volk
Cullen	Johnson, S. Dak.	Patterson	Volstead
Currie, Mich.	Johnson, Wash.	Pell	Wason
Curry, Calif.	Jones, Pa.	Peters	Weaver
Dale	Jones, Tex.	Porter	Webster
Dallinger	Juul	Pou	Welling
Darrow	Kearns	Purnell	Wheeler
Davey	Keller	Quin	White, Kans.
Davis, Minn.	Kelly, Pa.	Radcliffe	White, Me.
Davis, Tenn.	Kendall	Rainey, Henry T.	Williams
Dempsey	Kennedy, R. I.	Raker	Wilson, Ill.
Denison	Kettner	Ramseyer	Wilson, La.
Dewalt	Kiess	Randall, Calif.	Wilson, Pa.
Dickinson, Iowa	King	Ransley	Wingo
Dickinson, Mo.	Kinkaid	Rayburn	Woods, Va.
Dominick	Kleczka	Reavis	Woodyard
Doremus	Knutson	Reber	Wright
Drane	Kraus	Reed, N. Y.	Yates
Dunn	Kreider	Rhodes	Young, N. Dak.
Dupré	Lampert	Ricketts	Young, Tex.
Dyer	Lanham	Riddick	Zihlman
Eagan	Lankford	Robinson, N. C.	

NAYS—4.

Blanton	Huddleston	MacGregor	Steagall

ANSWERED "PRESENT"—1.

Sumners, Tex.

NOT VOTING—132.

Ackerman	Dunbar	Haugen	McGlennon
Ayres	Eagle	Hays	McKenzie
Baer	Edmonds	Hersman	McKeown
Benham	Elliott	Hill	Maher
Black	Ellsworth	Hoey	Major
Bland, Mo.	Emerson	Hudspeth	Mann, S. C.
Britten	Evans, Nev.	Hulings	Mason
Brumbaugh	Fields	Hull, Tenn.	Merritt
Burke	Flood	Igoe	Milligan
Byrnes, S. C.	Focht	James, Mich.	Monahan, Wis.
Caldwell	Frear	Johnston, N. Y.	Moon
Candler	Freeman	Kahn	Mooney
Clark, Fla.	Gallagher	Kelley, Mich.	Moore, Va.
Clark, Mo.	Gandy	Kennedy, Iowa	Morin
Classon	Garner	Kincheloe	Mudd
Cole	Goldfogle	Kitchin	Neely
Connally	Goodall	Langley	Nicholls
Copley	Goodwin, Ark.	Lee, Ga.	Nolan
Costello	Graham, Pa.	Lesher	Perlman
Dent	Hadley	Little	Phelan
Donovan	Hamill	Lonergan	Rainey, Ala.
Dooling	Hamilton	Luhring	Rainey, John W.
Doughton	Hardy, Tex.	McArthur	Ramsey
Dowell	Harreld	McCulloch	Randall, Wis.
Drewry	Harrison	McFadden	Reed, W. Va.

Riordan	Sears	Stiness	Ward
Rodenberg	Sells	Sullivan	Watkins
Rowan	Sims	Swope	Watson
Rubey	Smith, Mich.	Thomas	Welty
Rucker	Smith, N. Y.	Towner	Whaley
Sabath	Snyder	Vare	Winslow
Sanders, La.	Steele	Walsh	Wise
Scully	Stephens, Miss.	Walters	Wood, Ind.

So the motion to concur in the Senate amendment was agreed to.

The Clerk announced the following additional pairs:

Mr. MERRITT with Mr. HERSMAN.
Mr. HADLEY with Mr. GANDY.
Mr. BENHAM with Mr. LESHER.
Mr. EDMONDS with Mr. STEELE.
Mr. KENNEDY of Iowa with Mr. SEARS.
Mr. STINESS with Mr. KITCHIN.
Mr. SMITH of Michigan with Mr. GARNER.
Mr. REED of West Virginia with Mr. WELTY.
Mr. RAMSEY with Mr. KINCHELOE.
Mr. LUHRING with Mr. WATKINS.
Mr. BURKE with Mr. WISE.
Mr. HILL with Mr. GALLAGHER.
Mr. MCKENZIE with Mr. HULL of Tennessee.
Mr. NOLAN with Mr. MOORE of Virginia.
Mr. DUNBAR with Mr. HOEY.
Mr. LANGLEY with Mr. CLARK of Florida.
Mr. SNYDER with Mr. CONNALLY.
Mr. COPLEY with Mr. HARRISON.
Mr. MCARTHUR with Mr. WHALEY.
Mr. WALSH with Mr. IGOE.
Mr. FOCHT with Mr. DREWRY.
Mr. DOWELL with Mr. AYRES.
Mr. KELLEY of Michigan with Mr. HUDSPETH.
Mr. MASON with Mr. MCKEOWN.
Mr. WARD with Mr. STEPHENS of Mississippi.
Mr. RANDALL of Wisconsin with Mr. BLACK.
Mr. ACKERKMAN with Mr. MAJOR.
Mr. MUDD with Mr. FIELDS.
Mr. HARRELD with Mr. BYRNES of South Carolina.
Mr. WINSLOW with Mr. NICHOLLS.
Mr. PERLMAN with Mr. SABATH.
Mr. WOOD of Indiana with Mr. FLOOD.
Mr. ELLIOTT with Mr. CANDLER.
Mr. WATSON with Mr. PHELAN.
Mr. TOWNER with Mr. RUCKER.
Mr. FREAR with Mr. LEE of Georgia.
Mr. HAUGEN with Mr. NEELY.
Mr. WALTERS with Mr. SIMS.
Mr. SELLS with Mr. HARDY of Texas.
Mr. FREEMAN with Mr. EAGLE.
Mr. HAYS with Mr. MCGLENNON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. FRENCH. I move that the House concur in Senate amendments 3 to 21, inclusive, en bloc.

The SPEAKER. The gentleman from Idaho, pursuant to the agreement that he may do so, moves that the House concur in Senate amendments 3 to 21, inclusive, en bloc.

The motion was agreed to.

On motion of Mr. FRENCH, a motion to reconsider the votes by which the House concurred in the several Senate amendments was laid on the table.

REORGANIZING THE INDIAN SERVICE.

Mr. SNYDER. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4039) to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of lands and funds of the Osage Indians in Oklahoma, and for other purposes."

Be it enacted, etc., That all that part of the act of June 28, 1906 (34 Stat. L., p. 539), entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," which reserves to the Osage Tribe the oil, gas, coal, or other minerals covered by the lands for the selection and division of which provision is made in that act is hereby amended so that the oil, gas, coal, or other minerals covered by said lands are reserved to the Osage Tribe for the period ending April 7, 1946: *Provided*, That all valid existing oil and gas leases on the 7th day of April, 1931, are hereby renewed upon the same terms and extended, subject to all other conditions and provisions thereof, until the 8th day of April, 1946, and as long thereafter as oil or gas is found in paying quantities, and the Secretary of the Interior and the Osage Council are hereby authorized and directed to offer for lease for oil and gas purposes all of the remaining portion of the unleased Osage land prior to April 8, 1931, offering the same annually at the rate of not less than one-tenth of the unleased area.

SEC. 2. That the bona fide owner or lessee of the surface of the land shall be compensated, under rules and regulations prescribed by the Secretary of the Interior in connection with oil and gas mining operations, for any damage that shall accrue after the passage of this act as a result of the use of such land for oil and gas mining purposes or out of damages to the land or crops thereon occasioned thereby, but nothing herein contained shall be construed to deny to the surface owner or lessee the right to appeal to the courts without the consent of the Secretary of the Interior, in the event he is dissatisfied with the amount of damages awarded him.

SEC. 3. That all members of the Osage Tribe of Indians are hereby declared to be citizens of the United States, but this shall not affect their interest in tribal property or the control of the United States over such property as is now or may hereafter be provided by law, and all restrictions against alienation of their allotment selections, both surplus and homestead, of all adult Osage Indians of less than one-half Indian blood, are hereby removed, and the Secretary of the Interior shall, within four months after the passage of this act, determine what members of said tribe are of less than one-half Indian blood, and their ages, and his determination thereof shall be final and conclusive. The homestead allotments of the members of the Osage Tribe shall not be subject to taxation if held by the original allottee prior to April 8, 1931.

SEC. 4. That from and after the passage of this act the Secretary of the Interior shall cause to be paid at the end of each fiscal quarter to each adult member of the Osage Tribe having a certificate of competency his or her pro rata share, either as a member of the tribe or heir of a deceased member, of the interest on trust funds, the bonus received from the sale of leases, and the royalties received during the previous fiscal quarter, and so long as the income is sufficient to pay to the adult members of said tribe not having a certificate of competency $1,000 quarterly except where incompetent adult members have legal guardians, in which case the income of such incompetents shall be paid to their legal guardians, and to pay for maintenance and education to the parents or natural guardians or legal guardians actually having minor members under 21 years of age personally in charge $500 quarterly out of the income of said minors, all of said quarterly payments to legal guardians and adults, not having certificates of competency, to be paid under the supervision of the superintendent of the Osage Agency, and to invest the remainder after paying all the taxes of such members either in United States bonds or in Oklahoma State, county, or school bonds, or place the same on time deposits at interest in banks in the State of Oklahoma for the benefit of each individual member under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That at the beginning of each fiscal year there shall first be reserved and set aside out of the Osage tribal funds available for that purpose a sufficient amount of money for the expenditures authorized by Congress out of the Osage funds for that fiscal year: *Provided further*, That all just existing individual obligations of adults not having certificates of competency outstanding upon the passage of this act, when approved by the superintendent of the Osage Agency, shall be paid out of the money of such individual as the same may be placed to his credit in addition to the quarterly allowance provided for herein.

SEC. 5. That the State of Oklahoma is authorized from and after the passage of this act to levy and collect a gross production tax upon all oil and gas produced in Osage County, Okla., and all taxes so collected shall be paid and distributed, and in lieu of all other State and county taxes levied upon the production of oil and gas as provided by the laws of Oklahoma, the Secretary of the Interior is hereby authorized and directed to pay, through the proper officers of the Osage Agency, to the State of Oklahoma, from the amount received by the Osage Tribe of Indians as royalties from production of oil and gas, the per centum levied as gross production tax, to be distributed as provided by the laws of Oklahoma: *Provided*, That the Secretary of the Interior is hereby authorized and directed to pay, through the proper officers of the Osage Agency, to Osage County, Okla., an additional sum equal to 1 per cent of the amount received by the Osage Tribe of Indians as royalties from production of oil and gas, which sum shall be used by said county only for the construction and maintenance of roads and bridges therein: *Provided further*, That the proper officials of Osage County shall make an annual report to the Secretary of the Interior showing that said fund has been used for road and bridge construction and maintenance only.

The SPEAKER. Is a second demanded?

Mr. CARTER. I demand a second.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

Mr. SWINDALL. I object.

The SPEAKER. The gentleman from New York and the gentleman from Oklahoma will act as tellers.

Mr. SWINDALL. I withdraw my objection.

The SPEAKER. The gentleman from Oklahoma withdraws his objection, and the gentleman from New York [Mr. SNYDER] is recognized for 20 minutes and the gentleman from Oklahoma [Mr. CARTER] for 20 minutes.

Mr. SNYDER. Mr. Speaker and gentlemen of the House, the bill under consideration is for the purpose of extending the law that now exists for a period of 15 years in addition to the time it has to run. For the information of those Members who have Indians in their districts, I will say that there is nothing in the bill that affects any Indians anywhere outside of the Osage Tribe. It is purely and simply in the interest of the Osage Indians and those that are operating and doing business with them.

This bill has the universal indorsement of the Osage Tribe, of the oil operators, of the gas operators, and practically the universal indorsement of the surface owners. It is absolutely essential at this time, in the interest of the public, for the simple reason, taking the last phase of my statement, that under existing law and under the operation of the production of oil and gas by the authorities we are getting a continuous and universal flow of oil and gas from these lands and from the wells of the Osage Nation. The Osages themselves, about 2,100 in number, full bloods and others, are receiving this year in

royalties and bonuses an average income of more than $10,000 per capita. There are instances where families of seven, all of whom are drawing this income, are spending it riotously and otherwise; so the law is simply modified to the extent that we are impounding a portion of the money of these Indians for their future welfare and benefit. We are providing in here that every adult Indian who is a citizen shall have all of the money that is coming to him, of course, quarterly, and every incompetent Indian who has heretofore not only had his own $10,000 but the $10,000 of his children to do with as he likes—we are permitting him to have $1,000 quarterly and each of the minor children $500 quarterly for their maintenance, and that the balance will be impounded under the rules and regulations of the Secretary of the Interior in school and municipal bonds or put in the banks of the State of Oklahoma at such a rate of interest as will be a satisfactory rate.

It is provided in this bill that all of the Osage Indians less than half blood shall be made citizens, whether they desire to become citizens or not; and within four months after this law becomes effective the Secretary of the Interior is directed to make an order declaring these Indians to be competent. The committee believes that the time has come when the Indians who are competent in this tribe, who are getting all this money, should take their burdens as citizens of the country, pay their taxes, and be forced to have their children educated in the white schools, the same as other citizens.

Of course, it has been the desire of the Indian Committee to make laws of that sort operative throughout the country, but it was found impossible to do it at this session, and since the business situation is such and the agencies surrounding this proposition are so important the committee saw fit in its wisdom to submerge its efforts for two years in working out a fundamental bill for reorganization of the Indian Service and let it go in the interest of the public and in the interest of the business of the country and in the interest of the Osage Tribe and oil operators and cut everything out of the bill except that which belongs to the Osages themselves.

In my judgment, the bill should pass without a dissenting vote. It has been very carefully prepared. For a year and a half we have studied and worked upon this bill and amended it probably a thousand times. There may be some things in it yet that ought to be changed.

Just to give a little idea of what is going on out in this Osage country I would say that there are at present 6,400 wells in the Osage country that are averaging about 9 barrels per day of 24 hours and about 5,500 wells producing an average of about 3 barrels of oil a day. I have an idea that the average Member of the House when he reads about an oil well never thinks of one that produces less than 300 barrels or a thousand barrels a day, and the facts are that in the State of Pennsylvania there are about 30,000 wells that are producing less than one-third of a barrel of oil a day of 24 hours, and the same situation exists in the State of New York and in the State of Ohio. Some years they run less than half a barrel of oil per well, and the real necessity for the extension of this period is that these 6,400 wells producing 9 barrels a day each and 5,500 wells producing 3 barrels a day each are gradually running out. Unless we grant this extension, so that these people can prepare themselves to continue in such a way as to afford to operate the wells at a lower average rate than they now produce, when the time under the present law expires they will pull up their casings and leave the country. The result will be that the moneys which we hope to impound for the Osage Indians would not be there, and the public would be short of its continuous flow of oil. In the interest of the public and in the interest of the Osage Indians, in the interest of the men who have put $200,000,000 or $300,000,000 in there, this extension is absolutely necessary, in my judgment.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. HASTINGS. This is a unanimous report from the Committe on Indian Affairs?

Mr. SNYDER. Yes. [Cries of "Vote!"]

Mr. CARTER. Mr. Speaker, I have charge of the remainder of the time, and I am quite willing to go to a vote at this time.

Mr. HASTINGS. This is a Senate bill, and this is an amendment to the Senate bill.

Mr. SNYDER. The House amendment to the Senate bill was read into the bill.

The SPEAKER. The question will be taken upon suspending the rules and passing the Senate bill as amended.

Mr. HASTINGS. And that strikes out the Senate bill and puts in the amendment as a substitute.

The SPEAKER. That is correct. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. BARKLEY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SNYDER. Mr. Speaker, will the gentleman withhold that, in order that I may present a conference report?

Mr. BARKLEY. I withhold the point for a moment.

FORT BELKNAP INDIAN RESERVATION, MONT.

Mr. SNYDER. Mr. Speaker, I present a conference report upon the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing vote of the two Houses on the amendment of the Senate to the bill H. R. 13225, an act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: On page 2, line 25, of the matter inserted by said amendment, after the word "lands," insert the word "chiefly"; and on page 10, line 14, after the word "lands," insert the word "chiefly"; and the Senate agree to the same.

HOMER P. SNYDER,
P. P. CAMPBELL,
C. D. CARTER,
Managers on the part of the House.

CHARLES CURTIS,
A. J. GRONNA,
T. J. WALSH,
Managers on the part of the Senate.

Mr. SNYDER. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

STANDARD WEIGHTS AND MEASURES, DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I call up the bill (H. R. 8067) to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes, with Senate amendments thereto.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments.

Mr. MAPES. Mr. Speaker, I move to concur in the Senate amendments. The first four amendments are simply verbal amendments to correct the language of the bill. Amendment numbered 5 strikes out the paragraph in the House bill fixing the weight of a standard sack of potatoes, and amendment numbered 6 strikes out the provision in the House bill fixing the weight of a standard barrel of flour. There was a good deal of objection to both these provisions at the time the matter was considered in the House. Amendments 7, 8, 9, and 10 relate to the cubic inches of liquid measure, the half-pint, the gill, and the fluid ounce. They reduce the decimal; that is, the Senate amendments do not carry out the decimal as far as the bill did as it passed the House. The sealer of weights and measures says that the Senate figures are the correct ones and should be adopted.

I move the adoption of the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

On motion of Mr. MAPES, a motion to reconsider the vote by which the Senate amendments were agreed to was laid on the table.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3487. An act for the relief of Clarence L. Reames; to the Committee on Claims.

COPPER TRANSACTIONS DURING THE WAR.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT. Mr. Speaker, quite a number of times the subject of copper transactions during the period of the war has been before the House for discussion. Those transactions have been mentioned in official reports made from committees to the House. There has been much discussion of this in the public prints. There has been a great deal of misinformation, a great deal of misunderstanding concerning that matter, and various gentlemen have been subjected to criticism who had no connection with the matters for which they were criticized.

I have just received a letter from the President of the United States which gives some information touching this matter which, so far as I know, has not been published before, and I ask unanimous consent that the Clerk read this letter in my time.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the Clerk read the letter in his time. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, March 1, 1921.

MY DEAR MR. GARRETT: My attention has recently been called to certain attacks made in the House of Representatives, charging that certain men who rendered distinguished service in the war had profited out of the Government as a result of the fixing of the price of copper. These charges and intimations have been satisfactorily answered, but a statement of the facts in the matter of the fixing of the price of copper during the war, on my part, may further clarify the situation.

As a matter of fact, Mr. Bernard M. Baruch and Mr. John D. Ryan, whose names have been linked with irresponsible gossip in connection with the fixing of the price of copper, had nothing whatever to do with the price-fixing negotiations, which finally resulted in the statement I made, fixing the price either at the time the price was fixed or subsequent thereto. Judge Lovett acted as chairman of the committee which considered the first price fixing of copper, and after due consideration recommended to the President, in September, 1917, that he had fixed the price at 23½ cents per pound, on condition that the wages of the employees of the copper-producing companies should not be reduced below the then prevailing price, which was based on 27-cent copper.

A year later a readjustment of the price was made necessary by an increase in the railroad rates and costs of supplies, and after negotiations which extended over many months a further increase was recommended by Mr. Robert Brooking, chairman of the War Industries Board. Neither Mr. Baruch nor Mr. Ryan had any part in these two negotiations which resulted in the fixing of the price announced by me, and the prices were fixed only after an independent investigation and most thorough report by the Federal Trade Commission as to the costs of production.

For six months after the United States entered the war the producers furnished all the copper necessary for our own war needs and all that was required by our allies without any price being asked or fixed, the producers taking the admirable position that they would furnish all the copper necessary for war purposes and adjust their business to whatever prices the Government would consider fair and just in the circumstances. The full production of the copper mines was placed at the disposal of the Government and the Allies, and without unnecessary urging upon the part of the Government or the President the production of copper was notably increased, this being an additional proof on the part of the men at the head of the copper industry of the country of their unselfish patriotism. It was their example of meeting the needs of the country that gave impetus to the movement to increase production in all the industrial plants of the country in the early stages of the war. To state that either Mr. Baruch or Mr. Ryan had influenced the action of the Federal Trade Commission in ascertaining the cost of production or attempting to dictate the recommendations either of the War Industries Board or any of the price-fixing committees is utterly foolish and without foundation of any kind. The price of copper was fixed solely by me upon the recommendations of the War Industries Board and the Federal Trade Commission, after full examination into the costs of production and without any attempt upon the part of copper producers or Mr. Baruch or Mr. Ryan to exert any pressure upon this Government or upon anybody connected with either of the boards having to do with these vital matters.

I can not allow this occasion to pass, my dear GARRETT, without again expressing my great confidence in the gentlemen, Mr. Bernard M. Baruch and Mr. John D. Ryan, whose names have been unfortunately connected with this matter. There was not a suggestion of scandal connected with either of these gentlemen in any of the war activities in which they played so notable a part, and I wish, before the closing days of this administration, again to say how admirably they served the needs of the Nation and how unselfishly they devoted their fine talents to the Government in every crisis which faced us during the critical days of the war. In every transaction which they handled for the Government in the varied activities in which they played so distinguished a part they were actuated by the highest patriotism. I know you share my opinion in this matter, for you have admirably covered it in your addresses in the House of Representatives.

With sincere regards,

Cordially, yours,

WOODROW WILSON.

Hon. FINIS GARRETT,
House of Representatives.

Mr. MAPES. Mr. Speaker, I ask unanimous consent——

The SPEAKER. The Chair does not recognize the gentleman for that purpose. The gentleman from Minnesota.

ENLARGING JURISDICTION OF MUNICIPAL COURT, DISTRICT OF COLUMBIA.

Mr. VOLSTEAD. Mr. Speaker, I ask that the bill H. R. 10074, with Senate amendments, may be laid before the House, and I shall move to concur in the Senate amendments.

The SPEAKER. The gentleman from Minnesota calls up the House bill with Senate amendments, which the Clerk will report.

The Clerk read as follows:

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes.

The Senate amendments were read.

Mr. VOLSTEAD. Mr. Speaker, this bill is for the purpose of enlarging the jurisdiction of the municipal court of this city. It was passed by the House, went to the Senate, and was amended there in some respects. The first amendment changes the amount the court may take jurisdiction of from $2,000 to $1,000. The House in passing the bill fixed the amount at $2,000, and the Senate reduced it to $1,000.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. JOHNSON of Mississippi. I notice in the bill that where a party is aggrieved by a judgment of the lower court that he may present his petition to the justice of the court and ask for an appeal and that he signs a bill of exceptions. Now, in the event a justice refuses to sign a bill of exceptions, the bill makes no provision anywhere for the litigant. There ought to be some provision in there made, because an arbitrary justice could prevent a man from prosecuting an appeal, and it is a frequent occurrence in some courts.

Mr. VOLSTEAD. We make a provision, one that is quite common in courts of this kind. We provide a writ of error. This matter has been submitted and fully agreed to by the court interested and——

Mr. JOHNSON of Mississippi. That does not make it perfect, for my observation is——

Mr. VOLSTEAD. If the gentleman will allow me to explain—by the bar association and the Chamber of Congress. It has been very carefully gone over and they have all agreed to this bill so far as I know.

Mr. JOHNSON of Mississippi. Is there a provision that in the event a justice declines to sign a bill of exceptions as presented to him he may have members of the bar who are present when proceedings were had to sign this bill of exceptions and prosecute his appeal? If not, what remedy has a man if an arbitrary judge refuses to sign it?

Mr. VOLSTEAD. But I do not expect there will be any arbitrary judges——

Mr. JOHNSON of Mississippi. In nearly all jurisdictions that is frequent.

Mr. VOLSTEAD. In cases where the amount in controversy is small, as in municipal courts, a writ of error is usually considered an appropriate mode of review.

Mr. JOHNSON of Mississippi. The only remedy would be to mandamus the judge, and the gentleman knows that the poor litigants can not do that. I think there ought to be some provision in there for poor people to prosecute their cases by an appeal.

Mr. VOLSTEAD. As a general rule there is no unrestricted right of appeal in small cases; and I do not believe that poor people would profit by unrestricted appeals; it is the rich that usually resort to appeals.

Mr. JOHNSON of Mississippi. As suggested by the gentleman from Michigan, I would not think of offering an amendment now to interfere with the passage of the bill.

The SPEAKER. The question is on concurring in the Senate amendments.

The question was taken, and the motion was agreed to.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the amendments were concurred in was laid on the table.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent that a concurrent resolution in connection with this particular measure shall be considered. There is a rather immaterial error, but it is one which I think might well be corrected now.

The SPEAKER. The Clerk will report the concurrent resolution.

The Clerk read as follows:

House concurrent resolution 77.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 10074) entitled, "An act enlarging the jurisdiction of the Municipal Court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes," the Clerk of the House be, and is hereby, authorized and directed to incorporate the following amendment: On page 9, line 1, after the word "and" strike out the following, "Fuel, approved August 10, 1917," and insert in lieu thereof the following: "Fuel, approved August 10, 1917, and to regulate rents in the District of Columbia."

The SPEAKER. Without objection the resolution is agreed to.

There was no objection.

EXTENSION OF DAUPHINE STREET, NEW ORLEANS, LA.

Mr. O'CONNOR. Mr. Speaker, I move to take up the bill S. 5030.

The SPEAKER. The gentleman from Louisiana moves to take up the bill S. 5030, a bill of similar import having been reported in the House before the Senate bill came over. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 5030) authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks.

Be it enacted, etc., That the city of New Orleans, in the State of Louisiana, be, and it hereby is, authorized to extend Dauphine Street, in said city, across and through the property of the United States, known as the military reservation of Jackson Barracks, said extension to be of the same width and a continuation of the same lines as said street at its juncture with Delery Street upon the easterly side of said reservation, upon condition that said street shall be improved and maintained by said city of New Orleans as a public street and without cost to the United States: *Provided, however*, That there is hereby expressly reserved to the United States the right to construct and maintain over, under, and across that said street water, gas, and sewer mains, electric lights, and telephone wires and cables, and any other requisite utilities which the use of said military reservation may require.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. O'CONNOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

CLOSING OF CEDAR ROAD, DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I move to take from the Speaker's table Senate bill to provide for the closing of Cedar Road, between Quincy and Shepherd Streets NW., in the District of Columbia, a bill of similar import having been reported by the District Committee in the House before this Senate bill came over.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 5023) to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia.

Be it enacted, etc., That the commissioners are hereby authorized to close Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry. How does the bill come before the House?

The SPEAKER. It is a Senate bill, a House bill of similar import having been reported before the bill came over.

Mr. MANN of Illinois. If it is a calendar bill, I have no objection.

The SPEAKER. It is on the House Calendar.

Mr. MANN of Illinois. I do not make any objection.

Mr. BLANTON. Will the gentleman from Michigan yield?

Mr. MAPES. I yield.

Mr. BLANTON. What is to be done with this land as the result of the street being closed up?

Mr. MAPES. I will yield to the gentleman from Maryland [Mr. ZIHLMAN], a member of the committee, who reported the bill, to answer the gentleman's question.

Mr. ZIHLMAN. I will say to the gentleman from Texas that under the practice here the land reverts to the abutting property owners.

Mr. BLANTON. Private individuals who would benefit by this bill, because the abutting land would revert to them?

Mr. ZIHLMAN. The land is about 20 feet wide, intersecting a city square diagonally, and quite a number of property owners would secure a few feet of land.

Mr. BLANTON. And the people living around there that would have the right otherwise to go through this street would have to go around?

Mr. ZIHLMAN. No. It is a city square, and this street which intersects it is much above the grade of the street. It is not in use. It is a private road on the old map of the District of Columbia, but under the District laws and practices it is necessary to have an act of Congress to authorize the commissioners to close any street. The commissioners have recommended the closing of this street.

Mr. BLANTON. It benefits private-land owners?

Mr. ZIHLMAN. Yes; in a limited way.

Mr. BLANTON. Mr. Speaker, is this up by unanimous consent?

The SPEAKER. It is not.

Mr. BLANTON. I raise the question of consideration, Mr. Speaker.

Mr. JOHNSON of Mississippi. Did the abutting property owners petition for this?

Mr. ZIHLMAN. A number of them did.

Mr. JOHNSON of Mississippi. Under the law, how are you going to close it unless all the abutting owners petition for it? You can not legally close it up otherwise.

Mr. ZIHLMAN. The road intersects a city square, and all the property owners in that square want it closed. I do not know that they have all joined in a petition for closing it, but it is not in use.

The SPEAKER. The Chair would state that the gentleman has moved to take up this bill, which was agreed to, and the Chair thinks that that is equivalent to a question of consideration.

Mr. BLANTON. And it is not proper to raise a question of consideration?

The SPEAKER. The Chair thinks not.

Mr. ZIHLMAN. This is only one of a number of streets the District Commissioners are endeavoring to close. The committee took up this one street because it was asked for by a number of people of the District and because they are convinced it is not needed.

Mr. BLANTON. The gentleman from Maryland realizes if, five years from now, when new commissioners might be in office they should decide it is necessary to reopen this street for the benefit of the public, it will then cost money and the Government will have to buy all this land back in order to reopen the street?

Mr. ZIHLMAN. I will say to the gentleman it could not be reopened. It is diagonally across a city square——

Mr. BLANTON. It is a thoroughfare which belongs to the Government; a part of the Government property.

Mr. ZIHLMAN. Part of the District or Government property.

Mr. BLANTON. And if we pass this bill, if the Government should ever need this street again, we would have to pay for it again.

Mr. ZIHLMAN. The gentleman is entirely wrong. The District engineer has laid off streets in that section. The commissioners recommend that this street be closed.

Mr. BLANTON. Does the gentleman think this is a measure that ought to come up in the later days of the Congress, when we have important matters to consider here?

Mr. MAPES. Mr. Speaker, I will say to the gentleman that this is the only time that we could get it up. The bill has been referred to the District Commissioners and they recommended its passage. The only way to close streets in the District of Columbia is by special acts of this kind. This is a small matter, but it is a step that has to be taken in order to get the street closed. It is a narrow street and only one block long, and it is not used by the public at all.

Mr. DEWALT. Mr. Speaker, will the gentleman allow me to make an inquiry?

Mr. MAPES. Yes.

Mr. DEWALT. In response to the inquiry of the gentleman from Texas [Mr. BLANTON], whom does this injure and whom does it benefit? Does it injure somebody, or does it benefit somebody?

Mr. MAPES. It does not injure anybody, and it does not benefit anybody, but under the law of the District the land reverts to the adjoining owners.

Mr. DEWALT. And nobody is injured?

Mr. MAPES. Nobody is injured.

Mr. BLANTON. The gentleman, however, will admit this, that if we close it up and it should be desirable to open it in the future, the people of the United States would have to pay for the reopening of it by buying this land back from the abutting property owners?

Mr. MAPES. If that contingency should occur, I think the public would have to pay a part of the expense of reopening it. But the committee has been very reluctant in reporting bills of this kind and has refrained from passing any general legislation which would allow the Commissioners of the District of Columbia to close streets without special acts. Now, this is a special act for closing this one little street, and, as I said before, it is the only way that the commissioners can be authorized to close the street.

Mr. BLANTON. If it were not for the fact that the people of the United States generally have to pay 40 per cent in connection with all of these items, I would have no objection at all. But it is that 40 per cent consideration that affects me.

Mr. MANN of Illinois. These street openings are made by a special assessment now.

Mr. BLANTON. Everywhere else they are condemned, and the party condemning them pays for them.

Mr. MANN of Illinois. They are here now. Formerly that was not the case, but we passed a law to that effect a few years ago.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Michigan [Mr. MAPES] to take the bill from the Speaker's table and consider it.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 61, noes 1.

Mr. BLANTON. Mr. Speaker, in order to have a record vote, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. It is evident that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 263, nays 2, not voting 163, as follows:

YEAS—263.

Almon	Curry, Calif.	Hicks	Mann, Ill.
Anderson	Dale	Hoch	Mansfield
Andrews, Nebr.	Dallinger	Hoey	Mapes
Anthony	Darrow	Holland	Martin
Ashbrook	Davey	Houghton	Mead
Aswell	Davis, Minn.	Howard	Merritt
Babka	Davis, Tenn.	Hudspeth	Michener
Bankhead	Dempsey	Hull, Iowa	Miller
Barbour	Dewalt	Humphreys	Minahan, N. J.
Barkley	Dickinson, Iowa	Husted	Mondell
Begg	Dominick	Hutchinson	Moore, Ohio
Bell	Dowell	Igoe	Moore, Va.
Benham	Drane	Jacoway	Moores, Ind.
Black	Dunbar	James, Va.	Murphy
Bland, Mo.	Dunn	Jefferis	Nelson, Mo.
Bland, Va.	Dupré	Johnson, Ky.	Nelson, Wis.
Boies	Eagan	Johnson, Miss.	Newton, Minn.
Bowers	Edmonds	Jones, Pa.	Newton, Mo.
Bowling	Esch	Jones, Tex.	Nicholls
Box	Evans, Nebr.	Juul	Nolan
Brand	Fairfield	Kearns	O'Connell
Briggs	Farr	Keller	O'Connor
Brinson	Fess	Kiess	Ogden
Brooks, Ill.	Fish	King	Oldfield
Brooks, Pa.	Fisher	Kinkaid	Osborne
Browne	Foster	Kreider	Overstreet
Buchanan	Frear	Lampert	Paige
Burdick	French	Lanham	Park
Burroughs	Fuller	Lankford	Parker
Byrns, Tenn.	Ganly	Larsen	Parrish
Campbell, Kans.	Gard	Layton	Patterson
Campbell, Pa.	Garrett	Lea, Calif.	Peters
Cannon	Glynn	Lee, Ga.	Phelan
Caraway	Good	Lehlbach	Purnell
Carew	Gould	Linthicum	Quin
Carss	Green, Iowa	Longworth	Radcliffe
Carter	Greene, Mass.	Luce	Raker
Chindblom	Greene, Vt.	McArthur	Ramseyer
Christopherson	Griest	McClintic	Randall, Calif.
Cleary	Griffin	McDuffie	Randall, Wis.
Coady	Hadley	McKeown	Ransley
Collier	Hardy, Colo.	McKiniry	Rayburn
Cooper	Hastings	McKinley	Reber
Crago	Hawley	McLaughlin, Mich.	Reed, N. Y.
Cramton	Hayden	McLaughlin, Nebr.	Reed, W. Va.
Crisp	Hernandez	McLeod	Rhodes
Crowther	Hersey	McPherson	Ricketts
Cullen	Hersman	MacGregor	Riddick
Currie, Mich.	Hickey	Magee	Robsion, Ky.
Rogers	Smithwick	Taylor, Tenn.	Weaver
Romjue	Snell	Temple	Webster
Rose	Snyder	Thompson	Wheeler
Rouse	Steagall	Tillman	White, Kans.
Rowe	Stedman	Tilson	White, Me.
Sabath	Stephens, Miss.	Timberlake	Wilson, La.
Sanders, Ind.	Stephens, Ohio	Tincher	Wilson, Pa.
Schall	Stevenson	Tinkham	Wingo
Scott	Stoll	Valle	Winslow
Sherwood	Strong, Kans.	Vestal	Wood, Ind.
Shreve	Strong, Pa.	Vinson	Woods, Va.
Siegel	Summers, Wash.	Volk	Woodyard
Sinclair	Sumners, Tex.	Volstead	Wright
Sinnott	Sweet	Walters	Young, N. Dak.
Sisson	Swindall	Ward	Young, Tex.
Slemp	Tague	Wason	Zihlman
Smith, Idaho	Taylor, Colo.	Watson	

NAYS—2.

Blanton	Huddleston

NOT VOTING—163.

Ackerman	Ferris	Kleczka	Reavis
Andrews, Md.	Fields	Knutson	Riordan
Ayres	Flood	Kraus	Robinson, N. C.
Bacharach	Focht	Langley	Rodenberg
Baer	Fordney	Lazaro	Rowan
Bee	Freeman	Lesher	Rubey
Benson	Gallagher	Little	Rucker
Bland, Ind.	Gallivan	Lonergan	Sanders, La.
Britten	Gandy	Lufkin	Sanders, N.Y.
Brumbaugh	Garner	Luhring	Sanford
Burke	Godwin, N. C.	McAndrews	Scully
Butler	Goldfogle	McCulloch	Sears
Byrnes, S. C.	Goodall	McFadden	Sells
Caldwell	Goodwin, Ark.	McGlennon	Sims
Candler	Goodykoontz	McKenzie	Small
Cantrill	Graham, Ill.	Madden	Smith, Ill.
Casey	Graham, Pa.	Maher	Smith, Mich.
Clark, Fla.	Hamill	Major	Smith, N. Y.
Clark, Mo.	Hamilton	Mann, S. C.	Steele
Classon	Hardy, Tex.	Mason	Steenerson
Cole	Harreld	Mays	Stiness
Connally	Harrison	Milligan	Sullivan
Copley	Haugen	Monahan, Wis.	Swope
Costello	Hays	Montague	Taylor, Ark.
Denison	Hill	Moon	Thomas
Dent	Hulings	Mooney	Towner
Dickinson, Mo.	Hull, Tenn.	Morin	Treadway
Donovan	Ireland	Mott	Upshaw
Dooling	James, Mich.	Mudd	Vare
Doremus	Johnson, S. Dak.	Neely	Venable
Doughton	Johnson, Wash.	Oliver	Voigt
Drewry	Johnston, N. Y.	Olney	Walsh
Dyer	Kahn	Padgett	Watkins
Eagle	Kelley, Mich.	Pell	Welling
Echols	Kelly, Pa.	Perlman	Welty
Elliott	Kendall	Porter	Whaley
Ellsworth	Kennedy, Iowa	Pou	Williams
Elston	Kennedy, R. I.	Rainey, Ala	Wilson, Ill.
Emerson	Kettner	Rainey, Henry T.	Wise
Evans, Mont.	Kincheloe	Rainey, John W.	Yates
Evans, Nev.	Kitchin	Ramsey	

So the motion to take the bill from the Speaker's table and consider it was agreed to.

The Clerk announced the following additional pairs:

Mr. STEENERSON with Mr. SMALL.

Mr. REAVIS with Mr. VENABLE.

Mr. PORTER with Mr. TAYLOR of Arkansas.

Mr. MOTT with Mr. ROBINSON of North Carolina.

Mr. SANDERS of New York with Mr. LESHER.

Mr. KRAUS with Mr. DOREMUS.

Mr. BRITTEN with Mr. RIORDAN.

Mr. ECHOLS with Mr. GODWIN of North Carolina.

Mr. JOHNSON of South Dakota with Mr. WELLING.

Mr. SMITH of Illinois with Mr. MAYS.

Mr. LUFKIN with Mr. FERRIS.

Mr. KELLEY of Michigan with Mr. JOHNSTON of New York.

Mr. GOODALL with Mr. EVANS of Montana.

Mr. KELLY of Pennsylvania with Mr. OLIVER.

Mr. KENNEDY of Rhode Island with Mr. BRUMBAUGH.

Mr. FORDNEY with Mr. CONNALLY.

Mr. BUTLER with Mr. STEELE.

Mr. YATES with Mr. GALLIVAN.

Mr. DYER with Mr. DICKINSON of Missouri.

Mr. KLECZKA with Mr. GOLDFOGLE.

Mr. MUDD with Mr. MILLIGAN.

Mr. KNUTSON with Mr. LAZARO.

Mr. WILSON of Illinois with Mr. UPSHAW.

Mr. TREADWAY with Mr. MONTAGUE.

Mr. RODENBERG with Mr. MCANDREWS.

Mr. MONAHAN of Wisconsin with Mr. OLNEY.

Mr. LITTLE with Mr. FIELDS.

Mr. KENDALL with Mr. CANTRILL.

Mr. JOHNSON of Washington with Mr. AYRES.

Mr. IRELAND with Mr. POU.

Mr. GOODYKOONTZ with Mr. CASEY.

Mr. BLAND of Indiana with Mr. WELTY.

Mr. WILLIAMS with Mr. BEE.

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. SANFORD with Mr. HENRY T. RAINEY.

Mr. WALSH with Mr. PADGETT.
Mr. PERLMAN with Mr. SIMS.
Mr. BACHARACH with Mr. DONOVAN.
Mr. DENISON with Mr. GANDY.
Mr. GRAHAM of Illinois with Mr. WHALEY.
Mr. MASON with Mr. FLOOD.
Mr. VOIGT with Mr. WISE.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. MAPES. Mr. Speaker, I move the passage of the bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. MAPES, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, at the request of Mr. MAPES, a corresponding House bill was ordered to lie on the table.

ALLOTMENTS FROM NATIONAL DEFENSE FUND.

The SPEAKER laid before the House the following message from the President, which, with the accompanying documents, was referred to the Committee on Appropriations:

To the House of Representatives:

In response to the resolution of the House of Representatives of February 15, 1921, requesting the President—

if not incompatible with the public interests to furnish the House of Representatives with an itemized statement showing disbursements and allocations of all sums allotted by him to the various departmental branches of the Government, to any special commission or committee, or to any individual, from the $100,000,000 appropriation authorized in the deficiency appropriations act approved April 17, 1917, and from the appropriation of $50,000,000 authorized in the sundry civil act approved July 1, 1918, which were to be expended at his discretion for the national security and defense—

I transmit herewith a communication from the Secretary of the Treasury, together with memoranda and data, regarding the subject matter of the resolution.

WOODROW WILSON.

THE WHITE HOUSE,
1 March, 1921.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry. Will the message and the accompanying documents be printed so that Members may have them in the morning?

The SPEAKER. Not so that Members may have them in the morning. The message has been referred to the Committee on Appropriations, so that they can determine the wisdom of printing the whole of it.

LOTS ON LOW GROUNDS OF WASHINGTON, D. C.

Mr. COADY. Mr. Speaker, I call up the bill (H. R. 12045) to provide for the conveyance of lots on the low grounds of Washington, D. C., and move to concur in the Senate amendment.

The SPEAKER. The gentleman from Maryland calls up House bill 12045, with a Senate amendment, and moves that the House concur in the Senate amendment.

The Senate amendment was read.

The motion of Mr. COADY was agreed to.

JOHN E. MOORE CO.

Mr. EDMONDS. Mr. Speaker, I call up the conference report on the bill (H. R. 11572) for the relief of the John E. Moore Co.

The SPEAKER. The gentleman from Pennsylvania presents a conference report, which the Clerk will read.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11572) for the relief of the John E. Moore Co., having met, after full and free conference have agreed to recommend and do recommend to their several Houses as follows:

That the Senate recede from its amendment.

GEO. W. EDMONDS,
E. C. LITTLE,
Managers on the part of the House.

SELDEN SPENCER,
HENRY W. KEYES,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

STATEMENT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11572) for the relief of the John E. Moore Co., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

The Senate amendment struck out the following: "and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the John E. Moore Co., or against the John E. Moore Co. in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal."

The matter which was struck out by the Senate is restored to the bill.

GEO. W. EDMONDS,
E. C. LITTLE,
Managers on the part of the House.

Mr. GARD. Will the gentleman yield?

Mr. EDMONDS. Certainly.

Mr. GARD. What is the matter which the Senate has stricken out?

Mr. EDMONDS. This bill, as well as the one which I will present in a moment, gave jurisdiction to the admiralty courts in the different localities to hear these cases and render judgments either way. They were cases that were in dispute. The Senate have receded from their amendment and have left both bills as they were passed by the House.

Mr. GARD. Do they now go to the admiralty courts?

Mr. EDMONDS. They now go to the admiralty courts for decision. I move that the conference report be agreed to.

The question was taken, and the conference report was agreed to.

WILHELM ALEXANDERSON.

Mr. EDMONDS. Mr. Speaker, I call up the conference report on the bill (H. R. 12634) for the relief of Wilhelm Alexanderson.

The Clerk read the conference report, as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12634) for the relief of Wilhelm Alexanderson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

GEO. W. EDMONDS,
E. C. LITTLE,
Managers on the part of the House.

SELDEN P. SPENCER,
HENRY W. KEYES.
Managers on the part of the Senate.

The statement is as follows:

STATEMENT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12634) for the relief of Wilhelm Alexanderson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

The Senate amendment struck out the following: "and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of Wilhelm Alexanderson, or against Wilhelm Alexanderson in favor of the United States," and inserted in lieu thereof the following: "to hear said suit and to make a finding of facts therein."

The matter which was struck out by the Senate is restored to the bill.

GEO. W. EDMONDS,
E. C. LITTLE,
Managers on the part of the House.

The conference report was agreed to.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 15275. An act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12634. An act for the relief of Wilhelm Alexanderson;

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 12045. An act to provide for the conveyance of lots on the low grounds of Washington, D. C.;

H. R. 8067. An act to establish standard weights and measures for the District of Columbia, to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes; and

H. R. 11572. An act for the relief of the John E. Moore Co.

AMENDING FEDERAL POWER COMMISSION ACT.

Mr. ESCH. Mr. Speaker, I ask to take from the Speaker's table the bill S. 4554, a bill to eliminate from the water power act national parks and monuments.

The Clerk read the bill, as follows:

S. 4554. An act to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920.

Be it enacted, etc., That hereafter no permit, license, lease, or authorization for dams, conduits, reservoirs, power houses, transmission lines, or other works for storage or carriage of water, or for the development, transmission, or utilization of power, within the limits as now constituted of any national park or national monument shall be granted or made without specific authority of Congress, and so much of the act of Congress approved June 10, 1920, entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920, as authorizes licensing such uses of existing national parks and national monuments by the Federal power commission is hereby repealed.

Mr. ESCH. Mr. Speaker, the object of the bill is to modify the Federal water power act so as to eliminate from its provisions national parks and monuments. When the act was originally passed we supposed we had sufficiently safeguarded national parks and monuments so that there would not be constructed therein any water power or reclamation projects. However, the President was in doubt as to whether he would sign the bill which was presented to him on the 4th day of June, the day before we adjourned. He referred the bill to the Secretaries of the Interior, War, and Agriculture. The Secretary of the Interior had great doubt as to the policy of giving to a commission control over national parks and monuments in the matter of water-power development. Senator JONES, chairman of the Committee on Commerce, and Senator WALSH of Montana, called upon the Secretary and conferred with him regarding the signing of the bill. The Secretary conferred with Senator UNDERWOOD and the majority leader [Mr. MONDELL], and an understanding was reached whereby the bill was to be introduced at this session eliminating the parks and monuments from the operation of the Federal power act, and this bill carries out that understanding.

Mr. BARKLEY. Will the gentleman yield?

Mr. ESCH. Yes.

Mr. BARKLEY. What is the difference between the bill as it passed the Senate and as it was reported from the Interstate Commerce Committee of the House?

Mr. ESCH. They are identical.

Mr. BARKLEY. Would the gentleman consider an amendment to the bill as it passed, striking out the word "existing"?

Mr. ESCH. That is in the bill.

Mr. BARKLEY. The word "existing," which limits it to national parks and monuments now in existence, is in the bill as it passed the Senate?

Mr. ESCH. Yes; and as reported by the Select Committee on Water Power.

Mr. BARKLEY. I would like to ask whether the gentleman would be willing to consider an amendment to the bill striking out the word "existing"?

Mr. ESCH. I fear, Mr. Speaker, that with such an amendment the bill would fail in this Congress.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time; was read the third time.

Mr. BLANTON. Will the gentleman yield for a question? This does not create any commission?

Mr. ESCH. Not at all.

Mr. BLANTON. It is only an amendment perfecting the act, and it does not increase any salaries, or anything of that kind?

Mr. ESCH. No.

Mr. BARKLEY. Mr. Speaker, is it in order to offer an amendment to the bill?

The SPEAKER. The Chair thinks it is.

Mr. ESCH. Mr. Speaker, I did not yield the floor for that purpose.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. ESCH. Yes.

Mr. MANN of Illinois. I hope that the gentleman from Kentucky will not do that. I am in full sympathy with what the gentleman wants.

Mr. BARKLEY. If the gentleman from Wisconsin will yield to me for a moment?

Mr. ESCH. I do.

Mr. BARKLEY. When the bill was under consideration the question arose whether a limitation should be made applying to national parks now in existence or also to future parks that might be created.

As the bill passed the Senate and as it was reported to the House it limited its effect to existing national parks only, so that hereafter if more national parks shall be created, or those already in existence shall be enlarged, we must fight out on every individual bill creating a new national park or enlarging one already in existence the question whether the water power in the national park shall be used. It was my thought that we ought to make this provision apply to all parks that exist now as well as those that may be created in the future; but if the House feels that such an amendment would endanger the passage of this bill and thinks it is better to get what we can under this bill than to try to get more, I have no disposition to offer an amendment. I do desire, however, to register my objection to the provision that limits it to existing national parks instead of including all that may hereafter be created.

Mr. ESCH. Mr. Speaker, the thought as presented to the committee by Secretary Meredith and Secretary Payne was that this would safeguard existing parks and monuments, and hereafter if any project was presented to Congress for the creation of a new park or monument or the extension of existing parks or monuments it would be within the power of Congress to determine whether or not the water power act should apply to them.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. ESCH the bill H. R. 14469, an identical House bill, was ordered to lie on the table.

UNCLAIMED FUNDS FROM OKLAHOMA TOWN SITES.

Mr. SINNOTT. Mr. Speaker, by direction of the Committee on Public Lands I call up the bill (S. 4710) to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession, a similar House bill having been previously ordered, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Commissioner of the General Land Office is hereby directed to deposit with the Treasurer of the United States as miscellaneous receipts the sum of $623.59, which by virtue of the act of July 7, 1898 (30 Stat., p. 674), is now in his custody as ex officio trustee of certain Oklahoma town sites created under the act of May 14, 1890 (26 Stat., p. 109), and the joint resolution of Congress approved September 1, 1893 (28 Stat., p. 11).

Mr. SINNOTT. Mr. Speaker, this bill needs very little explanation further than the reading of the bill. It merely authorizes the Commissioner of the General Land Office to deposit in the Treasury of the United States certain funds which he holds in trust, the owners of which he has been unable to find.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

SURVEY OF ATCHAFALAYA, RED, AND BLACK RIVERS.

Mr. WILSON of Louisiana. Mr. Speaker, I call up from the Speaker's table the bill (S. 5000) directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers and to report plans for the protection of their basins from the flood waters of the Mississippi River, a similar House bill being on the House Calendar previously reported favorably from the committee.

The SPEAKER. The gentleman from Louisiana calls up the Senate bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That an examination and survey, with a report to Congress, shall be made by the Mississippi River Commission, of the Atchafalaya, Black, and Red Rivers in Louisiana, specifying a general

plan with recommendations for the execution thereof that will give the greatest measure of protection to the basins of said rivers from the flood waters of the Mississippi River consistent with all other interests of the lower Mississippi Valley.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry. How does this bill come before the House?

Mr. WILSON of Louisiana. It is a Senate bill, a similar House bill having been reported favorably by the committee, being on the House Calendar.

Mr. MANN of Illinois. I make the point of order that it belongs on the Union Calendar.

Mr. WILSON of Louisiana. This does not require any appropriation.

Mr. MANN of Illinois. It involves the expenditure of money. It directs the War Department to make a survey and it involves necessarily the expenditure of money and belongs on the Union Calendar.

Mr. WILSON of Louisiana. Mr. Speaker, this is a survey and report to be made by the Mississippi River Commission out of the problem it is already handling, under the funds it now has. The Senate did not take that view of it, and the Committee on Flood Control did not take that view of it, because it does not make any further charge on the Treasury.

Mr. MANN of Illinois. It directs the Mississippi River Commission to make a survey of a river which necessarily involves an expenditure. There is no problematical question about it at all.

Mr. WILSON of Louisiana. Of course, the Mississippi River Commission can make the report on data it already has.

Mr. MANN of Illinois. The gentleman may know about that. I do not. I know what the bill provides.

Mr. WILSON of Louisiana. It does not require any additional appropriation.

The SPEAKER. The gentleman's point is that the money has already been appropriated?

Mr. WILSON of Louisiana. Yes; this would come under the operations of the Mississippi River Commission under the appropriations already made. It does not require any additional charge on the Treasury. That was clear when it passed the Senate, and it was clear before the Committee on Flood Control.

Mr. MANN of Illinois. If this bill passes, it would be an authorization at once for an appropriation for this purpose.

Mr. WILSON of Louisiana. I beg to differ with the gentleman from Illinois.

Mr. MANN of Illinois. It would be an authorization at once for an appropriation for this purpose.

Mr. WILSON of Louisiana. No; this is expended under an amount already given the Mississippi River Commission. The gentleman, of course, is familiar with the act——

The SPEAKER. The Chair would like to hear the gentleman. The Chair is disposed to think, under the provision of the rule—the Chair understands the appropriation has already been made?

Mr. WILSON of Louisiana. It has been.

Mr. MONDELL. Mr. Speaker, I suggest that the gentleman ask unanimous consent to consider the bill.

Mr. WILSON of Louisiana. If the Chair feels the point of order is good, I would ask unanimous consent to consider it——

Mr. MANN of Illinois. It is now 6 o'clock, according to the clock above the Speaker's desk, and we had agreed to recess at 6 o'clock.

The SPEAKER. The matter can go over until 8 o'clock. The hour of 6 o'clock having arrived, the House stands in recess until 8 o'clock.

EVENING SESSION.

AFTER RECESS.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

The SPEAKER. When the House took a recess it was considering a bill which the Clerk will report by title.

SURVEY OF ATCHAFALAYA, RED, AND BLACK RIVERS.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 5000.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to take from the Speaker's table a bill which the Clerk will report by title.

The Clerk read as follows:

A bill (S. 5000) directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River.

The SPEAKER. A similar House bill having been reported.

Mr. WILSON of Louisiana. The House bill having been reported favorably.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That an examination and survey, with a report to Congress, shall be made by the Mississippi River Commission, of the Atchafalaya, Black, and Red Rivers in Louisiana, specifying a general plan with recommendations for the execution thereof that will give the greatest measure of protection to the basins of said rivers from the flood waters of the Mississippi River consistent with all other interests of the lower Mississippi Valley.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WILSON of Louisiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

Also, on motion of Mr. WILSON of Louisiana, a House bill of similar tenor was laid on the table.

CENTRAL COMMITTEE, AMERICAN NATIONAL RED CROSS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call from the Speaker's table the bill S. 4826, to increase the number of directors of the Red Cross, an identical bill having been reported from the House committee. I ask to take the Senate bill from the Speaker's table and move its passage.

The SPEAKER. The gentleman from Kansas asks unanimous consent to consider the Senate bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4826) to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905.

Be it enacted, etc., That section 5 of the act for the incorporation of the American National Red Cross, approved January 5, 1905, be, and the same hereby is, amended so that the executive committee of the central committee shall consist of nine instead of seven persons, five of whom shall be a quorum.

SEC. 2. That this act shall take effect immediately.

Mr. GARRETT. Will the gentleman from Kansas yield?

Mr. CAMPBELL of Kansas. I yield.

Mr. GARRETT. As I understand it, the only effect of this bill is to increase the number of directors?

Mr. CAMPBELL of Kansas. It refers to the question of a quorum. It makes possible a quorum of the directors here in the city.

Mr. GARRETT. In the District of Columbia?

Mr. CAMPBELL of Kansas. In the District of Columbia, where the Red Cross was incorporated by an act of Congress.

Mr. GARRETT. Was there a provision in the act incorporating the Red Cross that limited the number of directors that might live in the District of Columbia? Does the gentleman remember?

Mr. CAMPBELL of Kansas. I do not recall that, but it did provide, I think, that seven could constitute a quorum, and it was quite impossible to get a quorum of the directors here. This simply makes it possible to get a quorum of the directors so that they can transact the business of the organization.

Mr. BLANTON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. BLANTON. At present there are seven directors?

Mr. CAMPBELL of Kansas. Yes.

Mr. BLANTON. This increases the number to nine?

Mr. CAMPBELL of Kansas. Yes.

Mr. BLANTON. All during the war they handled their business with seven directors, and, up to this time, for three years after the armistice?

Mr. CAMPBELL of Kansas. Yes.

Mr. BLANTON. Do these directors draw remuneration from the Red Cross?

Mr. CAMPBELL of Kansas. Oh, no.

Mr. BLANTON. They serve without remuneration?

Mr. CAMPBELL of Kansas. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CAMPBELL of Kansas, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ROCK RIVER, BELOIT, WIS.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent to call up the bill S. 5032, which is a bridge bill. An identical bill has been reported by the House committee and this Senate bill has passed the Senate.

The SPEAKER. The gentleman from Indiana calls up Senate bill 5032, an identical bill having been reported by the House committee, which the Clerk will report.

The Clerk read as follows:

A bill (S. 5032) for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.

Be it enacted, etc., That the city of Beloit, in the State of Wisconsin, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rock River, at a point suitable to the interests of navigation, at or near the point where Shirland Avenue, in said city of Beloit, crosses the said Rock River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. DEWALT. Mr. Speaker, will the gentleman from Indiana yield for a moment?

Mr. SANDERS of Indiana. I yield.

Mr. DEWALT. Is this a bill which was reported from our committee for the international bridge?

Mr. SANDERS of Indiana. I think it is not the international bridge.

Mr. DEWALT. Has the gentleman any definite information in regard to that matter?

Mr. SANDERS of Indiana. Not any additional information. It is embraced in the report from our committee. An identical bill has been reported from our committee unanimously, but this bill has passed the Senate and has come over here. It is not the international bridge.

Mr. DEWALT. So I understand, but I understood that possibly that this very project was open to suspicion because it was an international bridge.

Mr. SANDERS of Indiana. No; it is not, I will say to the gentleman. It is not an international bridge.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SANDERS of Indiana, a motion to reconsider the last vote was laid on the table.

The SPEAKER. Does the gentleman from Kansas [Mr. ANTHONY] desire recognition at this time?

Mr. ANTHONY. I do not care for recognition.

REPEAL OF WAR LEGISLATION.

The SPEAKER. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized.

Mr. VOLSTEAD. Mr. Speaker, I ask that House joint resolution 382 be laid before the House. It is a House joint resolution with Senate amendments. I move that the amendments be agreed to.

The SPEAKER. The gentleman from Minnesota calls up House joint resolution 382, with a Senate amendment. The Clerk will report it.

The Clerk read as follows:

Joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Strike out all after the resolving clause and insert:

"That in the interpretation of any provision relating to the duration or date of the termination of the present war or of the present or existing emergency, meaning thereby the war between the Imperial German Government and the Imperial and Royal Austro-Hungarian Government and the Government and people of the United States, in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the duration or the date of the termination of such war or of such present or existing emergency, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of such termination. And any act of Congress, or any provision of any such act, that by its terms is in force only during the existence of a state of war, or during such state of war and a limited period of time thereafter, shall be construed and administered as if such war between the Governments and people aforesaid terminated on the date when this resolution becomes effective, any provision of such law to the contrary notwithstanding; excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: Title 2 of the act entitled 'The food control and District of Columbia rents act,' approved October 22, 1919 (41 Stats., p. 297), the act known as the trading with the enemy act, approved October 6, 1917 (40 Stats., p. 411), and all amendments thereto, and the first, second, third, and fourth Liberty bond acts, the supplement to the second Liberty bond act, and the Victory Liberty loan act; titles 1 and 3 of the war finance corporation act (40 Stats., p. 506) as amended by the act approved March 3, 1919 (40 Stats., p. 1313), and Public resolution No. 55, Sixty-sixth Congress, entitled 'Joint resolution directing the War Finance Corporation to take certain action for the relief of the present depression in the agricultural sections of the country, and for other purposes,' passed January 4, 1921; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution: *Provided, however*, That nothing herein contained shall be construed as effective to terminate the military status of any person now in desertion from the military or naval service of the United States, nor to terminate the liability to prosecution and punishment under the selective service law, approved May 18, 1917 (40 Stats., p. 76), of any person who failed to comply with the provisions of said act, or of acts amendatory thereof: *Provided further*, That the act entitled 'An act to amend section 3, title 1, of the act entitled "An act to punish acts of interference with foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917 (40 Stats., p. 217), and for other purposes,' approved May 16, 1918 (40 Stats., p. 553), be, and the same is hereby, repealed, and that said section 3 of said act approved June 15, 1917, is hereby revived and restored with the same force and effect as originally enacted.

"Nothing herein contained shall be held to exempt from prosecution or to relieve from punishment any offense heretofore committed in violation of any act hereby repealed or which may be committed while it remains in force as herein provided."

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present. This is an important matter.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. It is not open to debate. The Chair will count.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Emerson	Longworth	Sabath
Andrews, Md.	Evans, Mont.	Luce	Sanders, La.
Ayres	Evans, Nev.	Lufkin	Sanders, N. Y.
Bacharach	Fairfield	Luhring	Sanford
Baer	Frear	McAndrews	Schall
Bell	Freeman	McCulloch	Scott
Benson	Gallagher	McDuffie	Scully
Black	Gandy	McFadden	Sears
Bland, Ind.	Garner	McGlennon	Sells
Britten	Goodall	McKinley	Sherwood
Browne	Goodwin, Ark.	McLeod	Sims
Brumbaugh	Gould	McPherson	Slemp
Burke	Graham, Pa.	Maher	Small
Burroughs	Hadley	Major	Smith, Ill.
Butler	Hamill	Mann, Ill.	Smith, Mich.
Caldwell	Hamilton	Mann, S. C.	Smith, N. Y.
Campbell, Pa.	Hardy, Tex.	Mason	Snyder
Candler	Harreld	Miller	Steagall
Cantrill	Harrison	Milligan	Steenerson
Casey	Haugen	Moon	Stiness
Clark, Fla.	Hays	Mooney	Sullivan
Clark, Mo.	Hill	Morin	Swope
Classon	Hoey	Mott	Taylor, Tenn.
Cole	Howard	Mudd	Temple
Connally	Hulings	Nicholls	Thomas
Copley	Husted	O'Connor	Tilson
Costello	Ireland	Oliver	Treadway
Cramton	James, Mich.	Paige	Upshaw
Davey	James, Va.	Phelan	Vare
Davis, Minn.	Johnston, N. Y.	Porter	Vinson
Dempsey	Juul	Pou	Walsh
Dent	Kahn	Rainey, Ala.	Watkins
Dickinson, Mo.	Kettner	Rainey, John W.	Welty
Donovan	Kitchin	Ramsey	Wilson, Ill.
Dooling	Kleczka	Randall, Wis.	Wilson, Pa.
Doremus	Lampert	Reavis	Wingo
Doughton	Langley	Riordan	Wise
Drewry	Lazaro	Rodenberg	Yates
Eagan	Lehlbach	Rogers	Zihlman
Eagle	Lesher	Rowan	
Ellsworth	Lonergan	Rubey	

The SPEAKER. On this roll call 267 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. VOLSTEAD. Mr. Speaker, this resolution was introduced in the House in the early part of this session. It was passed and went to the Senate. The Senate has stricken out all the provisions of the original resolution as we passed it and substituted a resolution of their own. The first part of that resolution, however, is in almost the identical words in which the original House resolution was passed. There is one slight change. In that resolution we spoke of the war as "the present war" or "the present emergency." The Senate speaks of it in this resolution as the War with the Imperial German Government and the Austro-Hungarian Government.

In the original resolution there was one exception from the operation of the resolution that has been omitted by the Senate, but that, I presume, has been taken care of in the immigration bill. It is a provision of very little consequence, anyway.

Mr. GARD. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. GARD. Will the gentleman advise the House what that provision is which is not included?

Mr. VOLSTEAD. It is the act approved April 3, 1919, entitled "An act to prevent in time of war departure from and entry into the United States contrary to public safety." I was asked to put it in the original resolution and it was inserted, but it was afterwards stricken out in the Senate.

Mr. IGOE. Will the gentleman yield for a question?

Mr. VOLSTEAD. I will.

Mr. IGOE. I have not been able to get a copy of this resolution. I should like to ask the gentleman if this now terminates the Lever Act?

Mr. VOLSTEAD. It does; that is, it suspends all provisions of it that are in force only during the existence of this war.

Mr. IGOE. The Senate amendment terminates the Lever Act?

Mr. VOLSTEAD. The Lever Act was stricken from the resolution; that is, the provision excepting the Lever Act from the resolution was stricken from it in the House.

Mr. IGOE. Has it been inserted again in the Senate?

Mr. VOLSTEAD. It was inserted by the committee of the Senate, but was rejected by the Senate itself, so that the exception is not in the bill now.

Mr. IGOE. Then the effect of it, if I understand the gentleman correctly, is that if this resolution passes the Lever Act will still be in force?

Mr. VOLSTEAD. No; the Lever Act will not be in force.

Mr. IGOE. I understood the gentleman to say that the exception of the Lever Act was retained by the Senate.

Mr. VOLSTEAD. No. If you will stop to consider the character of this resolution, you will understand what I mean. The first part of the resolution says that the effect of its passage shall be that of the adoption of a treaty of peace. Now, the Lever Act has provisions in it to the effect that it will terminate at the end of the war when a treaty of peace has been ratified. We had a provision, which was stricken out in the House, to the effect that the Lever Act should be excepted from the operation of the resolution, and while that was put back by the Senate Judiciary Committee, the Senate struck it out the same as the House did, so that the Lever Act is a part of the legislation that will be suspended or repealed by it.

Mr. IGOE. Then, the effect of it is that if this resolution passes the Lever Act is repealed in toto?

Mr. VOLSTEAD. Unless——

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. VOLSTEAD. Let me answer the question of the gentleman from Missouri first. The Lever Act, outside of a provision that relates to rents in the District of Columbia, will be repealed. The rent provision of that act is to remain in force.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. SANDERS of Indiana. The chairman of the committee will recall that when the bill was before the House the gentleman from Indiana [Mr. BLAND] offered an amendment by the terms of which the Lever Act was in effect repealed. Is that the fact?

Mr. VOLSTEAD. Yes.

Mr. SANDERS of Indiana. Now, would the effect of the amendment which was adopted relieve from prosecution persons who had violated the Lever Act and were being prosecuted under it?

Mr. VOLSTEAD. No; because there is a provision——

Mr. SANDERS of Indiana. The one originally passed.

Mr. VOLSTEAD. That is a question of law which the gentleman can decide as well as I.

Mr. SANDERS of Indiana. By express provisions of this act it is proposed that the Lever Act shall be repealed and that it shall not affect pending prosecutions. Is that the purpose?

Mr. VOLSTEAD. All provisions of the Lever Act that are in force during the existing war will be suspended, just as all other statutes that we seek to suspend. There are no exceptions of the Lever Act except that part which affects the rent question in this District.

Mr. SANDERS of Indiana. I want to call attention to the fact that in the language of the present enactment the Lever Act is not repealed.

Mr. VOLSTEAD. None of the laws are repealed outside of the one section of the bill which I will call attention to a minute later.

Mr. SANDERS of Indiana. The closing paragraph refers to "acts hereby repealed."

Mr. VOLSTEAD. If the gentleman will give me time I will explain what the resolution provides for.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. MONDELL. Mr. Speaker, would it not be well to allow the gentleman from Minnesota to first explain the resolution?

Mr. JOHNSON of Mississippi. So far as the Lever Act is concerned, it is only suspended for the time excepting section 2, which applies only to the District of Columbia. Is not that true?

Mr. VOLSTEAD. It suspends it, except title 2.

Mr. JOHNSON of Mississippi. It is suspended, all except title 2?

Mr. VOLSTEAD. Yes.

Mr. JOHNSON of Mississippi. But the Supreme Court yesterday declared the other unconstitutional.

Mr. VOLSTEAD. I do not want to discuss that matter. I do not know how much they did declare void. The Senate added a provision to the effect that this suspension of these statutes shall not relieve anyone who may have deserted from the Army. The Senate put in another provision to the effect that the amendment which we passed to the espionage act shall be repealed. That amendment has given a good deal of offense, and many people have been convicted under it. They provide that an old section for which that was a substitute, section 3, title 1, shall be revived. Section 3 of title 1 of the espionage act is an old section that we have had with us for many years. It is only in force during the existence of a war. They added at the last minute in the Senate a provision that the penalties that may have been incurred prior to the passage of this resolution shall survive and may be enforced, notwithstanding this resolution. I believe that would be true whether we put it in this resolution or not. Outside of these three matters—the provision in reference to desertion, the provision in reference to the espionage act, and the saving clause in regard to penalties—the resolution is practically identical with the one we passed here in December.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MOORE of Virginia. Has the gentleman the language of section 3 of the act of June 15, 1917, so that he can tell us what the provisions in that section are?

Mr. VOLSTEAD. The one that is preserved?

Mr. MOORE of Virginia. Yes.

Mr. VOLSTEAD. I have it, but I do not have the portion that is to be repealed; that is very much more severe than that which is reinstated. I will read this section 3:

SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than 20 years, or both.

That statute can only be enforced during war. The other statute that we repeal is very much broader, very much more drastic, and it is the one against which the principal complaint has been made so far as complaint has been made against the espionage act.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. DEWALT. Quoting now from page 3 of the proposed resolution beginning on line 17:

Excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: Title II of the act entitled "Food control and District of Columbia rents act," approved October 22, 1919 (41 Stat., p. 297).

Does that include the provisions of the Lever Act which have been nullified by the decision of the Supreme Court, as rendered yesterday?

Mr. VOLSTEAD. No; it does not; because it only includes the District of Columbia rent law. It does not include the original Lever Act.

Mr. DEWALT. Let me ask the gentleman another question. The Supreme Court, as I understand the decision, although I have not seen the text of it, says that the Lever Act is unconstitutional because of the indetermination of the penalties and of the time as laid out by the act itself. Is that correct?

Mr. VOLSTEAD. That is the newspaper report.

Mr. DEWALT. If that be so, then, is this inclusive of the Lever Act in toto, or only in part, and if so, why pass this resolution?

Mr. VOLSTEAD. Title II has nothing to do with the Lever Act generally. Title II of the Lever Act was a District of Columbia rent act, and that is the only part that is here excepted from the operation of this resolution.

Mr. MOORE of Virginia. And that is not touched by the decision of the court.

Mr. VOLSTEAD. Not touched by the decision at all.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. GARD. It is difficult to understand this act, because, so far as I know, it has not been brought to the attention of the Committee on the Judiciary by the chairman of the committee.

Mr. VOLSTEAD. I brought it to the attention of a number of members. I tried to see as many members as I could.

Mr. GARD. But it has not been brought to the attention of the committee itself, so that the matter is approached with some difficulty of understanding. We desire to know just what this particular resolution does. I take it, from reading it, that it does not repeal anything. It still adheres to its description and interpretation as to the meaning of certain statutes with relation to the termination of the war.

Mr. VOLSTEAD. The resolution in effect provides that upon its passage it shall be treated and considered as though peace had been declared by a proper treaty. The reason why I did not call the attention of the committee to it—although I might have done so—is because there is no material change in it now from the way it was when it passed the House, with the exception of those three things which I have called attention to, and it seems to me there can be no objection to these.

Mr. GARD. It is the ordinary policy of the chairman to call the attention of the committee to changes, is it not?

Mr. VOLSTEAD. It came in during the last few days. We are very busy, and I tried to consult everyone as much as I could.

Mr. GARD. I am not quarreling with the gentleman, but I am seeking information so that we may understand the effect of it. The exceptions from this are, first, this section 2, commonly called the rent-control act.

Mr. VOLSTEAD. That was in the original House resolution as we passed it.

Mr. GARD. I mean the exception to the general provisions of the resolution.

Mr. VOLSTEAD. Yes.

Mr. GARD. And the other exceptions are the trading with the enemy act and the Liberty bond act and a part of the espionage act.

Mr. VOLSTEAD. That is correct.

Mr. GARD. Is that all?

Mr. VOLSTEAD. The espionage act, so far as it is only in force during war after this is passed. It does not except it at all; it only provides that section 3 of the original espionage act shall remain in force in place of the amendment against which so much complaint has been made.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DEWALT. Will the gentleman allow another inquiry? I notice on page 4—and I have a transcript of the resolution which may not conform with the resolution the gentleman has—on page 4, line 15, "Joint resolution directing the War Finance Corporation to take certain action for the relief of the present depression in the agricultural sections of the country, and for other purposes." Is that also in?

Mr. VOLSTEAD. I beg your pardon. That was not in the original resolution, but I did not think of it. That was passed during this Congress and has been simply added as a matter of precaution.

Mr. SANDERS of Indiana. Will the gentleman yield for a question?

Mr. VOLSTEAD. I will.

Mr. SANDERS of Indiana. There were a number of members of the United Mine Workers of America who were indicted under the Lever Act and those indictments are still pending. It is my understanding that the amendment of the gentleman from Indiana [Mr. BLAND] repealed the Lever Act so that they could no longer prosecute under those indictments. Now, what I wanted to know was if the act in its present form will permit prosecutions under those indictments. I might say that the Supreme Court has held the law unconstitutional because it is so indefinite and uncertain, but on a rehearing they might change their mind about it. What I want to know is what effect this change of language has upon the amendment of the gentleman from Indiana [Mr. BLAND]?

Mr. VOLSTEAD. It is in the same position that it was when the gentleman from Indiana [Mr. BLAND] put it in.

Mr. DEWALT. In other words, will these prosecutions fail by reason of the passage of this resolution?

Mr. SANDERS of Indiana. I think they ought to fail; I think they should never have been indicted.

Mr. DEWALT. The question is, Would they have failed?

Mr. SANDERS of Indiana. That is a question I want to——

Mr. VOLSTEAD. If the Bland amendment would have made them fail they will fail under this resolution, because it is the same language. [Applause.] Mr. Speaker, I move the previous question.

Mr. HUDDLESTON. Will the gentleman reserve that for one moment? Some of us who feel an interest in this matter would like to discuss it.

Mr. VOLSTEAD. I think the discussion already has been very general.

The SPEAKER. Does the gentleman withdraw his motion or not?

Mr. HUDDLESTON. I should like to have five minutes to offer an amendment to it.

Mr. VOLSTEAD. I refuse to yield.

Mr. GARRETT. Mr. Speaker, will the gentleman yield to me? It seems to me the request of the gentleman from Alabama is a reasonable request to yield him five minutes.

Mr. VOLSTEAD. I think this matter has been discussed very fully.

Mr. GARRETT. The gentleman from Alabama desires——

Mr. HUDDLESTON. Nobody has discussed it but the gentleman from Minnesota, so far as I know.

Mr. GARRETT. It has been discussed, and yet we do not know much about it.

Mr. VOLSTEAD. The gentleman has had ample opportunity to know; there has been no material change since it passed the House.

Mr. GARRETT. Mr. Speaker, it seems to me the request of the gentleman from Alabama is a reasonable one, and I hope the gentleman will yield five minutes to the gentleman from Alabama.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. VOLSTEAD. Mr. Speaker, I ask for a division.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 176, nays 122, not voting 130, as follows:

YEAS—176.

Anderson	Foster	McArthur	Sanders, Ind.
Andrews, Nebr.	French	McKenzie	Scott
Bacharach	Fuller	McLaughlin, Mich.	Sells
Barbour	Glynn	McLaughlin, Nebr.	Shreve
Begg	Good	McLeod	Siegel
Benham	Goodykoontz	McPherson	Sinclair
Bland, Ind.	Gould	MacGregor	Sinnott
Boies	Graham, Ill.	Madden	Slemp
Bowers	Green, Iowa	Magee	Smith, Idaho
Brooks, Ill.	Greene, Mass.	Mapes	Smith, Ill.
Brooks, Pa.	Greene, Vt.	Merritt	Snell
Burdick	Griest	Michener	Snyder
Butler	Hadley	Miller	Stephens, Ohio
Campbell, Kans.	Hardy, Colo.	Monahan, Wis.	Strong, Kans.
Cannon	Hawley	Mondell	Strong, Pa.
Chindblom	Hernandez	Moore, Ohio	Summers, Wash.
Christopherson	Hersey	Moores, Ind.	Sweet
Cooper	Hickey	Mott	Swindall
Crago	Hicks	Murphy	Taylor, Tenn.
Crowther	Hoch	Nelson, Wis.	Temple
Currie, Mich.	Houghton	Newton, Minn.	Thompson
Curry, Calif.	Hull, Iowa	Nolan	Timberlake
Dale	Husted	Ogden	Tincher
Dallinger	Hutchinson	Olney	Towner
Darrow	Ireland	Osborne	Treadway
Dempsey	Jefferis	Paige	Vaile
Denison	Johnson, S. Dak.	Parker	Vestal
Dickinson, Iowa	Johnson, Wash.	Patterson	Voigt
Dowell	Jones, Pa.	Perlman	Volk
Dunbar	Kearns	Peters	Volstead
Dunn	Kelley, Mich.	Purnell	Walsh
Dyer	Kelly, Pa.	Radcliffe	Walters
Echols	Kendall	Randall, Wis.	Ward
Edmonds	Kennedy, R. I.	Ransley	Wason
Elliott	King	Reber	Watson
Elston	Kinkaid	Reed, N. Y.	Webster
Esch	Kleczka	Reed, W. Va.	Wheeler
Evans, Nebr.	Knutson	Rhodes	White, Kans.
Fairfield	Kraus	Ricketts	White, Me.
Farr	Kreider	Riddick	Williams
Fess	Lampert	Robsion, Ky.	Winslow
Fish	Layton	Rogers	Wood, Ind.
Focht	Lehlbach	Rose	Young, N. Dak.
Fordney	Little	Rowe	Zihlman

NAYS—122.

Almon	Campbell, Pa.	Fisher	Keller
Ashbrook	Caraway	Gallivan	Kincheloe
Aswell	Carew	Ganly	Lanham
Babka	Carss	Gard	Lankford
Bankhead	Carter	Garrett	Larsen
Barkley	Casey	Godwin, N. C.	Lea, Calif.
Bee	Cleary	Griffin	Lesher
Bell	Coady	Hastings	Linthicum
Black	Collier	Hayden	McClintic
Bland, Mo.	Connally	Holland	McDuffie
Bland, Va.	Crisp	Huddleston	McGlennon
Blanton	Cullen	Hudspeth	McKeown
Bowling	Davis, Tenn.	Hull, Tenn.	McKinley
Box	Dewalt	Humphreys	Major
Brand	Dominick	Igoe	Mansfield
Briggs	Drane	Jacoway	Martin
Brinson	Dupré	Johnson, Ky.	Maya
Byrnes, S. C.	Eagan	Johnson, Miss.	Mead
Byrns, Tenn.	Fields	Jones, Tex.	Minahan, N. J.

Montague	Quin	Sisson	Tinkham
Moore, Va.	Rainey, Henry T.	Smithwick	Venable
Neely	Raker	Steagall	Weaver
Nelson, Mo.	Ramseyer	Stedman	Welling
O'Connell	Randall, Calif.	Stephens, Miss.	Wilson, La.
O'Connor	Rayburn	Stevenson	Wilson, Pa.
Oldfield	Robinson, N. C.	Stoll	Wingo
Overstreet	Romjue	Sumners, Tex.	Woods, Va.
Padgett	Rouse	Tague	Wright
Park	Rucker	Taylor, Ark.	Young, Tex.
Parrish	Sabath	Taylor, Colo.	
Pell	Sherwood	Tillman	

NOT VOTING—130.

Ackerman	Emerson	Kiess	Riordan
Andrews, Md.	Evans, Mont.	Kitchin	Rodenberg
Anthony	Evans, Nev.	Langley	Rowan
Ayres	Ferris	Lazaro	Rubey
Baer	Flood	Lee, Ga.	Sanders, La.
Benson	Frear	Lonergan	Sanders, N. Y.
Britten	Freeman	Longworth	Sanford
Browne	Gallagher	Luce	Schall
Brumbaugh	Gandy	Lufkin	Scully
Buchanan	Garner	Luhring	Sears
Burke	Goldfogle	McAndrews	Sims
Burroughs	Goodall	McCulloch	Small
Caldwell	Goodwin, Ark.	McFadden	Smith, Mich.
Candler	Graham, Pa.	McKinley	Smith, N. Y.
Cantrill	Hamill	Maher	Steele
Clark, Fla.	Hamilton	Mann, Ill.	Steenerson
Clark, Mo.	Hardy, Tex.	Mann, S. C.	Stiness
Classon	Harreld	Mason	Sullivan
Cole	Harrison	Milligan	Swope
Copley	Haugen	Moon	Thomas
Costello	Hays	Mooney	Tilson
Cramton	Hersman	Morin	Upshaw
Davey	Hill	Mudd	Vare
Davis, Minn.	Hoey	Newton, Mo.	Vinson
Dent	Howard	Nicholls	Watkins
Dickinson, Mo.	Hulings	Oliver	Welty
Donovan	James, Mich.	Phelan	Whaley
Dooling	James, Va.	Porter	Wilson, Ill.
Doremus	Johnston, N. Y.	Pou	Wise
Doughton	Juul	Rainey, Ala.	Woodyard
Drewry	Kahn	Rainey, John W.	Yates
Eagle	Kennedy, Iowa	Ramsey	
Ellsworth	Kettner	Reavis	

So the previous question was ordered.

The Clerk announced the following additional pairs:

On this vote:

Mr. REAVIS (for) with Mr. MCANDREWS (against).

Mr. MUDD (for) with Mr. MILLIGAN (against).

Mr. LUHRING (for) with Mr. SULLIVAN (against).

Mr. BURKE (for) with Mr. SMITH of New York (against).

Mr. CRAMTON (for) with Mr. KITCHIN (against).

Mr. RAMSEY (for) with Mr. RIORDAN (against).

Mr. STEENERSON (for) with Mr. CLARK of Missouri (against).

Mr. LANGLEY (for) with Mr. CLARK of Florida (against).

Mr. ACKERMAN (for) with Mr. UPSHAW (against).

Until further notice:

Mr. ANTHONY with Mr. POU.

Mr. KIESS with Mr. HOWARD.

Mr. PORTER with Mr. PHELAN.

Mr. YATES with Mr. DAVEY.

Mr. BROWNE with Mr. AYRES.

Mr. HAYS with Mr. WHALEY.

Mr. FREAR with Mr. CANTRILL.

Mr. LONGWORTH with Mr. JAMES of Virginia.

Mr. MANN of Illinois with Mr. HARDY of Texas.

Mr. NEWTON of Missouri with Mr. LAZARO.

Mr. WILSON of Illinois with Mr. SMALL.

Mr. SANFORD with Mr. LEE of Georgia.

Mr. HAUGEN with Mr. DREWRY.

Mr. STINESS with Mr. WISE.

Mr. JUUL with Mr. GOLDFOGLE.

Mr. RODENBERG with Mr. NICHOLLS.

Mr. MCKINLEY with Mr. DICKINSON of Missouri.

Mr. BRITTEN with Mr. GANDY.

Mr. KREIDER with Mr. OLIVER.

Mr. WOODYARD with Mr. SIMS.

Mr. SCHALL with Mr. ROWAN.

Mr. TILSON with Mr. HOEY.

Mr. LUCE with Mr. WELTY.

Mr. BURROUGHS with Mr. EVANS of Nevada.

Mr. HARRELD with Mr. VINSON.

Mr. GRAHAM of Pennsylvania with Mr. DOREMUS.

Mr. DAVIS of Minnesota with Mr. BUCHANAN.

Mr. SANDERS of New York with Mr. DOUGHTON.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 298, nays 0, answered "present" 1, not voting 129, as follows:

YEAS—298.

Almon	Elliott	Lankford	Robsion, Ky.
Anderson	Elston	Larsen	Rogers
Andrews, Md.	Evans, Nebr.	Layton	Romjue
Andrews, Nebr.	Fairfield	Lazaro	Rose
Ashbrook	Farr	Lea, Calif.	Rouse
Aswell	Fess	Lee, Ga.	Rucker
Babka	Fields	Lehlbach	Sabath
Bacharach	Fisher	Lesher	Sanders, Ind.
Bankhead	Flood	Linthicum	Scott
Barbour	Focht	Little	Sells
Barkley	Fordney	McArthur	Sherwood
Bee	Foster	McClintic	Shreve
Begg	French	McDuffie	Siegel
Bell	Fuller	McGlennon	Sinclair
Benham	Gallivan	McKenzie	Sinnott
Black	Ganly	McKeown	Sisson
Bland, Ind.	Gard	McKinley	Slemp
Bland, Mo.	Garrett	McLaughlin, Mich.	Smith, Idaho
Bland, Va.	Glynn	McLaughlin, Nebr.	Smith, Ill.
Blanton	Godwin, N. C.	MacGregor	Smithwick
Boies	Goldfogle	Madden	Snell
Bowers	Good	Magee	Snyder
Bowling	Goodykoontz	Major	Steagall
Box	Graham, Ill.	Mansfield	Stedman
Brand	Green, Iowa	Mapes	Stephens, Miss.
Briggs	Greene, Mass.	Martin	Stephens, Ohio
Brinson	Greene, Vt.	Mays	Stevenson
Brooks, Ill.	Griest	Mead	Stoll
Brooks, Pa.	Griffin	Merritt	Strong, Kans.
Burdick	Hadley	Michener	Strong, Pa.
Butler	Hardy, Colo.	Miller	Summers, Wash.
Byrnes, S. C.	Hastings	Minahan, N. J.	Sweet
Byrns, Tenn.	Hawley	Mondell	Swindall
Campbell, Kans.	Hayden	Montague	Tague
Campbell, Pa.	Hays	Moore, Ohio	Taylor, Ark.
Cannon	Hernandez	Moore, Va.	Taylor, Tenn.
Caraway	Hersey	Moores, Ind.	Temple
Carew	Hickey	Mott	Thompson
Carss	Hicks	Neely	Tillman
Carter	Hoch	Nelson, Mo.	Timberlake
Casey	Hoey	Nelson, Wis.	Tincher
Chindblom	Holland	Newton, Minn.	Tinkham
Christoperson	Houghton	Nolan	Towner
Cleary	Huddleston	O'Connell	Treadway
Coady	Hudspeth	Ogden	Upshaw
Collier	Hull, Iowa	Oldfield	Vaile
Connally	Hull, Tenn.	Olney	Venable
Cooper	Humphreys	Osborne	Vestal
Copley	Husted	Overstreet	Voigt
Crago	Hutchinson	Padgett	Volk
Cramton	Igoe	Paige	Volstead
Crisp	Ireland	Park	Walsh
Crowther	Jacoway	Parker	Walters
Cullen	Jefferis	Parrish	Ward
Currie, Mich.	Johnson, Ky.	Patterson	Wason
Curry, Calif.	Johnson, Miss.	Pell	Watson
Dale	Johnson, S. Dak.	Perlman	Weaver
Dallinger	Johnson, Wash.	Peters	Webster
Darrow	Jones, Pa.	Porter	Welling
Davey	Jones, Tex.	Purnell	Wheeler
Davis, Tenn.	Kearns	Quin	White, Kans.
Dempsey	Keller	Radcliffe	White, Me.
Denison	Kelley, Mich.	Rainey, Henry T.	Williams
Dewalt	Kelly, Pa.	Raker	Wilson, La.
Dickinson, Iowa	Kendall	Ramseyer	Wilson, Pa.
Dominick	Kennedy, R. I.	Randall, Wis.	Wingo
Dowell	Kincheloe	Ransley	Winslow
Drane	King	Rayburn	Woods, Va.
Dunbar	Kinkaid	Reber	Woodyard
Dunn	Kleczka	Reed, N. Y.	Wright
Dupré	Knutson	Reed, W. Va.	Young, N. Dak.
Dyer	Kraus	Rhodes	Young, Tex.
Eagan	Kreider	Ricketts	Zihlman
Echols	Lampert	Riddick	
Edmonds	Lanham	Robinson, N. C.	

NAYS—0.

ANSWERED "PRESENT"—1.

Clark, Fla.

NOT VOTING—129.

Ackerman	Esch	Kennedy, Iowa	O'Connor
Anthony	Evans, Mont.	Kettner	Oliver
Ayres	Evans, Nebr.	Kiess	Phelan
Baer	Ferris	Kitchin	Pou
Benson	Fish	Langley	Rainey, Ala.
Britten	Frear	Lonergan	Rainey, John W.
Browne	Freeman	Longworth	Ramsey
Brumbaugh	Gallagher	Luce	Randall, Calif.
Buchanan	Gandy	Lufkin	Reavis
Burke	Garner	Luhring	Riordan
Burroughs	Goodall	McAndrews	Rodenberg
Caldwell	Goodwin, Ark.	McCulloch	Rowan
Candler	Gould	McFadden	Rowe
Cantrill	Graham, Pa.	McKinley	Rubey
Clark, Mo.	Hamill	McLeod	Sanders, La.
Classon	Hamilton	McPherson	Sanders, N. Y.
Cole	Hardy, Tex.	Maher	Sanford
Costello	Harreld	Mann, Ill.	Schall
Davis, Minn.	Harrison	Mann, S. C.	Scully
Dent	Haugen	Mason	Sears
Dickinson, Mo.	Hersman	Milligan	Sims
Donovan	Hill	Monahan, Wis.	Small
Dooling	Howard	Moon	Smith, Mich.
Doremus	Hulings	Mooney	Smith, N. Y.
Doughton	James, Mich.	Morin	Steele
Drewry	James, Va.	Mudd	Steenerson
Eagle	Johnston, N. Y.	Murphy	Stiness
Ellsworth	Juul	Newton, Mo.	Sullivan
Emerson	Kahn	Nicholls	Sumners, Tex.

Swope	Vare	Whaley	Yates
Taylor, Colo.	Vinson	Wilson, Ill.	The Speaker
Thomas	Watkins	Wise	
Tilson	Welty	Wood, Ind.	

So the motion to concur in the Senate amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. REAVIS with Mr. MCANDREWS.
Mr. MUDD with Mr. MILLIGAN.
Mr. LUHRING with Mr. SULLIVAN.
Mr. BURKE with Mr. SMITH of New York.
Mr. RAMSEY with Mr. RIORDAN.
Mr. STEENERSON with Mr. CLARK of Missouri.
Mr. LANGLEY with Mr. CLARK of Florida.
Mr. WOOD of Indiana with Mr. KITCHIN.
Mr. YATES with Mr. STEELE.
Mr. MCPHERSON with Mr. HARRISON.
Mr. ROWE with Mr. RANDALL of California.
Mr. ACKERMAN with Mr. BENSON.
Mr. ESCH with Mr. SUMNERS of Texas.
Mr. TILSON with Mr. TAYLOR of Colorado.
Mr. MURPHY with Mr. O'CONNOR.
Mr. JAMES of Michigan with Mr. DONOVAN.
Mr. FISH with Mr. BRUMBAUGH.
Mr. MONAHAN of Wisconsin with Mr. CANDLER.
Mr. GOULD with Mr. WATKINS.
Mr. SANFORD with Mr. KETTNER.
Mr MASON with Mr. OLIVER.
Mr. NEWTON of Missouri with Mr. WHALEY.
Mr. JUUL with Mr. SIMS.
Mr. MCLEOD with Mr. HERSMAN.

The result of the vote was announced as above recorded.

On motion of Mr. VOLSTEAD, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had receded from its disagreement to the amendment of the House No. 113 to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, and agreed to the same.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will call the Calendar for Unanimous Consent.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that we may first take up Senate bills on the Unanimous Consent Calendar.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that Senate bills on the Unanimous Consent Calendar be first taken up. Is there objection?

Mr. BLANTON. I object.

The SPEAKER. Objection is made. The Clerk will call the list.

NATIONAL FORESTS, STATE OF SOUTH DAKOTA.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 11118) authorizing the consolidation of lands in national forests in the State of South Dakota.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MONDELL. Mr. Speaker, I think this is rather too important a matter to be taken up at this time, and I object.

The SPEAKER. The gentleman from Wyoming objects. The Clerk will report the next bill.

CLAIMS OF INDIANS OF CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12788) authorizing any tribes or bands of Indians of California to submit claims to the Court of Claims.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. CANNON. I object.

The SPEAKER. The gentleman from Illinois objects. The Clerk will report the next one.

ARID LANDS IN THE STATE OF CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8864) to encourage the reclamation of certain arid lands in the State of California, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. BLANTON. Mr. Speaker, may we have the bill read?

Mr. GARD. I object.

The SPEAKER. The gentleman from Ohio objects. The Clerk will report the next bill.

DIKE ACROSS MUD SLOUGH ON ISTHMUS INLET, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14158) granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough on Isthmus Inlet, in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, what is the necessity for the erection of this work?

Mr. HAWLEY. At high tide this valuable land overflows with salt water, which renders the land unfit for agriculture. All the interests on the slough, which are small ones, are in favor of the construction of the dike, and the War Department says it has no objection to it.

Mr. GARD. I see it is to be constructed only with the approval of plans by the Chief of Engineers.

Mr. HAWLEY. Yes. That is the usual form.

Mr. GARD. That is supposed to protect all the rights of the United States?

Mr. HAWLEY. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to H. H. Haynes, and his successors and assigns, to construct and maintain a dike and approaches thereto across the Mud Slough on Isthmus Inlet at a point suitable to the interests of navigation, at or near its mouth in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon, in the county of Coos, in the State of Oregon, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable water," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments, as follows:

On page 1, line 6, after the word "Inlet," insert a comma and strike out the words "at a point suitable to the interests of navigation."

Page 2, line 1, after the word "Oregon," strike out the comma and insert a colon, and strike out the balance of the paragraph. Insert after the colon the following words: "*Provided*, That the work shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That no dam or dike constructed under the consent hereby granted shall be used to develop water power nor to generate electricity."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the last vote was laid on the table.

The SPEAKER. The Clerk will report the next bill.

CHICKASAW AND SEMINOLE TRIBES OF INDIANS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15085) to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. CAMPBELL of Kansas. Mr. Speaker, I do not see the gentleman from Oklahoma [Mr. MCKEOWN], the author of the bill, here.

Mr. MCKEOWN. It takes nothing out of the Treasury.

Mr. CAMPBELL of Kansas. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is, authorized and directed to erect at Tishomingo and Wewoka, Okla., monuments constructed of Tishomingo granite to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma.

SEC. 2. That the monument erected at Tishomingo, Okla., shall have inscribed thereon such words and figures as will in the judgment of the Secretary of the Interior preserve the memory of the Chickasaw Tribe of Indians in Oklahoma.

SEC. 3. That the monument erected at Wewoka, Okla., shall have inscribed thereon such words and figures as will in the judgment of the Secretary of the Interior preserve the memory of the Seminole Tribe in Oklahoma.

SEC. 4. That there is authorized to be appropriated out of any money belonging to the Chickasaw and Seminole Tribes of Indians in Oklahoma

in the United States Treasury or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior the sum of $25,000 from each tribe, respectively.

With the following committee amendment:

On page 2, line 12, strike out "$25,000" and insert in lieu thereof "$15,000."

Mr. BEE. Will the gentleman from Oklahoma yield?

Mr. McKEOWN. Yes.

Mr. BEE. Is this money to be paid out of the Indian funds?

Mr. McKEOWN. Out of the Indian funds.

Mr. BEE. And not out of the Treasury of the United States?

Mr. McKEOWN. Not out of the Treasury of the United States, but out of the Indian funds.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. McKEOWN, a motion to reconsider the vote by which the bill was passed was laid on the table.

WAR MINERALS PRODUCERS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4259) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved February 2, 1919.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON, Mr. BEE, and others objected.

Mr. RHODES. Will the gentleman please withhold his objection?

Mr. BLANTON. I will withhold it if the gentleman wants to explain the bill.

The SPEAKER. Several gentlemen objected.

Mr. MONDELL. Mr. Speaker, there is no use in withholding objection. Evidently objection will be made, and it simply takes time, which might be better occupied.

Mr. RHODES. I simply desire to make a brief statement.

Mr. MONDELL. Mr. Speaker, I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

PENAL CODE OF THE CANAL ZONE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13649) to amend the Penal Code of the Canal Zone and the navigation rules of the Panama Canal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. I object.

INDIANS OF CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 3998) authorizing any tribes or bands of Indians of California to submit claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

CARSON NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14669) for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. McCLINTIC. Reserving the right to object, will the gentleman in charge of the bill state what its provisions are?

Mr. HERNANDEZ. This simply provides for the exchange of private lands for forest lands.

Mr. McCLINTIC. It has the recommendation of the Secretary of the Interior?

Mr. HERNANDEZ. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized, in his discretion, to accept on behalf of the United States title to any lands within the Carson National Forest, N. Mex., if in the opinion of the Secretary of Agriculture the public interests will be benefited thereby and the lands are chiefly valuable for national forest purposes, and in exchange therefor may give not to exceed an equal value of such national forest lands or timber within the national forests of New Mexico as may be determined by the Secretary of Agriculture, and in determining the relative values of the lands or timber to be exchanged consideration shall be given to any reservations which either party may make of timber, minerals, or easements.

Timber given in such exchanges shall be cut and removed under the laws and regulations relating to the national forests and under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture. Lands conveyed to the United States under this act shall, upon acceptance of title, become a part of the Carson National Forest.

With the following committee amendments:

Page 1, line 10, after the word "the," insert the word "said."

Page 1, line 11, after the word "national," strike out the words "forests of New Mexico" and insert the word "forest."

Page 2, line 1, after the word "and," strike out the words "in determining the relative values of the lands or timber to be exchanged consideration shall be given to any reservations which either party may make of timber, minerals, or easements" and insert "the Secretary of the Interior."

Page 2, line 6, after the word "given," insert the words "and the timber on lands given."

Page 2, line 8, correct the spelling of the word "national."

Mr. CANNON. Mr. Speaker, has this bill escaped objection?

The SPEAKER. Yes.

Mr. CANNON. I should like to be recognized to ask a question or two.

The SPEAKER. Does the gentleman from New Mexico yield to the gentleman from Illinois?

Mr. HERNANDEZ. Certainly.

Mr. CANNON. We have not been very fortunate in exchanging our lands for private forest lands. The fact is there was great abuse many years ago and many worthless lands were exchanged for very valuable timbered lands owned by Uncle Sam.

If I had been aware that this bill was coming up, I should have objected to the consideration of it at this time, because in the last hours of the session, when we are all in very good temper, much dangerous and improper legislation goes through without question. We are all in a good humor. We will soon depart to our homes for a short time——

Mr. SINNOTT. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. SINNOTT. The exchanges which the gentleman complains of were under an entirely different law. They were under the old lieu land act. This bill provides for a different standard entirely from that old law. This provides for the exchange of lands of equal value. Under the old lieu land law, which was repealed a number of years ago, a man having 160 acres of worthless land could transfer it to the Government and get 160 acres of very valuable timberland, but that can not be done under this act.

Mr. CANNON. Why?

Mr. SINNOTT. Because the lands exchanged have to be of equal value.

Mr. CANNON. You will have an army of people examining the value of the respective lands; you will have many employees. And, after all is said and done, the Government generally gets the worst of it.

Mr. SINNOTT. As a matter of fact there have been a number of exchanges authorized under which no exchange has been made at all, because the owners of the private land feel that the cruisers of the Forest Service, the officials representing the Government, are too exacting; and as a matter of fact no exchanges have been made.

Mr. TAYLOR of Colorado. Will the gentleman permit a suggestion?

Mr. HERNANDEZ. Yes.

Mr. TAYLOR of Colorado. I call the attention of the gentleman from Illinois to the fact that the unfortunate conditions to which the gentleman refers, were under the old laws and that we have passed during this Congress, and during every Congress for the last 12 years, bills like this. This is the same form being used by the Public Lands Committee and the Forest Service, and there has been no wrong or outrage on the public under the language of this bill. Every Member from the West approves of this measure and the Forestry Service approves of it. There can be no outrage perpetrated under it.

Mr. HERNANDEZ. Let me say that I am acquainted with these lands and the intention of the bill is to exchange these lands within the forests for timberland in the forests.

Mr. CANNON. Does Uncle Sam gain anything by that?

Mr. HERNANDEZ. I think so, because it consolidates the forests. The homesteader being right in the forest is sometimes rather careless about guarding against fire. There will not be more than 10,000 acres altogether of private land within the forests and there may not be one-half of it exchanged at this time.

Mr. CANNON. After all, there would not be a swap made unless the citizen thought he was making a good trade, and then we have to trust agents for whose honesty you can not vouch, and I do not feel like criticizing the constituents of the gentle-

man from New Mexico—of course, they are looking out for themselves. But they would not make the exchange unless they thought it was to their advantage to make it.

Mr. HERNANDEZ. The Secretary of Agriculture thinks it is a good bill.

Mr. CANNON. What Secretary of Agriculture?

Mr. HERNANDEZ. Secretary Meredith; and, of course, he gets his advice from the officials on the ground.

Mr. DEMPSEY. Will the gentleman yield?

Mr. HERNANDEZ. Yes.

Mr. DEMPSEY. Might not the exchange be for the mutual benefit of both? Might not the exchange be to the advantage of the Government because it consolidates the land in the forest and to the advantage of the man because he may get a little better land, and at the same time both parties get advantage by the exchange, and is not that the purpose of the act?

Mr. HERNANDEZ. Yes.

Mr. DEMPSEY. Does not the act provide in express terms that the exchange shall not be made unless in the opinion of the Secretary of Agriculture it is for the advantage of the Government?

Mr. HERNANDEZ. Yes.

Mr. MAYS. Is this a general exchange bill, or does it apply to one forest?

Mr. HERNANDEZ. It applies to one forest.

Mr. MAYS. Does it permit the exchange of cut-over lands?

Mr. HERNANDEZ. No.

Mr. MAYS. Suppose a private party owned cut-over lands from which he had taken the timber; could he under this bill exchange those cut-over lands for other land?

Mr. HERNANDEZ. I think he could; but that is up to the Secretary of Agriculture.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER pro tempore (Mr. CAMPBELL of Kansas). The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] Two hundred and fifteen Members present, a quorum. The question is on the committee amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HERNANDEZ, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARMY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that the conferees on the Army appropriation bill (H. R. 15943) may have up until 12 o'clock midnight in which to present a conference report for printing under the rules.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the conferees on the part of the House on the Army appropriation bill may have until 12 o'clock midnight in which to file their report. Is there objection?

There was no objection.

CAMP FUNSTON.

The next business on the Calendar for Unanimous Consent was House resolution 635, requesting the War Department to furnish information to the Committee on Military Affairs regarding the abadonment of Camp Funston and providing that pending the furnishment of such information and action thereon that no action toward the wrecking and abandonment of said camp be taken.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I object.

AMENDING THE NEW MEXICO ENABLING ACT.

The next business on the Calendar for Unanimous Consent was the bill (S. 4310) to amend an act entitled "An act to amend the New Mexico enabling act."

The SPEAKER pro tempore. Is there objection?

Mr. CANNON. Mr. Speaker, let us have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 13 of the act entitled "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admited into the Union on an equal footing with the original States," approved June 20, 1910, is hereby amended to read as follows:

"SEC. 13. That the State, when admitted as aforesaid, shall constitute one judicial district, and the circuit and district courts of said district shall be held at the capital of said State, and the said district shall, for judicial purposes, be attached to the eighth judicial circuit. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The judge of said district shall receive a yearly salary the same as other similar judges of the United States, payable as provided for by law, and shall reside in the district to which he is appointed. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. The regular terms of said courts shall be held on the first Monday in March and the first Monday in September of each year. The circuit and district courts for said district and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney, and the clerks of the circuit and district courts of said district, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation now allowed by law to officers performing similar services for the United States in the Territory of New Mexico."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CANNON. Mr. Speaker, having heard the bill read, I have no objection. It seems to me to be a very proper bill.

Mr. RAKER. Mr. Speaker, reserving the right to object, will the gentleman from Ohio [Mr. GARD] please explain the bill?

Mr. GARD. Mr. Speaker, the bill has only one purpose, and that is the time of holding court in the district court of New Mexico from the first Monday in April to the first Monday in March, and from the first Monday in October to the first Monday in September. There is no other change. It is thought desirable by those living in New Mexico, court officials and citizens generally, that the change be made so that the time of holding court shall be one month earlier in the spring term and one month earlier in the fall term.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

Mr. BEE. Under the enabling act is it necessary for the State of New Mexico to come to Congress for this character of relief?

Mr. GARD. It is. This is a Federal court.

Mr. BEE. They have to fix it in all cases under the enabling act?

Mr. GARD. Yes. Mr. Speaker, before the House proceeds further, I would say that the chairman of the Committee on the Judiciary has called my attention to certain necessary amendments which, if there be no objection to the bill, I shall offer. Those amendments are to strike out the word "circuit" where it appears in the bill, because there is no circuit court. This applies simply to the district court.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. GARD. Mr. Speaker, is the bill open to amendment now?

The SPEAKER pro tempore. It was open to amendment. The bill has been reported.

Mr. GARD. Mr. Speaker, I move to amend, on page 1 of the bill, in line 12, by striking out the words "circuit and."

The Clerk reported the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, on page 1, line 13, I move to strike out the word "courts" and insert in lieu thereof the word "court."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, on page 2, line 8, I move to amend by striking out the word "clerks" and inserting in lieu thereof the word "clerk."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, I move to insert the article "a" before the word "clerk," same line, same page.

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, on page 2, line 8, I move to strike out the word "courts" and insert the word "court."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, on page 2, line 9, I move to strike out the word "their" and insert in lieu thereof the word "his."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, page 2, line 9, I move to strike out the word "offices" and insert in lieu thereof the word "office."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, page 2, line 10, I move to strike out the words "courts" and insert in lieu thereof the word "court."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Does not the distinguished gentleman from Ohio believe that in view of the fact that the bill is so very defective, requiring so many amendments to perfect it, it ought to go back to the committee?

Mr. GARD. I have only a very few more, and I beg the gentleman's indulgence. Mr. Speaker, on line 12, page 2, I move to strike out the words "circuit and."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, in line 12, page 2, I move to strike out the words "courts" and insert in lieu thereof the word "court."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, on page 2, line 15, I move to strike out the words "circuit and."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, in the same line, same page, I move to strike out the word "courts" and insert in lieu thereof the word "court."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, on line 18, page 2, I move to strike out the words "circuit and."

The Clerk reported the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, page 2, line 18, I move to strike out the word "courts" and insert in lieu thereof the word "court."

The Clerk reported the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 210, noes 7.

So the amendment was agreed to.

Mr. VOLSTEAD. Mr. Speaker, I desire to offer an amendment. Page 2, line 13, after the word "thereof," strike out the word "respectively."

The SPEAKER pro tempore. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 2, line 13, after the word "thereof," strike out the word "respectively."

The question was taken.

Mr. BLANTON. Division, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas demands a division.

The House again divided; and there were—ayes 208, noes 8.

So the amendment was adopted.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

ALIENATION OF LANDS TO CERTAIN QUAPAW INDIANS.

The next bill on the Unanimous Consent Calendar was the bill (H. R. 15780) to amend section 1 of the act of Congress approved March 2, 1895 (28 Stats. L., p. 907), and to extend restrictions against alienation of lands allotted to and inherited by certain Quapaw Indians, and for other purposes.

The Clerk read the title of the bill.

Mr. GARD. Mr. Speaker, I object in order that the bill may be stricken from the calendar.

Mr. SNYDER. Mr. Speaker, I was just about to make the statement that this bill has already passed as a rider on the appropriation bill.

Mr. CARTER. And it might as well be stricken from the Union Calendar.

The SPEAKER pro tempore. Without objection, the bill will be laid on the table. [After a pause.] The Chair hears no objection.

Mr. GARD. I objected to the consideration of the bill which automatically strikes it from this calendar.

Mr. CARTER. And it might as well be stricken from the Union Calendar.

The SPEAKER pro tempore. Is there objection to striking the bill from the Union Calendar? [After a pause.] The Chair hears none.

DISPOSITION OF BORON DEPOSITS.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 15445) to provide for the disposition of boron deposits.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, let us have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That hereafter all deposits of boron minerals and lands containing such deposits, owned by the United States, except deposits of potassium borates provided for in the act approved October 2, 1917 (40 Stats., p. 297), shall be subject to disposition only in the form and manner prescribed for the disposal of borates of sodium in the act approved February 25, 1920 (41 Stats., p. 437), entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain."

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, has this bill passed the Senate?

Mr. SINNOTT. A bill like this has been reported to the Senate. It is a departmental bill introduced by myself at the request of the Secretary of the Interior. At the present time there is no method of disposing of the particular material referred to except by patent. Now, this provides for the leasing of boron material or mineral.

Mr. BARKLEY. Will the gentleman advise the House what purpose there is of securing final action on bills now being enacted within two days of final adjournment if they have not passed the Senate?

Mr. SINNOTT. I think this bill will be enacted in the Senate because they have reported a similar bill. The chairman of the Senate committee has reported a bill which he introduced at the request of the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, the purpose of this bill is to include boric deposits under the provisions of certain statutes?

Mr. SINNOTT. The purpose of this bill is to include within the provisions of the oil and mineral leasing act, which we passed at the last session of Congress, borate of calcium. There is no law at the present time covering the disposal by lease of borate of calcium, from which is obtained all of our borax in this country. We have a law pertaining to borate of sodium and borate of potassium, but not to borate of calcium, and therefore we use the term "boron," which is generic and comprehensive, embracing all the borates from which borax may be obtained.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Is the bill submitted by the department?

Mr. SINNOTT. This was introduced at the request of the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The bill has been read.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNCLAIMED FUNDS FROM OKLAHOMA TOWN SITES.

Mr. SINNOTT. The next bill upon the calendar was passed earlier in the evening and therefore I move it be stricken from the calendar.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that the bill H. R. 15219 be stricken from the calendar. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following House concurrent resolution:

House concurrent resolution 77.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 10074) "An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from judgments of said court, and for other purposes," the Clerk of the House be, and he is hereby, authorized and directed to incorporate the following amendment:

On page 9, line 1, after the word "and," strike out the following: "fuel, approved August 10, 1917," and insert in lieu thereof the following: "fuel, approved August 10, 1917, and to regulate rents in the District of Columbia."

INCORPORATING NATIONAL CONSERVATORY OF MUSIC OF AMERICA.

The next bill on the Unanimous Consent Calendar was the bill (S. 1551) to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. HUSTED. Mr. Speaker, I move to suspend the rules and pass the bill S. 1551.

The SPEAKER pro tempore. The gentleman from New York moves to suspend the rules and pass the bill which the Clerk will report by title.

The Clerk read as follows:

An act (S. 1551) to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. HUSTED. Mr. Speaker——

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act of Congress approved March 3, 1891, constituting the persons therein named a body politic and corporate by the name National Conservatory of Music of America is hereby amended by substituting the names of Henry White, George Peabody Eustis, Charles D. Walcott, Mary Harrison McKee, Anna Cochran Ewing, Lillia Babbitt Hyde, Helen Hartley Jenkins, Dorothy Whitney Straight, Jeannette M. Thurber, Thomas Ewing, George McAneny, and Ernest M. Stires in place of Abram S. Hewitt, Frank R. Lawrence, William Pinckney Whyte, Enoch Pratt, Fitz Hugh Lee, William H. Payne, Olive Risley Seward, John Hay, S. P. Langley, Anthony Pollock, C. R. P. Rodgers, and John M. Scofield, and that said National Conservatory of Music of America may establish and maintain branches outside the District of Columbia.

SEC. 2. That the power to alter, amend, or repeal this act is hereby reserved.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. HUSTED. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HUSTED. Mr. Speaker, the sole purpose of this bill is to permit the National Conservatory of Music, which was incorporated some 30 years ago by act of Congress, to maintain branches outside of the District of Columbia. The bill does one other thing: It substitutes the names of certain living persons in place of the names of certain incorporators who are now deceased. This National Conservatory of Music is entirely supported by private funds. It has never come to the United States Government for any support of any kind, and never will. It has done a great work for music in this country. At this institution hundreds of young men and young women have been educated in music absolutely without cost. They have had upon their teaching force the most eminent composers and musicians in the country. It is an institution well worthy of the support of this Congress in granting the small requests which it asks. The time has now come when it is really to its advantage to maintain branches in other places than the District of Columbia. Under the statute as it exists it can maintain a branch nowhere else.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. HUDDLESTON. I would like to ask what is the necessity for changing the names of the incorporators?

Mr. HUSTED. Well, there is not any necessity, except that certain of these incorporators are deceased.

Mr. HUDDLESTON. What is the propriety of it?

Mr. HUSTED. The propriety of it is their desire to name certain eminent persons, eminent in music, among the incorporators now in that act. There is no other purpose that I know.

Mr. HUDDLESTON. The real purpose is to pay an honor to these new parties?

Mr. HUSTED. I presume that is the sole and only purpose.

Mr. HUDDLESTON. At the expense of those who are dead?

Mr. HUSTED. It is not at the expense of anybody.

Mr. McCLINTIC. Will the gentleman yield?

Mr. HUSTED. I will.

Mr. McCLINTIC. The gentleman made the statement that the purpose of this bill was to allow branches to be established in other States, I take it?

Mr. HUSTED. Yes, sir.

Mr. McCLINTIC. Are those branches to be permitted to charge for instruction?

Mr. HUSTED. This conservatory, as I have said, is a private institution. I suppose they have a right to charge, and I suppose they do charge in some cases. But, as a matter of fact, hundreds of young men and young women who have been financially unable to educate themselves in music have been educated at this institution absolutely free of cost. The lady who has been the moving spirit is Mrs. Francis M. Thurber. I think anybody in this country who knows anything about the cause of music in America knows she has devoted a very large fortune to that cause.

Mr. McCLINTIC. Will the gentleman yield further?

Mr. HUSTED. I will.

Mr. McCLINTIC. The gentleman makes the statement that hundreds are educated free of charge.

Mr. HUSTED. Absolutely without any charge.

Mr. McCLINTIC. Who pays the cost in connection with this education?

Mr. HUSTED. A very large part of the cost has been made by Mrs. Francis M. Thurber, who is the principal mover, and the one who is chiefly interested in this institution.

Mr. KING. Will the gentleman yield?

Mr. HUSTED. I will.

Mr. KING. I am very favorable to this proposition, and I would like to ask the gentleman why it is necessary to get the authority of Congress to establish branches in other portions of the Union?

Mr. HUSTED. The claim is made, and the claim is supported by very eminent attorneys of this association, that they would have no legal right to maintain branches outside of the District of Columbia unless authority was granted by Congress.

Mr. KING. Can they do that in spite of some law to the contrary on the part of the States?

Mr. HUSTED. I assume there is no conflict of law in the States. So far as I know, they have not run counter to any State law.

Mr. KING. What does the gentleman think about it as a constitutional lawyer?

Mr. HUSTED. Well, I do not think it is necessary to pass an opinion upon it, and I do not think the opinion of "the gentleman" as a constitutional lawyer would be of any great value. Mr. Speaker, I move the previous question.

Mr. BLANTON. Mr. Speaker, the only objection that I have to this bill is its name—the National Conservatory of Music. It is a commercial enterprise, aside from the question of art that is connected with it. The principal place of business of this institution now is New York City. Under the terms of this proposed bill this so-called National Conservatory of Music could establish a branch conservatory in Philadelphia, another one in Baltimore, another one in Cleveland, another one in Chicago, another in St. Louis, another one in San Francisco, and so on. Its name, the National Conservatory of Music, gives it an advantage over every other conservatory now existing in the United States.

I doubt not what the gentleman says—that many young students of music are educated free—is true. I doubt not that that is correct. That is the case with every educational institution in the United States to-day. You will find students who are carried free on their enrollment.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. KING. What is the gentleman's objection to the word "national"?

Mr. BLANTON. My objection is that it gives them a commercial advantage over any other musical conservatory in the United States.

Mr. KING. What about the National Biscuit Co.?

Mr. BLANTON. Oh, yes; but it is not incorporated by Congress as a governmental institution. Whenever an institution with the name of "National Conservatory of Music" is incorporated by Congress, and it is a commercial enterprise, the name itself gives it a governmental relation everywhere in the United States. That is my objection.

Mr. HUSTED rose.

Mr. BLANTON. Oh, the gentleman is not going to take me off my feet. We might as well have an orderly procedure here now as at any time. I have my rights and I know them, and, no doubt, the Speaker will see that I get them.

I reserve the balance of my time, Mr. Speaker, and I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. MOORES of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Arkansas.

Mr. WINGO. Mr. Speaker, I do not know that I shall use all of my five minutes. Of course, most thoughtful men recognize the danger of granting Federal charters to any kind of a private institution, but it seems this Federal charter was granted a long time ago, before the gentleman from Texas [Mr. BLANTON] or myself knew anything about music, except of an infantile nature. As I gather from the explanation of the gentleman in

charge of the bill, the principal function of this society is to furnish free music, free instruction in music; and I am inclined to think that even though it is brought in here in the closing hours of the session, when we are supposed to confine ourselves to important matters, we ought not to object to it and it ought to go through. I hope the gentleman from Texas [Mr. BLANTON] will allow it to go through without objection, because if there ever was a time when the American people needed free music it is at the beginning of a Republican administration. [Laughter.]

For two years you have been in absolute control of the Government, having a majority in both House and Senate, but you have given as an excuse for your inaction that you had a Democratic President, of whom you were either afraid or who was too intelligent for you to get around him. Your newspapers are already suggesting that the people should be patient and not expect too much of you. The Supreme Court of the United States did you a favor the other day when it decided that the Congress was without power, even in time of war, to do a whole lot of things that you have been making the American people believe you could do if the cantankerous and obstreperous Democratic administration would only let you do what you wanted to do. And you claimed you would do everything the people wanted; that you would make the price of wheat go up and the price of bread go down; so I think the people, when they realize how you have fooled them, will require a lot of lulling music to keep them quiet. [Laughter.] When they find out that you, instead of relieving them of taxes, intend to increase their burdens, you will need some music to enable you to quiet them, because they will begin to howl. You had better get used to it. I know how you felt when all the "wild asses from the green corn" that made up your new membership gathered in your caucus last night, and I know what a sigh of relief you heaved when you gathered them safely into the corral. [Laughter.]

Oh, yesterday you were on your p's and q's, and you heaved a sigh of relief because you got them into the corral and got them branded, and all you did for them was to promise them just two additions to the steering committee. You told the people you were going to reduce the expenditures of the Government a billion dollars a year. Instead of doing it, when you get through with your deficiencies in the next Congress it is going to dawn on the taxpayers that this was the most extravagant Congress that ever sat beneath the Capitol dome, and you will need some music then. [Applause.] If you do not do it the American taxpayers are going to sing you a song for which you will furnish the music. [Laughter.]

You now exult in the dance of victory; but remember, you must pay the fiddler. [Applause.]

Mr. BLANTON. I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, after listening to the witty speech of the gentleman from Arkansas [Mr. WINGO], I feel reluctant to enter upon a serious discussion of this bill. I am opposed to Federal charters. I do not believe that any private concern should be incorporated by act of Congress, especially should no company under purely private control and in which there is no general public interest be given congressional recognition by a special act.

But that is not my principal objection to this bill. As I look it over, I am convinced that I am growing old—that I belong to a past generation. The main purpose of this bill is to substitute the names of living persons for those of persons who are dead, to pay honor to the living, since "flattery can not soothe the dull, cold ear of death." With such a purpose I can have but little sympathy.

The reason I think I am growing old is that as I read the names of deceased persons to be stricken from the charter of this corporation and of the living to be substituted for them, I find that I recognize all the names of those who are dead, but am familiar with but few of those which it is proposed to substitute for them. It brings a feeling of sadness. I feel like one who stands alone, a sort of last leaf of yesterday. I recognize that it is because I am growing old.

I call to the attention of the House the names that it is proposed to strike from the charter of this concern: Abram S. Hewitt, Frank R. Lawrence, William Pinckney Whyte, Enoch Pratt, Fitz Hugh Lee, William L. Payne, Olive Risley Seward, John Hay, S. P. Langley, Anthony Pollock, C. R. P. Rodgers, and John M. Scofield. These are some of the most eminent names in American history—statesmen, soldiers, philanthropists, scientists, men of letters—eminent in the walks of life.

Mr. HUSTED. Will the gentleman yield?

Mr. HUDDLESTON. No. Instead of these eminent Americans it is proposed to substitute Henry White, George Peabody Eustis, Charles D. Walcott, Mary Harrison McLee, Anna Cochran Ewing, Lillia Babbitt Hyde, Helen Hartley Jenkins, Dorothy Whitney Straight, Jeannette M. Thurber, Thomas Ewing, George McAneny, and Ernest M. Stires.

Mr. HUSTED. Will the gentleman yield?

Mr. HUDDLESTON. No. Now, I do not doubt that the names of the persons whom I have last read are well known to the present generation. No doubt they include great soldiers and poets, men of wisdom and achievement; no doubt they are all persons of the highest eminence. No doubt they are just as famous as the first names that I read, only I do not know it. I am growing old. I belong to a generation which is passing. I recognize few of the names of these newly famous ones, and it makes me sad. It must be that I am growing old. Surely such talent as that which the gentleman from New York [Mr. HUSTED] brings to bear would not be devoted during the last moments of Congress to the ignoble task of embalming flies in amber. [Laughter.]

Oh, I know them well enough—the older ones. Hewitt and Fitzhugh Lee and Langley and Hay and the rest. Not to have known them in my day was to be ignorant of our country's history—of the best and highest and noblest in American life. And now they have served their purpose and are to be dismissed and kicked out of the charter of this corporation.

I am growing old. I crave the indulgence which is the perquisite of venerable years. I beg the gentlemen who are pushing this bill to respect the feelings of the elder generation and leave, yet to remain, some of these names with which we are acquainted. Let them wait yet a little while before they bring in the names of the newly famous, of the new great statesmen, of the new great generals, of the new great scientists, of the new great men who are identified with this latter day in America. Let them not be in such haste to ring down the curtain on Scofield and Payne and Whyte and Pratt.

I am growing old. I can not give my countenance to this ruthless innovation. Let us give the recognition which the exceeding eminence of the new great no doubt commands in some way which will not do violence to the respect due to those of our elder day and time.

Mr. GARRETT. Will the gentleman yield for a question?

Mr. HUSTED. Yes.

Mr. GARRETT. Is the gentleman familiar with any precedent for amending one of these special acts of Congress and substituting new names?

Mr. HUSTED. I am not familiar with any congressional precedent, but there is legislative precedent.

Mr. GARRETT. I mean legislation by Congress.

Mr. HUSTED. Not by Congress, but by the State.

Mr. KING. We have amended the statute——

Mr. HUSTED. The gentleman asked whether there was any legislative precedent for the substitution of names. There is no legislative precedent by Congress within my knowledge, and I doubt if it has occurred many times. Very few of these acts have been passed; but I do know of legislative precedent for exactly that action.

Mr. GARRETT. If the gentleman will permit me, I have always been opposed on principle to these special charters by act of Congress. I have never supported any since I have been here.

Mr. HUSTED. This was incorporated some 13 years ago, and I would like to say in reply to the gentleman from Texas that we do not change the name of this corporation. It is the same name carried in this bill under which the corporation was originally created.

Mr. BLANTON. I was only objecting to New York spreading out over the United States. We do not care what goes on there in New York.

Mr. GARRETT. If it was an amendment to the charter and not fundamental, I think it would not be worth while to interpose an objection, but I say very frankly to the gentleman that I really do not think—and I do not mean to reflect on the artistic ability of any of these who are named as new persons going into the charter—but the original charter undoubtedly provided for the selection of successors.

Mr. HUSTED. It provided for a continuation.

Mr. GARRETT. They could select their successors.

Mr. HUSTED. I think the majority of the original incorporators are dead.

Mr. GARRETT. But it was a continuing corporation. Now, we have, despite the objections I made, created a great many of these special acts, confining them to the District of Columbia, except in a few cases where they slipped by and got a charter that did not make them citizens of the District of Columbia. If we adopt this precedent, all the charters that we have passed are going to come here and ask to substitute new per-

sons. They may be entirely worthy of the honor, but I believe it is giving a prestige to corporations by act of Congress, and if we amend by putting in new names Congress will be continually dealing with these things.

Mr. HUSTED. I think the distinguished gentleman from Tennessee is anticipating a danger which does not exist.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. CHINDBLOM. Are these new names the names of persons actively engaged in the corporation?

Mr. HUSTED. They are actively interested in the work carried on by the corporation, active supporters.

Mr. CHINDBLOM. You are substituting working directors for honorary directors?

Mr. HUSTED. That is it, only we give the corporation more support and extend the activities in order that more young men and more young women in this country may get the benefit that this corporation is handing out to so many young people of the country.

The SPEAKER. The question is on the suspension of the rules.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 132 ayes and 30 noes.

Mr. BLANTON. I make the point of no quorum.

Mr. BARKLEY. Mr. Speaker, I move that the House do now adjourn.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 50 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Wednesday, March 2, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

429. A letter from the Acting Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the Treasury Department for "Medical and hospital service, Bureau of War Risk Insurance," fiscal year 1921 (H. Doc. No. 1015); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DOREMUS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4903) to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich., reported the same without amendment, accompanied by a report (No. 1388), which said bill and report were referred to the House Calendar.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the resolution (H. Res. 678) requesting the Postmaster General to furnish certain information to the House of Representatives, reported the same without amendment, accompanied by a report (No. 1389), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16153) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River, reported the same without amendment, accompanied by a report (No. 1390), which said bill and report were referred to the House Calendar.

Mr. RANDALL of California, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 16140) to authorize the Postmaster General to establish a post office of the second or third class at Glendale, Calif., reported the same without amendment, accompanied by a report (No. 1393), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DALE, from the Committee on Banking and Currency, to which was referred the bill (S. 4664) to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920, reported the same without amendment, accompanied by a report (No. 1394), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (S. 1661) for the relief of Maj. Ellis B. Miller, reported the same with an amendment, accompanied by a report (No. 1392), which said bill and report were referred to the Private Calendar.

Mr. SNYDER, from the Committee on Indian Affairs, to which was referred the joint resolution (H. J. Res. 476) to pay the actual and necessary expenses of James I. Coffey and William Lufkins in visiting Washington in the interests of the Chippewa Indians of Minnesota, reported the same with an amendment, accompanied by a report (No. 1397), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (H. R. 8141) to provide for the payment to Alice E. Wells, formerly Alice E. Davis, only heir at law of John C. Davis, deceased, of the amount stated in the findings of the Court of Claims in congressional case No. 9264, reported the same adversely, accompanied by a report (No. 1391), which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CHINDBLOM: A bill (H. R. 16158) to authorize the Secretary of War to grant a perpetual easement for railroad right of way and a right of way for a public highway over and upon a portion of the military reservation of Fort Sheridan, in the State of Illinois; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 16159) to establish in the Treasury Department a bureau of soldier rehabilitation and war-risk insurance, and for the purpose of improving the facilities and services of the Bureau of War Risk Insurance, and for further amending and modifying the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. LEE of Georgia: Joint resolution (H. J. Res. 478) requesting suspension of speculative short sales; to the Committee on Agriculture.

By Mr. TINCHER: Joint resolution (H. J. Res. 479) requesting suspension of speculative short sales; to the Committee on Agriculture.

By the SPEAKER (by request): Memorial from the Legislature of the State of Colorado, concerning the Bergdoll case and the case of the two American soldiers held prisoners in Eberbach, Germany; to the Committee on Foreign Affairs.

Also (by request), memorial from the Legislature of the State of Idaho, favoring the passage of the McFadden bill; to the Committee on Banking and Currency.

By Mr. DYER: Memorial from the Legislature of the State of Missouri, requesting the presence of the President at the Missouri Centennial Celebration to be held at Sedalia, Mo., in August, 1921; to the Committee on the Library.

By Mr. EVANS of Montana: Memorial from the Legislature of the State of Montana, relating to the disposition of cut-over timber lands; to the Committee on the Public Lands.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, urging the establishment of the grade of lieutenant general for Maj. Gen. Hunter Liggett; to the Committee on Military Affairs.

Also, a memorial from the Legislature of the State of Oregon, requesting a treaty between the United States and Great Britain for the protection of the salmon in boundary waters of the Pacific coast; to the Committee on the Merchant Marine and Fisheries.

By Mr. RIDDICK: Memorial from the Legislature of the State of Montana, requesting Congress to enact such legislation as will enable the State of Montana to dispose of the cut-over timberlands heretofore granted by exchange; to the Committee on the Public Lands.

By Mr. HERSEY: Memorial from the Legislature of the State of Maine, urging an amendment to the water power act; to the Committee on Water Power.

By Mr. McGLENNON: Memorial from the Legislature of the State of New Jersey, favoring the Wason bill (H. R. 13558), the Stevenson bill (H. R. 10845), the Langley bill, the Rogers bill, and the Fordney bill; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 16160) granting a pension to Adam Keesey; to the Committee on Pensions.

By Mr. ANDERSON: Resolution (H. Res. 704) to pay Ernest H. Bradley the sum of $300 for services rendered to the Committee on Appropriations; to the Committee on Accounts.

By Mr. DEMPSEY: Resolution (H. Res. 705) authorizing the payment of $500 to Joseph H. McGann, for services rendered to the Committee on Appropriations; to the Committee on Accounts.

By Mr. MADDEN: Resolution (H. Res. 706) for the relief of J. G. Nettleton; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6163. By Mr. BABKA: Petition of the Czecho-Slovak Gymnastic Union, of Cleveland, Ohio, favoring compulsory physical education in the schools; to the Committee on Education.

6164. Also, petition of Rev. Nicholas Pfeil (of St. Peter's Rectory, representing 10,000 persons), M. T. Mazanec, John Mazanec, Helen Mazanec, Joseph W. Divoky, and the Corlett Catholic Club, all of Cleveland, Ohio, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6165. Also, letters from certain citizens of Cleveland, Ohio, favoring the recognition of the Irish republic and protesting against the deportation of Lord Mayor O'Callaghan; to the Committee on Foreign Affairs.

6166. By Mr. BURROUGHS: Resolution of L'Union St. Jean Baptiste d'Amerique, Council Ste. Cecile, No. 277, Suncook, N. H., protesting the passage of the Smith-Towner bill; to the Committee on Education.

6167. Also, resolution of L'Union St. Jean Baptiste d'Amerique, Council St. Jean Baptiste, No. 282, Newmarket, N. H., protesting the passage of the Smith-Towner bill; to the Committee on Education.

6168. By Mr. CROWTHER: Petition of 2,500 residents of the thirteenth congressional district of New York, protesting against the enactment of the Smith-Towner bills (S. 1017 and H. R. 7); to the Committee on Education.

6169. By Mr. CURRY of California: Petition of C. J. Johnson and Taurent Sarlatte, of Napa County, Calif., for the relief of the star-route mail contractors; to the Committee on the Post Office and Post Roads.

6170. Also, petition of the St. Francis Young Ladies' Institute, of Sacramento, Calif.; the Dominican Institute, No. 56, of Benicia, Calif.; and 130 citizens of Benicia, Calif., protesting against the passage of the Smith-Towner bills; to the Committee on Education.

6171. By Mr. DYER: Petition of the Merchants' Exchange of St. Louis, Mo., requesting an extension of time in which claims for overcharge which accrued on shipments moving during the period of Federal control of railroads may be filed; to the Committee on Interstate and Foreign Commerce.

6172. Also, petition of the Missouri Farm Bureau Federation, of Columbia, Mo., relating to reliable statistics concerning livestock holdings; to the Committee on Agriculture.

6173. Also, petitions of Michael Curran, chairman, St. Louis, Mo., signed by himself and many others, and the International Federation of Catholic Alumnæ, Missouri State Chapter, protesting against the Smith-Towner bill; to the Committee on Education.

6174. Also, petition of the American Association for the Recognition of the Irish Republic, urging prompt recognition of the republic of Ireland and its president by the Government of the United States, etc.; to the Committee on Foreign Affairs.

6175. By Mr. FREEMAN: Petition of Council Florimond, No. 74, Willimantic, L'Union St. Jean Baptiste d'Amerique; Council Cremazie, No. 196, Moosup, L'Union St. Jean Baptiste d'Amerique; Council Dame de la Valtrie, No. 161, Grosvenordale, L'Union St. Jean Baptiste d'Amerique; Council St. Cecile, No. 113, Willimantic, L'Union St. Jean Baptiste d'Amerique; Council Gagnon, No. 208, Taftville, L'Union St. Jean Baptiste d'Amerique; Council Marie de L'Incarnation, Moosup, L'Union St. Jean Baptiste d'Amerique, all in the State of Connecticut, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6176. By Mr. FULLER: Petition of the North Western Novelty Co., of Morris, Ill., favoring the coinage of a 2-cent piece; to the Committee on Coinage, Weights, and Measures.

6177. Also, petition of W. L. Craig and sundry others of Ottawa, Ill., favoring an amendment to the Volstead Act; to the Committee on the Judiciary.

6178. Also, petition of the Women's Club of Belvidere, Ill., favoring the preservation of the national parks; to the Committee on Interstate and Foreign Commerce.

6179. Also, petition of Joseph Tiers, of Chicago, Ill., favoring the Nolan Patent Office bill; to the Committee on Patents.

6180. Also, petition of the Calline Club, of Streator, Ill., favoring the passage of the Smith-Towner bill; to the Committee on Education.

6181. Also, petition of H. G. Stewart, of Oak Park, Ill., opposing the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

6182. Also, petition of S. J. Ziener, of Rockford, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6183. By Mr. KELLY of Pennsylvania: Petition of the State Federation of Pennsylvania Women, urging the passage of the Sheppard and Towner bills; to the Committee on Interstate and Foreign Commerce.

6184. By Mr. KENNEDY of Rhode Island: Resolutions of Council Notre Dame, L'Union St. Jean Baptiste d'Amerique, of Central Falls, R. I., and Council Ste. Concorde, L'Union St. Jean Baptiste d'Amerique, of Albion, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6185. By Mr. LEHLBACH: Petition of certain citizens of Newark, Camden, and Irvington, N. J., protesting against the occupation of Germany by French colonial troops; to the Committee on Foreign Affairs.

6186. By Mr. LINTHICUM: Petition of Dr. L. P. Henneberger and Dr. Lewellys F. Barker, Baltimore, favoring Senate bill 4927; to the Committee on Ways and Means.

6187. Also, petition of William F. McAvoy, Peter I. Huesman, Mrs. Fanny C. Gough, Francis B. Wiers, Joseph M. Simon, Mary R. Simon, T. J. Dee, John T. McShane, Mrs. L. C. Michael, W. J. Stanton, Allan Macsherry, Mrs. Mary L. Ellinger, Austin J. Lilly, and Alice Louise Thompson, all of Baltimore, Md., protesting against Smith-Towner bill; to the Committee on Education.

6188. Also, petition of John W. Williams, Herbert E. Hampton, Cidney P. Thanhouser, Charles I. Weiller, and President Walter Hollander, of Public School Association, all of Baltimore, Md., favoring the Smith-Towner bill; to the Committee on Education.

6189. Also, petition of Gilpin, Langdon & Co., Baltimore, regarding protest of Senate bills 3944 and 4828; to the Committee on Agriculture.

6190. Also, petition of Dr. Charles F. Blake, Baltimore, favoring removal of 5 per cent tax on films; to the Committee on Ways and Means.

6191. Also, petition of the Crown Cork & Seal Co., Baltimore, favoring continuance of Muscle Shoals; to the Committee on Appropriations.

6192. Also, petition of the Harford County National Farm Loan Association, Bel Air, Md., favoring farm loan act; to the Committee on Banking and Currency.

6193. Also, petition of the Baltimore Fruit & Produce Association, Baltimore, protesting against H. R. 9521; to the Committee on Agriculture.

6194. Also, petition of Sparrows Point Lodge, No. 63, Baltimore, and Moving Picture Operators' Protective Union, Baltimore, approving resumption of trade relations with Russia; to the Committee on Foreign Affairs.

6195. By Mr. LUFKIN: Resolution of the L'Union St. Jean Baptiste d'Amerique, of Ipswich, Mass., protesting against the passage of the so-called Smith-Towner bill; to the Committee on Education.

6196. Also, resolution of the L'Union St. Jean Baptiste d'Amerique, of Amesbury, Mass., protesting against the passage of the so-called Smith-Towner bill; to the Committee on Education.

6197. Also, petition of L'Union St. Jean Baptiste d'Amerique, Salem, Mass., protesting against the passage of the so-called Smith-Towner bill; to the Committee on Education.

6198. By Mr. O'CONNELL: Petition of the Merchants' Association of New York, asking for adequate funds for quarantine improvements in New York, Boston, Philadelphia, and Baltimore; to the Committee on Appropriations.

6199. By Mr. PAIGE: Petition of Council Bourget No. 280, L'Union St. Jean Baptiste d'Amerique, Leominster, Mass.; Council Lamy No. 225, L'Union St. Jean Baptiste d'Amerique, Spencer, Mass.; and the Catholic Women's Club, of Gardner,

Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6200. By Mr. PATTERSON: Petition of the Westville & Newbold Building & Loan Association, of Westville, N. J., indorsing the exemption of annual income of $500 when derived from investments in a domestic building and loan association; to the Committee on Ways and Means.

6201. By Mr. REBER: Petition of the Chamber of Commerce of Pottsville, Pa., protesting against the Federal coal bill and the Federal live-stock commission bill; to the Committee on Agriculture.

6202. Also, petition of Katherine O'Hara, of Pottsville, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6203. By Mr. SHREVE: Communications from Holy Name Society, St. John's Church, Erie, Pa.; Branch No. 65, Knights of St. George, Erie, Pa.; Catholic Women's League, St. John's Church, Erie, Pa.; and Corry Council No. 425, Knights of Columbus, Corry, Pa., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

6204. By Mr. SNELL: Petition of L'Union St. Jean Baptiste d'Amerique, Council Ste. Anne, No. 357, Tupper Lake, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6205. By Mr. TINKHAM: Petition of the Thomas McDonagh Council for the Recognition of the Irish Republic, Boston, Mass., favoring the recognition of the Irish republic; to the Committee on Foreign Affairs.

6206. By Mr. VARE: Petition of the Philadelphia Board of Trade, favoring a daylight-saving law; to the Committee on Interstate and Foreign Commerce.

6207. By Mr. WATSON: Petition of the corresponding secretary of the Langhorne Sorosis, of Langhorne, Pa., favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *March 2, 1921.*

(Legislative day of Thursday, February 24, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

CORRECTION OF THE RECORD—POSTMASTERS.

Mr. HITCHCOCK. Mr. President, there is a little matter which I desire to bring to the attention of the Senate in the nature of correcting the RECORD of yesterday. I have received this morning from the Postmaster General a letter reading as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., March 2, 1921.

Hon. G. M. HITCHCOCK,
United States Senate.

MY DEAR SENATOR: On page 4327 of the CONGRESSIONAL RECORD of March 1, 1921, Senator LODGE states:

"Mr. Cleveland blanketed in 40,000 postmasters at one time."

Senator LODGE is in error, as Mr. Cleveland never issued any Executive order classifying postmasters. Mr. Roosevelt, on November 30, 1908, issued an order blanketing postmasters at offices of the fourth class in certain States into the classified service. On October 15, 1912, Mr. Taft issued an order blanketing into the classified service the fourth-class postmasters in the remainder of the States.

Very sincerely,

A. S. BURLESON,
Postmaster General.

The Postmaster General is correct, so far as the RECORD is concerned. The RECORD reports the Senator from Massachusetts [Mr. LODGE] as using the language which he quotes, but my personal recollection is that the Senator referred to employees of the Government generally and not to postmasters. However, I have offered this letter of the Postmaster General in order that the RECORD may be corrected and that the Senator from Massachusetts may have the opportunity to correct the typographical error.

Mr. LODGE. Mr. President, I did not say "postmasters." I said "offices." It is a mistake which I ask to have corrected. I very well knew that Mr. Cleveland never issued any order about post offices at all. President Roosevelt and President Taft did. It merely came into my mind when I remembered that first and last Mr. Cleveland, after the offices had been filled, put them under civil service to the number of 40,000, as I recall; but, I repeat, I did not say "postmasters"; I said "offices." President Cleveland never took any such action concerning postmasters, so far as I remember.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Assistant Secretary of Labor, transmitting, pursuant to law, schedules of useless papers devoid of historic interest accumulated in the files of the department, and asking for action looking to their disposition, which was referred to a Joint Select Committee on Disposition of Useless Papers in the Executive Departments, to be selected by the Chair. The Vice President appointed Mr. WALSH of Montana and Mr. FRANCE members of the committee on the part of the Senate, and ordered that the Secretary of the Senate notify the House of Representatives thereof.

ENROLLED BILLS SIGNED.

The signature of the Vice President was announced to the following enrolled bills, which had previously received the signature of the Speaker of the House of Representatives:

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes;

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12045. An act to provide for the conveyance of lots on the low grounds of Washington, D. C.;

H. R. 12634. An act for the relief of Wilhelm Alexanderson; and

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1922, and for other purposes.

FRENCH COLONIAL TROOPS IN GERMANY.

Mr. SPENCER. Mr. President, I have received, as doubtless have many other Senators, a large number of anxious and protesting communications concerning alleged brutalities and atrocities in the occupied portion of Germany by the French Negro colonial troops. There is a report—No. 397—on this question that has been printed as a Senate document. I took the matter up with the Secretary of State, and very promptly received an answer in connection with the matter, which ought, in my judgment, to be printed in the RECORD. It clearly shows, largely on the testimony of American officers and representatives who are near the localities concerned, that these alleged atrocities are mere irresponsible propaganda, untrue in fact, and officially disapproved by the German Government. I ask that the letter from the Secretary of State be referred to the Committee on Foreign Relations and printed in the RECORD.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, February 7, 1921.

In reply refer to WE 862t.01/232.

The Hon. SELDEN P. SPENCER,
United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of February 4, 1921, referring to reports of misconduct of French Negro troops in the occupied portion of Germany.

In reply I have the honor to inform you that the department is in receipt of many letters from individuals and from societies concerning this matter, all of which letters are answered at some length in order to correct misunderstandings. As soon as the first complaints were received an investigation was made, and from reports received from diplomatic and American military sources it is understood that there are at the present time no black troop units in the occupied territory, the French having removed such troops some time ago. It is believed, however, that there are certain Algerian and Moroccan troops still employed in the armies of occupation, such troops being Arab or a mixture of Arab, French, and other nationalities, and including a large proportion of purely French soldiers. So far as is known the Germans have made no accusations against the conduct of these troops.

The number of Senegalese troops in the occupied regions was never large. The specific attacks made against them in the German press have in most cases been refuted by investigation or by testimony on the part of responsible Germans, and where individuals have been found guilty they have been promptly punished. The American authorities in the Rhineland state that the stories of atrocities originate not in the occupied territory but in Berlin and appear to be very largely anti-French propaganda. This opinion would appear to be carried out by the fact that the agitation in the United States is carried on largely by the German-language press. Inasmuch as it is the

understanding of the department that there are no Negro troops remaining in the occupied area and no recent examples of misbehavior have been brought forward, it would appear that these reports must be part of a widespread propaganda directed against France.

In response to a request from the Foreign Relations Committee of the House, a complete report on this subject was recently furnished to the committee by the department.

I have the honor to be, sir,

Your obedient servant,

BAINBRIDGE COLBY.

PROPOSED RECESS.

Mr. POINDEXTER. Mr. President, I ask unanimous consent that when the Senate concludes its session to-day it shall take a recess until 11 o'clock to-morrow.

Mr. KING. I think we had better wait until a quorum is present before the Senator submits the unanimous-consent request. Personally I shall have no objection to it.

Mr. POINDEXTER. Very well; I shall withhold it for the present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed, with amendments, the bill (S. 4310) to amend an act entitled "The New Mexico enabling act," in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 14158. An act granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough on Isthmus Inlet, in section 23, township 20 south, range 13 west of Willamette meridian, in Oregon;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma; and

H. R. 15445. An act to provide for the disposition of boron deposits.

The message further announced that the House insisted upon its amendments to the amendments of the Senate Nos. 115 and 116 to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922; had agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ANDERSON, Mr. MAGEE, and Mr. BYRNES of South Carolina managers at the further conference on the part of the House..

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 4039. An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes";

S. 4554. An act to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation, the development of water power, the use of public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1921;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession;

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River;

S. 5023. An act to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia;

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphine Street, in said city, across the United States military reservation known as the Jackson Barracks;

H. R. 10074. An act to enlarge the jurisdiction of the Municipal Court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes;

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; and

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

PETITIONS AND MEMORIALS.

Mr. MOSES presented memorials of Marie Antoinette Council, No. 326, of L'Union St. Jean-Baptiste d'Amerique, of Concord; and Ste. Clarie Council, No. 261, of L'Union St. Jean Baptiste d'Amerique, of Rochester, both in the State of New Hampshire, remonstrating against the enactment of legislation creating a department of education, which were ordered to lie on the table.

Mr. CAPPER presented a resolution of the Boswell Grange, No. 1661, of Somerset County, Pa., favoring legislation to prevent gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

BILL INTRODUCED.

Mr. CALDER introduced a bill (S. 5045) to amend section 1 of the act to regulate commerce, approved February 4, 1887, as amended, which was read twice by its title and referred to the Committee on Interstate Commerce.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had to-day approved and signed the bill (S. 4205) to amend section 4, chapter 1, of title 1, of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

REPORT OF GOVERNOR GENERAL OF THE PHILIPPINE ISLANDS.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with accompanying papers, referred to the Committee on the Philippines:

To the Senate and House of Representatives:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands for the fiscal year ended December 30, 1920.

WOODROW WILSON.

THE WHITE HOUSE,
2 March, 1921.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles and referred as indicated below:

H. R. 14158. An act granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough on Isthmus Inlet, in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon; to the Committee on Commerce;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes; to the Committee on Public Lands;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma; to the Committee on Indian Affairs; and

H. R. 15445. An act to provide for the disposition of boron deposits; to the Committee on Public Lands.

FORT BELKNAP INDIAN RESERVATION—CONFERENCE REPORT.

Mr. CURTIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 13225, an act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: On page 2, line 25, of the matter inserted by said amendment, after the word "lands," insert the word "chiefly";

and on page 10, line 14, after the word "lands," insert the word "chiefly"; and the Senate agree to the same.

CHARLES CURTIS,
A. J. GRONNA,
T. J. WALSH,
Managers on the part of the Senate.
HOMER P. SNYDER,
P. P. CAMPBELL,
C. D. CARTER,
Managers on the part of the House.

The report was agreed to.

NATIONAL ENCAMPMENT OF GRAND ARMY OF THE REPUBLIC.

Mr. MOSES, from the Committee on Printing, to which was referred House concurrent resolution 76, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic for the year 1921, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

CALL OF THE ROLL.

Mr. McCUMBER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gore	McNary	Smith, Md.
Ball	Gronna	Moses	Smith, S. C.
Borah	Hale	Myers	Smoot
Brandegee	Harris	Nelson	Spencer
Calder	Harrison	New	Sterling
Capper	Heflin	Norris	Sutherland
Culberson	Henderson	Overman	Swanson
Cummins	Hitchcock	Owen	Thomas
Curtis	Jones, N. Mex.	Page	Townsend
Dial	Jones, Wash.	Phipps	Trammell
Dillingham	Kendrick	Pittman	Underwood
Edge	Kenyon	Poindexter	Wadsworth
Elkins	Keyes	Pomerene	Walsh, Mass.
Fernald	King	Ransdell	Walsh, Mont.
Fletcher	Kirby	Reed	Warren
France	La Follette	Robinson	Watson
Frelinghuysen	Lenroot	Sheppard	Williams
Gay	Lodge	Shields	Willis
Gerry	McCumber	Simmons	Wolcott
Glass	McKellar	Smith, Ariz.	
Gooding	McLean	Smith, Ga.	

The VICE PRESIDENT. Eighty-two Senators have answered to the roll call. There is a quorum present.

APPOINTMENT OF POSTMASTERS.

Mr. SIMMONS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement furnished by the First Assistant Postmaster General, showing very clearly the action of that department of the Government in the execution of the Executive order of the President with reference to postmasters. It is very brief.

Mr. SMOOT. Was it not printed in the RECORD yesterday?

Mr. SIMMONS. No; it has not been printed in the RECORD. There was just a summary of figures printed yesterday. This is not a very long statement, but a very clear statement, a very impartial statement, merely giving the action of the department with reference to the execution of the order, and showing that it has been carried out in good faith.

Mr. SMOOT. I have a copy of the same letter. I have no objection to having it printed in the RECORD.

Mr. JONES of Washington. I wish to ask the Senator from North Carolina if the statement contains the Executive order of 1917?

Mr. SIMMONS. Yes; that is the one it refers to.

Mr. JONES of Washington. Does it show that order as amended by the order of 1920, or does it show the original order of 1917?

Mr. SIMMONS. I am not able to answer the Senator. It covers the whole case and answers all the matters in controversy, showing what the department has done.

Mr. JONES of Washington. The order of 1917 is very different from the order of 1920. I was hopeful that the Senator's statement would embody not only the order of 1917 but also the order as amended in 1920.

Mr. SIMMONS. I have not read the statement very carefully, but it starts out by referring to the order of March 31, 1917. I think it embraces all the orders that relate to the subject.

Mr. FLETCHER. I have seen the statement, and I am quite sure it covers the order of 1917.

Mr. JONES of Washington. It contains the order of 1917 as originally issued?

Mr. SIMMONS. Yes.

Mr. SMOOT. The order is not included in the statement; it simply refers to it.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OFFICE OF INFORMATION,
POST OFFICE DEPARTMENT,
February 26, 1921.

Since the President's order of March 31, 1917, applying the nonpartisan civil-service test to the selection of presidential postmasters, appointments to these offices have gone to the candidate first on the list of eligibles furnished by the Civil Service Commission, and the Post Office Department has had no record indicating the political affiliations of the several successful candidates.

The assertion has frequently been made that this order has not been conscientiously administered. To show whether this charge is true and to ascertain just how the application of the civil-service principle has operated in eliminating partisanship and establishing service as the standard of fitness for appointment, the following letter was, on February 12, 1921, addressed to postmasters who have been appointed under this system:

On March 31, 1917, the President issued an Executive order whereby appointments to presidential post offices were made as the result of an open competitive examination, the result thereof being certified by the Civil Service Commission to the Postmaster General, who submitted to the President the name of the highest qualified eligible for appointment, unless it was established that the character or residence of such applicant disqualified him for appointment.

In accordance with this order you were appointed postmaster, the appointment being based solely on merit, as shown by the result of the examination. It is now claimed by some that in making these appointments the department has shown discrimination for political reasons. The department is without knowledge of the political affiliations of those appointed under the Executive order, as politics was not considered. It will be to the interest of the service to demonstrate that there has been an impartial administration of this order. As all appointments have been submitted to the Senate, it can not affect the selection or appointment of anyone, and in order to enable the department to answer this charge, which is unfounded, you will state in the space below your political affiliations.

It is not desired to know how you voted in any particular election or whether you voted for any particular candidate, but the party with which you usually affiliate.

There have been three points of attack upon the Post Office Department in an effort to discredit the sincerity of the President's order applying the civil-service principle to the appointment of residential postmasters. This disposes of the last of these attacks.

The first allegation was that the eligible having the highest standing was set aside and some one of lower standing appointed where party politics could be served by the attack. This charge was disposed of by citation of the record, which showed that of 1,560 appointments then made 1,454 had gone to persons whose names appeared first on the eligible list submitted by the Civil Service Commission, and that where the first eligibles were not appointed it was because of their death, declination, or some disability.

The next false accusation was that the Post Office Department failed to recognize the preference given to ex-service men under the law. In response to a resolution of the Senate on this subject the Postmaster General submitted a list showing the names of applicants for these offices who passed successfully the examination held by the Civil Service Commission. Applicants certified to the commission as entitled to preference on account of military service having been nominated to the Senate for confirmation, the department appointed either first eligibles or gave the preference over first eligibles to veterans according to the demands of the best interest of the service.

The Postmaster General's reply to this resolution gives a list of 218 nominations sent to the Senate, but not confirmed, who were entitled to preference for military service, 90 of the nominees not being the highest eligibles. There is also given a list of 49 who for sufficient reasons were not given preference over the higher eligibles, some having declined or withdrawn their applications, some disqualified by age, some being canceled by the Civil Service Commission, and some for some other disqualifying cause.

The records show statistically that there has been no political bias in making appointments under the President's order of March 31, 1917; that the first eligible has invariably been appointed unless disqualified, and that preference has been given to eligibles with military service except where this could not be done without injury to the service.

Replies have been received from 2,103 postmasters to the letter above set forth, which, of course, removes beyond cavil the question of their party affiliation. These replies cover every State in the Union and show that, including all sections, 1,012 appointees were Democrats, 907 were Republicans, 32 were independent, 10 were Prohibitionists, 3 were Socialists, 129 had no affiliation, and 10 failed to state their affiliation.

Omitting the 11 Southern States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia—overwhelmingly Democratic in their population—the equation stands 598 Democrats, 846 Republicans, 26 independents, 9 Prohibitionists, 3 Socialists, 95 without affiliation, 9 blank, and 6 dead.

Even in the 11 almost solidly Democratic States a considerable number of Republicans received appointment as postmasters under the application of this civil-service order. In Alabama 6 Republicans were appointed postmasters, in Arkansas 5, in Florida 7, in Georgia 6, in Kentucky 5, in Louisiana 4, in Mississippi 1, in North Carolina 9, in South Carolina 2, in Texas 11, and in Virginia 5.

In States where the population is more evenly divided between the two great political parties, the appointment of Republicans frequently preponderated. In California, 33 Republicans and 14 Democrats were appointed; in Colorado, 10 Republicans and 15 Democrats; in Connecticut, 10 Republicans and 5 Democrats; in Delaware, 1 Republican and 2 Democrats; in Idaho, 11 Republicans and 5 Democrats; in Illinois, 62 Republicans and 33 Democrats; in Indiana, 19 Republicans and 29 Democrats; in Iowa, 63 Republicans and 19 Democrats; in Kansas, 29 Republicans and 20 Democrats; in Maine, 18 Republicans and 10 Democrats; in Maryland, 4 Republicans and 10 Democrats; in Massachusetts, 20 Republicans and 6 Democrats; in Michigan, 46 Republicans and 16 Democrats; in Minnesota, 55 Republicans and 15 Democrats; in Missouri, 18 Republicans and 54 Democrats; in Montana, 25 Republicans and 10 Democrats; in Nebraska, 55 Republicans and 21 Democrats; in Nevada, 2 Republicans and 1 Democrat; in New Hampshire, 7 Republicans and 4 Democrats; in New Jersey, 21 Republicans and 11 Democrats; in New Mexico, 3 Republicans and 7 Democrats; in New York, 40 Republicans and 36 Democrats; in North Dakota, 26 Republicans and 16 Democrats; in Ohio, 34 Republicans and 29 Democrats; in Oklahoma, 26 Republicans and 61 Democrats; in Oregon, 11 Republicans and 5 Democrats; in Pennsylvania, 55 Republicans and 37 Democrats; in Rhode Island, 1 Democrat; in South Dakota, 27 Republicans and 18 Democrats; in Tennessee, 8 Republicans and 24 Democrats; in Utah, 4 Republicans and 4 Democrats; in Vermont, 3 Republicans and 3 Democrats; in Washington, 23 Republicans and 10 Democrats; in West Virginia, 10 Republicans and 31 Democrats; in Wisconsin, 54 Republicans and 7 Democrats; and in Wyoming, 10 Republicans and 3 Democrats.

One Prohibitionist, 1 Socialist, and 1 having no affiliation were appointed from California. One Prohibitionist and 1 of no affiliation were appointed from Idaho. In Illinois there were 1 Independent, 1 Prohibitionist, and 7 of no affiliation. In Iowa there were 2 Independents, 1 Prohibitionist, and 9 of no affiliation. In Kansas, 1 Prohibitionist and 9 of no affiliation. In Massachusetts, 2 Independents. In Michigan there were 2 Independents and 4 of no affiliation. In Minnesota, 2 Independents, 1 Prohibitionist, and 7 without affiliation. In Missouri, 1 Independent and 4 without affiliation. In Nebraska there were 2 Independents, 1 Prohibitionist, and 11 without affiliation. In New York there were 1 Independent, 1 Socialist, and 3 without affiliation. In Ohio, 2 Independents and 5 without affiliation. In Oklahoma there were 2 Independents, 1 Prohibitionist, and 3 without affiliation. In Texas there were 2 Independents and 8 without affiliation. In South Carolina, 1 Prohibitionist and 1 without affiliation. In Vermont, 1 Independent. Virginia, 2 without affiliation. In Washington, 1 Independent and 1 without affiliation; and in Wisconsin, 3 Independents, 1 Prohibitionist, and 4 without affiliation.

The nonpartisan operation of the President's order applying civil-service rules to these appointments is indicated by the correspondence conveying this information, as well as by the statistics assembled. One postmaster writes, "At time of my appointment I was Republican county chairman," and another says, "Have been Republican county chairman for 10 years." Another Republican postmaster says, "The charge of political discrimination by your department is unfounded."

Another Republican postmaster writes:

I was one of the six who took the examination for this position. I was the only one who was a Republican; the rest were Democrats; two boasted of party influence. I simply took the exam. I had taught in grammar and high school; been superintendent of schools for 25 years, and for 2 years had been treasurer and head bookkeeper of a corporation doing some thousands of dollars a week of business. I felt if I did not get the position there must be something wrong about "civil service," but I got it, although in the "wrong" party. I never voted a Democratic ticket in my life. * * *

Another Republican writes:

I am returning to-day answer to your inquiry as to my party affiliation. I do not think, however, that the mere statement that I am and always have been a Republican is sufficient answer in my case to the inquiry.

For 40 years I have edited Republican newspapers in * * *. More than 30 of those years I edited newspapers in this city. They were not merely Republican in name. I was regarded as a radical, uncompromising, "stand-pat" Republican. With that record I entered the contest for the * * * post office when it was announced that civil-service rules would govern the appointment.

When the Civil Service Commission made its report, I was the highest on the list, and my name was certified to Postmaster General Burleson, who promptly recommended me for appointment, and President Wilson at once made the appointment as recommended. If there is any question or doubt as to the fairness or consistency of the administration in living up to its pledges in this line, my own case should be sufficient to prove the doubt groundless. I desire to give my testimony as to the absolute fairness of the department in making these appointments.

After stating his party affiliation, one says:

I feel that I should further state that I have affiliated with the Republican Party for the past 20 years.

So far as I have been able to ascertain, the question of politics did not enter into either the examination or my subsequent appointment to this office.

One of those who disavowed any political affiliation said:

The commission certainly never showed political favoritism in my appointment. The other candidate was a Democrat, while I lived with my father, who is a lifelong Republican and has been the judge of every election in this place for 20 years.

Another letter from a Republican shows that a very narrow margin of superiority in his rating was sufficient to secure his appointment. He says:

I wish to state that I was appointed because I made the highest grade in the competitive examination, beating the next highest by only fifty-five one-hundredths of a point.

This appointment came promptly and without the use of any outside influence, and I consider that the department has lived up to the letter and meaning of President Wilson's wise order.

A Republican writes:

I received the appointment, but did not accept; but I always felt that the order was administered impartially.

Another Republican says:

I believe it my duty to express my candid and sincere belief in the impartial administration of the Executive order of March 31, 1917. Long before I received my appointment and up to the present time I have followed through the press the action of the department in making appointments, and it is my frank belief that it has been impartial in every respect.

A postmaster who reports himself as being a Democrat says:

William took the examination at the same time I did. * * * We were competitors for the office. He was an ex-service man, wounded in "no man's land," and a Republican. My standing was much higher than his in the examination, but he was appointed postmaster at this office. I was glad of it; would not have taken the examination had I known he was going to take it. He resigned and I was appointed in his stead.

A Republican writes:

I was treated with absolute fairness in every step of procedure from the time of taking the examination until I received my appointment as postmaster. I shall be glad to render any further aid in this matter that you may see fit to ask. The merit system as established by Executive order should be retained as a permanent thing or part in the Postal Service.

An Independent writes:

The records of the department will show that my appointment was bitterly opposed by the pie-eating Democrats and indorsed by the leading business men regardless of political faith. * * * On account of this opposition there was one or more investigations, and your inspector called on every business house in the city and got a personal expression from them on my appointment. * * *

Have voted for the following men: Bryan, President Wilson, Senator CAPPER for governor and Senator, and Gov. Allen. This is why I was not considered a deserving Democrat, and the chairman of the Democratic central committee did all in his power to prevent my appointment.

Another postmaster says:

I have always been a Republican, first, last, and all the time, and nothing was said in my application or any correspondence from the department relative to my politics, and if the matter was ever discussed at any time I had no knowledge of it and am sure that the department did not know my party affiliation at the time of my appointment.

One postmaster says that prior to his appointment it had been reported in his community that appointments were being made without regard to the civil-service order, and that he was urged to believe that he would stand no chance of appointment on account of not being a Democrat:

I refused to believe such information—

he says—

for, having read the Executive order very carefully, I reached only one conclusion, that merit alone would be the deciding factor. And the results proved my decision, for had it not been for the Executive order

under which I took my examination with an equal opportunity with all the other candidates, I would not be the postmaster at ——— to-day. For, being a Republican, I would have had no chance if the matter was to be decided politically.

I am frank to say that I fail to see where there are any facts to base this criticism upon. In fact, if it was to be political and one party favored, then why was the order issued?

In the judgment of the writer, while a Republican, and should any changes be made, the postmaster stands in line for continuous service, yet I believe the order was one of the finest things issued from the Executive Office, for it removes all political squabbles for the postmasterships and places them upon a competitive basis. The result will be, not as often would happen, incompetency, but highest efficiency. I sincerely hope that the new administration will go one step further and place the postmasters under the classified civil service. This will be a great step forward.

I will further add that when I took my examination I was warned in writing by the commission not to mention religion or politics anywhere.

It would certainly be of interest and value, I think, if the result of your inquiry could be sent to all the postmasters.

Another Republican whose appointment came as a surprise says:

The inclosed communication does not call for more information than stated on the blank spaces, but I think my case is just a little different than most appointments. I served four terms as postmaster in this office from 1898 to 1914. When the postmaster who succeeded me resigned I was requested by patrons of the office to take up the examination. I could not see any reason for appointing a Republican, but to test the new rule of civil service I submitted my papers and was very much surprised when I received notice that I was at the head of the list and was appointed postmaster. There certainly was no political influence in my case. Had I known that the Post Office appointments were going back to politics, I never would have given up a good position to come back.

Another says:

I desire to advise that absolutely no political, religious, or fraternal affiliations were mentioned in the appointment of the postmaster at * * *. I have been a lifelong Republican and received my appointment solely on merit after passing the highest grade in the civil service examination for the position.

One postmaster says:

I am in possession of three commissions signed by Republican Presidents for postmaster at another office of the third class, and at the examination held for postmaster at * * * the other applicant was a Democrat and chairman of the precinct committee, so I can truthfully state that there was no discrimination shown in this case for political or other reasons. The Hon. Frank W. Mondell will verify that he has recommended me to the previous appointments as postmaster under a Republican administration, and am satisfied that the ruling of March 31, 1917, was strictly adhered to in this case. Any further information will be cheerfully supplied.

One of the postmasters who is a Democrat writes:

I am glad to state that in making my appointment the department adhered strictly to the presidential order of March 31, 1917. The department had no knowledge at that time of my party preference, as I made no reference thereto on the papers I submitted with my application. As a matter of fact, I had the combined opposition of both major parties in my own town, and also the opposition of the Congressman from my district. Had the appointment been made from a political standpoint I certainly would not have received it. My appointment was due to the fact that I received the highest grade in the competitive examination.

An independent says:

Have always been strictly an independent in politics, not affiliated with any political party, but guided entirely by the issues and men presented in each campaign. Have twice voted for a Republican President and three times for a Democratic President. During the past 20 years, with one or two exceptions, I have supported the Republican Members of Congress, and generally speaking have supported the Republican State ticket. At the time I was appointed postmaster here my appointment was strongly opposed by every Democratic politician in the State. * * *

In another instance of a Democrat being appointed the postmaster writes:

When the civil service examination was held to fill the position as postmaster at this office four applicants contested; three Democrats and one Republican.

The Democrat who had the indorsement of the Democratic organization, and who had secured the appointment as acting postmaster at this office, stood third in the examination, and the Republican stood fourth, and I stood first, and in compliance with the Executive order I was nominated for the position.

The department did not know or ask what my political affiliation was. I am convinced I could have never secured the appointment on a political basis.

A Republican writes that he was rejected by the local board in August, 1917 (draft), because of bad eyes and that his attention was called to the President's Executive order relative to the competitive appointment of postmasters and advised to take the examination. Of the four applicants who took the examination, he says:

The other three were affiliated with the Democratic Party and two have been candidates for other offices. I and my father before me have always been affiliated with the Republican Party.

No information was asked of me at any time as to my political affiliations, and I can say further that the Democratic committeemen from this precinct worked for one of the candidates and that a friend of another of the candidates who happened to be at the Capitol, made a special call in the interests of his friend, and I can also say further that one of the applicants also had petitions signed by about 25 asking for his appointment.

A Democrat, explaining how he got into office says (names being omitted):

Politics did not enter into the appointment of the postmaster at * * * in any way.

* * * A Republican had charge of the office at the beginning of the present administration. Soon after his time expired and an examination was held to fill the vacancy.

He * * * and I * * * took the examination. His grade was three or four points higher than mine and he was given the position and held it five years. His health failed and he appointed his son * * * assistant.

The office was then raised to the third class and an examination was held for third-class postmasters to fill the position at * * *. This son * * * and I took the examination. But before the appointment was made * * * resigned to take a better position in a bank and I was appointed postmaster.

There was no politics in it at all. It was not even suggested. The same thing happened at * * *. A Republican and a Democrat took the examination. The Republican was given the position because he passed the best examination.

It is frequently said in letters by postmasters who avow themselves to be Democrats that no political influence was used to secure their appointments and that though they were Democrats their political affiliation was not known or inquired into. One Democrat says:

In connection with the inclosure I might say that I filed my application for the local post office, passed the examination, and was appointed and confirmed without at any time writing or asking anyone either in public or private life for any assistance. My politics could not have been known to anyone handling the matter unless such persons on his own initiative discovered what my politics were and if this was done I do not know anything about it.

One Republican postmaster closes his communication with this suggestion:

The Republican Party will do well to copy the Democratic Party in the matter of post-office appointments. A lot of my friends thought there would be no use for me to take the examination for postmaster on account of being a Republican, but politics did not enter into the matter at all. The Democratic Party has been very fair as far as I am concerned and the Republican Party will make a mistake if the old political spoils system is employed in making post-office appointments.

MEMORIAL OF THE LATE SURG. GEN. GORGAS.

Mr. HEFLIN. Mr. President, on February 14 last the Senate granted unanimous consent to print as a public document the memorial speeches on the late Surg. Gen. Gorgas. I have been furnished a photograph of Surg. Gen. Gorgas, but the photograph can not be published with the public document except by unanimous consent.

Mr. SMOOT. May I inquire of the Senator whether that consent was given in the House or in the Senate?

Mr. HEFLIN. It was given in the Senate on the 14th of February.

Mr. SMOOT. The Government Printing Office can not publish the photograph without a specific order.

Mr. HEFLIN. I ask unanimous consent that the Government Printing Office be authorized to reproduce the photograph as a part of the document.

The VICE PRESIDENT. Is there objection? The Chair hears none; and it is so ordered.

INDIAN ALLOTMENTS—VETO MESSAGE.

Mr. OWEN. Mr. President, I ask unanimous consent to dispose of the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914, together with the objections of the President thereto, which was reported last night from the Committee on Indian Affairs. There is no objection to it in any way so far as I know. It was vetoed by the President under an obvious misapprehension. The only change made in the existing law is a provision permitting the amount of $15—the previous limit—to be raised because of the increased cost of making the drainage and removing the right of an individual to veto the matter. The bill was passed by the House over the President's veto by a vote of 322 to 18, and I think there will be no one in the Senate objecting to it.

The VICE PRESIDENT. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding? The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. Being unable to secure a transfer, I withhold my vote.

Mr. JONES of New Mexico. Mr. President, I should like the privilege of asking unanimous consent that some Senator who understands the veto message on which we are voting may make some explanation of it. I do not know a thing about it, and I do not care to vote unadvisedly.

The VICE PRESIDENT. Unfortunately, the rules provide that there can be no discussion or explanation during the calling of the roll.

Mr. JONES of New Mexico. Not even by unanimous consent? I rose for the purpose of asking unanimous consent that that might be done.

The VICE PRESIDENT. That can not be done even by unanimous consent. After the roll call has started nothing can be done but to continue and conclude the call.

Mr. POINDEXTER. I ask for the regular order.

The reading clerk resumed the calling of the roll.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Kentucky [Mr. STANLEY] and vote "nay."

The roll call was concluded.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM], which I transfer to the junior Senator from California [Mr. JOHNSON] and will vote. I vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Maine [Mr. FERNALD] is paired with the Senator from South Dakota [Mr. JOHNSON].

The result was announced—yeas 67, nays 5, as follows:

YEAS—67.

Ashurst	Gronna	Moses	Smith, S. C.
Ball	Hale	Myers	Smoot
Brandegee	Harrison	Nelson	Spencer
Calder	Heflin	New	Sterling
Capper	Hitchcock	Norris	Sutherland
Cummins	Jones, N. Mex.	Overman	Swanson
Curtis	Jones, Wash.	Owen	Thomas
Dial	Kellogg	Page	Townsend
Dillingham	Kenyon	Phipps	Underwood
Edge	Keyes	Pomerene	Wadsworth
Elkins	King	Ransdell	Walsh, Mass.
Fletcher	Kirby	Reed	Walsh, Mont.
France	La Follette	Robinson	Warren
Frelinghuysen	Lenroot	Sheppard	Watson
Gerry	Lodge	Shields	Willis
Gooding	McKellar	Simmons	Wolcott
Gore	McNary	Smith, Ga.	

NAYS—5.

Gay	McCumber	Poindexter	Williams
Harris			

NOT VOTING—24.

Beckham	Fernald	Knox	Pittman
Borah	Glass	McCormick	Sherman
Chamberlain	Henderson	McLean	Smith, Ariz.
Colt	Johnson, Calif.	Newberry	Smith, Md.
Culberson	Johnson, S Dak.	Penrose	Stanley
Fall	Kendrick	Phelan	Trammell

The VICE PRESIDENT. A quorum of the Senate being present, and more than two-thirds thereof having voted in the affirmative, the bill becomes a law, the objections of the President of the United States to the contrary notwithstanding.

THE MERCHANT MARINE.

The VICE PRESIDENT laid before the Senate a communication, with accompanying papers, from the United States Shipping Board in response to Senate resolution No. 413, of December 27, 1920, which was referred to the Committee on Commerce and ordered to be printed.

Mr. EDGE. Mr. President, inasmuch as the communication from the Shipping Board in response to the resolution passed by the Senate some time ago, requesting certain information, is very short, being but a single page, I ask unanimous consent to have it read to the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The reading clerk read as follows:

UNITED STATES SHIPPING BOARD,
Washington, March 1, 1921.

SIR: Pursuant to directions of the United States Shipping Board, I quote below resolution adopted by said board at a meeting on March 1, 1921:

"Whereas on December 27, 1920, Senator WALTER E. EDGE submitted a resolution (S. Res. 413) to the Senate of the United States, which was considered and agreed to, instructing the United States Shipping Board to submit a report on moneys appropriated from September 7, 1916, to November 30, 1920, on profits, capital, number and description of vessels, system of accounting, contracts of operation, number of employees, etc.; and

"Whereas said resolution was submitted to the general comptroller with instructions to prepare an answer thereto for the board; and

"Whereas said general comptroller's department has since the 1st day of January had in hand most important matters demanding in the interests of the public immediate attention, and thus far has been unable to prepare a complete answer to said Senate resolution 413 as requested by the board; and

"Whereas a report has been prepared by Joseph N. Teal, one of the Commissioners of the United States Shipping Board, covering in substance the facts required by said resolution; and

"Whereas said report has been examined by the general comptroller as well as by members of his staff, and has been approved by him and them as being substantially a correct statement of facts; and

"Whereas said general comptroller has advised the board that said report in substance answers the inquiries in said resolution heretofore referred to, and advises the submission of said report as a proper response thereto.

"*Resolved*, That the said report prepared by Joseph N. Teal, covering operations of the United States Shipping Board and United States Shipping Board Emergency Fleet Corporation from September 7, 1916, to January 1, 1921, be submitted to the Senate as an answer so far as it may be germane to the resolution above referred to."

Two copies of the report referred to in the above-quoted resolution are transmitted herewith.

Respectfully,

JOHN J. FLAHERTY, *Secretary.*

THE PRESIDENT OF THE SENATE,
Washington, D. C.

DUTIES OF UNITED STATES JUDGES.

Mr. NELSON. From the Committee on the Judiciary I report back favorably with an amendment the bill (S. 5042) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge, and I submit a report (No. 826) thereon. I call the attention of the Senator from South Carolina [Mr. DIAL] to the bill.

Mr. DIAL. Mr. President, I ask that Senate bill 5042, just reported by the Senator from Minnesota, the chairman of the Committee on the Judiciary, be read, and I ask unanimous consent for its immediate consideration. I do not think it will cause any debate.

The VICE PRESIDENT. Is there any objection?

Mr. POINDEXTER. The Senator from South Carolina advises me that if the bill leads to any discussion he will withdraw the request.

Mr. DIAL. Yes, sir.

Mr. POINDEXTER. Under that condition I will not make an objection to it, but I will be compelled to object to the presentation of any other matter save the conference report upon the Agricultural appropriation bill, which I understand has been agreed to except as to two items. The Senator from North Dakota agrees, and will make the request, I understand, that not exceeding 30 minutes be devoted to the consideration of that report.

Mr. GRONNA. If the Senator will pardon me——

Mr. POINDEXTER. Just one word. I should like to take advantage of this opportunity to say, by way of notice, that I will undertake to keep the naval appropriation bill before the Senate continuously until we get a vote on the bill either to pass it or to defeat it.

Mr. NORRIS. Mr. President, before the Senator sits down may I ask him a question?

Mr. POINDEXTER. Certainly.

Mr. NORRIS. The Senator would not be willing to lay aside the bill for a conference report?

Mr. POINDEXTER. There seem to be so many conference reports that they practically operate to blanket and defeat the consideration of the naval appropriation bill. What conference report is it?

Mr. NORRIS. It is the conference report on the Patent Office bill.

Mr. SMOOT. I can assure the Senator that it will lead to a great deal of discussion.

Mr. POINDEXTER. The Senator, I think, would not ask me to lay aside the naval appropriation bill under those circumstances. Let us get a vote upon the naval bill.

Mr. NORRIS. Unfortunately I can not assure the Senator that the conference report will lead to no discussion, as the Senator from Utah has just said that it will lead to a great deal of debate; but it ought to be disposed of.

Mr. POINDEXTER. That would amount practically to defeating the naval appropriation bill.

Mr. NORRIS. If we should reach a time when it became obvious that it would be impossible to finish the naval bill, would the Senator then yield for the purpose I have indicated?

Mr. POINDEXTER. I will confer with the Senator in that event.

Mr. NORRIS. I should be very glad to have the Senator do so. I do not want, of course, to displace the naval appropriation bill.

Mr. POINDEXTER. I am sure the Senator does not.

Mr. NORRIS. I realize that I probably can not get the conference report disposed of.

Mr. SMITH of South Carolina. Mr. President, before the Senator from Nebraska takes his seat I should like to ask him what has become of the conference report on the Patent Office bill.

Mr. NORRIS. That is the conference report about which I was talking to the Senator from Washington. I have never been able to get it up, or to get an agreement as to a vote. I will state frankly to the Senator from South Carolina that it looks as though it was going to be impossible to reach a vote on it, because, as the Senator knows, if there should be extended debate on it, it could not be disposed of; and there is promise of a good deal of debate, which, under the existing circumstances, would make it impossible to secure a vote.

Mr. SMITH of South Carolina. I just want to go on record as saying that I regard this as one of the most important matters that is coming before the Senate, involving, as it does, certain interests of those who have made our country great by discovering and patenting different devices.

Mr. NORRIS. I agree with the Senator.

Mr. KING. Mr. President, I should like to say to the Senator from Washington, if I may have his attention——

The VICE PRESIDENT. The Senator from South Carolina [Mr. DIAL] has the floor. Does he yield; and if so, to whom?

Mr. DIAL. Mr. President, the bill to which I referred is very short. I should like to have it disposed of.

The VICE PRESIDENT. Let the bill be read, and see if there is any objection to its consideration.

The reading clerk read Senate bill 5042, to require judges appointed under authority of the United States to devote their entire time to the duties of a judge, as follows:

Be it enacted, etc., That the last sentence of section 1 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act approved July 30, 1914, entitled "An act to amend section 1 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911," is amended to read as follows:

"Every district judge shall reside in the district or one of the districts for which he is appointed and shall devote his entire time to the duties of a judge, and for offending against the provisions of this section shall be deemed guilty of a high misdemeanor."

The READING CLERK. The committee reports an amendment on page 1, line 12, following the word "judge," to insert the words "and shall not engage in any other employment or vocation for which he receives compensation."

Mr. McCUMBER. Mr. President, I think this bill needs a little explanation, in view of the fact that it provides a punishment for the disobedience of its provisions. The principal purpose, I suppose, is to prevent a judge from going out on the Chautauqua circuit for pay, or to prevent a judge from engaging in any other business for pay; but the word "compensation" is used. I know judges who live upon farms, and have their little farms outside of the city. They operate their farms at the same time that they are acting as judges. If they should raise a little wheat or a little barley or some potatoes, and sell those potatoes or other products, would they be guilty of an offense for which they ought to be punished?

Mr. POINDEXTER. Mr. President, if the Senator from North Dakota will yield, it is evident that there is going to be discussion and debate over this bill, and I object to its consideration.

The VICE PRESIDENT. Objection is made.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. GRONNA. Mr. President, I will ask the Senator from Washington if he is not willing to lay aside the unfinished business so that the conferees may have an opportunity to present the conference report on the Agricultural bill. I know of no one who wants to speak on this conference report except one Senator, a member of the committee. I do not understand that it will take any great length of time. I am anxious to have it disposed of this morning, because I expect to leave the city very soon, and should like to have it disposed of before I do so.

Mr. POINDEXTER. On account of the personal accommodation of the Senator from North Dakota, I am particularly glad to give an opportunity for the consideration of the conference report, with the statement that if it leads to prolonged debate I shall insist upon the resumption of the consideration of the naval bill at the expiration of a reasonable length of time.

The VICE PRESIDENT. May the Chair inquire who is to decide what constitutes "prolonged debate"?

Mr. POINDEXTER. In this instance, Mr. President, I will decide it to the extent of making a motion.

The VICE PRESIDENT. That is what the Chair wants to know. Is there any objection? The Chair hears none, and the naval bill is laid aside until the Senator from Washington desires to resume its consideration.

Mr. GRONNA. I present the conference report on the Agricultural bill, and ask for its immediate adoption.

The VICE PRESIDENT. The report will be read.

The reading clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on amendments of the Senate numbered 11, 12, 31, 32, 33, 79, 80, 82, 115, 116, and 119 to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 31.

That the House recede from its disagreement to the amendments of the Senate numbered 79 and 80, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$501,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,649,270"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,147,770"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$382,810"; and the Senate agree to the same.

Amendment numbered 115: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 115, and agree to the same.

Amendment numbered 116: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 116, and agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36,404,259"; and the Senate agree to the same.

A. J. GRONNA,
CHAS. L. MCNARY,
E. D. SMITH,
T. P. GORE,
Managers on the part of the Senate.

SYDNEY ANDERSON,
WALTER W. MAGEE,
JAMES F. BYRNES,
Managers on the part of the House.

Mr. GRONNA. Mr. President, amendment numbered 31 is the free-seed provision. The Senator from Iowa [Mr. KENYON] desires to address the Senate on that subject, and I do not know whether a separate vote will be asked or not; but on all the others I move that the Senate agree to the action of the conferees.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. KENYON. Mr. President, I realize that this is not an opportune time to discuss at any length——

Mr. GRONNA. I understand that the Senator from Iowa is not opposing agreeing to all the amendments except that numbered 31.

The VICE PRESIDENT. There has been no agreement on that, has there?

Mr. KENYON. No.

The VICE PRESIDENT. Then the question is on agreeing to the conference report.

Mr. GRONNA. Mr. President, there has been an agreement on all.

Mr. KENYON. There has been an agreement by a majority of the conferees, but not by all.

Mr. SMITH of South Carolina. Mr. President, may we have order? This is an important matter.

Mr. KENYON. Tremendously important—this question of free seed. It goes to the very existence of the Republic—in the minds of some Members.

The VICE PRESIDENT rapped for order.

Mr. KENYON. Mr. President, the situation is this: The conferees have agreed on all of the amendments. The well-known and notorious free-seed amendment has not been subscribed to by all of the conferees, but it has by a majority. Being one of the conferees, for my part I refused to sign the conference report with the free-seed proposition in it. Now, that is the situation. I am perfectly willing that all of the amendments, except that

one, shall be agreed to, if we can have a vote in the Senate on that.

Mr. SMOOT. I will ask the Senator if this is not a complete report?

Mr. KENYON. It is a complete report.

Mr. SMOOT. Then, it seems to me the only way to do is either to adopt the report or to reject it.

Mr. GRONNA. That is correct.

The VICE PRESIDENT. The Chair is of the opinion that the conference report is one single question. The report shows that the Senate has receded from its amendment No. 31. The conference report must either be concurred in or it must go back to the conference as a whole. It can not be split up.

Mr. GRONNA. The Chair is correct. That is my understanding. I am perfectly willing to have a vote taken at any time, but I understand that the Senator from Iowa wishes to speak on this motion briefly.

Mr. KENYON. Yes, Mr. President.

Mr. SMOOT. Mr. President, I desire to ask a question of the Chair. If the Senate rejects the conference report, then the conference report, as I understood the Chair—and I think he was correct—goes back to the conference, and in that event it is still in conference?

The VICE PRESIDENT. Certainly.

Mr. SMOOT. And it will come back here. If the Senate disagrees to this report, it will disagree to it because of the seed provision being in the conference report, and it will take only a little while, if this report is rejected, to go back in conference and agree upon that one item.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, as one of the conferees, I should like to make a short statement in reference to this situation.

This item of free seed was voted on by the Senate——

Mr. KENYON. Mr. President, I do not want to lose the floor.

Mr. SMITH of South Carolina. Oh, well, then, I will take the floor in my own time. I thought the Senator was through.

Mr. KENYON. I had not started yet.

Mr. SMITH of South Carolina. I will start later.

Mr. KENYON. I am sure the Senator will, though perhaps he will not stop as quickly as I shall.

Mr. HEFLIN. Mr. President, if the Senator will permit me, I should like to make a parliamentary inquiry. I understand that 30 minutes have been allowed in which to consider this conference report.

Mr. GRONNA. Oh, no.

The VICE PRESIDENT. That is the wrong understanding. The matter is in the hands of the Senator from Washington [Mr. POINDEXTER].

Mr. HEFLIN. Then I should like to know of the Senator from Washington if at the expiration of 30 minutes, or any number of minutes, he proposes to stop the consideration of the conference report on the Agricultural appropriation bill?

Mr. POINDEXTER. I have not specified any particular time, but I think it would be unreasonable to proceed with the discussion here about an item of $360,000 for free seeds and as a result defeat the naval appropriation bill.

Mr. HEFLIN. The reason why I make the inquiry is that if we are going to have only a few minutes I do not think one Senator ought to occupy the floor during the whole time. There are several Senators who would like to say something on the subject.

Mr. KENYON. I am perfectly willing that the Senator from Alabama shall proceed now and take all the time he wants.

Mr. HEFLIN. I do not want to take the Senator off his feet.

Mr. KENYON. Not at all.

Mr. HEFLIN. I thought if we had only a few minutes that other Senators would like to be heard.

Mr. KENYON. I should be delighted to hear anything that can be said in defense of this free-seed graft, and I am perfectly willing to give up my time to listen to such defense.

Perhaps that language was a little too strong, Mr. President.

Now, here is the situation: I presume I am about as much interested in agriculture and the Agricultural bill as any Senator here. I am not willing to engage in a long discussion and defeat the Agricultural bill for a number of reasons—one is the amendment in the bill of the Senator from North Dakota [Mr. GRONNA], of which I shall speak in a moment.

Here we have the spectacle, Mr. President, of the dignified Senate of the United States, with a great naval bill before it, and information coming to us of the serious condition of international affairs, pausing to settle the question of free seeds—an edifying spectacle!

That is the only amendment in controversy. The Senator from Alabama [Mr. UNDERWOOD] suggested yesterday that at the time he entered Congress this question was up. It may run on for ages yet to come, and children yet unborn may be discussing it here in the future. It is always so complicated with something else that you can not get a fair, square expression of the Senate and the House on it, and it is complicated at this time with the proposition of loaning money to farmers in the drought-stricken regions, a proposition which I favored, and which I believe has great merit to it. So when we talk about defeating the free-seeds provision we are met with the proposition, "Do you want to destroy this great amendment in the Agricultural bill giving the Government the power and the right to loan money to the drought-stricken farmers?"

I am amazed, Mr. President, that this item is here. The House committee defeated it; the House put it in on the floor, and they not only put in the old amount of $240,000, but increased it to $360,000, and this cheap thing in the eyes of the public and in the eyes of the people who get the seeds has cost this Government at least $5,000,000 in the last four years. That includes, of course, the burden on the mails.

What I say about it is not in criticism of the Senator from North Dakota [Mr. GRONNA], because I think a better representative of the people, a truer friend of the agricultural interests, never sat in this body. But it has come about in this way——

Mr. REED. The Senator perhaps will explain the matter I rose to ask him about. Did I understand him to say that the seeds had cost the people in the last three years $5,000,000?

Mr. KENYON. I said in the last four years this free-seed distribution had cost the people of the United States over $5,000,000, not just the purchase of the seed, but that plus the expense of transporting them through the mail.

The VICE PRESIDENT. May the Chair make an inquiry of the Senator from Iowa?

Mr. KENYON. Certainly.

The VICE PRESIDENT. Did the Senator state that the original bill provided for an appropriation of $240,000, but that the Senate struck that out and the conferees had put in $360,000?

Mr. KENYON. No; I did not intend to convey that impression. The House put $360,000 in the bill.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. KENYON. I yield.

Mr. GRONNA. The House put $360,000 in the bill, the Senate committee struck that out altogether, and the Senate sustained the action of the Senate committee; but it was put back in conference.

The VICE PRESIDENT. There was no change in the amount?

Mr. KENYON. There was no change in the amount. In the Senate we adopted an amendment appropriating $5,000,000 to be used in loans to farmers for buying seed in the drought-stricken regions. That amendment and the free-seed amendment were the only matters in controversy, practically, before the conferees. The House conferees took the amendment appropriating $5,000,000 to the House, and the House voted $2,000,000 for that purpose, leaving nothing then but the free-seed proposition. It was quite apparent, after they had done this, that there would be very much of a weakening on the part of the Senate conferees; and there was. I say that in no spirit of criticism. It is just a plain unvarnished fact. I do not want to criticize the other branch of Congress, and it is against the rules, but there do seem to be men in Congress who care more about this free-seed appropriation than they do about their souls' salvation. So that by reason of this amendment, and the House position on the amendment, we have the free-seed business back in all its glory, and I assume it can not be defeated now, because to defeat it would defeat the entire bill, we will be told, and so the bunko game is put over on us.

If it were not for the virtue of the amendment providing an appropriation to buy seeds in the drought-stricken area, I would not have any hesitancy in standing on this floor and defeating the whole Agricultural appropriation bill, letting it go over to the next Congress and letting the people of the United States understand that with the Treasury almost bankrupt, and scanning every field of taxation, the Congress of the United States, for the privilege of sending out free seeds under a frank, with the name of a Congressman in the corner, was willing to let the bill be defeated. I am embarrassed, and I can not do it because of the virtue of the other amendment. So will others be, and I suppose the thing will go through.

Mr. President, the other day we passed through the Senate a bill to help in sending food which had been donated by the farmers of this country to famine-stricken China, the railroads

to furnish the transportation, and the railway men to furnish their services, yet that bill does not emerge from the other branch of the Congress; and while I am not criticizing them, I will simply say that one branch of Congress, refusing to help in this enterprise of feeding the starving Chinese, insists on $360,000 for garden seed.

Mr. JONES of Washington. Mr. President, no doubt the Senator intended to refer to it, but I suggest that it would not cost as much to send that food over to those starving people as it will to get and distribute these seeds.

Mr. KENYON. It would not, or anything like it; and they are dying at the rate of something like 7,000 a day, 14,000,000 Chinamen are facing starvation. It is great statesmanship—but I realize that the rules limit a man in talking about it.

A short time ago I read a letter from a Member of Congress to a constituent about the garden seed, and I tried to find the letter, but have not succeeded. It illustrates how this thing is used.

I know everybody holds up his hands in holy horror and says, "Do you mean to insinuate that our constituents are bought with garden seeds? Yours may be, but ours are not. Do you mean to insinuate that distinguished Members of Congress would descend to sending out of packages of garden seed to influence elections?" It does not make much difference how sanctimonious an expression anybody puts on, the people of the United States know that it is used for that purpose. It is cheap. It discredits the American Congress, besides looting the Treasury.

That letter to which I referred ran along something like this, as I remember it:

I am sitting in my office looking out through the window at the cold stone of the Washington Monument. It would be much more beautiful if it were covered with flowers, and as I sit here and look at the cold stone of the Washington Monument, I am somehow or other reminded of that little plot you have back of your home, and how fine it would be if you could have flowers growing there, and a garden producing tomatoes and turnips, and I am turning from the window to write you this letter and send you a few packages of garden seed.

P. S.—Please remember that I will be a candidate for election in the fall.

[Laughter in the galleries.]

The VICE PRESIDENT. Always in the closing days of a session the occupants of the galleries forget the rules. They must keep quiet.

Mr. KENYON. I suppose you can go back to the old days of the Prophet Jeremiah and try to justify this habit. He proclaimed that they would sow wheat but would reap thorns, and I believe that the time has come in this country when, trivial as this thing may seem, those who sow it for votes will reap exactly the opposite.

The branches of some of the legislatures in this country have passed resolutions denouncing this thing. We are always met with the old argument of how it will help some poor person to get a garden. If it did help in that way, I would have less objection to it; if it helped the school children to a love of flowers, and made happier homes and better wives, and healthier babies, as we will be told, I would have less objection to it. We have the same old thing year after year—the same hoary-headed old petty, penurious, pestiferous graft.

Some interesting letters have been sent at different times to Members of Congress about the seeds. One Congressman received a letter from one of his constituents, to whom he had sent a package of garden seed, which read as follows:

Send me another package of beans. My wife made bean soup out of the last ones you sent and we had it last night for supper. It was great.

This is always claimed to be put in for the benefit of the farmer, and the great friends of the farmer here—some of whom, when we had the packer bill up, seeking to stop the robbery of the American farmer by the control of the market place, were found side by side with the packers—will undoubtedly be now talking about the farmer. They say we ought to do this little something for the farmer. Here is what one farmer wrote to a Congressman:

It is nauseating to us to see the Government spending millions of good dollars for a worthless article, and it is surely disgusting to see a Member of Congress trying to perpetuate himself in office by handing out such a worthless sop to his constituents. A match or a toothpick has some real value and wouldn't cost the Government so much, and we have no doubt would be used by a majority of the recipients, where not one-tenth of the seeds ever get into the ground, and when they do are a detriment to the planter. It is hoped that we will have a Congress some day that won't go to "seed," and one that will realize that voters can not be influenced by any such cheap methods.

While this may fail now by reason of these complications, with a new Congress pledged to economy, I hope it will be one of the first things they will take hold of.

What are you going to send out to the women voters—vanity boxes, rouge rags, and other things suggested by Senators around me? Are you going into the business of using public money to carry on these trivial campaigns? Let us do something for the women. Send them flowers through the mail, or feathers for their hats, or something. It is just as sensible as this. It is unjust discrimination; though it is claimed, I think, that the women like to get these garden seed to plant a wonderful garden, blest by the fall of the rain and the sunshine, growing up to bless the memory of the Congressman who never forgets his constituents and the children wandering amidst the flowers murmuring "God bless our Congressman."

When you come to the farmer question, and argue that the farmers want these, I enter my emphatic denial. It may be that in some cities there may be some little good done by the development of the taste for flowers among children by gardening, but you can go to the corner grocery and get seeds for 5 cents a package just as well as to have the Government pass them out.

I desire to read, on the subject of the farmer, for I know that is what we are going to hear about, a short editorial from Henry Wallace's Farmer. If there is a man in the country entitled to speak for the farmer, it is Henry Wallace. He is to be the next Secretary of Agriculture, and the President elect could not have found a better one in the whole United States. I wish to say that the Democratic Secretary of Agriculture, a splendid man who comes from Iowa, not the mother of Presidents, but the mother of Secretaries of Agriculture, has denounced this whole thing, and has called on Congress to stop it. He has gone out and in speeches denounced it throughout the country. What kind of process does the Congress need to get this idea out of its head? Here is what Henry Wallace's Farmer said:

We felt like throwing up our hat and shouting a few hallelujahs when we read in the report of the Secretary of Agriculture that he would ask Congress not to make an appropriation for the free distribution of garden seed as usually conducted. We hope he will be able to persuade Congress to give up this hoary graft.

He is a Scotchman who speaks out what he thinks.

Long years ago, before there was any Agricultural Department, Congress made an appropriation for the free distribution of seeds. There was necessity for it then; there is no such necessity now. Ever since that time Congress has been appropriating, we don't know how much money, but probably, including the expense, from a quarter to a half million each year, to enable Congressmen to frank some common garden seeds—which sometimes would grow—to farmers who had exactly the same kind of seeds growing in their own gardens year after year.

It was a very nice, easy way for the Congressman to make the lady of the farm believe he was thinking of her and sending her a present through the mails each year.

The Secretary proposes to carry out the original idea of the grant—to get rare and valuable seeds and plants for different localities, which can be tested out in these localities, to ascertain whether they are suitable to the soil and climate. The best way to do this is through the experiment stations.

Speaking generally, the farmers have been disgusted with this business, to our certain knowledge, for about 20 years, yet it still continues. It is nothing but a bit of congressional graft which the Congressman is not willing to give up. We doubt whether the present administration, with all its power, will be able to shut off this petty, little, picayunish graft, this delicate reminder to the voter that his Congressman at Washington is lying awake nights thinking about him and his wife and his family and his farm. We certainly wish the Secretary success in this most desirable reform. The good wife on the farm will have no trouble in getting beans and peas and carrots and raddishes and "yarbs" and "garden sass" without any help from Congress or the Congressman, and without any obligations to him.

That is the farmer viewpoint, not the farmer politician, not the farmer Congressman and Senator, who tries to farm the farmer with cheap talk, but the actual man out on the farm.

I desire to read from an editorial in a leading paper of the country, the Marshalltown Times-Republican, on this subject, as follows:

By their seeds ye shall know them. Congress has adjourned. It passed the usual appropriation bill and made the customary distribution of worthless seeds to the voters as a cheap sop for past loyalty.

If every recipient of garden seeds would plant them and then vote accordingly at the next congressional election, what a world of new faces would be noticeable in the Halls of Congress. We tried planting some of them several years ago with the following result:

The lettuce seed brought forth fruit in the form of leaves about as thick as a cabbage leaf and of a texture resembling a palm-leaf fan. We had had visions of the tender, succulent variety, but, although I have just paid a $50 dentist bill, I was unable to make any noticeable impression. We took some to an old lady who had the reputation of having more jaw action than anyone in town and told her if she liked it to come over—we had a plenty. She never came. I spoke to a friend that had a corn shredder, but he refused to give it a try out, as the machinery was not guaranteed against anything tougher than a dried cornstalk. We then conceived the idea that a valuable forage crop had been overlooked and so fed some to the cow, and for weeks we could see her, even in her leisure moments, in a masterly attempt to put it away for keeps. The result was that we fed her on bran mash for two weeks to enable her to rest up and be normal.

RADISH OF HOLLOW VARIETY.

The radishes were of the not uncommon hollow variety. If you ate them without peeling, you were apt to come to the conclusion that you were eating horse-radish. If you peeled them, you wondered how the wood-pulp manufacturers had overlooked such a promising raw material.

The onions were in size about like a school boy's assortment of marbles, but what they lacked in size they made up in strength. If you

would give it a moment's thought, you would probably come to the same conclusion that I did, and that is, Congress had them bred up to take the place of whisky killers.

One day we had congressional salad from these selfsame vegetables, with appropriate dressing. They say time dulls all memories, but that salad still holds a vivid place in my memory, and I never will forget the Congressman responsible for sending the seed except when in the election booth. By their seeds ye shall know them.

That is the farcical situation over the country, the general opinion of people about the seeds.

Now, Mr. President, I am not going to take the time of the Senate further on this matter. It is considered a small thing. We are not permitted to save money in large things. If we try to save any on the naval appropriation bill, we are accused of not being willing to defend our country. We are not permitted to save any money in the small things; they are too trivial; and so we go on, and there never seems to be any place to commence. If there ever is a good place to commence, it is right here and now on this article, to save the country at least $1,000,000 a year. If we take the small things like this, and keep piling them up, possibly we would get somewhere in the matter of saving. I do not know what we are coming to. Men seem willing to vote for anything here. The poor old Treasury of the United States has few defenders, and one of its greatest defenders is going out of this body in a few days.

It is a joke. We laugh about this and go on voting for it. We have it so complicated every year with something else that we ought to pass that we can not defeat it. That is the trouble in the Congress. We are compelled sometimes to vote for things we do not believe in to get the thing that we must have.

I have sometimes thought that for the few years I expect to remain here I would support appropriation bills absolutely essential to carry on the Government and fight all the rest of them. I am intensely interested in certain great humanitarian progressive questions that come before the American Congress, and have voted for them. I think we shall have to call a halt on practically everything for a few years and see if we can not cut down the enormous expenses of the Government. If we feel we must have something in the home or on the farm or in the place of business that we may be able to get along a few years without; thrifty people do that and wait and scrimp and save. It seems to me we have to reach that point pretty soon with the Government and the Treasury of the United States.

How can anyone condemn any appropriation out of the Federal Treasury if we go on and appropriate $360,000 for garden seed? It is the crowning farce of congressional action.

Mr. HEFLIN. Mr. President, I always listen with a great deal of interest to the able and distinguished Senator from Iowa [Mr. KENYON]. I can not agree with the argument that he advances. If there ever was a time when Congress should continue the seed distribution that time is now. If there ever was a time when the people need the little bit of seed that the Government distributes that time is now.

The Senator reminds us of some Republican who received a package of beans and used them in making himself some soup, and he straightway wrote back to his Member of Congress for more beans. I submit that since the Republican Party carried the country last fall very few people have even had bean soup, and if conditions get much worse the Government in all probability will have to send beans to all of them.

When I hear Senators without even batting an eye speak of appropriating money in millions and hundreds of millions and then get up here and quibble about giving to the whole population of the United States $360,000 for rare vegetable and field seeds, I confess that I can not reconcile the two positions. The Senator from Iowa is worrying and worrying about this thing of distributing seed. Some one has said that worry is forethought gone to seed, and I am opposed to distributing that kind of seed. We have been told for a long, long time that he who makes two blades of grass to grow where only one grew before is a benefactor, and I submit to the Senator from Iowa that we now distribute some very fine grass seed, and I want to see the time come when we can make four blades of grass to grow where only one grew before.

The Congress a few years ago—and I was a member of the Committee on Agriculture in the House at the time—provided for obtaining choice field seeds, rare seeds of various kinds, to be distributed throughout the country.

I submit that that was a good thing. If the farmers of Iowa or of North Dakota develop a fine seed of some variety it is well for the seed to come to Washington and be distributed, so the farmers of the East and of the South and of the North might have the opportuntiy of planting such seed, and that has been done. We have distributed seeds after that fashion.

Garden seed? If I could take the Senator from Iowa down into my State to the garden spot of Dixie, and let him see those big, luscious tomatoes, grown from seeds sent from the Agricultural Department here; if I could let him enjoy some of the beans produced from seeds distributed from Washington, he would forget all of his worry about this little package of seed that goes to the farmer; he would rejoice that he failed, as he will fail to-day, in striking down this provision for seed distribution.

The Senator tells us that when the new Members come into the House they will strike down the free-seed distribution. I invite him now to watch them hit the seed-distribution trail.

Mr. KENYON. I did not want to predict that; I am hoping that they will; but I have my doubts.

Mr. HEFLIN. I am glad the Senator from Iowa does not predict it for it is not going to come to pass, because when they get here and begin to get letters from their constituents telling them "You are a new Member, and I trust that you will continue to send these seeds as your predecessor has done," that will be the end of that, and the argument of the Senator from Iowa will prove of no avail.

However, the Senator from Iowa reminds me of a Congressman telling his constituents that as he looks upon the Washington Monument, cold and towering in the distance, his mind's eye beholds a little flower garden back home in his district. Yes, Mr. President, there humming birds are sipping the liquid sweets and the bumble bees are buzzing in the blossoms, and the butterflies are floating on the perfumed air, and the curly-haired tots are playing joyously about the yard, while birds are singing in the trees, and yet the Senator would deprive them even of that little plot of flowers the seeds for which the Government has sent out to them. I ask the Senator not to do that; I ask him to permit these flowers to continue to bloom and sweeten the air, to make the birds sing more merrily, and to contribute to the general enjoyment of the household. Not only that, Mr. President, but on these gardens the passersby can look and see rare vegetables revelling in sunshine and shower as they flourish and serve the table of a hundred million constituents.

This item involves an appropriation of only $360,000, while we have pending here a bill which carries hundreds of millions of dollars; yet, this report is held up here in an effort to deprive the farmers of the country, the good women of the land, and the children who enjoy flowers and vegetables of this small appropriation. It is now desired to take this $360,000 away from them. Mr. President, I am opposed to such a movement.

Mr. DIAL. Mr. President, I should like to ask the Senator from Alabama how about watermelon seed? Is he opposed to distributing them?

Mr. HEFLIN. No; I am in favor of distributing rare watermelon seed.

Mr. POINDEXTER. I ask for a vote on the pending question, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. JONES of Washington. I have only one objection to the conference report; that is as to the free-seed item, and the only way that I can express my objection is to vote against the whole conference report.

Mr. KENYON. I ask for the yeas and nays.

Mr. SMITH of South Carolina. Mr. President, as one of the conferees, I desire to make a statement about this matter. There has been considerable discussion on this question, which does not seem to get anywhere. The situation that confronted the conferees was that when this matter was sent to us it came not as the action of the Agricultural Committee of the House, but as the action of the House itself. The provision had not been included in the Agricultural bill by the committee of the House, but when the bill went to the House, by a yea-and-nay vote the free-seed item was inserted in the bill, as in former years. It then came to the Senate, and the Senate Committee on Agriculture and Forestry struck it out. That action on the part of the Senate committee was sustained by the Senate. The bill then went back to the House, as under their new rules it must do, for such action as the House sees fit to take concerning any matter incorporated in a bill by the Senate and referred to the conference. On this particular matter, to which the Senate has disagreed, the House then had another roll call, and the result of that roll call was 198 to 134. That represented quite an increase in the expressed sentiment of the House as compared to the previous roll call. When the matter was returned to conference it was simply a question of deadlocking on this amendment and consequently destroying the Agricultural bill for this session or acceding to an expressed position on the part of the House adopted after a roll call.

I did not deem it a matter of sufficient importance to justify jeopardizing the passage of the Agricultural bill by voting to reject the conference report simply because some Members of

this body, together with outsiders who have written and petitioned this body, think that a coordinate branch of Congress do not know what they are doing or what they want.

Had it been a mere expression by a viva voce vote or had it been a matter that had not had the attention this item has had during all these years, consequent upon the onslaughts made against it, it might have been very well for us to have insisted that the question should be gone into more thoroughly; but every Senator here knows that this subject has been a bone of contention for years, and to jeopardize the passage of this bill by rejecting the conference report upon a matter that we know can not now be settled, seems to me would be to take a very difficult position.

If we are to settle this question, it is for us to give notice to the other coordinate branch of Congress that we will not admit it, not in connection with an agricultural bill in which the item appears, not by a mere expression of opinion here and there without any decided action until the bill comes in, but let us have some preparation; let us discuss this matter as a principle and decide it before it comes to the discussion of a bill of the importance of the Agricultural appropriation bill.

Furthermore, Mr. President, there are features in this bill fraught with such interest to the public that we are not justified, even though $360,000 are appropriated for the distribution of free seed, in jeopardizing the passage of the entire bill on that account. We have before us to-day a bill for the national defense. One would hardly feel justified, if that amount of money is necessary to protect the interests of this country, in jeopardizing the passage of that bill, or in defeating its passage because some minor proposition in it does not meet the approval of certain Senators. It was for these reasons that I acceded to the conference report. I have respect for the opinions of others charged with legislative responsibility, and they, by a majority vote, expressed a desire to have this provision retained in the bill. They have, perhaps, as important reasons for wanting it incorporated as some have for desiring it to be expunged.

I again submit that there has been much talk and expression of opinion, but, perhaps, not a great many know, as a practical fact, what the effect of the seed distribution is. There are those who claim that it does good. I myself am of the opinion that not so much good flows from the distribution either because of the intrinsic value of the seed or of the results obtained by those who plant them as from the fact that it is a means of keeping more or less in touch with that mass of our people who God knows are now far enough away from the great heart of the legislative body. About the only privilege they have is to support those that are higher up, to pay taxes, and receive nothing at all, for, the Senator from Iowa says, the distribution of seeds amounts to nothing; but I know of nothing else outside of this provision and a few other provisions in the agricultural bill that the great masses of the people who feed and clothe the teeming millions of this country get at the hands of the Government. Is there a Senator here who dares say that other industries receive like indifferent treatment? It does not sound very good in view of the notorious benefactions that have been poured out on other classes for us to quibble over this, even though it is admitted that the distribution of the seed amounts to nothing.

It at least is some semblance of a recognition of the fact that the tillers of the soil ought to be recognized by this Government in some form.

This is a poor form, and perhaps unnecessary. I myself should be willing to see it stricken from the bill, not on the ground of economy but simply because I believe that something better could be substituted and some real benefit accorded by the use of this money with an additional appropriation. I recognize the fact, however, that this bill must fail unless we agree to this proposition as a whole, and because of the other splendid matters that are in the bill I shall vote to agree to the conference report; and let me say, Mr. President, that an overwhelming majority of the conferees voted for this report.

Mr. TOWNSEND. Mr. President, I think it is well for us to understand the exact situation as it confronts us now.

A majority of the Senate have been in favor of abolishing this provision which has been carried for so many years in the Agricultural appropriation bill. In spite of all that may be said, the majority is convinced that there is no reasonable, legitimate argument for its retention; yet Senators rise here, as they have ever since I have been in Congress, in the House and Senate, and say that we must not imperil the other provisions of the bill. How many times that fictitious argument has been used.

I can not imagine that the House of Representatives would allow the agricultural bill to be defeated on account of free seeds. We are coerced into voting every year against our own judgment, our own convictions, as to what ought to be done. Now, I am in favor of sending this bill back to conference and letting the responsibility rest where it belongs, with those Representatives who would defeat the agricultural bill unless it is furnished the unworthy political capital of free seeds. Send the bill back to conference and then the country shall know who is responsible for failure of the agricultural bill, if it shall fail. But it will not fail if the Senate stands by its convictions.

These seeds do not go to the farmers of the country. The statement that they are given to and demanded by the farmers to any great extent is without foundation of fact. Mr. President, this is what might occur: If the Senate refuses now to concur, and this bill is sent back to conference on this one item alone, the only one in dispute, it will then be up to the House of Representatives to say: "We will defeat the agricultural bill because you do not grant us $360,000 of seeds to be distributed among our constituents."

So far as I am concerned, while I want the agricultural bill to pass, and while I believe it would pass, it never can pass in the proper form if we surrender every year on the same ground, upon the same arguments that are advanced year after year. Therefore, I trust that this conference report will not be agreed to.

Mr. GRONNA. Mr. President, I shall delay the Senate only a minute or two; but I want to suggest to the Members of this body that the defeat of this conference report is the defeat of the Agricultural appropriation bill. I presume that the industries of the country would still go on if this bill were defeated; but we have only recently appropriated $350,000,000 or $400,000,000 to the railroads of the country. It was probably necessary. It was due on an obligation and had to be paid. This bill takes care of a great many things in all the departments of agriculture. No one was more opposed to the free-seed provision than I. In fact, the committee unanimously voted to strike out the seed provision and the Senate sustained the action of the committee.

Mr. SMITH of Georgia. Mr. President, may I ask the Senator a question?

Mr. GRONNA. Yes.

Mr. SMITH of Georgia. Does the Senator really think there was a deep-seated opposition to the free-seed provision by the members of the committee, or were some of them opposed to it and the others just willing to strike it out because we were putting in measures on which we wanted the House to yield; and was this measure really being used, at least in part, to force the House to yield to measures that we thought necessary that they had left out?

Mr. KENYON. Mr. President, does the Senator make that charge as to the committee? He may have had that in mind.

Mr. SMITH of Georgia. I did not make that charge. I asked the Senator a question. I made no charge against the committee. I asked the Senator if he did not think that in part influenced them, and they were not really all so unanimously and urgently against the free-seed item.

Mr. GRONNA. I have no doubt that is correct; but what I want to say is this: Here we appropriate for plant industry; we appropriate for animal industry; moneys are appropriated to take care of tuberculosis among animals throughout the United States to protect the lives of the people as well as the lives of the animals. Now, this appropriation bill is to be defeated because there is $360,000 here to which we are opposed; and I will confess that I was opposed to it, but my judgment is not superior to that of 435 Members of the House. The House, by a substantial majority, on a record vote, said that they never would agree to the bill unless this free-seed provision remained in the bill. By a vote of 198 to 134 this bill was sent back. I felt, therefore, that it was my duty to bring back this bill to the Senate and let the Senate vote upon it, and I agreed to the conference report, although I am opposed to the free-seed provision.

Mr. President, this bill carries large amounts for fire protection, not only in the western country but throughout the whole United States. In cooperation with the 25 States of this Union, we appropriate several hundred thousand dollars for that purpose. I do not believe that the Senate of the United States is justified in turning down this bill simply because there is opposition to the seed provision; and I hope the Senate will sustain the committee and vote to accept the conference report.

Mr. SMOOT. Mr. President, I do not believe that if this conference report is defeated it will jeopardize the bill. It will go back to conference, and the conferees can make a report before this session ends. I want, if possible, this time to have the Senate, now that the disagreement is reduced to one item alone, and that is the free-seed item, to put up to the House of Representatives the question whether they are willing to

defeat this bill in order to save the $360,000 for free seed. I do not believe they are going to do it.

Mr. SMITH of South Carolina. Mr. President, may I ask the Senator a question? I do not see how the Senator can stand here and lay the charge of defeating this bill at the door of the other body, when we are assuming the attitude rather than they.

Mr. SMOOT. If the Senator had listened to what I said, he would have known that I said "rather than to have the free-seed appropriation defeated." There is no question but that this bill is now in agreement on the part of both Houses with the exception of the one item, and it will not take very long to have the conference report go back and have a further conference held; and then the fact will be definitely before the House of Representatives that the Senate of the United States is unalterably opposed to this item.

Mr. SMITH of South Carolina. But the point I am making is this: Your representatives on the conference committee have agreed. Now, if the bill is defeated because of this item, it can not be charged that the odium of the defeat will lie anywhere except here. Our conferees have agreed. The House is in accord. If you repudiate our action, then the odium of the defeat of the report is here and not there.

Mr. THOMAS. Mr. President, I desire to suggest that there is no odium about defeating a bill like this in view of the attitude which the Senate has taken for so many years upon this one item; and that is particularly true when there is an interval of three or four months between now and the end of the present fiscal year.

Mr. SMOOT. I know of no better time than the present to bring this question squarely up to the House of Representatives. It would be quite different if this were the close of a fiscal year, with no extra session of Congress in sight, and the appropriations would fail and go over into another fiscal year; but there is no danger of that at all. I do not believe there is any danger but that if this question is put up squarely to the House, and the Senate insists upon its action, the House will recede from its position on this free-seed proposition.

Mr. GRONNA. But the Senator knows that all these items will have to go back, because the agreement is a complete agreement.

Mr. SMOOT. Why, Mr. President, the only thing in dispute to-day is one item, and the report has been agreed to with the exception of that one item.

Mr. GRONNA. We often find people hiding behind a certain thing, but there is always a ghost back of it.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I do.

Mr. POINDEXTER. I do not like to interrupt the Senator while he is discussing the bill, but it is evident that this discussion is going on interminably. One speech leads to another. I had hoped that we could get a vote on the conference report and dispose of it one way or the other, but if it is going to lead to so much debate, I shall be compelled to move to take up the naval bill.

Mr. THOMAS and other Senators. Vote!

Mr. SMOOT. I will say to the Senator that I shall be through in two minutes.

Mr. SMITH of South Carolina. Then, Mr. President, I want to make one statement to the Senator from Utah, and that is that I, as a conferee, assert that if this bill goes back, not only will that item be in conference, but other items of importance will be in conference, and it means inevitably the defeat of this bill.

Mr. SMOOT. Mr. President, it seems to me that the statement of the Senator from South Carolina at least intimates that there has been some agreement between the conferees of the two Houses on items that rest upon the action taken upon free seeds.

Mr. SMITH of South Carolina. I have made no such intimation, but I am telling the Senate just what is the fact.

Mr. SMOOT. Then, if there is not any such thing as that, there is no danger, from the statement the Senator made.

Mr. SMITH of South Carolina. That is just a mere expression of opinion on the part of the Senator from Utah, and I am stating a fact.

Mr. SMOOT. I can not interpret the statement of the Senator from South Carolina in any other way than I have.

Mr. President, I was going to call attention to a number of statements made by Senators here as to a separate bill. This whole item has been in the Agricultural appropriation bill ever since the Agricultural bill was first inaugurated, and you are not going to pass a separate bill through Congress for this purpose. It does not belong in a separate bill. It is a direct appropriation, and it ought to be in an appropriation bill, and that is where it will be if it is to be carried; and nobody is going to suffer if this conference report fails.

Mr. THOMAS and Mr. KENYON called for the yeas and nays, and they were ordered.

The Assistant Secretary proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I transfer that pair to the junior Senator from South Dakota [Mr. JOHNSON] and vote "yea."

The roll call was concluded.

Mr. KENDRICK. I have a general pair with the Senator from New Mexico [Mr. FALL], but I understand that he is in favor of this legislation. So I feel at liberty to vote. I vote "yea."

Mr. CURTIS (after having voted in the negative). I am paired on this question with the Senator from Kentucky [Mr. STANLEY], and in his absence I withdraw my vote.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. On this matter I understand he would vote as I am about to vote, and I therefore vote. I vote "yea."

Mr. KNOX. May I inquire if the senior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The VICE PRESIDENT. He has not.

Mr. KNOX. Having a pair with that Senator, and being unable to secure a transfer, I withhold my vote.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I observe he is not in the Chamber, and I therefore withhold my vote.

Mr. EDGE (after having voted in the negative). Has the junior Senator from Oklahoma [Mr. OWEN] voted?

The VICE PRESIDENT. He has not.

Mr. EDGE. I have a general pair with the junior Senator from Oklahoma, and it being impossible to secure a transfer, I am compelled to withdraw my vote.

Mr. CURTIS. I desire to announce that the senior Senator from Pennsylvania [Mr. PENROSE] and the senior Senator from Mississippi [Mr. WILLIAMS] are paired.

The result was announced—yeas 55, nays 22, as follows:

YEAS—55.

Ashurst	Harris	Nelson	Smith, Ga.
Ball	Harrison	New	Smith, Md.
Beckham	Heflin	Overman	Smith, S. C.
Capper	Henderson	Phipps	Spencer
Culberson	Jones, N. Mex.	Pittman	Sterling
Dial	Kellogg	Poindexter	Sutherland
Fernald	Kendrick	Pomerene	Swanson
Fletcher	Keyes	Ransdell	Trammell
France	Kirby	Reed	Underwood
Gay	La Follette	Robinson	Wadsworth
Gerry	McCumber	Sheppard	Warren
Gooding	McKellar	Shields	Watson
Gronna	McNary	Simmons	Wolcott
Hale	Myers	Smith, Ariz.	

NAYS—22.

Borah	Glass	Lenroot	Thomas
Brandegee	Gore	Lodge	Townsend
Calder	Hitchcock	McLean	Walsh, Mass.
Cummins	Jones, Wash.	Moses	Willis
Dillingham	Kenyon	Page	
Elkins	King	Smoot	

NOT VOTING—19.

Chamberlain	Frelinghuysen	Newberry	Sherman
Colt	Johnson, Calif.	Norris	Stanley
Curtis	Johnson, S. Dak.	Owen	Walsh, Mont.
Edge	Knox	Penrose	Williams
Fall	McCormick	Phelan	

So the conference report was agreed to.

COURTS IN NEW MEXICO.

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 4310) to amend an act entitled "The New Mexico enabling act," which were:

On page 1, line 12, to strike out "circuit and";
On page 1, line 13, to strike out "courts" and insert "court";
On page 2, line 8, to strike out "clerks" and insert "a clerk";
On page 2, line 8, to strike out "courts" and insert "court";
On page 2, line 9, to strike out "their offices" and insert "his office";
On page 2, line 10, to strike out "courts" and insert "court";
On page 2, line 12, to strike out "circuit and";
On page 2, line 12, to strike out "courts" and insert "court";
On page 2, line 13, to strike out "respectively";
On page 2, line 15, to strike out "circuit and";
On page 2, line 15, to strike out "courts" and insert "court";
On page 2, line 18, to strike out "circuit and"; and
On page 2, line 18, to strike out "courts" and insert "court."

Mr. JONES of New Mexico. I ask unanimous consent for the present consideration of the bill S. 4310, which proposes to amend an act entitled "The New Mexico enabling act." The House has made some amendments, which do not affect the purpose of the bill as it passed the Senate. I simply desire to move that the Senate concur in the amendments made by the House. The bill is merely to change the time for the holding of the terms of the Federal court in New Mexico.

Mr. POINDEXTER. I object.

MEMORIAL ADDRESSES ON DECEASED REPRESENTATIVES.

Mr. UNDERWOOD. Mr. President, on account of the recent death of one of my colleagues in the House and the fact that the resolutions came over from the House at a late hour in respect to another colleague who has passed away, it is desired at an early date to hold memorial services. We are approaching the closing hours of the Congress. I ask unanimous consent that a short time may be set aside this afternoon to offer resolutions in reference to the late JOHN L. BURNETT, of Alabama, and the late FRED L. BLACKMON, of that State, and that a few short speeches may be made. I ask that at 3 o'clock the unfinished business may be laid aside for that purpose. It will not take long to dispose of it.

Mr. POINDEXTER. I have no objection.

The VICE PRESIDENT. There being no objection, the order will be entered.

MILITARY NOMINATIONS.

Mr. WADSWORTH. Mr. President, the Committee on Military Affairs has instructed me to report to the Senate a number of nominations for promotion and transfer and original appointment in the Army. I ask unanimous consent, therefore, as in open executive session, to make the report, and I ask for its immediate consideration. It affects no one above the grade of colonel, with the exception of Brig. Gen. Frank McIntyre, who is renominated to be Chief of the Bureau of Insular Affairs, and who, if not confirmed by noon March 4, will be out of the Army of the United States entirely.

The VICE PRESIDENT. Is there any objection?

Mr. McKELLAR. I have no objection at all to the consideration of the list of Army officers sent in above the rank of captain. In the grade of captain, however, there have been a number of promotions sent in—not original appointments, but promotions—to which I do object, for this reason, that the promotions of first lieutenants and captains are made in compliance with a construction of the Army reorganization act, which construction I do not believe is legal, fair, or just, and I do not believe that such a construction was ever in the contemplation of the House and Senate when they passed the act. Under and by virtue of this construction second lieutenants, without any further examination, are promoted to captains, and promoted over captains having a shorter service on the single list. In other words, there are included in these three branches captains, first lieutenants, and second lieutenants, on the theory of length of service alone, and all put in hodgepodge, and the man who stood an examination and obtained a captaincy would, by virtue of this construction of the act, be put below a man who had stood examination and became a second lieutenant.

Such a system is entirely unfair. I do not believe such a construction of the act is legal. It ought not to be permitted, and, so far as I can prevent it, I am not going to let it go into effect. For these reasons, briefly stated, I object to the confirmation or the consideration of the confirmation of nominations of captains, first lieutenants, and second lieutenants. I have no objection whatsoever, indeed, I desire the confirmation of general officers and other officers above the grade of captain whose nominations are presented. I desire to have the colonels, lieutenant colonels, and majors confirmed.

Mr. ROBINSON. Mr. President, I think that a great deal of confusion and inconvenience will result if the Senator from Tennessee persists in the objection he has just made. I doubt sincerely whether the confirmation of the officers above the grade of captain can be had if he persists in the objection. The Senator from New York [Mr. WADSWORTH], chairman of the Committee on Military Affairs, will understand whether the objection will have any effect on the nominations above the classes objected to.

The Senate has had great difficulty in acting upon these nominations. There are still other nominations for promotions to higher grades which, in my opinion, ought to be disposed of, and a little later I may take occasion again to express my views on that subject. The purpose I have in mind now is to suggest to my friend the Senator from Tennessee that if the objection is persisted in it may have the effect of disarranging the agreement that has been reached respecting several thousand nominations to military appointments. Of course, I know the Senator from Tennessee is familiar with the subject, and I know that he appreciates the importance to the Army and to the country of acting upon the nominations. I wish to ask him if he will not withhold his objection?

Mr. McKELLAR. Mr. President, my objection can not possibly affect the officers above the grade of captain, because I do not object to the confirmation of any officers above that grade. I favor confirmation of officers nominated to these higher grades. My objection can not possibly have any effect upon the nomination of officers whom the Senator has mentioned; not at all.

As I have tried to explain on one or two occasions, my objection to these nominations is this: Under the construction of the Army reorganization act we will have practicaly no lieutenants in the Army. We will have no second lieutenants at all, and we will have very few first lieutenants. I think that with an Army such as we have we ought to have a proper number of lieutenants. These nominations deprive the Army of lieutenants. This ought not be done. In the late war lieutenants played a very conspicuous part in the fighting. There is no necessity for being in a hurry about these nominations. No one will be hurt if they are not confirmed at this session. I believe the Congress, whenever the matter is brought to the attention of the two Houses, will correct this erroneous construction of the act that the War Department has placed upon it, by which majors, lieutenant colonels, and colonels are placed on the single list of promotions with respect to their grades, but by which those below—captains, first lieutenants, and second lieutenants—are put in a hodgepodge and all promoted according to length of service and in accordance with the result of open and fair examination had. If a second lieutenant has a longer service by one day than a captain, under this remarkable construction of the act, he is promoted over the captain on the single list, and I understand sometimes it has been figured out that under this appointment plan there will be second lieutenants promoted more than 2,000 numbers over a captain who was appointed a captain as a result of what was substantially a competitive examination.

I wish to call the attention of the Senator from New York to what the effect is going to be. In the Air Service, for instance, and in various other services as well, especially in the technical service, a man who accepted a captaincy would not have accepted the lower grades, would not have accepted a second lieutenancy or even a first lieutenancy if he had known this construction of the act by the department was going to be made. In many instances first and second lieutenants will be promoted over captains. When I say promoted over them, I do not mean exactly promoted, but I mean they will be placed ahead of captains on the promotion or so-called single list, which is really a promotion over the men who have earned their captaincies, who went in and stood the examinations. Four different boards passed upon the qualifications of these captains, their educational, physical and mental qualifications, and their records of actual service in the Army, and those boards have said that certain of these men shall be captains and certain of them shall be first lieutenants and certain others shall be second lieutenants. They have determined this after the most careful and painstaking examinations and investigations. And here comes the department, by a ruling and by an erroneous construction of the act, and upsets the results of all these examinations and makes the act of Congress nugatory.

Under this construction which has been placed upon the law by the Army authorities, they have said that these examining boards had nothing to do with determining who should be captains and who should be lieutenants; that the second lieutenant who has had a longer service than a captain was entitled to be promoted over the captain on the single list, regardless of what the examining boards determined. That is an intolerable construction of the act—unfair to the men and unfair to the Army itself—because, after having made these selections, these four boards having made the selections, the Congress ought to stand by them; and I do not think we ought to take any step that will prevent those who have earned their commissions from getting them and getting their proper place on the single list. For that reason I object to the consideration of these nominations of captains and lieutenants.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Objection is made.

Mr. ROBINSON. Mr. President, I desire to make just a brief statement. The objection which the Senator from Tennessee makes shows that it is in anticipation of difficulties and inequalities and injustices that may arise in promotions hereafter to be made. I suggest that we can meet that objection when the promotions are made.

Mr. WADSWORTH. Mr. President——

Mr. ROBINSON. I yield to the Senator from New York.

Mr. McKELLAR. Oh, no. I have not objected to the confirmation of those above the grade of captain. I have not objected to any general officer, and I have not objected to any major, lieutenant colonel, or colonel. I join in the hope that they may be confirmed. They ought to be confirmed. I am only objecting to those three classes of officers where this injustice will be done.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. The Chair understands the Senator from Tennessee objects to the confirmation of captains, first lieutenants, and second lieutenants.

Mr. POINDEXTER. Mr. President, unless these nominations can be disposed of without further debate, I shall have to insist on the regular order.

Mr. WADSWORTH. If I may make a statement, I can settle the matter, I believe.

Mr. ROBINSON. I insist that the Senator from New York be permitted to make his statement. He can make it during the consideration of the naval appropriation bill if the Senator from Washington declines to permit him to make it at the present time.

Mr. PONDEXTER. I call the attention of the Senator from Arkansas to the fact that I have not been interrupting in the matter. I have been trying to get an opportunity for the Senator from New York to make a brief statement.

Mr. ROBINSON. That is true.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. WADSWORTH. Mr. President, it will be quite impossible at this time to debate the question about the single list for promotion. Let me simply say that the law upon the subject is as plain as the English language can make it, and that these promotions have been made in strict compliance with the law. The Committee on Military Affairs, with the single exception of the Senator from Tennessee [Mr. McKELLAR], reached that conclusion at its last regular meeting.

The only way by which the situation can be changed in order to meet the views of the Senator from Tennessee is to amend the law. The Senator from Tennessee has certain views upon the question. I am not going to debate it here and now. I sharply disagree with him. I think the law is right and works out the greatest measure of justice. His objection, however, to captains, first lieutenants, and second lieutenants as affected in this list for promotion is controlling for the time being. It is true that they may not be promoted, and that captains may be promoted to majors, majors to lieutenant colonels, lieutenant colonels to colonels, and no harm done to those particular grades.

Therefore, in view of the situation, which I intend to bring up later if I get an opportunity during the session and endeavor to settle the matter, I now ask unanimous consent that all the nominations for transfers in the Army, the nomination of Brig. Gen. Frank McIntyre for Chief of the Bureau of Insular Affairs, and nominations for promotions to the grades of major, lieutenant colonel, and colonel be considered at this time and that they be confirmed en bloc.

Mr. McKELLAR. I have no objection to that at all.

Mr. UNDERWOOD. And that the President be notified.

Mr. WADSWORTH. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. POINDEXTER. Now, Mr. President, I ask for the regular order.

Mr. WADSWORTH subsequently said: Mr. President, I have just had a consultation with the Senator from Tennessee, and I ask that the order entered this morning with respect to confirmations in the Army be made to include the promotions in the Medical Corps, the Dental Corps, the Veterinary Corps, and the appointments in the Chaplains Corps. None of them conflict with the ideas of the Senator from Tennessee.

The PRESIDING OFFICER (Mr. NEW in the chair). Is there any objection to the request of the Senator from New York?

Mr. McKELLAR. Of course that ought to be done. These officers are not affected by the question I raised, and of course it ought to be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

BONUS FOR EX-SERVICE MEN.

Mr. McCUMBER. Mr. President, I suppose the regular order is before us at this time. It is evident to me, and I am ready to stand corrected if incorrect, that there is no possibility of enacting the naval appropriation bill into law at this session. Possibly the senior Senator from Idaho [Mr. BORAH] and the junior Senator from Utah [Mr. KING] could give me more definite information, but I am assuming at this time that we will not be able to pass the naval bill. That being the case, I am going to ask that it may be laid aside for the purpose of taking up the soldiers' bonus bill.

There is opportunity for passing the latter bill, provided there is not a prolonged debate, and a determination that it, too, shall not pass during this session. By eliminating the tax portion of the bill the House can immediately vote on it if we pass it through the Senate. Of course, if we had taken up and attempted to dispose of the tax measure to meet the obligation of this bill it would have been impossible to have disposed of it during this session, and perhaps before close to the end of the next session. We therefore eliminated the tax proposal, leaving the tax feature to be determined by the session of Congress which is to meet in April.

To meet the objections of the Treasury Department and possibly the disapproval of the Executive, the Finance Committee put the date of the beginning of the operation of the bill six months after the end of the deficit year mentioned in the Treasurer's report, June 30, 1922, leaving it for the Senate to fix any intermediate date. Personally, I think that January 1, 1922, which would give 10 months to put in action the new machinery necessary to carry the proposed law into effect, would give the American Legion and the department sufficient time to inform soldiers just what their rights were, and which one of the several propositions would be most beneficial to them, and give Congress sufficient time to enact proper revenue legislation.

The report which has been presented by me gives accurate estimates, so that only the question is left of whether or not we want to pass the bill at this time. We know just about what it will cost. We can make a fair estimate of that. We have all the data that we need. I believe if we should consider the bill now all we would have to do would be to fix the date for the first payment thereunder. I have prepared all amendments necessary to conform the bill to any date that the Senate sees fit to fix as the beginning of its operation, leaving the operation of the farm and home provisions and the training provision to take effect immediately, so that if we should agree to enact this measure we could within 20 minutes make every amendment necessary to conform the bill to whatever date we agree would be the best date for the beginning of its operation. But I know that any one or more Senators could prevent the enactment of the bill into law, just as they can prevent the enactment of the naval appropriation bill into law, and there is no use of attempting to press it if there is a determination to prevent action at this time.

Mr. UNDERWOOD. Mr. President——

Mr. McCUMBER. There are those in the Senate who are strongly opposed to the bill, and there has been a very strong report in opposition to it made in the Senate. I yield to the Senator from Alabama.

Mr. UNDERWOOD. I desire to ask the Senator a question for information. As the Senator has reported the bonus bill, as I understand, it provides that it shall go into effect in 1923?

Mr. McCUMBER. That the payments, under the cash basis and under the certificate basis, shall go into effect as of January 1, 1923. I have stated that my reason for that was in order to put the date off beyond the time within which the Secretary of the Treasury concluded it would be very unwise to have any payments made, and to meet any possible objection on that ground that might be urged by the President, leaving it for the Senate to adjust any intermediate date.

Mr. UNDERWOOD. That is the very point as to which I wish to ask the Senator. The Senator is in charge of the bill; his proposal will have great weight in the Senate when the bill comes up for consideration; and although he has reported the bill, he fixes the year 1923 as the date when it shall go into effect. He leaves it in doubt as to what the Senate should do. Now, I ask the Senator what he proposes to do; what he stands for?

Mr. McCUMBER. I will say candidly, just as I have already stated, that I think, in view of the suggestions that are made in the report as to the means of meeting the obligation, that we could select January 1, 1922, which will be about 10 months from now, as a proper date, and one which would give ample time for us to adjust our revenues to the added obligations and to fund the indebtedness due to us from other countries and give them time to begin the payment of the interest to meet the obligation.

However, the strong reason, I will say, that actuated the committee was the fact that the Treasury Department deemed it very unwise to provide an earlier date, and we felt that possibly the President might have the same view as the Treasury Department, and it might be questionable whether the bill would receive his approval if we did not put the date off as late as this; but with the means suggested of bringing in the

cash to meet the obligation, I can see no reason why the President of the United States should not sign the bill, even if it should go into effect on January 1, 1922.

Mr. UNDERWOOD. He probably would do so; but I think before the bill comes before the Senate for consideration the Members of the Senate would want to know what date is going to confront them as to when the obligation would go into effect. As I now understand from the Senator from North Dakota, if the Senate takes up the bill, he would abandon the date fixed by the bill and would propose January 1, 1922.

Mr. McCUMBER. Personally, I would favor January 1, 1922.

Mr. UNDERWOOD. Is that the position of the committee?

Mr. McCUMBER. I can not say; I should not wish to speak for the committee. There is a divergence of views among members of the committee; some feeling that the date ought to be put off even later than 1923. We voted on that proposition, however, and it was voted down.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. EDGE in the chair). Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. I yield.

Mr. THOMAS. If it is ever enacted, this bill will increase the public indebtedness of the taxpayers of the United States by not less than $3,500,000,000. The bill was reported on the legislative day of February 24, which day has not yet expired. It must, therefore, under Rule XIV, go over under objection, and I object to its consideration.

Mr. McCUMBER. Mr. President, I only wish to say in conclusion, that I think now we have presented all of the facts which are necessary for this Congress or for the next Congress; and that it will not be necessary to have rehearings at the beginning of the next Congress. The bill will be prepared with the tax proposition and the appropriations proposition left out, and reintroduced. My candid opinion is that the bill will pass both Houses during the early part of April of this year, and will go into effect at such date as may be fixed by the two Houses.

Mr. FRELINGHUYSEN. Mr. President——

Mr. THOMAS. Mr. President, I want a ruling upon my objection.

The PRESIDING OFFICER. The Senator from Colorado under the rule has made objection to the consideration of the bill. In the judgment of the Chair, the rules as enacted by the Senate do not contemplate legislative days but rather calendar days.

Mr. THOMAS. I wish to be heard upon that, in order to see if I can not convince the Chair to the contrary.

Mr. POINDEXTER. What is the question?

Mr. McCUMBER. I asked the Senator in charge of the pending bill if he would allow me to ask unanimous consent to have the pending bill laid aside to allow the Senate to take up the soldiers' bonus bill? It is rather an appeal to the Senator who has in charge the naval bill for the laying aside of that bill.

Mr. POINDEXTER. I did not hear that request; consequently I did not understand the remarks of the Chair.

The PRESIDING OFFICER. The Senator from North Dakota still has the floor. In the meantime he was interrupted by the Senator from Colorado, who, as the Chair understands, made objection to the consideration of the bonus bill at this time. Is that correct?

Mr. THOMAS. Yes, sir; the objection being founded upon Rule XIV.

The PRESIDING OFFICER. The Chair is of the opinion that the objection made is not well founded; that the rules do not contemplate a legislative day, but rather what is known as the calendar day; and that the request is in order at this time.

Mr. POINDEXTER. Does the Chair rule, then, that the Senator from North Dakota can have his bill taken up at any time? Is that the effect of the ruling of the Chair? I understood the Senator asked for unanimous consent, and that any Senator could object.

The PRESIDING OFFICER. The Chair has not so ruled. The Chair simply intended to answer the question raised by the Senator from Colorado.

Mr. UNDERWOOD. Mr. President, as I understand the proposition, the ruling of the Chair is simply this—which is correct—that the rule when it says a bill shall lie over for one day means a calendar day and not a legislative day.

Mr. POINDEXTER. Mr. President——

Mr. UNDERWOOD. If the Senator will allow me just one moment—and, of course, if that is so, then it is in the power of the Senator in charge of the bill to move to take up his bill.

Mr. POINDEXTER. But he has not so moved.

Mr. UNDERWOOD. He has not done so.

Mr. POINDEXTER. He has asked for unanimous consent, and any Senator can object.

The PRESIDING OFFICER. The Senator from North Dakota has asked unanimous consent to have his bill taken up. The present Presiding Officer will put the request of the Senator from North Dakota. Is there objection?

Mr. SMOOT. Before that is done I want the ruling of the Chair.

Mr. THOMAS. I object.

Mr. POINDEXTER. I ask for the regular order. The request has been made, objection has been entered, and I ask that the naval appropriation bill be laid before the Senate.

Mr. SMOOT. Mr. President, just a moment. I think we ought to get the ruling correct, because it is of great importance.

Mr. POINDEXTER. What is the doubt about the ruling, when the request for unanimous consent was made and objection was interposed?

The PRESIDING OFFICER. The present Presiding Officer has not attempted to make a ruling further than to give his opinion as to the question raised by the Senator from Colorado. At the present time the question before the Senate is the request of the Senator from North Dakota for unanimous consent to take up the bonus bill.

Mr. THOMAS. To that I object.

The PRESIDING OFFICER. The Senator from Colorado has objected to giving unanimous consent.

Mr. McCUMBER. Mr. President, I am not going to move to take up the bonus bill as against the naval appropriation bill unless I can gain something by so doing, unless I can feel reasonably certain that the bonus bill will not be talked out of existence between now and the close of the session or for such a length of time that it would be impossible to get a conference report back from the House and secure action upon it. Those who are opposed to the measure—and I know they are acting in the best of faith and for what they believe to be the best interests of the country—can say to me whether or not they propose to prevent a final vote upon this bill within such time as may permit it to become a law during the session.

Mr. FRELINGHUYSEN, Mr. THOMAS, and Mr. CALDER addressed the Chair.

Mr. McCUMBER. I first yield to the Senator from Colorado.

Mr. THOMAS. Mr. President, the Senator having yielded to me, I will say that my throat is not in very good condition today, but I will do the best I can.

Mr. FRELINGHUYSEN. Mr. President, I believe I was recognized.

The PRESIDING OFFICER. The Chair understood that the Senator from North Dakota had yielded the floor.

Mr. McCUMBER. No; Mr. President, recognizing the fact that when the Senator from Colorado says that he will do the best he can to prevent any action on this bill at this session, I know he is capable of making good his purpose; that being the case, I shall not move to displace the naval appropriation bill.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield the floor?

Mr. McCUMBER. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. FRELINGHUYSEN. Mr. President, I do not intend to discuss the merits of the proposed bonus legislation. I believe, however, that the Senate has a prior obligation to the soldiers and the sailors of the World War before they enact bonus legislation, and that is to enact measures which are before this body providing for proper hospital facilities for the wounded and disabled soldiers and the decentralization of the agencies which are now distributing compensation to the wounded soldiers.

I had intended to speak upon that subject and to lay certain facts before the Senate, and also to set forth what I believe is the position of the American Legion in regard to the priority of the legislation to which I have referred. I have refrained from doing so until the Senator from Washington has had a full opportunity to present the naval appropriation bill and an opportunity to pass it if possible. I intend to refrain from speaking on this subject until he has had further opportunity, but before the close of the session I intend to address the Senate and place certain facts before them as to what I believe are the desires of the American Legion in regard to legislation to be enacted by this body. For the present I intend to defer to the Senator from Washington, and to allow him to continue with the naval bill, but I shall seek an opportunity, as I have

stated, before this session adjourns finally to present certain facts to the Senate.

Mr. SMOOT. To what bill does the Senator refer?

Mr. FRELINGHUYSEN. I am speaking upon the request of the Senator from North Dakota for unanimous consent to consider the proposed bonus legislation.

Mr. CALDER and Mr. JONES of New Mexico addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

THE COAL SITUATION.

Mr. CALDER. Mr. President, I am in accord with the naval bill now pending in the Senate, and am hopeful that before the session ends it may become a law. I believe in the Senate bill, and I am sure the best interests of the country will be served if it is enacted; but I propose for just a very few moments this afternoon to discuss another subject, a matter that is not pending at this moment, but in which I am sure the country is deeply interested.

Mr. FLETCHER. Mr. President, a parliamentary inquiry. Do I understand that the naval appropriation bill is now before the Senate? If not, I think the Senator should allow it to be placed before the Senate before beginning his discussion on some other subject.

The PRESIDING OFFICER (Mr. NEW in the chair). The naval appropriation bill is before the Senate.

Mr. FLETCHER. I understood that it was temporarily laid aside and had not yet been taken up.

Mr. CALDER. Mr. President, I can not permit this Congress to end without drawing to the attention of the Senate again the activities of the special committee of the Senate, of which I am chairman, which spent a great deal of time last summer and fall inquiring into the coal situation throughout the country, resulting in the introduction of the Federal coal bill. I have carefully watched the attitude of men toward the supply and distribution of some of the basic necessities of the people and have become convinced that the time has come when, in the interest of the public, the Government must have some oversight of this basic necessity. Senators may argue that during the war this supervision tended to increase prices and destroy initiative, and undoubtedly this, in some degree, may have been the case, but the war taught us, too, that a method must be found of furnishing the people with the necessities of life at a reasonable price.

We have been drifting for many years toward a condition of things where the important industries of the land were being more closely controlled by a smaller group of men, and coupled with this we have to-day in many lines a very highly organized state of labor. Combinations of capital are necessary and are to be encouraged where these combinations serve the public good, where they bring to the people their everyday needs, where they tend to decrease cost and waste, but they are menacing not only to the individual business interests of the people but to the very foundation of our Government if they are permitted to continue uncontrolled, for their own selfish advantage. We recognize the right of the workers to organize for their good and engage in collective bargaining under fair and equitable conditions, but I am as strongly opposed to giving labor the right to organize against the public interest as I am opposed to permitting capital to do the same thing.

So, in the days ahead, those of us who are charged with authority, both in the legislative and executive branches of the Government, must see to it that the interests of the whole country are safeguarded. These are matters of great concern, as important as the settlement of our foreign relations and the modification of our tax laws. The country is drifting along in its oversight of business and labor into a very dangerous field, and unless we have the vision to protect the public welfare and see to it that the interests of both business and labor are directed in proper channels, who can tell but what the activities of one group or another may bring disastrous consequences?

The countries of Europe are struggling with these problems to-day, and we should take heed before we become entangled in the same difficulties. I have argued long and earnestly in an effort to convince the Senate of the need of enacting legislation which would tend to direct capital toward the financing of homes, that we might not ultimately become involved to the extent of having the Government go into the business of building homes for the people, but I have apparently talked to deaf ears, for not more than half a dozen Members of either House seem to realize that this is a fundamental question we will have to grapple with in a serious way sooner or later.

Mr. SIMMONS. Mr. President, if the Senator from New York does not object, I am constrained to ask for a quorum, because I think the observations that the Senator is making ought to be heard by more Senators than are now in the Chamber.

I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Heflin	Nelson	Smoot
Ball	Jones, N. Mex.	New	Spencer
Beckham	Jones, Wash.	Norris	Sterling
Borah	Kellogg	Page	Sutherland
Brandegee	Kendrick	Phipps	Swanson
Calder	Kenyon	Pittman	Thomas
Capper	Keyes	Poindexter	Townsend
Culberson	King	Pomerene	Trammell
Cummins	Kirby	Ransdell	Underwood
Curtis	La Follette	Robinson	Wadsworth
Dial	Lenroot	Sheppard	Walsh, Mass.
Elkins	Lodge	Shields	Warren
Fernald	McCumber	Simmons	Watson
Frelinghuysen	McKellar	Smith, Ariz.	Willis
Gerry	McLean	Smith, Ga.	Wolcott
Gooding	Moses	Smith, Md.	
Hale	Myers	Smith, S. C.	

The PRESIDING OFFICER (Mr. FERNALD in the chair). Sixty-six Senators have answered to their names. A quorum is present.

Mr. CALDER. Mr. President, many Senators insist that we should adopt a policy of leaving well enough alone, and that the situation will take care of itself, through a gradual return to normal times. This same argument was made in Europe by those opposed to the Government's affording facilities for private initiative, until the public clamor for relief so overwhelmed the governments that they were forced to go into the housing business themselves. The same reasoning was put forward in New York, New Jersey, Massachusetts, and the District of Columbia; little or no construction was undertaken, and the inadequate housing facilities, coupled with some instances of profiteering, raised rents to an abnormal level, until public opinion decreed the enactment of drastic rent laws which discouraged building. In my judgment the time is not far distant when Congress will be compelled to do one thing or the other; either to furnish facilities for the encouragement of private building or go into the business itself. The furnishing of shelter for the people where they can live comfortably and healthfully is one of the things that can not and must not be lightly treated, and we are treading on dangerous ground when we ignore this subject.

But, Mr. President, I desire to address the Senate to-day particularly on the subject of coal. The special committee of which I am chairman went thoroughly into this whole question, and it has been also carefully inquired into by the Committee on Manufactures, of which the Senator from Wisconsin [Mr. LA FOLLETTE] is chairman. There is evidence before both of these committees which convinces me that in the interest of the American people we should legislate on the subject of the Nation's production and distribution of coal. It used to be said that there were three basic necessities of man: (1) Food, (2) shelter, and (3) clothing, but modern civilization has added to these fuel and transportation, so that to-day there are five which in my opinion may be named in the order of their relative importance, as follows: (1) Food, (2) fuel, (3) transportation, (4) shelter, and (5) clothing. Food, of course, is of the most immediate importance. Fuel is almost as basic as food. It creates the power that operates the railroads and the industries of the land; it furnishes light and the heat that cooks the food, and keeps us warm in winter; it can very properly be considered in the same relation to our everyday life as water, light, and heat. It took many years to convince the people of America that water, which falls from the heavens and comes from the ground, was charged with public use and necessity, but in the States and municipalities all over the country we have come to consider water, electricity, and gas as indispensables of life. In every city in the land the distribution of water is directly controlled by the governmental authorities, while electricity, gas, and the street railways are regulated down to the minutest detail. The question we must consider here is whether the time has now arrived when coal, which is used in the production of virtually everything we require, has become so necessary that it is charged with public use and necessity, and its production and distribution should be regulated by the Government. I am convinced that this is so, and that there is every obligation upon Congress to enact legislation to that end.

The evils encountered during the year 1920 were speculative conditions as the result of shortage of supply, artificial demand, and misuse of transportation facilities. The shortage sprang from strikes of miners in the winter of 1919. In the expectation

that prices would be lower, some of the large consumers of coal stayed out of the contract market in April, 1920, when there was every indication that prices would gradually descend after the cold weather had passed and the depleted stocks had been replenished, but the outlaw switchmen's strike stopped the movement of coal for a period of about two or three weeks, and transportation did not fully reach normal again until the wage award of the Railway Labor Board in July. The normal capacity of the mines recovered but gradually from April to July. The "vacations" of the anthracite miners served to aggravate the conditions by increasing the demand for bituminous coal in the East, and the exceptional demand for foreign export of coal, caused by the strikes of the British miners and the failure of Germany to deliver coal to France, brought about congestion at docks and at tidewater and threw our coastwise shipping into idleness, at the same time congesting the railroads and raising the price of spot coal in the area of acute shortage in the Eastern States.

When May 1, 1920, arrived the release of restrictions on export coal and the prices of domestic coal, and with predictions of impending shortage emanating from the Interstate Commerce Commission, the Railroad Administration, the Geological Survey, and Senator FRELINGHUYSEN'S committee, the price of coal went up. Buyers of the automobile industry and other prosperous industries went into the coal fields with instructions to buy regardless of price. Industries which had made contracts for coal found that their contracts were not being fulfilled, and they were also forced into the spot market. This was particularly true of public utilities in New York and New England.

The Interstate Commerce Commission attempted to handle the situation through the control of transportation facilities, and while issuing ex parte priority orders they were delinquent in increasing the charge for the reconsignment of cars and also in advancing demurrage charges. Although the railroads were unduly congested through the forcing of coal over the rails instead of coastwise by vessel, the Interstate Commerce Commission took no effective action to bring the water transportation into use in the emergency, nor did it make proper provision for policing of its priority orders in order to prevent their abuse.

Strong opposition to the ex parte orders of the commission was voiced by industries cut off from transportation, and criticism was also directed at the delinquency of the commission in not curtailing the reconsignment privileges, increasing demurrage charges in order to discourage the holding of cars for speculative purposes, and also in failing to provide adequate policing of their priority orders.

It was contended that many industries in the eastern part of the country were brought to a standstill through lack of transportation facilities.

The gross volume of transportation, however, increased, while coal transportation became a matter of speculative profit. Car numbers were bought and sold, priority orders were bought and sold, and coal cars were held at terminals until the railroad terminals were blocked to other traffic and to legitimate coal business as well. The speculative element secured possession of a large tonnage of coal, moving it into terminals, and holding it there under demurrage for reconsignment; shipments changing hands from one speculator to another without the coal being unloaded.

The public utilities paid enormous sums of money for coal in order to keep running, sometimes bidding outrageous prices for coal held in terminals, in order to relieve conditions existing, and permitting other coal to come in. Coal shipments moved in circles around the terminals in New Jersey, or were reconsigned to distant points, possibly several times. Those conditions tied up railroad equipment, the rail and terminal facilities, and created shortages and artificial demands. Prices soared to an outrageous extent, especially at tidewater points, where the influence of export demand was felt.

A review of the year shows that no coal shortage actually existed; that the country produced 556,563,000 tons of bituminous coal during the year 1920, compared with 458,063,000 tons of bituminous coal during the year 1919; and that in spite of the strikes and priority orders, which always decrease the tonnage movement of railroads, they carried more tonnage in the year 1920 than in any previous year. The railroads averaged to move 191,000 cars of bituminous coal weekly in the year 1920, as compared with 154,000 cars weekly in the year 1919; so that there was no actual transportation or coal shortage.

The misuse of the transportation facilities by the coal industry to whom priorities were given at the expense of the general industry of the country and the domestic consumers of coal was unfortunate, the abuse even extending to the abrogation of contracts.

The experiences of the War Department in the purchase of coal are well worthy of note. In the fiscal year from July 1, 1919, to June 30, 1920, this department purchased 1,816,000 tons, at an average cost of $3.22 per ton free on board at the mines. Eighty per cent of this was contract coal, bought at a price of $2.85. The remainder was bought on the open market, due to failure of contractors to make delivery during the period of the bituminous strike in 1919, thus bringing up the average price of the whole to $3.22.

For the year beginning July 1, 1920, the War Department had great difficulty in getting coal. Proposals asking for bids for 1,000,000 tons were opened on July 15, but the bids covered only 7,500 tons. Subsequently the War Department purchased on the open market 765,000 tons at an average price of $7.12 per ton free on board at the mines.

Mr. EDGE. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from New York yield to the Senator from New Jersey?

Mr. CALDER. I yield.

Mr. EDGE. I was unfortunately out of the Chamber and heard only the last part of the Senator's address. I am wondering whether he touched upon the reasons for the present price of anthracite coal in Washington—in the neighborhood of $15.90 a ton for stove coal—as compared to the prices for the same class of coal in New York, and in that vicinity, of in the neighborhood of $13 a ton. Has the Senator discussed that particular situation?

Mr. CALDER. No; Mr. President, I did not intend to go into the anthracite coal question except in a general way, because I am only making a summary of some of the things brought out in the coal inquiry. But I shall refer in my remarks later on to the fact that anthracite coal is very closely held in the eastern territory. Bituminous coal, as the Senator knows, is mined by a great number of operators, 2,500 or 3,000 miners, perhaps more than that, while 80 per cent of the anthracite is controlled by seven companies, as the Senator knows. It is a fact that the people in Washington are paying $15 a ton for anthracite. In New York to-day the average price, I believe, is $13.75. I had a letter from home yesterday about it.

Mr. EDGE. It is quite gratifying to know that in certain parts of northern New Jersey the price of anthracite has gone to $12.50.

Mr. CALDER. I am very glad that there has been some reduction in anthracite. I think perhaps it is partly due to the activities of the Senator from New Jersey [Mr. EDGE], who has labored long and zealously to bring about some relief to the people of his State and the country in this matter of anthracite coal.

Mr. EDGE. I appreciate the kindly remarks of the Senator from New York; but I want to join with him and see if it is not possible to get some relief for the citizens of the District of Columbia. It seems to me the Capital City is poorly treated, if not worse than any other section of the country, so far as I have been able to ascertain.

Mr. CALDER. I will add to what the Senator has said that the committee of which I am the chairman, and of which the Senator from New Jersey is a member, began an inquiry into the Washington situation, but when the Committee on Manufactures, of which the Senator from Wisconsin [Mr. LA FOLLETTE] is chairman, took up the coal question we felt that the matter was more properly within his committee's province.

Perhaps the Senator's attention has not been called to the voluminous amount of testimony before Senator LA FOLLETTE'S committee, which dealt with this Washington situation. It was very clearly demonstrated that there was a combination of interests here which sought to prevent anyone but the members of the Washington Retail Coal Association from entering the coal business. Men were unable to buy coal from dealers outside of the city because they were not members of the coal organization of this city. I am told that the matter is being investigated by the Department of Justice, and I trust something will be done to break up what appears to be a very close combination which is very detrimental to the consumers of coal in the District.

Mr. SIMMONS. Mr. President, I want to say that not only the State of New Jersey, but the city of Washington, has fared during the past winter much better than the coal consumers in the State from which I come. In my town early in the winter, during the holidays, I purchased some anthracite coal myself, and paid $18 a ton for it.

Mr. CALDER. I am glad to have the Senator from North Carolina bear witness to the profiteering on anthracite coal.

Mr. LA FOLLETTE. If I may interrupt the Senator from New York for just a moment, in the course of the hearings before the Committee on Manufactures, it was developed that in the city of Washington the larger retail dealers have an association, and from the testimony taken by the Committee on Manufactures it would appear that they made war upon any independent dealer who sold below the association prices, or anyone who attempted to establish a coal business outside of the association. Considerable testimony was taken upon this subject, and witnesses appeared before the committee who testified that they had been compelled to retire from the retail business because of the difficulties which they encountered at the hands of this association in procuring coal and in conducting their business in competition with the members of the association. As a result of the testimony taken by the Committee on Manufactures, the Government has instituted an inquiry, which, if it is prosecuted, I believe will afford some relief to the people of Washington, and I hope, perhaps, at an early date.

With regard to prices of anthracite coal, it was testified before the committee that anthracite coal has been selling during the fall and winter at from $16 to $22 per ton in many sections of the country. Bituminous coal has also sold at the enormous rates of $12 and $15 a ton.

The bill which was introduced by the Senator from New York [Mr. CALDER], after the hearings had been held by the committee of which he is chairman, came to the Committee on Manufactures on the 12th day of January.

Hearings were begun upon that bill immediately. We endeavored to expedite the hearings in the hope that we might report a bill that would be comprehensive, and afford some relief from the situation, but the hearings were extended; the subject is a vast one, and we were unable to close the hearings until the 15th of February, although we were in session every day, which brought us down to within a week or 10 days of the close of the session. Then the bill as amended was reported out and is now upon the calendar. It contains the fact-finding features of the bill as introduced by the Senator from New York. It was presented to the Senate with the emergency features eliminated in the hope it would be possible in that mild form to pass the bill. I have not been able to get the consent of those who were opposed to it to give unanimous consent for its consideration—a minority of the committee—nor have I been able to secure any arrangement by which it could be given time for consideration by the Senate.

Mr. CALDER. I thank the Senator for the interruption.

I had referred to coal purchased by the War Department. This coal was purchased through a number of companies acting as buying agents, one of which was the Wentz Co., which will be referred to later. This is the company whose president is D. B. Wentz, president of the National Coal Association. Practically all of the 62,638 tons which it purchased for the War Department have been traced by the committee back to the original producer. The situation is summarized in a small table which I ask unanimous consent to have inserted in my remarks at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Number of cars purchased.

Purchased by—	
Wentz Co. from producer direct	185
Wentz Co., with 1 additional broker	411
Wentz Co., with 2 additional brokers	155
Wentz Co., with 3 additional brokers	13
Wentz Co., with 4 additional brokers	4
Total through additional brokers	583
Grand total	768

Margins.

Margin group.	Number of cars.	Additional brokers.	Margin per ton.
$5 and over	12	W. H. Bradford & Co. (Inc.)	$5.40
$4 to $5	9	....do	4.90
	2	Operators' Coal Mining Co.	4.60
	1	United Fuel & Iron Co.	4.25
	12		[1] 4.77
$3 to $4	1	Bader Coal Co.	3.81
	2	United Fuel & Iron Co.	3.50
	3		[1] 3.61

[1] Average margins weighted by number of cars.

Margins—Continued.

Margin group.	Number of cars.	Additional brokers.	Margin per ton.
$2 to $3	1	C. H. Lantz Coal Co.	$2.00
$1 to $2	7	United Fuel & Iron Co.	1.75
	4	West Penn Fuel Co.	1.50
	1	Operators' Coal Mining Co.	1.50
	4	W. D. Hughes & Co.	1.25
	2	McCarthy & Gilmore	1.02
	2	....do	1.00
	4	Operators' Coal Mining Co.	1.00
	2	George E. Warren	1.00
	2	United Fuel & Iron Co.	1.00
	28		[1] 1.31
$0.50 to $1	244		[1] .59
$0.25 to $0.50	357		[1] .27
$0.00 to $0.25	114		[1] .11
Loss	5		.12

[1] Average margins weighted by number of cars.

Mr. CALDER. This table shows the size of margins, by groups, from $5 per ton down, taken by brokers on this coal. The table is not arranged to show the total combined brokerage charges on the cars in any group. For instance, the margin of $1.50 shown in the table as taken by the West Penn Fuel Co. was on the same cars on which McCarthy & Gilmore are shown as taking a margin of $1.02, and there were also on these same cars charges of two other brokers, one of which is included in the table in the 50-cent to $1 group and the other in the 25-cent to 50-cent group. Thus the table shows charges on particular transactions, but not pyramided charges.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. CALDER. With pleasure.

Mr. WALSH of Massachusetts. The Senator from New York is discussing a measure in which I am very deeply interested and in which my constituents are very much interested. There is no part of the country that has suffered so much from inability to obtain coal or from excessive prices for both anthracite and bituminous coal as New England. I think there is a very strong sentiment in the State of Massachusetts in favor of the Government undertaking to do something to regulate in some manner the production and distribution of coal so that our manufacturing plants and the consuming public may be able to get coal expeditiously and at reasonable prices. Private management of this most vital commodity has evidently broken down. In fact, the Legislature of Massachusetts, a very conservative body, recently passed a joint resolution which I had entered in the RECORD, urging some governmental action by the Congress in the matter of coal. I read from the resolution—for it is indicative of the sentiment of the people of New England:

Ordered, That the General Court of Massachusetts is in favor of the creation or designation of some agency of the Federal Government with full power to ascertain facts and disseminate information and to regulate and control the production, sorting, grading, transportation, and distribution of coal to the several States to secure so far as possible a sufficient supply of coal of good quality at reasonable prices to the consumers in the several States.

Mr. President, the sentiment of the American people is, generally speaking, overwhelmingly against governmental interference in private business. I mean strictly private business in distinction from certain businesses that are charged with a public use. I am strongly opposed to the Government interfering in private business in any manner or form. However, where two conditions or factors exist in private business, a form of Government inspection, regulation, or possibly Government control may become imperative and necessitate an exception to the general rule of noninterference.

First, is the business which it is suggested should be regulated or controlled in some form or manner by the Government producing a commodity or product which is a public necessity? Is it something essential and indispensable to the life, to the happiness, to the prosperity, to the well-being of the American people? I suppose we will agree that coal is; I do not see how anyone can successfully dispute that fact.

The second factor is this—and this is important—it is why I am addressing an inquiry to the Senator from New York:

Is the article or the product made or produced through a business organization that has become a monopoly? Has the element of competition been removed as a factor in the regulating of prices? In other words, has the coal industry reached

a stage in modern development where it is a monopoly? If it has my duty as a public servant is easily determined.

If a product that is vitally essential to the happiness and prosperity of the American people is being made or produced by a group of men who can control and regulate the price of it, limit the production of it, or remove the element of competition in fixing the prices to the consumer, then I do not hesitate to say that such a private business is a subject for governmental inquiry, concern, and possible regulation. I wish to have it clearly understood that no one is more opposed to the Government interfering with private business than I am, but I am not going to be frightened because of my belief in this principle from protecting the welfare of the American people and from using the functions of our people's Government to regulate a monopoly, a private business in the hands of a few who can control prices, who can profiteer without restraint upon the American public. When such factors as I have described exist in an industry I shall not hesitate to urge legislation to prevent the American people from being exploited.

All this is preliminary, and I assume from the Senator's position on this subject that the Senator agrees with these fundamental principles that I have briefly and imperfectly attempted——

Mr. CALDER. I am in complete accord with the statement that the Senator has made.

Mr. WALSH of Massachusetts. We all agree that the coal business is one which is essential to the business development of our country. I can not overemphasize how important it is to the future development of our general industries to have coal flow steadily and constantly and at reasonable prices from the coal fields of the country to the consumers.

I do not mind saying that I have been very much distressed about the industrial future of New England because of the steadily increasing price of coal and difficulties of obtaining sufficient supply. Coal is so essential to our New England industrial life that without it there can be no steady business development unless electricity or some other motive power is made a substitute. We have no undeveloped water power to speak of in New England, and of course to develop electricity coal is necessary. Unquestionably the serious danger to our future growth and prosperity caused by the high cost of coal led the Legislature of Massachusetts to adopt the resolution to which I have referred. The people there are very deeply concerned about the coal situation, about their inability to get the needed supply, and about the exorbitant prices they are forced to pay. If it had not been for the Almighty giving us the mild winter climate that we have enjoyed——

Mr. CALDER. And the closing down of many industries.

Mr. WALSH of Massachusetts. Yes; and the closing down of many industries we would have had as great suffering in New England during the past winter as has occurred in any part of the country during our lifetime. Fortunately those two elements have tended to relieve the situation from assuming alarming proportions.

In brief, what I desire to ask the Senator is whether bituminous or anthracite coal has become a monopoly. Is it a product that is in the hands of a limited few who can at will curtail the production, advance prices, hold the public at their mercy, and profiteer without limit if they so desire. I ask this question both as to bituminous and anthracite coal. If the Senator is able to convince me that a monopoly exists, I for one will support some remedial legislation or will support not necessarily the Senator's exact bill, but a measure intended to restore the factor of competition in some form or other and seek, if possible, to increase and improve the production, quality, and transportation of this very essential commodity.

Mr. KENYON. Mr. President, may I ask the Senator from Massachusetts a question?

Mr. CALDER. I yield for that purpose.

Mr. KENYON. Has he any doubt in his own mind about anthracite? There may be some doubt about bituminous coal, but certainly there is none about anthracite.

Mr. WALSH of Massachusetts. The committee of which I am a member has not discussed at such length the anthracite situation as bituminous, but I will say to the Senator frankly that I have not any doubt that anthracite is to-day in the hands of a few owners, who not only control the production but the transportation as well.

Mr. KENYON. Less than a dozen owners.

Mr. CALDER. Seven.

Mr. LA FOLLETTE. Mr. President——

Mr. CALDER. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I wish to correct the statement made by the Senator from Massachusetts with regard to the evidence taken by the Committee on Manufactures. I think it was taken in part during his absence, but certainly the record will show very conclusively that the anthracite industry is completely controlled. If it has not reached the stage which would enable one to characterize it as a monopoly, then I am at a loss to know what facts would warrant one in arriving at that conclusion.

Mr. WALSH of Massachusetts. I spoke with caution, having, however, steadily approached the same conviction as the Senator from Iowa, namely, that this business is unquestionably a monopoly.

Mr. KENYON. How many concerns, I would like to ask the Senator from Wisconsin, are shown by the testimony to control or practically control all the anthracite of the United States?

Mr. LA FOLLETTE. There are seven great coal companies affiliated with seven great railroad companies that control 80 per cent of the anthracite of the country.

Mr. KENYON. What area of territory does that cover, if I may ask the Senator?

Mr. LA FOLLETTE. The entire anthracite fields are in the State of Pennsylvania. There are three of those fields. If they were brought together into one solid piece of territory, it would constitute a patch of country 8 miles wide by 60 miles long. That is all the anthracite we have in the United States. We have some high-grade bituminous coals in different States that are called semianthracite, but I think they are regarded by the experts as high-grade bituminous coal, and the area of those deposits is quite limited.

Mr. WALSH of Massachusetts. Mr. President——

Mr. CALDER. I yield.

Mr. WALSH of Massachusetts. I repeat, I have not much doubt about the situation, so far as anthracite coal is concerned. Of course, we know what answer the coal people make to that. It is very interesting; I never heard it before. The answer as to anthracite coal is that it is a luxury and that the Government should not attempt to regulate a luxury. They say it is not a necessity any longer.

Mr. KENYON. At present prices is it not a luxury?

Mr. WALSH of Massachusetts. I think the Senator from Iowa will agree that it should not be, but it has been made so by present prices.

Mr. LA FOLLETTE. It is a curiosity.

Mr. KENYON. It is a curiosity at present prices.

Mr. WALSH of Massachusetts. Now, coming to the question of bituminous coal, has the bituminous-coal business reached the stage where it has become a monopoly? I find a very great misunderstanding about the bituminous-coal situation. If we take the whole country at large, the answer is that it has not become a monopoly, but certain sections of the bituminous output can, in fact, become a monopoly. For instance, New England gets its bituminous coal alone from the Pennsylvania and West Virginia fields. So far as New England is concerned, there might be bituminous coal in every other section of the country and it be practically of no serviceable value to New England. I suppose the great Northwest depends upon the output of bituminous coal in Ohio, Indiana——

Mr. CALDER. And in Illinois, Pennsylvania, and West Virginia.

Mr. WALSH of Massachusetts. Yes; the Northwest depends on Ohio, Indiana, and Illinois, and other States. What I am concerned about is whether the Senator from New York has any figures or information tending to show that in the various bituminous coal fields there has been or is a combination among the producers controlling prices, controlling output, which amounts to a monopoly? I think that is a very important and a very essential fact to develop, so that we may be able to ascertain whether the bituminous-coal business has reached the stage of a monopoly.

Now, the very first answer one hears is that bituminous coal comes from independent operators in Colorado, Illinois, West Virginia, Kansas, Oklahoma, and Pennsylvania; but it seems to me it is important to know whether in a given field control has fallen into the hands of a few operators and the prices thereby regulated and controlled for the consumers dependent on them.

If the Senator from New York can give us any information as to what extent the coal fields where bituminous coal is mined have gone into the hands and possession of a few producers, I should like very much to have it.

Let me say while I am on my feet that I find this suggestion very frequently made—I find it in my letters from New England—that nothing should be done to attempt to regulate the coal industry, because if we do it will be an entering wedge; it will be the beginning of governmental interference with private business; it will be the beginning of interference with the boot

and shoe and other New England industries, which are so essential and important to New England.

Mr. CALDER. And with picture frames and carpets and other articles.

Mr. WALSH of Massachusetts. Let me say here that the boot and shoe industry is not a monopoly and it never has been a monopoly. The reason why the industry has grown and developed as it has is because of the large number of private individuals and small corporations engaged in the manufacture of boots and shoes. It will be interesting to know that when recently discussing this matter with a manufacturer of boots and shoes I took occasion to say to him, "I do not know of any industry which, if it should become a monopoly, would be regulated more quickly by the Government than the boot and shoe industry." The manufacturer quickly replied, "When the boot and shoe industry becomes a monopoly, it ought to be the first industry to be regulated."

I want to ask the pardon of the Senator from New York for taking up so much time and for interrupting his able and interesting speech. I should like him, in addition to any evidence that has been presented to the committee, of which the Senator from Wisconsin [Mr. LA FOLLETTE] is chairman, to state to what extent the bituminous coal industry in this country has become a monopoly.

Mr. CALDER. Mr. President, I thank the Senator from Massachusetts for his interruption and for his illuminating statement. I know that New England has had, perhaps, a more difficult time during the past year in connection with the supply of coal than has any other part of the country. I agree with the Senator from Massachusetts and the Senator from Iowa that it is unquestionably a fact that the anthracite coal industry, closely held as it is—80 per cent, as the Senator from Wisconsin pointed out, being held by seven companies—is very nearly a monopoly.

The bituminous coal situation is somewhat different. There are mines of bituminous coal all over the country. I am not prepared to say on this floor that the bituminous coal industry is so held that it can be claimed to be a monopoly, but I do insist that to everyone who observed closely the conditions of the coal business last summer and fall it would seem that the bituminous coal business was so held that it was possible to raise and lower prices at will.

It is my opinion, Mr. President, that just as soon as business is again active, just as soon as industry becomes normal, there will be the same condition in the bituminous coal industry as existed last summer and fall, when people were compelled to pay two and three times a reasonable price for bituminous coal.

Mr. KING. Mr. President, will the Senator from New York permit an inquiry?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. CALDER. I yield.

Mr. KING. My information is not very accurate, and I have not studied the question as has the Senator from New York, but may we not attribute the extortionate prices of coal to what might be denominated combinations of middlemen and brokers rather than to any concerted action on the part of the producers? My understanding is that brokers and middlemen would take, if not the entire output of a mine, substantially all of the output of a mine, and when they secured control of the product and it passed beyond the control of the mine they then raised the price levels until the people were charged excessive and extortionate prices.

Mr. CALDER. Mr. President, that is undoubtedly true to a very great extent. The evidence before the committee of the Senator from Wisconsin indicates that in certain coal fields of the country, particularly in Pennsylvania, Maryland, the Virginias, Ohio, Kentucky, and Tennessee, there was a very abnormal profit made during one-half of last year; in fact, most of the operators in those States profited to the extent of 100 per cent upon the cost of their production, while in the States farther west the mine profits were not much more than normal. Somehow or other here in the East, perhaps because of the great demand for export and because of the unusual demand upon the part of the industries, there seemed to be a getting together—I have not developed that sufficiently to prove there was an actual combination of interests—but there was undoubtedly an understanding which certainly had the effect of raising the price of bituminous coal to the consumer.

In addition to what I have said, there is no doubt that middlemen profited abnormally. I was discussing when the Senator from Massachusetts interrupted me the purchases by the War Department when they were unable to buy their coal under contract last summer and fall. The facts disclosed seemed to indicate that while prices back at the mine were high, they were not high in comparison with those which the Government paid. For the coal which at the mines in some cases sold for $4 a ton the Government paid as high as $10 or $11.

Mr. KING. Mr. President, will the Senator permit another suggestion?

Mr. CALDER. Yes.

Mr. KING. If the Senator will pardon me, he will recall that the investigations which his committee has been conducting developed the fact that prior to the war for many years the price of bituminous coal at the mines was from 87 cents to $1.10, which was cheaper than the coal at the mine in Australia, New Zealand, Newfoundland, and in many parts of England. It seemed to be absolutely impossible for any monopoly of bituminous coal to exist before the war. If there was any monopoly, it was a monopoly instituted after the coal had passed from the hands of the producer into the hands of the middlemen.

I merely challenge attention to that fact to show that if there was no monopoly then there ought not to be any monopoly now in the bituminous fields; but, unfortunately, during the war and following the war people seemed to have acted upon the assumption that the provisions of the Sherman antitrust law had been suspended, and there is no doubt in the world but what, in the teeth of State statutes and of Federal laws, monopolies have developed and have practiced their nefarious operations to the injury of the American people.

I hope that as we return to normal conditions we will enforce our State statutes against monopolies and also the Federal statutes and strengthen the Sherman antitrust law, because if we do not destroy monopolies either by penal statutes or by the power of taxation—and we can reach any monopoly by the power of taxation—there will be an irresistible demand grow upon the part of the American people for the control of all business which is susceptible of monopoly; and I think, confronted with that alternative, that we should strengthen the Sherman antitrust law; that we should punish monopolists; that we should not ignore a monopoly simply because some court may say that it is a reasonable monopoly; but we ought to proceed upon the theory that monopolies are bad ab initio and enact statutes to punish monopolies in a penal way or tax them in a progressive manner, so that they would be forced to a dissolution. I ask the Senator to pardon the length of the interruption.

Mr. LA FOLLETTE. Mr. President——

Mr. CALDER. I yield.

Mr. LA FOLLETTE. I do not wish to trespass upon the Senator's time nor wear out his patience——

Mr. CALDER. I am glad to have the Senator interrupt me.

Mr. LA FOLLETTE. But if I may make an observation, partly in response to the remarks of the Senator from Massachusetts [Mr. WALSH], whom I do not now see in the Chamber, and partly in response to what the Senator from Utah [Mr. KING] has just said. There is no question, as I suppose every Senator well knows, that the supply of bituminous coal in the United States is, practically speaking, inexhaustible. We have bituminous-coal fields that will supply the people of this country for centuries to come. However, that must not be understood to mean that a condition may not arise within a reasonable time, when we will begin to feel the pinch of high-cost production that will be burdensome even though there were no possibility of the element of control.

Bituminous coal is being mined very wastefully. Beyond any question, we are destroying beyond possibility of recovery 40 per cent of the deposits under the system of mining as it is now conducted. It behooves this Government and the people of this country to consider whether or not in the public interest a degree of regulation may not be interposed in this industry, as it has been interposed by the Governments of other countries, to prevent that waste even with the operation of the mines in the hands or under the control of private interests.

Now, just one word about the monopoly element which may enter into our consideration of the bituminous-coal question.

Of course, as to quantity it can not be said, with its wide distribution, that as it lies in the ground it can be easily subjected to a monopoly control; but we have taken testimony that will make three printed volumes. The inquiry was directed for the most part into the bituminous coal situation. I do not know how other members of the committee were impressed, but I am convinced that there exists between the mouth of the mine—and I am choosing my words now with care—and the consumer of bituminous coal a control of price and delivery that in effect imposes almost if not as great a burden upon the consuming public as could be imposed if the deposits of bituminous coal in

the ground were more limited, and it could be cornered there. I believe a more complete investigation of this subject will disclose that in the mining and marketing of coal there is at every stage a degree of cooperation which amounts to at least partial control which is reflected in the exorbitant prices that the consumer has had to pay for coal.

I wanted to make that brief statement, and, if the Senator will permit me, I wish to say that I realize that it is very doubtful that legislation upon this subject can be passed at this session. It was doubtful when we received the bill if it would be possible to secure legislation if a thorough investigation was made and we sought to get comprehensive legislation; but I believe that the bill which was reported by the committee might have been passed if the condition of business in the Senate had permitted taking it up at that time. If it is not passed, however, I am hopeful that there will be a further consideration of this vitally important subject.

Mr. CALDER. Mr. President, the junior Senator from Utah [Mr. KING] inquired a moment ago as to the profit of the jobber or middleman. That is very well illustrated in the purchases by the War Department of coal during the summer and fall of 1920. I was illustrating, before I was interrupted, just how that operated.

Col. Wentz, the president of the National Coal Association, sold coal to the War Department in September and October at prices ranging from $9 to $10.75. He testified before the committee of which I am chairman that he was president of the Stonega Coke & Coal Co. of Virginia, an operating concern, and that its own output had been sold for the entire summer at a price of $3.83 a ton.

Now, while Col. Wentz was selling his own coal, mined at his own mine, for $3.83 a ton in July, 1920, and on which he agreed he had a margin of profit of $1.38 a ton, which was about 35 per cent upon the cost of the product, during that same month, in fact, on July 14, his jobbing company, the Wentz Co., was quoting prices of $13 to $13.75 on the general market. That shows very clearly what the margins of the middleman or the several middlemen were, for much of the coal passed through from three to five hands.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator if this coal was delivered at the same place? Was it f. o. b. mine?

Mr. CALDER. It was the mine price, always. Here the Wentz Co. is stating that the ruling market price in July is $13 to $13.75 at the mines—on whose coal is not stated; what the exact cost was is not known, but that is what they were getting for it. Somebody else's coal, not Wentz's, cost the War Department $13 to $13.75.

Mr. POMERENE. Mr. President, is the Senator referring to anthracite or bituminous?

Mr. CALDER. Bituminous coal. As I indicated, for the coal mined in Col. Wentz's own mine he got $3.83, and he stated that the profit was $1.38. At the same time, acting as an agent or as a wholesale coal dealer, he was selling coal in July for $13.75. In the same month Mr. Wentz's own mine was selling, as I said, at $3.83.

Margins before the war used to be 10 to 20 cents a ton, not over 20 cents. They should, no doubt, be somewhat higher now; but Mr. Wentz has not complained that the Stonega Co.'s margin was not high enough—it ranged from 19 cents in January to $1.38 in July, and averaged 77 cents for January to September. Yet the Stonega's average price in July was nearly $10 a ton less than the prices that the Wentz Co. was quoting on July 14.

Obviously, after making all possible allowances for greater costs of other fields or other companies, there can be no explanation of cost that will account for this $10 difference in price. It is indefensible.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. CALDER. I do.

Mr. POMERENE. Did not the Senator find that a good part of that increase was due to the fact that these brokers were selling from one to another and each time adding a very substantial profit?

Mr. CALDER. Yes, sir.

Mr. POMERENE. I will not say a reasonable profit, but in many cases a very unreasonable profit.

Mr. CALDER. Mr. President, our committee, through its experts and through correspondence, traced practically every ton of coal purchased from Col. Wentz back to the mines, and we found that the coal came from central Pennsylvania, in the main. The costs at the mine in that region, we found, were about $3.10 a ton for the period April to September, 1920, because we were able to obtain, when we subpœnaed the papers of the National Coal Association, a great many records that they had in their possession.

They had gone to the courts and prevented the Government from getting information upon production and costs of mining, but they had in their possession certain records which we took; and after we examined them carefully we were able to go back to the mines and ascertain the actual cost during last year. Now, this coal that Col. Wentz sold all came from central Pennsylvania, and we were able to trace back, as I say, nearly every ton of it to the very people from whom it was bought first. It was sold in the beginning for $4.50, say; the next man made 60 cents, the next one $3, the next one $1.50, the next one 40 cents, until finally it got to the War Department at from $9 to $10.75 a ton, passing through four or five hands, all making a profit, or sometimes the producers' price was $7 or $8 and the brokers did not make so much.

Mr. POMERENE. Mr. President, is this the same Col. Wentz who charged the Government a commission of 50 cents a ton to sell it?

Mr. CALDER. Yes, sir.

Mr. POMERENE. He had been in the coal business; and certainly, if he was to have any due regard for the Government, he would have known enough to go to the operators and buy at the mouth of the mine, instead of through a number of these brokers.

Mr. CALDER. Of course there is no better-informed man in the country on bituminous coal than this same Col. Wentz, because he is president of the National Coal Association of the United States, among whose members are practically all of the large bituminous coal operators in the country.

The most partisan representatives of the coal industry will have difficulty in answering the proposition that the public is entitled to full information regarding their industry. They maintain that they have nothing to conceal; they assert that the "open-price" information which they formerly obtained until dissuaded therefrom by court decision in other industries held such "open-price" information illegal—this information, they assert, was gathered with a view to the widest public dissemination in the hope that it would be carried on the financial pages of the daily newspapers of the country. While I never saw nor heard of the coal association's price data being published in newspapers, the representatives of the association have at least put themselves on record in the hearings that we have had that it was their object to give this information the widest publicity. They can not, then, object to publicity for it under this bill. The costs of operators in the association were earnestly sought by the association for the purpose, they have testified, of presenting the cost information to the committees of Congress. Therefore, it is clear that they do not object to publicity of the costs of their industry. What, then, do they object to in the program of information? Nothing, as I see it, except the fact that they, the interested parties, will not be the sole arbiters of what information is gathered and what information is given out, nor the manner in which it is compiled and the interpretation of its detail.

Will any Senator agree that it is proper that information on this industry vital to our national life shall be gathered or not gathered, given out or not given out, and interpreted solely by those who have coal to sell? I think that however good the intentions may be, interested parties given such power it is idle to suppose that the best and fairest results can come from such a policy. There is too much temptation in power like that, and it is too easy for those wielding it to let their own natural viewpoint affect the figures or color the interpretation that they will place upon the material that comes to their hand. In the record of the hearings before the Committee on Reconstruction and the Committee on Manufactures are instances that show what is likely to happen if the power of information is entirely in the hands of those whose interests are at stake. For example, in the files of the National Coal Association was found a small poster, used for propaganda purposes, which displayed in great detail the many items of cost entering into the production of coal. This large number of items was inclosed in a long bracket, opposite which on the poster appeared this statement in prominent type:

> The cost of production is made up of these 200 or more items which the operator has to pay to put the ton of coal on railroad cars ready for shipment. The wage of the miner is just one item out of the many.

Mr. Morrow, vice president of the National Coal Association, on being questioned, admitted that the one item of labor constitutes 75 to 80 per cent of the total costs of producing coal. This fact, however, was not stated on the poster. That seems to be an illustration of misleading propaganda which is likely to result from publicity by interested channels.

We need accurate information vouched for by an unbiased Government agency, sworn to its duty, which includes just as much a proper regard for the rights of the coal operator as for the rights of the consumer. We particularly need this information accurately and dispassionately on production. That is the gauge against which demand measures itself. And we also particularly need accuracy and detachment in the information on the causes of idle time at the mines, for on this information the public tends to rely in apportioning the responsibility of the operators, or the railroads, or the mine laborers for falling off in production or the praise for an increase in the supply. Because the public judgment regarding labor and the operator, or regarding the operators and the railroads, is in the balance, we need to be especially careful to have this information free from even a suspicion of bias.

Mr. President, nothing more impressed me in the hearings on coal by the Special Committee on Reconstruction than the fact that in the face of the coal crisis that has distressed and outraged the country during the past year, the great organized power of the coal operators, through the leaders of the national association, has stubbornly maintained the position that the mining and distribution of coal is a "private" business.

The leadership of the association has used a large part of the great funds collected from the operators to influence by propaganda and to fight by lawsuits and injunctions any agency of Government that attempts to enforce the rights of the public to information or to adequate protection against profiteering.

Here in Washington the National Coal Association, which collects from its members annually in the neighborhood of $400,000, spending a very large part of this for legal services and propaganda, has secured an injunction against the Federal Trade Commission in the Maynard case, preventing them from obtaining information concerning the production of coal, on the theory, among others, that the production of coal is an intrastate matter; while in Indiana the same association, joining with others, has secured an injunction against the Indiana Food and Fuel Commission preventing them from functioning, on the theory, among others, that the production of coal is an interstate matter.

There are many honest men in the coal business who are endeavoring to conduct their business in a way that will attract public favor, but others have taken advantage during the past year of conditions brought about partly by shortage of transportation, partly by our largely increased exports, and partly also by the panicky attitude of certain governmental departments here in Washington, altogether creating a situation whereby the people of America were mulcted of a sum estimated at from six hundred to fifteen hundred million dollars during the year 1920.

My coal bill is not designed to bring about Government operation of the coal mines. It is a simple coal regulation bill which requires everyone engaged in the coal business, both operator and dealer, to file with the Federal Trade Commission at regular intervals a statement of the business done by the corporation or individual, the amount of coal produced, to whom sold, and the margin of profit. It levies a tax upon the coal dealer who sells to another dealer. The purpose of this provision is to drive coal direct from the producer to the consumer. Public utilities and manufacturing plants buy their coal in the main directly from the operators, but the householder's coal usually passes through several hands before it reaches its final destination. The householder has no one to look after him, and, in my opinion, the tax on the wholesaler's profits would result in a reduction of the price to the consumer. The bill also provides that the President may take over the coal business whenever an emergency arises. Operators insist that this means in the end permanent governmental control, and others contend that in case of an emergency, brought about by a labor controversy, the Army will be used to move the coal. For my part, I am strongly in favor of the power being placed in the President's hands to protect the public interests in an emergency. I live in the city of New York, one of the great coal-consuming centers of the Nation, where 6,000,000 people reside within a limited area; and I doubt if at any time within the confines of that city there is a supply of coal for the industries, the public utilities, and the householders for a greater period than two weeks. An emergency might occur that would warrant the Government's putting its strong hand on this business so as to assure the very life of the people being protected. I am in favor of that being done, regardless of whether or not it interferes with the operator, the dealer, or the worker, and I am certain that the great mass of the people, if the question were submitted to them, would agree with me.

The Committee on Manufactures has reported a bill which deals only with one part of this question. I regret that it did not report this measure with some of the provisions the committee has eliminated, but I do not complain, for in their effort to secure legislation on the subject at this session they have, perhaps, pursued the best course. As reported by the committee, the bill provides that every man engaged in the coal business whose annual sales exceed $50,000 shall file at regular intervals a report of the coal produced, the cost of producing, the amount obtained for it, and to whom the coal is sold.

The coal dealer is compelled to furnish the same information. This data is collected by the Federal Trade Commission, and the commission is required at regular intervals to advise the public as to the cost of producing coal in the various communities and other facts which, in my judgment, will tend largely to aid the people in securing coal at a fair price. If the commission has reason to believe that any operator or dealer is engaged in unfair practices it can make the facts known to the public by a majority vote of its members.

This legislation recommended by the Committee on Manufactures will be a step forward, and it may be the solution; and I hope the Senate, even at this late day, will see fit to pass it. No reasonable objection can be raised to it. The country ought to know the facts concerning the mining and distribution of the anthracite used in the larger cities of the East. Eighty per cent of this commodity is produced by seven companies which are directly connected with the railroad companies that enter into the coal fields of Pennsylvania. I submit, Mr. President, that the American people have a right to complete information concerning this basic commodity. Failure to legislate at least to this extent will bring down upon Congress the condemnation of the country; and if the men interested continue to fight this effort to obtain light on the subject, they will themselves bring a public demand which will lead to complete Government control.

The American people, Mr. President, are deeply concerned in this subject. They are waiting to hear what action Congress will take, and while I am not in the habit of warning Senators concerning their conduct here, I submit we are dealing with a question most momentous, and in our disposition of it we must have in mind, above all, the public good. Witnesses appearing before the committee of which I am chairman have testified that there are enough coal deposits in the country to last 5,000 years, notwithstanding that last year we made a record by mining over 620,000,000 tons. Europe will need more coal from us this year than before, and we will also require more for our own business needs. Some Senators argue that the price of bituminous coal is not excessive to-day, and that statement is true; but, Mr. President, this condition is brought about by the fact that one-half of our industries have shut down and the very mild winter has reduced the need of the householders of the country. With the extension of our foreign trade, however, the return of the business of America to normal, and with the continued shortage of railroad transportation, which is bound to last for several years, immediate action is required to prevent a recurrence in 1921 or 1922 of the conditions which we endured in 1920. We should get ready to forestall any such outrageous profiteering as existed last year.

I urge upon the Senate serious consideration of this subject. It will, in my opinion, go a long way toward furnishing relief.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVES BURNETT AND BLACKMON.

Mr. UNDERWOOD. Mr. President, the Senate by order has set apart the hour of 3 o'clock for eulogies on two late Representatives from the State of Alabama, and as that hour has about arrived, if there is no objection, I will ask that the Senate proceed under that order.

I ask the Chair to lay before the Senate the resolutions of the House of Representatives.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The Chair lays before the Senate the resolutions of the House of Representatives, which will be read:

The reading clerk read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
January 25, 1921.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JOHN L. BURNETT, late a Member of this House from the State of Alabama.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
February 28, 1921.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. FRED L. BLACKMON, late a Member of this House from the State of Alabama.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. UNDERWOOD. Mr. President, I submit the following resolutions and ask for their adoption:

The resolutions (S. Res. 469) were read and considered by unanimous consent, as follows:

Resolved, That the business of the Senate be now suspended, that opportunity may be given for tributes to the memory of the Hon. JOHN L. BURNETT and the Hon. FRED L. BLACKMON, late Members of the House of Representatives from the State of Alabama.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That the Secretary communicate a copy of these resolutions to the families of the decedents.

Mr. UNDERWOOD. Mr. President, we stand in the closing hours of a dying Congress. The hour is fast approaching when friendships of many years' standing must part and go their separate ways. We can not but feel in our inner hearts a note of sadness as we realize the ties that bound many of us together are about to sever, and in this hour we halt the column in its march along the legislative highways to recall the memory of our friends and colleagues who served loyally with us in life and passed to the great beyond within the life of this Congress.

The State of Alabama asks you to halt the legislative battle for an hour to do reverence to the memory of two of our honored sons, JOHN LAWSON BURNETT, who was elected from the seventh district of Alabama to the Sixty-sixth Congress, but died before it convened, and FRED L. BLACKMON, of the fourth district of Alabama, who served until a few weeks ago, when he was called to his fathers.

JOHN LAWSON BURNETT was born at Cedar Bluff, Cherokee County, Ala., January 20, 1854. When he was only 4 years old he lost his father, and his widowed mother had three children to care for and the burden of life to face unaided. As soon as he was able to do so, Mr. BURNETT went to work to aid in the support of his mother and two brothers. He was not afraid of labor and worked in the coal mines and the fields of Alabama, studying at night to obtain the rudiments of his education. Finally he was able to attend the common schools of Cherokee County, and then amassed sufficient funds to carry him to the Wesleyan Institute in Georgia, where he received his early education. Finally, after hard work and study, he was able to enter the Vanderbilt University, graduated at the age of 22, and was admitted to the bar. If there ever was a truly self-made man, JOHN L. BURNETT was the man, striving as he did from his early youth through hardship and privation to attain ultimate success. He was an excellent and successful lawyer, obtaining prominence among the best in his native State. His sterling worth and high character were early recognized by his home people, and at the age of 30 he was elected to the house of representatives in the General Assembly of Alabama, and two years later was elected to the State senate, serving in both with distinction. Shortly afterwards he was named by the Democratic Party as their standard bearer and elected by his people as a Member of the Fifty-sixth Congress. He was reelected for the 10 succeeding terms and served for 20 years before his untimely death. During his Membership in the House of Representatives he was recognized as a staunch and unyielding Democrat, ably sustaining the great principles of his party; but he was more than that: He was an American first, last, and all the time, always ready to serve and sacrifice for our common country rather than yield to the call of political expediency. He was a hard and faithful worker in Congress, a student of the principles of government, and he never undertook to espouse a cause without a thorough understanding of it.

We who knew JOHN BURNETT best loved him for his sturdy and rugged character, his honesty of purpose, and his faithful friendship. He has gone to the great beyond, but his memory will always be cherished by his colleagues.

Mr. President, the delegation from Alabama mourn the loss of another friend and colleague, who died but a few weeks ago. FRED L. BLACKMON was born in Lime Branch, Polk County, Ga., on the 15th day of September, 1873, and when he was 20 years of age he moved to Calhoun County, Ala., and made that his home to the day of his death. He served with distinction in the General Assembly of Alabama, and was elected to the Sixty-second Congress and served for nearly 10 years, up to the time of his death. He was a lawyer of excellent ability and high attainments; a representative of the people, in whom all had confidence in his high integrity, honesty of purpose, unbending loyalty to the principles in which he believed, and devotion to his people unrivaled by any. He was a Democrat in political faith, not merely by the accident of birth or environment but because he had a full understanding of the fundamental principles of his party and unyielding faith in those great principles being the beacon star of our national life. He had the courage of his convictions. He never sacrificed principle for the sake of expediency. He was ready to sustain the cause he advocated regardless of the cost to himself. He was an excellent debater and earnest worker and loyal friend. But above all things he stood to the world four square as a real man, a staunch friend, and true American. Honesty of purpose and loyalty of character always marked his course in life. We who knew him best loved him most. His passing from us left a deep sorrow in our hearts and an abiding love of his memory that will rest with us always.

Mr. ROBINSON. Mr. President, the Senate has scarcely known a busier time than that through which we are now passing. We pause in the midst of important duties to pay tribute to the memory of two departed friends. Both of them served with ability and distinction in the House of Representatives.

JOHN L. BURNETT, of Alabama, enjoyed the cordial friendship of all his associates. He was active, diligent, and capable in the performance of his duties as a Representative in Congress. It is seldom that anyone has enjoyed a more liberal experience than was the lot of Mr. BURNETT. Trained in hardships, he proved himself equal to every task which he assumed. He was never known to betray a friend or to neglect a duty. Mr. BURNETT's service extended over a period of many years. It was his privilege as well as his duty to deal with some of the gravest problems that have come to Congress during the last 25 years. I bear witness to the fact that he never failed to give careful study to the questions upon which it was his duty to reflect, and that he never feared to speak and vote as he was prompted to do by a sincere conviction of duty.

Another Representative from the same State recently has been called by death. The Senate honors itself in paying just and appropriate tributes to the names and services of JOHN L. BURNETT and FRED L. BLACKMON.

Mr. BLACKMON fell in the very prime of life. His personal characteristics endeared him to everyone with whom he came in contact. He was genial, sincere, loyal, and able. As a lawyer he earned distinction at the bar of Alabama. As a legislator his services were characterized by independence of thought and fearlessness of action. He belonged to the old school of statesmen who believe in the preservation of the respective powers of the States and of the Nation. He witnessed with regret the constant growth and multiplication of Federal agencies and the expansion of Federal activities. We are all conscious of the fact that Federal agencies during the last 20 years have multiplied in numbers and that Federal activities have been so greatly increased Congress is now almost constantly in session. Throughout the future it is probable that Congress will be in continuous performance.

Mr. BLACKMON enjoyed many intimate friends throughout the period of his service in the House of Representatives. He was interested in many important measures of legislation. As a speaker he was forceful, clear, and direct. He was always prompt and diligent in the performance of his duties. His people trusted him and repeatedly returned him to Congress. He rewarded their confidence with faithful devotion to their interests and with conscientious performance of duty.

Mr. McKELLAR. Mr. President, when I first came to the House of Representatives, some 10 years ago, one of the strong men of that body was JOHN L. BURNETT, to whose memory we pay tribute to-day. At that time he was chairman of the Immigration Committee of the House, and at that time the immigration question was probably one of the leading questions of the day. An immigration bill providing for restriction of immigration by a literacy test had been passed by both bodies during President Taft's administration, as I recall, and he had vetoed it. Under the leadership of Mr. BURNETT another bill of similar character and having a similar purpose was passed by both bodies in Wilson's administration, and vetoed by President Wilson. The Senate and House overrode the veto of President Wilson and the bill became the law. That fight was led by Mr. BURNETT in the House of Representatives in a masterly way.

He was a forceful speaker. Of the question of immigration he was a great student. He went to Europe and studied the question from that viewpoint as he studied it from every viewpoint here and when he spoke he spoke as a man of authority.

He was an authority upon that great question, and did much to solve it. It was he who first in an official way brought the dangers of unrestricted immigration straight home to the American people. The law on that subject that we have recently passed is quite largely an outgrowth of his earnest and steadfast work on that subject. His work in the House was of the most effective kind. His services to his State were of the same character. He was a diligent, faithful, intelligent, and efficient legislator.

Mr. President, Mr. BURNETT was a man of the deepest conviction of right, a man of the highest purposes, a man who was unafraid in the performance of every public and private duty. The word "fear" was not known to JOHN L. BURNETT. His life was an open book. He was kindly, genial, and pleasant, especially to the younger and newer Members of the House. He was friendly to all, esteemed and respected by all for his splendid worth, and for his many genial and lovable traits of character.

I know of no man who impressed himself on his fellow Members as a more genuine, a more sincere, a more honest, or a more upright man than JOHN L. BURNETT.

In every phase of life he took a man's part. A kindly, gentle, splendid man he was and I honor and respect his memory. I am glad that the Senate of the United States has paused long enough in this busy session to permit a tribute to be paid to his life and character.

Alabama has sustained a great loss in his death. His friends miss his kindly fellowship. The House has been deprived of an able and splendid Member.

Mr. President, Alabama has indeed been unfortunate lately in the loss of her distinguished sons. Mr. Burnett's death was followed by that of Congressman FRED L. BLACKMON, a Representative from the fourth Alabama district. His death was sudden and unexpected. He died while away from home.

Mr. President, I was born in the State of Alabama, in the district that was represented in the House of Representatives by Mr. BLACKMON for so many years. He lived near my home. He was educated by my eldest sister. I think the most of the education that he received was received at her hands. He was a splendid young boy. He was a good student. He had a splendid mind. When he arrived at manhood's estate, he became a lawyer, having received his legal education at the University of Alabama. He made a distinguished record there, and afterwards at the bar he quickly assumed a commanding position. He was successful in all that he attempted.

Turning to politics while still a young man, he was elected to the House of Representatives and was reelected five times, his period of service extending over 10 years. Popular in his own district, no one could defeat him. Though it was frequently tried, he always won by his ability, by his geniality, by his honesty and sincerity of purpose.

He did not always agree with probably most of his constituents; he frequently disagreed with them. I remember on the subject of prohibition his views did not accord with the majority views of his district, but in that manly, upright, honest, straightforward way of his, he voted his own convictions, and the people, while disagreeing with him upon that important question, always stood by him.

I knew him intimately in the House of Representatives. I loved him, and I think everyone else who knew him loved him—a kindly hearted man, a man of a noble soul, a man who had nothing of guile in his nature, a man who loved men because they were men, a man in whose word every one of his fellows had the most implicit confidence. His word was always as good as his bond. He stood high in the House. He was a member of the Post Office Committee in that body. He took an active and effective interest in all that came before that committee. He did much for roads and much for the building up of all the various branches of the Postal Service. I deeply regret his death, and shall ever cherish the memory of my departed friend.

Mr. HARRIS. Mr. President, the Senators from Alabama and other States have spoken and will speak of the career of FREDERICK L. BLACKMON as a citizen of Alabama and as a faithful and capable Member of Congress. To me he was not only my associate in the Halls of Congress, but his birthplace and mine were in the same county in Georgia, and I can think of him only as a Polk County, Ga., boy who was living near me in my earliest years and who was among the best and closest friends since I came here as Director of the Census in 1913.

Because he was born and bred in my county and my State I wish to make a brief reference to the family, the community, and the county that gave him the natural endowments, the social standards, and the patriotic impulses which enabled him to win his way to such distinguished service in his day and generation. A man is always the product of his nature and his nurture, of his inborn powers, and his experiences with the world about him—in short, of his heredity and his environment. It is through his family stock that he receives his nature, his inborn powers, and it is his home and community and State that make the nurture and provide the experiences which train him. If we would answer the question, How shall we account for the high achievements of our dead friend? we must go to the family stocks from whence he sprung and to the home and community in which he received his early training.

FREDERICK L. BLACKMON'S mother was Sarah Ann Ross; his father was a physician, who lived on his farm in a community called Lime Branch, which is within 6 miles of Cedartown, where lived my own father, who was also a physician. Our fathers were personal friends and coworkers in the great profession which seeks to promote the health and strength of humanity.

Dr. Augustin Blackmon, the father of FREDERICK, was given the name of Augustin as a mark of admiration for a remarkable man, Augustin Young, who was a near neighbor and the grandfather of many noble men and women in my county and also the grandfather of the Hon. JAMES YOUNG, the very able and conscientious Member of Congress from Texas.

It was an unusually fine type of family stocks who lived as neighbors of Dr. Augustin Blackmon and cooperated with him in building that community spirit at Lime Branch which gave its schools, churches, roads, farms, and homes a standing far above that usually found. These families were, as their names will show, all derived from that Scotch-Irish strain that had settled Virginia, the Carolinas, and Georgia, driving back the Indians, cutting down the forests, building the homes, bridging the rivers, making the laws, and giving a church and school to every community. The children and grandchildren of the settlers of Virginia and the Carolinas went to middle Georgia by the thousands between 1750 and 1800, and scarcely a generation had passed before thousands of their descendants had moved to western Georgia. As it was usually the most daring and the most enterprising of the younger generation that moved the empire of the white race westward, it was from the best of the human stocks of middle Georgia that came the young men and women that made the pioneer settlements in western Georgia. The very names of these families who settled in Lime Branch between 1830 and 1860 show that they were but the advanced lines of that great Scotch-Irish strain which left Europe to find freedom and the fortunes awaiting them in America. As you listen to these names you will find them all Anglo-Saxon or Scotch-Irish. Those who made the early settlers at Lime Branch were the Blackmons, Youngs, Coxes, Caseys, Pittmans, Hickses, Sewells, Hoggs, Willinghams, Cleavelands, Merritts, Brewsters, Garners, Winkles, Wrays, and many others. Their forefathers and descendants have distinguished themselves in all the wars from the Revolutionary through to the World War.

Three miles south of Lime Branch lived William F. Janes, who as a member of the legislature introduced the bill creating Polk County. His son, Charles G. Janes, was judge of the Tallapoosa circuit for many years. The late Robert W. Everett, a successful teacher and farmer, who so ably represented the seventh congressional district in Congress, lived near by and taught many of those who lived in the Lime Branch neighborhood and other sections of Polk County.

These and others were the family stocks that gave prestige to Lime Branch and Polk County by their traditions and churches and schools, and which trained every child to the best ideals of manhood. It was the Blackmon-Ross marriage, both Scotch-Irish names, that gave to FREDERICK BLACKMON the ability and the training that secured for him the confidence and the leadership of the congressional district in Alabama to which his mother moved before his youth was completed. Mrs. David Lowry and Mrs. Samuel Hogg, two splendid women of Polk County, Ga., are sisters of FREDERICK BLACKMON.

I trust that the Senators will not think it improper for me to speak of these facts and names that apparently belong to one family and one county, for reflection will convince them that it is well to give honor to those firesides and those community influences which produce strong and noble men like FREDERICK BLACKMON.

> From scenes like these old Scotia's grandeur springs,
> That makes her loved at home, revered abroad.
> Princes and lords are but the breath of kings—
> An honest man's the noblest work of God.

A boy born and bred in a rural community in Polk County, Ga.; moved in his youth to Alabama with his mother, who continued there the same inspiration to noble deeds, the same re-

spect for right and duty, the same urge to high achievements as had made the spirit of the home in Georgia; and the boy became the servant of his State and of all the United States in the halls of Congress. This is the continuing glory of our country.

Mr. HEFLIN. Mr. President, the custom of holding memorial services out of respect for and in honor of a Member of Congress who died in the service is indeed a beautiful and praiseworthy custom. Here we are in the closing hours of the session and yet Congress halts its pressing, important business and lays aside its legislative program long enough to pay a tribute of love and esteem to two able and faithful Members who have so recently served here. Death has invaded the ranks of the Alabama delegation three times during the Sixty-sixth Congress. Three able and faithful servants of our people, one Senator and two Members of the House, have gone from these historic halls to their last resting place. When memorial services were held in the House in honor of Congressman Burnett I was a Member of that body and delivered one of the addresses on that occasion. I now desire to say a few words about my good friend and recent colleague in the House, FRED L. BLACKMON, who died just a few days ago while serving the fourth Alabama district in the Congress of the United States. He was only 48 years old when the summons came. In the midst of a brilliant and useful career, just in the prime of life, death called him and he left us to join that innumerable throng over yonder where there is no death, but life forever more.

Mr. President, years ago he was elected by the good people of Calhoun County to represent them in the Alabama State Senate. He had before coming to Congress legislative experience and training which wonderfully well equipped him for service in the lower House. He was elected from the fourth district of Alabama, the district adjoining the fifth, the one that I had the honor to represent for more than 16 years in the other branch of Congress.

The people of that district delighted to honor him and to have him as their representative in the greatest law-making body in the world. For 10 years the people of that district commissioned him as their representative and he had been elected to represent them in the Sixty-seventh Congress. After his last triumphant election he announced his intention to retire at the expiration of the Sixty-seventh Congress and go back into the practice of the law at Anniston, Ala. He was a splendid and a wonderfully successful lawyer, and had for years enjoyed the reputation of being one of the very best trial lawyers in our State. He was exceedingly popular with both judge and jury. He was a brave, manly man, a devoted friend, a good citizen, and an able and faithful Representative in Congress.

Mr. President, he will be missed and mourned by a large circle of devoted friends in Alabama and by those with whom he served so ably and well here in the Capitol of the Nation. In the brilliancy and buoyancy of a useful life, death touched his dreamless slumber to his eyelids and he fell asleep. He leaves a charming and devoted wife and two splendid children, Fred L., jr., and Sara B. Blackmon, to mourn his loss. In his death Alabama has lost a distinguished, valuable, and popular citizen, and an able and faithful Representative in the Congress of the United States.

Mr. President, I move the adoption of the resolutions submitted by my colleague [Mr. UNDERWOOD].

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Without objection, the resolutions offered by the senior Senator from Alabama will be unanimously agreed to.

The resolutions were unanimously agreed to.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE BROWNING.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). The Chair lays before the Senate a communication from the House of Representatives, which will be read.

The Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
May 16, 1920.

Resolved, That the business of the House be now suspended, that an opportunity may be given for tributes to the memory of Hon. WILLIAM J. BROWNING, late a Member of the House of Representatives from the State of New Jersey.

Resolved, That as a further mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. FRELINGHUYSEN. Mr. President, I offer the resolutions which I send to the desk, and ask unanimous consent for their adoption.

The PRESIDING OFFICER. The resolutions will be read.

The Assistant Secretary read the resolutions (S. Res. 470), as follows:

Resolved, That the Senate has heard with deep sorrow of the death of Hon. WILLIAM J. BROWNING, late a Representative from the State of New Jersey.

Resolved, That the business of the Senate be now suspended in order that fitting tribute may be paid to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased.

Mr. FRELINGHUYSEN. Mr. President, nearly a year ago the irresistible hand of death brought to a sudden close the career of a distinguished statesman, WILLIAM J. BROWNING.

In the fullness of years, at the zenith of a profitable life, with the harness on, he went to his reward.

The late Representative from the first district was in every respect the architect of his own fortune and the source and inspiration of his whole fruitful career.

When yet a lad, hardly out of the period of infancy, he became an orphan, his father dying while yet in the early meridian of life. I mention this as a "handicap," yet I am not sure that I use the word wisely. It may be that this great loss, when the lad was still very young, was the child's gain. As he advanced along the pathway of life, even in those early years, he was thrown upon his own resources entirely, and thus developed those characteristics of industry and initiative which he might never have acquired had he been entirely dependent in boyhood upon a father's care and protection.

This lack, in the case of young BROWNING, toughened the fiber of his being and produced in him certain qualities which made for success in after life.

Fortunately, while the head of the household was removed, the mother remained, a woman of great strength of character, possessing a well-disciplined mind and actuated by the sterling principles of the Society of Friends, to which she belonged. She played a dual rôle, being father and mother in one, and aided materially in shaping the son's subsequent career.

Educated at Friends Central High School, Philadelphia, working during recesses on his uncle's farm in New Jersey, he entered a mercantile house in the Quaker City as office boy, he being then about 15 years of age. Upon attaining his majority, he became a member of the firm.

But the lure of public service seems to have fastened its hold upon him in early life in spite of his Quaker training. Early participating in the political movements of his day in his native city—Camden—he soon became a leader among the young men of his neighborhood.

The first important post held by him was that of member of the city council. Then he was made a member of the board of education, and became chairman of the same, performing, with satisfaction to the community, the duties of that responsible post. In due time, under the Harrison administration, he was made postmaster at Camden, and here, too, he served the public, and the Government as well, with full credit and acceptability.

His entrance into the domain of national affairs took place in December, 1895, when he was chosen Chief Clerk of the House of Representatives. This station he filled for 16 years.

He performed the duties of that office with a degree of efficiency never surpassed, and in so doing won the unanimous friendship of practically every Member of that body.

Upon the death of his friend and immediate representative, Congressman Loudenslager, August 12, 1911, BROWNING was chosen a Member of the Sixty-second Congress. In due course he was reelected to the Sixty-third, Sixty-fourth, Sixty-fifth, and Sixty-sixth Congresses. In 1912, during the Democratic upheaval, resulting from the split in his own party, BROWNING was the only Republican who carried a congressional district in New Jersey, though in the Sixty-seventh Congress but a single Democrat will represent the State.

In the House BROWNING'S service was preeminently valuable by reason of his long identification with that body as Chief Clerk and Member. Quiet and rather conservative, he was nevertheless indefatigable in his attendance upon the sessions of Congress and of the committees upon which he served. He had a wonderful propensity for detail and for the minutia of legislation, having everything at his fingers' ends.

Coming to the Senate four years ago, entirely unfamiliar with the methods of Federal legislation at the outset, I found Congressman BROWNING helpful at all times, ready with advice and suggestion in the work of parliamentary procedure.

He was a safe and able representative of the material interests of the important district which honored him with a seat in Congress, and his death was a great loss to his party, his State, and the Nation which he so honorably served.

Mr. EDGE. Mr. President, I simply want to add a word in tribute to the memory of the late Congressman BROWNING. It was typical of his conscientious service that he passed away, as it were, in the saddle, actually in the Capitol itself.

It was my good fortune to be very intimately acquainted with Congressman BROWNING. I lived for many years in the adjoining county. His earnest work in public life was always an inspiration to me, and I have followed his career with great interest and great benefit. I consider that Congressman BROWNING represented a type of public man who considered public service perhaps somewhat different from the accepted scope of the responsibilities of the day. He was one of those men who appreciated the importance of the little things. He looked upon every case presented to him by constituents, whether it was some small pension matter, some officer of the Government who perhaps had made an error, or some difficulties in connection with the service of the soldiers in the late war, war insurance, or other detail matters—he looked upon any of those cases referred to his office as in themselves individual responsibilities, big matters, because they were big matters to whoever presented the particular applications. His work was one of great detail, and to-day I think the average Member of Congress, perhaps pardonably so, makes an effort to get away from detail.

Mr. BROWNING, as well, was a member of a very important committee, the Committee on Naval Affairs, and served on that committee from the commencement of his services in the House until the time of his passing away. I know from personal contact with him that he was deeply interested in the development of the Navy of the United States, worked zealously as a member of the committee; and residing, as he did, in the State of New Jersey, right on the Delaware River, near the navy yard—and even when Congress was not in session he was continually actively engaged in the development of that river and yard.

New Jersey, in losing Congressman BROWNING, lost an efficient, conscientious, representative public servant. New Jersey mourns his loss, because they respected him. The first congressional district mourns his loss, because they loved him.

Mr. President, in performing this sad duty, I am glad to have the opportunity of paying this tribute to the memory of so conscientious a public servant.

The resolutions were unanimously agreed to.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975), making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill for action on the committee amendments.

Mr. UNDERWOOD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	McLean	Simmons
Ball	Hale	McNary	Smith, Ariz.
Borah	Harris	Moses	Smith, Md.
Calder	Harrison	Myers	Smith, S. C.
Capper	Heflin	Nelson	Smoot
Chamberlain	Jones, N. Mex.	New	Spencer
Curtis	Jones, Wash.	Norris	Sutherland
Dial	Kellogg	Overman	Swanson
Dillingham	Keyes	Owen	Thomas
Edge	King	Page	Townsend
Elkins	Kirby	Phipps	Trammell
Fernald	La Follette	Poindexter	Underwood
France	Lenroot	Pomerene	Walsh, Mass.
Frelinghuysen	Lodge	Robinson	Warren
Gerry	McCumber	Sheppard	Willis
Glass	McKellar	Shields	Wolcott

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

Mr. JONES of New Mexico. Mr. President, I desire to raise a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. JONES of New Mexico. I understand that the naval appropriation bill is before the Senate as the unfinished business, and I desire to make a point of order against its further consideration, under the second paragraph of Rule XXVI, which provides that—

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects in which the committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

This being the same legislative day on which the naval appropriation bill was reported to the Senate, it has not yet laid over one day since it was reported by the committee to the Senate. I therefore make the point of order, and object to the further consideration of the bill.

Mr. POINDEXTER. Mr. President, the bill has been considered by the Senate.

The VICE PRESIDENT. Yes; but the Chair must maintain the ruling that has heretofore been made by the present Presiding Officer, from which an appeal can be taken, and the Senate will then definitely settle the question. The Chair has heretofore ruled that except upon unanimous consent, a bill may not be considered on the same legislative day on which it was reported. The Chair accordingly sustains the point of order.

Mr. POINDEXTER. I take an appeal from the decision of the Chair.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate? The Chair may be permitted to remark that he thinks it important that this question should be settled, and settled now. The ruling of the Chair is in strict conformity with the rulings in similar situations in the House of Representatives.

Mr. LODGE. Mr. President, I do not think I quite understand the point. The naval appropriation bill is now the unfinished business.

The VICE PRESIDENT. Yes; it is the unfinished business—made so, however, upon a motion, and made so on this legislative day, and reported to the Senate on this legislative day. The Senator from New Mexico objects, and the rule says that if there is an objection, it can not be taken up the same day.

Mr. POINDEXTER. I do not so understand the rule.

The VICE PRESIDENT. An appeal has been taken from the decision of the Chair.

Mr. POINDEXTER. May I have the privilege of making a remark for a moment in regard to it?

The VICE PRESIDENT. The Senator from Washington has taken an appeal, and it is open to discussion.

Mr. POINDEXTER. I want to call attention to the language of the rule.

The VICE PRESIDENT. It is fair for the Chair to state that the Senator from Washington [Mr. POINDEXTER] made identically the same point of order against the Senator from New Mexico [Mr. JONES] yesterday.

Mr. POINDEXTER. I beg the Chair's pardon. I did not make the same point of order against the Senator from New Mexico, for the reason that the conditions were entirely different from the conditions under which the pending naval appropriation bill is situated in the Senate in a parliamentary sense. This bill has been under the consideration of the Senate for several days by order of the Senate. Consequently, it has been "otherwise directed," within the language of the rule, as to the consideration of it upon the same day upon which it was reported.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. POINDEXTER. I yield.

Mr. ROBINSON. The "otherwise directed" provision of the rule relates to unanimous consent. The express provision of the rule is that "unless the Senate shall otherwise direct by unanimous consent," which, of course, implies that it can not be done by a mere majority vote.

Mr. POINDEXTER. There was no objection. Consequently it must have been by unanimous consent that we have proceeded with the consideration of the bill.

Mr. BORAH. There was objection, and a vote was taken on it.

Mr. POINDEXTER. I know; but we have had several recesses since then and have proceeded since with the consideration of the bill.

Mr. BORAH. We have not had any adjournment, however.

Mr. POINDEXTER. No; but we have had recesses.

Mr. BORAH. I tried to get an adjournment and could not.

Mr. POINDEXTER. Yes; that is true. These are not the same at all as the conditions under which the bill of the Senator from New Mexico is presented, and for this reason—and that is all I desire to call attention to—that the bill he wished to have considered had not been taken up and had not been under consideration. The naval appropriation bill has been taken up at repeated sessions of the Senate, continued by recess from time to time, and to-day it was taken up without objection.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. JONES of New Mexico. Mr. President, I desire to say just a word on the point of order. I do not think there is any question that the ruling of the Chair should stand as the decision of the Senate. The Chair has decided that the point of order is well taken, but an appeal has been taken from that ruling of the Chair. It seems to me that the interpretation of the rule is not only correct, but it is a good rule.

There is no reason why we should not have an adjournment in order that the Senate may take a vote upon whether it will consider another committee report or not. It was apparent to me on yesterday and on the day before that there was little likelihood of the naval appropriation bill becoming a law at this session. I made an attempt to get up for the consideration of the Senate the soldiers' bonus bill or adjusted-compensation bill. It was ruled by the Chair, and I think properly ruled, that the motion was out of order because the report of the committee had not been before the Senate for a legislative day.

I have no special antipathy toward the consideration of the Navy bill if it can be done in a regular and orderly way, but I believe there should be an adjournment so that the Senate may have an opportunity to vote upon the question of taking up for consideration the report of some other committee. An adjournment will provide an opportunity for recent reports to lie over for a legislative day.

I shall not take occasion to read the precedents on the question, but it has been the uniform ruling, so far as I have been advised, that a point of order of this kind can be made at any time. Rule XX provides:

A question of order may be raised at any stage of the proceedings.

The objection or the criticism of the Senator from Washington that the point of order should not be made now can not be well founded.

Mr. ROBINSON. Mr. President, it seems to me the only question of law involved in the ruling of the Chair is whether he has correctly considered the requirements that all reports from committees shall lie over one day unless unanimous consent be procured for their consideration, the question turning upon the meaning of the word "day." The Chair has construed it to mean a legislative day. In one or two instances at least that I recall a different construction has been placed upon the rule, and the word "day" has been held to mean calendar day. I think, however, that the weight of precedents and the weight of argument support the ruling of the Chair.

We all know the object of a legislative day. We know why that fiction has been created making a legislative day at the pleasure of the Senate extend over a period of many calendar days. It is to obviate the very difficulties which in many instances would arise if we conformed our proceedings to the calendar day. There is no question in my mind that the Chair has ruled correctly on the subject. There is a way out of the difficulty which the Senate will readily see, if it chooses to take it.

Mr. POINDEXTER. Mr. President, I wish to call attention to a further view of the matter. The rule is against taking up a report of the committee. It reads:

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects in which the committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

The bill did not lie over. Whatever may have been the process by which it was arrived at, it did not lie over, and it was under consideration and is before the Senate at the present time, so that a different stage has been reached from that which is referred to in the rule.

Mr. President, I move that the Senate adjourn until 20 minutes after 4 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 10 minutes p. m., Wednesday, Mar. 2, 1921) adjourned until Wednesday, March 2, 1921, at 4.20 o'clock p. m.

WEDNESDAY, *March 2, 1921.*

The Senate met at 4 o'clock and 20 minutes p. m.

The VICE PRESIDENT. There was not sufficient time to send for the Chaplain of the Senate. The Secretary will read the Journal of the proceedings of the legislative day of February 24, 1921.

Mr. LODGE. Mr. President, I move that the reading of the Journal be dispensed with.

The VICE PRESIDENT. Without objection——

Mr. BORAH. Mr. President, what was the motion?

Mr. LODGE. That the reading of the Journal be dispensed with.

The VICE PRESIDENT. The Senator from Massachusetts requests that the reading of the Journal be dispensed with.

Mr. BORAH. I object.

Mr. LODGE. I ask that the motion be put.

Mr. LA FOLLETTE. I make the point of order that the motion is out of order, that the Journal must be read on objection.

The VICE PRESIDENT. The Chair is of opinion that the only way to dispense with the reading of the Journal is by unanimous consent, it being the right of each Senator or any particular Senator to have the Journal read if he so desires. The Secretary will read the Journal of the proceedings of the last legislative day.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, February 24, 1921, and after having read for some time,

Mr. LODGE. Mr. President, I renew my request that the further reading of the Journal be dispensed with, so that we may have the morning business.

The VICE PRESIDENT. Is there any objection?

Mr. LA FOLLETTE. I understand there are some other bills to be taken up which may be considered in the morning hour, and I shall not make any objection.

The VICE PRESIDENT. Is there any objection to dispensing with the further reading of the Journal? The Chair hears none, and the Journal will stand approved. The presentation of petitions and memorials is in order.

PETITIONS AND MEMORIALS.

Mr. KEYES presented a resolution of the New Hampshire Retail Jewelers' Association, of Manchester, N. H., favoring a turnover sales tax of 1 per cent, which was referred to the Committee on Finance.

Mr. McCUMBER presented a concurrent resolution of the Legislature of North Dakota, which was ordered to lie on the table, as follows:

THE VICE PRESIDENT'S CHAMBER,
Washington, February 22, 1921.

SIR: At the direction of the Vice President, I have the honor to forward the inclosed communication for your consideration.

Respectfully,

MARK THISTLETHWAITE,
Secretary.

Hon. PORTER J. MCCUMBER,
United States Senate.

Concurrent resolution introduced by Mr. Baker.

Urging the Congress of the United States to enact into law the bill entitled "A bill for the public protection of maternity and infancy, and providing a method of cooperation between the Government of the United States and the several States," and known as the Sheppard-Towner bill.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That the Congress of the United States be urged to pass and enact the bill known as the Sheppard-Towner bill, entitled "A bill for the public protection of maternity and infancy, and providing a method of cooperation between the Government of the United States and the several States. That the Legislative Assembly of the State of North Dakota are in favor of the passage of such measure at the earliest possible moment; be it further

Resolved, That copies of this resolution be forwarded to the Speaker of the House of Representatives and to the President of the Senate at Washington, D. C.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the house of representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.
L. L. TIORCHELL,
Speaker of the House of Representatives.
C. LOONSON,
Chief Clerk of the House of Representatives.

Mr. McCUMBER presented a resolution of the State Senate of the Legislature of North Dakota, which was referred to the Committee on Standards, Weights, and Measures and ordered to be printed in the RECORD, as follows:

Resolution on metric system, introduced by Mr. O. C. Gross by request.

Whereas there is in the United States a deplorable lack of uniformity in weights and measures, and the units used are unscientific, cumbersome, and unrelated, constituting an actual hindrance to education, industry, world trade, and the activities of daily life; and

Whereas the metric system of weights and measures is a decimal system, simple, logical, and easy to use, so that its adoption will result in an incalculable saving in time and energy; and

Whereas the metric system has been adopted by the vast majority of enlightened nations, and its adoption by the United States is calculated to promote friendly relations and commerce with all the world; and

Whereas the State of North Dakota, by reason of its great commercial and industrial activities, is vitally interested, both as a State and in behalf of its citizens, in the speedy adoption of world-wide uniform standards of weights and measures: Now, therefore, be it

Resolved, That the State Senate of the State of North Dakota respectfully urges that the units of the metric system be adopted by

the Congress of the United States as the legal standard of weights and measures after a transition period of 10 years, as proposed in bills now before Congress; and be it further

Resolved, That copies hereof be forwarded to the President of the United States of America and to the Senators and Representatives of the State of North Dakota in the Congress of the United States.

I, W. J. Prater, secretary of the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, do hereby certify that the foregoing resolution on metric system was adopted in the senate.

W. J. PRATER,
Secretary of the Senate.

Mr. McCUMBER presented a resolution of Minot Council, No. 1150, of the Knights of Columbus, of Minot, N. Dak., protesting against the enactment of legislation creating a department of education, which was ordered to lie on the table.

Mr. McNARY presented a resolution of the Legislature of Oregon, which was referred to the Committee on Territories as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 3 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon, and filed in the office of the secretary of state February 23, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 24th day of February, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

Senate joint memorial 3.

Whereas the salmon industry is the third largest within the State of Oregon, and returns to the State many millions of dollars annually, which at once becomes a part of its taxable assets through the regular channels of trade; and

Whereas the streams of Oregon and the Columbia River, over which Oregon and Washington have concurrent jurisdiction with respect to the fish therein, have been rehabilitated as salmon streams; and

Whereas said rehabilitation has been the result of the propagation of salmon fry; and

Whereas the streams and waters of said State were until the year 1914 showing the effects of the destruction of natural spawning beds and areas on the upper reaches of the streams within the State and other causes; and

Whereas since the year 1914 the pack of canned salmon on the Columbia River and the coast streams of Oregon has increased more than 250 per cent, due to artificial propagation of salmon fry and the liberation of the same in the waters of Oregon; and

Whereas the life of the industry is now being threatened by the use of purse seines and similar devices at the mouths of the rivers and streams of Oregon and in the waters of the Pacific Ocean; and

Whereas said purse seines destroy annually untold numbers of immature and young salmon on the feeding grounds offshore at the mouths of the rivers of the State of Oregon; and

Whereas such destruction of the young salmon is inimical to the industry, and if permitted to continue is apt to result in the complete inability of the hatcheries to provide an adequate return run of salmon in the streams after they have reached maturity on the feeding grounds in the waters of the Pacific Ocean; and

Whereas it is of the utmost importance, not only to the State of Oregon but to the States of California and Washington, the Territory of Alaska, and the Province of British Columbia, that means be devised to protect the salmon on its feeding grounds all along the coast of the United States and the Dominion of Canada bordering on the Pacific Ocean; and

Whereas Hon. CHARLES MCNARY, representing the State of Oregon in the Senate of the United States Congress, has introduced a resolution calling upon the President of the United States to negotiate a treaty between the United States and Great Britain to protect the salmon in the waters of the Pacific Ocean bordering on the United States and Dominion of Canada: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence to secure the passage of legislation to the end that a treaty may be entered into between the two high contracting parties herein mentioned to prevent the use of the destructive forms of gear heretofore mentioned and to protect the salmon upon the feeding grounds and preserve for all time this important industry to the Territory of Alaska, the States of Washington, Oregon, and California, and the Province of British Columbia, and that a copy of this memorial be transmitted to the Senators and Representatives in Congress from the State of Oregon.

Adopted by the senate February 19, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house February 21, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. McNARY presented a joint resolution of the Legislature of Oregon, which was referred to the Committee on Military Affairs, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of house joint memorial No. 12 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 23, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 24th day of February, A. D. 19—.

[SEAL.]

SAM A. KOZER,
Secretary of State.

House joint memorial No. 12.

To the Senate and House of Representatives of the Congress of the United States of America:

We, your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that:

Whereas House bill 15854 provides for the establishment of the grade of lieutenant general in the Armies of the United States.

Whereas the commander of the American fighting forces in the field during the World War held the grade of lieutenant general.

Whereas the commander of the First Army of the American Expeditionary Forces, who stopped the German Army on the Marne and forced a collapse of the German Empire in the Argonne, was reduced to the grade of major general upon his return to the United States.

Whereas such reduction was made by reason of legal limitations in the organization of the Army, which laws did not contemplate the proper recognition of the commander of the First Army.

Whereas the reduction in grade of the commander of America's First Army abroad was inconsistent with the gratitude of the American people for services so rendered.

Resolved by the House of Representatives of Oregon, the Senate concurring, That we memorialize Congress immediately to enact into law House bill 15854, in order that the rank of lieutenant general of the Army may be restored to Maj. Gen. Hunter Liggett, who won his promotion by conspicuous and gallant military service and devotion to duty.

Resolved, That the secretary of the State of Oregon be, and is hereby, authorized and directed to transmit a copy of this memorial, under the seal of his office, to each Member of the Oregon delegation in Congress, and to the presiding officers of the Senate and House of Representatives, and the chairmen of the Committee on Military Affairs of the United States Senate and House of Representatives.

Adopted by the Senate February 21, 1921.

(Signed) ROY W. RITNER,
President of the Senate.

Adopted by the House February 19, 1921.

(Signed) LOUIS E. BEAN,
Speaker of the House.

Indorsed: House joint memorial No. 12. Introduced by Messrs. Leonard and Hammond. W. F. Drager, chief clerk. Filed February 23, 1921. Sam A. Kozer, secretary of state.

Mr. CAPPER presented a resolution adopted at a mass meeting of citizens of Galveston, Tex., favoring the recognition of the Irish republic and also the immediate recall of the loan made to Great Britain during the World War, which was referred to the Committee on Foreign Relations.

WASHINGTON MARKET CO.

Mr. POMERENE. I ask unanimous consent that the Committee on Corporations Organized in the District of Columbia be discharged from the further consideration of the bill (H. R. 9036) to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870, and that it be referred to the Committee on the District of Columbia.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

REPORTS OF COMMITTEES.

Mr. BALL. I report back favorably, without amendment, from the Committee on the District of Columbia, the bill (H. R. 9036) to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co." approved May 20, 1870, and I ask for its immediate consideration.

Mr. LODGE. Regular order!

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. MOSES subsequently said: Mr. President, I ask unanimous consent for the immediate consideration of House bill 9036, reported by the Senator from Delaware [Mr. BALL].

The VICE PRESIDENT. There was an objection. Is there further objection?

Mr. POINDEXTER. I object.

Mr. KEYES, from the Committee on Immigration, to which was referred the joint resolution (S. J. Res. 232) permitting Chinese to register under certain provisions and conditions, reported it without amendment.

Mr. LENROOT, from the Committee on Military Affairs, to which were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were indefinitely postponed:

S. 1260. A bill for the relief of Elijah Stroud;

S. 3765. A bill for the relief of Rhodilla Silvers; and

S. 3990. A bill placing Lieut. Col. Charles C. Teare, of the Judge Advocate General's Department, on the retired list and to retire him with the rank and pay of a lieutenant colonel on the retired list.

Mr. CALDER, from the Committee on Commerce, to which was referred the bill (S. 5044) granting the consent of Congress for the construction of a bridge acoss the Savannah River near Halleys Ferry and between the counties of Anderson, S. C., and Hart, Ga. I report it without amendment and submit a report (No. 827) thereon. I ask unanimous consent for its present consideration.

Mr. POINDEXTER. I object.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SMITH of South Carolina. There is absolutely nothing in the bill but merely the permission to build the bridge.

Mr. POINDEXTER. The bill we have been trying to get passed for several days, and which the Senator has been insisting on defeating, is nothing at all but the naval appropriation bill.

Mr. SMITH of South Carolina. What is that? I did not understand the Senator.

Mr. POINDEXTER. Let the Senator read the RECORD.

Mr. SMITH of South Carolina. Did I understand the Senator to say that I was here attempting to defeat the naval appropriation bill?

Mr. POINDEXTER. I said the Senator had occupied a great deal of time and had participated in defeating the naval appropriation bill.

Mr. SMITH of South Carolina. I absolutely repudiate that as being altogether unfounded and uncalled for.

Mr. LODGE. The regular order!

The VICE PRESIDENT. Are there any other reports of committees? Concurrent and other resolutions are in order.

Mr. HARRIS, from the Committee on Immigration, to which was referred the joint resolution (S. J. Res. 255) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, reported it without amendment.

CREDITS UNDER LIBERTY LOAN ACTS.

Mr. REED. I am directed by the Committee on the Judiciary to report the following resolution in behalf of the committee, and I ask that it be read. I then shall ask unanimous consent for its present consideration.

Mr. POINDEXTER. I object to its reading, Mr. President.

Mr. REED. Mr. President, it is only a resolution to authorize carrying on an investigation.

Mr. POINDEXTER. I appreciate that, and I do not know that I have any objection to it; but there is a great mass of similar business, and if we give way in the right we have under the rules to one, we shall be compelled to give way to all. That is the situation in which we have been placed for three days in trying to get consideration for an appropriation bill. So I am compelled, as much as I regret to do it, to object, with this suggestion to the Senator, that there will undoubtedly be an opportunity before the adjournment of this session of Congress to bring the matter up.

The VICE PRESIDENT. The Chair can wind this up. The resolution calls for an expenditure of money and will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. REED. I thank the Senator from Washington for permitting me to report the resolution.

The resolution (S. Res. 471) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be authorized to investigate and ascertain what credits have been established and what commitments, advancements, and payments have been made or are claimed to have been made by authority of the four Liberty loan acts, the Victory loan act, or any other acts of Congress granting the Secretary of the Treasury authority to accept the obligations of foreign Governments for moneys, munitions, or supplies furnished them by the United States Government and the reasons for making said credits, commitments, advances, or payments; and

That the committee or any subcommittee thereof may sit during the present session of the Sixty-sixth Congress, or during the recesses between the Sixty-sixth and Sixty-seventh Congresses; and

That the committee or any subcommittee thereof be authorized to send for persons and papers, to administer oaths, and to employ a stenographer, at a cost of not to exceed $1.25 per printed page, to report such hearings as may be had in connection with this investigation; and

That the expenses contracted thereunder shall be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRONNA (by request):

A bill (S. 5046) to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale or purchase of grain for future delivery, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. McKELLAR:

A bill (S. 5047) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein; to the Committee on Civil Service and Retrenchment.

By Mr. HARRISON:

A bill (S. 5048) to survey the Yazoo River, Miss., with a view to the control of its floods; to the Committee on Commerce.

FUTURE CONTRACTS FOR FARM PRODUCTS.

Mr. SMITH of South Carolina submitted a concurrent resolution (S. Con. Res. 40), which was read and ordered to lie on the table, as follows:

Resolved by the Senate (the House of Representatives concurring), That the officers in charge of the exchanges and markets where future contracts for farm products are dealt in are requested to suspend speculative short sales in farm products from notice of this request until August 1, 1921.

NAVAL APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. POINDEXTER. I move that the the Senate proceed to the consideration of House bill 15975, the bill making appropriations for the naval service.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. POINDEXTER. Mr. President, we had made considerable progress on this bill, and had adopted the first amendment, I think. I ask that the reading for action on the committee amendments be continued.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 3, line 14, under the item "Pay, miscellaneous," to strike out "$250,000" and insert in lieu thereof "$400,000," so as to read:

And not to exceed $400,000 for telephone rentals and tolls, telegrams and cablegrams; postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses.

The amendment was agreed to.

The next amendment was, on page 3, after line 17, to strike out:

Provided, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base.

The amendment was agreed to.

The next amendment was, on page 3, line 22, after the word "provided" to strike out the word "further."

The amendment was agreed to.

The next amendment was, on page 4, line 3, after the word "exceed" to strike out "$750,000" and insert "$850,000," so as to read:

That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed $850,000.

Mr. EDGE. Mr. President, a parliamentary inquiry. In view of the renewed motion to take up the bill for consideration following the adjournment, I should like to ask whether that affects the previous action of the Senate on the amendments that have gone before?

The VICE PRESIDENT. The Chair thinks not. Whatever has been done has been done.

Mr. KING. I ask the Senator having the bill in charge the reason for an increase in that item over the amount of $100,000 as contained in the bill as it passed the House?

Mr. POINDEXTER. One reason is that the Senate committee has based the appropriation upon a navy personnel of 120,000, instead of 100,000. Of course, if the question of the personnel of the Navy should remain as the basis of these appropriations, the appropriation would be less than that recommended by the Senate committee. During the war the expenses for this item amounted to about $11,000,000, and for the current year the expenditure for that purpose is $1,000,000. The Navy Department was very urgent in its request for a larger sum than that which is allowed by the Senate committee.

Mr. KING addressed the Senate. After having spoken for some time,

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Utah yield to the Senator from Washington?

Mr. KING. I yield.

Mr. POINDEXTER. I beg pardon for interrupting the Senator, but I would like to ask unanimous consent that when the Senate concludes its session to-day it shall take a recess until 11 o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that when the Senate concludes its session this afternoon or this evening it shall take a recess until 11 o'clock to-morrow morning. Is there objection? The Chair hears none, and it is so ordered.

Mr. KING. Let me tell my friend that I would have concluded before this if it had not been for interruptions. I have been led into so many digressions that I have been unable to conclude. When I rose I intended to occupy perhaps only half an hour.

Mr. POINDEXTER. I have been very much entertained by the Senator's speech.

Mr. KING. It is very kind of the Senator to say that.

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harrison	McLean	Smith, Md.
Ball	Henderson	Moses	Smith, S. C.
Borah	Hitchcock	Myers	Smoot
Calder	Jones, N. Mex.	New	Spencer
Capper	Jones, Wash.	Norris	Sutherland
Curtis	Kellogg	Overman	Thomas
Dial	Kendrick	Phelan	Townsend
Dillingham	Kenyon	Phipps	Underwood
Fernald	Keyes	Poindexter	Walsh, Mass.
Fletcher	King	Pomerene	Warren
France	Knox	Reed	Willis
Frelinghuysen	Lenroot	Robinson	Wolcott
Gay	Lodge	Sheppard	
Gooding	McCumber	Shields	
Hale	McKellar	Simmons	

The PRESIDING OFFICER. Fifty-seven Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes; that it had receded from its disagreement to the amendments of the Senate Nos. 12, 53, 70, 71, and 84, and agreed to the same; that it had receded from its disagreement to the amendments of the Senate Nos. 10, 22, 34, 54, 106, and 113, and agreed to the same; that it had insisted upon its disagreement to the amendments of the Senate Nos. 18, 23, 104, and 105, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ANTHONY, Mr. CRAMTON, Mr. SLEMP, Mr. DENT, and Mr. SISSON managers at the further conference on the part of the House.

The message also announced that the House had passed the bill (S. 1551) to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.; and

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

SAVANNAH RIVER BRIDGE.

Mr. DIAL. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 5044) granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Is there objection?

Mr. POINDEXTER. That is a bill, which I understand will require no debate whatever, being a mere routine bridge bill. I have no objection to its consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to J. J. Smith and J. E. McGee, both of Starr, S. C., and their assigns, to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation, near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WADSWORTH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 14, 17, 24, 25, 32, 33, 39, 40, 41, 45, 52, 55, 58, 60, 66, 67, 68, 73, 79, 80, 83, 87, 91, 97, 100, 101, 107, and 109.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 9, 13, 15, 16, 19, 21, 26, 28, 29, 30, 31, 38, 42, 46, 47, 49, 50, 51, 59, 62, 63, 69, 72, 74, 75, 81, 82, 85, 86, 98, 99, 102, 103, 108, 110, 111, and 112; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$40,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$185,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out the matter proposed by the Senate and insert in lieu thereof the following: "*Provided*, That not to exceed $600,000 from this appropriation may be expended for salaries and wages of civilian employees; not to exceed $450,000 may be expended for commercial and existing Government-owned telephone and telegraph service; not to exceed $1,000,000 may be expended for signal equipment for organizations; not to exceed $7,500 may be expended for pigeon service; not to exceed $100,000 may be expended for photographic and cinematographic service; and not to exceed $100,000 may be expended for the operation and maintenance of Camp Alfred Vail"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "with the form of discharge certificate to which the service of each, after enlistment, shall entitle him,"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$3,500,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$28,000,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert: "$27,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment insert the following: "*Provided*, That from this appropriation, not to exceed $1,750,000 shall be expended for the pay of civilian employees; not to exceed $1,750,000 shall be expended for power, heat, and electric current, of which not exceeding $42,300 may be used for improvement of electric power supply system at Governors Island, N. Y.; not to exceed $100,000 shall be expended for

maintenance and repair of buildings (including repair of machinery) for laundries; not to exceed $300,000 shall be expended for the maintenance and repair of heating apparatus (other than stoves); not to exceed $200,000 for maintenance and repair of electric wiring and fixtures; not to exceed $10,000 for the repair and exchange of typewriters; not to exceed $4,000,000 for the operation of laundries; not to exceed $6,500,000 for fuel; not to exceed $8,500,000 for forage, including salt and vinegar and bedding for animals, and straw for soldiers' bedding; not to exceed $405,000 for ice; and not to exceed $600,000 shall be expended for stationery: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use, and in any event not less than 10,000 of such animals shall be sold"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$7,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "*Provided*, That from this appropriation not exceeding $3,000,000 shall be expended for the hire of labor; not exceeding $3,500,000 shall be expended for the pay of civilian employees other than laborers; not exceeding $75,000 shall be expended for telegrams, cablegrams, and postage; and not exceeding $25,000 shall be expended for experimental and development work"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In line 6 of the matter inserted by said amendment, after the word "roads," insert "not less than one-half by sale"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate insert "$150,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate insert "$200,100"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$225,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$1,500,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, restore the matter stricken out, and in the matter so restored strike out "$50,000" and insert "$100,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$35,000"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$25,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendent as follows: In lieu of the amount proposed by the Senate amendment insert "$425,000"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$1,300,000"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$225,000"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,000"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$175,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$60,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$9,750,000: *Provided*, That 20 per centum of the foregoing amounts for arming, equipping, and training the National Guard shall be available interchangeably for expenditure for the purposes named, but not more than 20 per centum shall be added to the amount appropriated for any one of such purposes"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,500,000"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,906,404.80"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 10, 12, 18, 22, 23, 34, 53, 54, 70, 71, 84, 104, 105, 106, and 113.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
DUNCAN U. FLETCHER,
KENNETH MCKELLAR,
Managers on the part of the Senate.

D. R. ANTHONY, Jr.,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The conference report was agreed to.

The VICE PRESIDENT. The Chair lays before the Senate the action of the House of Representatives, which will be read.

The reading clerk read as follows:

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 12, 53, 70, 71, and 84 to the bill (H. R. 15943) entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," and agrees to the same.

That the House recedes from its disagreement to the amendment of the Senate numbered 10, and agrees to the same with an amendment as follows: In lieu of the language proposed to be inserted by the Senate, insert the following: "$21,100,000: *Provided*, That not to exceed $4,000,000 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding $250,000 may be expended for experimentation, conservation, and production of helium; not exceeding $4,300,000 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; not exceeding $500,000 may be expended for the production of lighter-than-air equipment; and not exceeding $350,000 may be expended for improvement of stations, hangars, and gas plants: *Provided further*, That not less than $5,500,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*,

That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $10,000."

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: ", and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment; and the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges."

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 12 of the matter inserted by said amendment, before the word "enlisted," insert "officers and."

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In the last line of the matter inserted by said amendment strike out "July" and insert in lieu thereof "April."

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: After the word "expended," in the last line of the matter inserted by said amendment, insert ": *Provided*, That 60 per cent of this sum shall be paid from the revenues of the District of Columbia and 40 per cent from the Treasury of the United States."

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert ": *Provided*, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and fuel and light."

That the House insists upon its disagreement to the amendments of the Senate numbered 18, 23, 104, and 105, and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. ANTHONY, Mr. CRAMTON, Mr. SLEMP, Mr. DENT, and Mr. SISSON be the managers of the conference on the part of the House.

Mr. WADSWORTH. I move that the Senate agree to the amendments of the House to amendments of the Senate numbered 10, 22, 34, 54, 106, and 113.

The motion was agreed to.

Mr. WADSWORTH. I move that the Senate insist on its amendments numbered 18, 23, 104, and 105, and ask for a further conference.

Mr. POMERENE. Will the Senator kindly state the subject matter of those disagreements?

Mr. WADSWORTH. I can make a statement very briefly which will describe the situation accurately, I think.

The only matters in disagreement between the two Houses at this time are, first, the item of the appropriations for pay of the enlisted men of the line and staff. That amendment is amendment numbered 18, and an amendment which goes with it, and is dependent upon the settlement of amendment numbered 18, is amendment numbered 23.

Amendment numbered 104 is the amendment adopted by the Senate providing for the promotion to the grade of lieutenant general of Gens. Liggett and Bullard.

Amendment numbered 105 is the amendment offered to the bill by the Senator from Oregon [Mr. CHAMBERLAIN], having to do with decorations resulting from service during the War with Spain.

It may be fair and accurate to state that the principal item in disagreement is the pay of enlisted men, line and staff. The Senate appropriation is $83,000,000. The House appropriation is $72,300,000, in round figures. This item is the item which controls, to a large degree, the size of the Army for the fiscal year 1922. The Senate appropriation would permit of the pay of an Army, including the Philippine Scouts, of 175,000 men for one year.

The House appropriation would permit the pay of an Army averaging 150,000 men for the year. Under the Senate proposal the Army, starting upon July 1 next at a strength of 207,000, which it is estimated it will be at that time, as the result of the expiration of enlistments that are now taking place, would be reduced, by the end of the next fiscal year, to a figure in the neighborhood of 160,000 or 162,000, ending the fiscal year with an Army of that strength. Under the House appropriation, starting on July 1 next with a strength approximately of 207,000 men, the Army would be reduced to a strength of 122,000 men at the end of the next fiscal year.

I think it fair and proper for me to say to the Senate that when this matter of reducing the Army of the United States to a strength of 122,000 at the end of the next fiscal year was discussed in conference, the proposal was made, and sustained with argument, that under the House appropriation the strength of the Army need not be decreased to 122,000 at the end of the next fiscal year; that it should be the policy of the War Department, between now and July 1 next, before the beginning of the next fiscal year, to reduce the Army to such a strength at the beginning of the fiscal year as to make it possible to have an average of 150,000 men during the next fiscal year.

If that were done, and that theory carried into practice, between 85,000 and 90,000 men would have to be arbitrarily discharged from the Regular Army between now and July 1 next, resulting, in the judgment of the Senate conferees, in utter disruption of the Army we now have, making it impossible for any unit of that Army to take the field upon any undertaking or activity whatsoever for months and months to come; amounting, in fact, to this, that not only would the Army be decreased by the normal expiration of enlistments, but beyond that, the War Department would have to step down the ranks of the men, figuratively speaking, touch man after man upon the shoulder, and say to him "Get out," breaking their contracts and interrupting their training.

The Senate conferees—up to this point, at least, and I imagine they will stand upon this question—can not consent to the arbitrary discharge of 90,000 men in any such short period as that, the conferees being convinced that not only during the period between now and July 1 next, but for many months thereafter, we would have no Army at all; and when I say that, I mean an Army competent to do anything in the matter of active service.

Mr. POMERENE. Mr. President, I have not the bill before me, but am I to understand that there is a provision in the bill which would permit of the resignation of soldiers, or withdrawal from the Army, if they so desire, so as to reduce the number to the 175,000 to which the Senate has sought to limit it?

Mr. WADSWORTH. There is, and that item has been agreed upon in conference, and a legislative provision expediting the discharge of men upon their own desire.

Mr. POMERENE. I asked that question especially because I know that the Army has now in excess of 175,000, and I happen to know some soldiers who are anxious to get out, and have been advised that there was no authority under the present law to release them.

Mr. WADSWORTH. We give the authority, and that matter has been agreed upon.

Mr. President, I move that the Senate insist upon these amendments, and that the House be asked for a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. WADSWORTH, Mr. SUTHERLAND, Mr. NEW, Mr. FLETCHER, and Mr. MCKELLAR conferees on the part of the Senate.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The READING CLERK. The pending amendment is the amendment of the committee on page 4, line 3, to strike out "$750,000" and insert in lieu thereof "$850,000."

The amendment was agreed to.

The next amendment of the Committee on Naval Affairs was, on page 4, line 10, to strike out "$3,500,000," and to insert in lieu thereof "$4,000,000," so as to read:

Provided, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed $850,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under naval act approved July 11, 1919; in all, $4,000,000.

Mr. BORAH. Mr. President, upon that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. LENROOT. Mr. President, I am glad that after three days' discussion we have at last reached the point where there can be some real consideration of the items in the bill. The pending item is one that, in my judgment, ought to remain where the House placed it. The Senate committee amendment ought to be rejected.

There are only two classes of appropriations in the bill—one class dependent upon a policy that shall be adopted with regard to construction and with regard to personnel, and another class

of appropriation not dependent upon either the construction or the size of the personnel of the Navy except to a very limited extent.

Some of the items of appropriation in the bill fall under one class, some under another, and some of them include both classes. The amendment now pending is one of the class that is not dependent upon construction. It is not dependent upon personnel. It is an item where the cost will be practically the same whether we have an enlisted personnel of 100,000 or 120,000. Moreover, it is an item, or an aggregation of items, where there is an opportunity for the department to use economy, which is not true, of course, of many items which are in the nature of fixed charges, such as pay of the enlisted personnel and the officers of the Navy.

Under this heading, if we will apply the same rule to the Navy Department that we have applied to the War Department, as other committees have applied to other departments of the Government, this increase of $500,000 will not be agreed to.

Mr. CURTIS. Mr. President, can the Senator tell us the amount that was appropriated for this purpose last year?

Mr. LENROOT. The amount appropriated for this purpose last year in the appropriation bill was $3,500,000. The other day in the deficiency bill there was an additional appropriation of $650,000, which makes a total expenditure for this fiscal year under this item of $4,150,000. But out of that $4,150,000 there is being expended this year $232,000 for the transportation of funds for which the department says next year they will not require more than $50,000. So that according to the department itself, eliminating this item of something like $180,000 for the transportation of funds, the committee proposes to give to the Navy under this item as much money as they are spending this year.

As I said, in every other department of the Government, especially where civilian employees are involved, we have been cutting them down. One of the gross extravagances of this administration in all departments is the overhead expense. In this very item there is included $1,000,000 for compensation of clerks. I have forgotten the number, but I think it is something like 600.

Mr. President, I am a member of the Committee on Military Affairs. We had exactly the same kind of proposition before that committee as to cutting down the overhead, and we cut it down. We were effecting economies in the cost of running the Army; and in the present condition of the Treasury it would seem to me that we ought to compel the different departments of the Government to cut out a very considerable percentage of their overhead. We on this side of the Chamber especially have taken the position that there have been gross extravagances by the different departments of the Government, and we have promised that we are going to eliminate those extravagances; yet when we come to the very first item in the naval bill which involves these various matters, where economies may be effected if they can be effected anywhere in the Government, the committee proposes by this amendment to give as much as the department are spending this year. If every other committee shall follow the same policy as has been pursued in the case of this item, there will be no way on earth under which the expenses of the Government may be lessened or reduced, and the promise which the Republican Party has made can never be redeemed.

More than that, Mr. President, it is not fair to the Army to compel the Army to cut down its overhead and get upon an economical basis and then say to the Navy, "So far as your overhead is concerned, we are going to give you just as much as you have had in the past, which we have heretofore condemned."

Furthermore, in 1916 the appropriation for this item—which is, I say, not dependent except in a very small degree upon the size of the personnel—the appropriation for this item which the committee now proposes to raise to $4,000,000 was $1,000,000.

Mr. BORAH. When was that?

Mr. LENROOT. That was in 1916, and there was also a deficiency that year of $200,000. So the total expenditures for the items the appropriation for which the committee now proposes to raise to $4,000,000 in 1916 was $1,200,000.

That has nothing to do with the increase of the Navy, and has very little to do with the increase of the personnel of the Navy. In fact, I believe at that time we had something like eighty-four or eighty-five thousand men in the enlisted personnel in the Navy. Now, if we are going to keep on increasing the overhead expenses of the different departments of the Government by 300 per cent or more—and that is what it is proposed to do in this instance—where are we going to stop? Where is this thing going to end? Mr. President, this has nothing to do with the policy whether we are for an enlisted personnel of 100,000 or 120,000.

Mr. SMITH of South Carolina. I wish to follow the Senator's argument. I ask the Senator what this item carried in 1916?

Mr. LENROOT. It carried $1,000,000 and there was a deficiency of $200,000; so that the total expenditure for 1916 for what we now propose to appropriate $4,000,000 was $1,200,000.

As I have said, Mr. President, it is not fair to the other departments of the Government to cut them down as we have and to let the overhead of the Navy go right on as it is going. As I said a little while ago, the estimate proposes $1,000,000 for clerk hire on this one item alone. In that connection, speaking of the overhead of the Navy, I wish to call the attention of the Senate to what we are paying this year for certain classes only of civilian employees. Turning to the Book of Estimates, I find that for salaries of clerks, draftsmen, inspectors, chemists, messengers, watchmen, and so forth, in the navy yards, naval stations, and so forth, we are proposing to spend this year $20,220,000. I do not believe there is anyone—and I make the statement because of the investigation I have made of expenditures in the War Department—who will investigate the subject who will not say that that item can not be cut in two without any injury to the Government. So, Mr. President, I do not think there is any justification for the increase of $500,000 in the item.

May I add that, if the Senate is going to keep up this overhead, this unnecessary expense, that adds nothing to the efficiency of the Navy, that has nothing to do with the size of the Navy, the very friends of an efficient Navy will find in the future that the country in its opposition to these enormous expenses is going to charge it all up to the size of the Navy and the personnel of the Navy, just as they are doing as to the Army. If a larger personnel is desired, if a larger Navy is desired, the best way to secure them is to cut out every dollar of unnecessary expenditures. That can be done by cutting out this overhead. So, Mr. President, I hope the amendment will be rejected.

Mr. POINDEXTER. Mr. President, I simply want to say a word in regard to this item. It is 33⅓ per cent lower than the amount which was estimated by the department. The item of $3,500,000 in the House bill was estimated upon the basis of an enlisted strength of 100,000 men.

The Senator from Wisconsin [Mr. LENROOT] says that the item is not affected by that. It is true that it is not affected directly, but it is affected to a considerable extent indirectly, in that the services which are provided for by this item will be increased if the enlisted strength of the Navy is raised from an average of 100,000 men to an average of 120,000 men, as it is at present. It is much less than the expenditure that was incurred last year. The appropriations recommended by the amendment proposed by the Senate Committee on Naval Affairs are based upon the supposition that the Navy will be maintained at the same strength that it was last year and the same strength as it is during the current year.

Mr. LENROOT. Will the Senator yield?

Mr. POINDEXTER. I yield.

Mr. LENROOT. Will the Senator point out any item under this heading that is affected by the size of the personnel?

Mr. POINDEXTER. For 120,000 instead of 100,000 men, more clerks are necessary in keeping the accounts of expenditures. That item is included in this provision.

Mr. LENROOT. How much is that item?

Mr. POINDEXTER. One million dollars was estimated last year and $1,250,000 was estimated for the fiscal year ending June 30, 1922.

Mr. LENROOT. Is it not true that the hearings show that the clerks were mostly used in keeping up the records of the Naval Reserve?

Mr. POINDEXTER. They showed that, to a considerable extent, they were used for that purpose.

Mr. LENROOT. That work is not affected by the size of the personnel.

Mr. POINDEXTER. No; but that is not the entire employment of these clerks.

Mr. LENROOT. No; but a very large proportion of this expense is for mileage of officers and expenses of that kind that are not affected by the size of the personnel.

Mr. POINDEXTER. That is true; I did not say that it was entirely controlled by the size of the personnel.

Mr. LENROOT. A very small part of it is affected by the size of the personnel.

Mr. POINDEXTER. It is impossible to estimate, without much more examination than the Senator and myself have been able to give it, exactly how much. It is a minor part, but still

a considerable part. Most of these items are items which are very accurately fixed by the charges that it is necessary to meet for the services which are rendered; for instance, the traveling expenses of officers.

Mr. LENROOT. As to the traveling expenses of officers, I will say we found in the case of the Army that the traveling expenses of officers can be very largely controlled by the amount appropriated. It is not necessary on some slight pretext to send an officer from the city of New York to San Francisco and another officer to take his place from San Francisco back to the city of New York, when that money could be saved, and it would be saved, if the appropriations are kept down. It will not be saved unless the appropriations are kept down.

Mr. POINDEXTER. I am aware there are extravagances in these various services; I do not defend that for one moment, but I think the Senator will find upon examination that there has been a great deal more recklessness in expenditures in the War Department than there has been in the Navy Department. When the committee reduced the amount that was required by the various items included under the heading for which this appropriation is made from $6,000,000, which it was insisted by the department was necessary, to $4,000,000, we thought that we were acting in the interest of economy.

Mr. LENROOT. Mr. President, will the Senator yield further?

Mr. POINDEXTER. I yield.

Mr. LENROOT. Can we expect to retrench expenditures if we are going to give the various departments as much money as they are spending for the current fiscal year? That is what we are doing in the case of this item.

Mr. POINDEXTER. Not entirely as much.

Mr. LENROOT. What is the difference?

Mr. POINDEXTER. One hundred thousand dollars.

Mr. LENROOT. Oh, no.

Mr POINDEXTER. I ascertain that it is $50,000 less than the amount expended this year; but the strength of the Navy and the services to be rendered will be the same. Of course, the saving, if any, will have to be made by an enforced economy in the organization and in the manner in which these services are performed.

Mr. LENROOT. Mr. President, is not the Navy personnel larger to-day than that for which it is proposed to appropriate for the next fiscal year?

Mr. POINDEXTER. It is just about the same.

Mr. LENROOT. Oh, no; there are nearly 135,000 men now.

Mr. HALE. The present number is 128,500.

Mr. LENROOT. Then that is more than it is proposed to appropriate for during the next fiscal year, and, therefore, if this has a material bearing on the expense and is unsupported by reason of the personnel, under the Senator's own statement they need less money next year than they had this.

Mr. POINDEXTER. The Senator is speaking about the strength of the Navy at the present time. These appropriations are based upon an estimate of the average strength of the Navy throughout the year, and there is that difference. We do not expect that in the fiscal year for which these appropriations are made the Navy will remain at a fixed strength, in view of the expiration of enlistments and the difficulty of recruiting, any more than it has in the present year.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on the amendment of the committee, on which the yeas and nays have been ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I shall have to withhold my vote, not knowing how he would vote if present.

Mr. HARRISON (when his name was called). I am paired with the junior Senator from West Virginia [Mr. ELKINS]. If I were at liberty to vote, I should note "nay." As he is absent, I withhold my vote.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Kentucky [Mr. STANLEY], and will vote. I vote "yea."

I ask that this announcement of my pair and its transfer may be allowed to stand for the day.

Mr. KNOX (when his name was called). I have a general pair with the Senator from Oregon [Mr. CHAMBERLAIN]. In his absence, I withhold my vote.

Mr. POMERENE (when his name was called). I have a pair for this evening on certain questions with the senior Senator from Iowa [Mr. CUMMINS]; but I am at liberty to vote on this amendment, and I will therefore vote. I vote "nay."

Mr. SIMMONS (when his name was called). I transfer my general pair with the Senator from Minnesota [Mr. KELLOGG] to the Senator from Arizona [Mr. SMITH] and will vote. I vote "yea."

Mr. WOLCOTT (when his name was called). I transfer the pair that I have with the Senator from Indiana [Mr. WATSON] to the Senator from Arkansas [Mr. KIRBY] and will vote. I vote "yea."

Mr. FERNALD. I find that I can transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the junior Senator from California [Mr. JOHNSON] and will vote. I vote "yea."

Mr. KNOX. I transfer my pair with the Senator from Oregon [Mr. CHAMBERLAIN] to the Senator from Indiana [Mr. NEW] and will vote. I vote "yea."

Mr. LODGE (after having voted in the affirmative). I ask if the Senator from Georgia [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not.

Mr. LODGE. I have a pair with that Senator, which I transfer to the Senator from Vermont [Mr. PAGE], and will allow my vote to stand.

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the Senator from New York [Mr. WADSWORTH], and will allow my vote to stand.

Mr. SMITH of South Carolina. I rise to ask if the Senator from South Dakota [Mr. STERLING] has voted?

The PRESIDING OFFICER. He has not.

Mr. SMITH of South Carolina. I have a general pair with that Senator, which I transfer to the Senator from Louisiana [Mr. RANSDELL], and will vote. I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from Washington [Mr. JONES] with the Senator from Virginia [Mr. SWANSON];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS]; and

The Senator from Minnesota [Mr. NELSON] with the Senator from Texas [Mr. CULBERSON].

The result was announced—yeas 38, nays 11, as follows:

YEAS—38.

Ball	Kendrick	Phipps	Spencer
Calder	Keyes	Poindexter	Sutherland
Dillingham	Knox	Reed	Townsend
Fernald	Lodge	Robinson	Underwood
Fletcher	McCumber	Sheppard	Walsh, Mass.
France	McKellar	Shields	Walsh, Mont.
Frelinghuysen	McLean	Simmons	Warren
Gay	Moses	Smith, Md.	Wolcott
Gooding	Myers	Smith, S. C.	
Hale	Overman	Smoot	

NAYS—11.

Borah	Dial	Lenroot	Thomas
Capper	Kenyon	Norris	Willis
Curtis	King	Pomerene	

NOT VOTING—47.

Ashurst	Gore	Kirby	Ransdell
Beckham	Gronna	La Follette	Sherman
Brandegee	Harris	McCormick	Smith, Ariz.
Chamberlain	Harrison	McNary	Smith, Ga.
Colt	Heflin	Nelson	Stanley
Culberson	Henderson	New	Sterling
Cummins	Hitchcock	Newberry	Swanson
Edge	Johnson, Calif.	Owen	Trammell
Elkins	Johnson, S. Dak.	Page	Wadsworth
Fall	Jones, N. Mex.	Penrose	Watson
Gerry	Jones, Wash.	Phelan	Williams
Glass	Kellogg	Pittman	

So the amendment of the committee was agreed to.

CREDITS UNDER LIBERTY LOAN ACTS.

Mr. CALDER. Mr. President, will the Senator from Washington permit me to report a resolution from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. POINDEXTER. Just to report it?

Mr. CALDER. And ask for its consideration.

Mr. POINDEXTER. I shall have to object to that.

Mr. CALDER. It will not lead to any discussion. It is a unanimous report from the committee, and simply authorizes the Committee on the Judiciary to conduct hearings.

Mr. POINDEXTER. What committee is it?

Mr. REED. The Committee on the Judiciary.

Mr. POINDEXTER. If that is the matter in which the Senator from Missouri is interested, I have no objection to that. I understand that it will lead to no debate at all.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably Senate resolution 471, authorizing the Committee on the Judiciary to conduct hearings, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent for the present consideration of a resolution, which will be read by the Secretary.

The reading clerk read Senate resolution 471, reported by Mr. REED from the Committee on the Judiciary, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the Judiciary or any subcommittee thereof be authorized to investigate and ascertain what credits have been established and what commitments, advancements, and payments have been made or are claimed to have been made by authority of the four Liberty loan acts, the Victory loan act, or any other acts of Congress granting the Secretary of the Treasury authority to accept the obligations of foreign Governments for moneys, munitions, or supplies furnished them by the United States Government and the reasons for making said credits, commitments, advancements, or payments, and

That the committee or any subcommittee thereof may sit during the present session of the Sixty-sixth Congress, or during the recesses between the Sixty-sixth and Sixty-seventh Congresses, and

That the committee or any subcommittee thereof be authorized to send for persons and papers, to administer oaths, and to employ a stenographer, at a cost of not to exceed $1.25 per printed page, to report such hearings as may be had in connection with this investigation; and

That the expenses contracted thereunder shall be paid out of the contingent fund of the Senate.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed, beginning on page 4, line 11.

The next amendment of the Committee on Naval Affairs was, on page 4, line 17, after the word "Navy," to insert "and for such purposes as he may deem proper," so as to read:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, $50,000.

Mr. BORAH. Mr. President, I do not desire to make any objection to this, but is this a usual clause in an appropriation bill?

Mr. POINDEXTER. It has always been in the bill—at least, for a number of years.

Mr. BORAH. I see that it was not in the House text.

Mr. POINDEXTER. It was stricken out of the House bill on a point of order under the new rule of procedure they have there, where there was a difference between the members of the Naval Affairs Committee and the members of the Appropriations Committee. Simply for the purpose of showing the effect of that new rule several items were stricken out of this bill on which the Appropriations Committee and the Naval Affairs Committee were agreed; but, because a Member made the point of order, they were stricken out.

Mr. BORAH. I understand that it was in the appropriation bill for the Navy Department last year; but is there usually found in appropriation bills a clause authorizing the heads of departments to spend money in any way that they want to?

Mr. POINDEXTER. This particular clause is intended to vest discretion in the head of the department in connection with the specific purposes which are mentioned. The entire amount is comparatively small.

Mr. BORAH. I understand that.

Mr. POINDEXTER. There are some small items, of course, that he has to meet out of this appropriation for the various objects which are specified.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. KING. Mr. President, may I inquire whether amendments to the text are permitted now under the unanimous-consent agreement?

The PRESIDING OFFICER. Only committee amendments are in order now. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 5, line 9, after the numerals "1921," to insert "and to continue the construction of rigid dirigible"; and in line 10 to strike out "$440,000" and insert "$1,440,000," so as to read:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy, as follows: For aircraft and accessories in course of construction or manufacture on June 30, 1921, and to continue the construction of rigid dirigible, $1,440,000.

Mr. KING. Mr. President, before a vote is taken upon that amendment I should like to ask the Senator from Washington, in view of the rather lamentable experience of other nations that have tried these rigid dirigibles, and in view of the development of the airplane, whether he regards it as wise to continue an appropriation for that purpose? I ask in the utmost good faith, because I will say frankly that a number of men who I think not only claim to know but actually do know have represented to me that this is an absolute waste of money; that the experience of other nations, of Germany and our allies, with respect to these rigid dirigibles ought to forbid us from expending further moneys for experiments of that character.

Mr. POINDEXTER. Mr. President, of course there are some differences of opinion about this matter, I assume, just as there are in regard to other branches of the naval service. This increase in the appropriations is to enable the Navy Department to continue the construction of one dirigible, which is now about half completed, at Lakehurst, N. J. The information that I have is not altogether to the effect that the Senator from Utah speaks of. I think that dirigibles have been put into considerable use in Europe, even for commercial purposes, quite recently, and the immediate situation we are confronted with as to this item is that we are engaged in the construction of this dirigible, and the appropriation is for the purpose of completing it, or continuing its construction.

Mr. KING. I was not challenging the advantages and utility of dirigibles for possible commercial purposes, but my criticism was leveled against their utility as instrumentalities of war. Scientific men of character and standing have communicated to me and with me, and their representations are unanimous that as an instrument of war it is an absolute failure; that with the aircraft, the scouting planes, as well as the other forms, the dirigible becomes a target of such magnitude that it is impossible to escape, and to claim for it any advantage for military purposes is absolutely at variance with the facts. I have no expert knowledge. All I know is what I read in reference to the matter, and what I am told by those who claim to know. It does seem to me, Mr. President, that this is a waste of money, and I was appealing to the Senator to ascertain whether or not, with his larger experience and broader knowledge, he would dissent from the view which I have expressed, and consent to eliminate this item.

Mr. POINDEXTER. Mr. President, I do not think the Senator from Utah really would seriously urge the abandonment of this dirigible. We have only two in the entire Navy. One was bought from Great Britain, and we have recently sent a crew to bring it to this country, and we are constructing this one, and are now in the middle of its construction, having expended a million dollars on it, and in view of the opinion of the aviation officers as to the usefulness and value of dirigibles, and also the experience of the Germans—of course it would take a long time to discuss the details of the use of the Zeppelins during the Great War, but they were a considerable feature of the German offensive during that war—I do not think the Senator would object to completing the construction of this one dirigible.

Mr. KING. Mr. President, I shall not object if the Senator in charge of the bill feels that it ought to be completed. But I do want to say, if the Senator will pardon me, that this is an exhibition of the reactionary and archaic policy which has been announced by the General Naval Board, a policy which Admiral Sims, in his testimony before the Senate Naval Affairs Committee, characterized as rather of that description.

Mr. POINDEXTER. I would not like to have the Senator leave an impression, which I know he does not intend to convey, that Admiral Sims spoke about dirigibles.

Mr. KING. No; I was speaking about the general policy. That matter was not called to the attention of Admiral Sims, so far as I know. But he was speaking of the general policy of the board and the report made by the board in response to the resolution which was offered by the Senator from Idaho.

Mr. POINDEXTER. What Admiral Sims urged was to increase our general development of aircraft, and what he rather discouraged was reliance upon battleships, although he did not advise the continuance of the battleship construction.

Mr. KING. So that I may do no injustice to Admiral Sims I want to put into the RECORD just exactly what he did say. He stated:

I think the report is very largely mistaken. It looks to me very much like a report the arguments of which are drawn up to prove what they originally believed. It looks to me like a document of that kind. As I stated informally a little while ago, so conservative are military people in their attitude toward new incidents that that is the first development we always have.

I think, Mr. President, that the criticism of Admiral Sims with reference to the policy of the General Board would apply to the recommendation of the General Board for the continuance of appropriations for rigid dirigibles for war purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was on page 5, line 10, under the item for "Aviation, Navy," to strike out "440,000" and to insert in lieu thereof "$1,440,000," so as to read:

and to continue the construction of rigid dirigibles, $1,440,000.

Mr. BORAH. Mr. President, I understand that this paragraph on which we are working now covers the entire question of the aircraft as provided for in the bill?

Mr. POINDEXTER. It does.

Mr. BORAH. Increasing the appropriation about $11,000,000.

Mr. POINDEXTER. Yes.

Mr. BORAH. I am very much in favor, so far as I am concerned, of increasing the aircraft, but I notice below, at the foot of the page, that there is a vast amount of the money to be used for building new buildings and improvements, air stations, and so forth. Those are all amendments which were put in by the Senate Committee. Were they stricken out in the House under the same circumstances?

Mr. POINDEXTER. No; the circumstances in regard to those were that it was regarded apparently by the appropriations committee as being subject to a point of order, and they were provided for in a bill favorably reported by the Naval Affairs Committee of the House, which was on the House Calendar, but not in this bill which came from the Appropriations Committee.

Mr. KING. I had some conversation with a member of the Naval Affairs Committee—perhaps the Senator from Washington may have been advised—with respect to one or two items embraced in this appropriation bill and also the item of $1,500,000 for Alameda.

Mr. POINDEXTER. What was the first item the Senator mentioned?

Mr. KING. Perhaps the Senator was advised of some informal talk which I had with one member of the committee respecting one or two items embraced in this aggregate.

Mr. POINDEXTER. Does the Senator mean the aggregate for aviation?

Mr. KING. Yes; and some aviation bases on the Pacific coast, and in connection with those items the question of the $1,500,000 for Alameda was considered.

In that informal conversation I made certain statements, and I would like to have this amendment go over until we reach the Alameda amendment, and if what I stated to the member of the committee shall be agreeable to the Senator, then we can simply recur to this, and I shall have no objection to its being adopted.

Mr. POINDEXTER. Which amendment is it the Senator asks to go over?

Mr. KING. The items under aviation generally.

Mr. POINDEXTER. All the items under the head of aviation?

Mr. KING. Yes.

Mr. POINDEXTER. Very well; I will agree to that.

The PRESIDING OFFICER. Is there objection to the amendment relating to aviation being passed over? The Chair hears none, and it is so ordered.

The reading of the bill was resumed.

The next amendment was, on page 7, line 15, to insert the following proviso:

Provided, That the word "and," before Corpus Christi, in line 11 of section 1 of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, be stricken out, and following the words "Corpus Christi," in the same line, insert the words "Tampa, Fla., and Portland, Me."

The amendment was agreed to.

The next amendment was, on page 8, line 8, after the word "seamen" to insert "and applicants for enlistment"; so as to read:

BUREAU OF NAVIGATION.

Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof.

And so forth.

The amendment was agreed to.

The next amendment was, on page 9, line 2, to strike out "$3,500,000" and insert "$4,500,000" as the total under "Bureau of Navigation."

Mr. BORAH. The Senator from Wisconsin, I think, wanted to be present when this is considered. I ask that it be passed over for just a moment.

The PRESIDING OFFICER. Without objection, it will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 9, after line 2, to insert:

The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before December 31, 1921, statements of the services of all persons from those several places who served in the Navy during the war with Germany, and for that purpose an additional sum not to exceed $100,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force.

Mr. KING. Mr. President, I ask the Senator from Washington whether, with the very large clerical force which has been provided for the Navy Department, it is deemed necessary to allow a hundred thousand dollars additional?

Mr. POINDEXTER. This is not additional. This is an entirely different service, specified in the paragraph. The Senator has read the paragraph and understands what it is for. It is for supplying "to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before December 31, 1921, statements of the services of all persons from those several places who served in the Navy during the war with Germany."

Mr. KING. If the Senator will pardon me, I entirely approve of the plan to furnish the information which the amendment contemplates shall be furnished.

Mr. POINDEXTER. The word "additional" there is not necessary. The previous appropriation was for the preceding year. This is to continue this work, which was not completed. The money that has heretofore been appropriated for the previous year has been expended. It is not a permanent service, the Senator will understand. The paragraph provides for its completion December 31, 1921. It has been in progress, however, for some time. There was an appropriation made in the bill which passed last year. That has been expended, and it is proposed now to continue and complete the work.

Mr. KING. The inquiry I made was this: A very liberal allowance has been made for the Navy Department. I was wondering if, with the large personnel which has been furnished the Navy Department for its clerical work and the work of a clerical nature which comes properly under the cognizance of the Navy Department, sufficient provision was not made to do the work so as to avoid the necessity of employing additional men. If the Senator after investigation feels that the amount we have allowed to the Navy Department is inadequate or insufficient to perform the work, then I am in favor of it, but it seems to me we have made such a large appropriation for the Navy Department that it ought, with its large personnel, to perform the work.

Mr. POINDEXTER. I appreciate the suggestion of the Senator from Utah, but the appropriations for clerical services in the Navy Department are all based upon estimates and testimony as to the cost of the services of the regular organization. This is a special service outside of the permanent organization of the Navy Department, and the sufficiency of the appropriation to which the Senator refers and which he says is liberal, but which was $2,000,000 less than asked for by the department, was supposed to be entirely used for the purpose of the regular organization of the department, and consequently there would be nothing for this special work.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. BORAH. Mr. President, may we now recur to the item on page 9, line 2?

The PRESIDING OFFICER. Without objection, the Senate will recur to the item mentioned, and the amendment will be stated.

The READING CLERK. On page 9, line 2, strike out "$3,500,000" and insert in lieu thereof "$4,500,000."

Mr. LENROOT. Mr. President, this item is dependent to a very large extent upon the size of the enlisted personnel of the Navy, and that question therefore comes up indirectly at least at this point, because if we are to have a personnel of 100,000, such as is provided by the House, it would be admitted that there would be perhaps no increase necessary, and certainly not so large an increase as is proposed by the committee, which is $1,000,000.

In this connection we have heard a great deal about the carrying out of the 1916 program. Some Senators seem to think that program was divinely inspired; that there can be or should be no change whatever with respect to it. But it is a little curious that whenever the carrying out of the 1916 program involves more money and more expense they appeal to it, but whenever the carrying out of the 1916 program involves less expense than is proposed by the committee, we hear nothing of the 1916 program.

What is the 1916 program, and what was it with respect to personnel of the Navy? The figures were given when the 1916 program was adopted, that with every ship constructed and in commission under that program it would require only 96,775 men. They now say 100,000 are not sufficient, when the 1916 program, in so far as new ships are concerned, has scarcely begun, with only one or two ships in commission under it. The authorized strength of the Navy, it is true, is 143,000 men. We now have in the Navy about 128,000 men. The pending bill appropriates for 120,000 men throughout the year, and I have no doubt that many Senators assume from that fact that it is proposed during the next fiscal year to hold the enlisted personnel of the Navy down to 120,000. However, that is not true at all. Under the appropriations that are proposed by the Senate committee the enlisted personnel of the Navy at the end of the next fiscal year will be somewhere between 130,000 and 140,000 instead of 120,000. With reference to the Army we have appropriated for an average of 175,000 throughout the year, and that will bring the Army down to 162,000 at the end of the year. But it so happens here, where Senators would naturally think the same rule would prevail, that appropriating for 120,000 throughout the year will bring the Navy very nearly to its full authorized strength at the end of the year.

What reason is there for that expense? Does any Senator believe for a moment that there is the slightest possibility that during the fiscal year beginning on the 1st day of next July our Navy will be called into action with any first-class power in the world? No Senator on this floor believes it. I can not believe that there is a Senator on the floor who believes that there is even a possibility of the Navy being called into action with a first-class power during the next fiscal year. I can well understand the attitude of those Senators who believe the Navy should be kept up to its full fighting strength at all times, so that in the future we shall be ready whenever the time may come, although we may be certain it is not within the next year or two years or three years; that the policy should be to keep the Navy up ready to fight at any moment, although during any given fiscal year we may be absolutely certain that there will be no occasion to use it.

Comparisons, so far as personnel is concerned, have been made between our Navy, the British Navy, and the Japanese Navy. The British Navy to-day, large as it is, conceded to be superior to ours in effectiveness, has only 107,000 enlisted men against our 128,000, but it is said the English seaman, the English sailor, the English gunner, has better training, has had longer training than our American boys. Is there a Senator on the floor to-night who would admit or who would make the statement that, although they may not have had so long a training, it takes six American boys to match five English boys? Perhaps there is, but I am not one of them. By the same reasoning Japan to-day has a personnel of 70,000 in her navy. These gentlemen would have the country believe that it takes two American boys in the American Navy to match one Japanese. Does anyone seriously contend that?

I am in favor of keeping up our Navy to a high state of efficiency. I am not in favor of abandoning the 1916 building program. I am in favor of our aviation program as contained in the bill, in so far especially as research and betterment are concerned, but in view of the condition of the United States Treasury, in view of the certainty that the Navy will not be called into action with any first-class power during the next fiscal year, in view of the need of economy, I do not see how the amendment can be justified that will bring the personnel of the Navy up to over 130,000 at the end of the next fiscal year.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. BORAH. Mr. President, this item, with the items on pages 30 and 31, are the items that bear directly upon the question of the size of the personnel. I do not desire to be calling for a quorum every few minutes, but I should like to have a quorum here when we pass upon that very important question.

Mr. POINDEXTER. I have no objection.

Mr. BORAH. I was going to suggest that if we can pass this particular item until we take up the item on pages 30 and 31 we could possibly get enough Senators here to have a quorum to give consideration to the bill for a few minutes. I ask that that may be done.

The PRESIDING OFFICER. The Senator from Idaho asks unanimous consent to pass over the pending amendment for the present. Is there objection? The Chair hears none, and it is so ordered.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 10, line 5, in the item for gunnery and engineering exercises, to strike out "For the maintenance of established shooting galleries, target houses, targets, and ranges, and for transporting equipment to and from ranges, $100,000," and insert:

Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges, $100,000.

Mr. KING. Mr. President, there are many provisions in the pending bill which command my approval. I recently presented in a minority report upon the Borah resolution some of my views concerning our naval program and certain international questions cognate thereto, and the views there presented are pertinent to the discussion of the pending measure. Upon a number of occasions I have contended that not only the interests of the United States but of the world required the creation of a vital and functioning international league or association of nations devoted to world peace and world disarmament. It was apparent that a treaty following the armistice and which would impose indemnities and reparations upon the defeated nations would not alone solve all postwar problems or bring full and satisfactory international fellowship and cooperation into the world. Great statesmen, philosophers, humanitarians, and the people throughout the world, horrified by the war experiences of the past and sincerely desiring the dawn of a brighter and sweeter day, asked of their political leaders for some program, some rational plan, that would promote world peace and justice.

This Nation in the World War became the leader not only in material but in moral things. The disinterestedness of the American people, their well-known desire for justice, their unselfish contribution to the World War, gave them a preeminence denied to all others, and so victors and vanquished turned to America for guidance in the dark days that it was recognized would follow when the momentous problems created by the war would call for solution.

As I recall the attitude of our allies and of the world during the peace conference, there was no distrust of our Nation or jealousy because of its primacy. It seemed the natural and proper thing for the peoples everywhere to turn to this mighty Nation for leadership and inspiration. I shall not discuss the causes which prevented the United States from entering the league nor the world-wide disappointment, indeed despair, resulting from our action. I shall not consider what is involved in our abandonment of our allies and our refusal to assume those imperative obligations resulting from the war, affecting not only the peace and welfare of Europe but, indeed, the peace and welfare of the world. I express, however, my profound regret at the course pursued by this Nation, and repeat what I have heretofore declared, that, in my opinion, we have been guilty of punic faith, and history will record that we deserted our allies at a critical period, and refused to accept the opportunity to perform a high service for humanity; a service which would likewise prove of inestimable value to the people of our own land. Refusing to become a member of the League of Nations or to join in the world movement for limitation of armaments, we have retarded world peace and have become an impediment to the realization of a policy for which the world is crying out, a policy of disarmament, which would bring a measure of relief from the staggering burdens of taxation under which the world is now struggling.

Our purposes will be misunderstood, and this misunderstanding will be the basis of demands upon the part of other nations who desire disarmament, for the maintenance of military forces and the building of more powerful navies. Our example in refusing to associate with the world to bring about world peace and world disarmament, followed by a naval program the most pretentious and ambitious ever devised by any nation, will inevitably react upon other nations and produce

disquiet, distrust, and, indeed, animosity, which it may prove difficult for this Nation to allay. When the world is crying out for peace and looking for moral leadership, we demand isolation and project a naval program which will involve in the immediate future the expenditure of more than one billion of dollars. The despairing people of the world cry for bread and we give them a stone.

However, Mr. President, in view of the position which our Nation has taken, I shall support a policy which will give us an adequate Navy. I have outlined in the minority report, to which I have referred, what I conceive to be a suitable and proper naval policy to be pursued.

In the consideration of the pending naval bill I have been impressed with the thought that the overhead expenses of the Navy Department are entirely disproportionate to the amount appropriated for construction purposes and for meeting the compensation allowed officers and enlisted men. The same thought was also suggested to me when we were considering the Army bill. As I recall, the amount appropriated for the Army for the next fiscal year was more than $400,000,000, yet of that stupendous amount but $36,000,000 was carried for the compensation of the enlisted men. By far the greater part of this huge sum was for overhead expenses. An examination of the pending naval bill reveals that the amount to be paid to the enlisted men in the Navy is insignificant measured by the total sum asked in the bill.

The bill before us carries approximately $500,000,000. As I have explained in the minority report, to which I have referred, the completion of the 1916 naval program will involve a further direct expenditure of more than $500,000,000, and several hundreds of millions more will be required immediately for plane carrier ships, submarines, and so forth, to provide a Navy which is symmetrical and which will be necessary to round out and properly supplement the Navy called for in the 1916 program. And with the completion of this program we will still be called upon to appropriate approximately $500,000,000 each year for the maintenance of the Navy, and the additional amount that will be required annually for new construction will be enormous, aggregating tens, if not hundreds, of millions of dollars.

I repeat, the overhead expenses in both the Army and the Navy are too great. There is too much waste and extravagance both in the Army and the Navy. There are too many organizations and agencies, too many plants and machine shops and posts and military and naval stations. There are too many civilian employees and too many officers and men within the military and naval service engaged in insignificant and unimportant duties. The time has arrived to reorganize naval and military administrative methods. Economies must be practiced. Better work must be done. A higher standard of efficiency must be attained. There are needed in the Army and Navy men of executive ability, of courage, of vision, men who live in the present and not in the past, and who will adopt improved business methods and apply high standards of efficiency and service. The war made for extravagance and profligacy in the expenditure of public funds, and radical reforms are imperatively required in the Navy as well as in the Army. I protest against an appropriation of approximately $500,000,000 for the maintenance of the Navy for one year, an insignificant part of which is required to meet the compensation due the enlisted personnel. It seems that the war spirit which developed an appetite for enormous appropriations in all branches of the Government is still controlling us. We are still carried by those giant waves which covered the land and gathered all within their powerful sweep. We seem unable to extricate ourselves from these mighty influences and return to the paths of economy and safety and national sanity.

As I have stated, in view of the attitude of our Nation, I favor a rational, and, if I may be permitted to say, a progressive naval program. I am opposed to an archaic navy; and if we are to have one, I desire that it shall be modern and represent the most valuable and enduring lessons revealed by the Great War through which we have just passed. I am not advocating a "little Navy" or a weak Navy or an obsolete Navy, but an efficient and adequate Navy.

I confess to disappointment at the adoption of a policy which generates international suspicion and may be provocative of war. Without desiring to be critical or partisan, I am constrained to express my regret at the action of the Senate yesterday in halting proceedings during the consideration of the naval bill and entering into an executive session. While the session was presumed to be a secret one, Senators knew that the newspapers of the following day would contain reports, more or less accurate, on the proceedings. It is clear that the situation under which the secret session was called would provoke not only national but international comment and interest. It was known that there was some opposition to the naval bill and to the stupendous appropriations which it carried. It was known that there was a feeling among some people in the United States that there should be a suspension, partial or complete, of the 1916 naval program, pending negotiations not only for disarmament but for a league or association of nations. It was also known that England had suspended the construction of additional capital ships, and that in Japan, outside of what might be denominated the military party, there was an insistent demand that the Japanese people be relieved from further naval burdens. A secret session of the Senate which was considering these enormous appropriations for naval purposes would unquestionably be regarded by other nations with anxiety and suspicion. I believe, Mr. President, that the secret session of the Senate yesterday will be interpreted by Japan and Great Britain, as well as other nations, as a movement, if not in the interest of imperialism on the part of this Republic at least as a veiled threat against one or more nations. I am afraid that nations that desire our friendship and wish to live in amity and peace with the United States will regard not only the secret session of the Senate but this bill as a challenge to the world.

In my opinion it is not the proper time for the United States to wield the "big stick" or announce a policy of jingoism. There should be a subsidence, not a revival, of the war spirit. We should be for world peace and for a reduction of armaments, for fraternity and fellowship. We should breathe the spirit of mercy and charity and love, and seek sincere cooperation, not only with our allies but with all nations to bring about world peace and usher in a new order of social justice and international harmony. Never before has this Nation had an opportunity so great for beneficent and enduring service for civilization and humanity. But there are those in our midst who demand that we shall have the largest Navy in the world; that a plan projected in 1915 which will involve the expenditure for construction purposes of approximately $1,500,000,000 shall be carried to completion regardless of the teachings of the war or the despairing condition of the world or the psychological effect that such action will produce everywhere. The reactionaries and materialists would strip from our Republic its crown of leadership, its moral habiliments, and return to the old conflicts with their deadly passions and struggles. They seek not only to control our domestic policies but our international policies, and preach the same creed, imperialistic and sinister, the same philosophy of force, which found enthusiastic propagandists in German military and educational circles for more than a quarter of a century preceding the recent war. They refuse to believe that moral progress in the world is possible, or that there can be relief from the military and naval burdens which have oppressed the world. These forces while professing a desire for world peace are insisting that war is imminent, and they are demanding larger appropriations both for the Army and the Navy than were ever granted by Congress except during the two years' participation of this Republic in the recent World War.

When appropriations have been sought for military or naval purposes there have always been the loud cries of the jingoes who have warned of approaching war and appealed to the passions and prejudices and national vanity of the people.

Mr. President, in my opinion the United States should communicate to the nations of the world its purpose to aid in relieving humanity from naval and military burdens. The American people should manifest their faith in God and in His purposes, and seek not only in their domestic but in their foreign relations to exemplify the teachings of the Nazarene whose influences Christian nations recognize and whose principles if sincerely adhered to will establish peace and righteousness and justice throughout the world.

This false philosophy, this crass materialism to which I have referred, would condemn humanity forever to the treadmill of war and preparations for war. Is there to be no amelioration from the tragic conditions that have afflicted the world in the past? Are we forever to tread the pathways which have been macadamized by human bones and cemented with human blood? Is the future to be merely a repetition of the tragedies and sorrows of the past? Is humanity forever to be chained like Prometheus, to be preyed upon by the vultures and the beasts, that a materialistic world from which God and morality are banished will create? Are we to devote our resources and dedicate our energies, our genius, and all that we have to preparations for the destruction of humanity and the devising of means to wage devastating war on land and sea?

A few days ago a distinguished admiral testified before the Senate Naval Committee, and his statement seems to find expression in the naval appropriation bill now before us and to support the jingo policies which are being advocated by some

in our midst. He contended there would be no "cessation of war," and that those who came after us must devote themselves to the construction of battleships and to preparation for war.

Unfortunately Mr. President, some naval and military officers are zealous propagandists of big armies and big navies. They see danger upon land and upon sea and find foes lurking where only friends appear. These officers, as well as many who write upon military and naval questions, adopt the premise that if a nation shall enjoy peace, it must maintain the biggest army and the most powerful navy. Under the guise of preparedness, they inculcate a spirit of war and seek the creation of a military régime. International peace, in their view, is possible only through armaments and military and naval forces. They seem oblivious to the fact that this competitive system of international armament has obtained in the past and has resulted in cruel and devastating wars and in deluging the world with the blood of uncounted millions of human beings. Each nation must arm and the world be converted into an armed camp; thus will peace and righteousness and love and fellowship prevail in the hearts of men. It is a false and wicked philosophy. We have denounced it and its apotheosis in Germany and have accepted the view that the World War resulted from this policy.

I inquire, Mr. President, are we to return to the darkness and the horrors of the past and take Germany's place as the exponent of military power in the world? Are we to cast aside moral leadership for military leadership, and drive the impoverished distracted people of the world back into the shadows from which they have emerged, and force upon them a cruel, oppressive, and reactionary policy, one that makes for war, and war with all its attendant evils?

Returning to the testimony of the admiral, let me read a few of his sentences:

> All this talk of disarmament is absolutely and scientifically wrong. It is not in accordance with the teachings of history. It is euphemistic, to start with, and any argument that can be made against unpreparedness can be made against disarmament. Disarmament in a great country always precedes a toboggan slide every time. That is the first symptom.

The Senator from Montana [Mr. WALSH] after this statement had been made, suggested to the admiral that his position commanded a very able advocate in Bernhardi.

The teachings of Bernhardi, following the materialism of modern German philosophy, are familiar to the American people. He accepted and supplemented the philosophy of Nietsche, who said:

> And you have heard men say, blessed are the peacemakers; but I say unto you, blessed are the war makers, for they shall be called, if not the children of Jehovah, the children of Odin, who is greater than Jehovah.

This view was not confined to the military cabal of the German Government, but it permeated all intellectual circles, controlled the universities and eminent professors whose names were known in other lands, influenced the clergy, and found supporters in all ranks of society. Nietsche and those who possessed similar views sought to impress their philosophy upon the political leaders of Germany, believing that the ideals and purposes by which they and the military leaders would be guided, would, in the end, determine the thoughts and lives of the people. If the philosophy of force could be made the policy of the Government, it was believed that it would soon shape the conduct and furnish the ideals of all the people.

There can be found historic examples justifying their belief. Often the lives and thoughts of the masses are reflected in the conduct and policies of their political leaders, but in many nations and in various ages those possessing political and military power have molded public thought and established the paths trodden by the people. This barren and destructive philosophy of Germany, which was a negation of the vital and living forces operating in the world, fired the imagination of the German people and filled them with mad ambitions and desires for conquest and world hegemony.

Treitschki was an exponent of the philosophy of force, and he stated that the establishment of an international court of arbitration as a permanent institution is irreconcilable with the nature of the state. "To the end of history, weapons will maintain their right and precisely herein lies the sanctity of war." Another statement by him is the following: "A living God will take care that war shall always return as a terrible medicine for the human race." And again he speaks of the "moral majesty of war."

Von Moltke, guided by the same spirit, in a letter to Bluntschli, wrote: "Perpetual peace is a dream and not even a beautiful dream. War is an element of the order of the world established by God. The most noble virtues of men are developed in it. Without war, the world would stagnate and lose itself in materialism."

Returning to the testimony of the admiral, this question was propounded to him:

> So you do not look forward, then, to any decrease whatever in the burdens of the people of the world in maintaining these great armaments? You feel that those have got to be borne and they have got to increase continuously? You do not look for any relief whatever in that direction.

This was the reply of the admiral to that question:

> I put it this way: I do not like to appear as a prophet, but will say that according to history that is the way it has always been. If there is anything to change the current history, then, of course, that will have a bearing.

This answer would imply that because history is replete with the record of wars, the future is to be found in the vortex of war; that any efforts to reduce armaments would be unwise and would be conclusive evidence of national decadence and a sure precursor of national death; and further, that bloodshed and international conflicts were to continue forever.

Mr. BRANDEGEE. Mr. President——

Mr. KING. I yield.

Mr. BRANDEGEE. I have listened with interest to the extract which the Senator from Utah has read from the testimony of the admiral, and I want to suggest to the Senator if he does not think that the admiral has in mind, when he states the consequences of disarmament, the consequences that would devolve upon a nation which disarmed unless other nations also disarmed?

Mr. KING. No, Mr. President, I do not think that the admiral had that in mind, because at another point in his testimony he said, in substance, that if there were agreements to disarm they would be absolutely ineffective and that nations would continue to arm and war would be the companion of humanity. If not the substance of his statement, that is the legitimate inference to be derived therefrom.

Mr. BRANDEGEE. The admiral may have thought that some nations might not keep their agreements, as some nations frequently have not kept their agreements; but I do not deduce from anything the Senator has read the inference that the admiral was in favor of war per se, for the love of war, or that he thought that universal war was a good thing for the people; but that he thought that a nation that disarmed when other nations remained armed was, as the admiral said, "on the toboggan slide"; and I agree with him.

Mr. KING. Mr. President, the position of the admiral is not precisely that taken by the able Senator from Connecticut [Mr. BRANDEGEE]. I might add, however, by way of parenthesis, that the argument suggested by the Senator from Connecticut has always been urged by militarists in favor of military preparations and of costly armaments. The Emperor of Germany repeatedly declared that he was the greatest peacemaker in the world and that his purpose was to establish peace; but while avowing his devotion to peace he was building a powerful navy and drilling a mighty army. When his attention was called to the inconsistency between his declarations for peace and his feverish preparations for war he replied that preparedness made for peace and that his policy was to insure against war. Even if it be conceded that he did desire world peace, it is apparent that the very course which he pursued not only was the precursor of war but inevitably would lead to war. The course of Germany inspired fear upon the part of some nations and compelled them to increase their appropriations for military and naval purposes for years preceding the wanton attack of Germany upon France. The French people lived in constant fear of the descending sword of Germany and the marching hosts of the Kaiser's legions. They were compelled to increase their taxes, strengthen their armies, and devote a large part of their resources to defensive military preparations. The efforts of the Czar of Russia to promote international good will and establish international tribunals to settle international controversies met no hearty response from the military leaders of Germany; and accordingly the military burdens of Russia were increased and the Russian people lived in constant fear of Prussian aggression.

Mr. BRANDEGEE. Mr. President, will the Senator from Utah yield further?

Mr. KING. I yield.

Mr. BRANDEGEE. Of course, I am not attempting to defend those who have pretended to be for peace but have really been for war. Here in this bill we are making a proposition to the other two great naval powers to meet for a conference for the purpose of reducing naval armaments. It seems to me that the Senator from Utah is not justified in saying that the admiral from whose testimony he has just read is in favor of this country being at war or being ready to wage war except in so far as is necessary for the defense of the country.

Of course, I admit the Senator has a right to draw his own inferences from the testimony, just as I draw mine, but I assume that an adequate Army and Navy as prescribed in our Constitution mean adequate for the defense of American interests. However, I do not want to vote for and I shall not ever vote for any appropriation which I think is meant for an attack against other nations. I think the whole world recognizes that this Nation has no imperialistic design upon other nations, but that its sole idea, as I think its proper duty, is to have sufficient force in the present condition of the world to protect its own property and its own citizens in their rights.

Mr. KING. Mr. President, I am in accord with the statement of the Senator, that the United States should maintain an Army and Navy adequate for the defense of American interests. There may be differences, however, as to what constitute an "adequate" Army and an "adequate" Navy for such purposes. There are those in the United States who insist that we require an Army of at least 500,000 men, and there is strong support for the proposition that we should have the largest Navy in the world, in order to protect American interests. Indeed, there are some who insist that our Navy should be as large as the combined navies of Great Britain and Japan. They effect to see dangers to this Republic unless a Navy of that magnitude is maintained by the United States. I desire it to be distinctly understood that I am not arguing against the maintenance of an adequate Navy and an adequate Army. I do protest, however, against the effort to militarize and navalize this Republic. I protest against the mischievous propaganda abroad in the land that the interests of this Nation are imperiled by Japan and Great Britain, that war with one or both of these nations is imminent and that for the protection of American interests we must spend hundreds of millions if not billions annually for war purposes. This talk is midsummer madness. It is fraught with danger. It is an insult to the American people and an affront to the nations of the world. If these views should be crystallized into legislative action, it would inevitably result in deep-seated fear upon the part of other nations as to the purposes of this Republic, and in turn fear would be supplemented by resentment.

The Senator says that the world recognizes that we have no imperialistic designs. I hope that statement is true. I feel sure that the overwhelming majority of the American people have not designs against any other nation, nor do they desire a single foot of soil belonging to any nation under the sun. There are those in the world, however, who read American history somewhat differently from the Senator and myself, and who ascribe to this Republic ambitions for world power, if not for territorial gains. They refer to our conquest of Mexico and the vast territory which came to the United States under the Treaty of Guadalupe Hidalgo; nor do they forget to point to the territory acquired under the Treaty of Paris after the Spanish-American War. We acquired the Philippine Archipelago, more than 10,000 miles from our shore, as a result of that war, and we lowered forever the flag of Spain that had floated for centuries over the island of Porto Rico. It is averred by these critics that Cuba is not a free nation, but an appendage to the United States.

Our beneficent purposes in China have been misinterpreted. Because European nations sought to dismember China our appearance in the Orient has been regarded by some as an effort to there secure a sphere of influence incompatible with the freedom and independence of China or to interfere with claims asserted by other nations. Our attitude under the Monroe doctrine has also brought us under suspicion, and some peoples have unfairly attributed to the United States a purpose to control the Latin-American Republics indirectly, if not directly. Of course, these criticisms and suspicions are unfounded. We desire the independence and freedom of all peoples. We welcome into the international arena the smallest nation and rejoice in all movements which emancipate those who have been in bondage and lead humanity to higher levels and to peace and prosperity.

Referring to the testimony of the admiral and the statement of the Senator as to the deductions to be drawn therefrom, I distinctly disavow any purpose to place an interpretation upon his words at variance with that which they clearly imply. But what I was particularly attempting to emphasize was that the admiral seemed to accept the theory that there were not moral forces in the world, nor would there be in the future, nor any other factors—educational, scientific, religious, or social—that would terminate war, but that the future promised unending sanguinary conflicts and that they were as inevitable as the movements of the tides or the coming of the dawn.

Mr. BRANDEGEE. Mr. President, the admiral may have been right or wrong about that; I do not know; that is a question of opinion. I do know, however, or I believe, that there is not sufficient moral force in certain nations to keep them from breaking the peace and pursuing their own selfish interests.

I am led to make these observations simply by the fact that I do not think the admiral, whose name I do not remember, if it was mentioned—and I do not care to ask the Senator to mention him—had in his mind anything which justifies the Senator comparing him to the German, Bernhardi, who justified war for war's sake, and who claimed that it was necessary, as I read his writings, for the physical and moral upbuilding of the man. I admit that military and naval training have their athletic value and give a man a setting-up and that sort of thing, but I would not think that even the acquirement of those accomplishments would justify war, and neither do I think that the admiral would. Bernhardi apparently did, but I do not think the Senator ought to compare the testimony of this American admiral with that of the advocate of war in Germany, to whom he has referred.

Mr. REED. Mr. President——

Mr. KING. Mr. President, the Senator from Missouri [Mr. REED] desires to interrupt me, and I will now yield to him for that purpose, but will reply to the Senator from Connecticut when the Senator from Missouri has concluded.

Mr. REED. Mr. President, I thank the Senator for his courtesy. I was going to ask a question, which is not apropos of what he is just now saying; but a moment ago he spoke about the admiral apparently not thinking that there was any moral force in the world to restrain men from making war, and I thought the Senator had in mind that there was such a force. I admit its value among advanced peoples, but just what moral force does he think would restrain a Turk? What moral force would restrain the present Government of Russia and lead them to deal justly and equitably with the remainder of the world? While there are nations in the world that disregard moral questions or construe them according to their own interests, what defense is there except the good old defense of being able to take care of yourself? I do not know whether I can treat that as a question, but I have tried to convey an idea.

Mr. KING. Mr. President, the Senator from Missouri is a practical man and a practical statesman, and I think he appreciates the limitations of human nature and the weaknesses of humanity, perhaps, as clearly as any man in public life. At the same time the Senator from Missouri, in my opinion, believes that humanity has a brighter day before it than the present or the past, and that the ethical forces in the world are more powerful than ever before, and are operating to bring about a higher civilization and a reign of justice and peace.

Mr. REED. I wish to inquire when that day is going to get here and what is going to happen to us while it is coming?

Mr. KING. Mr. President, the practical attitude of my friend toward all questions always reasserts itself, I am afraid sometimes to the submergence of other influences which are controlling in the affairs of men. I am sure the last question which the Senator propounded was not intended by him to mean that humanity is forever condemned to pursue the pathway of travail and bloodshed over which it has traveled in the past and that there are not moral forces sufficiently powerful and enduring to lead mankind to a more perfect state.

My distinguished friend is a Christian and seeks to base his conduct as a neighbor, a citizen, and a statesman upon the precepts and the imperishable beatitudes of the greatest of all men. He so acts because he finds therein the sure foundation upon which individual character rests and civilization and progress abide. A sterile philosophy of negation has brought despair to human hearts and distraction to human endeavors. I submit that there is developing in the hearts of men a profounder faith in the mercies and providences and eternal purposes of an Infinite Father, and mankind are seeking with deeper humility and sublimer faith to know the will of God that they may learn of His ways and walk in His paths. They are discovering that there are fountains of celestial and spiritual force which convert the arid wastes of life into fruitful fields and introduce into the lives of individuals and nations higher ideals, more exalted purposes, nobler aspirations, as a result of which both men and nations are being cleansed of their selfish and cruel purposes and are striving to advance the dawn of a better day. This view is not the result of a baseless dream or a groundless faith, but it is becoming a vital force in the lives of the people and a powerful factor in determining their conduct and the conduct of nations. Of course, moral growth and spiritual development, as manifest in the social organism, proceed slowly, and humanity mounts with difficulty the heights crowned with celestial light. But God and nature work ceaselessly and without shadow of turning. The intellectual and moral progress of the world during the past two centuries is so startling as to seem unreal and, indeed, miraculous. As the forces of righteousness increase, reforms and progress move

with greater celerity. Science, reason, religion, and God's revelations to humanity teach the same lesson, preach the same great truths, and prophesy the advent of the day of righteousness.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I yield.

Mr. REED. But that period, I take it, lies some distance in the future.

Mr. KING. I grant it.

Mr. REED. And I believe in preserving the life of the American Nation in the interval. I can accept the tenets of the Christian religion; but while I believe in God, I believe also in the rest of the maxim, to "keep your powder dry."

I recall the fact that 2,000 years ago there occurred the passion of the crucifixion, and what the Sermon on the Mount has not accomplished in 2,000 years is not going to be brought about by any idle dreams of the dreamers of to-day. The man who fails to recognize the practical side of this question dooms civilization to annihilation and postpones the glorious hour when the sun of the millennium is to kiss the horizon of time and its glory flood the world.

Mr. KING. The Senator has made an eloquent peroration to an eloquent speech.

Mr. REED. A very short speech.

Mr. KING. I will not say that its merit consists in its brevity; but, Mr. President, if I correctly interpret the Senator's position, I do not agree with all the implications arising from his premises. That civilization must be preserved is granted, but if the Senator means that the influences of Christianity have failed to ameliorate conditions in the world, I can not assent to his view. If the Senator means that to preserve civilization we must persist in military armaments, then I am not in full accord with his position. I am afraid when he speaks of "keeping our powder dry" his position will be construed as being in harmony with the attitude of the philosophers of force, who have sought to perpetuate a cruel and despotic militarism. Of course, we must meet the conditions of life in a sane and rational manner. The brutal, uneducated man may not be influenced and governed by the same forces and methods which control the intellectual and moral man. But this question reaches deeper than the statement of the Senator implies. The practical and utilitarian man fails if he does not reckon with the unseen but nevertheless vital currents which determine in the end the fate of men and nations. We may encase ourselves in armor made by human hands and deem ourselves invulnerable to the darts of the visible foe, but there will be an Achilles heel unprotected. All human defenses sooner or later fail. The genius of Napoleon could not save him at Waterloo, and Victor Hugo's prose poem of that mighty battle is impressive of the truth that there is a power greater than man's which shapes the end of all.

Mr. President, I believe in the universality of law, and that there is a moral law which is pervasive in the world and influences not only "advanced people," to use the Senator's expression, but it operates everywhere and in all ages. If we examine the curved line indicating humanity's rise, we sometimes are filled with gloomy forebodings because human progress appears so slow. And yet there is growth and progress and development, and the moral and intellectual accretions of the past become our glorious inheritance, and building upon what the past has accomplished, we can be assured that the future will increase in glory, in righteousness, and in those sweet and ennobling influences which come from God and lead to God. Because there is selfishness and wickedness in the world and peoples turn deaf ears to the inspiration of God, it should bring no discouragement to those who believe in the moral and spiritual values in life; but rather it should intensify their faith in the ultimate triumph of the truth and increase their devotion to the cause of righteousness and to the service of humanity. The débris gathering in the sluggish streams of life and impeding human progress, should be removed by those nations and peoples who carry the standard of justice. The arid wastes where wrong persists should be fructified by noble deeds and high and pure example. If the Turks and the Russians fail to keep step with the marching forces of progress, they must become the objects of solicitude and sincere regard. The conduct of the progressive nations must be purged of selfishness and vanity and pride, and a truly altruistic spirit must be exhibited by them. Such an example will add to the moral reservoir of the world and the water of righteousness will flow beyond the confines of that reservoir until all peoples will be baptized in its redemptive spirit.

I concede all the implications which may legitimately follow from the inquiry propounded by the able Senator from Missouri. I concede that the Turks have been guilty of atrocities which have horrified civilized peoples. I concede that Lenin and Trotski have established a military despotism in Russia and that under their cruel régime murder and rapine and cruelties which defy description have been perpetrated. I grant that appeals now made to the Otteman Turks and to the bolshevist commissars and rulers would make but slight impression. But with these concessions, Mr. President, it does not in my opinion justify all the deductions drawn by the Senator, nor successfully controvert the position for which I am contending. A proper regard for the spiritual and moral factors in the world does not require abstinence from those imperative requirements which self-protection demand. The highest conceptions of justice do not require submission to injustice, nor do they demand the eradication from the human heart of those high and manly attributes, the existence of which are contributing causes to man's moral advancement.

No one is demanding that this Nation shall not protect itself, or that it shall adopt a foreign policy pusillanimous and imbecile. But there is a broad distinction between a policy which visualizes the spirit of justice and adopts a course which is virtuous and manly, and one which proclaims the philosophy of force and seeks to build individual and national character as well as individual and national conduct upon a degrading materialism reflected in selfishness and aggression and devotion to military trappings and power.

Our country is not menaced. Its rightful authority in the world is not challenged. Its flag is respected throughout the world and its citizens are confronted by no nations who threaten their personal or property rights. There is a wide distinction between that attitude which adopts legitimate and proper means for self-protection and seeks to promote the peace of the world and that posture which creates apprehensions and fear throughout the world and leads by example and precept to crushing military preparations and war psychology.

The Senator asks what shall be done pending the arrival of that brighter day which will bring happiness and peace to the world. Mr. President, there is but one course open to the righteous man and to the nation seeking justice, and that is to do right and earnestly seek for the regeneration of others. We should, as Peter says, continue "looking for and hastening the coming of the day of God." I often think of those sublime words of Sir Oliver Lodge, who states that "by faith we may feel ourselves citizens of an eternal and glorious cosmogony of mutual help and cooperation, advancing from lowly stages to ever higher states of happy activity, world without end."

What we shall do in the meantime is answered by President Faunce, of Brown University: "The good man of the fifteenth century was Thomas à Kempis, whose 'Imitation of Christ' has no faintest allusion to any wrongs in this world to be righted. The good man of Bunyan's dream was one who thrust his fingers into his ears to stop the cry of wife and children while he started on his long flight through the world to the celestial gate. But the good man of our time is the one who turns back into the city of destruction and resolves never to leave it until he has transformed some portion of it at least into the enduring city of God."

This Nation is as a city set upon a hill, and its light can not be hid. It should be the leader in every movement conducing to man's advancement. Unselfishly it should strive for world peace and for the spread of those civilizing forces which so copiously abound in life. Our example should be for peace, not war, for confidence and amity, and not suspicion and distrust. We should realize that we are trustees under God, and that we must administer the trust in the interest of humanity. And this high commission will not destroy nationality or love of country or devotion to the flag. The highest love of family increases the capacity of man for service to his country, and the highest patriotism is compatible with love of all peoples. We are heirs of the riches of the past and hold in trust this great patrimony which must not only be preserved but transmitted to those who follow. We in America will add to this inheritance by greater service and higher devotion to the cause of humanity. The Neolithic Age possessed neolithic men, but humanity has traveled far since then.

The Senator speaks of Russia. Mr. President, I have heretofore expressed my views of the Russian people. I regard the Slav race as one of the powerful races in the world. The future has in store rich gifts for it. The Russian people will emerge from the tragic conditions which now oppress them and meet the responsibilities which rest upon progressive Christian peoples. No race will respond more readily to ethical and spiritual influences than the Slavs. Bolshevism is an

ugly parasite which will soon be cast off, and the Russian people, strong and virile, emancipated from the degrading conditions of the present, will take their place by the side of this Republic and other progressive nations and aid in the support of the standard of justice under which humanity will march into broader fields and wider experiences. These bloody chapters will be closed. The Russian people will write a new page in the great volume of Russia's national and international life.

And shall it be said that progress and moral advancement are denied to the Turks? True, their record is dark and sordid, but they possess splendid qualities and have exhibited traits of character calling for the admiration of their Christian associates. It may not be inappropriate to suggest that the dealings of Christian peoples with the Turks have not always been honorable or exemplary. Christian nations have intrigued with them and taught them intrigues. Christian statesmen have practiced subtleties and deceits in their international relations with Turkey. I make no apologies for the Turkish nation and denounce the inhuman deeds which have characterized its national life. The Great War has brought new conditions to the Turks and they will, I believe, prove amenable to the civilizing agencies operating throughout the world.

Reforms are not wrought in a day or in a generation. Progress is not an exotic plant, but it is nevertheless an enduring one. We conquer evils and grow stronger by the victories gained. Emerson refers to the legend among the Hawaiian people who believe that the spirit of the vanquished foe takes possession of the victor, strengthening him for future contests. And so individuals and nations rise upon the "stepping stones of their dead selves to higher things." "Forward" is nature's watchword. It is God's command. And to go forward in the true sense means progress in the vital and enduring phases of life.

Physical power and martial greatness do not promise victory or enduring success. It is the moral, the spiritual, the divine "imponderables" which survive and which are the vital factors determining man's progress. The bloody pages of the past and the revolting records of humanity do not disturb my faith in the future. I have an abiding faith in the moral forces of the universe and affirm that they are operating in the hearts of men, in the social and political organisms under which we live, and these forces extending with the years will so powerfully influence the lives of men that ultimately the dreams and prophesies of prophets and poets and sages will be realized. The day of peace will dawn and righteousness will cover the earth as the waters cover the mighty deep.

But I do not wish, in anything that I have said, to be understood as advocating the destruction of our Navy. While I am pleading for world peace and for our Nation to lead the way for international amity and fellowship, I am not advocating that we make no military or naval preparations. Indeed, in the report which I submitted a few days ago I recommended the completion of six great battleships now in course of construction. I also recommended the construction of a battle cruiser, the cost of which will be approximately $50,000,000, and when completed will be the most powerful ship that will ride the waters of the deep. Later in the debate I may discuss the present status of our Navy and the kind of a Navy which we should maintain. So, Mr. President, if the Senator is proceeding upon the assumption that I am opposed to a Navy of adequate proportions for national defense, he misconceives my position. I should welcome an agreement between the nations for the restriction of naval and military armaments and regret that the United States has thus far failed to cooperate with the great powers for the purpose of limiting armaments and hastening world peace. But I have felt that if we should announce a militaristic policy, following our protestations of devotion to world peace, our sincerity would be questioned by other nations and our course would be provocative of increased military and naval preparations upon their part. I have believed and still believe that our Nation occupies a position in the world where its example will be controlling among the nations. If we declare for peace and for a limitation of armaments; if we, in good faith, associate with the nations to establish an international court, and to reduce, if not abolish, naval and military armaments, and to promote international peace and amity, it will restore hope to a distracted world and bring joy and, indeed, gratitude to millions who are now struggling beneath burdens which are almost beyond human endurance. I believe that we can reclaim our lost leadership, and that all nations will joyfully follow our footsteps.

When interrupted by the Senator from Missouri and the Senator from Connecticut, I was discussing what I conceived to be the materialistic attitude of one of the leading admirals of our Navy. I called attention to his statement that to talk of disarmament was wrong and would produce national retrogression. The Senator from Connecticut has indicated that I linked the admiral with Bernhardi. I read the statement of the admiral and called attention to the statement made by the Senator from Montana to the effect that the sentiments expressed by the admiral "would command a very able advocate in Bernhardi." I agree with the Senator from Montana that the position of the admiral was precisely the one assumed by Bernhardi and Neitsche and other German writers who lead the German people from the paths of peace to the heights of militarism, and from which they set out to dominate and control the world.

While I am referring to the testimony of the admiral, let me proceed a little further and call attention to other statements made by him at the same time.

The question was then asked:

So you don't look forward then to any decrease whatever in the burdens of the peoples of the world of maintaining these great armaments; you feel that those have got to be borne and they have got to be increased continuously; you do not look for any relief whatever in that direction?

In reply to that question the admiral made this statement:

I will put it this way—I do not like to appear as a prophet, but will say that according to history that is the way it has always been. If there is anything to change the current of history, then, of course, that will have a bearing.

Then he said that he did not believe that a reduction of armaments was possible, even "though nations should enter into agreements to that effect, because the agreement would not last very long." Then he added that it might last 20 years.

The following question was then propounded to the admiral:

If wars have existed from the dawn of history while governments have been armed, don't you think if they fail to arm, or if they reduce their armaments, or enter into an agreement for disarmament, that it might result in a cessation of war?

This reply was made:

No; I am absolutely sure, as far as I can be sure of anything in the future, and I am only basing it upon 5,000 years of history, and that is a good deal.

Then these questions were asked:

Q. In short you find no chances to escape from the burden of competitive armament?—A. I would like to see the burden made as light as possible, Senator, but I do not see on looking at it in the light of history, and the way in which we are going now; competition among the people and the tendency of overseas trade—there is hope for cessation of war.

Q. If you think that an agreement for the reduction of armaments would be entirely ineffective, you must equally agree that an agreement for the purpose of not increasing armaments—that is, holding them stable—would be equally ineffective. Am I right?—A. I am afraid it would be ineffective.

Q. So that the necessary conclusion at which we must arrive is that there is no possible escape from the burden of competitive armaments, and you can see no relief whatever in any line from the rivalry in which we are now engaged.—A. I am sorry to say it, but I think so.

Q. And that would mean that we have to continue our naval and military burdens indefinitely?—A. I think so.

Mr. President, I do not recall ever having read, in such bold and striking language, the proposition, hideous and ugly in its nakedness, that there is no relief from the burdens of naval and military armaments which now press upon the world, and under which humanity has struggled during the thousands of years of recorded history. I repudiate that doctrine. If I believed, as the admiral has expressed himself, I would sympathize somewhat with Huxley, when he said that if social and economic conditions were to continue unchanged he would hail, as a consummation devoutly to be wished, the advent of some friendly comet that would hurl this little world of ours into destruction.

The admiral has stated, Mr. President, that there is to be no "cessation of war"; there will be no relief from the burdens of war; that we are to tread the winepress of agony and bloodshed and sorrow to the end of time, using the genius with which we may be inspired to devise more powerful weapons for the destruction of humanity. We are not to build for the spiritual and moral development of humanity, but we are to dedicate ourselves to the policies of war, and preparations for war, for the purpose of continuing war.

Of course, it will be urged that preparations for war do not mean war or a continuance of war. Yet, Mr. President, whenever nations have armed, and have followed a policy of militarism, they have ultimately engaged in war. The argument which the able Senator from Missouri made is substantially the argument which is made by those who are the most earnest devotees of strong armies and big navies.

I have referred to the philosophy of force which led to the Great War. Mommsen, the historian, predicted what the result of such philosophy would be. He stated:

That there should be a care lest in this country, which has at once the power in arms and power in intelligence, the intelligence should vanish and nothing but the pure military state should remain.

It has been claimed by some that Admiral Mahan strengthened the hands of the disciples of militarism. Without arguing that

matter I desire to call attention to a few sentences from his work. He states that "the armaments of the European States now are not so much for protection against conquest as to secure to themselves the utmost possible share of the unexploited or imperfectly exploited regions of the world—the outlying markets or storehouses of raw material, which, under national control, shall minister to national emoluments." This is a defense of his thesis that the causes of war are economic and material, and is in contrast with his statement of the purpose of armament in his article entitled "The folly of The Hague," where he contends that armament is the beneficent power which protects the quiet and the weak. These are his words:

> Armament is the organization and consecration of force as a factor in the maintenance of justice, order, and peace. It is the highest expression of that element in civilization—force—which has created and now upholds society, giving efficacy to the pronouncements of law, whether by the legislature or in the courts. Organized force, alone, enables the quiet and the weak to go about their business and to sleep securely, safe from the assaults of violence without or within.

It is believed that the author refers to police force in his defense of armament as the consecration of force in the maintenance of justice, order, and peace. Armament, however, goes beyond that field and is devoted usually to defense and attack.

The advocates of militarism have supported their views by appeals to biology as well as sociology. They have mouthed the words "survival of the fittest" and "natural selection," and have sought to apply to political institutions and to governments the theory that the strong nations alone should survive and that all governmental policies should be directed in conformity to that view and that big armies and strong navies were essential to achieve the desired ends. During the war we heard no defense of the German philosophy of force and no claim that the alleged theories of biological development should find complete duplication in social and political activities, but there now seems to be a recrudescence of teachings we then condemned and policies which met with reprobation, and efforts are being made by some to apply the principles of true philosophy and the expositions of Darwin and other biologists to the conduct of nations. These efforts are insidiously made and find support in some circles. I protest against the perversion of the philosophy of Darwin and of other great biologists and sociologists to the support of a brutal materialistic creed and a destructive militaristic policy.

The true Darwinian theory is that social progress depends not upon "force and collective homicide, but upon institutions and ideas." Darwin's position is that the most noble attribute of man is the moral sense of conscience. While he attributes this as a development from the social instincts, there are others who postulate a divine manifestation. Darwin's thesis is that the social instincts are the necessary and sufficient conditions for the evolution of a moral sense. The view of many Christian theologians accounts for the moral sense as a direct manifestation of the mercy and power and goodness of an everlasting Father. There is a practical scientific view which contemplates the extension of those social instincts and sympathies highly developed until they become the determining fountains of human conduct and will ultimately culminate in a federation of the world nations and peoples bound by the moral law. Darwin sought to find the cause of civilization's advance "in the social habits of man in cooperation and mutual aid for the struggle against the physical universe and in the moral law." Indeed, both Darwin and Wallace believed that the chief cause of social progress and human evolution is to be found in ethical factors. Even Huxley insists that social progress means a "checking of the cosmic processes and the substitution of the ethical processes," which means in the end the survival of those who are ethically the best. Huxley further states that the purpose of that which is "ethically best—that which we call goodness or virtue—involves a course of conduct which in all respects is opposed to that which leads to success in the cosmic struggle for existence." He insists that in place of "ruthless self-assertion" there must be self-restraint; instead of the destruction of competitors, that there shall be respect and help, and that its influence shall be directed rather to fitting as "many as possible to survive," instead of in behalf of the "survival of the fittest." The gladiatorial theory of existence is repudiated and the laws of moral precepts directed toward curbing the cosmic process and reminding individuals of their duties to the community. And, finally, Mr. Huxley says: "Let us understand once for all that the ethical progress of society depends not upon imitating the cosmic processes, still less in running away from it, but in combating it."

Both Wallace and Huxley emphasize the break between the cosmic processes of human society and attempt to bridge the gap between the ethical man and the natural man, and the former seems to feel "the need of deux deus ex machina" to solve the problem. But Darwin, "with no discontinuity finds the development in the moral law as a part of the great sweep of the cosmic principle," and this moral law he regards as the instrumentality which will bring human society toward a perfected state.

In analyzing the causes why one nation rises and makes progress more rapidly than others, he assigns as important reasons "the number of the men endowed with high intellectual and moral faculties as well as their stand of excellence."

There are some who support the position of Mr. Kidd as defined in his work, Social Evolution. He contends that there is antagonism between a large class of individual conduct and the interest of the social organism, and demands the submergence of individual interest in the interest of the mass. He finds no rational sanction for such action, and accordingly postulates an ultrarational sanction which he conceives to be the basis of religious belief. I submit that his hypothesis that there is antagonism between the individual and society is not sound. The highest interest of the individual finds expression in the highest development and welfare of the social organism itself.

Lord Bryce, in an address on April 3, 1913, as president of the International Congress of Historical Studies, emphasizes, in principle at least, Kant's theory of "universal history as the growth of a world community," reconciling the freedom of individuals and of individual States and the accomplishments for the common aim of mankind as a whole. The developments of science have had a binding influence upon peoples and nations and have brought into apposition, if not integration, peoples differing ethnically and between whom in the past strong antipathies have existed. Mr. Bryce states:

> The world is becoming one in an altogether new sense. * * * More than four centuries ago the discovery of America marked the first step in the process by which the European races have now gained dominion over nearly the whole earth. * * * As the earth has been narrowed through the new forces science has placed at our disposal * * * the movements of politics, of economics, and of thought in each of its regions become more closely interwoven. * * * Whatever happens in any part of the globe has now a significance for every other part. World history is tending to become one history. * * * The widening of the field is also due to a larger conception of history, which (through the aid of archæology) now enables us faintly to discern the outlines of a process of slow and sometimes interrupted development of mankind in the Old World during a period each one of the divisions of which is larger than all the time that has elapsed since our first historical records begin.

Humanity has grown in knowledge, in power, in social unity, and in effective organization, all of which tend to the acceleration of progress and a higher standard of civilization. We are learning the art of living together in close relation, which, as Henry George says, constitutes civilization, and nations are being drawn toward each other under compulsions not of force but of knowledge and social unity. Gregariousness does not stop with boundary lines, and so peoples of different nations and, indeed, of different races are coming together in the interest of peace and justice as well as for the promotion of self-interest.

I referred to science as a unifying and civilizing force. The demonstration of this thesis is unnecessary, because it is obvious to all. And the language of the poet is addressed to humanity. Knowledge is a solvent, and removes antipathies and racial prejudices and brings convincing proof of the solidarity of the human race and of the truth that the interest of one is the interest of all. When Darwin speaks all nations give ear, and the voice of preacher or prophet or teacher, no matter the country from which it comes, rings around the world, and the speaker becomes a world citizen.

Cosmopolitanism results from knowledge, and a corroding selfishness yields when closer contacts result between individuals, communities, and nations. It was Mazzini who said: "Thank God, the philosophy of Cain has passed out of this world forever. We are our brother's keepers." No longer do civilized people close their eyes to world conditions, and the cry of distress in the remotest part of the world finds a ready response. There is an effort to apply in international affairs and relations the principle which John Hay denominated as "the golden rule and the open door." Men everywhere are beginning to realize that they are trustees and their trust is a sacred and divine one. They are heirs of the riches of the past, but hold in trust this great patrimony which must not only be preserved but enlarged and transmitted to those who follow, beautified and augmented by service.

This is the age of science and literature and art, of religion and morals, and it is preserving the moral man. As humanity has developed, the sense of clan division has yielded to that of the guild, to the sense of class, and finally to that of national self-conscience, and the latter condition has been modified by

softening influences and spiritual concepts so that nations now feel that they are a part of a great body of humanity and that bonds of internationalism encircle the peoples of all lands. The conglomeration of tribal forms yielded to national organizations through gradual development, and there is developed a unity based on pure culture. The road before us is still long and it is beset by dangers which imperil the advancing hosts throughout the world, but there are always those who see the summit above gilded by the light of God, and with courage they climb the dangerous and rugged heights, while below the masses, often with indifference, watch the retreating forms who seek to lift humanity to higher levels. But the call of these inspired ones gives courage to those behind, and so humanity marches ceaselessly forward.

Neither individual nor nation has reached or will reach perfection. There will be struggles and problems which will develop character and produce higher standards of moral excellence. Some of Rodin's immortal productions depict figures puissant and mighty emerging from the rough-hewn marble blocks. So humanity, still bound to the past but growing more beautiful as the years go by, is seen emerging from old conditions and assuming nobler proportions and possessing increasing moral and spiritual power.

Sophocles states that man with his boundless skill "moves on; sometimes evil and then again to good." He perceives the collective power of humanity and the combining forces of knowledge and social unity. Shelley stressed the power of collective human thought not only in penetrating the secrets of the universe, but in conquering evils and effectuating world fellowship.

It was Whittier who perceived the purposes of God for humanity's welfare in the development of electricity, and wrote these beautiful words:

> Weave on sweet shuttle of the world,
> Beneath the sea so far
> The bridal robe of earth's accord
> The funeral shroud of war.

It was Emerson who said: The arch-abolitionist older than John Brown, and older than the Shenandoah mountains, is Love, whose other name is Justice, which was before Alfred, before Lycurgus, before slavery, and will be after it.

And Kant declared that he adored two wonders—the stars above and the moral law within. Men are beginning to appreciate more and more that there is "an increasing purpose" running through the ages, and they are seeking to learn that purpose and to submit to those laws of union which are operative in the material as well as in the moral world.

Mr. President, the purpose of life is service and the canons of conduct prescribed in the teachings of Christ are based upon a true philosophy. If individual or nation would advance and achieve true happiness, they will find the royal road in service and sacrifice and loyal devotion to others. The compensations that flow from such conduct are beyond computation. Not only material compensation follows for their enrichment, but the moral power which becomes their portion brings to them enduring and eternal life. The lessons of the greatest teachers revolve around this great truth. The beatitudes are not concerned about conquest and power or self-aggrandizement or national authority. They glorify conduct guided by charity and mercy and purity. When we learn that there is an infinite force and power, perhaps indefinable, underlying human conduct and all the things of life, which operate ceaselessly for the triumph of those principles of justice, love, and mercy and righteousness which the utilitarian and the cynic often deny, life will take on a higher meaning and there will dawn that brighter day of which I spoke in answer to the suggestions of the Senator from Missouri. And this view is not Utopian or visionary, but it is founded upon the realest conception of life and upon the soundest experiences of individuals and nations. But speaking of Utopia, I am reminded of a statement by an English writer who came to a tragic end. He said: "A map of the world that does not include Utopia is not worth even glancing at, for it leaves out the one country at which humanity is always landing. And when humanity lands there, it looks out, and, seeing a better country, sets sail. Progress is the realization of Utopias."

Even Ibsen, whose pessimism seems to many a dominant note in his works, declared that "what is wanted is a revolution of the spirit of man"; and later he said: "I am also an optimist, for I firmly believe in the power of those ideals to propagate and develop."

I recall having read an address by W. W. Campbell of the American Association for the Advancement of Science, delivered in 1915. He there stated: "That which is purely practical, containing no element of idealism, may sustain existence and to that extent be valuable, but it does not civilize. I believe it is the idealism of pure knowledge, the idealism in applied knowledge, the idealism in industry and commerce, the idealism in literature and art, the idealism in personal religion, which leavens the life of the world and pushes forward the boundaries of civilization."

I am contending for no policy that would weaken nationalism or create an international government. I am seeking only to emphasize the fact that we must have ideals and appreciate the interdependence of States and nations, and earnestly strive for those international bonds of union and fellowship that will tend to the abolition of war and the devotion of the energies of the peoples everywhere to the arts of peace and genuine and enduring progress. I am complaining of the persistent efforts of some to perpetuate the war spirit and to sow the seeds of discord between this Nation and other nations.

Let me inquire, Mr. President, whether, since the armistice, our example has been such as to be promotive of world peace. We sent our boys across the seas to defend civilization and, if possible, to end wars. Mothers with profound sorrow in their hearts gave their sons, many of whom made sacrifice of their lives upon the blood-stained fields of Europe, because they believed that their blood would rouse throughout the world a new spirit for liberty, for justice, and for peace; and that following the World War there would be a world baptism which would endow the nations with higher purposes and divine inspiration. Two years have passed since the armistice and it is felt by some that we have not realized all for which we struggled and are not guided by that spiritual light to which our sacrifices entitle us. Is there a reversion to the old spirit? Are the moral values which we appraised to be lost? Is there a manifestation of atavism resurgent with us and in the world? I will not believe, Mr. President, that the moral victories gained will be lost. Undoubtedly there will be here and there a recrudescence of the old philosophy of force and the spirit of hate and national antipathies; but that very fact implies an obligation upon those who believe in the moral and spiritual attributes of the universe and in the controlling power of God, to greater service and higher devotion to the social and moral welfare of the world.

But we are told that Great Britain has a powerful navy and that Japan is strengthening her naval power, and therefore we must maintain the greatest Navy in the world. I regret that we did not become a member of the League of Nations, so that in cooperation with those nations and other members of the league a program for disarmament could have been adopted. Such a course would have removed suspicion and jealousies which are productive of war, relieve the people from pressing burdens of taxation, and hasten the advent of international peace. In my opinion, if the United States had joined the league and had adopted, in connection with the league, a policy for disarmament as therein provided, there would have been reflected in the national conduct of every nation in the world the spirit of that policy and we would not be called upon to follow a naval program which will impose upon the United States a burden of at least $1,500,000,000 within the next two or three years, to be followed by annual expenditures of approximately $500,000,000 for the maintenance of the Navy and needed naval developments.

Mr. ASHURST. Mr. President, will the Senator permit me to interrupt his very able speech?

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Utah yield to the Senator from Arizona?

Mr. KING. I yield.

Mr. ASHURST. There were recently presented to the American people two alternatives, to wit, to enter the League of Nations and assist other nations in preserving the peace and bringing about reduction in naval and military armament or to reject the League of Nations and continue to protect our possessions and our coasts by our own Navy, as we have done in the past. It would seem that the American people having decided not to avail themselves of the opportunity for such armament reduction as the league would have afforded, and having decided by a majority that can not be gainsaid to preserve the peace of their own country by their own strong arm, that as sensible and patriotic men we must protect ourselves as we have done in the past, since we are not in the congress of nations. I wish to have the Senator's view on that point. Shall we say we decline to go into the League of Nations, and then require our citizens, their lives and property, to be exposed to those brutal and ferocious assaults that all wise statesmen know frequently imperil civilization? Innocence alone in national life is not a sufficient guaranty of safety. Serbia, Belgium, and France learned that.

We sinned away our day of grace when we refused to join other nations in reducing armament. What is left to us but to

have a Navy to protect our 11,000 miles of seacoasts, our far-flung islands of the Pacific, our Alaskan possessions, our newly acquired islands in the West Indies, our Panama Canal, the key of our commerce in two oceans? We must approach the situation in a practical way. We are not to be in the League of Nations; ergo, we must have a Navy.

It was sea power that saved Rome from Greece; sea power saved Greece from Persia; sea power gave the Phœnicians command of the ancient maritime world; sea power built up the commercial empire of Carthage; it made Athens ruler of vast territories and made Rome empress of the earth. Sea power once gave the Moslem domination from Constantinople to Cordova. When Spain had great sea power she dominated Christendom and brought home the dazzling riches of Mexico and Peru, and her decline began when storms and British seamanship wrecked her great armada. The sea power of France turned the scales in our favor in our American Revolution. In the War between the States here it was the sea power of the North which enabled her to fling a line of 1,200 ships around the Confederate coasts and finally to overwhelm the Confederacy. In the World War, notwithstanding the superb valor of those who fought so bravely on land, it was sea power that transported the American soldier to Europe.

Call the roll of all the nations that have risen in the past; they rose when they had sea power. Call the roll of those nations that now are a schoolboy's tale and whose temples and palaces are inhabited by bats and owls; they fell when they permitted their sea power to weaken.

Mr. KING. The Senator from Arizona always illuminates by his generalizations and incisive statements and remarks——

Mr. ASHURST. Before the Senator proceeds, permit me to thank him for the opportunity granted by him to make this statement.

Mr. KING. I was about to say that the Senator from Arizona illuminates subjects discussed by Senators and makes contributions to matters under consideration by the Senate. With part of his argument I agree, but many of the premises which he assumes I deny; nor do I follow all the deductions which he is pleased to make from his assumed premises. It might be stated in passing that his arguments are similar to those which justify great military and naval armaments. Most nations when they build stupendous navies or maintain large armies profess the highest altruism. They contend that they are merely "insurers of peace" and have no aggressive purpose or imperialistic design. Napoleon's prodigious military operations were always for peace and defense.

It is impossible in the time at my disposal to review the historic examples that support what I have stated and negative many of the statements made and deductions drawn by the Senator from Arizona. But first let me reply to the statement made by the Senator that the people at the last election decided against entering the League of Nations or against the policy of assisting nations to preserve the peace and bring about a reduction in naval and military armaments. On the 28th of January of this year I discussed the reasons which contributed to the Democratic defeat and analyzed the position now taken by the Senator from Arizona. I then contended that the American people had not decided against the league or against an international agreement for the reduction of armaments and for the purpose of securing the material benefits to be derived from an association or League of Nations. I called attention to the fact that there were many factors entering into the contest which were more determinative of the results than the question of an international association. I referred to the fact that the Republican platform, as well as the statements of the Republican candidate for the Presidency, were construed by the overwhelming majority of the American people as being favorable to an agreement between the United States and the members of the League of Nations for the establishment of an international court and securing a reduction of armaments and in order that there might be closer and more friendly relations between all nations of the earth. Indeed, it was stated by ex-President Taft and Mr. Hoover and leading Republicans that only by the election of Senator Harding could the United States be brought into the League of Nations. The American people desired world peace and believed in the efficacy of the League of Nations to bring about that result. Many desired reservations to be attached to our ratification of the covenant of the league. Still others believed that no modification in the provisions should be made. But those who opposed any sort of an agreement between the United States and the other nations of the world to secure world peace and a limitation of armaments and to create international tribunals and organizations to settle international controversies and execute international obligations, were insignificant in numbers and powerless to secure the adoption of their views.

Mr. ASHURST. Will the Senator from Utah be kind enough to allow me to inject another sentence into my interruption? A Senator near me has suggested that in our War of 1812 we won but few battles on land except the great battle which Andrew Jackson won at New Orleans. It was the sea power that brought victory to the United States in that war. My friend, the Senator from Utah, who has enriched the annals of the Senate this afternoon and yesterday afternoon with his splendid speeches, overlooks the fact that national safety may lie in sea power; and that while militarism, indeed, overthrows the liberties of the people, there is not a line in the histories asserting that naval power overthrows the liberties of the people. It sustains those liberties. Naval power is a moving, pulsing line of leviathans that protects and defends a country the while the civilians within that line pursue the arts of peace.

Mr. KING. Mr. President, when interrupted in order that the Senator might make an addendum to his speech I was referring to his interpretation of the results of the last election. I have no doubt, Mr. President, that many who supported Senator Harding approved of the policies of President Wilson but believed that as the Senate was constituted it would be impossible to secure the ratification of the Versailles treaty in its present form, and they felt that Republican success would permit a modification of the treaty, not important enough to defeat its purpose, and that with such modifications the United States would enter the League of Nations. In the campaign the most reactionary Republicans did not oppose an agreement between the United States and other nations for disarmament and in the interest of world peace.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Utah yield to the Senator from Delaware?

Mr. KING. I yield.

Mr. WOLCOTT. I recall seeing in the newspapers what purported to be a quotation from the lips of the distinguished governor of Massachusetts, who is soon to adorn the Presiding Officer's chair in this body, to the effect that in his judgment the American people had not in the last election repudiated the League of Nations. There are many of that opinion, especially in view of much of the talk that was had by the Republican candidate for President, and those who entertain that opinion, of course, agree somewhat with the view expressed by the Senator and have a right to look forward to something in the way of a substitute for armament, under the coming administration, to observe the world peace.

Mr. KING. I thank the Senator from Delaware for his contribution to the discussion.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. Certainly.

Mr. REED. I have not any doubt there are some people who do not know this case has been tried and a verdict rendered and judgment entered. I have never yet seen a man convicted in court who did not think the jury was misled and who did not entertain a faint hope of success on another trial. The man who can not be convinced by a 7,000,000 verdict may have to be convinced by some more verdicts of that kind. Speaking as a Democrat I do not desire to go to trial again on the issue on which we went to trial this last time. It is an uncomfortable majority, not to say merely a decided one.

I do not care what any one man says in regard to it, I remember that the gentleman referred to made some statements during the campaign which indicated he was out of line with the candidate for President. I also remember that it created considerable consternation in the Republican camp. After the bosses got through dealing with the question, I did not hear any more such utterances from that distinguished gentleman until after the votes were counted. It may now be again safe for him to talk.

Mr. KING. Mr. President, I do not fully agree with my friend the Senator from Missouri that the case has gone to judgment and that there has been a decision opposed to the principles and spirit of the covenant of the League of Nations. It may be that an issue was tried and a verdict rendered, but I still insist that the American people by their vote, notwithstanding the decisive majority in favor of the Republican candidates, did not decree that there should be no arrangement or agreement or understanding, whatever it may be denominated, between the United States and other nations for the purpose of limiting armaments, military and naval, and for the purpose of establishing international tribunals to which appeals might be made for the settlement of controversies arising among nations. It is my deliberate judgment that a majority of the American

people to-day are anxious for the peace of the world; they desire no national isolation; they realize that this Republic is and must continue to be the dominant force and power for good in the world and that its influence for domestic peace and prosperity and for world peace and progress can best be exerted through genuine and hearty cooperation between it and the other nations of the world.

In my opinion the American people would welcome an agreement between this Nation and the members of the League of Nations having for its object the carrying out of the greater part of the provisions of the league and of the Versailles treaty. They realize that our peace and prosperity are inseparably connected with the peace and prosperity of other nations, and they will demand, in my judgment, a liberal progressive foreign policy which will place the United States in the vanguard of progress and in harmonious relations, the result of agreements and clearly defined and specified cooperative efforts, with all important nations of the world. This means no supergovernment nor a remission of our sovereignty or the establishment of a disintegrating internationalism.

I recall the statement of the Vice President elect to which the Senator from Delaware has just referred, and it confirms the statement which I was making that in the campaign leading Republicans proclaimed their devotion to the spirit and principles of the league and to the importance of an agreement for world peace between the allied nations and other peoples.

Returning to the statement made by the Senator from Arizona. The Republicans conducted a most subtle and intriguing campaign. In most parts of the United States the campaign was conducted upon the theory that the Democrats sought to create a supernation, whereas the Republicans desired all the benefits of arbitration, conciliation, and international union, including disarmament, but would preserve unimpaired the national sovereignty and power of the United States. In other words, they advocated a league of nations under which would be secured substantially the benefits and advantages which would admittedly flow from the League of Nations.

In those sections, and they were few, in which there was hostility to any international agreement, the views of the distinguished Senators from Idaho [Mr. BORAH] and California [Mr. JOHNSON] were emphasized. In those States, in which there were a large number of American citizens of Irish descent, frenzied appeals were made to them to support the Republican Party because it would aid in the liberation of Ireland from British control and would present a frowning front to Great Britain's alleged imperialistic ambitions. Racial prejudices and antipathies were played upon and every possible effort made to create political groups along racial and ethnic lines. American interests and American questions were obscured in the unfair and sinister appeals to race prejudice and antipathies. The Italians were urged to support the Republican ticket because of the alleged opposition of President Wilson to the legitimate aspirations of the Italian people. Nothing was said about the broad sympathies of President Wilson for Italy and the gratitude felt by the American people for the great contributions of Italy to the cause of civilization. Nothing was said of the splendid work by President Wilson at the peace conference in behalf of Italy. And the most wicked and unfair appeals were made to American citizens of German ancestry. The claim was made that if the Republicans triumphed this Nation not only would not enter the League of Nations but would destroy the league and rewrite the treaty of Versailles. Germany was to be relieved of the indemnities and conditions provided in the Versailles treaty, and the United States was to enter into a union or an alliance with Germany under which the two nations would become the dominating force in the world. Every possible effort was made to create prejudices against Great Britain and Japan and to lead the minds of the people from the vital and imperative questions before them for determination.

Mr. President, there was no trial. It was a mistrial. There has been no judgment rendered upon the vital and living questions now before the American people. I repeat that the great majority of the American people are not the disciples of force and militarism; nor are they for a brutal and aggressive navalism or a narrow, provincial, isolated international policy. They know that this Nation is ordained of God to be a light in the world and to wear in these dark hours and in the coming years the scepter of moral and spiritual leadership in all the world.

The Senator from Arizona, as I interpreted his position, insists that the electors of this Republic not only decided against the League of Nations but against any effort to secure world disarmament. I am sorry the Senator has left, because I want to reply to this statement.

Mr. SHEPPARD. Mr. President, I am sure the Senator from Utah would not do the Senator from Arizona an injustice. The Senator from Arizona did not leave, but is still in the Chamber.

Mr. KING. I apologize. I did not observe the Senator. I discover, however, that he is temporarily seated upon the Republican side.

I repeat, Mr. President, that in my opinion the American people, if a referendum were now taken, would record their verdict in favor of a limitation of armaments. They are opposed to this Nation becoming a military power or a naval power and of reflecting the imperialistic ambitions that have found expression in Germany and in other aggressive nations. I deny that the American people decided against a limitation of armament or in opposition to efforts to secure world disarmament. Republican Senators within the past 24 hours have voted in this Chamber for negotiations to secure a limitation in war preparations. Why? Because they appreciate the fact that the American people and the people of the world desire peace and full opportunity to return unmolested and unafraid to the toils and labors and responsibilities which their citizenship and their places in the world devolve upon them. The Senator from Arizona, as I understand him, takes the position that the election constituted a mandate that we should arm to the teeth and have the biggest navy in the world.

Mr. ASHURST rose.

Mr. KING. If I do not interpret the Senator aright, I will be glad to yield.

Mr. ASHURST. I know the Senator is incapable of willfully misrepresenting my attitude, and I am anxious that if he quotes my remarks or deigns to pay any attention to them he shall do so from the viewpoint held by me. It is useless to try to enumerate the various reasons assigned for defeat last November, but I believe that all candid men, as the Senator from Utah is candid, will agree that the disasters we met came to us, in large measure, by reason of the covenant of the League of Nations; and I was a Senator who voted for the covenant of the league, and have no apologies to make for that vote. The defeat which came to the Democratic Party in my State was because of the covenant of the League of Nations, and I believe that is true as to the States of New York and Ohio, and I will tell you why.

There was no flaw in the record of the Democratic Party, so far as its internal policies were concerned. No party ever did more utilitarian work. No party in the history of our country ever did more to bring zest, grace, and usefulness into the common life of our people than did Woodrow Wilson, and I believe that those who are capable of correctly interpreting events will ultimately say that it was the covenant of the League of Nations that hurled the Democratic Party to defeat.

I am neither a militarist nor a jingoist—I simply say that having rejected the covenant of the League of Nations, it seems to me we are bound to carry out the naval policy which we adopted in 1916. A Democratic Congress adopted the policy of 1916, and a Democratic President approved it, and Congress went so far as to do the unusual thing of incorporating in the naval appropriation bill arguments therein—a rare thing in American legislative annals. And now, since we are not to enter the League of Nations, it seems to me we must carry out our naval policy which we heretofore adopted, and it calls for such war craft as are necessary to a modern Navy.

No one deplores more than I the necessity for naval expenditures. No one deplores more than I the necessity for military expenditures, but such expenditures are necessary in spite of my deploring.

Evil in this world sometimes must be conquered by superior force, and evil powers that assail civilization must be overthrown either by one forward-looking nation acting alone or by the various nations acting together. Surely he could be convicted of political strabismus who would say now, in the face of the last election, that the American people desire to enter the League of Nations. Having rejected the League of Nations, I fail to perceive what we can do other than to carry out the naval policy we adopted in 1916.

Mr. KING. Mr. President, I do not think I misapprehended the position of my friend, and if I misstated it, of course I apologize to him.

The Senator, as I understand, takes the view that we must carry out a naval policy which was devised and recommended, not in 1916, as the Senator says, but in 1915; and, to recur to what he said a moment ago, I interpret his remarks as meaning that the election was a mandate that we should pursue the same national and international policy in the future as that which guided us prior to our entrance into the Great War. In other words, his position is that the war has taught us nothing; that we are to walk in the same pathway now and in the future as in the past; we are to employ the same weapons, possess the same ambitions, be guided by the same aspirations, and be governed by the same military policies as before. We are to take up

the threads of our national and individual life at the same point where we stood when we were called to war in April, 1917; we must go back, turn the leaves of the record of years of sacrifice and service, and enter upon the same plans that were drawn in prewar times, regardless of the lessons and experience of the war.

Mr. ASHURST. What would the Senator have us do, since we are not in the league?

Mr. KING. That is a pertinent question, one which can not be answered in a word. I should like to first reply to other points made by the Senator; but though a departure from my purpose now, in order to answer the Senator's question, will give my remarks the appearance of hopeless discontinuity, I shall attempt to answer him. First, we should ratify the Versailles treaty, excising, if necessary to secure such ratification, the covenant of the League of Nations. By pursuing that course we would put ourselves en rapport with our allies.

Mr. ASHURST. Let me interject——

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Arizona?

Mr. KING. I yield.

Mr. ASHURST. The Senator says that we should first ratify the treaty of Versailles by taking from its context the covenant of the League of Nations. The Senator knows that that can not be done.

Mr. KING. Oh, well, the Senator is asking me what I think ought to be done. I am telling the Senator now what I think ought to be done.

Mr. ASHURST. I mean, what practical thing, in this situation, should we do?

Mr. KING. That is not impractical. The Versailles treaty contains numerous provisions relating to the settlement of the war, indemnities, reparations, the establishment of a court of arbitration, an acknowledgment of Germany's offenses and her responsibility for the war. It sets up new nations, contains provisions for the payment of indemnity to America, and leaves to the United States the disposition of the six or seven hundred millions of dollars in possession of the Alien Property Custodian. Part 1, treating of the League of Nations, while found in the treaty, is not an indispensable part of it. Germany is a party to the treaty but is not a member of the league. There is nothing impractical in our ratifying the treaty, excepting from the act of ratification the provisions relating to the covenant of the League of Nations. We would then be at peace with Germany and in association with our allies and competent to participate in those matters which we deem important for our welfare and for world peace. While not in the league, we would be technically, as well as actually, at peace with Germany, and diplomatic relations could immediately be resumed. Our consular agents could be sent to Germany and Germany's consular agents would come to us. Trade relations would be resumed and the economic conditions in Germany improved. Moreover, such a course would tend to stabilize Europe and unquestionably would promote the material welfare of all Europe as well as the United States.

Mr. ASHURST. I agree with all the Senator says and devoutly wish it could be done; but the Senator must know, for I certainly know, that it will not be done.

Mr. KING. Mr. President, my friend may be a better political prophet than I am, but I can not believe that the Republican Party will miss the opportunity now presented for a settlement of those questions arising out of the war. As I have indicated, the Versailles treaty will not be defeated because we refuse to ratify it. Germany is not a member of the League of Nations, and there is nothing in the treaty or in the provisions of the covenant of the league to prohibit our Government from ratifying the treaty, excepting from the resolution of ratification the part dealing with the league. As Senators know, there are nations within the league who are not parties to the treaty, and, as I have stated, Germany (and the same is true of Austria) is a party to the treaty, but is not a member of the league. Whatever indemnities and advantages the United States claimed as the result of the war are set forth in the Versailles treaty. Germany assumed responsibility for the war and accepted the terms prescribed by the United States and the allied nations as conditions of peace. It would, in my opinion, be of the highest advantage for the United States to immediately ratify the treaty. While I would be glad to have the United States enter the league, with certain reservations, I realize that such a course is not at present possible; but there is every reason why we should ratify the treaty, even though we except the provisions of the league from our act.

I suggest to the Senator from Arizona, and for the consideration of other Senators, the difficulties that will be encountered in attempting to negotiate a separate treaty with Germany. Germany is bound by the terms of the treaty, and the allied nations will not renounce the obligations assumed by Germany. It has been suggested that we pass a resolution declaring the state of war at an end and immediately resume diplomatic and consular relations with Germany. That course is open to us, but the adoption of it would be unstatesmanlike and bordering upon the realms of absurdity. The practical thing to do, as I have stated, is to ratify the treaty. That will open the way for great changes in Europe and will do much to stabilize conditions and improve our foreign relations and increase our foreign trade and commerce.

I believe the new administration will seek to carry out a foreign policy that will tend to promote world peace and to bring the United States into most cordial relations with our allies, as well as all nations. The President elect is a splendid representative American. He is devoted to our country and desires that the progress of our Nation and of the world shall not be impeded. Judge Hughes, who has been selected for the portfolio of the State Department, commands the confidence of the American people. He is a man of wide experience, of sound judgment, and has demonstrated that he possesses intellectual attainments of a high order. I am sure that he will appreciate the importance of this Nation taking her proper place in the world, and he will seek an early opportunity to convince our allies and the world that this Nation is profoundly interested in the welfare of humanity and desires to cordially cooperate in all movements making for world peace. Moreover, I believe the administration will approach the great powers, if not all nations, with a view to securing a limitation of armaments. This course, Mr. President, is not impracticable. The achievement of what I have indicated is not only feasible, but, in my opinion, can speedily be realized, and this administration in a sane and practical manner, I feel persuaded, will address itself to the realization of the aims which I have so imperfectly outlined.

Certainly, it is not impractical for the United States to enter into agreement with other nations to limit military and naval operations. The Senator knows that European nations are now bending beneath debts aggregating scores of billions of dollars. Relief must be obtained from the burdens which preparations for war entail. France is spending hundreds of millions annually to maintain her army, and Italy is also incurring additional indebtedness in the maintenance of an army whose proportions can not be justified. Japan, with limited resources, can not without the utmost exertions, maintain her present military and naval force, and can not without oppression obtain revenues to build additional battleships and cruisers. The United States is owing more than $24,000,000,000. Our foreign commerce is declining and our domestic financial situation is precarious. There are financial clouds in the horizon and it is imperative that the threatened storm be averted. It is vital that the burden of taxation be removed; that economies be practiced and that Government expenses be reduced. Notwithstanding these conditions, we are called upon by the Republican Party to appropriate for the coming year approximately $1,000,000,000 for the Army and Navy. We are also called upon to carry out a naval program formulated in 1915 which already has cost nearly $500,000,000 and which will unquestionably require from $750,000,000 to $1,000,000,000 for its completion. The Republican Party is also demanding a naval policy which will impose burdens of from $400,000,000 to $500,000,000 and $600,000,000 per annum. It is also proposed that we enact what has been called the "bonus" law, the results of which no one can predict.

I stated a few days ago, Mr. President, that within the next 25 years we would be called upon to expend from $20,000,000,000 to $25,000,000,000 to meet charges, claims, pensions, and so forth, resulting from the World War, and this amount will be in excess of the $24,000,000,000 which we are still owing by reason of war expenditures. The Senator from Colorado stated a few days ago that less than 10 per cent of the billions which the Federal Government is collecting from the people is expended for the civil administration of the Government, and that substantially 90 per cent is expended to meet the obligations of the war and charges resulting from the war.

Mr. President, I can not agree with the Senator that the American people have decided against a League of Nations or an agreement between the nations, including the United States, to secure world peace and bring about world disarmament. The Republican Party dare not adopt a policy of isolation and nonintercourse with other nations. In my opinion, it will not construe the election as a mandate for continued armament and the assertion of military and naval power. If it does, it will be sternly rebuked by the people and there will come into power those who seek peace and justice and who will strive to initiate a new order and bring about better conditions in the world.

The Senator from Arizona conveys the impression that the advocacy of the limitation of armament or a modification of

the naval program of 1916 means the abolition of the Army and the destruction of the Navy. I apologize for repeating, but I want to again declare that there is no proposition pending having that end in view. I am combating the contention that the American people have declared against cooperation and agreement between the United States and other nations in the interest of peace and arbitration and world disarmament. I am supporting a proposition that looks to the immediate negotiation of a treaty or an agreement, or a league between the United States and our allies and other nations, in the interest of world peace and to secure limitation of military and naval armaments. I favor a modification of the 1916 naval program. The recommendations which I have made involve the completion of six great battleships and one battle cruiser, their aggregate cost being nearly $350,000,000. My suggestions also called for the construction of one or two great airplane carriers at a cost of approximately $50,000,000. I have emphasized, if there is to be no agreement between the nations for disarmament, the importance of building naval aircraft and submarines and of responding to the impressive naval lessons taught by the recent war. I voted for an army of 150,000 men for the coming year, notwithstanding that the cost of maintaining this force called for approximately $400,000,000.

I know that the motives and attitude of those who are speaking for world peace will be misunderstood and that they will bring upon their heads bitter criticism. But, Mr. President, I feel that the forces of reactionism must not grip this Nation or control the international policies of the world. Now, more than ever, not only this Nation but all nations should be guided by the spirit of liberty and justice and fellowship and peace. We need statesmen who are not only practical but statesmen who have vision and whose hearts will respond to the quickening influences of righteousness that abound in the world and whose judgments will be guided by a desire to see social justice established everywhere. The munition makers and the manufacturers of war materials and the international bankers who would profit by international conflicts, and the military and naval braggarts who are guided by the philosophy of might and force instead of right and justice, must not take the reins of authority in this or in other lands and drive the people into fratricidal conflicts and again deluge the world with blood. I think that the Christian statesmen of the world and the liberal thought of the world should be dedicated to the promotion of the peace of the world.

The auspicious beginning of a world union signalized by the treaty of Versailles must not end in tragedy and defeat. A cry should go out from the hearts of the lovers of justice and peace everywhere demanding that political leaders and governmental authorities should cease all intrigues and disputations and, actuated by high resolves and humanitarian impulses, confer together in order that a rational plan may be devised, if one does not exist, under which the aspirations of the people may be realized and the cause of peace be made secure. We are here talking war and not peace and are exhibiting a bellicose attitude inconsistent with our declarations for international fellowship. We convene a secret session of the Senate, and the press and individuals of influence and position permit the impression to arise that we fear war with other nations and must spend a billion dollars for the coming year for military and naval appropriations. Such an attitude will arouse fear and dread and resentment in some parts of the world. Our explanations will be accorded but imperfect consideration, and the purity of our motives and the disinterestedness of our conduct, though proclaimed ever so vociferously, will need further corroborative testimony to find much support throughout the world.

Mr. President, it is a solemn duty resting upon this Republic to immediately take the lead in a movement for world peace and world disarmament. If we shirk it and become a stumbling-block to the realization of peace and all of its concomitant blessings, history will write damning words against us which all the ages can not erase.

Let us be just to the Allies and fair in the judgment which we form respecting other nations of the world. They concede our high motives in entering the war, but there is bewilderment in the minds of the world when they consider our conduct following the armistice. The American people have been foremost in pleading for an international league.

Ex-President Roosevelt in his speech at Christiania, Norway, espoused the cause of a world league; not a league which merely established an international court, but a league of all peoples of the world, one which had for its object the maintenance of the peace of the world. The covenant of the League of Nations was not stronger in its conference of authority upon the league than was the plan formulated in the great address of Mr. Roosevelt. When the peace conference met it was an almost universal prayer that a plan should be devised the operation of which would limit, if not prevent, wars and bring into harmonious and happy relationship the free peoples of the world.

The frightfulness of the great conflict, the sorrows and the agonies which had swept the world, prostrated humanity and led them to a world-wide faith which called for a new era. The allied nations and nearly every other nation of the world accepted the work of the peace conference. This Nation held aloof, and powerful political elements declared for a severance of all ties between the United States and other nations, and the adoption of a national policy without reference to the league or the conduct of other nations. Then followed the declarations of the Secretary of the Navy, Mr. Daniels, that we must build the greatest Navy in the world. With feverish haste we set to work to execute the naval program of 1915 and to construct 11 great battleships, 6 battle cruisers, and other war vessels at a cost of more than $1,000,000,000. Contracts were hurriedly let to great steel plants and other manufacturing institutions at prices 100 per cent or more in excess of those prevailing in 1915–16.

Public officials and the press discuss the island of Yap and Japanese immigration and urge that the situation is such as to imperatively require the expenditure of hundreds of millions to give us the greatest Navy in the world. The demand is made that we immediately appropriate $500,000,000 for the maintenance of the Navy and to carry on the program of construction for the current year. I repeat that this condition necessarily will arouse apprehensions in Japan and in other parts of the world. It subjects us to criticism and suspicion, and those who desire our friendship will attribute to the United States sinister designs and the lust for territorial expansion. Central and South America are building no navies. They want peace. Canada desires peace. The 3,000 miles of undefended boundary separating us from that magnificent territory is an argument in favor of peace between this Nation and Canada. Great Britain wants peace. Her people are struggling with forces which threaten her destruction. Oppressed by debt, unable to rally from the exhaustion caused by the war, threatened by economic and industrial ruin, they realize that only along the paths of peace can deliverance be obtained. Where are our foes? Against whom shall we arm, and toward whom shall we lift our mailed fist? Mr. President, we should begin, nationally and internationally, to preserve the fruits of the great conflict from which we have just emerged.

I return to the statements made by the Senator from Arizona when he interrupted me some time ago. As I understand his position, it is substantially the same as that taken by Capt. Mahan in his concededly strong book entitled "Influence of Sea Power on History." That work undoubtedly exercised a profound influence throughout the world. The claim has been made that it became almost a textbook for the Kaiser of Germany and Von Tirpitz and also strengthened the purposes of Great Britain to maintain naval supremacy. It is, of course, presumptuous for me to challenge the statements and deductions of this great naval writer, and yet I am constrained to declare that some of his statements of fact are not accurate, or, rather, all of the facts and circumstances are not indicated. He has traced causal connections where none exist and drawn deductions not warranted by a fuller and more complete knowledge of the circumstances and facts connected with vital issues which he was considering. For instance, in his discussion of the Punic Wars he attributes the triumph of Rome over Carthage to the former's control of the sea. As I recall, his position is that this control prevented Hannibal from landing troops in Italy and compelled him to send his Carthaginian forces to Spain, from which they were forced to march through Gaul under conditions which broke down the morale and, indeed, practically destroyed his army. This course prevented a union of the two Carthaginian armies and led to their defeat. There are many historical facts which controvert Capt. Mahan's position. There are many reasons to support the view that Carthage had sufficient naval strength to have conveyed her military forces either to Sicily or to Italy. There were periods during the Punic wars in which the supremacy of Carthage upon the sea was unquestionable, and during those periods victories were obtained by Roman armies. At the time referred to by Admiral Mahan, which I have just called attention to, the facts are that Carthage made full use of the sea and transported with but slight difficulty supplies and reenforcements to Spain. It is contended by writers that Spain was a military base and that many of the soldiers constituting the Carthaginian armies were obtained there and accordingly Carthage voluntarily chose to advance upon Italy from Spain. I believe that the second Punic war was a military campaign and

that Rome's victories were but incidentally due to her sea power. Moreover, there is much to support the contention that the Carthaginian defeat resulted from the intrigues and dissensions of the Carthaginians and the refusal of the governing authorities to supply Hannibal with needed supplies and reenforcements. There seems to be no doubt but that in the second Punic war Hannibal could have taken Rome if he had received expected siege engines and reenforcements. The jealousy existing at Carthage against him prevented the dispatching from Carthage and from Spain the material and reenforcements which he required. Moreover, Hannibal expected, when entering Italy, to find revolts and receive accretions to his ranks in revolting Provinces. It could with great force be argued that his defeat, and therefore the defeat of Carthage, resulted from the lack of accurate information on his part or an imperfect judgment as to the internal conditions in the northern Provinces of Italy.

The Senator states that sea power saved Rome from Greece. History discloses that Rome conquered Greece, notwithstanding the failure of the Hellenic armies and the naval strength of the Hellenic peoples. There are those who will question the Senator's historical deductions when he avers that the sea power of Greece preserved her from Persia. True, Greece obtained naval victories, but the ultimate triumph of Greece over the Persian Empire are found in a multitude of causes. It will be difficult, if not impossible, to determine the causus causans of Grecian victory, or determine what was, as lawyers say, the "proximate" cause. It is claimed by some that the superior military training and the superior bravery and the remarkable military organization of the Hellenic forces brought Persia's destruction. There are some who say that the downfall of Persia began at the Pass of Thermopolæ. Still others attribute the victory of Greece to her intellectual supremacy and moral strength. The Senator states that sea power gave to the Phœnicians the control of the maritime world. The Phœnicians were a maritime nation and the Mediterranean Sea became to them almost a territorial possession. They founded mighty cities and by their trade and commerce enriched peoples and advanced the cause of civilization. The sea to them provided lanes for commerce, but the great naval power of the Phœnicians did not save their country, and the cities which she founded are now waste places, and, to use the expression of the Senator, "bats and owls inhabit her waste places and destroyed temples."

The philosophy of the Senator, Mr. President, is not invulnerable to attack, and in my opinion contains many fallacies. Many of the examples which he has furnished to support his thesis that naval power means peace and national perpetuity, if not immortality, may be turned against his position if we obtain the historic facts. The Senator has referred to Greece. He will recall that at the beginning of the Peloponnesian War Athens was a maritime State and the leader of a great confederacy. Her sea power was supreme. None challenged it. Corinth, which had been a strong maritime State, was surpassed by Athens in the rivalry which ensued. Sparta was a military State, with but little naval strength. For a number of years success attended the Athenians, but, ultimately, notwithstanding her naval supremacy, and her victories at sea, she was defeated. Undoubtedly the Senator had in mind the Battle of Salamis. That can scarcely be called a sea battle. Indeed, one writer denominates it a "land battle fought on shipboard." Superior naval forces have often been defeated by inferior ones, as superior armies have been defeated by smaller ones.

Notwithstanding the aphorisms of Napoleon and other military leaders about superior numbers, there are elements entering into battles, whether upon land or sea, that often determine the results, elements entirely disconnected from numerical strength. The naval Battle of Naupaktis was won by the Athenians over the Peloponnesians because of the superior tactical skill of Phormio, the Athenian commander. At a time when the Athenians were undisputed masters of the sea they attempted the invasion of Sicily. The Syracusians, with extemporized ships, defeated the invading fleet.

The Senator referred to the Moslem Empire and of the dominion which it exercised from Constantinople to Cordova. The Senator insists that the dominion of this Empire resulted from its sea power. Again, I think the Senator has not fully appraised all the facts which entered into the triumphs of Mohammedanism and the power of the Mohammedan Empire. The greatest battles waged by the disciples of Mohammed were not upon sea but upon land, and their greatest victories, as well as their most crushing defeats, occurred upon land. In seeking to find the causes of Mohammedan successes we must go beyond the mere physical surroundings and what might be called utilitarian elements. There was a religious fanaticism and an ineradicable fatalism which impelled the followers of the Crescent to almost superhuman deeds of valor. Great military leaders were developed and armies of enormous size were raised.

In my opinion, it is inaccurate to say that sea power gave the Moslem Empire its extensive dominion. Spain's sea power and the fate of the Spanish Armada have been alluded to by the Senator. In 1586 when the plan to invade Great Britain was fully matured under Santa Cruz, Spain, as I recall, possessed greater naval strength than Great Britain, and if the plan of Santa Cruz had been put into execution at that time perhaps the course of history would have been different. After the death of Santa Cruz a less competent commander took his place. With fewer ships and approximately with one-third of the number of soldiers provided by Santa Cruz he entered upon the great adventure. England had fewer ships than he and but slightly more than one-half the number of men than were commanded by the Spanish admiral. It is not necessary to review the disastrous results of Spain's impolitic, if not to say, criminal undertaking. Her great naval power won her no victory, and humiliation and defeat followed her upon land and upon sea.

Who is wise enough to say what led to the downfall of Spain, or the overthrow of any nation? The many historians who have learnedly written concerning the rise and fall of the Roman Empire differ as to the efficient and proximate cause of her downfall. Some attribute it to paganism; others to unwise colonial policies; others to her moral decadence and the sensual and voluptuous spirit which entered into the lives of the people. Still others attribute it to slavery and to the economic conditions which prevailed. Usury is named by some writers as a contributing cause to national decline. Still others insist that her political institutions were incompatible with progress and proper development. James Anthony Froude attributes Rome's disaster to the profligate and corrupt lives of the people, and states that she was "rotten from the Bosporus to the pillars of Hercules." Her naval power and her mighty legions did not and could not save her. She had been weighed in the balances and found wanting, and her doom was pronounced by the God of Justice because of her transgressions and her departures from the principles of righteousness and the moral and ethical laws governing individuals as well as the social organism. The lesson must be learned sooner or later that there are forces and influences, which may not be defined or fully comprehended, which are more powerful than big navies or mighty armies, and which vanquish the forces of men and bring to triumphant victory the weak and the humble things of life.

Mr. Fred T. Jane, in his work called "Heresies of Sea Power," admits that sea power is a factor influencing the course of events; but he inquires whether that influence is on a par with and of the same nature as the weather or military equipment; and many other things. He also asks whether sea power is the "sole cause for the success of a nation in a war involving maritime interests, or whether the victorious nation did not succeed merely because it happened to make use of the sea in winning."

I believe that his conclusions are that history will not affirm that the possession of sea power is a guarantee that the nation possessing it will win.

The Senator from Arizona states that if the roll were called it would be found that the nations which have risen in the past did so because of their possession of sea power. I concede that some nations have reached material greatness because of their maritime power. Other have become leaders because of their agricultural or manufacturing developments. Some races out of which nations have grown live upon islands or lands favorable to the development of an ocean-carrying commerce, and they have achieved success and power in the world because of their maritime activity.

Of course, their sea power added to their greatness. They became the carriers of the products and the commodities of their own and other lands and nations; but I submit this furnishes no argument in favor of a proposition that the greatness of a nation rests upon her fighting qualities as a naval power. It would be absurd to say that the health of an individual is determined solely by one organ. The proper functioning of all organs of the body, as well as the existence of many external conditions, are essential to bodily growth and to physical health and strength. One may not say that the flowers bloom and the plants grow as the result of one cause alone. Sunshine and showers and suitable soil—these and other things are necessary for the proper growth and development of the multitudinous products of the vegetable world.

So also with nations; the complexities in national and international life are such as to preclude the adoption of a formula which will insure progress and growth and greatness or produce certain decadence and death.

Many of the nations of antiquity rose to greatness without sea power. One might inquire, though, what is meant by a "great nation"? Measured by the duration of its existence, China is a great nation. Do we mean great in morals, in intellectualism, in art, literature, religious concepts, or in mere fighting qualities? There are nations who have assumed, if not world leadership, high and conspicuous positions in the world, who have not learned the arts of war, but who have, rather, sought the paths of peace, and there have been and are nations concededly great who have had no maritime strength or naval power. Germany was a great nation before she became a naval power. Indeed, there are many who believe that her decadence began when she entered upon a program for world naval supremacy. The progress of the United States since the Civil War in all the things that are the proper indicia of national greatness is without parallel in the history of the world, and yet we had no merchant marine and an insignificant navy. Brazil and Argentina occupy proud positions among the nations of the world. Their extended seacoast has not led them to naval expansion. They are great nations despite their love of peace and their refusal to spend their resources to raise mighty armies and maintain powerful naval fleets. Since Spain abandoned her oppressive naval and military policies and turned her attention to intensive development and to production and trade and commerce she has taken on new life and is recuperating her wasted strength and recovering from her exhausted condition.

We must distinguish between conditions confronting insular nations like Great Britain and Japan and those which great continental nations encounter. Great Britain is dependent upon other countries not only for most of her raw materials but for substantially her entire food supply. Her home market is limited. She must have ships to bring her food and raw materials and vessels to carry her finished products to the remotest parts of the earth. In view of world conditions in the past and, indeed, those which exist to-day Great Britain must maintain an adequate navy. Japan is in much the same condition as Great Britain. She possesses no raw materials and her inhabitants are dependent very largely upon China and other countries for food supplies.

I agree with the Senator that in many instances national safety not only may but actually does lie in sea power. Our Nation must maintain a strong and fighting navy, though we do not need it to the same extent as insular nations, until by international agreement a plan for military and naval reduction shall be adopted.

I do not agree with the Senator's contention that history furnishes no example of naval powers overthrowing the liberties of other people. I find nothing in the psychology of naval preparations to differentiate them from military preparations. Naval preparations may mask imperialistic and aggressive designs as completely as military preparations for warlike operations upon land. Navalism may be as sinister and as wicked as militarism; indeed, militarism embraces navalism. The possession of great battleships and war fleets may inspire the same covetous thoughts and criminal desires for territorial conquest as may result, or have resulted, from the possession of mighty armies and all of the material forces essential for military expeditions. Germany built her great fleet in order that she might overthrow the liberties of other people. Spain's war vessels were used to hold in subjection the Latin American peoples, the Philippine Archipelago, Cuba, and Porto Rico and other peoples and other lands. Napoleon constructed a mighty fleet to aid his military operations and to execute his ambitions to conquer Europe.

Mr. President, history records the fact that many nations have engaged in predatory warfare and sought the subjugation of unoffending peoples through the agency of their fleets and vessels of war. Let us not take the flattering unction to our soul that if nations reduce their armaments they have removed all fear of aggression or the assertion of imperialistic ambitions. Let us not subject ourselves to the charge of insincerity or hypocrisy by announcing a naval policy that calls for the most powerful navy in the world when other nations are seeking a reduction of naval armaments, and then loudly proclaiming that we have a small Army and that our stupendous naval expenditures and preparations are only intended to convince the world of our peaceful purposes and our humanitarian desires.

Mr. President, I have consumed more time than I had intended, but the thoughts suggested by the Senators from Connecticut and Missouri and Arizona have led me into a discussion of many matters—perhaps some foreign to the matter which I arose for the purpose of presenting. But let me say in conclusion that there is no sanctity in a naval program devised and recommended five years ago. No matter how competent naval experts were at that time, and no matter how perfect the plan appeared then, conditions now are materially different and naval warfare has undergone radical changes and modifications as the result of the experiences of the World War. Let us revise a program conceived five years ago, and which is now manifestly imperfect, and adopt one that meets the present and the immediate future requirements. Let us in the spirit of friendship and genuine fellowship approach the stricken and burdened peoples and nations of the world and agree upon a program for disarmament which will result in lifting from other nations as well as from the people of our own land a portion of the crushing weight under which they struggle.

Mr. President, I have read the testimony in the record so far as any is furnished covering this item. I can find nothing which, in my opinion, justifies the increase. Everything indicates that during the coming year there will be a general reduction in prices of substantially all commodities. It seems to me that those who prepared the estimates for the Navy—and the same may be said of those who submitted other estimates for the executive departments of the Government—failed to take into account the economic conditions in the world, the causes operating to lower prices, and particularly the financial condition of the Government itself, the very heavy burdens of taxation resting upon the people, nor do they seem to regard the diminishing revenues, the bankruptcy of the Treasury, and the prospect of a bond issue at an early date in order to meet the enormous expenditures of the National Government.

Officials of the Government in the executive departments who are called upon to prepare estimates upon which we base our appropriation bills evince a cynicism and callousness with respect to the burdens resting upon the people which to me is astonishing. Knowing that there will be a deficit for the coming fiscal year of more than $2,000,000,000, they demand appropriations for their departments aggregating an amount that will exceed our total revenues by at least $4,000,000,000. I appeal to the chairman of the committee to aid in reducing the burdens of taxation and in subtracting from some of these reported appropriations at least a moiety of the amount therein found. The sum of $850,000 for this item, in my opinion, is entirely too much, but it is only one item out of a multitude.

As I started to say yesterday when we were considering this measure, substantially every item in the bill is increased beyond the amount carried in the House bill. Usually the Senate in a great appropriation bill reports material reductions in many items, but an examination of the pending bill reveals the fact that there has not been a reduction in a single item.

It is possible some item has escaped my attention, but I have looked in vain for some evidence, no matter how slight, of a desire for economy. We have increased every item, and these increases have been of a material character. We have added to the bill more than $100,000,000, notwithstanding the prodigal grants made by the other branch of Congress. It would seem, Mr. President, that we were blind to the economic and industrial situation of our country and the serious financial condition confronting the American people. It would seem with a reduction in the personnel of the Navy and taking into account the conditions now existing in the United States as well as in the world, there should be not an increase but a reduction in appropriation bills passed by this Congress. The party in power pledged itself to an economic administration. It is violating those pledges and enacting legislation which places increased burdens upon the people.

After somewhat extended hearings the House Naval Affairs Committee reported a bill carrying approximately $100,000,000 less than the measure now before us. The Senate committee, with but brief hearings, added to the House bill approximately $100,000,000 more. Mr. President, we should revise the work of the Senate Naval Committee and reduce many of the items therein found. We should compel by limiting appropriations the practice of economy in the Navy Department. Many of the officials, in my opinion, do not comprehend the financial difficulties before the country and are indifferent to the value of money. Nearly $500,000,000 is too much as an annual maintenance charge for the Navy. Such extravagance can not be defended. We should not permit it.

Reference has been made to Japan's expenditure for the current year. Japan's naval budget did not exceed 246,000,000 yen, or approximately $123,000,000, and Senators will recall that there is great opposition in Japan to the appropriation of so large a sum. But we are asked to appropriate for the coming year several times as much as that which Japan proposes to appropriate for her naval program.

There seems to be an active campaign being carried on in various parts of our country in favor of a naval program devised five years ago and to commit the United States to a policy

which will cost in the next three years more than two and a quarter billions of dollars. To whip this policy through Congress lurid statements are made concerning the naval program of Great Britain and Japan, and wild and extravagant statements are submitted that our country is in danger and that for protection against the aggressive purposes and designs of these nations we must spend at least a billion dollars immediately for naval construction and from four to five hundred millions annually for a number of years for the maintenance of the Navy.

Mr. McKELLAR. How does it appear as to the appropriations of England for naval purposes?

Mr. KING. Mr. President, Great Britain is not appropriating a single dollar for capital ships; that is, battleships or battle cruisers.

Mr. McKELLAR. How much is England appropriating for her navy?

Mr. KING. Our program prepared in 1915 calls for more than $1,000,000,000 for construction, and must be supplemented by at least two or three hundred millions more. We are appropriating for capital ships hundreds of millions, while Great Britain is not appropriating a single dollar for that purpose. We are appropriating hundreds of millions of dollars for battle cruisers, while Great Britain is scrapping or has scrapped the keels of three battle cruisers. Great Britain discovered, as a result of the experience in the World War, that the present form of capital ship may be impotent as a fighting ship in the future, and, profiting by such experiences, she scrapped three great battle cruisers of the *Hood* type upon which she had expended approximately $8,000,000. She has not laid the keel of a single battleship since the war and is not expending a single dollar in the construction of battleships or battle cruisers. Notwithstanding Great Britain's course, we feverishly entered upon a construction program devised in 1915, which called for 11 battleships, 6 battle cruisers, and other fighting craft, the cost of which will be more than $1,000,000,000. Realizing that the program of 1915 is somewhat archaic, and that many naval experts are questioning the wisdom of building more capital ships, our Naval Board has been compelled to recommend the construction of plane carriers and adequate seaplanes and submarines. Because of the war, work upon the program was suspended in part. Notwithstanding such suspension, we have appropriated in execution of the program of 1915–16 nearly $500,000,000; and it will cost $500,000,000 more, in my opinion, for its completion, so that the ships that were to cost $544,000,000 will require substantially $1,000,000,000 for their construction.

Moreover, Mr. President, it is admitted by the naval officers and experts who are urging the 1916 naval program that it will not supply us with an adequate Navy.

The experiences of the war have shown that the program of 1916 calls for a one-plan Navy, which all must concede is not sufficient at the present time and does not provide a complete and modern Navy. The experiences of the war seem to have taught the General Board of the Navy Department only one lesson: That we ought to go on spending additional amounts for the Navy; that we ought to keep up the capital ships which England is discarding; and then, in addition to that, we ought to appropriate annually, or at least for a number of years, hundreds of millions of dollars for aviation and undersea craft. So we come out of the war with only one lesson taught to us—namely, that whereas before the war we were to rely upon the capital ships, now we must have the capital ship, costing forty or more million dollars for each vessel, and expensive cruisers, each of which will cost $50,000,000, and in addition undersea craft and aircraft, the cost of which it is impossible to determine.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. I merely want to call the Senator's attention to the fact that Great Britain spent $765,000,000 last year on her navy.

Mr. KING. Mr. President, I do not agree with the Senator that Great Britain spent that much on her navy. I repeat what I said a moment ago, that Great Britain since the armistice has not spent a dollar upon battleships or cruisers. But contrary to her policy, we have gone on and propose to continue building capital ships, the utility of some of which is seriously questioned by naval experts of international standing. As stated, our 1916 program calls for $1,000,000,000 in capital ships—that is, battleships and cruisers, and a few auxiliary craft.

Mr. McKELLAR. Mr. President——

Mr. KING. I will yield in a moment. Great Britain, profiting by the lessons of the Great War, has quit spending money upon capital ships, and what money she is spending aside from maintenance—and it is a limited amount for the current year, let me tell my friend—is being devoted to undersea craft and to airplanes and plane carriers. I am willing to vote for a large appropriation for aircraft and submarines and plane carriers, and also the necessary amount to complete six capital ships. We have enough torpedo boats—300 of the best in the world—and there is no necessity for building any more at present. We should provide a suitable appropriation for undersea craft and for aviation, but we should suspend a part of the program of 1916 so far as it relates to capital ships. Now I yield.

Mr. McKELLAR. Mr. President, we know that Great Britain spent at least one-third more on her navy last year than we did; we know perfectly well that she is going to spend a great deal more this year than we shall spend; and we know that Japan has very ambitious designs in connection with navy building. In view of these circumstances, would the Senator, before we have an agreement as to disarmament, be willing to let those other nations continue to build up great navies while we stand still? What is his attitude on that subject? Does he want us to stand still while the two other great nations continue to build, or shall we all stop together when we stop?

Mr. KING. Mr. President, if the Senator had done me the honor to read the minority report presented by me upon the Borah resolution, or if he had listened to what I had to say this afternoon, he would not have propounded either of the questions just submitted, because both were answered. If, however, the Senate will pardon me for detaining them, I will reply to the Senator and try to explain to him the position which I take with respect to these matters.

In the first place, I do not admit his premise. Whatever naval program Japan has, it is, in part, the result of the naval program which we have adopted.

Mr. McKELLAR. How does the Senator know that?

Mr. KING. If I had time, I would read to the Senator from data which I have on my desk supporting what I have said; of course, I could not convert him; he has such an antipathy to Great Britain that it would be impossible, in my opinion, to convince him of the sincerity of the constant avowals of Great Britain for a policy of disarmament, but if I had time——

Mr. McKELLAR. Mr. President——

Mr. KING. Let me complete the sentence.

Mr. McKELLAR. Very well.

Mr. KING. I would read to the Senator statements which show that the naval policy announced by the United States has reacted upon Japan, as every person of common sense must have realized that it would. When the World War ended Europe was exhausted in a material and financial way, and Japan was suffering from serious financial and economic disturbances. European nations as well as Japan signified a desire for disarmament and joined with President Wilson in an effort to secure the adoption of a league of nations and they planned for the limitation of world armament in the interest of universal peace. The United States professed a sincere desire to reduce armaments and to provide a judicial system for the determination of international controversies. But now, in the face of all our professions of altruism and desire for disarmament, Great Britain and Japan behold our Nation appropriating more for naval preparations than ever before and witness the most feverish efforts to construct the largest and most powerful Navy in the world.

I submit to the Senator that the attitude of the United States can not be very impressive upon other nations, or, rather, it can not be reassuring as to our future intentions. When Japan learns, as she has learned, that Senators have denounced her as a menace to this Nation and to the peace of the world, and when the Japanese people read the war-like and jingo statements made in various parts of our country, and in some of the newspapers of the United States, and when they learn of the declarations made by Americans that war is imminent between the United States and Japan, and, therefore, that this Government must immediately arm for its protection against Japan, and when they further learn that it is claimed by some American people that the only possible foes that the United States has on the sea are Great Britain and Japan, I submit that her statesmen and her people may not be too severely criticized if they adopt a naval policy which may be regarded as necessary for their protection.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I just want to say that the Senator does me a great injustice when he talks of my

antipathy to Great Britain. I am a great admirer of Great Britain; but the fact that I am a great admirer of hers is no reason why I should want her to control the world, by her navy or otherwise. I am one of those who believe in America.

The Senator has misrepresented my position, and I want to explain it.

I believe that we should rather imitate Great Britain in the matter of our national protection and defense. England, we all know, is building a great navy, and we all know that Japan is following in her footsteps as rapidly as possible. I agree entirely with the Senator from Idaho [Mr. BORAH] that it would be well to have naval disarmament. I voted for his resolution on that subject, or, rather, for the amendment of the Senator from New Jersey [Mr. EDGE], which was practically identical with it, but I am unwilling to take steps toward disarmament as long as these two nations are continuing to arm. Whenever these other nations get ready to disarm, then I am ready to join them; but as long as I see them building guns I think in self-protection my country ought to build guns, and that is the reason why I am for this Navy.

Let me call the Senator's attention to the situation that exists in France to-day, and let us follow the example of France. She has just gone through a great war with Germany, in which Germany was defeated. Suppose France had absolutely disarmed, as the Senator would now have us do in the Navy, how could she have protected herself against Germany? Germany has told her what she is willing to pay. How is she going to make her pay? Only because of her great army and navy. She is a prudent nation. She is looking after the interests of France, and we can but admire her; and so it is with our country. As long as these two other nations—rivals of ours in the commercial world; rivals of ours on the sea, the one already having a greater navy than ours—continue to build, who can say it is not a matter of prudence, a matter of self-protection, a matter of common defense that we should build?

I think the Senator is wholly mistaken in his view that we ought to lie down upon our building program now, tuck our tails, and run.

Mr. KING. Mr. President, the Senator from Tennessee talks about my having done him an injustice. All I need to do is to invite the attention of the Senate to the statements made by him repeatedly concerning Great Britain. Of course I accept his statement now that he is a great admirer of Great Britain. I confess, however, that if the expressions with which he has favored us in the past in the Senate are an exhibition of his great admiration for Great Britain, I wonder what they would be if he hated Great Britain.

Mr. MCKELLAR. I want to say this, if the Senator will allow me to answer his question——

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Tennessee?

Mr. KING. Yes. It was not a question, however.

Mr. MCKELLAR. When I see England undertaking to take away American rights, when I see England unfair in her trade relations with this country, I want to say to the Senator that I am on the side of America. When England is undertaking to gobble up the rights of other nations I might side with her sometimes, because we are kin to her; her people are our people; but when she begins to assert not rights but powers over this country, I am unwilling to submit to the assertion of such powers, not because I do not admire England, but because I believe in my own country first.

Mr. KING. Mr. President, the Senator's statement now fully confirms what I said. It manifests beyond all shadow of a doubt his supreme admiration for Great Britain. I am not here to defend Great Britain's naval program. She does not need any defense.

Mr. MCKELLAR. Yes; she seems to have a number of champions about that want us to quit building a navy, and depend upon England to protect us. I am not that kind of an American. The Senator may be if he likes. He may stand on the floor of the Senate and urge that we build no navy, and that England, in her goodness and kindness and generosity, will furnish a navy for our protection. I have heard him argue on this floor that during the war England's navy stood as our protection. I do not want to be put in that humiliating position. I want this country to have a navy that can protect our country, without depending upon England or any other country for protection.

Mr. KING. Mr. President, it is always a pleasant thing to affirm one's devotion to one's country. If I were unparliamentary, I might say that that was rather a cheap way of demonstrating one's patriotism.

Mr. MCKELLAR. I am going to demonstrate it by my vote right along.

Mr. KING. I would not be unparliamentary; and my friend may say as harsh and as unfair and as wholly undeserved things as he has just uttered, but I entertain for him a friendship that will not be shaken by criticisms which, upon mature reflection, I know he would not offer. However, he does me a very grave injustice in imputing to me a desire to "destroy" the Navy. I suggested at the outset of these remarks, when the Senator interrupted me, that if he had read the minority report which I have filed he would not have asked the questions submitted; and I now state if he had he would not offer the groundless criticisms which have just fallen from his lips.

Mr. President, I am pleading for a Navy—a well-rounded, suitable, adequate, modern Navy. I never have suggested, I never have dreamed of the destruction of the American Navy. I never have said that we should surrender our rights to Great Britain or that she was our sword and our defense. That question never was discussed by me upon the floor of the Senate, and the Senator is entirely mistaken. There is not a syllable in any of my remarks that justify his statement.

However, I am willing to say now that in the beginning of the war Great Britain with her powerful navy and with the brave soldiers which she threw into the war not only constituted a wall of defense to the British Empire but to the cause of the civilization of the world; and I am willing to accord to Great Britain all honor for her heroic efforts and her services in behalf of world freedom. She is entitled to the gratitude of the lovers of liberty everywhere for drawing the sword when Germany invaded Belgium and in casting her lot with France and Russia and with bleeding Belgium in behalf of civilization and to rescue the world from the menace of a military autocracy.

The Senator says that Great Britain is attacking our rights. I leave him and the people of this country, who are fair and dispassionate, to determine that question for themselves. I am making no charges against her nor am I defending her. I am discussing a naval bill, and referred to the naval policy of Great Britain in so far as it was shown in her abandonment of further work upon battleships and battle cruisers. When the war was over she had four battle cruisers upon the stocks. One of them—the *Hood*—of 40,000 tons, was completed. The other three were scrapped, because the British Admiralty reached the conclusion, as I interpret naval literature, that the capital ship of the future will not be the proud battleship or battle cruiser but the airship carrier, and that the naval contests of the future will be rather under sea and in the air than upon the surface of the sea. So Great Britain is building no capital ships. We have to-day battleships that outrank any battleship that Great Britain has, more powerful—I am not referring to battle cruisers like the *Hood* but battleships—more powerful, of greater tonnage, and more effective as engines of destruction and as weapons in naval warfare.

The Senator says I would destroy the Navy. Upon the contrary, while Great Britain is building no capital ships, I have advocated that we complete six great battleships at a cost of forty-five to fifty million dollars each, and I have advocated that we complete one battle cruiser costing the same amount, and that we construct one and perhaps two airplane carriers at a cost of approximately $52,000,000. I have advocated the construction of larger and better submarines. I have not advocated the construction of additional torpedo-boat destroyers, because we have 300 of the most efficient in the world. I am for a modern Navy. My friend is for an archaic Navy. My friend wants to go back to 1915, and resurrect a program devised then, as was stated by one of the admirals, and recommended then and crystallized into law in August, 1916, and adhere to that program. Great Britain, in the plenitude of her experience, guided by a wise naval policy and by a naval board ripe in experience, is discarding capital ships and putting greater reliance upon airplanes, torpedo-boat destroyers, submarines, mines, gases, and auxiliary craft. I am suggesting that we should consider, in the light of this course, the propriety of modifying the capital ship program of 1915. I am for a better Navy than the Senator from Tennessee desires. He wants an archaic one; I want the one of to-day.

But, Mr. President, beyond and above that, I desire what I know the Senator from Tennessee wants—an international agreement for the limitation of armaments. Both of us voted for the League of Nations. Why? Because we believed in world disarmament and in the establishment of international agencies to promote peace and permit swords to be sheathed and cannons to be destroyed, and to enable humanity to march forward into the light of a better day.

I am still for a League of Nations. I am still for a policy that seeks for a limitation of armament first and disarmament ultimately. I would pursue a course now that would not be regarded as a challenge to other nations for military or naval supremacy. I would pursue a course of conciliation, of amity, of friendliness.

My friend, the Senator from Tennessee [Mr. MCKELLAR], apparently forgetting the eloquent speeches which he made for the League of Nations, would throw the glove of defiance into the faces of other nations.

Mr. MCKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. MCKELLAR. I have to go to a conference, and I have just a word to say in answer to the Senator from Utah. The Senator has said he is for a large Navy.

Mr. KING. No; an adequate and a modern Navy.

Mr. MCKELLAR. He said he was for a larger Navy than I am for. I am for the one proposed by the bill. If the Senator is for a large Navy, or an adequate Navy, he is taking a remarkable way of showing it. He is fighting this bill. This bill has been prepared by the committee and reported out by a majority of the committee, and it seems to me that, inasmuch as in 1916 we, by a bill, provided that the President of the United States should hold conferences with representatives of other nations for the purpose of seeing if we could not disarm, and inasmuch as no other nation has ever met us or has ever approached us on it, and inasmuch as we have already put into this bill an amendment providing that the United States, Great Britain, and Japan shall get together looking to disarmament, it seems to me we have done as much as we should do, and as long as these other nations are continuing to build it seems to me there is but one thing for us to do, and that is to continue with our program.

If the Senator is a friend of the measure, if he believes that we should be adequately defended, I urge him to stop fighting this bill and taking up the time on this bill, but let it pass, so that we may be adequately defended.

I think we ought to pass this bill, and pass it to-night. We ought to go ahead with the work. We are perfectly willing to join these nations whenever they are willing, but if we ever get an agreement out of them it will be because they fear us, and not because they want to do us a favor.

[At this point Mr. KING yielded to Mr. OWEN.]

Mr. KING. Let me say to the Senator from Washington [Mr. POINDEXTER] that had it not been for the interruptions of the Senator from Tennessee I would have concluded my remarks within a few moments, but I am now compelled to ask the indulgence of the Senate in order that I may reply to some of the charges made by the Senator from Tennessee. The Senator alleges that I am fighting this bill. As a part of my remarks I ask that the report which I submitted upon the Borah resolution, and which discusses our naval policy, be inserted at the close of my remarks and as a part of them.

The PRESIDING OFFICER. Without objection, the request will be granted.

Mr. KING. Mr. President, I am opposed to some of the provisions of this bill and I am sure that the Senator from Tennessee is wholly unacquainted with many of its provisions. I am opposed to the enormous appropriations for the maintenance of the Navy. I have stated, and repeat, that a wise and economical administration of the Navy Department would not require for the coming year $500,000,000. It is not fair to charge that Senators are "fighting" the bill because they are seeking to improve it and to secure the adoption of a policy that will secure the best results for the country.

There is no sacredness in the report of the committee. The Senator says that we should pass this bill to-night. That is the difference between the Senator and myself. I am not willing to vote for measures merely because some committee has recommended them. I want to satisfy my own conscience and my own judgment that the measures are right and the policies reflected in them are sound and for the welfare of our country. It is the duty of Senators to familiarize themselves with proposed legislation and to exercise their own judgment with respect thereto. It is particularly important at the present time that appropriation bills should be examined with the utmost care. We are appropriating hundreds of millions of dollars more than we are deriving from our revenues. We are plunging the country into debt and making expenditures with a prodigality that is inconceivable in the light of the economic and industrial conditions of our country.

I conceive it to be my duty to fight bills that I think are wrong, and I shall not be deterred in my opposition to measures because of unjust charges or unfounded criticism. I have repeatedly stated since this bill has been before the Senate, and I have stated it as clearly as I knew how, in the report which I have just offered, that I was in favor of an agreement between nations for a limitation of armaments, but that in the absence of such agreement I would heartily support a naval program that would provide this Republic with an adequate modern navy.

In the report which I have submitted I recommended a scientific, modern, fighting, efficient navy. The recommendations submitted involve an expenditure of between $400,000,000 and $500,000,000. When completed we would have the most efficient Navy in the world. Japan's naval power would not be more than 50 per cent of that which we would enjoy.

In the face of these recommendations, the Senator says that I seek to destroy the Navy, and he intimates that I am championing the cause of some other nation and have favored a policy of permitting Great Britain to protect the United States. The statements of the Senator are so unfair and so unfounded as to do an injustice to his own virtues and his sense of right and fair play. The Senator says that he "believes in America"; the implication is that because I do not support this bill in all of its particulars that I do not. It is not necessary to reply to this innuendo. It is easy to declare one's patriotism to his country. I feel sure that I am best serving my country in pursuing the course which I am advocating. The Senator would swallow without any change whatever an antiquated program and a policy condemned by some of the greatest naval experts in the world.

The pending bill carries into effect a program devised five years ago. We have learned much since then in naval warfare. The 1915 program paid but scant attention to submarines and seemed to be utterly oblivious to the importance of fighting air machines. The Senator is perhaps unaware of the fact that some of the greatest naval experts, since the lessons of the war have been made known, have declared that the capital ship of the future is not the battleship or the battle cruiser, which constitute the body of the 1915 naval program, but the fast plane carrier that conveys airships over the seas and contains decks and mechanism permitting their being launched into the air, there to do deadly and destructive work against foes either upon land or upon sea. The Senator and others ignore the lessons of the war, close their eyes to the experiences through which the warring nations have just passed, and propose to execute an obsolete plan without modification, at a cost of a billion dollars to the United States. The naval program which I have recommended would provide a better Navy and a more efficient Navy and a more powerful Navy than the one which the Senator is so loudly clamoring for. I would not say that he is not the friend of America because of his advocacy of an archaic and more or less obsolete Navy.

Admiral Fullam, one of the most distinguished American naval officers, testified before the Naval Affairs Committee of the Senate and he condemned the 1915–16 program. He insisted that it was a one-plane program—that is, that it gave us a navy which, if not obsolete, was obsolescent, and one which was not adequate or suitable for this Nation. He insisted that we should have a "three-plane" Navy, and that it was the height of folly to expend $1,000,000,000 upon a navy which when complete would not be modern or suited to naval warfare. He recommended the completion of the six battleships, which were more than 70 per cent complete, but opposed the completion of any battle cruisers. I have gone beyond this distinguished admiral and have recommended that we complete one battle cruiser. He contended that we should devise a program that would give us a fighting force in the air and a fighting Navy beneath the surface of the sea. Sir Percy Scott and other recognized naval authorities have supported a naval program of this character. I am in favor of a modern, scientific, up-to-date naval program. Those who are violently and fatuously and stubbornly supporting the 1915 naval program are reactionary and behind the times, and their criticisms of those of us who oppose that policy and offer a better and superior one will, in my opinion, find little response among thoughtful, patriotic American citizens. I have mentioned a number of times, but the statements of the Senator compel me to repeat, that Great Britain, applying the lessons of the war, has abandoned the building of battleships and battle cruisers. She had four battle cruisers upon the stocks when the armistice was signed, and destroyed three and completed but one. Great Britain is not spending, as the Senator states, more money for naval construction than the United States, nor is it true that Japan is spending as much or more as the United States. The facts are that our naval-construction program calls for nearly 300 per cent more than the amount which Japan proposes to spend.

I have no doubt, however, that the belligerent attitude of some Americans and some Senators and the menacing and warlike

talk that echoes here in this Chamber and elsewhere in the United States will result in Great Britain and Japan revising their naval programs and will induce them to spend more than they had planned to devote to naval purposes during the current and future years.

When we declare that they are "rivals on sea," and that "war is imminent," and that they are a "menace to our peace," we must expect that this hostile attitude will react against us and result in their pursuing a naval and military policy more extensive and elaborate than they desire or have contemplated. When we talk war and when we denounce other nations and declare that they are our rivals and are menacing us and that war is imminent, we must expect that other nations will become alarmed and feel constrained to adopt measures which they conceive to be essential for their protection.

Mr. President, the Senator takes the incongruous and inconsistent position of asserting that, having declared in the act of August, 1916, in favor of the President of the United States appointing a commission to confer with other nations for the purpose of limiting armaments, we have done all that duty to humanity requires, and that we may sit quietly by and wait for other nations to seek a conference with us, and that if they fail it is our duty to continue arming and building warships and taxing the country billions of dollars for military and naval armaments.

Mr. President, the inconsistency of that position is reflected in the fact that the Senator himself voted for the League of Nations notwithstanding the act of 1916, to which he refers, which he says foreclosed us from doing anything else until advances were made by other nations. He voted to join the League of Nations and to adopt a plan of disarmament. Because we failed to enter the League of Nations, to do our part there for disarmament, his contention is that our duty is ended, and we must wait for other nations to come to us. Have they not come to us? Were we not importuned to enter the League of Nations? Did not the League of Nations communicate with this Government, and ask that even in a consultative capacity we send representatives to confer with the committee or the commission that was seeking to bring about a reduction in armaments?

I entirely agree with the Senator from Montana [Mr. WALSH] when he expressed last evening regret that the President of the United States did not respond to that invitation that we should join with the nations of the world, members of the League of Nations, for the purpose of their securing a reduction in the military and naval armaments of the world. I presume that President Wilson felt that he ought not to embarrass the next administration by adopting a policy which it might oppose. In other words, he wanted to leave to President Harding a clear field to determine the international policy which should be pursued by the United States with respect to the League of Nations and all cognate questions, including disarmament or a reduction of armament. But, Mr. President, that is not all. The League of Nations, including Japan and Great Britain, though we were not members of the league, and signified no purpose to join with them in disarming, appointed a commission, as I have stated, for the purpose of adopting or recommending a plan for disarmament. What have we done? What are we doing to evidence to the world a desire to disarm? It is true that we passed a resolution last evening which signifies our willingness to consider this question.

Mr. REED. Mr. President——

Mr. KING. I yield.

Mr. REED. The Senator asked the question, "What are we doing?" and he prefaced it by the statement that the League of Nations invited us to enter into a scheme of disarmament. I can answer the Senator. We are trying to carry out a program which was adopted before this war, and which will increase the United States Navy so that it will not be helpless. What are they doing? Since the League of Nations was formed Japan has been increasing her naval force as fast as men and her money will do it. Since the League of Nations was formed and since the resolution was passed England has been pursuing exactly the same policy as Japan. Since the League of Nations was formed, and since the resolution referred to by the Senator was passed, France has been strengthening her Army, and the papers told us in last night's telegrams that she was preparing to invade Germany. So it appears that notwithstanding they have their blessed League of Nations all to themselves, to play with as they please, every one of them is increasing her armament, and not one of them dreams of relying upon this dream.

Mr. KING. Mr. President, the Senator from Missouri was one of the first men in public life in the United States to lift his powerful and eloquent voice against the League of Nations. He has fought it with a consistency, and ability, and I was about to say with a bitterness, but I shall not use that term, that does credit to his skill as a parliamentarian, as a great debater, and as a protagonist of any cause. I differ from the Senator from Missouri upon this question. I believe that my friend from Missouri took a view of the League of Nations that was not entirely warranted. His opposition undoubtedly contributed to the strength attained by the anti-League movement in the United States, and he can be credited with having aided in compassing the defeat of the Versailles treaty in the Senate of the United States.

Mr. President, the Senator from Missouri calls the League of Nations a dream. If it is a dream it is a noble dream. The enduring and worthy things of life have been the result of dreams and visions and ideals. When there is no vision the people perish. This was said of old by one who spake with prophetic voice. It was true then; it is true now. Men of vision and of ideals and who respond to the inspiration of a power greater than man are needed in this hour when the problems of the World War remain to be solved and questions affecting the present and future welfare of humanity demand intelligent and wise consideration.

The practical and utilitarian man is likewise needed. The post-war problems can not be solved by the mere announcement of precepts no matter how beautiful they may be or the policies of mere doctrinaires. There must be, of course, big men to deal with these big problems; men who know the philosophy of life, the psychology of human nature, and who have a comprehension of the concrete and utilitarian things that lie in our pathway. But no man can bring order to this distracted world and lift humanity out of their despair and chaos who fails to appreciate the great moral and vital powers which lie at the base of genuine progress and definite, enduring advancement.

A league of nations is not a wild and visionary scheme or the product of a disordered mind. Some of the most practical statesmen and leaders who have guided humanity have earnestly sought the establishment of a league of nations. Practical men, guided by high ideals, inspired by the thought of the fatherhood of God and the brotherhood of man, will sooner or later put into operation a plan which will result in a league of nations or a practical working scheme of international cooperation which will secure disarmament and the substitution of courts and judicial tribunals for the sword and the battle fields. The future is full of promise and the dreamers and the prophets and the inspired of God will lead humanity to higher planes of service and of achievement.

It implies no lack of devotion to a strong and proper spirit of nationalism to support a policy looking to international fellowship and international agreements. Already there are hundreds of international organizations cooperating and working for the welfare of the peoples of all countries. Of course, no one desires what Dr. Butler has described as a "colloidal" internationalism. National integrity and national prerogatives must be preserved, but their preservation does not forbid international union in the interest of peace and the happiness and welfare of all. The work of great men, of the spiritual leaders and philosophers and idealists of the world, have furnished the charts and the compass which have guided humanity. It was Pericles who said to the Athenians, "The whole earth is a sepulcher of famous men, and their glory is graven not only in stone but on their native earth, and lives on far away without visible symbol, woven into the stuff of other men's lives." The great poet of democracy, Walt Whitman, spoke with inspiration when he said that what the past was not, the future will be.

The Senator refers to the fact that notwithstanding the League of Nations, nations are arming and "not one of them dreams of relying on the dream of the league." Mr. President, no one believed that the world could pass from the shadows of the war into the sunlight of peace without convulsions and serious difficulties and perhaps conflicts. Time, no matter what agreements might have followed the war, was and is necessary to bring adjustment and to secure international confidence and the necessary cooperation for peace and amity. In my opinion, however, if the United States had entered the league, its work would have been far more efficient and the progress of the world toward peace and readjustment would have been infinitely greater. It was not contended that the league would immediately bring international good will and perfect peace. Everyone recognized that suspicions and national antipathies would persist to a greater or less degree and for an indefinite period, but it was felt that an international organization functioning along legitimate and proper lines, would be an effective agency toward world harmony and world regeneration.

The principles of international law announced by Grotius did not immediately bring the benefits and blessings which international law are calculated to secure, but there has been improvement in international relations as a wider acquaintance with the principles of international law has been obtained. And a union between nations to secure peace and disarmament and to promote the welfare of the people of the world can not immediately, following its organization, realize all that was hoped in its behalf and which in the very nature of things could only be realized in the future.

It must also be remembered that there were serious matters to be undertaken by the league, and the settlement of questions committed to it every reasonable person anticipated would result in temporary disturbances and possible controversies if not conflicts.

The conditions in Europe are not in my judgment an argument against the wisdom and feasibility of a League of Nations. Rather they furnish reasons for an efficient and suitable international organization. The Senator, I believe, is in error when he states that none of the members of the league dreams of relying upon what the Senator denominates "a dream." All members of the league are anxious for this Nation to take its place with them in the league in order that the purposes for which it was organized may be fully realized. And they are developing the plans of the league and putting them into operation. Most nations are longing for peace and disarmament and for world cooperation. With or without a league it was to have been expected that the enforcement of the terms of the Versaille treaty would result in controversy and perhaps resentments. Everywhere statesmen who have advocated a league have realized that occasions might arise when force would be required in order to preserve the peace of the world. No one denies the practical statemanship of Theodore Roosevelt. He declared in his Nobel prize speech that the League of Nations, the formation of which he advocated, should provide to enforce its decrees and to compel recalcitrant nations by force to maintain the peace of the world.

Mr. President, the Senator asks, "What is France doing? What is Japan doing? What is England doing?" He points mately 800,000 men, and is, as he says, ready to invade Gerto the fact that France now has a standing army of approximany. We sent our boys oversea, Mr. President, and they fought with the sons of France in a common cause, for a common victory, and they gave their lives as French boys did in defense of liberty and the cause of civilization. When the armistice was signed one would think from the attitude of the Senator from Missouri that our task in Europe was ended; that we ought to have hastily withdrawn therefrom and left our allies to work out the problems which victory necessarily produced. I will not say that such a course as that would have been cowardly, but it certainly would not have been the course that should have been taken by a just nation which had joined with other nations to maintain a great issue and to defend an undying cause.

President Roosevelt, in one of the last speeches delivered, called attention to what our duty would be when the war should end. He said it was the duty of the Allies, including the United States, to seek for the stabilization of Europe, preserve Poland and other nations resulting from the war, enforce the indemnities imposed upon the Central Empires and their allies, see that France obtained Alsace-Lorraine, expel the Turks from Europe, and discharge other imperative post-war obligations. He never suggested that we should desert our allies. We refused to ratify the treaty of Versailles, and it is insisted now by some that we have no concern in European affairs and in questions arising out of the war. Have we done our duty to our own country, to our allies, and to the world? Is there no obligation resting upon this Nation to aid in consolidating the results of the war? Shall we condemn the league or France for their endeavors to carry out the provisions of the treaty? Because we have declined to ratify it, shall it be an act of offense upon the part of France and Great Britain and others of our allies for them to attempt to compel Germany to comply with her solemn obligations?

France feels compelled, with the aid of some of the allied nations, to act against Germany for the enforcement of the treaty of Versailles. I do not know what the Senator from Missouri would do. I do not know what he thinks France should do. Certainly he can not contend, nor can anyone, that France should abandon the terms of the Versailles treaty and allow Germany to repudiate her agreement and claim immunity from the obligations which the treaty imposes upon her. France is justified in maintaining an army until Germany gives clear and satisfactory evidence of her purpose to carry out the treaty or until arrangements shall be entered into that will be entirely satisfactory to her and to the other signatories to the treaty.

The Senator says, "What is England doing?" And he intimated, as I understood his position, as did also the Senator from Tennessee [Mr. MCKELLAR], that Great Britain is now spending large sums in her naval building. I have not time to call attention to the numerous papers and documents which I have here to prove that Great Britain is not building a single capital ship. She is abandoning that policy, and has indicated by her representatives that if the United States desires to have a larger navy than Great Britain the United States is entirely welcome to that luxury.

Reference has been made to Japan. The Senator says that Japan is building ships "just as fast as she can." Let me read to the Senate an editorial from the Scientific American, under date of February 12, 1921. The editorial is entitled "Disarmament of the British Navy," and is as follows:

DISARMAMENT OF THE BRITISH NAVY.

Although we are most heartily in favor of a universal reduction of naval and military armaments, we deplore the fact that there has been, and is to-day, much confused and misleading speech and writing upon this momentous subject. Some of this confusion of thought is unintentional and due to lack of knowledge, but too much of it is intentionally misleading and deliberate. If we are to get anywhere in this discussion we must start with clearly ascertained facts and proceed by sincere and logical reasoning.

That very small minority in our Navy Department which would like to see the United States spend about $1,000,000,000 in building "incomparably the most powerful fleet in the world" has endeavored to give the impression that a great naval shipbuilding competition is in progress between the other leading navies and ourselves. Now, as regards the British Navy this is absolutely untrue. If there be any naval race we have the course entirely to ourselves, for Great Britain is doing no new shipbuilding whatsoever, and relatively to our own fleet that of Great Britain is not so powerful as it was before the war. To be clear upon this point, let us consider the past seven years and the losses of the British by war and by the breaking up and sale of ships since the armistice.

During the war Great Britain lost out of her fighting fleet over 600,000 tons, or two-thirds as much tonnage as there was in the United States fleet in 1914. The facts regarding this tremendous depletion of her navy are to be found in a pamphlet published by our Office of Naval Intelligence, entitled "Information concerning the United States Navy and Other Navies." From this we learn that her losses by mine, submarine, shell fire, and other causes were as follows: Three battle cruisers, including the super battle cruiser *Queen Mary* (63,000 tons); 13 battleships, including the 23,000-ton dreadnaught *Audacious*, and the 19,250-ton dreadnaught *Vanguard* (201,000 tons); 10 armored cruisers (151,000 tons); 9 light cruisers (51,500 tons); 6 monitors (8,125 tons); 67 destroyers (50,500 tons); 52 submarines (37,000 tons); and 22 sloops (26,000 tons). The total, including other smaller craft, is over 600,000 tons. Added to these was a loss of 37 merchant auxiliaries, including many ships of from 12,000 to 18,000 tons, which brings the total loss to nearly three-quarters of a million tons.

To make good these losses and to keep pace with the demands of the war, she took in hand a large program of new construction. But when victory was assured and the world menace of the German fleet had been removed, all outstanding contracts were canceled, except in the case of certain vessels of the smaller types that were near completion; and a large number of ships, including three sister ships to the 42,000-ton battle cruiser *Hood*, were broken up on the stocks and sold as junk. * * * As a matter of fact, it is some seven and a half years since the British Admiralty laid down a battleship, and of light craft not one has been ordered since the fall of 1918.

Furthermore, in agreement with her conviction that the war was indeed over and a period of peace and reduction of armaments was at hand, Great Britain struck off from her active list practically the whole of her big fleet of prewar dreadnaught battleships, her armored cruisers, her protected cruisers, and a large number of destroyers, submarines, and other smaller craft, the list totaling about 150 ships that were either retired, sold, or broken up. Not only this, but she has tentatively condemned all of her capital ships that are armed with guns of 12-inch caliber or less; and although she has still on the list 26 dreadnaught battleships, several of these that are armed with a 12-inch gun are in reserve or have been delegated to minor duties as practice ships, gun-training ships, etc.

Another point, which is perhaps the most significant of all and one which will be fully appreciated by all naval men, is that in her whole fleet there is only one ship, the *Hood*, which embodies in its construction and arrangements the enormous amount of technical information gleaned from the Battle of Jutland, information which was loyally passed on to the experts of her ally, the United States. Had she gone ahead with her program as we have done, she would to-day have in her fleet three additional ships of the *Hood* class; her fleet of light cruisers would have been greatly increased; and she would have added over 100 ships to her fleet of destroyers and submarines, all of these vessels embodying the lessons of the war and particularly those of the Jutland engagement.

We think we have made it clear that in this matter of disarmament Great Britain has already taken the lead, since she has not only greatly reduced her existing navy, but for two years past has refrained from laying down any new warships. Here was a lead in naval disarmament which we might very well have followed, and those of us who are keeping our heads clear of international suspicions and hatreds, and are looking at facts as they are, must feel that there is no little truth in the following statement of the British Naval and Military Record: "Had the United States followed our lead in effecting such sweeping reductions in naval material, the world would not now be faced with the prospect of a new era of naval rivalry. It is practically certain that but for the American decision to complete not merely all the vessels authorized by the 1916 program but nearly all the destroyers, submarines, etc., ordered under the emergency war programs, Japan would not have introduced her 1920–1928 navy bill, thus giving a new and powerful impetus to international competition."

I call attention particularly to the last paragraph, which refers to the effect upon Japan of our naval program calling for more than $1,000,000,000.

Mr. President, Count Ishii, speaking for Japan, recently said:

At the recent assembly of the League of Nations at Geneva the Japanese delegates supported a resolution on the subject of disarmament, but in the matter of immediate realities the Japanese Government is most desirous of reaching a solution which would end the race in armaments for all time. If the United States will ally itself with the great naval powers to establish a "naval holiday" Japan will be among the first to agree to it.

Reference has been made to the expenditures of Japan for her navy. I have here, Mr. President, the Financial and Economic Annual of Japan for the year 1919, which contains the appropriations made by Japan since the year 1905 for her army and navy, and a perusal of this—and I will not take the time to read it—shows how pitifully small have been appropriations made by Japan for her navy, measured by the stupendous appropriations which we have made and are now making for the Navy of the United States.

I submit that the naval officers of the Navy Department have failed to give to the Senate of the United States and to Congress that full and complete information which is essential to enable Congress to wisely and properly deal with the naval program.

Admiral Sims states that the report of the General Naval Board, which is a defense of the 1916 program, "is very largely mistaken. It looks to me very much like a report the arguments of which are drawn up to prove what they originally believed."

In my opinion this is a condemnation of the pending bill, or, at least, a disapproval of the naval policy which this bill seeks to fasten upon the country. Mr. President, without reading, I ask to insert in the RECORD as a part of my remarks an editorial from the Scientific American under date of February 26, 1921.

The PRESIDING OFFICER. Without objection, permission is granted.

A NAVY EQUAL TO ANY OTHER.

The report of the Senate Naval Committee contains not a word of sympathy with the request of a war-weary world to be relieved, at least in some measure, of the burden of naval and military armaments under which it labors. To have recognized the widespread prevalence of its plea, which has been fully as vocal in these United States as elsewhere, would have shown that the committee was alive to the untold miseries and sorrows of the world and was in responsive sympathy with the present attitude of American people whom it represents.

The report confines itself strictly to technical matters, and it contains three outstanding features. First it warns the country against being carried away by exaggerated statements as to the relative value of battleships as against airplanes and submarines. With this attitude of the General Board and the Senate Naval Committee we are in most thorough accord. For the present, and probably for many a year to come, the battleship will dominate the situation.

The second outstanding feature of the report is the statement that "this country should maintain a navy at least equal to that of any other power." At one time this statement would have been fraught with danger to the peace of the world; for during the years when the German Navy was looming up as a threat to the insular security of Great Britain, it was the avowed policy of that country to maintain a navy superior to that of any other power. The removal of the German peril, coupled with the feeling of comradeship and understanding which was developed by our own and the British Navy during the war, has so far changed the situation that Great Britain seems willing to make an exception in the case of the Navy of the United States. Certain British statesmen and naval men have indeed asserted that they would view without any misgiving the creation of a United States Navy that was equal in strength to her own. It is true that in its statement that we should possess a navy equal to any other the General Board of the Navy is announcing an entirely new policy, so far as any public utterance emanating from that board is concerned. Be that as it may, the acceptance by Great Britain of the new standard removes any danger of international complications; and a friendly cooperation of the two navies may well prove a powerful influence for the maintenance of peace and the general security of traffic on the high seas.

So far, so good. But when we consider the third recommendation of this report, to the effect that we should continue the construction of the whole of the 1916 program, we feel it our duty to utter a strong word of protest; first, because, as we showed last week, the completion of the full program would not only make our Navy equal to that of any other but immeasurably stronger, and therefore we should be committed to a vast expenditure of moneys which would carry our Navy far beyond the standard which is here definitely laid down by the General Board.

And this leads us to reiterate our demand on the part of the taxpayers of the United States that we complete only the four 16-inch gun battleships of the *Maryland* class and the six battle cruisers of the *Constellation* class, and that we at once discontinue work on the six 43,000-ton battleships of the *Indiana* class and concentrate our new constructive efforts upon additional scouts, upon flotilla leaders, and upon airplane carriers, thereby rounding out our Navy. This program will give us by 1924 a fleet that is not only somewhat larger in displacement and gun power than the British fleet, but one which, because of its very modern construction and its inclusion of all the lessons learned during the war will possess a decided fighting superiority in capital ships over the British fleet, a fact which the General Board can not deny. If we hold up the work on the six *Indianas* upon which only a mere commencement has been made, we shall still have 860,000 tons against Great Britain's 808,000 tons, and our gun energy will be 20,500,000 foot-tons against Great Britain's 19,000,000 foot-tons. Furthermore, the bulk of our fighting line will consist of thoroughly modern ships; whereas the best of the British ships, with the single exception of the *Hood*, will be from 8 to 10 years old, and therefore will be obsolescent and outclassed. These significant truths should be embodied in this report. Why are they omitted?

These facts are not known to the average taxpayer, and unless they are clearly brought out on the floor of the Senate and the House they will not be understood by the majority of the Members of Congress. They are perfectly well known to the General Board, and they should be equally well known to the members of the Senate committee. In all fairness, then, to the country whose interests have been committed in all good faith to the committees of the Senate and the House and to the Members of Congress as a whole, it should be clearly stated that *the building of these six huge ships at a cost of nearly $250,000,000 will be superflous, extravagant, and a deliberate advance beyond the standard of strength definitely called for by the most experienced experts of our Navy as represented by the General Board.* The argument that to stop work on these six ships would be a wasteful extravagance is not borne out by the facts. Very little has been done, and what has been built in the way of castings for turbines and generators and motors and the laying of keel plates will suffer no deterioration if it be allowed to rest for a while until the time is ripe for the completion of these ships.

[Senate Report No. 766, part 2, Sixty-sixth Congress, third session.]

SUSPENSION OF THE UNITED STATES NAVAL CONSTRUCTION PROGRAM.

MINORITY REPORT BY MR. KING.

I am unable to concur in the majority report submitted on February 9. Within the limits of this report it will be impossible to present all the reasons which impel me to withhold my assent from the majority report.

On January 25 the Senate passed the following resolution:

"*Resolved*, That the Committee on Naval Affairs be, and is hereby, directed to report to the Senate whether in its opinion it is practical and also a sound policy to suspend our naval building program now in progress for the period of six months to the end that a full investigation and free discussion may be had as to what constitutes a modern fighting navy—a navy with the types of ships and with the air and submarine weapons that would be most effective in the strategy and tactics of future war on the sea; and also to the end that we may avail ourselves in the matter, both as to economy and efficiency, of any possible agreement between naval powers providing for the reduction of armaments.

"*Resolved further*, That said committee report to the Senate such data and information (not already printed and made public) as the said committee has had before it for consideration relative to the probable value of surface ships in future naval warfare."

The following day the chairman of the Committee on Naval Affairs referred the resolution to the Secretary of the Navy.

On the 22d of January, a few days prior thereto, the Secretary addressed a letter to the General Board of the Navy, in which he stated that Congress was not disposed to authorize the construction of any more capital ships, due to the amount of construction in hand, and that the question as to the type of ship which should form the main strength of navies in the future was being extensively discussed both in America and England, and the board was requested to take this matter into consideration and report on the general subject early in February.

There is nothing to indicate that the Senate resolution was ever before the General Board of the Navy, nor was it requested to specifically report thereon.

On February 2 the General Board made a report to the Secretary of the Navy, which the Secretary, so far as the record discloses, regarded as a complete response to the inquiries contained in the Senate resolution, and on the same day he transmitted the report to the chairman of the Naval Affairs Committee.

The attitude and views of the General Board of the Navy on the general question of the naval program were well known. It is not believed that the Senate desired to have solely the views of the General Board, when the Committee on Naval Affairs was requested to report upon the various matters referred to in the resolution. The report of the board consists mainly of an argument in favor of the capital ship as the "paramount type of naval vessel"; and it assumes to call the proposal for the arrest or suspension of the big ship program a policy of "surprise, ruse, dodging, and strategem" as against a policy of "knockout blows."

Generally speaking, this report might have been prepared five or six years ago and reveals a predetermination to adhere to a program fashioned in 1915 and crystallized into law in 1916, without giving due weight to the lessons of the recent war and the development of the submarine, torpedo, mines, and the multitudinous forms of aerial warfare.

Speaking of the report of the General Board, Admiral Sims stated:

"I think the report is very largely mistaken. It looks to me very much like a report the arguments of which are drawn up to prove what they originally believed. It looks to me like a document of that kind. As I stated informally a little while ago, so conservative are military people in their attitude toward new incidents that that is the first development we always have."

I respectfully submit that the criticism of Admiral Sims of the report of the General Board is entirely warranted, and in view of the antiquity of some of the positions therein assumed, justifies incredulity as to its merits, if not positive opposition to its conclusions, in the minds of those who are seeking a wise and prudent naval policy for the United States.

It is respectfully submitted that the committee failed to answer the terms of the resolution calling for a report as to the "economy and efficiency of any possible agreement between naval powers providing for the reduction of armaments."

In my opinion it was not alone sufficient to report the material disadvantages, if any, that would result from a suspension of the naval building program for a period of six months. The vital question, indeed, is the possibility of agreement between naval powers that will result in the reduction of armaments. That such an agreement would result in "economy," if not "efficiency," must be manifest to every fair investigator. The burdens resting upon the people of the United States, growing out of naval and military armaments, are intolerable, and the financial condition of the Government calls for immediate relief from further staggering demands for such purposes. This vital matter relating to the "economy and efficiency" that would result from a possible agreement between naval powers to secure the reduction of armaments, I repeat, was not considered by the committee, nor was any testimony sought or obtained relating to such question or to the possibility of such an agreement between the naval powers of the world. The majority report declares that the—

"Committee are as anxious to bring about a reduction of armament and relief from the burdens which those armaments impose upon the nations of the earth as anyone can be, but no disarmament would be of any value unless it was general, and in the cases of great maritime powers universal disarmament. Unhappily this is not the case at the present time, and we must deal with the conditions as they exist."

This statement seems to indicate a disbelief in the possibility of a reduction of armaments, or relief from the burdens thereby imposed upon the people. No testimony was taken by the committee justifying such a position, and no reasons are assigned in the committee's report for conclusions so strongly announced. I concede, however, that one witness who appeared before the committee, an admiral of ability and distinction, did testify in harmony with the committee's report. His position was that the development of international law and international morality would not lead to disarmament or promote world peace. He stated:

"All this talk of disarmament is absolutely and scientifically wrong. It is not in accordance with the teachings of history. It is euphemistic to start with, and any argument that can be made against unpreparedness can be made against disarmament. * * * Disarmament in a great country always precedes a toboggan slide every time. That is the first symptom."

In reply to this statement, a member of the committee suggested that the sentiments expressed "command a very able advocate in Bernhardi."

The witness replied that as a military man he found his argument based upon history. He further stated that—

"Anything that can reasonably be done to prevent war is a splendid thing; but that reduction of armament would not tend to that end."

The witness was then asked the following question:

"Q. So you don't look forward then to any decrease whatever in the burdens of the peoples of the world of maintaining these great armaments; you feel that those have got to be borne, and they have got to be increased continuously; you do not look for any relief whatever in that direction?"

The reply of the admiral was as follows:

"A. I will put it this way—I do not like to appear as a prophet, but will say that according to history that is the way it has always been. If there is anything to change the current of history, then, of course, that will have a bearing."

The admiral further stated that he did not believe that a reduction of armaments was possible even "though nations should enter into agreements to that effect, because the agreement would not last very long"; he thought "it might last 20 years."

The following question was then propounded to the witness:

"Q. If wars have existed from the dawn of history while Governments have been armed, don't you think if they fail to arm, or if they reduce their armaments, or enter into an agreement for disarmament, that it might result in a cessation of war?"

This reply was given:

"A. No; I am absolutely sure, as far as I can be sure of anything in the future, and I am only basing it upon 5,000 years of history, and that is a good deal."

Further questions were propounded to the admiral, and his answers thereto are as follows:

"Q. In short, you find no chances to escape from the burden of competitive armament?—A. I would like to see the burden made as light as possible, Senator, but I do not see—on looking at it in the light of history and the way in which we are going now; competition among the people and the tendency of overseas trade—there is hope for cessation of war.

"Q. If you think that an agreement for the reduction of armaments would be entirely ineffective, you must equally agree that an agreement for the purpose of not increasing armaments—that is, holding them stable—would be equally ineffective. Am I right?—A. I am afraid it would be ineffective.

"Q. So that the necessary conclusion at which we must arrive is that there is no possible escape from the burden of competitive armaments, and you can see no relief whatever in any line from the rivalry in which we are now engaged?—A. I am sorry to say it, but I think so.

"Q. And that would mean that we have to continue our naval and military burdens indefinitely?—A. I think so."

The committee's report seems to be founded upon the view of this distinguished admiral, and fails to take into account, as I view the case, conditions and factors existent in the world which introduce meliorating currents and moral forces that compel a judgment at variance with that expressed by the board and the committee.

This view seems to be that the war taught no lesson except that savagery and sanguinary struggles are eternal; that the moral forces in the world are too feeble to establish justice and usher in a reign of righteousness and peace; and that humanity is predestined to walk in the darkness to a tragic end.

This view is a negation of the vital and progressive forces in the world, and forever condemns mankind to Sysiphian struggles. The report, in one aspect, proceeds upon the erroneous assumption that the resolution proposed to abandon battleships, and the majority of the committee proceeds upon the assumption that the question for determination is one primarily of the abandonment of the battleship, rather than supplementing that type of vessel by other craft operating in the air and in the sea. This misconception of the resolution has resulted in the failure of the committee to respond to the question implied in the resolution. It is not the part of probity and good judgment to ignore the fact that the science of naval architecture and armament has been constantly progressing, and we may not even now say that the ultimate type in any arm of the service has been developed. The report of the General Board is a slavish adherence to the past and betrays a determination to regard with jealousy, if not disdain, the unmistakable lessons brought to our attention by the recent war and the scientific investigations more recently made by those who believe in the future of aeronautics and in the primacy of submarines and submersible types of vessels. It is bureaucratic and reflects bureaucratic influences and policies.

Emphasis is laid upon the fact that the battleship is the basis of sea power; that it is paramount, and "that nothing that occurred during the World War has served to change the opinion of the General Board as to the vital importance in war of the battleship."

In my opinion, the report of the General Board is the plea of an advocate in defense of a policy rather archaic in conception and at variance in some respects, at least, with facts and experiences developed at a later period.

A careful review of this report leads to but one conclusion, that battleships constitute the principal unit of sea power, and that we must continue their construction in increasing numbers notwithstanding the enormous cost. It is admitted that if there is no agreement between nations to limit armaments, then, in addition to the Navy projected by the General Board, we must expend hundreds of millions of dollars for submarines and torpedo boats and the various forms of aircraft employed in naval warfare. It would seem from the report that the lessons of the war called only for greater expenditures for naval warfare.

Giant dreadnaughts of more than 43,000 tons and costing tens of millions of dollars are to be built, but the board concedes they are impotent, or at least inadequate, without battle cruisers costing still more, and also various other types of surface craft, submarines, and airplanes.

A one-plane navy, the report is compelled to admit, is incomplete, and it discusses torpedo-carrying aircraft and bombing planes and submarines and concedes them an humble place as auxiliaries of the battleships, but, as I have indicated, does not ascribe to them that important place in naval warfare which the facts demonstrate that they occupy.

I repeat, in my opinion, the report of the General Board is reactionary, not only in its consideration of the future of naval warfare, but in its complete disregard of all those social and moral factors which are powerfully operating in the world to-day.

I have stated that the science of naval architecture is progressive and that a blind devotion to past types is fatal. On December 11, 1906, His Majesty's ship *Dreadnaught* was commissioned. It was the product of Lord Fisher's constructive genius, and was hailed as the most powerful naval vessel in the world, though it carried only ten 12-inch guns and had a displacement of but 17,900 tons and a speed of 21¼ knots. This vessel became the type of the modern single-caliber big-gun battleship. In our own Navy the battleships *Connecticut, Georgia, New Jersey, Rhode Island, Louisiana,* and *Virginia,* which were commissioned in 1906, and the *Arkansas, Minnesota, Wyoming,* and *Vermont,* which were commissioned in 1907; the *New Hampshire,* commissioned in 1908; and the *Michigan* and *South Carolina,* which were commissioned in 1910, were all mixed-caliber battleships, and upon the standard of the new dreadnaught type established by Great Britain in 1906 were obsolete vessels at the time they were commissioned. This is a direct example of the mistaken policy in pressing naval construction in ignorance of contemporary improvements in naval architecture and standard naval types.

It was August 31, 1911, before the *Utah,* the first American dreadnaught, was commissioned. This was nearly five years after the commission of the first British dreadnaught. There are now eight of these dreadnaughts in commission, the *Utah, Florida, Delaware, North Dakota, Wyoming, Arkansas, New York,* and the *Texas.* The displacement of the *Utah* was 21,195 tons. Since then we have the superdreadnaught of 32,600 tons, and of these superdreadnaughts we now have in commission the *New Mexico, Idaho, Nevada, Pennsylvania, Arizona, Oklahoma, Mississippi,* and *Tennessee.*

I do not agree with the General Board and the committee that the naval program of 1916 should be carried out, nor do I accept the view that a suspension, or at least a partial suspension, of that program would be unwise, or that efforts should not be made to bring about a reduction in armaments, not only in the United States, but throughout the world; and I submit a few reasons in support of my position.

First, let me invite attention to the 1916 program. In 1915, the General Board of the Navy "devised and recommended" a naval program; it was based upon the then existing types of naval vessels and the then existing theories of naval warfare. The board did not have the experience and lessons of the war; and the program was devoted to the creation of types of vessels then employed. This program was embodied in the act of August 29, 1916. The intervention of the war and the need of destroyers and submarine chasers to combat the submarine menace and to protect our battleships was so great that the entire construction capacity of the country was directed to the production of these fast craft, as a result of which the program of 1916 was held in abeyance. It is true that during and since the war considerable work has been done upon some of the ships provided by this program; but it is now proposed to proceed with the construction projected in 1915, regardless of its costs or the lessons of the war, and the Navy Department is exercising all possible pressure in order to consummate this purpose.

The act of Congress of 1916 authorized the construction of 10 first-class battleships, at a cost not to exceed $11,500,000 each; 6 battle cruisers, at a cost not to exceed $16,500,000 each; 10 scout cruisers, at a cost not to exceed $5,000,000 each; 50 torpedo-boat destroyers, at a cost not to exceed $1,200,000 each; and 9 fleet submarines, 58 coast submarines, 3 of which were to cost not exceeding $1,200,000 each and a residue not to exceed $700,000 each; 3 fuel ships, at a cost not to exceed $1,500,000 each; 1 repair ship, 1 transport, 1 hospital ship, at a cost not to exceed $2,350,000 each; 2 destroyer tenders, 1 fleet submarine tender, 2 ammunition ships, at a cost not to exceed $2,350,000 each; 2 gunboats, at a cost not to exceed $860,000.

From the hearings before the Senate it developed that all the construction authorized by the acts just referred to has been undertaken, except that the contracts for 12 destroyers, 1 transport, and 6 seagoing submarines have not been let. Admiral Coontz testified that the bureau did not intend to build these, but desired authority to construct two airplane carriers, at a cost of $58,000,000, in their stead.

Though the act of 1916 authorized the construction of 10 battleships, there are 11 under construction, 1 having been previously authorized.

The pertinent fact is that we have now under construction and in various stages of completion 17 capital ships, plans for which were laid down more than five years ago. These ships divide themselves into three groups, as follows:

FIRST GROUP.

Name.	Where building.	State of completion.	Tonnage.	Horsepower.	Knots.
California.....	Mare Island, Calif.....	95.5	32,300	28,500	21
Maryland.....	Newport News Shipbuilding & Dry Dock Co.	93.0	32,600	28,900	21
Colorado.....	New York Shipbuilding Corporation.	66.7	32,600	28,900	21
Washington....	.....do.....	57.6	32,600	23,900	21
West Virginia..	Newport News Shipbuilding & Dry Dock Co.	44.5	32,600	28,900	21

The average state of completion of the ships in this group is 71.46 per cent. These ships are of the superdreadnaught type, of approximately equal displacement, horsepower, and speed, and all except the *California* mount 16-inch guns. The *California* mounts 14-inch guns. Their completion would give the Navy 21 capital ships of the dreadnaught and superdreadnaught type of the most modern construction and effectiveness, which, with 21 second-class battleships now in commission, would give us a Navy of 42 battleships.

SECOND GROUP.

Name.	Where building.	State of completion.	Tonnage.	Horsepower.	Knots.
South Dakota..	New York Navy Yard.....	22.3	43,200	60,000	23
North Carolina.	Norfolk Navy Yard.....	21.8	43,200	60,000	23
Indiana.....	New York Navy Yard.....	18.2	43,200	60,000	23
Montana.....	Mare Island Navy Yard.....	16.6	43,200	60,000	23
Iowa.....	Newport News Shipbuilding & Dry Dock Co.	13.1	43,200	60,000	23
Massachusetts..	Bethlehem Shipbuilding Corporation.	1.2	43,200	60,000	23

The average state of completion of the ships in this group is 15.53 per cent. These battleships are all designed to mount twelve 16-inch guns. They are over 10,000 tons heavier in displacement than the superdreadnaughts in the preceding class, have more than double the horsepower, and only a speed of 2 knots in excess of the five superdreadnaughts in the preceding class. There are no battleships or battle cruisers in the British Navy or the Japanese Navy of equal displacement and power.

THIRD GROUP (BATTLE CRUISERS).

Name.	Where building.	State of completion.	Tonnage.	Horsepower.	Knots.
Saratoga.....	New York Shipbuilding Corporation.	13.3	43,500	180,000	33.25
Lexington.....	Bethlehem Shipbuilding Corporation.	7.7	43,500	180,000	33.25
Constellation...	Newport News Shipbuilding & Dry Dock Co.	5.1	43,500	180,000	33.25
Constitution...	Philadelphia Navy Yard.....	2.3	43,500	180,000	33.25
United States..	.....do.....	2.3	43,500	180,000	33.25
Ranger.....	Newport News Shipbuilding & Dry Dock Co.	1.0	43,500	180,000	33.25

The average state of completion of these battle cruisers is 5.28 per cent.

The part of the program covering the construction of destroyers, submarines, and auxiliaries is comparatively small measured by the cost of the capital ships.

The authorization of Congress in 1916 was for ships, the cost of the most powerful of which was not to exceed $16,500,000, and the execution of the entire program was estimated at approximately $544,700,000. Notwithstanding the limits placed by Congress in the act, appropriations have been made from time to time since then, until they now aggregate approximately $500,000,000, and yet the naval program of 1916 is not complete. In my opinion it will require at least five hundred millions more for the completion of the ships authorized in the act of August 29, 1916, and with their completion, as I shall show later, hundreds of millions of dollars additional will be required for the construction of undersea boats and for airplanes and the necessary naval airships, without which the capital ships would be of but little if any value.

In the hearings before the Senate committee one of the admirals, who was a leading member of the General Board of the Navy, stated that the cost of the capital ships would be $45,000,000 each. Upon this basis the ultimate cost of the 17 capital ships will be $765,000,000. When we add to this vast sum the cost of scout cruisers, torpedo boats, destroyers, submarines, transports, fuel ships, tenders, gunboats, and auxiliaries, it is certain that the further cost for the completion of the 1916 naval program will exceed $1,000,000,000.

But with this expenditure, stupendous as it is, the chapter is not ended. Additional carrier ships at enormous costs will be required, submarines of greater range and power will be imperatively needed, bombing planes, torpedo planes, and scout planes in large numbers will be necessary. A great flotilla of surface ships constituting an auxiliary fleet and the aerial and submarine vessels will cost hundreds of millions additional. More naval bases will be required, larger docks must be added, and hundreds of millions will be spent in harbors and upon naval bases for the protection of this great fleet which is to be created if the policy of the naval board is to continue unchallenged. I assert with the utmost confidence that the 1916 program, plus what will be imperatively needed to properly supplement it, including naval bases, yards, docks, and construction plants, will cost the United States more than $1,500,000,000.

Already it is planned to construct at Alameda, Calif., a naval base, the cost of which will exceed $100,000,000, notwithstanding the fact that there is a suitable base at Mare Island, upon which $30,000,000 have been spent.

Nor is the chapter yet ended. According to the demands of the Navy Department, more than 120,000 officers and men are now required to man the ships already in use. When the naval program is completed at least 25,000 additional men will be required. This item alone will add to the naval budget tens of millions of dollars annually. At least 1,500 officers and men are required to properly man a capital ship. The requisitions of the Navy for the next fiscal year, for maintenance alone, amount to over $500,000,000. It is safe therefore to assume that for the maintenance of the Navy after the completion of the 1916 program an annual expense will be entailed exceeding that stupendous sum. And still the chapter is not closed.

Vessels will become obsolete and tens of millions of dollars will be required annually to replace them. New types will be developed, and their construction will be demanded. A burden so staggering will not be submitted to, in my opinion, by the American people. It is to be noted that the completion of the 1916 building program, even by its projectors, promises no relief from further construction. We know that such a promise would be insincere and absolutely impossible of fulfillment. Indeed, the General Board desires at this time to supplement the 1916 program by adding thereto 3 battleships, 1 battle cruiser, 30 cruisers, 8 gunboats, 18 destroyers, 12 mine-laying submarines, 6 cruiser submarines, 4 airplane carriers, 3 destroyer tenders, and 3 submarine tenders, the cost of which would exceed $600,000,000.

At this point let me say that I am not in favor of "scrapping the Navy"; nor do I support a "little Navy" policy. I believe that our Army should be reduced to the utmost possible limits, but that we should maintain a strong and efficient Navy; but I contend that the policy proposed ignores past experiences and commits the American people to an oppressive burden of taxation, and suggests a course that will subject this Government to criticism upon the part of other nations and to a distrust of our professions of friendship and international good will. Moreover, this projected naval policy will offer obstacles great, if not insuperable, to an agreement between the great powers to secure material reductions in armaments, military and naval, and to create an organization vital and potential in the interest of world peace and for the determination of international controversies.

In my opinion, the five battleships which are approaching completion should be finished. Work upon the remaining battleships, six in number, should be at once discontinued. One cruiser should be completed, but the construction of the remaining five should be suspended, if not wholly discontinued.

We have 300 destroyers. They are modern and the most effective vessels of their class in the world, and are entirely adequate for the present. A few submarines of the largest type are needed. At least one plane carrier, and possibly two, should be constructed within a reasonable time, together with the necessary complement of aircraft. Perhaps some additions of auxiliary craft should be made to the fleet. This program, in my opinion, should suffice for the present. I should add, however, that many of the vessels now on the Navy list should be immediately withdrawn from service.

If this plan were adopted there would be an immediate saving to the Government of between four hundred and fifty and five hundred millions of dollars. The ultimate saving would be very great, amounting to tens of millions of dollars annually. It would result in a reduction of the personnel of the Navy and would subtract tens of millions of dollars annually from the operating expenses of the Navy Department. The upkeep of these huge capital ships is at least $3,000,000 per annum. The British estimate that the annual upkeep of the battle cruiser *Hood*, which is a smaller vessel than the capital ships projected in the 1916 program, is at least £539,000 per annum.

The capital ships now being constructed are 860 feet in length, and their draft is so great that there are but few harbors wide and deep enough for them to enter. The fuel cost for the capital ships is enormous and the increasing scarcity of oil only adds to the already stupendous costs of operating a fleet of this character.

The 11 battleships now under construction may be divided into two classes, for the purpose of determining the percentage of completion. In the first class there are five vessels which range in state of completion from 44.5 to 95.5 per cent, the average state of which is 71.46 per cent. Four of these vessels, the *Colorado*, *Maryland*, *Washington*, and *West Virginia*, are being constructed in private yards, and the fifth, the *California*, which is nearly completed, is being constructed at the Mare Island Navy Yard. In the second class there are six battleships which range in state of completion from 1.2 to 22.3 per cent, the average of which is 15.53 per cent. Four of these vessels, the *South Dakota*, *Indiana*, *Montana*, and *North Carolina*, are being built in navy yards; the *Iowa* and *Massachusetts* in private yards. The *Iowa* is 13.1 per cent complete and the *Massachusetts* 1.2 per cent complete. The ultimate cost of these six battleships, which are less than 22.3 per cent complete, upon the basis of forty-five millions per unit, will be at least $370,000,000.

As stated, the first group of battleships, consisting of the *California*, *Maryland*, *Colorado*, *Washington*, and *West Virginia*, should be completed. Work upon the second group of battleships should be suspended or discontinued. The average state of completion of the battle cruisers represents two and a fraction per cent of the cost, and the work upon the *Ranger* is only 1 per cent. My understanding is that the department in estimating the "state of completion" took into account materials on hand but not yet used; indeed, the contracts for a number of the ships have been but recently entered into and the keels of a number have not been laid. Work upon the cruiser *Saratoga*, which shows 13 per cent state of completion, should be continued, but, as stated, work upon the remaining five cruisers should be suspended.

The six battle cruisers are all of one type. They have a length of 850 feet, a beam of 101 feet 8½ inches, a mean draft of 31 feet, a displacement of 43,500 tons, engines of 180,000 horsepower, and an estimated speed of 33½ knots per hour. The battle cruisers are heavier than any of the 11 battleships under construction, although 6 of the battleships are to have a displacement of 43,200 tons, and 4 of 32,600 tons, and 1 of 32,300 tons. The engine power, however, of the cruisers is to be three times that of the heaviest battleships and more than six times that of the lesser battleships. It is apparent that the battleships, modern as they are, are far outranked in engine power, speed, and general effectiveness by the battle cruisers.

The keels of three of these battle cruisers were laid September 25, 1920, and one was laid in January, 1921. Of course, the purpose of the board is to construct a navy designed to be the greatest and most powerful in the world regardless of cost or of world conditions. The British Navy has but one vessel of the large battle cruiser type, namely, the *Hood*, which was launched in 1919; it has a displacement of 41,200 tons and is 2,300 tons less than that of the projected American battle cruisers.

The armament of the *Hood* consists of eight 15-inch guns; whereas, the armament of our projected battle cruisers is to be eight 16-inch guns. The speed of the *Hood* is 31.5 knots, and the speed of the American battle cruisers is estimated to be 33.25. The British have five other so-called battle cruisers, but they were launched between 1911 and 1916. Their displacement is only 26,500 tons and they carry eight 13½-inch guns. I might add that the British program, devised just before the war, included the construction of four ships of the *Hood* type, and the keels of all were laid. At the end of the war, the British Admiralty "scrapped" the three keels, notwithstanding $8,170,000 had been expended in work upon them. This action was taken deliberately by the British Admiralty. Undoubtedly their position was influenced, if not controlled, by the experiences and lessons of the war. Yet in the face of the position of the British Admiralty, the Navy Department and General Board insist upon the construction of six battle cruisers exceeding the *Hood* in displacement, engine power, armament, and speed.

On the basis that these battle cruisers are to have an ultimate cost of $45,000,000, their present average state of completion represents an average outlay of $2,376,000 each. It is altogether likely that the actual outlay is not nearly so great as indicated. The act of 1916 fixed the limit of cost on these cruisers, exclusive of armaments, at $16,500 000. Upon this basis the average state of completion of 5.28 per cent would indicate an average outlay upon each vessel of $87,120.

It is assumed, moreover, that the figures submitted by the Navy Department showing the state of completion of each vessel refer to the completion of the hull and do not include the installation of the armament of the ship; and yet in the face of the fact that the British Admiralty scrapped the keels of three battle cruisers upon which there was an average outlay of $2,733,333 each, the General Board is laying the keels and is proceeding with the construction of six battle cruisers, and insist that there shall be no suspension of work, although the money actually laid out is much less than that expended upon the British vessels.

Another fact should be taken into account in determining whether there should be a suspension of active work under the 1916 program. The cost of construction is very much greater now than it will be within the next two or three years. The contracts let for their construction are based upon the high levels established during and immediately after the war. These high cost levels operate as a disturbing factor in all industrial circles. They are impediments to economic readjustments and obstacles to a return to sound and just business and economic conditions.

The contracts are under the cost-plus plan, a system which has proven in practice to make for waste and extravagance. It would be the part of wisdom, in my opinion, to suspend work upon all of the ships under construction, except the ones to which I have above referred, nor should contracts be let for the construction of those which I have indicated as necessary for the Navy until conditions in our industrial life have materially changed.

It will be, of course, contended that a suspension of work upon the program will involve a considerable loss. The majority report of the committee states that the material loss from a six months' suspension upon the program would be between $15,000,000 and $25,000,000. Admiral Taylor in his testimony supported this view.

Admiral Coontz, when asked what the cost would be if construction were suspended, stated:

"I would have to figure on that, but the contracts have been let and some of the *big concerns* throughout the country are going ahead and the stuff is pouring in, and the greatest loss would be in the holding up of the contracts. That would have a very great effect. I understand that a number of our *biggest concerns are practically depending on these to tide* them over until they get more work, *but that would be probably the principal effect of it.*"

This statement is exceedingly interesting. It has been repeatedly charged that munitions factories and steel corporations and plants engaged in building war vessels were behind programs calling for military armaments and big navies. We know that in Germany the Krupps and the manufacturers of steel and war munitions were the most active propagandists in favor of imperialism and world power and mighty armaments and big navies. It is needless to say that the influence of these corporations and those controlling these huge industrial concerns were largely responsible for German militarism and the imperialistic policies of the German Empire; but they came to grief and brought their country to ruin.

We are told now that a number of our "big concerns" are practically "dependent" on these naval contracts. I confess that this reasoning does not commend itself to my approval. These concerns are constructing ships which were to have cost but sixteen and one-half millions (without armament) at a present cost of forty-five millions each, including armament. Their interest, of course, is very great in the execution of the 1916 program. It means undoubtedly millions of dollars profit to the shipbuilders and the armament makers and the steel plants of the United States. Within comparatively few years the cost of battleships has been advanced from $320 to $1,000 per ton.

I submit that even if a suspension of construction of the entire program would result in a loss of $25,000,000, the gains would be very much greater. In the first place, the cost of construction at a later period would be materially diminished. Within a year it should be reduced from 25 to 50 per cent. A suspension of work upon the entire program for six months, even if work were then resumed upon every ship, would save the Government, in my opinion, considerably more than $100,000,000. A number of the ships, it will be remembered, are being constructed in Government yards and the loss there from a suspension of work would be unimportant.

Again referring to the cost of maintaining our Navy, attention is called to the estimates, or rather the requisitions for the fiscal year 1922. These requisitions cover maintenance, exclusive of appropriations for new construction, and amount to $495,515,731.47, and in addition thereto requisitions for the civil establishments of the Navy in the amount of $3,050,040, and requisitions for "permanent annual and indefinite appropriations" of $13,197,696, making an aggregate of $511,763,764.47. In other words, merely for the maintenance of the Navy we are asked to appropriate over half a billion of dollars for the coming year. The amount asked for current construction upon the 1916 program for the next fiscal year is $184,000,000.

The cost of maintaining capital ships now in course of construction is enormous. The indicated horsepower of the six battle cruisers alone aggregates 1,080,000 horsepower, to be produced by the consumption of oil. This in itself is a frightful waste when we consider that the total hydraulic power developed at Niagara Falls, both on the American and Canadian sides of the river, aggregates 697,000 horsepower, and the total potential horsepower at Muscle Shoals, Ala., is 100,000 horsepower primary, and 350,000 horsepower secondary. Millions of money have been expended to produce 697,000 horsepower at Niagara Falls which would otherwise flow to waste, and yet the Navy proposes to expend hundreds of millions of dollars to construct battleships, six of which alone will consume 1,080,000 horsepower, which will not be reproduced in money or goods, but will be utterly wasted, at least in the economic and industrial sense.

The Federal Government has expended but $1,000,000,000 in rivers and harbors from the foundation of the Government until the present time. The great inland waterways and the enormous harbors, important and so essential to our commerce, have received but $1,000,000,000 in more than 130 years. We have expended upon our Navy more than $6,500,000,000 since 1884, and now are asked to assume a burden of from 500 to 750 or 800 millions of dollars for immediate naval construction and a continuing burden of hundreds of millions of dollars annually for the maintenance and development of our naval power.

It might be interesting to know that 16 first-class battleships completed between 1910 and 1917 cost but $167,611,692, and that the 23 battleships completed from 1895 to 1908 cost but $139,222,541; and the cost of all wars in all lands from 1793 to 1860 was but a little over $9,000,000,000.

LESSONS OF THE WAR AND WORLD CONDITIONS NOT PROPERLY APPRAISED BY MAJORITY REPORT.

As I have shown, the report of the General Board is primarily a defense of the capital ship and fails, in my opinion, to properly appreciate what the Navy of the future should be. The board seem to proceed upon the theory that the outstanding lesson of the war is that the capital ship is and will continue to be the paramount naval force. I submit that facts have led naval experts as well as students of naval strategy to a different conclusion. It seems manifest that in any aspect of the case there should be further consideration given to a question so important as that involved in determining our future naval policy. It would not only be supreme folly but it would be a wrong to expend hundreds of millions of dollars, wrung from the people by taxation, for the construction and maintenance of war vessels which were obsolete before the keels were laid.

Lord Fisher, as is well known, is the father of the dreadnaught, and that type of vessel was regarded as the highest type of naval construction. That was followed by the superdreadnaught, and the types of 5 and 10 years ago are found to be imperfect and vulnerable to the forces now brought into naval contests. Lord Fisher saw that the submarine and aircraft would revolutionize naval warfare, and in September, 1919, wrote these words:

"Flying dominates future war both by land and sea. It is not my business to discuss the land, but at sea the only way to avoid the air is to get under the water, so you are driven to the internal-combustion engine and oil. That is why I keep on emphasizing that the whole navy has to be scrapped."

Admiral Von Scheer, who commanded the German fleet at the Battle of Jutland, has submitted views which weaken the position of the General Board and call for a revision of their action and of the policy announced in the report of the committee. Admiral Von Scheer, in substance, states that the cost of surface ships is enormous and yet "they are very vulnerable"; that a great surface fleet can no longer protect a coast or overseas commerce; that only a few nations in the past could afford big ships and this resulted in their ruling the sea, but that the submarine has "knocked all this into a cocked hat, and fear of the British fleet as a fighting weapon has gone"; that "submarines can best defend or attack a coast and can best protect or destroy commerce"; and that an adequate submarine navy would enable a comparatively weak nation to pursue an overseas policy "without worrying about a surface fleet." Admiral Von Scheer is competent to speak upon this vital question. He knows how impotent the German high fleet was in the great World War and also the great achievement wrought for Germany by the submarine.

Capt. Hart, who has carefully studied the operations of the German submarines, states that not more than 10,000 officers and men were employed during the entire war in the submarine fleets, and that, as a rule, not more than 30 submarines were at sea at one time, manned by approximately 1,500 men. As opposed to this small force and the impounded German high fleet were more than 1,000,000 men of the allied naval forces, together with the fleets of the allied nations including between four and five thousand small craft whose activities were of the highest importance. Notwithstanding this great disproportion in forces, Germany nearly won the war, and if it had not been for the intervention of the United States, would have triumphed. Great Britain's grand fleet was unable to protect itself against submarines, and she was compelled, in feverish haste, to employ her great resources to construct submarines and destroyers and various devices against the insidious and powerful enemy. The capital ship was safe only when locked in protected harbors. Can there be any doubt but that Germany would have won the war if her submarine fleet had numbered 200 instead of 40 when the war began? In my opinion, England's mighty fleet would have been powerless in the face of so formidable a foe, and the currents of history would have been changed and the map of Europe written by the Central Empires.

We are told that immediately after the arrival of Admiral Sims in England he reported the dangerous situation of the Allies, and that Germany was winning the war. We have not forgotten the reports that came from overseas during the dark days of 1917 and 1918, showing that the allied nations were losing from 500,000 to 800,000 tons of shipping per month. It was felt then that the submarine was a powerful foe, which not only destroyed the merchant ships but war vessels that were supposed to be monarchs of the sea.

Lord Rothmere, formerly director of England's air forces, in a recent article entitled "The folly of big battleships," has stated that "Great Britain can not afford to spend money on naval construction at present," and that "they [referring to the United States and Japan] are obviously building against each other and not against us." He refers to the capital ships being constructed by the United States and Japan as inadequate forms in warfare and declares that our conduct in constructing them "is no proof that capital ships will survive." He further states that "no nation henceforth will enjoy naval supremacy—it is a nasty pill, and we must swallow it."

It is well known that the British Admiralty has discontinued the construction of capital ships. Following the armistice, three battle cruisers were scrapped by Great Britain, though the keels had been laid and an average outlay of nearly $3,000,000 had been made upon each. I appreciate the fact that some will contend that Great Britain's finances prevented her from building further expensive war vessels. However, when we recall the views of Lord Fisher and other British naval experts who have, in effect, condemned the capital ship because of the development of the submarine and aerial warships, we should pause and make searching investigation to determine what course prudence and wisdom dictate.

Sir Percy Scott is recognized as a naval inventor of international standing and a man of courage and ability. His inventions have contributed to the success of dreadnaughts, and his own naval career enable him to appreciate the strength and the weakness of those fighting vessels. He takes the view announced by Lord Fisher before his death, and he recently said:

"The introduction of the vessels that swim under water has, in my opinion, entirely done away with the utility of the ships that swim on the top of the water. The submarine causes to disappear three out of five of the functions, defensive and offensive, of a vessel of war, as no man-of-war will dare to come even within sight of a coast that is adequately protected by submarines.

"With a flotilla of submarines I would undertake to get into any harbor and sink or materially damage all the ships in that harbor. If by submarines we close the egress of the North Sea and Mediterranean, it is difficult to see how our commerce can be much interfered with."

Sir Percy Scott has openly opposed the building of additional battleships and declared in favor of smaller craft. In a recent letter, published in the London Evening Standard, he says that it is not to be expected that naval officers would oppose the building of battleships, because if they did "they would commit professional suicide."

He further declares that the British learned the following lessons from the war:

"That if Germany had possessed more submarines at the beginning of the war they would have won, and that the weapons that nearly defeated the Allies were the mine and the torpedo. The foremost of the British battleships in the Mediterranean were sunk, and that after the appearance of the submarine in that sea the British battleships which had not been sent to the bottom did very little useful work. The British battleships could not get through the Dardanelles. They were stopped by the mines and not by battleships. Our leviathan battleships in the North Sea did not bombard any of the enemies' fortifications or seaport towns or harbors. Assailants can hide themselves by smoke screens. What is probably the most effective weapon against battleships was not employed during the war—the airplane with a torpedo. This new device can attack battleships both at sea and in harbors. It is not safe alone, and must have nurses in the form of airplanes and surface vessels to keep down submarines."

He further states that the British could not protect their commerce on sea, and that in a war between a country with a long coast line and battleships for defense and another country with a large number of submarines the latter country within an hour after hostilities were declared would dispatch them to trade routes, where they would be guided and advised by hydroplanes of the whereabouts of merchant vessels to be destroyed. He also states that aircraft would drop torpedoes on battleships, while the submarines would be planting mines at harbor entrances, and that under such circumstances no armada would dare to pass five days at sea.

In a recent article he reviews the work of Great Britain's Grand Fleet during the recent war and calls attention to the fact that during substantially the entire period of the war she was locked up in harbors and was unable to attack the enemy's coast or to remain at sea. It is true she made a few furtive visits to the North Sea, but only after she had ascertained by means of aircraft, scout vessels, and otherwise that attacks from submarines and destroyers were not imminent. And, in addition to these precautions, she was guarded by a flotilla of smaller craft, including submarines, destroyers, and naval airplanes. The few submarines which the Central Empires maintained in the Mediterranean Sea rendered the battleships of Great Britain and France of but little value and seriously impeded both the land and naval operations of the allied forces.

Admiral Fullam, one of the most eminent men of our Navy, has strongly opposed the completion of the 1916 program. His testimony before the committee is illuminating and a strong contribution to the question under consideration. In his testimony Admiral Fullam quotes from page 21 of Admiral Sims's recent work, in which the latter refers to the conditions existing on the English coast in April, 1917, when the navy of Great Britain, supported by the navies of France, Italy, and Japan, might have been supposed to command the sea, because the German Fleet was blockaded. Admiral Sims states:

"It was not until the spring of 1917 that we really awoke to the actual situation; it was not until I had spent several days in England that I made the all-important discovery, which was this—that Britain did not control the seas. She still controlled the seas in the old Nelsonian sense; that is, her Grand Fleet successfully "contained" the German battle squadrons and kept them, for the greater part of the war, penned up in their German harbors. In the old days such a display of sea power would have easily won the war for the Allies. But that is not control of the seas in the modern sense; it is *merely the control of the surface of the seas.* Under modern methods of naval warfare sea control means far more than controlling the top of the water. For there is another type of ship, which sails stealthily under the waves, revealing its presence only at certain intervals, and capable of shooting a terrible weapon which can sink the proudest surface ship in a few minutes.

"The existence of this new type of warship makes control of the seas to-day a very different thing from what it was in Nelson's time. *As long as such a warship can operate under the water almost at will—and this was the case in a considerable area of the ocean in the early part of 1917—it is ridiculous to say that any navy controls the seas.* For this submarine vessel, when used as successfully as it was used by the Germans in 1917, deprives the surface navy of that advantage which has proved most decisive in other wars. *That is, the surface navy can not longer completely protect communication as it could protect in Nelson's and Farragut's times.* It no longer guarantees a belligerent its food, its munitions, its raw materials of manufacture and commerce, or the free movement of its troops. *It is obviously* absurd to say that a belligerent which was losing 800,000 or 900,000 tons of shipping a month, as was the case with the Allies in the spring of 1917, was the undisputed mistress of the seas. Had the German submarine campaign continued to succeed at this rate the United States could not have transported its army to France, and the food and materials which we were sending to Europe, and which were essential to winning the war, could never have crossed the ocean."

The submarine at that time had not reached the standard of efficiency subsequently attained, nor had the naval air force assumed the great importance which it did before the end of the war. Admiral Fullam refers to the fact that the Grand Fleet, to which seven of our battleships from the United States were attached, "did not chase or combat the submarines that were starving England, because they could not." They remained in port "waiting for the battle that never came; the sea meanwhile was controlled by other forces." He further states that "had the Navy Department intelligently anticipated our entrance into the World War it could best have prepared by stopping the 1916 program even earlier—*yes, before it was ever outlined* and concentrated upon destroyers and small craft to combat the enemy which the department had been watching for two years, in the deadly work of 'controlling the sea.' And now, in 1921, four years later, the Navy Department again goes back to the 1916 program which did not provide ships to fight against Germany. *It proposes to double the number of ships that could not fight submarines then, and can not fight them now. One would imagine that submarines had been abolished. But they still exist—though not in our Navy in the numbers required to control the sea.*"

The admiral suggests that it would be interesting to consider what England's course would have been if Germany's fleet had been destroyed at the battle of Jutland. He states that in that event neither England's dreadnaughts nor those of the United States would have searched the sea for submarines, nor would they have been assigned the duty of escorting merchant vessels and transports.

"Had they gone to sea, would they not have been compelled to take with them, for their own salvation, the protecting screen of cruisers and destroyers that are most efficient in combating the submarine? From this is it not manifest that the wisest thing to have done would have been to lock England's battleships as well as our own safely in protected harbors, and then set free about 100 destroyers and many cruisers that were needed to save England from starvation?"

Admiral Fullam asks that consideration be given all the facts referred to in his testimony, and then asks whether we shall "blindly adhere to the 1916 program without reservations—a program, a child, born during the battle of Jutland, we might say, ignores the awful events that followed its birth and continues to live in *comparative indifference to the daily lessons and teachings of the past five years.*"

The Gallipoli campaign revealed the weakness of battleships in efforts to reduce fortifications and in attempts to land and support invading forces, and, as Admiral Fullam says, at the same time "it demonstrates the vital necessity for submarines and aircraft, both in landing and in repelling landing."

Rear Admiral Taylor, chief constructor of the Navy, in an article recently published by the Franklin Institute, states: "Although we must conclude that the present tendency is toward increased size and cost, one can not overlook the fact that this very tendency, under the present financial, economic, and political conditions in the world, may actually result, in the long run, in the disappearance from building programs of these very types, and the substitution for them of smaller and cheaper units made possible by new developments in science and engineering." The admiral states that there is great need for "*imagination and vision*" on the part of the fighting forces afloat and the naval designers ashore, for that nation which can develop weapons which will render obsolete the present great ships and can substitute for them a smaller and cheaper unit, capable of defeating them, will win, in the new area, command of the seas which this war has shown is so important to ultimate victory. I submit, that "*vision*" and the proper application of the lessons of the war must lead to the conclusion that there will be a disappearance from view of building programs of these very types (capital ships) and the substitution for them of smaller and cheaper units. The General Board needs "vision" and the courage to apply the demonstrated facts which the World War revealed.

The British Admiraity seems to possess this "vision" and the courage to oppose a construction program which is oppressive financially and at best uncertain as to its utility.

I have not considered what the war and recent accomplishments have taught us concerning the value of torpedo planes and other aircraft in naval warfare. The evidence relating to this matter is voluminous and convincing. I can only refer to a few points in support of the proposition, that the General Board has failed to properly appraise the value of naval aircraft and is imprudent in so tenaciously adhering to the 1916 naval program. Admiral Sims in testifying before the Senate Naval Committee stated that one of the first things to be done is "to develop the airplanes, which means also aero-carrying ships." He refers to the fact that the advocates of the aerotorpedo claim that they can drop "a torpedo successfully in the water and that it will run successfully; that they can carry a torpedo of the ordinary type for 10,000 yards, and that planes can be built to carry two or three more"; and he further states that they are doing it now, and they are doing it successfully. He mentions the fact that planes are now in use that will carry 6,000 pounds of bombs, each shell containing 500 pounds of high explosives, and that one of these things dropped on the deck of a ship would penetrate through the deck and would destroy her as a battleship.

He also discusses the danger or the possibility of airplanes being interfered with in their operations against surface war vessels and states that—

"it would require about 1,000 shots from the ships for every hit [illegible] make, which is about one-tenth of 1 per cent. The admiral referred to recent experiments conducted by the Navy. Bombs were dropped from a height of 4,000 feet against the battleship *Indiana* and 9 per cent of the hits were made on the hull of the vessel, whereas 20 or 30 per cent of the hits were within an area 'that would have been destructive to the vessel, because a bomb that is dropped in the water will explode the same as if it struck, and if it is within 60 feet of the hull of the ship it would drive the plates in.'"

He also states that the difficulty of hitting a moving vessel, compared to one at anchor, is unimportant on account of the great speed of the airplane. The admiral states that—

"you are practically wasting time to try to hit an airplane which can cruise 10,000 feet in the air, outside of gunfire. He lunges down and is on the water, lets go his torpedo, and he is away. They have successfully torpedoed a single ship that way."

Speaking of the importance of the airplane development, Admiral Sims said:

"It normally adds to the ability of a country to defend itself. No battleship afloat can operate against the coast of an enemy, within the range of the enemy's airplanes, for this reason. A fleet that goes over there, whether it has 6 or 8 or 10 airplane carriers, suppose it has 10—that would be nearly 1,000 planes. With 30 planes each, it would be 300 airplanes coming up against the coast where we are operating from the beach and we have 2,000 airplanes. It simply means that you are controlling the air absolutely and you will wipe out all of the air force, and you will be perfectly free to attack that fleet."

He also refers to the fact that distance is an obstacle in warfare, so that—

"Great Britain with all her forces could not attack this coast without a base on this side to operate from. She has not a single ship that can come across the ocean and get back again, let alone stay here without assistance."

Admiral Sims's testimony is instructive as to the value of airplanes in naval warfare, and in my opinion supports the view that the capital ship of the future will be the airplane carrier, and that the warships employed in the air will deprive the surface ships, including the mighty dreadnaughts, of their formidable character. The war teaches in an impressive way that the battleship unprotected and undefended by submarines and torpedo boats and aircraft will be of but slight utility in the naval contests of the future. Admiral Sims emphasizes the necessity of converting some scout cruisers into airplane carriers, and approves of the construction of two carriers of great speed. He explains the value of airplanes not only for attacks upon the sea but also for coast defense and offensive movements by attacking naval forces. It seems clear from the lessons taught by the war that no fleet can successfully operate upon the sea, or in attacks upon land, without naval airplanes; indeed, the modern navy must operate on three planes—the surface, above the surface, and beneath the surface. And as Admiral Fullam states:

"These forces must exist in due proportion and must be coordinated strategetically and tactically to win a modern battle. * * * The navy which lacks forces on the lower and upper planes will be seriously menaced. A one-plane navy can not win against a three-plane navy. The Navy of the United States to-day is practically a one-plane navy. The minds of many naval officers and legislators are fixed upon one, or, at most, two planes."

The General Board, it would seem, have been so zealous in urging the unmodified program of 1915, which is the capital ship program, that they have not sufficiently emphasized the construction of submarines (not only for coastal defense purposes, but for naval offensive warfare), and also torpedo planes and other forms of aircraft. One admiral in his testimony sought to minimize the effect of bombs dropped from airplanes, and describes the damage in the experiments against the *Indiana* as "purely local." The evidence is contradictory of his statement, and the accumulated data incontrovertibly establishes the destructiveness of bombs and torpedoes dropped from the skies. In a recent sham battle between the Grand Fleet and the Royal Air Force, in Portland Roads (England), the attack was made by seven airplanes carrying torpedoes, and six direct hits were scored out of the seven torpedoes used. Mr. C. J. Gray, one of the foremost English aeronautical writers, and editor of the Aeroplane, of London, states that the airplanes were—

"preceded by two bombers which flew at about 10,000 feet, where, of course, the sailorman had neither heard nor seen them. Instead of dropping bombs the bombers dropped a string of smoke bombs about a mile to the windward of the fleet. Before the smoke cleared away, and before the fleet had a chance to use a gun, the torpedo machines came through the smoke down wind at about 130 miles an hour, so low down and so fast that no earthly naval gun would have had a chance of hitting any of them. It is practically certain that, given an adequate force of torpedo aircraft, no hostile fleet could come within 100 miles of any coast so defended."

He further states that, in his opinion—

"the capital ship of the future will be a very big, high-speed aircraft carrier, which will use torpedo airplanes instead of long-range guns, and otherwise will be equipped with what is now considered secondary armament for use against hostile airplanes and against submarines to repel torpedo droppers."

Admiral Sims states the case for the airplane carrier in this language:

"The whole point is this. Anybody that decides that the battleship is always going to remain the capital ship and that the airplane carrier is never going to become a capital ship has got to accept this proposition, that American ingenuity is not capable of improving a torpedo so that it can be dropped from a height of 30 feet without injury."

On the 1st of February, Gen. William Mitchell, assistant chief of the Air Service of the United States Army, testified before the House committee on the naval appropriation bill. His testimony covers the entire field of aerial operations and strongly supports the contention that the battleship as a fighting force is menaced by airplanes. He declares that "*airplane carriers will supplant battleships.*" First, after that, battle cruisers, and that the logical attack will be carriers protected by a small form of destroyer. He refers to the fact that England is proceeding "with the development of her aviation, and that if the United States neglects the air forces we will be at a great disadvantage." He states that we have bombs capable of "demolishing or putting out of action not only all auxiliary ships, but capital ships as well," and that with these bombs, as distinguished from projectiles fired out of cannon, "we have a greater per cent of hits over 20,000 yards than have cannon projectiles."

The Scientific American of August 14, 1920, presents a view that is worthy of attention. This statement is made:

"We believe that in future war the torpedo will at least come into its own, and it will be the internal-combustion engine that will work the change. It gave us the motor car and the airplane, and now it is, perhaps, destined to dethrone the battleship and battle cruiser as the supreme elements of naval strength. But how? Well, the British have several large and fast torpedo plane carriers. Let us forecast a duel between a 12-gun, 23-knot *Massachusetts* and a 32-knot torpedo-plane carrier, with twice that number of planes aboard. Steaming outside of 16-inch gun range, the carrier would send in her planes, which, swooping down from great height at 150 miles would drop their torpedoes within close range and return for more. But the bulge will save the ship? No; for the torpedoes will be set to pass underneath the ship, and they will be fired magnetically by the action of the steel mass of the ship itself, and you could not put side and bottom bulges both upon a ship—she would be all bulge and but little ship."

In the issue of January 1, 1921, the same journal contains this statement:

"The need for going slow on new construction, especially of capital ships, is the more apparent when we remember that the European nations, including Great Britain, have laid down no capital ships and practically no warships of any kind for the past two years. Partly is this due to financial stringency; but unquestionably—at least, in the case of Great Britain—it is due also to the recognition of the formidable part which war in the air is destined to play in future naval warfare, particularly as a means of attack with large masses of explosive carried to the battleship in the form of close-up torpedo attack or the delivery of deck-piercing bombs carrying enormous charges."

The Scientific American of February 12, 1921, contains this statement:

"That very small minority in our Navy Department which would like to see the United States spend about $1,000,000,000 in building 'incomparably the most powerful fleet in the world' has endeavored to give the impression that a great naval shipbuilding competition is in progress between the other leading navies and ourselves. Now, as regards the British Navy, this is absolutely untrue. If there be any naval race, we have the course entirely to ourselves, for Great Britain is doing no new shipbuilding whatsoever, and relatively to our own fleet that of Great Britain is not so powerful as it was before the war. To be clear upon this point, let us consider the past seven years and the losses of the British by war and by the breaking up and sale of ships since the armistice.

"During the war Great Britain lost out of her fighting fleet over 600,000 tons, or two-thirds as much tonnage as there was in the United States fleet in 1914. The facts regarding this tremendous depletion of her navy are to be found in a pamphlet published by our Office of Naval Intelligence, entitled 'Information concerning the United States Navy and other navies.' From this we learned that her losses by mine, submarine, shell fire, and other causes were as follows: Three battle cruisers, including the super battle cruiser *Queen Mary* (63,000 tons); 13 battleships, including the 23,000-ton dreadnaught *Audacious* and the 19,250-ton dreadnaught *Vanguard* (201,000 tons); 10 armored cruisers (151,000 tons); 9 light cruisers (51,500 tons); 6 monitors (8,125 tons); 67 destroyers (50,500 tons); 52 submarines (37,000 tons); and 22 sloops (26,000 tons); the total, including other smaller craft, is over 600,000 tons. Added to these was a loss of 37 merchant auxiliaries, including many ships of from 12,000 to 18,000 tons, which brings the total loss to nearly three-quarters of a million tons.

"To make good these losses, and to keep pace with the demands of the war, she took in hand a large program of new construction. But when victory was assured and the world menace of the German fleet had been removed, all outstanding contracts were canceled, except in the case of certain vessels of the smaller types that were near completion; and a large number of ships, including three sister ships to the 42,000-ton battle cruiser *Hood*, were broken up on the spot and sold as junk. As a matter of fact, it is some seven and one-half years since the British Admiralty laid down a battleship, and of light craft not one has been ordered since the fall of 1918.

"Furthermore, in agreement with her conviction that the war was indeed over and a period of peace and reduction of armaments was at hand, Great Britain struck off her active list practically the whole of her big fleet of prewar dreadnaught battleships, her armored cruisers, her protected cruisers, and a large number of destroyers, submarines, and other smaller craft, the list totaling about 150 ships that were either retired, sold, or broken up. Not only this, but she has tentatively condemned all of her capital ships that are armed with guns of 12-inch caliber or less; and although she has still on the list 26 dreadnaught battleships, several of these that are armed with a 12-inch gun are in reserve or have been delegated to minor duties as practice ships, gun-training ships, etc.

"Another point, which is perhaps the most significant of all and one which will be fully appreciated by all naval men, is that in her whole fleet there is only one ship, the *Hood*, which embodies in its construction and arrangements the enormous amount of technical information gleaned from the Battle of Jutland, information which was loyally passed on to the experts of her ally, the United States.

"Had she gone ahead with her program as we have done, she would have to-day in her fleet three additional ships of the *Hood* class; her fleet of light cruisers would have been greatly increased; and she would have added over 100 ships to her fleet of destroyers and submarines, all of these vessels embodying the lessons of the war and particularly those of the Jutland engagement."

These views are shared by eminent naval experts and by men who have given profound thought to the question of naval preparedness. In my opinion they establish not merely a prima facie case but an incontestable one against the wisdom of the policy suggested by the General Board. This is the day of the undersea and air destroying forces. If we are to maintain a big Navy, its strength will lie in the air and in the undersea and submersible vessels; not alone in capital ships.

DOES THE UNITED STATES REQUIRE A NAVY OF THE CHARACTER CONTEMPLATED BY THE GENERAL BOARD?

The Secretary of the Navy in his annual report, December 1, 1920 (p. 217), stated there were in the Naval Establishment of the United States, fit for service on that date, 795 vessels of the following descriptions:

Battleships	37
Armored cruisers	8
Monitors	6
Cruisers	24
Destroyers	249
Submarines	98
Gunboats	19
Patrol boats	55
Converted yachts	10
Submarine chasers	112
Tugs and mine sweepers	86
Fuel ships	22
Other auxiliaries	46
Vessels unserviceable for war	23

The Secretary also reported as under construction 165 vessels of various types, which upon their completion would bring the total number of vessels of all descriptions in the Navy up to 960, with an aggregate tonnage of 2,910,316, and an aggregate horsepower of 12,865,897. The elimination from our construction program of 500,000 tons of battleships and battle cruisers will leave us a Navy of 2,400,000 tons, which ought not to be a "little" Navy even in the estimation of the big Navy men.

It is conceded that some of the naval vessels of the United States referred to by the Secretary are obsolescent, if not obsolete, and it is quite likely that our Navy should be strengthened by the construction of airplanes and larger submarines, if not other types of war craft, if a satisfactory agreement is not entered into between the United States and the leading nations of the world for either complete or partial disarmament. In a statement before the House Committee on Naval Affairs on the 12th of January, 1921, the Secretary of the Navy stated that at the present time the British Navy has a total tonnage of effective fighting ships of 1,588,442, the Navy of the United States a total tonnage of effective fighting ships of 779,193, and Japan's navy a total tonnage of effective fighting ships of 340,596. From this statement it appears that our Navy now has more than double the tonnage of the Japanese Navy and we have more than half the tonnage of the British Navy in effective fighting ships. It is also known that Great Britain, as stated by the writer in the Scientific American, practically scrapped hundreds of her ships.

If the United States were to complete the various projects for new constructions now contemplated by the Navy, the total tonnage for the United States would exceed the tonnage of Great Britain's war vessels and would be more than double Japan's tonnage unless the incomplete construction plan of Japan shall be perfected and realized. While Great Britain has 46 battleships, only 29 are of the dreadnaught type. The United States, upon the completion of the 5 battleships which are now more than 70 per cent advanced, will have 42 battleships, at least 21 of which will be equal to, if not superior, to any ships in the world. Japan has 10 battleships; France, 17; Italy, 9; Argentina, 2; Brazil, 1; Chile, 1; Spain, 3; Greece, 2; Germany has 6 second-class battleships; Peru, Portugal, Sweden, Denmark, and Holland have no battleships, but have naval craft of minor descriptions; and Belgium, Bulgaria, China, Colombia, Cuba, Ecuador, Haiti, Honduras, Mexico, Nicaragua, Persia, Rumania, Siam, Uruguay, and Venezuela have no effective ships of war of any description, either built or being built.

What is the reason, then, for this feverish haste to impose upon the American people further burdens for naval armament? Europe is exhausted financially and otherwise. Even the most clamorous and strident for a powerful American Navy must admit that there is not a

single power of Europe which menaces us, nor could a combination of all the powers of Europe imperil the United States either upon land or upon sea. I freely admit that Great Britain's Navy is stronger than ours, but even if Great Britain were our enemy and engaged in war against us, her navy, powerful as it is, would be impotent against our coasts. The United States has a superior torpedo-destroyer flotilla, and with the development of the submarine, the torpedo, mines, and airplanes, not only for coast defense but for combat at sea, it would be impossible for Great Britain to successfully operate against our coasts or to land troops upon our shores. The testimony of Admiral Sims, as well as the views of the greatest naval experts of the world, confirm that view. Of course, it is obvious that Japan is less able to attack our coasts than is Great Britain.

The nations of Europe are not building war vessels. They are trying to satisfy their hunger and meet the ravages of disease and restore order in distracted and suffering countries. They want peace, not war; bread and meat and clothing and medicines and an opportunity for work and production. They are building no battleships; and aside from the bolsheviks of Russia, they are seeking no conflicts. Military ambitions are dead and the prostrate peoples of Europe are looking to America not for bombs and bullets and war but for food and clothing and our surplus commodities, and for material help and aid in their distracted and tragic situation. When this Nation was assailed by Germany and the cause of civilization was imperiled, we cast our lot with the Entente Allies and with them battled in a common cause until the right triumphed. During that great contest, as well as since, we have exhibited in many ways our deep sympathy for the peoples of Europe and have manifested a sincere desire for their welfare. They are not plotting against us. Even the defeated nations are seeking the friendship of the American people. Great Britain desires no war with the United States, nor with any nation. It would be absolutely impossible for her to wage war against the United States.

Naval experts who are fair and honest are compelled to admit the impossibility of the United States encountering any danger at the hands of Great Britain. Admiral Sims in his testimony before the Senate committee stated in substance that we needed no coast defenses other than for the protection of our naval bases. The development of aerial warfare, the submarines, the mines, and the torpedo boats, make invasion of this country from the sea absolutely impossible. Not even the wildest jingoes dare to express a fear of invasion by land of the United States from the north or from the south. Against whom shall we arm? Against what power shall we continue to build giant navies, at a cost of hundreds of millions, if not billions of dollars?

It would be cruel to even intimate that there is any apprehension from the Latin Republics. The United States entertains a deep and lasting affection for the republics to the south of us. Their welfare and development has been a matter of deep solicitude upon the part of the United States. The Monroe doctrine was promulgated as a shield against imperial ambitions of despotic European powers. We desire the friendship of the people of Mexico and Central and South America. It is the sincere desire of the people of this Republic that they shall be bound in amity and good will to the peoples of the vigorous and splendid Republics upon this hemisphere.

We turn to Asia. What foe have we there? And against whom shall we marshal our great resources and build a still more powerful Navy? China entertains not only respect but deep affection for this Republic. The Chauvinistic elements in the land are endeavoring to sow the seeds of discord and to provoke war between the United States and Japan. Writers, political orators, powerful magazines and newspapers seek to inflame the public mind against the Japanese Empire and to induce the belief that war between the United States and that far-away people is at our very door. It would seem that there are those in our midst who are intriguing and plotting for the purpose of destroying peace and amity now existing between this Republic and Japan and between this Republic and Great Britain. In my opinion, these intrigues will fail. War between the United States and Great Britain is unthinkable. It would not only be a tragedy, it would be a calamity—a catastrophe so overwhelming that no one but the most insensate and calloused could regard it except with horror. Why should Great Britain desire war with the United States? She covets none of our territory, nor do we covet hers. She has been benefited by our commerce and her trade has been important in our development. Great Britain has been our best customer and has absorbed our surplus commodities to the value of hundreds of millions, indeed, billions, of dollars annually.

Japan respected her treaty with Great Britain and joined with the Entente Allies against the Central Empires. Though of the Orient, she has absorbed much of the spirit of the Occident and has exhibited qualities that entitle her to be regarded as one of the leading nations of the earth. Upon a little island thousands of miles from our shore she seeks only the welfare of her people and opportunity for growth and development. Her birth rate of between six and seven hundred thousand per annum compels her statesmen to seek fields for legitimate territorial expansion. Asia lies before her and at her door; to Asia she will turn. She seeks no conquest upon this hemisphere, and in my opinion sincerely desires the good will and friendship of this Nation as well as of all other nations of the earth. Japan is burdened with debt and possesses but few resources and limited national wealth.

The imprudent, not to say irrational and menacing, talk upon the part of some Americans is calculated to impress her people with the thought that we entertain hostile designs against them and other nations. In 1904 Japan believed she was menaced by Russia and mobilized her strength and gained a notable victory. Germany's activity in the Orient before 1914, together with her aggressive policy in China, constituted a menace to Japan and was calculated to arouse her fears and lead her to adopt a military policy of some magnitude. A fair and honest consideration of the aggressive designs of France, Great Britain, Italy, Russia, and Germany with reference to China's territory will lead to the conclusion that Japan's position in the Orient was endangered, and justified her belief that her interests in Asia, potential or otherwise, were to be sacrificed to imperialistic policies by the strong nations of Europe. Japan's geographical position must be considered and her relations to China and other Asiatic territory must not be ignored. These conditions undoubtedly filled the Japanese with apprehension and inspired Japan to adopt a policy regarded as necessary for her preservation. But I do not believe that the Japanese people desire war with the United States or with any country.

Japan entered the League of Nations, and upon signing the treaty of Versailles submitted a statement which revealed her desire for peace and for an honorable station among the nations of the world. Her representative sits in the council of the League of Nations and she has consistently supported the policy of the league, which seeks world disarmament and the settlement of international controversies by peaceful means instead of the employment of military and naval force. In my opinion, there is much exaggeration concerning Japan's naval program. Testimony before the committee was unsatisfactory concerning Japan's naval program. An admiral, speaking of the same, stated that she had "laid down only one battle cruiser up to the present time so far as we know." "Her program," he stated, "involved the building of 12 light cruisers but 5 only are laid down and building." With reference to destroyers he stated:

"We do not exactly know how many are building, but we know that at least 10 are building now of the 47. She is building 10 submarines of the first line. Those are vessels of about 900 tons each. She is building 9 submarines of the second line."

The evidence before the committee also establishes what everyone knows to be the fact, that Japan is dependent upon other nations for steel and perhaps other materials needed in the construction of a naval fleet. Moreover, the resources of Japan are limited and she could not long continue any competitive naval program with the United States or Great Britain and other European nations. Japan can not contemplate an attack upon Mexico or any of the Latin American Republics. There is no quarrel between her and any nation to the south of us. Any attack by Japan upon Mexico or Central America, or any of the Republics in South America, would unite the Western Hemisphere, perhaps including the Dominion of Canada, against her. It would be supreme folly for Japan to even contemplate such a course. Nor is it conceivable that she would attempt to land troops upon our shores, or to send her fleet across the Pacific. If Great Britain's fleet would be powerless against our shores, and that is the testimony of competent naval experts, then it is preposterous to assume that Japan, 12,000 miles distant from our shores, could be more successful.

I refuse to join with the jingoists in our country who are determined to perpetuate the old order of things and who stubbornly resist a world-wide movement which, in my opinion, will prove irresistible for world disarmament and for a union of the peoples of the world in the interest of peace.

The proposition to make the American Navy the greatest in the world is a proposition to indulge in this extravagant luxury merely because our country is rich and powerful enough to do so. No support for this course can be found in our needs for naval defenses. The British Government has publicly stated that the United States, if it chooses, can have the biggest navy, and it is very much to be doubted if the English Admiralty will undertake to challenge or match the construction of capital ships for the consummation of the project, which has the Navy Department behind it, to give our Navy the first place in the world.

If it be claimed that our Navy must be the greatest in the world, in order to defend our commerce and defend our coasts, let me reply that this is precisely what was said by the Germans in their ambition to overmatch the British Navy. The fact was that the great German Navy was no more a necessity to defend the commerce of Germany than a great Dutch Navy was necessary to defend the commerce of Holland or a great Danish Navy to defend the commerce of Denmark. Danish ships, Dutch ships, Greek ships, and Belgian ships have as much freedom of commerce upon the seas as have the ships of the United Kingdom or of the United States. There is no warrant for the assertion that the protection of commerce requires great armaments. The nations which have a preponderance of naval power to-day will not use their naval superiority to interfere with the liberty of maritime commerce in time of peace. There is every assurance that the world may depend upon this and it is not necessary to defend every merchantman that plies the seas with the attendance of a ship of war.

The great naval powers of the world to-day offer no obstacle to the utmost freedom of trade and commerce upon the part of the smallest and weakest nation, and the liberties which the powers ask for themselves they have freely accorded and will freely accord to the ships of every nation. The day has come when the United States must cease its prodigal and useless outlays in time of peace, for the making of armaments and the construction and maintenance of great ships to be moved and maneuvered at an annual cost of hundreds of millions of dollars. Our naval policy must cease to be dominated by the professional naval view, and the influence of men who have a more comprehensive conception of the advantage and welfare of our country must become dominant in the naval policy of the Government.

The League of Nations offers a practical and feasible plan to secure world disarmament. The reactionary policy of the United States seems to be an impediment to the realization of the practical conceptions of the league. All members of the league earnestly desire to be relieved from military and naval burdens. If the United States should enter the league, the formulated plan of the league to secure disarmament would, in my opinion, be earnestly carried forward by all members of the league until its full fruition was realized. But, if this Nation does not enter the league, it should cooperate with its members for the purpose of achieving those beneficent purposes which inspired its conception. It can be readily understood what effect the action of the United States in refusing to ratify the Versailles treaty or to enter the League of Nations would have upon the rest of the world. Notwithstanding this Nation has no imperialistic ambitions or a desire to obtain territory belonging to other nations, its course and its present attitude undoubtedly have produced skepticism in the minds of some nations with respect to the sincerity of our declarations.

When the Secretary of the Navy and others declare that we must have the most powerful Navy in the world, and when demands are made to execute a program that will cost more than a billion and a half dollars, and entail upon the United States an annual expenditure of at least one-half billion dollars for its maintenance, other nations may not be criticized if they express some concern regarding our purposes. In my opinion, we can not reconcile our declarations that we desire peace and disarmament, with the avowal that we shall complete the 1916 program and supplement it with modern aircraft, submarines, etc., at a cost of hundreds of millions of dollars. If we believe in relieving the world from the burdens of military and naval disarmament, let us set the example.

The psychology of our action in carrying forward a militant naval program will be bad. It will tend to drive the world back into old paths—into policies based upon alliances and the balance of power, into the shadows and darkness from which we emerged when military autocracy in Europe was overthrown and when the right of determination was accorded to the peoples of the world. We should suspend the naval program to the extent herein indicated and either enter the League of Nations or address ourselves to obtaining an agreement with the great powers for the limitation of armaments and the establishment of tribunals for the settlement of international controversies.

The wealth and power of the United States, together with its isolated position, give us the primacy of the world. We should lead in every

movement for justice and righteousness and peace. This propaganda for a Navy to outstrip the world has little or nothing behind it excepting an appeal to the national pride and vanity. The adding of capital ship to capital ship is bound to raise misgivings on the part of other nations and will incline them to ascribe ulterior and imperialistc purposes to our Government and will engender distrust and jealousy against a people who in their hearts sincerely desire the welfare of humanity. If the United States desires, as it should, to have the emulation of other nations we should set them an example. Do we desire that they shall emulate us in the construction of men-of-war, or that they shall emulate us in our defense of the principles and purposes of international peace and justice?

Whither are we to lead the world? That is the question. Shall it be along the lines of arms and war, or upon the paths of peace and trade and constructive progress, which shall turn the work and materials of the world to the increase of goods and riches and wealth, for the blessing of all the nations? Do we desire to impress the world with fear and terror of our country or with that respect and trust and confidence which an adherence to the principles of liberty, of justice, and of peace will invite from all other nations? These questions are before us. Our answer will determine the fate of the world.

Mr. OWEN. Mr. President.

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. KING. I yield to the Senator.

Mr. OWEN. Mr. President, the other nations of the world are not likely, in my opinion, to reduce their armaments because they fear us. If they reduce their armaments it will be because they have faith in our good will and in our high purpose. I can not agree with the Senator from Tennessee [Mr. MCKELLAR], and I feel called upon to register my dissent to the doctrine expressed by him.

That is the same identical doctrine that came out of Brandenburg. It is the same doctrine that penetrated and moved the people of Prussia in their management. It was the doctrine of the Hohenzollerns. It is the doctrine upon which this argument has largely proceeded, that we have got to make other nations afraid of us in order to induce them to lay aside their arms. If I am afraid of a man I will go armed myself, and the best way in which to induce other men to lay down their arms is to make them know that they are justified in their faith in our pacific and pure intentions.

The Senator from Utah referred this morning to a great doctrine laid down which struck me with much force. It was the doctrine of faith. The greatest Teacher that man has ever had in the world laid down the doctrine of faith, and on numerous occasions, in effect, said, "According to your faith, so be it unto you." We have forgotten what has occurred since 1914. There have some very great things occurred since 1914. Those who did not have any faith in their neighbors, those who believed in the power of the sword, those who were building up the power of Prussia and of the German Empire and of the Teutonic allies were directly responsible in 1899 at The Hague Convention and in 1907 at The Hague Convention for a refusal to modify the program of arming the nations of the world in rivalry against each other. The Teutonic allies at The Hague prevented the discussion of the question of disarmament. They were not willing to disarm. They wanted war, and they finally got war and the necessary consequences of war.

In 1916 we did adopt the so-called program of 1916, but that was two years after the world conflagration broke out. That was after the President of the United States realized, as he did realize in the spring of 1916, that the United States would soon be face to face, in all human probability, with the necessity for taking part in the war.

We had already been subjected to many indignities and injuries on the sea. We were already being advised that we were not permitted to go on our peaceful errands on the sea in accordance with international law. We were already menaced by the Teutonic powers, our lives defied and disregarded, not only by the Teutonic powers but by Great Britain as well. I will say, however, for Great Britain that at least her authorities always did respect American lives, and while property rights might have been invaded on certain occasions property rights can always be adjusted by international courts.

But in 1916 we were anticipating the necessity of war, and we laid down this program. In 1912, before the war began, our Navy cost approximately $112,000,000 per annum, and now, two years having passed since the armistice, we are proposing through the House of Representatives to appropriate $400,000,000.

Mr. KING. That is only for maintenance and for slight construction.

Mr. OWEN. For maintenance and a small part of construction. The Senate committee, with a lavish generosity that I do not appreciate at all, propose to add to that $105,000,000 more, making the bill carry over $500,000,000. That is over $5 per capita—$5 for every man, woman, and child in the United States. It is $25 per annum on every family of five people in the country. When we consider the war expenditures, when we add to that the bonus required for the soldiers, when we take into account our pensions, the amount goes up and up. When we remember that we have to pay the cost of the war, that we have to refund to the bondholders of the United States the moneys they have advanced with interest upon it, $25,000,000,000; we must remember, too, that that is $250 per capita, $250 for each man, woman, and child in the United States, $1,250 for each family, on account of the indebtedness of the war remaining as yet unpaid.

Do we not all know that these taxes at last come down upon the man who eats bread and meat and who wears clothes and must meet the necessity of housing? At last the taxes are paid by the consumers. Let us make no mistake about that. I wish to say that I believe the people of the United States are heartily tired of this question of unrestrained taxation.

One of the reasons why the disaster came last November to the Democratic Party was because in the haste and excitement of war our expenditures had reached so gigantic an amount, had rested so heavily upon the people; they were so disturbed and distressed in so many ways that they wanted a change. Democrats as well as Republicans wanted a change, and Democrats by hundreds of thousands voted for Harding for President of the United States because they, too, wanted a change. Let us make no mistake about that. This was not just a so-called purely Republican victory. It was a reaction in the country against the extravagance of war. It was a reaction in the country against the extravagance of taxation. It was a reaction in the country against the arbitrary conduct which always accompanies war and must accompany war. I do not blame the administration for many of the things which occurred along those lines, but when we consider the food and fuel control, the War Trade Board, the War Industries Board, the Council of National Defense, organized down to the crossroads; when we consider the innumerable ways in which the people were interfered with, it is no wonder they revolted. They wanted a change, and now I desire to say to my Republican brethren that if you do not give them a change with regard to these high taxes you will in the near future get what will justly come to you.

The program of 1916 was a program based upon the old conditions when every nation went armed to the teeth and had to go armed to the teeth, when Europe was an armed camp because of the Teutonic policy, the policy of force, the policy of brute power over other men. They made other men afraid of them and they reaped the consequences of making other men afraid of them. Other men are not as much afraid of them now, and the United States does not want to follow the Teutonic policy of making other nations afraid. There is no reason why Japan should be made afraid of the United States and there is no reason why the United States, of all nations in the world, should be afraid of that small nation on the Pacific who, compared with the United States, are poor and weak.

An argument was made here on the floor that we had reason to be afraid of the organization of China by Japan and of Indian by Japan, 300,000,000 in India, 300,000,000 of people who by their religious training are committed to the preservation of life at all hazards, three hundred millions of people who by virtue of their religion would not kill a bird. They do not destroy animal life, much less human life.

The idea of organizing the Chinese to make war on the United States is peculiarly preposterous. China for 2,000 years has been the most pacific of all nations. It is a great, peaceful, sleeping, democratic community. Each little community manages its own affairs. China, while she has had excited against the Japanese some hostility, has regarded the people of the United States with more favor than any other nation in the world. It was the United States that set the example of relinquishing the Boxer indemnity. The United States now is shipping millions of bushels of corn to China to feed the famishing people of China. It is a wise investment. It buys the good will of China. It establishes the confidence of China, and it is far better to spend $15,000,000 in buying the love of the Chinese by feeding their famishing people at a small expense than to attempt to excite their fear of the United States at a huge expense in armament.

The only danger in the world might be found in the great Chinese people, 400,000,000 of people who do not fear death, being led from their pacific mode of thought into the idea of militarism. Chinese statesmen have warned the world against stirring up a military spirit in China, and the only way to stir up the military spirit in China is by making the Chinese afraid of the other nations of the world. Japan has made an error in that respect in my opinion which may lead to the great injury of Japan.

But, Mr. President, we established this program of 1916 at a time when there was visible nowhere a sound hope for the peace of the world by peaceful arrangement and by systematic disarmament of the great nations. Now, however, the Teutonic allies have no armies worth mentioning. France is only retaining her army because she awaits the reparation of the terrible injury done to France by the war through the Teutonic forces, and as soon as the pacific arrangement can be made for the reparations, France, and Italy as well, will have every justification and every reason to believe that they may reduce their own armies voluntarily to the lowest possible point.

They can not go on without bankruptcy. They know it and I think the Senate knows it. All the nations of the world, through the proposed League of Nations, have practically agreed to the principle of disarmament; and yet we hear Senators on the floor express their distrust of anything except brute force. We must "keep our powder dry"; we must build up our Navy greater than any other navy in the world; we must be prepared to conquer any other people on the sea. We have no need to dominate other people and there is no nation in the world that has any desire, in my opinion, to dominate the people of the United States.

The program of 1916 ought to be summarily abandoned. There is no sound sense in it. I denounce it. I regard it as little short of criminal to pursue a policy of building up military power in the United States and setting an evil example, when, of all the nations in the world, we have the opportunity to set a wise, a just, and a generous example to other nations. For us to sit here determined to carry out this gigantic policy of having the greatest Navy in the world operates as a threat and a menace both to Japan and to Great Britain.

I know there are people in the British Isles who believe that the United States is concerned to dominate the seas as against Great Britain. When we speak of Great Britain, when we speak of Japan, and when we speak of the other nations, I think that Senators ought to be careful to remember that we can not describe 100,000,000 people by one epithet. In Great Britain there are those who are strongly inclined to imperialism, but they have been compelled to recognize the great power of the majority of the English people who are not imperialistic; who are substantially democratic; who only want to live their own lives in their own peaceful way and who do not want to dominate other nations. I have honor for the British people. I respect them; I respect their ideals.

I think the same thing is measurably true of Japan. We ought to be peculiarly considerate of Japan, coming as Japan does into the body of nations comparatively recently. I think Japan has shown a reasonable attitude with regard to her relations with the United States. I have never been able to feel the slightest fear of Japan. The Japanese are industrious; they are skillful; they are economical. They have shown a wonderful degree of intelligence and they have shown a very decent respect for the United States. When recently an American naval officer was killed by a Japanese sentry, Japan took all kinds of pains to ascertain where the fault was and punished the higher officers, who at last were responsible for the action of the sentry, for not having properly instructed him. The Japanese did not fall upon the little man who had erred because of the instructions he had received. They went where they ought to have gone—to the man in control; they went to the man higher up, and they held him responsible. That is what they ought to have done. They set us a good example in that.

I think if we went to the men higher up and held them personally responsible for what they do we would do well. I think that is true with regard to the Senate. Senators on the floor of the Senate who are using terms with regard to foreign nations that will place us in a hostile and warlike attitude in the eyes of foreign nations, Senators who on the floor denounce Japan with bitterness, to have their utterances quoted by the jingo press of Japan from one end of the Japanese country to the other, are incurring a responsibility of the gravest nature. They ought to be held responsible by the sound opinion of this country when they are guilty of indiscreet utterances on this floor. If we desire peace, we have got to set the example of peace. Out in the western section of the country when 25 years ago every man wore a six-shooter, and every gentleman wore two, the consequence was men were shooting each other all the time for fear the other fellow would get the drop on them.

I think that before we spend this enormous amount of $500,000,000 we might well hesitate; that we might well leave this bill for the Congress which is coming in within a few days. Mr. President, the American people gave a mandate to the new Congress. I very much question the wisdom of the policy of the Congress which has been replaced by a new Congress, before the new Representatives, coming fresh from the people, can have an opportunity to express their will, taking the responsibility out of their hands, because under the forms of law it is possible to do so, and making an appropriation of $500,000,000 on this account, when the new Congress might not be disposed to make the appropriation anything like so large, or, if they do, then, certainly, as they have a mandate from the people of the United States of the most recent date, they can act with more propriety than can this Congress. This matter may be determined by a number of votes of gentlemen who are not going to be Members of Congress two or three days hence.

Five hundred million dollars! Why should not this Congress wait a few days and allow the new Congress to pass upon this question? The bill will not go into effect until July following, and there will be April, May, and June—three months—in which the new Congress will have an opportunity to pass upon the question.

Mr. President, the junker argument is the argument of brute force. It is the argument that we must be stronger than our neighbor. It was the Prussian argument that they should arm themselves to the highest degree of excellence, and then, without notice, spring upon their unprepared neighbors. That is what Frederick II, the so-called Frederick the Great, did. When he came into power he illustrated the junker argument. The first thing he did was to write a wonderful book, which was anti-Machiavelian, in which he denounced the principles taught by Machiavelli; in which he denounced all underhand statesmanship, all camouflage; in which he proclaimed the Christian doctrines, and urged frankness and openness and gentleness and justice and righteousness in dealing with neighboring nations. Having established that reputation throughout Europe, he then, when he came into power, gave a series of balls, and, while the representatives of foreign nations were entertaining themselves to the strains of music and dancing, he suddenly threw himself, at night, at the head of an armed force of 50,000 men and rushed into Silesia and captured that country from Austria, with whom he had a treaty, and broke faith in that way by a sudden blow without notice. Is that the way to establish peace on earth? That is the policy of the Hohenzollerns; it is the policy of force; the policy of taking by force what you want from other people. I do not want to see the United States follow that evil and injurious and ultimately ruinous policy; and I do not believe it is necessary. I think the world is right now on the threshold of a world-wide perpetual peace, notwithstanding all of the evil prophecies I have heard from those who are talking about building up armaments and laying the foundation of their evil prophecies as the justification for that bad policy.

Mr. President, I had not intended to say anything with regard to these matters. I merely wanted to express my dissent from the idea that we were called upon of necessity to build up a gigantic force, when in point of fact it is our better policy to teach the doctrines of peace.

Mr. REED. Mr. President, all the funeral orations which have been pronounced since the obsequies over Abel have never put life into a corpse, and all the efforts to revive the League of Nations by oratory in the Senate will be equally futile. This is a government of the people. If the people have anything to say in the Government of the United States, then the League of Nations was condemned to death and executed on the second day of last November; and the Democratic Party came very near suffering the same fate at the same time.

From a party which had polled a popular majority of, I think, over a million votes only four years before, which had been in charge of the executive department of the Government during a great and successful war, we ended, or are in a few hours to end, our grip or control of the executive department at the mandate of more than 7,000,000 above a majority of the people.

Gentlemen may expend all of the time and energy they possess in seeking for other causes for this defeat, but he is blind indeed and deaf indeed who does not know that the Democratic ship went on the rocks because its captain was trying to steer us into the false harbor of internationalism.

What other great mistakes did the Democratic Party make? If there were mistakes made in the conduct of the war, they were mistakes made by our military or our naval chieftains, or they were mistakes made by that great body of civilians who came to the aid of the Government in its time of stress, and who came equally from both parties.

What great mistake did the Democratic Party make in handling the financial affairs of the country? There may have been blunders and errors, but for every law that was passed Republicans voted, and in the execution of those laws to a very large extent Republicans participated.

A calm survey of the field, a calm reading of the issues must convince every candid man that the great issue decided by the American people was whether we would abandon the ancient policies of this Government, policies so well laid down by George Washington in his immortal farewell address, or whether we should adhere to those policies. The American people answered in thundering tones. Yet we find men standing on the floor of the Senate to-day repeating upon this floor the speeches they made on the hustings when they were talking about the beauty of dreams and the glory of visions.

We had a eulogy on dreams here a few moments ago. Every time we use the illustration or speak of the futility of dreams, meaning to describe the impractical, we are immediately told that every great thing originated in a dream. I deny the proposition. Since the days of the prophets nothing has ever originated in a dream that has been of any good to anyone. Things originate in ideas, and there are mighty few men who have any lucid intervals when they are sound asleep. An idea is not a dream. It may be something new, but if it is of any value it is a sound thought and not an idle dream, not the vagary of a disordered intellect nor the drivel of a brain that is steeped in slumber.

I have been accused this afternoon of being practical. What is it to be practical? It is to pick one's course of conduct to suit the facts of life and not the dreams of life. It is to make one's ideas and one's plans so that they will work out. If they work out, they are practical. If they will not work out, they are impractical, and there is nothing in the world that is of the slightest value unless it will work out and bring direct results. If we could just get rid of the little oratorical vaporings and begin to talk with something of mathematical certainty, we would not have so much trouble to arrive at correct conclusions.

We hear a great deal of talk about idealism, the idealism of America, the idealism of men. There are two conceptions of idealism. If by idealism is meant that a man is so exalted in his purposes that he disregards his own interests from any selfish standpoint and endeavors to benefit other people without trying to benefit himself, that kind of idealism is admirable in an individual. But if by idealism is meant that a man follows visions and dreams, that he does things that are impractical, that will not work out, then that kind of idealism is closely associated with insanity.

It seems nowadays that if a man undertakes to talk about the facts as they are he is at once condemned as being utterly sordid. Unfortunately, after all the talk that we may have about ideals we must still face the old, cold, hard truths of life. We can not escape them. Although we stood and talked for a thousand years, still the hard facts would come and confront us. Legislation if it be wise recognizes the fact just as that fact exists, and having recognized it, it tries to better that fact if it be possible.

We have had some of these dreams in this country, much to our detriment and greatly to our loss. I heard a Senator deliver an address here the other day in which he denounced every preparation for war, every effort to place our country in the condition of defense. I heard the same Senator make the same speech in practically the same terms less than six months before the European war broke out.

There was then a band of people, calling themselves idealists, who went up and down the country telling us that there would never be any more war, that Christian civilization would not permit it; that the instruments of destruction were so terrible and the advance of Christianity and of humanitarian ideas so pronounced that there would never be any danger of any war. They announced, practically, that the millennium had come. They announced that in the face of some facts which the practical man observed all the time and for which he had regard all the time.

What were those facts? They were that Germany was increasing her armament; and she was not only increasing her armaments but she was doing it for a purpose. Great Britain was increasing her armament, and she was doing it for a purpose. France was increasing her armament, and she was doing it for a purpose. Fundamentally, that purpose was to outstrip the other nations of the world in a policy of imperialism. Coupled with that, of course, was something of fear which each of those nations may have had of the other. But the cold truth of history is that when England embarked upon her career of imperialism under Disraeli, when she started to seize the helpless lands and helpless people of the world, Germany and Italy and France followed her example, and it became a race, not between nations seeking to defend themselves but by nations seeking to exploit the earth. Every man who looked at the facts as they were knew that those conditions were liable at any time to produce a clash, and that clash finally came.

We were told there would be no war, notwithstanding those facts. Every man who said that there might be a war was condemned as a bloodthirsty villain. Accordingly, when the war broke out in Europe, every man who said that we might be dragged into that war and that there ought to be some preparation was denounced. The President of the United States declared that we were too proud to fight—and there was no preparation made. A Senator who spoke here this afternoon said that the President in the spring of 1916 knew we were going into the war. If that is true, then what right did the President have to conduct that campaign upon the slogan "He kept us out of war" and to stand upon the Democratic platform that declared we were going to stay out of the war?

We entered the war; and for what purpose? I have at great length and in previous addresses to the Senate read the record, and shown by the record two things: First, that we declined to enter the war, even when our ships were sunk, after the *Lusitania* had been sunk, after Belgium had been invaded, and when atrocity after atrocity had been committed which horrified the world. We finally entered the war because Germany had declared she proposed to renew her policy of sinking ships with submarines. Even then we did not declare war, but the President waited for an overt act to be committed. He declared, and declared officially, in substance that unless overt acts were committed we would not enter the war. Finally the overt acts were committed—three of our ships being sunk in one day—and we then entered the war. However, we did not even declare war on Germany. We declared that Germany had made war upon us and that a state of war existed.

There was not a word heard about democratizing the world; there was not a word heard about America going over there to settle the difficulties of Europe, and to stay over there to help settle them. We declared that Germany was making war upon us. Such a resolution would not have received in the Senate a single vote if there had been coupled with it a declaration that we were going to stay over there in Europe to help those nations settle their difficulties except the one in which we were concerned. Every man in this Senate who will be honest with himself will have to admit that.

The talk about democratizing the world began long after we entered the war; and, Mr. President, the talk about democratizing the world—and I say it with due respect—was about as senseless a thing as ever fell from human lips. I will tell you why. Who was it was to democratize the world? What were the instrumentalities by which the democratization was to be produced? There was one Republic in the war besides ours; all the rest of them were monarchies. The indefensible thought was put forward that six or seven kings, backed by six or seven aristocracies, were about to take the crowns off the heads of the monarchs of the world, including themselves, and turn the world into a great democracy. Who ever believed that would happen? Not a king lost his crown except by revolt of his own people, and some of those people have been setting up kings since. Some of the countries which we established are monarchies or near monarchies. Everybody that said that would happen was just a practical man, and that was all; he was not an idealist.

Then, we were told, pursuant to this same line of thought, that we would have a great brotherhood of nations assembled; and when those nations were assembled together, by their representatives, they would constitute a body devoted to the service of God and man, without a single selfish thought or a single iniquitous motive. What was the first thing that we observed? We observed that at the close of the war those countries that we had been told were to be the instrumentalities of the democratization of the world and the liberation of small nations seized every foot of territory that was held by helpless people anywhere in the world. England seized more territory, as the result of the World War, than Rome occupied in the produest days of the Caesars; France seized bodies of land many times larger than her own domain; Italy took all that she could get within her grasp; Greece is engaged in a war at this moment for the purpose of expanding her dominions. We set up a new child, our first born; we baptized it from this holy fountain of internationalism and regenerated it with the new philosophy of humanity; we named it Poland; and the first thing it did was to march 300 miles into the territory of an adjoining State and, with fire and sword, begin the work of conquest.

We set up Czechoslovakia and Jugoslavia, and they have been on the border line of war two or three times. One excuse for the French Army to-day was offered that it had to hold Syria. Why, and under what right? By the right of the sword; by the right of conquest.

So, Mr. President, in all the history of this world there is no more complete example of the fact that the nations of the Old

World have engaged in the policy of exploitation and expansion than is afforded by recent events; yet there were men who were charged with being merely practical and hard-hearted creatures who said that you can not take men who are engaged in that kind of spoliation and transform them into saints by having them meet over in Geneva and pass a resolution.

But I have only adverted to a little of this. What of Shantung? What of the plundering of that nation that had been our ally by the joint conspiracy and joint action of three of our other allies? What of the secret conniving and conspiring against China—a nation that we induced to enter the war? Yet we are told that the representatives of these nations, appearing in the league with their swords still dripping, would be the proper vicegerents of Christ on earth to establish His millennium among men!

But that is not all, sir. This league was formed for the purpose of crystallizing the fetters upon conquered people; of driving the nails into the coffin of the hopes of conquered masses upon penalty of being set upon, not by one nation but by the united powers of all the earth.

Mr. President, they have assembled themselves in their league, and it is discovered by practical men, which is only another way of saying sensible men, that when they sit around that table they are sitting each for the purpose of perpetuating its own power and its own greatness and of more firmly establishing itself and its possessions, whether taken justly or unjustly.

But, Mr. President, one of the things that the idealists expected was that this league would when organized reduce armaments. Let us not take our answer out of the clouds; let us take it out of the facts of earth. The fact is that when the peace council was assembled, even while the infant league was still awaiting its advent into the cradle, Great Britain declared that she would not surrender her sovereignty of the sea. Every responsible British statesman is on record to that effect; and if the British refused to surrender their dominance upon the sea, every nation of the earth knew that that meant they must stand to their defense, for they have sense enough to know that a nation so Roman in its spirit, so Roman in its traditions, so Roman in its policies that with but 38,000,000 people it could extend its dominions over 425,000,000 protesting human beings; that, with a little island home, it could extend its flag over one-third of God's habitable creation—that a nation of that kind did not keep a navy as a plaything. If they had any cause to doubt it, they had but to turn the pages of history and read the story, every page of which is written in blood and every line of which was penned with the sword; yes, and, as has been suggested by a Senator, every dollar of which was paid for by the conquered countries.

France, as has been stated here on the floor, absolutely declined to reduce her army, even though Germany had been disarmed and had been limited to 100,000 men for a constabulary. I do not criticize France for this; I am just telling these dreamers that they need not any longer wonder whether their dreams come true. Dreams of that kind do not come true. When you dream that there is going to be no more sun in the skies, that there are going to be no more stars at night, your dream does not come true; it is only when you dream of facts that your dream is ever realized.

Mr. President, if this League of Nations thing is what these gentlemen over here have been professing, even this afternoon while they stood tearfully beside its grave, why is it that it has not taken action to bring about disarmament? They proudly boast that they have in it now 46 nations, I believe, including Liberia. They tell us that they are so great and so powerful and so potential that we will ultimately be forced to join. If that is true, if they are so great an association as is claimed, why have they not acted, why have they not proclaimed disarmament?

Mr. President, let us look at it calmly. Let us try to use our common sense just a little bit. Let us assume that these 46 nations are assembled in good faith, that they propose in good faith to carry out a policy of disarmament, that they propose in good faith to unite their powers for the purpose of protecting each other in accordance with the written terms of the contract they have signed. Now, why do they not do it?

Germany is disarmed. Russia for the present is impotent. What is the menace, then, that keeps them from doing it? Is there any man born of woman who dares say it is the United States; that they believe that the United States of America has in its heart the remotest thought of making war upon any nation? The man who tells that story to himself is guilty of telling a falsehood to his own soul. He knows it is not true. There is not a man with common sense in the world who does not know that it is not true.

Do you think England is keeping her navy because she thinks we are going to attack her? Do you think France is keeping her army because she thinks we are going to attack her? Do you think Japan is keeping her navy because she thinks we are going 6,000 miles from our shores to pick a quarrel with her? They know that the sole purpose of the United States, declared by the vote of the people in the last election, is to stay home and attend to her own business and let all the rest of the world go home, and they have all certified, as the Senator from Connecticut suggests, time and again that we are the only nation they trust. They, therefore, are not keeping this armament because of anything that the United States is doing in the way of keeping out of the league. They have all of Europe and all of Asia and all of Africa for their field of operations. We have already told them to keep out of this continent, and we are going to make them keep out, too.

Why, then, do they not produce this peace? Why, then, do they not produce this concert of mind and heart? Why do they not agree among themselves to disarm? The answer is that there is not one of them that trusts the other, and there is not one of them that trusts the League of Nations, for the aggregate of 46 distrusts will not produce a confidence.

What is it that they want us in for? Why, they want us in for the same reason that they want us to cancel our debts to them. They want us to bear the expense. They want us in to guarantee that whenever they get a majority in the league that wants to do something the tremendous force of the United States will be there to help accomplish it. Now, what will that something be? Primarily, it will be that we will spend our blood and treasure to enable them to keep the greatest amount of loot that was ever gathered in a century of time since the world was created.

Mr. President, let me follow a dream a little bit. For some hours I listened to a sermon here this afternoon that sounded almost as good to me as though I had heard it delivered by a professional preacher in a great temple devoted to the service of idealism. The orator said, "Is the world never to be better? Are we not some time to reach a condition where we will no longer slaughter each other?"

Yes; maybe we will reach that condition some time, but what about the meantime? Maybe some day the golden glow will sweep over the night of ignorance and of selfishness; maybe some day the figure of the cross will be envisioned upon the skies; maybe some day the lion and the lamb will lie down together, and we will listen to the music of the anvil and the hammer beating swords into plowshares and spears into pruning hooks; but what about the interval of time? That is what is bothering me.

They tell us that our race is the best type of Christian civilization. Very well; I want to preserve that civilization until Christ does come to earth, and I do not want any individual to assume that he can transform himself into a second Christ by talking about idealism. Every once in a while, you know, there is a gentleman who imagines that he is Napoleon, or Cæsar, or Hannibal, or Mahomet, or the Saviour. The trouble is, they are idealists; they are not practical men. Suppose we sit down here and say to ourselves, "Some day, somewhere, in some remote century of time, people are going to be so good that they will not kill us, and therefore we will throw away our weapons and give them several thousand years in which to butcher us"; and suppose that in the meantime this race of men to which we belong, and which is all that represents real civilization in the world, is destroyed. There will not be anybody to recognize the millennium when it does come. There will not be anybody with enough idealism to know what it is when he sees it.

If it be true that we are the custodians of civilization, then it is our duty to preserve that civilization. If it be true that America saved civilization less than three years ago with the help of France and England, or that they saved it with our help—I make no quarrel about the way you state it—how did they save it? They saved it with guns in their hands. They saved it with bayonets fixed. They saved it with mighty fleets that plowed the ocean. They saved it with metal, and they saved it with men who knew how to die, and perhaps they knew how to pray, too; but they fought as they prayed. So you have the problem now on the one hand of waiting for the millennium and taking a chance on being butchered in the meantime and your civilization destroyed, and on the other hand you have the problem of preserving that civilization.

Mr. President, I think we have the best civilization and the best Government over here. Anyway, it suits me better than anybody else's Government. I have not joined that merry crew of modern tories who can stand on the floor of the Senate and

say that Great Britain has a better Government than the United States. She has not anything better than the United States except a navy, and that is better only because it is bigger, and I am not in favor of allowing her to retain that advantage any longer; but she is a great people. Next to ours, perhaps, except France, she has as good a Government as there is. We are not expecting war with England; we are not expecting war with anybody; but what is the part of wisdom? Is it not to be in shape so that other nations will not trespass on our rights and force us into war? And that brings me back to a thought that I had partially expressed earlier in my talk.

We started out by telling the people of the world that we were too proud to fight, and they took us at our word. We had but a small Navy; we had but a small Army; but, worse than that, the nations of the world that had real military experts understood that we had scarcely a factory that could turn out the instrumentalities of modern warfare unless we transformed that factory, and that took time; and so the Germans said, "We can clean up France and England," to use a slang phrase; "we can conquer them before America gets in; and, anyway, she is too proud to fight, and she will not come in."

It was the great mistake that Germany made. She found out that while we could talk peace with our mouths we could fight with our arms. She found out that the real heart of this people still pumped the good red blood of the Revolution. She found out that we could get ready quicker than she thought we could. She had miscalculated.

Senators, I will take my share of responsibility for not having advocated, in the past, a stronger Navy. If we had had a Navy as great as that of the British Empire, do you believe that Great Britain ever would have seized one of our ships in this war? Do you believe that Germany ever would have sunk an American ship? I have no more doubt in my mind that Germany would have carefully abstained from interfering with our commerce or firing upon our flag if we had had a strong Navy than I have of my existence.

But we did not have it, and she thought she could advantage herself by sinking vessels indiscriminately and we could not get into the war in time, and she would conquer France and England and Italy, and then she would have a separate question to settle with us.

Let us apply it now just as sensible men. Suppose a British ship were to commit some outrage upon our commerce to-morrow, or something we thought was an outrage. Suppose the vessel of some little South American country or North American country, let us say Mexico, were to commit a similar act against our commerce. Which of the two would we be most likely to send an ultimatum to? Every man who will be honest with himself on this question knows that we would be very careful, in dealing with Great Britain, to know that we were standing upon the absolute facts. We would be very diplomatic in our dealings with her. We would exhaust every resource of diplomacy before we would resort to force. You also know that in the case of Mexico if you did not have a strong President who stood up and demanded that we should not treat her differently from the way in which we would treat a great nation, if the outrage had been one which appealed to the imagination of our people, we would be at war with her in a very short time, or we would compel her to come to humiliating terms, at least to instant reparation.

What is true of these nations is true of us. Let us see about Japan. Let us see about the treatment we are receiving from this blessed League of Nations. The President reserved the island of Yap—at least he thought he had, and that it was to be internationalized. Everybody smiles at the name. It is not an important island, except as a station for wireless and cable work, telegraphic communication, but it is very important for that.

But Japan says she holds it under the mandate of the League of Nations, a mandate of this organization of a few men who meet over there once in a while; that they have told her to hold it. So she will disregard our rights in the Pacific Ocean, and she proposes to hold it. Do you know that I have this idea, that she would not say that to Great Britain, and the reason she would not say it to Great Britain is that British guns are too numerous and too long and the British fleet sweeps too many seas.

Suppose Japan persists in that? I am not going to say or intimate that it will produce war, but it will produce an ugly feeling, and there are conditions which might arise out of it which might be very serious. Let me just dismiss that line of argument. It is rather too delicate to pursue; but let Senators think about it.

Mr. President, advocates of the League of Nations and the good intentions of the League of Nations do not seem to have very much confidence in their child. There it is over there, with 46 nations, all anxious to keep the peace. If so, what have we to fear?

The truth about the matter is that you know it has already proven itself a disappointment. It has been said here that Japan is not building a navy. Mr. President, a partial quotation from some article the Senator gave is the first statement I ever heard to that effect. Upon the contrary, the papers and periodicals have borne telegram after telegram showing the great effort Japan is making to increase her navy. We are told with a singular sort of amusing phraseology, first, that England has stopped building capital battleships, therefore that she is leading us in the march of peace; but before the sentence was concluded it slipped out of the Senator's mouth that the reason she has quit, if she has quit, is that she has gone into conquering the air.

The fact is, and we all know it, and it is the only argument I have ever heard which seems to me to be worth anything against carrying out this naval program—the fact is that some great military experts claim that modern battle fleets will be helpless if they are attacked from the air by modern air fighters, and further say that Great Britain is so much convinced of that that she has actually stopped building some of her fleets, but when she stopped building the fleets to sail the surface of the seas she began building other and greater fleets to sail the air.

What does that prove? Does it prove the good intention of Great Britain to disarm, or does it prove her desire to create still more superior arms?

Yet that is the kind of argument we are treated to on the floor of the Senate hour after hour and day after day.

Mr. President, one could stand here and talk a long time in reply to these statements. I think I have said about all I want to say. My own notion is that we laid down a naval program in 1916 which ought to be completed, no matter what else is done. We have passed a resolution by a unanimous vote of the Senate asking the only two great naval powers there are outside the United States to meet with us and to agree upon a limitation of sea armament.

If we put that limitation on to-morrow, nobody will conceive the idea that they are ready, in the present state of the world, to reduce the British Navy and take her battleships off the ocean, or that Japan is going to sink her navy and we are going to sink ours. What may be accomplished, if it is gone at in a sensible way, is to secure an agreement that, present programs being carried out, there will be no more vessels built for a period of time. Then by future negotiations we may be able to do something regulating the future. But, sirs, even such a program as that ought to embrace the right of the United States to a better position upon the seas relatively than she has to-day.

Now, let me tell you why I say that. I do not believe, even after the lesson of this Great War, that we conceive fully the importance of the command of the seas. If we had a disagreement with France and with England and with other nations, nevertheless it is nothing but an agreement, and treaties have been broken ever since they have been written, and no nation is wise which relies alone upon treaty arrangements.

England to-day has command of the oceans, and let me just give you this one thought—not new perhaps to any of you, but it hapepns to fit in what I am saying just now. The command of the oceans was always important, but the command of the oceans to-day means the command practically of the world. Wars of a hundred years ago were fought by armies that marched over land; on horseback or on foot they traveled. They had to either live off the country or they had to haul their provisions behind them in immense wagon trains, slowly and laboriously, over muddy roads. The result was that armies were limited in their size.

The armies of Napoleon would have been insignificant in the late war. Their field of operations was limited. The length of the war was limited. Their devastation was similarly limited.

Now, Mr. President, railroads have annihilated distance upon the land; the most remote interiors are brought into immediate touch with the ocean's shore. The steam vessel has taken the place of the sail ship, and accordingly the country that commands the ocean commands the resources of the entire world, and can bring them all to bear at the point of mobilization. Men were making articles 1,000 miles south of the Equator and 2,000 miles north of the Equator, which in a few days, a few weeks at the outside, reached the line of contact between the French and English and the German forces in France.

The busy fingers of millions of women, thousands of miles away from the field of war, were knitting, making clothing here

because they loved some of the combatants or because they were paid for their labor. Of course, those in our country and in the countries actually at war did not do it for pay. Mills, factories, a million wheels were buzzing all over the world and a united industry and power, the creative strength of the world, was mobilized; and it was in the control of the nation that controlled the seas. If Germany could have kept the seas, Germany would have won the war. If Germany could have kept a fleet upon the seas so strong that England could not overcome it, even though it could not overcome the British fleet, we never would have been able, probably, to have landed a single squadron of soldiers in France. Every man knows how helpless is a fleet of transports, with no weapons, laden with its thousands of boys. If one single man of war comes within gunshot, all go to the bottom. So if Germany could have kept a few vessels upon the ocean, England never would have been able to have mobilized her troops from Australia and Canada, New Zealand and India. Her food and her men alike would have been gone, and we would not have been able to go to her assistance effectively.

Mr. President, that is an alarming situation. We need not in any way reflect upon Great Britain. We must treat her, however, as a great rival, a friendly rival to-day in the world. May she always be friendly. I am unwilling that my country shall be in a position so that her ports can be blockaded, her commerce destroyed, and all the energies and all the resources of the world brought to bear upon us. Especially am I of that view when I contemplate the fact that just north of us there is an immense domain under the flag of Great Britain, with 9,000,000 loyal British upon the soil of that vast domain, with islands that fringe the Atlantic and constitute a screen beyond our shores, nearly all of them under the British flag; that within 50 miles of Miami, Fla., England owns the land; that this double fringe of islands practically closes the Gulf of Mexico and commands the canal; that upon our Pacific coast we are equally open to attack; that our neighbor to the south is none too friendly, and is too helpless to protect her own domain if she should be attacked.

This is not jingoism. A jingo is a man who proposes to stir up his people to war and to war against others. This, sir, is an attempt to preserve the integrity and independence of the United States and to keep her at peace by certifying to all the world that we are prepared to defend ourselves.

Mr. President, that is all I desire to say upon this question. I think it is time to get down and face the cold facts of existence. If the resolution which was drawn by the Senator from Idaho [Mr. BORAH], which was introduced by him, and I believe, finally, for some reason, was introduced in substantially the same form by another Senator, will bring Great Britain and Japan to a condition where they are willing to limit armament, then well and good. I voted for the resolution; I supported it; but in the meantime I am not willing to stop for one single day pending the negotiations. The harder we work now and the faster we build now, the quicker we will have a resolution of that kind brought to fruition and the better terms we will get.

We have had a great deal of talk about saving money. I will tell the Senate how we can save several million dollars a year. Let us abolish the Federal Trade Commission. We created it one day, and they said it would only cost us about $25,000 a year. It costs $900,000 a year now, and I think it is doing $9,000,000 a year damage. Let us get rid of some of these useless bureaus.

There is another thing. We have a large debt abroad. I am going to stop to mention that. I think that debt is much more likely to be paid if they understand that the sheriff has a gun in his pocket than if one goes out with his hat in his hand asking to have it paid. I am not suggesting war to get it. I do not mean that. I think the time has come to deal with all these questions as practical men, to recognize facts exactly as they are, to get our heads out of the clouds and our eyes upon the earth where we live, and let us try to make them see that our country is secure, and if our country is secure civilization will be secure. If our country is ever unfortunately destroyed, then, in truth, will the flag of civilization have been furled.

I started to sit down, but I thought of something else I wanted to say, and I will say it while I am here. Our country has reached a point economically where it must manufacture vast quantities of goods and create vast quantities of provisions and supplies to sell all around the world. Fifty-one per cent of our people now live in cities.

The markets of the world are the only answer to continued prosperity. We have expended hundreds of millions of dollars in building ships to trade with the world. If we are to trade with the world and do it through the merchant fleet that we own, there must necessarily be a policing of that business. We can not send our commerce into every country and land and send it there with safety unless the nations of the world understand that we are prepared to protect our rights. When they understand that, they will not interfere with us. If they understand the contrary they will.

Let us take a lesson out of the story of China. She has been following idealism. So far as I know it has been nearly a thousand years since China ever undertook a war that could be called a war of conquest.

She has taught the doctrine that men ought not to fight even in defense of their own homes; that war is brutality. She has taught it so successfully that her civilization has gone backward; that her lands are being divided up, and that the most virtuous nations in the world, even Great Britain and France, join with the ancient enemy of China to divide her asunder. That demonstrates how much confidence can be put in an agreement.

China had an agreement. She not only had an agreement, but she was then sending her sons to die on the fields of France, as we were sending ours, except she did not send them as soldiers, but sent the poor fellows with spades and picks in their hands to die without a chance to fight back. Having made that sacrifice, and even while she was making it, while Chinamen were breathing poison gas into their lungs, while their veins were being drained through the wounds made by the bullets of Germans, England and France sat down with Japan and robbed China. Then, Senators talk about relying upon agreements! Would they have done that to China if she had had an army? Would they have done it to China if she had had a fleet sailing the oceans and back of big guns yellow men who knew how to shoot? Some kinds of idealism approach idiocy.

Mr. President, I should not have taken this much time of the Senate at this hour, but I understand that it is a fact that the naval bill has no chance to go through at this session, and I might just as well talk as anybody else. I felt like saying these things. We have had this old corpse of the League of Nations dragged around the Senate Chamber for the last 30 days by a number of gentlemen who acted as pallbearers at its funeral and who ought to know that it is dead. I am getting tired of ghost dances. Let me tell the Democrats on this side, I challenge your motives not at all. I think you were suffering from shell shock; that is all; but in the name of common sense why do we want to cling to an issue that brought us to this frightful defeat? Why not accept it? Why not say the question was submitted to the people in a great and solemn referendum, and the people decided it and we are going to accept the decision and quit talking about it? Do you want to tie that corpse on your back and enter another race? If so, then let me tell you what will happen. You will lose every State in the South as well as every State in the North. I said on this floor that the solid South would be broken in the last election, and it was. I am not a prophet, but I am not an idealist. I might get low enough to run a bunko game, but I never would play it on myself; at least, I would not do so a second time.

I hope we are as wise at least as the old farmer who had just returned from the great city of New York. His friends, observing a package under his arm, securely wrapped up in paper, said to him, "Uncle Dan, where have you been?" He replied, "I have been to New York." They said, "Well, we hope you did not buy another gold brick?" He answered, "Well, yes; I did; but I told the fellow I bought it from that if it did not turn out better than the one I bought from him before I would not patronize him any more." [Laughter.]

Mr. President, I hope that we are through with that issue. I thank the Senate.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WADSWORTH submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 104, and 105.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and

agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the following: "$77,839,300"; and the Senate agree to the same.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
DUNCAN U. FLETCHER,
KENNETH MCKELLAR,
Managers on the part of the Senate.

D. R. ANTHONY, Jr.,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

Mr. WADSWORTH. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER (Mr. SMOOT in the chair). The question is on agreeing to the conference report.

Mr. OVERMAN. Mr. President, I should like to inquire what change, if any, was made in the amendment in regard to the distribution of automobiles and the trucks among the States for road building?

Mr. WADSWORTH. The conferees finally came to an agreement upon that item by which the Secretary of War is directed to sell or to dispose of by transfer to the Department of Agriculture, under the terms of existing law, an aggregate of 10,000 trucks now owned by the War Department, with the provision in effect that half of them shall be sold and half of them shall be transferred to the States through the Department of Agriculture.

Mr. OVERMAN. The distribution is to be on the 50-50 plan?

Mr. WADSWORTH. It is to be on the 50-50 plan.

Mr. OVERMAN. That is the best that could be done, I presume.

The War Department claims they need 50 per cent of them?

Mr. WADSWORTH. The War Department did not make that claim, but the House conferees insisted that at least 50 per cent of them should be sold and the money turned back into the Treasury. That is the best compromise we could make upon the matter.

Mr. FLETCHER. I will say to the Senator that the conferees on the part of the House insisted upon selling them all, but we were able to secure the compromise now provided in the bill, under which half of them are to be sold, and the other half to be transferred to the Agricultural Department.

Mr. GRONNA. Mr. President——

Mr. WADSWORTH. I yield to the Senator from North Dakota.

Mr. GRONNA. I desire to ask the Senator from New York a question merely for information. Some days ago when this question was before the Senate, I think it was stated that there were some six or seven thousand trucks. The Senator from New York, as I understand, now states that there are 10,000 trucks to be disposed of. Is that correct?

Mr. WADSWORTH. I think the Senator from North Dakota has in mind tractors. The item under discussion relates to motor trucks.

Mr. GRONNA. Very well.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. WADSWORTH. I yield.

Mr. JONES of Washington. Will the Senator state the size of the Army that will be provided for under the proposed law?

Mr. WADSWORTH. Yes, Mr. President. The appropriation as now carried in the Army appropriation bill, in accordance with the conference report if agreed to, applicable to the pay of the enlisted men of the line and staff, which is the controlling item as to the size of the enlisted personnel, is $77,839,300. That will pay for one year an Army of 165,000 men, including the Philippine Scouts and the flying cadets. I move the adoption of the report.

Mr. UNDERWOOD. Mr. President, may I ask the Senator a question?

Mr. WADSWORTH. Yes.

Mr. UNDERWOOD. Has the House passed on the conference report?

Mr. WADSWORTH. The House has not.

Mr. UNDERWOOD. But it is a final report?

Mr. WADSWORTH. It is a final report, being a complete agreement.

Mr. OVERMAN. I understand this is the best that could be done concerning the amendment to which I have referred, because the House insisted on selling the trucks and this was a compromise on the 50-50 plan?

Mr. WADSWORTH. The Senate conferees, I pledge the Senator from North Carolina, did their best to stand by the Senate's position, but we did not feel justified in killing the bill upon a question of that kind.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CARE OF SICK AND DISABLED SOLDIERS.

Mr. ASHURST. Mr. President, the opposition to the naval appropriation bill and, of course, the proper effort, in my opinion, on the part of the Senator in charge of that bill and of the Senate to pass it puts into grave peril two amendments to the sundry civil appropriation bill that should at this time have some consideration.

There is not a Senator on this floor who is more anxious to pass the naval appropriation bill than am I, and I do not for that reason purpose consuming valuable time at this juncture, but I want to remind Senators that amendments numbered 21 and 22 in the sundry civil appropriation bill are vital, I will say, to the honor of this Republic and to the well-being of its ex-soldiers; they are amendments that run to the very good faith of this Government, designed as they are to provide hospital facilities for the care and treatment of sick and disabled soldiers.

Now, I wish to inquire, respectfully, of course, where is the sundry civil appropriation bill, and is it going to pass or fail?

I am sure no one Senator here more than any other is interested in the hospital amendments in the bill, and if the sundry civil appropriation bill is to fail I know that each Senator here hopes and desires to have an opportunity to pass some other bill in which the hospital provisions of the sundry civil bill may be incorporated, so that money may be appropriated to enlarge the capacity of existing hospitals and erect such new hospitals as the Treasury Department and the Surgeon General may see fit. It seems to me that we ought not to permit the time to flow on without having some understanding as to what is to be the fate of the hospital amendments in the sundry civil appropriation bill.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. ASHURST. I do.

Mr. WARREN. I was not in the Chamber when the Senator opened his remarks, but I will say that the sundry civil bill is still in limbo. The papers are in possession of the conferees on the part of the House, and they have taken them to the other side while we await action.

As to the items for the aid of the disabled ex-soldiers in connection with War Risk Insurance Bureau, vocational education, and hospital care, the sundry civil bill carries items amounting in all to $267,600,400, $18,600,000 of this amount is in one section of the bill to be immediately available and remain available until expended.

Mr. ASHURST. They are embraced in amendments numbered 21 and 22.

Mr. WARREN. I do not recall at the moment the exact numbers of the amendments, but they are in a section of the bill together, and the conferees of the House and the Senate have arrived at an agreement, so far as those particular items are concerned. They have broadened the scope somewhat as to the uses to which the appropriation may be applied, so as to secure immediate action. I believe the provision has been bettered, because in the first amendment it was rather necessary, as we used material which came over from the House from another committee which authorized certain action to be taken, but did not appropriate funds for it.

There is a perfect agreement upon that item, and I believe that before we adjourn there will be a perfect agreement in the House and Senate, and the hospitals will be provided for.

I will say to the Senator from Arizona that he is no more anxious about the matter; in fact, I think he can hardly possibly be as anxious as I am concerning it.

Mr. ASHURST. If I may interrupt the Senator, let me say that I premised my remarks by asserting that we are all—I said one Senator no more than another—equally anxious about those amendments. Do I understand the Senator, who is chairman of the committee, to say that there may be an agreement?

Mr. WARREN. Not on the sundry civil bill as a whole perhaps.

Mr. ASHURST. Then, if the conferees are not to agree upon the sundry civil bill, of course, amendments numbered 21 and 22 will perish, because they are part and parcel of the bill, and

we are not, under our rules, of course, permitted to carve out one or two of the amendments and agree to them and have them become a law if the bill is to fail. Does it not, therefore, seem to be the part of wisdom that a separate bill should be introduced embodying these two amendments as the conferees have agreed on them, and that such a bill should be passed? Should not some measure be taken now before this day expires so that it will be impossible for any Senator, if through some odd mischance he should attempt to do so, to kill the hospital bill? Would it not be the part of prudence now to take measures so that beyond the shadow of a doubt the hospital provisions on which the conferees have agreed may in some way become a law?

Mr. WARREN. That is the intention of the Committee on Appropriations.

Mr. ASHURST. I have absolute faith in the statement of the chairman of the committee, and if he assures me that the committee intends to and will take care of the hospital items, I am content.

Mr. WARREN. They intend to provide for at least that amount of money and to make it immediately available, and that it shall remain available until expended.

Mr. ASHURST. That relieves me immensely, Mr. President. Now, the learned Senator says the conferees intend to do it. Will he not give us, because he has it in his power, the assurance that they will do it? The Senator can do that.

Mr. WARREN. Mr. President, will the Senator allow me to finish my statement?

Mr. ASHURST. Certainly.

Mr. WARREN. What is troubling me most and what I want to endeavor to get is not only the $18,600,000, but I want to get the whole $267,000,000 for this purpose agreed to and have it provided by the present Congress, if possible.

Mr. ASHURST. And I honor the Senator for his attempt to do so. I am not casting any strictures upon him; but if the sundry civil bill is to fail it will be impossible to secure the enactment of the provisions embraced in the amendments referred to, whereas I believe there would not be a dissenting voice on a roll call; in fact, I believe we could have a unanimous vote on amendments numbered 21 and 22, as modified by the conferees.

Mr. WARREN. I shall call on the Senator later to assist me in coming to some understanding as to this entire problem, embracing the whole sundry civil bill, and particularly the amendments that he has mentioned.

Mr. POINDEXTER. Mr. President——

Mr. ASHURST. I yield to the Senator from Washington.

Mr. POINDEXTER. I was just going to say to the Senator from Arizona that I do not think there will be very much prospect of carrying out the program that he outlines. We are just as capable here of using as much time when the Senator undertakes to bring that matter up as he is of using time when we are trying to pass the naval appropriation bill, and we will be very much disposed to do so.

Mr. UNDERWOOD. Mr. President, as the question of the sundry civil bill has come up, I want to say just one word. I do not believe in foreshadowing coming events and I am not going to take up the time of the Senate to-night.

Mr. ASHURST. Mr. President, I yielded to the Senator from Washington. Will the Senator pardon me?

The PRESIDING OFFICER. The Chair understood that the Senator from Arizona had yielded the floor.

Mr. ASHURST. I did not understand what the Senator from Washington stated in regard to the hospital amendments. I did not catch the full force of his statement. Will the Senator from Washington advise me as to what he said?

Mr. POINDEXTER. I understood that the Senator was talking about this matter in disagreement in the sundry civil bill, the matter of the establishment of a nitrate plant at Muscle Shoals Rapids.

Mr. ASHURST. I am talking about the matter of hospitalization.

Mr. POINDEXTER. Is that in the sundry civil bill?

Mr. ASHURST. That is in the sundry civil bill.

Mr. POINDEXTER. Is there not a disagreement between the two Houses on the Muscle Shoals nitrate plant?

Mr. ASHURST. I do not know anything about that. That is what I was trying to inquire.

Mr. POINDEXTER. It is in the same bill.

Mr. ASHURST. It is. All I wish to be assured of—and I think we all agree to that—is that whether the sundry civil bill is imperiled or not we ought to pass the hospitalization item; and I want the Senator from Washington to know that I am as earnestly in favor of the naval appropriation bill as he is, and want to help him in my weak way if I can; and I hope he will not consider that because I rose to take a few minutes of time in asking about the hospitalization item I am any the less interested in the naval appropriation bill. I am profoundly interested in it.

Mr. POINDEXTER. I appreciate that. I understand the Senator's attitude. I was speaking altogether about the disagreement on the sundry civil bill.

Mr. ASHURST. Now I yield the floor.

Mr. UNDERWOOD. Mr. President, I did not intend to bring up this matter at this late hour, and I would let it go without discussion now except for the fact that some reference has been made to the sundry civil bill and seeming to couple its failure with some action on this side of the Congress.

The action of the Senate has been uniformly proper. The Senate conferees have acted only within their rights. The action on the other side of the Capitol can not be justified in any legislative body. I do not intend to foreshadow this discussion until to-morrow, when we will know what has happened, and then the responsibility will lie at the door of the men who carry the responsibility. For any man or set of men, because they want by strong-arm methods to defeat one item, to destroy an appropriation bill that carries $267,000,000 for the wounded and disabled soldiers of this country is to commit a crime against the Nation and the American people.

This question will be understood; but I do not propose to raise the issue. I did not bring it here now. There are yet hours in which this mistake may be remedied. When the time comes, the country shall know where the responsibility rests.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed with an amendment the bill (S. 4332) to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

The message also announced that the House had passed the following bills and joint resolution:

S. 4664. An act to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920;

S. 4864. An act to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914;

S. 4893. An act to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union; and

S. J. Res. 251. Joint resolution to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 346) extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation in the States of North and South Dakota.

The message also announced that the Speaker of the House had appointed Mr. STEDMAN as a member of the Joint Committee on Inaugural Ceremonies, on the part of the House, in place of Mr. RUCKER, resigned.

ENROLLED BILL.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

DEATH OF REPRESENTATIVE CHAMP CLARK.

The message also communicated to the Senate the intelligence of the death of Hon. CHAMP CLARK, late a Representative from the State of Missouri, and transmitted the resolutions of the House thereon, including an invitation to the Vice President, the Vice President elect, the Members of the Senate, and the Members of the Senate elect to attend the funeral of the deceased Representative in the Hall of the House of Representatives, to be held on Saturday, March 5, 1921, at 10 o'clock and 30 minutes a. m.

Mr. REED. Mr. President, I have a very painful duty to perform.

For nearly a half century the public has had the services of one of the most remarkable men who have rendered the scroll of American statesmanship illustrious. At the age of 22 his talent was so recognized that he was made president of one of the important colleges of the country. By his own exertions he fought his way to the front and became distinguished at the bar of his State. He served with rare distinction and merit in the

legislative bodies of his State. He came to the American Congress, where his great abilities and sterling patriotism won for him the respect of the House of Representatives, and for at least 25 years he has been a great national figure and national leader.

He was engaged in all the fierce struggles of these years, yet as he sleeps to-night there is not an enemy in all the world for CHAMP CLARK.

His integrity was never challenged, his manhood never attacked, his courage never questioned. As rugged as the granite hills of his native State, as tender as the blossoms that glorify the fields of his adopted State, as strong as the oak, and as sweet as the babe he lived, and, like a good soldier, without fear, without drawing back, he wrapped the mantle of his manhood about him and laid him down to the embraces of that final repose which all must some time enter into.

So it is my very painful duty to announce to the Senate that at 2 o'clock and 10 minutes to-day CHAMP CLARK, former Speaker of the House of Representatives, died.

Mr. President, I ask the Chair to lay before the Senate the resolutions of the House of Representatives.

The PRESIDING OFFICER. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Assistant Secretary read the resolutions, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. CHAMP CLARK, a Representative from the State of Missouri.

Resolved, That a committee of the House be appointed to take order for superintending the funeral of Mr. CLARK in the Hall of the House of Representatives at 10 o'clock and 30 minutes antemeridian, on Saturday, March 5, instant, and that the Members of the present House and of the House elect attend the same.

Resolved, That, as a further mark of respect, the remains of Mr. CLARK be removed from Washington to Bowling Green, Mo., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House communicate these proceedings to the Senate and invite the Vice President, the Vice President elect, the Members of the Senate, and the Members of the Senate elect to attend the funeral in the Hall of the House of Representatives; and that the Senate be invited to appoint a committee to act with the committee of the House.

Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the President elect, and the members designate of his Cabinet, the Chief Justice and the Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Naval Operations, and the General of the Army to attend the funeral in the Hall of the House of Representatives.

Mr. REED. Mr. President, I offer the resolutions, which I send to the desk.

The PRESIDING OFFICER. The resolutions will be read.

The resolutions (S. Res. 472) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHAMP CLARK, late a Representative from the State of Missouri.

Resolved, That a committee of 14 Senators be appointed by the Presiding officer, to join the committee appointed by the House of Representatives, to take order for the superintending of the funeral of the deceased.

Resolved, That the Senate accepts the invitation of the House of Representatives extended to the Vice President, the Vice President elect, the Senate and the Members of the Senate elect, to attend the funeral of the deceased, to be held in the Hall of the House of Representatives at 10.30 o'clock a. m., on Saturday next, March 5, instant.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The PRESIDING OFFICER. The Chair appoints as the committee on the part of the Senate to take order in superintending the funeral of Hon. CHAMP CLARK, late a Representative from the State of Missouri, Senators REED, SPENCER, ROBINSON, SUTHERLAND, SHIELDS, KENYON, OWEN, LENROOT, RANSDELL, FERNALD, ASHURST, HARRISON, BECKHAM, and MCKELLAR.

Mr. REED. As a further mark of respect, I move that the Senate now take a recess until 11 o'clock to-morrow.

The motion was unanimously agreed to; and (at 11 o'clock and 45 minutes p. m.) the Senate took a recess until to-morrow, Thursday, March 3, 1921, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 2 (legislative day of February 24), 1921.

APPOINTMENTS IN THE REGULAR ARMY.

FIELD ARTILLERY.

To be lieutenant colonel.

Daniel Whildin Hand.

INFANTRY.

To be lieutenant colonel.

Orval P. Townshend.

To be major.

William Montrose Inglis.

To be captain.

John Halpin Burns.

To be first lieutenants.

Luis Felipe Cianchini.
Victor Emanuel Domenech.

To be second lieutenants.

Timothy Sapia Bosch.
Juan Luis Oliver.
Eduardo Andino.

QUARTERMASTER CORPS.

To be second lieutenant.

Corwin Lynn Rogers.

REAPPOINTMENTS IN THE REGULAR ARMY.

BUREAU OF INSULAR AFFAIRS.

To be Chief of the Bureau of Insular Affairs.

Maj. Gen. Frank McIntyre.

FIELD ARTILLERY.

To be first lieutenant.

Robert Benjamin Hood.

INFANTRY.

To be first lieutenants.

Fernand George Dumont.
Herbert Benjamin Wilcox.
Prince Edgerton Tripp.

CAVALRY.

To be first lieutenant.

Raymond Thomas Connell.

COAST ARTILLERY CORPS.

To be major.

Jacob Arthur Mack.

QUARTERMASTER CORPS.

To be captain.

Charles August Bader.

To be first lieutenant.

Earl Raymond Adlington.

MEDICAL CORPS.

To be captains.

James Walter Bunce.
Fletcher Olin McFarland.

SIGNAL CORPS.

To be lieutenant colonel.

Consuelo Andrew Seoane.

PROMOTIONS IN THE REGULAR ARMY.

To be colonels.

William Allen Phillips.
Ervin Louis Phillips.
Samuel Dickerson Rockenbach.
Robert Cutts Williams.
Walter Cowen Short.
George Columbus Barnhardt.
James Haynes Reeves.
Kirby Walker.
Claude Bernard Sweezey.
Sterling Price Adams.
Julian Robert Lindsey.
Julius Theodore Conrad.
Howard Russell Hickok.
Marcus Butler Stokes.
Samuel McPherson Rutherford.
John Henry Parker.
John Edwin Woodward.
George McDougall Weeks.
Isaac Erwin.
Samuel Vinton Ham.
Robert Walter Mearns.
Henry Lee Kinnison.
Guy George Palmer.
Orrin Rawson Wolfe.
Joseph Edward Cusack.
Meriwether Lewis Walker.
Robert Rossiter Raymond.
Samuel John Bayard Schindel.
William Renwick Smedberg, jr.
Howard Louis Laubach.
John M. Morgan.

Andrew Erwin Williams.
Walter Crosby Babcock.
Herbert Ball Crosby.
Benjamin Bremner Hyer.
Mathew Charles Smith.
Kenzie Wallace Walker.
Howard Rand Perry.
Lincoln Fay Kilbourne.
William Brooke.
George Hairston Jamerson.
Hunter Bithal Nelson.
Odus Creamer Horney.
Frank Ellis Bamford.
Fredrik Lorensten Knudsen.
William Baker Ladue.
William Jones Barden.
Edward Philip O'Hern.
Charles William Castle.
Francis LeJan Parker.
George French Hamilton.
Paul Bernard Malone.
John White Craig.
John Fisher Preston.
Hugh Douglas Berkeley.
Albert Eugene Saxton.
Hamilton Smith Hawkins.
Charles Frederic Crain.
Frank Sherwood Cocheu.
Ora Elmer Hunt.
Frank Parker.
John Campbell McArthur.
Frank David Ely.
Edwin Bell.
Otho Bane Rosenbaum.
George Henson Estes.
George Vidmer.
Oliver Edwards.
William Ernest Welsh.
Frederick G. Stritzinger, jr.
Charles Curtis Smith.
Frank Livells Wells.
Briant Harris Wells.
Pegram Whitworth.
Frank James Morrow.
Robert Sanford Offley.
Edward Hugh Schulz.
Harry Burgess.
Casper Hauzer Conrad, jr.
Charles Herman Paine.
Thales Lucius Ames.
Nathan K. Averill.
Harry LaTourette Cavenaugh.
Mortimer Osborne Bigelow.
August Carl Nissen.
Thomas Walter Darrah.
Americus Mitchell.
Perry Lester Miles.
James Ackerman Lynch.
Milton Loomis McGrew.
Clyde Emile Hawkins.
Lorrain Thompson Richardson.
James Southard Parker.
Charles Roscoe Howland.
Louis Meredith Nuttman.
Glenn Hedges Davis.
Joseph Southerland Herron.
Thomas Francis Dwyer.
Benjamin Taylor Simmons.
Girard Sturtevant.
Louis Hermann Bash.
Frank Bingly Watson.
Oscar Jerome Charles.
Thomas Absolam Pearce.
Robert Henry Allen.
Dwight Warren Ryther.
Alvord Van Patten Anderson.
Edward Theodore Hartmann.
Frederick Benjamin Shaw.
William Burr Cochran.
Harry Frederick Rethers.
George Matthias Hoffman.
LeRoy Eltinge.
John Buffalo Christian.
George Williams Moses.
Charles Ezra Stodter.
Alexander Macomb Miller.
Charles Bryant Drake.
Harry Ormiston Williard.
Herschel Tupes
John Parsons Wade.
Isaac Newell.
Lawrence Burton Simonds.
Ola Walter Bell.
Abraham Grant Lott.
Merch Bradt Stewart.
Frederick Worthington Lewis.
Edward Leonard King.
Dennis Edward Nolan.
James Newell Pickering.
Reynolds Johnston Burt.
Samuel Field Dallam.
William Kelly, jr.
Russell Creamer Langdon.
Harry Herbert Tebbetts.
Henry Charles Whitehead.
George Swazey Goodale.
William Dixon Chitty.
Frank Crandall Bolles.
Alfred Eldrekin Kennington.
Edward Percy Orton.
Alexander Thompson Ovenshine.
Henry Edgar Eames.
Paul Giddings.
George Lawrence Byroade.
Edward Seymour Walton.
Alfred Theodore Smith.
Fred Leigh Munson.
Thomas McArthur Anderson, jr.
William Durward Connor.
John Calvin Oakes.
Sherwood Alfred Cheney.
Frederick William Altstaetter.
Harley Bascom Ferguson.
Charles Du Val Roberts.
Robert Swepston Abernethy.
Francis Horton Pope.
George Edward Mitchell.
Pierce Ambrose Murphy.
Mervyn Chandos Buckey.
Frederick Theodore Arnold.
Frederick Edgar Johnston.
Claude Hamilton Miller.
James Noble Munro.
Harold Benjamin Fiske.
Earle D'Arcy Pearce.
William Stanley Valentine.
Arthur Stewart Conklin.
Henry Carpenter Smither.
Roy Beveridge Harper.
John Hendricken Hughes.
Thomas Arnett Roberts.
Edgar Alexander Sirmyer.
Frank Ross McCoy.
George Willis Helms.
Rufus Estes Longan.
William Mason Fassett.
Halstead Dorey.
Chalmers Gaither Hall.
Clarence Richmond Day.
George Franklin Baltzell.
Willard Herman McCornack.
James Francis Brady.
Edgar Thomas Conley.
Roderick Leland Carnmichael.
Andrew Moses.
Edgar Thomas Collins.
Preston Brown.
Thomas Quinn Ashburn.
Sam Frank Bottoms.
Charles Higbee Bridges.
Harold Edward Cloke.
Samuel Curtis Vestal.
Robert McCleave.
James Villard Heidt.
Charles Sherman Lincoln.
Patrick Henry Mullay.
Philip Raymond Ward.
Frank Cranstoun Boggs.
Clarke Stull Smith.
William Preston Wooten.

Lytle Brown.
Earl Ivan Brown.
Amos Alfred Fries.
Monroe Crawford Kerth.
George Adolphus Nugent.
Curtis William Otwell.
William Edward Cole.
Marcellus Garner Spinks.
Lambert Whitfield Jordan, jr.
Jacob Calvin Johnson.
James Bartholomew Gowen.
Harvey Wolfarth Miller.
Edwin Dyson Bricker.
Daniel Greenwood Berry.
Malin Craig.
Ralph Elliot Ingram.
Robert Courtney Davis.
Joseph Frank Janda.
Ira Clinton Welborn.
Alexander Elliot Williams.
Charles Wesley Exton.
Guy Vernor Henry.
Conrad Stanton Babcock.
Chauncey Benton Humphrey.
Berkeley Enochs.
G. Maury Crallé.
Joseph Franklin Gohn.
James Heyward Bradford, jr.
Wallace Bryan Scales.
David Lamme Stone.
Ewing E. Booth.
Alfred William Bjornstad.
Amos William Kimball.
William Edward Horton.
B. Frank Cheatham.
George Guilford Bailey.
Carl Frederick Hartmann.
Basil Overby Lenoir.
William Mitchell.
Robert Edward Wyllie.
Patrick Aloysius Connolly.
Malcolm Young.
John Jacob Boniface.
Laurence Clay Brown.
John Bernard Schoeffel.
Walter Trotter Bates.
Englebert Glover Ovenshine.
Harry Lee Steele.
Benjamin Patten Nicklin.
John William French.
Cromwell Stacey.
William Annesley Cavenaugh.
George Madden Grimes.
Thomas Raine Harker.
Frank Dickenson Wickham.
Bryan Conrad.
William Keith Naylor.
William Harrison Oury.
Austin Freeman Prescott.
Edgar Allen Fry.
Rush Spencer Wells.
James Brady Mitchell.
Herbert Jay Brees.
Harry Anthony Eaton.
George Hoffman Penrose.
Alfred Sully Morgan.
Charles Henry Hilton.
William Fayssoux Stewart, jr.
Campbell King.
Joseph Benjamin Douglas.
Hudson Taylor Patten.
Tenney Ross.
Edward Kimmel.
John Robert Procter.
Frederick William Phisterer.
Robert Hall Campbell Kelton.
Percy Poe Bishop.
Robert Osborn Van Horn.
Ezekiel James Williams.
Moor Neilson Falls.
Henry James Hatch.
William Frederick Hase.
William Richard Doores.
Alfred Andrews Starbird.
John Robert Rigby Hannay.
James Frederick Howell.
James Malcolm Graham.
Joseph Lee Gilbreth.
John Carroll Goodfellow.
Charles Frederic Humphrey, jr.
Willey Howell.
George Jean Holden.
John Thomas Geary.
Charles Francis Bates.
Charles Carrol Todd.
John James Toffey, jr.
Carl Anson Martin.

To be lieutenant colonels.

Joseph Lee Gilbreth.
John Carroll Goodfellow.
Charles Frederic Humphrey, jr.
George Jean Holden.
John Thomas Geary.
Charles Francis Bates.
Charles Carrol Todd.
John James Toffey, jr.
Carl Anson Martin.
Mark Wheeler.
George Daniels Arrowsmith.
Edward Carpenter.
Ivers Whitman Leonard.
Pearl Michael Shaffer.
Laurence Albert Curtis.
Robert Robins Wallach.
William Henry Jordon, jr.
George Williams.
Irving Joseph Carr.
Easton Rutledge Gibson.
Henry Churchill Bonnycastle.
Edward Croft.
Adolphe Hart Huguet.
Raymond Shelden.
James Davis Taylor.
Frank Halstead.
Harry Edward Knight.
Woodson Hocker.
Archie Jesse Harris.
Alexander James Macnab.
Henry Macpherson Merriam.
Hanson Briscoe Black.
Charles Sidney Haight.
William Dennison Forsyth.
Fitzhugh Lee.
Ralph Brewster Parrott.
Harry Parker Wilbur.
Stanley Hamer Ford.
Robert Mauro Brambila.
Elijah Bishop Martindale, jr.
John Nicholas Straat.
Earle White Tanner.
Henry Slocum Wagner.
Frederick Guy Knabenshue.
Thomas Jefferson Powers.
Martin Lalor Crimmins.
James Monroe Love, jr.
Paul Hester McCook.
Frederick William Coleman.
Frederick Singleton Lewis Price.
George Bahnsen Pond.
Dana True Merrill.
Theodore Anderson Baldwin, jr.
Arthur Latham Conger.
James Brown Kemper.
John Winthrop Barnes.
George Elmer Thorne.
Alfred Aloe.
Frank Wheaton Rowell.
Hugh Aloysius Drum.
James Bradner Allison.
John Lesesue De Witt.
Clifton Comly Kinney.
James Fuller McKinley.
LeVert Coleman.
Frank Carson Jewell.
Patrick William Guiney.
Charles Brooks Clark.
Herman Walter Schull.
Leon Benjamin Kromer.
Charles Annesley Romeyn.

Henry Benjamin Clark.
George Sherwin Simonds.
Francis Neal Cooke.
Stanley Dunbar Embick.
Evan Harris Humphrey.
Robert Halford Peck.
Halsey Edward Yates.
Clement Augustus Trott.
Stuart Heintzelman.
Laurence Halstead.
Frederick William Van Duyne.
John Dudley Long.
Warren Dean.
Grayson Villard Heidt.
James Cooper Rhea.
James Hanson.
Fred Radford Brown.
William Topping Merry.
Lawrence Du Val Cabell.
Clyffard Game.
George Washington Stuart.
William Taylor Patten.
Duncan Kennedy Major, jr.
James Justice.
Llewellyn William Oliver.
Reginald Edwards McNally.
Ephraim Geoffrey Peyton.
William Lewis Reed.
Albert N. McClure.
Ben Holloday Dorcy.
Edwin Albert Hickman.
Charles Louis McKain.
Andrew Jackson Dougherty.
Oliver Stevens Eskridge.
Joel Robert Lee.
George Evans Stewart.
Alden Cook Knowles.
Henry Aloysius Hanigan.
Hjalmer Erickson.
James Wadsworth Furlow.
John Womack Wright.
Frederick Rudolph De Funiak, jr.
Ralph McCoy.
Grosvenor Lowrey Townsend.
Thomas Leverett Brewer.
James Kelly Parsons.
George Edward Ball.
Reuben Smith.
Clarence Browning Smith.
Russell Potter Reeder.
Howard Campbell Price.
Walter Bogardus McCaskey.
Oliver Hart Dockery, jr.
John Robert Thomas, jr.
Milton Artells Elliott, jr.
Robert Franklin McMillan.
George Doane Freeman, jr.
William Elmer Hunt.
Ernest Eddy Haskell.
Warren Webster Whitside.
Jack Hayes.
William Henry Waldron.
Godwin Ordway.
Joseph Kepner Partello.
Leon La Grange Roach.
Frederick Curtis Johnson.
Horace Potts Hobbs.
Louis Joseph Van Schaick.
Guy Cushman.
Edgar Albert Myer.
James Dean Tilford.
Arthur Morson Shipp.
Joseph William Beacham, jr.
Guy Stevens Norvell.
Robert Hayes Wescott.
Paul Hurst.
Allen Parker.
Allen Smith, jr.
Frank Burson Hawkins.
Paul Tropier Hayne, jr.
Fred Erskine Buchan.
Edward Albert Sturges.
William Luke Lubr.
Hu Blakemore Myers.
Henry Russell Richmond.
John Joseph Ryan.
Charles Evans Kilbourne.
Osmun Latrobe, jr.
George Arthur Hadsdell.
Wait Chatterton Johnson.
James Millard Little.
John Lawrence Bond.
Joseph Samuel Cecil.
Edward Raymond Stone.
Albert Raymond Dillingham.
William Richie Gibson.
Will H. Point.
Henry McCauley Bankhead.
William Murray Connell.
Theodore Burnett Taylor.
James Longstreet.
Henry Ashley Ripley.
William Harrison Monroe.
William Albert Kent.
Theodore Schultz.
Alvan Cullom Gillem.
William Benton Cowin.
Richard Ten Broeck Ellis.
Frederick William Stopford.
Henry Holden Sheen.
John Wiley Gulick.
Ernest Rollin Tilton.
Homer Blackie Grant.
Alexander Greig, jr.
James Alfred Ruggles.
Harry William Newton.
Allen Dwight Raymond.
James Robert Pourie.
John William Cruikshank Abbott.
Harry Thomas Matthews.
Harry Cooper Barnes.
Louis Stewart Chappele r.
Granville Sevier.
Robert Frame Woods.
Albert Clifton Thompson.
Ellison Lindsay Gilmer.
John McBride, jr.
Richard Kerr Cravens.
George Oremaudle Hubbard.
James Menzo Wheeler.
Harrison Summers Kerrick.
Walter Campbell Sweeney.
Philip Sheridan Golderman.
Charles Lewis Lanham.
Joseph Sanders Hardin.
Roger Stanley Fitch.
Samuel Wheelan Noyes.
Charles Warren Weeks.
James Thornton Watson.
William Wallace McCammon.
Willis Prague Coleman.
Albert Brown Sloan.
Lucius Cincinnatus Bennett.
John Ernest Morris.
Lawrence Parker Butler.
Paul Corbin Galleher.
Claude Sharp Fries.
William Greenough Doane.
James Mobley Kimbrough, jr.
Alvin Kelley Baskette.
James George Hannah.
Samuel Breck McIntyre.
Milosh Radosablavitz Hilgard.
Linwood Ellsworth Hanson.
Charles Bertody Stone, jr.
Frank Harold Burton.
George Hubert White.
Harris Pendleton, jr.
William Gingrick Fleischhauer.
Howard Gilman Davids.
Ernest Van Dyke Murphy.
Hilden Olin.
Frederick Goedecke.
Albert Watson Alden Foreman.
William Sanford Mapes.
Samuel Aldrich Price.
Perrin Lindsey Smith.
Harry Lawrence Cooper.
William Stanley Sinclair.
Leslie Arthur Isaac Chapman.

Charles Louis Willard.
Robert Henry Sillman.
Arthur Pitt Watts.
Thaddeus Brem Seigle.
William Arthur Carleton.
Lochlin Washington Caffey.
William Saunders Faulkner.
Ernest H. Agnew.
Robert Oakes Ragsdale.
Austin Allen Parker.
Fred Van Schaick Chamberlain.
Aubrey Lippincott.
Robert Christian Humber.
George Luther Hicks.
John Henry Page, jr.
Parker Hitt.
Paul Ward Beck.
John Morris Field.
Edwin Joseph Griffith.
Lynn Sawyer Edwards.
Robert Irwin Rees.
John Joseph Miller.
Hugh Kirkpatrick Taylor.
Jesse Marling Cullison.
William Henry Noble.
Wilbur Anderson McDaniel.
Douglas McCaskey.
Evert Roscoe Wilson.
Samuel Burnette Pearson.
Freeborn Page Holcomb.
Clenard McLaughlin.
Edward Beall Mitchell.
James Henry Como.
Harol Dever Coburn.
Allen James Greer.
Robert Whitfield.
Frank Scott Long.
John Porterfield Spurr.
Samuel Grant Shartle.
Michael Henry Barry.
James Mifflin Loud.
John De Camp Hall.
Davis Catlin Anderson.
Douglas Potts.
Stephen Ogden Fuqua.
Daniel Van Voorhis.
Vincent Martin Elmore.
Benjamin Robert Wade.
Julien Edmond Gaujot.
Delphey Truman Ellsworth Casteel.
George Edwards Goodrich.
Joseph Robert McAndrews.
Edwin Simpson Hartshorn.
George Edward Lovell.
William Preston Screws.
Ralph Brown Lister.
Frank Luther Case.
Harry Edward Comstock.
William Russell Standiford.
John Hugh Lewis.
Frederick Sion Young.
Thomas Samuel Moorman.
Harry Newton Cootes.
Charles Haskell Morrow.
Lorenzo Dow Gasser.
Brady Green Ruttencutter.
Jennings Benjamin Wilson.
William Oury Smith.
Clarence King La Motte.
George Michael Holley.
Charles Ward Van Way.
Wilson Gillham Heaton.
Edgar Simon Stayer.
Charles Henry Errington.
George Clymer Shaw.
Charles Ernest Reese.
Edward Davis.
Robert Soutter Knox.
William Applegate Castle.
Harry Dexter Blasland.
Dorsey Cullen.
Charles Coane Allen.
William Jones Kendrick.
Edward Harry Andres.
George Thomas Bowman.
Thomas James Rogers.
John Sherman Fair.
Robert Joseph Reaney.
George Washington England.
Sherrard Coleman.
Edwin Joseph Nowlen.
Alvin Coe Voris.
William Franklin Herringshaw.
George Ernest Kumpe.
Milo Charles Corey.
DeWitt Warren Chamberlin.
Walter Henry Johnson.
Robert Gedney Rutherford, jr.
Robert Emmet Grinstead
Albert Sidney Williams.
William Bassett Graham.
Charles Johnston Nelson.
Ernest Alexis Jeunet.
Charles Hart Danforth.
Gideon Hazen Williams.
Fred William Bugbee.
William Munson Goodale.
Leonard Trabue Baker.
Franklin Schoch Leisenring.
Charles Frederick Andrews.
Allan Lindsay Briggs.
James Marshall Petty.
John Brooke Shuman.
Frederic George Kellond.
Herbert L. Evans.
Harry Davis Mitchell.
Ode Calvin Nichols.
Kirwin Taylor Smith.
William Weston Bessell.
Frank C. Burnett.
Collin Hankins Ball.
Albert Owen Seaman.
Clifford Utley Leonori.
Benjamin Helm Pope.
Clarence Gifford Bunker.
William Howard Tobin.
Harry James Watson.
William Henry Raymond.
Jacob Ellsworth Wyke.
Gouverneur Vernon Packer.
Paul Stanley Bond.
Joseph Augustus Baer.
Charles Fletcher Martin.
Willis Virlin Morris.
Walter Schuyler Grant.
Charles Oswick Zollars.
Robert Bruce McBride.
Jacob Meyer Coward.
John Lovering Roberts.
Frederick Leroy Buck.
Jay Paul Hopkins.
Archibald Henry Sunderland.
Morton Claire Mumma.
Frank Porter Amos.
Herman Glade.
Arthur Penrhyn Stanley Hyde.
Clifford Carleton Carson.
Julian Arnold Benjamin.
Samuel Reid Gleaves.
Frank Sayles Bowen.
Lewis Sidney Morey.
Verne La Salle Rockwell.
George Thompson Perkins.
George Blanchard Comly.
Charles Godfrey Harvey.
George Brydges Rodney.
Alexander Higbee Davidson.
Christian Albert Bach.
David Harmony Biddle.
William Fredric Holford Godson.
George William Winterburn.
Lewis Foerster.
William Porter Moffet.
Archibald Francis Commiskey.
William Albert Cornell.
James Etter Shelley.
Ward Dabney.
Edward Calvert.
Paul Myron Goodrich.
William Wisner Taylor, jr.

John Burke Murphy.
Bruce Palmer.
George Audley Herbst.
Jairus Alphaeus Moore.
James Edmond Fechét.
Thomas Meredith Hunter.
Elverton Elmer Fuller.
William Summerfield Neely.
Frank Howard Adams.
George Chase Lewis.
William Henry Patterson.
Elliott Malloy Norton.
Roscoe Hugh Hearn.
Frank Barker Edwards.
Philip Worthington Corbusier.
Frederick Marion Jones.
John Adam Wagner.
Archie Miller.
William Hugh Clopton, jr.
Wilford Twyman.
William Oscar Reed.
Henry Gibbins.
Charles Oscar Thomas, jr.
Edmond Ross Tompkins.
Arthur Poillon.
George Augustus Purington.
George Wesley Biegler.
Francis Wiley Glover.
Lawrence Scott Carson.
Alexander Bacon Coxe.
Timothy Michael Coughlan.
James Huston.
Leonard Lyon Deitrick.
Richard Billups Going.
Hamilton Bowie.
Ben Lear, jr.
George Parker Tyner.
Morris Melville Keck.
Auswell Edmund Deitsch.
Henry Joseph McKenney.
Oscar Alonzo McGee.
Casper Willis Cole.
Oliver Perry Morton Hazzard.
Frank Thomas McNarney.
Thomas MacAllister Knox.
William Remsen Taylor.
John Patrick Hasson.
Gordon Johnston.
William Allen Austin.
Rudolph Ethelbert Smyser.
Jens Erickson Stedje.
John Ezra Hemphill.
Otto William Rethorst.
Robert Sterrett.
Emory Scott West.
Ralph Carter Caldwell.
Eben Swift, jr.
Albert Edgar Phillips.
John Alden Degen.
Alvin St. Clair Perkins.
Robert McFarland Barton.
Walter Janatt Scott.
James Edward Abbott.
Selwyn Dyson Smith.
George Frederick Bailey.
Clarence Curtis Culver.
Frederick Goodwin Turner.
Frank Burch Edwards.
James Perrine Barney.
William Columbus Gardenhire.
Joseph Cornelius Kay.
Benjamin Oliver Davis.
Walter Chambers Jones.
George Ross Greene.
LaVergne L. Gregg.
Gustave Adolphus Wieser.
Bertram Page Johnson.
Charles Ridgly White Morison.
Walter Lawrence Reed.
Ira Franklin Fravel.
Ned Merril Green.
James Alfred Moss.
Charles Frederick Leonard.
Franklin Potter Jackson.
Henry Clay Merriam.
Robert Wilbur Collins.
William Albert Covington.
John Mitchell Dunn.
Raymond Westcott Briggs.
Francis Wharton Griffin.
Theodore Herman Koch.
James Laurence Long.
Ralph Molyneux Mitchell.
Frederick Louis Dengler.
Richard Howard Williams.
Lewis Stoddard Ryan.
Kenneth Clyde Masteller.
Tilman Campbell.
Daniel Frank Craig.
Thomas Lilley Sherburne.
Joseph Matson.
Francis Hicks Lincoln.
William Henry Wilson.
Augustus Bennett Warfield.
Edward Dennis Powers.
Charles Edward Nason Howard.
Howard Lee Landers.
Claudius Milton Seaman.
Hugh John Bedell McElgin.
William Henry Burt.
Frederick Bernard Hennessy.
Arthur Leonard Fuller.
Henry Rozer Casey.
John Sherman Chambers.
Laurin Leonard Lawson.
Morris Ernest Locke.
John William Kilbreth.
James Regan
Gilbert McKee Allen
John Randolph.
William Hume Clendenin.
John Royden Kelly.
Edward Raynsford Warner McCabe.
William Gustin Ball.
Walter Eugene Gunster.
William Richard Kendrick.
Horace Fennell Sykes.
Oliver Prescott Robinson.
Gerrit Van Schaick Quackenbush.
Sydney Herbert Hopson.
William Eugene Gillmore.
William Ernest Persons.
James Gibson Taylor.
Henry Clay Milier Supplee.
William Kern Moore.
David Yulee Beckham.
John Overton Steger.
Alex McMillan Hall.
Elliot Caziarc.
Richard Wilde Walker.
George Augustus Franklin Trumbo.
Carl C. Jones.
Alfred James Booth.
Emery Tritle Smith.
Sydney Smith.
Joseph Asa Marmon.
James Aloysius Higgins.
James Augustus Thomas.
John Christian Ohnstad.
James Dala Watson.
Rinaldo Roscoe Wood.
Charles Davis Winn.
Francis Herbert Lomax.
James Totten.
Wesley Wilson Knox Hamilton.
Hugh Screven Brown.
Sebring Clay Megill.
Harry Graham.
James Hartz Bryson.
William Barlow Wallace.
Edward Neele Johnston.
Clarence Osborne Sherrill.
Ernest Dichmann Peek.
George Redfield Spalding.
Elliott Johnstone Dent.
William Goff Caples.
William Provines Stokey.
Henry Clay Jewett.
Wildurr Willing.
Benjamin Hugh Kerfoot.

Roger Owen Mason.
William Stacy Browning.
Francis William Clark.
John Harry Neff.
Joseph Fauntleroy Barnes.
Walter Driscol Smith.
William Pierce Ennis.
Harry Birdwhistell Jordan.
John Taise Sayles.
Frank Purdy Lahm.
Willis Grandy Peace.
Creed Fulton Cox.
Robert McCandlass Beck, jr.
Dennis Hadley Currie.
Beverly Fielding Browne.
George Moore Russell.
Edward Marsh Shinkle.
Lewis Brown, jr.
Francis Connolly.
Sylvester Bonnaffon, III.
Rowland Beverly Ellis.

To be majors.

John Sherman Chambers.
James Regan.
Gilbert McKee Allen.
John Randolph.
William Hume Clendenin.
Edward Raynsford Warner McCabe.
William Gustin Ball.
Walter Eugene Gunster.
William Richard Kendrick.
Horace Fennell Sykes.
Oliver Prescott Robinson.
Gerrit Van Shaick Quackenbush.
Sydney Herbert Hopson.
William Eugene Gillmore.
William Ernest Persons.
James Gibson Taylor.
Henry Clay Miller Supplee.
John Overton Steger.
Alex McMillan Hall.
Elliot Caziarc.
Richard Wilde Walker.
George Augustus Franklin Trumbo.
Carl C. Jones.
Alfred James Booth.
Sydney Smith.
Joseph Asa Marmon.
James Aloysius Higgins.
James Augustus Thomas.
John Christian Ohnstad.
James Dala Watson.
Rinaldo Roscoe Wood.
Charles Davis Winn.
Francis Herbert Lomax.
James Totten.
Wesley Wilson Knox Hamilton.
Hugh Screven Brown.
Sebring Clay Megill.
Harry Graham.
William Barlow Wallace.
Benjamin Hugh Kerfoot.
Francis William Clark.
Harry Birdwhistell Jordan.
John Taise Sayles.
Frank Purdy Lahm.
Willis Grandy Peace.
Robert McCandlass Beck, jr.
George Moore Russell.
Edward Marsh Shinkle.
Lewis Brown, jr.
Alfred Allen Maybach.
Jerome Gray Pillow.
Ralph Noble Hayden.
John Anderson Berry.
Leonard William Prunty.
Gordon Robinson.
Edmund Kearsley Sterling.
Kerr Tunis Riggs.
Carl Henry Müller.
Charles Burnett.
Claude Ernest Brigham.
William Tidball.
George Hathaway Baird.
William Manley Cooley.
William Nafew Haskell.
James Prentice.
Henry Adolphus Meyer, jr.
Frank Keller.
Guy Kent.
Copley Enos.
Shepard Lawrence Pike.
George Aloysius Wieczorek.
Marion Somerville Battle.
Henry Gilmore Stahl.
Roy Carrington Kirtland.
Stanley Symmes Ross.
Wallace McNamara.
Frederick Mears.
Alden Max Graham.
Robert LeRoy Collins.
Irvin Lee Hunsaker.
Clifton Ranney Norton.
Eugene Julius Ely.
Charles Russell Mayo.
Arthur James Lynch.
Guy Eugene Bucker.
Rawson Warren.
John Henry Read, jr.
Robert Gray Peck.
Robert John Binford.
John Augustus Brockman.
Charles Conaway Burt.
Sheldon Webb Anding.
William Gaither Murchison.
Joseph Howard Barnard.
Rodman Butler.
Howard Stanley Miller.
Clarence Lininger.
Edward Murray Offley.
John Cocke.
Elvin Henry Wagner.
John Thomas Donnelly.
William Henry Menges.
Ronald Earle Fisher.
Thomas Watson Brown.
Otis Robert Cole.
Charles Emery Hathaway.
Joseph Victor Kuznik.
Edward Raymond Coppock.
Shelby Carl Leasure.
Peter John Hennessey.
Kenyon Ashe Joyce.
Charles Frederick Herr.
Francis Joseph Behr.
Fred Hays Turner.
Howard Carlyle Tatum.
Arthur George Fisher.
Walter Krueger.
Asa Leon Singleton.
Arthur LeRoy Bump.
Willis Edward Mills.
George Grunert.
Harry Westervelt Gregg.
William Rivers Pope.
Staley Alfred Campbell.
John Rowe Brewer.
Olney Place.
Leo Asa Dewey.
John Pope McAdams.
Thomas Hood Cunningham.
John Robert Musgrave.
Sidney Derby Maize.
Richard Wetherill.
Hartman Lewis Butler.
John Bryson Barnes.
Thomas Taylor Duke.
Harry Arthur Wells.
Ralph Middleton Parker.
George Warren Harris.
Edward Gregg McCleave.
Pat M. Stevens.
William Holt Peek.
George Steele Gillis.
John Hastings Howard.
John Joshua Fulmer.
Joseph Irving McMullen.
Matt Combes Bristol.
Kelton Lyon Pepper.
Francis Cassius Endicott.

Horace Nathaniel Munro.
Thomas Pitcher Bernard.
Daniel D. Tompkins.
Clarence Anderson Dougherty.
Henry Hossfeld.
John Jay Mudgett.
Isaac Samuel Martin.
Channing Edmonds Delaplane.
Laurance Oldham Mathews.
George R. Somerville.
Seth William Cook.
Milton Garfield Holliday.
Robert Rogers Love.
Thorne Strayer.
Francis Buck Eastman.
Kneeland Sparrow Snow.
Robert Gaither Caldwell.
Hugh Almer Parker.
Charles Wesley Tillotson.
Will Dunbar Wills.
William Conrad Stoll.
Ira Austin Smith.
James Edwin Ware.
James Eveleth Wilson.
William James Davis.
John Fleming Clapham.
William Arden Alfonte.
Daniel Andrew Nolan.
Walter Herbert Neill.
Edmund Anthony Buchanan.
Benjamin Delahauf Foulois.
Roy Wilson Ashbrook.
Ralph Hill Leavitt.
Goodwin Compton.
Launcelot Marmaduke Purcell.
James Edmond McDonald.
Carl Frederick von dem Bussche.
Albert Louis Rhoades.
Sam Pruitt Herren.
Fay Warrington Brabson.
Royden Eugene Beebe.
Edward Appleton Keyes.
John Gano Winter.
William James O'Loughlin.
Herbert Edward Mann.
Orlando Gray Palmer.
Francis Augustus Ruggles.
Henry Tilghman Bull.
Girard Lindsley McEntee.
Charles Keller.
Howard Russell Smalley.
John Scott.
Smith Aaron Harris.
Noble James Wiley.
James Pryor Castleman.
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Talbot Smith.
Frank Edwin Davis.
William Wallace Overton.
Samuel Turner Mackall.
Walter Campbell Short.
Austin Myron Pardee.
Frank Fanning Jewett.
William Frederick Christian Jepson.
Augustus Francis Dannemiller.
Alfred Asa Hickox.
Samuel Greaner Talbott.
John Ernest Green.
Jason Marion Walling.
William Elmer Murray.
Norris Stayton.
George Allen Taylor.
Ralph Emerson Herring.
Houston Bales Parrott.
Glen Fay Jenks.
Edmund Turner Weisel.
Clarence Beaumont Ross.
Richard Henry Jordan.
William Storrs Bowen.
James Brewster Taylor.
Brainerd Taylor.
Emmet Roland Harris.
Avery John Cooper.
Frank Geere.
George Leftwich Wertenbaker.
Walter Campbell Baker.
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Richard Irving McKenney.
John Victor Spring, jr.
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Frank Charles Wood.
Aristides Moreno.
William Lay Patterson.
Charles Edward Wheatley.
Crispulo Patajo.
William Paterson.
Earl Briscoe.
Charles Almon Hunt.
Gilbert Henry Stewart.
Wade Hampton Carpenter.
Adam Floy Casad.
John Epps Munroe.
John Cargill Pegram.
Harry Lumsden Hodges.
Edward Jay Moran.
Victor Sidney Foster.
Walter King Wilson.
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Myron Sidney Crissy.
Oscar Foley.
Frederick Dudley Griffith, jr.
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Henry Edmistoune Mitchell.
Charles McHenry Eby.
William Henry Cowles.
Henry Meredith Nelly.
Frederick Frasier Black.
William Alexander McCain.
John Knowles Herr.
Joseph Fulton Taulbee.
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David Henry Bower.
Hiram Marshal Cooper.
Troup Miller.
Benjamin Franklin Miller.
William Waller Edwards.
John Alexander Barry.
William Whitelaw Gordon.
Frank Leslie Pyle.
Walter Osgood Boswell.
Harold Burgess Johnson.
Malcolm Peters Andruss.
Gulielmus Villard Heidt.
Albert Hecker Mueller.
Samuel James Sutherland.
Franc Lecocq.
Emory Sherwood Adams.
Ralph Willard Drury.
John Carlyle Fairfax.
Fred Charles Miller.
Walter Joseph Büttgenbach.
Allan Francis McLean.
Charles Leslie Mitchell.
Robert John West.
Herman Stahlschmidt Dilworth.
Odiorne Hawks Sampson.
Albert Hardman.
Frank Blair Kobes.
Norman Harry Davis.
Hans Oscar Olson.
Alfred Brandt.
Charles Augustine Thuis.
Claremont Aymar Donaldson.
Franklin Thomas Burt.
Townsend Whelen.
Samuel Sumner Bryant.
Charles Smith Hamilton.
John Speed Davis.
Oscar Kemp Tolley.
Joseph Fulton Ware.
Harry Lightfoot Jordan.
Dean Halford.
Ralph Willcox Kingman.
Donald Davie Hay.
George Watkins Ewell.
Claire Raymond Bennett.
Bowers Davis.
John McEwen Pruyn.
Henry Wyatt Fleet.
Charles Gates Sturtevant.

Francis Henry Burr.
John Chowning Ashburn.
Robert Truman Phinney.
Charles Edward Terry Lull.
Charles Haynes Mason.
Nicholas William Campanole.
John Gordon Macomb.
Lewis Worthington Moseley.
Walter Williamson Merrill.
Reginald Heber Kelley.
Claude Newman Feamster.
Joseph Oswald Mauborgne.
Joseph Michael Cummins.
Thomas Cebern Musgrave.
Converse Rising Lewis.
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Levi Galloway Brown.
Owen Glenn Collins.
Frederic Harrison Smith.
Olan Cecil Aleshire.
Frederick Ernest Shnyder.
George Arthur Lynch.
George Wilbur Cocheu.
Charles Herman Patterson.
Lewis Turtle.
Clifford Jones.
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Thomas Fraley Van Natta, jr.
James Andrew Mars.
Quinn Gray.
Robert Morgan Lyon.
John Carter Montgomery.
Louis Robinson Dice.
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Francis Hamilton Farnum.
Benjamin Edwards Grey.
Elvid Hunt.
Dorsey Read Rodney.
Alexander Mortimer Milton.
Francis Maurice Hinkle.
Benjamin Franklin McClellan.
Campbell Blacksheax Hodges.
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Corbit Strickland Hoffman.
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Reuben Chapman Taylor.
Charles Beatty Moore.
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Cornelius Stockmar Bendel.
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Stuart Ainslee Howard.
John Francis Franklin.
Roland Wallace Boughton.
John Southworth Upham.
Irving Monroe Madison.
Ellery Farmer.
Everett Newton Bowman.
Homer Neill Preston.
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Edward Aloysius Brown.
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George Edgar Nelson.
Jesse Duncan Elliott.
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Carroll Borden Hodges.
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Philip Haxall Bagby.
Luther Rice James.
Andrew Davis Chaffin.
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Emil Engel.
Louis Farrell.
Charles Otto Schudt.
Emmett Addis.
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William Franklin Robinson, jr.
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Augustine Aloysius Hofmann.
James Blyth.
Edwin Gunner.
Resolve Potter Palmer.
Edward Eugene McCammon.
Philip Remington.
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Paul Calkins Potter.
Albert Thurston Rich.
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Walton Goodwin, jr.
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Karl Truesdell.
Frederick Brahan Terrell.
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Vaughn Washington Cooper.
Chauncey Lee Fenton.
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George Bowditch Hunter.
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Carr Wilson Waller.
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Henning Ferdinand Colley.
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Stanley Koch.
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Wilber Alexander Blain.
Walter Singles.
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Merrill Ellicott Spalding.
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Lowe Abeel McClure.
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Gerald Clark Brant.
Clement Hale Wright.
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Otto Ludwick Brunz.
George Carson Lawrason.
Robert Pattison Harbold.

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Sherburne Whipple.
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Hugh Lawson Walthall.
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Jaime Nadal.
Oscar Winslow Hoop.
John Clark Moore.
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James Alexander Ulio.
Frank Moorman.
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Bruce Robinson Campbell.
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Albert Benjamin Kaempfer.
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Charles Winder Mason.
Loren Chester Grieves.
Henry Carlos Rexach.
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Teofilo Marxuach.
Clifton Monroe Spears.
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Ambrose Robert Emery.
Edmund Clivious Waddill.
Allen Samuel Fletcher.
Thomas Marshall Spaulding.
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Norman Foster Ramsey.
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LeRoy Bartlett.
Robert Collins Eddy.
George Dillman.
DeWitt Clinton Tucker Grubbs.
James Frederick Walker.
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Ellery Willis Niles.
Calvin Pearl Titus.
Philip John Radcliffe Kiehl.
Adelno Gibson.
John Lee Holcombe.
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Lloyd Burns Magruder.
Robert Henry Lewis.
William Charles Miller.
Sidney Howland Guthrie.
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William Nicholas Hensley, jr.
Arthur Willis Lane.
Henry Tacitus Burgin.
Nathan Horowitz.
Bernard Lentz.
Clifford Lee Corbin.
Berkeley Thorne Merchant.
Frederick Coleman Test.
Owen Stedman Albright.
Fred Hendrickson Baird.
Hugh Hunt Broadhurst.
Clifford Cabell Early.
Arthur William Holderness.
George Frank Waugh.
Louis Albert O'Donnell.
Allan Rutherford.
Joseph Ray Davis.
Oscar Arden Russell.
Avery Duane Cummings.
Charles Smith Caffery.
Louis Albert Kunzig.
John Pearson Bubb.
Clarence Andrew Mitchell.
John Roy Starkey.
Joseph Edward Barzynski.
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Ben Waller Feild.
Bloxham Ward.
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Torrey Borden Maghee.
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Walter Eldridge Pridgen.
James Wilson Hemphill Reisinger, jr.
Rupert Algernon Dunford.
Charles Carr Bankhead.
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Fred Damman.
William Greene Carter.
Henry Roland Smalley.
Edward Joseph Cullen.
Ira Longanecker.
William Robert McCleary.
Robert Blaine.
Frederick Julius Ostermann.
William James Connolly.
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Lawrence Edward Hohl.
James Griffin Boswell.
James Macdonald Lockett.
Felix Emmanuelli.
Pascual Lopez.
Daniel Rodriguez.
George Harry Wright.
Richard Coke Burleson.
Lloyd Patzlaff Horsfall.
Charles Gearhart Mettler.
Charles Bhaer Gatewood.
Joseph Halley Pelot.
Morgan Lewis Brett.
Forrest Estey Williford.
Earl McFarland.
Joseph Andrew Green.
Alexander Garland Pendleton.
Jonathan Mayhew Wainwright.
John Cleves Henderson.
Charles Alexander Lewis.
Adna Romanza Chaffee.
Edward White Wildrick.
Paul Revere Manchester.
Alexander Garfield Gillespie.
Dawson Olmstead.
Byard Sneed.
George Williamson DeArmond.
John George Quekemeyer.
Frank Maxwell Andrews.
Oscar Westover.
John Sedgwick Pratt.
Joseph Choate King.
Martyn Hall Shute.
George Gordon Bartlett.
Henry Black Clagett.
Clyde Rush Abraham.
Pierre Victor Kieffer.
George Harris Paine.
Donald Allister Robinson.
Rene Edward deRussy Hoyle.
Philip Mathews.
Richard Herbert Jacob.
Ralph Allen Jones.
Horace Fletcher Spurgin.
Hugo D. Selton.
Max Akin Elser.
George Rivers Byrd.
William Torbert MacMillan.
Eston Murray Barker.
Jacob Earl Fickel.
Jesse Wright Boyd.
Ebenezer George Beuret.
Bruce La Mar Burch.
Rush Blodgett Lincoln.
Edgar Mason Whiting.
William Fletcher Sharp.
Walter Francis Llewellyn Hartigan.
Bruce Magruder.

George Herman Huddleson.
Edward Goff Elliott.
Guy Herbert Wyman.
Verne Raymond Bell.
Henry Welles Baird.
Harry Hall Pritchett.
Alexander Hamilton Jones.
Edgar Lee Field.
Jere Baxter.
Charles Louis Stevenson.
Frank Kirby Chapin.
Lloyd Ralston Fredendall.
Rowan Palmer Lemly.
Frank Thorp, jr.
Albert Ellicott Brown.
John George Donovan.
Guy L. Gearhart.
Leroy Pierce Collins.
Ballard Lyerly.
George Albert Wildrick.
Allen Kimberly.
Thomas Aquilla Clark.
Phillip Woodfin Booker.
Thomas Lee Coles.
John Boursiquat Rose.
Charles Tillman Harris, jr.
Maxwell Murray.
William Edgar Shedd, jr.
Royal Kemp Greene.
Howard Kendall Loughry.
Robert Price Glassburn.
Harry Keneth Rutherford.
Paul Jones Horton.
Fred Taylor Cruse.
James Preston Marley.
Robert Arthur.
John Patrick Keeler.
Lucian Dent Booth.
Henry Lee Watson.
Murray Blight Rush.
Waldo Charles Potter.
Henry Henderson Pfeil.
Thurman Harrison Bane.
Clyde Leslie Eastman.
Jesse Cyrus Drain.
Alexander Wheeler Chilton.
William Eric Morrison.
Donald James MacLachlan.
Charles Henry Rice.
Melvin Guy Faris.
Alexander William Maish.
William Jackson McCaughey.
Eugene Ross Householder.
James Gilbert Taylor.
Eugene Santschi, jr.
William Addleman Ganoe.
Elmer Franklin Rice.
Augustine Warner Robins.
William Ducachet Geary.
Emil Pehr Pierson.
Clark Porter Chandler.
John Walton Lang.
George Thomas Everett.
Henry Harley Arnold.
Walter Raymond Wheeler.
George Frederick Ney Dailey.
Richard Huntington Kimball.
Abbott Boone.
Barton Kyle Yount.
Denham Bohart Crafton.
William Lewis Moose, jr.
Frederick Story Snyder.
William Eliot Selbie.
William Carroll Christy.
Sloan Doak.
John Logan Jenkins.
Charles Henry White.
Alvin Gustav Gutensohn.
Stanley Livingston James.
John Stephen Sullivan.
Leland Wadsworth, jr.
David Grover Cleveland Garrison.
James Lawton Collins.
Evans Elias Lewis.
William Caldwell McChord.
William Rudicil Henry.
James Howard Laubach.
George Richard Harrison.
Ralph Wayne Dusenbury.
Thomas Charles Spencer.
Robert Mercer Cheney.
Fauntley Muse Miller.
Ray Corson Hill.
Thomas Mayne Reid Herron.
Thomas Franklin McNeill.
John Gavin Tyndall.
Alfred Lawrence Pearson Sands.
Charles Peaslee George.
Charles William Harlow.
John Delbert Reardan.
Ernest Leonard Pell.
William Henry Rucker.
William Henry Shepherd.
Marshall Guion Randol.
Joseph Carmoreau Hatie.
George Meredith Peek.
William Pegram Wilson.
Charles Laurance Williams.
Alexander James Stuart.
Chester Jennings Goodier.
Robert Emory Vose.
John Stuart Williams.
John Nesmith Greely.
George Ruhlen, jr.
John Waring Simons, jr.
John Edward Mort.
Charles Pope Hollingsworth.
Edward Graham Taylor.
Webster Allyn Capron.
Thomas Donaldson Sloan.
Frederick Monroe Barrows.
Alfred Henry Erck.
Henry Wirt Thomas Eglin.
Walter Scott Greacen.
Cary Ingram Crockett.
José Perez-Brown.
Lawrence Wright McIntosh.
James Henry Burns.
Everett Strait Hughes.
Thomas Jefferson Smith.
Roger Sheffield Parrott.
Oliver Andrews Dickinson.
Richard Edgar Cummins.
Telesphor George Gottschalk.
Harvey Douglas Higley.
James Wilbur Lyon.
Harold Geiger.
Rodney Hamilton Smith.
Albert Lawrence Loustalot.
Richard Donovan.
Robert Clive Rodgers.
Homer Havron Slaughter.
Sanderford Jarman.
Clair Warren Baird.
Edward Willis Putney.
Gilbert Marshall.
Henry Clinton Kress Mühlenberg.
Lewis Lindsay Pendleton.
John Francis Curry.
James Eugene Chaney.
Thomas Alexander Terry.
Edward Nicoll Woodbury.
Philip Gordon.
William Jay Fitzmaurice.
Carl Cogswell Oakes.
John Thomas Kennedy.
Ray Longfellow Avery.
Horace Meek Hickam.
Owen Riggs Meredith.
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Homer McLaughlin Groninger.
Robert Emmett O'Brien.
James Hutchings Cunningham.
Stewart Oscar Elting.
Simon Bolivar Buckner, jr.
John Kimball Brown.
Charles Hartwell Bonesteel.
Richard David Newman.
Thomas Jefferson Johnson.

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Robert Howe Fletcher, jr.
William Henry Garrison, jr.
Frederick Ambrose Barker.
Agard Hyde Bailey.
Sumner McBee Williams.
Henry Wallace Hall.
John Hutchison Hester.
Franklin Langley Whitley.
Alfred Harold Hobley.
Elmer Cuthbert Desobry.
Arthur Earl Wilbourn.
Emile Victor Cutrer.
Harry Bowers Crea.
Robert Christie Cotton.
George Barrett Glover, jr.
Henry John Weeks.
Roy Alison Hill.
Enoch Barton Garey.
Leonard H. Drennan.
Charles Kilbourne Nulsen.
Theodore Kendall Spencer.
Ernest Grove Cullum.
Edwin Martin Watson.
William Walter Erwin.
Charles Dudley Hartman.
Edgar Simpson Miller.
Thomas Clement Lonergan.
Albert Lee Sneed.
Lester David Baker.
Walter Reed Weaver.
William Whinery Hicks.
Eugene Bonfils Walker.
Frederick Colwell Phelps.
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Edmund Russell Andrews.
Joseph Albert Rogers.
Max Robert Wainer.
Karl Ferguson Baldwin.
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Charles Elting Coates.
Frank Sperbeck.
Andrew Joseph Conroy.
Francis Eugene Brady.
Edward Postell King, jr.
Martin Conrad Shallenberger.
Herbert Hamlin White.
John Henry Pirie.
Kenneth Sheild Perkins.
Chauncey St. Claire McNeill.
Eugene Reybold.
Robert George Kirkwood.
Harold Everett Marr.
Hugo Ernest Pitz.
William Baldridge Loughborough.
Joseph Wright Rumbough.
Thomas Clair Cook.
Olin Harrington Longino.
Peter Hill Ottosen.
Edgar Hall Thompson.
Samuel Harvey McLeary.
Frank Keet Ross.
Oral Eugene Clark.
Allan Clay McBride.
Joe Reese Brabson.
Herman Kobbe.
John Norton Reynolds.
Louis David Pepin.
Leonard Craig Sparks.
Robert Coker.
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Lincoln Beaumont Chambers.
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John Alden Crane.
John Ashley Warden.
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Willis Craig Knight.
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John Robert Ellis.
John Thomas Harris.
Albert Sidney Johnston Tucker.
Marion Ogilvie French.
Frederick Almyron Prince.
John Mather.
Chester Raymond Snow.
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Robert Emmett Mason Goolrick.
Marshall Magruder.
Walter Putney Boatwright.
John Piper Smith.
Charles Winslow Elliott.
George Richard Koehler.
Oliver Seth Wood.
Allen Mitchell Burdett.
Wilbur Rogers.
Edwin Kennedy Smith.
Louis Roberts Dougherty.
Samuel Roland Hopkins.
Charles Dudley Daly.
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Clarence Talmage Marsh.
Frederick Warren Stewart.
John Blackwell Maynard.
Jacob Frank.
Jacob Herman Rudolph.
Elbe Allen Lathrop.
Raymond Ceward Baird.
Warren Reigle Bell.
Arthur Griffith Campbell.
Matthew Addison Palen.
Joseph Taylor Clement.
Frederick LeRoy Martin.
John Oscar Lackey.
Seth Lathrope Weld.
Thomas Clinton Fain.
Bert Elmer Nickerson.
Harold Lincoln Gardiner.
Robert Addison Gillmore.
Hugh Straughn.
Raymond St. James Bowman.
Edwin Hurlburt Rackley.
Edward Parfit.
Clinton Thomas Alden.
Eacott Berton Miller.
Jenner Young Chisum.
Robert Clifton Garrett.
Harry Jackson Castles.
Burton Ebenezer Bowen.
Guy Brandon Lawrason.
Laurence Tidd Walker.
Otto Harry Schrader.
Isaac Edwin Titus.
Halstead Powell Councilman.
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William Robert Nichols.
Paul Henry Herman.
Oscar Czar Warner.
Frank Sheldon Clark.
Kelley Benjamin Lemmon.
William Skinner Fulton.
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Donald MacQueen Ashbridge.
Hollis LeRoy Muller.
Eli Elmer Bennett.
Charles Todd Richardson.
Clarence Edward Partridge.
Leo James Ahern.
Donald Meredith Beere.
Homer Ray Oldfield.
Herman Erlenkotter.
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Norton Meade Beardslee.
Harold Earl Miner.
Norman Butler Briscoe.
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Ronald DeVore Johnson.
Thom Catron.
Francis Greason Delano.
Jacob Loucks Devers.
Philip Hayes.
Franz August Doniat.
Raphael Robert Nix.
James Lawrence Walsh.
Carl Adolph Baehr.
George Smith Patton, jr.
Henry Horace Malven, jr.

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Thurston Hughes.
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Wallace Copeland Philoon.
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Frederick Arthur Mountford.
Delos Carleton Emmons.
Arnold Norman Krogstad.
Eley Parker Denson.
Thomas DeWitt Milling.
Roy Howard Coles.
Henry Dorsey Farnandis Munnikhuysen.
Philip Stearns Gage.
Robert Lawrence Eichelberger.
Monte Jackson Hickok.
Robert Charles Frederick Goetz.
Archibald Toombs Colley.
Edwin Forrest Harding.
Theodore Mosher Chase.
Carleton George Chapman.
Arthur Rutledge Underwood.
Robert Sears.
Joseph Plassmeyer.
Chester Paddock Mills.
Lee Dunnington Davis.
Edwin Russell Van Deusen.
Frank Leroy Purdon.
Merl Paul Schillerstrom.
Carlin Curtis Stokely.
Louis Philip Ford.
John May McDowell.
Clifford Bluemel.
Wentworth Harris Moss.
Manton Campbell Mitchell.
William Hood Simpson.
Walker Evans Hobson.
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Vernon George Olsmith.
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Herbert Hamilton Acheson.
Willis Shippam.
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Furman Edgar McCammon.
Raymond Eliot Lee.
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Thomas Jamerson Cecil.
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William David Frazer.
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Belton O'Neall Kennedy.
Cary Robinson Wilson.
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Fenelon Cannon.
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Reginald Bifield Cocroft.
Clyde Andrew Selleck.
Kenneth Bailey Harmon.
Ernest Joseph Dawley.
Elmore Beach Gray.
Herbert O'Leary.
Louie Arnold Beard.
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Durward Saunders Wilson.
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Emmett Wilbur Smith.
Herbert Edgar Marshburn.
Charles Hines.
Jack Whitehead Heard.
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Walter Kilshaw Dunn.
Charles Manor Haverkamp.
Walter Hale Frank.
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Frederick Elwood Uhl.
Edgar Willis Burr.
Harvey Henry Fletcher.
John Erle Beller.
John Frederick Landis.
Joseph Stephens Leonard.
John Arner Robenson.
Joseph Page Aleshire.
Walter Moore.
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Harding Polk.
Robert Horace Dunlop.
Allen Richland Edwards.
Emil Fred Reinhardt.
John Gray Thornell.
William Augustus Beach.
John Thomas Hazelrig O'Rear.

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Thomas Hardaway Jones.
Laurence Watts.
Henry Newbold Sumner.
Edward Roth, jr.
George Winship Easterday.
Austin Garfield Frick.
Sydney Smith Winslow.
Wilmot Alfred Danielson.
Francis Joseph Torney.
Boltos Elder Brewer.
Edgar Bergman Colladay.
James Allan Stevens.
Emmert Wohlleben Savage.
Frederick Ramon Garcin.
Tolbert Frank Hardin.
Douglas Campbell Cordiner.
Julian Sommerville Hatcher.
Benjamin Lafayette Carroll.
Bernard Robertson Peyton.
Whitmon Robert Conolly.
Frank Anderson Sloan.
Everett Collins.
Russell Peter Hartle.
Oswald Hurtt Saunders.
Spencer Ball Akin.
Robert Gibson Sherrard.
John Wesley Hyatt.
Ralph Waldo Wilson.
Fred Mortimer Green.
Delmar Samuel Lenzner.
Roland Wilbur Pinger.
Donald Armstrong.
Franklin Babcock.
Hermann Heinrich Zornig.
Gladeon Marcus Barnes.
Raycroft Walsh.
Harvey Clark Allen.
Edward Bennett Dennis.
Leon Moffat Logan.
Roger Baldwin Colton.
Enrique Urrutia, jr.
Arturo Moreno.
Oliver Loving Spiller.
Ruskin Peirce Hall.
Walter William Vautsmeier.
James Madison White.
Spencer Elwell Shearer.
Frank Brezina.
Seth Harold Frear.
John Henry Mellom.
Herbert Edward Pace.
Gunnar J. Mortenson.
John Emmitt Sloan
Federick Rodman Palmer.
Alexander Wilson.
Xavier Francis Blauvelt.
Frank Dorwin Lackland.
Joseph Andrews.
Albert Samuel Peake.
Floyd D. Garlock.
Cushman Hartwell.
Arthur Boettcher.
Horace Thurber Aplington.
Fred Livingood Walker.
Alvan Cullom Gillem, jr.
Rapp Brush.
Bert Milton Atkinson.
Edward George McCormick.
Philip Bracken Fleming.
Joseph Cowles Mehaffey.
Paul Sorg Reinecke.
Raymond Albert Wheeler.
William Benjamin Hardigg.
Harry Russell Kutz.
Charles Adam Schimelfenig.
Thompton Lawrence.
Freeman Wate Bowley.
Charles Reuben Baxter.
Gustav Henry Franke.
Hubert Gregory Stanton.
John Everard Hatch.
Charles Anderson Walker, jr.
Bethel Wood Simpson.
Harold Floyd Nichols.
Harry James Keeley.
Charles Philip Hall.
Alexander Day Surles.
William Edmund Larned.
Franklin Kemble.
Alfred John Betcher.
Karl Slaughter Bradford.
Herbert Arthur Dargue.
John Griffeth Booton.
Frederick Gilbreath.
George Richmond Hicks.
James Blanchard Crawford.
Haig Shekerjian.
Benjamin Curtis Lockwood, jr.
Robert W. Clark, jr.
Harrison Henry Cocke Richards.
Carroll Armstrong Bagby.
Arthur Bayard Conard.
Oliver Stelling McCleary.
Gregory Hoisington.
Ziba Lloyd Drollinger.
Jesse Amos Ladd.
Paul William Baade.
James Roy Newman Weaver.
John Porter Lucas.
William Henry Harrison Morris, jr.
Carl Fish McKinney.
Roscoe Conkling Batson.
Allen Russell Kimball.
Wilfrid Mason Blunt.
Ira Adelbert Rader.
Alvan Crosby Sandeford.
William Jay Calvert.
Kenneth Ebbecke Kern.
David Hamilton Cowles.
Ira Thomas Wyche.
James Craig Riddle Schwenck.
Arthur Clyde Evans.
John Louis Homer.
Thomas Jonathan Jackson Christian.
George Derby Holland.
Austin McCarthy McDonnell.
Howell Marion Estes.
John Furman Wall.
Leo Gerald Heffernan.
Edwin Noel Hardy.
Thomas G. M. Oliphant.
Douglas Blakeshaw Netherwood.
Mert Proctor.
Joseph Dorst Patch.
Archibald Delos Cowley.
William John Wrona.
Felix Englebert Gross.
George Ralph Meyer.
Andrew Lewis Pendleton, jr.
Lewis Hyde Brereton.
Cherubusco Newton, jr.
Vincent Paul Erwin.
Edward Lincoln Hoffman.
Casper Ball Rucker.
Robert Currier Brady.
Hugh Johnston Knerr.
John Page Edgerly.
George Frederick Humbert.
Arthur Woodfin Ford.
Reuben Noel Perley.
Vincent Meyer.
Joseph Ray Cygon.
Edward Harold Hicks.
John Holmes Birdsall.
Herbert Elliott Taylor.
Lindsay McDonald Silvester.
William Middleton Grimes.
Herbert Marshall Pool.
Leonard Townsend Gerow.
Henry Joseph Moody Smith.
George Derry Murphey.
Norman Whittemore Peek.
William Clayton Rose.
Wesley Frost Ayer.
Malcolm Wheeler-Nicholson.
Norman Potter Morrow.
George Crawford Elsey.

James Ambrose O'Brien.
Lloyd Edmonstone Jones.
George Abel Sanford.
Alexander LeRoy Padwinetz Johnson.
Walter Ferrell Winton.
Maxon Spafford Lough.
Newton Napoleon Polk.
Ford Richardson.
Henry Lawrence Cullen Jones.
Lester Maple Wheeler.
Edwin O'Connor.
Eugene Alexander Lohman.
Kenneth Prince Lord.
Eugene Warren Fales.
Edward Alexander Miller, jr.
John Taylor Rhett.
Livingstone Watrous.
Emanuel Villard Heidt.
Charles Stanley Little.
Herbert Alonzo Wadsworth.
Harold Clifford Lutz.
John Moore Thompson.
George Matthew Halloran.
William Edward Brougher.
Medorem Crawford, jr.
Sumner Waite.
Albert Monmouth Jones.
John Edward Creed.
Harrison McAlpine.
James Raymond Alfonte.
Gerald Ellis Cronin.
Glenn Perrine Wilhelm.
Andrew Goolsby Gardner.
Albert Simon Kuegle.
Levin Hicks Campbell, jr.
Follett Bradley.
Jonathan Waverly Anderson.
Serafin Manuel Montesinos.
Pedro Angel Hernandez.
Harold De Forest Burdick.
John Absalom Baird.
Philip Guillou Blackmore.
Henry Clarence Davis, jr.
Theodore Rodes Murphy.
Benjamin Noble Booth.
Edwin French Silkman.
Octave De Carré.
Robert Shemer Oberly.
Claude Martin Thiele.
Avery Johnson French.
Edward Montgomery.
Shepler Ward Fitzgerald.
Leigh Francis Joseph Zerbee.
Coleman Wortham Jenkins.
Wilmer Townsend Scott.
Herbert Eugene Ellis.
Randolph Tucker Pendleton.
Stewart Woods Stanley.
Kenneth Thompson Blood.
Roy Silas Atwood.
Samuel Franklin Hawkins.
Jesse Lowry Sinclair.
Oscar Krupp.
Carleton Ula Edwards.
Charles Thomas-Stahle.
Charles Meigs Wood.
Edwin Joseph O'Hara.
Alden George Strong.
Rudolf William Riefkohl.
John Parke Leavenworth.
Alexander Camman Sullivan.
Joseph Peter Vachon.
Lloyd Baxter Bennett.
Abraham Garfinkel.
Pedro Diaz Dulay.
Thomas Austin Lynch.
Edward James Oliver.
Albert Tucker.
Earle La Forest Hunt.
John Frederick Daye.
Frederic Waldo Whitney.
Clifford Mitchell Tuteur.
Clarence Leslie Gilbert.
Arthur Eugene Rowland.
Leon R. Cole.
Lee Roland Watrous, jr.
Leslie MacDill.
Charles Augustus French.
John Albert Hoag.
Oscar Andrew Eastwold.
Earl Herbert Metzger.
John O'Brien.
Vicente Rico Barros.
Matthew John Gunner.
Daniel Edward Murphy.
James Ripley Jacobs.
Julian Francis Barnes.
Robert Scott Lytle.
Harold Cornelius Vanderveer.
Kenna Granville Eastham.
Henry Terrell, jr.
Thomas James Camp.
Clift Andrus.
James Powers Yancey.
Harry Albert Musham.
Lawrence Sprague Churchill.
George Elmer Arneman.
Dale Francis McDonald.
Paul Kimball Johnson.
Raymond Eugene McQuillin.
Edward Hiltner Bertram.
Hayes Adlai Kroner.
De Forest Willard Morton.
Allan Stuart Boyd, jr.
Francis Clinton Vincent Crowley.
Harry Lewis Twaddle.
George Everett Adams Reinburg.
Clarence Leonard Tinker.
William Robert White.
Donald Bridgman Sanger.
Martin Francis Scanlon.
William Hanson Gill.
Frank Theodore McCabe.
Howard Sharp Bennion.
William Carrington Sherman.
Roscoe Campbell Crawford.
Milo Pitcher Fox.
Lee Otis Wright.
Lewis Andrews Nickerson.
Philip Ries Faymonville.
Russell Lamonte Maxwell.
William Coffin Harrison.
John Shirley Wood.
Charles Janvrin Browne.
Robert Henry Lee.
William Henry Walmsley Youngs.
David McLean Crawford.
Oscar James Gatchell.
John Nathaniel Hauser.
Thomas Jay Hayes.
Richard Emmanuel Anderson.
D'Alary Feche't.
Cris Miles Burlingame.
Raymond Vincent Cramer.
William Hale Wilbur.
Sidney Parker Spalding.
Byron Quinby Jones.
Stephen Harrison MacGregor.
James Albert Gillespie.
Basil Duke Edwards.
Davenport Johnson.
James Kirk.
Robert McGowan Littlejohn.
Wade Hampton Haislip.
Robert Nall Bodine.
James Harve Johnson.
Harry Albert Flint.
Walter Melville Robertson.
John Henry Lindt.
Pearl Lee Thomas.
Sidney Vincent Bingham.
Bird Spencer DuBois.
Isaac Spalding.
Cyril Augustine Phelan.
Harry James Malony.
John Hartwell Hinemon, jr.
Henry Lytton Flynn.
Robert Fee Hyatt.
Harold Marvin Rayner.
Charles Nathaniel Sawyer.

Gilbert Richard Cook.
Max Weston Sullivan.
Stephen Marston Walmsley.
Franklin Cummings Sibert.
Archibald Vincent Arnold.
John Nicholas Smith, jr.
Stephen J. Chamberlin.
John Traylor McLane.
William Horace Hobson.
Walter Glenn Kilner.
Raymond Oscar Barton.
James Sylvester Mooney.
Henry William Harms.
John Earl Lewis.
Walton Harris Walker.
Millard Fillmore Harmon, jr.
John Duncan Kelly.
Edward Chamberlin Rose.
Albert Eger Brown.
William Nalle.
Gustav Jacob Gonser.
Ralph Cadot Holliday.
William Gaulbert Weaver.
Charles Chisholm Drake.
William Joseph Morrissey.
Robert Theodore Snow.
Henry Charles McLean.
Frank Victor Schneider.
Frank Joseph Riley.
Benjamin Franklin Delamater, jr.
Ralph Samuel Kimball.
Roy Oscar Henry.
Francis Bernard Mallon.
Lathrop Boyd Clapham.
John Dilworth von Holtzendorff.
Carl James Adler.
Otto Godfrey Pitz.
Theophilus Steele.
Lindsley Dykeman Beach.
Burton Young Read.
George Hubert Gardiner.
Chester Cardwell Staples.
Harry William Stark.
Duncan Grant Richart.
Oliver Mayhew Ladd.
Archie Stanton Buyers.
William Ayres Borden.
Francis Tuttle Armstrong.
Edwin Bright Spiller.
Cecil George Young.
Carl Andrew Waldmann.
Paul Wesley Evans.
Henry Armstrong Wingate.
William Claude Washington.
Alfred Bixby Quinton, jr.
Hamilton Templeton.
Bertram Frankenberger.
John Keith Boles.
Edward Fuller Witsell.
Alfred Loveday Rockwood.
Edwin Pearson Parker, jr.
John Macaulay Eager.
Floyd Charles Hecox.
Carl Adolphus Hardigg.
Terry de la Mesa Allen.
John Chilton McDonnell.
Carl Lewis Caphton.
Jerome Willard Howe.
William Rudolph Gruber.
Otto Wagner.
William Trigg Pigott, jr.
Russell Brown Patterson.
Herbert Joseph Lawes.
Robert Crayton Williams.
Clyde Vincent Simpson.
Paul Xavier English.
Estil Virgil Smith.
Joseph Frank Richmond.
Roy Stuart Brown.
Troy Houston Middleton.
Roland Francis Walsh.
Paul Murray.
William Daniel Faulkner.
Herbert Merton Ostroski.
Roy Messick Jones.
Arthur Read Christie.
Percy Edgar Van Nostrand.
Frederic Vinton Hemenway.
Clarence Monroe Dodson.
John Bernard Brooks.
James Merriam Moore.
John Breitling Coulter.
Percie Cobbs Rentfro.
William Anderson Raborg.
Carl Jay Ballinger.
Richard Taillefer Taylor.
Welton Mathew Modisette.
John Parsons Wheeler.
Harold Aron Strauss.
Cyril Arthur Winton Dawson.
Richard Christian Scott.
Sherman Leo Kiser.
John Carl Gotwals.
John Henry Caron.
Howard Eager.
John Charles Palmer Bartholf.
Harold Thompson.
Robert Harwood Barrett.
Ernest Joseph Carr.
Patrick James Hurley.
Donald Robert McMillen.
Hugh Broadus Keen.
Ora Mathias Baldinger.
Carlo Antonio Pivirotto.
William Birkett Duty.
Walter Owen Rawls.
Francis Kosier Newcomer.
Charles Francis Williams.
Gordon Russell Young.
Richard Ulysses Nicholas.
Lewis King Underhill.
James Archer Dorst.
Rufus Willard Putnam.
Lunsford Errett Oliver.
William Chalmers Young.
William Carey Crane, jr.
Carlos Brewer.
David Edward Cain.
John Eugene McMahon, jr.
Francis Augustus Englehart.
Allen G. Thurman.
William Ashley Copthorne.
George Wessely Sliney.
Selby Harney Frank.
Eugene Tritle Spencer.
Willis Dale Crittenberger.
Robert Heber Van Volkenburgh.
Alfred Bainbridge Johnson.
Falkner Heard.
Roland Louis Gaugler.
Samuel John Heidner.
Junius Wallace Jones.
Stuart Warren Cramer, jr.
Harold Smith Martin.
Thoburn Kaye Brown.
Manning Marius Kimmel, jr.
John Huff Van Vliet.
Leland Swarts Devore.
Geoffrey Keyes.
Charles Addison Ross.
Douglass Taft Greene.
Robert Meredith Perkins.
Lawrence Babbitt Weeks.
Clarence Hagbart Danielson.
James Nixon Peale.
John Arthur Considine.
David Beauregard Falk, jr.
William Cooper Foote.
Francis Reuel Fuller.
Clinton Warden Russell.
William Richard Schmidt.
Earl Lindsey Canady.
Louis Aleck Craig.
George Edward Lovell, jr.
Otis Keilholtz Sadtler.
William Henry Jones, jr.
John Erskine Ardrey.
Carlyle Hilton Wash.
Henry Pratt Perrine, jr.
Dennis Edward McCunniff.
Henry Balding Lewis.
Henry Barlow Cheadle.

Stewart Shepherd Giffin.
Samuel Alexander Gibson.
Paul Woolever Newgarden.
Charles Andrew King, jr.
Alexander McCarrell Patch, jr.
Charles Bishop Lyman.
Robert Lily Spragins.
Ward Elverson Duvall.
James Brown Gillespie.
Charles Lawrence Kilburn.
Hans Robert Wheat Herwig.
Howard Calhoun Davidson.
William Lynn Roberts.
William Alexander McCulloch.
Paul Duke Carlisle.
William Augustus Rafferty.
Lathe Burton Row.
John Flowers Crutcher.
Francis Joseph Toohey.
George Washington Price.
Herbert Slayden Clarkson.
Charles Gardiner Helmick.
Madison Pearson.
Robert Duncan Brown.
Ray Wehnes Barker.
Henry Abbey, jr.
Earl Howard Coyle.
Mack Garr.
Edward Oliver Halbert.
Maxwell Kirby.
Frank Bonne Jordan.
Edmund Peyton Duval.
Alfred Eugene Sawkins.
Robert Emmet Carmody.
Harry Lee King.
Robert Ogden Annin.
Daniel Gordon Morrissett.
Augustin Mitchell Prentiss.
Ralph Hospital.
Theodore Barnes, jr.
Casey Hewitt Hayes.
Harvey Buckingham Steele Burwell.
Charles Bellows Hazeltine.
John Lloyd Burg.
Edward William Austin.
Russell Alger Osmun.
Sidney Erickson.
Emer Yeager.
Thomas Roger McCarron.
George Lamberton Smith.
Mahlen Augustus Joyce.
Chapman Grant.
William Henry Holcombe.
Charles Philip Gross.
Bernard August Miller.
Peter Cleary Bullard.
Brehon Burke Somervell.
Xenophon Herbert Price.
Robert Walter Crawford.
Frederick Snowden Skinner.
Dabney Otey Elliott.
Frederick William Herman.
John Hill Carruth.
Philip Loomis Thurber.
William Chester Houghton.
John Churchill Wyeth.
Arthur Ringland Harris.
LaRhett Livingston Stuart.
Alfred Earl Larabee.
John Adams Brooks, jr.
Cleveland Hill Bandholtz.
John Green Burr.
Albion Ray Rockwood.
Frank Lawrence Hoskins.
Arthur Dow Newman.
John Hamilton Jouett.
John Benjamin Anderson.
Cedric Watterson Lewis.
Joseph DeMoss McCain.
Harry Clyde Ingles.
James Lester Bradley.
Willis James Tack.
Edward Leuffer Nevin Glass.
Charles Watson Foster.
William Edward Burr.
Eugene Villaret.
Cuyler Llewellyn Clark.
Reiff Hesser Hannum.
Clarence Corinth Benson.
Thomas Henry Rees, jr.
Floyd Randall Waltz.
John Henry Woodberry.
Harold Francis Loomis.
Leland Harold Stanford.
William Abbott Robertson.
Richard Bolles Paddock.
Carl Spatz.
Harold Roe Bull.
James Byron Haskell.
Charles Morton Milliken.
James Fred Byrom.
Joseph Bradford Treat.
Woodfin Grady Jones.
James Patrick Hogan.
Paul Clarence Paschal.
John Leo Parkinson.
Rudolph Gwinn Whitten.
Louis Thomas Byrne.
Gooding Packard.
Glenn Preston Anderson.
Walter Cyrus Gullion.
Francis Marion Brannan.
Adam Empie Potts.
William Rutledge Orton.
Francis Henry Forbes.
Rufus Sumter Bratton.
Thomas George Lanphier.
Slyvester DeWitt Downs, jr.
Orlando Ward.
Benjamin Grant Weir.
Ralph Royce.
Thomas Huntington Monroe.
Roger Burnett Harrison.
Benjamin Fiery Hoge.
Frederick Herr.
Clifford James Mathews.
Howard Prescott Milligan.
Frank William Milburn.
Isaac Gill, jr.
John Kennard.
John Bellinger Thompson.
Hamner Huston.
Jens Anderson Doe.
Sheldon Harley Wheeler.
Lester Leland Lampert.
William Francis Maher.
Floyd Hatfield.
Charles Lewis Clifford.
Benjamin Seymour Stocker.
Gaston Lee Holmes.
Oscar Otto Kuentz.
Earl Landreth.
William Edward Raab Covell.
Joseph Dogan Arthur, jr.
John Stewart Bragdon.
George Jacob Richards.
John Scott Smylie.
Douglas Lafayette Weart.
Earl Ewart Gesler.
Edwin Alexander Bethel.
John French Conklin.
Alfred Laing Ganahl.
William Frazer Tompkins.
Douglas Hamilton Gillette.
Paul Alfred Hodgson.
Donald Angus Davison.
Henry Spiese Aurand.
Thomas Bernard Larkin.
Edwin Coit Kelton.
James Allen Lester.
Mason James Young.
Layson Enslow Atkins.
Herman Beukema.
Francis Joseph Dunigan.
Edwin Albert Zundel.
Clinton Wilbur Howard.
Charles Manly Busbee.
Albert Whitney Waldron.
Parley Doney Parkinson.
John Hobert Wallace.

Raymond Marsh.
Harold Eugene Small.
Henry Benton Sayler.
Joseph May Swing.
Charles Wolcott Ryder.
Stafford LeRoy Irwin.
Joseph Taggart McNarney.
Albert Henry Warren.
Omar Nelson Bradley.
Cedric Malcolm Stanley Skene.
Paul John Mueller.
Leland Stanford Hobbs.
John Frederick Kahle.
Edwin Bowman Lyon.
Reinold Melberg.
Clarence Brewster Lindner.
John Henry Cochran.
Logan Wellington Serles.
Carl Conrad Bank.
Charles Calvert Benedict.
Vernon Evans.
Roscoe Barnett Woodruff.
Joseph Jesse Teter.
Lewis Clarke Davidson.
Dwight David Eisenhower.
Harold William James.
George Hume Peabody.
Martin John O'Brien.
Joseph Cumming Haw.
James Basevi Ord.
Earl Larue Naiden.
Henry McElderry Pendleton.
Iverson Brooks Summers, jr.
Edmund de Treville Ellis,
Robert William Strong.
Clifford Randall Jones.
John Beugnot Wogan.
Clesen Henry Tenney.
Clifford Barrington King.
Frank Edwin Emery, jr.
Edward Caswell Wallington.
Carl Ernest Hocker.
John William Leonard.
Richmond Trumbull Gibson.
John Aloysius McDermott.
Edward Campbell McGuire.
Clyde Raymond Eisenschmidt.
Edward Bolton Hyde, jr.
John McDonald Thompson.
James Alward Van Fleet.
Louis Alfred Merillat, jr.
Edward Gill Sherburne.
Walter Wood Hess, jr.
Michael Frank Davis.
Ephraim Foster Graham.
James Saye Dusenbury.
Fredrick Clifford Rogers.
Joseph Dowd Brown.
Lehman Wellington Miller.
Edson Irwin Small.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be colonels.

Herbert Arthur White.
Beverly Allen Read.
Blanton Winship.
James Jesse Mayes.
Edward Albert Kreger.

To be lieutenant colonels.

Gordon Nathan Kimball.
Kyle Rucker.
Arthur Winton Brown.
Willey Howell.
William Taylor.
Dennis Patrick Quinlan.

QUARTERMASTER CORPS.

To be colonel.

Arthur Walcott Yates.

CAVALRY.

To be colonels.

Elmer Lindsley.
William Jefferson Glasgow.
Frank Spear Armstrong.
John O'Shea.

To be lieutenant colonels.

Edward Leonard King.
Samuel Field Dallam.
William Kelly, jr.
Henry Charles Whitehead.
William Dixon Chitty.
Alfred Eldrekin Kennington.
Edward Percy Orton.
Francis Horton Pope.
George Edward Mitchell.

To be majors.

David Harmony Biddle.
William Fredric Holford Godson.
George William Winterburn.
Lewis Foerster.
Lewis William Cass.
William Porter Moffet.
Archibald Francis Commiskey.
William Albert Cornell.
James Etter Shelley.
Edward Calvert.
Bruce Palmer.
James Edmond Fechet.
Philip Worthington Corbusier.
Frederick Marion Jones.

FIELD ARTILLERY.

To be majors.

Sherman Miles.
Cortlandt Parker.
Charles Carter Reynolds.

COAST ARTILLERY CORPS.

To be colonels.

Joseph Wheeler, jr.
Robert Emmet Callan.
Edwin Landon.
Clarence Henry McNeil.
Joseph Powell Tracy.
Percy Myers Kessler.
Johnson Hagood.
Frank Kirby Fergusson.

To be lieutenant colonels.

Alfred Sully Morgan.
Charles Henry Hilton.
William Fayssoux Stewart, jr.
Joseph Benjamin Douglas.
Hudson Taylor Patten.

To be majors.

Charles Edward Nason Howard.
Claudius Milton Seaman.
Hugh John Bedell McElgin.
Arthur Leonard Fuller.
Henry Rozer Casey.
William Kern Moore.
David Yulee Beckham.

INFANTRY.

To be colonels.

John McAuley Palmer.
John Kramer Miller.
William Newman.
Hansford Lee Threlkeld.

To be lieutenant colonels.

Thomas McArthur Anderson, jr.
Charles Du Val Roberts.
Claude Hamilton Miller.
Harold Benjamin Fiske.
John Hendricken Hughes.
George Willis Helms.
Rufus Estes Longan.
William Mason Fassett.
Halstead Dorey.

To be majors.

Bertram Page Johnson.
Charles Ridgly White Morison.
Walter Lawrence Reed.
Ira Franklin Fravel.
Ned Merril Green.
James Alfred Moss.
Philip Coldwell.

MEDICAL CORPS.

To be majors.

William Daugherty Petit.
Jay DePew Mingos.

To be captains.

George Newlove.
Luke Baker Peck.
Frederick H. Sparrenberger.
George Philip Stallman.
Magnus J. Myres.
Ralph Waldo Newton.
Benjamin Franklin Fridge, jr.
Carlton Lakey Vanderboget.
James Brent Anderson.
Charles Henry Stearns.
Walter Leland Richards.
Francis Carrillo Tyng.
George Randolph Harris, jr.
Forrest Pitt Baker.
Frederic Hamilton Thorne.
James Roy Hudnall.
John Andrews Rogers.
Reginald Ducat.
Guy Blair Denit.
Charles R. Lanahan.
Charles Augustus Pfeffer.
Frank Hernon Chase.
Edward Raymond Easton.
Stanley Gibson Odom.
Alfred Robert Thomas, jr.
Harold Augustus Spilman.
Charles August Stammel, jr.
Wilmer Clayton Dreibelbies.
Clive Paul Mueller.
Nuckols Thornton Davie.
William Eli McCormack.
Rees Stephen Lloyd.
Zera Exley Bolin.
Louis Martin Field.
Eugen Gottfried Reinartz.
Verner Trenary Scott.
Hall Glesnor Van Vlack.
Alan Callender Sutton.
William Milton Caffee.
Horace Tyner Doust.
John DuBose Barnwell.
Everett LeCompte Cook.
Gordon Adams Clapp.
Virgil Heath Cornell.
Theodore Wallace O'Brien.
Ernest LeRoy Wilson.
George Benjamin Kent.
Harry Justin Felch.
George Heinrichs Preston.
William Campbell Colbert.
Joseph William Garrett.
Charles Levi Maxwell.
Harold Vincent Raycroft.
Wesley Cintra Cox.
Levy Steven Johnson.
Elmer Seth Tenney.
Roy Wilford Layton.
Joe Harold St. John.
Paul Moyer Patterson.
Donald H. Pitts.
William John Meihe.
Morgan Clint Berry.
Anthony Avata.
William Joseph Froitzheim.
Othel Jefferson Gee.
William Humes Houston.
Fabian Lee Pratt.
Lincoln Frank Putnam.
Thomas Hill Stewart, jr.
Eli Edwin Brown.
Wilbur Gibson Jenkins.
Richard Turberville Arnest.
Maxwell Gordon Keeler.
Jesse Cortena McKean.
Daniel Franklin.
Orlando Jefferson Posey.
Antony Joseph Greco.
Dalmar Rowley Blakely.
Charles Fletcher Davis.
David Wade Bedinger.
Adam George Heilman.
Martin Robert Reiber.
Raymond Clyde Wolfe.
Harold Arthur Kirkham.
Aubin Tilden King.
Brooke Dodson.
Oswald Felix Schiffli.
Logan Illk Evans.
Joseph Francis Gallagher.
Alexander Mileau, jr.
Leonard Philip Bell.
Thomas Grant Tousey.
Frank Walker Young.
Roy Farrington Brown.
John Glenwood Knauer.
Clark Anson Wilcox.
Edwin Raymond Strong.
Henry Jackson Hayes.
Edwin Leland Brackney.
Rufus Leroy Holt.
Ernest Jackson Steves.
James Neal Williams.
Charles Ralph Ozias.
Cedric Eugene Filkins.
Clarence Mansfield Reddig.
Floyd Vern Kilgore.
Forrest Ralph Ostrander.
Walter Schneider Bennett.
Bernard Lipscomb Jarman.
Raymond Osborne Dart.
John Frank Lieberman.
John Darlington Nourse.
Don Clio Bartholomew.
Rae Ellsworth Houke.
Charles Roland Glenn.
William Stephen Culpepper.
Royal Kendall Stacey.
Niels Peter Paulsen.
Ebner Holmes Inmon.
George William Rice.
William Bell Foster, jr.
Joseph Wheeler Smith, jr.
James Day Edgar.
William Kenneth Turner.
Rollo Preston Bourbon.
John Christopher Woodland.
William Stanton Martens.
Walter Leslie Perry.
Harvey Robinson Livesay.
Edmund Anderson Lodge.
Samuel Carlton Gwynne.
William Ralph Campbell.
Brooks Collins Grant.
Jarrett Matthew Huddleston.
John Newton Merrick.
Albert Bowen.
Francis Elwood Weatherby.
William Davies McLelland.
Sam Hardeman.
William Charles Munly.
Robert James Platt.
John Arthur Keyton.
Alfred Edward Jones.
Tate Benton Collins.
Ralph Leslie Cudlipp.
Chauncey Elmo Dovell.
Lucius Kennedy Patterson.

DENTAL CORPS.

To be captains.

Edwin Moore Kennedy.
George Magnor Krough.
Howard Clayton Feyler.
Beverley Morrison Epes.
James Henry O'Reilly.
George Julian Sibley.
James Barto Mann.
Herbert Edwin Guthrie.
Charles Jefferson Denholm.
Joseph Henry Jaffer.
William Henry Siefert.
James Harold Keith.
James Jay Weeks.
Wayne W. Woolley.
Fernando Emilio Rodriguez.

Thomas Minyard Page.
Clyde Wakefield Scogin.
John Godfrey Urban.
James Lawrence Olsen.
Daniel Sumner Lockwood.
John Nelson White.
William Ferdinand Scheumann.
Campbell Hopson Glascock.
William Frederic Wieck.
Thomas Herbert Veale.

VETERINARY CORPS.

To be colonels.

Gerald E. Griffin.
Charles Douglas McMurdo.
William George Turner.
William Vinton Lusk.

To be lieutenant colonels.

Robert Vans Agnew.
William Vinton Lusk.
William George Turner.
Joseph Richardson Jefferis.
Harry Frank Steele.
Ray Jones Stanclift.
Coleman Nockolds.

To be majors.

Ray Jones Stanclift.
Coleman Nockolds.
Robert Vans Agnew.
Eugene John Cramer.
Jules Henry Uri.
Henry Wilson Peter.
William Proctor Hill.
John Alexander McKinnon.
Charles Henry Jewell.
William Adalbert Sproule.
John Henry Gould.
Walter Fraser.
Walter Robert Pick.
Andrew Edmund Donovan.
Burt English.
Robert Julian Foster.
George Alexander Hanvey, jr.
George Albert Lytle.
Robert Cessna Musser.

To be captains.

Robert Cessna Musser.
Aquila Mitchell.
Wilfred Josiah Stokes.
James Reid Shand.
Herbert Stephens Williams.
Alfred Lewis Mason.
Thomas Harold Edwards.
Burton Alpheus Seeley.
Edward Patrick O'Connell.
George Henry Koon.
Ralph Maurice Buffington.
Daniel Buchter Leininger.
Joseph Nourse Hornbaker.

To be first lieutenants.

Sherman Robert Ingram.
George William Brower.
Allen Chamberlain Wight.
Elwood Luke Nye.
Charles Brenton Dunphy.
Robert Payne McComb.
Harold Clarke.
Daniel Henry Mallan.
Louis Goldman Weisman.
Everett Cooper Conant.
James Alexander McCallam.
Harry John Juzek.
William Henry Dean.
Solon B. Renshaw.
Horace Zenas Homer.
Louis Lathrop Shook.
Oscar E. Gladfelter.
Frank H. Woodruff.
John D. Moore.
Will Charles Griffin.
Lloyd Clifford Ewen.
Charles Oliver Grace.
Edward Michael Curley.
James Russell Sperry.
Floyd Chauncey Sager.
Henry Emil Hess.
Vincent Brown Wright.
Paul Roberts King.
Forest Lee Holycross.
George Leander Richards.
Daniel S. Robertson.
George Leslie Caldwell.
George Francis Feazell.
Jacob Landes Hartman.
Gordon Bancroft Huse.
John H. Kintner.
Walter Karl Herbott.
Arthur Dunlap Martin.

SIGNAL CORPS.

To be colonel.

George Owen Squier.

CHAPLAINS.

To be chaplains with the rank of lieutenant colonel.

Cephas Caleb Bateman.
Walter Marvine.
Charles Wright Freeland.
John Anthony Randolph.
Edmund P. Easterbrook.
George Chamberlain Stull.
Aldred Adino Pruden.
Barton Warren Perry.

To be chaplains with the rank of major.

James Lincoln Griffes.
John Menifee Moose.
Julian Emmet Yates.
David Law Fleming.
Francis Patrick Joyce.
Simon Michael Lutz.
Herbert Stanley Smith.

To be chaplains with rank of captain.

Alexander Daniel Sutherland.
Ignatius Fealy.
Haywood Lewis Winter.
Thomas Louis Kelley.
Clifford Lore Miller.

APPOINTMENT BY TRANSFERS IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

To be colonels.

Frank Spear Armstrong.
Clyde Emile Hawkins.
Louis Hermann Bash.
Harry Frederick Rethers.
Henry Charles Whitehead.
Edward Seymour Walton.
Francis Horton Pope.
Alexander Elliot Williams.
John Robert Rigby Hannay.
Charles Henry Hilton.
Albert Clayton Dalton.
Sam Frank Bottoms.

To be lieutenant colonels.

Irvin Leland Hunt.
Henry Churchill Bonnycastle.
Patrick William Guiney.
Frederick William Van Duyne.
Grayson Villard Heidt.
Lawrence Du Val Cabell.
Clyffard Game.
Albert N. McClure.
George Edward Ball.
Walter Bogardus McCaskey.
Warren Webster Whitside.
William Richard Kendrick.
George William Winterburn.
Jack Hayes.
Frederick Curtis Johnson.
Will H. Point.
William Benton Cowin.
Richard Ten Broeck Ellis.
Alvin Kelley Baskette.
Milosh Radosablavitz Hilgard.
Linwood Ellsworth Hanson.
Frank Harold Burton.
Charles Louis Willard.
Ernest H. Agnew.

William Henry Noble.
Samuel Burnette Pearson.
James Henry Como.
J. DeCamp Hall.
Harry Edward Comstock.
William Oury Smith.
Edgar Simon Stayer.
Charles Ernest Reese.
Sherrard Coleman.
William Franklin Herringshaw.
Robert Emmet Grinstead.
Ernest Alexis Jeunet.
Franklin Schoch Leisenring.
Herbert L. Evans.
Albert Owen Seaman.
William Howard Tobin.
Verne LaSalle Rockwell.
Charles Godfrey Harvey.
James Etter Shelley.
Ward Dabney.
Edward Calvert.
Thomas Meredith Hunter.
Frank Howard Adams.
John Adam Wagner.
Henry Gibbins.
Edmond Ross Tompkins.
George Albert Purington.
Thomas MacAllister Knox.
John Patrick Hasson.
Rudolph Ethelbert Smyser.
Robert Sterrett.
James Perrine Barney.
William Columbus Gardenhire.
Joseph Cornelius Kay.
Walter Chambers Jones.
Franklin Potter Jackson.

To be majors.

James Robert Pourie.
Charles Oswick Zollars.
Augustus Bennett Warfield.
Norton Ellsworth Wood.
Ernest Stephen Wheeler.
John Burhyte Wilmot Corey.
Charles Greenough Mortimer.
Charles Jones Ferris.
Henry Rozer Casey.
William Kern Moore.
John Sherman Chambers.
James Regan.
William Gustin Ball.
Gerrit VanSchaick Quackenbush.
Sydney Herbert Hopson.
Carl Carlton Jones.
Charles Davis Winn.
Ralph Noble Hayden.
Alden Max Graham.
Arthur James Lynch.
Joseph Howard Barnard.
William Holt Peek.
George Steele Gillis.
Milton Garfield Holliday.
Walter Herbert Neill.
Launcelot Marmaduke Purcell.
Carl Frederick von dem Bussche.
James Pryer Castleman.
Frank Edwin Davis.
William Elmer Murray.
Brainerd Taylor.
George Percy Hawes, jr.
Charles Albert Clark.
Charles McHenry Eby.
William Alexander McCain.
Joseph Fulton Taulbee.
Odiorne Hawks Sampson.
Norman Harry Davis.
Samuel Sumner Bryant.
Charles Smith Hamilton.
George Watkins Ewell.
Claire Raymond Bennett.
Reuben Chapman Taylor.
George Edgar Nelson.
Edward Himmelwright Tarbutton.
Emil Engel.
Edwin Gunner.
Resolve Potter Palmer.
Philip Remington.
Mark Lorin Ireland.
Albert Howell Barkley.
Stanley Koch.
Edmund Bristol Gregory.
Ursa Milner Diller.
Arthur James Davis.
Charles Andrew Meals.
Napoleon William Riley.
Thomas Norton Gimperling.
Joseph Lybrand Topham, jr.
John Marshall True.
Robert Collins Eddy.
Charles Lewis Scott.
Ralph Talbot, jr.
Clifford Lee Corbin.
Everett Davis Barlow, jr.
James Griffin Boswell.
Max Akin Elser.
Alexander Hamilton Jones.
John Patrick Keeler.
James Howard Laubach.
Henry John Weeks.
Charles Dudley Hartman.
Max Robert Wainer.
William Baldridge Loughborough.
Merrill Dole Wheeler.
Hans Robert Wheat Herwig.
William Robert White.
Edmund De Treville Ellis.
George Derry Murphey.
Rodman Butler.
Robert McGowan Littlejohn.
Fredrick Clifford Rogers.
George Herman Huddleson.
Frank Joseph Riley.
Allen Russell Kimball.
Willis Edward Mills.
Richard Henry Jordan.
Ernest Grave Cullum.
Jacob Frank.
Henry Armstrong Wingate.
Herbert Joseph Lawes.
Charles Carter Reynolds.

To be captains.

Norris Stayton.
Owen Glenn Collins.
John Thomas Harris.
Albert Kenny Craven Palmer.
Henry Dorsey Farnandis Munnikhuysen.
Guy Ichabod Rowe.
Charles Martin Everitt.
Frank Floyd Scowden.
Wilmot Alfred Danielson.
Francis Joseph Torney.
Douglas Campbell Cordiner.
Leon Moffat Logan.
Frederick Rodman Palmer.
Frederick Gilbreath.
William Jay Calvert.
Robert Currier Brady.
James Raymond Alfonte.
DeForest Willard Morton.
Charles Chisholm Drake.
Carl Adolphus Hardigg.
Roland Francis Walsh.
Russell Alger Osmun.
Louis Alfred Merillat, jr.
Marvin Conrad Heyser.
Clarence Fenn Jobson.
Charles Andrew McGarrigle.
Richard Jacquelin Marshall.
Richard Keene Smith.
George Macdonald Herringshaw.
Allen Thurman Veatch.
Roy Charles Lemach Graham.
Harley Albert Dresback.
William Harvey Dukes.
Reyburn Engles.
Arnold Wright Ellis.
Joseph Knox Fornance.
Harry Harrison Reeves.
Edwin Mack Scott.
Frederick Schoenfeld.

Rene Eugene Fraile.
Sherman I. Strong.
Stuart Duncan Campbell.
John Webster Llufrio.

To be first lieutenants.

William Francis Stromeyer.
Dallas Loyd Knoll.
Erwin Adolph Manthey.
Harry Lee Hart.
Douglas Lee Crane.
George Etter.
Clinton Bowen Fisk Brill.
Clough Farrar Gee.
George Jacob Giger.
William Foelsing.
Harry William Koster.
Harold Stokely Wright.
Elmer Theodore Foss.
Frederick Philip Schlandt.
Hans Ottzenn.
Lewis Mesherry.
Harvey Edward.
Milton Orme Boone.
John Downing Hill.
Harry Boissonnault.

To be second lieutenants.

Joseph Worth Timmons, jr.
Glen Dison Gorton.
Everett Roscoe Stevens.
Robert Howard Wylie.
Joseph Popenjoy Bailey.

FINANCE DEPARTMENT.

To be colonels.

Ralph Harrison.
Robert Shufeldt Smith.
James Canby.
Kenzie Wallace Walker.
Robert Sanford Offley.
Edward Percy Orton.
Willard Herman McCornack.
William Franklin Clark.

To be lieutenant colonels.

Roderick Leland Carmichael.
Alfred Sully Morgan.
Charles Egbert Stanton.
William McKendree Lambdin.
William Beatty Rochester.
Frederick William Coleman.
Edwin Albert Hickman.
Edward Albert Sturges.
Theodore Schultz.
Richard Kerr Cravens.
Joseph Sanders Hardin.
Samuel Breck McIntyre.
Hilden Olin.
Perrin Lindsley Smith.
Freeborn Page Holcomb.
Charles Henry Errington.
Lewis Sidney Morey.
William Hugh Clopton, jr.
Leonard Lyon Deitrick.
Tilman Campbell.

To be majors.

Charles Lewis Lanham.
David Yulee Beckham.
Eugene Julius Ely.
Herbert Edward Pace.
Frederick Wegener Boschen.
Nathan Horowitz.
Henry Henderson Pfeil.
Carl Cogswell Oakes.
Matt Combes Bristol.
Joseph James Grace.

To be captains.

Stanley Symmes Ross.
William Henry Menges.
Dawson Olmstead.
George Frederick Humbert.
Edwin Bright Spiller.
Walter Owen Rawls.
Norman Daniel Cota.
John Barber Harper.
Louis Maloney Thibadeau.
William Maynard Dixon.

To be first lieutenants.

Fred Glover Sherrill.
Birnie Lee Brunson.

To be second lieutenants.

William Walter Thrall.
Wallace Fairchild Baker.
Hardie Ambrose Violland.
Will Thomas Taber.
Hastie Alexander Stuart.
Eugene Coffin.
Francis Jewett Baker.
Eugene Owen Hopkins.
Elmer Ellsworth Lockard.
Dana Woods Morey.
Robert George Nunan.
Selden Brooke Armat.
George Zinn Eckels.
Jerome Clark.
Walter Stephans Vidor.
Frank B. Shelly.
Arthur A. Padmore.
Clarence Maynard Exley.
Otto Wilhelm Gralund.
Horace Grattan Foster.
James MacKay.
Thomas Scott Pugh.
Stephen Roscoe Beard.
George Nicoll Watson.
Guy Russell Doane.
Harold George Salmon.
Ed Norment Enders.
Archie Henry Willis.
Edward Tiffin Comegys.
Horace Grant Rice.
Ernest Palmer Hoff.
Wilhelm P. A. T. Von Hartung.
Montgomery Taft Legg.
James Asa Marmon.
Walter Davis Dabney.
Percy Gabriel Hoyt.
William James Lisle.
William Alexander MacNicholl.
Seymour Houghton Francis.
Carl Halla.
Charles Franklin Eddy.
Richard LeRoy Cave.
Alfred James Maxwell.
Orva Earl Beezley.
Frank Elmer Parker.
Edwin Fairbrother Ely.
James Bayard Haley.

CORPS OF ENGINEERS.

To be majors.

Frederick Mears.
Bowyer Brockenbrough Browne.
Henry Hubert Stickney, jr.

To be captains.

Robert Alexander Laird.
Horace Herbert Braun.
Howard Foster Clark.
Marshall Joseph Noyes.
Helmer Swenholt.
William Hammond Waugh.
James Douglas Cleary.
Clifford E. Black.

To be first lieutenants.

Frank Wiltshire Gano.
Roy Dayton Burdick.
Edward Sandford Pegram, jr.
Cecil Ray Moore.
Glenn Howenstein Stough.
Harold Jack Adams.
Walter David Luplow.
Frederick Webster Deck.
Milton Heilfron.
Fabius Henry Kohloss.

To be second lieutenants.

Theodore Temple Knappen.
Wilson Burnett Higgins.

Albert Newell Tanner, jr.
Harold Thomas Miller.
James Woodrow Clark.
Louis Jacob Claterbos.
Bernard Linn Robinson.
James Hobson Stratton.
Ewart Gladstone Plank.
Harry Earl Fisher.
Donald Sylvester Burns.
Donald James Leehey.
John States Seybold.

ORDNANCE DEPARTMENT.

To be colonel.

William Allen Phillips.

To be lieutenant colonels.

William Irving Westervelt.
Herman Walter Schull.

To be majors.

Harry Birdwhistell Jordan.
Edward Marsh Shinkle.
John Henry Read, jr.
Glen F. Jenks.
Gilbert Henry Stewart.
Adam Floy Casad.
John Epps Munroe.
Townsend Whelen.
Lucien Barclay Moody.
James Kerr Crain.
Rolland Webster Case.
Norman Foster Ramsey.
Philip John Radcliffe Kiehl.
Charles Gearhart Mettler.
Charles Bhaer Gatewood.
Joseph Halley Pelot.
Morgan Lewis Brett.
Earl McFarland.
Alexander Garfield Gillespie.
Thomas Lee Coles.
John Boursiquot Rose.
Charles Tillman Harris, jr.
Harry Keneth Rutherford.
Lucian Dent Booth.
Alexander William Maish.
Alexander James Stuart.
Webster Allyn Capron.
James Henry Burns.
Everett Strait Hughes.
Thomas Jefferson Smith.
Ray Longfellow Avery.
John Mather.
Charles Todd Richardson.
Clarence Edward Partridge.
Raphael Robert Nix.
James Lawrence Walsh.
Robert Sears.
Wallace Loring Clay.
Charles McHenry Steese.
Herbert O'Leary.
Willard Karle Richards.
John Erle Beller.
Julian Sommerville Hatcher.
Roland Wilbur Pinger.
William Benjamin Hardigg.
Harry Russell Kutz.
Charles Adam Schimelfenig.
William Edmund Larned.
Philip Guillou Blackmore.
Thomas Aquilla Clark.
Oscar Krupp.
Arthur Woodfin Ford.
James Brown Gillespie.
Henry Benton Sayler.
Cecil George Young.

To be captains.

Claude B. Thummel.
Dwight Knowlton Shurtleff.
Francis Henry Miles, jr.
Burton Oliver Lewis.
Kenneth Bailey Harmon.
Gladeon Marcus Barnes.
John C. Beatty.
Charles Reuben Baxter.
Hubert Gregory Stanton.
Charles Anderson Walker, jr.
Bethel Wood Simpson.
John Griffeth Booton.
Glenn Perrine Wilhelm.
Henry Clarence Davis, jr.
Robert Shemer Oberly.
Lee Otis Wright.
Lewis Andrews Nickerson.
Philip Ries Faymonville.
Russell Lamonte Maxwell.
Oscar James Gatchell.
Thomas Jay Hayes.
Sidney Parker Spalding.
Leonard Lovering Barrett.
Stephen Harrison MacGregor.
James Kirk.
Robert Nall Bodine.
William Ayers Borden.
Carl Andrew Waldmann.
William Chalmers Young.
Alfred Bainbridge Johnson.
Roland Louis Gaugler.
Cleveland Hill Bandholtz.
John Henry Woodberry.
Henry Spiese Aurand.
DeRosey Carroll Cabell, jr.
Alfred Bixby Quinton, jr.
Selby Harney Frank.
Albert William Draves.
Harold Whitaker Rehm.
Hugh Chapman Minton.
Harold Albert Nisley.
James Lindley Hatcher.
Raphael Saul Chavin.
Walter Francis Vander Hyden.
Elbert Louis Ford, jr.
William Harold Joiner.
Roy Lindsay Bowlin.
Robert Newton Kunz.
Samuel Robert Kimble.
John Wesley Confer, jr.

To be first lieutenants.

William Creveling Trumbower.
Charles Henry Keck.
Grafton Sherwood Kennedy.
Cornelius Henry Menger.
Simpson Ridley Stribling.
Herman Uth Wagner.
John Marcus Erwin.
William Innes Wilson.
Grayson Cooper Woodbury.
John Bellinger Bellinger, jr.
Mark Milton Serum.
Olaf Phillips Winningstad.
Clarence Cory Harshman.
Lawrence James Meyns.
Kenneth Leeds Holmes-Brown.
George William Outland.
John Brainerd Fidlar.
Theodore Christian Gerber.
James Willard Walters.
Paul Ludwig Deylitz.
James Milligan Gillespie.
Jacob Gunn Sucher.
Clarence O'Leary.
George Gage Eddy.
Lloyd Russell Rogers.
Thomas Kenneth Vincent.
Levi Monroe Bricker.
Walter Harold Soderholm.
Thomas Reed Taber.
Paul Ward Beck, jr.
James Cutler Vickery.
John Marks Moore.
Arthur Harold Luse.
William Riley Deeble, jr.
George Abe Woody.
Charles Cope Bartley.

CHEMICAL WARFARE SERVICE.

To be colonels.

Curtis William Otwell.
Charles Wesley Exton.

To be lieutenant colonel.

Amos Alfred Fries.

To be majors.

Earl James Atkisson.
Owen Riggs Meredith.
Rollo Curtin Ditto.
Charles Winder Mason.
Walter Campbell Baker.
Alfred Loveday Rockwood.

To be captains.

Augustin Mitchell Prentiss.
Rufus Foote Maddux.
Adrian St. John.
Egmont Francis Koenig.

To be first lieutenants.

Arthur Allen Dearing.
Charles William Walton.
Eugene Peter Henry Gempel.
Henry Maris Black.
John Templeton Newland.
William Sydney Barrett.
John Virgil Lowe.
John Reigel Embich.

To be second lieutenants.

Evan Jervis Morris.
Joseph Francis Binford.

SIGNAL CORPS.

To be lieutenant colonels.

Irving Joseph Carr.
Hanson Briscoe Black.
James Bredner Allison.
Alvin Coe Voris.
John Ezra Hemphill.

To be majors.

Robert Davis.
Walter Evans Prosser.
Joseph Oswald Mauborgne.
Karl Truesdell.
John Clark Moore.
Frank Moorman.
Owen Stedman Albright.
Alvin Gustav Gutensohn.
Thomas Charles Spencer.
Sebring Clay Megill.
David McLean Crawford.
Cedric Watterson Lewis.
Dawson Olmstead.
Joseph Fulton Ware.
Francis Greason Delano.

To be captains.

Roy Howard Coles.
John Hartwell Hinemon, jr.
Louis Blaine Bender.
George Lane Van Deusen.
Spencer Ball Akin.
Charles Nathaniel Sawyer.
Stephen Marston Walmsley.
Paul Wesley Evans.
Otis Keilholtz Sadtler.
Alfred Earl Larabee.
Harry Clyde Ingles.
Charles Morton Milliken.
Leland Harold Stanford.
Jay Drake Billings Lattin.
Henry John Schroeder.
Albert Charles Stanford.
Edward Amende Allen.
Paul Sutphin Edwards.
Walter Carroll Ellis.

To be first lieutenants.

Howard Winthrop Turner.
Carroll Arthur Powell.
John Lee Autrey.
Calvert Hinton Arnold.
Norman Lee Baldwin.
Kirke Brooks Lawton.
Paul Conover Gripper.
Leon Wilcomb Hilliard.
Wright Helm Johnson.
Harold Jack Adams.
Harry Reichelderfer.

AIR SERVICE.

To be colonels.

Chalmers Gaither Hall.
William Mitchell.

To be lieutenant colonels.

Clarence Curtis Culver.
James Edmond Fechét.
Ira Franklin Fravel.
Charles DeF. Chandler.

To be majors.

William Eugene Gillmore.
Harry Graham.
Frank Purdy Lahm.
Roy Carrington Kirtland.
Harry Westervelt Gregg.
Seth Williams Cook.
Benjamin Delahauf Foulois.
James Andrew Mars.
Jacob Winfield Scott Wuest.
Henry Conger Pratt.
Gerald Clark Brant.
William Frederick Pearson.
William Nicholas Hensley, jr.
Ira Longanecker.
George Williamson DeArmond.
Frank Maxwell Andrews.
Oscar Westover.
Henry Black Clagett.
Jacob Earl Fickel.
Rush Blodgett Lincoln.
Augustine Warner Robins.
Henry H. Arnold.
Barton Kyle Yount.
John Stephen Sullivan.
William Caldwell McChord.
John Delbert Reardan.
John Waring Simons, jr.
Lawrence Wright McIntosh.
Henry Clinton Kress Muhlenberg.
John Francis Curry.
James Eugene Chaney.
William Jay Fitzmaurice.
Horace Meek Hickam.
William Henry Garrison, jr.
Alfred Harold Hobley.
Leonard H. Drennan.
Albert Lee Sneed.
Walter Reed Weaver.
Bert Milton Atkinson.
George Everett Adams Reinburg.
Henry Lee Watson.
William Lewis Moose, jr.

To be captains.

Guy L. Gearhart.
Thurman Harrison Bane.
Harold Geiger.
John Norton Reynolds.
Robert Coker.
Frank Melvin Kennedy.
Jacob Herman Rudolph.
Elbe Allen Lathrop.
Delos Carleton Emmons.
Arnold Norman Krogstad.
Thomas DeWitt Milling.
George Howard Brett.
Walter Hale Frank.
John Gray Thornell.
Raycroft Walsh.
Frank Dorwin Lackland.
Herbert Arthur Dargue.
Harrison Henry Cocke Richards.
Ira Adelbert Rader.
Douglas Blakeshaw Netherwood.
Lewis Hyde Brereton.
Edward Lincoln Hoffman.
Norman W. Peek.
Shepler Ward FitzGerald.
Follett Bradley.
Leslie MacDill.
Lawrence Sprague Churchill.
Martin Francis Scanlon.
William Carrington Sherman.
Byron Quinby Jones.

Davenport Johnson.
Henry William Harms.
Millard Fillmore Harmon, jr.
John Chilton McDonnell.
Arthur Read Christie.
Percy Edgar Van Nostrand.
John Bernard Brooks.
Harold Smith Martin.
Clinton Warden Russell.
Earl Lindsey Canady.
George Edward Lovell, jr.
Carlyle Hilton Wash.
Howard Calhoun Davidson.
Walter Glenn Kilner.
Henry Abbey, jr.
Maxwell Kirby.
Harvey Buckingham Steele Burwell.
John Hamilton Jouett.
William Abbott Robertson.
Carl Spatz.
Thomas George Lanphier.
Benjamin Grant Weir.
Ralph Royce.
Clinton Wilbur Howard.
Joseph Taggart McNarney.
Charles Calvert Benedict.
Michael Frank Davis.
Hubert Reilly Harmon.
Norman Jay Boots.
Leo Andrew Walton.
Thomas James Hanley, jr.
Adlai Howard Gilkeson.
George Edward Stratemeyer.
Sheldon Harley Wheeler.
Edwin Bowman Lyon.
George Hume Peabody.
Earl Larue Naiden.
Henry Jervis Fries Miller.
Ralph Pittman Cousins.
Robert LeGrow Walsh.
Junius Henry Houghton.
Lloyd Neff Keesling.
John Herbert Jones.
James A. Summersett, jr.
Robert Gilpin Ervin.
Oliver Patton Echols.
William Ormond Butler.
William Benjamin Wright, jr.
Vernon Lee Burge.
Louis Eugene Appleby.
John Albert Paegelow.
Thomas Duncan.
Frederick LeRoy Martin.

To be first lieutenants.

Ross Gordon Hoyt.
William Bentley Mayer.
Henry Pascale.
Ralph Hudson Wooten.
Harold Mark McClelland.
Roland Legard Davis.
Edwin Jacob House.
Chester Paul Dorland.
Russell Luff Meredith.
Frederick John Durrschmidt.
George Calvin Tinsley.
Harold Eugene Sturcken.
Cassius Hayward Styles.
William Eugene Farthing.
Ralph Bridges Bagby.
Arthur Edmund Easterbrook.
Edwin Eugene Aldrin.
Ira Clarence Eaker.
Romeyn Beck Hough, jr.
Idwal Hubert Edwards.
Early Edward Walters Duncan.
Charles Eugene Rust.
Albert Joshua Clayton.
Earle Gene Harper.
Hubert Vincent Hopkins.
Hugh Merle Elmendorf.
Orlo Harry Quinn.
James Franklin Powell.

To be second lieutenants.

Theodore Julius Lindorff.
William Henry Webb.
Haynie McCormick.
James Desmond Summers.

CAVALRY.

To be captains.

Oliver Lincoln Haines.
Richard Wilmer Cooksey.
James Bowdoin Wise, jr.
Samuel Charles Harrison.

To be first lieutenants.

Alfred Pruden Kelley.
Donald William Sawtelle.
Willard Gordon Wyman.
Davis Ward Hale.
Wade Hampton Johnson.
Paul Louis Singer.
John William Carroll.
Robert MacDonald Graham.
Robert Whitley Miller.
Luther Lyons Hill.
Richard Harrington Darrell.
Irvin Henry Zeliff.
Donald Campbell Kemp.
Lewis Augustine Maury.
Thomas Quinton Donaldson, jr.
Horace McParlin Woodward, jr.

To be second lieutenants.

Aladin James Hart.
Esher Claflin Burkart.
Thomas Eginton Whitehead.
Alexander George.
John Irvin Gregg, jr.
John Russell, jr.
John Ferral McBlain.
Basil Girard Thayer.
Harold Oliver Sand.
Harlan Thurston McCormick.
Charles Porter Amazeen.
Alan Lockhart Fulton.
James Miller Rudolph.
Hayden Adriance Sears.
John Black Reybold.
Henry Irving Hodes.
Clifford Augustine Taney, jr.
Harvey Kenneth Greenlaw.
Halley Grey Maddox.
Snowden Ager.
Dean LeRoy Sharrar.
John Taylor Ward.

FIELD ARTILLERY.

To be colonel.

Andrew Moses.

To be lieutenant colonels.

Hjalmer Erickson.
Eben Swift, jr.
Clifton Ranney Norton.

To be majors.

Francis Augustus Ruggles.
William Ducachel Geary.
Abbott Boone.
Herbert Hamlin White.
George Meredith Peek.
Benjamin Franklin Miller.
James Hatch Van Horn.
Clyde Leslie Eastman.
Harry Parker Wilbur.
John Emmitt Sloan.

To be captains.

Charles Harrison Brammell.
Wesley John White.
Edwin Russell Van Deusen.
John Julius Waterman.
John Porter Lucas.
Thomas Jonathan Jackson Christian.
Henry Lawrence Cullen Jones.
Kenneth Prince Lord.
Ralph Hospital.
Stafford LeRoy Irwin.
Carl Conrad Bank.
Reese Maughan Howell.
James Mitchell Crane.
Douglas Jenkins Page.
Daniel Allman Connor.
John Murray Jenkins, jr.

Arthur Sandray Harrington.
Thomas Sprigg Poole.
David Wilson Craig.
George William Lyman Prettyman.
Henry Davis Jay.
Ray Lawrence Burnell.
Ray Harrison.
Percy Gamble Black.
Arthur McKinley Harper.
Jay Ward MacKelvie.
Kenneth Rowntree.
Francis William Clark.
Charles Elliott Ide.
Clarence Leslie Gilbert.
John Shirley Wood.
Richard Bolles Paddock.
John Beugnot Wogan.
William Henry Jones, jr.
Louis Thomas Byrne.
Jesse Beeson Hunt.
John Keliher.
Fred Beeler Inglis.
Walter David Mangan.
Frank Elmer Royse.
Albion Smith.
Clinton Innes McClure.
David Sheridan Rumbough.
Larry McHale.
Stanley Bacon.
Henry Tacitus Burgin.
Guy Hudson Dosher.
Augustine Joseph Zerbee.

To be first lieutenants.

Fred Paul Clark.
Warren Henry McNaught.
Ralph Leslie Joyner.
Thomas Clyde McCormick.
Martin Robert Rice.
Francis Henry Boucher.
Edward Hale Brooks.
John Melville Sanderson.
Joseph Shelburn Robinson.
Rudolph Daniel Delehanty.
Elmer Hugo Almquist.
Frank Charles Jedlicka.
Desmond O'Keefe.
John Hanna Welsh.
Charles Williamson Glover.
John Gilbert White.
Charles Everhart Sheldrake.
Guy Orth Kurtz.
Louis Joseph Compton.
William Joseph Egan.
Leo Thomas McMahon.
John Prosper Eckert.
Bryan Llewellyn Davis.
Jonathan Lane Holman.
William Douglas McNair.
Robert Wilson Hasbrouck.
William Mayer.
Moses William Pettigrew.
Dale Milton Hoagland.
Abraham Robert Ginsburgh.
Warren Slaughter Robinson.
John Wesley Russey.
John Thomas Schneider.
Milo Benson Barragan.
Oscar Alfred Axelson.
William Amberson Sexton.
Joe David Moss.
Samuel Davies Bedinger.
John Joseph Atkinson.
Wesley Crowell Brigham.
Lawrence Harold Bixby.
Samuel Marshall.
Willard Allen Reddish.
Norman John McMahon.
John TerBush Bissell.
Henry Perkins Gantt.
Henry Cornelius Demuth.
Horace Harding.
Leslie M. Skerry.
Buhl Moore.
Arthur Breckinridge Wade.
Russell Conwell Snyder.
John Stafford Marion Cromelin.
Boniface Campbell.
James Julian Pirtle.
Francis Joseph Achatz.
Harold Berkeley Lewis.
Ben Curtis McComas.
William Henry Quarterman, jr.
William Henry Brady.
Harry Fayette Schoonover.
Leo Francis Crane.

To be second lieutenants.

Donald Robert Van Sickler.
Richard Candler Singer.
Maurice Wiley Daniel.
Park Brown Herrick.
Mortimer Frederick Wakefield.
Richard Meade Costigan.
James Perrine Barney, jr.
Wilbur Sturtevant Nye.
Charles Harlan Swartz.
Millard Pierson.
Alexander Gilbert Sand.
Edward Thomas Williams.
George William Bailey, jr.
Escalus Emmert Elliott.
Paul Earl Tombaugh.
Wray Bertrand Avera.
Edward Maurice Flexner, jr.
Russell Vance Eastman.
Francis Henry Lanahan, jr.
Charles Wingate Reed.
Harry Marten Schwarze.

COAST ARTILLERY CORPS.

To be lieutenant colonels.

Harry Parker Wilbur.
David Yulee Beckham.

To be majors.

Avery Johnson French.
George Meredith Peek.
Henry Tacitus Burgin.

To be captains.

Robert McClean Carswell.
Belton O'Neall Kennedy.
Louis Aleck Craig.
Oliver James Bond, jr.
Theodore Rodes Murphy.
Otto Godfrey Pitz.
Abram Vorhees Rinearson, jr.
Joseph Pescia Sullivan.
Albert Charles Anderson.
John Scott Smylie.

To be first lieutenants.

Parker Gillespie Tenney.
Harold Taylor Brotherton.
George Raymond Owens.
Arthur Joseph Lacouture.
Parry Weaver Lewis.
Edward Wrenne Timberlake.
Henry Lord Page King.
Frank Johnstone Cunningham.
Duncan Hodges.
Watson Longan McMorris.
Sherman Edgar Willard.
Enrique Manuel Benitez.
Maurice Morgan.
Albert Cushing Cleveland.
John Leverett Farley.
James Leonard Hogan.

To be second lieutenants.

Martin Charles Casey.
Joseph Harris.
William Carleton McFadden.
Hamilton Peyton Ellis.
Powell Paxton Applewhite.
Charles Whitney West.
Herbert Carl Reuter.
Wilmer Brinton Merritt.
Harry Clark Wisehart.
Gustave Harold Vogel.
Leland Stuart Smith.
Francis Selwyn Gay.
Wilburn Vastine Luna.
Francis Ward Walker.

Henry Kirk Williams, jr.
Joseph Vincent de Paul Dillon.
Harold Todd Turnbull.
John Elmer Reierson.

INFANTRY.

To be colonels.

Samuel Dickerson Rockenbach.
Frank Parker.
Thomas Horace Slavens.

To be lieutenant colonels.

Willey Howell.
John Royden Kelly.

To be majors.

Hugh Screven Brown.
Louis Thomas Byrne.
William Henry Jones, jr.

To be captains.

Thomas Dewees Finley.
Alexander LeRoy Podwinetz Johnson.
Harold Lancelot Finley.
Chapman Grant.
James Hunter.

To be first lieutenants.

George David Condren.
Donald Armpriester Stroh.
John Cary Howard.
Donald Coray.
James Taylor.
Franklin Abraham Green.
Charles Henry Hagelstein.
John Leonard Whitelaw.
Henry Baldwin Nichols.
Donald Brooks Hilton.
William Aylett Callaway.

To be second lieutenant.

Edward Jenkins.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 2, 1921.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our Heavenly Father, we thank Thee for this day. Direct us in the pathway of truth, and may our lives be inspired by Thy wisdom. Comfort the home that mourns and lift the burden of the heavy laden and light the candle of Thy presence on the altar of that stricken fireside. Abide with the stricken one in the measure of a great strength, a sweet peace, and a beautiful resignation. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

RECESS, 6 TO 8 P. M.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 until 8 p. m.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, when the House had up for consideration Saturday last the Agricultural appropriation bill the House asked for a conference with the Senate on certain disagreeing votes between the two Houses. The Senate did not agree to House amendments Nos. 115 and 116, and asked for a further conference upon those amendments. This fact was not called to my attention yesterday; and the House conferees, on the theory that those amendments were in conference due to the request of the House on the agreement of the Senate for a conference, proceeded to confer upon those matters. In order that any question may be obviated in the matter, I ask unanimous consent that the House agree to the conference asked by the Senate on amendments Nos. 115 and 116 as of yesterday.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the House agree to the conference asked by the Senate as stated. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendment of the House of Representatives to the bill of the following title:

S. 4039. An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The message also announced that the Senate had passed without amendment the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-fifth National Encampment of the Grand Army of the Republic for the year 1921, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

The Senate having proceeded to reconsider the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77), returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was—

Resolved, That the bill pass, two-thirds of the Senators present having voted in the affirmative.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes;

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; and

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession;

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as Jackson Barracks;

S. 4039. An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes";

S. 5023. An act to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW. in the District of Columbia;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River; and

S. 4554. An act to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1921.

CONFERENCE REPORT, ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I call up the conference report on the Army appropriation bill.

The SPEAKER. The Clerk will read the report.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have

agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 14, 17, 24, 25, 32, 33, 39, 40, 41, 45, 52, 55, 58, 60, 66, 67, 68, 73, 79, 80, 83, 87, 91, 97, 100, 101, 107, and 109.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 9, 13, 15, 16, 19, 21, 26, 28, 29, 30, 31, 38, 42, 46, 47, 49, 50, 51, 59, 62, 63, 69, 72, 74, 75, 81, 82, 85, 86, 98, 99, 102, 103, 108, 110, 111, and 112, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$40,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$185,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out the matter proposed by the Senate and insert in lieu thereof the following: "*Provided*, That not to exceed $600,000 from this appropriation may be expended for salaries and wages of civilian employees; not to exceed $450,000 may be expended for commercial and existing Government-owned telephone and telegraph service; not to exceed $1,000,000 may be expended for signal equipment for organizations; not to exceed $7,500 may be expended for pigeon service; not to exceed $100,000 may be expended for photographic and cinematographic service; and not to exceed $100,000 may be expended for the operation and maintenance of Camp Alfred Vail"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert: "with the form of discharge certificate to which the service of each, after enlistment, shall entitle him"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$3,500,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$28,000,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$27,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment insert the following: "*Provided*, That from this appropriation not to exceed $1,750,000 shall be expended for the pay of civilian employees; not to exceed $1,750,000 shall be expended for power, heat, and electric current, of which not exceeding $42,300 may be used for improvement of electric power supply system at Governors Island, N. Y.; not to exceed $100,000 shall be expended for maintenance and repair of buildings (including repair of machinery) for laundries; not to exceed $300,000 shall be expended for the maintenance and repair of heating apparatus (other than stoves); not to exceed $200,000 for maintenance and repair of electric wiring and fixtures; not to exceed $10,000 for the repair and exchange of typewriters; not to exceed $4,000,000 for the operation of laundries; not to exceed $6,500,000 for fuel; not to exceed $8,500,000 for forage, including salt and vinegar and bedding for animals, and straw for soldiers' bedding; not to exceed $405,000 for ice; and not to exceed $600,000 shall be expended for stationery: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use, and in any event not less than 10,000 of such animals shall be sold"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$7,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "*Provided*, That from this appropriation not exceeding $3,000,000 shall be expended for the hire of labor; not exceeding $3,500,000 shall be expended for the pay of civilian employees other than laborers; not exceeding $75,000 shall be expended for telegrams, cablegrams, and postage; and not exceeding $25,000 shall be expended for experimental and development work."

And the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In line 6 of the matter inserted by said amendment, after the word "roads," insert "not less than one-half by sale"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate, insert "$150,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate insert "$200,100"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$225,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$1,500,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, restore the matter stricken out, and in the matter so restored strike out "$50,000" and insert "$100,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$35,000"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$25,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$425,000"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,300,000"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$225,000"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,000"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$175,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$60,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$9,750,000: *Provided*, That 20 per cent of the foregoing amounts for arming, equipping, and training the National Guard shall be available interchangeably for expenditure for the purposes named, but not more than 20 per cent shall be added to the amount appropriated for any one of such purposes"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,500,000"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,906,404.80"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 10, 12, 18, 22, 23, 34, 53, 54, 70, 71, 84, 104, 105, 106, and 113.

D. R. ANTHONY, Jr.,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
DUNCAN U. FLETCHER,
KENNETH MCKELLAR,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Authorizes the use of $40,000 of the appropriation for contingencies of the Army, instead of $25,000 as proposed by the House and $50,000 as proposed by the Senate, for civilian employees in connection with the sale of war supplies and the adjustment of contracts and claims.

On Nos. 2, 3, and 4: Reduces from $25,000 to $22,000, as proposed by the Senate, the appropriation for the General Staff College, and strikes out the language in the item providing for fuel for heating.

On Nos. 5 and 6, relating to contingencies, Military Intelligence Division: Appropriates $185,000, instead of $100,000 as proposed by the House and $300,000 as proposed by the Senate, and inserts authority for the hire of interpreters, special agents, and guides, as proposed by the Senate.

On Nos. 7 and 8, relating to the Signal Service: Provides for experimentation and research and development work in the language proposed by the Senate instead of in the language proposed by the House; and inserts a substitute for the itemization of the amount provided by the House.

On No. 9: Increases from $140,000 to $165,000 the appropriation for the Washington-Alaska military cable.

On No. 11: Restores the authority for the payment of $1,079.02 to Frank D. Kohn.

On No. 13: Increases from $42,000,000 to $46,000,000, as proposed by the Senate, the amount for pay of officers of the line and staff.

On Nos. 14 and 15: Strikes out the increase of $500,000, proposed by the Senate, for pay of officers of the Officers' Reserve Corps; and modifies the language, inserted by the House, so that certain officers may be on active duty for a longer period than 15 days.

On No. 16: Increases from $1,346,000 to $1,413,000, as proposed by the Senate, the appropriation for pay of warrant officers; and strikes out the restriction limiting the fund to the pay of 1,000 such officers.

On No. 17: Restores the restrictions, stricken out by the Senate, on the appropriation for aviation increase to officers of the Air Service.

On Nos. 19, 20, and 21, relating to the discharge of enlisted men under 18 years of age: Inserts substitute language for the matter proposed by the Senate, providing for the discharge of such men with pay and transportation and with the form of discharge certificate to which the service of each man, after enlistment, shall entitle him.

On Nos. 24 and 25: Strikes out the increase of $150,000, proposed by the Senate, in the appropriation for aviation increase to enlisted men of the Air Service; and provides, as proposed by the House, that the sum shall not be used for the pay of more than 500 men on flying status.

On No. 26: Reduces from $1,100,000 to $1,046,000, as proposed by the Senate, the appropriation for pay of enlisted men of the Philippine Scouts.

On No. 27: Appropriates $3,500,000 instead of $3,000,000, as proposed by the House and $4,500,000 as proposed by the Senate, for additional pay for length of service to enlisted men.

On No. 28: Increases from $4,500,000 to $5,000,000 the appropriation for pay of officers on the retired list, as proposed by the Senate.

On Nos. 29 and 30: Makes the appropriation for clerical services at headquarters, etc., available for corps areas, and corrects the total of the item.

On No. 31: Reduces from $200,000 to $198,000, as proposed by the Senate, the appropriation for commutation of quarters and of heat and light.

On No. 32: Strikes out the increase of $500, proposed by the Senate, in the pay of the expert accountant in the Inspector General's Department.

On No. 33: Strikes out the language, proposed by the Senate, making the appropriation for pay of the Army for 1921 available for pay of members of the Reserve Officers' Training Corps.

On No. 35: Appropriates $28,000,000 instead of $27,500,000, as proposed by the House and $30,000,000 as proposed by the Senate, for subsistence.

On Nos. 36 and 37: Appropriates $27,000,000 instead of $26,108,430, as proposed by the House, and $28,000,000, as proposed by the Senate, for regular supplies of the Quartermaster Corps; inserts a substitute of itemization of this amount in lieu of the itemization proposed by the House; and provides for the sale of 10,000 animals instead of 20,000, as proposed by the House.

On Nos. 38 to 41, inclusive, relating to the authorization for contracts for fuel: Provides that such contracts shall be authorized by the Secretary of War, as proposed by the Senate, instead of by the Quartermaster General, as proposed by the House, and strikes out the language, proposed by the Senate, extending the authority to forage, subsistence, and clothing.

On Nos. 42, 43, and 44, relating to incidental expenses of the Quartermaster Corps: Strikes out authority for hire of interpreters, spies, and guides, as proposed by the Senate; appropriates $7,000,000 instead of $6,946,087, as proposed by the House, and $7,500,000, as proposed by the Senate; and inserts a substitute paragraph of itemization of this amount in lieu of the itemization proposed by the House.

On Nos. 45 to 48, inclusive, relating to transportation of the Army: Restores the paragraph of itemization of the appropriation and provides for the sale or transfer of motor trucks and automobiles in the manner proposed by the Senate, modified so as to provide that not less than one-half of the number to be disposed of shall be sold.

On Nos. 49 to 52, inclusive, relating to clothing, and camp and garrison equipage: Provides for the payment of commutation of clothing to warrant officers of the mine-planter service, as proposed by the Senate, and strikes out the increase of $1,000,000 proposed by the Senate.

On No. 55: Strikes out the paragraph, proposed by the Senate, consolidating certain items of appropriation for the Quartermaster Corps into one fund known as "General expenses, Quartermaster Corps."

On Nos. 56 and 57: Appropriates $150,000 instead of $100,000, as proposed by the House, and $200,000, as proposed by the Senate, for the encouragement of breeding of riding horses for the Army.

On No. 58: Restores the language, stricken out by the Senate, prohibiting the use of the appropriation for barracks and quarters for rent of offices of military attachés.

On Nos. 59, 60, and 61, relating to military post exchanges: Appropriates $225,000 instead of $150,000, as proposed by the House, and $300,000, as proposed by the Senate; strikes out the language, inserted by the Senate, directing the use of $175,000 of the amount for maintenance of "hostess houses"; and also strikes out the language making the appropriation available for such purposes as the Secretary of War may deem advisable.

On No. 62: Provides, as proposed by the Senate, that the appropriation for roads, walks, wharves, and drainage may be available for repair of roads, walks, or wharves in connection with National Army cantonments or National Guard camps.

On No. 63: Reduces from $188,000 to $150,000 the appropriation for rent of buildings, Quartermaster Corps.

On Nos. 64 and 65, relating to vocational training: Appropriates $1,500,000 instead of $1,000,000, as proposed by the House, and $2,500,000, as proposed by the Senate; restores the limitations, proposed by the House, modified so that $100,000 instead of $50,000 may be expended for salaries; and strikes out the limitation relative to salaries and instructors inserted by the Senate.

On No. 66: Strikes out the increase, proposed by the Senate, from 5 cents to 6 cents per mile in the commutation of travel expenses for members of civilian rifle teams.

On Nos. 67 to 69, inclusive, relating to quartermaster supplies, Reserve Officers' Training Corps: Strikes out the increase, proposed by the Senate, from 5 cents to 6 cents per mile in the travel allowance; strikes out, as proposed by the Senate, medical attendance and supplies for members at such camps.

On No. 72: Reduces from $2,500,000 to $2,000,000, as proposed by the Senate, the appropriation for the Medical and Hospital Department.

On No. 73: Strikes out the increase of $5,000, proposed by the Senate, for the Army Medical Museum.

On No. 74: Increases from $12,500 to $15,000, as proposed by the Senate, the appropriation for the library of the Surgeon General's Office.

On No. 75: Reduces from $22,000 to $20,000, as proposed by the Senate, the appropriation for incidental expenses of engineer depots.

On No. 76: Appropriates $35,000 instead of $30,000, as proposed by the House, and $40,000, as proposed by the Senate, for the Engineer School.

On No. 77: Appropriates $25,000 instead of $100, as proposed by the House, and $50,000, as proposed by the Senate, for military surveys and maps.

On Nos. 78 and 79, relating to military roads, bridges, etc., in Alaska: Appropriates $425,000 instead of $350,000, as proposed by the House, and $500,000, as proposed by the Senate; and restores the authority, stricken out by the Senate, for the expenditure of $10,000 of this sum for a specific investigation and report on roads and trails.

On No. 80: Restores the decrease of $250,000, proposed by the Senate, in the appropriation for current expenses of the ordnance service.

On No. 81: Reduces from $750,000 to $700,000, as proposed by the Senate, the appropriation for ordnance and ordnance stores and ammunition.

On No. 82: Reduces from $400,000 to $300,000, as proposed by the Senate, the appropriation for small-arms target practice.

On No. 83: Reduces from $500,000 to $300,000, as proposed by the Senate, the appropriation for manufacture of arms, and strikes out the language of reappropriation of the 1921 balance for use in the fiscal year 1922.

On No. 85: Reduces from $500,000 to $400,000, as proposed by the Senate, the appropriation for automatic machine rifles.

On No. 86: Inserts authority in the appropriation for the Chemical Warfare Service for libraries and subscriptions for periodicals.

On Nos. 87 to 95, inclusive, relating to arming, equipping, and training the National Guard: Strikes out the increase of $250,000, proposed by the Senate, for forage and bedding for animals; appropriates $1,300,000 instead of $1,000,000, as proposed by the House, and $2,000,000, as proposed by the Senate, for help for care of matériel, animals, and equipment; appropriates $6,000,000, instead of $5,500,000, as proposed by the House, and $7,500,000, as proposed by the Senate, for camps of instruction; appropriates $225,000 instead of $200,000, as proposed by the House, and $250,000, as proposed by the Senate, for expenses of military service schools; restores the reduction of $130,000, proposed by the Senate, in the amount for pay and allowances of officers detailed with the Army; appropriates $85,000 instead of $75,000, as proposed by the House, and $100,000, as proposed by the Senate, for travel of Federal officers in connection with the National Guard; appropriates $175,000 instead of $150,000, as proposed by the House, and $200,000, as proposed by the Senate, for transportation of equipment and supplies; appropriates $60,000 instead of $50,000, as proposed by the House, and $70,000, as proposed by the Senate, for expenses of sergeant instructors; appropriates $9,750,000 instead of $9,500,000, as proposed by the House, and $10,000,000, as proposed by the Senate, for pay of National Guard, and provides that 20 per cent of all the amounts may be interchangeable instead of consolidating all of such sums in one fund, as proposed by the Senate.

On Nos. 96 and 97, relating to arms, uniforms, etc., for field service of the National Guard: Appropriates $5,500,000 instead of $5,000,000, as proposed by the House, and $6,000,000, as proposed by the Senate; and strikes out the authority, inserted by the Senate, for the issue of 3,500 animals to the National Guard.

On No. 98: Provides, as proposed by the Senate, for the sale of ordnance equipment in connection with rifle ranges for civilian instruction.

On Nos. 99 to 103, inclusive, relating to civilian military training camps: Provides for altering and cleaning uniforms, as proposed by the Senate; strikes out the increase from 5 to 6 cents per mile for travel allowance; strikes out the increase of $500,000 in the appropriation; reduces the age limit for admission from 45 years to 35 years, as proposed by the Senate; and strikes out the language, proposed by the House, for the issuance of used or salvaged uniforms.

On Nos. 107 to 112, inclusive, and 114, relating to the Military Academy: Provides retirement privileges for the master of the sword; strikes out the appropriations, inserted by the Senate, for extra pay of officers of the Army on detached service at the Military Academy; and decreases the appropriations for three sergeants, as proposed by the Senate.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 10: Relating to the appropriation for the Air Service.

On No. 12: Relating to certain payments made by United States disbursing officers to the Lonoke Chamber of Commerce, Lonoke, Ark.

On No. 18: Relating to the appropriation for pay of enlisted men of the line and staff.

On No. 22: Authorizing the Secretary of War to grant applications for discharge of enlisted men.

On No. 23: Providing, in the reduction of the Army, for the maintenance of 60 per cent of the strength of the various branches of the Army as prescribed in the Army reorganization act.

On No. 34: Extending the appropriation for pay of the Army for the fiscal year 1919 to provide for the payment of pay claims growing out of service in the World War.

On No. 53: Relating to the settlement of clothing accounts of enlisted men.

On No. 54: Relating to the issuance of uniforms under the act of February 28, 1919, to discharged enlisted men.

On No. 70: Making the appropriation for quartermaster supplies for the Reserve Officers' Training Corps available until December 31, 1922.

On No. 71: Limiting to $7,000,000 the amount of funds heretofore appropriated for inland and port storage and shipping facilities which may be expended during the fiscal year 1922.

On No. 84: Appropriating $10,000 for national trophy and medals for rifle contests.

On No. 104: Providing for the grade of lieutenant general for two general officers.

On No. 105: Providing for the issuance of the award of the distinguished service cross or the distinguished service medal in certain cases.

On No. 106: Appropriating $200,000 for increasing the water supply of the District of Columbia.

On No. 113: Providing for public quarters and fuel and light for two civilian instructors at the Military Academy.

D. R. ANTHONY,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order there is no quorum present. It is clear there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Gallagher	Langley	Rodenberg
Baer	Gandy	Lea, Calif.	Rowan
Bland, Ind.	Garner	Lee, Ga.	Rubey
Britten	Garrett	Lesher	Sanders, La.
Brumbaugh	Goldfogle	Lonergan	Schall
Buchanan	Goodwin, Ark.	McCulloch	Scully
Burke	Graham, Ill.	McFadden	Sears
Butler	Graham, Pa.	McGlennon	Sells
Caldwell	Hamill	McKinley	Small
Cantrill	Hamilton	MacGregor	Steele
Casey	Hardy, Tex.	Magee	Stephens, Miss.
Clark, Mo.	Harreld	Maher	Stiness
Classon	Harrison	Mann, S. C.	Strong, Kans.
Cole	Haugen	Milligan	Sullivan
Costello	Hays	Monahan, Wis.	Thomas
Curry, Calif.	Hulings	Moon	Tincher
Denison	Hutchinson	Mooney	Tinkham
Dent	James, Mich	Morin	Towner
Dewalt	Jefferis	Mudd	Upshaw
Donovan	Johnson, S. Dak.	Nolan	Vare
Dooling	Johnston, N. Y.	O'Connor	Venable
Doremus	Juul	Pell	Voigt
Doughton	Kahn	Phelan	Watkins
Eagle	Kendall	Rainey, Ala.	Welling
Ellsworth	Kennedy, Iowa	Rainey, John W.	Wilson, Ill.
Emerson	Kettner	Ramsey	Wise
Evans, Mont.	Kincheloe	Randall, Wis.	Young, Tex.
Fish	Kitchin	Reavis	
Focht	Kleczka	Riddick	
Frear	Kreider	Riordan	

The SPEAKER. Two hundred and ninety Members have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. ANTHONY. Mr. Speaker, as the bill making appropriations for the support of the Army for the next fiscal year passed the House it carried a total of approximately $331,000,000 for the support of the Army and the Military Academy. As brought back on this conference report the bill carries a total approximately of $341,000,000 for those purposes. The House yields to the Senate on a total of approximately $10,000,000, and the Senate yielded to the House on items approximating about $12,000,000, and there remains in disagreement about $10,000,000. The conferees are in entire agreement on practically all the items in the bill with the exception of two, one relating to the size of the Army, which is still in disagreement, the House standing for its appropriation to sustain 150,000 men, exclusive of the Philippine Scouts and flying cadets, and the Senate contending for an appropriation sufficient to maintain 175,000 men. The other item that is in disagreement is that providing for the appointment of two lieutenant generals in the Regular Army from among those who commanded field armies in France. We are also in technical disagreement on 13 other items which contain legislation which, of course, will be presented to the House for its approval in the regular order. We feel that the bill as it comes back to the House at this time contains provisions to further secure the House view of the way appropriations should be made for the Army. I want to call the attention of the House particularly to the amendment which provides that no officer or no enlisted man shall be maintained in the Army further than the amount of money which we appropriate in this law will pay for, and that, in my opinion, will forever put a stop to deficiencies in the pay of the Army from this time on.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. I suppose the gentleman took into consideration in connection with such an amendment the embarrassment that might arise if the administration sought to increase the Army in an emergency, without having authority from Congress to recruit the number of men so increased?

Mr. ANTHONY. We felt that Congress has been in recent years so continuously in session and would be so continuously in session in the future that it would be perfectly feasible for the Executive to apply to the Congress for any extension of such power.

Mr. GREENE of Vermont. The gentleman realizes, with his long experience on the Committee on Military Affairs, that one of the reasons why the foundation law of the Army never fixed arbitrarily the number of men to be maintained from year to year was because we sought to continue the policy that gave an elastic control to the administration in the event of an emergency, which did not make it necessary for the administration to come to Congress and in that way advertise the emergency when conditions might be delicate, and thus perhaps irritate the very conditions themselves and bring on what the administration sought to avoid.

Mr. ANTHONY. But the gentleman himself well knows the abuses to which that elastic power has been subjected only just recently.

Mr. GREENE of Vermont. I do; but I also know that it is an ancient maxim that an abuse of anything is not an argument against its proper use.

Mr. ANTHONY. We thought we would provide so that the things which have happened in the last 60 days in the way of recruiting 40,000 more men in the Army than Congress intended could not happen again.

Mr. GREENE of Vermont. I quite sympathize with the gentleman in the recognition of the evils and mischief we have to contend against. I merely question the remedy. I am afraid the remedy will sometimes make us embarrassment that will prove quite as serious as the evil we are now trying to correct.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BARKLEY. If I understood the gentleman, in addition to the size of the Army and the two lieutenant generalships, there are 13 other amendments to be voted on by the House, separately.

Mr. ANTHONY. That is correct.

Mr. BARKLEY. In what order will the vote be taken?

Mr. ANTHONY. In the order in which they appear in the bill. If the gentleman will look at the printed copy of the conference report, he will see the amendments numbered at the end.

Mr. BRIGGS. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BRIGGS. Is it true that additional provision was made by the Senate and agreed to by the conferees to the extent of $4,000,000 for the pay of additional officers in the Army over the sum carried in the House bill?

Mr. ANTHONY. There is an increase of about that amount made in the item for the pay of officers, but it is not an addition to the number of officers. We are providing for the pay of 14,000 officers, but in the calculations made by the House we found we had not appropriated sufficient money to provide for their full pay. The condition arose in this way: The average pay of Army officers heretofore, all grades, from generals down to second lieutenants, has been $3,055 a year in money. There are pending in the Senate now promotions for practically every officer in the regular service, and when the Senate confirms that promotion list, as it probably will, it will give every one of these men an additional rank. That will necessitate the increase to which the gentleman refers, and the amount dates from the time these nominations were sent to the Senate, some months ago.

Mr. BRIGGS. Therefore the amount carried in the bill does not seek to make provision for any additional officers.

Mr. ANTHONY. With the limitation to which I previously referred in my discussion with the gentleman from Vermont [Mr. GREENE], the number will be limited to 14,000 officers.

Mr. BRIGGS. The number was substantially that at the time the bill passed the House?

Mr. ANTHONY. That is correct.

Mr. BRIGGS. There are practically 14,000 officers now?

Mr. ANTHONY. At present there are 13,100. We did not consider the increased grades, and they have not gotten them yet, but we are advised that the Senate intends to confirm that list.

Mr. BRIGGS. I understand that the promotions are being confirmed now.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. As I understand, you have not agreed upon the size of the Army as yet?

Mr. ANTHONY. We have not.

Mr. HULL of Iowa. The House is still insisting upon an Army of 150,000 men?

Mr. ANTHONY. We intend to ask the House to further insist upon its disagreement to the Senate amendment in that respect.

Mr. HULL of Iowa. And yet you have prohibited a deficiency being created. Suppose the House insists upon the Army being 150,000, how are you going to pay the Army that is now 238,000?

Mr. ANTHONY. A sufficient number of men will have to be discharged to bring it down to fit into the amount of money that we appropriate.

Mr. HULL of Iowa. Right away.

Mr. ANTHONY. Within a reasonable time.

Mr. OLNEY. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. OLNEY. Will there be sufficient time for those Members who are in favor of the Senate amendment appropriating for an Army of 175,000 men to debate this question? Would it not be wise to fix a time? I think it is a very important item.

Mr. ANTHONY. There will be no attempt to shut off reasonable discussion.

Mr. OLNEY. I would like at least five minutes in behalf of the Senate amendment.

Mr. ANTHONY. There will be no attempt to shut off discussion of such matters as that.

Mr. JONES of Texas. Are these amendments to be taken up in order?

Mr. ANTHONY. Each one in the order in which it is written in the report.

Mr. JONES of Texas. I notice in amendment No. 22, which I suppose is the one referred to a while ago, when the gentleman spoke of provision being made for discharges, that it authorizes the Secretary of War in his discretion to grant discharges.

Mr. ANTHONY. Yes.

Mr. JONES of Texas. Inasmuch as you have amendment No. 23 following, would it not be better to have a direction to the Secretary of War to grant all discharges with that limitation of 60 per cent?

Mr. ANTHONY. No; because there is another amendment contained in the bill which provides that the Army must not be maintained larger than the amount appropriated for, so that it forces automatically the reduction of the Army.

Mr. WINGO. Will the gentleman yield there?

Mr. ANTHONY. I will yield first to my colleague, the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. I wanted to know what is the additional amount of money in the conference report in excess of the amount which was set forth for the officers because of their advance in rank.

Mr. ANTHONY. There is about $8,000,000 increase in the report. There is also $1,900,000 increase in the item for air service, which will be submitted to the House.

Mr. QUIN. For a vote?

Mr. ANTHONY. For a vote, because the same paragraph contains an item of legislation which calls for its submission to the House.

Mr. SNELL. If the gentleman will permit right there, I would like to ask in regard to the proposition of $200,000 for increasing the water supply of the District of Columbia. Is there anything in the proposed plan that will interfere with the final development of the water power at Great Falls?

Mr. ANTHONY. The House conferees yielded reluctantly on that amendment, but I am thoroughly satisfied that there is nothing in the statement that the construction of a tunnel to provide additional water will interfere in the slightest with the development of power at Great Falls. In fact, I discussed that matter this morning with Secretary Baker, and he says there is nothing in that contention; and my colleague from Michigan [Mr. CRAMTON] has discussed it with Col. Kutz, the engineer commissioner, and he confirms that statement.

Mr. SNELL. I did not know but perhaps there might be something in the report.

Mr. ANTHONY. Both Secretary Baker and Col. Kutz say it will not interfere.

Mr. MOORE of Virginia. If I may be permitted, a consideration of the facts will show that there is not the slightest ground for believing that the two plans are in any way associated so that the water-power scheme would be interfered with if this is done.

Mr. SNELL. I could not understand how it could be.

Mr. MOORE of Virginia. It is an impossible proposition.

Mr. TILSON. I have heard it suggested that as a matter of economy the tunnel be not built but that the dam be built at once down at Chain Bridge, where sufficient power can be developed to pump the water instead of having it come down by gravity through the tunnel; and that this plan would be some $5,000,000 cheaper for an additional water supply, besides furnishing a very large amount of power. Has this suggestion been made to any committee of Congress?

Mr. ANTHONY. I can not say.

Mr. MANN of Illinois. Mr. Speaker, I suggest that that question is not now before the House.

Mr. TILSON. It was being discussed, and I thought it was before the House.

Mr. MONDELL. Will the gentleman yield? Would it not please the gentleman in charge of the bill better if gentlemen would withhold their inquiries with regard to the questions not in controversy in the conference report until the conference report is disposed of, and then take up the other questions?

Mr. WINGO. If the gentleman will permit, the trouble with that is that the gentleman from Wyoming [Mr. MONDELL] suggests that we withhold inquiries in reference to matters in agreement.

Mr. MONDELL. With regard to matters that will be voted upon by the House later.

Mr. ANTHONY. This matter will have a separate presentation in the House.

Mr. MONDELL. There are certain matters in the conference report that ought to be disposed of at this time.

Mr. WINGO. Now, take amendments 19, 20, and 21, that cover the case of discharges. Let me see if I understand what the action is. If I understand it, the House has receded from its disagreement to amendments 19 and 21, and receded from amendment No. 20 and concurred with an amendment, so that the language would read—see if I have the correct language:

The Secretary shall discharge from the military service with pay and travel allowances——

Mr. ANTHONY. Will the gentleman yield?

Mr. WINGO. I would like you to state the language as it would be.

Mr. ANTHONY. Let me say to the gentleman that we thought the Senate had perhaps erred in making three amendments of that item. That should have been covered in one amendment.

Mr. WINGO. That is true.

Mr. ANTHONY. We have been forced to carry that in three, because the third one has new matter in it; but from the way we have perfected the paragraph it will read like this:

The Secretary of War shall discharge from the military service with pay and with the form of discharge certificate to which the service of each, after enlistment, shall entitle him, all enlisted men under the age of 18 on the application of either of their parents or legal guardian, and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home, if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment.

Mr. WINGO. Now, the gentleman has read the language that has been agreed to?

Mr. ANTHONY. Yes, sir.

Mr. WINGO. You cut out the words "honorably discharged"?

Mr. ANTHONY. Yes, sir.

Mr. WINGO. But you provide that they shall be given such a discharge as his service after enlistment warrants?

Mr. ANTHONY. Yes, sir.

Mr. WINGO. Does that mean that the fact that he has misstated his age in making his enlistment shall not be used against him?

Mr. ANTHONY. It means that we provide here for a waiver of any violation of military regulations that the young man may have incurred when he made the false statement in regard to his age at the time of enlistment. We take his record after enlistment.

Mr. WINGO. He gets an honorable discharge, nothwithstanding the misstatement he has made before his enlistment?

Mr. ANTHONY. Yes.

Mr. WINGO. In other words, you propose to eliminate the misstatement as to age on the record as to whether or not he is entitled to an honorable discharge?

Mr. ANTHONY. Yes. The conferees have tried to meet the sentiment of the House in this paragraph.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MAPES. I agree with the gentleman that these amendments should be taken up in the order in which they come in the report, but inasmuch as certain statements have already been made in regard to amendment No. 106 in relation to the water supply from Great Falls it seems to me this further statement ought to be made at this time: Certain Members here have said that this would not in any way interfere with the development of the Great Falls water power. I do not know what means of information they have on that point, but the gentleman knows that eminent engineers do not agree on that point, and that there is a difference of opinion in regard to it on the part of engineers who have looked into the matter.

Mr. ANTHONY. I will be glad to state it to the gentleman.

Mr. MAPES. Yes. I wanted to make that statement, in view of what has already been said.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Is the gentleman willing to allow a vote on the question of the administration being able to create a deficiency?

Mr. ANTHONY. That is not in the conference report.

Mr. HULL of Iowa. You realize that you have destroyed the Army reorganization bill, do you not?

Mr. ANTHONY. I realize that we have put safeguards around it.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. Can you indicate the language in which can be found this limitation on the size of the Army by making it impossible to bring in a deficiency bill?

Mr. ANTHONY. That will come up in its regular order for discussion. It is not included in the conference report.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. ANTHONY. Yes.

Mr. MANN of Illinois. In reference to amendment No. 20, in relation to these discharges, it strikes out the words "traveling allowances" and inserts "transportation in kind to the railroad station at or nearest to the place of acceptance for enlistment." The conferees agree to the Senate amendment with an amendment striking out the language inserted by the Senate and inserting in lieu therof this language: "With the form of discharge certificate to which the service of each, after enlistment, shall entitle him," and this is the way it will read: "The Secretary of War shall discharge from the military service with pay and with the form of discharge certificate to which the service of each, after enlistment, shall entitle him." Now is it the intention to cut out entirely the matter of transportation?

Mr. ANTHONY. No; we provide that he shall be allowed transportation.

Mr. MANN of Illinois. Where?

Mr. ANTHONY. On amendment 22 we offer this additional language: "And the Secretary of War is authorized."

Mr. MANN of Illinois. It is not one of the amendments you have agreed to?

Mr. ANTHONY. No; it is not.

Mr. MANN of Illinois. I beg the gentleman's pardon.

Mr. ANTHONY. We agreed to the first two, but could not agree to 21.

Mr. MANN of Illinois. I did not so understand.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Kansas moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 10: Page 14 of the printed bill, after the word "craft," in line 2, strike out the remainder of the line and all of lines 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, down to and including "$250,000," on line 13, and insert "$23,000,000: *Provided*, That not to exceed $4,000,000 from this appropriation may be expended for pay and expenses of civilian employees; and not exceeding $400,000 may be expended for experimentation, conservation, and production of helium: *Provided further*, That not less than $5,000,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than $7,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $10,000: *Provided further*."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment No. 10: Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by the Senate insert the following: "$21,100,000: *Provided*, That not to exceed $4,000,000 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding $250,000 may be expended for experimentation, conservation, and production of helium; not exceeding $4,300,000 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; not exceeding $500,000 may be expended for the production of lighter-than-air equipment; and not exceeding $350,000 may be expended for improvement of stations, hangars, and gas plants: *Provided further*, That not less than $5,500,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $10,000."

Mr. ANTHONY. Mr. Speaker, we had to bring this item for appropriations for the Air Service back to the House in order to reinstate the language as to the payment of claims for damage not to exceed $250. That language had been carried for several years, but it was stricken out on a point of order. The Senate erroneously attached it to the appropriation paragraph, so that we had to bring the whole paragraph back to the House in this shape.

Mr. HICKS. Will the gentleman permit a question?

Mr. ANTHONY. I yield to the gentleman from New York.

Mr. HICKS. I notice in the amendment that the amount called for for new airplane equipment is $5,500,000, which is a million and a half more than the House provided a few days ago.

Mr. ANTHONY. Correct.

Mr. HICKS. Can the gentleman explain the necessity for that increase over what the House decided was proper?

Mr. ANTHONY. The Senate demanded $7,000,000 for new production and we yielded a million and a half.

Mr. HICKS. Did they specify what that equipment would consist of?

Mr. ANTHONY. Yes. We went into the types in conference. It is to equip the Army with complete new types of planes; most largely of pursuit and bombing and attack types.

Mr. HICKS. Are some of them these foreign planes that we have seen spoken of in the paper—the Caproni, and German all-metal?

Mr. ANTHONY. No; none of them.

Mr. HICKS. Is it all for domestic production?

Mr. ANTHONY. We hope it will go into the type of all-metal planes. We have procured a number from Germany, of the all-metal planes. At the Dayton plant the air service are flying every day, many hours a day, one of these German all-metal planes, to determine how long it can stay in the air without crystallization. We want to ascertain what the life of the all-metal plane is before we go into the production of them.

Mr. HICKS. As I caught the reading of the amendment I understand that this $5,500,000 is to be exclusively for heavier-than-air equipment. Where do you take care of the lighter-than-air equipment?

Mr. ANTHONY. Five hundred thousand dollars of it is for lighter than air. We limit them to not exceed that amount.

Mr. HICKS. Is that mentioned in the amendment?

Mr. ANTHONY. I think it is.

Mr. HICKS. I did not catch that in the reading of the amendment.

Mr. ANTHONY. They wanted to expend a vastly larger sum for lighter-than-air machines, but we limited them to $500,000.

Mr. HICKS. I am very glad you did.

Mr. FESS. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Ohio.

Mr. FESS. The Senate provision fixed a minimum below which they can not go for experimentation. I understand that the House has fixed a maximum above which they can not go.

Mr. ANTHONY. We provide a minimum. We want to compel them to expend that amount of money for production.

Mr. FESS. I mean for experimentation. You have fixed a maximum above which they can not go.

Mr. ANTHONY. Yes.

Mr. FESS. Is it not very unusual to say to them, "You shall not expend less than a certain amount"?

Mr. ANTHONY. It is for the reason that we have been trying to get the Air Service to build modern machines. The appropriations made in the Army appropriation bill for the last two years for new production have not all been expended. Only in the last month or two contracts have been let covering many millions of dollars that we have appropriated. The Army all the time has been crying that it has not got up-to-date machines, when the money that Congress appropriated has not been expended. They have been waiting until they could agree on the right type. This year they think they have got the type, and contracts have been let within the last month or two for almost the totals of the appropriations we have made for the last two years. We want to make them spend that money and get these up-to-date planes, so our Army will have the latest thing in the air.

Mr. FESS. The task that has been imposed on Congress is not that we must expend so much money, but that there must

be a minimum expenditure of money. After rereading the amendment I note that the amount provided for in this particular item is not increased, but you simply provide that a certain proportion of it shall be spent for this particular purpose.

Mr. ANTHONY. That is true.

Mr. FESS. And it does not increase the sum total.

Mr. ANTHONY. We itemized this appropriation and put the limitations on the expenditure for fear if we left it in a lump sum it would be expended for purposes from which the Army would not get any real benefit.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. NEWTON of Minnesota. Is the type of metal plane that is now being experimented with at the Dayton field the all-metal monoplane?

Mr. ANTHONY. I think it is. It is the German type of plane.

Mr. NEWTON of Minnesota. Is it the Junker plane?

Mr. ANTHONY. I think it is.

Mr. NEWTON of Minnesota. There have been some accidents in the postal air service in connection with the use of the Junker plane, and I wondered if it was the same plane.

Mr. ANTHONY. I think it is.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. ANTHONY. I yield.

Mr. MANN of Illinois. The gentleman's amendment provides that not less than $5,500,000 shall be expended for the purchase of new planes. Now, they are making experimentations with these new metal planes to determine how long it will take them to crystallize. Suppose it takes a little while to determine that. I take it that they are not prepared at present to make these metal planes on a large scale anywhere in the country?

Mr. ANTHONY. That is correct.

Mr. MANN of Illinois. Does not the gentleman think it rather drastic to say that they must find out whether these metal planes will be serviceable and last long enough to justify their adoption, and at the same time require them to spend $5,500,000 during the next fiscal year, although they may not come to a determination about the metal planes until toward the end of the fiscal year?

Mr. ANTHONY. The situation in our Army to-day with reference to the air is that our flyers have to go up in the D. H.-4 plane, evolved during the war, and the opinion of our flyers is that the D. H.-4 is an out-of-date, antiquated, and unsafe machine to go into the air in. We want to compel the Air Service to provide up-to-date machines for our flyers, and that is why we put in the provision to construct machines of the latest type.

Mr. MANN of Illinois. Will not this be the result? You compel them to spend the money. They may have to go out and spend the money in buying up old, out-of-date airships.

Mr. ANTHONY. No; they will not.

Mr. MANN of Illinois. Because they have not yet determined that the new type of machines are serviceable. They are still experimenting with metal machines. They do not know whether they want to construct metal planes or not, because they do not know whether they will last long enough to pay for constructing them.

Mr. MONDELL. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. MONDELL. Is not this the situation: There is a demand in the Army for a certain expenditure for other purposes than the purchase of new planes. There is also a demand for a considerable expenditure for new planes. Now, except for this provision that has been referred to, the Army could spend this entire appropriation for other purposes.

Mr. ANTHONY. To hire civilian employees——

Mr. MANN of Illinois. No; the amendment carries a limitation, and they could not do anything of the kind.

Mr. ANTHONY. They could if we did not put in this limitation.

Mr. MANN of Illinois. The limitations are there. What is the use of saying they can spend the money for other purposes?

Mr. MONDELL. Strike out this limitation to use the $5,000,000——

Mr. MANN of Illinois. That is not a limitation; that is a direction to spend the money.

Mr. MONDELL. "If you spend this money, you shall spend it for new planes. If you do not need new planes, you shall not spend it."

Mr. MANN of Illinois. That is not what it says.

Mr. MONDELL. That is exactly what it says.

Mr. MANN of Illinois. The gentleman has not read the amendment.

Mr. ANTHONY. The gentleman made a statement that the Army was not prepared to build the latest type of plane. The only question at issue is whether they will build that type of metal plane or of wood. The Army has developed a type of pursuit plane, one of the fastest pursuit planes that has been developed anywhere in the world. We have developed a type of bombing plane and ground-attack plane which they say is the last word unless they are made out of metal. Our fliers are clamoring to be given the latest type. If we have to hold back the production, if we have to wait two years, we will have no planes.

Mr. MANN of Illinois. They can spend the $5,000,000 on other planes regardless of whether they adopt the metal plane or not.

Mr. ANTHONY. I hope they will spend it for the all-metal type.

Mr. MANN of Illinois. It will have to be, although my genial leader, who has not read the amendment, says they may do so and so, when the amendment says that not less than $5,000,000 shall be spent for the production and purchase of new airplanes, and so forth. I can read the English language and understand what it says.

Mr. MONDELL. The gentleman knows that this money can not be spent unless for a certain specific purpose, and the intent of that is to prevent the military authorities from spending the $5,000,000 for other purposes in case they do not desire to spend it for new planes.

Mr. MANN of Illinois. The gentleman is again entirely mistaken. The language of the amendment is that not to exceed $4,000,000 is to be expended for the pay and expenses of civilian employees, and not to exceed a certain amount for other purposes. Those limitations are in the amendment, and then there is a part of the amendment that follows that not less than $5,000,000 shall be expended for the production and purchase of new airplanes.

Mr. MONDELL. That is the difference between tweedledum and tweedledee.

Mr. MANN of Illinois. When a man knows he is mistaken he ought to admit it. [Laughter.]

Mr. MONDELL. They might have put it in a different form. They might have said that not more than so much shall be expended for this particular purpose, and it would be equally effective, except for the fact that in that event the money could be used for other purposes. They put it in a form to make it clear that it could not be spent for any other purpose, because that was what they wanted. It is made clear that they could not spend this money for any other purpose.

Mr. CRAMTON. There is an item in the bill for miscellaneous expenses that is covered by about two pages of the language in the bill.

If this limitation should be written that "not more than" so much was for new production, anything that was not spent for new production could be expended for anything covered by the language of the bill on which there was not an express limitation, and there are many things that are not limited. We did not want to give them any opportunity to cut down new production and use it for miscellaneous items that are not limited. Hence, the desire of the committee being for new production, we fixed a minimum.

Mr. MONDELL. In other words, if they expend this particular sum of money it must be expended for new planes?

Mr. CRAMTON. It must be.

Mr. MONDELL. Of course, if they do not deem it wise to buy new planes they will not expend the money?

Mr. MANN of Illinois. And violate the law. The gentleman from Wyoming complains about the Secretary violating the law.

Mr. MONDELL. The gentleman from Illinois is too good a parliamentarian and too good a constructionist of legislative language to believe that because we say a certain amount shall be expended for a certain purpose, it means that it must be expended whether or no there is good reason for expending it.

Mr. MANN of Illinois. That is the exact fact. It does mean that it must be expended, and that is the reason it is offered in this form, as stated by the gentleman—to make them expend it in purchasing new planes.

Mr. MONDELL. If they spend it at all.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HICKS. Now that these two leaders have gotten their difficulties settled so that none of us understand the matter, I would like to ask the gentleman a question about helium. I notice in the House bill $100,000 was carried for experimentation in helium. That amount was raised by the Senate to $400,000 and the conferees have reduced it to $250,000. Is the gentleman, in his own mind, convinced that the helium situation in Texas is such that it warrants the expenditure at the present time of $250,000?

Mr. ANTHONY. I am not so convinced, but other members of the committee of conference felt the necessity for continuing this appropriation, and we yielded in the degree mentioned by the gentleman.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CHINDBLOM. Can the gentleman say what is the estimate of life of an airplane in the Army service?

Mr. ANTHONY. The experts have been greatly disappointed at the life of an airplane. For instance, statements are made to us that of the thousands of D. H. 4's that we have on hand, which were considered fine machines a year or two ago, simply two years of storage has caused them to so deteriorate that before they take those machines up into the air they will have to practically rebuild them. The glue and other ingredients used in joining them together seem to give way, and it necessitates their practical reconstruction.

Mr. CHINDBLOM. I asked the question for this reason: If our flyers are going to be occupied, the Army must procure the planes, and I think it is well to direct the Army officers in Army management, that they shall purchase the necessary planes for the flyers to use, and if the life of a plane is not beyond a year then that provision must be made annually.

Mr. GARD. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GARD. I want to make inquiry with respect to the appropriations about aircraft. Did we carry such an appropriation in the last appropriation act—that is, a directory item for the expenditure of money for experimental work in lighter-than-air machines?

Mr. ANTHONY. I do not think we ever carried that item.

Mr. GARD. I refer to the item in lines 17, 18, and 19, on page 14, in amendment No. 10, which seems to me to be directory in respect to the expenditure of $5,000,000 for experimental purposes. Whether or not that is the gentleman's contention I do not know, but I am asking if there has been any provision heretofore for an appropriation of that kind for that purpose?

Mr. ANTHONY. My recollection is that there has been no explicit expenditure for an experimentation in lighter-than-air machines, but in this bill we provide $500,000 to be spent for the production of lighter-than-air craft, and we provide that $5,500,000 must be expended for new planes.

Mr. GARD. The item to which I refer is the $5,000,000 item in lines 17, 18, and 19, on page 14.

Mr. ANTHONY. The Air Service wanted a large appropriation for an engineering plant, for engineering and development work in balloon service, but the committee did not deem it advisable to grant it at this time.

Mr. GARD. My question went to the $5,000,000 item.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the motion to recede and concur.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 12: Page 15, after line 16, insert: "That payments heretofore made by disbursing officers of the United States to the Lonoke Chamber of Commerce, Lonoke, Ark., under and pursuant to a lease dated March 20, 1919, providing for the use and occupation by the United States of certain lands near Lonoke, Ark., for aeronautical purposes and providing for an increased rental from and after January 1, 1919, are hereby ratified and confirmed."

Mr. ANTHONY. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 18: Page 17, line 5, strike out "$72,678,659" and insert "$83,000,000."

Mr. ANTHONY. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

Mr. GREENE of Vermont. Mr. Speaker, I offer a preferential motion, that the House recede from its disagreement to the Senate amendment and concur in the same.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Speaker, I have offered a motion to recede and concur in the Senate amendment which provides for an expenditure of $83,000,000, designed to establish for the ensuing fiscal year an Army approximating 175,000 enlisted men. I realize that this subject is not new, and we all appreciate that in the haste with which it is necessary to do a good many things at this time, it would be unprofitable to expend much of our opportunity debating many of the details that are involved in such a very important policy as the size of the Army.

I merely want to emphasize the position that I have taken repeatedly before this House and which I have attempted at times to explain, that we are not now appropriating for a fighting Army, an actual force that is to be relied upon for national defense in and of itself, but we are appropriating for an Army which in peace time is a national police force, that is to garrison our outlying possessions, that is to instruct itself in military science, and that is designed to be a school for the instruction of the great civil population either in their National Guard activities or in the other ways in which they seek experience that will enable us in time of emergency, in time of war, to summon with some degree of training the great citizen army on which we always have to rely when war breaks out.

This question, therefore, ought not to be surveyed as if we saw 175,000 men all together in this country as an organized fighting force. But when we come to realize that in this enormous continental domain of ours, to say nothing of the outlying possessions, we must divide this military force up into little driblets and station those small parts for service here and there at the posts throughout the country and in our outlying possessions; and when we realize we must still further divide up the men for service at schools and colleges for Reserve Officers' Training Corps purposes and with the National Guard in various State organizations, we will soon find we have almost nothing left of any kind of tactical organization that will give the Army itself, its officers, and noncommissioned officers a sufficient force for training from year to year that will make it proficient in military science and prepare for any emergency there might be.

So it was the design in the Army reorganization act that we should be able after distributing the Army about this country, as we are obliged to do, to keep somewhere together a war-time fighting unit of the highest character, both in numbers and in armament, and in all the personnel that are necessary for a war-time fighting unit, so that our officers and noncommissioned officers might in their turn from year to year pass through the administration of and service with a unit of this kind and number and gain experience in the course of their own training in handling a fighting force that could be used in emergency.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. GREENE of Vermont. I will.

Mr. NEWTON of Minnesota. Will the gentleman explain what the Senate has provided for—that is, the number of enlisted men—and what would be provided for under the $72,000,000, or just what is presented to the House upon the amendment in question?

Mr. GREENE of Vermont. It has always proved to be a fact that these rough or round number estimates or figures set out in appropriation bills will not figure out precisely to the unit of men that they are expected to appropriate for, but, roughly speaking, the House conferees stand for 150,000 men, and the Senate proposes to stand for 175,000. [Applause.]

Mr. NEWTON of Minnesota. That is in accordance with the recommendation of Gen. Pershing.

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Speaker, in connection with my remarks I desire to ask unanimous consent to extend my remarks in the RECORD by inserting a statement of The Adjutant General showing the disintegration of the Army from now until May 31, 1922.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks by inserting the table indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. OLNEY. Mr. Speaker and Members of the House, the next and very able Secretary of War, the Hon. John W. Weeks, of Massachusetts, within 10 days advocated the total strength of the Army in enlisted men at 175,000. I am sure that you gentlemen on this side are in harmony with the next Secretary of War, and those on the other side do not desire to embarrass the next administration by having a deficiency reported in providing for only 150,000 men. The present Secretary of War by an order issued about February 1 immediately stopped the enlistment of men. At that time there were enlisted in the Army 237,000. Since that time we have disintegrated proportionately about 8,000 per month gross less 2,000 who have enlisted again, it being allowable for 1-year and 3-year enlistment men as they go out to reenlist, so there is a net disintegration per month of about 6,000 men. Brig. Gen. Herbert M. Lord, of the Finance Department, about two weeks ago testified before the Military Affairs Committee of the Senate that the average size

of the Army for this year will be 181,000 men. I do not think we ought to appropriate for an Army of 150,000 men when the average Army for this year and into the next fiscal year will be nearly 200,000 men. This table which I insert in the RECORD shows that on November 30, 1921, the total strength of the Army will be about 175,000 men, as fast as they can unenlist them.

Mr. FIELDS. Will the gentleman yield?

Mr. OLNEY. I have only five minutes.

Mr. FIELDS. Gen. Lord, in making that statement, had not taken into consideration the legislation carried by this bill which directs the Secretary of War to discharge from the Army all enlisted men under 18 years of age?

Mr. OLNEY. I understand from The Adjutant General as fast as they can unenlist these men they can not expect to discharge from the Army from natural and other causes more than 6,000 men, including those that make up the strength of the Army up to May 31, 1922, and as fast as those men can be unenlisted, if I may coin the word, the strength of the Army at that time will be about 165,000, not including the Philippine Scouts which amount to nearly 10,000 men. Therefore it seems to me the part of unwisdom to appropriate for an Army of 150,000 men when now at present day figures we have an enlisted strength of about 230,000 men. We can not unenlist them up until the 1st of January next year so that the Army will be less than 175,000 men.

There is another item running along in this bill a little later proposing to promote two great generals to the rank of lieutenant general, and I hope somebody will offer a further amendment here to promote Gen. Crowder as well to hold the rank of lieutenant general. There is another man from Ohio who was in command of the Third Army over in France, Gen. Dickman, who ought to be recognized. The amendment in the Senate concerns Gen. Liggett, a Pennsylvanian by birth, who was in command of the First Army, and Gen. Bullard, of Alabama, in command of the Second Army.

These three armies were thoroughly and efficiently organized over in France, and I would like to see these three great generals promoted. I might suggest that as a modification, as I understand the Senate amendment proposes to promote these two generals to the rank of lieutenant general in the active service, the House might see to it and might vote that these two men, Dickman and Crowder, along with Liggett and Bullard, also be put on the retired list as lieutenant generals, with all that goes with it.

For the information of the House, and most of you are familiar with these facts, I may say that Gen. Liggett retires from the Army March 28, this year. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. OLNEY. The statement that I referred to is as follows:

Projected strength of the U. S. Army, by arm of service, based upon losses by E. T. S. and other normal causes, Feb. 19, 1921.

	Inf.	Tank.	Cav.	F. A.	C. A. C.	A. S.	C. E.	Sig.	J. A. G. D.	Q. M. C.	F. D.	M. D.	O. D.	C. W. S.	D. E. M. L.	Total.	P. S.	Total.
Strength:																		
Jan. 31, 1921	83,340	2,700	19,584	27,389	26,193	11,521	7,278	5,681	4	21,162	320	14,385	4,033	553	7,428	230,976	6,884	237,860
Feb. 28, 1921	83,770	2,666	19,351	27,142	25,290	11,661	7,145	5,613	4	20,890	322	14,319	4,023	294	7,390	230,283	6,783	237,066
Mar. 31, 1921	82,550	2,631	19,096	24,729	25,930	11,482	6,593	4,946	4	20,451	318	14,116	3,971	288	7,284	224,389	6,702	231,091
Apr. 30, 1921	81,383	2,597	18,846	23,094	25,222	11,127	6,152	4,877	4	19,995	314	13,926	3,785	280	7,183	218,783	6,616	225,402
May 31, 1921	80,003	2,377	18,510	21,893	24,022	10,741	5,916	4,805	4	19,602	310	13,674	3,611	272	7,078	212,819	6,531	219,350
June 30, 1921	78,042	2,265	17,367	21,465	23,075	10,390	5,788	4,693	4	19,200	305	13,210	3,478	264	6,954	205,500	6,447	212,956
July 31, 1921	75,942	2,091	15,944	20,735	21,947	10,128	5,607	4,550	4	18,914	301	12,710	3,355	261	6,823	199,300	6,364	205,673
Aug. 31, 1921	73,570	1,921	14,898	19,840	20,788	9,900	5,439	4,414	4	18,664	297	12,219	3,223	258	6,686	192,127	6,276	198,403
Sept. 30, 1921	71,487	1,800	14,634	18,976	19,843	9,695	5,251	4,270	4	18,408	292	11,847	3,116	255	6,534	185,415	6,189	192,604
Oct. 31, 1921	69,266	1,764	14,417	17,928	18,968	9,490	5,080	4,183	4	18,144	288	11,483	3,032	252	6,402	180,701	6,109	186,813
Nov. 30, 1921	66,185	1,744	14,224	16,528	18,134	9,250	4,740	4,129	4	17,885	282	11,055	2,931	249	6,249	173,593	6,030	179,623
Loss, E. T. S., December, 1921	2,873	.....	8	1,771	906	290	417	3	.....	48	2	468	61	.....	94	6,941	.....	6,941
Loss, other causes (1.252 per cent)	829	22	178	207	227	116	59	52	.....	224	4	138	37	3	78	2,174	78	2,252
Reenlistments (20.1 per cent)	577	.....	2	356	182	58	84	1	.....	10	.....	94	12	.....	19	1,395	.....	1,395
Strength, Dec. 31, 1921	63,060	1,722	14,040	14,905	17,183	8,902	4,348	4,075	4	17,623	276	10,544	2,848	246	6,093	165,573	5,952	171,825
Need to enlist, December	.....	.....	.....	1,235	318	222	495	.....	.....	.....	57	.....	.....	102	.....	2,429	746	3,175
Total December, 1921	63,060	1,722	14,040	16,141	17,501	9,124	4,843	4,075	4	17,623	333	10,544	2,848	348	6,093	168,302	6,698	175,000
Loss, E. T. S., January, 1922	3,529	1	1	1,531	854	473	249	9	.....	23	9	302	53	1	97	7,132	1	7,133
Loss, other causes (1.246 per cent)	786	21	175	201	218	114	60	51	.....	220	4	131	35	4	76	2,093	9	2,105
Reenlistments (20.4 per cent)	720	.....	.....	312	174	96	51	2	.....	5	2	62	11	.....	20	1,455	.....	1,455
Total, January, 1922	59,465	1,700	13,864	14,721	16,603	8,633	4,585	4,017	4	17,385	322	10,173	2,771	343	5,943	160,529	6,688	167,217
Need to enlist, January	443	16	.....	2,934	1,012	638	1,035	.....	.....	.....	109	.....	23	195	.....	6,405	1,378	7,783
Strength, Jan. 31, 1922	59,908	1,716	13,864	17,655	17,615	9,271	5,620	4,017	4	17,385	431	10,173	2,794	538	5,943	166,934	8,066	175,000
Loss, E. T. S., February, 1922	1,389	1	25	565	440	256	105	6	.....	25	5	131	40	24	55	3,037	.....	3,037
Loss, other causes (1.243 per cent)	745	21	172	219	219	115	52	49	.....	216	5	126	35	7	74	2,085	104	2,189
Reenlistments (20.4 per cent)	283	.....	5	115	90	52	21	1	.....	5	1	27	8	5	11	624	.....	624
Total, February, 1922	58,057	1,694	13,672	16,986	17,046	8,952	5,454	3,963	4	17,149	422	9,943	2,727	512	5,825	162,405	7,962	170,368
Need to enlist, February	810	14	.....	1,385	593	371	709	.....	.....	.....	46	.....	28	83	19	4,058	574	4,632
Strength, Feb. 28, 1922	58,867	1,708	13,672	18,371	17,639	9,323	6,163	3,963	4	17,149	468	9,943	2,755	595	5,844	166,464	8,536	175,000
Loss, E. T. S., March, 1922	592	1	479	84	164	39	20	20	.....	189	.....	131	11	.....	80	1,818	.....	1,818
Loss, other causes (1.21 per cent)	730	21	170	228	219	116	76	49	.....	213	6	123	31	7	72	2,061	110	2,174
Reenlistments (21 per cent)	124	.....	101	18	34	8	6	4	.....	40	.....	28	2	.....	17	382	.....	382
Total, March, 1922	57,669	1,686	13,124	18,077	17,290	9,176	6,065	3,898	4	16,787	462	9,717	2,712	588	5,709	162,964	8,426	171,390
Need to enlist, March	945	18	.....	1,005	506	286	251	.....	.....	.....	35	.....	35	56	58	3,195	415	3,610
Strength, Mar. 31, 1922	58,614	1,704	13,124	19,082	17,796	9,462	6,316	3,898	4	16,787	497	9,717	2,747	644	5,767	166,159	8,841	175,000
Loss, E. T. S., April, 1922	3,858	13	2,473	592	574	260	284	69	.....	702	.....	563	65	.....	483	9,933	.....	9,933
Loss, other causes (1.24 per cent)	727	21	163	237	221	117	78	48	.....	208	6	120	34	8	72	2,060	114	2,174
Reenlistments (10.9 per cent)	421	1	270	65	63	28	31	8	.....	77	.....	61	7	.....	53	1,085	.....	1,085
Total, April, 1922	54,450	1,671	10,758	18,318	17,064	9,113	5,985	3,789	4	15,954	491	9,095	2,655	635	5,265	155,248	8,727	163,975
Need to enlist, April	4,190	44	1,224	1,874	1,191	628	573	.....	.....	.....	55	.....	111	77	480	10,397	628	11,025
Strength, Apr. 30, 1922	58,640	1,715	11,982	20,192	18,255	9,741	6,558	3,789	4	15,954	546	9,095	2,766	713	5,695	165,645	9,355	175,000
Loss, E. T. S., May, 1922	3,881	7	1,324	592	829	886	263	113	.....	1,231	.....	597	71	.....	443	10,217	.....	10,217
Loss, other causes (1.24 per cent)	727	21	149	230	226	121	81	47	.....	198	7	113	34	9	71	2,054	121	2,175
Reenlistments (11.1 per cent)	431	1	147	66	92	96	29	13	.....	137	.....	66	8	.....	49	1,135	.....	1,135
Total, May, 1922	54,463	1,688	10,656	19,416	17,292	8,830	6,243	3,642	4	14,662	539	8,451	2,669	704	5,230	154,509	9,234	163,743
Need to enlist, May	4,739	45	1,475	1,250	1,159	923	428	.....	.....	.....	23	236	112	34	518	10,942	315	11,257
Strength, May 31, 1922	59,202	1,733	12,131	20,666	18,451	9,773	6,671	3,642	4	14,662	562	8,687	2,781	738	5,748	165,451	9,549	175,000

NOTE.—No account taken of changes in labor conditions in determining reenlistments. After Nov. 30, number to be enlisted to bring Army up to 175,000 is apportioned among those branches that are below strength. Percentages used in the above calculation are based on the experience during the past year.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I hope the motion made by the gentleman from Vermont [Mr. GREENE] will not be adopted, and yet I do not know that the gentleman from Vermont and I differ very greatly in our views with regard to what should ultimately be done.

The amount carried in the bill as it passed the House would pay an Army of an enlisted strength of approximately 150,000. But the gentlemen in the Senate insist it will not be possible to bring the Army to an enlisted strength of 150,000 at the beginning of the fiscal year for which we appropriate, except by discharges over and above the ordinary and normal reductions, and that therefore our appropriations, taking the Army at the strength they assume it would be at the beginning of the fiscal year, would not provide for an Army maintained at 150,000 during the entire year. They say that in order to pay the Army that would be in service at the beginning of the fiscal year and cover the entire expenditure for pay with the appropriation we have made, it would be necessary to allow the Army to dwindle or to be reduced to a strength about 125,000 or 126,000 at the end of the fiscal year. The conferees know very much better than I do how much there may be in the contention of the Senate. The Senate amendment proposing $83,000,000 in lieu of $72,000,000 is based on what they assume will be the enlisted strength of the Army at the beginning of the fiscal year, taking into consideration ordinary and normal reductions in strength up to that time, and then for an Army which would have an enlisted strength of about 162,000 at the end of the fiscal year. It appears, therefore, that neither of the sums carried here provide for an Army of just the numbers that have been so frequently referred to—150,000 in one case and 175,000 in the other—for the entire period.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREENE of Vermont. I think the gentleman is quite correct. As I reflect upon it, I think I should have said it was in the neighborhood of 162,000 for the average. I stated it a little high.

Mr. MONDELL. Now, if the House adheres to this provision for $72,000,000, this matter will again be taken up in conference, and if the gentlemen of the Senate can convince our conferees that in order to provide for an Army which shall not go materially below 150,000 for the year that it is necessary to somewhat increase our appropriation, I think it would be their duty to agree with it.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. LINTHICUM. As I understand, the 150,000 is 150,000 enlisted men, and then you provide for 14,000 officers in addition to that, do you not?

Mr. MONDELL. The item we are discussing is the item for the pay of the enlisted men and has nothing to do with the pay of the officers.

Mr. LINTHICUM. That is, 150,000 enlisted men?

Mr. MONDELL. One hundred and fifty thousand enlisted men.

Mr. HULL of Iowa. Does the gentleman advocate discharging men who have contracts and who do not want to be discharged?

Mr. MONDELL. Well, I do not know as it is necessary for me to pass on that or to express an opinion. I think there are many men who would like to be discharged, but whom the War Department are now holding. My own view is that if the War Department could and would allow men to leave the service who desire to leave it, the probability is the Army would be reduced to close to 150,000 at the beginning of the fiscal year. But I realize that in some cases it may be inexpedient for the department to allow all the men to leave the service who desire to do so, because of the fact that they may be in a branch of the service where the enlisted strength is already low or they may be men who are needed for some special work. So I realize there are some cases where a man's desire for discharge might not in the interest of the service properly be met for a few months. In that state of affairs it is possible that it would not be practicable to reduce the Army to 150,000 men at the beginning of the fiscal year. Of course, I am saying all this realizing that I am not so well informed on the subject as the gentleman from Michigan [Mr. CRAMTON] or the gentleman from Kansas [Mr. ANTHONY].

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. ANTHONY. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. CRAMTON. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. CRAMTON. I simply want at this time to call to the attention of the gentleman from Wyoming, in connection with what he has been saying, that the next amendment to come up, No. 22, gives express authority to the Secretary of War in his discretion to grant applications for discharge, and that gives him full opportunity along the line the gentleman has stated.

Mr. MONDELL. I hope I have made it reasonably clear that in all probability the conferees will be able to reach an agreement on this item without materially increasing the appropriation carried in the House bill. But it is altogether possible that after going over the matter again with the Senate conferees the House conferees may find that in order to maintain the establishment at the size which the House approves it will be necessary to agree to something of an increase in this item.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. PADGETT. I saw a newspaper report the other day—I do not know whether it is accurate or not—that the appropriation carried in the bill as it passed the House was only sufficient for something like 125,000 or 130,000.

Mr. MONDELL. If the gentleman heard my statement a moment ago, he will recall that I said it was claimed that with the Army at the enlisted strength it is expected to have at the beginning of the fiscal year it would be necessary to reduce the Army to 150,000 in order to pay the enlisted men with the sum appropriated by the House.

Mr. PADGETT. I did not hear that statement.

Mr. MONDELL. Just how accurate that is I do not know. But it is because there is something in the contention that the conferees should be allowed to go back with this item and make such a compromise as will carry out the views of the House as to the average strength of 150,000 men during the entire year.

Mr. LINTHICUM. One other question. As to the average of 150,000 men, I wanted to know whether with the present turn of events in Europe the gentleman thinks we ought to have any increase?

Mr. MONDELL. I do not.

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired.

Mr. ANTHONY. The conferees on the part of the House feel that it will be possible to arrive at some satisfactory agreement with the Senate on this item. Under the appropriation made by the House, unquestionably in order to maintain the Army at an average of 150,000 men, as the House desires during the next fiscal year, we shall have to arbitrarily discharge 30,000 or 40,000 men between now and July 1. It can be done, and there would not be the slightest necessity of permitting the Army to go down to the minimum of 122,000, as some people have contended. And under any circumstances it would be entirely possible and feasible, with the language that we incorporate in the bill later on, which the House will pass upon, to bring the Army down to about the size that the House desires.

Mr. HULL of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Has that ever been done in the history of our country before?

Mr. ANTHONY. No; the necessity never arose.

Mr. HULL of Iowa. You realize that you are breaking a contract with the enlisted men?

Mr. ANTHONY. The gentleman is in error about the contract business. The enlisted man signs no contract with the Government.

Mr. HULL of Iowa. There is an implied contract there, and the man has arranged to stay in the Army for three years.

Mr. ANTHONY. We are going to permit them to go back to civil life, where many of them would like to go.

Mr. HULL of Iowa. You are not only going to permit it, but you are going to make them retire to civil life.

Mr. CRAGO. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CRAGO. If the House votes down the preferential motion of the gentleman from Vermont [Mr. GREENE] and votes favorably on the motion of the gentleman from Kansas [Mr. ANTHONY], the question is whether the conferees will take that as the position of the House, from which they are not justified in receding?

Mr. ANTHONY. No. The conferees are going to try to arrive at some reasonable compromise in this matter with the Senate—a compromise which will do the least possible damage to the Army and yet at the same time bring the Army down to a reasonable size.

Mr. CRAGO. Will the gentleman yield to me three minutes?

Mr. ANTHONY. Yes; I yield to the gentleman three minutes.

Mr. CRAGO. I want it to be possible for the conferees, when it is shown that the reduction of the Army to 150,000 men is a reduction that is too drastic, in order that the Army might properly function to feel that they might, under a proper showing and when the figures are given, agree to the Senate amendment. I do not believe our people at this time want any great standing Army, but we must realize that until the National Guard of the country is thoroughly organized and equipped we have very little defense in this country. That reorganization is slower than we had thought it would be. After every great war in which we have engaged the military history of our country shows that we have foolishly thrown away much of the knowledge and the experience that we gained in these conflicts in which we have been engaged, and I do hope that growing out of this war there will remain with us for years and years to come the realization that it is very necessary for us to have a proper-sized Army in order that that Army may properly function. In other words, you can keep your force down to such a small body of men that it is not possible for our officers, especially of the higher grades, to properly perform their duties and to organize an Army as it should be organized in order to properly function.

I want to call attention to the fact that Gen. Pershing himself and the men who have studied this problem are of the opinion that it is not possible for them to have the Army function as they organized it in France and as they have now organized it with less than about 175,000 men. I would want these conferees to feel that if they so believe the House will back them up in agreeing to an appropriation large enough to provide such an Army.

Mr. MONDELL. Mr. Speaker, will the gentleman yield just a moment?

Mr. ANTHONY. Yes.

Mr. MONDELL. In view of what the gentleman from Pennsylvania [Mr. CRAGO] has said, let me express the opinion that the House will not back up the conferees if they yield the full amount, or any very considerable portion of the increase made by the Senate. [Applause.] I think the conferees should go back free to make such a compromise as seems proper for them to make to carry out, as nearly as may be, the view of the House as to an establishment that shall not fall below 150,000 and shall approximate that number.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

Mr. FISH. Mr. Speaker, will the gentleman yield for a question?

Mr. ANTHONY. Yes; I yield.

Mr. FISH. I think there is one question that has not been brought out at all in this House in considering whether we should have an Army of 150,000 or 175,000. As for myself, I am very undecided how to vote, and I think the gentleman might explain to the House what is the size of our present National Guard. As I understand it, we have a Federalized National Guard of some 75,000, and it is expected that we will have a force of 125,000 federalized National Guard by next year. If that is a fact, and believing as I do that these Federalized National Guard soldiers and officers who have seen service are equal in every respect to our Regular Army, I shall vote for 150,000.

Can the gentleman explain to the House the present numerical status of the guard?

Mr. ANTHONY. The present size of the National Guard is approximately 85,000 men. It is growing rapidly, and with the encouragement that we are providing in the increased appropriations in this bill I have not the slightest doubt but that it will reach 125,000 in the early part of the next fiscal year, and it ought to grow to a much larger size.

Mr. FISH. Will the gentleman yield to me two minutes?

Mr. ANTHONY. I yield to the gentleman two minutes.

Mr. FISH. I would like to point out to the House that the Regular Army officers who have investigated the artillery units of the National Guard which have been federalized state that they are in every way equal, if not superior, to the Regular Army Artillery units, for the reason that the vast majority of the "noncoms" and officers who were in the war and served in the Artillery have come back to the National Guard. The same in lesser degree applies to the Infantry units. The "noncoms" and the officers who served in the Infantry outfits on the other side have come back into those Infantry outfits. The soldiers are new, but the instructors and "noncoms" and officers have had actual battle practice. For that reason we should remember that we have a federalized National Guard of 85,000, in every way comparable to our Regular Army, and for that reason I shall vote for an Army of 150,000 Regulars.

Mr. DAVIS of Tennessee. Will the gentleman from Kansas yield for a question?

Mr. ANTHONY. I yield to the gentleman from Tennessee.

Mr. DAVIS of Tennessee. Are the Senate conferees insisting on 175,000 men exclusive or inclusive of the Philippine Scouts and the flying cadets?

Mr. ANTHONY. Exclusive.

Mr. DAVIS of Tennessee. How many are there in the Philippine Scouts?

Mr. ANTHONY. Six thousand five hundred.

Mr. DAVIS of Tennessee. How many are provided for in the flying cadets?

Mr. ANTHONY. We provide for about 1,200. I do not know how many there are now, but not nearly that number.

Mr. JONES of Texas. Will the gentleman from Kansas yield to me?

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

Mr. LINTHICUM. I hope the gentleman will wait until after 2 o'clock. I shall have to object.

The SPEAKER. The gentleman from Maryland objects. The question is on the preferential motion of the gentleman from Vermont [Mr. GREENE].

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. GREENE of Vermont. Mr. Speaker, I shall have to ask for a division.

The House divided; and there were—ayes 19, noes 96.

Mr. BLANTON. Mr. Speaker, in order to get a record vote, I make the point of no quorum present.

The SPEAKER. The gentleman from Texas makes the point of no quorum present. The Chair will count. [After counting.] Two hundred and seven members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as are in favor of the motion of the gentleman from Vermont [Mr. GREENE] will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 82, nays 242, answered "present" 1, not voting 103, as follows:

YEAS—82.

Ackerman	Hadley	Merritt	Sanders, N. Y.
Bee	Hicks	Miller	Schall
Bland, Mo.	Houghton	Minahan, N. J.	Sims
Burdick	Husted	Monahan, Wis.	Smith, Idaho
Campbell, Pa.	Johnson, S. Dak.	Moores, Ind.	Smith, N. Y.
Carew	Johnson, Wash.	Morin	Snell
Chindblom	Jones, Pa.	Mott	Snyder
Coady	Kahn	Mudd	Stiness
Copley	Kiess	Newton, Minn.	Tague
Crago	Lea, Calif.	Olney	Temple
Cullen	Lee, Ga.	Osborne	Tilson
Dale	Lehlbach	Paige	Treadway
Dallinger	Lufkin	Parker	Vaile
Dupré	McAndrews	Pell	Walsh
Eagan	McArthur	Phelan	Walters
Elliott	McGlennon	Pou	Welling
Fisher	McKinlry	Raker	White, Me.
Glynn	McKinley	Rhodes	Winslow
Gould	McLaughlin, Mich.	Rogers	Zihlman
Graham, Ill.	Mapes	Rowe	
Greene, Vt.	Martin	Sanders, Ind.	

NAYS—242.

Almon	Burroughs	Echols	Hernandez
Anderson	Butler	Edmonds	Hersey
Andrews, Md.	Byrnes, S. C.	Esch	Hickey
Andrews, Nebr.	Byrns, Tenn.	Evans, Mont.	Hill
Anthony	Campbell, Kans.	Evans, Nebr.	Hoch
Ashbrook	Candler	Fairfield	Hoey
Aswell	Cannon	Farr	Huddleston
Ayres	Cantrill	Fess	Hudspeth
Babka	Caraway	Fields	Hull, Iowa
Bacharach	Carss	Fish	Hull, Tenn.
Bankhead	Carter	Flood	Humphreys
Barbour	Christopherson	Focht	Hutchinson
Barkley	Cleary	Fordney	Igoe
Begg	Collier	Foster	Ireland
Bell	Connally	Frear	Jacoway
Benham	Cooper	Freeman	James, Va.
Benson	Cramton	French	Jefferis
Black	Currie, Mich.	Fuller	Johnson, Ky.
Bland, Ind.	Curry, Calif.	Gallivan	Johnson, Miss.
Bland, Va.	Darrow	Ganly	Jones, Tex.
Blanton	Davey	Gard	Kearns
Boies	Davis, Minn.	Garrett	Keller
Bowers	Davis, Tenn.	Godwin, N. C.	Kelley, Mich.
Bowling	Dempsey	Good	Kelly, Pa.
Box	Denison	Goodall	Kendall
Brand	Dickinson, Iowa	Goodykoontz	Kennedy, Iowa
Briggs	Dickinson, Mo.	Green, Iowa	Kincheloe
Brinson	Dominick	Greene, Mass.	King
Brooks, Ill.	Dowell	Griest	Kinkaid
Brooks, Pa.	Dunbar	Hardy, Colo.	Kleczka
Browne	Dunn	Haugen	Knutson
Buchanan	Dyer	Hawley	Kraus

Kreider	Newton, Mo.	Rouse	Tillman
Lampert	Nolan	Rucker	Timberlake
Lanham	Ogden	Sabath	Tincher
Lankford	Oldfield	Scott	Vinson
Layton	Oliver	Sells	Voigt
Lazaro	Padgett	Shreve	Volk
Linthicum	Park	Siegel	Volstead
Little	Parrish	Sinclair	Ward
Luce	Patterson	Sinnott	Wason
Luhring	Peters	Sisson	Watson
McDuffie	Porter	Smith, Ill.	Weaver
McLaughlin, Nebr.	Purnell	Smithwick	Webster
McLeod	Quin	Steagall	Welty
McPherson	Radcliffe	Stedman	Whaley
MacGregor	Rainey, Ala.	Stephens, Miss.	Wheeler
Madden	Rainey, Henry T.	Stephens, Ohio	White, Kans.
Magee	Ramsey	Stevenson	Williams
Mann, Ill.	Ramseyer	Stoll	Wilson, Ill.
Mansfield	Randall, Calif.	Strong, Kans.	Wilson, La.
Mays	Randall, Wis.	Strong, Pa.	Wilson, Pa.
Michener	Ransley	Summers, Wash.	Wingo
Milligan	Rayburn	Sumners, Tex.	Wood, Ind.
Mondell	Reber	Sweet	Woods, Va.
Moore, Ohio	Reed, N. Y.	Swindall	Woodyard
Moore, Va.	Ricketts	Swope	Yates
Murphy	Robinson, N. C.	Taylor, Ark.	Young, N. Dak.
Neely	Robsion, Ky.	Taylor, Colo.	Young, Tex.
Nelson, Mo.	Romjue	Taylor, Tenn.	
Nelson, Wis.	Rose	Thompson	

ANSWERED "PRESENT"—1.

Crowther

NOT VOTING—103.

Baer	Gallagher	Larsen	Riordan
Britten	Gandy	Lesher	Rodenberg
Brumbaugh	Garner	Lonergan	Rowan
Burke	Goldfogle	Longworth	Rubey
Caldwell	Goodwin, Ark.	McClintic	Sanders, La.
Casey	Graham, Pa.	McCulloch	Sanford
Clark, Fla.	Griffin	McFadden	Scully
Clark, Mo.	Hamill	McKenzie	Sears
Classon	Hamilton	McKeown	Sherwood
Cole	Hardy, Tex.	Maher	Slemp
Costello	Harreld	Major	Small
Crisp	Harrison	Mann, S. C.	Smith, Mich.
Dent	Hastings	Mason	Steele
Dewalt	Hayden	Mead	Steenerson
Donovan	Hays	Montague	Sullivan
Dooling	Hersman	Moon	Thomas
Doremus	Holland	Mooney	Tinkham
Doughton	Howard	Nicholls	Towner
Drane	Hulings	O'Connell	Upshaw
Drewry	James, Mich.	O'Connor	Vare
Eagle	Johnston, N.Y.	Overstreet	Venable
Ellsworth	Juul	Perlman	Vestal
Elston	Kennedy, R. I.	Rainey, John W.	Watkins
Emerson	Kettner	Reavis	Wise
Evans, Nev.	Kitchin	Reed, W. Va.	Wright
Ferris	Langley	Riddick	

So the motion to recede and concur was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. CROWTHER (for) with Mr. UPSHAW (against).

Until further notice:

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. HARRELD with Mr. HASTINGS.

Mr. TOWNER with Mr. CRISP.

Mr. JUUL with Mr. MCCLINTIC.

Mr. MCCULLOCH with Mr. LARSEN.

Mr. PERLMAN with Mr. OVERSTREET.

Mr. BENHAM with Mr. MCKEOWN.

Mr. REED of West Virginia with Mr. FERRIS.

Mr. LONGWORTH with Mr. MONTAGUE.

Mr. TINKHAM with Mr. O'CONNELL.

Mr. VESTAL with Mr. GRIFFIN.

Mr. SANFORD with Mr. NICHOLLS.

Mr. SLEMP with Mr. MEAD.

Mr. HAYS with Mr. DRANE.

Mr. BRITTEN with Mr. HARRISON.

Mr. MASON with Mr. MAJOR.

Mr. REAVIS with Mr. HAYDEN.

Mr. GRAHAM of Pennsylvania with Mr. KITCHIN.

Mr. ELLSWORTH with Mr. THOMAS.

Mr. VARE with Mr. WISE.

Mr. CLASSON with Mr. JOHN W. RAINEY.

Mr. COSTELLO with Mr. DOUGHTON.

Mr. BAER with Mr. MOON.

Mr. RODENBERG with Mr. CLARK of Missouri.

Mr. HULINGS with Mr. DREWRY.

Mr. KENNEDY of Rhode Island with Mr. DENT.

Mr. EMERSON with Mr. DONOVAN.

Mr. COLE with Mr. GOLDFOGLE.

Mr. HAMILTON with Mr. GOODWIN of Arkansas.

Mr. MCFADDEN with Mr. GARNER.

Mr. JAMES of Michigan with Mr. HARDY of Texas.

Mr. ELSTON with Mr. WRIGHT.

Mr. SMITH of Michigan with Mr. O'CONNOR.

Mr. RIDDICK with Mr. SEARS.

Mr. STEENERSON with Mr. RIORDAN.

Mr. BURKE with Mr. HOLLAND.

Mr. MCKENZIE with Mr. SULLIVAN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on the motion of the gentleman from Kansas [Mr. ANTHONY] to insist.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 22: On page 17, line 11, after the word "guardian," insert "and the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men who have served one year or more with records satisfactory to their commanding officers, without regard to the provisions of existing law respecting discharges."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate No. 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment; and the Secretary of War is authorized, in his discretion, to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges."

Mr. ANTHONY. This amendment, Mr. Speaker, perfects the language of the bill so as to carry out the ideas of the House in regard to the discharge of boys under 18 who enlisted in the Army. It provides that they shall be given a discharge after enlistment. It waives any infraction of military regulations that they have been guilty of in making a false enlistment and permits a discharge based on the conduct after enlistment—an honorable discharge if they have been good soldiers, and otherwise not. It gives them transportation to the place of enlistment or to their homes if it is not farther than the place of enlistment.

The Senate has added this language:

The Secretary of War is authorized, in his discretion, to grant applications, where discharged, to enlisted men, without regard to the provisions of existing law respecting discharges.

Mr. FIELDS. That does not apply to men under 18 years of age; it applies to the whole Army.

Mr. ANTHONY. It applies to the whole Army.

Mr. FIELDS. I understand the amendment in relation to the transportation applies to residence not a greater distance from the place where the soldier is discharged than the place where he was enlisted; the transportation will be given equivalent to the transportation to the place of enlistment.

Mr. ANTHONY. That is correct. If he has changed his residence, he will be given transportation equivalent to the place of enlistment.

Mr. FIELDS. If he was not enlisted at home and the residence is farther away than the place of enlistment, he will be given transportation equivalent to the place of enlistment.

Mr. ANTHONY. That is correct.

Mr. PADGETT. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. PADGETT. The gentleman spoke of enlistment after one year. Suppose they have enlisted for less than one year, what about getting a discharge then? There may be a number of cases where they enlisted for less than a year.

Mr. ANTHONY. We have cut that language out. The language "who have served one year or more with a record satisfactory to the commanding officer" is eliminated. Any boy under 18 can get a discharge the day after.

Mr. PADGETT. If one is over 18 and wants to get out, then he has to have a year's service?

Mr. ANTHONY. We grant this authority to the Secretary of War, in his discretion, to grant a discharge.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. We had a long debate in the House when the bill was originally before us and it was demonstrated then that there was a disposition on the part of some Members to claim that where a minor had enlisted in the Army and then found it did not come up to his expectations or that of the family, his parents could claim the right to a discharge because he was a minor, and that this youth ought not to be discharged under any handicap, that he should be put on the status of a full-grown man who had voluntarily enlisted

in the Army, served faithfully and well with fidelity, and completed his contract, and should receive an honorable discharge and traveling allowance back to the place of original enlistment. Does this amendment propose to do anything of that kind?

Mr. ANTHONY. It does not; it waives any infringement of the military discipline which he may have been guilty of. It takes his conduct after enlistment, and if it is good he gets an honorable discharge, and if it is bad he can not get the same kind of a discharge.

Mr. GREENE of Vermont. This is what I am trying to get at. There is no use of blinking the situation out of sight. If we are going to make the way plain for a man who is disposed to bellyache and welsh, to get all the honors and emoluments of a man who stood up to the gaff——

Mr. ANTHONY. We treat the boy as a minor and we give the authority for his discharge entirely to his parents or guardian.

Mr. GREENE of Vermont. Let me suggest this practical proposition: Here is a boy 17 years of age, one year under the limit you set. He has been reading novels like Dick Deadeye and other literature, and he wants to take a trip around the world in the Army. He enlists and expects to be sent to the Philippines, and does not get any farther than San Francisco or Hawaii when he gets homesick and finds that if he is in the Army as a soldier he must be a man, do a man's work, and take his share with the rest. But he begins to bellyache and welsh, and writes home to his mother to take advantage of her parental authority to get him out of the Army. He has been to the Philippines; he has had a fine Cook's tour at the expense of the Government; he is returned in a gold chariot back to the place where he ran away from home——

Mr. ANTHONY. Let me say that the Army recruiting officer will take great care not to enlist any boys under 18.

Mr. GREENE of Vermont. In the meantime you are punishing your Army by erecting a false standard in order that you may safeguard a policy of some chance recruiting officer, and it seems to me that we are getting at the wrong end—you should start him so that he will render the absolute Spartan service that every soldier owes, to do his duty faithfully and well until he is honorably discharged.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, this amendment, I think, removes the objections complained of by some Members of the House when the proposition passed here, and some undesirable features in the Senate amendment. As the provision passed the House the Secretary of War had no discretion in the discharge of these men. He was directed by that provision to honorably discharge all men under 18 years of age regardless of their service record. I did not agree with that and I did not think that was the proper thing at the time. The Senate amended the bill by striking out the word "honorably" which made it impossible for the Secretary of War to grant an honorable discharge to a man under 18 years of age, regardless of how good his services had been. The Senate further amended the proposition by providing for transportation in kind to the railroad station nearest the place of enlistment. With that I could not agree. For instance, a boy may have lived in Virginia and enlisted in New York and be stationed at the time of his discharge at Fort Myer. It would be unnecessary to send him back to New York, the place of enlistment. The conferees, therefore, provided that he shall be furnished with transportation in kind to the place of his residence or there shall be applied to that whatever the cost would be back to the place of enlistment. The conferees have provided for a discharge in accordance with the record the soldier had made while in the service.

Mr. VAILE. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. VAILE. In amendment 22 it is provided that the Secretary may grant applications for discharge to enlisted men who have served one year, but it says nothing about honorable discharge.

Mr. FIELDS. That does not apply to the question that we are discussing.

Mr. VAILE. It applies to those over 18 years of age as well as under.

Mr. FIELDS. Yes.

Mr. VAILE. Amendment 19 applies to those under 18 years of age.

Mr. FIELDS. Yes.

Mr. VAILE. And in neither place is there any provision for an honorable discharge. The boy may not have been a welsher; he may have served faithfully and honestly, but he goes out with a discharge that is not an honorable discharge and consequently is a dishonorable discharge.

Mr. FIELDS. The language in the amendment now pending provides for a discharge upon his service record.

Mr. VAILE. But it does not provide for an honorable discharge.

Mr. FIELDS. I think it could not be construed in any other way. I have not the language before me, but from my study of it I believe that if he has had honorable service it is incumbent upon the Secretary of War to give him an honorable discharge.

Mr. VAILE. The gentleman knows as a matter of fact that in the popular mind there are but two kinds of discharges, an honorable one and a dishonorable one.

Mr. FIELDS. That is true.

Mr. VAILE. If he merely gets a discharge and does not get an honorable discharge, what he gets as a matter of fact is a dishonorable discharge.

Mr. FIELDS. The language of the amendment provides that he shall be discharged upon his service record,; and if he has a record of honorable service, then it follows that the discharge must be an honorable discharge.

Mr. VAILE. It perhaps does not make so much difference in time of peace, but in time of war it makes a great deal of difference.

Mr. FIELDS. This is peace-time legislation. I doubt if the gentleman has studied the language of the amendment. Of course, the language which he has before him in the bill is not the language we are considering. The language of the amendment offered by the gentleman from Kansas, I think, meets all of the objections on both sides except the objections of the gentleman from Vermont [Mr. GREENE], and I want now to discuss his objection for a few minutes. If recruiting officers did not become overzealous, if they did not mislead these boys of 15 and 16 years of age, there might be some basis for the argument of the gentleman from Vermont [Mr. GREENE], but I know, as every Member of this House knows who has tried to ascertain the facts, that recruiting officers resort to any and every method to get these boys into the Army.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. ANTHONY. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. FIELDS. I asked a boy a few days ago why he made the statement that he was 18 years of age when he was only 16. He said that he told the recruiting officer he was only 16, and the recruiting officer then said to him, "Oh, well, you want to get into the Army; this is only a matter of form, and I shall put it in here that you are 18 years of age," and he put it in, and the boy signed the application. I hope after the Army is required to discharge boys under 18 years of age that the War Department will at least instruct its recruiting officers in the future to be more careful about the enlistment of boys under 18 years of age.

One other word with regard to the amendment. The amendment does not leave it optional with the boy as to whether or not he shall be discharged. It leaves it to his parents or guardian. The boy can not be discharged upon his own application. The application must be made by the parent or by the legal guardian, and I think that is correct.

As I said a moment ago, the amendment offered by the gentleman from Kansas, which is the language agreed upon by the conferees, removes all of the substantial objections in either branch of Congress. I hope that the amendment will be agreed to.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Kansas to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 23: Page 17, line 17, insert: "That nothing contained in Public Resolution No. 59 of the Sixty-sixth Congress shall be held to prohibit sufficient enlistments in any branch of the Army to bring such branch to not more than 60 per cent of the number prescribed therefor in the act entitled 'An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice,' approved June 4, 1920, nor to prohibit the enlistment in addition thereto of flying cadets to the number now authorized by law."

Mr. ANTHONY. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment No. 23, and that the managers on the part of the House be given authority to agree upon said amendment. I do this for the reason that the percentage named in the amendment will be entirely dependent upon the size that is agreed upon for the Army.

The SPEAKER. The question is on the motion of the gentleman from Kansas that the House further insist upon its dis-

agreement to the Senate amendment, and that the conferees be given authority to recede.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 34: Page 23, line 6, after the word "fund" insert: "*Provided*, That so much of the unexpended amount of the appropriation for pay, etc., of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers, members of the Nurse Corps, and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, inclusive, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1922: *Provided further*, That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the enlisted men of the line and staff during the fiscal year ending June 30, 1922."

Mr. ANTHONY. Mr. Speaker, I move that the House recede and concur with the following amendment, which I send to the desk, and ask to have read.

The Clerk read as follows:

In line 12 of the matter inserted by said amendment, before the word "enlisted," insert "officers and."

Mr. ANTHONY. Mr. Speaker, the first part of this amendment gives authority that so much of the unexpended balance of the appropriation for pay, and so forth, of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1922. The reason for that is that there are thousands of these claims, mostly from enlisted men. Perhaps they were short in their pay for one month. They are nearly all small claims, but they are legitimate claims and will have to be paid.

If we do not keep this unexpended balance open on the books of the Treasury they will come back to Congress in the shape of auditor's claims and will have to be taken care of in a deficiency, and this is the simplest way to get around it. The amendment as offered inserts the word "officers" so as to compel the Secretary of War to keep the number of officers as well as the number of men within the appropriations which we provide in the bill. I ask for a vote.

Mr. GREENE of Vermont. Will the gentleman yield me two minutes?

Mr. ANTHONY. I yield three minutes to the gentleman from Vermont.

Mr. GREENE of Vermont. Mr. Speaker, I realize that very likely at this stage of the game it will be unwise if not impossible to prevent the conferees having their way about this provision, but I do want to call to the attention of the House in all seriousness that we have entered upon a policy that I think will return to plague us. For many years it has been the well recognized and established policy of this Congress not to determine the maximum of enlisted men in limiting figures in the Army appropriation bill from year to year. That would absolutely prevent the War Department or the Commander in Chief from raising the Army to the number actually provided for as the maximum established by the foundation law in case an emergency demanded it.

Now, the benefit of that policy was as well established through practical experience as any other similar policy could be, and it was this: From time to time international situations provoke some state of irritation or unpleasant feeling between peoples that possibly might drift on toward that state of dispute that would indicate a possible military clash. That is not so much true, of course, with our relations with far distant countries, but we can easily imagine one or two countries near by where that situation might at any time develop. It is very plain from the experience of human nature that if the President, seeing such a situation already on his hands and fearing lest it grow to the point of an emergency that would bring on a clash, should come to Congress and ask authority to raise more troops, that official act would advertise his anxiety over the situation, and there would be more tendency to increase the irritation and gravity of the situation as an implied threat of war if he were to take such action. And so the law has hitherto always provided an ultimate maximum, which as the foundation law it was obliged to do for economic reasons, but never insisting that the War Department should keep absolutely to the limit of the amount appropriated if this unexpected emergency should arise during the year. By that means the President had an opportunity quietly to study his forces and add to the units here and there if he sees the situation develop on our borders that might ultimately lead to war or to some armed engagement. Whereas if he had to wait until Congress was convened, he would not even have made that degree of preparation. It is a simple matter, never has been abused in any sense relating to these emergencies, and sometimes has been the means of quietly holding troops in preparation for a conflict from whatever source the emergency might afterwards develop.

Mr. LAYTON. Would not the National Guard be available?

Mr. GREENE of Vermont. The National Guard—the calling out of the National Guard is a threat of war itself.

Mr. LAYTON. But they are ready to be called.

Mr. GREENE of Vermont. I understand. It is not the placing of troops in the field in armed array along the border line itself, not at all; it is the quiet recruiting of the Army against an emergency before any publicity has been given to it at all.

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Vermont. I ask for two minutes more.

Mr. ANTHONY. I yield the gentleman two minutes.

Mr. GREENE of Vermont. It is a matter of policy. The day may come when we shall regret having made this very arbitrary provision in an appropriation bill, particularly in times of such unrest as this.

I only want to call attention to another feature of this proposed amendment on the part of the conferees, and that is that they propose to limit the officers as well as the enlisted men. We often see here a picture of the Regular Army as a tactical force officered under the provisions of law by just the number of commissioned officers as were necessary for such a tactical organization. On the contrary, the relation of the officers of the Army to the enlisted men that we provide from year to year by these bills is not of a tactical ratio at all. We are in the position now of recruiting the commissioned personnel that was provided for by the Army reorganization act. It seems to me it is a great mistake if by reason of the passage of the limitation proposed by this amendment the Secretary of War should not be able to take into the Army within the ensuing fiscal year here and there individual men who are prepared to give themselves up to the military profession as commissioned officers while there are still three or four thousand vacancies. This man, that man, and the other man could not take advantage of his lifetime opportunity to begin his career as a commissioned officer in the Army, especially at a time when we are looking far and wide for a desirable commissioned personnel and find ourselves short of men by thousands. [Applause.]

Mr. ANTHONY. I yield three minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, I agree in the main with the gentleman from Vermont [Mr. GREENE] that this Congress has adopted a very nebulous and uncertain policy in reference to size of the Army. It has already provided that recruiting shall stop. Now it will require, by this limitation, the Secretary of War to reduce the Army to what point? The resolution adopted some time ago provided that enlistments should be discontinued until the Army was reduced to 175,000 men.

In this proviso you direct the Secretary of War to reduce the Army to what point? Why, to the point where the funds appropriated in this bill will pay for the men in the service. It would take a dozen accountants a long time to find out under the provisions of this bill just how many men could be had in the different branches of the service. Recruiting has been stopped, and you have already given the Secretary of War very broad powers with reference to the discharge of men. Why do you not eliminate this provision and let the Secretary of War reduce the force gradually by the elimination by discharge of such men as want to be discharged?

Now, if the conferees go back and agree on an Army of 150,000 men, the Secretary of War would be directed to reduce the Army to 150,000, when a month or more ago you fixed the size of the Army at 175,000. There ought to be some stability of policy in regard to this matter.

Mr. MONDELL. Will the gentleman yield?

Mr. CONNALLY. I yield.

Mr. MONDELL. The gentleman is not entirely accurate——

Mr. CONNALLY. I did not yield to an argument, but I will be glad to yield to a question.

Mr. MONDELL. May I suggest to the gentleman we did not fix the size of the Army at 175,000 men, but having appropriated for an Army of 175,000 men, we said to the Secretary of War, "You must not enlist beyond 175,000." We did not fix the strength of the Army. It was calling his attention to the number we had appropriated for.

Mr. CONNALLY. The gentleman from Wyoming, like he often does, rushes into the House without knowing what has transpired before he gets here, and assumes a lot of things that do not exist. What the "gentleman from Texas" said was that you passed a resolution the other day directing the Sec-

retary of War to discontinue enlistments until the Army was reduced to 175,000 men.

Mr. MONDELL. What the gentleman from Texas said was that we passed a resolution limiting the Army to 175,000 men.

Mr. CONNALLY. Did you not?

Mr. MONDELL. We did not.

Mr. CONNALLY. What did you do? The resolution provided that enlistments should stop until the Army was reduced to 175,000 men.

Mr. MONDELL. That was the only logical thing we could do when we had appropriated for an Army of 175,000 men. We could not logically have appropriated for that amount and said to the Secretary of War, "You can not enlist beyond 150,000." That would not have been logical.

Mr. CONNALLY. I will say to the gentleman that he admits exactly what I said, namely, that you passed a resolution directing the Secretary of War to stop the enlistments until the Army was reduced to 175,000.

Mr. MONDELL. Until we had provided for the number in the current bill.

Mr. CONNALLY. That was what was in your mind perhaps. I am talking about legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. CONNALLY. I would like two more minutes.

Mr. ANTHONY. I yield to the gentleman two minutes more.

Mr. CONNALLY. When people come to read statute laws or appropriation bills of this or any other Congress they will read what is on the printed page and not follow the gentleman from Wyoming into his private study and ask what was in his mind at the time he drew the resolution.

Mr. MONDELL. The "gentleman from Wyoming" did not draw the resolution.

Mr. CONNALLY. He instructed somebody to draw it, because most legislation that has been enacted in this Congress has been at the behest of the gentleman from Wyoming, and frequently considered with the same haste, and the same lack of judgment, and the same lack of attention to what has already transpired as are evidenced by the gentleman's conduct on this occasion.

Mr. MONDELL. The gentleman denies the soft impeachment that he draws the legislation. He also differs with the gentleman from Texas as to the character of the legislation he has drawn.

Mr. CONNALLY. Well, the gentleman from Wyoming is very skillful in his parliamentary power.

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. I yield two minutes more to the gentleman.

Mr. CONNALLY. Thank you. I am glad the gentleman from Kansas recognizes that I am doing a service to the majority side of this House [laughter] and gives me more time than I asked.

What I started out to say, Mr. Speaker, was that I agree in the main with the gentleman from Vermont [Mr. GREENE], that this Congress ought to adopt some definite policy with reference to the size of the Army. This Republican Congress passed an Army bill authorizing and permitting 280,000 men to be enlisted and then came scurrying back to Washington after election demanding that the Army be reduced to 175,000, and later brought in a resolution providing that enlistments shall be discontinued until the Army reaches not more than 175,000. Then, what do you do? Are you satisfied with that? Now, no doubt, under the instructions of the gentleman from Wyoming [Mr. MONDELL], the subcommittee of the Appropriations Committee brings in an appropriation bill appropriating for only 150,000 men, when you know that there are many more than that in the Army, and when you know that the Secretary of War will understand you to mean what you said when you directed a reduction of the Army to 175,000 men.

Now you present another provision directing the Secretary of War to reduce the Army from 175,000 men, if it has been reduced to that number, to the number which this bill will maintain. What does it mean? It does not mean anything definite. You ought to say it if you mean 150,000. If you mean the Secretary of War should reduce the Army to 150,000 men, why do you not say so? Through such a jugglery of words and language and provisos the gentleman from Wyoming [Mr. MONDELL] will be enabled about the time of the special session of the Sixty-seventh Congress to rise up in all of his "leadertorial" glory and declaim against one of the executive departments for not reading his mind and interpreting his secret thoughts. To do that members of the Cabinet should be permitted to attend the gentleman's caucus. [Applause on the Democratic side.]

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, there is no Member of this House with a clearer mind or a better understanding than the gentleman from Texas [Mr. CONNALLY] who has just taken his seat. And yet it seems to be necessary occasionally to hold a primary class for his exclusive benefit. [Laughter.] With the permission of the House, I shall conduct for a few moments such a primary class.

Some time since the Congress fixed the maximum of the Army of the United States at 280,000 men in enlisted strength. Later, when the Congress came to appropriate, the Congress appropriated for an Army with an enlisted strength of 175,000 men. When the appropriation bill was presented to the House the statement was made that the appropriations for personnel were in a sum which would pay an Army of 175,000 enlisted men.

The Secretary of War, without authority, I think, certainly not following the will of Congress, saw fit to secure enlistments far in excess of the number which the Congress had appropriated for, and those enlistments had reached a point which was resulting in the constant piling up of a deficiency, and the Congress thereupon adopted a resolution as follows:

That the Secretary of War be, and he is hereby, directed and instructed to cease enlisting men in the Regular Army of the United States until the number of enlistments shall not exceed 175,000.

In other words, the Congress said to the Secretary of War, "You have enlisted beyond the number that Congress contemplated. You must cease those enlistments until you reach the number contemplated by the appropriations of Congress."

It was not the fixing of the strength of the Army, except as the strength had been fixed by the appropriation. Even though it might have been true at the time we passed that resolution that we believed that the Army need not be larger than 150,000, it would not have been logical to say to the Secretary, "You must stop enlisting until the Army is 150,000," because we had for the present fiscal year, by our appropriation, provided for an Army of 175,000.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Speaker, may I have three minutes more?

Mr. ANTHONY. I yield to the gentleman three minutes more.

Mr. QUIN. Mr. Speaker, will the gentleman yield? I agree with the gentleman in the main.

Mr. MONDELL. I will yield to the gentleman in a moment.

Following that, the Army bill for the coming fiscal year was made up, and the members of the committee having the bill in charge concluded after consultation with Members on both sides that the House now believed that an Army of 150,000 was sufficient for the coming fiscal year, and they brought in a bill with appropriations based on an Army of that size.

That is now the situation. It is perfectly simple; it is perfectly clear to everyone, except that it does not appear to be clear to the usually very intelligent gentleman from Texas [Mr. CONNALLY].

Now I yield to the gentleman from Mississippi.

Mr. QUIN. Does this bill now, if we vote down Mr. GREENE's motion, fix it so that they can not go beyond 150,000 men?

Mr. MONDELL. If the appropriation we have made in the House shall be the sum carried in the bill, there will not be enough to pay more than 150,000 men, or authority to pay more than 150,000 men.

Mr. CONNALLY. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I will if I have time.

Mr. CONNALLY. Does the gentleman think that the Army ought to be appropriated for at 150,000 or 175,000?

Mr. MONDELL. One hundred and fifty thousand.

Mr. CONNALLY. Why did the gentleman sponsor the resolution for 175,000?

Mr. MONDELL. Why, continuing the primer class for the exclusive benefit of the gentleman from Texas, we had at that time appropriated for an Army of 175,000. We could not logically say to the Secretary otherwise than "You must reduce the number of enlisted men to the number we appropriated for."

DEATH OF HON. CHAMP CLARK, REPRESENTATIVE FROM MISSOURI.

Mr. RUCKER. Mr. Speaker, it becomes my painful duty to announce to the House the death of one of its most prominent Members. Ex-Speaker CLARK passed away a few moments ago at his hotel in this city.

I talked with his son for a few moments an hour or two ago, and he said that his father's latest conscious expression gave voice to his great anxiety for the legislative success of this Congress. He said he knew his father, if he could be heard, would express the desire that no adjournment be had in consequence of his death.

At a later hour in the day, Mr. Speaker, I shall offer appropriate resolutions, which I trust the House will adopt.

RECESS.

Mr. MONDELL. Mr. Speaker, out of our high regard for our departed friend, our sincere sympathy with his family, and in honor of his memory, I ask that the House now stand in recess for 30 minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House now stand in recess for 30 minutes. Is there objection.

There was no objection.

Accordingly (at 2 o'clock and 22 minutes p. m.) the House stood in recess until 2 o'clock and 52 minutes p. m.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

WIDOW OF HON. CHAMP CLARK.

Mr. MANN of Illinois. Mr. Speaker, I ask for the immediate consideration of House joint resolution 480.

The SPEAKER. The gentleman from Illinois asks immediate consideration of House joint resolution 480, which the Clerk will report.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,
March 2, 1921.

House joint resolution 480, making appropriation to pay the widow of CHAMP CLARK.

Resolved, etc., That there is appropriated out of any money in the Treasury not otherwise appropriated the sum of $7,500 to pay to the widow of CHAMP CLARK, late a Representative from the State of Missouri.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I ask for a vote on the amendment.

The SPEAKER. The question is on the motion of the gentleman from Kansas that the House recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 53: Page 39, line 25, strike out the words beginning, in line 25, with "*Provided*" and ending with the word "act," in line 5 of page 40, and insert: "*Provided*, That hereafter the settlement of clothing accounts of enlisted men, including charges for clothing drawn in excess of clothing allowance and payments of amounts due them when they draw less than their allowance, shall be made at such periods and under such regulations as may be prescribed by the Secretary of War."

Mr. ANTHONY. Mr. Speaker, I move that we recede and concur in the Senate amendment.

The SPEAKER pro tempore (Mr. FESS). The gentleman from Kansas moves to recede and concur in the Senate amendment. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 54: Page 40, line 11, insert: "The provisions of the act of February 28, 1919, relating to the issuance of uniforms to discharged enlisted men are hereby repealed: *Provided*, That such uniforms shall be issued in accordance with the provisions of said act to those enlisted men who served in the Army of the United States at any time between April 6, 1917, and Janauary 1, 1920, whose applications therefor shall have been received at the War Department prior to July 1, 1921."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In the last line of the matter inserted by said amendment strike out "July" and insert in lieu thereof "April."

Mr. ANTHONY. I ask for a vote.

Mr. ANDERSON. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Minnesota.

Mr. ANDERSON. What is the idea of making the date April 1?

Mr. ANTHONY. The idea is to close up the matter of unfilled clothing allowances as soon as possible. There are a large number of men who are entitled to articles of clothing, who have not claimed them under the laws passed by Congress giving every man a complete outfit. It is figured that if the Quartermaster Department has to fill all the possible demands under the law it will cost us $16,000,000 to do it. We fix an early date for the settlement of these accounts so that we can close up the books.

Mr. ANDERSON. You practically establish a statute of limitations, so that nobody can get anything.

Mr. ANTHONY. It means that any man who has slept upon his rights for two years has been to blame, and that Congress has not been to blame.

Mr. CHINDBLOM. I do not think that men who have failed to claim their allowance from the Government should be charged with having slept upon their rights. There may be very many reasons why this allowance for clothing has not been claimed. There may be men in distant parts of the country who are uninformed with reference to this matter. I want to submit to the gentleman whether a period of three months should not be given to such men who served their country to make their claims? I do not believe a very considerable number of claims will come in during those three months, and it ought not to be said that the Congress quite unceremoniously shut them off with about 25 days' notice.

Mr. ANTHONY. Our information is that most of the men who really needed articles of clothing have claimed them, but there are several hundred thousands who have not claimed them, who are largely men who do not need the clothing, who did not want to bother about it; but if they are informed of the fact that they can claim this clothing and are given a long period of time in which to do it, they may demand it of the Government, and that will require quite a large force of clerks to be kept at work filling these orders and a young department store down in the Quartermaster's Department to do that work. I think there has been so much publicity given to it that every man who really needed clothing has availed himself of the generosity of Congress.

Mr. CHINDBLOM. So far there has been no intimation that the right to claim this clothing would terminate at any particular time, but now we are terminating it in less than 30 days.

Mr. ANTHONY. Does not the gentleman think two years is a pretty liberal time?

Mr. CHINDBLOM. Yes; but we have held out to them the expectation that there would be no limit to the time.

Mr. ANTHONY. But good business would demand, I think, that the Government clean this matter up.

Mr. CHINDBLOM. That would presume that the Government would engage in good business.

Mr. CROWTHER. What is the basis for the estimate that it will cost $16,000,000?

Mr. ANTHONY. That estimate is based on the number of men who have so far failed to claim certain articles to which they would be entitled. It is estimated that it will require $16,000,000 additional appropriations in this bill if they all demand everything to which they are entitled.

Mr. CROWTHER. To provide equipment for such as have the right to demand it?

Mr. ANTHONY. Yes.

Mr. SMITH of Idaho. Mr. Speaker, was there any such limitation placed upon the soldiers after the Civil War?

Mr. STEPHENS of Ohio. They did not get anything of this kind.

Mr. SMITH of Idaho. They received certain allowances for clothing.

Mr. ANTHONY. I think they were given the uniforms with which they left the field.

Mr. STEPHENS of Ohio. That is all.

Mr. ANTHONY. I do not think they were given complete outfits. This is an unprecedented action on the part of Congress, and in most cases was entirely gratuitous and unnecessary and a willful waste of the public money.

Mr. SMITH of Idaho. A great many ex-service men, scattered in remote sections of the country, are unable to get information with reference to their rights. Many of them do not see papers, and I am inclined to think you will work great injustice to many worthy ex-service men if this limitation as to clothing allowance is placed in the bill.

Mr. ANTHONY. I think most of them know about it.

Mr. CROWTHER. Is it not true that there are millions of these various things that belong to these men that are now stored in the great storage warehouses of this Government, and that there is $16,000,000 worth of olive-drab melton in the Boston warehouse with which to make uniforms? Is there not

plenty of material on hand, so that the cost to the Government will not be so great?

Mr. ANTHONY. No; there is a great shortage of uniforms made up, and we are appropriating money for that purpose in this bill.

Mr. CHINDBLOM. Mr. Speaker, I move to amend the amendment submitted by the gentleman from Kansas by striking out the word "April" and inserting the word "June."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CHINDBLOM moves to amend the amendment by striking out the word "April" and inserting in lieu thereof the word "June."

The SPEAKER pro tempore (Mr. FESS). The question is on the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. CHINDBLOM) there were—ayes 8, noes 13.

So the amendment to the amendment was rejected.

Mr. CHINDBLOM. Mr. Speaker, I make the preferential motion to recede and concur in the Senate amendment.

Mr. BANKHEAD. Will the gentleman yield to me; I want a little time?

Mr. ANTHONY. I will yield to the gentleman from Alabama five minutes.

Mr. BANKHEAD. Mr. Speaker, it occurs to me that probably the conference committee has been led into a misapprehension as to the existing law on this proposition with reference to the right of soldiers to have uniforms issued to them and their right to wear them. I feel that if the gentleman's attention had been called to the provisions of section 8 of the last annual naval appropriation bill, approved June, 1920, the conferees would have reached a different conclusion on this proposition. This amendment seeks to repeal the act approved February 28, 1919, which was amendatory of the provisions of the national defense act with reference to the wearing of uniforms by men who had been discharged from the service. If the gentleman has before him a copy of the act approved February 28, 1919, he will see——

Mr. ANTHONY. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. ANTHONY. The gentleman does not contend that we are trying to legislate in reference to the wearing of the uniform.

Mr. BANKHEAD. That is exactly what you are doing.

Mr. ANTHONY. No; we seek to repeal so much of the act as relates to the issuing of the uniform.

Mr. BANKHEAD. If the gentleman will take the first section of the act he is repealing, he will see that he can not repeal the portion of the act with reference to the issuance of uniforms without repealing the whole business. The law is so interwoven that if you repeal the part with reference to the issuance of the uniform you destroy and leave incoherent the remainder. If this amendment is adopted—and I think the chairman will agree with me—you are repealing an act which is the only law authorizing the ex-service men to wear uniforms issued to them on their discharge from the service. The naval appropriation bill of 1920 repealed all of this act that you are seeking to repeal, and I introduced at this session, after a conference with the leader of the majority, the gentleman from Wyoming, a resolution to restore the provisions of this very act of February 28, 1919, which would restore to the ex-service men the privilege of wearing a uniform issued by the Government. As a matter of fact, that law is now repealed by the provisions of section 8 of the last naval appropriation bill. I do not see the chairman of the Naval Affairs Committee here, but we investigated it and the resolution I introduced had the unanimous approval of the Naval Committee. I thought it proper to call the attention of the chairman of the committee to that proposition, because if the law goes into effect as is now presented in this amendment you are subjecting every ex-service man in the country to punishment for wearing a uniform except on strictly ceremonious occasions. In fact, there are ex-service men now under arrest for wearing a uniform which the act of February 28 gave them the right to enjoy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BANKHEAD. I would like three minutes more. This is a very important matter and I regret very much that I was absent from the city when the Unanimous Consent Calendar was called up.

Mr. ANTHONY. I yield the gentleman three minutes more.

Mr. BANKHEAD. I was out of town on account of a death in my family when the calendar was called, and that resolution went off upon somebody's objection. I feel sure that if we could have reached that bill on the calendar it would have received practically the unanimous support of every Member of the House, because the resolution introduced restores the status that these men enjoyed under the provisions of the act you are now seeking to repeal. It seems to me before you write that into law it should have the serious attention of Members of the House.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois to recede and concur.

The question was taken, and the motion was rejected.

The SPEAKER pro tempore. The question now is on the motion to recede and concur with an amendment.

The question was taken, and the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 70: Page 52, line 11, after the figures "$3,000,000," insert "to remain available until December 31, 1922."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in this amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 71: Page 63, line 6, after the word *"Provided,"* insert: "That not to exceed $7,000,000 of the funds heretofore appropriated for inland and port storage and shipping facilities shall be available for obligation on and after July 1, 1921: *Provided further*, That no part of the appropriations for inland and port storage and shipping facilities available for the fiscal year 1922 shall be available for the payment of clerical services pertaining to the activities of the Quartermaster Corps in the District of Columbia or elsewhere: *Provided further.*"

Mr. ANTHONY. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 84: Page 63, line 18, insert:

"NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

"For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, $10,000."

Mr. ANTHONY. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No 104. Page 71, line 21, insert: "That in the Army of the United States the grade of lieutenant general is hereby revived, and the President is hereby authorized, in his discretion, and by and with the advice and consent of the Senate, to appoint to said grade two general officers, who, prior to the close of hostilities, especially distinguished themselves in command of field armies in the American Expeditionary Forces; and the officers appointed under the foregoing authorization shall have the pay prescribed by section 24 of the act of Congress approved July 15, 1870, and such allowances as the President shall deem appropriate: *Provided*, That no more than two appointments to office shall be made under the terms of this paragraph."

Mr. ANTHONY. Mr. Speaker, this is the Senate amendment which seeks to create the grade of lieutenant general and appoint two officers of distinguished service to that position in the Regular Establishment. I move that the House further insist upon its disagreement to the Senate amendment.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BLANTON. What is the purpose of prescribing the salary that they shall receive by veiling it by a reference to some old law? Why is it not put into the bill so that everyone will understand what he is voting for?

Mr. ANTHONY. Because that old law fixes the pay for the lieutenant general.

Mr. BLANTON. Is the gentleman in favor of this proposition?

Mr. ANTHONY. I am in favor of the proposition at the proper time, but I do not think it is the proper time in which to pass it now or to include it in this bill. I have moved that the House further insist upon its disagreement to the Senate amendment.

Mr. MONDELL. Mr. Speaker, will the gentleman yield me five minutes?

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I think there is no difference of opinion either in the House or in the country with regard to the splendid character of the services rendered by the men who would be promoted if this Senate amendment were to be agreed to. I am of the opinion, however, after talking with quite a goodly number of gentlemen on both sides of the House, that the House is not prepared at this time to pass affirmatively upon this matter. There are many reasons why this is not the time or the place for legislation of this character. This is an appropriation bill. A provision of this kind does not belong on an appropriation bill. There are many questions to be considered in connection with the matter of promoting and recognizing the services of our faithful, gallant, and distinguished leaders in the Great War. I am very much in hopes that without overmuch discussion of the matter at this time, at least without discussion that might disparage the services of anyone, the House will agree to the formal motion which the gentleman from Kansas has made.

I can not say what will occur in case that motion is agreed to, but my opinion is, if the bill be returned to the Senate with the formal motion to disagree to the Senate amendment, that the Senate would yield and the item would go out of the bill, leaving this question and all questions like it and related to it to be determined at a later date. I hope that may be done. We can easily get into a more or less heated and more or less acrimonious discussion of the question involved and of collateral questions, but at the end of it I do not believe the House in its present temper would agree to the promotions suggested or to any amended provision. On the other hand, if the matter is left for settlement and determination at some future time, an agreement can, I believe, be reached that will fully recognize and do justice and honor to the distinguished services rendered by the gallant commanders of our armies overseas.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I want to say only this. I am not going to vote to give another single extra nickel or to confer another single honor upon any man in the Army, which brought victory back home from France, until something is done for the private soldier who fought in the trenches. That is all I have to say.

Mr. CRAGO. Mr. Speaker, I make the preferential motion that the House recede from its disagreement to the Senate amendment and concur in the same.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. CRAGO].

Mr. CRAGO. Mr. Speaker, I agree with everything that has been said along the line that this is not the proper place for this legislation, but in my opinion it is the only place where we can secure any legislation providing recognition for these distinguished generals of our Army during this session of Congress. I call attention to the fact that Gen. Liggett retires before the next Congress meets. I do not want to take any action of this kind at the expense of any man who served in our Army, and I do think in doing this grateful act of justice to these distinguished leaders we are not detracting or taking away one penny or any right of the enlisted man. I would not stand for any legislation of any kind which would prevent doing our full duty by every man who served in the Army, but I call attention to the fact that we have been very lax in recognition of the men who led our armies in the World War, more so than any of the other countries allied with us. Even the countries to whom we are furnishing financial assistance are going ahead recognizing the work done by their great leaders of men. France only the other day created three new marshals in her army, and one of those men, a man who served in the provinces, merely keeping order in one of her provinces, never near the battle line. How different that is from the remarks we heard here concerning the distinguished man who stood at the head of the civilian help of our country in this great conflict and whose recognition would have been merely a recognition of the loyalty and patriotism and determination of the men of the draft boards and of every one of the activities engaged in the war work back home, recognition of the fact that all of war does not consist of service on the battle field.

In regard to this particular bill I desire to call the attention of the House to the fact that there was a time during the period of our war when it was gloomy and dark and we would do almost anything to win victory; a period when England and France, as they expressed it, "had their backs to the wall," when our men were over there by the hundreds of thousands, and the high command said to Gen. Pershing, "You have never had an American Army since the Civil War. You can not make a field army function; you have not the men here who have been trained in the work. Turn over to the French Army and to the English Army your men, your units, your organizations, let them fight with the French Army and with the English Army." Gen. Pershing stood out against this advice and refused the demands of the council of high command and refused to have American soldiers fight in any army except an American Army. [Applause.] We applauded him for that. We applauded the President of the United States for backing him up in his position in regard to that matter. What happened? Gen. Pershing himself formed the First Army and commanded it. When he formed the Second Army he put Gen. Liggett in command of the First Army and Gen. Bullard in command of the Second Army, and when he formed the Third Army Gen. Dickman was placed in command of that. Now, those three men, and the brave men under them, with Gen. Pershing in supreme command, made it possible for our Army to properly function in France; and I say we are only giving a proper recognition to every man who fought in the ranks and to every subordinate officer and every man all along the line when we say to these men, "For your distinguished services Congress gladly offers you this token of a Nation's gratitude." [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. I yield five minutes to the gentleman from Illinois [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Speaker and gentlemen of the House, this matter, in my judgment, is a very important one, and it is of such a character that we ought not to act upon it without being familiar with all the facts in connection with it. In the first place, this proposes to give the grade and rank of lieutenant general on the active list in our Army in peace time. As a matter of fact, from the manner in which our Army is organized there is no place for a lieutenant general in peace time. And that is a matter that ought to be taken into consideration. Furthermore, at no time in the history of our country have we ever had more than one officer enjoying this grade on the active list in time of peace. After the Spanish-American War there were a number of general officers given this honor, but no more than one of them enjoyed it at a particular time. Now, what does this amendment propose to do?

It proposes to take Gen. Liggett, who retires now in a very few days, a most excellent officer, a man who is entitled to every honor we can give him, but it is not necessary to go the full length at this time without consideration and put him on the active list of our Army as a lieutenant general in time of peace. But it does not stop there. It proposes to go down the line of major generals and pass over such men as Gen. Dickman, who retires in October next; it passes over Gen. John F. Morrison, Gen. Enoch Crowder, and over Gen. Leonard Wood—four great generals in our Army who will all retire prior to the date of the retirement of Gen. Bullard. Gen. Bullard is one of the great officers of our Army. I have not a word to say against him, but he does not retire until 1925, and I simply ask the question, Why is it that it is proposed to pass over the heads of men like Gens. Dickman, Leonard Wood, Morrison, and Crowder, all great generals, and put Gen. Bullard along with Gen. Liggett at this time when he does not retire until 1925? I want to say to the gentlemen of the House that we ought not to concur in the motion of the gentleman from Pennsylvania. I have here before me the record of a number of distinguished generals of our Army. Among them is Gen. John L. Hines, a man who as major general, when the line was broken over in France, went up and down the line through heavy artillery fire and machine-gun fire steadying his men and getting the boys together. He walked up and down the line between the Sixteenth and Twenty-sixth Regiments of Infantry, if I remember the numbers correctly, but that general is passed over in this proposal. We ought to take up the matter of recognition of the services of the great generals of our Army and consider them together and discuss the matter in a dispassionate and patriotic way and show that we are trying to do something for the men of the Army as a whole, considering all the great officers of our Army, and not pick out in the closing hours of the session even a great general like Liggett, who retires in a few days, and couple him up with Gen. Bullard, who does not retire until 1925, and give them special consideration. So I hope that the motion of the gentleman from Pennsylvania will be voted down and that the motion of the gentleman from Kansas be concurred in. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. ANTHONY. I yield three minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker and gentlemen of the House, my objection to this particular amendment is based on the wording of

the amendment. I think it is most unfortunate that there should be any distinction made between generals who were in command of fighting units and generals of the S. O. S. or supply, whether in the supply department in France or in this country.

Now, if you will analyze the casualties among the generals in our Army you will find that not a single general was killed in action, and therefore I think it is unfortunate for us to make an invidious distinction between generals in command of fighting forces and, for example, Gen. Crowder and Gen. Wood in this country.

Mr. HICKS. Will the gentleman yield for a question?

Mr. FISH. I will.

Mr. HICKS. Is it not a fact that Gen. Bullard and Gen. Liggett were the only two generals in command of armies?

Mr. FISH. Gen. Bullard's name and Gen. Liggett's name are not mentioned in this amendment. My point is simply this, that it is unfortunate that there should be any distinction. If you want to make a distinction and a proper one, make it between the doughboys who fought in the front line and the doughboys who were not fortunate enough to be ordered overseas, but not between generals who did not incur the same risk as the enlisted personnel and company officers. I believe in promoting and rewarding our distinguished generals, but this is neither the proper time nor method of doing so.

Mr. ANTHONY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. CRAGO] to recede and concur.

Mr. JOHNSON of Mississippi. Mr. Speaker, what is the motion. I just came in. I ask that it be reported.

The SPEAKER pro tempore. The Clerk will again report the amendment.

The amendment No. 104 was again reported.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. CRAGO] to recede and concur.

The question was taken and the motion was rejected.

The SPEAKER pro tempore. The vote is now on the motion of the gentleman from Kansas [Mr. ANTHONY] to insist on disagreement to the Senate amendment.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 117, noes 6.

So the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 105, page 72, line 8, insert: "That in the cases of officers then in the Army who were nominated to the Senate by the President for brevet commissions for service during the War with Spain, Philippine insurrection, or the China Relief Expedition for extraordinary heroism or gallantry in action or especially meritorious services, such as to justify the award of the distinguished service cross or the distinguished service medal provided for in the act of July 9, 1918, such cases may be considered and acted on under the provisions of said act, notwithstanding that such recommendations may have been made more than three years before said cases shall have been considered as authorized by said act, but all consideration of, and action upon, any such case shall be based exclusively on official records of the War Department."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur in the Senate amendment. I would like to make the statement that when the war with Spain was fought, and the Philippine insurrection, and the Chinese relief expedition, the Army had no distinguished service cross or medal. In those wars there were men of our Army who performed just as distinguished service, participated in just as heroic actions, as the soldiers of any other war. The only recognition that came to them for this was their nomination by the President for a brevet rank, which they never received, although mentioned in orders for distinguished conduct, and which now would entitle them to the distinguished service cross or distinguished service medal. There are about 300 of these men, and the conferees felt it would be the proper thing to do to award them the ribbon at this time.

I yield to the gentleman from New York [Mr. FISH] three minutes.

Mr. FISH. Mr. Speaker, at the end of the three minutes I want to make a preferential motion that the House do not concur in the Senate amendment.

This amendment provides that the officers in the Army at the time of the Philippine insurrection and the Spanish War should be awarded distinguished service crosses. As every Member of this House knows, there has been a great abuse during this war in the awarding of medals. There is not a Member of this House that does not realize that there have been complaints from the enlisted personnel that they have been overlooked. And, as an officer in the war, and as an officer who has been decorated and therefore has no grievance, I am absolutely opposed to this amendment. What are we proposing to do? We are proposing by this amendment to give 300 officers, and no enlisted men, of the Spanish War decorations, if I read this amendment right.

Mr. ANTHONY. Will the gentleman yield?

Mr. FISH. I certainly will yield.

Mr. ANTHONY. I want to call to the gentleman's attention that during the Spanish War the law permitted the enlisted man who rendered distinguished service to receive what was called a certificate of merit. There was no reward open to the officer except the congressional medal of honor, which can only be given in exceptional cases. So that an officer of that war was deprived of any recognition, whereas the enlisted man did receive it in a certificate of merit.

Mr. FISH. That may be the case. But this is absolutely an improper time and method of bringing this amendment up, unless we are going into the consideration of the cases of the enlisted men. Undoubtedly there are a number of enlisted men who are qualified to receive these decorations. I believe that there were less men killed in the occupation of Cuba than there were on November 11, on armistice day.

Now you come in here and ask for 300 distinguished service medals for officers of that war. I believe this should go over until the next session of Congress. I might be very glad to vote for such a bill, but not until the enlisted men have had their day in court. I speak that way because I had a cousin, a sergeant in the Rough Riders, who was the first man killed in the Spanish War, and I want those men to have the same consideration and their families the same consideration, to secure a distinguished service cross, as Regular Army officers.

Mr. McKENZIE. Will the gentleman yield for one minute?

Mr. FISH. Will the gentleman from Kansas allow me two or three more minutes?

Mr. ANTHONY. I yield two minutes more to the gentleman.

Mr. McKENZIE. Will the gentleman yield?

Mr. FISH. I yield.

Mr. McKENZIE. I would like to ask the gentleman from New York if he does not believe that an officer who served in the Spanish-American War or in the Philippine insurrection and rendered such service as would entitle an officer in the late war to this honor, the officer who served in the Spanish War or Philippine insurrection should have the same consideration at the hands of his Government as the officer who served in the late war?

Mr. FISH. I most certainly do.

Mr. McKENZIE. That is all there is to it.

Mr. FISH. I hope they will get it. At the same time, if you pass this legislation you are going to preclude the enlisted men, and I want to see them come in and get consideration.

Mr. GREENE of Vermont. I quite sympathize with the gentleman's views, but the law at that time provided that the enlisted man could get his, but the honor that came to the officer was a brevet rank. And so for the same service for which he now gets a cross he got a brevet rank then. But under the law it was necessary for those nominated for brevet rank to be confirmed by the Senate, and the nominations were sent in at such a late date that the confirmations failed.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I am opposed to this motion and make a substitute motion that we disagree to the Senate amendment.

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCLINTIC. I want to ask the chairman a question.

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. McCLINTIC. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McCLINTIC. Has the chairman of this subcommittee taken into consideration the possibility that there might be some who have since died who were entitled to this consideration, and that probably the heirs of those would be glad to obtain these medals?

Mr. ANTHONY. I think that is barely possible. But we were advised by the War Department that this language covers only the names of those officers who had been nominated by the President and whose nominations had been sent to the Senate immediately following those wars.

Mr. McCLINTIC. I take it that there were some whose names were sent to the Senate who have since died. If that

is true, it seems to me the heirs of those would be glad to receive a medal.

Mr. ANTHONY. I think, under the law governing the distribution of medals and distinguished service stars and distinguished service medals, if the soldier dies his family is entitled to receive it and does receive it.

Mr. McCLINTIC. Would it not be better to insert a provision that the heirs of a deceased officer entitled to this under the act shall receive it?

Mr. ANTHONY. I am quite sure that the general law now makes such provision.

Mr. McCLINTIC. Upon that assurance of the chairman, I will be content.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MANN of Illinois. Why does not this amendment make provision for granting distinguished service medals to volunteer officers of the Spanish-American War?

Mr. ANTHONY. I do not know whether any brevet rank was granted to volunteer officers, but I presume it was not.

Mr. MANN of Illinois. There are many of them.

Mr. ANTHONY. We have volunteer officers who served in that war in the House. Among them is Col. CRAGO. He tells me they were not given them.

Mr. MANN of Illinois. Yes. That is the "nigger in the woodpile." This having been prepared to benefit a few officers of the Regular Army, it reads, "In cases of officers of the Army who were nominated in the Senate for brevet commissions for service during the war." My impression is that the law allows the President to confer brevet commissions on the volunteer officers without nominating them to the Senate.

Mr. CRAGO. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. CRAGO. The fact is that in 1898 and in 1899 the Volunteer officers serving were commissioned by the governors of the States, so that they could not, of course, come under the provisions of that act. I have my commission yet.

Mr. GREENE of Vermont. Yes. But you will find that on the face of it it says you were commissioned in the Federal service. That was done to obviate the labor of first commissioning an officer by the State and then later by the Federal Government.

Mr. CRAGO. But the gentleman will not say that those officers were nominated to the Senate and confirmed by the Senate?

Mr. GREENE of Vermont. Oh, no. But it was not a State commission.

Mr. MANN of Illinois. This applies only to officers of the Regular Army—at least, that is my impression—who served in the Spanish-American War and excludes Volunteer officers who served in the same war.

Mr. ANTHONY. I think the gentleman must be mistaken. I do not think there would be any attempt on anybody's part to exclude a Volunteer officer.

Mr. MANN of Illinois. I think not, too. But the attempt was to take care of the officers of the Regular Army, and whoever drew this amendment was a Regular Army officer who was not interested in the gentlemen who served in the Spanish-American War as Volunteers and had been out of the service for many years. He was interested in getting a distinguished service medal for himself.

Mr. ANTHONY. I think what the gentleman says is quite true. At the time these nominations were made to the Senate most of the Volunteer officers in the Spanish-American War had been mustered out. But among these 300 officers whose nominations were sent to the Senate by the President were a number of Volunteer officers, quite a large number of them, who had remained in the service. We took hundreds of Volunteer officers into the Regular Army.

Mr. MANN of Illinois. Well, I do not know what the facts are; and that leads me to believe that they, having waited 20 years or more, we might wait a few moments longer until somebody did know.

Mr. ANTHONY. The committee had in mind some 300 distinguished officers whose nominations for brevet rank had been sent to the Senate and who failed of confirmation. We thought it was the decent and proper thing to do to give them this recognition.

Mr. MANN of Illinois. We are here a long time after the Spanish-American War closed. Has any bill ever been introduced on this subject?

Mr. ANTHONY. A bill is now pending in the Committee on Military Affairs of the House, introduced by the gentleman from Washington [Mr. MILLER], who has been very urgent in trying to get it reported and brought before the House.

Mr. MANN of Illinois. Is that an argument in favor of it, that the Committee on Military Affairs would not report it favorably?

Mr. ANTHONY. The Committee on Military Affairs, as I understand, have failed to take action because they would have no show whatever to bring the bill onto the floor.

Mr. MANN of Illinois. Oh, well, that is not the case. Of course, if the gentleman from Washington introduced it yesterday, it would not have very much show.

Mr. ANTHONY. No; it has been pending for some time.

Mr. MANN of Illinois. The Committee on Military Affairs is now the committee on call on Calendar Wednesday. Until last week Calendar Wednesday came up every week, and the Committee on Military Affairs on any Wednesday for the last two months could have called up such a bill for consideration in the House.

Mr. GREENE of Vermont. If the gentleman will permit me, of course I am not authorized to speak for the entire Committee on Military Affairs, but I am advised somewhat as to the state of the business of that committee. There were other matters which seemed to the committee to be of more pressing importance, and that more insistently demanded immediate consideration; but that, of course, ought not to prejudice and does not prejudice the merits of this particular bill.

Mr. ANTHONY. Of course, the gentleman knows we have not had any Calendar Wednesday since December 15.

Mr. MANN of Illinois. I know that any member of the Committee on Military Affairs could have objected to dispensing with Calendar Wednesday by unanimous consent, and if any Member had desired the consideration of any bill on the calendar he could have had his day. The fact is that Calendar Wednesday was dispensed with principally because the Committee on Military Affairs called up a claims bill which the House did not want to vote for and did not want to vote down.

Mr. McKENZIE. The gentleman does not mean to charge that the Committee on Military Affairs are obstructionists?

Mr. MANN of Illinois. They are obstructionists in this case, because the gentleman from Kansas [Mr. ANTHONY] is trying to put through the House now a provision relating to a matter 22 years old, and says it is pending before the Committee on Military Affairs and therefore ought to be passed by the House now, the Committee on Military Affairs having obstructed its report to the House.

Mr. ANTHONY. Will the gentleman yield, just to allow me to convey the information that the gentleman from Kansas is not trying to put anything through the House. As conferees we accepted this amendment pressed upon us by the Senate, because we recognized that it had merit in it.

Mr. MANN of Illinois. As a conferee the gentleman could not accept it under the rules of the House, and the conferees have not accepted it.

Mr. ANTHONY. It is a meritorious piece of legislation, and as such the conferees indorsed it.

Mr. MANN of Illinois. As I say, you are trying to put it through the House, and I expect you will succeed, because under the new rule all you have to do is to move to recede and concur, and the House votes to do it.

Mr. FISH. There is an unfortunate feeling now among the reserve officers and National Guard officers to the effect that of the decorations handed out in this war the Regular Army got 50 per cent, whereas they represented only 5 per cent of the officers in our entire Army. Out of 210,000 officers there were less than 10,000 Regulars, yet they got 50 per cent of the decorations handed out to the officers of this war. I think we could well afford to vote this down and bring it up in proper course, where we could decorate the ones who merited it, and also the volunteer officers and soldiers of the Spanish War.

Mr. ANTHONY. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kansas.

The question being taken, the motion was rejected.

Mr. MANN of Illinois. I move that the House further insist on its disagreement to the amendment.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House further insist.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 106: Page 72, line 22, insert: "For the preparation of plans, the initiation of work, including the employment of all necessary engineering, technical, clerical, and other services, and for any and

every purpose connected therewith, for an increased water supply for the District of Columbia, in accordance with Potomac project 'E,' described in the report submited by Maj. M. C. Tyler, Corps of Engineers, $200,000, to be immediately available and to remain available until expended."

Mr. ANTHONY. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER pro tempore. The gentleman from Kansas moves to recede and concur with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. ANTHONY moves that the House recede from its disagreement to the amendment of the Senate No. 106, and agree to the same with an amendment as follows: After the word "expended," in the last line of the matter inserted by said amendment, insert: "*Provided*, That 60 per cent of this sum shall be paid from the revenues of the District of Columbia and 40 per cent from the Treasury of the United States."

Mr. MAPES. Mr. Speaker, I wish to present a motion.

Mr. ANTHONY. Let me make a statement first. This amendment appropriates $200,000 to be paid on a 60-40 basis for the purpose of inaugurating the work of increasing the water supply of the District of Columbia.

The conferees had some doubts about the propriety of an amendment of this kind appearing on the Army appropriation bill until they were shown that the initial legislation providing for the present water supply of the District originated on an Army appropriation bill when Jefferson Davis was Secretary of War.

The statement has been made that if this second tunnel or conduit for bringing additional water from the Great Falls to the city is constructed, instead of a pipe line which other engineers have proposed, it will prevent the utilization of the falls for power purposes.

The conferees investigated that criticism very carefully, and we have the assurance of Col. Kutz, engineer officer of the District, and of Secretary of War Baker, who sat on a board which investigated this matter, and others, that there is no basis for such contention, and the conferees submit the proposition for the consideration of the House.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. BLANTON. This initial expenditure of $200,000 is going to result in an expenditure of how much?

Mr. ANTHONY. About $9,000,000.

Mr. BLANTON. This is the beginning of quite an expensive end.

Mr. ANTHONY. This is the beginning of the work. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, this seems to me to forcibly illustrate the danger that is likely to result from legislation by riders on appropriation bills. Here is one of the most important propositions that could be raised, as far as the District of Columbia is concerned, and before the House takes any action upon it I think it ought to know what it is doing or at least it ought to know that it does not know what it is doing.

It has never been considered by any legislative committee. The Engineers of the Army made a report a short time ago on the subject, but it is not yet available for the membership of the House. A few days ago the Senate ordered it printed as a Senate document, but it has not been delivered from the Public Printer, and I have been trying ever since I understood that the conferees were going to make this motion to get a copy of the report, but I have been unable to do so. I submit, without fear of successful contradiction, that there is not a Member of this House who has read the report of the Army Engineers. Certainly no committee of the House and no committee of the Senate has considered the proposition or considered any bill pertaining to it.

This is an amendment put on in the Senate to this appropriation bill, and as was said here the other day in regard to another matter it was put on because a Senator asked for it, and he happens to be a member of the conference committee. It ought not to be agreed to until the House knows what it is. If we adopt this amendment we will be putting ourselves in the same position we are in in regard to Muscle Shoals. This provides an appropriation of $200,000 to start the project, and if we pass it we are irrevocably committed to the project. The gentleman from Kansas says it may cost $9,000,000. Yes; and it may cost $100,000,000. No one knows.

Mr. MADDEN. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. MADDEN. Does the gentleman concede the necessity of an additional water supply for the District of Columbia?

Mr. MAPES. I do not concede it; I do not know. I know that we have had more people in the District of Columbia in the last two years than we have now, and we got along very nicely. If we let this go over, Congress reconvenes in a few weeks and can take it up in an orderly manner. There is no need of getting hysterical about it, as the gentleman from Illinois [Mr. MANN] said a few minutes ago in regard to the last amendment we voted on. We have gone along for a good many years without doing anything about the proposition, and it seems to me that we can go on for 15 minutes longer without taking this important action until it is properly considered. Congress will be back here in four or five weeks, and if this matter is important it can be referred to the regular committee and be reported back and acted upon intelligently. We ought not to embark on a proposition costing $9,000,000 and perhaps $100,000,000 without ever being considered by a legislative committee.

Mr. SNYDER. Will the gentleman yield to me to make a motion on a conference report?

Mr. ANTHONY. I will yield to the gentleman from New York for that purpose.

CLAIMS OF THE CHOCTAW, CHICKASAW, CHEROKEE, CREEK, AND SEMINOLE INDIANS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10105, disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill of which the Clerk will read the title.

The Clerk read as follows:

H. R. 10105. An act conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes.

The SPEAKER pro tempore. The gentleman asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, I do not think it is necessary to say it, but I hope the conferees will not agree to the amendment which may involve the country in an expense of many million dollars that has no connection with the original bill. I have such faith in the conferees that I will not object.

Mr. GARD. Reserving the right to object, what is the gentleman's request?

Mr. SNYDER. Simply to disagree to the Senate amendments and ask for a conference.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore appointed the following conferees: Mr. SNYDER, Mr. CAMPBELL of Kansas, and Mr. CARTER.

CONFERENCE REPORT ON ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I yield to the gentleman from Michigan five additional minutes.

Mr. MAPES. Mr. Speaker, the gentleman from Kansas called attention to the fact that this was a rider affecting the District of Columbia upon an Army appropriation bill. It is doubly objectionable. First, it is a rider on the wrong appropriation bill; and, secondly, it is a rider affecting a very vital situation here in the District, which ought not to be passed upon any appropriation bill. The statement was made that this would not interfere with the development of the Great Falls power proposition. I do not know where gentlemen get their information, but I have a statement here appearing this morning in the Washington Herald, made by an eminent engineer, who says that there is no question but what it will interfere with the Great Falls power proposition. I submit that we ought to wait until a committee of the House and a committee of the Senate have had a chance to investigate on their own responsibility and find out whether that is true or not.

Mr. MADDEN. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. MADDEN. Does the gentleman think it would make any difference whether it interfered with the Great Falls water-power project or not? The most important thing in the world is the water supply to the human beings who live in the community, regardless of the fact that it might interfere with the Great Falls water-power project.

Mr. MAPES. I have no knowledge of any shortage of water here in the District of Columbia that would require any such hasty action as this.

We have gotten along very nicely for a good many years with the present facilities; we have gotten along the last two or three years, when there were more people in the District of Columbia than there will be again in a great many years to come.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. MAPES. I am sorry, but I have only a short time, and I can not yield. I call the attention of the House to the report of this engineer who has investigated this matter. He says:

It is not commonly known that the proposed appropriation of $200,000 for preliminary work under the Tyler plan is an effort to commit the Congress to a scheme that will prohibit the construction of an efficient power development on the Potomac River.

If another tunnel is built at an elevation of 30 feet above the present one it will prevent a dam from being built at Great Falls. If the purpose is to get an additional supply of water for the District, a water main could be laid at one-tenth the cost and in one-fourth the time it would take to construct another tunnel.

A water main could be adapted or changed to conform to any dam location, but a tunnel once built will be a permanent barrier to any efficient power development.

There is the statement of an engineer. I do not know whether he is correct or the other people are correct, but I do know that we ought not to pass legislation of this importance upon an appropriation bill when the conferees have not seen the report upon which it is based, nor has any Member of the House.

Mr. Speaker, I desire to move that the House further insist upon the disagreement to Senate amendment No. 106.

The SPEAKER pro tempore. That motion is not in order at this time.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. ZIHLMAN].

Mr. ZIHLMAN. Mr. Speaker, I consider this one of the most important propositions brought in on this bill. I take issue with the statements that have been made by the gentleman from Michigan [Mr. MAPES]. This matter has been before Congress for 20 years. Away back in 1906 Congress appointed a commission to study sources of additional water supply for the District of Columbia, and there has been spent in investigations the sum of $33,000. Last year during the last session of the present Congress we appropriated $25,000 additional and authorized the water-power commission to make an investigation of the sources of additional supply, and this commission has made its report, based upon the findings of the Army engineers, and two propositions are submitted to Congress, one for an additional source of water supply and the other a water-power project. The Army engineers who investigated this matter agreed unanimously that the two should be separated, that the taking up of one proposition will not in any way endanger the other, and in that finding of the Army engineers the water-power commission, consisting of three members of the Cabinet, unanimously agree.

This proposition involves an expenditure of $200,000 for initial work on this project as outlined in the report of Maj. Tyler. The city of Washington at the present time is dependent for its water supply upon a single conduit built 60 years ago. The distinguished gentleman from Michigan [Mr. MAPES], who is in favor of waiting awhile before taking up this proposition, makes the statement here that the water supply of the District has not been endangered. I agree with his statement in so far as that there have not been any evidences of water famine, but the facts are that the safe dependable water supply of the District of Columbia through the present conduit system is about 68,000,000 gallons per day. During the heated term last summer water was used to as high an amount as 75,000,000 gallons a day, while the present conduit system can not bring down more than 68,000,000 gallons a day as a supply upon which we can depend.

The Army engineers in charge of the conduit can not clear it of water for more than two days at a time, and it is therefore absolutely impossible to make repairs when needed. Therefore the city of Washington is dependent entirely upon a single source of supply. The need for increasing this supply has been apparent for years. Congress has attempted to deal with it by securing the very best technical advice upon the subject. The report of these Army engineers is now before Congress, and we are asked to make an initial appropriation of $200,000.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. CHINDBLOM. If this work is done, may we hope that it will be unnecessary to press the bill to compel the Government to pay for water used in the District of Columbia, as I believe is contemplated by some bill introduced here?

Mr. ZIHLMAN. I would say that if a source of additional supply is found, it will be unnecessary to take drastic steps to conserve the present supply, although the per capita consumption is greater than it should be. I introduced the resolution to which the gentleman refers.

Mr. RICKETTS. The same source of supply was in use during the period of the war, covering two years.

Mr. ZIHLMAN. Away back in 1905 we were using about 65,000,000 gallons of water per day. During the peak of the war-time influx of population we were able by metering the Government establishments and by conserving water and repairing leaks to maintain that usage of 65,000,000 gallons a day.

Mr. RICKETTS. There were a great many more people in Washington then than there are now.

The SPEAKER pro tempore. The time of the gentleman from Maryland has expired.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I am in sympathy with what the chairman of the Legislative Committee on the District of Columbia has to say about legislation going on an appropriation bill. Of course we did not put this legislation here, but there is a portion of this property which is not directly under the jurisdiction of the District of Columbia and which never has been. All of the water supply was originally a plan of the War Department to supply water primarily to the Government. There have been various changes made from time to time in respect to the method of permitting the citizens of the District of Columbia to use this water, but of late years legislative provision after legislative provision has gone onto the District of Columbia appropriation bill until the water system is maintained out of the District revenues, but the title to all of this property is in the War Department, and as was said by the gentleman from Kansas [Mr. ANTHONY], the chairman of this conference committee, the whole water supply was instituted by the War Department and all of this conduit was made by it.

Mr. JOHNSON of Kentucky. Mr. Speaker, does the gentleman mean to say that the water mains laid throughout the District of Columbia belong to the United States Government?

Mr. SISSON. No; the water-supply system.

Mr. JOHNSON of Kentucky. The gentleman made a mistake.

Mr. SISSON. The mains were originally laid, that is the conduit main, by the War Department.

Mr. MADDEN. Just the conduit?

Mr. SISSON. Yes; and the ancillary, or smaller mains, were originally charged up to the property owners of the District of Columbia, but I do not want to go into that at this time.

Now, this, in my judgment, might properly go upon the Army bill. I think, as a matter of fact, it might go upon a Regular Army bill just as logically as it could go on a District of Columbia legislative bill. I think either committee that the Speaker might refer this matter to would have jurisdiction of it. Now, as to the question whether this ought to have gone on this appropriation bill, not the Army legislative bill, but this appropriation bill, it is subject to the criticism we usually get. Now, when the Senate puts these amendments on, as they contend they have the right to do, we are compelled to bring this matter back and submit it to you for your consideration. Now, so far as the information was concerned, as it was stated to you, this matter has been gone into in detail. But, mark you, this: It is more in the nature of the preparation of plans than it is for the actual beginning of work. I do not know whether I myself would be willing to commit myself to the proposition of developing water power or not, but I do know that while there is no particular alarm about the water situation, the maximum capacity is more than 68,000,000 gallons a day, but the safety point is estimated by the engineers to be 68,000,000 gallons a day, and they have gone over seventy-odd millions a day for several months during the summer season; I do not know just exactly what the greatest capacity would be, but there has been no great danger of water; in fact, you have got more than three days' supply already stored in the reservoirs throughout the territory of the District, but in my judgment this is the time to have an investigation made, because the growth of the city has been so abnormal within the last few years that the time is rapidly approaching when you have got to do this work.

Mr. STEPHENS of Ohio. Will the gentleman yield?

Mr. SISSON. I will.

Mr. STEPHENS of Ohio. Is it a fact the excessive use of water in recent times is owing to the prohibition amendment?

Mr. SISSON. Well, I am inclined to believe it reduces the consumption of water, because the morning after the man usually drinks a good deal of water, but the gentleman has had more experience than I have and therefore I will not testify as an expert.

Mr. CROWTHER. Will the gentleman yield?

Mr. SISSON. I will.

Mr. CROWTHER. Does not the gentleman think that the great danger is not in the fact that the general supply is only between sixty-eight and ninety million gallons but in the fact it is conducted in a single pipe line, and in a good water system to-day there is a double pipe line, so while they repair one they could use the other?

Mr. SISSON. This line was built under the direction of Jefferson Davis when he was Secretary of War, and as an evidence of the fact he did a magnificent job the conduit is the only portion of the water system that has given them absolutely no trouble.

Mr. CROWTHER. I agree that they did better work in those days.

Mr. SNELL. Will the gentleman yield?

Mr. SISSON. I will.

Mr. SNELL. Under the reading of the amendment, which says it is to initiate the work, if we should appropriate the $200,000 here, does not the gentleman think we are committed to this proposition as set forth in the Tyler plan?

The SPEAKER. The time of the gentleman has expired.

Mr. SISSON. I think that is true. I would like to have two more minutes.

Mr. ANTHONY. I will yield the gentleman two minutes.

Mr. SISSON. I think that would be absolutely true.

Mr. SNELL. Then there would not be any question but what we would go on with this if we once started?

Mr. SISSON. In my judgment, when Uncle Sam puts his hand to the plow he never turns back unless we make an exception of Muscle Shoals, and I hope we will not do that, because we have put our hands to the plow and we ought not to turn back, and we will not turn back, because Mr. Weeks as Secretary of War——

Mr. SNELL. Will the gentleman yield? I want to ask one more question——

Mr. SISSON. I have the yielding—and when he becomes Secretary of War he will not only provide for Muscle Shoals properly but at the same time I believe he will be able to help handle this water supply of the District of Columbia. That is all I have to say.

Mr. ANTHONY. I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, prior to about 1860 the water supply in the District of Columbia, both for the Government and for the people, was gotten from wells, cisterns, and springs. The spring in Franklin Square furnished water for the White House. It is now an underground stream, carried away into a sewer. Commencing about 1860 the present conduit was built. It was built entirely at the expense of the Federal Government for the purpose of furnishing the official buildings with water. After water had been brought into the District of Columbia in that way the people of the District of Columbia asked permission to connect with this end of the conduit for the purpose of getting water. That was granted. More and more, year after year, has been granted. All the time the people of the District of Columbia were getting water cheaper than any other city in the world. If the people here had to pay a reasonable price for the water they get, there would be no apprehension of a scarcity; and there is no real apprehension of a scarcity. It is a well-known fact there is an abundance of water here for the District of Columbia, but there is not enough to reach out in the adjoining jurisdictions which seek to get water at the expense of the Federal Government.

Mr. RICKETTS. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. RICKETTS. Does the gentleman mean to say that the citizens of Washington are getting water free, without paying for it?

Mr. JOHNSON of Kentucky. No; but they have been paying a very small price for it.

Mr. RICKETTS. Does the gentleman know how much?

Mr. JOHNSON of Kentucky. No; I do not. Recently the price was slightly increased, and when the price was only slightly increased the consumption of water was reduced.

Mr. SNELL. Will the gentleman yield for another question?

Mr. JOHNSON of Kentucky. I will.

Mr. SNELL. How far outside are they trying to take the water at the present time?

Mr. JOHNSON of Kentucky. Into adjoining States.

Mr. SNELL. Into the State adjoining?

Mr. JOHNSON of Kentucky. Yes.

Mr. HICKS. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. HICKS. I understood the gentleman to state that the rates for water here in Washington are exceptionally low?

Mr. JOHNSON of Kentucky. Yes.

Mr. HICKS. I am surprised at that statement, for the reason that I have a house here of about the same size as my house in New York City, and the water rates here are about the same as in New York.

Mr. JOHNSON of Kentucky. The gentleman is the only man to be found in the District of Columbia that would make such a statement. There must be a leak or a mistake somewhere.

Mr. CRAMTON. I will say that my own experience is somewhat different. My own bill for all purposes connected with the House, including lawn privilege, is about $8 a year. It is about half of what I pay for water in a small town in Michigan.

Mr. ZIHLMAN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I have not the time, unless the gentleman will yield me more time.

Mr. ANTHONY. I yield three additional minutes to the gentleman.

Mr. ZIHLMAN. I know the gentleman would not wish to make a misstatement. I call his attention to the fact that the District of Columbia has $4,000,000 invested in what they call a purification plant, which is under Government control—under control of the engineers. And I am reading now from the report of the engineer in charge. Nearly half of the cost of the present system was paid for by the District of Columbia.

Mr. JOHNSON of Kentucky. It was paid for in this way: When the people at this end of the conduit—the people of the District of Columbia—were connected, water was distributed to them, and they paid only a small charge for it, and the money they paid went to the credit of the District of Columbia, and they took that money and extended the pipe system, and now they own it. They acquired it by collecting rent for water that the Federal Government brought into the District of Columbia and almost gave to them. When this amendment was put on there was no provision except that the Federal Government should build another conduit.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Speaker, I yield to the gentleman three more minutes.

Mr. JOHNSON of Kentucky. To-day, in a private discussion among several of us here on the floor, attention was called to the fact that the District of Columbia was to get the benefit of this proposed new conduit without paying a cent for its construction. But now an amendment has been offered providing that the District of Columbia shall pay 60 per cent and the Federal Government 40 per cent of its cost. This House is on record, overwhelmingly so, several times, that the 60 per cent and the 40 per cent basis was all wrong; and yet by this amendment you wish to estop Congress in the future from arriving at a just contribution from the District of Columbia by fastening in this resolution the per cents of 60 and 40. I say that this should not be done; but whatever the Government is to contribute should be contributed under the provisions of the Mapes bill, which passed this House overwhelmingly, but which has been ignored at the other end of the Capitol in order that favoritism might be shown to the people here to the detriment of the people in the rest of the United States. I sincerely trust that this proposition may be voted down.

Mr. GARD. Will the gentleman from Kansas yield to an inquiry?

Mr. ANTHONY. I will.

Mr. GARD. I want to ask if this Potomac project "E" is a purely power project?

Mr. ANTHONY. We are informed the present project is purely a water project with power possibilities in the future.

Mr. GARD. Is there any commitment of any legislative body to this project "E"?

Mr. MAPES. I can not answer the question of the gentleman.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, I think this matter can be stated in a few general propositions. First, it is necessary to enlarge the water supply of the District of Columbia. The present water supply flows through a single conduit from the Great Falls of the Potomac. That, as has been stated, is a brick conduit, the construction of which was begun in 1853. Two years ago, according to the Tyler report, the volume of water brought by means of that conduit had reached a point where there was no longer the assurance of a sufficient supply. In addition, it is pointed out in the Tyler report that the conditions are now such that it is impossible to unwater that conduit for more than two days at a time, and therefore repairs can not be made. And as repairs can not be made, the report says that a breakdown is liable to occur at any moment, which would create a water famine in this community. Now, as has been stated, there have been inquiries from time to time into the situation, and the most recent survey is by the engineers of the War Department, with the result that I have indicated.

If there were time to send to the Clerk's desk and have read the report on this point of the engineers—the Tyler report—it would afford the most impressive evidence that can be had as to the existing necessity and danger.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield for a question?

Mr. MOORE of Virginia. Yes.

Mr. DEMPSEY. Does not the report that the gentleman refers to show this: That it takes just about as long to clear the conduit by pumping as the storage supply would last? In other words, there would not be any time after you cleared the conduit in which to repair it during which time the city would be supplied with water?

Mr. MOORE of Virginia. Yes; the remarkable condition exists that there is a single conduit upon which this city and the District are dependent and no means of repairing it. It is a brick tunnel, something over 60 years old, and is liable to go out of use at any time through an accident.

Now, can there be anything more serious for the House to consider?

The second proposition is that no one except the man who has been quoted by the distinguished gentleman from Michigan [Mr. MAPES] believes, so far as I understand, that there is any sort of connection between the matter of the water supply and the matter of the possible development of the water power of the Potomac River. When the gentleman quoted the unofficial engineer whom he has in mind I called up Maj. William B. Harrison, one of the engineers who worked under Tyler, and he stated that no such connection is involved. I also called up Mr. Hardy, who is in charge of the filtration plant of the District, and he made the same reply. So no one need think that in voting for this measure he runs any risk whatever of impeding the water-power development plan.

That may be left out of the case absolutely, and if my friend from Michigan had kept up with the matter by attending the sessions of the power commission and taken the trouble, as I have done, to secure a copy of the Tyler report and studied it, he would not have accepted the view that has been put into the newspapers by the engineer he has quoted.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. MAPES. Perhaps the gentleman can answer the question propounded by the gentleman from Ohio [Mr. GARD] as to whether Congress has ever settled upon a program for this work? I will say to the gentleman that I have other work to do besides attending the meetings of the engineers.

Mr. MOORE of Virginia. If Congress had acted heretofore, of course, this bill would not be before the House.

Mr. MAPES. Does the gentleman think this is the orderly procedure for Congress to adopt?

Mr. MOORE of Virginia. I do. When the engineers and the Water Power Commission inform us that it will take a considerable time to complete the work of constructing a new conduit, and that delay will put the entire matter where there will be constant peril to the people of the District and to all the interests of the District. And unless there is some better reason that can be given for the delay than any thus far assigned, I protest that action should not be postponed.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. CRAMTON. The estimate is that this work will require $9,000,000, and we are beginning with an appropriation of $200,000. At that rate it would take about 50 years, would it not?

Mr. MOORE of Virginia. That is not the way to state it. An initial appropriation of $200,000 is asked for now. If sufficient additional appropriations are made hereafter the work will be completed in about two and one-half years.

Another thing, and this is the third proposition, is that the engineers have reached the conclusion that the plan E, as designated in this bill, is the most economical plan that can be adopted. There is no way to get water out of the Potomac, either at or above the Chain Bridge, that can be executed for less than $9,000,000, which is what plan E will cost.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask that the gentleman's time be extended five minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield for a question?

Mr. MOORE of Virginia. Yes.

Mr. ANDREWS of Nebraska. Does the Federal Government pay for the water it uses in the public buildings in the District of Columbia, and, if so, at what rate?

Mr. MOORE of Virginia. I understand that it does not.

Mr. JOHNSON of Kentucky. May I ask the gentleman whether or not the water is brought to the Federal Government through its own conduit, a conduit that it has built at its own expense?

Mr. MOORE of Virginia. I can not say as to that, but I think such details are immaterial. The larger matter is the need of water here and the necessity of making provision for a greater supply. Whatever be the answer to the question as to who pays or who does not pay, I can not see that the fact bears on the essential issue with which we are dealing.

Mr. JOHNSON of Kentucky. May I ask the gentleman from Virginia whether he shares the opinion that we see expressed in the public press every day that the Federal Government should be made to pay for the water which it brings into its buildings through a conduit built by itself at its own expense?

Mr. MOORE of Virginia. I have no opinion on that point, and I do not see that that point is drawn into the consideration of this measure. The main thing, as I have tried to state, is the urgency of the case with reference to the necessity of the increase of the water supply. It seems to me that there ought not to be any hesitation about taking action. If we hesitate now there is no guaranty whatever that steps can be taken to initiate this work at any early date during the next session of Congress, and every day and every hour of delay increases the danger to which the people of the District are subjected. [Applause.]

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, if the parliamentary situation will permit it, I am going to ask for a division of the question and am going to offer a substitute that the entire amount of this appropriation be paid out of the funds of the District of Columbia and not out of the United States Treasury. If the matter is as urgent as is made out by those who are supporting the appropriation, most assuredly the District can afford to stand for the appropriation. It seems passing strange that if it is as important as it is claimed by those who are supporting it that the engineer should not have discovered it before the closing hours of this session of Congress; and if the engineer who is in charge and those who are taking care of the situation have not been vigilant enough to discover it a little sooner, it seems to me their opinion is not worth acting upon so hastily and hurriedly. Now, I am tired of this rushing in here with appropriations in the closing hours of a Congress. If appropriations are to be had or legislation of this character is to be enacted, the engineer and those in charge of the work ought to go before the proper committee and present the matter in the regular way. If these conduits and this water plant have been needed all these years, why is it that those engineers have not brought it before the proper committee and had proper hearings in order to start this work before this great emergency arose?

Mr. ZIHLMAN. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. ZIHLMAN. I want to answer the gentleman's question by telling him that this matter is here now because of its urgency, and at the request of the Secretary of War.

Mr. JONES of Texas. Of course, the Secretary of War did not go down and crawl through the water main. He is taking the word and the recommendation of an engineer who has made the investigation. Now my friend from Virginia [Mr. MOORE], who is usually very conservative, comes before us in the habiliments of a ghost and tells us about the urgency that now exists. I understand from a number of members of the committee that this ghost has been stalking around for several years. Some one is always coming up here hoping to get work started in the closing hours of the session. They not only ask for this appropriation for the plans, but also ask for the appropriation for engineering and for clerical help and for anything that may be necessary to get this thing on its feet and started.

Mr. JOHNSON of Kentucky. And that would include condemnation.

Mr. JONES of Texas. That would include condemnation.

Now, if the water supply for the District of Columbia is in such danger, why is it that those whose business it is to keep that water supply in working order did not discover it in time to present it to a committee in the regular way and let the proper committee consider this and present it in regular order and in due course of business? I for one will not vote to appropriate $200,000 to start a project of this size in order to save a delay of some three or four weeks.

Mr. GREEN of Iowa. Do I understand that there have been any hearings, either here or in the Senate, on this project? I myself am not informed.

Mr. JONES of Texas. I am not informed, but I take it that there were no hearings. There has been no mention of hearings by those who are supporting the project. If there were hearings, it seems to me that if the proposition has merit the proper committee that should have charge of this ought to have presented the matter of the water supply of the District, especially if it is so serious that the water supply is going to break down and we are going to perish during the intermission between now and the next session of Congress.

Mr. GREEN of Iowa. A gentleman at my side says there have been hearings.

Mr. JONES of Texas. If there were hearings, then either that committee is not willing to do what is necessary to furnish a water supply or else the Committee on Appropriations is acting hastily in starting a $9,000,000 project in the closing hours of the session.

Mr. ANTHONY. I move the previous question on the motion.

Mr. MAPES. Will the gentleman yield to me?

Mr. ANTHONY. I will yield to the gentleman to offer his motion.

Mr. MAPES. Mr. Speaker, I would like to make a motion and have it pending that the House further insist on its disagreement.

Mr. JONES of Texas. I desire to have a division and then offer a substitute.

Mr. ANTHONY. The gentleman can not do that now; we will have to have a division first.

The SPEAKER. The question is on the motion for the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. Mr. JONES of Texas.

Mr. JONES of Texas. Mr. Speaker, I ask for a division of the question.

The SPEAKER. The gentleman from Texas demands a division, and the question is on the motion to recede.

The question was taken; and on a division (demanded by Mr. MONDELL) there were 55 ayes and 39 noes.

Mr. BLANTON. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. Evidently there is no quorum present; the Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 227, nays 82, answered "present" 3, not voting 115, as follows:

YEAS—227.

Almon	Dyer	Kearns	Oldfield
Andrews, Md.	Eagan	Keller	Oliver
Andrews, Nebr.	Eagle	Kelley, Mich.	Osborne
Anthony	Elliott	Kendall	Overstreet
Babka	Elston	Kennedy, R. I.	Padgett
Bacharach	Esch	Kettner	Paige
Bankhead	Evans, Mont.	Kiess	Park
Bee	Fairfield	King	Pell
Begg	Farr	Kinkaid	Perlman
Benham	Fess	Knutson	Peters
Benson	Fields	Lampert	Porter
Bland, Ind.	Fish	Larsen	Pou
Bland, Va.	Fisher	Lazaro	Purnell
Brand	Flood	Lea, Calif.	Quin
Brinson	Focht	Lee, Ga.	Rainey, Henry T.
Brooks, Ill.	Fordney	Lehlbach	Raker
Brooks, Pa.	Foster	Lesher	Ramsey
Browne	Freeman	Linthicum	Randall, Calif.
Buchanan	Fuller	Little	Randall, Wis.
Burdick	Gallivan	Longworth	Reber
Burroughs	Ganly	Luce	Reed, N. Y.
Butler	Garrett	Lufkin	Reed, W. Va.
Byrnes, S. C.	Glynn	McArthur	Rhodes
Byrns, Tenn.	Goldfogle	McKiniry	Robinson, N. C.
Campbell, Kans.	Goodykoontz	McKinley	Robsion, Ky.
Campbell, Pa.	Gould	McLaughlin, Nebr.	Rogers
Candler	Green, Iowa	McLeod	Rouse
Cantrill	Greene, Mass.	Madden	Rowe
Chindblom	Greene, Vt.	Magee	Sanders, Ind.
Christopherson	Griest	Martin	Sanders, N. Y.
Cleary	Griffin	Mays	Schall
Coady	Haugen	Mead	Scott
Collier	Hawley	Merritt	Shreve
Crago	Hays	Milligan	Siegel
Cramton	Hernandez	Minahan, N. J.	Sims
Cullen	Hickey	Monahan, Wis.	Sinnott
Currie, Mich.	Hicks	Mondell	Sisson
Dale	Hoch	Montague	Slemp
Dallinger	Holland	Moore, Ohio	Smith, Idaho
Darrow	Houghton	Moore, Va.	Steagall
Davey	Hull, Iowa	Moores, Ind.	Stedman
Davis, Minn.	Hull, Tenn.	Morin	Stephens, Miss.
Davis, Tenn.	Humphreys	Mott	Stevenson
Dempsey	Husted	Mudd	Stoll
Denison	Igoe	Nelson, Mo.	Strong, Kans.
Dickinson, Mo.	Jacoway	Newton, Minn.	Strong, Pa.
Doremus	James, Va.	Nolan	Swindall
Dunbar	Johnson, Miss.	O'Connell	Swope
Dupré	Johnson, S. Dak.	Ogden	Tague
Taylor, Tenn.	Vinson	Welling	Winslow
Thompson	Voigt	Welty	Wood, Ind.
Tilson	Volk	Whaley	Woods, Va.
Timberlake	Volstead	White, Kans.	Woodyard
Upshaw	Ward	White, Me.	Wright
Vaile	Wason	Williams	Yates
Venable	Watson	Wilson, La.	Zihlman
Vestal	Weaver	Wilson, Pa.	

NAYS—82.

Anderson	Evans, Nebr.	McClintic	Sherwood
Ashbrook	Frear	McKenzie	Sinclair
Barbour	French	McKeown	Snell
Barkley	Graham, Ill.	McLaughlin, Mich.	Snyder
Black	Hadley	McPherson	Stephens, Ohio
Blanton	Hardy, Colo.	MacGregor	Summers, Wash.
Boles	Hastings	Mann, Ill.	Sumners, Tex.
Bowling	Hayden	Mansfield	Taylor, Ark.
Box	Hersey	Mapes	Taylor, Colo.
Briggs	Huddleston	Michener	Temple
Cannon	Hudspeth	Miller	Tillman
Caraway	Hutchinson	Nelson, Wis.	Tinkham
Carss	Ireland	Newton, Mo.	Treadway
Carter	Jefferis	O'Connor	Walsh
Connally	Johnson, Ky.	Parrish	Webster
Curry, Calif.	Jones, Pa.	Patterson	Wheeler
Dickinson, Iowa	Jones, Tex.	Radcliffe	Wingo
Dominick	Kraus	Ransley	Young, N. Dak.
Drane	Lanham	Rayburn	Young, Tex.
Echols	Lankford	Ricketts	
Edmonds	Layton	Rose	

ANSWERING PRESENT—3.

Clark	Crisp	Dowell

NOT VOTING—115.

Ackerman	Ferris	Kleczka	Romjue
Aswell	Gallagher	Kreider	Rowan
Ayres	Gandy	Langley	Rubey
Baer	Gard	Lonergan	Rucker
Bell	Garner	Luhring	Sabath
Bland, Mo.	Godwin, N. C.	McAndrews	Sanders, La.
Bowers	Good	McCulloch	Sanford
Britten	Goodall	McDuffie	Scully
Brumbaugh	Goodwin, Ark.	McFadden	Sears
Burke	Graham, Pa.	McGlennon	Sells
Caldwell	Hamill	Maher	Small
Carew	Hamilton	Major	Smith, Ill.
Casey	Hardy, Tex.	Mann, S. C.	Smith, Mich.
Classon	Harreld	Mason	Smith, N. Y.
Cole	Harrison	Moon	Smithwick
Cooper	Hersman	Mooney	Steele
Copley	Hill	Murphy	Steenerson
Costello	Hoey	Neely	Stiness
Crowther	Howard	Nicholls	Sullivan
Dent	Hulings	Olney	Sweet
Dewalt	James, Mich.	Parker	Thomas
Donovan	Johnson, Wash.	Phelan	Tincher
Dooling	Johnston, N. Y.	Rainey, Ala.	Towner
Doughton	Juul	Rainey, John W.	Vare
Drewry	Kahn	Ramseyer	Walters
Dunn	Kelly, Pa.	Reavis	Watkins
Ellsworth	Kennedy, Iowa	Riddick	Wilson, Ill.
Emerson	Kincheloe	Riordan	Wise
Evans, Nev.	Kitchin	Rodenberg	

So the motion to recede was agreed to.

The following additional pairs were announced:

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. TOWNER with Mr. CRISP.

Mr. RODENBERG with Mr. HOWARD.

Mr. HARRELD with Mr. BELL.

Mr. WILSON of Illinois with Mr. RUCKER.

Mr. SWINDALL with Mr. HOEY.

Mr. TINCHER with Mr. PHELAN.

Mr. CROWTHER with Mr. MCANDREWS.

Mr. KLECZKA with Mr. GANDY.

Mr. ACKERMAN with Mr. WATKINS.

Mr. KAHN with Mr. DEWALT.

Mr. STINESS with Mr. CALDWELL.

Mr. DUNN with Mr. HERSMAN.

Mr. LUHRING with Mr. JOHNSTON of New York.

Mr. PARKER with Mr. ROMJUE.

Mr. WALTERS with Mr. ASWELL.

Mr. REAVIS with Mr. BARKLEY.

Mr. BENHAM with Mr. SMITH of New York.

Mr. COOPER with Mr. NEELY.

Mr. JOHNSON of Washington with Mr. GODWIN of North Carolina.

Mr. MCCULLOCH with Mr. KINCHELOE.

Mr. SMITH of Illinois with Mr. MCGLENNON.

Mr. SELLS with Mr. AYRES.

Mr. BOWERS with Mr. RUBEY.

Mr. SWEET with Mr. CAREW.

Mr. KENNEDY of Iowa with Mr. MCDUFFIE.

Mr. GOOD with Mr. SMITHWICK.

Mr. RAMSEYER with Mr. BRUMBAUGH.

Mr. BURKE with Mr. MOONEY.

Mr. SMITH of Michigan with Mr. DOOLING.

Mr. COLE with Mr. SULLIVAN.

Mr. MURPHY with Mr. GALLAGHER.

Mr. KRIEDER with Mr. STEELE.
Mr. KELLY of Pennsylvania with Mr. CASEY.
Mr. JUUL with Mr. SABATH.
Mr. GOODALL with Mr. OLNEY.
Mr. DOWELL with Mr. SMALL.
Mr. HILL with Mr. EVANS of Nevada.
Mr. COPLEY with Mr. MAHER.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. JONES of Texas. Mr. Speaker, I offer the amendment which I send to the desk.

Mr. ANTHONY. But, Mr. Speaker, I made a motion to concur with an amendment.

Mr. JONES of Texas. I offer a substitute for that amendment.

The SPEAKER. The gentleman can not offer a substitute; the previous question has been ordered.

Mr. JONES of Texas. I gave notice that I would offer a substitute, and sent the amendment to the desk before the previous question was ordered.

The SPEAKER. But there was no understanding about it.

Mr. JONES of Texas. I may have misunderstood the gentleman from Kansas, but I understood that it would be considered.

Mr. ANTHONY. My motion to recede and concur was a preferential motion and would have to be disposed of first. If that was voted down, then the gentleman could offer his substitute.

The SPEAKER. The gentleman from Kansas moves to concur with an amendment.

Mr. JONES of Texas. A parliamentary inquiry. Will the substitute which I offer be in order if the motion of the gentleman from Kansas is voted down?

The SPEAKER. It will not.

Mr. JONES of Texas. I offered the substitute prior to the time the previous question was ordered.

The SPEAKER. The Chair is informed that the substitute was never reported.

Mr. JONES of Texas. It was not reported but I offered it in the colloquy and I understood that it could be considered. I think the gentleman from Kansas so understood it.

Mr. ANTHONY. No; I think I made a clear statement that my motion would first have to be disposed of; or at least I intended to convey that information.

Mr. JONES of Texas. There was some confusion at the time and I might have misunderstood the gentleman.

The SPEAKER. The question is on the motion of the gentleman from Kansas to concur with an amendment.

Mr. JONES of Texas. Mr. Speaker, is it permissible to demand a division of this question?

The SPEAKER. The Chair thinks it is not. The question is on agreeing to the motion to concur with an amendment.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. The House having receded, is not the amendment first to be put, before the motion to concur with an amendment?

The SPEAKER. The gentleman from Kansas moved to recede and concur with an amendment. A division of the question was made and the House voted to recede. The Chair would think that the vote came now on the motion to concur with an amendment.

Mr. MANN of Illinois. If the previous question had not been ordered, the question would not be put on the motion to concur with an amendment; if some one else first offers an amendment, the question would be on agreeing to the amendment.

The SPEAKER. On the amendment the other gentleman offered?

Mr. MANN of Illinois. On both, I would think.

The SPEAKER. If an amendment was pending, or if the previous question had not been ordered, the first motion would be on the amendment to the amendment, and then the Chair thinks the vote would still be on the motion to concur with an amendment, either as amended or not amended. The Chair thinks the vote is on the motion to concur with an amendment. The question is on the motion of the gentleman from Kansas to concur with an amendment. The gentleman from Texas has demanded a division.

The question was taken; and there were—ayes 99, noes 9.

So the motion to concur with an amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 113: After the figures "$4,000," in line 6, page 82, insert: "*Provided*, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and to the same allowances with respect to fuel and light as those of a first lieutenant when occupying public quarters."

Mr. ANTHONY. Mr. Speaker, the purpose of this is to put back into the bill language which went out on a point of order. It is a provision that has been carried in the Military Academy appropriation bill for many years. We offered this amendment which, instead of providing the allowances of a second lieutenant to these civilian instructors, simply provides them with quarters, fuel, and light. I move to recede and concur with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. Anthony moves that the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert: "*Provided*, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and fuel and light."

Mr. DALLINGER. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. DALLINGER. Does this include all of the instructors?

Mr. ANTHONY. No; it refers to only two instructors. All of the other instructors have quarters and fuel and light.

The SPEAKER. The question is on the motion of the gentleman from Kansas to recede and concur with an amendment.

The motion was agreed to.

Mr. ANTHONY. Mr. Speaker, I move that the House ask for a further conference with the Senate.

The motion was agreed to.

The Chair appointed the following conferees: Mr. ANTHONY, Mr. CRAMTON, Mr. SLEMP, Mr. DENT, Mr. SISSON.

AGRICULTURAL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. ANDERSON. Mr. Speaker, I submit a conference report upon the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, which I send to the desk and ask to have read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 11, 12, 31, 32, 33, 79, 80, 82, 115, 116, and 119 to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 31.

That the House recede from its disagreement to the amendments of the Senate numbered 79 and 80, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$501,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,649,270"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,147,770"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$382,810"; and the Senate agree to the same.

Amendment numbered 115: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 115 and agree to the same.

Amendment numbered 116: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 116, and agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu

of the sum proposed insert "$36,404,259"; and the Senate agree to the same.

SYDNEY ANDERSON,
WALTER W. MAGEE,
JAMES F. BYRNES,
Managers on the part of the House.

A. J. GRONNA,
WM. S. KENYON,
E. D. SMITH,
THOS. P. GORE,
CHAS. L. MCNARY,
Managers on the part of the Senate.

Mr. ANDERSON. Mr. Speaker, there were only two major items involved in the proposition under consideration in the conference. The first of these was amendment No. 31, which provides for the congressional seed distribution. Upon that amendment the Senate recedes. The other major proposition was the amendment inserted by the Senate providing for loans to farmers for the purchase of seeds in the drought-stricken sections of the country. Upon that proposition the Senate recedes from its disagreement to the House amendment. The remaining amendments involve only totals, with one exception, which is the item for an assistant in the seed distribution, which goes along with the congressional seed distribution.

Mr. LONGWORTH. So that the loan now is limited to $2,000,000?

Mr. ANTHONY. Yes; $2,000,000 instead of $5,000,000, and the maximum loan to each farmer is $200 instead of $300.

Mr. GARRETT. This ends the differences between the two Houses?

Mr. ANDERSON. Yes.

Mr. GARRETT. And it is a complete report?

Mr. ANDERSON. Yes. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on March 2, 1921, approved and signed bills of the following titles:

H. R. 15872. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922;

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias;

H. R. 11945. An act for the relief of W. C. Stewart;

H. R. 12005. An act for the relief of Henry P. Corbin; and

H. R. 13402. An act for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12634. An act for the relief of Wilhelm Alexanderson;

H. R. 12045. An act to provide for the conveyance of lots on low grounds of Washington, D. C.;

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes; and

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.

UNITED STATES SHIPPING BOARD.

Mr. WALSH. Mr. Speaker, I submit a report from the Select Committee on the United States Shipping Board operations for printing, which I send to the desk.

The SPEAKER. The gentleman from Massachusetts submits a report on the Shipping Board operations. It is ordered printed.

POSTMASTER GENERAL BURLESON.

Mr. HENRY T. RAINEY. Mr. Speaker, I have here a communication addressed to me by the gentleman from North Carolina [Mr. KITCHIN], who will be minority leader in the next House, to which is attached an address defending the Postmaster General against a newspaper attack. He has asked me to read the communication into the RECORD, it will probably occupy five or six minutes of time, and I ask unanimous consent to send the letter and address to the Clerk to be read at this time.

The SPEAKER. The gentleman from Illinois asks unanimous consent to have read at the Clerk's desk the letter to which he refers. Is there objection?

Mr. KING. Mr. Speaker, I object. The gentleman from Oklahoma will not let anybody else in here with any extension of remarks. Mr. Speaker, I withdraw the objection.

The SPEAKER. The gentleman from Illinois withdraws the objection. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, March 1, 1921.

DEAR HENRY: Here is a statement which I have prepared. I hope you will put it in the RECORD for me, since I fear I will not be able to be down before Congress adjourns. My doctors state that I will be all right in a few days.

Your friend,

CLAUDE KITCHIN.

[Applause.]

Mr. KITCHIN. Mr. Speaker, but for my untimely illness the statement I purpose making now would have been made during the last session of Congress. I am not content, however, to permit this session of Congress to expire without conclusively demonstrating the gross falsity and injustice of the statement upon which I shall now comment.

Shortly before the return of the President from his last trip to Europe, in one of the most mendacious sheets published in America, the New York World, a paper constantly given to misrepresenting and slandering public officials, an editorial was printed, which was carried under the caption "Burleson," and the following excerpt is taken therefrom:

When Mr. Wilson was elected President he had had little experience in national politics. He had dealt with principles and ideas rather than with politicians and organizations. His advisers urged him to follow precedent and name a Postmaster General who could attend to the political affairs of the administration, and as bad luck would have it Albert Sidney Burleson, of Texas, was selected.

Mr. Burleson had had a great deal of political experience. He had served eight terms in Congress from the Austin district, and Mr. Wilson's advisers insisted that inasmuch as Mr. Burleson possessed exceptional knowledge of the ways of Congress he would prove invaluable as a link between the executive and legislative departments of the Government. The prospectus was alluring, but the goods were never delivered.

Taking the record of the last six years, the Burleson appointment, on the whole, has proved the most unfortunate that the President ever made—unfortunate for Mr. Wilson himself, unfortunate for his administration, unfortunate for the Democratic Party, and unfortunate for the country. Mr. Bryan was a sorry misfit as Secretary of State, but Mr. Bryan's selection was inevitable, and in naming him Mr. Wilson followed the political traditions of the country. Moreover, Mr. Bryan's opportunities for mischief were narrowly circumscribed, because Mr. Wilson, in reality, was his own Secretary of State and decided all questions of policy. There have been no such restraints upon Mr. Burleson. He has roamed at large, been allowed to administer his office in his own amazing way, and the consequences are appalling.

Instead of being a link between the President and Congress, he has been a source of continuing contention. Disliked and distrusted at the Capitol, he has made the President's relations with Congress more difficult. As a political adviser to the President he has been a Democratic tragedy. If there has been any instance in which Mr. Wilson has not involved himself in trouble by taking counsel of Albert Sidney Burleson, we should like to know when it happened.

Mr. Speaker, the statements in this editorial were either true or false, and if not true, their falsity should be easily demonstrable.

There are three distinct assertions set forth therein. First, that Burleson was disliked by his former congressional associates. Second, that he was distrusted by those associates. Third, that as "a link between the Executive and the Congress" he has been "a source of continuing contention" and "has made the President's relations with Congress more difficult."

First. Is it true that Burleson was disliked by Members of Congress with whom he had served for 14 years?

At the time he resigned from Congress in 1913 to enter the Cabinet Mr. Burleson was the ranking majority member on one of our most important committees—Appropriations—and had been a member of this committee for years. He had just been unanimously elected, without being a candidate for the honor, chairman of the caucus of his party members. He was universally respected by his fellows because of his recognized ability, his high character, and sterling integrity, and notwithstanding his rugged and unwavering partisanship he numbered among his friends and now enjoys the affectionate regard of many among the older Members on the other side of this Chamber. Every man here who knew Burleson liked him and knows full well without further statement from me that the statement made that he was disliked by his former associates is absolutely false and without a scintilla of evidence to support it.

Second. Was he distrusted by his former associates?

Mr. Speaker, the grant of appropriations asked by him is a fair measure of the confidence of the Congress in a Cabinet officer. I now assert without fear of contradiction that never has the Congress shown greater confidence in a Cabinet officer than it has given to Postmaster General Burleson. The fact is known of all Members of this body, and testimony in support thereof has often been borne, by the opposition members on the great Committee of Appropriations that he is one Cabinet officer in whom they have such confidence that they always give him what he asks because, to quote from one of the most distinguished members of the opposition, "He never asks for anything in the way of an appropriation that is not allowed for the reason that he never asks for anything unless actually needed."

Thus it is shown, Mr. Speaker, that the statement that he was distrusted by his former associates is as vile a slander as was ever directed against a public official.

Now, is there any truth in the third philippic directed by this maliciously mendacious sheet against Albert Sidney Burleson?

It was a well-recognized fact, approved at the White House, and known to every chairman of an important committee of the Congress that during the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses the Postmaster General was "the link between the President and the Congress," just as has been stated by this paper in its editorial—the only true statement in the entire editorial. That fact is not denied, but the issue is whether he has been "a source of continuing contention" and had "made the President's relations with Congress more difficult."

Mr. Speaker, it will be admitted by even the partisan opposion that during the first six years of Woodrow Wilson's administration a very remarkable program of constructive legislation was enacted into law. Many of these measures were bitterly contested. Frequently they were passed through the Congress by a very narrow margin of votes. I now assert, and this assertion will be assented to by every chairman of an important committee dealing with this program of legislation, that President Wilson will perhaps never know in how great a degree the Postmaster General contributed to the passage of these measures. At many strategical points his timely aid and influence helped save the day. This fact will be glady acknowledged by the gentlemen who were in charge of the various measures and will not be denied by anyone who is in a position to speak the truth. Sometimes many, if not all, of the leaders on both sides of this Chamber were in opposition and yet, Mr. Speaker, for six years the administration had the unparalleled record of never having lost a legislative battle, and honesty and truth compels the statement that Albert Sidney Burleson is entitled to no little credit for this accomplishment, as we all know. I speak in the presence of the men who know the truth and I unhesitatingly say that a more unjust falsehood was never uttered than that made in this editorial that Burleson made the President's relations with Congress more difficult. Just the reverse is true, and I speak from a full knowledge of all the facts. More than once he made the way smoother, more than once he aided in overcoming what might otherwise have become insurmountable difficulties.

This, Mr. Speaker, was true with reference to the passage of the Federal reserve act, the tariff act, the farm loan act, the canal tolls act, the Alaskan Railway act, the Clayton Antitrust Act, as well as the acts growing out of the World War, like the draft act, the McLemore resolution, and others too numerous to mention.

Thus it is seen, Mr. Speaker, when the light of truth is turned upon these editorial denunciations of the Postmaster General they are clearly shown to be a tissue of malignant falsehoods.

We all know the animus of these newspaper and magazine criticisms of Burleson. The underlying reason for all this denunciation of him is the fact that second-class postage rates, which had been talked about for 30 years, were put over during his administration as Postmaster General. I myself had charge of the bill which increased the rates in second-class mail matter, and know that Burleson was largely instrumental in its passage, and I gladly recognize the great service he rendered in that matter. Because of his courage and honesty as a public official it was sought by those who have been feeding at the public trough, and whose feet he has lifted out of that trough, to make the people believe that he is disliked and distrusted. The effort has failed. The record has been made and speaks for itself.

INCORPORATING NATIONAL CONSERVATORY OF MUSIC OF AMERICA.

The SPEAKER. The unfinished business before the House is the suspension of the rules and the passing of the bill on which a division was held last evening. The Clerk will report the bill by title.

The Clerk read as follows:

S. 1351. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America.

Mr. CRAMTON. Mr. Speaker, I make the point of order there is no quorum present. Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER. The question is on suspending the rules and passing the bill.

The House divided.

The SPEAKER. The Chair is in doubt.

The House again divided; and there were—ayes 97, noes 30.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order there is no quorum present. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 203, nays 60, answered "present" 1, not voting 163, as follows:

YEAS—203.

Andrews, Md.	Fess	Luce	Scott
Andrews, Nebr.	Fish	McKeown	Sells
Anthony	Fisher	McKinley	Shreve
Ashbrook	Focht	McLaughlin, Mich.	Siegel
Babka	Freeman	McLaughlin, Nebr.	Sinclair
Bacharach	French	McLeod	Sinnott
Barbour	Gallivan	MacGregor	Smith, Idaho
Begg	Ganly	Magee	Smith, Ill.
Benham	Good	Major	Snell
Benson	Goodykoontz	Mann, Ill.	Snyder
Black	Gould	Mansfield	Stedman
Bland, Va.	Graham, Ill.	Mapes	Stephens, Ohio
Brand	Green, Iowa	Martin	Strong, Kans.
Brinson	Greene, Mass.	Mays	Strong, Pa.
Brooks, Ill.	Griest	Mead	Summers, Wash.
Burdick	Griffin	Michener	Sweet
Burroughs	Hadley	Miller	Swindall
Byrnes, S. C.	Hardy, Colo.	Minahan, N. J.	Swope
Campbell, Kans.	Hastings	Monahan, Wis.	Tague
Campbell, Pa.	Haugen	Mondell	Taylor, Colo.
Cannon	Hawley	Moore, Ohio	Taylor, Tenn.
Caraway	Hayden	Moore, Va.	Temple
Carss	Hernandez	Moores, Ind.	Thompson
Carter	Hersey	Morin	Tilson
Chindblom	Hersman	Mott	Timberlake
Christopherson	Hickey	Nelson, Wis.	Tincher
Cleary	Hicks	Newton, Minn.	Tinkham
Coady	Holland	O'Connell	Vaile
Crago	Houghton	Ogden	Vestal
Cullen	Hull, Iowa	Osborne	Volgt
Currie, Mich.	Humphreys	Padgett	Volk
Dale	Husted	Park	Walsh
Dallinger	Hutchinson	Parker	Ward
Darrow	Igoe	Patterson	Wason
Davey	Ireland	Pell	Watson
Dempsey	Jefferis	Perlman	Weaver
Denison	Johnson, S. Dak.	Purnell	Webster
Dickinson, Iowa	Kearns	Radcliffe	Welty
Donovan	Keller	Rainey, Henry T.	Wheeler
Dowell	Kelley, Mich.	Ramsey	White, Kans.
Drane	King	Randall, Calif.	White, Me.
Dunbar	Kinkaid	Randall, Wis.	Wilson, Ill.
Dunn	Kraus	Ransley	Wilson, La.
Dupré	Kreider	Reed, W. Va.	Wilson, Pa.
Dyer	Lampert	Rhodes	Wood, Ind.
Eagan	Lea, Calif.	Robsion, Ky.	Woods, Va.
Edmonds	Lee, Ga.	Rogers	Wright
Elliott	Lehlbach	Rose	Yates
Esch	Lesher	Rowe	Young, N. Dak.
Evans, Nebr.	Linthicum	Sanders, Ind.	Zihlman
Farr	Longworth	Schall	

NAYS—60.

Almon	Bell	Buchanan	Curry, Calif.
Aswell	Blanton	Byrns, Tenn.	Davis, Tenn.
Bankhead	Bowling	Collier	Dickinson, Mo.
Barkley	Box	Connally	Dominick
Bee	Briggs	Cramton	Eagle

Fairfield	James, Va.	Parrish	Stephens, Miss.
Fields	Jones, Tex.	Quin	Stevenson
Flood	Lanham	Raker	Stoll
Foster	Lankford	Rayburn	Taylor, Ark.
Garrett	Larsen	Ricketts	Tillman
Hoch	McClintic	Romjue	Vinson
Huddleston	McDuffie	Rouse	Welling
Hudspeth	Nicholls	Sherwood	Whaley
Hull, Tenn.	Oldfield	Sisson	Wingo
Jacoway	Oliver	Steagall	Young, Tex.

ANSWERED "PRESENT"—1.

Crisp

NOT VOTING—163.

Ackerman	Frear	Langley	Reavis
Anderson	Fuller	Layton	Reber
Ayres	Gallagher	Lazaro	Reed, N. Y.
Baer	Gandy	Little	Riddick
Bland, Ind.	Gard	Lonergan	Riordan
Bland, Mo.	Garner	Lufkin	Robinson, N. C.
Boies	Glynn	Luhring	Rodenberg
Bowers	Godwin, N. C.	McAndrews	Rowan
Britten	Goldfogle	McArthur	Rubey
Brocks, Pa.	Goodall	McCulloch	Rucker
Browne	Goodwin, Ark.	McFadden	Sabath
Brumbaugh	Graham, Pa.	McGlennon	Sanders, La.
Burke	Greene, Vt.	McKenzie	Sanders, N. Y.
Butler	Hamill	McKinley	Sanford
Caldwell	Hamilton	McPherson	Scully
Candler	Hardy, Tex.	Madden	Sears
Cantrill	Harreld	Maher	Sims
Carew	Harrison	Mann, S. C.	Slemp
Casey	Hays	Mason	Small
Clark	Hill	Merritt	Smith, Mich.
Classon	Hoey	Milligan	Smith, N. Y.
Cole	Howard	Montague	Smithwick
Cooper	Hulings	Moon	Steele
Copley	James, Mich.	Mooney	Steenerson
Costello	Johnson, Ky.	Mudd	Stiness
Crowther	Johnson, Miss.	Murphy	Sullivan
Davis, Minn.	Johnson, Wash.	Neely	Sumners, Tex.
Dent	Johnston, N. Y.	Nelson, Mo.	Thomas
Dewalt	Jones, Pa.	Newton, Mo.	Towner
Dooling	Juul	Nolan	Treadway
Doremus	Kahn	O'Connor	Upshaw
Doughton	Kelly, Pa.	Olney	Vare
Drewry	Kendall	Overstreet	Venable
Echols	Kennedy, Iowa	Paige	Volstead
Ellsworth	Kennedy, R. I.	Peters	Walters
Elston	Kettner	Phelan	Watkins
Emerson	Kiess	Porter	Williams
Evans, Mont.	Kincheloe	Pou	Winslow
Evans, Nev.	Kitchin	Rainey, Ala.	Wise
Ferris	Kleczka	Rainey, John W.	Woodyard
Fordney	Knutson	Ramseyer	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. FORDNEY with Mr. MONTAGUE.

Mr. YOUNG of North Dakota with Mr. PHELAN.

Mr. WILLIAMS with Mr. UPSHAW.

Mr. TREADWAY with Mr. GARD.

Mr. BOIES with Mr. CANDLER.

Mr. FULLER with Mr. LAZARO.

Mr. MCARTHUR with Mr. LONERGAN.

Mr. JONES of Pennsylvania with Mr. HAMILL.

Mr. ELSTON with Mr. EVANS of Montana.

Mr. BUTLER with Br. BLAND of Missouri.

Mr. ANDERSON with Mr. CAREW.

Mr. MADDEN with Mr. SIMS.

Mr. PAIGE with Mr. SANDERS of Louisiana.

Mr. MUDD with Mr. MILLIGAN.

Mr. REBER with Mr. STEELE.

Mr. WALTERS with Mr. ROWAN.

Mr. MASON with Mr. RUCKER.

Mr. WINSLOW with Mr. VENABLE.

Mr. GREENE of Vermont with Mr. JOHNSON of Kentucky.

Mr. KNUTSON with Mr. NELSON of Missouri.

Mr. FREAR with Mr. DENT.

Mr. BROOKS of Pennsylvania with Mr. AYRES.

Mr. NEWTON of Missouri with Mr. SMALL.

Mr. NOLAN with Mr. ROBINSON of North Carolina.

Mr. WOODYARD with Mr. MANN of South Carolina.

Mr. KENNEDY of Rhode Island with Mr. SCULLY.

Mr. MERRITT with Mr. SMITH of New York.

Mr. DAVIS of Minnesota with Mr. CANTRILL.

Mr. KENDALL with Mr. JOHNSON of Mississippi.

Mr. KIESS with Mr. OVERSTREET.

Mr. MCKENZIE with Mr. POU.

Mr. PORTER with Mr. SUMNERS of Texas.

Mr. MCPHERSON with Mr. DOREMUS.

Mr. LAYTON with Mr. O'CONNOR.

Mr. LUFKIN with Mr. SMITHWICK.

Mr. REED of New York with Mr. HOEY.

Mr. PETERS with Mr. GOLDFOGLE.

Mr. BROWNE with Mr. FERRIS.

Mr. BLAND of Indiana with Mr. RAINEY of Alabama.

The result of the vote was announced as above recorded.

Mr. GLYNN with Mr. MCGLENNON.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

GOVERNMENT OF PHILIPPINE ISLANDS.

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands for the fiscal year ended December 31, 1920.

WOODROW WILSON.

THE WHITE HOUSE,
2d March, 1921.

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of rescue work on the Mississippi River.

Mr. RAYBURN. Are these the gentleman's own remarks?

Mr. KING. Yes, sir.

Mr. RAYBURN. I shall have to object.

Mr. KING. What is the purpose in the gentleman's objecting?

Mr. RAYBURN. Because everybody else's remarks are objected to.

Mr. KING. I wish the gentleman would let me in on that.

The SPEAKER. The gentleman from Texas (Mr. RAYBURN) objects.

MINUTES OF INTERPARLIAMENTARY UNION.

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD the minutes of the meeting of the American group of the Interparliamentary Union. It is less than 300 words in length.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by printing the minutes of a recent meeting of the Interparliamentary Union of this body.

Mr. GARRETT. I understand that is an official body.

Mr. MOORES of Indiana. It is.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The minutes are as follows:

The regular annual meeting of the Interparliamentary Union was held in the Caucus Room of the House of Representatives at 10 o'clock the morning of February 24, Mr. William B. McKinley, the president, presiding.

The election of the officers for the ensuing year being the order.

The president, William B. McKinley was, on the motion of Mr. Fred Britten, of Illinois, seconded by Mr. Henry Garland Dupré, of Louisiana, unanimously reelected president.

On motion the following members were reelected:

Vice presidents: Andrew J. Montague, Virginia; Halvor Steenerson, Minnesota; William A. Oldfield, Arkansas.

Mr. Henry Garland Dupré, of Louisiana, was reelected secretary.

Mr. Arthur Deering Call was elected executive secretary for the union.

The following members were unanimously named members of the executive committee: William B. McKinley, Illinois, ex-officio (chairman); Andrew J. Montague, Virginia; Fred Britten, Illinois; Theodore Burton, Ohio; Henry Allen Cooper, Wisconsin; William W. Rucker, Missouri; William A. Oldfield, Arkansas; Joseph T. Robinson, Arkansas; Thomas Sterling, South Dakota; Henry W. Temple, Pennsylvania; Halvor Steenerson, Minnesota; James C. McLaughlin, Michigan.

There were expressions of regret at the continued illness of the efficient executive secretary, Dr. S. N. D. North, who was compelled to retire on account of his state of health, and hope was expressed that he would be speedily restored to his normal condition. On motion the meeting adjourned.

RECESS.

The SPEAKER. The hour of 6 o'clock having arrived, the House stands in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House was called to order by the Speaker.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will report the first bill on the Unanimous Consent Calendar.

ABANDONMENT OF FORT DODGE, IOWA.

The first business on the Calendar for Unanimous Consent was the resolution (H. Res. 636) requesting the War Department to furnish information to the Committee on Military Affairs regarding the abandonment of Camp Dodge and pro-

viding that pending the furnishment of such information and action thereon no action toward the wrecking and abandonment of said camp be taken.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. I object.

The SPEAKER. The gentleman from Texas objects. The Clerk will report the next one.

AMERICAN NATIONAL RED CROSS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15482) to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905.

The title of the bill was read.

Mr. McCLINTIC. Mr. Speaker, has it not already been passed?

The SPEAKER. A similar Senate bill has been passed. The Clerk will report the next bill.

COAL LANDS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15830) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

Mr. SINNOTT. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. BLANTON. I will withhold it.

Mr. SINNOTT. This bill is a bill recommended by the Interdepartmental Bureau for Alaska; that is, the various departments of the Government which deal with Alaskan affairs have recommended the passage of this act. I introduced the bill at the request of the Secretary of the Interior. A similar bill has passed the Senate. At the present time there is no provision in the Alaskan coal laws for a prospecting permit. We have that provision in the general coal act for the United States.

Mr. BLANTON. Will the gentleman permit a question?

Mr. SINNOTT. Yes.

Mr. BLANTON. In building the Alaskan Railway and the subsequent acts which have been passed, appropriating very large sums of money, it was then stated that it would be instrumental in producing for the use of the United States on the Pacific coast great quantities of valuable coal, and that the greatest coal deposits known in the history of the world were out in this Territory of Alaska. Now, in the closing hours of Congress comes a bill which, if passed, will be passed without any consideration. We do not know how many jokers there may be in it. We do not know how many Guggenheims there may be who will swallow up that coal in Alaska under the ground by reason of this bill if passed, and my idea was that we might well hesitate and wait until some other term of Congress, when we can give the matter more careful consideration.

Mr. SINNOTT. This bill is a very simple bill. It simply perfects the present law relative to the mining of coal in Alaska. A great deal of the coal that the gentleman refers to is withdrawn by the general coal-leasing act relating to Alaska. This bill merely provides for a prospecting permit, and then if coal is discovered on a prospecting permit one may secure a lease of the land under the provisions of the general coal-leasing law of Alaska.

Mr. BLANTON. What does the Government get out of it?

Mr. SINNOTT. It gets a revenue out of it.

Mr. BLANTON. A royalty of about 2 cents per ton.

Mr. SINNOTT. Whatever royalty the Secretary of the Interior may fix.

Mr. BLANTON. And we have built a railroad up there for prospectors to go out there and get the benefit of this coal?

Mr. SINNOTT. It is a minimum of 2 cents a ton. Then they have to pay 25 cents an acre for the first year and 50 cents for the second, third, fourth, and fifth, and then a dollar a year for every year after the fifth year.

Mr. BLANTON. What is the urgency now?

Mr. MONDELL. Just a moment. When we passed the coal-land leasing act I called attention to the fact that the act was faulty because it had no prospecting provision in it. A man had to go out and lease a tract of land without any opportunity of previously exploring it, and had to locate his claim and develop it, so that he could not tell where he wanted to lease. It was a fault in the bill that they are trying to remedy, in so far as Alaska is concerned. We ought to have the same provision in the bill as it relates to the United States. It simply provides that in advance of the lease a man will have a prospecting permit, during which time he may prospect the ground and determine the area that he desires to lease. We ought to have had a provision of that kind in the bill for the continental area of the United States. I endeavored to get such a provision placed in the bill when it was passed by the House, but I was unable to do so. There was no reason why it should not have been done, except that the bill we passed was not written that way.

Mr. BLANTON. When was the report made on this bill?

Mr. SINNOTT. The report was made some time ago.

Mr. BLANTON. Several months ago?

Mr. SINNOTT. No; not several months ago.

Mr. BLANTON. It was made in January, was it not?

Mr. SINNOTT. It was reported to the House on January 29.

Mr. BLANTON. And we have waited all of this time, when we have had a good many spare hours, until now we are in the closing hours of the session.

Mr. SINNOTT. No; this bill has waited in its place on the calendar.

Mr. BLANTON. The gentleman knows it is very easy to pass measures in the Senate and bring them over here, when claims involving $714,000, like the McClintic-Marshal Construction Co. claim, can be put on as riders on an appropriation bill.

Mr. SINNOTT. Summer is coming on in Alaska, and prospectors will want to be at work. I have discussed this matter with the Delegate elect from Alaska, the Secretary of the Interior, and the Interdepartmental Bureau, and they are all in favor of it. I hope the gentleman will not object.

Mr. MADDEN. If the gentleman will yield, this bill simply adds to the existing law the exploration rights?

Mr. SINNOTT. The exploration rights, that is all.

Mr. MADDEN. For the period of four years?

Mr. SINNOTT. Yes.

Mr. MADDEN. And the man who does the prospecting does it at his own expense?

Mr. SINNOTT. At his own expense.

Mr. MADDEN. And if he discovers coal he may have the right to lease on the terms fixed in the law?

Mr. SINNOTT. Yes.

Mr. MONDELL. If the gentleman will allow me, I have had some experience in this sort of thing. We never can lease coal land in Alaska unless we give the man the right to go on the ground and explore the territory and develop the thickness of the vein, learn the character of the vein, and determine what area he can successfully mine.

Mr. BLANTON. The gentleman surely heard the speech of the Delegate from Alaska on the coal situation there?

Mr. MONDELL. I have not heard any speech on this subject at all, but I know we ought to have had a provision of this sort in the coal bill when we passed it, and I insisted then that a provision of this kind was essential.

Mr. BLANTON. The coal is not going to get away from us by waiting. It is in the ground.

Mr. SINNOTT. Of course, several months will go by. The Alaskan coal law that will attach to this bill is the coal law that was passed since the so-called frauds took place in Alaska.

Mr. BLANTON. I feel compelled to object.

Mr. SINNOTT. I am sorry the gentleman objects.

The SPEAKER. The Chair will recognize the gentleman from Oregon to move to suspend the rules.

Mr. SINNOTT. Mr. Speaker, I move to suspend the rules and pass S. 4864.

The SPEAKER. The gentleman from Oregon moves to suspend the rules and pass a bill which the Clerk will report.

The Clerk read the bill (S. 4864) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, be, and the same is hereby, amended by adding to said section the following proviso:

"And provided further, That where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area in Alaska, the Secretary of the Interior may issue prospecting permits for a term of not to exceed four years, under such rules and regulations and conditions as to development as he may prescribe, to applicants qualified under this act, for not to exceed 2,560 acres, and if within the time specified in said permit the permittee shows to the Secretary of the Interior that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this act for all or any part of the land in his permit.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Oregon asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Oregon has 20 minutes and the gentleman from Texas has 20 minutes.

Mr. SINNOTT. Mr. Speaker, I do not feel that this bill needs any further explanation than has already been made, except to say that this is a measure which has been introduced at the request of the Secretary of the Interior, who sent it to Congress on the recommendation of the Interdepartmental Alaskan Board, which is a board made up from the various bureaus that deal with Alaskan affairs. It merely provides for a prospecting permit in Alaska, the same as we incorporated into the coal and oil leasing act.

I reserve the remainder of my time.

Mr. CURRY of California. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. CURRY of California. I understood the gentleman to refer to an Interdepartmental Alaskan Board.

Mr. SINNOTT. Yes.

Mr. CURRY of California. Can the gentleman cite me to any law creating such a board?

Mr. SINNOTT. No; I am not familiar with any law creating the board. It was created in the departments and consists of a representative of the Secretary of the Interior, a representative of the Secretary of State, a representative of the Secretary of Commerce, and of the various other departments that deal with Alaskan affairs.

Mr. CURRY of California. Do you know of any law authorizing the Secretary of the Interior to create such a board?

Mr. SINNOTT. No; I am not familiar with that; it may be an informal board called together for the purpose of discussing Alaskan affairs.

Mr. CURRY of California. Does not the gentleman think that Congress has permitted the Secretary and the heads of bureaus to exercise powers and functions not authorized by law long enough without our recognizing the right of the Secretary of the Interior to do it when there is no law whatever to create such a board?

Mr. SINNOTT. What I am impressed with is the merits of the recommendation rather than the legality of the creation of the board.

Mr. CURRY of California. As a Member of the House, I would prefer to have the chairman of the committee recognize them as individual citizens and not as occupying official positions.

Mr. SINNOTT. The chairman has recognized the Secretary of the Interior rather than the board.

Mr. McCLINTIC. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. McCLINTIC. I notice that the bill provides for the issuing of permits for 2,560 acres; does that mean that one person can get 2,560 acres?

Mr. SINNOTT. No one permit can exceed 2,560 acres. That is the maximum he may take now under the coal laws relating to Alaska. I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the present law provides that the Secretary of the Interior shall lease coal lands and the royalty shall be fixed at a certain price per ton. This does not change that law in any respect, except that it does what the other law should have done, namely, authorizes the Secretary of the Interior to issue permits to any person to prospect for coal in Alaska. If by any chance he finds coal, he may then enter into a lease for its production on the permit provided in the existing law. It seems to me the addition to the law that now exists which is provided in this bill is a provision which ought to have gone into the law originally when it passed. There can be no wiser provision than the one sought to be enacted in this law, because it enlists the cooperation of private individuals with their own capital to develop coal in the territory where coal is very much needed. We ought to encourage the activity and initiation of private individuals to the extent that it is possible to encourage it. If there is any other way that such encouragement could be given in addition to that provided in this bill it should be added. I think this covers the case and accomplishes the object.

Mr. KING. Is the issuance of the permit entirely discretionary with the Secretary?

Mr. MADDEN. I should judge so; it should not be discretionary with anybody else. He ought to have the only authority, because the Secretary of the Interior has jurisdiction over the public lands.

Mr. KING. And he can withhold the permit if he desires?

Mr. MADDEN. Certainly.

Mr. CROWTHER. Does this apply only to individuals, or can a large corporation go in and prospect for coal?

Mr. MADDEN. Yes.

Mr. CROWTHER. How many acres can they take up?

Mr. MADDEN. Two thousand five hundred and sixty acres is the limit that any company or corporation can take.

Mr. CROWTHER. Suppose they divide up into two or three corporations?

Mr. SINNOTT. There are provisions in the law to specifically guard against anything of that kind.

Mr. BLANTON. Mr. Speaker, there are two things which prevent the passage of sane legislation in the House of Representatives. One of these things is the want of intimate knowledge on the part of the membership concerning what the bill contains and its real effect under the law. The other reason that prevents sane legislation from being passed is what we know here on the floor as the courtesy custom among our colleagues. That is, if our friend from Oregon has a certain bill here that is his pet measure, which he wants to pass, he is our friend, we like him, and we want to accommodate him, because, forsooth, he is our friend and we must therefore support his bill. It is those two things which prevent the passage of only the right kind of legislation in this House. This is no time, in the closing hours of Congress, to bring up measures of importance, when the Members have no intimate knowledge whatever of what they contain. Let me call your attention to some of the measures that we have rushed through here in the closing of this Congress. Yesterday there came to us from the other body at the other end of the Capitol an amendment on an appropriation bill which prevented under the former decree of the House, and which, therefore, we had passed, the instruction being sent to the Secretary of War to sell at once 2,000 tractors which the farmers of the country are anxious to have placed on the market. What was the result of that action? If the membership of this House had understood the proposition that amendment of the Senate would have been turned down and that instruction would have been sent to the Secretary of War. For these tractors should be sold. What are the facts in that respect? There are several thousand tractors now in the hands of the Secretary of War which have been deteriorating in value ever since the armistice was signed.

Why have they not been sold? The farmers of the country want them. It is because there has been a secret understanding between the Secretary of War and the manufacturers that he will not flood the market with them. When this House put that proper provision in the bill, providing that those 2,000 tractors should be sold at once, and that bill went to the Senate, a howl was heard from the manufacturers somewhere, and out of that bill by way of Senate amendment that matter was stricken. Yesterday when the matter came up for decision here I forced a roll call upon it, and only four men, I think it was, voted to require those tractors to be sold. If all my colleagues had understood the matter, there would have been no question about the result.

Let me call your attention to other matters which we have hurriedly passed in the closing hours of this Congress. Last week on an appropriation bill, from the Senate, came four different amendments, every one of them voting out large sums of money, being what are known as the Mississippi Valley claims. One of them amounted to $362,140.98; another to $204,307.98; another, if I am not mistaken, to nearly $125,000; and another one to $15,561.23, if you please—claims of that character coming in as riders on appropriation bills. The distinguished chairman of your Appropriations Committee, the gentleman from Iowa [Mr. GOOD], got up on the floor and read to those few who were present the statement of the Secretary of War in substance that it would be outrageous to allow those claims and advising not to pass them, and we know that if Congress allowed them it would open up the doors of the Treasury to a billion dollars of such claims now existing. Mr. GOOD tried to keep those claims from passing, and when he forced a record vote upon them, if you will look at the RECORD you will see that there was a minority who voted against them, and they all passed.

Let me call your attention to another one. There has been pending here in the House of Representatives ever since I have been here, for four years, a claim for $714,007.39, known as the McClintic-Marshal Construction Co. claim, for building the Gatun Locks on the Panama Canal.

When I was on the Committee on Claims in the Sixty-fifth Congress, when the manager of that firm was down before the

committee he gave some testimony, and I would like for you to look into the RECORD and into the minority report which I filed and see his testimony. There is not a man in this House who is unprejudiced who will read that man's testimony who would have voted for that bill. I had the old contract dug up in the Treasury Department. I had an auditor give us a statement, in which he said that in addition to the contract price we had paid the McClintic-Marshal Co. an extra sum of about $400,000, if I remember correctly, at the end of the contract more than the contract price. They were then coming in here wanting nearly a million dollars more, and because Gen. Goethals, forsooth, recommended the payment of it Congress took the position that it ought to be paid. This is the distinguished Gen. Goethals who during the war wanted this Government to pay several million dollars more for steel than the President thought ought to be paid, and you will remember that the President took him out of that job and put somebody else in his place. The President did not take his judgment of what we should pay for steel.

Mr. CLARK. Mr. Speaker, I make the point of order that the gentleman from Texas is not addressing himself to the bill under consideration, and, therefore, he is out of order.

The SPEAKER. The Chair has listened to the gentleman, and he has not thought that the gentleman has been discussing the bill.

Mr. BLANTON. I am trying to show the Congress that if matters of that kind are considered in the closing hours of Congress we are liable to make mistakes.

The SPEAKER. The Chair will not hear the gentleman argue. The gentleman must confine himself to the bill.

Mr. BLANTON. I think I shall confine myself to it. I want you Members to get the RECORD of a month ago and read the testimony in this case which I then put into the RECORD at the time I last objected to its consideration.

Mr. DOWELL. Mr. Speaker, I make the point of order that the gentleman is not complying with the order of the Chair.

The SPEAKER. The gentleman will confine himself to the bill.

Mr. BLANTON. I want to quote concerning such claims as this.

The SPEAKER. The gentleman must take his seat when the point of order is made and sustained.

Mr. BLANTON. I thought the Chair sustained me.

The SPEAKER. As the Chair recollects, the rule of the House provides that the gentleman can proceed only by the consent of the House.

Mr. BLANTON. When the point of order is made the Member takes his seat until after it is decided.

The SPEAKER. The Chair will quote the rule, being paragraph 4 of Rule XIV:

> If any Member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any Member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Member, to explain, and the House shall, if appealed to, decide on the case without debate.

Mr. BLANTON. After the Chair decides does not the Member resume the floor?

The SPEAKER (reading)—

> He shall immediately sit down, unless permitted, on motion of another Member, to explain, and the House shall, if appealed to, decide on the case without debate; if a decision is in favor of the Member called to order, he shall be at liberty to proceed, but not otherwise.

The Chair does not wish, if this is new to the gentleman——

Mr. BLANTON. It is a new rule to me.

The SPEAKER. The Chair has read from one of the rules of the House.

Mr. BLANTON. That never has been enforced on a Member since I have been here.

Mr. KING. Mr. Speaker, I ask unanimous consent that the gentleman may proceed out of order for 10 minutes.

Mr. KNUTSON. I object.

The SPEAKER. The Chair thinks the proper motion is to ask that he proceed in order.

Mr. KING. I move that the gentleman proceed in order.

Mr. JOHNSON of Mississippi. I ask that the gentleman may be permitted to proceed in order.

Mr. KNUTSON. I object.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the gentleman proceed in order.

The question was taken.

The SPEAKER. The ayes have it, and the gentleman will proceed in order.

Mr. BLANTON. Mr. Speaker, I am just trying to convince my good friends that this is no time to take up this mining bill, which involves the splendid coal deposits out in Alaska. This House knows how many hundreds of thousands of dollars we have spent for the development of the great Northwest.

Mr. SMITH of Idaho. If the gentleman will yield, will the gentleman kindly indicate how much coal development there has been in Alaska under the present law during the last six years?

Mr. BLANTON. Just a minute, I will get to that. We have built a railroad out in Alaska that has cost an immense sum of money. We have been told that one of the greatest coal deposits known to geology is out in Alaska, and that when properly developed it will furnish every ton of coal that the Government will need for the Pacific coast.

Mr. MCARTHUR. Will the gentleman yield?

Mr. BLANTON. Just a moment, please. We have heard of the Guggenheims and their grabbing up things in Colorado and other places. Without this bill they can not grab the coal lands in Alaska, but with this bill they can send their expert geologists out there, they can explore that country, and each person who applies, if the Secretary of the Interior desires to give him a permit, can get an exploration permit that covers 2,560 acres of land.

The Guggenheims can send five men out there, each one of them can obtain an exploration permit, and each one of them could cover 2,560 acres of land under an exploration claim for four years, and finally gobble up all the coal. Every bit of these coal deposits might be embraced within those five holdings of 2,560 acres each. Coal deposits are not scattered all over the country broadcast; they are in pockets here and there; and when discovered, men like the Guggenheims can get control and other men and the Government are cut out. How much under this law and this bill would the Government get out of it? A little 2 cents a ton for coal. Two cents a ton. That is about the kind of division that is usually made with the Government. We paid as high as $15 a ton for coal here in Washington this winter, but the Government is to get 2 cents a ton under the bill and under the law that now exists. Now, if my friend thinks this is a proper time, when everybody's mind is stirred up by many things, when there is not a proper normal equilibrium here in this House, when your minds are on other things—if you think it is a proper time to take up important measures which may mean hundreds of millions of dollars to the people of this country, then go at it, go at it, but I am performing my duty as a Representative in the House of Congress, registering here my feeble protest, and doing it earnestly, honestly, and conscientiously. Now I will yield to the distinguished gentleman from Idaho, who has something on his mind.

Mr. SMITH of Idaho. I desire to inquire of the gentleman if he knows how much coal has been developed in Alaska during the last six years—that is, under the present law—and if he is aware of the fact that that law has not worked well, and this proposed legislation possibly will be helpful in developing the coal resources of Alaska?

Mr. BLANTON. The gentleman from Idaho [Mr. SMITH], who seems to be so much interested just now, all of a sudden, in the immediate development of coal in Alaska, has been seated in this House for the last two years, and not a time has he risen in his seat during the two years and said, "Mr. Speaker, we must pass an emergency coal-leasing law for Alaska," but he sits in his seat and waits until we are about to close Congress, when everything is in a stir, when the Capitol is turned upside down, and all the east end of it is turned over to the Ways and Means Committee. Then he comes in all of a sudden and says that if you do not pass this coal-leasing bill, God knows the Government is going to perdition.

Mr. CLARK. Will the gentleman yield for a question?

Mr. BLANTON. I can not refuse.

Mr. CLARK. Does the gentleman mean, when he says the Capitol is turned upside down, to refer to the controversy he had with his colleague a few days ago, Mr. SUMNERS? [Laughter.]

Mr. BLANTON. In due time that matter will be answered. And if the gentleman from Florida had been here, he would have been one man who would have stood up and said, "Mr. Speaker, I am one man for the salary increase." Would you not? Because he is a man who stands for what he stands for. [Laughter.]

Now, I have used up all the time I want. I have not taken up this time idly. I have not tried to get out of the RECORD. I have tried to perform my duty in the matter, and if you outvote me, it will not be the first time you have done it. [Laughter.]

Mr. SINNOTT. Mr. Speaker——

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. SINNOTT. Mr. Speaker, I desire to yield five minutes to the gentleman from Oklahoma [Mr. FERRIS]. [Loud applause.]

Mr. FERRIS. Mr. Speaker, I had not intended to consume any time on this or any other bill. It is late in the session. My duties as a Representative in Congress are through. How-

ever, a word may not be out of place on an amendment to a bill that was committed to my charge.

Six years ago the Public Lands Committee, by the aid of the Interior Department, passed for Alaska the best sort of a law it knew how to pass. We did not think it was perfect then, but we did our best. We had no selfish interest to serve. We were engaged in trying to conserve the Nation's resources and develop Alaska. It has not proved to be perfect. Bills are so seldom perfect. It was so tight and so rigid in its terms that the coal men could not make a success under it. It was not sufficiently attractive to them. The transportation question makes it necessary to have the law liberalized. We had hoped to conserve every interest that the Government had, but we really conserved the interest so securely that the coal could not be mined and worked. It is not being worked. That great estate is lying idle. People are moving out of Alaska. A territory rich in resources is not being developed. So true is that that coal had to be shipped from the United States to Alaskan coal consumers. The Secretary of the Interior, Mr. Payne, has asked the distinguished chairman of the Public Lands Committee [Mr. SINNOTT] to introduce this bill and let the coal men have four years—a permit merely to investigate and ascertain if conditions are feasible for the operation of a coal mine. Large expense is necessary to operate a coal mine in Continental United States, and correspondingly more in remote Alaska, with frigid climate and poor railway facilities.

Investigations must be made. That Territory is remote from the United States. It was necessary to go into it at great length and spend large sums of money. The Secretary asked Chairman SINNOTT to introduce the bill, and he did it. Every member of the Committee on the Public Lands has asked this relief, and the Alaskans asked for it. It only grants a permit of four years, to let the coal operators ascertain whether or not they can work under the law at all. I submit, the Congress ought to do that much for Alaska, that they ought to do that much for the coal field, that they ought to do that much for the coal operators, and that they ought to do that much for the consuming public, who really want to utilize the Alaskan coal. There is no well-founded reason for any furor about this bill. It is proper legislation—not only proper but necessary.

Mr. Speaker, I yield back any time I may have remaining. [Applause.]

The SPEAKER. The question is, Shall the House suspend the rules and pass the bill?

Mr. BLANTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 181, noes 2.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays, and pending that I make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] The Chair has counted a quorum, and without counting all of the Members present.

Two-thirds having voted in the affirmative, the bill is passed.

CENSUS OF THE ARMY AND NAVY.

Mr. SIEGEL and Mr. SINCLAIR rose.

The SPEAKER. The Chair will recognize the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 251 and pass the same.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table and pass Senate Joint Resolution 251, which the Clerk will report.

The Clerk read as follows:

Senate joint resolution 251, to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy.

Whereas it appears that in making an enumeration of persons in the Army and Navy for the Fourteenth Decennial Census, in the judgment of the Director of the Census it was impracticable to do otherwise than, with the official sanction of the Army and Navy, employ officers and enlisted men of the Army and Navy as enumerators, and that such officers and enlisted men were duly employed to make the enumeration and were promised compensation at the rate of 3 cents for each person enumerated; and

Whereas the vouchers for such compensation have been disallowed by the accounting officers of the Treasury Department on the ground that payment thereof was unwarranted; and

Whereas it further appears that in the judgment of the Director of the Census the census of the military and naval forces was taken more accurately by reason of the assurance of compensation to such enumerators than if it had been taken under orders of the War Department: Therefore be it

Resolved, etc., That the appointment of such enumerators be, and the same is hereby, validated and that the moneys appropriated for the Fourteenth Decennial Census are hereby made available for the payment of their services as such enumerators.

Mr. CANNON. Mr. Speaker, I would like to make an inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Is the request to consider generally the Senate bills, or just this bill alone?

The SPEAKER. This bill alone.

Mr. GARD. Mr. Speaker, reserving the right to object, I desire to ask, under the reservation of the right to object, whether or not it is the intention of the Chair to recognize bills called from the floor or as they appear upon the printed calendar?

The SPEAKER. The Chair ruled that we would follow the printed calendar, but this is a bill on the Speaker's table, and the Chair recognized the gentleman from New York [Mr. SIEGEL].

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, if I understood the gentleman correctly he said that this was a resolution to pay men in the Army.

Mr. SIEGEL. It is to pay the soldiers and sailors who were asked to take the census while the census was being taken. They were each promised 3 cents a name. They did the work. The money long ago was appropriated, but a question arose as to the propriety of the payment, because they were in the employ of the Army and Navy, and they have not been able to get the money.

Mr. McCLINTIC. The men were already drawing pay from the Army?

Mr. SIEGEL. This work was done at the request of the Director of the Census.

Mr. MONDELL. Will the gentleman tell us how much is involved?

Mr. SIEGEL. Less than $5,000.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. BEE. Let me say this to the gentleman from Oklahoma in order that you may have a concrete illustration: At Fort Sam Houston, Tex., there is a considerable population of from 25,000 to 35,000. Those soldiers were detailed by their commanding officers to go through the tedious, long-drawn-out work of census enumerators, under the promise that they would be compensated at the rate of other enumerators.

Mr. McCLINTIC. My thought was that they were already receiving compensation.

Mr. BEE. They were. This work was done in extra hours.

Mr. SIEGEL. Yes. This work was done in extra hours.

Mr. BLANTON. They get this as extra pay?

Mr. SIEGEL. Yes.

Mr. BLANTON. This extra pay is the same pay that other census enumerators received?

Mr. SIEGEL. Surely.

Mr. BLANTON. The gentleman is aware of the fact that the census enumerators elsewhere give all their time to this work and receive no pay from anywhere else?

Mr. SIEGEL. Oh, yes. But many of these enumerators got 4 or 5 cents a name. The soldier boys and sailors were promised 3 cents.

Mr. BLANTON. Supervisors who gave their entire time received less than enough to pay their expenses in some instances.

Mr. SIEGEL. I do not think that is correct.

Mr. BLANTON. Is not a bill pending before the gentleman's committee to pay them extra?

Mr. SIEGEL. Oh, yes. They want a thousand dollars' bonus.

Mr. BLANTON. I object.

Mr. SIEGEL. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill. Is a second demanded?

Mr. WINGO. I demand a second.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from New York asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and in the opinion of the Chair two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

FEDERAL BUILDING AND SITE AT GASTONIA, N. C.

Mr. HOEY. Mr. Speaker, I ask unanimous consent to take up Senate bill 4332, to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take up Senate bill 4332. Has the gentleman got a copy of the bill?

Mr. HOEY. Yes.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the bill. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to exchange and convey to the Citizens National Bank of Gastonia, N. C., by the usual quitclaim deed, the present Federal building and site at Gastonia, N. C., for the site at the northwest corner of South Street and West Franklin Street, in said city, offered by said bank, and in addition to said land said bank shall pay to the Secretary of the Treasury $175,000 to cover the cost of the erection of a stone-faced public building thereon adequate and suitable for the needs of the United States in such city. The present Federal building and site to remain in the custody and control of the United States until the completion of the proposed new building.

That upon the said new site, when acquired as aforesaid, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a suitable and commodious building, with fireproof vaults, heating and ventilating apparatus, approaches, etc., for the accommodation of the post office and other governmental offices in said city, at a limit of cost, exclusive of the site, of not exceeding $175,000, which is hereby appropriated. Said amount being hereby authorized and made available from the moneys to be paid to the Secretary of the Treasury by said Citizens National Bank of Gastonia, N. C., as hereinbefore mentioned.

With a committee amendment as follows:

Page 2, line 12, strike out the words "which is hereby appropriated."

Mr. GARD. Reserving the right to object, Mr. Speaker, is this bill the one which provides for the transfer of the present site of the post office at Gastonia to another site in the same city and provides also for the payment by the grantee of the old site of $175,000 to erect a new post-office building? It seems to be a rather unusual contribution. Has it the approval of the Secretary of the Treasury?

Mr. HOEY. Yes, Mr. Speaker and gentlemen. This bill provides for the exchange of the present post-office site in the town of Gastonia to the Citizens' National Bank, and the Citizens' National Bank submitted to the Government a proposition to give them a new site, because the present building is insufficient, and they would furnish in addition to this new site a sum sufficient to erect a new building, not to exceed $175,000. The Supervising Architect has recommended it, and the Treasury Department has recommended it. The estimate was not to exceed $160,000, but in order that there might be no possibility that the Government would incur any expense under it, the bank will put up an amount not exceeding $175,000.

Mr. MADDEN. Mr. Speaker, will the gentleman yield to me?

Mr. HOEY. Yes.

Mr. MADDEN. How long has this building that is proposed to be sold been erected?

Mr. HOEY. This building was erected in 1916; but the town of Gastonia made the largest percentage of increase in population at the recent census of any town in the United States.

Mr. MADDEN. How much did the building they now have cost?

Mr. HOEY. Sixty-six thousand dollars.

Mr. MADDEN. How much did the ground cost?

Mr. HOEY. Fourteen thousand five hundred dollars.

Mr. MADDEN. That makes $80,000.

Mr. HOEY. Eighty thousand dollars.

Mr. MADDEN. What is proposed to be done?

Mr. HOEY. The Government estimates the value of the site which is to be given to the bank at $27,000, but the value of it is nearer $50,000. In addition to that, the bank pays $175,000 more.

Mr. MADDEN. Why does the bank want to do this?

Mr. HOEY. There are two reasons: One is that the bank likes the present location of the post office, and the other reason is that the present post-office site is so small that no addition can be made to the building.

Mr. MADDEN. How does it happen that only four years after the erection of the building it is suddenly discovered that what they expended $80,000 on is not what they want?

Mr. HOEY. I started to state that. The town of Gastonia has made a growth of 123 per cent.

Mr. MADDEN. What is the population?

Mr. HOEY. Twelve thousand eight hundred and fifty.

Mr. MADDEN. And we propose to put up a building to cost $175,000 in a town of 12,850 people?

Mr. HOEY. Yes; and the bank pays for every dollar of it.

Mr. MADDEN. I object.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman withhold his objection? What is the objection to letting the people of this city construct a post-office building, to cost $175,000 or $1,175,000, if they furnish the money and there is no expense to the Government? [Applause.]

Mr. MADDEN. This is my objection to it: In the first place, we put up a building there in 1916 which was presumably fit for the public needs. Now it is suddenly discovered that that building is not fit for what we put it up for, and it is proposed to sell that building for $175,000 and a vacant lot.

Mr. MANN of Illinois. It is proposed to sell the land for what it is worth and have them contribute $175,000.

Mr. MADDEN. That is not the proposition.

Mr. MANN of Illinois. Yes; it is.

Mr. MADDEN. The proposition is that the bank is going to give them a vacant lot said to be worth $27,000 and put up a building to cost $175,000. That is the proposition, if I understand it.

Mr. MANN of Illinois. Yes.

Mr. MADDEN. Now, if we can sell this building for $175,000 or $202,000, as the case may be, why not sell it and put the money into the Treasury?

Mr. MANN of Illinois. We could not sell it for $75,000 except to this bank.

Mr. MADDEN. This town is going to get a new public building, something that no other town in the United States is going to get.

Mr. MANN of Illinois. And it will not cost the Government anything.

Mr. MADDEN. The great city of Chicago would like to have a public building.

Mr. MANN of Illinois. And if the city of Chicago put up four or five million dollars I think the Government would let us do it.

Mr. MADDEN. I object.

Mr. HOEY. I move to suspend the rules and pass the bill as amended.

The SPEAKER. The gentleman moves to suspend the rules and pass the Senate bill as amended. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is a second demanded?

Mr. MADDEN. I demand a second, Mr. Speaker.

Mr. HOEY. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

SEVERAL MEMBERS. Vote! Vote!

Mr. WALSH. I think when a motion to suspend the rules is made the bill ought to be reported.

The SPEAKER. The Chair thinks it should be again reported as amended. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to exchange and convey to the Citizens National Bank of Gastonia, N. C., by the usual quitclaim deed, the present Federal building and site at Gastonia, N. C., for the site at the northwest corner of South Street and West Franklin Street, in said city, offered by said bank, and in addition to said land said bank shall pay to the Secretary of the Treasury $175,000 to cover the cost of the erection of a stone-faced public building thereon adequate and suitable for the needs of the United States in such city. The present Federal building and site to remain in the custody and control of the United States until the completion of the proposed new building.

That upon the said new site, when acquired as aforesaid, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a suitable and commodious building, with fireproof vaults, heating and ventilating apparatus, approaches, etc., for the accommodation of the post office and other governmental offices in said city, at a limit of cost, exclusive of the site, of not exceeding $175,000. Said amount being hereby authorized and made available from the moneys to be paid to the Secretary of the Treasury by said Citizens National Bank of Gastonia, N. C., as hereinbefore mentioned.

Mr. HOEY. Mr. Speaker, I desire to reserve my time.

SEVERAL MEMBERS. Vote! Vote!

Mr. MADDEN. You can get plenty of time to vote. Do not be in a hurry. I do not take up much of the time of the House, and I think this is a question upon which somebody should be heard.

There is in this town down here in North Carolina a public building said to have cost $80,000 in 1916. Nobody knows how much it is worth to-day. It may be worth $200,000. Yet we propose to sell it to a bank, and the bank gives us a vacant lot, and the gentleman from North Carolina [Mr. HOEY] says the vacant lot is worth $27,000. Nobody knows whether it is worth a cent or not. We have not had any report from any official authority to say what it is worth. Then the gentleman says the bank, in addition to that, is going to put up a building to cost $175,000. Now, how do we know that? If we are going to sell the property that we own, the money ought to go into the Treasury, and if we are going to erect a new building in this town it ought to be appropriated for in the ordinary way. Now, of course, the gentleman from North Carolina realizes that

he could not get an appropriation for a building in his town, as nobody else in the United States can.

We have not been appropriating money at this session for any public buildings in any city in the United States. The gentleman from North Carolina is smarter than anybody else or some Senator thinks that he has an opportunity to make a trade by which they can get a new public building by indirection when they can not get it directly. I do not propose to stand here and submit to any city in North Carolina or any other city getting by indirection out of the Treasury of the United States that which they would not be able to do by direct appropriation. I know that the leader of the House says that he wants this bill passed; that objection ought not to be made; but if anybody came to him and said that they wanted an appropriation for a building anywhere in the United States he would say, "No, sir; not under any circumstances." The Committee on Public Buildings and Grounds of this House have tried day after day to report a public building bill, and there are many cities in the Union that would like a public building—in many cities where they need them—but I apprehend that there is no need of a public building in this place, where we already have an elegant building.

It will not do to say that we are not making an appropriation. We are, where we are disposing of the property that we already own and in which we transact public business. Who can say to-night that this building we own is worth only $80,000? Who can say that this building we are proposing to get is worth $175,000? Who can say that it is wise for us to transfer Government property to a bank? Who knows what the bank wants to make the trade for, or how much advantage it will be for the bank and how much disadvantage for the Public Treasury? For myself I unhesitatingly say that it ought not to be done. We have given no study to the question. The Senate passed the bill, it is true, but you can pass a tapeworm through the Senate without any consideration. [Laughter.]

Mr. CANNON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CANNON. What kind of a building is it proposed to erect, a frame or brick building, and who makes the plans?

Mr. MADDEN. Nobody knows; we have not been told; the bill comes up under a request for unanimous consent, which is refused, and then comes a motion to suspend the rules, and there is no opportunity for amendment.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HULL of Iowa. Has the gentleman read the report of the Secretary of the Treasury?

Mr. MADDEN. I have not.

Mr. HULL of Iowa. Here is the report, containing an answer to every question the gentleman has asked.

Mr. MADDEN. It makes no difference what the Secretary of the Treasury says about it; I say the general policy ought to be if there is going to be a public building it ought to be where it is needed, and not where we already have an adequate public building in which we are doing business. We ought not to sell Government property to accommodate any private individual.

Mr. HOEY. Mr. Speaker, this bill was recommended by the Secretary of the Treasury. An expert went down and made a thorough examination. He passed on the value of the vacant property, of the vacant lot. It was passed in the Senate unanimously. It was submitted to the House Committee on Public Buildings and Grounds and received a unanimous report. There is no suggestion from any quarter that it has not merit, as far as the value is concerned.

I started to say a moment ago that one reason why the present building is inadequate is on account of the marvelous growth that the city has made—123 per cent since the building was erected. There are now over 150 applications for boxes that can not be supplied. The present site is inadequate. The new site is in the civic center of the town, next to the county courthouse. Now, it is provided that the $175,000 is to be paid to the Secretary of the Treasury in the regular way and the building will be constructed by the Treasury Department.

Mr. MADDEN. And for every dollar that was estimated in 1916, to-day to do the same work, with the same material, would cost $2.

Mr. HOEY. The estimate was made last year, when material and labor were high, and they estimate that the building would not cost over $160,000, but in order to be safe the bank offers to pay $175,000 if necessary.

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, I am on the Committee on Public Buildings and Grounds that heard this case, and we were satisfied after the hearing that there was nothing wrong in this proposition. I believe it is a proposition that is safe for the House to pass. I think it went through the committee unanimously.

Mr. MADDEN. But the gentleman must realize that it will cost $3 to-day to do what every dollar did in 1916.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

FEDERAL FARM LOAN ACT.

Mr. DALE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4664) to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the first paragraph of section 20 of the act of Congress approved July 17, 1916, as amended by the act of Congress approved April 20, 1920, be amended to read as follows:

"SEC. 20. That bonds provided for in this act shall be issued in denominations of $40, $100, $500, $1,000, and such larger denominations as the Federal Farm Loan Board may authorize; they shall run for specified minimum and maximum periods, subject to payment and retirement, at the option of the land bank, at any time after the minimum period specified in the bonds, which shall not be longer than 10 years from the date of their issue. They shall have interest coupons attached, payable semiannually, and shall be issued in series of not less than $50,000, the amount and terms to be fixed by the Federal Farm Loan Board. They shall bear a rate of interest not to exceed 5 per cent per annum."

The SPEAKER. Is a second demanded?

Mr. WINGO. Mr. Speaker, I demand a second.

Mr. DALE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. DALE. Mr. Speaker, I have asked for the consideration of this bill under these circumstances because of the urgent importance of time in the matter. This bill changes the present law in a very slight respect, in one particular. It simply relates to the call period of the bonds of the Federal Farm Loan Association. Under the present law the minimum call period is five years. That is, you understand that if a bond is issued by the Federal Farm Loan Association in which the minimum period is 5 years, the maximum period may be 10, 15, or 20 years, and yet lying back of the specified time in the bond is this law which says that the bond may be called at the end of the 5-year period. Therefore, as a bond on the market, it will be seen that it lessens its value by being subject to call, even though the time may be specified as a longer time.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. DALE. Yes.

Mr. CANNON. As I understand the Federal farm loan law, it is all for one and one for all, and if one organization fails, then the organizations under the law as it is must make up the deficit. If all the organizations do not agree to this, if Congress should pass this law, and there should be failures, how about the balance of the organizations? Could it be collected?

Mr. DALE. Let me say to the gentleman from Illinois that this bill relates only to the call period in the bonds issued by the association. It has no reference to the mortgages of the association, but simply the bonds issued on which the money is raised to loan out on the mortgages.

Mr. CANNON. It has been loaned now and the holders have it, but if Congress enacts a law changing the liability, without the assent——

Mr. DALE. But it does not relate to the liabilities of mortgages at all. It relates simply to the bonds that are issued by the association.

Mr. CANNON. Are not the bonds secured by the land upon which the mortgages are issued?

Mr. DALE. That is true.

Mr. CANNON. I used to be somewhat of a jackleg lawyer, and it seems to me there would be danger that if you did not have the assent of the people who have to pay the loss, that you would release the people from that liability by the law. I make that suggestion.

Mr. DALE. I would suggest to the gentleman that I do not quite see how this affects the liability in any particular. It does not affect the liability of the farmer who gives the mortgage in any way. It is the association that issues the bond on which the money is raised and loaned to the farmer.

Mr. CANNON. Precisely.

Mr. DALE. This bill simply changes the present law in this particular. While the call period at the present time under the present law is limited to 5 years, this bill extends the time

to 10 years, so that the Federal Farm Loan Association can issue bonds the call period of which may be 10 years instead of 5.

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. DALE. Yes.

Mr. JOHNSON of Mississippi. I am much in sympathy with the gentleman's position. As I understand it in the bonds that you propose to sell now the call period will be extended from 5 to 10 years, thereby making them much more attractive to buyers.

Mr. DALE. Precisely; that is the purpose.

Mr. JOHNSON of Mississippi. Thereby enabling the farmer to raise money with which to carry on his crops?

Mr. DALE. It would seem to me that the law as amended by this bill if enacted into law would lessen the liability——

Mr. JOHNSON of Mississippi. Why, surely.

Mr. DALE. Of the farmer rather than increase it.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. DALE. I will.

Mr. VOLSTEAD. The gentleman feels certain that they will be able to sell these bonds?

Mr. DALE. That is one reason why this bill is asked for. It is one purpose of getting this into the law. Of course, you gentlemen know the difficulty the Federal Farm Loan Association has had in selling its bonds. You know what has had to be done. Things have had to be done here in the House you and I felt were out of line with our best judgment; but we had to do that when ordinarily we would not give our approval, because we had to get the funds for this association for the reason that these bonds were not salable; that is, they were not very attractive on the market, but we had to get funds for the association. Now, the purpose of this law is to make them more attractive.

Mr. VOLSTEAD. Has the gentleman considered the proposition of increasing the rate of interest?

Mr. DALE. Yes; but that is objected to immediately. The minute you talk about raising the rate of interest above 5 per cent on the loans to the farmers you know what goes up all over the country. They say, why we can not do that.

Mr. VOLSTEAD. They would rather have the loans than no money.

Mr. DALE. There is a lot more I would like to say, but I have some one who can tell you much more about this, and I want to yield to him.

Mr. JOHNSON of Mississippi. Just this question: Now, if the gentleman's bill passes it will enable these farmers to raise money through this association, and if it does not pass there is danger of these men having to pay more for money they would borrow?

Mr. DALE. It would result in just what the gentleman from Minnesota indicated. The only relief that you can get under this condition is to raise the rate of interest from 5 to 5½ or 6 per cent.

Mr. JOHNSON of Mississippi. Increasing the call term to 10 years will make the bonds more attractive?

Mr. DALE. All of which makes them so much more attractive.

Mr. JOHNSON of Mississippi. And facilitates the sale of bonds.

Mr. RANDALL of California. What effect will making the farm-loan bonds attractive have on the Liberty bonds?

Mr. DALE. There will not be any.

Mr. RANDALL of California. If the bond buyers are attracted by the farm-loan bonds, they will not want to buy Liberty bonds?

Mr. DALE. Yes; but the gentleman will remember that we had to take care of $200,000,000 of these bonds when we were selling Liberty bonds. We had to do it.

Mr. RANDALL of California. Will the Liberty bonds be worth more or less under this provision?

Mr. DALE. I do not think it makes any difference. I yield the remainder of my time to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. Mr. Speaker and gentlemen of the House, the purpose of this bill is to increase the optional period of the Federal farm loan bonds from 5 years to 10 years. This will increase the attractiveness of the bonds to the purchaser and will enable the board to offer the bonds at a decreased rate of interest, and to that particular proposition I will address my remarks. At the present time bonds are limited to five years' optional period before they can be called. Now, a bond bearing 5 per cent interest on its face and offered on a basis to earn 4½ per cent for five years would be worth 102.22. That is, a $1,000 bond would be worth $1,022.20.

But if the optional period were increased to 10 years, that same bond would be worth $1,039.90, or $17.70 more—be worth that much more to the sellers of the bond; that is, to the farmers of the country—and that would effect in itself the reduction of about a quarter of a cent per year in the interest rate. If the bond buyers were willing to accept 4½ per cent interest on their investment, the $1,000 bond would be worth $1,033.50 for a five-year period, but if the optional period were increased to 10 years it would be worth $1,060.60, or, the bond would be worth to the seller $27.10 more than it is now. This would decrease the interest rate about one-third of 1 per cent. But, if the bond buyer who was willing to earn 4 per cent on his investment, which is a fair rate of return on tax-exempt securities of first-class character, the bond would be worth $1,044.90 for the five-year period; but if we pass this bill and increase the optional period to 10 years the bond would be worth $1,081.80, or $36.90 more to the seller, which would effect a reduction in the interest rate of nearly one-half of 1 per cent. So that by increasing the time from 5 to 10 years we increase the attractiveness of the bond to the purchaser and at the same time decrease the interest rate to the farmers who have to pay it.

The investment demand is always for long-term securities; that is, for a long term before the optional period expires. Purchasers desire in investing their money to obtain securities that will run for a considerable period of time.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. HAWLEY. I will.

Mr. MADDEN. How will that affect the bonds already issued?

Mr. HAWLEY. It will not affect them at all in my opinion. We do not propose to invalidate the obligation of any contract now outstanding. The legislation proposed relates only to future issues. There has been a general demand for the increase in the length of the optional period.

I have some knowledge of associations that would buy these bonds who do not care to buy a bond which may be called at the end of five years, because the time is so short in which to realize the amortization of any premium paid—and these bonds have been sold in times past at some premium—that it puts an element of speculation in the purchase that buyers of bonds for investment purposes do not care to assume. But if we increase the rate to 10 years, then we open the market for these bonds to a very much larger body of purchasers, who will buy them in considerable quantities if the time before they can be called for payment is extended.

Mr. WALSH. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. WALSH. Will not the effect of this be to depreciate the value of outstanding issues?

Mr. HAWLEY. Not necessarily, because the outstanding issues, most of them, have run for a considerable portion of the five-year period, and the investors who will receive their money for those bonds when called will be very glad to have an opportunity to reinvest that money in the longer-term bonds. [Applause.]

The SPEAKER. The time of the gentleman from Oregon has expired.

Mr. WINGO. Mr. Speaker, the only thing that this bill does is to amend the present law in one simple particular. On April 20, 1920, we changed section 20 of the act with reference to bonds, but we did not change the 5-year optional period. I will read section 20 as the present law exists, and read what we propose to substitute for it. Section 20 reads:

SEC. 20. That bonds provided for in this act shall be issued in denominations of $40, $100, $500, $1,000, and such larger denominations as the Federal Farm Loan Board may authorize; they shall run for specified minimum and maximum periods, subject to payment and retirement, at the option of the land bank, at any time after five years from the date of their issue. They shall have interest coupons attached, payable semiannually, and shall be issued in series of not less than $50,000, the amount and terms to be fixed by the Federal Farm Loan Board. They shall bear a rate of interest not to exceed 5 per cent per annum.

Now, the language that we propose in the pending bill is the same, until it gets down to the question of the optional period, and it reads as follows:

Subject to payment and retirement, at the option of the land bank, at any time after the minimum period specified in the bonds, which shall not be longer than 10 years from the date of their issue.

In other words, under the present existing law, if the Farm Loan Board issues a 20-year farm loan bond, the investor who desires to buy that bond has no assurance he is buying a permanent investment—that is, a 20-year investment—because under the law there is an option of retirement at the end of five years. Now, that has had a tendency to depreciate the market value in some instances on farm loan bonds. Now, we propose

in this act to make it possible for the board to fix the minimum option period 10 years instead of 5. While we give the right, if they want it, to have it 1, 2, 3, 4, and 5, and up to 10, the latter is the maximum optional minimum period, and permits them to make it 10 years, and that is what we have intended to do in future years, namely, to have the 10-year optional retirement privilege.

Mr. WHITE of Maine. If a purchaser has at this time bonds of the Federal Farm Loan Board, when these new bonds are issued, with the preferred bonds, preferred because there is a longer callable period, do you not necessarily depreciate his existing bonds?

Mr. WINGO. Of course, theoretically you do.

Mr. WHITE of Maine. If you buy them and wanted to sell them, you would have to sell them in competition with this new bond of a preferred class, would you not?

Mr. WINGO. Has the gentleman in his mind the idea that anybody having these farm-loan bonds would be willing to sell them now?

Mr. WHITE of Maine. They would be hurt if they were to sell them for less than they paid for them.

Mr. WINGO. Yes. Let me tell the gentleman what the facts are: Bids were made on the market the day before the Supreme Court decision was announced in the case at 95, I believe, and no bonds sold for that. Yesterday 95¾, as I recall, was bid, and no bonds were sold. Anyone who has those bonds now who sells them for less than par ought to have a guardian appointed for him, because he does not know what property is worth.

Mr. WHITE of Maine. Many of the bonds were bought at less than par.

Mr. WINGO. I can not follow the gentleman.

Mr. WHITE of Maine. You have a bond that you have paid for at par. It is callable in five years.

Mr. WINGO. The gentleman must know that there is a distinction between these bonds and bonds issued under an ironclad, rigid rule, which a man has bought with his eyes wide open, for what they are worth. In this case you know that nobody, in fact, is going to suffer. Of course, theoretically, if you put out a more preferable bond, in theory it ought to bring a higher price than the other. But the fact is you can not buy farm-loan bonds on the market to-day. For illustration, to show that I know what I am talking about instead of guessing, I will say that a friend of mine to-day wanted to invest in those bonds, and he could not find them at par. They are gilt edge now, since decision of the Supreme Court.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. WINGO. Let me finish this. It has been stressed that these bonds would be more attractive to investors if they were put at 10 years. The main purpose here is to so provide that the business of the board and the business of the banks can be handled in a more businesslike way. That can be done better if they are handled in 10-year periods than if they are handled in periods of five years. I do not think the situation is as serious as some think. They think they ought to make them as attractive as possible. I know they could issue more on the same terms as the bonds now outstanding, and they could sell them overnight. But with a minimum period fixed, they can make the financial arrangements and the sinking fund and other requirements for the 10-year period at less expense and with less trouble than for a 5-year period.

I shall take the liberty of inserting in the RECORD the decision of the Supreme Court holding the farm loan act constitutional.

The matter referred to is as follows:

[Supreme Court of the United States. No. 199. October term, 1920. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Co. et al., appellees. Appeal from the District Court of the United States for the Western District of Missouri.]

(Feb. 28, 1921.)

Mr. Justice Day delivered the opinion of the court.

A bill was filed in the United States District Court for the western division of the Western District of Missouri by a shareholder in the Kansas City Title & Trust Co. to enjoin the company, its officers, agents, and employees from investing the funds of the company in farm-loan bonds issued by Federal land banks or joint stock land banks under authority of the Federal farm loan act of July 17, 1916 (39 Stat., 360), as amended January 18, 1918 (40 Stat., 431).

The relief was sought on the ground that these acts were beyond the constitutional power of Congress. The bill avers that the board of directors of the company are about to invest its funds in the bonds to the amount of $10,000 in each of the classes described, and will do so unless enjoined by the court in this action. The bill avers the formation of 12 Federal land banks and 21 joint stock land banks under the provisions of the act.

As to the Federal land banks, it is averred that each of them has loaned upon farm lands large amounts secured by mortgage, and after depositing the same with the farm loan registrar has executed and issued collateral trust obligations called farm loan bonds, secured by the depositing of an equivalent amount of farm mortgages and notes; and that each of said Federal land banks has sold and is continuing to offer for sale large amounts of said farm loan bonds. The bill also avers that various persons in different parts of the United States have organized 21 joint-stock land banks, the capital stock of which is subscribed for and owned by private persons; that the joint-stock land banks have deposited notes and mortgages with the farm loan registrar, and issued an equivalent amount of collateral trust obligations called farm loan bonds, which have been sold and will be continued to be offered for sale to investors in large amounts in the markets of the country. A statement is given of the amount of deposits by the Secretary of the Treasury with the Federal land banks, for which the banks have issued their certificates of indebtedness bearing interest at 2 per cent per annum. It is averred that on September 30, 1919, Federal land banks owned United States bonds of the par value of $4,230,805; and the joint-stock land banks owned like bonds of the par value of $3,287,503 on August 31, 1919; that pursuant to the provisions of the act the Secretary of the Treasury has invested $8,892,130 of the public funds in the capital stock of the Federal land banks, and that on July 1, 1919, the Secretary of the Treasury on behalf of the United States held $8,265,809 of the capital stock of the Federal land banks; that pursuant to the provisions of section 32 of the act, as amended, the Secretary of the Treasury has purchased farm loan bonds issued by the Federal land banks of the par value of $149,775,000; that up to September 30, 1919, bonds have been issued under the act by the Federal land banks to the amount of $285,600,000, of which about $135,000,000 are held in the Treasury of the United States, purchased under the authority of the amendment of January 19, 1918; that up to September 30, 1919, 27 joint-stock land banks have been incorporated under the act, having an aggregate capital of $8,000,000, all of which has been subscribed and $7,450,000 paid in; that bonds have been issued by joint-stock land banks to the amount of $41,000,000, which are now in the hands of the public; that the Secretary of the Treasury up to the time of the filing of the bill has not designated any of the Federal land banks nor the joint-stock land banks as depositaries of public money, nor except as stated later in the bill has he employed them or any of them as financial agents of the Government, nor have they or any of them performed any duties as depositaries of public money, nor have they or any of them accepted any deposits or engaged in any banking business. The bill avers that during the summer of 1918 the Federal land banks at Wichita, St. Paul, and Spokane were designated as financial agents of the Government for making seed-grain loans to farmers in drought-stricken sections, the President having at the request of the Secretary of Agriculture set aside $5,000,000 for that purpose out of the $100,000,000 war funds. The three banks mentioned made upward of 15,000 loans of that character, aggregating a sum upward of $4,500,000, and are now engaged in collecting these loans, all of which are secured by crop liens; that these banks act in that capacity without compensation, receiving only the actual expenses incurred.

Section 27 of the act provides that farm-loan bonds issued under the provisions of the act by Federal land banks or joint-stock land banks shall be a lawful investment for all fiduciary and trust funds and may be accepted as security for all public deposits. The bill avers that the defendant trust company is authorized to buy, invest in, and sell Government, State, and municipal and other bonds, but it can not buy, invest in, or sell any such bonds, papers, stocks, or securities which are not authorized to be issued by a valid law or which are not investment securities, but that nevertheless it is about to invest in farm-loan bonds; that the trust company has been induced to direct its officers to make the investment by reason of its reliance upon the provisions of the farm loan acts, especially sections 21, 26, and 27, by which the farm-loan bonds are declared to be instrumentalities of the Government of the United States, and as such with the income derived therefrom, are declared to be exempt from Federal, State, municipal, and local taxation, and are further declared to be lawful investments for all fiduciary and trust funds. The bill further avers that the acts by which it is attempted to authorize the bonds are wholly illegal, void, and unconstitutional and of no effect because unauthorized by the Constitution of the United States.

The bill prays that the acts of Congress authorizing the creation of the banks, especially sections 26 and 27 thereof, shall be adjudged and decreed to be unconstitutional, void, and of no effect, and that the issuance of the farm-loan bonds, and the taxation exemption feature thereof, shall be adjudged and decreed to be invalid.

The first joint-stock land bank of Chicago and the Federal land bank of Wichita, Kans., were allowed to intervene and became parties defendant to the suit. The Kansas City Title & Trust Co. filed a motion to dismiss in the nature of a general demurrer, and upon hearing the district court entered a decree dismissing the bill, from this decree appeal was taken to this court.

No objection is made to the Federal jurisdiction, either original or appellate, by the parties to this suit, but that question will be first examined. The company is authorized to invest its funds in legal securities only. The attack upon the proposed investment in the bonds described is because of the alleged unconstitutionality of the act of Congress undertaking to organize the banks and authorize the issue of the bonds. No other reason is set forth in the bill as a ground of objection to the proposed investment by the board of directors acting in the company's behalf. As diversity of citizenship is lacking, the jurisdiction of the district court depends upon whether the cause of action set forth arises under the Constitution or laws of the United States. (Judicial Code, sec. 24.)

The general rule is that where it appears from the bill or statement of the plaintiff that the right to relief depends upon the construction or application of the Constitution or laws of the United States, and that such Federal claim is not merely colorable, and rests upon a reasonable foundation, the district court has jurisdiction under this provision.

At an early date, considering the grant of constitutional power to confer jurisdiction upon the Federal courts, Chief Justice Marshall said:

"A case in law or equity consists of the right of the one party, as well as of the other, and may truly be said to arise under the Constitution or a law of the United States whenever its correct decision depends upon the construction of either" (Cohens *v.* Virginia, 6 Wheat. 264, 379); and again, when "the right or title set up by the party may be defeated by one construction of the Constitution or law of the United States, and sustained by the opposite construction." (Osborn *v.* Bank of the United States, 9 Wheat., 738, 822. These definitions were quoted and approved in Patton *v.* Brady, 184 U. S., 608, 611, citing Gold Washing Co. *v.* Keyes, 96 U. S., 199, 201; Tennessee *v.* Davis,

100 U. S., 257; White v. Greenhow, 114 U. S., 307; Railroad Co. v. Mississippi, 102 U. S., 135, 139.)

This characterization of a suit arising under the Constitution or laws of the United States has been followed in many decisions of this and other Federal courts. See Macon Grocery Co. v. Atlantic Coast Line (215 U. S., 501, 506, 507); Shulthis v. McDougal (225 U. S., 569, sec. 3). The principle was applied in Brushaber v. Union Pacific Co. (240 U. S., 1), in which a shareholder filed a bill to enjoin the defendant corporation from complying with the income-tax provisions of the tariff act of October 3, 1913. In that case, while there was diversity of citizenship, a direct appeal to this court was sustained because of the constitutional questions raised in the bill, which had been dismissed by the court below. The repugnancy of the statute to the Constitution of the United States, as well as grounds of equitable jurisdiction, were set forth in the bill, and the right to come here on direct appeal was sustained because of the averments based upon constitutional objections to the act. Reference was made to Pollock v. Farmers' Loan & Trust Co. (157 U. S., 429), where a similar shareholder's right to sue was maintained, and a direct appeal to this court from a decree of the circuit court was held to be authorized.

In the Brushaber case the Chief Justice, speaking for the court, said:

"The right to prevent the corporation from returning and paying the tax was based upon many averments as to the repugnancy of the statute to the Constitution of the United States, of the peculiar relation of the corporation to the stockholders and their particular interests resulting from many of the administrative provisions of the assailed act, of the confusion, wrong and multiplicity of suits, and the absence of all means of redress which would result if the corporation paid the tax and complied with the act in other respects without protest, as it was alleged it was its intention to do. To put out of the way a question of jurisdiction, we at once say that in view of these averments and the ruling in Pollock v. Farmers' Loan & Trust Co. (157 U. S., 429) sustaining the right of a stockholder to sue to restrain a corporation under proper averments from voluntarily paying a tax charged to be unconstitutional on the ground that to permit such a suit did not violate the prohibitions of section 3224, Revised Statutes, against enjoining the enforcement of taxes, we are of opinion that the contention here made that there was no jurisdiction of the cause since to entertain it would violate the provisions of the Revised Statutes referred to is without merit. * * *

"Aside from averments as to citizenship and residence, recitals as to the provisions of the statute and statements as to the business of the corporation contained in the first 10 paragraphs of the bill advanced to sustain jurisdiction, the bill alleged 21 constitutional objections, specified in that number of paragraphs or subdivisions. As all the grounds assert a violation of the Constitution, it follows that in a wide sense they all charge a repugnancy of the statute to the sixteenth amendment under the more immediate sanction of which the statute was adopted."

The jurisdiction of this court is to be determined upon the principles laid down in the cases referred to. In the instant case the averments of the bill show that the directors were proceeding to make the investments in view of the act authorizing the bonds about to be purchased, maintaining that the act authorizing them was constitutional and the bonds valid and desirable investments. The objecting shareholder avers in the bill that the securities were issued under an unconstitutional law, and hence of no validity. It is therefore apparent that the controversy concerns the constitutional validity of an act of Congress which is directly drawn in question. The decision depends upon the determination of this issue.

The general allegations as to the interest of the shareholder, and his right to have an injunction to prevent the purchase of the alleged unconstitutional securities by misapplication of the funds of the corporation, gives jurisdiction under the principles settled in Pollock v. Trust Co., and Brushaber v. Union Pacific Co., supra. We are therefore of the opinion that the district court had jurisdiction under the averments of the bill and that a direct appeal to this court upon constitutional grounds is authorized.

We come to examine the questions presented by the attack upon the constitutionality of the legislation in question. The Federal farm loan act is too lengthy to set out in full. It is entitled:

"An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgages, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes."

The administration of the act is placed under the direction and control of a Federal Farm Loan Bureau established at the seat of government in the Treasury Department, under the general supervision of the Federal Loan Board, consisting of the Secretary of the Treasury and four members appointed by the President, by and with the advice and consent of the Senate. The United States is divided into 12 districts for the purpose of establishing Federal land banks. Each of the banks must have a subscribed capital of not less than $750,000, divided into shares of $5 each, which may be subscribed for by any individual, firm, or corporation, or by the government of any State or of the United States. No dividend shall be paid on the stock owned by the United States, but all other stock shall share in dividend distributions without preference. The Federal Farm Loan Board is to designate five directors who shall temporarily manage the affairs of each Federal land bank, and who shall prepare an organization certificate which, when approved by the Federal Farm Loan Board and filed with the Farm Loan Commissioner, shall operate to create the bank a body corporate. The Federal Farm Loan Board is required to open books of subscription for the capital stock of each Federal land bank, and if within 30 days thereafter any part of the minimum capitalization of $750,000 of any such bank shall remain unsubscribed, it is made the duty of the Secretary of the Treasury to subscribe the balance on behalf of the United States.

The amendment of January 18, 1918, authorizes the Secretary of the Treasury to purchase bonds issued by Federal land banks, and provides that the temporary organization of any such bank shall be continued so long as any farm loan bonds shall be held by the Treasury, and until the subscription to stock in such bank by national farm loan associations shall equal the amount of the stock held by the United States Government. When these conditions are complied with a permanent organization is to take over the management of the bank, consisting of a board of directors composed of nine members, three of whom shall be known as district directors and shall be appointed by the Farm Loan Board, who shall represent the public interest, six of whom to be known as local directors, shall be chosen by and be representative of the national farm loan associations.

Federal land banks are empowered to invest their funds in the purchase of qualified first mortgages on farm lands situated within the Federal land bank district within which they are organized or acting. Loans on farm mortgages are to be made to cooperative borrowers through the organization of corporations known as national farm loan associations, by persons desiring to borrow money on farm-mortgage security under the terms of the act. Ten or more natural persons who are the owners of or are about to become the owners of farm land qualified as security for mortgage loans, and who desire to borrow money on farm-mortgage security, may unite to form a national farm loan association. The manner of forming these associations and the qualifications for membership are set out in the act.

A loan desired by each such person must be for not more than $10,000 nor less than $100, and the aggregate of the desired loans not less than $20,000. The application for loan must be accompanied by subscriptions to stock of a Federal land bank equal to 5 per cent of the aggregate sum desired on the mortgage loan. Provision is made for appraisal of the land and report to the Federal Farm Loan Board. No persons but borrowers on farm loan mortgages shall be members or shareholders of national farm loan associations.

Shareholders in farm loan associations are made individually responsible for the debts of the association to the extent of the amount of the stock owned by them, respectively, in addition to the amount paid in and represented by their shares.

When any national farm loan association shall desire to secure for any member a loan on first mortgage from the Federal land bank in its district it must subscribe to the capital stock of the Federal land bank to an amount of 5 per cent of such loan, which capital stock shall be held by the Federal land bank as collateral security for the payment of the loan; the association shall be paid any dividends accruing and payable on the capital stock while it is outstanding. Such stock may, in the discretion of the directors and with the approval of the Federal Farm Loan Board, be paid off at par and retired, and shall be so retired upon the full payment of the mortgage loan. In such event the national farm loan association must pay off at par and retire the corresponding shares of its stock which were issued when the land bank stock so retired was issued; but it is further provided that the capital stock of the land bank shall not be reduced to less than 5 per cent of the principal of the outstanding farm loan bonds issued by it. The shares in national farm loan associations shall be of the par value of $5 each.

At least 25 per cent of that part of the capital of any Federal land bank for which stock is outstanding in the name of National Farm Loan Associations must be held in quick assets. Not less than 5 per cent of such capital must be invested in United States Government bonds.

The loans which Federal land banks may make upon first mortgages on farm lands are provided for in section 12 of the act. By section 13 these banks are empowered, subject to the provisions of the act, to issue and sell farm loan bonds of the kind described in the act and to invest funds in their possession in qualified first mortgages on farm lands, to receive and to deposit in trust with the farm loan registrar, to be held by him as collateral security for farm loan bonds, first mortgages upon farm lands, and, with the approval of the Farm Loan Board, to issue and to sell their bonds secured by the deposit of first mortgages on qualified farm lands as collateral, in conformity with the provisions of section 18 of the act. By the amendment of January 18, 1918, the Secretary of the Treasury was empowered during the years 1918 and 1919 to purchase farm loan bonds issued by Federal land banks to an amount not exceeding $100,000,000 each year, and any Federal land bank was authorized at any time to repurchase at par and accrued interest, for the purpose of redemption or resale, any of the bonds so purchased from it and held in the United States Treasury.

It is also provided that the bonds of any Federal land bank so purchased and held in the Treasury one year after the termination of the pending war shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed and repurchased by such bank at par and accrued interest. By section 15 it is provided that whenever, after the act shall have been in effect for one year, it shall appear to the Federal Farm Loan Board that national farm loan associations have not been formed and are not likely to be formed in any locality because of peculiar local conditions, the board may, in its discretion, authorize Federal land banks to make loans on farm lands through agents approved by the board on the terms and conditions and subject to the restrictions prescribed in that section.

The act also authorizes the incorporation of joint-stock land banks, with capital provided by private subscription. They are organized by not less than 10 natural persons, and are subject to the requirements of the provisions of section 4 of the act so far as applicable. The board of directors shall consist of not less than five members. Each shareholder shall have the same voting privileges as the holders of shares in national banking associations, and shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such bank to the extent of the amount of stock owned by them at the par value thereof, in addition to the amount paid in and represented by their shares. The joint-stock land bank is authorized to do business when capital stock to the amount of $250,000 has been subscribed, and one-half paid in cash, the balance remaining subject to call by the board of directors, the charter to be issued by the Federal Farm Loan Board. No bonds shall be issued until the capital stock is entirely paid up. Except as otherwise provided, joint-stock land banks shall have the powers of and be subject to all the restrictions and conditions imposed on Federal land banks by the act, so far as such conditions or restrictions are applicable.

Federal land banks may issue farm loan bonds up to twenty times their capital and surplus. Joint-stock land banks are limited to the issue of farm loan bonds not in excess of fifteen times the amount of their capital and surplus. Joint-stock land banks can only loan on first mortgages upon land in the State where located, or in a State contiguous thereto. No loan on mortgage may be made by any bank at a rate exceeding 6 per cent per annum exclusive of amortization payments. Joint-stock land banks shall in no case charge a rate of interest on farm loans which shall exceed by more than 1 per cent the rate established by the last series of farm loan bonds issued by them, which rate shall not exceed 5 per cent per annum.

Provisions for the issue of farm loan bonds secured by first mortgages on farm lands or United States bonds, as collateral, which must be deposited with the Federal Farm Loan registrar, are made for Federal land banks and joint-stock land banks; in each case the issue is made subject to the approval of the Federal Farm Loan Board. The farm loan mortgages, or United States bonds, which constitute the collateral security for the bonds, must be deposited with the Farm Loan Commissioner.

Section 26 of the act provides as follows:

"That every Federal land bank and every national farm loan association, including the capital and reserve or surplus therein and the income derived therefrom, shall be exempt from Federal, State, municipal,

and local taxation, except taxes upon real estate held, purchased, or taken by said bank or association under the provisions of section 11 and section 13 of this act. First mortgages executed to Federal land banks or to joint-stock land banks and farm loan bonds issued under the provisions of this act shall be deemed and held to be instrumentalities of the Government of the United States, and as such they and the income derived therefrom shall be exempt from Federal, State, municipal, and local taxation.

"Nothing herein shall prevent the shares in any joint-stock land bank from being included in the valuation of the personal property of the owner or holder of such shares in assessing taxes imposed by authority of the State within which the bank is located, but such assessment and taxation shall be in manner and subject to the conditions and limitations contained in section 5219 of the Revised Statutes with reference to the shares of national banking associations.

"Nothing herein shall be construed to exempt the real property of Federal and joint-stock land banks and national farm loan associations from either State, county, or municipal taxes to the same extent according to its value as other real property is taxed."

Since the decision of the great cases of McCulloch v. Maryland (4 Wheat., 316) and Osborn v. Bank (9 Wheat., 738), it is no longer an open question that Congress may establish banks for national purposes, only a small part of the capital of which is held by the Government, and a majority of the ownership in which is represented by shares of capital stock private owned and held, the principal business of such banks being private banking conducted with the usual methods of such business. While the express power to create a bank or incorporate one is not found in the Constitution, the court, speaking by Chief Justice Marshall, in McCulloch v. Maryland, found authority so to do in the broad general powers conferred by the Constitution upon the Congress to levy and collect taxes, to borrow money, to regulate commerce, to pay the public debts, to declare and conduct war, to raise and support armies, and to provide and maintain a navy, etc. Congress, it was held, had authority to use such means as were deemed appropriate to exercise the great powers of the Government by virtue of Article I, section 8, clause 18 of the Constitution, granting to Congress the right to make all laws necessary and proper to make the grant effectual. In First National Bank v. Union Trust Co. (244 U. S., 416, 419), the Chief Justice, speaking for the court, after reviewing McCulloch v. Maryland and Osborn v. Bank, and considering the power given to Congress to pass laws to make the specific powers granted effectual, said:

"In terms it was pointed out that this broad authority was not stereotyped as of any particular time, but endured, thus furnishing a perpetual and living sanction to the legislative authority within the limits of a just discretion, enabling it to take into consideration the changing wants and demands of society and to adopt provisions appropriate to meet every situation which it was deemed required to be provided for."

That the formation of the bank was required, in the judgment of the Congress for the fiscal operations of the Government, was a principal consideration upon which Chief Justice Marshall rested the authority to create the bank; and for that purpose being an appropriate measure, in the judgment of the Congress, it was held not to be within the authority of the court to question the conclusion reached by the legislative branch of the Government.

Upon the authority of McCulloch v. Maryland and Osborn v. Bank the national banking system was established, and upon them this court has rested the constitutionality of the legislation establishing such banks. (Farmers & Mechanics National Bank v. Deering, 91 U. S. 29, 33, 34.)

Congress has seen fit in section 6 of the act to make both classes of banks, when designated for that purpose by the Secretary of the Treasury, depositaries of public money, except receipts from customs, under regulations to be prescribed by the Secretary of the Treasury, and has authorized their employment as financial agents of the Government, and the banks are required to perform such reasonable duties, as depositaries of public moneys and financial agents as may be required of them. The Secretary of the Treasury shall require of the Federal land banks and the joint-stock land banks, thus designated, satisfactory security, by the deposit of United States bonds or otherwise, for the safekeeping and prompt payment of the public money deposited with them, and for the faithful performance of their duties as the financial agents of the Government.

Section 6 also provides that no Government funds deposited under the provisions of the section shall be invested in mortgage loans or farm loan bonds.

It is said that the power to designate these banks as such depositaries has not been exercised by the Government, and that the Federal land banks have acted as Federal agents only in the case of loans of money for seed purposes made in the summer of 1918, to which we have already referred. But the existence of the power under the Constitution is not determined by the extent of the exercise of the authority conferred under it. Congress declared it necessary to create these fiscal agencies, and to make them authorized depositaries of public money. Its power to do so is no longer open to question.

But, it is urged, the attempt to create these Federal agencies, and to make these banks fiscal agents and public depositaries of the Government, is but a pretext. But nothing is better settled by the decisions of this court than that when Congress acts within the limits of its constitutional authority, it is not the province of the judicial branch of the Government to question its motives. (Venzie Bank v. Fenno, 8 Wall., 533, 541; McCray v. United States, 195 U. S., 27; Flint v. Stone-Tracy Co., 220 U. S., 107, 147, 153, 156, and cases cited.)

That Congress has seen fit to make of these banks fiscal agencies and depositaries of public moneys, and also to grant to them banking powers of a limited character, in no wise detracts from the authority of Congress to use them for the governmental purposes named, if it sees fit to do so. A bank may be organized with or without the authority to issue currency. It may be authorized to receive deposits in only a limited way. Speaking generally, a bank is a moneyed institution to facilitate the borrowing, lending, and caring for money. But whether technically banks, or not, these organizations may serve the governmental purposes declared by Congress in their creation. Furthermore, these institutions are organized to serve as a market for United States bonds. Not less than 5 per cent of the capital of the Federal land banks, for which stock is outstanding in farm loan associations, is required to be invested in United States bonds. Both kinds of banks are empowered to buy and sell United States bonds.

In First National Bank v. Trust Company (244 U. S., supra), this court sustained the power of Congress to enable a national bank to transact business which, by itself considered, might be beyond the power of Congress to authorize. In that case it was held to be within the authority of Congress to permit national banks to exercise, by permission of the Federal Reserve Board, when not in contravention of local law, the office of trustee, executor, administrator, or registrar of stocks or bonds.

We therefore conclude that the creation of these banks and the grant of authority to them to act for the Government as depositaries of public moneys and purchasers of Government bonds brings them within the creative power of Congress, although they may be intended, in connection with other privileges and duties, to facilitate the making of loans upon farm security at low rates of interest. This does not destroy the validity of these enactments any more than the general banking powers destroyed the authority of Congress to create the United States Bank, or the authority given to national banks to carry on additional activities destroyed the authority of Congress to create these institutions.

In the brief filed upon reargument counsel for the appellant seem to admit the power of Congress to appropriate money for the direct purposes named, and in that brief they say: "Tax exemption is the real issue sought to be settled here." Deciding, as we do, that these institutions have been created by Congress within the exercise of its legitimate authority, we think the power to make the securities here involved tax exempt necessarily follows. This principle was settled in McCulloch v. Maryland and Osborn v. Bank, supra.

That the Federal Government can, if it sees fit to do so, exempt such securities from taxation seems obvious upon the clearest principles. But it is said to be an invasion of State authority to extend the tax exemption so as to restrain the power of the State. Of a similar contention made in McCulloch v. Maryland Chief Justice Marshall uttered his often-quoted statement:

"That the power to tax involves the power to destroy; that the power to destroy may defeat and render useless the power to create; that there is a plain repugnance in conferring on one government a power to control the constitutional measures of another, which other, with respect to those very measures, is declared to be supreme over that which exerts the control, are propositions not to be denied." (4 Wheaton, 431.)

The same principle has been recognized in the National Bank cases declaring the power of the States to tax the property and franchises of national banks only to the extent authorized by the laws of Congress. Owensboro National Bank v. Owensboro (173 U. S., 664) involved the validity of a franchise tax in Kentucky on national banks. In that case this court declared (pp. 668, 669) that the States were wholly without power to levy any tax directly or indirectly upon national banks, their property, assets, or franchises, except so far as the permissive legislation of Congress allowed such taxation; and the court declared that the right granted to tax the real estate of such banks and the shares in the names of the shareholders constituted the extent of the permission given by Congress, and any tax beyond these was declared to be void.

In Farmers' Bank v. Minnesota (232 U. S., 516) this court held that a State may not tax bonds issued by the municipality of a Territory; that to tax such bonds as property in the hands of the holder is, in the last analysis, an imposition upon the right of a municipality to issue them.

The exercise of such taxing power by the States might be so used as to hamper and destroy the exercise of authority conferred by Congress, and this justifies the exemption. If the States can tax these bonds, they may destroy the means provided for obtaining the necessary funds for the future operation of the banks. With the wisdom and policy of this legislation we have nothing to do. Ours is only the function of ascertaining whether Congress, in the creation of the banks, and in exempting these securities from taxation—Federal and State—has acted within the limits of its constitutional authority. For the reasons stated we think the contention of the Government and of the appellees that these banks are constitutionally organized and the securities here involved legally exempted from taxation must be sustained.

It follows that the decree of the district court is affirmed.

Mr. Justice Brandeis took no part in the consideration or decision of this case.

A true copy.

Test:

Clerk Supreme Court, United States.

Mr. WINGO. Now I yield to the gentleman from Illinois. If he does not wish to respond, I will reserve the balance of my time, Mr. Speaker, and will yield five minutes to the gentleman from Massachusetts [Mr. PHELAN].

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. PHELAN. Mr. Speaker, this bill proposes to do one thing, and one thing only.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. In just one minute.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield there?

Mr. PHELAN. Yes.

Mr. MANN of Illinois. Is the gentleman in favor of the bill?

Mr. PHELAN. Yes, sir.

Mr. MANN of Illinois. Is the gentleman from Arkansas in favor of the bill?

Mr. WINGO. Yes, sir.

Mr. MANN of Illinois. Is everybody else in favor of the bill?

Mr. PHELAN. Yes, sir.

Mr. MANN of Illinois. Then what on earth are we talking about? Why not vote?

Mr. WINGO. Will the gentleman yield there?

Mr. PHELAN. No; I will not yield to anybody.

I will tell the gentleman why I am talking. It is because two or three Members have asked me to talk and explain the bill, and some of the Members wanted to know what the bill was, and I will try to tell them.

When we put this farm loan act through, I, more than anybody else, was responsible for this five-year limitation. This was the situation: The mortgages are the security behind the bonds. The mortgages could be paid at any time within five years after they are due. In a new and untried system in which we had no experience I was not willing that bonds should be put out for a greater period of time than the possible length of the mortgages that were behind them. In other words, I did not want a situation to develop where farm-loan banks would have bonds out for 10 or 15 years and have the mortgages which were behind them paid in less time than that.

The gentleman from Oregon [Mr. HAWLEY] was on the commission and argued as he did here to-night, and argued very well, that the rate would be better in the case of a long-time bond. I agreed with what he then said, and I agree with what he said to-night.

The thing I was afraid of, however, was that a number of new directors in a new system, men who had had no experience in this kind of work, might get the bank tied up in a position where there would be outstanding bonds on which they would have to pay interest, perhaps not sufficient mortgages outstanding and drawing interest with which to pay the bond interest. The European systems have almost uniformly made the length of the period of the mortgages and the minimum period of the bonds the same. The farm-loan system has now been running for some years. The Farm Loan Board inform us that they have bonds maturing frequently, so that they can safely have a longer minimum period. The act originally provided that there could not be a longer minimum period than 5 years. In other words, you could not have a bond that was not callable in 5 years. You could not have a bond outstanding that was callable in 6 or 8 years. Your bonds must all be callable in 5 years. They might, at the option of the bank, remain out for more than 5 years, but the bank must have the right to call them in 5 years. This bill provides that your bonds must be callable in 10 years. They might be callable in 8, 7, 6, or 5 years, but they can not be callable in 11, 12, or 13, or any period of years more than 10. That is all there is to the proposition.

Now, as to the market for the present bonds, it is the simplest matter in the world. It is a question of the kind of bargain that the banks can make. They ought to sell 10-year bonds on better terms than they sell 5-year bonds. They ought to get a little lower rate of interest on 10-year bonds than on 5-year bonds. If that is so as an ordinary proposition, and they can get a better rate of interest on a 10-year bond than they can on a 5-year bond, how is that going to affect the 5-year bonds that are outstanding? They sell the 10-year bond at a little lower rate. That is the only difference. Now, if it happens that these bonds which go out for 10 years sell at the same rate or a little higher rate than the 5-year bonds that are already outstanding, it is because the market is different. So that there is nothing at all to the argument which has been used that they are going to hurt the bonds already outstanding.

Mr. WALSH. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. WALSH. Does the gentleman contend that under this legislation the bonds must be called in 10 years?

Mr. PHELAN. No; they must be callable in 10 years. A bank issues a bond which the bank has the right to call in 10 years.

SEVERAL MEMBERS. Vote! Vote!

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken, and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., *March 2, 1921.*

Hon. F. H. GILLETT,
Speaker House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I desire to tender my resignation as a member on the part of the House on the Joint Committee on Inaugural Ceremonies.

Respectfully, W. W. RUCKER.

The SPEAKER. The Chair appoints in the place of Mr. RUCKER, Maj. STEDMAN, of North Carolina. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, had agreed to the amendments of the House to the amendments of the Senate Nos. 10, 22, 34, 54, 106, and 113, had insisted upon its amendments Nos. 18, 23, 104, and 105, and had agreed to the further conference asked by the House, and had ordered that Mr. WADSWORTH, Mr. SUTHERLAND, Mr. NEW, Mr. FLETCHER, and Mr. MCKELLAR be the conferees on the part of the Senate.

BURIAL OF AN UNKNOWN AMERICAN SOLDIER.

Mr. FISH. Mr. Speaker, I move to suspend the rules and pass House joint resolution 426.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass a joint resolution, which the Clerk will report.

The Clerk read House joint resolution 426, providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed, under regulations to be prescribed by him, to cause to be brought to the United States the body of an American, who was a member of the American Expeditionary Forces who served in Europe, who lost his life during the World War and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va.

Such sum as may be necessary to carry out the provisions of the joint resolution is hereby authorized to be expended by the Secretary of War.

The SPEAKER. Is a second demanded? If not, the question is on suspending the rules and passing the joint resolution.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the joint resolution was passed.

STANDING ROCK INDIAN RESERVATION.

Mr. SINCLAIR. Mr. Speaker, I move to suspend the rules, take House joint resolution 346 from the Speaker's table, and agree to the Senate amendments.

The SPEAKER. The Clerk will read the Senate amendments.

The Senate amendments were read.

The SPEAKER. Is a second demanded?

Mr. GARD. I demand a second.

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that a second may be considered as ordered. Is there objection? There was no objection.

Mr. GARD. I made the demand for a second in order that the gentleman might explain the difference between the bill as it passed the House and the Senate amendments.

Mr. SINCLAIR. Mr. Speaker, the only difference between the House bill and the Senate amendments is that they have added another reservation—the Cheyenne Reservation. It permits the extending of the time of payment to the Cheyenne Reservation in addition to the Standing Rock Reservation. The other amendments that are in the bill are to make the language of the bill conform to that added reservation.

The bill simply extends the time of payment one year on account of the crop conditions out in that country for the last year.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SINCLAIR. Yes.

Mr. MANN of Illinois. The House passes this resolution extending the time for the payment of the purchase money on homestead entries in the Standing Rock Indian Reservation.

Mr. SINCLAIR. Yes.

Mr. MANN of Illinois. And the Senate puts in the Cheyenne River Indian Reservation, an entirely different reservation?

Mr. SINCLAIR. It is.

Mr. MANN of Illinois. Here is a case where the House passes a bill extending the time of payment in one reservation, and having got that through some one goes to the Senate and adds an amendment to insert another Indian reservation in connection with it. I have no doubt the gentleman from North Dakota is acting in good faith. Then a motion is made to suspend the rules, nobody has reported on it, and nobody knows anything about it except the gentleman, and I assume that he does.

Mr. SINCLAIR. A report was submitted by Senator SMOOT of the Public Lands Committee of the Senate.

Mr. MANN of Illinois. Well, they may know something about it in the Senate, but we know nothing about it in the House.

Mr. SINCLAIR. The Secretary of the Interior has reported on it.

Mr. MANN of Illinois. Then why was it not reported in the House in the proper way? Why pass a bill through the House and then go to the Senate and insert another reservation without anybody knowing anything about it?

Mr. SINCLAIR. I am not responsible for what was done in the Senate.

Mr. MANN of Illinois. The gentleman is responsible for what he is trying to do in the House without any consideration by a committee of the House. It is an entirely different proposition and never has been considered in the House.

Mr. SINCLAIR. The matter has been done several times by the House in respect to other Indian reservations. The time of payment has been extended on several reservations.

Mr. MANN of Illinois. I know, and I have voted for many of them. I voted intelligently, or at least with some information. Here we are asked to vote for one reservation without any knowledge or information at all.

Of course, I know that there have been times when gentlemen have passed bills through the House and have then gone to the Senate and had something added to them, and have had them finally passed without any consideration by the House of what has been added in the Senate. I do not believe the gentleman from North Dakota [Mr. SINCLAIR] is guilty of any bad faith to the House at all, but I do not think it is a very good way to do business.

Mr. SINCLAIR. Mr. Speaker, I would say to the gentleman that the conditions in the Cheyenne Reservation are very similar to the conditions in the Standing Rock Reservation.

Mr. MANN of Illinois. Why did not the gentleman put it in his original proposition?

Mr. SINCLAIR. It was not called to my attention. It is in another State.

Mr. MANN of Illinois. Oh, that is it. Some Senator from another State said "I will let your bill pass if you will add something for my State," and it is now proposed to do that without any knowledge or information on the part of the House in respect to it. Is that the way we are doing business here?

Mr. SINCLAIR. The gentleman is drawing a wrong inference in that. I am here to speak only for my constituency, and my people asked me for this legislation and I brought it before the House. It passed the House in December without a dissenting vote.

Mr. MANN of Illinois. Yes; but the gentleman's present proposition did not. Is there no one in the House who is asking for the Cheyenne Indian Reservation proposition?

Mr. SINCLAIR. The gentleman from Illinois knows more about it than I do.

Mr. MANN of Illinois. I do not know anybody who is asking for it in the House. The gentleman proposes that we agree to a Senate amendment which is inserted and which he says he does not know anything about. If there is anybody in the House who does, I hope he will rise and come to the rescue.

Mr. FOSTER. Do we not know as much about this as we did about the post office in North Carolina?

Mr. SINCLAIR. Yes.

The SPEAKER. The question is on suspending the rules and passing the House joint resolution.

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended, and the joint resolution was passed.

BRIDGE ACROSS SAVANNAH RIVER, S. C.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10963) granting the consent of Congress for the construction of a bridge across the Savannah River at or near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga., which I send to the desk and ask to have read.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to J. J. Smith and J. E. McGee, both of Starr, S. C., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation, at or near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 5, strike out the words "successors and".
Page 1, line 8, strike out the words "at or".
Amend the title.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga."

RELIEVING ELECTORAL VOTE MESSENGERS.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of S. J. Res. 248, relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President, which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas certain of the messengers appointed by the electors of certain States failed, through incorrect legal advice, to deliver to the President of the Senate the certified copy of the electoral vote of such States for President and Vice President; and

Whereas certain messengers, learning of this erroneous advice, delivered such certificates after January 24 and before the passage of this act: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That messengers who failed to appear should be relieved and discharged from the $1,000 fine for such neglect imposed and that the President of the Senate be directed to authorize the payment of such messengers as appeared before January 31, 1921.

The SPEAKER. Is there objection to the present consideration of the joint resolution.

Mr. BLANTON. Mr. Speaker, I reserve the right to object.

Mr. GARD. Mr. Speaker, reserving the right to object, how many of these messengers are asking to be relieved?

Mr. MANN of Illinois. Mr. Speaker, I ask for the regular order.

Mr. BLANTON. Then I object, if the gentleman can not explain.

Mr. WOOD of Indiana. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 248, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass Senate joint resolution 248, which the Clerk will report.

The Clerk again reported the joint resolution.

The SPEAKER. Is a second demanded.

Mr. WINGO. Mr. Speaker, I demand a second.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. WINGO. Mr. Speaker, will the gentleman explain how many of these messengers there are, and why it was they did not come down?

Mr. WOOD of Indiana. As I understand it there are three and possibly four. I am going to ask unanimous consent to amend the resolution by making it read "On or before January 31, 1921," so as to include the fourth man.

The old law used to provide that the electoral vote should be delivered here on or before the first Wednesday in February. That law is changed. It now requires that the vote shall be delivered here on or before the fourth Monday in January. The secretaries of states in four States, at least, operating under the old law issued certificates to the messengers providing that they should report and deliver the vote on or before the first Wednesday in February.

Mr. WINGO. What States?

Mr. WOOD of Indiana. The State of Indiana was one. [Laughter.] The State of Utah another, the State of Maryland, I think, the third, and I am just informed by the gentleman from Oregon [Mr. SINNOTT] that the State of Oregon is the fourth.

Mr. TILSON. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. TILSON. Is the gentleman's motion now in form so that it will take care of what he wishes to do? As I understand, the gentleman now wishes to amend by unanimous consent before this motion is voted upon. Had he not better secure that consent before we go ahead and consider this bill under suspension of the rules?

Mr. WOOD of Indiana. That is what I am going to ask after this explanation.

Mr. McARTHUR. I want to say to the gentleman this resolution will have to be amended to include January 31, if he is going to take care of the Oregon man who did not get here until that day.

Mr. WOOD of Indiana. On or before January 31.

Mr. McARTHUR. But the resolution says before January.

Mr. WOOD of Indiana. That is the reason why I am asking unanimous consent to say on or before January 31.

Mr. TILSON. Had not the gentleman better do that at this time, because if somebody objects to it he may need to go over it again——

Mr. WOOD of Indiana. I am now asking that the bill may be so amended as to read "on or before January 31, 1921."

Mr. GARD. Reserving the right to object, the gentleman has had the suspension of the rules accorded him for a certain proposition embraced in the bill?

Mr. WOOD of Indiana. Yes.

Mr. GARD. I do not know how it can be amended.

Mr. WOOD of Indiana. Only by unanimous consent.

Mr. WINGO. I think to save time the House will give unanimous consent.

Mr. WOOD of Indiana. In order that there may be no question about this thing I wish to offer just this word of explanation. I know that so far as the messenger from the State of Indiana is concerned that he was absolutely without fault and was acting entirely upon the certificate given him by the secretary of state, and I wish to say this, further: He was an old soldier, fought through the Civil War, spent a year in driving the French out of Mexico, looked upon this as a crowning honor and found it to be a humiliation, and I expect these other gentlemen acting in the same good faith came with the certificate and within the time only to find that they, too, were to be humiliated.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I will.

Mr. MANN of Illinois. Who gave this information? This law has been in force for many years. Has there been any trouble about this before?

Mr. WOOD of Indiana. I do not know whether there has been or not. I know as far as the State of Indiana is concerned that the secretary of state so advised the messenger and issued the certificate accordingly, but the Vice President would not receive the electoral vote when it came here; only upon the condition that a new certificate should be had would he receive it, and the messenger was sent back to Indiana and got back here——

Mr. MANN of Illinois. Most of these messengers this year were Republicans?

Mr. WOOD of Indiana. Yes.

Mr. MANN of Illinois. It is impossible for me to believe they are more ignorant and less intelligent than the messengers four and eight years ago who were able to obey the law.

Mr. WOOD of Indiana. It might have been possible that the gentlemen whose duty it was to receive them were a little bit more critical than they were four years ago.

Mr. MANN of Illinois. Well, that may be. I do not know.

Mr. CHINDBLOM. Perhaps they had an old volume of the Statutes.

Mr. McARTHUR. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. McARTHUR. I want to say in regard to the messenger from my State that he applied to the Secretary of State to know if it would be all right for him to get here on the first Monday in February.

Mr. WOOD of Indiana. Mr. Speaker, I now ask for a suspension of the rules and the passage of Senate resolution 248, with an amendment on page 2, line 3, by adding before the word "before" the words "on or."

The SPEAKER. The gentleman from Indiana asks unanimous consent to amend the resolution in the manner in which the Clerk will report.

Mr. GARD. Mr. Speaker, a parliamentary inquiry. Would it not be better parliamentary practice for the gentleman to submit and have reread the proposition which he now offers under the suspension of the rules, rather than to have the amendment by unanimous consent?

The SPEAKER. The Chair thinks it would save time. The Chair thinks if it were done by unanimous consent it would have to be read over again. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, insert before the word "before" the words "on or."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on suspending the rules and passing the resolution as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the joint resolution was agreed to.

BRIDGE ACROSS SAVANNAH RIVER, NEAR SAVANNAH, GA.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from South Carolina asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10883) authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.

Be it enacted, etc., That the counties of Beaufort, S. C., and Chatham, Ga., be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation at or near Savannah, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BYRNES of South Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15812. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired;

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes; and

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.

LATE REPRESENTATIVE CHAMP CLARK.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that, beginning at 8 o'clock p. m., March 3, there may be an hour in which Members shall have opportunity to deliver addresses upon the life, character, and public services of the late CHAMP CLARK, a Representative from the State of Missouri.

The SPEAKER. The gentleman from Missouri asks unanimous consent that to-morrow evening at 8 o'clock an hour be set apart for memorial exercises on the late Hon. CHAMP CLARK. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER. Mr. Speaker, I present the following resolutions:

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
March 2, 1921.

Resolved, That the House has heard with profound sorrow of the death of Hon. CHAMP CLARK, a Representative from the State of Missouri.

Resolved, That a committee of the House be appointed to take order for superintending the funeral of Mr. CLARK in the Hall of the House of Representatives at 10 o'clock and 30 minutes antemeridian, on Saturday, March 5, instant, and that the Members of the present House and of the House elect attend the same.

Resolved, That, as a further mark of respect, the remains of Mr. CLARK be removed from Washington to Bowling Green, Mo., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House communicate these proceedings to the Senate and invite the Vice President, the Vice President elect, the Members of the Senate, and the Members of the Senate elect to attend the funeral in the Hall of the House of Representatives; and that the Senate be invited to appoint a committee to act with the committee of the House.

Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the President elect and the members designate of his Cabinet, the Chief Justice and the Associate

Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Naval Operations, and the General of the Army to attend the funeral in the Hall of the House of Representatives.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

COMMEMORATION COIN—ADMISSION OF MISSOURI INTO UNION.

Mr. VESTAL. Mr. Speaker, I ask for the immediate consideration of Senate bill 4893.

The SPEAKER. The gentleman from Indiana asks for the present consideration of a bill which the Clerk will report by title.

The Clerk read as follows:

An act (S. 4893) to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, is the resolution similar in terms to that passed at the last Congress in reference to Massachusetts?

Mr. VESTAL. In the same language.

Mr. GARD. And with the same governmental safeguards?

Mr. VESTAL. The same safeguards.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in commemoration of the one hundredth anniversary of the admission of Missouri into the Union there shall be coined at the mints of the United States 50-cent pieces to the number of 250,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. VESTAL, a motion to reconsider the vote by which the bill was passed was laid on the table.

CRADOCK, VA.

Mr. ELLIOTT. Mr. Speaker, I move to suspend the rules and pass Senate bill 4924.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass Senate bill 4924. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4924) to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation Project 150A, located in Norfolk County, State of Virginia, and called Cradock.

Be it enacted, etc., That the exclusive jurisdiction heretofore acquired over the said town site or territory known as United States Housing Corporation Project 150A and called Cradock, and located in the county of Norfolk, State of Virginia, be, and the same is hereby, retroceded to the State of Virginia.

The SPEAKER. Is a second demanded?

Mr. BLACK. I demand a second.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

Mr. MANN of Illinois. Is the gentleman from Texas opposed to the bill?

Mr. BLACK. I am not.

The SPEAKER. The gentleman from Indiana [Mr. ELLIOTT] asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, this is a bill to retrocede to the State of Virginia jurisdiction over a tract of land down in Cradock, Norfolk County, Va. During the World War the Housing Corporation built quite an extensive city there and the State of Virginia ceded to the United States Government jurisdiction over this property.

Now, that the war is over, the Government has sold to different individuals all of the houses in that town, and the Government owns at this time the public utility plants that it built there for its own use. There is a town or city without a city government, and it can have no city government until the State of Virginia acquires jurisdiction over this land, so that the town can be incorporated under the laws of the State of Virginia. When the retrocession is made the town can be incorporated and its citizens can levy taxes upon themselves, and they can buy these public utilities that the Government owns that have been left over from the war.

Mr. MILLER. Mr. Speaker, will the gentleman yield for a question?

Mr. ELLIOTT. Yes.

Mr. MILLER. Suppose this bill passes, and the jurisdiction is conferred on the State of Virginia, what becomes of the title of the United States Government to these utilities?

Mr. ELLIOTT. The titles to the utilities remain with the United States until the United States conveys them over. The United States has already deeded the land. This is governmental jurisdiction that it is ceding back.

The gentleman from Virginia [Mr. HOLLAND] represents the district in which this is located, and is looking after the interests of the people there; and I yield five minutes to him.

Mr. HOLLAND. Mr. Speaker, I do not know that I can add anything to what has already been said by the gentleman from Indiana. So far as the utilities are concerned, I would say that the Government still owns them. Cradock is an orphan child of the Housing Corporation, absolutely without any local government. The Government has disposed of its property to private individuals, but still holds jurisdiction over it.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. HOLLAND. Yes.

Mr. BLACK. If the Government has ceded its title to private individuals, why is it necessary to have a government there?

Mr. HOLLAND. Because the United States still has jurisdiction over this property. The State of Virginia ceded jurisdiction to the United States Government.

Mr. BLACK. And it is now necessary, notwithstanding the conveyance of title to these private individuals, that this governmental authority be conferred?

Mr. HOLLAND. The United States district court of Virginia has held that it is essential that jurisdiction shall be ceded back to the State of Virginia before they can organize any local government. There is no legal entity with which any contract for light, or water, or anything else can be made. As soon as jurisdiction is ceded back these people can organize under the State laws.

Mr. BLACK. Mr. Speaker, I do not wish to consume any time on the particular bill in question, but I have a letter from the Postmaster General that I would like to have read in my time.

The SPEAKER. Without objection, the Clerk will read it.

Mr. WALSH. What is it about? Is it about this bill?

Mr. BLACK. It is not about this bill. But I have been asked to make it public. It contains certain information about postal robberies that is pertinent at this time. If anybody objects to it as being out of order, all right.

Mr. KING. Has the gentleman from Oklahoma [Mr. MCCLINTIC] objected?

Mr. MCCLINTIC. I have not. The gentleman asked to have this read in his own time.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 28, 1921.

Hon. EUGENE BLACK,
House of Representatives,
Washington, D. C.

MY DEAR MR. BLACK: I thank you for the opportunity to glance at the newspaper clippings relating to accidents in the air mail service and the robberies of the mails which have recently taken place.

We all recognize that the air mail is a pioneer service and that, in the nature of things, accidents will occur. Some people, with small intellect, never seem able to grasp the point made in the couplet:

"Mother, may I go out to swim;
"Yes, yes, you may, my daughter;
"Hang your clothes on a hickory limb
"But don't go near the water."

Of course, I am indifferent to contemptible insinuations directed against the Postal Establishment by such newspapers as the New York Herald. Every person whose good opinion is worth while knows that base and unconscionable partisanship is the animus of attacks made by such newspapers.

Intelligent people know the causes underlying the crime wave which has recently swept over the country, finding its most acute expressions on Broadway and Fifth Avenue, New York. The unusual number of mail robberies at this period are mere incidents of the nation-wide and, in fact, the world-wide, wave of crime. A condition of great unrest exists everywhere, manifesting itself in disregard of personal and property rights, accompanied by attacks upon the foundation of government itself. How could the safety of the mails fail to be affected by such conditions?

An important factor making for the development of crime in the United States is the disposition on the part of certain judicial officers, notably in New York City, Washington, and Chicago, to impose nominal

punishments when criminals are apprehended. It frequently happens that a day's confinement in jail is given upon a plea of guilty for theft from the mails, and it also often occurs that judges of bolshevistic tendencies, who from motives of policy had theretofore managed to conceal such feelings, find occasion for expressing sympathy for the criminal or make excuses for the crime committed.

A criminal instinct or predisposition is the basic cause of bolshevistic tendencies, and this applies to those in judicial place as well as to others.

Furthermore, the enactment of laws which are unsupported by public opinion, and for this reason unenforceable, provoke frequent and widespread breaches of such laws, thus engendering in the public mind disrespect for all laws and encouraging those who have criminal inclinations to law violation.

Another encouragement to crime commission is the mendacious and salacious policy pursued by a commercialized press. Newspapers, with of course some exceptions, not only spread before helpless readers day after day extended accounts, in utmost detail, of murders, robberies, divorces, and crimes of all sorts, but when law violators are apprehended and arrested they often treat in a maudlin, sentimental way, always characterized by the most yellow sensationalism, the crime committed, the criminal, and the various members of his family. This frequently results in eliciting the well-meaning but misdirected sympathy of a lot of sentimental reformers or self-constituted reform organizations, which have interfered with law enforcement until it has reached a point where criminals no longer fear the penalties of law violation. This, of course, through the power of suggestion, encourages others to like crimes. Such newspapers have not only become a menace to society but are becoming a danger to government itself.

This may not be palatable reading, but it is God's virgin truth, and I have hoped that the time would come when some one would have the courage to speak out in meeting.

The efficiency of the Post Office inspection force is such that no one will question the assertion that a larger percentage of those committing crimes against the United States mails are apprehended than in any other class of crimes committed.

These are the only comments I desire to make upon the clippings.

Again thanking you, I am,

Sincerely, yours, A. S. BURLESON.

During the reading,

Mr. KING. Mr. Speaker, I object to the further reading.

The SPEAKER. The Chair thinks consent has been given.

Mr. KING. It is not addressed to the question before the House.

The SPEAKER. That is very true, but the gentleman should have objected when consent was asked.

Mr. YOUNG of North Dakota. The gentleman said that it would take only five minutes.

SEVERAL MEMBERS. Regular order!

The Clerk resumed and completed the reading of the letter.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question being taken, and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

ARMY APPROPRIATIONS.

Mr. ANTHONY. I submit a conference report on the Army appropriation bill (H. R. 15043) for printing under the rule, for the information of the House.

PROPERTY OF OFFICERS AND ENLISTED MEN OF THE ARMY.

Mr. CRAGO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes.

The SPEAKER. The gentleman moves to suspend the rules and pass the bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918 (40 Stat., p. 880), be, and the same hereby is, amended to read as follows:

"SECTION 1. That private property belonging to officers, enlisted men, and members of the Nurse Corps (female) of the Army, including all prescribed articles of equipment and clothing which they are required by law or regulation to own and use in the performance of their duties, and horses and equipment required by law or regulations to be provided by mounted officers, which since the 5th day of April, 1917, has been or shall hereafter be lost, damaged, or destroyed in the military service, shall be replaced, or the damage thereto, or its value recouped to the owner as hereinafter provided, when such loss, damage, or destruction has occurred or shall hereafter occur without fault or negligence on the part of the owner in any of the following circumstances:

"First. When such private property so lost, damaged, or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment.

"Second. When it appears that such private property was so lost, damaged, or destroyed in consequence of its owner having given his attention to the saving of human life or property belonging to the United States which was in danger at the same time and under similar circumstances, or while, at the time of such loss, damage, or destruction, the claimant was engaged in authorized military duties in connection therewith.

"Third. When during travel under orders such private property, including the regulating allowance of baggage, transferred by a common carrier, or otherwise transported by the proper agent or agency of the United States Government, is lost, damaged, or destroyed; but replacement, recoupment, or commutation in these circumstances, where the property was or shall be transported by a common carrier, shall be limited to the extent of such loss, damage, or destruction over and above the amount recoverable from said carrier.

"Fourth. When such private property is destroyed or captured by the enemy, or is destroyed to prevent its falling into the hands of the enemy, or is abandoned on account of lack of transportation or by reason of military emergency requiring its abandonment, or is otherwise lost in the field during campaign.

"SEC. 2. That except as to such property as by law or regulation is required to be possessed and used by officers, enlisted men, and members of the Army Nurse Corps (female), respectively, the liability of the Government under this act shall be limited to damage to or loss of such sums of money or such articles of personal property as the Secretary of War shall decide or declare to be reasonable, useful, necessary, and proper for officers, enlisted men, or members of the Army Nurse Corps (female), respectively, as the case may be, to have in their possession while in quarters, or in the field, engaged in the public service in the line of duty.

"SEC. 3. That the Secretary of War is authorized and directed to examine into, ascertain, and determine the value of such property lost, destroyed, captured, or abandoned as specified in the foregoing paragraphs, or the amount of damage thereto, as the case may be; and the amount of such value or damage so ascertained and determined shall be paid by disbursing officers of the Army, or such property lost, destroyed, captured, or abandoned, or so damaged as to be unfit for service, may be replaced in kind from Government property on hand when the Secretary of War shall so direct.

"SEC. 4. That the tender of replacement or of commutation or the determination made by the Secretary of War upon a claim presented, as provided for in the foregoing section, shall constitute a final determination of any claim cognizable under this chapter, and such claim shall not thereafter be reopened or considered.

"SEC. 5. That no claim arising under this act shall be considered unless made within two years from the time that it accrued, except that when a claim accrues in time of war, or when war intervenes within two years after its accrual, such claim may be presented within two years after peace is established.

"SEC. 6. That for the payment of claims arising and established under this act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $300,000.

"SEC. 7. That so much of the act of March 28, 1918 (40 Stats., pp. 479, 480), as makes provision for the presentation, adjustment, and payment of claims of officers and enlisted men for loss of private property destroyed in the military service be, and the same hereby is, repealed."

The SPEAKER. Is a second demanded?

Mr. GARD. I demand a second.

Mr. CRAGO. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, I make a point of order that a quorum of the House is not present.

The SPEAKER. The gentleman from Alabama makes the point of order that there is no quorum present. The Chair will count.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 10 o'clock and 31 minutes p. m.) the House adjourned until Thursday, March 3, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

430. A letter from the Public Printer, transmitting a letter calling attention to schedule of useless files of papers and records of the office of the superintendent of documents to be disposed of; to the Committee on Disposition of Useless Executive Papers.

431. A letter from the Acting Secretary of the Treasury, transmitting supplemental estimate of appropriations, required by the Public Health Service for improvement at quarantine stations at Boston, New York, Philadelphia, and Baltimore (H. Doc. No. 1017); to the Committee on Appropriations and ordered to be printed.

432. A letter from the Assistant Secretary of Labor, transmitting a list of useless papers of the Bureau of Naturalization of the Department of Labor, to be destroyed; to the Committee on Disposition of Useless Executive Papers.

433. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Coosa River, Ga. and Ala. (H. Doc. No. 1018); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 14067) to regulate grain exchanges, reported the same without amendment, accompanied by a re-

port (No. 1401), which said bill and report were referred to the House Calendar.

Mr. BRAND, from the Committee on Banking and Currency, to which was referred the bill (H. R. 15191) to amend section 13 of the Federal reserve act approved December 23, 1913, providing for discount of notes, drafts, and bills of exchange of factors, reported the same with an amendment, accompanied by a report (No. 1402), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 15373) to amend the United States cotton futures act by inserting therein a new section for American Egyptian cotton only, to be known as section 5A, reported the same with an amendment, accompanied by a report (No. 1403), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 478) requesting suspension of speculative short sales, reported the same without amendment, accompanied by a report (No. 1404), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 479) requesting suspension of speculative short sales, reported the same without amendment, accompanied by a report (No. 1405), which said bill and report were referred to the House Calendar.

Mr. DYER, from the Committee on the Judiciary, submitted a report (No. 1407) on the impeachment charges against Kenesaw Mountain Landis, which said report was referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RIDDICK: A bill (H. R. 16161) to amend the United States warehouse act of August 11, 1916, to make it possible for individual farmers to store and finance their grain and market it direct through negotiable warehouse receipts; to the Committee on Agriculture.

By Mr. BRINSON: A bill (H. R. 16162) to enlarge and extend the post-office building at Goldsboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. ROMJUE: A bill (H. R. 16163) to extend marketing of agricultural and live stock products and to establish therefor a bureau in the Department of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER (by request): Memorial from the Legislature of the State of Oregon, favoring H. R. 15854, to promote Maj. Gen. Liggett to the rank of lieutenant general; to the Committee on Military Affairs.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, requesting the enactment of House bill 15854, by which the rank of lieutenant general will be restored to Maj. Gen. Hunter Liggett; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Oregon, urging the enactment by Congress of legislation which will prevent the use of destructive fishing gear in the waters of the Pacific Ocean bordering on the United States and the Dominion of Canada; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under Clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Maryland: A bill (H. R. 16165) for the relief of the Charlestown Sand & Stone Co.; to the Committee on War Claims.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 16166) granting a pension to Hattie Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16167) granting a pension to Elizabeth Yeatts; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 16168) granting a pension to Mary A. Clegg; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 16169) to authorize appropriation of $250,000, to be paid out of the Treasury by the Secretary of the Treasury to the Central Storage Co., of San Angelo, Tex.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6208. By the SPEAKER (by request): Petition of Waverly Council No. 138, New York City, urging the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

6209. Also, petition of the National Association of Manufacturers, New York City, protesting against the Federal coal bill and the Federal live-stock commission bill; to the Committee on Agriculture.

6210. By Mr. ACKERMAN: Petition of citizens of Plainfield, N. J., favoring the passage of S. 4554 and H. R. 14469, known as the national park bills; to the Committee on Water Power.

6211. By Mr. BENHAM: Petition of Rev. Conrad Held and sundry citizens of Batesville, Ind., concerning the French army of occupation in Germany; to the Committee on Foreign Affairs.

6212. By Mr. BRIGGS: Petition adopted in mass meeting at Galveston, urging immediate recognition of the Irish republic and requesting the Government to immediately recall loan made to Great Britain during the World War; to the Committee on Foreign Affairs.

6213. By Mr. CRAMTON: Petition of Rev. Rudolph E. W. Riemann, pastor, and the trustees of St. Jakobi Church, Richmond, Mich., protesting against the presence of colored French troops in Germany; to the Committee on Foreign Affairs.

6214. By Mr. HERSEY: Petition of Sacre-Coeur Council, No. 371, l'Union St. Jean-Baptiste d'Amerique, Acadia, Me., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6215. By Mr. KEARNS: Petition of certain citizens of Batavia, Ohio, concerning the French army of occupation in Germany; to the Committee on Military Affairs.

6216. By Mr. LINTHICUM: Petition of the Merchants & Manufacturers' Association, Baltimore, urging appropriation to take care of impending danger from typhus epidemic; to the Committee on Appropriations.

6217. Also, petition of the Holland Manufacturing Co., Baltimore, favoring a tariff for protection of industry against serious foreign competition; to the Committee on Ways and Means.

6218. Also, petition of Mayor William F. Broening, Baltimore, urging emergency appropriation for Baltimore quarantine asked by Public Health; to the Committee on Appropriations.

6219. Also, petition of Mrs. M. L. McCloskey, C. E. Doyle, Mrs. Mary L. Booth, and John P. Donahue, all of Baltimore, protesting against the Smith-Towner bill; to the Committee on Education.

6220. By Mr. McGLENNON: Petition of members of St. Ann's Roman Catholic Church, of Hoboken, N. J., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6221. By Mr. McLAUGHLIN of Michigan: Petition of members of the Swedish Evangelical Lutheran Lebanon Church, of Whitehall, Mich., protesting against the occupation of German territory by French Negro troops; to the Committee on Foreign Affairs.

6222. By Mr. MOONEY: Petition of the Council of the City of Cleveland, Ohio, asking that the United States Public Health Service locate one of the $2,500,000 hospitals for disabled ex-service men in that city; to the Committee on Public Buildings and Grounds.

6223. Also, petition of certain citizens of the twentieth district of Ohio, favoring the recognition of the Irish republic and protesting against the deportation of O'Callaghan; to the Committee on Foreign Affairs.

6224. By Mr. MORIN: Petition of numerous citizens of Pittsburgh, Pa., urging an amendment to the Volstead Act that will permit the manufacture and sale of beer and light wines; to the Committee on the Judiciary.

6225. Also, petition of many citizens of Pittsburgh, Pa., protesting against the enactment of legislation providing for severe restrictions regarding work and the enjoyment of innocent pastimes on Sunday; to the Committee on the Judiciary.

6226. By Mr. PAIGE: Petitions of Rochambeau Council, No. 12, l'Union St. Jean Baptiste d'Amerique, Southbridge, Mass.; Dollard des Ormeaux Council, No. 90, l'Union St. Jean Baptiste d'Amerique, Webster, Mass.; Richelieu Council, No. 193, l'Union St. Jean Baptiste d'Amerique, West Warren, Mass.; Brochu Council, No. 62, l'Union St. Jean Baptiste d'Amerique, Southbridge, Mass.; and Marie Antoinette Council, No. 267, l'Union St. Jean Baptiste d'Amerique, Spencer, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6227. By Mr. PATTERSON: Petition of the Salem Monthly Meeting of Friends, Salem, N. J., opposing compulsory military training; to the Committee on Military Affairs.

6228. By Mr. RIDDICK: Petition of residents of Custer County, Mont., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6229. By Mr. ROGERS: Petition of the Centralville Social Club, of Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6230. Also, petition of J. N. Jacques Council, No. 217, l'Union St. Jean-Baptiste d'Amerique, Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6231. By Mr. ROWAN: Petition of the Merchants' Association of New York, requesting funds for effective quarantine improvement in our larger ports; to the Committee on Appropriations.

6232. Also, petition of St. Vincent de Paul Conference of the Church of St. Thomas the Apostle, of New York City, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6233. By Mr. TAGUE: Petition of Arthur A. Shurtleff, in favor of the Esch bill, H. R. 14469, and the Jones bill, S. 4554; to the Committee on the Public Lands.

6234. Also, petition of Henry M. Foote, in favor of Senate bill 2252, paying the State of Massachusetts; to the Committee on War Claims.

6235. Also, petition of the Massachusetts Tuberculosis League, regarding Robinson amendment, transferring Fort Roots, at Little Rock, from the War Department to the Public Health Department; to the Committee on Public Buildings and Grounds.

6236. Also, petition of the Society for the Protection of New Hampshire Forests, of Boston, Mass., concerning appropriation for blister-rust control; to the Committee on Appropriations.

6237. By Mr. TEMPLE: Petition of J. M. Hammer, of Pittsburgh, Pa., editor, box 555, protesting against the importation of glassware into the United States in the production of which child labor enters; to the Committee on Ways and Means.

6238. By Mr. THOMPSON: Petition of citizens of Napoleon, Ohio, protesting against the use by the Republic of France of uncivilized colored troops in the occupied districts of Germany; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *March 3, 1921.*

(Legislative day of Wednesday, March 2, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ENROLLED BILL SIGNED.

The VICE PRESIDENT announced his signature to the enrolled bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the bill (S. 4924) to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation project 150A, located in Norfolk County, State of Virginia, and called Cradock.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga.;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies; and

H. J. Res. 480. Joint resolution making appropriation to pay the widow of Champ Clark.

The message further announced that the House had passed, with an amendment, the joint resolution (S. J. Res. 248) relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President, in which it requested the concurrence of the Senate.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. HALE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	Lodge	Shields
Ball	Gooding	McCumber	Simmons
Borah	Gore	McKellar	Smith, Ariz.
Brandegee	Hale	McLean	Smith, Md.
Calder	Harris	McNary	Smith, S. C.
Capper	Harrison	Moses	Smoot
Chamberlain	Henlin	Myers	Spencer
Culberson	Henderson	Nelson	Sterling
Cummins	Jones, N. Mex.	New	Sutherland
Curtis	Jones, Wash.	Overman	Swanson
Dial	Kellogg	Owen	Townsend
Dillingham	Kendrick	Phipps	Trammell
Edge	Kenyon	Pittman	Underwood
Elkins	Keyes	Poindexter	Wadsworth
Fernald	King	Pomerene	Walsh, Mass.
Fletcher	Kirby	Ransdell	Walsh, Mont.
Frelinghuysen	Knox	Reed	Warren
Gay	La Follette	Robinson	Watson
Gerry	Lenroot	Sheppard	Willis

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present.

Mr. POINDEXTER. Mr. President, it is about 24 hours until, according to the Constitution of the United States, this session of Congress will end. From the experience that we have had in the attempt to pass the naval appropriation bill during the last four days, it is perfectly evident that it is utterly impossible to enact the bill into law at the present session of Congress. That being the case, I do not feel like assuming the responsibility of holding the time of the Senate to keep the bill under consideration, as a mere mummery of legislation, which can not result in any positive law, thereby preventing the consideration of a great many important and vital measures which are pending in the Senate and ready for senatorial action. I regret very much that already we have interfered with some of those measures. I think during the effort to get consideration of the naval appropriation bill we have caused a delay of three or four hours in the great, vital, national measure of a bridge across the Peedee Creek—or something like that—in South Carolina. I do not desire to stand in the way of measures of that kind.

Of course, there are a number of circumstances which have brought about a failure of the naval appropriation bill. The chief of them, I am perfectly frank to say, was the late date at which it was received from the House of Representatives. It was not received from the House of Representatives until February 15. As it came from the House of Representatives, the bill was in such form that, if it had been enacted into law, it would have led to the demoralization of the American Navy and to a paralysis of the great organization which has been undertaken and in progress successfully under the new plan of naval development which has grown out of the preparedness which was forced upon this country by the great European war.

The bill as it came from the House, leaving out of consideration certain fixed charges and considering those items which are appropriated for the maintenance and operation of the fighting force of the Navy, contained an amount approximately double that which was carried by the naval appropriation bill of 1916. Since 1916 the pay of American sailors has been doubled, the cost of rations for the Navy has been increased twofold, the wages of civilian employees are double what they were in 1916, the cost of material for the construction of ships and the other necessary work which enters into the Naval Establishment is twice what it was in 1916, so that if the bill had been passed by the Senate in that form it would have provided only for the maintenance in 1921, with all the military development of the world since 1916, for a 1916 Navy.

The bill as it came from the House contained no appropriation for aircraft. Great Britain is estimating and appropriating in her great aviation establishment for the current year 125,000,000 pounds sterling. The naval bill as it came from the House carried not a dollar for new aircraft or the construction or procurement of new aircraft. All the great naval powers in the world are providing the necessary accessories of naval aviation service, such as ships called airplane carriers, upon which airplanes are carried to the vicinity of the scene of action. The House bill provided nothing whatever for the construction of such ships, although at the present time we have none at all

except one or two obsolete converted vessels used as a makeshift for that purpose.

Mr. BORAH. Mr. President, the Senator from Washington is making an important statement. I should like to hear it.

The VICE PRESIDENT. The Senate will be in order.

Mr. POINDEXTER. So anxious was the Senate committee to promote the enactment of legislation upon the subject of the Navy, which it regarded as of more critical importance now than the question of naval power has been to the United States for several years past, that, although the House bill only provided for half speed in carrying out the program of naval construction in the appropriations which it made for that purpose, the Senate committee recommended no increase in that amount of $90,000,000 for the construction of the great capital ships and other vessels composing the 1916 program, which embraces the improvements and the developments in scientific progress which the intervening years have brought forth as the basis of the American naval program.

So it was necessary that the Senate should make certain amendments to the bill. It involved a great deal of labor, and no time was lost by the committee in making the necessary studies from the best evidence that was possibly obtainable, from the best naval authorities in the United States, the equals of those, we believe, of any in the world, and in revising the bill, which purported to be sufficient for the maintenance of a navy of 100,000 men, but which, we were advised by the Navy Department, actually carried appropriations only sufficient for 80,000 men, so that it would meet the exigencies of the time and be adequate for the year 1921 instead of embodying obsolete provisions which were only deemed sufficient for 1916.

By proceeding each day and every hour which physical endurance and the necessities and exigencies of such proceedings allowed we were able to report the bill to the Senate on the 25th day of February.

We were somewhat embarrassed by the fact that the chairman of the Naval Affairs Committee was unfortunately ill and not able to assume the responsibilities of the place, but request was made in the Senate on Saturday last for consideration of the measure. From that time to this it has been attacked in the air—very largely in the air—on the surface, and to a considerable extent under the surface; but, notwithstanding those attacks, wherever through the difficulties of the interruptions and of the loving embraces of its friends and the open attacks of its enemies, it was able to come to an issue, it was supported by the Senate. There is not any question that the overwhelming sentiment of the Senate is in favor of adequate naval program based upon the practical developments of the world, not for a cessation of naval defenses upon the theory of those who believe that at some future time a different mode of naval warfare may be invented.

On Saturday night when we attempted to gain consideration for the bill, much to our surprise we were met by objections from those who are supposed to be friends of the bill that there was not a quorum present. It being impossible to obtain a quorum at that time, we lost practically a day in the consideration of the bill; but, notwithstanding that, if those who say that their only desire is to obtain a real consideration of the questions that are involved in the bill had allowed us to proceed with the consideration of the several features of the bill they all could have been examined with minute care; all the information that is capable of being developed by debate in the Senate could have been had; the bill could have been passed and could have become a law at this session of Congress.

However, it is said that the bill may pass at the next session of Congress. I do not know why that statement is made. It may; I can not look into the future and see what may happen. I do not know but that the situation in the next Congress may be the same as it is in this. There has been the same opportunity in this session of Congress to enact this bill that there will be in the closing days of the next session of Congress.

If we have a new set of witnesses who say that this great program should be suspended because they have heard somebody say or some newspaper writer has written an editorial that battleships are obsolete, and that before very long somebody is going to invent some way of destroying them, the naval bill may be defeated at that session. Whether it will be or not, it is the duty of this session of Congress to meet the responsibilities which devolve upon it, and not to pass them on to some future Congress which is called upon for the consideration of other matters of emergency of a different character and which are regarded as of sufficiently vital importance to occupy the time and the attention of the special session of Congress, instead of having it occupied, as it must necessarily be, by the consideration of appropriation bills which should have been passed at this session if there had been a sincere effort on the part of the friends and of the opponents of the bill to settle these questions by open and fair debate and to allow a decision in the great jury of the Senate.

I know how eager a number of Senators upon this side of the Chamber and some Senators upon the other side are to have an opportunity to go on record here in the Senate on the coal control bill; I know how they are chafing in the collar in their anxiety to make a record to the world of what their attitude is upon the soldiers' bonus bill; and I think that we ought to get out of the way and allow them to consider those bills and to make a record of their attitude upon those great measures, so long as it is impossible that any actual result could come from the further consideration of the pending measure.

I have been informed, Mr. President, by a Senator that when the motion was made to take up the naval bill for consideration he voted against it; that he was really in favor of the bill, but that he was advised by a leading Senator upon this side of the Chamber that it was not desired to pass it; and so he voted against it. That is an example of the nature of attacks to which the bill has been subjected.

Of course, under such circumstances it would have been impossible to enact it into law.

If we cease the mere occupying of time, which can not result in any practical benefit to the country, in connection with the consideration of this bill, it will give the Senate an opportunity to devote its attention during the remaining day and a half of the session to the consideration of the appropriation of $10,000,000 from the American Treasury for the muscles of Muscle Shoals; it will give an opportunity to the Senator from Alabama, who said last night that to-day he would take the opportunity of doing so, to explain to the Senate and to the American people why it is that he is willing to defeat finally the great sundry civil appropriation bill, containing appropriations for the maimed and sick soldiers of the World War, unless, perforce, there is attached to it an appropriation of $10,000,000 from the Treasury of the United States to be sunk into the Muscle Shoals Government project.

Mr. UNDERWOOD. Mr. President——

Mr. POINDEXTER. I will yield in a few moments to the Senator. I can not yield just now.

Mr. UNDERWOOD. I should like to hear what the Senator says. I was diverted when he commenced his discussion. Of course, I will answer the Senator in my own time.

Mr. POINDEXTER. Yes.

Mr. UNDERWOOD. But I was talking to another Senator when the Senator started, and I should like to hear what he says.

Mr. POINDEXTER. I think that I noticed the Senator was not paying attention when I first referred to the subject, but I thought he heard the substance of what I said. I will repeat it in just a few words.

Mr. UNDERWOOD. I wish the Senator would, because I want to hear it.

Mr. POINDEXTER. I said that, inasmuch as the naval appropriation bill can not be enacted into law, for, even if we should proceed with the bill now and endeavor to pass it, it could not go through conference and be enrolled and be enacted into law, we ought not to allow it to occupy the time of the Senate to the exclusion of the great project for getting $10,000,000 for the muscles of Muscle Shoals. I also referred to the remark of the Senator from Alabama to the effect that—I think he said on to-day—he would take occasion to explain and make known to the world why it is that the sundry civil appropriation bill is being held up, although it contains appropriations for the hospitalization of the sick and wounded soldiers of the great World War. I hope the opportunity will be given also to the Senator from Alabama to explain to those soldiers and to their families why it is that he insists that the sundry civil bill shall be defeated—I understand his attitude is, although I may be mistaken about it——

Mr. UNDERWOOD. That is certainly not my attitude.

Mr. POINDEXTER. Let me complete the sentence—that the sundry civil bill shall be defeated unless it contains an appropriation of $10,000,000 from the Public Treasury for Muscle Shoals, even though it should result in the defeat of the appropriations the bill contains for necessary hospitals for American soldiers. I say that he can explain that, and he can explain also to the families of those soldiers why he takes advantage of the necessities of the victims of national unpreparedness and of those who have paid the price with the loss of their limbs and their health of the poltroonery of an American administration which announced to the world that it was

too proud to fight in order to avenge the murder of American citizens. I say that the Senator from Alabama will have an opportunity to do that.

Mr. UNDERWOOD. Undoubtedly, as soon as the Senator concludes.

Mr. POINDEXTER. And also to explain why it is that, in addition to his proposal why that bill shall be defeated if it does not contain the Muscle Shoals appropriation, thereby depriving the country of the needed facilities for the proper care of the soldiers, that he proposes to tax them their proportionate share of taxes for the $10,000,000 to develop a project on the Tennessee River.

Mr. President, during the consideration of this bill we have had a repetition of a great many arguments that have been familiar for many years. I did not suppose that we would have repeated here the argument—of course, it appeals to the pride of American citizenship—that the American boy, callow, practically untrained, is equal to the trained, veteran sailors of a foreign country if we have a little superior number.

Mr. LENROOT. Mr. President, since the Senator has referred to the statement I made, does the Senator claim that the Navy to-day is composed of callow, untrained boys? If he does, I think we ought to know it.

Mr. POINDEXTER. I am speaking of what the Senator said. Many of them are callow, untrained boys; many of them are in training camps; but that is not the question. I was referring to the remark that the Senator from Wisconsin made.

We have listened to the most eloquent presentation of proposals for a limitation of armaments, and the Senate adopted an amendment to the naval appropriation bill containing practically the identical language which had been advocated by the Senator from Idaho [Mr. BORAH], on which he has conducted a great campaign, and which he has given evidence that he regards as of paramount importance to this country and to the world; and yet we witness, after it has been adopted, his continued opposition to the bill which was the vehicle and the only vehicle by which it could be enacted into law.

I listened with the utmost interest and admiration to the masterly argument of the Senator from Idaho, giving the reasons why France could not agree to go into a conference for the limitation of land forces so long as her national existence and independence depended upon the maintenance of her Army, and the justification by the Senator from Idaho of France's position in that regard, using that as an argument why we should exclude France from such a conference, and that we should invite a naval conference between Japan, Great Britain, and the United States for the purpose of a limitation of sea power. Every word that the Senator from Idaho said with such telling effect as to the justification of France for the position which she takes in regard to her Army can be used against the argument which he makes in his expectation that Great Britain will agree to reduce her Navy, because the position of Great Britain on the sea, her dependence upon her navy, is identical with the position of France upon the land and her dependence upon her army.

I heard the Senator describe in great detail the refusal of France even to entertain the question of a limitation of her land forces in an argument for modifying our naval program upon the expectation that Great Britain would agree to a limitation of her sea forces, for the Senator from Idaho said that he believed if such a limitation could not be brought about, and there was to be a dependence upon power at sea, if any nation was to dominate the seas of the world, that nation should be the United States of America. The only way in which that result could be accomplished would be for Great Britain to proceed to reduce her fleet and her sea power by 50 per cent; and notwithstanding the fact that the Senator excluded France from the possibility of such an agreement, because she had already announced that she would not consider a reduction of her army, he said nothing to the Senate about the fact that Great Britain had made a similar announcement in regard to her navy, and that when it was proposed at the peace conference in Paris that there should be a limitation of the armaments of the world Great Britain agreed to it upon the condition that it should not include consideration of the reduction of the British Navy, because the vitals of the British Empire depended upon its maintenance.

Mr. President, there has been a great deal of talk here about the fact that Great Britain has ceased to construct battleships, and it has been reiterated so often that the impression inevitably must have spread from it that Great Britain had abandoned her dependence upon her battleships. We have had that statement from a number of Senators on repeated occasions, but they fail to state in connection with their statement that Great Britain was not building additional capital ships; that Great Britain to-day has more than double the number of capital ships of any other naval power in the world. They fail to state that notwithstanding the alleged limitation of the naval power of Great Britain, she still maintains the so-called two-power status of her navy, and that to-day the British Navy is greater in power in all the branches of its service than any other two navies in the world. That being the case, she can well afford to suspend the construction of capital ships, due to the fact that she has more than twice as many as any other power in the world has. They fail to state that when this program is completed, even though the United States should be unable to carry out the plans of 1916, Great Britain would still be at least the equal of the United States even as to capital ships, even as to battleships; that she would have 6 battle cruisers to our 6—Japan would have 12, I may say, incidentally, to our 6—Great Britain would have 73 swift scout cruisers to 13 of the United States, and 35 submarine cruisers or fleet submarines to 12 of the United States.

So certainly it is perfectly evident that Great Britain has not ceased her reliance upon her sea power and that any impression which may go abroad from the reiteration of the statement that she has made no appropriations for naval construction is misleading if it leads to the conclusion that she is not still determined to maintain the same naval policy which has been the basis of her empire in the past.

Mr. President, conditions to-day are more critical than they have been in the world for two or three years—at any time since the immediate close of the great European war. I have read some information in the course of this debate in regard to the proceedings which are taking place in other countries which have rival interests and serious disputes with the United States; and yet the objection is made, and made so successfully that we have not even been able to secure consideration for an appropriation bill for meeting the emergency by the appropriation of an amount equal to that that we appropriated last year, more than $100,000,000 less than we appropriated the year before that, and more than $100,000,000 less than we appropriated the preceding year.

Last year's appropriation bill, together with the deficiency appropriation, amounted to $496,243,000.

In 1919 we appropriated $636,383,894.

In 1920 we appropriated $616,096,838.

And there was no strenuous objection to it, no great issue raised. It continued the same program and brought us into the middle of its completion, where it is perfectly useless unless it is carried still further forward, which the pending appropriation bill is intended to supply; and yet this year, in a much more critical situation of the naval affairs and relations of the United States, we are unable to secure consideration for a bill carrying a much smaller amount of money, more than $100,000,000 less.

During the debate we were edified by a great many arguments in favor of substituting brotherly love, good will, and a dependence upon the good nature of the world for military power; and it is a most appealing argument. The distinguished Senator from Oklahoma [Mr. OWEN] said, in substance, that for the same reason that gentlemen in Oklahoma had quit carrying six-shooters the United States ought to quit depending upon its Navy. The trouble about that is that he overlooks the fact that the only reason why he does not have to carry a six-shooter is because the policeman carries it for him. The Senator from Oklahoma and those who believe in his pacifist policy would not tolerate for one instant the abandonment of police protection for himself and for his family. He would not tolerate for a single hour the removal of that security of this city or of his home city in Oklahoma, where he lives, which comes from the armed power of organized society which lies back of the law, which alone makes life tolerable and insures that liberty which is the chief object of the establishment of this Government.

Yet, while he would not tolerate the abandonment of protection for his own municipality, he argues upon the floor of the United States Senate that those immeasurably greater and more vital interests of the Nation should abandon the same sort of protection of organized force, which he himself claimed as a necessary adjunct of his relations as an individual to the community in which he lives.

Mr. President, if we adopted the policy which the Senator and those who agree with him advocate, and should apply it, to say nothing of the Nation, to even one city, notwithstanding the sanction and the restraint of religion, not a night would pass in the best-governed city of the land when the gutters would not run red with blood as a result of lawless force.

Yet we are asked, when there is at stake the greatest heritage of the age—the enlightened liberty and order, under the law, of the American people—that we should abandon that self-

reliance on the strong right arm of their military force and rest upon the assumption that the good will of foreign Governments will not permit them to trespass upon our rights.

Mr. President, the opponents of this bill are willing to take the chance of some future Congress enacting a naval bill. I hope it may, and I sincerely trust that that hope may come to a better realization than the same hope and the same expectation which had been entertained in regard to this Congress.

We are told that we do not need these battleships, because some Senators think that we do not need them. They asked to be allowed to call certain witnesses and ask them if we did not need them, and every witness called who testified said that we needed the battleships. Somebody read a newspaper article saying that battleships are obsolete, and tried to create the impression that Great Britain has abandoned her reliance upon battleships, because some Senator has evolved, in the development of his military ability, a new species of naval warfare; and I am referring very largely to the argument along that line made by the Senator from Utah, ignoring the fact that the Government of Great Britain, which is the only authorized spokesman for the British Empire upon this subject, has officially announced that it still depends upon battleships as the backbone of the British Navy.

If the Government of Great Britain says that, why do Senators, because they have received an article from some writer upon the subject who occupies no responsible position, say that the policy of Great Britain is different? The First Lord of the Admiralty, in his enunciation of his naval program, the last expression upon the subject, has emphasized the fact that no experience or development of the late war justified the British nation in abandoning its previous policy in regard to battleships.

A part of this controversy was started on that subject and resulted in the delay, and in the now manifest defeat of the bill, because I take the responsibility of saying that while I would like to see this bill pass in the Senate, in my judgment, if it should pass, even in the quickest time that is possible, it would be impossible before 12 o'clock to-morrow to secure its passage through conference and through the House of Representatives. It could have been done if we had passed it yesterday evening, or had passed it last night, and had gone to work last night immediately in conference; possibly it could have been enacted into law, but it can not be done now.

This result is partially due to the fact that men with no responsibility in naval affairs, and after only a casual investigation of the subject, dispute the practice of the greatest naval nations in the world—Japan and Great Britain, for instance—and the General Navy Board of the United States as to the type of ships which we should have. They want to abandon the practice and the authority of the naval powers of the world and to establish in their place a new system, based upon the theory of amateur warriors, not as to what has actually been developed, but as to what they wish and hope will be the case at some indefinite time in the future, if somebody smart enough comes along and invents a different weapon.

Mr. President, they say we should have submarines and airships. Of course we should. One of the purposes of the amendments of the Senate to the House bill is to provide those things. But, Mr. President, if I may refer for a moment, not to a theory, but to actual events, battleships sail with safety through fleets of submarines, when the battleships are defended by destroyers and swift cruisers. There were no ships to speak of in the great World War sunk by submarines, notwithstanding the number of hulks that lie at the bottom of the sea as the victims of torpedoes, except slow-going merchant ships. Submarines are not a menace to swift vessels of war. The American battle fleet, surrounded by the destroyers which it has and the swift cruisers which it ought to have and which it has not, could sail harmless through any fleet of submarines which could be brought against it.

Admiral von Scheer, when the fate of the German Empire was hanging upon a slender thread, and the world was looking with eager interest to see what the great modern fleet of Germany would do to affect the result of that war, sent out his airships to locate and attack the British fleet five days before the battle of Jutland, and they could not locate it, and they were unable to attack it. He sent out his aircraft to make a diversion, and, if possible, to secure a division of the British fleet by making an attack upon them, and the aircraft failed.

So, in order to make an attack at all, he was compelled to stake the issue upon his battleships and his battle cruisers, without the aid of either submarines or aircraft. The German aircraft could not even find the German battle fleet at the Battle of Jutland; so, why should our legislative stategists say that the developments of this war indicate that aircraft are going to take the place of surface craft?

Are we going to carry the commerce of the world in airplanes? Somebody was just telling me here on the floor of the Senate a moment ago that the experience of our effort to establish an aerial mail service was that we had carried a sack of mail from San Francisco to New York. If that is the best we have been able to do after all of the effort we have made along that line, I assume we are not going to carry the commerce of the world in the air, and that it is going upon the surface of the sea in merchant vessels, as it has done heretofore, and if merchant vessels are to carry the commodities of the world upon the surface of the sea, it will be essential that there shall be war vessels upon the surface of the sea to protect the merchant vessels from the destruction of the enemy in case of war.

The proposition upon which this bill depends is whether or not we shall build the defenses of the Nation upon facts as they exist to-day or whether we shall be, as Kipling describes in his jungle song:

> Here we sit in a branchy row,
> Thinking of wonderful things we know,
> Dreaming of things we mean to do,
> Things that are great and wise and good,
> Won by merely wishing we could.

Mr. President, I move that the naval appropriation bill be laid aside.

Mr. UNDERWOOD. Mr. President, I am sorry to detain the Senate at all this morning, but the Senator from Washington [Mr. POINDEXTER] has invited me into this controversy, and I am going to state my viewpoint very plainly on the matter he has discussed.

I have always admired the character, sterling integrity, and honesty of purpose of the Senator from Washington. I served with him in the House of Representatives years ago, and I have served with him here. But this morning the Senator from Washington has concluded to convert himself into a common scold in his efforts to put the failure of a great supply bill on some one else's shoulders besides his own. I do not say this with any disrespect to the Senator, or any ill-feeling, but the Senator has invited me in, and the Senator is entitled to a candid statement.

I am one of the Senators who, from the beginning, have given their cordial support to this bill and the efforts of the Senator from Washington to pass it. He has had more than an even support on this side of the Chamber. I have not a doubt in my mind that, if the roll were called on his naval program, his percentage of support on this side of the Chamber would be greater than on his own side. But candor compels me to say that if this great bill fails, its failure lies at the door of the Senator from Washington because of his inability to properly handle his bill before the Senate of the United States.

I do not say that in criticism, nor do I intend it as a reflection on the honesty of purpose of the Senator from Washington to pass his bill or his personal desire to have it become a law. Some men are endowed with some characteristics and some with others. I have seen great lawyers who were poor judges and great judges who were poor lawyers. I have seen able statesmen who did not have the tact to handle a bill on the legislative floor. The Senator from Washington, when he is further trained as the head of this great committee, may acquire those faculties which will enable him to carry his bills through the Senate of the United States without difficulty. But the Senator will learn in the course of experience that no chairman can sail a great supply bill through this great legislative body by attacking Members on the floor and attempting to place the blame on other men, and, when a supposed filibuster is in existence, occupy more time in debate than the filibusterers do. There is an old proverb which says, "Whom the gods would destroy they first make mad." I fear the fate of the naval bill has fallen in line with that proverb.

I will say to the Senator, so far as his bill is concerned, that it is in a very dangerous condition, very dangerous, because of the loss of time, the failure to hold the nose of the bill to legislative desks and force its consideration, to let the men in opposition talk and depend upon the force of the majority that is behind him to drive his bill through. But the bill has not failed yet. So far as I am concerned, as I said and I repeat now, I believe the Congress of the United States should attend to its business and its business is to pass the supply bills.

The responsibility rests on the other side of the Chamber. There may have been some filibuster by individual Members, but no man can say that this side of the Chamber has not furnished its share of a quorum and lent its earnest efforts to the passage of the supply bills at this session of Congress, and yet it now looks as if incapacity in management at the two ends of the Capitol were about to defeat two of the great supply bills of the Nation. I hope that the Senator is not going to lay his bill aside. There are those of us here who believe as earnestly as anyone in the disarmament of the world, but we also believe

that that disarmament can best be accomplished by having a strong Navy on the seas when the negotiations are in progress.

The Senator went out of his way this morning to attempt to place at my door the responsibility for the failure of the sundry civil appropriation bill, because he said I was interested in one of the items in the bill, the appropriation for Muscle Shoals. If I am responsible because I supported that amendment and we sent it back to conference, then the Senator's side of the Chamber is sixfold responsible, because they sent more than that number of amendments back to the House in disagreement that had not yet been agreed on, and, among others, the very item that the Senator speaks of in reference to soldiers hospitalization, which is still in disagreement. We might as well have a plain statement of the case. I hope the sundry civil bill will not fail.

Mr. TOWNSEND. Is the Senator correct about the proposition that there are other items in disagreement?

Mr. UNDERWOOD. If the Senator will only look at the RECORD, he will know. After I moved to insist on item numbered 60, the chairman of the committee made a motion to insist on a number of other items about which there was no contest.

Mr. TOWNSEND. I understood the chairman of the committee to state last evening that that is the only item in disagreement.

Mr. UNDERWOOD. I am talking about what happened in the Senate. I am not on the conference committee.

Mr. SMOOT. I will say to the Senator that the hospital amendment has been agreed to.

Mr. UNDERWOOD. I am not talking about what happened in the conference committee. The conference committee have been behind closed doors. They have not given anyone the advantage of knowing what was going on there. I am not a member of the conference committee. My responsibility begins and ends on the floor of the Senate, and I say the RECORD shows that after I had moved that the Senate further insist on its item numbered 60, the chairman of the committee moved to insist on six or seven or eight other items in the bill. I do not remember exactly how many there were, but there were at least that number.

Mr. SMOOT. I will say to the Senator there were five items following that which had not been agreed to when the report was made to the Senate. In taking up the bill in conference, the House conferees insisted that we begin at the beginning and consider in their order the amendments that were in dispute, and of course the Muscle Shoals amendment blocked everything that was beyond that item in the bill; but I will say that there are four others following that upon which I have not any doubt we can agree in a very short time.

Mr. UNDERWOOD. Certainly. The Senator chooses to say the Muscle Shoals item blocked the other items because he is opposed to it and is in favor of the other items.

Mr. SMOOT. Oh, no, Mr. President——

Mr. UNDERWOOD. Just wait a moment. I am not talking about what was done in the conference committee, but what was done at the desk in the Senate. Does not the Senator agree with me that after we had further insisted upon the Muscle Shoals item the chairman of the committee moved that we further insist on four or five or six other items?

Mr. SMOOT. That is true.

Mr. UNDERWOOD. Of course it is.

Mr. SMOOT. I was simply stating to the Senator what happened in the conference committee.

Mr. UNDERWOOD. The Senator does not hold me responsible for what is done in the committee?

Mr. SMOOT. Not at all, of course; but I wanted the Senate to know the true situation.

Mr. UNDERWOOD. The Senator from Washington is indicting me, and if the Senator from Utah will kindly allow me to defend myself, I shall be obliged. I am not responsible for what was done in the conference committee. My responsibility ceased on the floor of the Senate. That is the case. Then what happened?

There was not anything unusual about the Muscle Shoals amendment. The Senate committee itself put the item in the bill and reported it to the floor of the Senate. A motion was made to strike it out and it was lost by a substantial majority. It went to the House of Representatives and the House rejected the item by a very narrow majority, on a vote of 182 for and 193 against, or 11 majority out of a total of 375 men voting, which was a very narrow majority. Then the bill came back to the Senate for a further vote. It was perfectly proper and entirely in accord with parliamentary procedure that those who were in favor of the particular item should move that the Senate further insist, and I made the motion, and the motion was agreed to by an increased majority in the Senate. Then what happened? The bill again went to conference and the Senate conferees supported the Senate action, as they properly should have done, and asked the House conferees to take the bill back for another vote in the House. The House conferees broke up the conference. They did not agree on the Muscle Shoals item and they refused to make a partial conference report and agree on the other items. Is not that true?

Mr. SMOOT. If the Senator desires me to answer the question, I shall be glad to do so; but he rather criticized me for answering a question before. However, now he is asking me a question and I know he will not criticize me if I answer it.

Mr. UNDERWOOD. No; I will not.

Mr. SMOOT. All the items in the bill following the Muscle Shoals item have not been considered because of the very fact that the House conferees said we should take the bill and take the items in the order in which they appeared in the bill. The hospital item was the first, and we agreed to that. Then we tried to get the House conferees to pass over the Muscle Shoals item and agree to the other items, but they said they would not do it in that way, that we might as well settle that and go no further until it was settled.

Mr. UNDERWOOD. Undoubtedly; but all of the other items were left still in dispute and the House conferees left the meeting. I am informed that the leader of the conferees on the part of the Senate called another meeting and attempted again to reach an agreement or a disagreement by which the bill could be considered, and that the House conferees again broke up the meeting; that the manager on the part of the House walked off with the bill in his pocket, neither coming to conference nor reporting it to the House; that he had the papers in his possession and absolutely, for three or four days, blocked consideration of one of the greatest supply bills of the Nation, and yet the Senator from Washington [Mr. POINDEXTER] has said that I am interfering with the passage of the bill, when, as a matter of fact, I have had nothing to do with it.

No man can deny the right of the Senate to express its sense of interest in a provision that belongs in the bill; no man can deny the right of a Member of the House, when the bill comes before the House, to move to concur in the Senate amendments and bring the two Houses together to pass the bill. That is all that those in favor of the Muscle Shoals amendment in the House have ever proposed to do. If they won, they would have secured the passage of the bill.

No man has ever heard me utter a word to the effect that I would kill a great supply bill because of one item. I am inclined to conduct myself in accordance with legislative practices. I have a perfect right as a Senator to insist, as far as it is reasonable, on an item I believe in.

The House of Representatives have the papers. Those in the House who are in favor of the item are entitled and were entitled days ago to another vote on the proposition, but it has been refused, not by parliamentary procedure, but because the manager on the part of the House would neither attend a conference nor take the papers back to the House, where they could act. That is the situation, that is the fact, and I challenge any man here to deny it.

I hope yet that the managers on the part of the House will carry the bill back to the House of Representatives and allow the House either to accept or reject the item and go on and pass the bill. I can say that it is far from me to stand in the way of a great supply bill because of one item; but I would have been disloyal to my constituents if I had not made the request and if I had not made an earnest effort to present their viewpoint in the case.

Now, I desire to say this to the other side of the Chamber: Here is a bill containing $411,000,000, with not only $18,000,000 for hospitals for soldiers but $267,000,000 for the wounded and disabled soldiers, and the action of the management of the Republican Party in the House is endangering those propositions. Why? Because there is one item in the bill that he personally does not want and does not believe in. It is not an unusual item. It is an item that was in conformity of the law, a project that is in the course of building. The item was sustained by a regular estimate sent down by the executive branch of the Government. It is perfectly proper for the Congress to pass on it, and yet because he could put the bill in his pocket and refuse action of any kind, he has blocked the progress of the Congress of the United States, not only endangering a great bill but endangering appropriations that go to wards of the Nation, to the men to whom we owe the greatest debt of loyalty of any men under the flag, the soldiers who sacrificed their health and their limbs on the battle fields of Europe.

That is the situation. To charge that I am or other Members on this side of the Senate are responsible is simply an effort to

camouflage a situation and shows the inability of the party in power to transact the business of the Government.

Mr. President, I have not filibustered on any of these measures; I have given an earnest effort to carry on the business of the country. I yet hope that the Senator from Washington will conduct the naval bill in the Senate so that we may pass it, and will himself refrain from debating it. I yet hope the manager of the sundry civil bill in the other House will carry his bill back to the House and let the House act on the item in disagreement. If the House rejects the item, we shall have to accept its rejection, and if the House concurs, then it would be a crime for the members of the majority party, because of one item, to refuse to pass the bill.

Mr. ROBINSON. Mr. President, I have been very much interested in the passage of both the sundry civil appropriation bill and the naval appropriation bill. I have had no sympathy with the effort on the part of any Senator, if such an effort has been made, to encompass the defeat of either of those bills. The legislative history of the sundry civil bill does not justify the attempt on the part of the Senator from Washington [Mr. POINDEXTER] to place upon the Senator from Alabama [Mr. UNDERWOOD] the blame for the defeat of the sundry civil bill if that bill shall be defeated. I can prove that statement to the satisfaction of every Senator present if he feels enough interest in the statement to listen for a moment to what I have to say.

On the occasion when the Senate conference committee last reported to the Senate it appeared that there were a number of items in disagreement between the two Houses. A motion was made further to insist upon the amendments of the Senate and to ask for a further conference. The Senate had a right then to vote down the motion further to insist upon the amendments, and if it had done so, the two Houses would immediately have been brought into agreement.

How can any Senator who knows anything about the rules of this body blame an individual Senator who, in the exercise of his right to make a motion, moves that the Senate insist, and the Senate in the exercise of its privilege to take whatever action it chooses to take concerning the subject, supports that motion? If the motion further to insist had been voted down, a motion to recede could have been made, and the Senate could at once have put itself in the attitude where an agreement could have been reached if the Senate had desired so to do.

The facts that have been disclosed in the statement of the Senator from Alabama as to the course the conference has taken are astonishing. No blame or censure, it appears, is attachable to the conferees on the part of the Senate. They could not consistently recede from those amendments including the so-called Muscle Shoals amendment, after the Senate had instructed them further to insist on the amendments. There is not a Senator hearing me who knows anything about parliamentary practice in the Senate who does not recognize the fact that after the Senate had voted further to insist on these amendments, including the Muscle Shoals amendment, if the Senate conferees had, in spite of that vote, receded, without further action on the part of the other body, they would have been open to criticism. They did what they had the right to do; they did what parliamentary practice prompted they should do. A fair and free conference required that the representatives on that conference of the body at the other end of the Capitol should have taken the matter back to the other House for another vote.

I have been told that the House chairman of the Committee on Appropriations—the chairman of the conference on the part of the House—refused to pursue the usual parliamentary course and take the items in difference back to the House for a vote, solely on the ground that he feared that the House would not sustain its former position, would not sustain his personal view of the matter, and might vote to agree to the Muscle Shoals amendment. However that may be, whatever may have prompted the course that was taken, it was disrespectful not only to the conferees on the part of the Senate but to the Senate of the United States itself.

Everybody knows that the principal purpose of conference committees is to bring the two Houses into agreement; and if the representatives of one of the Houses arbitrarily refuse to permit their body to make expression more than one time concerning any matters in difference and decline to proceed with the conferees on the part of the Senate the failure of the conference, of course, is inevitable.

Mr. President, there are some provisions in the sundry civil appropriation bill in which every Senator feels great interest. I refer now particularly to the so-called hospitalization amendment, carrying appropriations aggregating $18,600,000, to be immediately available for the enlargement of existing hospitals and for the procurement of additional hospitals. That amendment was agreed on in conference. The provisions of that amendment must in some way be incorporated into law.

Whatever may be the result as to the sundry civil bill, it is not fair for the Senate to vote further to insist upon the Muscle Shoals amendment, and then, because the conferees on the part of the body at the other end of the Capitol decline to engage in the conference unless the Senate recede to lay the responsibility upon the Member of the Senate who made the motion to insist. If the House conferees had taken the item back to the House for another vote and that vote had rejected the Muscle Shoals item, the sundry civil bill would have passed within a few hours after that vote was taken.

There is nothing unusual in the practice of the Senate and of the House to vote more than once upon a proposition in conference, especially when the vote is very close. The vote in the House of Representatives the first time upon the amendment was 193 against to 182 in favor—an exceedingly close vote.

The vote in the Senate on the motion to further insist was far larger in proportion in favor of the action which the Senate had assumed concerning the subject than was the vote in the House. Fairness and justice required that the House again should have been permitted to express itself concerning the subject. Statements were made about the matter in conversations here this morning by Members of the House of Representatives that the chairman of the House conferees had declared that the reason he would not pursue that course was the fear that the amendment of the Senate would finally be enacted and the former action of the House reversed.

My principal purpose in rising at this time is to show that the statement that the responsibility for the failure of the sundry civil bill is on the Senator from Alabama is unfounded in fact and in reason. Wherever that responsibility may rest, it can not be fairly placed upon him merely because he made the motion further to insist. The Senate has not been given an opportunity to take any other action than that taken upon the motion further to insist upon its amendments. The conferees of the Senate could not afford the Senate an opportunity for another vote for the reason that the conferees on the part of the House would not give them an opportunity to take further action. The attitude of the conferees on the part of the House was that the Senate conferees must yield this item without a further vote in the House on it, notwithstanding the fact that the Senate had just instructed them by a proportionately far larger vote to insist upon the amendments than the vote by which the House conferees had been instructed to reject the amendment.

APPROPRIATION TO WIDOW OF REPRESENTATIVE CHAMP CLARK.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives, which the Secretary will read.

The joint resolution (H. J. Res. 480) making an appropriation to pay the widow of Champ Clark was read the first time by its title, the second time at length, and referred to the Committee on Appropriations, as follows:

Resolved, etc., That there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $7,500 to pay the widow of Champ Clark, late a Representative from the State of Missouri.

Mr. WARREN. Mr. President, the chairman of the Committee on Appropriations has consulted with the members of the Appropriations Comimttee, and, with their concurrence, he reports back favorably without amendment the joint resolution, and asks unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

Mr. WARREN. I hope the vote of approval may be unanimous.

The joint resolution was passed unanimously.

RETURN OF BODY OF UNKNOWN AMERICAN SOLDIER.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives, which the Secretary will read.

The joint resolution (H. J. Res. 426) providing for the bringing to the United States the body of an unknown American who was a member of the American Expeditionary Forces, who served in Europe and lost his life in the World War, and for the burial of the remains with appropriate ceremonies, was

read the first time by its title and the second time at length and referred to the Committee on Military Affairs, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed, under regulations to be prescribed by him, to cause to be brought to the United States the body of an American who was a member of the American Expeditionary Forces who served in Europe, who lost his life during the World War, and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va.

Such sum as may be necessary to carry out the provisions of the joint resolution is hereby authorized to be expended by the Secretary of War.

Mr. WADSWORTH. Mr. President, I am instructed by the Committee on Military Affairs to report back favorably without amendment the joint resolution which has just been read. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FEDERAL BUILDING AND SITE AT GASTONIA, N. C.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4332) to exchange the present Federal building and site at Gastonia, N. C., for a new site and building, which was, on page 2, line 10, to strike out the comma and the words "which is hereby appropriated."

Mr. OVERMAN. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

EXPENSES OF ELECTORAL VOTE MESSENGERS.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 248) relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President, which was in the last line of the joint resolution after the word "appeared" to insert the words "on or."

Mr. SMOOT. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

COURTS IN NEW MEXICO.

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 4310) to amend an act entitled "The New Mexico enabling act," which were:

On page 1, line 12, to strike out "circuit and";
On page 1, line 13, to strike out "courts" and insert "court";
On page 2, line 8, to strike out "clerks" and insert "a clerk";
On page 2, line 8, to strike out "courts" and insert "court";
On page 2, line 9, to strike out "their offices" and insert "his office";
On page 2, line 10, to strike out "courts" and insert "court";
On page 2, line 12, to strike out "circuit and";
On page 2, line 12, to strike out "courts" and insert "court";
On page 2, line 13, to strike out "respectively";
On page 2, line 15, to strike out "circuit and";
On page 2, line 15, to strike out "courts" and insert "court";
On page 2, line 18, to strike out "circuit and"; and
On page 2, line 18, to strike out "courts" and insert "court."

The VICE PRESIDENT. The amendments to this bill were laid before the Senate yesterday, and the Senator from New Mexico [Mr. JONES] moved that the Senate concur in the amendments of the House, to which objection was then made. That motion is pending, and the question is on agreeing to it.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The message also announced that the House had passed the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 1551. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America;

S. 4664. An act to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920;

S. 4864. An act to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914;

S. 4893. An act to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union;

S. J. Res. 251. Joint resolution to authorize the payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy; and

H. J. Res. 346. Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes.

MEMORIALS.

Mr. HALE presented memorials of Council Laval, No. 110, of Augusta; Council Chagnon, No. 120, of Biddeford; Council Charland, No. 138, of Waterville; Council Ste. Therese, No. 160, of Biddeford; Council De Repentigny, No. 169, of Sanford; Council Montcalm, No. 171, of Brunswick; Council Montmerency, No. 219, of Westbrook; Council Trudel, No. 250, of Oldtown; and Council Decelles, No. 352, of Westbrook, all of L'Union St. Jean-Baptiste d'Amerique, in the State of Maine, remonstrating against the enactment of legislation creating a department of education, which were ordered to lie on the table.

POSTMASTER AT CHATTANOOGA, TENN.

Mr. HENDERSON. Mr. President, I should like to have the attention of the Senator from Michigan [Mr. TOWNSEND], chairman of the Committee on Post Offices and Post Roads, while I read a telegram which I received this morning from Chattanooga, Tenn. It reads as follows:

CHATTANOOGA, TENN., *March 2, 1921.*

Hon. CHARLES B. HENDERSON,
United States Senate, Washington, D. C.:

I have not been apprised of positive information that the Republican Senators intend holding up all nominations made by President Wilson for post offices that become vacant before March 4. If the party has not determined upon a policy and there are to be exceptions, I am exceedingly anxious that Mr. T. Charlton Howell, Chattanooga, Tenn., be confirmed as reward of a worthy official, who has given general satisfaction and reflected great credit to the department. Mr. Howell has made a splendid postmaster. He was recommended by me, out of a list of 10 applicants, to the President in my official capacity, with indorsement of practically two-thirds Democrats and three-fourths Republicans. He is the only Federal officer appointed by me living in my home town. A large number of Republicans are now Federal officers in this district who were holding office when President Wilson was elected, and many have been appointed since his election. I have been confined to my bed with very severe sickness, and I regret my physical condition prevents me from being in Washington at expiration of my quarter century term in Congress. I am making final personal appeal to you as a friend from a sick bed that you confirm Mr. Howell as postmaster for another term, with the hope and belief that you will grant it if humanly possible, on account of my home town. His nomination went to the Senate December 7.

JOHN A. MOON.

In view of this request, coming from the sick bed of Representative MOON, I ask unanimous consent that, as in open executive session, the Senate may confirm the nomination of Mr. Howell for postmaster at Chattanooga, Tenn.

Mr. TOWNSEND. Mr. President, this matter has been called to my attention by a similar telegram from Congressman MOON, for whom I have the most unbounded respect. I have been associated with him in committee work on the Committee on Post Offices and Post Roads for many years. The Senator from Tennessee has called my attention to this same matter. I have this day answered Mr. MOON, in reply to the telegram that he sent me, in response to his question as to what policy was going to be followed, to the effect that it was altogether probable now that no confirmation of postmasters would be had at this session of Congress.

I have tried as best I could, by consulting with my colleagues on this side, to find out about what Senators wanted, with the hope that possibly something might be done that could establish something in the form of a rule that could be followed without exception. I find I am not able myself to devise such a rule, because some of the very nominations which Senators on the other side desire are opposed by other Senators on the other side. Therefore, it has seemed to me—and I think that is the consensus of opinion of most of the Democrats and of the Republicans—that it is better to treat them all alike in reference to the matter now, and let it go over until day after to-morrow. Therefore I shall have to object.

Mr. HENDERSON. I trust the Senator will not object. I should like to see this nomination confirmed without its establishing a precedent for any such further action being taken between now and the adjournment to-morrow. This request comes from Representative MOON, who is lying sick in Chattanooga;

and it seems to me that as a Member of this Congress, out of courtesy and respect to him, we might confirm this one nomination, having it distinctly understood that it is not establishing a precedent in any manner whatever.

Mr. TOWNSEND. The Senator does not feel any more deeply about this matter than I do in reference to Congressman MOON. He does not know him, I think, as well as I do. He has not served with him as long as I have.

Mr. HENDERSON. That is true.

Mr. TOWNSEND. If it were up to me—which it is not, however—it is not a matter that I can decide. The matter has not been submitted. I know that there have been some complaints in regard to some of these postmasters, including, I think, the one at Chattanooga, but I can not, so far as I am concerned, in justice to the other Senators in this body, consent to any exception to the rule. Therefore, I shall have to object.

REPEAL OF WAR LEGISLATION.

Mr. STERLING. Mr. President, the House having concurred in the Senate amendments to House Joint Resolution 382, I ask unanimous consent that the request for a conference, and the order appointing conferees in the matter, be set aside and vacated.

Mr. BORAH. Mr. President, may I say a word before any more unanimous-consent agreements are had? In the language of the poet from Arkansas, I should like to know "where we are at." I have no objection if we can know what is the status of the naval bill.

The VICE PRESIDENT. The naval bill is before the Senate.

Mr. BORAH. I understand that it is formally before the Senate.

The VICE PRESIDENT. Yes.

Mr. BORAH. I am going to object until we know what is going to be the final disposition of the naval bill.

Mr. HALE. Mr. President——

Mr. STERLING. Will not the Senator withhold his objection in this case? This is simply a formal matter.

Mr. BORAH. I know, but that is what has been happening to the naval bill for the last three days, and some of us who desire to discuss it legitimately have been accused of filibustering, and the time has been occupied by those who profess to have a very deep interest in the success of the naval bill.

Mr. ROBINSON. Mr. President——

Mr. BORAH. I was in the Senate yesterday from 11 o'clock in the morning to 12 o'clock last night, and was not on the floor two minutes of the time. The time was occupied by those who wanted other business transacted or who wanted the naval bill to pass. If we are going to consider it for the rest of the day, I am going to insist that it be considered; that it be not formally before the Senate and something else be considered in the meantime.

The VICE PRESIDENT. The Chair is sure the Senator from Idaho will bear with the Chair for a moment. In this particular matter a conference was requested with the House. It turns out to be unnecessary, because the House has agreed to the Senate amendments; so all there is to it is to set aside the order appointing conferees.

Mr. BORAH. Very well. I misunderstood the request.

The VICE PRESIDENT. That is all there is to it. It is to clear the record and nothing else.

Mr. BORAH. Very well.

The VICE PRESIDENT. If there is no objection, that will be done. Now the naval bill is still before the Senate.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. BORAH obtained the floor.

Mr. HALE. Mr. President, will the Senator yield to me?

Mr. BORAH. I yield.

Mr. HALE. I have a good deal of sympathy with the Senator from Washington and what he has said about the naval bill, and I think there is a good deal of truth in what the Senator from Idaho has said. The bill has been practically talked to death, by its friends almost as much as by its enemies, and when I say "by its friends" I mean its friends. I think they are really for the bill, many of them.

Before any action is taken to withdraw the naval bill I hope very much that the Senator from Washington will try to get a unanimous-consent agreement for a vote on the naval bill at some time this afternoon. I think the committee is willing to make reasonable reductions in the bill. It believes in the bill as it stands now, but in order to secure its passage it is willing to make reductions, and I believe that we can come to some arrangement whereby the bill can pass the Senate and can get through conference in time to secure its passage before the conclusion of the session.

I hope very much that the Senator from Washington will ask for a unanimous-consent agreement.

Mr. POINDEXTER. Mr. President, several members of the Naval Affairs Committee have indicated the desire of the committee to continue the consideration of the bill; and in accordance with the suggestion of the Senator from Maine, and in the hope that it will be accepted, I submit the request for unanimous consent which I send to the desk and ask to have read.

The VICE PRESIDENT. The proposed unanimous-consent agreement will be read.

The ASSISTANT SECRETARY. The Senator from Washington asks unanimous consent that at not later than 4 o'clock p. m. on the calendar day of March 3, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 15975, the naval appropriation bill, through the regular parliamentary stages to its final disposition, and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 5 minutes upon any amendment offered thereto.

Mr. MOSES. Mr. President——

Mr. BORAH. Does the Senator wish to speak to this particular matter?

Mr. MOSES. I merely wish to get some information as to whether, in the intervening time before the voting begins on the bill, all unanimous-consent requests with regard to other matters will be refused.

Mr. BORAH. Mr. President, I can relieve the situation. I object to the proposed unanimous-consent agreement.

Mr. POINDEXTER. Would the Senator consent to some other hour?

Mr. BORAH. No; I would not consent to any other hour. It is impossible to deal with all the matters here in three or four hours.

Mr. President, I desire to say just a word, and that is all, in regard to this matter.

The naval bill was brought here last Saturday. It was practically impossible, under any management of the Senator from Washington, to have brought it to consideration prior to last Monday. To my way of looking at it, viewing this bill as I do, involving not only the question of appropriations but several questions of policy, it was unreasonable to ask for the passage of this bill during the last three or four days of the session. It would preclude any real consideration not only of the appropriations, but certainly any real consideration of the great questions of policy which are involved in the bill; and that which I anticipated has actually taken place. The Senator from Washington has endeavored to keep the bill before the Senate, and the Senator has kept the bill before the Senate; but during practically two-thirds of the time that the bill has been before the Senate other matters have been taken up by unanimous consent, and always upon the part of those who are supposed to be friendly to the bill. The mere fact that they asked for the consideration of these other matters did not imply that they were against the bill, but it disclosed very clearly that we were considering a great bill, involving great questions of policy, under circumstances and conditions in which it was impossible to give it the consideration it was entitled to have.

Now we are asked, having reached page about 21 of the bill, without having considered a single vital amendment in the bill or a single one of the questions of policy involved in the bill, after having tried to consider it for three or four days, to dispose of it upon a 10-minute debate three or four or five hours from now.

I should not think really that that could be expected, but if it is expected, I am bound to say that I shall object; and I do object to the unanimous consent.

Let me say further, Mr. President, that there has never been a time since the bill was taken up when it was possible to pass it at this session, if we gave it the consideration which it was entitled to have.

I think the Senator from Alabama [Mr. UNDERWOOD] was in error in his remarks with reference to the management of this bill. There is a way by which it could have been passed through the Senate. I have seen the thing done many times since I have been here. It could have been done if everybody had closed his eyes and sealed his lips to the conditions and contents of the bill, and voted for it regardless of its merit or demerit. That is the only way in which it could ever have been passed by the Senate. It was impossible to pass it under any management if we gave it the consideration which it was entitled to have.

Feeling, as I do, very deeply about some of the matters in the bill, I am perfectly willing to share the responsibility at least with the Senator from Washington for seeing that this bill does not pass at this session.

Mr. EDGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. BORAH. I yield.

Mr. EDGE. The Senator will admit, will he not, that on Tuesday practically the entire day was spent on a very important feature of the bill, the amendment relating to disarmament, which was pretty thoroughly and generally discussed, and a decision arrived at? If the same policy were continued, and amendments were offered in reduction of amounts specified where objection existed, we perhaps could get the bill to a position where a free and proper and necessary discussion would result.

Mr. BORAH. Perhaps. If the Senator will recall, we came into the session yesterday at 11 o'clock. I think it was the Senator from Maine who called my attention to the fact that at 4 o'clock no consideration had yet been given to this bill, and the time had been occupied, not by the filibusterers so called, but by the filibusterers in fact, if there be any filibusterers at all.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. It seems to me that the general situation which was indicated by what the Senator has described as taking place shows the positive opposition to the bill. I am not saying that the attitude of the Senate was not justified, because that is for the Senate to determine, but it was a deadly indifference as to whether the bill passed or not, which led Senators to present and ask the consideration of everything of minor or greater importance which any Senator had that he desired the consideration of, and a disposition in some quarters, if consent was not given, to take advantage of the situation, as they easily could, in the short time before the end of the session, to hold up the Senate and the bill for the purpose of forcing consideration of the matter desired to be brought up.

Mr. BORAH. Mr. President, just another suggestion before I sit down. Suppose we should keep this bill before the Senate for the rest of the day, say, until 7 or 8 o'clock. What would be the condition with reference to other things which we really should attend to? There are pending matters which really ought to be taken up and considered. There are some measures which should really be disposed of. I do not know yet what is going to happen to the hospital appropriations, but it is a fact that there is a great anxiety about voting supply bills, but the measure providing for the small amount of supplies necessary to keep the boys who were in the war from dying and rotting from the want of care is on the verge of being defeated. So far as I am concerned, I take some pleasure in the fact that I have an opportunity by my objection to give the Senate an opportunity to take care of that situation.

Mr. FLETCHER. Mr. President, I can not see why proceeding with this bill should at all interfere with the taking care of the situation mentioned by the Senator from Idaho. I, of course, must yield to the judgment of the acting chairman of the Committee on Naval Affairs. If it is his wish and his opinion that the bill should be laid aside, I presume there is nothing to do but to acquiesce. I am always a good soldier, and prefer to follow the leader in a matter of this kind. But I have thought all along and even since the Senator rose to speak this morning, that there was a possibility of passing this bill, and that even now it may be passed to-day. It will have to pass the Senate by 5 or 6 o'clock anyhow in order to get any consideration in the House. Even then it could be considered, and the differences between the Senate and House could be adjusted. Certainly, however, it could not if the conferees on the part of the House adopt the policy of blocking conferences and assume to pocket bills in disagreement and refuse to go into conference at all.

I am informed by a Senator who is an experienced legislator that it would be safe if we could get the bill to the House by 8 o'clock.

Mr. BORAH. You can not get the bill to the House by 8 o'clock. Why not deal sincerely with this situation?

Mr. FLETCHER. I realize that if any Senator desires to discuss this bill all day. He can do it; there is no question about that. But I am taking the Senator from Idaho at his word, that he wants to deal with each item fairly, and consider it on its merits, without any undue elaboration, or extension of discussion unnecessarily. I think that the general policies of the bill, having listened to the Senator's able addresses, and others on the floor for many hours, have been pretty well covered. I doubt if there is any need to go into that in any further detail.

But we met this morning at 11 o'clock; it is now 10 minutes of 1, and we have not done a thing with the naval appropriation bill; and that has been happening day after day. I do not mean to criticize the handling of the bill at all. I think that in these circumstances, in the closing days of a very busy session, when there are conference reports coming in which must be acted upon, it is almost impossible to keep a bill continuously before the Senate. Appeals are made to yield for this conference report and for that conference report, and for this unanimous action and that, with representations that they will take only a minute here and a minute yonder, and the day is soon gone, with nothing done with the measure before the Senate. There is only one way to pass an important bill, and especially in the crowded hours of the closing of the session, and that is to take a lesson out of the book of the sailor, who keeps his ship head on to the wind and makes progress by the very forces that blow against him. You always have to do that in the handling of a great bill in the Senate, and I believe that could still be done and we could pass this bill.

I do not know of anything more important. Of course, the hospital matter is of vital concern to everybody, but that need not be delayed by going on with this measure. I believe that if the passage of the bill is undertaken and we proceed as rapidly as we can we yet have time to fully consider and discuss the merits of every item in this bill and pass it before 8 o'clock to-night.

I hesitate to differ with the acting chairman of the committee, but on his motion to lay the bill aside I shall have to vote against him.

Mr. WARREN. Mr. President, I understand that the pending bill is still in the hands of the Committee on Naval Affairs and is before the Senate. I have a matter of very serious importance to bring up in the line of appropriation bills, but before proceeding further I want to say a word to my good friend from Washington, the acting chairman of the Committee on Naval Affairs.

I know how severely his patience is tried and I know how ably he is seeking to conduct his bill. I wish to say to him that I have been in similar places oftentimes. It is very, very trying; but I have kept my seat and perhaps have used only a half hour or so in the two weeks while a pending appropriation bill was before the Senate, giving all the time to others, to those who opposed or upheld the bill, and after 10 or 12 days there would come a feeling of necessity on all hands that a great supply bill must not fail, and after all the storm, perhaps in a half hour or not to exceed three-quarters of an hour, the bill would be passed and the trouble over.

Because I dislike to see any one of these supply bills fail, I want to suggest to the Senator that I think, in justice to himself and in justice to the committee, to him personally and to the position he holds, he should yet try to get this bill through, of course relenting at times for those things which by rule and practice are always allowed to come in—in the consideration of a general bill—such as conference reports.

Having said that much, I leave it for the Senator himself, of course, to conduct the bill as he has a right to, in his own manner and time.

Now, I wish to refer to the other great bill that is in limbo and say only a few words in regard to it, because I do not wish to take up the time. The sundry civil bill passed the Senate and was sent to the House for its concurrence, the bill containing about 200 pages of matter and 168 amendments. The House thereupon voted upon many of the amendments severally, and some perhaps en bloc, but sent nearly all of them, at least 90 to 100 amendments, back to the committee. The conferees met with rather more instead of less than 100 differences, and we were able to agree, so far as our views on the amendments were concerned, in the very large proportion of them.

But under the somewhat triangular and troublesome rules which the House has within the last year or two adopted the conferees on the part of the House were compelled, by fear of this point of order or that, which would throw the bill back to conference, to go first to the House with almost all amendments. The House thereupon gave the bill attention and receded from a very large number of its positions and sent back to us less than a score of differences, whereupon the conferees again met, agreeably with the request of the Senate. When we came to the Muscle Shoals item, which had been adopted in the Senate, the House conferees said that was one thing they could not agree to, and we proceeded to other matters. We had some trouble with the others, something like 15 differences, and, of course, the only way out of it was to report back to our respective bodies; and I wish to interpolate here that we had

not yet reported anything from our conference up to that time. But it was necessary, in line with all rules and usages, that we should report how far we had proceeded in these conclusions and seek an acceptance of the report.

We came back to the Senate with the conference report. The chairman of the Senate Committee on Appropriations moved a concurrence in the report of the partial agreement. Thereupon a Member of the Senate under his right objected to the acceptance of the report until consideration was had of one particular matter, and he moved with reference to that that the conferees should insist upon further consideration and go back to conference. The Senate, by a vote in a majority, I think, of nine, instructed the conferees to go back and insist. The House conferees in the meantime met us with the statement that in the House the vote on the Muscle Shoals proposition was, I think, 181 for and 192 against, a difference of 11, which, of course, was a less percentage of support to the House side of the question than that of the Senate.

We then had this condition before us. We had directly and diametrically the Senate upon the one side and the House upon the other. The House had once voted that they would not accept the item and send it back to the conferees. The Senate had voted to insist that the items should be maintained and had sent it back to the conferees.

Preceding that, the Muscle Shoals matter had come up on the floor of the Senate in different forms and had occupied the attention of the Senate for some time. As I recall, it was agreed to, although I believe I was among those who voted against it because it contained a good deal of matter other than straight appropriation. Thereupon an amendment, made in regular form, made under the estimates printed and sent to the committee days beforehand, with the most exact observance of all the rules, was before the Appropriations Committee, to add to the sundry civil bill this item of $10,000,000 for the prosecution of the work in continuing the dam at Muscle Shoals. The chairman felt it to be of sufficient importance to waive action on it in the subcommittee, and called a meeting of the full committee, with personal notice from the clerk to each member of the committee as to what important question would come before the committee. The committee voted 9 to 6 to adopt the $10,000,000 amendment. There were two of the committee paired, there were two who did not vote, which made up the personnel of the committee. While the matter was under consideration on the floor it was voted on and, I think, was carried by a majority of nine.

Now, let us waive the merits of the case as to Muscle Shoals. I do not care to enter into that at all at this time. There are others better posted who can do that. However, the dignity of the Senate, the privileges of the Senate, the rules and regulations written and unwritten, are such that the conferees had no other course than to insist upon the item, which insistence the Senate had transferred to them. Thereupon, when we called another meeting, when we sought to go on with the consideration of the matter, we were met with the frank statement of the chairman of the House conferees that the bill could fail; that they would not under any consideration at any time whatever take it back to the House until we had receded on that particular item. The chairman of the Senate conferees, later on in the consideration by the conference committee, after stating, which of course they well knew, the rules and regulations providing that it was incumbent upon them to go back again, informed them very frankly that the committee desired the passage of the bill to such an extent that if they took it back to the House and it should again carry against the Muscle Shoals proposition, the conferees on the part of the Senate would thereupon immediately recede and bring it before the Senate with the expectation that it would be so accepted, and that nothing worse could happen than that it might be again sent back on a motion of instruction as to adherence. The House conferees again refused and left the conference, stating that there was no use in talking and that the bill could fail.

This was about noon. That same evening the chairman of the committee requested the clerk of the committee to telephone the clerk of the House committee that if entirley agreeable and convenient to the conferees on the part of the House we would meet at 10 o'clock the next morning. Our conferees were on time and the others came somewhat later. The proposition on the part of the chairman of the conferees of the Senate was, "Let us try to agree to as many of the dozen remaining items as we can and report back. Let us commence at the other end of the line." Their reply was, "No; we will commence at the front end and we will commence on the Muscle Shoals item." We asked, "Can we not agree upon the other matters and go to the Senate and to the House and get a reconciliation of as many items as we can, as we always do in every case of appropriation bill conferences? We were told point blank that unless we receded, they would not have any further use for conferences. According to the rules of conference, the papers were in their hands, and they broke up the meeting and took the papers and went back to the House.

They have had several occasions since to reply to the inquiry whether they would again go to conference and would take that back, or whether they would again consider the question under the rules and usages. The same answer comes back, that the bill can fail.

There is one thing I desire to state emphatically. So long as I occupy the place I have, I shall not discredit the Senate nor humble it by doing the undignified and unreasonable thing; that is, by allowing either side, House or Senate, to say dogmatically, when a matter is put in a bill by one side and objected to by the other, that they can immediately at one sweep wipe it away and have superior rights the one over the other. Why do we have conferees? Why do we have conferences? It is to reconcile differences. I have here in this body late at night seen it often happen that we would repeatedly report a few items agreed to, cutting down gradually the number first disagreed to, and finally one side would give way or the other side would give way, or there would be a middle ground agreed upon, a meeting halfway or something of the kind, as has been done during this session with other bills before us.

Mr. OVERMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from North Carolina?

Mr. WARREN. Certainly.

Mr. OVERMAN. I wish to ask the Senator from Wyoming if he does not remember that when the item was under consideration, in order to keep the property from being destroyed and washed away and a $5,000,000 investment wasted, we offered to compromise the matter and reduce the appropriation from $10,000,000 to $5,000,000, or even to $2,000,000, in order to keep the work going on and protect the property of the Government in that great establishment, and that the conferees on the part of the House absolutely refused even to consider a compromise of the item.

Mr. WARREN. Oh, yes. We received but one answer—the dogmatic "We will have our way or the bill can fail." As I said, until instructed by the Senate I shall never surrender the rights of the Senate or its dignity by allowing a thing of that kind to take place.

In the meantime I understand how much feeling there is, and justly so, as to the hospitalization of these poor men, wounded and sick, disqualified for service, many of them without funds, who protected our flag and our honor in a foreign country, and who are now waiting for sufficient beds and quarters and hospital facilities. Therefore I desire to bring up a matter for action and to inform the Senate that we did, while conferring, agree entirely as to one part of the bill. The sundry civil bill, while it carries only about $400,000,000 altogether, and I wish this to be distinctly understood, appropriates $267,600,400 for the various lines of help for the disabled and disqualified ex-soldiers. In fact, that is the backbone of the bill. It is the larger portion of the bill. But that and many other things are laid aside in the one proposition that the House conferees will not consider the bill on its merits and on the usages of conferences.

We waited on the Senate side to have the hospital matter come to us in the regular way from the House. They should have sent us in some of the appropriation bills a proposition of appropriation for this immediate purpose, but they failed to do that. I think I spent a large portion of two weeks back and forth on the matter, and finally concluded that we would have to take the bill called the Langley bill, which provided only for authorization and not for appropriation, and build something upon that. After it had been reported favorably and we could wait no longer the committee took that bill and built on to it $5,600,000 more, the bill originally authorizing $13,000,000. We placed that additional sum in the bill, appropriating $18,600,000, which is for immediate use, and not only immediately available but available until it is expended.

The Langley bill itself came over afterwards, and the chairman of the Committee on Public Buildings and Grounds, knowing the action we had taken, sought to have the Chair refer the bill to the Appropriations Committee. In the present state of affairs the Appropriations Committee considered the bill as it came from the House, and has moved an amendment which in effect is the striking out of the entire bill after the enacting clause and substituting therefor the exact matter as agreed to in the sundry civil bill as to the appropriation of $18,600,000 and its expenditure and has made a report (Rept. No. 828).

I send to the desk the bill and the report to which I have just referred. I wish to have the report read. I wish to say to the chairman of the Committee on Naval Affairs that I am

asking unanimous consent to have the bill reported and considered at this time for relief in the matter of hospitals for the wounded and disabled soldiers.

RELIEF OF DISABLED EX-SOLDIERS.

The PRESIDENT pro tenpore. The Senator from Wyoming asks unanimous consent to report a bill from the Committee on Appropriations and asks for its present consideration. The bill will be read by title.

The reading clerk read as follows:

A bill (H. R. 15894) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the making of the report.

Mr. POINDEXTER. Mr. President, what relation does this bill have, if any at all, to the sundry civil appropriation bill?

Mr. WARREN. It embodies in a separate measure certain matters in the sundry civil appropriation bill as they were finally agreed to in order that we may have immediate action on the hospital question.

Mr. POINDEXTER. Of course, it illustrates the situation that we have been confronted with all the time. It is almost impossible to refuse consideration to a measure of that kind when it is asked for pending the consideration of the naval bill. If consideration is granted, we shall be charged with abandoning the naval bill.

Mr. WARREN. I did not make the request with that intention.

Mr. ROBINSON. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Arkansas.

Mr. ROBINSON. Mr. President, I hope that no objection will be made by any Senator to the consideration of the bill reported by the Senator from Wyoming. The bill as he has reported it from his committee represents the agreement of the conference committee on the sundry civil appropriation bill in so far as it relates to additional hospital facilities for sick and disabled soldiers. The Senate thrashed the subject out fully, considered it very carefully, and wrote into the sundry civil bill a provision the important features of which no doubt Senators will recall. In conference that provision, without material modification, was agreed to.

It now appears that the sundry civil bill is likely to fail of passage. If it should fail of passage, the department having charge of the sick and disabled soldiers would be lacking in the funds urgently required to provide for their hospitalization. This is a very important matter, and it is one that represents the conclusion of the Senate after very careful consideration.

Mr. POINDEXTER rose.

Mr. ROBINSON. Mr. President, if the Senator from Washington will permit me to make a brief further statement, I desire to say that I have not the slightest doubt that the body at the other end of the Capitol will pass this bill very quickly, for the reason that it represents an agreement already reached by the conferees on the sundry civil bill after very careful consideration.

Mr. NEW. Mr. President——

Mr. ROBINSON. I shall yield in just a moment. It is of the very utmost importance, whatever happens to the sundry civil appropriation bill, that this feature of it shall be passed. The bill, as I have already said, I think, represents the conclusion of the Senate after very careful consideration.

Mr. NEW and Mr. POINDEXTER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. ROBINSON. I think the Senator from Washington first arose, and I yield to him with pleasure.

Mr. NEW. I merely wish to ask a question.

Mr. POINDEXTER. I yield to the Senator from Indiana.

Mr. ROBINSON. I have, of course, yielded to the Senator from Washington, he having yielded to me.

Mr. NEW. The Senator from Arkansas has stated that this bill represents the agreement of the conferees. I should like to know how nearly it represents the language of the bill as it passed the Senate.

Mr. ROBINSON. It is almost identical with it except, I think, there is an additional provision which is known as the McLeod resolution, which was incorporated in the conference report, making available for hospitalization a portion of the $46,000,000 which was appropriated last year for the maintenance of sick and disabled soldiers.

Mr. NEW. That is what I wanted to know.

The PRESIDENT pro tempore. The Chair desires to know whether there is objection on the part of any Senator to receiving the report which has been submitted by the Senator from Wyoming?

Mr. POINDEXTER. Mr. President, does this bill make as liberal provision for the hospitalization of sick and wounded soldiers as does the sundry civil bill?

Mr. ROBINSON. It does, so far as the immediate requirements are concerned.

Mr. WARREN. It makes provision so far as it goes in exactly the same language as is contained in the sundry civil bill, but, of course, the sundry civil bill carries other large appropriations which would not be available until after July 1 next. Those proposed appropriations, outside of the amount carried by this bill, aggregate over $249,000,000; but if the Senator from Washington [Mr. POINDEXTER] will permit me, I desire to say that I hope we may yet come to some conclusion on the sundry civil bill, although it may be that there is only one chance in a hundred of our doing so. However, if we shall provide in this way for the immediate purposes of hospitalization, we expect there will be a sundry civil bill introduced, considered, and passed, containing the other items, immediately or very soon after the assembling of Congress in the special session.

Mr. POINDEXTER. Has the bill which the Senator from Wyoming has presented been reported by the Appropriations Committee?

Mr. WARREN. It came over from the House and was referred to the Committee on Public Buildings and Grounds of the Senate. At the request of that committee it was referred to the Committee on Appropriations, which committee has reported it with an amendment, and with the recommendation that it be passed.

Mr. POINDEXTER. Does it make provision for the use and fitting up of the forts that were mentioned in the sundry civil bill?

Mr. WARREN. It mentions specifically the three that were covered by the provision in the sundry civil appropriation bill, the three being Walla Walla, MacKenzie, and Logan H. Roots.

Mr. POINDEXTER. If this bill does not lead to debate, I will withhold my objection to it. I hope it will not lead to debate; I do not think it ought to lead to debate.

The PRESIDENT pro tempore. The Chair hears no objection to the request for unanimous consent, so far as receiving the report is concerned. Is there objection to the request of the Senator from Wyoming for the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15894) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes, which had been reported from the Committee on Appropriations with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized, within the limits of appropriations made herein, to provide additional hospital and outpatient dispensary facilities for persons who served in the World War and are now or hereafter may be patients of the Bureau of War Risk Insurance or of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants; (2) by construction on sites now owned by the Government or on sites to be acquired, when approved by the President, by purchase, condemnation, gift, or otherwise; or (3) by such remodeling or extension of existing plants and their equipment, owned or acquired by the United States, at places now being used or that have been used by the Public Health Service for hospital purposes, as may be necessary economically to adapt such plants to the uses and purposes herein provided. Such hospitals and out-patient dispensary facilities shall include the necessary buildings and auxiliary structures, mechanical equipment, approach work, roads and trackage facilities leading thereto, vehicles, live stock, furniture, equipment, and accessories, and also shall provide accommodations for officers, nurses, and attending personnel, and the Secretary of the Treasury is authorized to accept gifts or donations for any of the purposes named herein.

The Secretary of War is authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such mechanical, construction, and miscellaneous material, hospital furniture and equipment, hospital and medical supplies, motor trucks and other motor-driven vehicles, not required by the War Department, as may be required by the Public Health Service for its hospitals.

The Secretary of the Treasury is authorized, in his discretion, to employ technical and clerical assistants within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sum herein appropriated for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, and for traveling expenses, field-office equipment, and supplies, commercial printing in or out of the District of Columbia incident thereto at a total limit of cost for such additional technical and clerical assistants and traveling expenses, etc., of not exceeding 3 per cent of the limit of cost for construction: *Provided*, That all of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

In carrying out the purposes herein authorized the President is authorized and empowered, in his discretion, to assign for use of the Public Health Service, under the jurisdiction of the Secretary of the Treasury, such lands or buildings now owned or leased by the United States, not including property under the jurisdiction of the National Home for Disabled Volunteer Soldiers, which, in his judgment, can be used more efficiently for the care of patients of the Bureau of War Risk Insurance; and the Secretary of the Treasury is authorized and directed to take over immediately Fort Mackenzie, Wyo., Fort Walla Walla, Wash., and Fort Logan H. Roots, Ark., with all lands, buildings, and equipment belonging thereto for the uses contemplated herein and to expend from the appropriation in the following paragraph not to exceed $600,000 at Forts Mackenzie and Walla Walla and not to exceed $250,000 at Fort Logan H. Roots for providing and increasing hospital facilities thereat.

For carrying into effect the preceding paragraphs relating to additional hospital facilities, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $18,600,000, to be immediately available and to remain available until expended, of which sum not to exceed $6,100,000 shall be used for remodeling or extending existing plants.

Mr. WARREN. Mr. President, I now wish to correct a statement made by the Senator from Arkansas [Mr. ROBINSON]. I presume the Senator was led astray by some of the newspaper camouflage talk. For instance, there appeared in the Washington Post a couple of days ago an item stating what great things the chairman of the Committee on Appropriations of the other House had accomplished and what Representative McLEOD had done. The action of those Members has not added anything. It was stated that they had added $6,100,000 to the proposed appropriation, but that amount, of course, was a part of the bill itself as the Senate had amended it.

Mr. ROBINSON. Mr. President, I understand that perfectly well.

The PRESIDENT pro tempore. The question is on the amendment reported by the Committee on Appropriations.

Mr. GLASS. Mr. President, is the bill open to amendment?

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and is open to amendment.

Mr. GLASS. Mr. President, when there came before the Appropriations Committee of the Senate a proposal for the State of New York to build a hospital to cost in the aggregate $3,000,000 the committee voted adversely upon the proposition for the reason that as presented the hospital was to be used exclusively for New York patients, and the whole transaction involved the borrowing of money by the Government at the high rate of 10 per cent interest. Subsequently the proposition was somewhat modified so as to eliminate the exclusive feature of the bill, but nevertheless the committee unanimously voted against the proposition. I so voted with the expressed reservation that I should be willing cheerfully to vote $3,000,000 to construct a hospital, to be owned wholly by the Government, for the general use of mentally defective ex-service men without involving the Government in the payment of 10 per cent interest on the money. Therefore I feel under obligation now to offer to amend this bill by increasing the amount from $18,600,000 to $21,600,000 in order that the Secretary of the Treasury may meet the exigencies so forcefully presented by the Senator from New York and take care of mentally defective ex-service men.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Virginia to the amendment reported by the committee.

The READING CLERK. In the fourth line from the bottom of the amendment reported by the committee, it is proposed to strike out "$18,600,000" and to insert "$21,600,000."

Mr. WARREN. Mr. President, the chairman of the Committee on Appropriations and a majority of the members of the committee, I am sure, are ready on all occasions to recommend sufficient appropriations for the care and treatment of ex-service men; but this matter has just been before the committee and a majority of the committee did not favor the amendment proposed by the Senator from Virginia, because, and because only, we are in too delicate a position from a parliamentary standpoint at the present time in regard to doing anything for the ex-service men to adopt an amendment of the kind proposed to the pending measure. I hope, therefore, that the amendment will not be adopted.

Mr. GLASS. Mr. President, I may call the attention of the Senate to the fact that the adoption of the amendment proposed by me would not involve any delay whatsoever in the passage of the bill. There are verbal alterations in the text of the bill which will necessitate its return to the House, and I feel sure that the House will agree to the amendment proposed by me, for, as a matter of fact, it has already voted for the proposition as presented by the State of New York, involving an interest charge of 10 per cent to the Government on the money.

Mr. LENROOT. Mr. President, I wish to ask the Senator from Virginia whether the House ever voted for $18,600,000, to say nothing of $21,000,000?

Mr. GLASS. No; but it voted to agree to the proposition of the State of New York to build a hospital, which was to be for the exclusive use of New York patients, and which involved an interest charge of 10 per cent to the Government on the money expended.

Mr. LENROOT. Mr. President, as the bill came to us with that item included there was a total appropriation, I believe, of only $13,000,000. I wish to say to the Senator from Virginia, because I happen to be a member of the Committee on Public Buildings and Grounds, which very fully considered this question and which, in fact, asked the Committee on Appropriations to take the action they have taken, that if his amendment is adopted, considering the stage of the session, there is grave danger that the bill will be defeated; and any Senator who votes for the amendment must assume his share of the responsibility if it shall fail.

Mr. GLASS. I can not conceive, Mr. President, that the House of Representatives would vote against this amendment, when, as a matter of fact, it voted to accept the proposition of the State of New York, involving the exclusive use of a hospital for New York patients and involving also the payment of 10 per cent interest on the money.

Mr. LENROOT. Mr. President, when the House did that they set a limit of $13,000,000 which they were willing to appropriate; and now, when we ask them to appropriate $18,000,000—$6,000,000 more than they were then willing to appropriate—when we have a proposition that has been agreed to by the conferees of the House in connection with the sundry civil bill, it seems to me that the Senator must see that he is taking very great chances of defeating this legislation entirely by urging his amendment.

Mr. GLASS. It is of record that the House voted to accept the proposition of the State of New York, after it knew the Senate Committee on Appropriations had increased the total amount to $18,600,000; and it is inconceivable to me, in view of the representations that have been made on this subject as to the immediate necessity for the relief of ex-service men, that there is any Member of the House who would object. As a matter of fact, this legislation must be had by unanimous consent in any event.

Mr. SMOOT. Mr. President, the Committee on Appropriations have reported this bill exactly as the conferees agreed. I hope Senators will not make any opposition to it. There was opposition to this item in the House. It is true that a majority voted for it, as the Senator says; but why bring up that question now? This is an emergency matter, and we ought to report it just as it has been agreed to by the conferees, and when it goes upon the floor of the Senate there will be no explanations made and no opposition brought to it because of the item of $3,000,000. In my opinion, the only way we are going to get this thing passed is to pass it just as we have it; and I hope the amendment will be rejected.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Virginia [Mr. GLASS] to the amendment of the committee.

Mr. GLASS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from California [Mr. PHELAN] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I should like to ask if he has voted?

The PRESIDENT pro tempore. He has not.

Mr. SUTHERLAND. In his absence, I withhold my vote.

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is unfortunately not able to be present. I transfer that pair to the senior Senator from Arizona [Mr. SMITH] and will vote. I vote "nay."

The roll call was concluded.

Mr. McCUMBER. I transfer my general pair with the senior Senator from Colorado [Mr. THOMAS] to the junior Senator from California [Mr. JOHNSON] and will vote. I vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I can not get a transfer and therefore am obliged to withhold my vote. If at liberty to vote, I should vote "nay."

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. KENDRICK. I have a general pair with the Senator from New Mexico [Mr. FALL]. I am advised, however, that he would vote as I shall vote upon this question, and I therefore feel at liberty to vote. I vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. I am unable to secure a transfer and therefore am obliged to withhold my vote.

Mr. TRAMMELL. I have a pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence, as I am unable to obtain a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I am informed that my pair, the senior Senator from Maryland [Mr. SMITH], has not voted. As I have a general pair with him, I am compelled to withdraw my vote.

The result was announced—yeas 23, nays 49, as follows:

YEAS—23.

Capper	Gore	Myers	Smith, S. C.
Dial	Harris	Reed	Swanson
Fletcher	Harrison	Sheppard	Underwood
Gay	Heflin	Shields	Walsh, Mass.
Gerry	Hitchcock	Simmons	Wolcott
Glass	McKellar	Smith, Ga.	

NAYS—49.

Ashurst	Henderson	McLean	Smoot
Ball	Jones, N. Mex.	McNary	Spencer
Borah	Jones, Wash.	Moses	Sterling
Brandegee	Kellogg	Nelson	Townsend
Calder	Kendrick	New	Wadsworth
Cummins	Kenyon	Owen	Walsh, Mont.
Curtis	Keyes	Page	Warren
Edge	King	Phipps	Watson
Elkins	Kirby	Pittman	Williams
France	La Follette	Poindexter	Willis
Frelinghuysen	Lenroot	Pomerene	
Gooding	Lodge	Ransdell	
Hale	McCumber	Robinson	

NOT VOTING—24.

Beckham	Fernald	Newberry	Smith, Ariz.
Chamberlain	Gronna	Norris	Smith, Md.
Colt	Johnson, Calif.	Overman	Stanley
Culberson	Johnson, S. Dak.	Penrose	Sutherland
Dillingham	Knox	Phelan	Thomas
Fall	McCormick	Sherman	Trammell

So Mr. GLASS's amendment to the amendment of the committee was rejected.

The PRESIDENT pro tempore. The question is upon the amendment reported by the committee.

The amendment of the committee was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass?

Mr. GLASS. Mr. President, merely for the RECORD, I ask for a yea-and-nay vote on the passage of the bill.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. On this matter I understand that he would vote as I am about to vote. I therefore vote "yea."

Mr. GLASS (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is absent, but I understand he would vote as I shall on this subject. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I am reliably informed that if he were present he would vote "yea" on the pending measure. I therefore consider myself at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I understand that if he were present he would vote as I am about to vote, and I will therefore vote. I vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. He is absent, but I understand that if present he would vote as I am about to vote, and I therefore vote "yea."

Mr. HARRISON (after having voted in the affirmative). I am paired for the balance of the day with the Senator from West Virginia [Mr. ELKINS]. I understand if he were present he would vote "yea," so I will allow my vote to stand.

Mr. TRAMMELL. While I have a pair with the senior Senator from Rhode Island [Mr. COLT], I understand that if he were present he would vote as I shall on this measure, and I therefore vote "yea."

The result was announced—yeas 80, nays 0, as follows:

YEAS—80.

Ashurst	Gooding	McCumber	Smith, Ariz.
Ball	Gore	McKellar	Smith, Ga.
Borah	Gronna	McLean	Smith, Md.
Brandegee	Hale	McNary	Smith, S. C.
Calder	Harris	Moses	Smoot
Capper	Harrison	Myers	Spencer
Chamberlain	Heflin	Nelson	Sterling
Culberson	Henderson	New	Sutherland
Cummins	Hitchcock	Overman	Swanson
Curtis	Jones, N. Mex.	Owen	Townsend
Dial	Jones, Wash.	Page	Trammell
Dillingham	Kellogg	Phipps	Underwood
Edge	Kendrick	Pittman	Wadsworth
Fernald	Kenyon	Poindexter	Walsh, Mass.
Fletcher	Keyes	Pomerene	Walsh, Mont.
France	King	Ransdell	Warren
Frelinghuysen	Kirby	Robinson	Watson
Gay	La Follette	Sheppard	Williams
Gerry	Lenroot	Shields	Willis
Glass	Lodge	Simmons	Wolcott

NAYS—0.

NOT VOTING—16.

Beckham	Johnson, Calif.	Newberry	Reed
Colt	Johnson, S. Dak.	Norris	Sherman
Elkins	Knox	Penrose	Stanley
Fall	McCormick	Phelan	Thomas

So the bill was passed.

The title was amended so as to read: "An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, division of rehabilitation, and for other purposes."

Mr. FRELINGHUYSEN. Mr. President, I had intended to speak upon the bill which has just been passed, appealing to the Senate to enact it promptly, in order that a very serious condition which now exists among the wounded ex-soldiers who need rehabilitation might be relieved. In view of the fact that that has been accomplished and the bill has now passed the Senate, I wish to insert in the RECORD, supplementary to the passage of the bill, certain figures handed to me by Commander Galbraith, of the American Legion, showing the rising tide of ex-soldiers who need rehabilitation. They will be of great use to Senators in studying the needs for hospitalization in the future.

The bill just passed very largely relieves the situation, but the requests they have made contemplated an appropriation of $30,000,000. I understand from the chairman of the Committee on Appropriations that certain facilities which the Government now owns can be utilized, and therefore, as a beginning, they will take care immediately of those tuberculosis and other patients who need attention.

I ask the Senate to study these figures to learn how the numbers of these soldiers have increased. When the war was over the number of wounded was practically 250,000. Now the estimate that is made is that those who need attention number 500,000, and in view of the fact that nearly 5,000,000 men served during the war, indirectly, through their families, 25,000,000 people in this country are deeply interested in this question.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Compensation:	
Number drawing compensation	250,000
Applications pending	82,635
Vocational training:	
In training	57,684
Approved for training but not placed in training	43,000
Current applications pending action	20,000

These figures do not include 7,000 slightly disabled men taking training but drawing no training pay, or 68,000 slightly disabled approved for training without training pay but who have not been placed in training.

Hospitalization:	
In hospitals	22,019
Of which number the following are in institutions classed as unsatisfactory. (Surgeon General United States Public Health Service to Senator ASHURST, CONGRESSIONAL RECORD, Jan. 15, 1921):	
Tubercular patients	5,251
General patients	4,621
Neuropsychiatric patients	475
	10,347

NOTE.—
(a) Flimsy and inflammable buildings.
(b) Buildings with insanitary plumbing, etc.
(c) State insane asylums, including institutions for criminally insane, drug addicts, vicious degenerates, etc.
(d) Institutions maintained by public charity.
(e) Private institutions operated for profit.

In unsatisfactory hospitals	9,482
NOTE.—	
(a) United States Public Health Service hospitals of a satisfactory nature	6,982
(b) Army and Navy hospitals (Bad to have disabled men assigned to these hospitals on account of discipline.)	1,000

NOTE—Continued.

(c) National homes for disabled volunteers (These homes are not proper places for disabled soldiers, as it is necessary for them to make a will assigning their property to the United States. They are also subject to the Articles of War while living there.)		1,500
Disabled men in immediate need of hospitalization for which no facilities are available:		
Neuropsychiatric patients (estimate of Dr. Thomas B. Salmon, medical director National Committee for Mental Hygiene)		5,000
Tubercular patients (estimate of Dr. T. Victor Keene, American Legion hospitalization committee)		6,500
		11,500
Average monthly net increase of men in hospitals		1,900

NOTE.—Number of patients discharged and admitted during September, October, and November, 1920 (December figures are not available when this is written):

September:		
Admitted		5,682
Discharged		3,962
Gain		1,720
October:		
Admitted		6,097
Discharged		4,060
Gain		1,037
November:		
Admitted		11,007
Discharged		8,076
Gain		2,031

I also beg to quote from the figures I have had compiled to show how the soldiers who have been disabled must eventually be rehabilitated:

Total number of disabled Government must eventually rehabilitate (estimate of Dr. Haven Emerson, medical adviser, Bureau of War Risk Insurance)		500,000
Receiving benefits in some form:		
(a) Receiving compensation (War Risk Insurance)	250,000	
(b) Receiving training (Federal Board for Vocational Education)	57,684	
(c) In hospitals	22,292	
		329,976
Undoubtedly a great many of these are duplication cases, so we will decrease the number by, say		15,000
Which leaves a total of		314,976
Not receiving benefits or benefits known to be insufficient:		
(e) Awaiting adjustment of compensation	82,635	
(f) Approved cases awaiting admission to training	43,000	
(g) Awaiting action application for training	20,000	
(h) In unsatisfactory hospitals	11,347	
(i) In immediate need of hospitalization but not in hospitals	11,500	
		168,482
Total		483,458

Mr. FRELINGHUYSEN. I also ask to have inserted in the RECORD an extract from a memorial addressed by the American Legion to the President, the President elect, and the Congress of the United States, asking for relief in this direction.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Extract from memorial of the American Legion to the President, the President elect, the Congress, and the people of the United States, directing attention to the situation which surrounds the rehabilitation of disabled ex-service men and suggesting a remedy:

"The United States has been more liberal than any other nation in its provisions for the disabled who gave their health and strength in their country's service in the late war, but through legislative and administrative deficiencies has failed in a large measure to make those provisions available.

"There has been lack of vision and foresight in our preparation which has been without excuse, as before us was the experience of other nations in the recent war and the experience of this Nation in previous wars. The situation which is at our doors to-day, with the suffering, the shameful neglect, and the injustice to the disabled that it entails, would not exist if reasonable foresight had been exercised or if the recommendations of those who did foresee had been heeded. A tardy start, with no clear conception of the magnitude of the problem before us, imposed an initial handicap.

"The handicap is continued by an astonishing state of divided responsibility and wasted effort among the Government agencies with which the problem rests. In the rehabilitation of a disabled man there are three needs—medical treatment, vocational training, and financial support. The Government has recognized the three needs, but overlooks the fact that they are the simultaneous needs of one man at three different times. It makes three problems out of what really is one three-part problem. Continuing this faulty conception, it has given the problem over to three agencies—the Public Health Service for treatment, the Federal Board for Vocational Education for training, the Bureau of War Risk Insurance for financial support. Each of these agencies is an institution complete in itself. Each is administratively independent of the other two. All by force of circumstances are exercising functions they were not intended to exercise. This presents an amazing spectacle of administrative chaos, duplication, wasted energy, and conflict which is the key to the present condition.

"The result is the suffering of the disabled veterans. Thousands are waiting and have waited for months for compensation for their injuries. Thousands have waited for months for an opportunity to reestablish themselves as self-sustaining members of society by vocational training. Thousands are in need of hospitalization and the Government has no hospital facilities available for them. Of the 20,000 now in hospital, 4,500 are quartered in institutions unsuited to the needs of the men quartered there. New hospital cases are developing at the rate of 1,500 a month in excess of the number discharged. Sixteen thousand beds are needed now. Hundreds of veterans are the objects of public and private charity. Afflicted and penniless veterans have been driven to refuge in almshouses and jails. Many have died and if immediate relief is not forthcoming more will die destitute, without proper medical care, without compensation with which to obtain it, abandoned by the country they served. All this is attributable directly to the manner in which the Government has administered the affairs of the disabled.

"Immediate relief and ultimate remedy of this condition is possible and imperative. To that end the American Legion feels it a duty respectfully to present for the consideration of the President, the President elect, the Congress, and the American people a review of the situation in such detail as to convey clear understanding and to suggest measures of relief and remedy. In this presentation the American Legion draws from its experience with the Government agencies now dealing with the problem, from careful investigation, study, and research, and from consultation with experts and authorities in and out of the Government service."

Mr. FRELINGHUYSEN. I also ask permission to insert in the RECORD a few extracts from certain official utterances, certain pledges made in the bulletins of the Vocational Board and the War Risk Bureau.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Extract from act creating the Bureau of War Risk Insurance:

In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary.

Extract from Rehabilitation Monograph, Joint Series No. 3, "The Way Back to Civil Life," issued by the Federal Board for Vocational Education:

No other war has witnessed so vast a system of relief and general helpfulness as the Great War in which you have had so large a share. Every possible step to make your way back to civilian life and usefulness has been taken. There will be no charity in the years following the war, but a very complete program making provision for physical restoration in case sickness or injury is your lot, and for compensation; that is, money payment for such disability, in addition to the war-risk insurance. Besides these, there has been planned a building up of every injured man's earning power and usefulness under the supervision of the office of the Surgeon General while the man is still in the military service and of the Federal Board for Vocational Education after the man has been discharged. The pages of this little pamphlet are directed to this reconstruction work.

The soldier or sailor injured in the line of duty will be given a man's opportunity to recover and take his place in the world of men and duties. He will not have to be a beggar, an object of charity (thousands of disabled now subsisting on public or private charity), a spineless, occupationless dependent on friends, relatives, or governmental bounty. There will be a helping hand held out to every man to accept the only kind of help a real man ever wants—a chance to make good again in civil life on as nearly equal terms as his physical and mental ability will permit.

Special division of physical reconstruction in the Surgeon General's office was created in August, 1917, and a subdivision of education in October of the same year. Physical reconstruction has been defined as "complete mental and surgical treatment carried to the point of maximum functional restoration, both mental and physical." This means, to state it in other words, that your Government is seeing to it that in the event of a man's disablement in line of duty, every effort shall be made to put him back in as nearly perfect condition of health, of mind and body and usefulness as possible.

At the military hospital, the most advanced and up-to-date treatment will be afforded and every helpful method known to science will be used. Medicine and surgery will be assisted by competent nursing with one first vitally important object—to cure the patient. The most practical of artificial appliances will be at hand. Great progress has recently been made in this particular. Not mere healing of wounds is the modern aim of the surgeon, but the fetching back of lost usefulness to eye or leg or arm. This is called functional restoration. An amputated limb must not only heal but be made to serve the man in gaining a livelihood or in assisting him in the many personal acts of daily life. In many cases, a generous program of studies is provided in workshop, classroom, or on the farm, as soon as the patient is able to sit up or leave the ward. Great care will be taken that the individual abilities of each man receive every attention.

Extract from official bulletin issued by the Treasury Department, Bureau of War Risk Insurance, entitled "What the United States Government does for its fighting men and their families."

These three forms of Government aid—allotments and allowances, compensation for death or disability, and United States Government insurance—are grouped together under the war risk insurance act and administered, under the direction of the Secretary of the Treasury, by the Bureau of War Risk Insurance.

This is the greatest measure of protection ever offered to its fighting forces by any nation in the history of the world. It is not charity; it is in the essence of justice to the gallant men who have gone to the colors and to their loved ones at home. It strengthens America's fighting forces as they go forth to battle; it safeguards the families left behind; and by its broad and generous provisions it takes from war its chief terror—fear for the future.

Extract from pamphlet, known as Rehabilitation Leaflet No. 10, entitled "Stick," Federal Board for Vocational Training:

Now, listen, my youthful crêpe hanger. When you enlisted to fight for Uncle Sam you made an agreement with yourself that you would run chances with death to help out in this scrap. For months you've been going out into a hell of machine guns and shell fire, and you've accidentally dodged everything that came your way with no thought

of your damned health. You've been flirting with death ever since you've been here. Now, just because your system has run down to a point where a little disease has gained headway you're ready to give up the fight. Let me tell you that just how far off the final flicker happens to be depends on you. Of all diseases, tuberculosis is least likely to kill you. Tuberculosis gives you a chance. In most other diseases it is the doctor who has to do the fighting. In this case the fight is your own. Lay off the pessimism! Shake the funeral look from your hairy visage and be a man! We will furnish you the means to get well. So, for the sake of your own self-respect, apply them.

Mr. FRELINGHUYSEN. Mr. President, as a supplement to granting relief to the wounded soldiers, there is another measure which I understand the Senator from Utah [Mr. SMOOT] is awaiting an opportunity to report, known as the Wason bill. That bill carries into effect a plan of decentralization which has been very successfully applied in the Vocational Bureau. It brings down practically to the wounded man, or the man who needs compensation, in the region where he lives, the opportunity of having this problem settled in that locality, without compelling him to come to Washington, or write to his Representative, or employ a lawyer at great expense, as many of the wounded and unfortunate men are now doing, to take up their cases for them. It also appropriates a million dollars for the carrying into effect of the act. I think it would be a fitting supplement to the hospitalization bill we have just passed if we now take up and pass the Wason bill, which is so greatly desired by the American Legion.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the following bills and joint resolution:

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway;

S. 4903. An act to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.; and

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 15894) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 4310. An act to amend an act entitled "The New Mexico enabling act"; and

S. 4332. An act to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

BILL INTRODUCED.

Mr. McCUMBER introduced a bill (S. 5049) giving preference in appointments under the civil-service laws to those persons having had military or naval service in any of the wars of the United States, which was read twice by its title and referred to the Committee on Civil Service and Retrenchment.

TREASURY TAX DECISION NO. 3138.

Mr. ASHURST. Mr. President, I have just obtained a copy of Treasury Decision No. 3138, being an opinion rendered by the Attorney General upon the question of permitting separate income-tax returns by husband and wife in those States that have what is called the community property system, to wit, Arizona, New Mexico, Louisiana, Nevada, Washington, and Idaho. This opinion is of vital importance to the citizens of these States which I have just mentioned. I ask unanimous consent to have the opinion printed in the RECORD.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

(T. D. 3138.)

1. INCOME TAXES—HUSBAND AND WIFE—COMMUNITY PROPERTY.

In Washington, Arizona, Idaho, New Mexico, Louisiana, and Nevada the husband and wife domiciled therein, in rendering separate income-tax returns, may each report as gross income one-half of the income which, under the laws of the respective States, becomes, simultaneously with its receipt, community property; this is not based upon any statute enacted subsequent to March 1, 1913, and applies under income-tax acts prior to the revenue act of 1918.

2. ESTATE TAX—HUSBAND AND WIFE—COMMUNITY PROPERTY.

In Washington, Arizona, Idaho, New Mexico, Louisiana, and Nevada there should be included in gross estate, in computing the estate tax of a deceased spouse, one-half only of the community property of husband and wife domiciled therein; this is not based upon any statute enacted subsequent to March 1, 1913, and applies under estate-tax acts prior to the revenue act of 1918.

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C.

To collectors of internal revenue and others concerned:

There is given below in full for your information and guidance an opinion rendered by the Attorney General under date of February 26, 1921, dealing with the right of husband and wife domiciled in certain States having so-called community property laws to divide certain of their income for the purpose of the income tax and as to the inclusion of community property in the gross estate of a deceased spouse. See, in this connection, Treasury decision No. 3071.

WM. M. WILLIAMS,
Commissioner of Internal Revenue.

Approved March 3, 1921.

D. F. HOUSTON,
Secretary of the Treasury.

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DEAR MR. SECRETARY: My opinion has been requested upon the following questions:

1. In which of the States other than Texas in which the community property system exists may a husband and wife domiciled therein, in rendering separate income-tax returns, each report as gross income one-half of the income which under the laws of such State becomes, simultaneous with its receipt, community property?

2. In which of the States in which the community property system exists should there be included in gross estate, in computing the estate tax of the estate of a deceased spouse, one-half, and only one-half, of the community property of husband and wife domiciled therein?

3. If your answers to questions 1 and 2 as to any State are based upon a statute enacted subsequent to March 1, 1913, please give the rule as to such State existing from March 1, 1913, to the passage of such statute for my guidance in allowing claims for refund.

4. Do your answers to questions 1 and 2 apply under income and estate tax acts prior to the revenue act of 1918?

The community property system prevails in Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, and Washington. The application of the income tax act to the income from community property belonging to husband and wife domiciled in Texas was disposed of in my opinion of September 10, 1920.

The significant portions of the Arizona statutes bearing upon the community property system in that State, all of which except article 1100 were enacted prior to 1913, are:

"ART. 3850. All property acquired by either husband or wife during the marriage, except that which is acquired by gift, devise, or descent, or earned by the wife and her minor children, while she has lived or may live, separate and apart from her husband, shall be deemed the common property of the husband and wife, and during the coverture personal property may be disposed of by the husband only; but husband and wife must join in all deeds and mortgages affecting real estate except unpatented mining claims, which may be conveyed by the husband or wife only, as provided by the laws of this State relating to conveyances: *Provided*, That either husband or wife may convey or mortgage separate property without the other joining in such conveyance or mortgage.

"ART. 1100. Upon the death of the husband one-half of the community property shall go to the surviving wife, and the other half is subject to the testamentary disposition of the husband, and in the absence of such disposition goes to his descendants, equally, if such descendants are of the same degree of kindred to the decedent, otherwise according to the right of representation; and in the absence of both such distribution and such descendants is subject to distribution in the same manner as the separate property of the husband. Upon the death of the wife one-half of the community property shall go to the surviving husband, and the other half is subject to the testamentary disposition of the wife, and in the absence of such disposition goes to the descendants, equally, if such descendants are of the same degree of kindred to the decedent, otherwise according to the right of representation, and in the absence of both such distribution and such descendants, is subject to distribution in the same manner as the separate property of the husband.

"ART. 2061. No conveyance, transfer, mortgage, or incumbrance of any real estate which is the common property of husband and wife, or any interest therein, shall be valid unless such conveyance, transfer, mortgage, or incumbrance shall be executed and acknowledged by both the husband and wife. But the provisions of this section shall not apply to unpatented mining claims, which may be conveyed, transferred, mortgaged or incumbered by the one in whose name the title or right of possession of any such mining claim may be, without the other joining in such conveyance, transfer, mortgage, or incumbrance.

"ART. 3848. All property, both real and personal, of the husband, owned or claimed by him before marriage and that acquired afterwards, by gift, devise, or descent, as also the increase, rents, issues, and profits of the same, shall be his separate property, and all property, both real and personal of the wife, owned or claimed by her before marriage, and that acquired afterwards by gift, devise, or descent, as also the increase, rents, and profits of the same, as shall be her separate property."

Prior to 1913 article 1100 read:

Upon the dissolution of the marriage relation by death all the common property belonging to the community estate of the husband and wife shall go to the survivor if the deceased have no child or children; but if the deceased have a child or children, his survivor shall be entitled to one half of said property, and the other half shall pass to the child or children.

The Supreme Court of the State of Arizona has held these statutes establish in the wife an equal interest with the husband in community property in that State. In the case of La Tourette *v.* La Tourette (15 Ariz., 200 (1914)), the court said, after reviewing the statutes above set forth:

"The law makes no distinction between the husband and wife in respect to the right each has in the community property. It gives the husband no higher or better title than it gives the wife. It recognizes a marital community wherein both are equal. Its policy, plainly expressed, is to give the wife in this marital community an equal dignity, and make her an equal factor in matrimonial gains.

* * * * * * *

"That the interest of the wife in the community property during the coverture is not a mere possibility—not the expectancy of an heir—is quite apparent. The old saying is not true that community is a partnership which begins only at its end. Upon the dissolution of the community by death, the wife does not inherit her share of the common property, but with the death of the husband the management and control of the statutory agent or trustee ceases. The wife acquires not her share for that was already hers, but in addition to her share she acquires the right of management, control, and disposition of that share. Her status being thereby fixed as that of a femme sole. If there be no child or children of the deceased husband, all of the common property goes to the surviving wife. She has her share in the property, and in addition, by right of survivorship and not as an heir, she acquires the share that belonged to the husband, and she takes all of the property in her own right, and with respect to the management, control, and disposition of such property is reduced to the status of a femme sole and must thenceforward, with respect to it, act for herself."

The Idaho law provides, article 4656 of the Compiled Statutes of 1919, that all property of the wife owned by her before marriage, and that acquired afterwards by gift, bequest, devise, or descent, or that which she shall acquire with the proceeds of her separate property, shall remain her sole and separate property to the extent and with the same effect as the property of her husband similarly acquired.

Article 4659 defines the separate property of the husband to be all property owned by him before marriage, and that acquired by gift, bequest, devise, or descent. Community property is defined as "all other property acquired after marriage by either husband or wife, including the rents and profits of the separate property of the husband and wife * * * unless by the instrument by which any such property is acquired by the wife it is provided that the rents and profits thereof be applied to her sole and separate use, in which case the management and disposal of such rents and profits belong to the wife and they are not liable for the debts of the husband."

By article 4666 "the husband has the management and control of the community property except the earnings of the wife for the personal services and the rents and profits of her separate estate. But he can not sell, convey, or encumber the community real estate unless the wife join with him in executing and acknowledging the deed or other instrument of conveyance by which the real estate is sold, conveyed, or encumbered."

This section, which was amended in 1915 to read as above, previously and by amendment in 1913, provided:

"The husband has the management and control of the community property, but he shall not sell, convey, or encumber community real estate, unless the wife join with him in executing the deed or other instrument of conveyance by which the real estate is sold, conveyed, or encumbered, and such deed or other instrument of conveyance must be acknowledged by him and by his wife."

A new provision of the law of 1915, article 4667, reads:

"The wife has the management and control of the earnings for her personal services, and the rents and profits of her separate estate."

On the death of either husband or wife it is provided by article 7803 that—

"One-half of all the community property shall go to the survivor, subject to the community debts, and the other half shall be subject to the testamentary disposition of the deceased husband or wife in favor only of his, her, or their children, or a parent of either spouse, subject also to the community debts provided that not more than one-half of the decedent's half of the community property may be left by will to a parent or parents. In case no such testamentary disposition shall have been made by the deceased husband or wife of his or her half of the community property, it shall go to the survivor, subject to the community debts, the family allowance and the charges and expenses of administration: *Provided, however*, That no administration of the estate of the wife shall be necessary if she dies intestate."

Section 5713, as previously enacted in 1907, provided:

"Upon the death of either husband or wife one-half of the community property shall go to the survivor, subject to the community debts, and the other half shall be subject to the testamentary disposition of the deceased husband or wife, subject also to the community debts. In case no testamentary disposition shall have been made by the deceased husband or wife of his or her share of the community property it shall descend equally to the legitimate issue of his, her, or their bodies. If there be no issue of said deceased living, or none of their representatives living, then the said community property shall all pass to the survivor, to the exclusion of collateral heirs, subject to the community debts, the family allowance, and the charges and expenses of administration."

In Ewald *v.* Hufton (31 Idaho, 373 (173 Pac., 247)), decided in 1918, the Supreme Court of Idaho said that under the laws of Idaho no distinction is made between husband and wife as to the degree, quantity, nature, or extent of the interest each has in community property, and held that upon the dissolution of the community by the death of either spouse the survivor becomes tenant in common with the heirs of the deceased member, and the survivor can not convey title to the half belonging to the heirs which descended to them from the deceased spouse. It was therein decided that after the death of the wife a conveyance by the surviving husband conveys title only to his half.

In Kohny *v.* Dunbar, 21 Idaho, 258 (121 Pac., 544), decided in 1912, the Supreme Court of Idaho fully considered the respective interests of husband and wife. This was a case where it was attempted, after the death of the husband, to levy an inheritance tax under the Idaho inheritance tax law upon the wife's half of the community property. The court held that section 5713, Revised Statutes of Idaho, as amended in 1907, in force at the time of the death of Kohny, recognized the husband and wife as equal partners in the community estate and authorized each to dispose of his or her half by will, and that the survivor, on the death of one spouse, merely continued to hold as owner one-half of the community property subject to the payment of community debts, saying:

"This statute clearly and unmistakably provides that the surviving spouse takes his or her half of the community property, not by succession, descent, or inheritance but as survivor of the marital community or partnership. The same section provides further that in the event there be no issue of the marriage living at the time of the death of one of the spouses, and he or she leaves no will or testament, the half of the community property which belonged to the deceased shall go to the survivor as an heir, and therefore by descent and under and by virtue of the intestate laws of the State.

* * * * * * *

"Since the interests of both husband and wife are the same and equal in and to the community property, and each takes one-half interest therein by will, it is clear to us that if the wife must pay an inheritance tax on her half of the property upon the death of the husband, that the husband would likewise be obliged to pay an inheritance tax on his half of the property on the death of his wife. The law clearly places them both on an equality in this respect. This illustration, however, accentuates the unreasonableness of the contention, for no one claims that the husband is required to pay such tax on his interest in the community estate.

* * * * * * *

"We conclude that upon the death of husband or wife the survivor takes one-half of the property in his or her own right as survivor, and is not liable under section 1873 (inheritance tax act) to pay an inheritance tax on such interest in the community estate."

The significant portions of the laws of Louisiana bearing on the questions before us are found in the following articles of the revised civil code:

"ART. 915. In all cases when either husband or wife shall die, leaving no descendants nor ascendants, and without having disposed by last will and testament of his or her share in the community property, such undisposed of share shall be inherited by the survivor in full ownership.

"ART. 916. In all cases when the predeceased husband or wife shall have left issue of the marriage with the survivor and shall not have disposed by last will and testament of his or her share in the community property, the survivor shall hold as a usufruct during his or her natural life so much of the share of the deceased in such community property as may be inherited by such issue. This usufruct shall cease, however, whenever the survivor shall enter into a second marriage."

Article 915 was amended in 1920 to read as follows:

"When either husband or wife shall die, leaving neither a father nor mother nor descendants, and without having disposed by last will and testament of his or her share of the community property, such undisposed of share shall be inherited by the surviving spouse in full ownership. In the event the deceased leave descendants, his or her share in the community estate shall be inherited by such descendants in the manner provided by law. Should the deceased leave no descendants but a father and mother (or either), then the share of the deceased in the community estate shall be divided in two equal portions, one of which shall go to the father and mother, or the survivor of them, and the other portion shall go to the surviving spouse.

"ART. 2332. The partnership, or community of acquests or gains, need not be stipulated; it exists by operation of law in all cases where there is no stipulation to the contrary.

"But the parties may modify or limit it; they may even agree that it shall not exist.

"ART. 2334. The property of married persons is divided into separate property and common property.

"Separate property is that which either party brings into the marriage or acquires during the marriage by inheritance or by donation made to him or her particularly.

"Common property is that which is acquired by the husband and wife during marriage in any manner different from that above declared.

"ART. 2385. The paraphernal property, which is not administered by the wife separately and alone is considered to be under the management of the husband.

"ART. 2386. When the paraphernal property is administered by the husband, or by him and the wife indifferently, the fruits of this property, whether natural, civil, or the result of labor, belongs to the conjugal partnership, if there exists a community of gains. If there do not, each party enjoys as he chooses that which comes to his hands; but the fruits and revenues which are existing at the dissolution of the marriage belong to the owner of the things which produce them.

"ART. 2399. Every marriage contracted in this State superinduces of right partnership or community of acquests or gains if there be no stipulation to the contrary.

"ART. 2402. The partnership or community consists of the profits of all the effects of which the husband has the administration and enjoyment, either of right or in fact, of the produce of the reciprocal industry and labor of both husband and wife, and of the estates which they may acquire during the marriage, either by donations made jointly to them both, or by purchase, or in any other similar way, even although the purchase be only in the name of the two and not of both, because in that case the period of time when the purchase is made is alone attended to, and not the person who made the purchase.

"ART. 2404. The husband is the head and master of the partnership or community of gains; he administers its effects, disposes of the revenues which they produce, and may alienate them by an onerous title, without the consent and permission of his wife.

"He can make no conveyance inter vivos, by a gratuitous title, of the immovables of the community, nor of the whole, or of a quota of the movables, unless it be for the establishment of the children of the marriage.

"Nevertheless he may dispose of the movable effects by a gratuitous and particular title, to the benefit of all persons.

"But if it should be proved that the husband has sold the common property, or otherwise disposed of the same by fraud, to injure his wife, she may have her action against the heirs of her husband, in support of her claim in one-half of the property, on her satisfactorily proving the fraud.

"ART. 2406. The effects which compose the partnership or community of gains are divided into two equal portions between the husband and the wife, or between their heirs, at the dissolution of the marriage; and it is the same with respect to the profits arising from the effects which both husband and wife brought reciprocally in marriage, and which have been administered by the husband, or by husband and wife conjointly, although what has been thus brought in marriage, by either the husband or the wife, be more considerable than what has been brought by the other, or even although one of the two did not bring anything at all."

These statutes were all enacted prior to 1913 except article 915, which was amended in 1916 and again in 1920. The later amendments provide for the succession of the deceased spouse's half of the community property when such spouse dies without disposition of such interest by will.

Up to 1907, with a few exceptions, the courts of Louisiana appear to have generally adhered to the view that the wife's interest in the community property is that of an expectant heir, and that she has no vested interest therein until the dissolution of the community. But in the Succession of Marsal (118 La., 211 (1907)) it was held that the wife did not take either her one-half of the community property nor the usufruct of her husband's one-half as heir (art. 916) and that she was not therefore compelled to pay an inheritance tax on either under the inheritance tax law of Louisiana, saying:

"It is true that the right of usufruct which is vested in the surviving spouse is defeasible at the will of the deceased, but it is, nevertheless, a right conferred by the law, which enters into and forms a part of the marriage contract, and of which the survivor can be deprived by no one save the deceased spouse, and it seems to us hardly correct to say that the surviving spouse necessarily takes the usufruct by inheritance from the deceased, because the latter has not made a testamentary disposition to the contrary."

In the Succession of May (120 La., 691 (1908)) it was held, on the other hand, that where a deceased wife had by will bequeathed her one-half interest in the community property to her husband, the husband must pay an inheritance tax on such share after community debts had been deducted from the whole.

The principle that the rights of husband and wife in the partnership's gains grow out of the marriage contract and do not originate at its dissolution was expounded by the court in Dixon *v.* Dixon's Executors (4 La., 188 (1831)), where it was said that the wife has rights in the acquest before the husband dies and that the objection confounds the power of the husband to defeat the wife's rights with the existence of such rights.

In Beck *v.* Natalie Oil Co. (143 La., 154 (1918)), the court said:

"The property involved in this suit was acquired by the father of plaintiffs while the community of acquests and gains existed between him and the mother of the plaintiffs, and the mother of the plaintiffs, as partner in community, became owner of one-half of it. This half the plaintiffs inherited from their mother, subject to the payment of the debts of the community."

In New Mexico the following statutes enacted in 1907 or prior thereto define the respective rights of husband and wife in that State:

"SEC. 2757. All property of the wife owned by her before marriage and that acquired afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof is her separate property. The wife may, without the consent of her husband, convey her separate property.

"SEC. 2758. All property owned by the husband before marriage, and that acquired afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is his separate property.

"SEC. 2764. All other property acquired after marriage by either husband or wife, or both, is community property; but whenever any property is conveyed to a married woman by an instrument in writing the presumption is that title is thereby vested in her as her separate property. And if the conveyance be to such married woman and to her husband, or to her and any other person, the presumption is that the married woman takes the part conveyed to her as tenant in common, unless a different intention is expressed in the instrument, and the presumption in this section mentioned is conclusive in favor of a purchaser or incumbrancer in good faith and for a valuable consideration. And in cases where married women have conveyed or shall hereafter convey real property which they acquired prior to March 18, 1907, the husband, or their heirs or assigns, of such married women, may be barred from commencing or maintaining any action to show that said real property was community property, or to recover said real property, as follows: As to conveyances hereafter made from and after one year from the filing for record in the county clerk's office of such conveyances, respectively.

"SEC. 2766. The husband has the management and control of the community property, with the like absolute power of disposition, other than testamentary, as he has of his separate estate: *Provided, however*, That he can not make a gift of such community property or convey the same without a valuable consideration, unless the wife, in writing, consent thereto: *And provided also*, That no sale, conveyance, or incumbrance of the homestead, which is then and there being occupied and used as a home by the husband and wife, or which has been declared to be such by a written instrument signed and acknowledged by the husband and wife and recorded in the county clerk's office of the county, and furniture, furnishings, and fittings of the home, or of the clothing and wearing apparel of the wife or minor children, which is community property, shall be made without the written consent of the wife.

"SEC. 2767. Whenever the husband is non compos mentis or has been convicted of a felony and sentenced to imprisonment for a period of more than one year or has abandoned his wife and family and left her and his family, if they have children, without support, or is an habitual drunkard, or for any other reason is incapacitated to manage and administer the community property, the wife may present a petition, duly verified, to the district court of the county wherein any of the community property is located or situated, stating the name of her husband, a description of all community property, both real and personal, and the facts which render him incapacitated to manage and administer the community property and praying that she be substituted for her husband as the head of said community, with the same power of managing, administering, and disposing of the community property as is vested in the husband by this chapter.

"SEC. 2770. Upon the hearing of the petition so filed by the wife the court shall render judgment therein, either dismissing said petition or adjudging the wife thereafter to be the head of said community, with full power of managing, administering, and disposing of the community property, either real or personal, with such limitation therein as to the court may appear to be in furtherance of justice.

"SEC. 2774. Whenever husband and wife shall have permanently separated and no longer live or cohabit together as husband and wife, either may institute suit in the district court for a division of property, or for the disposition of the children, without waiting for or obtaining in said suit a dissolution of the bonds of matrimony. * * *

"SEC. 2781. The failure to divide the property on divorce shall not affect the property rights of either the husband or wife, either may subsequently institute and prosecute a suit for division and distribution thereof, or with reference to any other matter pertaining thereto which could have been litigated in the original suit for divorce.

"SEC. 1840. Upon the death of the wife, the entire community property, without administration, belongs to the surviving husband, except such portion thereof as may have been set apart to her by a judicial decree, for her support and maintenance, which portion is subject to her testamentary disposition, and in the absence of such disposition, goes to her descendants, or heirs, exclusive of her husband.

"SEC. 1841. Upon the death of the husband one-half of the community property goes to the surviving wife and the other half is subject to the testamentary disposition of the husband, and in the absence of such disposition goes one-fourth to the surviving wife and the remainder in equal shares to the children of the decedent and further as provided by law. In the case of the dissolution of the community by the death of the husband the entire community property is equally subject to his debts, the family allowance, and the charge and expenses of administration."

Section 2766 was amended in 1915 to read as follows:

"The husband has the management and control of the personal property of the community, and during coverture the husband shall have the sole power of disposition of the personal property of the community, other than testamentary, as he has of his separate estate; but the husband and wife must join in all deeds and mortgages affecting real estate: *Provided*, That either husband or wife may convey or mortgage separate property without the other joining in such conveyance or mortgage: *And provided further*, That any transfer or conveyance attempted to be made of the real property of the community by either husband or wife alone shall be void and of no effect."

In the recent case of Beals *v.* Ares (185 Pac., 780, 1919) the Supreme Court of New Mexico carefully reviewed the history of the community-property system in New Mexico, arriving at the following conclusions:

"(1) That under the law in this jurisdiction the wife's interest in the community property is equal with that of the husband; that while he is by statute made the agent of the community and given dominion and control over the community property during the continuance of the marriage relation, his interest in the property by reason of such fact is not superior to that of his wife.

"(2) That the wife does not forfeit her interest in the community property by the commission of adultery.

"(3) That there is no statute in this State conferring upon the district court the power to divide the community property between the parties at its discretion; that, while it has power to divide the property, this power does not extend further than to set apart to each of the spouses their undivided half interest in the property.

"(4) That the district courts have the power in all cases to set apart such portion of the community property or of the property of the respective spouses as in its discretion may be necessary for the proper support, care, and maintenance of the children born as a result of the marriage."

The conclusion of the court that the interest of husband and wife in community property are equal is based upon the provisions of sections 2774 and 2781. The former, the court says—

"clearly recognizes an existing, present interest in the wife during the existence of the matrimonial status: * * * Section 7481 recognizes that this interest continues even after divorce, where the property is not divided by the decree in the divorce case. Now, if she had no interest in the property during the existence of the community, but simply an expectancy, which would ripen into an interest only upon the death of the husband, and which expectancy continued only during the existence of the marital status, this expectant interest would be cut off by the divorce decree * * *.

"* * * The sections referred to clearly recognize a present interest in the wife, and the whole act shows that she was an equal partner with her husband in the matrimonial gains. He was constituted by section 16, chapter 37, Laws 1907, as the agent or manager of the community property; but this did not vest him the larger or superior interest in the property upon division."

In Nevada the relative rights of husband and wife in community property are defined in the following sections of the revised laws of that State:

"SEC. 2155. All property of the wife owned by her before marriage, and that acquired by her afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is her separate property; and all property of the husband, owned by him before marriage, and that acquired by him afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is his separate property.

"SEC. 2156. All other property acquired after marriage, by either husband or wife or both, except as provided by sections 14 and 15 of this act is community property.

"SEC. 2160. The husband shall have the entire management and control of the community property, with the like absolute power of disposition thereof, except as hereinafter provided, as of his own separate estate: *Provided*, That no deed of conveyance or mortgage of a homestead as now defined by law, regardless of whether a declaration thereof has been filed or not, shall be valid for any purpose whatever unless both the husband and wife execute and acknowledge the same as now provided by law for the conveyance of real estate: *Provided further*, That the wife shall have the entire management and control of the earnings and accumulations of herself and her minor children living with her, with the like absolute power of disposition thereof when said earnings and accumulations are used for the care and maintenance of the family.

"SEC. 2164. Upon the death of the wife the entire community property belongs, without administration, to the surviving husband, except that in case the husband shall have abandoned his wife and lived separate and apart from her without such cause as would have entitled him to a divorce, the half of the community property, subject to the payment of its equal share of the debts chargeable to the estate owned in community by the husband and wife, is at her testamentary disposition in the same manner as her separate property, and in the absence of such disposition goes to her descendants equally, if such descendants are in the same degree of kindred to the decedent; otherwise, according to the right of representation; and in the absence of both such disposition and such descendants, goes to her other heirs at law, exclusive of her husband.

"SEC. 2165. Upon the death of the husband one half of the community property goes to the surviving wife and the other half is subject to the testamentary disposition of the husband, and in the absence of such disposition goes to his surviving children equally, and in the absence of both such disposition and surviving children the entire community property belongs, without administration, to the surviving wife except as hereinafter provided, subject, however, to all debts contracted by the husband during his life that were not barred by the statute of limitations at the time of his death: *Provided, however*, That the homestead set apart by the husband and wife, or either of them, before his death, and such other property as may be exempt by law from execution or forced sale, shall be set apart for the use of the widow and minor heirs, and if no minor heirs, for the use of the widow. In case of the dissolution of the community by the death of the husband the entire community property is equally subject to his

debts, the family allowance, and charges and expense of administration: *Provided, however*, That if, in the absence of said testamentary disposition the surviving wife and children, and in the absence of such children, the wife shall pay or cause to be paid all indebtedness legally due from said estate, or secure the payment of the same to the satisfaction of the creditors of said estate, then and in such case the said community property shall not be subject to administration."

Section 2166 provides that on dissolution of the marriage on divorce the community property must be equally divided between the parties, except that in case of divorce for adultery or extreme cruelty the guilty party is entitled to only so much thereof as the court may allow. All of the above sections, except 2160, which was amended in 1917, were enacted prior to 1913.

One of the most recent and comprehensive decisions of the Supreme Court of Nevada, interpreting the above statutes and defining the interests of husband and wife in community property, is In re Williams (40 Nev., 241), rendered in 1916. In that case it was sought to collect a tax under the Nevada inheritance tax act of 1913 on the one-half of the community property which passed to the wife on the death of the husband. But the court, after a careful review of the decisions and the constitution of the State, which provided in section 31 of article 4 that "laws shall be passed more clearly defining the rights of the wife in relation as well to her separate property as to that held in common with her husband," said:

"It may, we think, be asserted, supported by the great weight of authority, that the interest of the wife in the community property and her title thereto is no less than that held by the husband, and this interest and title in the wife is not to be regarded as a mere expectancy.

"Concluding, as we do, that the wife's interest in the community property goes to her, not by succession or inheritance, but rather by a right vested in her at all times during marriage, it follows that it is not subject to the law of inheritance tax."

The respective rights of the husband and wife in the community property of the State of Washington are defined by the following sections of Pierce's Washington Code of 1919, all of which were enacted prior to 1913:

"SEC. 1424. The property and pecuniary rights of every married woman at the time of her marriage or afterwards acquired by gift, devise, or inheritance, with the rents, issue, and profits thereof, shall not be subject to the debts or contracts of her husband, and she may manage, lease, sell, convey, encumber, or devise by will such property to the same extent and in the same manner that her husband can property belonging to him.

"SEC. 1428. A wife may receive the wages of her personal labor and maintain an action therefor in her own name and hold the same in her own right, and she may prosecute and defend all action at law for the preservation and protection of her rights and property as if unmarried.

"SEC. 1432. Property and pecuniary rights owned by the husband before marriage and that acquired by him afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, shall not be subject to the debts or contracts of his wife, and he may manage, lease, sell, convey, encumber, or devise by will such property without the wife joining in such management, alienation, or encumbrance, as fully and to the same effect as though he were unmarried.

"SEC. 1433. Property not acquired or owned, as prescribed in sections 2400 and 2408, acquired after marriage by either husband or wife, or both, is community property. The husband shall have the management and control of community personal property, with a like power of disposition as he has of his separate personal property, except he shall not devise by will more than one-half thereof.

"SEC. 1434. The husband has the management and control of the community real property, but he shall not sell, convey, or encumber the community real estate, unless the wife join with him in executing the deed or other instrument of conveyance by which the real estate is sold, conveyed, or encumbered, and such deed or other instrument of conveyance must be acknowledged by him and his wife: *Provided, however*, That all such community real estate shall be subject to the liens of mechanics and others for labor and materials furnished in erecting structures and improvements thereon as provided by law in other cases and to liens of judgments recovered for community debts and to sale on execution issued thereon.

"SEC. 1435. Upon the death of either husband or wife one-half of the community property shall go to the survivor, subject to the community debts, and the other half shall be subject to his testamentary disposition of the deceased husband or wife, subject also to the community debts.

"SEC. 1436. In case no testamentary disposition shall have been made by the deceased husband or wife of his or her half of the community property it shall descend equally to the legitimate issue of his, her, or their bodies. If there be no issue of said deceased living or none of their representatives living, then the said community property shall all pass to the survivor, to the exclusion of collateral heirs, subject to the community debts, the family allowance, and the charges and expenses of administration."

It appears to be the settled law of that State that the wife has during coverture, as well as upon the dissolution of the marriage, a vested and definite interest and title in community property, equal in all respects to the interest and title of her husband therein. Leading cases are:

Holyoke *v.* Jackson, 3 Wash. T., 235; Mable *v.* Whittaker, 39 Pac., 172; Marston *v.* Rue, 92 Wash., 129 (159 Pac., 111); Schramm *v.* Steele, 166 Pac., 634 (97 Wash., 309); Huyvaerts *v.* Roedtz, 178 Pac., 801.

The statutes of California defining the relative property rights of husband and wife are found in the following sections of the civil code:

"SEC. 162. All property of the wife owned by her before marriage and that acquired afterwards by gift, bequest, device, or decent, with the rents, issues, and profits thereof, is her separate property. The wife may, without the consent of her husband, convey her separate property.

"SEC. 163. All property owned by the husband before marriage and that acquired afterward by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is his separate property.

"SEC. 164. All other property acquired after marriage by either husband or wife, or both, including real property situated in this State and personal property wherever situated acquired while domiciled elsewhere, which would not have been the separate property of either if acquired while domiciled in this State, is community property; but wherever any property is conveyed to a married woman by an instrument in writing the presumption is that the title is thereby vested in her as her separate property. And in case the conveyance is to such married woman and to her husband, or to her and any other person the presumption is that the married woman takes the part conveyed to her as tenant in common, unless a different intention is expressed in the instrument, and the presumption in this section mentioned is conclusive in favor of a purchaser or encumbrancer in good faith and for a valuable consideration. And in cases where married women have conveyed, or shall hereafter convey, real property which they have acquired prior to May 19, 1889, the husband, or their heirs or assigns of such married women, shall be barred from commencing or maintaining any action to show that said real property was community property, or to recover said real property, as follows: As to conveyances heretofore made from and after one year from the date of the taking effect of this act, and as to conveyances hereafter made from and after one year from the filing for record in the recorder's office of such conveyances, respectively.

"SEC. 172. The husband has the management and control of the community personal property, with like absolute power of disposition other than testamentary as he has of his separate estate: *Provided, however*, That he can not make a gift of such community personal property, or dispose of the same without a valuable consideration, or sell, convey, or encumber the furniture, furnishings, or fittings of the home, or the clothing or wearing apparel of the wife or minor children that is community, without the written consent of the wife.

"SEC. 172a. The husband has the management and control of the community real property, but the wife must join with him in executing any instrument by which such community real property or any interest therein is leased for a longer period than one year, or is sold, conveyed, or encumbered: *Provided, however*, That the sole lease, contract, mortgage, or deed of the husband, holding the record title to community real property, to a lessee, purchaser, or encumbrancer, in good faith without knowledge of the marriage relation shall be presumed to be valid; but no action to avoid such instrument shall be commenced after the expiration of one year from the filing for record of such instrument in the recorder's office in the country in which the land is situate.

"SEC. 1401. Upon the death of the wife the entire community property, without administration, belongs to the surviving husband, except such portion thereof as may have been set apart to her by judicial decree, for her support and maintenance, which portion is subject to her testamentary disposition, and in the absence of such disposition goes to her descendants, or heirs, exclusive of her husband.

"SEC. 1402. Upon the death of the husband one-half of the community property goes to the surviving wife, and the other half is subject to the testamentary disposition of the husband, and in the absence of such disposition goes to his descendants equally, if such descendants are in the same degree of kindred to the decedent; otherwise, according to the right of representation; and in the absence of both such disposition and such descendants is subject to distribution in the same manner as the separate property of the husband. In case of the dissolution of the community by the death of the husband the entire community property is equally subject to his debts, the family allowance, and the charges and expenses of administration."

Sections 164 and 172 were amended to read as above in 1917, and 172a was then added. The changes in section 164 then made are underlined. Prior to 1917 section 172 applied to all the community property and was amended only by the insertion of the word "personal." Section 172a imposes a limitation upon the power of the husband to alienate community real property.

While the statutes of California are in some respects similar to the community property laws of the other community property States, the rule established by the highest courts of that State is that during coveture the wife has no vested interest in the community property, her interest therein being a mere expectancy.

In Spreckles *v.* Spreckles (116 Calif. 339 (1897)) the supreme court of that State held that prior to the amendment of 1891 to section 172 of the Civil Code, forbidding the husband to give away community property without consent of the wife in writing, the code vested in the husband all the elements of absolute ownership of the community property; that the wife's interest was a mere expectancy, and as to all the world except the wife, there was, prior to that amendment, no distinction between the community estate and the separate estate of the husband; and that the amendment could not be construed retroactively so as to deprive the husband of his vested right to dispose by gift of community property acquired prior to the amendment without the consent of the wife.

In 1905 California passed an inheritance tax law, and subsequently the question was raised whether a widow should be compelled to pay such tax on that one-half of the community property that she took on the death of her husband. In the Estate of Moffitt, 153 California, 359 (1908), the Supreme Court of California held that she did, since she had no vested interest in the community estate and took her one-half on the death of her husband as his heir.

This case was taken to the Supreme Court of the United States (Moffit *v.* Kelly, 218 U. S., 400), where the judgment of the lower court was affirmed, the court laying down the rule that the nature and character of the right of the wife in community property for the purpose of taxation is a peculiarly local question, and the determination of the State court in regard thereto is not reviewable by the Supreme Court; and, further, that the law of California of 1905, taxing all property passing by will or intestacy, having been construed by the highest court of that State as applying to the wife's share of the community property, such tax is not in conflict with the contract, due process, or equal-protection clauses of the Constitution.

Subsequently the inheritance tax law of California was amended to provide "that for the purpose of this act" the one-half of the community property which goes to the surviving wife on the death of her husband under the provisions of section 1402 of the Civil Code "shall not be deemed to pass to her as heir to her husband, but shall, for the purpose of this act, be deemed to go, pass, or be transferred to her for valuable and adequate consideration."

It is obvious that this language does not change the rule of community property in the State nor vest in the wife any interest thereto prior to the dissolution of the community; rather it emphasizes the existing rule that the wife has no vested interest in community property.

As to the effect of section 172a of the Civil Code enacted in 1917, it is not to be presumed that the legislature intended by the enactment of same to make so revolutionary a change in the existing rule of property in California as to divest the husband of his ownership in the community property. As was said in Spreckles *v.* Spreckles, supra, "if a husband can not make a valid transfer of the property for the purpose of depriving his wife of it, that does not show a vested right in her"; and giving the fullest possible effect to the language, unless the wife had a vested interest by virtue of the law as it theretofore existed, which it must be conceded she did not, the operation of the amendment would necessarily be confined to community property acquired after May 23, 1917.

SUMMARY.

Summarizing, it appears that in all of the community-property States except California their own courts have held that the wife has, during the existence of the marriage relation, a vested interest in one-half of the community property. Her rights in the property of the community are perhaps most fully recognized in the State of Washington, where both spouses have testamentary disposition over one-half of the community property, and where in the absence of such disposition it descends to their issue or, in the absence of issue, to the survivor; while the husband is manager of the community estate in Washington he may not sell, convey, or encumber real estate unless the wife join with him in the conveyance; and as was held in Huyvaerts *v.* Roedtz, ante, and Scramm *v.* Steels, ante, the separate debt of the husband can not be satisfied out of community property where it is not incurred in connection with the community business nor for the benefit of the community.

In Idaho it is seen that the limitation upon the alienation of the community real property is the same as in Washington. But while the wife's earnings and the rents and profits of her separate estate are community property she is given the management and control of same. The Idaho rule governing the disposition of community property on the death of either spouse is, with minor variations, the same as that of Washington. In neither State is an inheritance tax payable on the one-half of the community that goes to the one spouse on the death of the other.

In Arizona the husband only may dispose of community personal property, but the wife must join him in deeds or mortgages affecting real estate, except unpatented mining claims. One-half of the community property is subject to the testamentary disposition of either spouse, and in absence of such disposition goes to his or her descendants; where there is neither testamentary disposition nor descendants, it is subject to distribution in the same manner as the separate property of the husband. On decree of divorce the court may divide the property as he sees fit, but in the absence of provision for the community property the parties from the date of the decree hold as tenants in common. The courts of Arizona hold that the wife is equal owner with her husband.

In Nevada the husband has the entire management and control of the community property, except that the wife has entire control of her earnings when living separate from her husband. Upon her death the husband takes the whole community estate, except that where he has abandoned her without good cause she may by will dispose of half, and in absence of such disposition it goes to her heirs, exclusive of her husband. On the death of the husband the wife takes half, and the husband may dispose of the other half by will, or it goes to his surviving children; if there is no will and no children survive, the whole goes to the wife without administration, subject to certain provisos. On dissolution of community by divorce for any other ground than adultery or extreme cruelty, the community property must be equally divided between the parties. The wife pays no inheritance tax under the inheritance tax law of Nevada on her interest in community property, the courts holding that she takes not as heir but by a right vested in her at all times during marriage. It is to be noted that the constitution of Nevada recognizes the wife's interest in community property.

In New Mexico, while the husband is manager of the community estate, he may not transfer real property without a valuable consideration without the written consent of his wife, and under certain circumstances the wife may be substituted as manager; prior to 1915 he could not transfer community personal property except for a valuable consideration without her written consent. On dissolution of the community by the death of the wife, the husband takes all except such portion as may have been set aside to the wife by judicial decree, which portion goes to her heirs unless she has disposed of same by will. On death of the husband one half goes to the wife and the other half is subject to testamentary disposition by the husband. If he makes no will one-fourth of his one-half goes to the wife and the remainder to the children. On separation either may petition for division of community property, and after divorce continue to hold as tenants in common where no disposition has been made in the divorce decree. New Mexico has no State inheritance tax act.

In Louisiana the community property comprehends all property acquired during the marriage by either husband or wife except that acquired with separate funds or by inheritance or particular donation, and excepting the earnings of the wife when she is living separate from her husband. The husband is manager of the community, but he may not convey community immovables by gratuitous title, and can not dispose of movables in fraud of the wife. Either spouse may dispose of one-half the community property by will, and the laws governing the descent of such property in the absence of testamentary disposition apply equally to both spouses, the survivor taking the deceased spouse's half by inheritance when there is no will and neither father, mother, nor descendants. As heretofore stated, the survivor pays no inheritance tax on his or her one-half of the community property, but does pay on that part inherited from the deceased spouse.

In California the wife has no power of testamentary disposition of community property, except of such as may have been set aside to her by judicial decree; she takes one-half as heir on the death of the husband; but on the death of the wife the entire community property belongs to the husband without administration. The California courts have held that under the law, as it stood prior to 1917, the wife had no vested interest in community property prior to the dissolution of the marriage; the amendment to the inheritance tax act, being limited to the purposes of that act, could not have had the effect of vesting an interest in her, and had the addition of section 172a had that effect, any amendment of the inheritance tax act would have been unnecessary to exempt her one-half from taxation thereunder. In the case of Blum *v.* Wardell, now pending before the circuit court of appeals of the ninth circuit, on appeal from the district court of the northern district of California, the application of the Federal estate tax act of 1916 is under consideration.

As appears from my opinion of September 10, 1920, in Texas the control of community property is divided between the husband and wife; in that State on the death of either spouse without issue the survivor takes the whole and where there is issue, takes one-half, the other half going to said issue or their descendants. Under the State inheritance tax law the wife pays no tax on her half of the community property.

In Warburton *v.* White (176 U. S., 484, 496) the principle was enunciated that where State decisions have interpreted State laws governing property or controlling relations that are essentially of a domestic and State nature the United States Supreme Court will follow the State decisions, if possible to do so, in the discharge of its duties. Also in De Vaughn *v.* Hutchinson (165 U. S., 566, 570) it was held that to the law of the State in which property is situated we must look for the rules which govern its descent, alienation, and transfer, and for the effect and construction of wills and other conveyances. In United States *v.* Crosby (7 Cranch., 115) it was held that the title to land can be acquired and lost only in the manner prescribed by the law of the place where same is situated.

In arriving at an answer to the questions propounded by you we are called upon to determine the rules of property in the community property States; we have therefore, pursuant to the rules of the above cases, adopted the rules laid down by the highest courts of the various States. There remains to be determined the application thereto of the income and estate tax provisions of Federal statutes. In my previous opinion it was stated that since in Texas the ownership in one-half of all community property vests in each spouse, whatever is income to the community is income to both. This conclusion applies, therefore, to all States in which community property is held to be vested equally in both spouses.

Section 201 of the revenue act of 1916 and section 401 of that of 1918 impose a tax "upon the transfer of the net estate of every decedent" dying after the passage thereof, to be determined as is set forth in the sections following, which are:

"REVENUE ACT OF 1918.

"SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

"(a) To the extent of the interest therein of the decedent at the time of his death which, after his death, is subject to the payment of the charges against his estate and the expenses of its administration, and is subject to distribution as part of his estate.

* * * * * * *

"(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent."

Subdivisions (a) and (c) of section 202 of the revenue act of 1916 are identical with subdivisions (a) and (d) of section 402 of the revenue act of 1918 quoted above.

While the community estate of husband and wife has not in the strictest sense all the incidents of a joint estate or an estate in the entirety as they were known at common law, I am convinced that the community estate is for all practical purposes within the language of subdivision (d) of section 402, there being deductible therefrom, in arriving at the net estate of decedent, the one-half interest of the surviving spouse, which may be shown to have originally belonged to such person, and never to have belonged to the decedent.

And even though it should be held that the community estate is not a "joint estate" or an "estate in the entirety" within the meaning of the revenue acts, the one-half interest of the deceased spouse in community property would still be subject to tax under the language of subdivision (a) above.

My answers to your questions are therefore:

(1) That in Washington, Arizona, Idaho, New Mexico, Louisiana, and Nevada, the husband and wife domiciled therein, in rendering separate income tax returns, may each report as gross income one-half of the income which under the laws of the respective States becomes simultaneously with its receipt community property.

(2) In the States mentioned in answer to question one there should be included in gross estate, in computing the estate tax of a deceased spouse, one-half only of the community property of husband and wife domiciled therein.

(3) Neither of the above answers is based upon a statute enacted subsequent to March 1, 1913.

(4) My answers to these questions apply under income and estate tax acts prior to the revenue act of 1918.

Respectfully,

A. MITCHELL PALMER,
Attorney General.

Hon. DAVID F. HOUSTON,
Secretary of the Treasury, Washington, D. C.

THE BUILDING SITUATION.

Mr. CALDER. I ask leave to file the report of the select committee appointed under Senate resolution No. 350, Sixty-sixth Congress, to investigate the housing and building situation. I ask that the two diagrams accompanying the report may be printed in connection therewith, and that any member of the committee may be permitted to file a minority report.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had this day approved and signed the following bills:

S. 4039. An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes"; and

S. 5023. An act to provide for the closing of Cedar Road between Quincy Street and Shepherd Street NW., in the District of Columbia.

CLAIMS AGAINST GERMANY.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Senate:

I transmit herewith a report from the Secretary of State in response to the resolution adopted by the Senate on December 30, 1920, in respect to claims against Germany filed with the Department of State by American citizens since August, 1914.

WOODROW WILSON.

THE WHITE HOUSE,
3 March, 1921.

RELIEF OF DISTRESS ABROAD (S. DOC. NO. 419).

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and, with the accompanying papers, ordered to be printed in the RECORD and referred to the Committee on Foreign Relations, as follows:

To the Senate:

Referring further to Senate resolution No. 416, I transmit a report by the Secretary of State, inclosing additional information on the subject of "actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies," as contained in a copy of a dispatch from the United States commissioner at Riga, dated February 4, 1921.

WOODROW WILSON.

THE WHITE HOUSE,
3 March, 1921.

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DEPARTMENT OF STATE,
Washington, March 1, 1921.

The PRESIDENT:

In further response to the request of the Senate in its resolution No. 416 for information concerning the conditions and need of relief in various foreign countries, the Secretary of State has the honor to lay before the President, with a view to its transmission to the Senate if the President approve thereof, additional information on this subject as contained in a dispatch from the commissioner of the United States at Riga, dated February 4, 1921.

Respectfully submitted.

BAINBRIDGE COLBY.

Inclosure: One, as above.

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(No. 555.)

FEBRUARY 4, 1921.

The honorable the SECRETARY OF STATE,
Washington.

SIR: In accordance with department's telegraphic instruction of January 7, 1921, I have the honor to forward herewith a memorandum in regard to American relief work in Latvia and Lithuania.

Esthonia has been reported upon by Consul Albrecht at Reval in his dispatch dated January 24, 1921.

I have the honor to be, sir,
Your obedient servant,

EVAN E. YOUNG,
Commissioner.

Inclosure: Memorandum.

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MEMORANDUM REGARDING THE NEED FOR RELIEF WORK IN LATVIA AND LITHUANIA AND THE WORK OF THIS NATURE WHICH IS NOW BEING CARRIED ON BY AMERICAN RELIEF ORGANIZATIONS.

THE NEED.

A careful investigation as to the actual conditions prevailing throughout Latvia and Lithuania clearly establishes the fact that there is a real and actual need in these countries or Provinces in the matter of relief. The World War, with its aftermath, most seriously and unfavorably affected economic conditions, and the process of rebuilding is certain to be slow and tedious. Riga was formerly an important manufacturing center. Its industrial establishments numbered some 425, including the famous Provodnik Rubber Works, which employed some 25,000 hands. The Russian armies in their retreat evacuated from Latvia all the machinery from these factories and even such foodstuffs, cattle, horses, and so forth, as could be transported. To-day the great majority of these factories are idle, and one of the serious problems of the Latvian authorities is to find employment for idle mechanics and skilled laborers. In the wake of the Great War came the bolshevik invasion and the Bermondt incident, which still further denuded the country and rendered its economic restoration still more difficult. In the farming districts the agricultural industry has been carried on with great difficulty owing to the shortage of horses and cattle and the destruction of many of the homesteads, barns, and outbuildings. The harvest in Latvia last year, which it had been hoped would result in an amelioration of food conditions, proved a very serious disappointment, due largely to the very unfavorable weather which prevailed throughout the country at the time of harvest. A careful survey recently made by the representatives of the American relief administration places the number of children in Latvia to whom assistance should be extended by the European children's fund at over 40,000.

In Lithuania, primarily an agricultural country, there is less need of assistance in the way of relief from foreign countries, but here, again, there is no question that a real need for such assistance does exist, although not to the same extent as in Latvia.

LOCAL RELIEF.

The Latvian and Lithuanian authorities and municipalities are accomplishing a great deal in their efforts to meet this need, but they are, in spite of these efforts, quite unable from lack of funds and materials to cope with the situation without outside assistance. The estimate of the Latvian ministry of labor in the annual budget 1920–21 for relief work totals some 8,000,000 rubles—approximately $50,000. While this may be considered a comparatively small sum when converted into foreign exchange it represents a very material amount in the Latvian budget. The budgets of the various municipalities in Latvia show that some 20 per cent of their revenue is expended for relief purposes, and the same is true, according to official information furnished this office, of the rural communes. Official statistics indicate that the cost of living steadily increased throughout the past year, and in the month of October was some 300 per cent higher than in the month of December, 1919.

AMERICAN RELIEF ORGANIZATIONS OPERATING IN LATVIA AND LITHUANIA.

At the present time the American relief organizations or organizations of that character operating in Latvia and Lithuania are the American Red Cross, the European Children's Fund of the American Relief Administration, the Joint Distribution Committee, and the Y. M. C. A.

THE AMERICAN RED CROSS.

The headquarters of the American Red Cross Commission to western Russia and the Baltic States are located at Riga. This commission operates in Finland, Esthonia, Latvia, and Lithuania. Up to the present time its work has fallen largely under the two heads of medical aid and pure relief work. One of the outstanding features of the work of our Red Cross in this part of the world was its successful fight against a typhus epidemic which raged severely throughout the larger portion of Esthonia last winter. This work was undertaken with characteristic American energy and efficiency and can not be too highly praised. Assistance in the way of supplies has been given by our Red Cross to practically all hospitals throughout the Baltic Provinces. In many instances these hospitals have been entirely equipped and furnished with supplies furnished them by this organization through the generosity of the American people. Large quantities of clothing and food have also been distributed to the needy after a careful investigation had been made of the circumstances of each case. To submit a full report covering the operations past and present is impracticable and probably not necessary, but there can be no doubt that the organization is doing splendid work and that it is a material factor in alleviating suffering and need. While it can not, of course, without the expenditure of greater funds than are at its disposal meet the need entirely, it is nevertheless true that it is an important factor in the meeting of this need and that its work also tends at least to stabilize conditions. While I am not in a position, of course, to pass judgment on the question as to whether or not this organization is administered economically, I might add that so far as one can observe the proper and necessary efforts are made to keep down the overhead charges and to afford the actual relief with as little lost motion and as little unnecessary expense as possible. The officer in charge is Dr. Edward W. Ryan, who has been with the Red Cross for many years and who has had a great deal of experience in this kind of work.

AMERICAN RELIEF ADMINISTRATION, EUROPEAN CHILDREN'S FUND.

This organization operated in Esthonia, Latvia, and Lithuania last winter, but discontinued its work this last summer. Owing to the poor harvests and the suffering which would undoubtedly have ensued to thousands of children throughout these countries, it has recently decided to carry on the work during the remainder of the present winter. This decision means that some 60,000 children in Latvia and Lithuania who would otherwise undoubtedly suffer from undernourishment, will receive material additions to their daily supply of food. This organization operates with a very small American personnel and depends almost entirely on local committees for the necessary assistance in carrying on its work. I believe the administration is carried out in a businesslike and economical manner.

JOINT DISTRIBUTION COMMITTEE.

While the work of the joint distribution committee is largely confined to Jewish sufferers, I am informed by the director of this work for Latvia and Lithuania that it is not entirely a sectarian relief organization and that he has recently contributed to the Latvia Red Cross the sum of 250,000 Latvian rubles to be expended in general relief work. The director informs me that a very important need exists in these two countries among the Jewish people and that a great deal of distress

and suffering has been alleviated by the work of this organization. The work in general is divided into two classes, (a) relief and (b) reconstruction. The director states that under the former (relief) they are granting financial assistance to their own local and philanthropical organizations, thus enabling them to buy and distribute food supplies among the poor, grant monthly allowances to widows, pay for the support of orphans, support public kitchens, and distribute clothing. The reconstruction work, according to a letter that I have received from the director, includes the establishment of a central bank in Latvia, with branches in different cities and towns for the purpose of enabling mechanics to obtain small loans on easy terms, thus enabling them to purchase the necessary tools and implements of trade. The banks will also, it is understood, make loans to small merchants, to build houses and homes which have been partially destroyed, to farmers for the purpose of buying seed and agricultural implements, and so forth. The reconstruction work also includes the granting of financial assistance to certain industrial schools where the orphans will be enabled to learn a trade. According to present plans the relief work is to cease on July 1, next, while the reconstruction program will be continued for at least a year longer.

The committee also assists in the forwarding of remittances from people in the United States to relatives and friends in Latvia and Lithuania, and also endeavors to ascertain the whereabouts and welfare of missing relatives. While without detailed information, I am of the opinion that the committee in its operations in Latvia is guided by a due sense of economy and business methods. I have no knowledge on this point as regards the work of the committee in Lithuania, and it is impracticable for me at this time to make a special visit to Kovno for the purpose of obtaining the information desired.

THE Y. M. C. A.

The Y. M. C. A. is operating in Latvia and Esthonia, but has not up to the present undertaken any work in Lithuania. In Latvia its work is largely confined to the soldiers and special attention is paid to physical education. In Latvia it has a very small personnel, but is apparently accomplishing much good. In general its work is along lines with which everyone in the United States is quite familiar. I am without any special knowledge of its operating expenses, but from my knowledge of its work, the small personnel, and so forth, I am of the opinion that its affairs are conducted with due regard to economy.

MERCHANT MARINE.

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting by direction of the board, for the information of the Senate, (1) copy of resolution adopted by the United States Shipping Board on March 3, 1921; (2) copy of verbatim transcript of hearing given representatives of the International Mercantile Marine Co. on January 27, 1921; (3) copy of agreement between the Commissioners for Executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland and the Board of Trade (for and on behalf of His Majesty's Government), the International Mercantile Marine Co., and certain British companies, dated August 1, 1903, together with supplementary agreements dated October 1, 1910, and September 2, 1919, which was referred to the Committee on Commerce.

REPORT OF JOINT COMMISSION ON POSTAL SALARIES.

Mr. STERLING. On May 24 last the Joint Commission on Postal Salaries made a preliminary report accompanied by a bill. That bill passed and became a law June 5 last. The commission was continued, and now on behalf of the commission I present the final report of the Joint Commission on Postal Salaries and ask that it may be printed as a public document.

The VICE PRESIDENT. Without objection, it will be so ordered.

WAR-RISK INSURANCE BENEFICIARIES.

Mr. SMOOT. Mr. President, I have been instructed by the Committee on Finance to report back favorably the bill (H. R. 13558) for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war risk insurance act, as amended, known as the Wason bill, and referred to by the Senator from New Jersey [Mr. FRELINGHUYSEN]. There is no amendment to it, and I have been waiting for two days to secure an opportunity to report the bill and ask for its immediate consideration. I do not think there is anyone opposed to it at all, and, if the Senator from Washington does not object, I ask at this time for its consideration. If there is a word of debate on it, I will say to the Senator, I will withdraw it.

Mr. POINDEXTER. What is the bill?

Mr. SMOOT. It is known as the Wason bill. It is for the decentralization of the agencies to look after the wounded soldiers in 14 districts to be created in the United States. There is not an amendment to it; it has passed the House; and there is no objection to it that I know of.

Mr. POMERENE. Let the bill be read.

Mr. SMOOT. I ask for the immediate consideration of the bill.

The PRESIDENT pro tempore. The Senator from Utah asks unanimous consent to report the following bill from the Finance Committee. Is there objection to the request? The Chair hears none.

Mr. POMERENE. I have no objection to receiving the report.

The PRESIDENT pro tempore. That is the only question now before the Senate.

Mr. POMERENE. I wanted to have it read, so that we may know what we are to vote on.

The Assistant Secretary read the bill by its title.

The PRESIDENT pro tempore. The Senator from Utah asks unanimous consent for the immediate consideration of the bill which has just been read by title.

Mr. POMERENE. I desire to have the bill read. I know nothing about it at all.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Assistant Secretary read the bill as follows:

Be it enacted etc., That the Bureau of War Risk Insurance is hereby authorized to establish throughout the United States and its outlying possessions such regional offices, not exceeding 14 in number, and such suboffices as may be deemed necessary in the best interests of the work committed to said bureau.

That there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $1,000,000 for the purpose of carrying out the provisions of this section. That this section shall be in force and effect for a period not exceeding two years from and after the passage of this act.

SEC. 2. That under such rules and regulations as the Secretary of the Treasury and the Postmaster General may prescribe, the Postmaster General is hereby authorized to receive the war-risk insurance premiums and act for and turn over to the Secretary of the Treasury the money so received, and also he is authorized to receive and transmit to the Bureau of War Risk Insurance applications for reinstatement of lapsed or for converted insurance. In making such collections he is hereby authorized to use postal money orders, postal notes, war-risk insurance coupons, or any other method of collection which may be deemed most expedient and satisfactory.

SEC. 3. That a new section is hereby added to article 2 of the war risk insurance act as amended, to be known as section 212, and to read as follows:

"SEC. 212. The family allowance shall be awarded and paid to any person or persons within class A for the full period defined in section 204 hereof, or for such part of said period as it shall be shown that the necessary relationship existed between such person and an enlisted man in the active military or naval service, in cases where deductions from the pay of the enlisted man for compulsory allotment have not been made but the family allowance was applied for during the service of the enlisted man, notwithstanding the fact that such enlisted man has died in or been discharged from the service: *Provided*, That compulsory allotment has not been waived or that exemption therefrom has not been heretofore or shall not be hereafter granted. Any awards or adjustments heretofore made which are inconsistent with the provisions of this section may, upon application, be reopened and made to conform herewith."

SEC. 4. That section 313 of the war risk insurance act as amended is hereby amended by adding thereto, immediately following subsection (2) thereof, a new subsection, to be known as subsection (2a), and to read as follows:

"(2a) That the Bureau of War Risk Insurance is hereby authorized to pay the beneficiary or other person or persons in whose name an action may have been commenced or prosecuted fees and mileage, the same as is now paid and allowed to witnesses in the United States courts, in going to, remaining at, and returning from place of trial, and without any regard to whether the action, if any, is brought or prosecuted in a court of the United States or some other court.

"In all cases of assignment of causes of action under this section, whether the assignment be heretofore or hereafter made, where it shall appear to the director to be to the best interest of the beneficiary so to do, the director, acting for and in the name of the United States, may assign the cause of action back to the beneficiary or to his personnal representatives."

SEC. 5. That the Bureau of War Risk Insurance shall relieve from the payment of premiums on renewable term insurance the following persons, to wit: (a) Those who are receiving hospital care under said bureau, during the period they are receiving such care; (b) those who are receiving vocational training pursuant to the vocational rehabilitation act, during the period of such training; and (c) those who are temporarily totally disabled by reason of an injury or disease entitling them to compensation, during the period of such total disability.

That, in addition to the care, treatment, and appliances now authorized by law, said bureau shall also provide, without charge therefor, hospital, dental, medical, and surgical care and treatment and prosthetic appliances for all honorably discharged commissioned officers and enlisted men, disabled by reason of any wound or injury received or disease contracted while in the service of the United States and in the line of duty: *Provided*, That application for such care and treatment and appliances provided for in this paragraph shall be made within one year from the date of the man's discharge or from the date this act goes into effect, whichever is the later.

SEC. 6. That whenever a claim under United States Government life insurance (converted insurance) is to be paid because of the total permanent disability of the insured, such payment shall be made out of the military and naval insurance appropriation. And in cases where

the insured has been relieved of the payment of premiums, such premiums shall be paid by the United States into the United States Government life-insurance fund out of said military and naval insurance appropriation.

To meet the costs of the provisions of this section there shall be transferred each year from the military and naval insurance appropriation into the United States Government life-insurance fund an amount equal to 8 per cent of the premiums paid during the previous fiscal year for United States Government life insurance (converted insurance). If such amount should prove to be insufficient to meet the costs of the provisions of this section an additional amount shall be transferred therefor.

SEC. 7. That section 19 of the act entitled "An act to amend and modify the war risk insurance act," approved December 24, 1919, is hereby amended to read as follows:

"SEC. 19. That the amount of the monthly installments of allotment and family allowance, compensation, or insurance which has heretofore or which may hereafter become payable under the provisions of the war risk insurance act, but which has not been paid prior to the death of the person entitled to receive the same, shall be paid to the executor or administrator of such deceased person, but if no demand in writing has been made by an executor or administrator, then, in cases where the amount is $400 or less, the same shall be paid in the following order of precedence: First, to the widow or husband; second, if decedent left no widow or husband, or the widow or husband be dead at the time of settlement, then to the children and their issue per stirpes; third, if no widow or husband, children, or issue of children, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow or husband, child, issue of children, father or mother at the date of settlement, then to the brothers and sisters and the children of the deceased brothers and sisters, per stirpes: *Provided*, That any unpaid allotment shall be paid, upon demand, to the person who made such allotment: *And provided further*, That this section shall not be so construed as to prevent payment from the amount due the decedent's estate of his funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same, before settlement by the Bureau of War Risk Insurance."

SEC. 8. That the Director of the Bureau of War Risk Insurance, with the approval of the Secretary of the Treasury, is hereby authorized to make such rules and regulations as may be deemed necessary in order to promote good conduct on the part of persons who are receiving care or treatment in hospitals as patients of said bureau during their stay in such hospitals. Penalties for the breach of such rules and regulations may extend to a forfeiture by the offender of such portion of the compensation payable to him, not exceeding three-fourths of the monthly installment per month for three months, for a breach committed while receiving treatment in such hospital, as may be prescribed by such rules and regulations.

SEC. 9. That all acts or parts of acts or amendments in conflict with this act are hereby repealed or modified to conform herewith.

Mr. POMERENE. Mr. President, if the bill is going to add to the efficiency of the War Risk Insurance Bureau, then I am for it.

Mr. SMOOT. I will say to the Senator that we hope it will.

There being no objection, the bill was considered as in Committee of the Whole.

Mr. POMERENE. I merely desire to ask two questions. My correspondence has indicated a great deal of dissatisfaction with the administration of that bureau. I do not pretend to say who is responsible for it or what is responsible for it, but I should like the Senator from Utah or some one else who has studied the proposition to tell the Senate wherein the bill is expected to increase the efficiency.

In the second place, I notice that there seem to be certain affirmative provisions with reference to the allotment of the amount which is to be paid, and I should like to be informed as to the respects in which the bill changes the existing law.

Mr. SMOOT. In the first place, I desire to state that to-day the Public Health Service has 14 regional offices throughout the United States and the Federal Board for Vocational Training has 14 regional boards throughout the United States. This bill establishes similar offices for the Bureau of War Risk Insurance.

As to efficiency, I will say to the Senator that we hope to obviate in the future what has been a crying evil in the past. For instance, I know a case where a soldier returned and was at home. The War Risk Bureau took it upon themselves, I do not know why, to write to his supposed widow, inclosing blanks for her to fill out claiming the insurance of $10,000 for the loss of her husband. The "widow" wrote back and said "My husband is not dead; he is here with me. He has returned from the Army and he is not even an enlisted man. He has been honorably discharged." When the Bureau of War Risk Insurance got that letter, they wrote her another one and said she must be mistaken, and further insisted. There were four letters exchanged, and the matter was never settled until photostatic copies of all the letters were sent to me and I took them down to the Bureau of War Risk Insurance and convinced them that the man was alive.

If there had been a regional office, that question would have been settled at once, because the man would have gone there and had it fixed. But that is only one case. The soldier many times lives way out in the West or down in the South. The regional office of the Federal Board for Vocational Education can see the conditions existing there. The regional office of the Public Health Service can see that the man ought to be granted relief by the Government, but there is no one there to take the initiative, because that is for the War Risk Insurance to do, and there is no ex-soldier who can take the vocational education unless it comes through the War Risk Insurance Bureau. Therefore the soldiers of the country feel that they ought to have some one on hand to whom they can appeal to take charge of their cases and see that they are acted upon within a reasonable time.

Mr. POMERENE. The Senator has referred to a case which came under his own observation. I had a similar case during the war, in which a young man whom I know very well, recently married, his mother living, had an allotment made to his wife, which she had not received. The son and husband was a very dutiful son and husband, who wrote home every week to his mother and wife, and when the wife did not receive her allotment she wrote the bureau and asked why. The report came back to her that her husband was dead, but fortunately the wife and mother both had received letters from him after the date when he was supposed to have died.

I do not understand that sort of thing. Is this a bureau where these wedding trousseaus are being made?

Mr. SMOOT. No; I will say to the Senator it was not in this bureau, but it was in the Treasury Department. As some anonymous letters I have received say it is not true, I will say that if some one from the Treasury Department will write me and ask me in what bureau it was and the names of the employees, I shall be very glad to give them.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. I yield.

Mr. FRELINGHUYSEN. Of course, the Senator quite understands that the decentralization system has been applied to the vocational training board and has been quite successful. We have all heard the same complaint from wounded soldiers that the educational feature and the rehabilitation feature of the vocational board were not being handled properly. This system has been applied there, and now through the urgent request of the officers of the American Legion Congress is asked to apply the same system to the War Risk Insurance Bureau in order that more efficiency may be created there and that the benefits of the War Risk Insurance Bureau may be brought to the soldier rather than compelling the soldier to come to Washington to seek the benefits here.

Let me say to the Senator that nothing could be more disorganized at the present time or more unsatisfactory than the War Risk Insurance Bureau. This is a sincere effort, backed by the American Legion, to get more efficiency and better service.

Mr. SMOOT. The only question I would raise as to the statement made by the Senator is that two years ago the Bureau of War Risk Insurance was even worse than it is now. There has to be a clean up in the Bureau of War Risk Insurance. The United States soldiers of the World War are going to see that it is cleaned up if we do not do it.

Mr. POMERENE. I have had no opportunity to study the proposed legislation. It has just been reported. All that I am interested in is increasing the efficiency, and if I have the assurance of the committee that in their judgment it is going to do that, I am convinced.

Mr. SMOOT. I will assure the Senator of that fact.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. KIRBY. Mr. President, I hope the motion of the Senator from Washington [Mr. POINDEXTER] to postpone the consideration of the naval appropriation bill may be withdrawn. If it shall not be, then I hope it may be defeated. I do not share in the fears expressed by the Senator from Idaho [Mr. BORAH] that there is not time to vote upon this bill finally in the Senate and for the House to have an opportunity to pass upon it. It seems to me from observation in the Senate and from my familiarity with the discussion here that a decisive—about a two-thirds—majority of the Senate is in favor of the passage of the bill. I favor its passage without any reduction in the amount of appropriations proposed by the amendments reported by the committee. I believe there is a decided majority of the Senate in favor of the passage of the bill with the amendments as reported. I think every Senator here has already made up his mind about what his action should be and what his vote shall be, and if the bill can come to a vote I

see no reason why it should not be passed by a large majority. I understand the committee are even willing to make some substantial concessions on some of the proposed amendments, and I am confident if that is done there will be a great majority in favor of the passage of the bill. I therefore hope the Senate may be given an opportunity to vote upon its final passage.

I regard the measure as the most important yet to be determined by this session of Congress. I am not an alarmist; neither am I a prophet. I do not claim that I am able to look into the future "far as the human eye can see," but I am acquainted with the present, and all of us can recall the recent past. I think it is also true that "coming events cast their shadows before," and in view of the conditions existing and in view of the past we all can appreciate what may probably happen in the future.

I believe it is imperatively necessary that this bill shall become a law at this session of Congress.

Mr. President, when I came into the Senate the World War was raging in Europe; the war clouds lowered about this country of ours. We had just concluded a presidential campaign in which the Democratic Party won with its candidate with the slogan, "He kept us out of war." Shortly thereafter our neutral position became intolerable, and the Nation was plunged into war. We mobilized the man power, the wealth, the resources of the Nation. We got ready for the great struggle. We put into our Army 4,800,000 of our young men. We sent 2,000,000 of them across the sea, and there upon the battle fields of France that mighty Army, under command of our own great Gen. Pershing, set the Stars and Stripes highest among the standards of the nations and demonstrated in the face of the battling hosts of the world the incomparable superiority of the American soldier and the invincible prowess of the American Nation.

Senators, you will remember that during that stressful period it was thought by our enemies over yonder that we would not be able to carry our soldiers across the sea in sufficient numbers to make our power felt before the Allies had been conquered, but they reckoned without their host. We established great shipyards and began building ships; we bought ships, we borrowed ships, we leased ships, and some were allocated to us by our allies, and so we were able to transport our Army overseas. With this fleet so organized we were able to carry overseas 336,000 men a month, and the last month of the war we carried 800,000 tons of munitions and supplies across to the other side for maintenance of our armies. These feats never have been equaled in all the history of the world.

The fighting has ceased; our Army has been brought home and demobilized. It had been reduced, at the beginning of this session, to 240,000 men. I thought the Army should not be reduced below that number until the conditions of the world became better, more settled. There came a question about the size of Army that should be maintained. The question as to whether the number should 150,000 or 175,000 men. Believing all the time it should be retained at its former strength, 240,000, and not having an opportunity to vote for it as it stood, I voted for the larger number, 175,000.

We have finally agreed upon the maintenance of an Army of that size. It may be sufficient to take care of the condition as it is; but the question now is as to proper appropriations for the Navy. The appropriation carried in the pending bill, in my opinion, is not too large. We have taken action so far as appropriations for the Army are concerned.

Our Army acquitted itself with glory upon the fields of France. The fighting has ceased; we have demobilized our Army to a great extent; but we have not yet concluded a peace with our enemies. We are still at war with Germany, so far as the legal aspect of the case is concerned. The condition of the world is still difficult, disturbed, unsettled, and I believe nothing would conduce more to the establishment of quiet, of a lasting peace, nothing would have a more wholesome and salutary effect upon the conditions now existing, than the passage by the Senate of this bill providing for the carrying on of the construction program of our Navy, providing for a navy that will be equal to any contingency that may arise in the future and able to protect America's interest on the seas in all parts of the world.

I do not know that we are in any especially great danger, notwithstanding we are still at war. The trouble is now across the sea from us. I do not know what may come to pass, but notwithstanding I am no prophet, it appears to me there is a danger and a menace to the United States in the conditions which now obtain. I look for two wars within the next 50 years, with two of the great allied powers, unless they shall both develop in one within 20 years, wherein the United States will be put to the exercise of all the power at its command. When that time shall come, if it must come, we ought to be prepared; and there is no way that we can be prepared adequately except by the continuation of our naval program and by the keeping up of the construction of a navy that will be able to protect and defend our rights upon all the seas.

There has been much said about our participation in the World War. Who won the war? The nations of the world will never agree, nor do we insist, that American forces won the World War, but all nations must admit, as all our people know, that the war was lost to the Allies until America entered into it; that our entry changed defeat into victory.

Peace has not been established. It may be said, "Oh, well, we recently passed a resolution here inviting the principal nations of the world to a conference where they may agree upon terms for the establishment and preservation of peace and for disarmament of the nations." Yes; we have passed that kind of a resolution, we have agreed to that character of an invitation, and I hope some good may come of it, but that invitation will have more force, more potency, if we continue our building program and make our Navy adequate to our needs and for our own protection until the proposed conference shall have been held. Until it shall have been finally agreed upon what shall be done for the preservation of the peace of the world hereafter, until that time shall come—it now seems far distant—it behooves the United States of America to look first after the interests of our own great country and to be prepared for any eventuality. It can not be done by a discontinuance of our naval-construction program. I believe that the naval appropriation bill is the most important legislation yet unfinished, and I hope that the Senator in charge of the bill will insist upon a final vote upon the bill during this session of Congress and that it may be enacted into law.

Mr. POMERENE. Mr. President, I am anxious that the naval appropriation bill shall be voted upon and disposed of. I do not sympathize—I am speaking generally when I say that—with the increases provided by the Senate amendments. The House bill makes appropriations of over $396,000,000, to which the Senate committee has added another $100,000,000. The members of the Senate committee are pressing their amendments; they seek to point out the immediate necessity for this legislation; but I want to submit to the Senator in charge of the bill—and I should like to have his attention, if I can, for a moment—that he has complained because there have been a good many speeches which seemed to him to be of a dilatory character. If I sense correctly the situation in the Senate, if the committee would be content to accept the House bill, so far as the amounts are concerned, there would be but little difficulty in getting the bill to a final vote. The difficulty is that the Senate committee insist upon adding $100,000,000 to the amount already provided for in the House bill.

Mr. POINDEXTER. Mr. President, is not the proper way to decide the question which the Senator from Ohio is presenting to proceed to take up the various items of appropriation contained in the bill, open them up for amendment, and to have a vote of the Senate on them?

Mr. POMERENE. Certainly, that is true. And it could have been done before this, so far as I am concerned. I shall only occupy the floor for a few moments.

Mr. POINDEXTER. I am not complaining about the Senator from Ohio.

Mr. POMERENE. I understand that, but there has been a good deal of complaint on both sides about the other side occupying too much time.

Mr. POINDEXTER. I was speaking upon the merits of the proposition the Senator was making, and not complaining about his presenting it. He says that there could be a vote if the House bill could be adopted. The way to reach that question is to vote down the Senate committee amendments, if in the opinion of the Senate they should be defeated.

Mr. POMERENE. Very well; there is some truth in that position, and I hope that the Senator will press his request for an unanimous-consent agreement a little later on.

Mr. President, I do not agree with the Senate committee in its fear that war is about to be renewed. I am not alarmed because a few naval or military officers go into the confines of a committee room and there point out the dangers which they anticipate. Some of them may be real; some of them may be the result of diseased imaginations. I think we are afflicted with a new disease—"Japanitis." I do not think that Japan or England want war any more than we do. I think I understand the American people, and I am sure they could not be persuaded to engage in a war of aggression, and yet we are better equipped for war than either one of the other nations except, perhaps, for Great Britain's Navy. But no one seriously believes there is going to be war with Great Britain. I am con-

vinced that the American people will fall short of their duty unless they immediately take steps looking to some agreement for disarmament.

The Senator from Idaho [Mr. BORAH] the other day urged his amendment. In a modified form it was presented by the Senator from New Jersey [Mr. EDGE] and agreed to. I was glad of it; I was one of those who voted for it; but I have another amendment that I am going to propose a little later on. It has already been printed and is on the table, and it is not intended in the least to control the discretion of the incoming Executive, but it is intended to be supplemental to the Borah-Edge amendment. It provides, in substance, that the President, in his discretion, may suspend our construction program as provided for in the pending bill, in whole or in part, for six months, in order to enable him to open up negotiations with Japan and Great Britain and such other nations as he may deem proper, and, if an agreement is reached, that then he may have the power to regulate or control our naval program so as to meet the agreement which may be made.

Of course, I understand very fully that this plan will not meet the approval of those who are going to insist upon having the greatest Navy in the world. I am not opposed to a Navy.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Washington?

Mr. POMERENE. I yield.

Mr. POINDEXTER. The Senator from Idaho, who, as the Senator from Ohio says, is the author of the limitation of armaments conference amendment, stated on the floor of the Senate that if that conference did not result in an actual limitation of armaments, if any nation was going to control the seas, he believed that nation should be the United States.

Mr. POMERENE. There is no difference in that respect between the Senator from Idaho and myself, if I understand him.

Mr. POINDEXTER. I understood that the Senator was just stating a different proposition.

Mr. POMERENE. The Senator did not wait until I completed my statement.

Mr. POINDEXTER. If the Senator will permit me just one other word, the Senate Committee on Naval Affiairs in a separate report, after all the investigation that the committee or any other commitee would be capable of making, and the examination of the highest military and naval authorities in the world, reported only in favor of a Navy equal to that of any other one nation.

Mr. POMERENE. Mr. President, I understand that fully; and the Senator has seldom heard Army officers or Navy officers declaring in favor of a reduction of armaments. When it comes to anticipating future world troubles, I will trust my judgment just as well as I can trust theirs. I think that I can look upon that subject from the standpoint of the civilian and am as certain of being right as the military or naval man, looking at it from his standpoint. Assuming that we are going to have a war, I am quite willing to surrender my entire judgment to the naval and military officials; but there has not been a period within the last 20 years, to my certain knowledge, in which there has not been constant pressing of the increase of military establishments, and when there is occasion for it I am ready to go along with the leaders to the limit. For long years we have taken the position that we were the leaders in insisting upon the arbitration of international disputes, and I am not ready to surrender our leadership now.

The treaty of Versailles has fallen by the wayside for the time being at least; but every leading statesman in this country, so far as I now know, for long years has had in mind the limitation of armaments, military and naval. We have pressed it. We have deplored the fact that we are compelled to levy uncounted millions of taxes upon our people in order to maintain these armaments. Have we been sincere when we have been making these professions? Does any one see any immediate danger of war now?

My good friend the Senator from Arkansas [Mr. KIRBY] has said that within the next 20 years we will have to fight Great Britain or Japan. I do not know what his position is going to be among the prophets of the country, but I think I can see as far into the future as he can. If we are in favor of disarmament, if Great Britain is in favor of disarmament, if Japan is in favor of disarmament, then surely nothing can be lost by suspending our program of naval construction for the period of six months, if in the judgment of the new President he thinks that is the proper course to pursue. One thing is certain, that in six months' trial we can determine whether Japan and Great Britain are in earnest or not, and we can determine whether the United States is in earnest or not. That is the point with me.

Of course, if the enemy were at our door, if some nation was going to declare war against us in the next few months, I would say not only have an appropriation of $500,000,000 for naval purposes, but multiply it by two or three or four, if necessary; but when we meet in chambers like this, and Senators come forward and tell me of the imminent danger, I am afraid that they are in the frame of mind that James Whitcomb Riley was when he said:

The goblins 'll get you if you don't watch out.

Mr. President, the House bill provides for an appropriation of $396,000,000. I think the Senator from Utah [Mr. KING] the other day said that his best information—and it accords with my own—was that Japan, for her entire naval program, had appropriated 246,000,000 yen; in other words, about $123,000,000, in round numbers. Of this amount, I saw a statement some time ago to the effect that something like sixty or seventy million dollars was to be used for new naval construction. The House bill provides an appropriation of three times the amount that the Japanese Government provides for this year. Japan's navy is not much more than half as strong as ours, and the Senate committee is not satisfied by multiplying the Japanese appropriations by three as the House bill does. They want to multiply them by four.

Are we justified in this? Can we not suspend construction just a little while? No real effort has been made to bring about disarmament with either of these naval powers. Do we distrust ourselves and our own good intentions when we speak of disarmament; shall we preach disarmament and practice greater armament?

Sometimes we say we do not trust the words of the statesmen of other nations. When we ourselves say one thing and do another, can we blame the statesmen of other nations if they do not take our word at 100 per cent? That is the situation.

I am not disturbed about all of this cry of war in the immediate future.

Let me go a step further, if I may.

In the treaty of Versailles we declared against universal compulsory military training in the German Empire, and the thing which we condemned in the German Empire was the thing that was advocated for the United States by some of these very men who were objecting to universal compulsory military training in Germany. When we said we wanted peace and we wanted some council or league of nations or association of nations to bring about arbitration, we insisted upon increasing our standing Army to 500,000, and it was with difficulty that we reduced it to two hundred and eighty-odd thousand, as I now recall, and still later to 175,000.

For these reasons, in addition to what I have said with regard to the upbuilding of the Navy, it seems to me that we ought not only to be willing to adopt the amendment which was proposed by the Senator from Idaho, but we ought to go further, and apply that principle to the new construction which is provided for under the pending bill.

Mr. BRANDEGEE. Mr. President——

Mr. POMERENE. I yield to the Senator.

Mr. BRANDEGEE. I only wanted to ask the Senator if he was certain that the treaty of Versailles prohibited compulsory military training. Was it not compulsory service that the treaty prohibited?

Mr. POMERENE. I think I was accurate, but it may be that the Senator is correct. I shall be very glad to look at the treaty.

Mr. BRANDEGEE. I do not make an assertion about it. I am asking for information. Frankly, I do not remember, myself.

Mr. POMERENE. If I can not find it just now, I will get it in a moment and insert it in the RECORD.

Mr. President, I indulge the hope that we can get a final vote upon these amendments so that the bill may pass, and at the proper time I shall offer the amendment to which I referred a little while ago. I understand that under the rule of procedure the Senate amendments must be acted upon first, and as soon as they are out of the way I shall present the other amendment.

I have now the language to which the Senator from Connecticut [Mr. BRANDEGEE] referred, and I will read it.

Article 173 of the treaty of peace with Germany declares—

Universal compulsory military service shall be abolished in Germany. The German Army may only be constituted and recruited by means of voluntary enlistments.

Mr. SHIELDS. Mr. President, the Sixty-sixth Congress will come to an end to-morrow. Its record will then be closed and its deliberations and proceedings will pass into history. This Congress has been one of the most important in the history of our Government in the great and vital questions which it has considered. The Senate has had many important measures, of which it has sole jurisdiction, before it. The German treaty has occupied the time of the Senate to a greater extent than any other measure that it has considered. The covenant of

the League of Nations, constituting Part I of the treaty and the proposition presented—that the United States should become a member of that league—was the particular part that engaged the attention of the Senate. In my opinion this proposition concerned the sovereignty and independence of our Government and the peace, tranquillity, and happiness of the American people more than any measure that the Senate was ever called upon to act. The weeks and months of consideration and the exhaustive debates in the Senate upon the various questions arising, evidences the seriousness and importance of the measure more than I can express in words. When I first read the treaty I was deeply impressed with the consequences that would befall our country if the Senate in the exercise of its constitutional powers should approve the treaty and commit the United States to the tremendous obligations contained in the covenant of the League of Nations, and my conclusion was that it should not be done. Therefore, from the time the treaty was considered by the Committee on Foreign Relations, of which I was and am a member, to the day it was finally rejected by the Senate, March 19, 1920, I opposed its approval with all the earnestness and ability I possessed. I fully recognized that while the Constitution gave the Executive the sole power to negotiate treaties that in the same clause it conferred upon the Senate the unlimited power, in the exercise of its calm and deliberate judgment of what was best for our Government and our people to approve or reject such treaties so negotiated. I exercised the power that was vested in me as a United States Senator in accordance with my judgment, my conscience, and my duty to my country. I had no other motive and was moved by no other impulse or influence than to do my duty as I saw it.

When the treaty was first brought from France by President Wilson and presented to the Senate for its advice and consent, or, in other words, its approval, without which it could not be ratified, public opinion seemed to favor it. The people were tired of war and they were struck with the alluring proposition to abolish war and perpetuate peace throughout the world. Many formed their opinions without reading the treaty or considering its provisions. This was the condition in the State of Tennessee, which I have the honor in part to represent in this body. When I announced my opposition to it by my votes in committee and in this Chamber a part of the public press of my State and quite a large number of individuals, especially those who love the limelight and seize upon opportune occasions to assault public officers in order to bask in it, criticized me severely. A few demanded that I resign. There were many others who differed with me, not fully understanding the measure, but who did not impugn my motives or challenge my integrity or my loyalty to the Democratic Party, of which I have always been a member, or my integrity as a Senator. They recognized I had a great and solemn duty to perform under an official oath and they accorded to me the right to exercise that duty according to my judgment and conscience as freely as they exercised their indisputable right to form their own conclusions. While there was a gradual change in public sentiment, as the questions were better understood, favorable to my position, those who desired to continue in the public gaze, enjoying the notoriety they had acquired by attacking me, were zealous and active in their efforts to have me condemned, not hesitating to misrepresentation of the provisions of the covenant and my record in regard to the same in accomplishing their purpose.

The Democratic Party of my State called a convention to meet in Nashville upon June 8 to select delegates to the Democratic national convention, to meet in San Francisco, and adopt a platform in relation to State matters. The governor of the State was a candidate in the Democratic primary, to be held in August, to nominate his successor, and he desired an indorsement of his administration by the convention, presumably to give him an advantage over his competitors in the primary. The county conventions selecting the delegates were slimly attended, as the people could not be interested in the selection of delegates to the national convention. In some instances not more than a dozen were present, and generally a majority of them were the friends of the governor, and the delegates were so selected that when the convention met at Nashville the most of them were his friends. The governor had announced himself for the League of Nations and the maintenance of the leadership of President Woodrow Wilson. Those who were leading the assault upon me were present at the convention and controlled it. A resolution was adopted and made part of the platform which condemned my record concerning the League of Nations, and instructed me to reverse my course and favor the German treaty as presented by the President. A few days after the convention I gave out a statement to the people of Tennessee, justifying, as I conceived, my opposition to the League of Nations, challenging the power of the convention to instruct me to support it, and announcing my determination to continue my opposition to it so long as I should remain in the Senate. This statement was published by practically all the daily press of Tennessee, but to this day the facts therein contained and the soundness of my reasons for my course have not been successfully challenged.

Mr. President, before the close of this Congress I desire to complete the record of my course as a Senator from Tennessee in opposing this treaty by having my statement to the people of my State made part of its records, and I now ask unanimous consent that it be printed in the RECORD.

The request of the Senator was granted, and the statement is as follows:

"The Democratic convention, which met in Nashville on June 8 for the purpose of appointing delegates to the Democratic national convention at San Francisco to nominate candidates for President and Vice President, adopted a platform concerning National and State affairs which contained special reference to my course as a United States Senator in opposing the United States becoming a member of the League of Nations provided for in the German treaty and thereby abandoning its traditional policy proclaimed by Washington, and followed by every President of the United States since his day, against the United States forming entangling alliances and meddling with the political affairs of the empires and kingdoms of Europe and Asia.

"The platform, as reported by all the members of the committee on resolutions, contained a declaration favoring the 'League of Nations without reservations or amendments that will impair the beneficial effects.'

"THE MINORITY REPORT.

"Three members of the committee made a minority report, which was adopted after a motion to table it was voted down and made a part of the platform, as follows:

"'We expressly disagree with and dissent from the action and record of our senior Senator, JOHN K. SHIELDS, on every step he has taken with reference to the treaty of peace and League of Nations, and express our humiliation at the association he has formed with Senator LODGE and associates with reference to the League of Nations, not for the purpose of unkind criticism or harsh judgment at the action of our senior Senator in these respects but for the purpose of reserving to ourselves the fundamental rights of every American, here and now, to instruct him as to our will and wish regarding the covenant of nations and treaty of peace. This instrument is still pending before the Senate, and Senator SHIELDS, still being a Member of that body, will be called upon to take further action with reference thereto, and therefore we instruct him, as it is our highest privilege to do, to reverse his action on this proposition and in the future to faithfully sustain the adoption of the League of Nations and the treaty of peace, as written and presented, without amendments or reservations.'

"Candor to the people of Tennessee and justice to those patriotic Democrats who are opposed to the United States becoming a member of the League of Nations, and myself, seem to require that I make a statement concerning my opposition to the league, the causes which produced the condemnatory resolution, and my future attitude toward the covenant.

"CONFIDENCE IN PEOPLE.

"I believe in the great principles of representative government. I recognize my absolute responsibility to the people of Tennessee. I have the greatest confidence in their combined wisdom and their loyalty to their Government. When possible, under the obligations of my oath of office, I will always conform to their views and execute their will. I firmly believe in the great and fundamental principles of the Democratic Party, of which I have been a member all my life, and it will always be a pleasure for me to be governed by its expressed will consistent with the vital interests and Constitution of our Government, to which I owe my first duty and allegiance.

"I believe that when a candidate for office makes promises or commits himself upon issues presented in an election, primary or general, in which he is chosen, he should honestly and faithfully comply with them or retire from office. But when questions arise after his election he must form his own conclusions, exercise his independent judgment, and have the courage to stand by and defend them. When great issues are presented in the United States Senate, Senators must act upon their deliberate judgment. The man who has not the ability and the courage to do so is unfit for that great office and to represent the people of a great State. He can not consult all his people, and he should not be governed by the opinions and wishes of a minority of what is best for the majority.

"While the condemnatory resolution, as I am informed—for I was not present—was passed in haste, bitterness, and confusion, I will speak without passion and with that mature deliberation which the great questions involved deserve and demand.

"The condemnation of a convention of my party, regardless of whether it was representative or fairly conducted, I frankly admit, is painful to me, although I know that this was the chief object of those promoting it, and my admission will be the sum of their gratification. What I say is not intended to be offensive to the convention as a whole or to any fair and impartial member of the Democratic Party. I love my State and the great party which controls it more than words can express. I have just cause for my affection. It has honored me more highly than any living Tennessean. I have trusted the people and they have trusted me. I have never appealed to them in vain. I have, for a period of 20 years of public service, kept faith with them and served them to the best of my ability. I will never intentionally violate or abuse their confidence.

"NOT PARTISAN DOCUMENT.

"When the German treaty, containing the covenant of the League of Nations, was first presented to the United States Senate the President proclaimed it to be an American measure for the advancement of civilization, and denounced anyone who would consider it from a partisan or political standpoint. He so represented it to a Republican Senate when presented for approval and in his many addresses throughout the country.

"The League to Enforce Peace, an organization formed by Hon. William H. Taft and other prominent men, most of them Republicans, advocated it and spent nearly a million dollars popularizing it with the public press and the people.

"The press and the people of Tennessee of both parties received it as an American policy and many favored its approval. Judge Edward T. Sanford, United States district judge, Hon. T. A. Wright, and other Republicans were more prominent than Democrats in speaking for it and urging that it be ratified.

"NOT A PRIMARY-ELECTION ISSUE.

"When I was nominated in August, 1918, and elected in November of the same year the League of Nations was not an issue and was not discussed. The provisions of its covenant, as afterwards drafted by Gen. Jan Christien Smuts, a British subject, in December, 1913, were unknown, and I could not and did not pledge myself to support them. They were first known to the American people when the President presented the final draft of the treaty to the United States Senate in June, 1919. They involved great questions of constitutional law and called for the exercise of judicial construction and judgment. Their approval meant a change in the policy of this country in its foreign relations, promulgated and religiously adhered to by our greatest statesmen from the beginning of our Government. I was free to examine them and exercise my independent judgment concerning their validity and the policy of approving them, and it was my duty to do so. I discharged this duty under my official oath in the interest of my country as I saw it and without regard to the consequences of my action upon my personal or political fortunes.

"MISREPRESENTED BY PRESS.

"When I announced my opposition to the covenant, the public press grossly misrepresented and denounced me, and the storm of malice and fury of my political enemies beat upon my devoted head. Thousands of our best people, many without reading the covenant or investigating its provisions, followed the President and approved the condemnation of me. The press and my enemies made no effort to answer the arguments I presented in the Senate in support of my position. Their sole argument was that I should have followed the views of the President, without regard to what I, in my honest judgment, thought was right and my duty to my country. The facts and the fearful obligations proposed to be assumed by the American people under the covenant were suppressed and withheld from the public.

"When the debate in the Senate called attention to the unconstitutionality of some of the provisions of the covenant, the great dangers to the American people that lurked in others, and the startling abandonment of the foreign policy of our country, it became apparent that the treaty, without reservations to the covenant, would not be approved by the necessary two-thirds of the Senators, and then for the first time the effort to make it a political issue was launched.

"The Democratic National Committee, in violation of its usages and authority, passed a resolution favoring the league, and soon thereafter the Democratic committee of Tennessee passed a similar resolution.

"Gov. Roberts, in his announcement for the nomination in the Democratic primary, contrary to the practice of governors to confine their activities to State affairs, announced himself in strong terms for the maintenance of the leadership of President Wilson and all of his policies, including the League of Nations, and when our county conventions were held, I am informed, an organized effort was made to select delegates friendly to the governor and favorable to the league.

"LEAGUE BEFORE CONVENTION.

"When the State convention met, Hon. FINIS J. GARRETT, the temporary chairman, delivered an eloquent and dignified address eulogizing President Wilson and the League of Nations.

"Then a telegram from the President to the convention was read as follows:

"'Permit me, through you, to extend greetings to the loyal Democracy of Tennessee, which has been tested in war and in peace, never in vain, and to express the sincere confidence that, in the struggle which is to come, it may never falter nor fail.

(Signed) WOODROW WILSON.'

"Hon. Jas. B. Frazier, a former Senator, who cherishes the vain hope that he may again fill that place shared in by himself alone, delivered a prepared speech, again eulogizing the President and his league and condemning me for opposing the covenant.

"When the minority report was presented and a motion promptly made to lay it upon the table, the permanent chairman, contrary to well-established parliamentary law that such a motion is not debatable, recognized another delegate from Chattanooga who delivered an abusive tirade against me which he had previously delivered in the county convention over which the permanent chairman had also presided, and the debate was then closed without an opportunity for any delegate who was opposed to the resolution to be heard.

"VOTE ON MINORITY REPORT.

"About 1,200 of the 1,500 votes of the convention, many of them obtained by the counties being under the unit rule, were cast against the motion to table, and the resolution was made part of the platform, amid turmoil and bitterness, with a total absence of the deliberation a great governmental question, vitally affecting the interest of the American people, demanded. I made no effort to control the county conventions or the action of the State convention, and the bitter opposition to the resolution came from those delegates who were opposed to the League of Nations, or to the condemnatory resolution against me, prompted by their patriotism, sense of fair play, and justice.

"I might well say that the resolution engineered and passed under these conditions does not express the deliberate will of the 300,000 Democrats of Tennessee, but I will not evade a direct response to it for this reason.

"The treaty containing the covenant is not before the Senate, as erroneously stated in the resolution, but was returned to the President March 19 last, and now lies among the archives of the Department of State.

"It is inconceivable that the President will be guilty of the supreme folly of returning it to the present Senate, which will not be changed in membership until after his term of office expires. It has been rejected three times, the last being upon the request of the President to grant him power to take a mandate for Armenia under the League of Nations, and thus submit the United States to it, when only 12 Democratic Senators went on record in favor of it.

"BEFORE NATIONAL CONVENTION.

"Those who are informed upon the subject know that it will not be approved without material reservation by the San Francisco convention. Those great Democrats who hold the future destinies of their party in their hands, while having great sympathy with the President, will not destroy the party to smooth over his great mistake. The Democratic Party has too proud a history, has done too much for the American people, and has the potential ability to do too much for them in the future to be destroyed for this purpose. I can not believe that it will be done.

"It may also be safely asserted that no other President, whether a Democrat or Republican, will present the treaty to the Senate, as it is conceded that the next election can not change the personnel of that body sufficiently to obtain its ratification.

"I could remain silent under these conditions, because I will never, in all probability, be again called to vote upon the covenant, but I will not do so.

"The Constitution divides the treaty-making power between the President and the Senate. The President has authority to tentatively negotiate treaties. The power to approve or amend or reject them is given to the Senate, and for favorable action

the approval of two-thirds of the Senators present is required. The President and Senators, respectively, exercise their particular powers independent of each other, and neither can constitutionally encroach upon those of the other.

"The powers of the Senate are judicial and legislative. The Senators must first determine whether the treaty presented conforms to the Constitution of the United States, and then upon the facts furnished, whether it is in the interest of the United States that it be approved. If both are found in favor of the treaty the Senate will exercise its legislative power and approve it, and then it becomes the supreme law of the land. If either the law or the facts be found against it, it should be rejected. More than 60 treaties have been amended or rejected by the Senate; the last, one with Great Britain, was presented by President Taft, which the Democratic Senators and some Republicans opposed and defeated because involving us in an entangling alliance with that country.

"When constitutional questions are to be determined, and judicial powers are exercised, the law and the facts must control, and not public opinion. Senators can no more be instructed in these matters than can a judge of a court in the decision of a cause there pending. The Democracy of Tennessee might as well have attempted to instruct me when I was judge how to decide a lawsuit. There is no precedent for this case. These considerations would justify me in making no further answer to the resolution, but I will meet it frankly and squarely.

"CAREFULLY CONSIDERED.

"When the treaty was presented to the Senate I gave it long, deliberate, and conscientious study, fully impressed with its great importance to my country. I brought to bear upon it all the ability I possessed and all the learning and experience I had acquired in the practice of my profession for 20 years service upon the highest court of my State for 10 years and in the United States Senate for 6 years. I felt my full responsibility. I believed that the people of a great and proud State wanted their Senator to form conclusions of his own and have the courage to express and defend them, like the great Senators whom I have the honor to follow. I did not believe they wanted me to be a supine and colorless camp follower.

"I came to the conclusion that the provisions of the covenant violated the Constitution of the United States, which I had sworn to support and defend, and contravened well-settled traditional policies and great interests of our country. I found that the covenant created a supergovernment, vested with sovereign powers composed of the representatives of nine nations, eight of them in Europe and Asia, the majority being monarchies, with its capital in a foreign country, to which it was proposed to delegate the constitutional powers of the President and the Congress to raise armies and provide a navy and control their movements, to declare war and make peace, and otherwise control our foreign relations.

"POWERS OF SUPERGOVERNMENT.

"I found that this supergovernment was authorized to determine what were domestic affairs and thus interfere with our internal policies and social conditions at its will; and that it was also authorized to define the Monroe doctrine, which enabled it to destroy the policy of this country, forbidding European nations from acquiring a base of operations upon the American Continent from which to make war on us.

"I found that the British Empire would dominate and control the supergovernment, and that for this purpose that Empire and its colonies were given 6 votes in the assembly of the league to 1 allowed the United States. I found that, under the color of a league of nations, the United States would be committed to the most stupendous entangling alliance ever dreamed of with Great Britain and some 30 other nations, binding it to guarantee their existing political independence and territorial integrity for all time, and pledging the wealth and the young manhood of our country to make this guaranty good. There are other equally abhorrent provisions which I have not the space here to mention.

"With great astonishment I found that there were no provisions for the benefit of the United States, and no consideration for all these tremendous concessions and obligations.

"With these convictions, I could not but oppose the United States becoming a member of the league. There has been no change in the situation. If I were to reverse my vote I would not only stultify myself, but be unworthy of the confidence of the people and of the great office I hold. I can not allow conventions of my own party, State or National, to compel me to violate my oath of office or support a measure which I believe conflicts with the Constitution of the United States, or to do a thing which I believe to be but little short of treason. They can not absolve me from the obligations of my oath of office or release me from my duty and allegiance to my country.

"There is nothing in the Constitution that authorizes a Senator to violate that great charter of the liberties of the American people at the direction of his party. I can not find in the doctrines of the Democratic Party as taught by Jefferson, Jackson, and Cleveland anything that favors the surrender of the independence of our country or the blood-bought liberties of Americans.

"I can not yield to the position of some that I should resign and let another take my place who would do what I consider a surrender of the sovereignty and independence of the American people. That would indeed be treason.

"CAN'T COMPLY WITH INSTRUCTIONS.

"While I regret that I can not comply with the instruction of the convention, I have the consolation of knowing that my vote in opposition to the covenant has not worked material injury to a single Tennesseean. The League of Nations would place great burdens upon our people, but its failure deprives them of no rights. I may have offended some intellectuals devoted to idealism and altruism for the benefit of foreign nations at the expense of the American people, but I have been true to my duty, as I conceive it, to the great common people of my State.

"There are many other great economic and vital matters concerning our own affairs in which we are materially interested, upon which I am in full accord with the people of my State, in the furtherance of which I will endeavor to do them good and faithful service.

"I am criticized because Senator LODGE and I had in part the same views concerning the covenant. When the treaty was before the Senate on November 19, 1919, Senator LODGE and I both voted for the so-called Lodge resolution of ratification with reservations. When it came again, March 19, 1920, Senator LODGE voted for the covenant with reservations, but the treaty having been in the meantime ratified by Great Britain, France, Italy, and Japan, so as to make it effective against Germany in all things as desired by our former allies, I voted absolutely against the covenant, with or without reservations.

"Would my critics condemn Chief Justice White, of the Supreme Court of the United States, for entertaining the same views and voting with the Republican members of the court upon constitutional questions instead of his Democratic colleagues who were of a different opinion?

"I wonder whether they criticize President Wilson for the appointment of Bainbridge Colby, Secretary of State, and second in the succession to the Presidency, and some half a dozen other leading Republicans to high positions over Democratic applicants within the last four months?

"NOT TO BE DRIVEN FROM PARTY.

"I can not be driven from my party by the hostile criticism of my enemies. I will continue to support its nominees for office and do what I can to advance its interests. I will serve, if God gives me strength and life, my present term as Senator, trusting to the sober and wise judgment of the Democracy of Tennessee for their approval and my justification when all the obligations of the un-American covenant, which I opposed and will continue to oppose so long as I remain in the Senate, are fully understood.

"When my term expires, if the party does not desire my further services, I will gracefully retire, with a heart full of gratitude for the great honors it has conferred upon me. I will return my commission to the people untainted by cowardice or corruption and unstained by disloyalty and want of patriotism.

"I have not, in this statement, referred to the disappointed applicants for office, the sycophants and the camp followers who have been assailing me, having disposed of them in a previous statement, all of which stands as if here reiterated.

"I have spoken of no one in malice or passion and confine myself to what I believe proper to do justice to myself and the thousands of splendid and loyal Democrats throughout the State who now fully agree with me in my opposition to the covenant of the League of Nations, believing that it involves the surrender of the sovereignty and independence of our country and the liberties of our people, and commits our country to an entangling alliance fraught with dangers and disasters to the American people."

Mr. President, in my statement I asserted that the proposition for the United States to become a member of the League of Nations was not a Democratic policy and had never been approved by the great Democratic Party. I predicted that it would not be approved by the Democratic convention to nominate a Democratic candidate for the Presidency of the United States, soon to meet at San Francisco, but in this I was at fault, for it was done. I also predicted that should the Democratic Party go upon record favoring the United States becoming a member of the league, that disaster would overwhelm it

and our candidate would be defeated in the November election, and in this prediction I was fully sustained by the results of that election. Gov. Cox, the nominee of that convention, made a great fight, one deserving of better success than was his fortune. He advocated the approval of the League of Nations and that the United States become a member, as presented by the President in loyal support of the platform upon which he was nominated. The paramount issue presented in that platform and advocated by Gov. Cox was the approval of the League of Nations and thus, in the great and solemn referendum called for, the issue was fought out. Gov. Cox went down in defeat. The American people rejected the league by the election of his opponent by a majority of the electoral vote unknown in modern days and by the greatest popular majority, 7,000,000, ever cast for a candidate for President of the United States. The American people, by this overwhelming majority, condemned the proposition that the United States should become a member of the League of Nations, and the issue thus fairly submitted is, in my opinion, conclusively and finally determined. The people of Tennessee also emphatically and decisively expressed their disapproval of it in that election. President Wilson carried Tennessee in the November election, 1916, by a majority of over 37,000, and in 1918 as the Democratic nominee for United States Senator I was elected over the Republican nominee by a majority of over 47,000. In the recent election Gov. Cox lost the State by over 11,000. The State of Tennessee is normally Democratic by about 40,000 votes.

While there are about 800,000 voters in the State, only about 425,000 cast their ballots in the November election. While many Democrats, in their opposition to the paramount issue of the Democratic Party and its candidate, voted for Senator Harding, yet thousands and tens of thousands of them remained at home, refusing to vote at all because they were unwilling to vote for the approval of the league, and would not vote the Republican ticket. It was not a Republican victory, but a defeat of an issue presented by the Democratic Party. This was evidenced by the Democratic Party electing both branches of the general assembly, with very little short of their usual majority. Tennessee is a Democratic State, and in the next biennial election, when the party will be freed from the controlling issue which was presented in the last election, will reassert itself and elect a Democratic governor and a Democratic Senator by its old-time majority. The people, by the time of the November election, had fully informed themselves of the great obligations of the covenant of the League of Nations, and, when they did so, they would not stand for it, and thus, by permitting the Republican candidate to carry the State, they approved my record in opposition to it. Their action can be construed in no other manner.

Mr. President, I adhere to the record I made in the Senate when the German treaty was under consideration and to my position as set forth in my statement. If I had had any doubt about it, such doubt was removed by the expressed will of the people of my State and the Nation as shown in the election. The party that undertakes to go contrary to this expression of the will of the people will merit and meet sure defeat.

An entangling alliance of our country with the European nations under any other name, whether it be an association of nations or a society of nations, is the thing that the American people have condemned. It is the entangling alliance which they are opposed to, call it by any name you may please. It is impossible to reconstruct the covenant of the League of Nations by reservations or other means to conform to American policies. Its infirmities are incurable; its fundamental principles are all the European principles of force and militarism, which are directly antagonistic to the American policy of self-determination and government by consent of the governed, conciliation, and justice. The two systems of government can not be mixed or amalgamated. The United States, in my opinion, will never consent to a foreign alliance of the kind proposed in the league. The true policy of our country, as followed from the beginning of our Government, can not be better expressed than in the language of Jefferson:

> Friendship and commerce with all nations and entangling alliance with none.

This should be the governing policy of all future administrations, which have the perpetuity of our institutions and the tranquillity of our people in their hands.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the committee.

Mr. SIMMONS obtained the floor.

Mr. POINDEXTER. Mr. President, will the Senator from North Carolina yield to me for a moment?

Mr. SIMMONS. I yield to the Senator from Washington.

Mr. POINDEXTER. I think the question before the Senate is the motion I made to lay aside the pending bill. I merely desire to state my attitude in regard to it. I should like the Senate to assume the responsibility for what we do on the question of proceeding or suspending consideration of the measure. I am perfecetly willing to be guided, so far as conducting the bill to the best of my ability is concerned, by the instructions of the Senate. If the Senate feels that the motion should not be agreed to and that we should continue with the consideration of the bill, I accept that situation and will adapt myself to it in every way I can. If the Senate feels that it does not wish to proceed in good faith with the consideration and decision of the matter, it can agree to the motion. I submit the motion to the Senate.

The PRESIDENT pro tempore. The Chair is of the opinion that the motion of the Senator from Washington is not in order. The Chair is inclined to believe that the only way in which the unfinished business can be disposed of is for the Senate to agree to proceed to the consideration of some other business, which, of course, can be done by unanimous consent. The Chair therefore holds that the motion of the Senator from Washington is not in order.

Mr. BORAH. Mr. President——

Mr. SIMMONS. I yield to the Senator from Idaho.

Mr. BORAH. I was about to make a motion, but I do not wish to take the Senator from the floor.

Mr. SIMMONS. I rose solely for the purpose of urging the Senate not to act upon any suggestion coming even from the committee itself to lay aside the further consideration of the measure. With that statement, if the Senator from Idaho further desires to interrupt me, I shall not object.

Mr. BORAH. I do not desire to interrupt the Senator at this time.

Mr. BRANDEGEE. Mr. President——

Mr. SIMMONS. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I should like to suggest, if there is a proposal now to determine, as the result of the colloquy just had, the future course of the Senate, whether we shall keep the naval bill before the Senate or whether we shall proceed to the consideration of some other bill, it is a matter of so much interest to absentee Senators that, in my opinion, a quorum ought to be here.

Mr. SIMMONS. I can not yield to the Senator for that purpose, and I hope he will not make the motion.

Mr. BRANDEGEE. I have the right to make the point of order of a lack of quorum, and I would not need to ask the Senator to yield to me to make that suggestion, but I do not now propose to make it. However, I say that if no other Senator does, I shall do it, because I desire to warn my colleagues that a matter in which they are interested is going to be disposed of.

Mr. SIMMONS. Mr. President, it was suggested a few moments ago by the Senator from Ohio [Mr. POMERENE] that the appropriation made by Japan for naval purposes, compared to that made by this country, was very small. I do not know exactly the extent of the appropriation made by Japan. I do understand, however, that Japan employs very largely her military and naval forces in her shipyards and in associated activities, and in that way, taking into consideration also the cheapness of labor in that country, is able with one dollar to do probably as much as we would be able to do in ship construction with several times as many dollars. However that may be, it is safe to say that Japan has at least appropriated enough money to carry on her adopted naval program.

I am very much afraid that the House of Representatives, in a spasm of economy, or rather in an effort or a fitful desire to create an impression of economy, has appropriated less than is necessary to carry out the program adopted by this Government in 1916. I am not sufficiently acquainted with the facts to be able to express a confident opinion that the House appropriation is inadequate for this purpose, but from debates and the limited investigation I have been able to make of the subject I am strongly of the opinion that the amount appropriated by the House is inadequate for the purpose in view. On the other hand, I am not able to say and do not pretend to say that all the increases made on the part of the Senate committee are necessary or wise, but I do think that the part of the Senate appropriation intended to provide for the further prosecution of the program of construction and for an adequate personnel for such ships as we have already constructed and those that are now in process of construction and expected to be speedily put into commission is not too large.

As I said, I believe that the increases made in the Senate by the Senate committee for these two fundamental and essential purposes are necessary if we are to go forward with our program and if we are to provide adequate and sufficient personnel to man the ships as they become ready to be placed in

commission. For that reason I greatly fear, if the legislation fails, if the increases provided in the bill as reported by the Senate Committee on Naval Affairs should fail, that the program will be at least crippled. I think that would be exceedingly unfortunate.

Mr. President, if all the other supply bills had failed of enactment during this session it would have been unfortunate, but it would not have been a very serious matter in view of the fact that another session of Congress is expected to be convened within the limits of a month. But that proposition does not hold good as applied to the naval appropriation bill. It is true that we could very soon during the next session provide adequate funds for the purpose of carrying on the program and enlarging the personnel of the Navy, but that is not the point at which the trouble comes. That would not be a serious matter. That would only affect us by delaying the execution of our adopted program. The serious matter in connection with the postponement grows out of the almost certain effect of the failure of action at this time upon the minds of the nations of the earth with respect to the motive and the reason for such inaction on our part.

This is especially important when considered in connection with the fact that, while every other supply bill proposed has been passed, this particular bill in the eyes of the nations of the world will have been singled out from the remainder of the supply bills for the purpose of slaughter. It would be but natural, I might say almost inevitable, that other nations would misconstrue that action on the part of the American Congress and misconstrue it in a way exceedingly prejudicial to the United States in its international relations. It is clear, I think, that nothing should be done to check the prosecution of the naval program of 1916 unless and until there is some international agreement looking to a curtailment of armament.

Under these conditions I wish to say to the Senator in charge of the bill that I am satisfied that an overwhelming majority of the Senate of the United States on both sides of the Chamber are in favor of the passage of the bill as proposed to be amended by the Senate committee.

I wish to say to him that in my judgment it is important if this legislation shall fail that we shall make it clear to this country and clear to the people of the world who are interested as onlookers in this proceeding that is going on in the Senate of the United States to-day—that we shall make it plain to them that the failure to pass this legislation is not the result of opposition on the part of the American Congress, House or Senate, but that it is the result of the action of two or three Members of the Senate, who are setting up their judgment against the judgment of this body.

Mr. President, if the Senator from Washington will press this matter to the last minute and emphasize the fact to which I have just directed attention, whether this bill is passed or not we shall have precluded the suspicion that otherwise would find lodgment in the minds of the peoples of other countries that this American program has been halted as the deliberate act and determination of the representatives of the people of the American Nation. We can do that if we can do nothing more, and we ought to do that. We should go on with this matter and develop the fact, and make it plain to our own people and to the world that the failure to pass the bill is not because the people and their representatives in both branches of Congress are not behind it, but because of the obstinate attitude and position of a few Members of this body.

Mr. SWANSON. Mr. President, I have not participated in the debate because I had expected to discuss the various amendments to the bill which had been reported by the Senate committee when the questions came up specifically. I have an idea that a great many Senators antagonize this bill because they have a misconception of the differences between the House and the Senate bills.

The condition in the House of Representatives is very peculiar. The entire appropriations for the Navy are provided for by the Appropriations Committee, and that committee can recommend no appropriation unless the law authorizes it. Any new authorization for construction, any new legislation relating to the Navy, must be reported by the Naval Affairs Committee. Consequently, a point of order lies against every appropriation contained in the bill as reported to the other House unless it be already authorized. So the committee of the Senate was presented with this condition: They had to take care of the legislation desired by the Naval Affairs Committee and to provide authorizations, which were not contained in the bill as reported by the Appropriations Committee of the other House and passed by that body.

Now, let us see what is the difference between the House and Senate bills. The Senate bill does not carry any more money for the Navy than was carried last year. The appropriation is practically the same for the Navy this year that it was last year. Consequently, any reduction of the appropriation means a diminution of naval power; it means putting our ships out of commission. I want the fact emphasized that this bill is practically the same as the one which was passed last year when the Navy went from a war to a peace basis.

Some people have had an idea, which seems to have been accentuated by the opponents of the bill, that there was a great difference in the construction program between the House and the Senate. The only difference between the House and the Senate on the construction program is in connection with two airplane carriers.

The Appropriations Committee of the House would have reported a larger appropriation for aircraft if they had had the authorization to do so, which must come from the Naval Affairs Committee. The increased appropriation reported by the Naval Affairs Committee of the Senate is in pursuance of an endeavor to harmonize the views of the Appropriations Committee of the House and the Naval Affairs Committee.

What does the Senate bill provide in reference to aircraft? We have not a single aircraft carrier. If we should become involved in a war with any great nation in the world to-day what would happen? We have a small ship that has been converted for that purpose, but it could not carry the necessary aircraft, with their bombs and other destructive machines. The Senate committee has provided for two aircraft carriers, which will carry what? Eighty aircraft each. What does that mean? That if our fleet went to the Pacific or if it went to the Atlantic, it would go there protected by 160 aircraft, with all of their protective and destructive power. If this appropriation is not included it means that our ships, if war should ever come to us, will go unprotected by any aircraft whatever. An aircraft carrier will carry 80 airplanes. Those airplanes can land on a ship or can start from a ship. It means absolutely that we shall have no aircraft unless this provision is adopted.

The provision for airplane carriers could not be included in the House bill because there was no authorization which justified the Appropriations Committee of the House in adopting it.

That constitutes the difference in the construction program between the House and the Senate, except in one respect, namely, that the Senate bill cancels the construction of 12 destroyers. Why? Because under the program of 1916 there was provided the number of destroyers needed for a well-balanced fleet, but since that time we have really constructed as many destroyers as the fleet needs, and, consequently, there is no necessity for the additional 12 destroyers. So the bill as reported to the Senate cancels the authorization for the construction of those destroyers, thus saving $24,000,000. The aircraft carriers to which I have referred will cost $52,000,000; but $24,000,000 will be saved by abandoning the construction of destroyers under this bill, so that there will only be an additional amount in reality of $28,000,000 involved in the construction program as contemplated by the Senate bill in comparison with the bill as it passed the House.

The Naval Affairs Committee of the House would have recommended the construction of the airplane carriers and given authorization if they had had time and opportunity to do so. I have seen no member of the Naval Affairs Committee of the House and no member of the Senate and no member of any naval board who does not say that the fleet is inadequately protected and that successful warfare can not be waged without aircraft carriers.

Mr. BORAH. Mr. President——

Mr. SWANSON. I yield to the Senator.

Mr. BORAH. That has not been the point of controversy, so far as I understand it.

Mr. SWANSON. Then, what is the point of controversy? I am glad the Senator is here; I should like to have him state what the point is.

Mr. BORAH. Those who have been suggesting a change in the program outlined by this bill have not consciously been advocating an inferior or an inadequate or insufficient Navy, but they have simply been advocating a change of program. We have thought that it might be wise not to abandon, as the term has been used, but to suspend the building of six capital ships of the *Indiana* type, whose efficiency in modern naval warfare is in controversy, until that question shall be settled—not that they should be abandoned, but that the work upon them should be suspended.

There has been no opposition to going on with the building of battle cruisers, to the airplane program, the submarine program, or anything of that kind. It is simply a question, which has been under discussion ever since the war, as to what constitutes a modern fighting navy. There is an honest difference

of opinion in regard to that. I know the views of the able Senator from Virginia; but we have been placed in the attitude, not intentionally of course, of advocating an inadequate Navy. We think that the able Senator from Virginia and others are advocating an inadequate Navy, for the reason that they are proposing to build ships costing $45,000,000 apiece, which some of the greatest naval experts in the world have said are obsolete.

Mr. SWANSON. If the Senator will permit me, I am glad we have gotten down to the exact difference. The Senator says there is no dispute about the battle cruisers. I am glad to know that that item is eliminated.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. SWANSON. Does the Senator from Utah agree to what the Senator from Idaho said about the battle cruisers?

Mr. KING. No. Will the Senator permit me to state my position upon that point?

Mr. SWANSON. I have heard the Senator state his position.

Now, as to battle cruisers, the Senator from Idaho admits that we must have battle cruisers. The expert from Utah thinks we ought not to have battle cruisers.

Mr. KING. I did not say that.

Mr. SWANSON. The entire Navy thinks we ought to have battle cruisers. That is the main controversy that is at issue.

As to battleships, a great many of them are practically so far constructed that they could not be scrapped without great loss. Some of them are not in such an advanced stage of construction, but I will come to that phase of the matter later.

Now, let us see whether or not we ought to have battle cruisers. I believe every Senator in this body wants an adequate Navy to protect America, because naval supremacy is our first means of defense. The history of every war has shown that the nation which is supreme on the surface of the sea usually wins. When Carthage was supreme in the Mediterranean the legions of Hannibal thundered at the walls of Rome, but when supremacy passed from Carthage to Rome Scipio conquered Carthage and plowed through that magnificent city. In the wars of Napoleon the supremacy of Great Britain on the sea won. Waterloo was won at Trafalgar. All the genius, all the power, and all the amazing activity of Napoleon could not escape the doom inflicted by Nelson's fleet at Trafalgar.

All the great victories of Lee and Jackson waned before the naval supremacy of the Federal Government, and the shadows of Southern doom rolled slowly but surely from the pitiless sea.

The nation that controls the surface of the sea, and especially America, is protected from all attack. It is all foolishness to talk about controlling the surface of the sea by aircraft or submarines. Your commerce and trade is transported on the surface of the sea. Your troops go on the surface of the sea. The country that controls the surface of the sea controls naval supremacy, with all that it involves. Aircraft and submarine craft, undersea craft, are simply means of controlling the surface of the sea. Each is useful, and each is necessary. What controls the surface of the sea? The aircraft is simply to enable the battle cruisers and the battleships to win and control the surface of the sea. Your submarines are simply auxiliaries to aid you in controlling the surface of the sea.

Take the program mapped out in 1916. Your ships can not maneuver as one ship. Your ships can not maneuver as two ships. Your ships have got to be like battalions; they have got to be like regiments; they have got to be like brigades; you have got to have squadrons; you have got to have a well-balanced Navy. One ship can be easily surrounded. The program of 1916 was prepared to give so many squadrons, so many fleets, well balanced, with so many submarines in each, with so many destroyers, fixed and decided by a general board, and decided by all the naval authorities at that time. Now, you disorganize the fleet like you would your Army. You have just passed an Army bill. You increase it and decrease it according to whether you need regiments, brigades, and divisions; and you can not have a well-balanced fleet unless it is fixed in the same way as the Army, and more so, because ships are more liable to attack. This plan has provided for a fleet of so many squadrons, so many battle cruisers, so many destroyers; and most of the battleships are completed, or in a stage of completion in which the cancellation of contracts and resuming after a delay later will impose an enormous cost.

Take the battle cruisers, that the greatest controversy is about, six of them. We have not a battle cruiser now. Why? Because it is a modern ship, recently developed.

France and England got their battle cruisers lately. A battle cruiser is no more effective than a battleship under certain circumstances. You take about half as much armor, and the weight you take from armor you put in guns and you put in machinery. If you put it all in machinery, you make the speed of the ship greater. If you put it all in guns, you have larger guns, of a longer range and a greater weight of metal. Now, our battleships go about 21 knots. Our battle cruisers will go 32 knots. Japan has four. Great Britain, I think, has five or six. If you were in war with either one of these nations tomorrow, your battleships could never catch a battle cruiser. Ten battleships can not catch a battle cruiser. They would go all through the sea. Their guns have a longer range. They would keep out of distance of your battleships and you could not strike them. They would absolutely destroy your commerce and sweep it from the sea; and I am glad the Senator from Idaho thinks that the battle cruisers should be continued. I think you had better abandon 10 of your battleships and get these 6 battle cruisers, with the vast commerce of America, rather than to abandon it. This simply completes the fleet that you had with your battleships; and if you cancel the contracts, cancel the engagements that were made for all the materials, and resume them in six months, it will cost you from 25 to 50 per cent more to resume them.

This bill does what? Now, I want the Senate to understand it. This bill, prepared by the House, makes an appropriation of only $90,000,000. That is to construct the battleships as slowly as you possibly can, so as not to cancel them and not to have any suit for damages in connection with your contracts. It is not hurrying them up. It is the least that you can do without having the contracts practically canceled, with claims for damages. This program was expected to be completed in three years. If the Navy Department had been so anxious to construct them, except for the war they would have been constructed now. This appropriation is to be expended for years to come, so as to build them slowly, as slowly as it can be done under the contracts without canceling them and having claims for damages.

That is the building program. The House heard the evidence. The House heard all sides, and the House voted overwhelmingly that it was wise to continue the building program. So there is no difference between the House and the Senate on the building program, except that we propose to build two aircraft carriers that the Appropriations Committee of the House could not provide for, as they were not authorized, and we canceled 12 destroyers that are not needed now, which saves $24,000,000.

What is the next big difference? I hope the Senator from Idaho will listen to this.

Mr. BORAH. I am listening to everything the Senator says, and I am very glad to listen.

Mr. SWANSON. Now I come to the dispute in regard to the number of men. I would like to explain that to you. The House does not reduce the authorization for men—not one bit. There is an authorization now for 143,000 men in the Navy. They appropriate only for 100,000 men, but they do not change the authorization under the bill at all. Now, why do you need more than 100,000 men? I think I can make it plain to the Senate, and plain to the Senator from Idaho.

Mr. BORAH. Mr. President, I should like to go back to the question of capital ships for a moment.

Mr. SWANSON. All right; but since I have started on this I will go back to that later.

Let us see why we need more than 100,000 men in the Navy. If you had 100,000 men in your Navy and did not have a great turnover every year, and they were enlisted for 12 years, as they are in Great Britain, that is all you would need in your Navy. I believe 100,000 men would equip our Navy under those conditions, and I am frank to say so; but what are the conditions that confront you to-day?

During the late war, when I was chairman of the committee, we changed the enlistments from four years to two, three, and four years. Why did we do that? Because when the war was over we decided to reduce the Navy as quickly as possible, which we did to take care of the entire naval property, and reduce the number of men that were in all parts of the world to the lowest possible peace basis. We did not want to have two or three hundred thousand men with 4-year enlistments that we could not get rid of under the term of their enlistment, so we allowed enlistments for two, three, and four years during the war, and you have a great many short-term enlistments that expire next year. Now, what will be the result if you have 100,000 men appropriated for on the 1st of July? Say you have 100,000 men. Next year the enlistments of 43,000 men expire, and they must be reenlisted or else we would have only 57,000 men. Seven per cent of the men go out of the Navy every year on account of sickness and other causes, and if you should take 7 per cent from that you would have 52,000 men going out of your Navy next year, and if you reduce it to 100,000—you have 124,000 now—you practically

would have a basis of less than 50,000 men that you have got to get reenlistments for.

If the trained men were reenlisting, and they would reenlist up to 100,000 men, your Navy could run on that. I am frank to say so, and I believe it would be sufficient; but experience has shown during the last two years that the reenlistment of old men on the average is 30 per cent. Recently, at one time, it ran up to 50 or 60 per cent; but the last two months, since you have been discussing the Navy, there are very few reenlistments in the Navy.

Now, take this view of it: You enlist new men—and I think we can get them under these conditions—and you train them three or four months to be ordinary seamen, or if they want to be electricians or mechanics they have to go to school about nine months. Consequently, until these men are equipped, your Navy would be less than 100,000 men. As the Navy Department says, it will be less than 75,000 men. About 72,000 men is what they figure the Navy would be if you were to reduce it to 100,000 men, as appropriated for under the House bill. I have yet to see the man who thought the Navy could be equipped and run with less than 100,000 men.

What did the Naval Affairs Committee of the Senate do? We appropriated for 120,000 men. We thought that was necessary on account of the fact that by reason of these 2-year enlistments about 52,000 men will go out and must be reenlisted next year. I asked the Navy Department to make an estimate of about what the size of the Navy would be with 120,000 men with a basis of 30 per cent reenlistment, and they said if you had a Navy now under these conditions of 2-year enlistments, which we have changed to four years, your Navy would have about 92,000 men on an average during the year with an authorization of 120,000 men. Now, that is the situation. If you had 4-year enlistments instead of 2-year enlistments, and only 25 per cent went out, there would not be the urgent necessity for this legislation.

I have asked the Navy Department to enumerate for the committee the battleships they want to have in commission, the destroyers, the submarines, the ships that you have in the Black Sea, the ships that you have in Turkey, the ships that you have in China, and the ships that you have all over the world to-day with its disturbed and perturbed conditions. With the present perturbed and disturbed conditions it is necessary to have destroyers and American ships scattered all over the world, which you might reduce in 12 months, but which now is absolutely necessary; and they tell me that if you man your fleet properly there would be a great reduction in all these perturbed and disturbed conditions in foreign waters.

The question of the personnel is the main gravamen of difference between the House and the Senate. I have no doubt that the House passed this bill expecting us to increase it, and get a compromise. I have yet to see a naval man who believes—and we are bound to go by the Navy in their experience of reenlistments—that if that provision stands you could run the Navy under the House provision of 100,000 men.

Mr. LENROOT. Mr. President——

Mr. SWANSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. The Senator says he is satisfied that the House passed this bill with 100,000 men expecting the Senate to increase it, and to compromise. I want to ask the Senator whether his committee reported the increased amount with the same purpose in view, making a very much larger increase than they thought necessary, in the hope of making a compromise?

Mr. SWANSON. I have always been frank. I have never been anything but frank. If I were to go to the conference, I am frank to say that I would consent to 110,000 men, and I would let the bill fail without it. I believe in frankness.

Mr. POINDEXTER. Mr. President, I want to say, on behalf of one member of the committee—I am not the chairman, and neither is the Senator from Virginia—that I did not vote in the committee for a provision for maintaining the Navy at its present strength with any idea except that that is the strength at which it should be maintained.

Mr. SWANSON. I am frank to say that I believe the Navy ought to have 120,000 men. The Senator will understand that in examining the men who represented the Navy I tried to get them to say that 110,000 or 100,000 would be sufficient; and I looked at the ships, and I do not believe you will have an average of over 92,000 men on a basis of 120,000 men, with 52,000 men for reenlistment in the next two years. But rather than let the bill fail, I believe in being frank, and I would consent to 110,000.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SWANSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. If the statement that the Senator has just made is true—that upon a basis of 120,000 men he does not think we would have an average of more than 92,000 during the next year—then why appropriate for more than 100,000? The amendment proposes to appropriate for 120,000.

Mr. SWANSON. That merely shows the misinformation upon which gentlemen reach conclusions. Eight or ten thousand of those men will be in training schools, and possibly more. You have got to provide for two things. There would be 92,000 men for the ships. The rest of them would be in training, some of them nine months to be mechanics and electricians, but none of them less than four months for ordinary seamen.

Mr. LENROOT. How many would be training?

Mr. SWANSON. It would depend upon the degree; eight or ten thousand, or possibly more.

Mr. LENROOT. That would leave 100,000.

Mr. SWANSON. You could not tell. It would depend upon the reenlistment of old men.

Mr. POINDEXTER. Mr. President, I think the Senator underestimates the number of men on that basis that would be training. The information before the committee was that there would be at least 20,000 of these young recruits. The only means of maintaining the Navy would be by training them in camps—not upon ships.

Mr. SWANSON. I will state for the Senator what it is. There are usually about 30 per cent of reenlistments.

Fifty-two thousand men will go out of the Navy next year on account of the 2-year enlistments; about 30 per cent will reenlist, making about fifteen or twenty thousand who will reenlist. The rest of them will be new enlistments. For an ordinary seaman it requires from three to four months' training. Take machinists, for example: They go to school from eight to nine months, according to their aptitude. The estimate of 120,000 would mean that you would have 92,000 men available for the Navy for active service and the rest of them would be taking training, on account of the peculiar condition of the 2-year enlistments, under which so many enlistments expire next year.

Mr. LENROOT. Is it not true that the testimony before the Senate committee shows clearly that after the 1st of July, and for a considerable period, there will be a very much less number than 120,000 men in the Navy, including those who take training, and that under this appropriation for 120,000 men, at the end of the next fiscal year, you will not have 120,000 but you will have over 130,000 men in the Navy?

Mr. SWANSON. The Senator is mistaken, because you simply appropriate for 120,000, and you can not pay for any more. They will confine themselves to it and divide them among the 12 months. They might come and ask for a deficiency appropriation, but they never take the risk on that—on the number of men. The appropriation is made for 100,000 men on the 1st of July. That is divided into 12 months—so many men for each month. You can not put a ship in commission to-day and take it out to-morrow, but you must have your ships equipped, or the loss is immense. So much money goes each year for men. You appropriate on an average during that year, and on account of these reenlistments, with 52,000 for the men, less the number of the old men, you would have but 92,000 men available for the fleet.

Mr. LENROOT. The Senator does not get my point. Does not the testimony show that there will be a period after the first day of next July when, if we appropriate for 120,000 men, there will be a less number than 120,000 men in the Navy, including those who take training?

Mr. SWANSON. Less than 120,000?

Mr. LENROOT. Yes.

Mr. SWANSON. If they do not need them they will not take them.

Mr. LENROOT. They fill up, and then afterwards, the testimony shows, beginning about the 1st of October, or a little later, they will fall off again, until at the end of the year you will have something over 130,000.

Mr. SWANSON. Unless you get the enlistments, the money is available for subsequent enlistments. If the enlistments should be very small now, and the money appropriated for 12 months is not spent each month, that money is available for subsequent months. It depends on the enlistments. But when the enlistments come, after the 1st of July, they are usually divided into 12 months, and, of course, if you do not get the enlistments, the money is available for subsequent months. But they hope to get the enlistments, because if they do not, some ships will have to go out of commission. But you can at any time, when this thing expires, have a new estimate, for any more than that, because it is divided into 12 months, and you would depend on the enlistments.

I think that is the situation, and I have not seen a naval man yet who did not say so. The Chief of Navigation, the man

who has charge of the aircraft, the man who has charge of all these ships, tells us that even if you do that, you will have but 92,000 men available for sea duty. Does the gentleman think it is a time to have your ships all over the world in that situation? I think we have eight or ten thousand men now in a disturbed condition in Siberia, in China, in Turkey, in the Black Sea, and elsewhere, where they look after American interests, who would have to come home, and if this is done, and that situation arises, Congress must correct it at a great loss.

When you carry your calculations back for four years, and you do not have the turnover you will have next year, I do not believe 100,000 men is ample for sea duty, and this is fixed so as to give that, but they think it possibly will give less on account of the situation.

I would like to have the Senator from Wisconsin consider another thing. Next year you will have two battleships put in commission, possibly a third one, which will take 4,000 more men. You have 10 scout cruisers, of which we have very few, which will be made available.

Mr. LENROOT. With reference to the new battleships, is it not true that under the amendments of the committee it is proposed by the Navy Department to supply the men for these new battleships by putting old ships out of commission and taking the men from them?

Mr. SWANSON. To some extent they do that, but when you put a battleship in reserve you must have about half a crew. The battleships you put out now are too efficient to be absolutely put out of commission. You could not provide substitutes for these 10 scout cruisers, which will take about 800 men each. We have none of those, and can not furnish substitutes for them.

This provision relating to the personnel of the Navy, in all frankness and candor, ought to be maintained, and I think we would make a serious mistake if we should reduce the Navy personnel to less than 100,000. I have not seen a Navy officer who thought otherwise, and statements by naval officers are all we can go by. They give us the data and the information. With these two battleships coming in, and possibly a third, and 10 scout cruisers, with 12,000 additional men, it seems to me the Committee on Naval Affairs have acted economically with this turnover. I say this for the simple reason that I think the Senate has a misconception of the difference between the House and the Senate on this bill.

These other items about Alameda, about the increasing of this appropriation and that, are subjects of discussion. They are not absolutely necessary. I think the most important thing is the personnel. I think with the present number of ships, if we reduced the personnel, until six months from now the Navy was half-manned, we would have to withdraw from foreign ports, which would be a most serious situation, which should not confront our Navy at this time.

Mr. BORAH. Mr. President, going back to the subject of capital ships, and the suggestions which have been made by some of us who are not experts—and I regard the Senator from Virginia as one of the best advised men on the Naval Affairs Committee—this statement has been made by Rear Admiral Bradley A. Fiske within the last three weeks:

> The so-called capital ship has seen its best days. The naval supremacy a year or two henceforward will belong to that nation which possesses the most powerful fleet of aircraft.
>
> It seems to me the future Navy will be vastly different from the fleets of to-day. It will probably consist of large vessels without smokestacks or masts, or possibly with internal-combustion engines. Every one of those ships will carry as its major weapons three kinds of airplanes: First, aircraft for scouting duty, both over water and over enemy coasts; second, bombing planes for dropping explosives on ships and fortifications; third, torpedo planes carrying projectiles to be launched against the hulls of surface ships.

Then, referring to Admiral Scott, of the British Navy, he said:

> Scott wants to lose no time from profiting from the lessons of the World War. He saw, as the whole world saw, that fleets of mighty armored ships could not get closer than 10 miles to enemy coasts. He knows that the gun range of a battleship is limited. He knows that in speed aircraft has heavy ships hopelessly outstripped. In radius of action there is no comparison between them.

Mr. President, if the Rear Admiral's view is correct, the position which we take is that we are expending money upon a large number of the class of ships which he says, using my own language to express his sentiment, are obsolete. There is where the contention has rested so far as I am individually concerned.

Mr. SWANSON. In the olden times, when you did not have submarines and did not have aircraft, the battleship was absolutely supreme. It had nothing to contend against it. The nations that had the largest battleships and battle fleets invariably won. The real test now is, who controls the surface of the sea. The object of aircraft is to destroy battleships, because the battleship ultimately controls the surface of the sea. The object of the submarine is, in a military sense, leaving out commerce, to destroy the battleship, which ultimately controls the surface of the sea. It is on the surface of the sea that commerce is shipped, not in the air, not under sea. It is on the surface of the sea that you have to transport troops. So all of these are simply elements to control the surface of the sea. The battleship was absolutely supreme when you had no aircraft to destroy it and had no submarines to destroy it.

When the submarine was first invented to destroy it, then you had to meet that problem, because if the submarine destroyed the battleship, the nation that finally had the last battleship would control the surface of the sea.

So those two elements have to be taken into consideration when you are talking about battleships. There are three elements now that control sea warfare, three planes. You have to fight under the sea, on the surface of the sea, and in the air, and any nation whose defense is defective either under the sea, on the surface of the sea, or in the air has an inadequate fleet.

You could have an immense fleet of aircraft that could destroy your battleships, and the nation that had the last battleships would be supreme on the surface of the sea. You could have an immense fleet of submarines that could destroy your battleships, and the nation that finally controlled the battleships and got rid of the aircraft and submarines could control the surface of the sea, control the transportation of troops, control how commerce should come and go, and all this conflict. You have Admiral Fiske and you have Admiral Fullam testifying on the subject that we had not emphasized sufficiently the aircraft and submarines. Admiral Fullam wanted to do what? Not to stop the construction of battleships, but to discontinue it and appropriate $220,000,000 for aircraft.

Mr. President, I shall not detain the Senate any longer, because I have no desire to delay this bill. But I want to appeal to the Members of the Senate, if you will send for naval officers, and in a good, businesslike, practical way, ask their opinion; or send for any man who is not in the Navy and has no personal interest, and study this question of personnel, the expiration of the enlistments. Anyone who studies the subject must reach the conclusion that this is not an excessive increase of personnel. You reduce it from what it was last year. As to continuing this program or discontinuing it for six months and then resuming it, if you are going to scrap it, you might as well scrap it for good.

I want to impress upon the Senator from Idaho that I concur in this program, aided in its preparation, and suggested it. It is simply an appropriation to continue the program, except as to battle cruisers, and a large part of this $90,000,000 goes to the battle cruisers. They are absolutely necessary, if you have a fleet at all. The Senator recognizes the importance of the battle cruisers, does he not, and that we ought to build them faster than anything else? If we were at war, your commerce would have to be supported. Only one naval officer appeared and advocated the discontinuance, and we asked him what he would do in case of war, and he said he would just stop the commerce going out.

Most of this $90,000,000 for new appropriation will go into the six battle cruisers. The rest of it, as I understand it, is to continue the construction of the capital ships as slowly as it can be done, without having a violation of contracts, and speeding it up. It is merely to a large extent a discontinuance. The entire effort will be made to construct these battle cruisers as quickly as possible. If you discontinue them absolutely, you will have claims for damages; you have supplies bought, and so forth. I suggested to the Navy Department that in the construction of a fleet the wise course to pursue is to construct the battle cruisers as quickly and as energetically as possible, with all the speed possible, and the battleships ought to be delayed as much as you can, with an honest compliance with your contracts. Does that look like a reasonable proposition?

Mr. BORAH. Yes; it would be pretty reasonable, if it were not for just this defect, that we will go ahead on the capital ships of the *Indiana* type. Of course, they may call it slowing down, but when we come to the naval appropriation next year we will be very far in advance of what we are now.

Mr. SWANSON. Let me answer that now.

Mr. BORAH. No; I want to put it all together, because the Senator at that time will be simply unanswerable in his logic and his argument that, having gone forward for two years, we certainly can not scrap these ships and discontinue the contracts. Some of these ships are less than 10 per cent completed.

Mr. SWANSON. If the Senator will permit me, where ships are less advanced than authorized by the amount of money you give them, it compels them to push the battleships at the utmost speed, and if they do that they have very little money for the capital ships. My idea is this, which I suggested, and saw the naval constructor, and also consulted with members of the com-

mittee: I think these battleships should not be constructed any faster than an honest compliance with the contract demands, and we can not do it without having claims for damages.

I believe a battle cruiser can be constructed in 12 months. In order to compel the construction of the battle cruisers they want to limit the amount of money, and I wish to assure the Senator from my knowledge of naval affairs—and I have always tried to be frank—that if the $90,000,000 item goes through it is very little more than ought to be expended on the six battle cruisers. In other words, I believe, and the Secretary of the Navy agrees with me, that the Navy Department will not construct battleships any faster than is necessary to comply with the contracts and avoid any damages.

Mr. BORAH. Of course, we are going to pay damages, but the damages which have been estimated for over the year have been $25,000,000, and if we should find out that the battleships are obsolete we will have saved $275,000,000 after paying the $25,000,000.

Mr. SWANSON. I desire to ask the Senator, in all frankness, as a good business man, whether it is not a wiser policy to go ahead and appropriate $90,000,000 for battle cruisers that are to be completed? I think the policy is to construct the capital ships as slowly as possible, which they ought to do. Of course, the new Secretary of the Navy will determine how fast they shall proceed with the construction of the capital ships, but the amount of money limited in this way compels that process. If it does not, I think it should be done.

Mr. BORAH. Then, let us put it in the bill.

Mr. SWANSON. That is not simply to provide for a loss of $25,000,000. I think the wise course is to construct them as slowly as possible under the contracts, so we will have no claims for damages. That is my idea. That is what I believe the bill will do. That is what I believe the next Secretary of the Navy will do. I think that is the wise course to pursue, if the Senator will permit me to give my individual view. I agree with the Senator that the battleships should not be hurried up and that the amount of money provided will result in getting the battle cruisers.

I merely desired to make this statement, not to delay the bill, but because I have an idea that the Senate has a misconception of the differences between the House bill and the Senate committee bill.

Mr. WILLIAMS. Mr. President, I have listened, as everybody does, with a great deal of attention to the Senator from Virginia, who, with his usual vehemence and earnestness, has spoken for some time. After it has all been said, it amounts to this: That in his opinion the Navy of the United States, with its attachments and appendages, personnel, armament, and so forth, in peace times ought to be equal to what it was in war times and a little bit more. That is all.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Halleys Ferry and between the counties of Anderson, S. C., and Hart, Ga.;

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone;

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel, in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.;

H. R. 15934. An act to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein; and

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminister Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe, of the congressional medal of honor.

The message also announced that the House had passed the following bills:

S. 3695. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.;

S. 4572. An act granting to the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort DeRussy Military Reservation for the purpose of extending its sewer system; and

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolutions:

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies; and

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of Champ Clark.

PANHANDLE AND PLAINS SECTION.

Mr. SMITH of South Carolina, from the Committee on Interstate Commerce, to which was referred the bill (S. 4981) to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone, reported it without amendment.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 15861. To confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.; to the Committee on Public Lands; and

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor; to the Committee on Foreign Relations.

COMPENSATION OF CERTAIN EMPLOYEES.

Mr. JONES of New Mexico obtained the floor.

Mr. BORAH. Will the Senator give me an opportunity to prefer a unanimous consent request?

Mr. JONES of New Mexico. I yield to the Senator for that purpose, if it will not take me off the floor.

Mr. BORAH. There is a bill which has been passed by the House and which has been before the Senate for a month and has been debated extensively. I do not presume anyone wishes to debate it any further. It is a very important measure. I ask unanimous consent that not later than 10 o'clock to-night the Senate may vote upon House bill 5726, known as the minimum wage bill, together with all amendments thereto, without further debate.

The VICE PRESIDENT. Is there objection?

Mr. DIAL. I object.

The VICE PRESIDENT. Objection is made.

BONUS FOR EX-SOLDIERS.

Mr. JONES of New Mexico. Mr. President, the naval appropriation bill has been before the Senate for several days, and so far as I am personally concerned I regret very much that the Senate has not been able to come to some agreement on it and pass the bill at this session of Congress. I have taken some interest in trying to get up for consideration another bill, House bill 14157, which has been passed by the House and which has been reported to the Senate. I have felt that the Senate ought to pass that bill at this session of Congress, and I believe that if the situation was thoroughly understood by the Senate some effort would be made to pass the bill.

I am quite sure that there is a misapprehension both as to the provisions of the bill and the ability of the Government to carry out some special provisions, not only as proposed in the bill, but to go very much further than the bill as reported from the Senate committee would have the Congress go.

Mr. President, I observe that even the members of the Finance Committee have not taken the trouble to become accurately informed as to the financial situation of our Government. It would seem from the report which has been presented to the Senate by the Finance Committee that that committee was deterred in great measure from urging the passage of an adjusted compensation bill at this time which would make any present or immediate provision for the relief of the ex-service men. That sentiment doubtless prevails throughout the country. When it was suggested that some such bill as this, embracing provisions for adjusting the compensation of our ex-

service men, the news went abroad that the burden upon the Treasury would be more than it could bear, and that we should conserve our resources at this time for other purposes.

I desire to make the statement to the Senate that not only the Finance Committee but the country at large are unduly concerned about the status of the Treasury of the United States. The financial operations of our Government during the war and subsequent to the war have been unequaled at any time in all history by any Government on earth. I desire in the first place to call attention to a mistake which my distinguished colleague upon the Finance Committee, the Senator from North Dakota [Mr. McCUMBER], has made in the report to the Senate. I know that it is an inadvertence, and yet it leads to an entirely inaccurate conception or statement of the situation as it exists. On page 2 of the report I find this statement:

Estimated gross deficiency (in the Treasury) June 30, 1921, $2,005,037,119.
Estimated gross deficiency June 30, 1922, $1,448,589,211.
Total (for two years), $3,453,618,330.

That statement is absolutely misleading. There should be no addition of the two amounts. The inference drawn from the report is that we have a constantly increasing deficiency in the revenues of the Government, whereas the exact situation is the fact, according to those figures properly understood, that there was an estimated deficiency on the 30th of June, 1921, of $2,005,037,119, but owing to the Treasury operations the estimated deficiency on June 30, 1922, will be reduced so that at that time the estimated deficiency will be only $1,448,000,000.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield.

Mr. SMOOT. I desire to say to the Senator that the return on the business of 1920 thus far received by the Treasury Department shows that if the returns up to March 15 continue to decrease as have those which have already been received up to the 15th of February, there will be a deficit of over $500,000,000 above the estimated amount that was carried by the Treasury Department.

Mr. JONES of New Mexico. I think if the Senator from Utah will just withhold his observation a few minutes, I can present to the Senate some facts which are very enlightening and which, I think, may tend very greatly to the reduction of any apprehension which even the distinguished Senator from Utah may have upon the situation.

To my mind the transactions of the Treasury Department during the war and since that time amount almost to an Aladdin's dream; they are beyond any conception or any hope of any citizen of the country. I wish to call attention to the fact, in the first place, as to the public debt, the funded debt of the United States Government. At one time the funded debt amounted to $21,432,950,800. I apprehend that there are few people in all this country who realize that there has been any substantial reduction of the funded debt of the country, but I am able to state that that funded debt—the Liberty Loan bonds, the Victory notes—has been reduced up to the present time by $2,994,994,000.

Mr. DIAL. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator.

Mr. DIAL. I should like to ask the Senator if he does not think we would have a hard time floating bonds now at any reasonable rate of interest?

Mr. JONES of New Mexico. That is entirely aside from my line of argument, but I will take that up and discuss it a little later.

I wish to call attention to the fact, and to impress it not only upon the Senate but upon the country, that there has been an actual reduction of the bonded indebtedness of the country since the time of the Victory loan of more than $2,000,000,000.

Mr. SMOOT. Mr. President, I think the Senator from New Mexico was somewhat in error when he stated there had been a reduction of over $2,000,000,000 in the permanent bonded indebtedness of the United States.

Mr. JONES of New Mexico. I am not in error about it. I have the figures here, which I obtained from the Treasury Department. In the first place, I gave the figures as to the total of those bonds which had been issued, and I gave the exact figures as to those now outstanding, amounting to $19,431,955,805. That was on date of February 28, 1921. I repeat, those figures have been obtained from the Treasury Department.

Mr. SMOOT. Mr. President, I think it ought to be said that the short-time certificates now outstanding——

Mr. JONES of New Mexico. If the Senator from Utah will permit me, I am going to take up the question of certificates next, and I think I can give the Senator some information about that, for I know that it presents a different phase from what I had expected it would.

Mr. SMOOT. The Senator knows that the Secretary of the Treasury was before the Finance Committee in connection with this very bill, and he himself opposed it.

Mr. JONES of New Mexico. I understand that, Mr. President, but whether we oppose the bill or not, I think the people of the United States should understand this most remarkable financial performance of our Government in the time of the great World War and since.

Now, as to the question of floating indebtedness: For June 30, 1920, the estimated gross deficit in the Treasury, including the outstanding short-term certificates of indebtedness, was $3,905,888,543. Let us examine what has happened in the case of that indebtedness. For June 30, 1921, the estimated gross deficiency will be only $2,005,037,119.67, a reduction of nearly $2,000,000,000. For June 30, 1922, the estimated deficiency will only be $1,448,581,211.67. I may say that that includes a working balance in the Treasury of $250,000,000, making an estimated gross deficiency in the Treasury on that date, June 30, 1922, of only $1,198,581,211.67. But if we leave in the Treasury the $250,000,000, then if we take the figures of February 28 as to the funded indebtedness and the estimated condition as it will be on June 30 of next year, we find that there will have been a total reduction of the indebtedness of the country of just about four and a half billion dollars. That means, Mr. President, that we have financed the great World War, and that, while the moneys paid out on account of that war amounted to more than $38,000,000,000, to-day there is a funded permanent bonded indebtedness of this country of less than $20,000,000,000. I read from the annual report of the Secretary of the Treasury, as follows:

RECEIPTS AND EXPENDITURES DURING THE WAR PERIOD.

On the basis of the daily Treasury statements, the total expenditures of the Government, exclusive of the principal of the public debt and postal disbursements from postal revenues for the period from April 6, 1917, to June 30, 1920, were $38,830,812,895.93. The receipts during this period from taxes and sources other than borrowed money were $16,078,844,097.10, or slightly in excess of 41 per cent of the expenditures, although they do not include the September 15 and December 15, 1920, installments of taxes levied on 1919 incomes and profits. The expenditures include capital outlays as well as items which have been permanently absorbed. The receipts also include certain sums which by law are covered into the Treasury as miscellaneous receipts, but which, for statistical purposes, more properly should be offset against expenditures. No deduction has been made for loans to foreign Governments or for investments, such as ships, stock of the Emergency Fleet Corporation, stock of the Housing Corporation, and loans to railroads. Foreign loans made up to June 30, 1920, aggregated $9,523,000,000. Excluding this sum the total disbursements of the Government from the beginning of the war to June 30, 1920, were $29,307,000,000, or about 55 per cent of which, on the basis of these adjusted figures, was met out of tax receipts and revenues other than borrowed money.

We paid out during the war and during the subsequent fiscal year over $13,000,000,000 raised by taxation. We have been paying the running expenses of the Government subsequent to the war which were increased largely by reason of conditions growing out of the war, but, notwithstanding that we stand before the world to-day with a permanent bonded indebtedness of less than $19,500,000,000, and that indebtedness includes also the nearly $10,000,000,000 which we loaned to the Allies during the war. So, if we consider the indebtedness of our allies to this country of face value, and reduce our bonds accordingly, there is to-day a net bonded indebtedness of only about $10,000,000,000.

Mr. President, the reductions of which I have spoken as having been made have been made notwithstanding the fact that we have during the same period of time been paying large amounts on account of war conditions. I merely wish to call attention to some of the items which were included in the expenditures of the fiscal year 1920. Out of the net ordinary disbursements of the Treasury of $6,403,000,000 about 90 per cent consisted of expenditures really connected with war, either in payment of past war expenses or in preparation for the future. I wish to read some of these items; and, by the way, until very recently we have still been purchasing obligations of foreign Governments. In the fiscal year ending June 30, 1920, we purchased obligations of foreign Governments amounting to $421,000,000,

We spent in that fiscal year for the War Department $1,611,000,000; we spent during that year for the Navy Department $736,000,000; we spent for the Shipping Board $531,000,000; we paid out by reason of the Federal control of the transportation system and payments to railroads under the transportation act of 1920, $1,037,000,000; then we paid interest on the public debt amounting to $1,020,000,000; and in addition pensions, war-risk insurance, purchase of farm loan bonds, and so forth.

Those items, Mr. President, were all taken care of—$1,600,000,000 for the Army; $736,000,000 for the Navy; $421,000,000 expended in the purchase of foreign loans; over $1,000,000,000 paid out for transportation by reason of Government control

during the war and the recent railroad act of 1920. We did all of that but we not only paid those bills, but after having paid them the revenues of the Government were sufficient to reduce the national indebtedness of about $1,000,000,000.

Mr. President, in regard to the more recent estimates, I merely wish to call attention to some of the steps which have been taken toward the reduction of the public debt.

That condition has been brought about in this way, and I will ask the indulgence of the Senate to call attention to some details in regard to these expenditures.

Take the fiscal year 1921, the year which will end in next June. There they estimated that the balance in the Treasury at the beginning of the year was $359,947,020.33. The estimated ordinary receipts from taxation and other revenues were $5,739,565,000. We were expected to receive from the public debt account over $60,000,000, making total receipts of $5,799,758,375. Now, how did we intend to expend that amount? Here are the ordinary expenses, so-called technically in the bookkeeping of the Government, which includes the Army and the Navy and all expenses except the public debt. It is expected to expend for those purposes $4,851,298,931. Then it is expected that there will be obligations to pay on account of the public debt, including the outstanding certificates of indebtedness, of $3,063,443,584. So that there will show at the end of the year a reduction of this outstanding indebtedness of $1,250,000,000, leaving the estimated deficiency of that year only $1,755,000,000 plus; and then allowing $250,000,000 for a working balance in the Treasury, it leaves the total estimated deficiency $2,005,000,000, as I stated a while ago.

For the year 1922, what does the Government expect to do with regard to its revenue matters during the next year—the year for which we are making appropriations now, the year for which we expect to raise the revenue? The Government estimated that we should receive from taxation and ordinary receipts the sum of $4,859,530,000, and for the public debt, interest on some items, and so forth, $60,200,000, making a total anticipated receipts of $4,919,730,000. Now, then, what do they expect to do with this? They expect to apply upon the public debt out of that, by purchasing these funded bonds, $465,854,865, and otherwise reduce the floating indebtedness, so that it will amount to what I stated a while ago, only $1,198,581,211.67; and allow then a working balance in the Treasury of $250,000,000, which leaves a total anticipated floating indebtedness of this country at the end of the next fiscal year of less than a billion and a half dollars.

In view of this most remarkable showing, I ask if there is anyone who ought to feel that this great Government of ours is crippled in its resources, or facing bankruptcy, and unable to do justice to those who served this country in the hour of its greatest need?

In the estimate for 1922, as I have stated, they expect to reduce the funded indebtedness by $465,854,000 plus, and in addition to that they expect to have a surplus to be applied to the floating indebtedness of the country and for its further reduction of $556,455,905; or, in other words, in the face of the necessities of this country at this time, the calculations of the Treasury Department are to pay these extraordinary expenses at this time, and in addition thereto reduce the indebtedness of this country by about a billion dollars a year. Now, I ask the people of this country if they want that kind of financing if those who have served their country are in need of some assistance from their country?

This estimate of the Treasury was also made anticipating that very large sums would be required for the use of the Army and the Navy and for other branches of the Government. The estimate was made that there would be expended for the War Department next year—how much do you suppose?—$925,000,000. It was estimated that there would be expended for the Navy Department next year $655,896,000. I might call attention to many other important items in the estimates, and we know that there will be no such sums appropriated for those purposes by this Congress. I have prepared here a list of the reductions from the estimates of the various departments made by the Senate during this session upon the bills which have been reported to the Senate. I have been unable to ascertain the exact amounts of money which have been carried into the appropriation bills which have become law, but as reported to the Senate by the various appropriations committees the amounts to which I have called your attention will be reduced from those estimates as follows:

The Army, over $336,000,000; the sundry civil bill, $393,000,000 plus; fortifications, $27,000,000; the Navy, $152,000,000; the Agricultural Department, $13,000,000; rivers and harbors, $41,000,000; the legislative, executive, and judicial bill, $26,000,000; the Diplomatic and Consular bill, $1,500,000; the Indian bill, more than $1,500,000; the District of Columbia appropriation bill, over $3,000,000; making total deductions from the estimates of the various departments on the bills which I have mentioned of $998,000,000 plus; and notwithstanding the Treasury prepared a financial plan which would raise moneys to pay those enormous expenditures, it also prepared a plan which would decrease the public debt of this country next year more than $1,000,000,000.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. LENROOT. The Senator stated a short time ago that there had been a reduction in the funded indebtedness of something over $2,000,000,000.

Mr. JONES of New Mexico. I stated that as of February 28.

Mr. LENROOT. Something over $2,000,000,000?

Mr. JONES of New Mexico. Yes, sir.

Mr. LENROOT. And a reduction in the floating indebtedness of how much?

Mr. JONES of New Mexico. Of about two and a half billion dollars.

Mr. LENROOT. Now, I wish to call the attention of the Senator to the report of the Secretary of the Treasury, on page 23, and I read:

> On the basis of the daily Treasury statements, the gross debt of the United States on August 31, 1919, when it reached the peak, was, in round figures, $26,596,000,000, of which about $4,000,000,000 represented loan and tax certificates maturing within the year. On September 30, 1920, the gross debt was $24,087,000,000, a reduction of over $2,500,000,000, while the floating debt was $2,347,000,000, or approximately $1,600,000,000 less than on August 31, 1919.

So the Senator very evidently is mistaken in including twice reductions in funded indebtedness and certificates of indebtedness, short-time certificates, and he is only about $2,000,000,000 out of the way.

Mr. JONES of New Mexico. No, Mr. President; the Senator himself is in error in construing the report which he has just read. The Senator will observe that the report from which he is reading does not make a definite division of those two kinds of indebtedness.

Mr. LENROOT. Yes; they have on page 315 an exact division.

Mr. SMOOT. Mr. President, if the Senator will yield, I also want to call attention, though I will not do it now in detail, to the report made by Mr. Leffingwell. I will say frankly to the Senator that Mr. Leffingwell was the man in the Treasury Department who, I think, knew more about the detailed workings of the Treasury Department during the war than any other living man. I have his report before me now, and I think it will substantiate every statement that was made here by the Secretary of the Treasury.

Mr. JONES of New Mexico. Mr. President, I desire to make this statement: I have before me the figures which were given to me on the 28th of February regarding the permanent funded indebtedness, and I can give the Senator the name of the Treasury official, with his branch telephone number, who furnished me the information.

Mr. SMOOT. Nobody denies that as to the permanent indebtedness of the Government; but the Senator has not taken into consideration the short-time certificates of indebtedness.

Mr. JONES of New Mexico. Mr. President, I will read to the Senator the statements of the Treasury regarding that.

Mr. SMOOT. I have them here, and I will read them, too.

Mr. JONES of New Mexico. If the Senator is finally convinced as to the permanent funded indebtedness we have made quite a little progress in this debate.

Mr. SMOOT. Why, yes; as to the funded indebtedness, it is true; but as to the actual indebtedness of the Government we have not.

Mr. JONES of New Mexico. Now, Mr. President, we will take up the other phase of the question, and we will examine the testimony upon the other phase of the proposition. So it is admitted that the funded indebtedness of the country has been reduced by over $2,000,000,000. Now let us take up the other side of the matter.

Mr. LENROOT. Does the Senator say that the Secretary of the Treasury was mistaken when he said the gross indebtedness of the country was reduced two and a half billion dollars?

Mr. JONES of New Mexico. Mr. President, I do not make that statement. I simply make the suggestion, which I believe to be true, that the figures are not brought together in the same way in the matter to which the Senator from Wisconsin now refers and the way in which I have been presenting them.

Mr. LENROOT. I think the Senator will find that he is counting them twice. That is the trouble.

Mr. JONES of New Mexico. No; Mr. President; not at all.

Now I want to take up the evidence as to the reduction of the certificates and see what we find.

I find on page 199 of the annual report of the Secretary of the Treasury for the year 1919 this statement:

Estimated gross deficiency June 30, 1920, $3,905,888,543.

That was the gross deficiency in the Treasury estimated for June 30, 1920. That includes the floating indebtedness, it includes all of these matters the Government is obligated to pay except the funded indebtedness of the country.

Mr. SMOOT. That is the estimated amount.

Mr. JONES of New Mexico. I understand that, Mr. President.

Mr. SMOOT. But if the Senator begins to figure from an estimated amount, when the returns come in later, he certainly can not come to a final conclusion as to what was actually paid.

Mr. JONES of New Mexico. Mr. President, we have no way of getting a start on this matter except by the estimate of the Treasury Department.

Mr. SMOOT. The way to get a start upon it is to take the actual obligations on the part of the Government, the actual money we have received, and the balance of the debts of the Government. That is the only way. If you start with an estimated amount, and that estimated amount, the Senator knows himself, proves not to be correct in the end of the year, when all of the taxes were paid, the showing then can not be correct.

Mr. JONES of New Mexico. We will come to what was actually the state of the Treasury at the end of the year. But there was the estimated amount in the Treasury in 1919, which was reported to the Senate at the beginning of December. It was prepared in October, 1919, which was right in the fiscal year 1920, and at that time in the year the Treasury estimated the gross deficiency as over $3,900,000,000.

Now we turn to the next estimate for the next year, which will be found at the bottom of page 200 of this report, and there the Secretary put the estimated deficiency at $2,009,336,000, and let me show you how close he came to the truth by that estimate.

The estimated deficiency was $2,009,336,528, and the actually ascertained gross deficit at the end of that year was $2,005,037,119.67. They came within $4,000,000 in their guess in over a $2,000,000,000 estimate.

Mr. President, there may be slight errors in these estimates. I grant there may be. But I assert that that should not affect the situation. It is admitted by everybody that there has been a tremendous reduction in not only the floating indebtedness of this Government, but there has been an actual reduction in the permanent funded indebtedness of over $2,000,000,000.

Mr. LENROOT. Mr. President, that is denied by the Secretary of the Treasury.

Mr. JONES of New Mexico. I have not seen the denial.

Mr. LENROOT. I read it to the Senator.

Mr. JONES of New Mexico. I have the statement right here before me.

Mr. SMITH of Arizona. The Senators had better read from the same publication.

Mr. LENROOT. Is the Senator reading from page 23 of the report of the Secretary of the Treasury?

Mr. JONES of New Mexico. I am not.

Mr. LENROOT. There he says the total reduction was two and a half billion, which included $1,600,000,000 of Treasury certificates, which leaves $900,000,000 reduction of funded indebtedness, as against the two and a half billion the Senator speaks of.

Mr. JONES of New Mexico. I will go a little further. I hold in my hand the preliminary statement of the public debt on February 28, 1921. This is the official publication, and the Senator, by an examination of it, will observe that of the old indebtedness, not relating to this present war, the funded amount was $883,728,270; of the first Liberty loan, second Liberty, third Liberty, and fourth Liberty loans there were outstanding $15,282,198,100, and of the Victory Liberty loan, the last Liberty loan, those certificates outstanding amounted to $4,149,757,705, making a total permanent bonded indebtedness, including all we owed before we got into this World War, plus the Victory loan and the Liberty loans, of only $19,431,955,805.

The Senator undertook a while ago to say that the total funded indebtedness was over $26,000,000,000.

Mr. LENROOT. No; I said the gross indebtedness was $26,000,000,000.

Mr. SMOOT. If the Senator relies on those figures of the bonded indebtedness, why does he not tell the Senate of the United States the peak load of the bonded indebtedness of the United States? Then he will find that the statement made there is incorrect. The trouble is, Mr. President, the Senator is trying to put in the permanent bonded indebtedness of the Government, and figure the funded indebtedness of the Government, basing it upon an estimate made by the Treasury as to what the receipts would be. I do not want the Senator to think I am just simply finding fault to be finding fault, but when we are getting at the real indebtedness of the Government, I do not known of a better way to find it than to take the actual statement of the Treasury of the United States.

Mr. JONES of New Mexico. Mr. President, I quite agree that we want to get at the facts, and I do not know of any better way than to take the report of the Secretary of the Treasury himself. I took his estimates and quoted them, because it is a confusing and almost an interminable job to take up the various estimates that were made on the various items and put them together. It would unduly encumber the RECORD in this case. So I have done that which we all do when we are legislating for our country. We take the estimates of the Treasury Department as to the needs of the country and act upon those estimates. We pass legislation each session relying upon them, and nothing more, and it does seem to me that in a case of this kind we ought to consider these estimates in regard to legislation of this sort.

But I may say that it is immaterial to me, for the purpose of the point which I desire to present at this time, whether we have reduced the indebtedness more than four billion and a half or four billion or three billion and a half. It is admitted by everybody that there has been an enormous reduction in both the permanent funded indebtedness of the country as well as in the floating debt of the country.

In that view of the case, does this country want to be deterred from doing justice to a large number of the young men of this country who were taken away from the farms and the firesides and the shops to fight our battles in Europe? If we owe them anything, in view of this most remarkable statement of the situation of the country, should we not pay it?

I want to show that it is not proposed to make any excessive payments to those men. I hope the minds of Senators, as well as the minds of the people at large, will be disabused upon that proposition. There will be no immediate drain of any very large amount of money from the Treasury of the United States by reason of this bill. My humble judgment is that in the first year of its operation there will not be needed more than $200,000,000. What do you think of that statement, that there will not be needed the first year to carry out the purposes of this bill more than $200,000,000?

In view of the state of the Treasury, when we are reducing our debt by about a billion dollars a year, if we can not provide the means otherwise, do you not think we could give to those men out of the money intended for debt reduction at least $200,000,000 the first year? I want to explain why I make the statement that there will be, under the provisions of this bill, if put into force immediately, a drain of only a very small amount of money.

Mr. President, that necessitates making some observations as to the provisions of the bill. I shall be very brief, but I think it is important that the country understand just what is proposed by the bill as it came over from the House.

There is a cash provision in this bill that there shall be paid to the ex-service men a dollar a day for home service for the time they served in the Army in excess of 60 days. There has already been paid to each ex-service man $60 upon his discharge from the Army. So no provision is made for payment for the first 60 days they were in the Army. It provides a dollar a day for home service in the United States for each day in excess of 60 days; a dollar and a quarter for each day of service abroad. It is estimated by my distinguished colleague upon the Finance Committee, who reported this bill, that if every soldier took his pay in cash under this first provision, and took it at once, it would amount to only about a billion and a half dollars. But it is provided that that sum of money shall be paid in quarterly installments, not exceeding $50 each. So the payments, if all in cash, would extend over into the third year at least. Those receiving above $400 would get the last of their money during the third year, in $50 installments, and if any of them received the maximum amount, $625, they get the last payment in the fourth year.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from North Dakota?

Mr. JONES of New Mexico. I yield.

Mr. McCUMBER. I ask the Senator, who, I know, is very much interested in the welfare of the soldiers, if he does not really think there ought to be no distinction between those who served at home and those who served abroad? Each one performed his entire duty, and all of them wanted to get abroad if it was possible. Some of those who got abroad did not

get within many miles of the firing line, and those on this side, ready and eager to go, perhaps passed through as many hardships and were in the service about as long as those who went abroad.

I further call the attention of the Senator to the fact that such distinction was made by the House and not on the recommendation of any of those representing the soldiers themselves. Their idea was that if they had adjusted compensation all must be treated alike. But for some reason—and I can not imagine what, unless it was merely a desire to make the amount a little less—the House passed the bill allowing only a dollar to those who did not succeed in getting abroad and gave the extra quarter of a dollar a day to those who were able to cross the ocean. I simply desire to get the view of the Senator himself as to what he believes ought to be the rule which should govern Congress in fixing the amount.

Mr. JONES of New Mexico. I do not care to be diverted from my line of thought to discuss that question at this time and for this reason. The question now raised by the Senator from North Dakota was never raised in the committee, and the committee itself has reported the bill to the Senate with the House action upon that provision; but, so far as my personal views are concerned, I think that the question is one well worthy of thorough consideration and investigation.

Mr. McCUMBER. If the Senator will allow me, I desire to correct the statement he just made that it was not considered. In taking the testimony the question was presented to one of the witnesses who represented the American Legion as to why any distinction should have been made, and he stated practically as I have stated, that it was not their thought when the bill was presented to make any distinction, but they were ready to accept whatever Congress in its wisdom saw fit to put into the legislation.

Mr. JONES of New Mexico. I think it is quite right that the Senator should put into the RECORD at this time the statement which he has just made, so that those views may go out to the country and the situation may be understood. If that were done, it would only increase by 25 per cent the compensation to the people who remained at home.

Mr. McCUMBER. Scarcely that; because it must be remembered that the 60 days are first taken off from those who had home service, which are not taken off the other service. So it would be even less.

Mr. JONES of New Mexico. Yes; the Senator is quite right about that.

The next feature of the bill is a most interesting one. It comes under title 3 and bears the title of adjusted service certificates. I wish to state just briefly what the adjusted service certificates are and show the advantage which any ex-service man would have in taking one of the certificates rather than taking cash payment. The cash payment to which he would be entitled is ascertained. To that is added 40 per cent, and then to that is added compound interest at 4½ per cent for 20 years, in order to ascertain the amount of the certificate. In other words, to use roughly an illustration, an ex-service man who would be entitled to $500 as ex-service pay would be entitled under the certificate plan to a certificate of approximately $2,000.

What is this certificate? It is a contract very similar to an endowment life insurance policy on which the person owning the policy may obtain a loan. It means that at the end of 20 years if the ex-service man is still alive he will get $2,000. If he dies the next day after he gets his certificate his dependents will get $2,000. After two years he may make a loan and may obtain from the Government Treasury 90 per cent of his ex-service adjusted pay plus 4½ per cent interest, which will be a little more than the total amount of his adjusted service pay.

Do not Senators believe that the great majority of the ex-service men will avail themselves of that plan? If they do, there will be no drain upon the Treasury under that plan for at least two years, except for those who may die in the meantime. I desire to have the Senate consider whether that is not one of the arguments which makes for the adoption of the bill as an emergency measure at this session of Congress. If we are going to provide the adjusted service pay for these people, if we are going to give to them this endowment insurance policy, ought it not to be given to them now, so that the dependents of those who may pass to the great beyond within the next two years will get some of the benefits of it? That would not make any great drain upon the Treasury of the United States.

Mr. WADSWORTH. Mr. President, has the Senator explained the principle upon which the adjusted pay, known as the cash bonus, is increased by 40 per cent under the provision for a certificate?

Mr. JONES of New Mexico. I believe I have already explained that.

I turn to the next provision of the bill, called the vocational training aid. That plan provides for the payment by way of vocational aid of $1.75 a day while the ex-service man is taking his vocational training. I do not know how many ex-service men would take vocational training. I apprehend there would be a considerable number of them, but there would not be a sufficient number to make any extraordinary drain upon the Treasury of the United States. So, is not the only factor to be considered whether we want to do that thing now, or do we want to defer vocational training aid?

The average age of the ex-service men at the conclusion of the war was 25 years. The average age this year is approaching 28. If we are going to give them any vocational training aid, when do we want to give it? Do we want to wait until they are old and gray, until they have had to mark out their own walks in life without any assistance from their Government? Is that what is wanted? If there is an ex-service man to-day who is willing that his adjusted pay shall be used in his vocational training, it is my humble hope that he may have it before it is too late. Here is a young man looking into the future, desiring a vocation, expecting his Government to aid him in obtaining the training for that vocation. Are we going to wait? Should it not be done now? It will not make any extraordinary drain upon the Treasury of the United States.

Another provision of the bill is that we loan an ex-service man the amount of his adjusted pay with 40 per cent added for the purchase of a home or a farm. Provision is made to see that it shall go into the home or the farm. That might make a considerable drain upon the Treasury of the United States at this time, but if we desire to withhold that provision it would be easy to do it. It is proposed in the bill as presented to the Senate by the committee not only to withhold that provision until January, 1923, but to withhold every other provision of the bill until that time. So far as I am concerned I would let that provision go into the bill now and go into operation now. I do not believe there would be any excessive drain upon the Treasury of the United States by reason of that plan.

Next is the land-settlement feature of the bill. That feature provides for the reclamation of land and to make an arrangement whereby the ex-service men may obtain farms. It provides not only for the irrigation of the arid lands of the West, but the drainage of the swamp lands of the country, and the preparation of the cut-over lands of the country. It is provided in the bill that there should be at least one plan of reclamation in every State in the Union. That simply means that a board is to be organized to spend some money in the bringing together of the data and the information regarding those projects, and finally decide upon the feasibility of the project.

If we are going to do that, when should we start? It will be at least two years, in my humble judgment, if the bill becomes a law during this Congress, before any soldier can obtain a farm under that provision of the bill. We are told that there are thousands of soldiers who want to get homes under that provision of the bill. If we are going to do it, if we desire to pass that kind of legislation, when should we begin? Shall we wait 2 years or 18 months before we even organize the board to begin its work?

Under the provision of the bill it is contemplated to use for that purpose in 10 years the sum of $250,000,000. Why should we not appropriate $25,000,000 now to begin the work at once? If we are going to carry on the program for 10 years why should we not start now when these men are needing just this thing? Look out over the land to-day. We are told there are 3,500,000 men out of employment. I have no doubt there are many thousands of the ex-service men out of employment. If we are going to aid them is not this the time? Are we going to let them drift? It is provided in the bill that if projects are taken up the ex-service men shall be given preference in the building of the work, in the reclaiming of the lands. Do not Senators wish to provide them with an opportunity to get employment now?

Mr. WADSWORTH. Mr. President, will the Senator yield for a moment?

Mr. JONES of New Mexico. Certainly.

Mr. WADSWORTH. Is there an appropriation carried in the bill to begin that work which the Senator has just been describing?

Mr. JONES of New Mexico. Unfortunately the bill does not carry an appropriation for any purpose.

Mr. WADSWORTH. Then, apparently the Senator is not extolling the merits of the bill in that regard.

Mr. JONES of New Mexico. I certainly am not, but I have prepared amendments to the bill which I introduced the other day and which have been printed. I think there should be an immediate appropriation at least for the vocational training and an immediate appropriation for the land-settlement plan.

I called the attention of the Senate to these matters the other day and criticized as severely as I could the fact that we have the bill coming to us from the House and coming to us from the Finance Committee of the Senate without the appropriation of a single dollar to carry into effect a single one of its provisions.

Mr. President, there is another amendment which I have prepared and which I discussed the other day, providing another plan whereby the ex-service men may obtain title to the remaining public lands of the United States. The amendment provides that the amount of their adjusted service pay shall be increased by 40 per cent and that then the ex-service man may apply for the purchase of stock-raising homestead lands or lands of lesser value of an area not exceeding 1,280 acres, at a price of $1.25 an acre. Under the provisions of the amendment the excess of the purchase price above the amount of the ex-service pay shall be settled by amortization payments in installments reaching as far into the future, if need be, as 40 years, and one-half of those proceeds shall go to the State where the lands are situated and the other half into the reclamation fund of the Government. Mr. President, without reading I should like to have printed as a part of my remarks the amendment to which I have just referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment referred to is as follows:

Amendment intended to be proposed by Mr. JONES of New Mexico to the bill (H. R. 14157) to provide adjusted compensation for veterans of the World War; to provide revenue therefor, and for other purposes, viz: On page 34, line 20, insert the following:

TITLE VII.—LAND PURCHASES.

SEC. 701. Any veteran who shall not have obtained any of the benefits of the provisions of the previous titles in this act, and who shall not have any application pending for such benefits, shall have the right to purchase the public lands of the United States as hereinafter provided upon application therefor to the Secretary of the Interior.

SEC. 702. The public lands hereby made available for purchase under the terms and provisions of this title shall include all the unappropriated and unreserved public lands of the United States which have been, or may hereafter be, classified as lands suitable for entry under and in accordance with the provisions of the act, as amended, entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, and commonly known as the "stock-raising homestead law," and all other nonmineral unappropriated and unreserved public lands of the United States, having a value not greater than the land classified in accordance with the provisions of the above-mentioned stock-raising homestead act.

(a) The veteran may purchase of such lands a tract not exceeding 1,280 acres. The selection shall consist of 40 acres or some multiple thereof in a reasonably compact form, and the purchase price shall be $1.25 per acre.

SEC. 703. The Secretary of the Interior, upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is directed to credit to the veteran designated therein, in one payment or in installments, an amount equal to his adjusted service pay increased by 40 per cent. Such credit shall be applied on the purchase price and shall be considered as an initial payment of at least 5 per cent of the total value of such selection.

(a) A veteran may at his option, in lieu of payment in full at the time of entry, pay all balances due upon the purchase price of such land upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 5 per cent, and (2) such amount of the principal as will extinguish the debt within an agreed period not exceeding 40 years. At the option of the veteran the first installment due after the initial payment shall not commence until two years thereafter. The Secretary of the Interior may, in his discretion, whenever he is of the opinion that any emergency has caused default in the payment of any installment of the veteran, postpone the payment of such installment until such date as he deems expedient. Such postponed payments shall continue to bear interest on the unpaid principal at the rate of 5 per cent per annum from the date of the contract of purchase.

SEC. 704. (a) The veteran may, at his option, pay a sum in excess of any installment when due and receive credit therefor, and pay the full amount of the purchase price before maturity. Upon full payment a patent, with the same restrictions as patents authorized under said stock-raising homestead law, shall immediately be issued.

(b) No residence on or cultivation of such lands shall be required.

SEC. 705. If the veteran dies after making application in accordance with the provisions of section 4, and before having entered into a contract of purchase, the amount of his adjusted pay shall be paid to his estate in such installments and at such times as will place the beneficiaries thereof upon the same basis as the veteran would have been if he had originally chosen to receive adjusted service pay as provided in Title II.

(b) If the veteran dies previous to the completion of his contract of purchase, the successor by law to his interest in the land, if a widow or heir at law, may assume the contract of purchase. If the successor is other than a widow or heir at law, the balance due under the contract of purchase shall be due immediately and shall be paid within such time after the death of the veteran as the Secretary of the Interior shall by regulation prescribe.

SEC. 706. No lands, under this title, shall in any event become liable to the satisfaction of any debt contracted prior to the issue of the patent therefor. No transfer, assignment, mortgage, or lease of the interest of any purchaser shall, unless approved by the Secretary of the Interior, be valid previous to the issue of the patent for the land.

SEC. 707. Prior to the issue of a patent for any such land it shall be subject to taxation by any State, or political subdivision thereof, but only upon the appraised value of the owner's interest in the land and improvements thereon. If the owner fails to pay any such tax or assessment, the Secretary of the Interior is authorized to pay any such tax or assessment and to include the amount of the payment, together with interest and penalties at the rate provided by law for delinquent taxes in the State in which the land is located, in the installments payable under the contract of purchase.

SEC. 708. Upon the default of any payment due under, or upon the violation of, the provisions of the sections hereinbefore mentioned under Title VII, the interest of the purchaser shall revert to the United States free of all encumbrances, but subject to the right of the defaulting debtor, or any mortgagee, lien holder, judgment creditor, or subsequent purchaser to redeem the land within one year after the Secretary of the Interior gives notice of such default, by payment of all moneys due with interest at 8 per cent per annum from the date of default, and costs. The Secretary of the Interior, at his option, may cause the land to be sold at any time after such failure to redeem. From the proceeds of the sale the Secretary of the Interior shall retain all moneys due, with interest as provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee. In the case of sale after failure to redeem under this section, the Secretary of the Interior is authorized to bid in such land at not more than the amount in default, including interest and costs.

SEC. 709. The selection and purchase of land under the provisions of this title shall not affect any right or privilege which such veteran has under the homestead and other public land laws of the United States.

SEC. 710. Any and all cash proceeds derived from the operation of this title shall be paid one-half to the State in which the purchased lands are located for the purpose of the support of the public schools or building roads, as the legislature may determine, and the other one-half shall be paid into the reclamation fund of the United States.

Mr. JONES of New Mexico. Mr. President, I realize that I have consumed more time by far than I had any thought of doing when I rose to present the statistics regarding the condition of the Treasury of the United States, but I want to call attention to one other situation which to my mind demands the serious consideration of the Congress and of the country.

I have heard from the other side of the Chamber many criticisms of the present administration because of the lack of preparedness for war. I have also heard from the other side of the Chamber many criticisms of the administration because of unpreparedness for peace. We have had a Republican Congress now in session for two years, and I should like for some Senator on the other side of the Chamber to point to a single measure which has passed this Congress, which is about to expire, looking toward preparedness for peace. We have been in session for almost two years, but who can point to a single measure which makes for preparedness for peace? I do not believe any can be found.

There is, however, a situation which confronts this country that does demand that something shall be done by way of preparedness for peace. During the last year our exports to foreign countries amounted to about eight and a quarter billion dollars; our imports amounted to only about five and a quarter billion dollars, leaving a balance of trade in favor of the United States of about $3,000,000,000. How was that financed? It was not paid for in gold because the gold did not exist. There is in the world to-day, used as money, less than $9,000,000,000 of gold. The United States has more than one-third of it, leaving in the treasuries of all other countries combined less than $6,000,000,000 of gold. Remember the exports from this country last year amounted to over $8,000,000,000. If those countries to whom the exports were sent should undertake to pay for them in gold, it would take all the gold in the world outside of the United States and then they would owe us 33⅓ per cent for one year's exports.

The balance of trade has been financed by the advance of credit by the banks and the business men of this country. How long is that going to continue? How long can that keep up?

Moreover, the great majority of the markets to which we have been sending our products are bankrupt or are nearly so. How long can they continue to purchase exports in such enormous volume? I submit not for long. I do not want to blast the hopes of any of the business interests of the country, but I know they realize the time is at hand when something must be done to take care of the situation. We hear of the blast furnaces cooling down, the men going out of employment. What are we going to do? How is the prosperity of the country to be brought about? How is it to be made secure? How is it to be made to extend into the future? Are we going to do nothing? We have had a Congress here for two years which has not turned a wheel in that direction.

My judgment is that there will be, and by the very nature of the situation there must be, a diminishing of our export trade. If that shall occur, where are we going to find employment for the millions of men who are now out of employment? My judgment is that we have got to turn to internal development, to internal improvement, to use our activities and our energies at home and make this country a better and brighter place in which to live; make it more comfortable for the mothers upon the farms and for those in the humble homes throughout the country. Why should we not do it? Why should we expend all of our energy and all of our efforts in sending steel abroad? Why should we not build good roads at home; why should we not build good schools at home? Why should we not educate

the youth of this land? Why should we not stamp out illiteracy in this land? Why should we not reclaim the arid lands of the West and drain the swamp lands of all sections of the country? Why should not all those things be done?

Mr. President, it has grown almost into a conviction with me that the Senate is whiling away its time wholly unapprehensive of the great emergency which confronts our country and which confronts the ex-service men of our country.

I am not going to move to take up the so-called bonus bill. By the point of order which I made on yesterday I have made it possible to move to replace the naval appropriation bill and take up the bonus bill for consideration. The parliamentary situation now will warrant a motion made by any Senator to take up that bill for consideration. To my mind it is quite evident the naval bill will not pass at this session of Congress, and it is a useless waste of time further to consider it.

Personally, I am in favor of a strong Navy, and I do not mean to voice any opposition to the naval appropriation bill; I do not want anybody to feel that what I am doing here regarding the bonus bill is because of any opposition on my part to the consideration or the passage of the naval appropriation bill; but I think that the burden rests upon the leaders of the majority side of the Chamber to bring the bonus bill before this body. I realize that if I were to make such a motion that it would be defeated unless it had the support of the majority leaders on the other side of the Chamber. So, I feel that I shall have performed my duty when I have explained to the Senate, and I hope to the country, just what the situation is, and then let the responsibility rest upon the side of the Chamber which must bear it.

MILITARY CONFIRMATIONS.

Mr. WADSWORTH. Mr. President, I am instructed by the Committee on Military Affairs to make an additional request with respect to the confirmation of Army promotions, transfers, and original appointments. The list which I am going to send to the desk and ask consideration for has been already reported from the Committee on Military Affairs, and after consultation with the Senator from Tennessee [Mr. MCKELLAR], I desire to say to the Senate there can be no opposition from any source against these nominations. I therefore ask unanimous consent, as in open executive session, that the Senate proceed to accept the report and act upon the nominations.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Is there any objection?

Mr. UNDERWOOD. Mr. President, I have no objection, but I have some curiosity. I should like to know if these nominations are original appointments, or if they are regular appointments?

Mr. WADSWORTH. They are appointments of all kinds. There are a few nominations of chaplain, which are original appointments; there are some appointments by transfer from one branch of the service to another, which does not involve promotion at all; and there are 47 lieutenants being promoted to captains, but they do not happen to fall in the category of those against which the Senator from Tennessee has complained. He has seen the list, and it is entirely agreeable to him.

Mr. ROBINSON. Mr. President, I do not think it has been made clear that the nominations, the confirmation of which was objected to by the Senator from Tennessee, are not to be confirmed under the arrangement which is now suggested by the Senator from New York.

Mr. WADSWORTH. No; they are not.

Mr. ROBINSON. Mr. President, it is merely proposed to confirm certain classes of nominations that do not come within the list mentioned by the Senator from Tennessee. I wish that all of the nominations could be confirmed, not only those on the list presented by the Senator from New York but also the other military nominations which are still pending before the Senate and upon which the Senate has taken no action. I shall certainly not object to the request of the Senator from New York.

Mr. WADSWORTH. I thank the Senator.

Mr. FLETCHER. Mr. President, as I understand, these promotions are not affected by the selective-list basis of promotion at all? They are not affected by that law?

Mr. WADSWORTH. They are not affected in the way to which the Senator from Tennessee objects.

The PRESIDING OFFICER. Is there objection?

Mr. KING. Mr. President, may I inquire of the Senator from New York whether the conference report which I understand has been adopted upon the Army bill and which fixes the number of the personnel of the Army at 150,000 would in any way affect these promotions?

Mr. WADSWORTH. Not at all. The Senator has the number a little low. The Army bill as finally adopted provides for 163,000, but that is just the enlisted men. It also provides for 14,068 officers. These officers whose names are sent in here for confirmation are already in the Army. These are promotions and transfers.

Mr. KING. I did not know but that these promotions, at least some of them, were based upon the presumption that the Army for the next year would be at least 175,000, and from that number up to two hundred and some-odd thousand, and that with the reduction which the bill as it finally passed made in the personnel of the Army it would necessarily affect the promotions.

Mr. WADSWORTH. No; it does not.

Mr. KING. I have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Does the Senator desire to have the names read?

Mr. WADSWORTH. I ask to have the nominations confirmed en bloc, and the President notified.

The PRESIDING OFFICER. Without objection, the nominations will be confirmed en bloc, and the President so notified.

The nominations referred to will be found at the end of today's proceedings.

NOMINATION OF NORMAN H. DAVIS.

Mr. LODGE. I ask unanimous consent, as in open executive session, to have confirmed the nomination from the Foreign Relations Committee which I send to the desk.

The PRESIDING OFFICER. Unanimous consent is asked for the immediate consideration of a nomination which will be stated by the Secretary.

The ASSISTANT SECRETARY. Norman H. Davis, of New York City, to be Undersecretary of State.

The PRESIDING OFFICER. Is there objection to the consideration of the nomination?

Mr. UNDERWOOD. Mr. President, I have no objection whatever. I am very glad to see Mr. Davis confirmed, and I think there are very good reasons for his confirmation; but as a good many others are withheld, I should be glad to have the Senator from Massachusetts make a short statement for the RECORD showing the necessity of the confirmation and why this is differentiated from other nominations.

Mr. LODGE. Mr. President, Mr. Davis is going out of office. In my judgment he has been a very competent officer, and I am very glad that he shall have this confirmation; but there is another question connected with it. He is carrying on negotiations connected with the International Communications Commission as to telegraph lines, and I think it is probable that he will be asked to continue that work after he withdraws from his present office.

Mr. UNDERWOOD. That was my understanding as to why the Senator was willing to have this nomination confirmed, and I think it is very proper that it should be confirmed; but there are a great many confirmations that our side have been beseeched to make, and as the Senator is discriminating I think it is well for the RECORD to show that there is a governmental reason and not a personal reason for discriminating against other people.

Mr. LODGE. If I may say in open session what I should say in executive session, there was a suggestion of confirming him for the position of commissioner on that commission, and he expressed a preference to be confirmed as Undersecretary of State, because the other matter might be arranged better.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none.

Mr. SHIELDS. Mr. President, Mr. Davis is a very able man, a citizen of my State, and I have no doubt that he has rendered very valuable services to his country, both in France, where he assisted in the negotiation of the treaty as one of the financial advisers, and since he returned here as Assistant Secretary of the Treasury and then as Undersecretary of State; and I should be delighted to see him confirmed, and delighted to see any honor conferred upon a Tennesseean.

I have just come into the Chamber, and I understand that there is a motion to confirm Norman H. Davis as Undersecretary of State as in open executive session.

Mr. LODGE. That was the request. It requires unanimous consent.

Mr. SHIELDS. It is a request for unanimous consent to confirm the nomination of Mr. Davis as in open executive session?

Mr. LODGE. Yes. He can be confirmed in no other way; neither can anybody else.

Mr. SHIELDS. Mr. President, I am glad to pay this tribute to the ability of this distinguished Tennesseean.

The PRESIDING OFFICER. Is there objection to the confirmation of Mr. Davis? The Chair hears none, and he is confirmed. The President will be notified.

NOMINATION OF FINIS J. GARRETT.

Mr. SHIELDS. Mr. President, I desire to say that there is another very distinguished Tennesseean, a man with a national reputation, a man known to every citizen of Tennessee, a man whom the people have favored, the confirmation of whose nomination now pending before the Senate—because it has never been referred to the proper committee, the Committee on the Judiciary—is desired, I should say, by nine-tenths of the people of Tennessee.

We have but one Republican daily paper published in Tennessee and it is the only one published south of Mason and Dixon's line. It is a great paper, the Knoxville Journal and Tribune, a prosperous paper, ably edited, broad and liberal. Its editor was a captain in the Federal Army, now growing old, but one of the purest, best, and broadest men that ever lived—Capt. William Rule. I am glad to be able to say here on this occasion that that paper, when this Tennesseean of whom I am going to speak was nominated for a high office in Tennessee, came out in a strong editorial and said that there was some opposition to him, or was supposed to be, on account of politics, and deprecated any such action. It said he was an able man and an able lawyer, an honor to the State, and the paper hoped the Republicans of the United States Senate would offer no objection to him and would confirm the nomination promptly.

That Tennesseean is and has been for 14 years a leading Member of the House of Representatives. He comes here every time practically without opposition. He is a lawyer born. He has as fine a conception of legal principles and discussion as any man I know of anywhere. He has not practiced for that time his profession. He did not practice it a great while in Tennessee, because he was early selected to represent in the House one of the greatest districts in that State, and has been here since. Since he has been here he has studied law, he has devoted himself to the business of the House, and is now one of the greatest lawyers, as shown by the debates, in the House. He has every qualification in character, learning, and ability to discharge the duties of the high office to which he has been nominated. I speak of the Hon. FINIS J. GARRETT, who was nominated by President Wilson as far back as November, 1920, for an office that had been made vacant by the death of Hon. John E. McCall, a distinguished judge, a Republican appointed by President Roosevelt judge of the western judicial district of Tennessee.

There can be no objection to the confirmation of the nomination of FINIS J. GARRETT as judge of that district. There is no reason for it in any way upon his merits and his qualifications. Now, while this request is made, I ask the Senator from Massachusetts, the leader of the Republican side, also to request that in this open executive session Mr. GARRETT'S nomination be confirmed.

Mr. ROBINSON. Mr. President, it was my privilege to serve in the House of Representatives for a period of 10 years with the Hon. FINIS J. GARRETT. He is one of the ablest and most forceful Members of that body. He possesses a brilliant legal mind. He is a great student and a forceful speaker. There is necessity for the confirmation of his appointment, due to the condition of the legal business in the district, the judgeship having been vacant for many months. The business of the district is not only important, but it is very great. There are pending upon the dockets of that district a large number of cases. Every reason exists why this nomination should be confirmed.

In addition to the fact that Mr. GARRETT is a great lawyer, and possessed of a judicial temperament, there is another reason that I want to bring to the attention of the Senate, and particularly to the attention of the Senator from Massachusetts, why this nomination should be acted upon at this time.

Comity between the two Houses of Congress should prompt the Senate to give consideration to this nomination. As all Senators know, there is an unwritten rule in the Senate that when the name of a Member of this body is presented for appointment to office, the Senate acts promptly upon it. Within the period of my service in Congress, extending over 18 years, I never have known an instance in which the Senate failed to confirm a Member of this body when nominated for appointment to another position. The House of Representatives feels that some consideration should be given to nominations of Members of that body; that the Senate, in a spirit of fairness and generosity, ought not to ignore the nominations of its Members to other positions.

Mr. GARRETT is one of the most popular Members who has ever served in the House of Representatives within my experience. His confirmation would be gratifying to all of his associates, without regard to their politics. Perhaps 20 Republican Members of Congress have spoken to me about this case within the last 30 days. There is a feeling in the House that the Senate ought to apply to Members of that body the same rule that it applies to Members of the Senate. In addition to that, there is a deep-seated conviction that on account of the abilities of this nominee, demonstrated throughout 14 years of effective service in the House of Representatives, the Senate ought to treat his nomination with consideration.

I therefore join ardently in the request that the Senator from Tennessee has made.

The PRESIDING OFFICER. Is there objection?

Mr. LODGE. From all I hear, all that the Senator from Tennessee and the Senator from Arkansas have said in regard to Mr. GARRETT is quite true. It is not at all a parallel case to the nomination on which I asked action, for Mr. Davis will go out of his office voluntarily in a very short time, and there is no intention of keeping him. The nomination of Mr. GARRETT is for a position he will hold for life, or during good behavior, a judicial appointment. We are to have a change of administration within a few hours, and I do think that the appointments of Federal judges, where they will hold for life, ought to be reserved for the President who is coming in, and we should not forestall him. Therefore, though it is not an agreeable duty, I shall have to object to Mr. GARRETT'S confirmation.

Mr. UNDERWOOD. Mr. President, of course the Senator has the right to exercise his prerogative, as every other Senator has, and prevent a nomination from going through by unanimous consent. I only want to say that I regret very much that the Senator has found it necessary to make an objection to the confirmation of Representative GARRETT. I recognize the fact that it is natural that the party coming into power should want the offices. It is perfectly natural that they should hold up political appointments. That, to some extent, has been done before. But practically no civil appointments have been allowed to go through at this time. This, I think, is a case where an exception might well be made. A faithful Representative, who is known to us all, has been nominated for a judgeship.

There is a reason why an appointment should not go to action without consideration by a committee where the applicant is unknown, where it is necessary to search out his character and his qualifications. But in this instance that is unnecessary. Every man in the Senate, practically, knows Mr. GARRETT, has known him for years, knows his ability, his high character, his learning, and the many personal qualifications that would make him an excellent judge. I regret very much, personally, that the Senator from Massachusetts is unwilling to give consent to the request of the Senator from Tennessee, and hope he yet may conclude to change his mind with reference to the matter.

Mr. McKELLAR. Mr. President, I just want to say this about the nomination of Mr. GARRETT as judge of the Federal court for the western district of Tennessee: That district has been in existence for many years. It happens to be an overwhelmingly Democratic district, and that court never in its history has been presided over by a Democratic judge. This is the first Democrat, so I am informed, who has ever been nominated for that position in that district.

It just happens that the gentleman nominated is a man known not only to the Members of both Houses of Congress but he is known throughout the country. He is an able, vigorous, fearless legislator; he is a lawyer of ability; and he would make a splendid judge. He is admirably fitted for the place—by education, by training, by ability, by judicial temperament—and I do not believe that anything could be brought against him which would in any way disqualify him for this high place. I hope the Senator from Massachusetts will withdraw his objection to Mr. GARRETT'S confirmation. I believe he is one of the only two men whose names have been sent in for any office who are Members of the House.

Again, while there is no fixed rule about it, it seems to me that as a matter of courtesy to the House the appointment of Mr. GARRETT as Federal judge should be confirmed, both on account of merit and additionally on account of the fact that he is a House Member. I understand the situation which exists, and I hope my distinguished friend from Massachusetts will withdraw his objection and let Mr. GARRETT'S nomination be confirmed.

The PRESIDING OFFICER. Is there objection?

Mr. LODGE. I am very sorry to be disagreeable and to appear unyielding, but this being a request for the confirmation of a judge for life, or during good behavior, while we are on the eve of the inauguration of a new President, I can not in justice to others accede to the request, and I must repeat my objection.

Mr. SHIELDS. I am so much in earnest in behalf of Mr. GARRETT, and I know that I so nearly voice the sentiments of almost the united bar of western Tennessee, that I want to

appeal to Senators on the other side of the Chamber, and especially the Senator from Massachusetts, to be as broad as President Roosevelt was, to be as broad as President Taft was. President Roosevelt appointed Democrats to high judicial offices.

A district court is the lowest of the United States courts, yet those two Presidents appointed circuit judges, and President Taft appointed Mr. Justice White to the highest judicial office in the world.

I would dislike to believe that the President elect, Mr. Harding, is not as broad and liberal and as just a man as his two distinguished predecessors, and I appeal to Senators on the other side to follow the precedents of those Presidents and to do what I believe President Harding is broad enough to do. This nomination is before us, and I hope the Senators on the other side will withdraw their objection and let Mr. Garrett be confirmed.

The PRESIDING OFFICER. Objection has been made.

NOMINATION OF FRED K. NIELSEN.

Mr. KELLOGG. Mr. President, I report from the Judiciary Committee the nomination of Fred K. Nielsen as the Solicitor of the State Department, and ask unanimous consent for its immediate consideration as in open executive session.

The PRESIDING OFFICER. Is there objection?

Mr. UNDERWOOD. What is the request?

The PRESIDING OFFICER. That the nomination of Fred K. Nielsen, of Nebraska, as Solicitor of the Department of State, be confirmed.

Mr. KELLOGG. Mr. Nielsen was appointed in June by the President and has never been confirmed.

Mr. UNDERWOOD. I do not know about this matter. I may not have any objection to it.

Mr. SMOOT. Mr. President, Mr. Nielsen was asked by Norman H. Davis, as a special favor, to give up his law practice in Nebraska and come here as Assistant Solicitor in the State Department. He did so at the earnest request of Mr. Norman Davis—closed his law office and came here—and has been working since June, and the nomination has been sent in. All that is asked that he be confirmed, for that reason only. He did not ask for the appointment, but he served in the State Department for nearly a dozen years, and then went into the practice of the law. A man who had served a long time in the State Department resigned, and they knew nobody in the United States who had the knowledge this man had of the work of the department, and they begged him to come here, and it is only to fulfill really a Government obligation to this man.

Mr. UNDERWOOD. Mr. President, I have no objection to nominations which are valid, nominations of good men, but I do not know anything about this one, and I want to say to the Senator from Minnesota that we will have several hours yet before the Congress adjourns, and this nomination can be confirmed up to the last minute. I ask the Senator to withdraw his request for the present. I will make a little investigation.

Mr. OVERMAN. I want to say to the Senator from Alabama that Mr. Nielsen is a very able man, has been here for a long time, and it seems to me an outrage not to pay him his salary while he is on duty here.

NOMINATION OF MELVIN H. COULSTON.

Mr. BRANDEGEE. Mr. President, I report from the Committee on Patents the nomination of Mr. Melvin H. Coulston, of New York, to be Commissioner of Patents, and I ask unanimous consent, as in open executive session, that the nomination may be confirmed.

Mr. UNDERWOOD. I will say to the Senator from Connecticut that I realize the importance of this proposition. It is necessary to have this man immediately to sign the papers, and I understand the governmental proposition. This is a Government necessity, and I have no objection.

Mr. BRANDEGEE. The present commissioner will withdraw from office very shortly. He is a Democrat, his tenure of office terminates on the 4th of March, and it would leave us with no head to the Patent Office with the power to sign patents.

Mr. SHIELDS. Does the term expire automatically?

Mr. BRANDEGEE. It does.

Mr. SHIELDS. Does he go out of office automatically on the expiration of the term, or does he hold over until his successor is appointed and qualifies?

Mr. BRANDEGEE. The term ends on the 4th of March. I have here a telegram from the former Commissioner of Patents, Mr. Ewing, asking me to do all I can to have this nomination confirmed. He says that the present commissioner will go out of office automatically on March 4, and there will be no one to sign the patents, which are all printed and dated several weeks ahead.

These officials will hold their commissions at the pleasure of the President, for the time being, so that Mr. Harding will not be embarrassed by the confirmation. The same testimony was given before the Committee on Patents by many of the officials of the department. The greatest pressure has been brought to bear upon us not to leave the Government Patent Office without any head to it, even for a few days.

Mr. SHIELDS. Under those circumstances I will not object.

The PRESIDING OFFICER. There being no objection, the nomination of Melvin H. Coulston as Commissioner of Patents is confirmed, and the President will be notified.

COLD-STORAGE FOODS—CONFERENCE REPORT.

Mr. GRONNA submitted the following report:

The second committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That this act may be cited as the 'United States cold storage act.'

"SEC. 2. Whenever used in this act,—

"(a) The term 'person' includes an individual, partnership, corporation, or association;

"(b) The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation;

"(c) The term 'cold storage' means the storage or keeping of any article of food at or below the temperature of 45 degrees above zero (Fahrenheit) in a cold-storage warehouse;

"(d) The term 'article of food' means—

"(1) Meat, meat products (including all edible portions of food animals), poultry and game whether drawn or undrawn, poultry products, game products, fish, fish products, shellfish, oysters and clams;—if fresh, cooked, prepared, cured, or frozen;

"(2) Eggs or portions thereof;—if in shell, dried, or frozen;

"(3) Butter, oleomargarine, lard, lard substitutes, butter substitutes, and cheese;

"(4) Oils for food purposes; and

"(5) Milk, evaporated or powdered;—

"but does not include any such article not intended or designed for food purposes which is plainly and conspicuously marked in such manner as correctly to show the fact in accordance with such regulations as the Secretary of Agriculture shall prescribe;

"(e) The term 'cold-storage warehouse' means any place, including a car, vessel, or other vehicle, in which the temperature is artificially cooled to or artificially maintained at or below 45 degrees above zero (Fahrenheit); but does not include a place used exclusively for storage of any article of food for the sole use of the occupant, owner, or maintainer thereof (1) for consumption by himself or his family or guests, or (2) in his business of serving meals, or (3) in connection with his retail business only, except that such place shall, in respect to any article of food held therein for more than 30 days in connection with such retail business, be deemed a cold-storage warehouse for the whole of the period of storage therein of such article;

"(f) The term 'warehouseman' includes any person maintaining or operating a cold-storage warehouse; and any person who rents and controls a room or space therein; and

"(g) The term 'mark' includes stamp, brand, tag, and label, and the term 'marked' includes stamped, branded, tagged, and labeled.

"SEC. 3. (a) It shall be unlawful at any time more than 30 days after an article of food is first placed in cold storage for any person to ship, deliver for shipment, sell or offer for sale, in commerce, or to hold in cold storage in commerce, or having received in commerce, to sell or offer for sale in the original unbroken package, such article of food, unless it is plainly and conspicuously marked, in accordance with this act and the regulations thereunder, in such manner as correctly to show (1) the words 'cold storage,' (2) all the dates when put in and taken

out of cold storage, and (3) the names and locations of all the cold-storage warehouses in which stored, or suitable distinguishing designations thereof approved by the Secretary of Agriculture for the purpose.

"(b) If any article of food which is required by subdivision (a) of this section to be marked, is subdivided, or is in or is placed in a container, or is transferred to a different container, the person who is liable under this act for any failure to have such article of food marked, shall mark the subdivision or the container thereof in the same manner as provided by subdivision (a).

"(c) If (1) an article of food that has not been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage, or (2) the containers of such articles of food are mixed or mingled, or (3) an article of food that is or has been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage during a different period of time, or (4) the containers of such articles of food are mixed or mingled; then for the purposes of subdivisions (a) and (b) of this section and for the purposes of section 6, the dates required to be placed upon the article of food, if any, resulting from such mixing or mingling, or upon the containers so mixed or mingled, and from which the periods of time referred to in subdivision (a) and in section 6 are to be computed, shall be those of that one of such articles of food which was first placed in cold storage, and the names and locations of cold-storage warehouses shall be those of all such warehouses in which each of such articles of food is or has been held in cold storage.

"SEC. 4. If the Secretary of Agriculture finds that the proper and customary manner of handling any article of food is such that it is commercially impracticable to mark the same or the container thereof in accordance with this act, the person otherwise required under this act to have the same so marked shall furnish or display, as the Secretary of Agriculture may require, to the receiver of such article of food a written statement, or an invoice or bill of lading or other shipping document, which shall describe such article of food, shall correctly state the facts otherwise required by this act to be marked, in the manner prescribed in the regulations under this act, and shall be preserved and be subject to examination by an officer, employee, or agent duly authorized under this act, for such reasonable length of time as the Secretary of Agriculture deems necessary for the purposes of this act; except that, in the case, under this section, of a sale at retail to the consumer, the facts required by clauses (2) and (3) of subdivision (a) of section 3 may be omitted, unless otherwise requested by such consumer.

"SEC. 5. Except as otherwise permitted by this act, it shall be unlawful for any person (a) to alter, mutilate, destroy, obscure, obliterate, or remove any mark required by this act to be placed on any article of food or the container thereof, while it is in commerce or, having been transported in commerce, remains unloaded, unsold, or in the original, unbroken package, or (b) to alter, mutilate, destroy, obscure, or obliterate any statement, invoice, or document or portion thereof, required to be furnished or displayed, during the time the same is required to be preserved under section 4.

"SEC. 6. It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale, in commerce, or to hold in cold storage in commerce, any article of food, or having received in commerce, to sell or offer for sale, in the original, unbroken package any article of food, after the expiration of 12 months following the date when such article of food was first placed in cold storage; except (1) that the Secretary of Agriculture may in such instances in respect to frozen eggs and portions thereof as he deems advisable, extend such period of time to not more than 18 months following the date when such eggs or portions thereof were first placed in cold storage, and (2) that the above provisions of this section shall not apply to cheese held for the purpose of ripening and improving the quality thereof.

"SEC. 7. The provisions of sections 3, 4, 5, and 6 shall not apply to any article of food shipped or sold or delivered for shipment to any foreign country, if in respect to the requirements of such section, the article of food complies with the specifications and directions of the purchaser or consignee in such foreign country and is not in contravention of the laws of such country; but if the article of food is not actually exported, this section shall not exempt such article of food from the operation of sections 3, 4, 5, and 6.

"SEC. 8. (a) No person shall receive in commerce any article of food for cold storage after the cold-storage warehouse in which it is to be stored is found by the Secretary of Agriculture, after due notice and hearing, to be insanitary or otherwise unfit for the storage of any such article of food. Such finding shall remain in force until the Secretary shall, after further hearing, determine that such condition has been remedied.

"(b) No person shall receive in commerce any article of food for cold storage in a cold-storage warehouse if such person has refused inspection, when requested under this act, of such warehouse; nor shall any person ship in commerce any article of food if he has refused inspection of such article of food when requested under this act.

"SEC. 9. In order to carry out the provisions of this act, the Secretary of Agriculture or any officer, employee, or agent specifically authorized by him in writing for the purpose may, on any business day during the usual hours of business, enter any cold-storage warehouse which receives, or from which is shipped or delivered, any article of food, in commerce, and may inspect such warehouse and the contents thereof, and any statements, books, papers, letters, or documents relating thereto.

"SEC. 10. (a) In order to carry out the provisions of this act and to provide information for the Congress, every warehouseman shall keep such records and accounts and make such reports, in such manner and form, verified under oath or otherwise, every three months and at such other times as the Secretary of Agriculture may require as to (1) the amounts and kinds of all articles of food or foodstuffs held or in transit in cold storage by such warehouseman, (2) loans made by such warehouseman upon the security of such articles or foodstuffs, (3) charges made by such warehouseman for storage and other services rendered by him, and (4) the size or capacity of his warehouse. The Secretary of Agriculture in his discretion may at any time require such further reports as he deems necessary or proper concerning the ownership, receipt, delivery, or transportation of any such articles of food or foodstuffs. Any information obtained by the Secretary of Agriculture under this act shall be available for the use of either House of Congress. The Secretary of Agriculture shall cause such information as may be of public interest to be published from time to time.

"(b) No person shall willfully (1) fail or refuse to make full and true entries or make any false entry in the accounts or records of his business required to be kept pursuant to this section, or (2) alter, mutilate, conceal, or destroy any such account or record, or (3) make any report required under this section which is false or fraudulent in any material particular, or (4) fail or refuse to make any report required under this section.

"SEC. 11. No person shall willfully hinder, obstruct, or resist the Secretary of Agriculture or any duly authorized officer, employee, or agent, in the performance of his duties under this act.

"SEC. 12. Any person who violates any provision of section 3, 4, 5, 6, 8, 10, 11, or 16 shall upon conviction thereof be punished by a fine not exceeding $1,000 or imprisonment not more than one year, or both. After judgment of any court with respect to any violation of this act, the Secretary of Agriculture may give notice thereof by publication in such manner as he by regulation may prescribe. A person shall not be prosecuted for any violation of section 3, 4, or 6, resulting from the act, omission, or failure of any other person not acting for or employed by him, prior to the time when the article of food involved came into his possession or control, if he shows that such violation was not knowingly committed by him and also (except in such cases as the Secretary of Agriculture deems necessary and advisable and shall by regulation prescribe), establishes a written guaranty signed by such other person, who shall be a resident of the United States, from whom he obtained the possession or control of such article of food, to the effect that such article of food has not been in cold storage or that, if it has been in cold storage and is apparently marked or represented in accordance with subdivision (d) of section 2 or section 3 or 4, the marks or representations are true. The guaranty shall contain the address of the person required to sign it, and such person shall be amenable to the prosecution, fine, penalty, or imprisonment which would otherwise attach to the person to whom he delivered the possession or control of the article of food.

"SEC. 13. (a) When construing and enforcing the provisions of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case also be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

"(b) If any person acting for or employed by any individual, partnership, corporation, or association, negligently or willfully omits personally to perform any necessary act or properly to supervise or apportion duties among his subordinates, in the execution of the authority or functions vested in him, and by reason of such omission a violation of this act directly results, he

shall be liable to all the penal and other provisions of this act with respect to such violation; but nothing in this subdivision shall be held to relieve the individual, partnership, corporation, or association from such provisions.

"(c) The provisions of this section shall be held to extend and not to limit the application of section 37 or 332 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, as amended.

"SEC. 14. (a) Whenever in the case of any article of food being offered for importation, the Secretary of Agriculture has reason to believe that any provision of this act is being violated with respect to such article of food, he shall give due notice and opportunity for hearing thereon to the owner or consignee, and certify such fact to the Secretary of the Treasury, who shall thereupon (1) refuse admission and delivery to the consignee of such article of food, or (2) deliver such article of food to the consignee pending examination, hearing, and decision in the matter on the execution of a penal bond to the amount of the full invoice value of such article of food, together with the duty thereon, if any, and to the effect that on refusal to return such article of food for any cause to the Secretary of the Treasury when demanded, for the purpose of excluding it from the country or for any other purpose, the consignee shall forfeit the full amount of the bond.

"(b) If, after proceeding in accordance with subdivision (a) of this section, the Secretary of Agriculture is satisfied that any provision of this act is being violated with respect to such article of food, he shall certify the fact to the Secretary of the Treasury, who shall thereupon notify the owner or consignee and cause the sale or other disposition of such article of food refused admission and delivery or entered under bond, unless it is exported by the owner or consignee within three months from the date of such notice, under such regulations as the Secretary of the Treasury may prescribe. All charges for storage, cartage, or labor on any such article of food which is refused admission or delivery or is entered upon bond shall be paid by the owner or consignee.

"SEC. 15. Whenever it appears that any article of food in cold storage in commerce is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, the Secretary of Agriculture may cause the immediate seizure of such article of food and thereupon shall at once cause notice of the facts to be given to the United States district attorney for the district in which the article of food is seized. Such district attorney shall proceed without delay against such article of food in any court of the United States in such district for confiscation by process of libel for condemnation. If in the opinion of the court the article of food is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, it shall be immediately disposed of by destruction or sale as the court shall direct, but such disposition shall not be contrary to any law of the United States, or of the State, Territory, or District where such destruction or sale takes place. The proceeds of any sale under this section, less legal costs and charges, shall be paid to the person entitled thereto. The proceedings in such libel for condemnation shall conform as nearly as may be to proceedings in admiralty and shall be at the suit and in the name of the United States. For the purposes of this section the Secretary of Agriculture may cause investigations, inspections, analyses, and tests to be made and samples to be collected of any article of food in commerce. The Department of Agriculture shall pay to the person entitled, upon his request, the reasonable market value of any such samples.

"SEC. 16. The Secretary of Agriculture is authorized to designate in writing specifically officers, employees, and agents of the Department of Agriculture to administer oaths for the purpose of this act. All such officers, employees, and agents are authorized and empowered to administer to or take from any person an oath, affirmation, or affidavit for the purposes of this act, or for use in prosecutions or proceedings thereunder. Any such oath, affirmation, or affidavit, authenticated by the official seal of the Department of Agriculture, shall, when offered for use in any proceeding under this act or in any court of the United States, have like force and effect as if administered or taken by or before the clerk of such court, without further proof of the identity or authority of such officer, employee, or agent. No such officer, employee, or agent shall demand or accept any fee or compensation whatsoever for administering or taking any oath, affirmation, or affidavit under the authority conferred by this act.

"SEC. 17. For the enforcement of this act the sum of $200,000 is hereby appropriated, to be available until expended, out of any moneys in the Treasury not otherwise appropriated, and the Secretary of Agriculture (a) is authorized to prescribe and promulgate such regulations as may be necessary; (b) may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and (c) shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere.

"SEC. 18. This act shall take effect and be in force from and after its passage; but no penalty, fine, forfeiture, or imprisonment shall be enforced for any violation occurring within 90 days after its passage.

"SEC. 19. No provision of this act shall be deemed to repeal or limit the operation of any provision of any other act of Congress, unless directly in conflict therewith.

"SEC. 20. If any provision of this act or the application of such provision to certain circumstances is held unconstitutional, the remainder of the act and the application of such provision to circumstances other than those as to which it is held unconstitutional shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed by the Senate insert the following:

"An act to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce; and for other purposes."

And the Senate agree to the same.

A. J. GRONNA,
E. D. SMITH,
Managers on the part of the Senate.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.

Mr. GRONNA. Mr. President, on the 9th day of February I submitted to the Senate a conference report on House bill 9521, the cold-storage bill. It passed this body unanimously, but the House objected to certain provisions. I want to explain those provisions very briefly before I ask unanimous consent for immediate consideration of the report.

The conferees have again agreed. There was objection in the House to the provision fixing a period of 10 days for free cooling. It was thought that the time was insufficient. The Senate bill originally contained a provision for 30 days. The conferees have now stricken out the provision for free cooling, and have submitted in section 3, subsection a, the following, which I wish to read:

Section 3(a). It shall be unlawful at any time more than 30 days after an article of food is first placed in cold storage for any person to ship, deliver for shipment, sell or offer for sale, in commerce, or to hold in cold storage in commerce, or, having received in commerce, to sell or offer for sale in the original unbroken package, such article of food unless it is plainly and conspicuously marked in accordance with this act and the regulations thereunder, in such manner as correctly to show (1) the words "cold storage," (2) all the dates when put in and taken out of cold storage, and (3) the names and locations of all the cold-storage warehouses in which stored, or suitable distinguishing designations thereof approved by the Secretary of Agriculture for the purpose.

That gives the shipper 30 days before he will be compelled to mark the goods at all. Then there is a provision in the bill which gives an additional 30 days in cold storage before the article of food has to be sold as an article of food having been in cold storage; in other words, it gives a period of time of 60 days in all before the article of food becomes an article of food in cold storage.

Mr. SMOOT. Before it requires marking as such.

Mr. GRONNA. Yes. The other provision is in section 10. There were, inadvertently, two or three words left out and the conferees have rewritten section 10. These are the only changes made in the bill. I ask unanimous consent for the immediate consideration of the conference report.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent for the present consideration of the conference report. Is there objection?

Mr. JONES of Washington. Mr. President, this is legislation of tremendous importance and is of special importance to our section of the country. There were many protests came in after

the conference report was agreed to before. I have, of course, relied upon the conferees. I have not had the time to look into the matter very closely. Furthermore, when the conference report was brought in before it rewrote some of the important provisions of the bill, but I was assured by the Senator from North Dakota that it would not injure any of the agricultural interests. I know that he was perfectly honest in that opinion, but when the people of my section became acquainted with the terms of the proposed bill they were opposed to it, and especially those interested in the production of fruits, such as apples.

Mr. GRONNA. Let me say to the Senator that fruit is not included in the bill.

Mr. JONES of Washington. Apples would not be covered?

Mr. GRONNA. No; fresh fruit and fresh vegetables are eliminated from the bill entirely.

Mr. JONES of Washington. Apples that have been in cold storage would be considered as fresh fruit?

Mr. GRONNA. Absolutely. They are not included under the terms of the bill.

Mr. JONES of Washington. Upon that assurance of the Senator from North Dakota I shall not object.

Mr. GRONNA. I assure the Senator they are not included. The Senator from Oregon [Mr. McNARY] is a member of the committee and was interested in that same feature.

Mr. POINDEXTER. Mr. President, may I inquire what period of time the articles included within the provisions of the bill may be in cold storage before the time begins to run in the limit of time fixed by the bill?

Mr. GRONNA. Sixty days.

Mr. POINDEXTER. That includes the cold storage of articles in shipment in refrigerator cars?

Mr. GRONNA. That is correct.

Mr. KING. May I inquire of the Senator whether the bill relates to dehydrated fruit and dried fruit?

Mr. GRONNA. No; it does not include fruit of any kind, I will say to the Senator.

Mr. KING. I have had a number of protests in regard to eggs, and I am not quite clear as to the character of the protests. May I ask the Senator whether the bill now eliminates the objections which were made and, as I understand, made in very great number to those provisions of the bill which related to eggs?

Mr. GRONNA. There was a misunderstanding as to eggs, I think. The bill provides that an article of food having been in cold storage 12 months can not be shipped or enter into commerce or be sold as a food product at all. It was claimed by those who are engaged in the industry of frozen eggs that that time was insufficient, so we have left it discretionary with the Secretary of Agriculture to extend the time to 18 months in the case of frozen eggs. I am sure the objections have been eliminated.

Mr. KING. I recall now that some of the letters which I received indicated that frozen eggs would keep indefinitely, and that there ought not to be any limitation whatever in respect to that commodity.

Mr. GRONNA. I will say to the Senator that there is a deterioration in eggs as well as in other food products after 12 months. We had extended hearings on that. While they may be kept for 18 months and still be fit as an article of food, yet there is a deterioration after 6 months, and especially after 12 months.

Mr. KING. I am not sufficiently advised as to the merits and demerits of the bill to make any objection to the confirmation of the report, but I shall feel constrained to vote against the report. I shall not, however, object to its consideration.

The PRESIDENT pro tempore. Is there any objection to the present consideration of the conference report?

The report was considered and agreed to.

WASHINGTON MARKET CO.

Mr. MOSES. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 9036) to repeal and annul certain acts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent for the present consideration of House bill 9036. Is there objection?

Mr. UNDERWOOD. Let the bill be read.

Mr. JONES of Washington. Mr. President, I have understood that it is the desire to take a recess until 8 or 8.30 o'clock and then take up the calendar for unobjected House bills. I think we ought to do something of that kind.

Mr. MOSES. I made my request because I understood just the contrary and that this is the time to prefer unanimous-consent requests. It will not take two minutes to dispose of the bill.

Mr. JONES of Washington. I do not object to consideration of the bill, but I think we ought to have some understanding about these matters. I would be glad to continue in session now and take up unobjected House bills.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill? The Chair hears none.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9036) to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870, which was read as follows:

Be it enacted, etc., That it is hereby declared to be the desire, purpose, and intent of the United States to annul and hold for naught the lease made by Congress to the Washington Market Co. of reservation No. 7, in the District of Columbia, and to take over unto its own ownership, use, occupancy, and control the said grounds and buildings and improvements thereon and therein now held and occupied by the said market company and its tenants under authority of an act approved May 20, 1870, entitled "An act to incorporate the Washington Market Co.," and acts or laws amendatory thereof or supplemental thereto.

SEC. 2. That all of said market grounds and buildings, together with all improvements thereon and therein, shall be surrendered by the market company and taken over by and appropriated to and for the United States on the date of the payment to the said market company of a sum of money equal to 75 per cent of the amount of the award hereinafter provided, which said payment shall be made upon the filing of the award by the commission to be appointed as hereinafter provided, and the remainder of said award, with interest thereon at the rate of 5 per cent per annum until paid, shall be paid to the said market company at the expiration of 30 days thereafter unless an appeal is noted to the Court of Appeals of the District of Columbia, as hereinafter provided; and, in the event of such appeal, the balance unpaid of the award as finally determined shall be paid to the said market company within 20 days from the date judgment is rendered by said court of appeals, with interest thereon as hereinbefore provided.

Upon securing possession of said premises, and, until otherwise directed by Congress, the complete possession and control of said grounds, buildings, and improvements shall, for the benefit of the United States, vest in the Secretary of Agriculture, who shall first reserve so much of the grounds and space in said buildings as he may deem necessary for the use of the United States; and, after such reservation shall have been made, and until Congress shall otherwise direct, any remaining portion or portions of the said grounds, buildings, or improvements may be rented by the Secretary of Agriculture to the present tenants or to any other person or persons for such rental as may be agreed upon by the parties; but, in no event, shall any part of the premises be subleased by the tenant. The Secretary of Agriculture is hereby empowered and directed to make and enforce such rules and regulations for the management and control of the said property as he may deem best for the enforcement of the provisions of said act.

The said Secretary shall not make or enter into any lease for any part of said premises for a longer period than one year, and all such leases and contracts shall be subject to cancellation and annulment by Congress at any time; and all revenues derived from said premises shall be the property of the United States. The rents and storage charges which are due or may become due to the market company up to the date of the taking over by the United States, but which remain unpaid at the time the property is taken over by the United States, shall belong to the market company; but if any rents or storage charges have been paid to the market company, on account of said reservation No. 7, for any period terminating on a date later than that of the taking over of the property by the United States, the market company shall account to and pay to the United States the proportion of such rents and storage charges which the unexpired portion of the period bears to the whole period for which payment has been made. Nothing herein shall be so construed as to relieve the market company of its liability for rentals, imposed by existing law, for any part of the period during which the property remains in the possession of the market company. Neither shall the market company be released from the payment of any taxes owing by them on account of said reservation No. 7 when taken over by the United States under the terms of this act; but the said market company shall not be chargeable with or liable for rental or taxes beyond the date of the taking over of said property.

The Secretary of Agriculture is hereby authorized, out of appropriations made by Congress from time to time for that purpose, to employ such persons and purchase such materials as may be essential to the operation or maintenance of said property and for the proper management and control thereof; and he shall render a detailed report to Congress at the beginning of each regular term thereof of all revenues derived from and expenditures made on the said property.

SEC. 3. That the President of the United States, as soon as is practicable after the approval of this act, shall appoint a commission composed of three disinterested men, not more than one of whom shall be a resident of the District of Columbia, to appraise the said buildings and improvements thereon and therein which were erected or made at the expense of the Washington Market Co., and which stand and remain upon said reservation; the valuation thereof to be determined as of the date of filing said award; and the finding of a majority of said commission shall constitute the award. Any member of the commission who may dissent from the award made by the majority thereof shall make a minority report in writing, which shall be filed with the award and made part of the record to be considered by the court of appeals, if an appeal be taken as hereinafter provided. A copy thereof shall be delivered to the market company at the same time and place that the award is delivered.

No one shall be appointed on said commission if he be either a Member of Congress or an ex-Member thereof; nor if he be an officer or employee of the United States; nor if he be a stockholder in, or the owner or pledgee of any bond of the market company; nor if he be a creditor or debtor of the said market company or of any officer or stockholder thereof; nor if he be an officer or stockholder of any corporation which is either a creditor or debtor of any officer or stockholder of the market company; nor if he be, directly or indirectly, in-

terested financially in the market company, any of its officers, stockholders or bondholders; nor if he be a tenant, lessee, bailee or bailor of the market company; nor if he be the owner or pledgee of any bond or of any of the capital stock of the market company; nor if he be an officer, agent, employee, tenant, bailee, or bailor of any firm, copartnership or corporation which is a tenant, bailee, or bailor of the market company; nor if he be attorney for any of the aforesaid.

Before entering upon the discharge of his duties, each member of said commission shall make oath before a justice of the Supreme Court of the District of Columbia to faithfully and impartially perform his duties according to law; and at the same time, that he is qualified under the provisions of this section, which oath shall be spread upon the order book of said court.

SEC. 4. That the said commission shall have power, and it shall be its duty, to subpœna witnesses, with or without books or papers, before it for either of the parties, and to require such witnesses to testify under oath administered by the chairman of said commission or by anyone authorized to administer oaths. Said commission shall give each party a full hearing on the question of what is a fair and just valuation of the buildings and improvements erected and made at the expense of the said market company on said premises, and remaining thereon when the award is made. And the commission shall daily furnish to the Attorney General and to the market company a stenographic copy of each day's proceedings.

Thereafter the said commission shall fix the amount to be awarded as a fair and just valuation of the buildings and improvements erected and made on said premises at the expense of the said market company and remaining thereon when the award is made; and the award of the commission, together with the record and evidence on which the same is based, shall, within six months from the date of the appointment and qualification of the members thereof, be filed in the office of the clerk of the Court of Appeals of the District of Columbia, and copies of said award and minority report or finding, if any, together with said record and evidence, shall, on the day of the filing thereof, be delivered by said commission to the Attorney General of the United States and to the market company at its principal place of business in the District of Columbia.

If either party be dissatisfied with the amount of the award, such dissatisfied party may take an appeal to the Court of Appeals of the District of Columbia by noting in the office of the clerk of the court of appeals an appeal therefrom within 30 days after the filing of said award, and perfect the said appeal within 60 days thereafter by filing the entire record, or a copy thereof, certified by the chairman or any two members of said commission, and filing it in the office of the clerk of the Court of Appeals of the District of Columbia, which court is hereby vested with jurisdiction to hear and determine such appeal, and may revise the amount of the award as shall be just; and the judgment rendered by said court shall be final.

SEC. 5. That it shall be the duty of the Supreme Court of the District of Columbia, by contempt proceedings or otherwise, to compel witnesses to obey the subpœnas hereinbefore provided for; to produce all records, and to testify before said commission, and generally to require observance of all reasonable rules and regulations adopted by the said commission.

SEC. 6. That a sufficient sum of money is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be disbursed by the President, to pay said award and interest and to compensate the members of said commission and a secretary and stenographer thereof to be chosen by said commission: *Provided*, That the total compensation made the members of the commission and the secretary thereof, including the stenographer and necessary expenses, shall not exceed $35,000.

SEC. 7. That it shall be the duty of the Attorney General to assign one or more of the attorneys in the Department of Justice to represent the interests of the United States before said commission and before the court of appeals, if an appeal should be prosecuted thereto, and, generally, to represent the United States in all steps and proceedings looking to the enforcement of this act.

SEC. 8. That if at any time the Secretary of Agriculture, or his successor in charge of said reservation, should become satisfied that any lessee of said reservation, or any part thereof, or any person having property stored thereon, is guilty of overcharging, extortion, profiteering, or making any unconscionable bargain or sale he is hereby empowered and directed to cause such person, together with his goods and wares, to be ejected therefrom; and, further, forever afterwards denied the privilege of trading or being employed therein in any capacity whatever. The right or authority of the Secretary of Agriculture, or his successor in control of said reservation, to summarily and forthwith eject therefrom, as aforesaid, and to cancel the lease or contract of storage—either or both—without recourse to any judicial tribunal, of any person so offending is hereby made specific and mandatory. And no contract of lease or for storage shall be made or entered into by the said Secretary, or his successor, without such a provision being incorporated therein and agreed to by the lessee or bailor. If any such offending lessee or bailor be a firm, joint-stock company, copartnership or corporation, no member of, or stockholder in, any such concern shall be permitted thereafter to trade in said reservation or to store any article of merchandise or commerce therein.

The words "lessee," "bailor," "bailee," and "person" used herein shall, for the purposes of this act, be construed to include any firm, copartnership, joint-stock company and corporation.

SEC. 9. That all laws and acts, or parts of laws or acts, to the extent that they are in conflict herewith are hereby repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOMINATION OF HENRY T. RAINEY.

Mr. SIMMONS. Mr. President, I desire to ask, as in open executive session, for the confirmation of the nomination of the Hon. HENRY T. RAINEY to the position of member of the Tariff Commission. Mr. RAINEY is a Member of the House of Representatives. He has been a Member of that body, I understand, for the past 18 or 20 years, and if any courtesies are to be extended to Members of the House, they surely ought to be extended to Mr. RAINEY in the present instance. I think we always have had here a rule to extend such courtesy to Members of the House as well as Members of the Senate nominated to positions for which confirmation by the Senate is required.

Mr. RAINEY has been for many years a member of the Ways and Means Committee of the House. He is now the ranking minority member of that committee in the absence of Mr. KITCHIN. His ability as a legislator and as a lawyer is beyond question. I know of no man in the House who possesses a greater amount of information and who has a better grasp of matters pertaining to tariff legislation and the imposition of tariff duties than has Mr. RAINEY.

I think every Member of this body is acquainted with Mr. RAINEY, because he is a man of national reputation; is one of the most prominent Members of the other House, and has been so for years. I think every man who knows Mr. RAINEY will bear witness to the truth of my statement that he is eminently fitted for the position to which he has been nominated by the President of the United States.

Mr. President, I wish to call the attention of my colleagues upon the other side of the Chamber to another fact in reference to this appointment. Senators will recall that the Tariff Commission is a bipartisan body. In the statute creating it, it is expressly provided that the appointees shall be divided between the two parties. Mr. RAINEY, though a Democrat appointed by a Democratic President, is appointed as one of the Democratic members of that body, as one of the members to which the Democratic Party under the law is entitled upon that body. I appeal to Senators not to apply to this nomination the rule which they have generally applied to Mr. Wilson's nominations during this session.

Whenever Mr. Wilson has sent up a nomination here during this session it has been said that the matter ought to be left open in order that the incoming President might make his own selection to help him in the administration of the affairs of the Government. This position now open on the Tariff Commission being a position to which a Democrat is entitled to be appointed, it does seem to me that that rule ought not to apply in this instance, and that the outgoing Democratic President ought to be permitted to fill the position rather than to hold it open in order that the Republican President may fill it.

I wish under these circumstances especially to appeal to my colleagues on the other side to permit the confirmation of this nomination.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent for the present consideration——

Mr. MOSES. I object.

The PRESIDENT pro tempore. Just a moment. Let the Chair state the question before any Senator objects. The Senator from North Carolina asks unanimous consent for the present consideration, as in open executive session, of the nomination of HENRY T. RAINEY as a member of the Tariff Commission. Is there objection?

Mr. MOSES. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

CONFIRMATION OF NAVAL NOMINATIONS.

Mr. POINDEXTER. Mr. President, as in open executive session, I move that the Senate advise and consent to the list of nominations in the naval service which I send to the desk. I ask unanimous consent that they be considered en bloc and that the President be notified.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent for the present consideration, as in open executive session, of certain nominations which the Secretary will report.

Mr. SWANSON. I do not ask to have the nominations read, but I should like to ask the Senator from Washington as to the substance of the request. Who are included in these nominations?

Mr. POINDEXTER. All of the naval nominations are included except the bureau chiefs. The list does not include nominations in the Marine Corps.

Mr. SWANSON. Then, I understand that nominations in the Marine Corps below brigadier general are not included.

Mr. POINDEXTER. No; they are not.

Mr. SWANSON. I should like for the Senator to include in his report all appointments in the Marine Corps except brigadier general.

Mr. POINDEXTER. I will ask the Senator to withhold that request until I can hold a conference with him. I will say there are certain complications in regard to the effect of confirming a portion of the list of nominations in the Marine Corps without taking action on others which need to be straightened out. There will be opportunity a little later to take up separately the matter of the Marine Corps nominations. Has the Senator any objection to the confirmation of the naval appointments?

Mr. SWANSON. I have no objection to that.

Mr. POINDEXTER. Let us have that disposed of.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington?

Mr. KING. May I ask, merely for information, of the Senator if the personnel of the Navy shall not be increased but shall be reduced to 100,000 will some of the officers whose names are embraced in this list be promoted?

Mr. POINDEXTER. Oh, yes; they would all be promoted.

Mr. KING. Regardless of the number of the personnel?

Mr. POINDEXTER. Entirely regardless of that, because there is a great shortage of commissioned officers in the Navy even if the enlisted strength should be reduced below 100,000 men. Mr. President, as I understand, my request has been granted?

The PRESIDENT pro tempore. If there be no objection, the reading of the report will be dispensed with; and, if there be no objection, the nominations reported will be confirmed en bloc, and the President will be notified. The Chair hears none.

Mr. POINDEXTER. Mr. President, I move that the Senate take a recess until the hour of 8.30 p. m.

Mr. SWANSON. I simply wish to make an inquiry of the Senator from Washington.

Mr. POINDEXTER. I withdraw my request until I hear the Senator from Virginia.

Mr. SWANSON. The Marine Corps and the Army have always been treated similarly; they have been governed by similar rules; similar methods of promotion have obtained; the officers of the respective services have enjoyed similar rank and similar pay. All the Army appointments below the grade of brigadier general have been confirmed regardless of the effect it might have on others. It does seem to me right and proper, therefore, that the Marine Corps should have the same right extended to it as has heretofore been accorded to the Army.

I ask the Senators to let the nominations in the Marine Corps below grades of brigadier general be acted upon.

Mr. POINDEXTER. I have already explained to the Senator from Virginia that I should like an opportunity to talk with him about the matter. There will be an opportunity later this evening to take up the subject to which he refers.

Mr. SMITH of South Carolina. Mr. President——

Mr. POINDEXTER. I yield to the Senator from South Carolina.

BRIDGES ACROSS SAVANNAH RIVER.

Mr. SMITH of South Carolina. Mr. President, I wish to obtain consideration for two bills, one of which passed the Senate yesterday and went to the other House, and the House has passed a similar bill, which is now on the Senate Calendar. I wish to ask that the Senate consider and pass these two bills, being House bill 10883 and House bill 10963.

Mr. CURTIS. Let us have the bills read before consent is given for their consideration.

Mr. POINDEXTER. I ask that the question be put on my motion that the Senate take a recess until 8.30 o'clock this afternoon.

The PRESIDENT pro tempore. Does the Senator from Washington object to the request of the Senator from South Carolina?

Mr. POINDEXTER. I do not.

Mr. CURTIS. Mr. President, I should like to have the titles of the bills stated before unanimous consent is given for their consideration.

Mr. SMITH of South Carolina. They are only bridge bills.

Mr. CURTIS. If they are only bridge bills, I shall not object to their consideration.

Mr. SMITH of South Carolina. I first ask unanimous consent for the consideration of House bill 10883.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10883) to authorize the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SMITH of South Carolina. I now ask unanimous consent for the immediate consideration of the bill (H. R. 10963) granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, between the counties of Anderson, S. C., and Hart, Ga.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. HENDERSON. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Nevada.

Mr. HENDERSON. I desire to present to the Senate a joint resolution of the Legislature of the State of Nevada, memorializing the Congress of the United States to enact into law Senate bill No. 4678.

I will state, for the benefit of the Senate and of the Senator from Washington [Mr. POINDEXTER], who is chairman of the Committee on Mines and Mining, that I introduced the bill referred to last December. Its purpose is to change the time for the performance of the annual assessment work on mining claims. The Senator is familiar with it. The bill if enacted into law would accomplish great good to the West, and I hope that he will bear the matter in mind.

Mr. POINDEXTER. I shall be glad to do so.

The joint resolution of the Legislature of Nevada was referred to the Committee on Mines and Mining, as follows:

Senate joint resolution memorializing the Congress of the United States to enact into law Senate bill No. 4678, changing the time for the performance of annual assessment work on mining claims.

Whereas there is now pending in the Senate of the United States, Senate bill No. 4678, introduced by Senator CHARLES B. HENDERSON, of Nevada; and

Whereas said bill amends the present law relative to the performance of assessment work and provides that the period in which annual assessment work shall be done in each year shall be between the 30th day of June of one year and the 1st day of July of the succeeding year; and

Whereas said bill if passed will be of inestimable benefit to prospectors and mine owners of Nevada: Now, therefore, be it

Resolved by the Senate (the assembly concurring), That the Congress of the United States be, and it is hereby, memorialized to enact into law said Senate bill No. 4678; and be it further

Resolved, That the Senators representing Nevada, and Nevada's Representative in Congress be, and they are hereby, requested to work for the passage of and vote for the enactment of said law; and be it further

Resolved, That the secretary of state be authorized and directed to send a copy of this resolution signed by the governor of Nevada, president of the senate, and the speaker of the assembly to each Nevada Senator and Representative in Congress and to the President of the Senate of the United States and to the Speaker of the House of Representatives.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHAS. S. CHANDLER,
Speaker of the Assembly.
DAN. E. MORTON,
Clerk of the Assembly.

Approved February 19, 1921.

EMMET D. BOYLE, *Governor.*

RECESS.

Mr. POINDEXTER. I ask that my motion be put.

Mr. HEFLIN. I ask the Senator to withhold the motion for a moment.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Washington that the Senate take a recess until 8.30 o'clock this evening.

The motion was agreed to; and (at 6 o'clock and 25 minutes p. m.), the Senate took a recess until 8.30 p. m.

EVENING SESSION.

On the expiration of the recess (at 8 o'clock and 30 minutes p. m.), the Senate reassembled.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED.

The PRESIDENT pro tempore announced his signature to the following enrolled bill and joint resolutions, which had previously been signed by the Speaker of the House:

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies; and

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of Champ Clark.

PETITIONS AND MEMORIALS.

Mr. McCUMBER presented telegrams in the nature of memorials of Bismarck Council, Knights of Columbus, of Bismarck; Thomas B. Hogan, district deputy, Knights of Columbus, of Williston; Williston Council, Knights of Columbus, of Williston; Minot Council, Knights of Columbus, of Minot; Devils Lake Council, Knights of Columbus, of Devils Lake; Rev. F. Clement, of Mandan; Ladies' Aid Society of St. Josephs' Church, of Devils Lake; Strambcoses Aid Society of St. Josephs' Church, of Devils Lake; Stannes Court, No. 460, Catholic Women, of

Mandan; Order of Foresters, of Devils Lake; W. F. Tovcik, of Pisek; Howard J. Monley, State deputy, Knights of Columbus, of Grand Forks, all in the State of North Dakota, remonstrating against the enactment of legislation creating a department of education, which were ordered to lie on the table.

He also presented a telegram in the nature of a memorial of the farm bureau, of Grand Forks, N. Dak., remonstrating against the enactment of legislation placing a duty on lumber imported from Canada, which was referred to the Committee on Finance.

Mr. COLT presented a resolution of the Legislature of Rhode Island, which was referred to the Committee on Finance, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January session, A. D. 1921.

Resolution (H. 533, substitute B) in aid of legislation now pending in the Congress of the United States for the benefit of disabled men of the World War. (Approved Feb. 17, 1921.)

Whereas the thousands of disabled men who served in the World War ought to be cared for with greatest dispatch by the Government which their sacrifices preserved; and

Whereas legislation to provide for the consolidation of all ex-service agencies under one responsible head in one department of the Government is proposed in the Congress of the United States by the Rogers bill (H. R. 14961), now pending in the House of Representatives, and the Capper bill (S. 4613), now pending in the Senate; and

Whereas it appears to the General Assembly of the State of Rhode Island that relief to these disabled men can be most speedily given through a single department, rather than by separate agencies:

Resolved by the General Assembly of the State of Rhode Island, That Senators and Representatives of Rhode Island in the Congress of the United States be, and they hereby are, earnestly requested to give their ardent support to said H. R. 14961 and said S. 4613, or legislation with a like purpose of consolidating the agencies for the relief of our disabled men who served in the World War, and to use their efforts to secure the early passage of this legislation by the Senate and House of Representatives of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the secretary of state to the Senators and Representatives of Rhode Island in Congress.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, February 22, 1921.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly and approved by the governor on the 17th day of February, A. D. 1921.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid this 22d day of February, in the year 1921.

[SEAL.] J. FRED PARKER,
Secretary of State.

Mr. COLT presented a resolution of the Legislature of Rhode Island, which was ordered to lie on the table, as follows:

STATE OF RHODE ISLAND,
IN GENERAL ASSEMBLY,
January Session, A. D. 1921.

Resolution (S. 63) recommending to Congress the passage of legislation for the continuation of Federal aid to States in the construction of rural post roads. (Approved Feb. 28, 1921.)

Whereas the development of the State highway system has been greatly benefited by the passage by the United States Congress of "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; and

Whereas there is now pending before the Congress of the United States an act for the continuation of Federal aid to the States in the construction of rural post roads: Therefore be it

Resolved, That the General Assembly of the State of Rhode Island respectfully request the Senators and Representatives in Congress to urge the passage of suitable legislation which will provide for the continuation of Federal aid to the States in the construction of rural post roads, and the secretary of state is hereby instructed to send a copy of this resolution to the Senators and Representatives from Rhode Island.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, March 1, 1921.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly and approved by the governor on the 28th day of February, A. D. 1921.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid this 1st day of March in the year 1921.

[SEAL.] J. FRED PARKER,
Secretary of State.

REPORTS FROM COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE.

Mr. CALDER. I ask unanimous consent to report back favorably, from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate resolutions 448, 444, 468, and 442.

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent to make certain reports. Is there objection?

Mr. CALDER. I ask for their immediate consideration.

Mr. HITCHCOCK. I should like to have them read first.

Mr. CALDER. I will state that they provide for the continued employment of four clerks whose employment was authorized by the Senate over a year and a half ago. They add no new places to the Senate pay roll.

The PRESIDENT pro tempore. The Chair hears no objection. The resolutions will be read.

ASSISTANT CLERK TO COMMITTEE ON FOREIGN RELATIONS.

Senate resolution 448, submitted by Mr. CALDER (for Mr. LODGE) on February 12, 1921, was read, as follows:

Resolved, That the resolution of the Senate No. 225, agreed to on November 19, 1919, authorizing the Committee on Foreign Relations to employ an assistant clerk during the Sixty-sixth Congress, be, and the same is hereby, extended in full force and effect until the end of the Sixty-seventh Congress, at the rate of $1,800 per annum, to be paid out of the contingent fund of the Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HITCHCOCK. Is that to the end of the next Congress?

Mr. CALDER. Yes, sir. I will say that this clerk has been in the employ of the Committee on Foreign Relations during the present Congress.

Mr. HITCHCOCK. Is it not wise to let the next Congress attend to the employment of its own clerks, without providing that this Congress shall authorize it?

Mr. CALDER. Mr. President, the committee needs the clerk, and the chairman of the committee offered the resolution himself.

Mr. HITCHCOCK. I ask the Senator whether it would not be possible to leave the next Congress to attend to the employment of its own clerks?

Mr. CALDER. Of course it would be possible; but, as I say, the chairman of the Committee on Foreign Relations has introduced the resolution. He says the clerk is needed, and he is desirous that the clerk shall continue right through from the beginning of the next Congress to-morrow. There are four of these resolutions.

Mr. HITCHCOCK. What are the others?

Mr. CALDER. One provides for the employment by the Committee on Claims of an expert clerk, whose employment has been continued for years. One is for the employment of an assistant clerk by the Committee to Audit and Control the Contingent Expenses of the Senate, of which I am chairman; and one is for the employment of an assistant clerk by the Committee on Public Lands. These clerks have been on the pay roll for over a year.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

ASSISTANT CLERK TO COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE.

Senate resolution 444, submitted by Mr. CALDER on February 10, 1921, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That S. Res. 99, agreed to July 17, 1919, authorizing the Committee to Audit and Control the Contingent Expenses of the Senate to employ an assistant clerk during the Sixty-sixth Congress, be, and the same is hereby, extended in full force and effect until the end of the Sixty-seventh Congress, at the rate of $2,000 per annum, to be paid out of the contingent fund of the Senate.

ASSISTANT CLERK TO COMMITTEE ON PUBLIC LANDS.

Senate resolution 468, submitted by Mr. SMOOT on March 1, 1921, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Lands be, and it is hereby, authorized to employ an assistant clerk during the Sixty-seventh Congress at the rate of $2,000 per annum, to be paid out of the miscellaneous items of the contingent fund of the Senate.

ASSISTANT CLERK TO THE COMMITTEE ON CLAIMS.

Senate resolution 442, submitted by Mr. SPENCER on February 9, 1921, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That S. Res. 42, agreed to June 6, 1919, being a resolution authorizing the Committee on Claims to employ an assistant clerk during the Sixty-sixth Congress, first session, at the rate of $2,200 per annum, said compensation to be paid out of the miscellaneous items of the contingent fund of the Senate, and which resolution was extended and continued in authority by S. Res. 218, agreed to on November 10, 1919, until the end of the Sixty-sixth Congress, be, and the same is hereby, further extended in full force and effect until the end of the Sixty-seventh Congress.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PITTMAN:

A bill (S. 5050) for the examination and survey for irrigation works for the storage and diversion and development of waters on the watershed of the Truckee River; to the Committee on Irrigation and Reclamation of Arid Lands;

A bill (S. 5051) to aid in the reclamation of certain lands in portions of the bed of Virgin River in the State of Nevada; and

A bill (S. 5052) to aid in the reclamation of lands in the bed of Carson Lake, in the State of Nevada; to the Committee on Public Lands.

HOUSE BILL REFERRED.

H. R. 15934. An act to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein, was read twice by its title and referred to the Committee on Civil Service and Retrenchment.

PAUL ALBERT JENSEN.

Mr. LA FOLLETTE. I ask unanimous consent to withdraw from the Committee on Naval Affairs the bill (S. 4276) for the relief of Paul Albert Jensen, together with the accompanying papers, no adverse report having been made thereon.

The PRESIDENT pro tempore. In the absence of objection it will be so ordered.

THOMAS BAYTON AND BERTHA M. HARTT.

Mr. JONES of Washington. I ask unanimous consent for the present consideration of House bill 3984, for the relief of Thomas Bayton and Bertha M. Hartt. It is a bill that has passed the House. It has been gone into very carefully. An animal belonging to citizens of our State was killed by the negligence of the Forestry Service in the handling of telephone wires, and $300 was found to be a reasonable compensation. The department recommends the passage of the bill, and I hope it may be passed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill referred to by the Senator from Washington?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3984) for the relief to Thomas Bayton and Bertha M. Hartt. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Thomas Bayton and Bertha M. Hartt, of Elwha, Clallam County, Wash., the sum of $300, as compensation for the loss of a bull owned by them, which was killed September 15, 1915, by becoming entangled with a telephone wire, the property of the United States, on the Olympic National Forest in the State of Washington.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VALIDATION OF HOMESTEAD ENTRIES.

The PRESIDENT pro tempore laid before the Senate the amendments of the House to the bill (S. 1695) validating certain homestead entries.

UNITED STATES DAUGHTERS OF 1812.

Mr. BRANDEGEE. I ask unanimous consent for the present consideration of a bill which has been reported favorably from the Committee on Patents. It is House bill 10104.

Mr. POINDEXTER. Mr. President, I am very much afraid that the consideration of so many irrelevant matters will be likely to defeat the naval appropriation bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill referred to by the Senator from Connecticut?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10104) to renew patent No. 25909, which was read as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date August 11, 1896, being patent No. 25909, is hereby renewed and extended for a period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the badge of the United States Daughters of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BRANDEGEE. I ask that the House report on this bill, which I send to the desk, may be printed in the RECORD in connection with the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report is as follows:

UNITED STATES DAUGHTERS OF 1812.

Mr. NOLAN, from the Committee on Patents, submitted the following report, to accompany H. R. 10104:

The Committee on Patents, to whom was referred H. R. 10104, respectfully report that they have had the same under consideration, and report the same back with the recommendation that it do pass.

The purpose of this bill is to secure for the incorporated association known as the United States Daughters of 1812 the right to use the insignia or badge adopted by them and upon which they obtained a design patent in 1896, said patent now having expired. The purpose of securing this protection is not commercial, but in order to enable the association to prevent the manufacture, sale, and use of the insignia except with the consent of the association. Under the rules and regulations of the association members, even, are not allowed to wear this badge until they obtain a permit issued by the proper officers of the association.

The design patent having expired, there is no way in which the desired protection can be secured other than by act of Congress.

POSTMASTER AT OMAHA, NEBR.

Mr. HITCHCOCK. Mr. President, I desire to ask unanimous consent that the nomination of Mr. Herbert S. Daniel to be postmaster at Omaha, Nebr., may be confirmed as in open executive session, and the President notified.

In preferring that request, before it is presented, I desire to say that, as a Democrat and as a party man, I feel that it is entirely justifiable for the party now controlling the Senate, and soon to control the administration, to reject political nominations that have been sent here by the outgoing President. There is some precedent for that. I remember that eight years ago the Democrats, then about to assume control of the Senate, took that position; but, Mr. President, when they took that position they also established another precedent, and that was that they would give unanimous consent, and they did in a number of cases give unanimous consent, for the unopposed confirmation of postmasters in cities where Senators had their residences, on request of those Senators. I do not recall in how many cases that consent was given, but I remember one notable case, and that was in the case of the late Senator from New Hampshire, Mr. Gallinger; and there were a number of others. I feel justified, therefore, on behalf of this appointee of my home city, my native city of Omaha, in making this request.

Mr. Daniel is a man of the highest character. He passed the competitive examination at the head of the list, and his name has been sent to the Senate by the President after he has been in office as postmaster now for many months. He was appointed to fill a vacancy due to the death of Postmaster Fanning.

I therefore ask unanimous consent that his nomination may be confirmed under that precedent.

The PRESIDENT pro tempore. Is there objection?

Mr. MOSES. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

MEMORIALS TO CHICKASAW AND SEMINOLE TRIBES OF INDIANS.

Mr. OWEN. Mr. President, the House of Representatives has passed a bill providing for the erection by the Secretary of the Interior of memorial monuments for the Chickasaw and Seminole Tribes of Indians at their capitals, using in each case $15,000 of their own money. The bill has been referred to the Committee on Indian Affairs, and I am directed by that committee to make a unanimous report of the bill, and ask unanimous consent to dispose of it.

Mr. SMOOT. Is it a House bill?

Mr. OWEN. It is a House bill.

The PRESIDENT pro tempore. Is there objection to the report of the bill? The Chair hears none. Does the Senator request unanimous consent for its present consideration?

Mr. OWEN. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. POINDEXTER. Withholding objection, I should like to have the bill read.

The PRESIDENT pro tempore. The bill will be read.

The reading clerk read the bill (H. R. 15085) to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is authorized and directed to erect at Tishomingo and Wewoka, Okla., monuments constructed of Tishomingo granite to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma.

SEC. 2. That the monument erected at Tishomingo, Okla., shall have inscribed thereon such words and figures as will in the judgment of the Secretary of the Interior preserve the memory of the Chickasaw Tribe of Indians in Oklahoma.

SEC. 3. That the monument erected at Wewoka, Okla., shall have inscribed thereon such words and figures as will, in the judgment of the Secretary of the Interior, preserve the memory of the Seminole Tribe in Oklahoma.

SEC. 4. That there is authorized to be appropriated out of any money belonging to the Chickasaw and Seminole Tribes of Indians in Oklahoma in the United States Treasury or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior the sum of $15,000 from each tribe, respectively.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARSON NATIONAL FOREST, N. MEX.

Mr. SMOOT. From the Committee on Public Lands I ask unanimous consent to report back favorably House bill 14669, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection to the reception of the report and the present consideration of the bill?

Mr. KING. Mr. President, may I inquire of my colleague whether the Senators from New Mexico approve of it?

Mr. SMOOT. The junior Senator from New Mexico [Mr. JONES] desired to have the bill reported. There are four of these bills, and I will say to my colleague that there is nothing in any of them that is contested. They are simply, in two cases, bills for the consolidation of lands outside of forest reservations by exchange with lands in the forest reservations.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill referred to by the Senator from Utah?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14669) for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized in his discretion to accept on behalf of the United States title to any lands within the Carson National Forest, N. Mex., if in the opinion of the Secretary of Agriculture the public interests will be benefited thereby and the lands are chiefly valuable for national forest purposes, and in exchange therefor may give not to exceed an equal value of such national forest lands or timber within the said national forest as may be determined by the Secretary of Agriculture and the Secretary of the Interior.

Timber given and the timber on lands given in such exchanges shall be cut and removed under the laws and regulations relating to the national forests, and under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture. Lands conveyed to the United States under this act shall, upon acceptance of title, become a part of the Carson National Forest.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMBROISE REOPEL.

Mr. SMOOT. I ask unanimous consent for the present consideration of House bill 15861.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15861) to confirm private claim 61, of Ambroise Reopel, in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich., which had been reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

That private claim No. 61, of Ambroise Reopel (between claims Nos. 118 and 119), in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich., containing 220.74 acres, according to the survey made in 1809–10 by Aaron Greeley, United States surveyor, shall be, and the same is hereby, confirmed to the said Ambroise Reopel, and the Department of the Interior shall cause patent to issue for said land to Ambroise Reopel, his heirs, assigns, and legal representatives: *Provided*, That this act, and the patent which may be issued in pursuance of the same, shall only operate as a relinquishment on the part of the United States, and shall in no way prejudice any valid adverse right, if such exist, to the said land; the intent being that title shall inure to the true owners of the land under the laws of Michigan, including the laws of prescription, in the absence of any interest or estate of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RAINIER NATIONAL FOREST.

Mr. SMOOT. I ask unanimous consent for the present consideration of House bill 11851.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11851) authorizing the exchange of lands within the Rainier National Forest, in the State of Washington, and for other purposes.

Mr. KENYON. Will the Senator state the object of the bill?

Mr. SMOOT. The object of the bill is to exchange lands in the Rainier Forest Reserve for lands outside of it. It is a department bill, simply to help the Forest Service to more perfectly administer the forests.

Mr. JONES of Washington. And to protect the water supply of the city of Tacoma.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOMESTEAD ENTRIES.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1695) validating certain homestead entries, which was, on page 2, after line 21, to insert:

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to issue patents upon the entries hereinafter named upon which proof of compliance with law has been filed:

Homestead entry, Havre, Mont., No. 021390, made by Michael F. Campion on December 10, 1913, for the southwest quarter of the northwest quarter and northwest quarter of the southwest quarter of section 17, and southeast quarter of the northeast quarter and northeast quarter of the southeast quarter of section 18, township 29 north, range 9 east, Montana meridian.

Homestead entry, Havre, Mont., No. 024214, made by Lila J. Herbert (formerly Simmons) on December 31, 1913, for the northeast quarter of the northeast quarter of section 29 and north half of the northwest quarter and southeast quarter of the northwest quarter of section 28, township 37 north, range 4 east, Montana meridian.

Homestead entry, Las Cruces, N. Mex., No. 08171, made by Pearl B. Brazil on March 13, 1913, for the northeast quarter of section 8, township 29 south, range 8 west, New Mexico meridian.

Homestead entry, Miles City, Mont., No. 018452, made by Edgar J. Snyder on May 14, 1913, under the act of February 19, 1909 (35 Stat. L., p. 639), for the south half of the south half, northeast quarter of the southeast quarter, east half of the northeast quarter, and northwest quarter of the northeast quarter of section 22, township 14 north, range 58 east, Montana meridian.

Homestead entries, Clayton, N. Mex., Nos. 020669 and 026795, made by Cole Weir, for the south half of the northeast quarter of section 10 and southwest quarter of the northwest quarter and northwest quarter of the southwest quarter of section 11, township 17 north, range 30 east, and the southeast quarter of the southeast quarter of section 3 and northeast quarter of the northeast quarter of section 10, township 17 north, range 30 east, New Mexico principal meridian.

Homestead entry, Havre, Mont., No. 024832, made by Elma Hixon Benton on February 24, 1914, under the act of February 19, 1909 (35 Stat. L., p. 639), for the south half of section 21, township 35 north, range 22 east, Montana principal meridian.

SEC. 4. That the entries hereinafter named be, and the same are hereby, validated, and the Secretary of the Interior authorized to issue patents thereon upon submission of satisfactory proof of compliance with the laws under which such entries were allowed:

Homestead entry, Salt Lake City, Utah, No. 023329, made by Parley P. Warren on August 1, 1918, for the west half of the southeast quarter of section 1, and west half of the northeast quarter of section 12, township 14 south, range 10 east, Salt Lake meridian, subject to the provisions of the act of June 17, 1902 (32 Stat. L., p. 388), and acts amendatory thereof and supplemental thereto.

Homestead entry, Carson City, Nev., No. 010909, made by Perrin D. Hinckley on December 12, 1918, for the northeast quarter of section 33, township 43 north, range 37 east, Mount Diablo meridian.

Homestead entry, Douglas, Wyo., No. 016443, made by William H. Struble on March 29, 1918, under the act of February 19, 1909 (35 Stat. L., p. 639), for the east half of the southeast quarter of section 18, west half of the southwest quarter and southeast quarter of the southwest quarter of section 17, north half of the northwest quarter and southeast quarter of the northwest quarter of section 20, township 39 north, range 60 west, sixth principal meridian.

SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized to allow the following applications to make entry:

Homestead application, Phoenix, Ariz., No. 025825, filed by Kit Carson Kirby for the north half of the northeast quarter of section 13 and the south half of the southeast quarter of section 12, township 22 north, range 4 east, Gila and Salt River meridian.

Additional homestead application, Timber Lake, S. Dak., No. 09546, filed by Willis A. Simmons for the southeast quarter of section 34, township 16 north, range 18 east, Black Hills meridian.

Homestead application of Hugh H. Gunn, being Rapid City series 039363, for the southeast quarter northwest quarter, east half southwest quarter, southwest quarter southwest quarter, section 13, east half northeast quarter, section 23, west half northwest quarter, section 24, township 3 south, range 9 east, Black Hills meridian, subject to applicant's compliance with the provisions of the enlarged homestead act as to residence, cultivation, and improvements.

SEC. 6. That the Secretary of the Interior be, and hereby is, authorized to issue a patent to the Yosemite Stone Co., a corporation organized under the laws of Arizona, for the northeast quarter of the southwest quarter of section 13, township 4 south, range 15 east, Mount Diablo meridian, Sacramento, Calif., land district: *Provided*, That such patent shall contain a reservation to the United States and its authorized permittees, licensees, or lessees of the sole right to enter upon, occupy, and use any part or all of such land reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of hydroelectric power or energy.

SEC. 7. That the Secretary of the Interior is hereby authorized and directed to certify to the Secretary of the Treasury the amounts paid as fees, commissions, and purchase moneys by the persons hereinafter named, in connection with homestead entries at the United States land office at Glasgow, Mont., in the year 1917, as follows:

Serial No. 044427, Nick Sitch, west half southeast quarter, section 27, and west half of northeast quarter, section 34, township 29 north, range 41 east.

Serial No. 044521, Billie H. Evashanks, south half southeast quarter, northwest quarter southeast quarter, section 34, township 29 north, range 41 east, and west half east half, northeast quarter southwest quarter, section 1, township 28 north, range 41 east.

That upon receipt of the certificate from the Secretary of the Interior as provided in section 1 of this act the Secretary of the Treasury is hereby authorized and directed to make payment of the amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

Mr. SMOOT. I move that the Senate concur in the House amendment.

The motion was agreed to.

CLASSIFICATION OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, I ask unanimous consent to proceed with the consideration of a motion I made a few days ago for the discharge of the Committee on Appropriations from the further consideration of Senate bill 4106 and for reference of that bill, and report accompanying the bill, to the Committee on Civil Service and Retrenchment.

The PRESIDENT pro tempore. Is there objection?

Mr. SMOOT. I object.

Mr. STERLING. Then, Mr. President, I move that the Senate proceed with the consideration of the motion at the present time.

Mr. SMOOT. I ask the Senator from South Dakota if he will not withhold his motion for a few moments so that I can send for the chairman of the Committee on Appropriations?

Mr. STERLING. The chairman of the Committee on Appropriations has had notice that I would bring the motion up at the very first opportunity. I told him so to-day.

Mr. SMOOT. If the Senator does not do that, I shall suggest the absence of a quorum, and I can certainly get him here by that means.

Mr. STERLING. How long will it take to get the Senator here?

Mr. SMOOT. I do not think it will take very long.

Mr. STERLING. Very well; I will withhold my motion until the Senator from Wyoming can be present.

GEORGE LECLEAR.

Mr. LENROOT. I ask unanimous consent for the present consideration of the bill (H. R. 1299) for the relief of George LeClear.

Mr. ASHURST. Let it be read.

Mr. UNDERWOOD. Mr. President, in these unanimous-consent matters at this late hour I will ask the Chair to have all the bills read in full.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Assistant Secretary read the bill as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, George LeClear, who was a private in Company I, Twenty-sixth Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 30th day of April, 1862: *Provided*, That no bounty, pension, pay, or allowances shall be held as accrued prior to the passage of this act.

Mr. KING. I should like to have some explanation from the Senator from Wisconsin before I consent to the consideration of the bill.

Mr. LENROOT. This is a House bill, one in which I have no interest, except that I was a member of the subcommittee to which the bill was referred.

The facts are that this George LeClear enlisted in a New York regiment for a service of three months. His regiment was mustered into the Federal service under that three months' enlistment. Inadvertently, the two years' enlistment under which all the other regiments went into the Federal service was not applied to this regiment. He served something over a year, became ill, and went to a hospital. He supposed that his time of enlistment had expired, and he went home and within a few months thereafter he voluntarily reenlisted, served through the war, and received an honorable discharge on his second enlistment. It is a very clear and meritorious case.

Mr. KING. May I inquire of the Senator whether heretofore he has been the recipient of any pension from the Government?

Mr. LENROOT. He has not.

Mr. KING. And this would place his name upon the pension roll and entitle him to the $50 a month?

Mr. LENROOT. I want to say that I think, from the facts as I have stated them, he is just as clearly entitled to it as any veteran in the service.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONFIRMATIONS—MARINE CORPS.

Mr. POINDEXTER. I report from the Committee on Naval Affairs the following nominations of officers in the Marine Corps. I ask unanimous consent that they be confirmed en bloc, as in open executive session, and that the President be notified.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent for the present consideration, as in open executive session, of certain nominations of officers in the Marine Corps. Is there objection?

Mr. KING. As I understand, automatically, if the enlisted personnel of the Navy is increased, it increases the personnel of the Marine Corps. Assume that the personnel of the Navy shall be reduced to 100,000; would that result in a corresponding reduction in the Marine Corps, and if it did, if these confirmations were now permitted, would it give promotions to individuals who later on would be compelled to be reduced in rank?

Mr. POINDEXTER. That would make no difference whatever; the commissioned personnel would remain the same. It would simply reduce the number of enlisted men in a company or a regiment. It would not reduce the number of officers. Furthermore, even if it did, that matter would be adjusted by the law at the time the new law takes effect. This would have effect under the existing law only.

Mr. KING. If I understand the Senator, we would not be providing for the promotion of officers who, if there should be a reduction in the personnel, would have no troops under them, or enlisted men?

Mr. POINDEXTER. Not at all. I understand what the Senator has in mind, but this does not increase the number of officers at all. It simply makes the promotions.

Mr. KING. I have no objection.

The PRESIDENT pro tempore. The Chair hears no objection, and without objection the nominations will be confirmed, and the President will be notified.

NOMINATION OF FRED K. NIELSEN.

Mr. KELLOGG. I report again from the Judiciary Committee the nomination of Fred K. Nielsen as Solicitor of the State Department, and ask that it be considered now as in open executive session.

The PRESIDENT pro tempore. The Secretary will state the nomination.

The READING CLERK. Fred K. Nielsen, of Nebraska, to be Solicitor of the Department of State.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent for the present consideration, as in open executive session, of this nomination. Is there objection?

Mr. UNDERWOOD. This afternoon I asked the Senator to let this nomination go over for an hour or two. Since that time I have looked into it, and I find that there is no objection to the confirmation.

The PRESIDENT pro tempore. The Chair hears no objection, and the nomination will be confirmed, and the President will be notified.

EMIL S. FISCHER.

Mr. CALDER. Mr. President, I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 255) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States.

Mr. President, this joint resolution grants citizenship to one Emil S. Fischer, who has been a resident of this country since 1892, but much of the time has been compelled to sojourn in the Orient, representing American interests. The citizenship is recommended by a number of eminent people, among them a United States judge in Chicago, a commercial attaché in San Francisco—Julian Arnold—and several Army officers, and there is a unanimous report from the Committee on Immigration. It has also been reported unanimously from the Immigration Committee of the House, and is on the House Calendar.

The PRESIDENT pro tempore. The Secretary will read the joint resolution, immediate consideration of which is asked by the Senator from New York.

The reading clerk read the joint resolution, as follows:

Whereas Emil S. Fischer, born in Austria in 1865, emigrated from Brazil and arrived in the United States at the port of New York and established a permanent residence in the city of New York in 1892; and

Whereas said Emil S. Fischer, being then a resident of the city of New York, did on the 4th day of November, 1903, apply to the United States District Court for the Southern District of New York and received his first citizenship papers; and

Whereas said Emil S. Fischer, while maintaining continuously his said residence in New York City, has sojourned in China representing American banking and commercial interests, fostering American trade expansion, among other things acting as adviser and foreign secretary to the Chinese Government Commission at the San Francisco Exposition and for the Chinese alien property custodian during the late war; and

Whereas the absence of said Emil S. Fischer has prevented his completing his citizenship, although he has rendered invaluable service to the United States Government, and in order that he attain citizenship and continue his work in China: Therefore be it

Resolved, etc., That Emil S. Fischer be, and he is hereby, admitted to all of the rights and privileges of a citizen of the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. JONES of Washington. Mr. President, why can not this person be naturalized?

Mr. CALDER. This man has on two different occasions filed his application for first papers and received them, and then has been compelled to be abroad representing American interests. He has been in China off and on for about 28 years and has been unable to remain here long enough to obtain citizenship. This is recommended by the Naturalization Bureau.

Mr. UNDERWOOD. Will the Senator state what this man's nationality is?

Mr. CALDER. Austrian.

Mr. UNDERWOOD. Are there any property rights involved in it?

Mr. CALDER. Not any property rights which would in any way involve him with the Alien Property Custodian. I can assure the Senator of that.

Mr. UNDERWOOD. He has no property rights which the Alien Property Custodian has taken over which he wants to get back?

Mr. CALDER. I am sure he has not.

Mr. MOSES. Mr. President, may I ask the Senator from New York how it happens this individual might not have taken advantage of the registration laws and registered himself at the nearest American consulate or legation?

Mr. CALDER. I only have the facts as they are presented before the House Committee. The members of the Immigration Committee of the Senate are here, and they heard this man himself before their committee. The case seems to me to be a perfect one and has been acted upon by the House committee and reported by that committee favorably.

Mr. JONES of Washington. If this man has been here, why has he not been naturalized here?

Mr. CALDER. Because he has been unable to stay here continuously for the period required by our Federal statutes. He has been abroad, as I say, continuously, representing American interests.

Mr. JONES of Washington. Was he in China?

Mr. CALDER. In China a good part of the time.

Mr. JONES of Washington. We have a United States court in China. Could he not have been naturalized there?

Mr. CALDER. If I may read a letter from the judge of the United States Circuit Court of Appeals, Seventh District, residing in Chicago, addressed to Congressman SABATH, I think it will throw light on the case. This judge said:

MY DEAR CONGRESSMAN: This will introduce Mr. Emil S. Fischer, whom I first met at Chicago quite a good many years ago. His affairs have kept him in China a great deal of the time, and I have usually seen him on his return here, and am always interested to learn of his progress. Being foreign born, and having, since taking up his residence in the United States, been often absent in other lands, he experiences some difficulty with respect to his naturalization, and states to me that an act for his relief is pending in Congress.

I beg to say of Mr. Fischer that I believe him to be an honorable man, well deserving of any relief in this respect which can properly be granted to him, and I bespeak for him your good offices in this regard.

Thanking you in advance for any exertion in his behalf, I am, with personal regards,

Sincerely, yours, SAM'L ALSCHULER.

Mr. JONES of Washington. May I ask the Senator if we have had any precedents of legislatively making a man a citizen?

Mr. CALDER. Mr. President, my attention was called to three different precedents. I have not the names of them here, but they have been called to my attention, and I am certain of them.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. May I inquire of the Senator if it would not be a better way, and a safer way, to authorize him to present himself to the proper court having jurisdiction over the matter, and take out his second papers, removing any obstacle that may have resulted by reason of his absence from the United States?

Mr. CALDER. The gentleman representing American interests is about to proceed to the Orient again, if he can not get relief in this Congress. I can assure the Senator from Utah that I have been into the matter pretty carefully and it is a perfectly straight transaction. He can be assured there is precedent for this action. I have seen the precedents. I forget the names of the cases, but the matter was called to my attention and I know there are precedents for this action.

Mr. KING. I have looked into the matter some little myself because of the fact that the applicant called to see me and presented the facts in regard to the case. In my opinion he ought to be naturalized, but I did have some little doubt as to the processes that should be employed in order to effectuate that result. I believe it would be better to authorize naturalization, removing such impediments as had developed by reason of his protracted absence from the United States. However, in view of the record of the man and his splendid service abroad, I shall interpose no objection.

Mr. SMITH of Arizona. May I ask the Senator a question?

Mr. CALDER. Certainly.

Mr. SMITH of Arizona. How long did the applicant for this grace live in this country after he took out his first papers?

Mr. CALDER. About a year, I think.

Mr. SMITH of Arizona. Then the Senator is asking that Congress should give citizenship to a man who took out his first papers, lived in this country one year thereafter, and has been absent ever since?

Mr. CALDER. He has been back and forward from China and the Orient a dozen times since.

Mr. SMITH of Arizona. How long did he live in this country?

Mr. CALDER. He has lived here off and on for the past 28 years.

Mr. SMITH of Arizona. But off and on might mean a visit, merely coming here and going immediately abroad again to remain. I was asking about his actual residence really to get the intent of the man that should lead him to take out his first papers and then come to Congress to become a full-fledged citizen after having been away for whatever length of time the Senator has stated.

Mr. KENYON. Mr. President, I should like to ask the Senator from New York if the whole gist of the matter is that the man desires to get married and the girl will not marry him unless he is an American citizen? [Laughter.]

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

CLASSIFICATION OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, I now renew my motion that the Committee on Appropriations be discharged from the further consideration of Senate bill 4106, being the bill to provide for classification of civilian positions within the District of Columbia and the standardization of compensation therefor, and the report of the Congressional Joint Commission on Reclassification of Salaries, and that the bill be referred to the Committee on Civil Service and Retrenchment.

Mr. EDGE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	La Follette	Smith, Ga.
Beckham	Gore	Lodge	Smith, Md.
Borah	Gronna	McKellar	Smoot
Brandegee	Hale	McLean	Spencer
Calder	Harris	McNary	Sterling
Capper	Harrison	Moses	Sutherland
Chamberlain	Heflin	Myers	Swanson
Cummins	Hitchcock	Overman	Townsend
Curtis	Johnson, Calif.	Pittman	Trammell
Dial	Jones, N. Mex.	Poindexter	Underwood
Dillingham	Jones, Wash.	Pomerene	Wadsworth
Edge	Kellogg	Ransdell	Walsh, Mass.
Fernald	Kendrick	Reed	Walsh, Mont.
France	Kenyon	Robinson	Warren
Gay	Keyes	Sheppard	Willis
Gerry	King	Simmons	Wolcott
Glass	Kirby	Smith, Ariz.	

The PRESIDENT pro tempore. Sixty-seven Senators have answered to their names. There is a quorum present.

Mr. POINDEXTER. Mr. President, I am advised that there are quite a large number of Senators who hesitate to vote in favor of this motion for fear it might displace the naval appropriation bill. In order to help my friend, the Senator from South Dakota, to remove that objection, I ask unanimous consent that the naval appropriation bill be temporarily laid aside only for the purpose of the consideration of this matter.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that the naval appropriation bill be temporarily laid aside. Is there objection? The Chair hears none. The question is on the motion of the Senator from South Dakota.

Mr. STERLING. Mr. President, I desire to say just a few words in support of the motion. The bill was introduced in the Senate by the Senator from New Mexico [Mr. JONES] on the 22d day of March last. With the bill was the report of the Congressional Joint Commission on the Reclassification of Salaries of Civilian Employees in the District of Columbia. I was not in the Chamber when the bill was introduced with the report and the reference was made. I did not know of it until some time thereafter. I was very busily engaged at that time with the civil-service retirement bill and could give no attention to this matter then. The civil-service retirement bill, which was the unfinished business of the Senate for 60 days, finally passed, but that was near the close of the last session of Congress.

I saw no opportunity for doing any work upon this bill and the report at the present session of Congress, and hence have not hitherto asked for a reference thereof to the Committee on Civil Service and Retrenchment. But there may be some opportunity to do some work upon the subject during the interim between the adjournment of this session and the beginning of the next session, and that is one reason why I should like to have the matter of reference decided here to-night.

Further, I desire to say that I am asking the reference not because I covet the work involved, because I know there will be a vast amount of work connected with the subject, but I am asking it as a clear matter of right under the rules and precedents of the Senate, and under the rule of reason as well. If there is any Senator here who has doubt as to whether or not this bill and report should be referred to the Committee on Civil Service and Retrenchment, let him look at the bill and see what is contained in the bill—Senate bill 4106. It is legislation pure and simple, general legislation. It does not make and can not make any appropriation of any amount whatever for the purpose of the pay of the civil-service employees.

Permit me to call attention briefly to the subject of the bill. After some sections of definition of the various terms in the bill it proceeds with the title or subject "Allocation," and the Civil Service Commission itself is given supervision over the matter of allocation of the various employees of the civil service to the several branches of that service.

The next subject treated after allocation is that of amendment to classification. The next subject is that of compensation provided for. The next subject is that of efficiency ratings. Over all these subjects the Civil Service Commission has jurisdiction, according to the terms of the bill.

The next subject in the bill is "promotion appointments"; pure legislation again, and over that the Civil Service Commission has jurisdiction.

The next subject is in relation to the "transfers" from one branch of the service to another, and over that the Civil Service Commission has jurisdiction.

"Leaves of absence and sick leave" is another subject treated of in this bill.

"Advisory council and personnel committees"—another subject under a subhead which is treated in this bill, with rules and provisions governing all these several subjects.

The bill is one of 29 pages. Another subject here is that of "teacher," and so on; another subject is that of "appeals."

Mr. President, there is not one single line in the bill, there is not one single subject treated in the bill, and for which provision is made, which is a proper subject of jurisdiction on the part of the Committee on Appropriations of the Senate.

I desire to call attention briefly to what is said in Hinds' Precedents which, while precedents of the other House, are according to the unbroken custom of the Senate in that regard. Here is what is said on page 700 of volume 4 of Hinds' Precedents:

While the Committee on Appropriations has jurisdiction to report appropriations, the power to report legislation authorizing appropriations belongs to other committees.

Further, it is said:

It is to be understood, however, that the legislation authorizing appropriations in these services—

After having specified various services of the Government—

is not within the jurisdiction of the Appropriations Committee, but is exercised by the Committees on Interstate and Foreign Commerce, Ways and Means, Merchant Marine and Fisheries, Public Lands, the Judiciary, etc. Also, the Committee on Public Lands authorizes the construction of public buildings, including post office buildings in various cities, but the appropriations are made in the sundry civil bill by the Appropriations Committee.

Mr. President, in a case so plain as this there ought not to be any necessity for the citation of any authority whatever. It appears on its face that this is pure legislation which we are referring to the Appropriations Committee, whose business it is to consider appropriation bills.

Mr. HARRISON. Mr. President, will the Senator from South Dakota yield?

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Mississippi?

Mr. STERLING. I yield.

Mr. HARRISON. May I ask if the bill deals with the report on the reclassification of salaries?

Mr. STERLING. Yes, sir.

Mr. HARRISON. It deals with the employees in the Agricultural Department, does it not?

Mr. STERLING. It deals with the civilian employees in all the various departments of the Government in the District of Columbia.

Mr. HARRISON. The Committee on Agriculture and Forestry has jurisdiction of questions affecting the salaries of the employees in the Agricultural Department, I believe?

Mr STERLING. No; in effect——

Mr. HARRISON. I might put the question in this way: The Committee on Agriculture and Forestry would have just as much right to deal with that question as would the Committee on Appropriations?

Mr. STERLING. Exactly.

Mr. HARRISON. And the Committee on Post Offices and Post Roads would have the same right to deal with the question of the salaries of postal employees as would the Committee on Appropriations?

Mr. STERLING. Exactly, or, if anything, in the case which I am discussing there is absolutely no right whatever to deal with the subject, while there is some relation between the subject referred to by the Senator from Mississippi and the particular committee to which he refers.

Mr. SWANSON. Will the Senator permit me to interrupt him?

Mr. STERLING. I yield to the Senator.

Mr. SWANSON. As I understand, the appropriations for the salaries of nearly all the employees of all the departments in Washington considered and recommended by the Appropriations Committee are included in the legislative bill. Why? For the simple reason that were it done otherwise the clerks in the Agricultural Department would have one scale of salaries; the clerks in the Post Office Department would have another; the clerks in the Navy Department would have another; and the clerks in the War Department would have still another. In order, therefore, to have uniformity of salary and classifications the custom is to let such questions be considered by one committee for all the departments in Washington, except in rare instances, and that committee is the Appropriations Committee, is it not?

Mr. STERLING. That may be true as to the salaries for the clerks in the various departments which are carried in the legislative, executive, and judicial appropriation bill. That bill, of course, deals with appropriations altogether; it carries no legislation, except such as may be put on in the Senate as general legislation by common consent and without objection.

Mr. SWANSON. As I understand, the salaries of all the civilian employees in the Navy Department are fixed by the Appropriations Committee of the Senate in the legislative bill, and the members of the Naval Committee have nothing to do with it. That course is pursued for the purpose of securing uniformity in the salaries of the clerks, stenographers, and other employees and in their classification.

Mr. WOLCOTT. Will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Delaware?

Mr. STERLING. If the Senator will excuse me, it is suggested to me by the Senator from New York [Mr. WADSWORTH] that the legislative, executive, and judicial appropriation bill provides the appropriations, but it does not fix the salaries. The salaries are elsewhere and otherwise fixed.

Mr. WOLCOTT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota now yield to the Senator from Delaware?

Mr. STERLING. I yield.

Mr. WOLCOTT. The Senator from South Dakota is not a member of the Appropriations Committee, is he?

Mr. STERLING. I am not.

Mr. WOLCOTT. May I ask the Senator when was this bill referred to the Committee on Appropriations?

Mr. STERLING. The bill was referred to the Committee on Appropriations nearly a year ago—on March 22 last.

Mr. WOLCOTT. Is the Senator aware of any study that the Appropriations Committee has given to this bill in the lapse of nearly one year?

Mr. STERLING. I am not aware of any study given to it by the Appropriations Committee save this, I will say to the Senator—and I hardly think it involves or implies a study—that an item was included in an appropriation bill authorizing some survey to be made of this reclassification subject.

Mr. SMOOT. Mr. President, I will say——

Mr. WOLCOTT. That involved a study of this bill, did it?

Mr. STERLING. I do not think it involved a study of the bill; I do not think there has been any study of the bill.

Mr. WOLCOTT. Was there not a joint commission appointed to survey that very subject?

Mr. STERLING. There was a joint commission, and the joint commission's report accompanies the bill.

Mr. WOLCOTT. Then, Mr. President, if I may be permitted to make the observation, it would appear to me that the Appropriations Committee has devoted more time to attending to those affairs that properly belong to it and has not considered it worth while to devote much time on this subject, which, on this hearing, would seem to me to belong elsewhere, to another committee.

Mr. SMOOT and Mr. WARREN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from South Dakota yield, and, if so, to whom?

Mr. STERLING. I merely wish to say a few words more.

Mr. WARREN. I should like to break in right at that point, if I may, in reply to the Senator from Delaware.

Mr. STERLING. I desire to say something suggested by the Senator from Delaware.

Mr. WARREN. The Senator from South Dakota, in answering the suggestion of the Senator from Delaware, will, I hope, be a little careful not to depart too far from the conditions as they exist.

Mr. STERLING. Exactly. The Senator from Delaware refers to the work of the Reclassification Commission. I wish to say with reference to the report of the Reclassification Commission, and with reference to the bill itself, that the Committee on Civil Service and Retrenchment will enter upon the study of this subject with an absolutely open mind. We shall not be controlled by the terms of the bill or by the report made by the Joint Reclassification Commission. What I am insisting upon is that the bill belongs to the Committee on Civil Service and Retrenchment as a matter of right. The right of that committee to have this bill referred to it as clear as is the right of the Committee on Banking and Currency to have referred to it any bill introduced here relating to the Federal Farm Loan Board or to the Federal reserve system or to the national bank system. It is just as clearly the right of the Committee on Civil Service and Retrenchment to have a reclassification bill referred to it as it is the right of the Finance Committee to have referred to it a bill relating to the internal revenue or to the tariff or any other measure, joint resolution, or what not, pertaining to the subject of Government finance. Our right is just as clear to the reclassification bill as is the right of the Committee on Military Affairs to have referred to it a bill providing for the reorganization of the Army; it is as clear as is the right of the Judiciary Committee to have referred to it a bill to amend the Municipal Code of the District of Columbia, or any measure involving a constitutional question.

Mr. President, because the salaries of employees are involved in this instance gives no right to the Appropriations Committee to have this bill. It might be said with as much reason that a bill creating a commission and prescribing the salaries of the commissioners, such as the Federal Trade Commission or any other commission which Congress has created, should, because of the fact that salaries are provided for, be referred to the Committee on Appropriations.

Mr. President, I base my claim on the clear ground of right. I grow a little restive sometimes—and I am not alone in that feeling, either—because of the excess of guardianship and supervision manifested here from time to time, arrogating to itself, apparently, the wisdom to preside over the destinies of many subjects not pertaining to the particular committees to which the individual Senators may belong and over which they have no lawful jurisdiction. Impliedly that guardianship and supervision fear to trust the motives or the capacity or the sense of responsibility of other Members of the Senate.

I do not know why there should be such a strained effort on the part of the Committee on Appropriations to hold on to the reclassification bill. I am asking that it go to the Committee on Civil Service and Retrenchment because of right it should go there and because of the work—and, as I have said, I do not covet the work—which I think the necessities of the case demand in connection with the undertaking to reclassify our civil service.

Mr. President, a word in conclusion. I have said that I was not speaking in my own right or because I am sensitive about my personal rights; but when I stand here to plead that this bill be referred to the proper committee I speak for the right of every committee in the Senate; more than that, I speak for the right of every Senator here, who has the right to demand that a bill over which a committee of which he is a member has proper jurisdiction shall be referred to that committee. That is all I have to say.

FUNERAL OF THE LATE REPRESENTATIVE CLARK.

The PRESIDENT pro tempore. On the committee appointed to attend the funeral of the late Representative CLARK the Chair substitutes for the Senator from Arkansas [Mr. ROBINSON] the Senator from Utah [Mr. KING], and for the senior Senator from Arizona [Mr. ASHURST] the junior Senator from Arizona [Mr. SMITH].

TRANSPORTATION OF EXPLOSIVES.

Mr. TOWNSEND. Mr. President, I should like to make a request for unanimous consent before the bill which is before the Senate is discussed further. As I understand it is not expected to enact a law to-night on that subject. It is simply a matter of change of reference.

I should like to ask unanimous consent for the consideration of the so-called explosives bill, which has passed the House and to which there is no objection that I know of. It ought to be passed and sent back to the House in order that we may get action on it before morning. That is the only reason why I am asking to inject it in here instead of waiting until the discussion of this other question has been completed.

The PRESIDENT pro tempore. The Senator from Michigan asks unanimous consent for the immediate consideration of a bill the title of which will be stated by the Secretary.

Mr. TOWNSEND. I will say that it is H. R. 12161, Order of Business 692.

Mr. SMOOT. Mr. President, I will ask the Senator to explain the bill.

Mr. TOWNSEND. I can explain it very briefly.

There have been a great many accidents on trains, especially passenger trains, of late. The number has been growing very rapidly, and there is now a proposition to include among dangerous explosives certain gases, and so forth.

Mr. SMOOT. I did not recognize the bill by its number; but from the Senator's description of it, so far as I am concerned, he need not proceed further with his explanation, because I know just what the bill is, and I think perhaps it ought to be passed.

The PRESIDENT pro tempore. Does the Senator from Utah object to the consideration of the bill?

Mr. SMOOT. No.

The PRESIDENT pro tempore. The Secretary will state the title of the bill.

The ASSISTANT SECRETARY. A bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134).

The PRESIDENT pro tempore. The Assistant Secretary informs the Chair that the bill has already been read. Is there objection to the request of the Senator from Michigan?

Mr. GRONNA. Let the bill be read.

Mr. TOWNSEND. The bill has been read. It was read the other day.

Mr. GRONNA. I should like to have it read for information.

The PRESIDENT pro tempore. The bill will be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That sections 232, 233, 234, 235, and 236 of the act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, be amended to read, respectively, as follows:

"SEC. 232. It shall be unlawful to transport, carry, or convey, within the limits of the jurisdiction of the United States, any high explosive, such as, and including, dynamite, blasting caps, detonating fuzes, black powder, gunpowder, or other like explosive, on any vessel, car, or vehicle of any description operated in the transportation of passengers by a common carrier engaged in interstate or foreign commerce, which vessel, car, or vehicle is carrying passengers for hire: *Provided*, That it shall be lawful to transport on any such vessel, car, or vehicle smokeless powder, primers, fuses, not including detonating fuzes, fireworks, or other similar explosives, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding 20 samples at one time in a single vessel, car, or vehicle; but such explosives shall not be carried in that part of a vessel, car, or vehicle which is being used for the transportation of passengers for hire: *Provided further*, That it shall be lawful to transport on any such vessel, car, or vehicle small-arms ammunition in any quantity, and such fusees, torpedoes, rockets, or other signal devices as may be essential to promote safety in operation: *And provided further*, That nothing in this section shall be construed to prevent the transportation of military or naval forces with their accompanying munitions of war on passenger-equipment vessels, cars, or vehicles.

"The words 'detonating fuzes,' as used in this section shall be interpreted to mean fuzes used in naval or military service to detonate the high explosive bursting charges of projectiles, mines, bombs, or torpedoes. The word 'fuzes' as used herein shall be interpreted to mean devices used in igniting the bursting charges of projectiles. The word 'primers' as used herein shall be interpreted to mean devices used in igniting the propelling powder charges of ammunition. The word 'fuses' as used herein shall be interpreted to mean the slow-burning fuses used commercially and intended to convey fire to an explosive or combustible mass slowly or without danger to the person lighting. The word 'fusees' as used herein shall be interpreted to mean the fusees ordinarily used on steamboats and railroads as night signals.

"SEC. 233. The Interstate Commerce Commission shall formulate regulations for the safe transportation within the limits of the jurisdiction of the United States of explosives and other dangerous articles, including inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, which shall be binding upon all common carriers engaged in interstate or foreign commerce which transport explosives or other dangerous articles by land or water, and upon all shippers making shipments of explosives or other dangerous articles via any common carrier engaged in interstate or foreign commerce by land or water. Said commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions. Such regulations shall be in accord with the best-known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport. Such regulations, as well as all changes or modifications thereof, shall, unless a

shorter time is authorized by the commission, take effect 90 days after their formulation and publication by said commission and shall be in effect until reversed, set aside, or modified. In the execution of the provisions of this act the Interstate Commerce Commission may utilize the services of the bureau for the safe transportation of explosives and other dangerous articles, and may avail itself of the advice and assistance of any department, commission, or board of the Government, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law.

"SEC. 234. It shall be unlawful to transport, carry, or convey within the limits of the jurisdiction of the United States, liquid nitroglycerin, fulminate in bulk in dry condition, or other like explosive, or any vessel, car, or vehicle of any description operated in the transportation of passengers or property by land or water by a common carrier engaged in interstate or foreign commerce.

"SEC. 235. Every package containing explosives or other dangerous articles when presented to a common carrier for shipment shall have plainly marked on the outside thereof the contents thereof; and it shall be unlawful for any person to deliver, or cause to be delivered, to any common carrier engaged in interstate or foreign commerce by land or water, or to carry upon any vessel, car, or vehicle operated by any common carrier engaged in interstate or foreign commerce by land or water any explosive, or other dangerous article, as specified in section 233 of this act, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier in writing of the true character thereof, at or before the time such delivery or carriage is made. Whoever shall knowingly violate, or cause to be violated, any provision of this section, or of the three sections last preceding, or any regulation made by the Interstate Commerce Commission in pursuance thereof, shall be fined not more than $2,000 or imprisoned not more than 18 months, or both.

"SEC. 236. When the death or bodily injury of any person is caused by the explosion or escape of any article named in the four sections last preceding, while the same is being carried or placed upon any vessel, car, or vehicle to be transported in violation thereof, or while the same is being so carried or transported, or while the same is being removed from such vessel, car, or vehicle, the person knowingly carrying, placing, or aiding or permitting the carrying or placing of such articles upon any such vessel, car, or vehicle, to be so carried or transported, shall be imprisoned not more than 10 years."

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill just read?

Mr. KING. Reserving the right to object, if I may have the attention of the Senator from Michigan, I should like to know wherein this bill differs from existing law?

Mr. TOWNSEND. The only way in which it differs from existing law is to guard and protect the public against some of the newer inflammables and explosives which have been invented. There has been some confusion as to what were subject to transportation and what were not. This bill attempts to define more clearly the difference between high and low explosives, those which can be handled in small amounts with safety to the public and those which can not.

Mr. KING. It creates no more penal offenses?

Mr. TOWNSEND. Not at all.

Mr. KING. Does it increase the present punishment?

Mr. TOWNSEND. It does not, although the Interstate Commerce Commission suggests that section 236 be amended in accordance with an amendment which I am going to offer now, so as to remove any doubt as to where the liability is. It does not change the penalty.

Mr. KING. Does it apply merely to the mail or to all articles in interstate commerce?

Mr. TOWNSEND. It applies to explosives being transported on passenger trains or on trains that are carrying passengers.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TOWNSEND. I offer the amendment, which I send to the desk, suggested by the Interstate Commerce Commission.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. In lieu of section 236, as printed in the bill, it is proposed to insert the following:

SEC. 236. When the death or bodily injury of any person results from the violation of any of the four sections last preceding, or any regulation made by the Interstate Commerce Commission in pursuance thereof, the person or persons who shall have so knowingly violated or caused to be violated such provision or regulation shall be fined not more than $10,000, or imprisoned not more than 10 years, or both.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment.

Mr. REED. Mr. President, it was impossible in this part of the Chamber to hear the amendment. I ask that it be read again.

The PRESIDENT pro tempore. The Secretary will again state the amendment.

The Assistant Secretary again stated the amendment.

Mr. REED. Is that the amendment offered by the Senator from Michigan?

Mr. TOWNSEND. It is.

Mr. KING. Mr. President, may I direct the attention of the Senator from Michigan to the preceding section? It strikes me that there is some incongruity. The last few lines of the preceding section read as follows:

Whoever shall knowingly violate, or cause to be violated, any provision of this section, or of the three sections last preceding, or any regulation made by the Interstate Commerce Commission in pursuance thereof, shall be fined not more than $2,000, or imprisoned not more than 18 months, or both.

The amendment which the Senator has just offered, as I understand, relates to section 236, and that embraces section 235, from which I have just read a paragraph. Section 235 prescribes a penalty of $2,000 and imprisonment not more than 18 months; and yet the following section, which embraces the paragraph which prescribes a lesser punishment, prescribes a still larger punishment, to wit, $10,000 fine and 10 years' imprisonment. It seems to me there is a conflict.

Mr. TOWNSEND. Mr. President, there is no conflict, I think the Senator will find when he understands it. In the first place, this does not change the existing law in any respect, except the wording of the last clause of section 236, which provides the same penalty as is provided in existing law. But it was felt that it was perhaps not as clearly understood.

Section 235 is in reference to marking. Where there is death or bodily injury, because of some willful violation of the law, then the fine is $7,000 or imprisonment, as suggested here. This amendment does not change existing law as to the extent of the punishment or as to the liability, except that it adds to the law certain other explosives and inflammables, against the transportation of which the public should be protected.

Mr. KING. Does the Senator from Michigan believe that his amendment is limited merely to the article therein referred to, rather than to the comprehensive language in the three preceding sections?

Mr. TOWNSEND. I do not think it changes existing law at all. I am not attempting to change existing law. I am simply rewriting, on the suggestion of the Interstate Commerce Commission, the wording of that last penalty clause.

Mr. KING. Then the Senator does not think there is any incongruity between the larger punishment prescribed by the amendment which he has tendered and the smaller punishment incorporated within the lines which I have just read?

Mr. TOWNSEND. I do not.

Mr. WOLCOTT. Is not this the situation: Section 236 provides an additional punishment for an aggravated offense; section 235 prescribes a penalty for violating the regulations prescribed in this act, or by the Interstate Commerce Commission; section 236 provides that if such violation results in death there shall be a heavier penalty. That is all, is it not?

Mr. TOWNSEND. Absolutely.

Mr. WOLCOTT. I do not think there is any incongruity at all.

Mr. KING. That would be true, if the Senator will pardon me, if the language of the tendered amendment related solely to those acts which are described in the preceding sections, which might result in death or in great bodily harm, and if they may not be extended to embrace the other acts which may be inhibited or penalized, then I agree with both Senators.

Mr. TOWNSEND. It clearly specifies it.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

STANDARD MILLING WEIGHTS AND MEASURES.

Mr. REED. Mr. President, I desire to call the attention of the Senate to H. R. 9755, to establish the standard of weights and measures for the following wheat-mill and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes.

This is a bill which was passed by the House of Representatives some little time back, and ought to have had the attention of the Senate before this hour. It was reported favorably by the Committee on Standards, Weights, and Measures, after having been referred to the proper department.

It undertakes to establish a standard of weights and measures in flour and the by-products. The report of the House committee is very short, and the report of the Department of Commerce is likewise very brief. Let me read a clause from the latter:

2. The principle involved in this proposed bill is that mandatory standards be established for packages of wheat mill and corn mill products and that these standards be on the hundredweight basis. This principle has the unqualified indorsement of this bureau, and in our opinion this bill is excellently adapted to carry the purpose into effect. It is one which is urgently required on account of the discrepancies in

the standards established by law in the various States, which cause great confusion in interstate commerce, and unfair competition between brands manufactured in a State and those shipped in for sale from points outside the States.

3. This bureau is strongly of the opinion that this proposed legislation will do a great amount of good for the consuming public and for the manufacturer; that it represents a long step forward in standardization and deserves the favorable consideration of Congress.

Mr. President, about all there is to the bill is the declaration that a barrel of flour shall contain 200 pounds, and that the various packages shall be in amounts which are decimal resultants, so that a 50-pound sack of flour hereafter will contain 50 pounds, not 45 pounds, in one State, 47 in another, 40 in another, and so on. So far as I could learn, the bill seems to have the support of nearly all the millers in the United States. They were here in a representative body and urged this bill as a great convenience to the millers and as a protection to the public as well.

I have felt it my duty, under the circumstances, to call the attention of the Senate to the bill, and in view of the fact that there does not seem to be any very pressing matter before us this evening I ask unanimous consent that the bill may now be taken up for consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. GRONNA. May I ask the Senator from Missouri if public hearings have been held on this bill?

Mr. REED. Yes; public hearings were held. Everybody who had asked to be notified was notified, and there were a great number of letters, and there was an appearance by a millers' organization. Some 10 or 12 men came, and spoke, through one man. The testimony has been filed with the Senate.

Mr. GRONNA. Have those hearings been printed?

Mr. REED. They were not printed.

Mr. GRONNA. Were the millers of the western country represented?

Mr. REED. This organization, as I understood, represented the mills of practically all over the country. They seemed to be very frank gentlemen. They stated to me that they did not know of any objection, except from some mill in Minneapolis and some mill in Kansas or Missouri. They stated that this matter had been discussed at many of the conventions where millers had met, the bill had been very carefully worked out, and that, in their judgment, it represented practically the unanimous opinion of the millers; although I suppose there is never a great question which receives absolutely the unanimous opinion of any large body of men.

Mr. GRONNA. Mr. President, I shall not object to the request for unanimous consent, but I want to say to the Senator that I have received a great many protests, not against this particular bill, but against any bill changing the standards. We know that it will involve a great deal of expense in many respects; but if the millers and those whom it affects most vitally are not opposed to it, of course personally I have no objection to the bill. But I have received a great many protests against legislation of this sort.

Mr. REED. I think the Senator may be in some confusion regarding this bill. There are two bills. There is a bill which proposes to establish a metric system, and there has been great advocacy of that bill, and there has been great opposition to it. But this bill does not do anything except specify the size of the packages in which flour and grains are to be sent out, and they allow a large number of different sizes, but each of them is some decimal of the 200-pound barrel so that we do away with fractions. The bill does not become operative for a year. That, I understand, is in order that the mills may have time to use up their old packages, their old sacks, and their old barrels, the material they have on hand. I think it is a good bill. It has passed the House and, of course, if it does not pass the Senate now, the work will remain to be done all over again.

Mr. GRONNA. Does this bill change the standard of a barrel of flour? A barrel of flour now weighs 196 pounds.

Mr. REED. Yes; it makes it 200 pounds, because if it is 196 pounds, every time you try to divide a barrel, you get a fraction, and they make it 200 pounds. They make the so-called 50-pound sack of flour, which we have always regarded as 50 pounds commercially actually 50 pounds, instead of 49 pounds, or 48 pounds, and according to the statement of these gentlemen, the States have different standards. In some States a barrel of flour weighs 196 pounds; in some States the so-called 50-pound sack weighs 46 pounds. The bill does not contain any harsh terms or harsh penalties, but for the first time it fixes a general standard for the United States.

Mr. GRONNA. Mr. President, I have confidence in the Senator from Missouri, and I am sure he would not advocate legislation which would be destructive of the milling industry, and I shall, of course, not object.

Mr. WALSH of Montana. I would like to inquire of the Senator from Missouri about the bill. I notice that its operation is not restricted to interstate commerce, but applies to all commercial transactions. Upon what basis does the Senator feel that the Government of the United States may prescribe the size of packages which shall pass in commercial transactions wholly within a State?

Mr. REED. The right to fix standards, weights, and measures is the only right it could be placed under.

Mr. WALSH of Montana. Congress has the right to fix standard weights and measures, but this does not fix standard weights and measures at all. It fixes the size of packages within which a number of units of either standard weight or measure may be included.

Mr. REED. I will say to the Senator frankly that it may be that the bill is broader than the mere fixation of standards in itself, and unless the right to fix standard weights and measures carries with it the right to fix the size of the package, then the Senator's objection is sound. I desire to say to the Senator that I have given the bill only brief consideration. It was brought to my attention and I tried to make very careful consideration of it to see whether it was going to do a hardship to anyone. I did not examine it from the critical legal standpoint. It passed the House and I took that for granted in this case.

Mr. WALSH of Montana. It occurs to me that the fixing of the size of packages within which a certain quantity of goods may be carried falls altogether outside the scope of the provision authorizing Congress to fix standard weights and measures. I suppose in the first place that it rested upon the commerce clause. I should doubt whether, even under the broad provisions of the commerce clause, Congress would be empowered to say to any person that it would be a penal offense to ship packages of any size he saw fit. I can not quite see upon what basis legislation of that character could rest. If a man finds it convenient to his business to pack flour in 30-pound packages and he plainly notes upon the package that it contained but 30 pounds, upon just exactly what kind of governmental right can he be imprisoned for so selling his flour? Does not the Senator think that would be such a natural right that he could not be penalized even under the commerce clause?

Mr. REED. I think that very problem is raised by the suggestion of the Senator with regard to the limitations of the powers of Congress being found in the interstate commerce provision, but, waiving that, it is my judgment that the right to fix standard weights and measures carries with it the right to make reasonable provision with reference to the size of the packages in order to protect the public against misrepresentation or any kind of overreaching. Of course, the provision must be a reasonable one. My examination of the bill has led me to believe that it is reasonable. The Senator will observe that it applies only to packages of 5 pounds or over, and that it shall be a package containing 100 pounds or a multiple of 100 pounds or one of the following fractions thereof—5, 10, 25, or 50 pounds. It seemed to me at first that that was too limited, but when it was explained to me that when a man wanted 15 pounds of flour all he had to do was to get a 5-pound package and a 10-pound package, or if he wanted to get 20 pounds of flour he could get two 10-pound packages, and if he wanted 25 pounds, of course, that was provided for, and that he could get packages of less than 5 pounds, there being no limitation there, I saw no further objection.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Connecticut will state it.

Mr. BRANDEGEE. Has the Senator from Missouri obtained unanimous consent yet or not?

The PRESIDENT pro tempore. The Senator from Missouri has asked unanimous consent for the present consideration of the bill. That is not a debatable question, although the Chair recognizes that questions for information may very well pass between Members.

Mr. REED. I thought consent had been granted. Let me say if the bill is to meet with any serious objection—if there are Senators who think it is not wise to take it up—it is not my purpose to press it. I told the men who were supporting the bill that I had, after examination, thought it was a meritorious bill and that I would try to present it to the Senate if opportunity afforded. I had thought from the course of events this evening that probably the Senate would be in a humor to consider the bill. I think it is quite an important one, but it is not a bill that I would try to force on the attention of the Senate if there is any serious objection to it at this hour.

Mr. BRANDEGEE. I did not rise to object. I am not informed about the bill and I would not object to it. I have no

objection to its consideration. I simply did not want it debated before we had unanimous consent, and perhaps waste an hour and then have some one object at that time.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, I hope the Senator will not press the bill at this time. I agree with the Senator upon so many matters that I know we agree with reference to the power of the Federal Government in matters of this kind, but I think he will find upon further examination that the Senate ought not to pass the bill. I hope the Senator will not press his request for unanimous consent, as I should be constrained to object.

Mr. REED. Of course, that is a very polite and courteous and kindly way to make an objection, and I quite understand it. I shall not press the bill, but, if I may be permitted this word, with the exception of the objection which the Senator from Montana [Mr. WALSH] has raised, and it may be a serious one requiring amendment, and if there were amendment it would be fatal to the bill, I do not think it is subject to any serious objection.

Let me say to the Senator from Utah, if I may be permitted a further word, that I am as much opposed to the Federal Government invading the powers of the States and municipalities and interfering with business as any man can be, but the idea of the bill lies directly within the constitutional powers of Congress. The regulation is one which does not undertake to interfere with any man's business further than merely to prescribe the kind of package or the size of package, so that the public may not be deceived. However, objection having been substantially made, and I having done my duty in the premises, I am quite content to let the matter drop.

The PRESIDENT pro tempore. The Senator from Missouri withdraws the request for unanimous consent for the present consideration of the bill.

Mr. KIRBY. Mr. President, I was hopeful the Senator from Utah would not insist upon his objection.

Mr. KING. I shall insist upon it.

Mr. KIRBY. May I say just this further word about the matter: The mills in my State are very much in favor of the passage of the bill. They say present conditions require them to keep on hand large stocks of packages of these various kinds, which would not be necessary if this bill became a law; that the present condition is an imposition which the public would be relieved of by the passage of the bill.

PANHANDLE AND PLAINS SECTION.

The bill (H. R. 14490) to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone, was read twice by its title.

Mr. SHEPPARD. Mr. President, there is a similar bill on the Senate calendar with a favorable report. In view of that fact I ask that the House bill be considered at this time.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent for the present consideration of the bill the title of which has just been reported. Is there objection?

Mr. STERLING. I should like to ask the Senator from Texas if it will lead to any discussion.

Mr. SHEPPARD. The bill is one of local interest, merely transferring a section of Texas and Oklahoma from the mountain time zone to the central time zone. I do not think it will lead to any discussion.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONGRESSIONAL MEDAL.

Mr. LODGE. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 16076) authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey, and the unknown, unidentified French soldier buried in the Arc de Triomphe, of the congressional medal of honor. The bill was referred to the Committee on Foreign Relations and approved by every member present, 16 or 17. I can not think that there will be any objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMERICAN MERCHANT MARINE.

Mr. JONES of Washington. Mr. President, I had thought that at some time I should submit some remarks with reference to the shipping situation, but the time has not seemed opportune, and I am not going to do it now. I may do it later. However, I have here a statement prepared by Mr. Joseph N. Teal, one of the present members of the Shipping Board, giving what I consider a very good account of the operations of the board since it was organized. It gives some information that I think ought to be of very great benefit, and I ask permission, as a part of my remarks, to have it printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

OPERATIONS OF THE UNITED STATES SHIPPING BOARD AND UNITED STATES SHIPPING BOARD EMERGENCY FLEET CORPORATION FROM SEPTEMBER 7, 1916, TO JANUARY 1, 1921.

[By Joseph N. Teal, February, 1921.]

PRESENT AND FUTURE.

The merchant marine act, 1920, popularly called the Jones Act, was approved June 5, 1920. This date marks the dividing line between the past and the present of the operations of the United States Shipping Board. Where the "board" is referred to, the Emergency Fleet Corporation is included.

Nearly all that is heard or read about the Shipping Board or its operations refer to the past. It is the purpose to deal with the present and the future.

ACTIVITIES OF BOARD DIVIDED INTO THREE PERIODS.

The activities of the board fall quite naturally into three periods:

1. From the date of the approval of the original shipping act, September 7, 1916, to November 11, 1918, the date of the armistice. This includes the time we were at war.

2. From the date of the armistice, November 11, 1918, to June 5, 1920, the date the merchant marine act, 1920, was approved.

3. From and after June 5, 1920.

FIRST PERIOD.—DUTY UNDER ACTS APPLICABLE TO FIRST PERIOD RELATED TO WAR.

The board under acts applicable to this period had very different duties to perform from those of the third period. Its purpose during war emergency was to build with all possible speed ships that would carry cargo overseas. With the brief space separating us from those days when every thought and every pound of our national strength was centered on "winning the war," it is unnecessary to take the time to emphasize or enlarge upon the then conditions. Every day the newspapers carried the story of the sinkings of ships until the loss of tonnage and its consequent effect upon the war could no longer be concealed. At the most critical time—during the year 1918—although Great Britain was hard pressed for tonnage for her immediate needs, the United States was borrowing tonnage from her. No one could foresee, much less know, how long the war would last, and had it continued as anticipated, with the rate of sinkings as they were, we should have needed all the vessels contracted for and more. There was neither time nor purpose to weigh with great care the qualities and characteristics of different types of ships with the thought of ultimately concluding as to which were the better and for general purposes more serviceable. There was no time to consider the possibilities of building a well-balanced fleet of vessels for commercial purposes. Trade routes were not thought of. The problem was to turn out ships of some kind, of every kind that could lend support to the forces overseas. This was done. The war was won, and our vessels played an important part in helping to win the victory.

The first period, being primarily devoted to preparation for war and war operations, and every effort being directed to that end, it would be misleading and futile to apply the costs of that period to peace conditions, or to measure what was then done by a yardstick applicable to normal times and normal conditions. Cost in time of war is not controlling. The turning out of an instrumentality for use is. Value, as the word is ordinarily used, was nonexistent. One might as well attempt to value a glass of water to one dying of thirst or a loaf of bread to one starving as to attempt to place a value on a usable vessel during the war. They have, indeed, short memories who do not recall the cry for ships, ships, and more ships and the statement, made over and over again, that if a ship carrying arms and ammunition or other necessities made but one trip overseas she paid for herself. The attempt to measure the selling or any other value now by cost or value then is a waste of time. The purpose the vessel served then is different from the purpose it serves now. Its use then was different from what it is now.

WORK DONE BY FORMER BOARDS.

In passing, I feel that it is as little as I can do to express my appreciation of the work the men in charge of Shipping Board affairs in those days did in playing their part in the winning of the war. Never before had any nation undertaken the task of actually creating a great fleet almost overnight. All the world characterized it as impossible. Every record was broken in the completion of ships as well as in individual operations. As time goes on and the work done and its results are better understood mistakes and errors will be forgotten, and the fact of what was really accomplished will stand out as a monument to the memory of those whose energy and patriotism made the undertaking possible. In a sentence, the duties of the first Shipping Board were as distinct from those of the present board, under the Jones Act, as though its existence had terminated at the passage of that act, and, so far as the existing board is concerned, as though the former had never been in existence at all.

SECOND PERIOD.

The second period was largely a speculative era. Temporarily there was a scarcity of ships. In addition to other demands for space, enormous amounts of food products and fuel required prompt handling. In consequence charters and rates soared to unbelievable heights, and the speculative possibilities seized many who did not know an ocean liner from a prairie schooner, and in they plunged, to the harm, as it later developed, not only of themselves but of the legitimate operator. During this period the price of ships was high. Based on the current earnings at that time, if legitimate and sustained, the prices asked may have been justified, but with the decline of rates the price of ships inevitably declined. Immutable economic laws control the price of a ship as certainly as they do the price of a bushel of corn.

THIRD PERIOD.

The third period is the return to normal conditions through readjustment affected as it is quite largely by a reaction from the former feverish state.

THE PARAMOUNT DUTY UNDER MERCHANT MARINE ACT, 1920.

The paramount duty—the outstanding function of the Shipping Board under the Jones Act—is to establish, develop, and maintain an American merchant marine.

The language of the Congress is direct and unambiguous:

"That it is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine of the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by citizens of the United States; and it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine. * * * And in the administration of the shipping laws keep always in view this purpose and object as the primary end to be attained."

The provisions of the law are quoted so that the intent of Congress and the obligations cast upon the board may not only be known but that they will be borne in mind in considering the conduct of business by the board under the mandates of the act.

DUTIES UNDER JONES ACT RELATE TO PEACE.

It is the object of the law that the United States shall have a merchant marine sufficient for and adapted to two purposes—peace and war. It is with its use as a commercial agency we are now concerned.

PLAIN STATEMENT OF FINANCIAL AND OPERATION CONDITIONS IS NECESSARY.

To those who look forward with hope to the establishment of an American merchant marine "of the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency," it is of the greatest consequence that a plain, comprehensive statement of the affairs of the board be submitted to the public so that it may appreciate what has been done in the past, and be able to form fair and just conclusions as to what may, can, or should be done in the future. Such a statement should neither minimize, maximize, nor color facts. All men know that a merchant marine such as this country is seeking to establish can not be secured in a day, and that in the face of the sustained and keen competition we meet from every maritime country on the face of the globe it will cost a considerable amount of money to realize our purpose. Following the line of thought as above expressed, this statement will deal with facts rather than with argument.

While not essential for the purposes of this statement, it is thought best to incorporate the balance sheet herein, so as to show the accounts and their state as of the date named as they appear on the books of the board.

Consolidated balance sheet of United States Shipping Board and United States Shipping Board Emergency Fleet Corporation, as of Jan. 1, 1921.

ASSETS.

1. General cash and cash funds	$51,694,477.99
2. Accounts receivable	300,425,313.67
3. Notes receivable	74,314,951.95
4. Advances to contractors	2,276,392.07
5. Investments	67,708,597.20
6. Materials, supplies, ship stores, etc	102,207,152.11
7. Purchases, construction, and reconditioning expenditures, owned vessels	2,785,562,598.06
8. Plants, property, and equipment, fuel oil stations, real estate and buildings, furniture and fixtures, mechanical office equipment, automobiles, launches, etc	149,646,773.23
9. Construction of, improvements to, etc., housing projects and transportation facilities	24,813,446.12
Total	3,558,649,612.40

LIABILITIES.

10. Vouchers payable	$9,732,407.97
11. Accounts payable	16,977,543.21
12. Charter hire payable	47,674,423.39
13. Unclaimed wages	104,126.38
14. Deposits on sales and charter hire	6,599,471.31
15.} First mortgage bonds on shipbuilding plants	2,500,000.00
16.}	
17. Appropriations	3,275,498,438.91
18. Reserves	869,538,836.02
Total	4,228,625,247.19
19. Net outcome of all activities * * * from inception to Dec. 31, 1920	669,975,634.79
Total	3,558,649,612.40

The foregoing balance sheet shows the accounts as they stood on the books January 1, 1921. Nothing has been charged off. Some of the accounts, such as "Reserve," are bookkeeping entries and represent no actual value or actual indebtedness. Many items, such as ships sunk or destroyed, and otherwise lost properties are still carried in these accounts at what they originally cost. In a word, it is the cumulation of items as they were charged for from the inception of the enterprise.

RECEIPTS FROM APPROPRIATIONS AND INCOME FROM SEPTEMBER 7, 1916, TO JANUARY 1, 1921, AND ASSETS JANUARY 1, 1921.

In order to summarize and show the results of the operations of the Shipping Board in the simplest form, a statement has been prepared showing the Shipping Board's receipts from appropriations, allotments, and income from its operations, either in cash or accounts or bills receivable, and the property on hand January 1, 1921. The tabulation covers the period from September 7, 1916, to January 1, 1921:

Receipts from appropriations and allotments and from estimated earnings and other sources in cash and in bills and accounts receivable from Sept. 7, 1916, to Jan. 1, 1921.

1. Appropriations and allotments	$3,275,498,438.91
2. Net receipts from operation of vessels	112,253,819.21
3. From other sources (interest on deposit, rentals, etc.)	11,891,821.67
4. Accounts receivable and bills receivable	75,631,636.45
Total	3,475,275,716.24

PROPERTY ON HAND JAN. 1, 1921—VESSELS.

Statement of number of vessels and dead-weight tonnage owned and controlled, available for operation by Shipping Board Jan. 1, 1921.

Type.	Number of vessels.	Dead-weight tons.
Steel	1,335	9,266,139
Wood and composite	282	1,047,426
Concrete	8	38,980
Purchased	26	188,709
Seized	32	290,953
Chartered	1	8,500
Total	1,684	10,840,707

Ships under construction by United States Shipping Board and Emergency Fleet Corporation, dead-weight tons, Jan. 1, 1921.

Type.	Number of vessels.	Dead-weight tons.
Contract steel (all classes)	70	747,300
Requisitioned steel (all classes)	2	21,900
Wood	1	(1)
Concrete	3	22,500
Total	76	791,700

[1] Wood construction is represented by tugs only; no tonnage given.

MISCELLANEOUS PROPERTIES.

1. Cash	$51,694,477.99
2. Accounts receivable, book value	300,425,313.67
3. Bills receivable, book value	74,314,951.95
4. Advances to contractors, book value	2,276,392.07
5. Investments, book value	67,708,597.20
6. Materials, supplies, ship stores, etc., book value	102,207,152.11
7. Plants, property, and equipment, book value	149,646,773.23
8. Housing projects and transportation facilities, book value	24,813,446.12
Total	773,087,104.34

No attempt is made to place a value on the vessels. The limitations of the law, the financial and business conditions, and the wide variations in the opinions of those who are conversant with this subject preclude the possibility of making an estimate of value that would generally be accepted. Moreover, it is obviously unfair to use as a basis for the ascertainment of values of these vessels the prices obtaining in the midst of a world-wide depression. Therefore, under the circumstances, it was thought best to omit any attempt to place a valuation on the fleet.

Other properties have been listed by account title at their book values and an estimate of recoverable value given.

While endeavor has been made to be reasonable and conservative in arriving at estimated values, it is realized there is room for very considerable difference of opinion. Indeed, as to some items it is not unlikely they have not been charged down as much as they should have been. In connection with all the accounts a survey and appraisal of items were made by those who should be familiar with their status, to the end that probable realizable amounts might be shown.

The estimated recoverable value of the assets referred to is much less than their book values and will not exceed in all $326,000,000.

ESTIMATED LIABILITIES.

1. Amount due to complete shipbuilding program (see Appendix "A" for detail)	$130,000,000.00
2. Vouchers payable	9,732,407.97
3. Accounts payable and claims filed	162,510,360.81
4. Charter hire payable	47,674,423.39
5. Unclaimed wages	104,126.38
6. Deposits on sales and charter purchase plan	6,599,471.31
7. Mortgages payable	2,500,000.00
Total	359,120,789.86

The foregoing is an estimate of the amount of money that will have to be provided for purposes set out. No estimate has been attempted as to amount required to pay expense of liquidation.

OFFSET AGAINST SHRINKAGE IN VALUES.

In considering the loss occasioned by the shrinkage of values and costs not only of vessels but of other kinds of property, there is a credit which while difficult to measure in dollars and cents is none the less potential, and that is the effect the tonnage of the Shipping Board has had and now has in holding rates to a reasonable basis. One does not need a vivid imagination to realize what the rates on movement overseas would have been had it not been for the United States Shipping Board fleet with its 10,000,000 tons. Without this fleet the tonnage of the world would have been substantially in the hands of Great Britain, the Scandinavian countries, Holland, France, and Japan. Other countries have fleets of but trifling proportion. Undoubtedly, with Great Britain's control over a large majority of the tonnage, a conference would have been created that could have named such rates as it chose. In 1920 the export and import traffic of the United States was, in round numbers, 100,000,000 long tons. Without the transportation opportunities furnished by the fleet of the United States Shipping Board during 1920 the rates might have been staggering. Argument is sometimes advanced that the producers in the United States are not affected by the freight rate. Theoretically, there may be something in this. A more practical test is to ask the grower of grain, the flour miller, the feeder of live stock, the cotton farmer, and the lumberman whether or not an increase in rates affects them in their business. There will be but one answer. Therefore, in considering the loss the gain should not be lost sight of.

GROWTH OF FLEET AND TONNAGE CARRIED.

[See Appendix "B."]

The growth and development of the American merchant marine in point of tonnage and the corresponding growth of the proportion of cargoes carried in American bottoms is shown in the accompanying charts, covering a period of over a century. The peak of our world commerce was reached in the years 1820 to 1830, from which period the recession of our activities was gradual and indicative of a hard-fought effort between 1850 and 1860 to maintain the supremacy of our wood fleet against the encroachment of iron and steam. The Civil War marked the end of the struggle to maintain supremacy on the seas and the balance of ocean-borne commerce swung rapidly to the foreign-flag vessels until in 1910 American bottoms carried but 9 per cent of our foreign commerce. Now the pendulum has commenced its upward swing, having received its impetus from the World War and the tremendous activities as indicated by our shipbuilding program of 1918–1920, in which period our total merchant fleet developed from 14,886,776 dead-weight tons in 1918 to 24,386,278 dead-weight tons in 1920. This wonderful growth can be visualized by the fact that in 1914, at the beginning of the war, there was only 1 ton of American shipping in overseas trade for every 17 tons under the British flag, whereas in 1920 the ratio had changed to 1 ton under the American flag and 2 tons under the British flag. These ships have been set to work as fast as they have been commissioned. Already they have restored an economic condition unknown since 1860, in that 50 per cent of the money value of our imports and 34 per cent of the money value of our exports are actually moving under the American flag, and the total value of foreign trade in 1920 was approximately $12,000,000,000.

SYNOPSIS OF THE CONDITIONS UNDER WHICH VESSELS CONTROLLED BY DIVISION OF OPERATIONS ARE OPERATED.

General cargo carriers are operated under what is termed the M. O. 4 agreement, adopted October 16, 1920, and made retroactive to March 1, 1920. Under this agreement the operator is appointed and termed "the agent." His duties are to manage, operate, and conduct the business of such vessels as may be assigned to him by the Shipping Board, acting for the United States, the board being represented by the Emergency Fleet Corporation. The agent is to man, equip, supply, and pay for accounts of the corporation the cost thereof, and all other costs and expenses incident to management and operation and generally look after the business, care for, and manage the vessels assigned to him for operation.

As compensation for services rendered the agent receives a commission of from 2½ to 5 per cent on gross receipts from freight and certain other revenues. Generally the compensation is 10 per cent on gross passenger and excess-baggage revenue. Provision is made for per diem compensation under certain conditions named in the contract and for 2½ to 5 per cent of salvage earned. The foregoing is substantially the compensation provided for in the contract.

The agent's compensation is not affected by additional cost, increased expense, or loss. His percentage is based on the gross earnings, and to the extent that he increases the gross he increases his profit. Having no interest in keeping down expenses there is no incentive for the agent to make any particular effort to economize. Indeed, the terms of the contract tend to encourage extravagance—and worse. Practices have been uncovered in several instances where through controlled companies, having to do with furnishing ship supplies, loading and discharging, etc., expenses have been unduly and improperly increased. While every effort is made to watch expenditures, doing its best the board is at a great disadvantage.

Although this form of agreement was intended to meet special conditions, and probably was as good as could have been devised at the time for the purpose intended to serve, it has never been satisfactory to the board, which has had for some time and now has under consideration the abandonment thereof in favor of a bare boat charter. Thus far operators generally have refused to accept bare boat charters. While at all times efficient operators and men of high character should be in charge of the vessels of the board, under the M. O. 4 agreement it is imperative that great care should be made in the selection of the men who are to handle the Shipping Board business. The volume of the business is very large and a slight increase in expense or change in rates makes a great difference in the result.

Distribution Shipping Board vessels by trades, at Jan. 1, 1921, excluding tankers and vessels operated by Army, Navy, and Philippine government.

FOREIGN SERVICE.

	Number.	Dead-weight tons.
Northern Europe:		
Cargo	429	3,150,597
Passenger and cargo	2	26,175
Southern Europe:		
Cargo	80	580,474
Passenger and cargo	1	7,050
Africa, cargo	35	250,805
British India, cargo	12	105,635
Australian, cargo	13	117,229
East Indies, cargo	10	86,634
East Asian, cargo	93	817,539
South American:		
Cargo	132	862,716
Passenger and cargo	3	29,930
West Indies, cargo	106	422,563
Mexico and Central America, cargo	19	71,574
Between foreign ports, cargo	19	88,633
Total	954	6,618,054

DOMESTIC SERVICE.

Coastwise	55	201,962
Intercoastal	10	82,367
Total	65	284,329

Distribution Shipping Board vessels by trades, etc.—Continued.

RECAPITULATION.

	Number.	Dead-weight tons.
Foreign service	954	6,618,054
Domestic service	65	284,329
Total	1,019	6,902,383

COST OF REPAIRS.

According to latest advices from Repair Cost Audit Bureau, the total cost of repairs and physical maintenance of vessels for the fiscal year ending December 31, 1920, was $72,441,546.77. The total cost for the six months ending December 31, 1920, was $27,403,866.47. There is not included in these figures $7,411,679.83 for repairs which had been made but not settled by January 1, 1921.

PRESENT TENDENCY TO "TIE UP."

The tendency at present is to "tie-up." Just when a change for the better will take place is not at all certain, but it is quite certain that the bottom has not been reached. While very considerable reductions have been made in cost of "tie-up" per ship, at best it is directly an expensive proposition without considering depreciation, etc. It is probable that there are more Shipping Board vessels being tied up than those owned by private operators.

TIED-UP VESSELS.

Comparative statement of number, kind, dead-weight tonnage, percentage, and cost per month of tied-up vessels, United States Shipping Board.

[July 1, 1920; Jan. 1, 1921; Feb. 1, 1921.]

WOOD VESSELS.

Date.	Number vessels tied up.	Dead-weight tonnage.	Average cost per month per ship.	Total wooden vessels in fleet.	Per cent of vessels tied up.
July 1, 1920	[1] 82	299,039	$1,384.78	[2] 275	29.82
Jan. 1, 1921	[3] 262	964,610	788.05	[4] 289	90.66
Feb. 1, 1921	[5] 265	975,273	692.99	[5] 289	91.69

[1] Including 1 concrete.
[2] Including 4 concrete.
[3] Including 2 concrete.
[4] Including 8 concrete.
[5] Including 7 concrete.

In addition to the above wooden and concrete vessels there have been assigned for "tie-up" and will be tied up in the near future 11 more wooden vessels, or a total of 40,059 dead-weight tons, including 6 vessels sold to the States Steamship Corporation and ordered redelivered to the board.

STEEL VESSELS.

Date.	Number vessels tied up.	Dead-weight tons.	Average cost per month per ship.	Total steel vessels in fleet.	Per cent of vessels tied up.
July 1, 1920	6	41,631	[1] $3,236.55	1,231	0.49
Jan. 1, 1921	206	1,197,955	2,253.00	1,394	14.77
Feb. 1, 1921	248	1,373,994	1,465.00	1,388	17.87

[1] Includes cost per month on two ships. Information on the other four ships is not yet obtainable from the comptroller.

TOTAL VESSELS TIED UP.

Date.	Number vessels tied up.	Dead-weight tons.	Total vessels, all kinds.	Per cent of vessels tied up.
July 1, 1920	88	340,670	1,505	5.84
Jan. 1, 1921	468	2,162,565	1,683	27.81
Feb. 1, 1921	513	2,349,267	1,677	30.59

On February 1, 1921, in addition to 248 vessels reported above as tied up, there were 103, of a dead-weight tonnage of 701,745, in process of tying up. This for all practical purposes would make the "tie-up" of steel vessels February 1, 1921, 351, of a dead-weight tonnage of 2,075,739, or approximately 25 per cent of the entire steel fleet. This has increased to such an extent that on February 23 the "tie-up" was 467 steel cargo vessels, of 3,000,000 dead-weight tons, or 33 per cent of the total dead-weight tonnage of the steel fleet. In addition, on February 19 there were 122 steel cargo vessels temporarily idle.

The cost of "tie-up" includes wages and subsistence of crews, fuel, wharfage, if any, and estimated incidentals. All of the above costs of "tie-up" of steel vessels will be materially reduced in the near future when the main repairs have been completed and the ships have been completely tied up. A further saving in the cost of "tie-up" will be effected as soon as the wages of the tie-up crews are reduced. A reduction in the number of men comprising the tie-up crews on the wooden vessels is now being put into effect. Cost of "tie-up" as set out does not include repairs other than those that can be done by crews, depreciation, insurance, or interest.

ESTIMATED TOTAL COST OF TIE-UP PER ANNUM.

On February 1 the total estimated cost of taking care of the tied-up vessels per annum was $8,379,000. There will be causes for increase as well as decrease in this amount, but on the whole it is probable under existing conditions the annual cost will reach $12,422,806, not including repairs which are estimated at $9,195,000 per annum or anything for depreciation, insurance, or interest.

FIXED CHARGES.

These charges have been established and set up on the books on a basis that in the opinion of many can not now be justified. They were probably adopted originally because of the prices then established for ships ($200 per dead-weight ton) were so high that they required a speedy and immediate application of a depreciation charge that would quickly absorb the shrinkage in values it was foreseen would occur. It may also be that the very high freight rates then prevailing would apparently justify temporarily at least such charges. Then, too, the war was just over and the pyschology of losses under war conditions could not at once be dispelled. Measures are now under consideration to alter the requirements as to insurance, which it is expected will be concluded in the near future.

Tabulated, the set up of fixed charges is as follows:

	Per cent.
Depreciation (this for the first year. Then 9 per cent of remaining value, and so on year by year until 5 per cent is reached at the sixth year, which per cent is thereafter maintained)	10
Insurance	4½
Interest	5
Reserve for repairs	4
	23½

While the interest rate is not used, under the M. O. 4 agreement, as the compensation thereunder is based on a percentage of the gross earnings, the other percentages are still in use for accounting purpose, vessel insurance being figured at 3½ per cent and protection and indemnity at 1½ per cent.

BASIS OUT OF LINE.

It is obvious the formula is unsound, and if put to use would so distort the real situation as to make the figures resulting therefrom useless for any purpose, and if enforced would make sales of Shipping Board vessels practically impossible. Five per cent on a steel vessel is too high, and if proper depreciation is allowed, and the vessels maintained, then the "reserve for repairs" is an extra charge, amounting in reality to excess depreciation. So, too, 4½ per cent for insurance is too great. Indeed, under this formula as to insurance based on value stated. the ship operator is working for the insurance companies and is placed in a position where he can not pay both the Shipping Board and the insurance company. The result is that the latter gets the money. To show in tabulated form the effect even with a lower scale of charges, both on the sale of vessels and on ability of one purchasing vessels from the Shipping Board to compete with vessels purchased on a lower basis and different conditions, a statement is attached as Appendix C. It will be noted that 5 per cent depreciation and 3½ per cent insurance are used for steel cargo vessels. In the tabulation protective and indemnity insurance are included on a basis of 65 cents per gross ton per annum on steel vessels.

RESULT OF CHARGES PER DEAD-WEIGHT TON PER ANNUM.

A comparison is submitted showing effect of charge per dead-weight ton per annum used in the tabulation referred to based on $200, $160, $100, and $75 dead-weight ton valuations:

	Value dead-weight ton.			
	$200	$160	$100	$75
Depreciation	$10.00	$8.00	$5.00	$3.75
Insurance	7.43	6.03	3.93	3.00
	17.43	14.03	8.93	6.75
Repair reserve	8.00	6.40	4.00	3.00
	25.43	20.43	12.93	9.75
Interest, 5 per cent	10.00	8.00	5.00	3.75
	35.43	28.43	17.93	13.50

Interest at 5 per cent is used, as it is the rate charged on deferred payments on sales of vessels of the Shipping Board. The commercial rate is higher, 6 per cent might be considered the minimum. Taking a 10,000-ton vessel, valued at $200 per dead-weight ton, depreciation and insurance alone amount to about $173,000 per annum. On the same vessel at a valuation of $100 per dead-weight ton the annual charge would be about $89,000, the difference—$64,000 per year—being very substantial saving.

OPERATING RESULTS.

It is impossible at the moment to secure a statement of actual operating results, but a very close approximation can be had.

The accounting department has the task of analyzing, checking, and auditing accounts of the past as well as caring for present business. The business of the board is not local. Its activities cover the world. It is impossible on round voyages, some of them taking many months, to secure accurate accounts of either earnings or expenses until voyage is completed. Hence, if it is sought to bring accounts to date there will necessarily be some estimates.

In order that the statements may more nearly represent existing conditions, the last six months of 1920 and the first six months of 1921 are used. All charges for insurance, depreciation, and interest are omitted, the reason being no valuation has been placed on the vessels in this paper. The figures therefore, show simply income and out-of-pocket cost in money. While insurance is a proper charge, it is omitted; as the board carries its own insurance it is not actually out the money.

Estimated results of operations from July 1, 1920, to Dec. 31, 1920.

Operating revenue:		
Freight, passenger, etc		$226,413,135.58
Operating expenses:		
Voyage expenses	$156,315,887.47	
Maintenance	34,815,546.30	
		191,131,433.77
Operating profit		35,281,701.81
Other charges:		
Overhead	6,085,365.30	
Tie up wood and steel	3,533,334.00	
		9,618,699.30
Amount received over out-of-pocket cost		25,663,002.51

No allowance for depreciation, insurance, or interest.

Basis average tonnage employed during period 8,185,860 deadweight tons.

ESTIMATED RESULTS FROM OPERATIONS FROM JANUARY 1 TO JUNE 30, 1921.

[Six months' period.]

The following estimate is based on monthly receipts, consideration of business conditions, tendency of traffic, rates and earnings, available tonnage, seasonal commodity movements, past performances, lessening of costs of operation, etc.

Operating revenue:		
Freight, passenger, etc		$90,000,000.00
Operating expenses:		
Voyage expenses	$94,142,499.56	
Maintenance	17,083,396.89	
		111,225,896.45
Operating loss		21,225,896.45
Other charges:		
Overhead	$6,085,365.30	
Tie-up (includes repairs), steel, wood	10,808,903.00	
		16,894,268.30
Amount out-of-pocket cost over receipts		38,120,164.75

No allowance for depreciation, insurance, or interest.

Basis, average tonnage to be employed 5,800,000 dead-weight tons.

The present year will show many causes affecting operations that render it difficult to forecast the outcome with any degree of accuracy. Among other things, the results from operating the passenger and cargo service in trans-Atlantic and trans-Pacific service are problematical and subject to so many conditions that no estimate can be made thereon. Consequently the above estimated results are subject to considerable variation.

COMPARATIVE OPERATING COSTS AND PRICE FOR VESSELS.

There is no official or accepted compilation of comparisons of costs of operation between vessels flying the United States flag and those flying the British, Japanese, French, or other flags. Nor is there a similar compilation of comparative costs of construction. There are many such compilations, but none agree in all things, and in each are found wide differences of estimates. In the merchant marine act the importance of securing this information is recognized and there is a provision directing that it be done. It is of vast importance that a thorough, official investigation be had to establish comparative costs of operation between American and foreign flag vessels in the various trade routes, making the comparison as between vessels of similar size and type engaged in the same trade routes. The board fully realizes the importance of doing this work, and part of it has been done, some is now under way, and it is hoped that before long the final steps in the inquiry will be under way.

APPROXIMATE COMPARISONS.

The following is an approximate comparison of the wages and food costs as between American and other named foreign flag cargo ships of similar tonnage and dimensions at the present time. The estimates cover an 8,800-ton coal burner vessel on Atlantic and Gulf wage scales, in par of exchange. American cost of operation represents 100 per cent.

Flag.	Complement.	Wages and food per month.	Per cent.
United States	48	$6,755.00	100
British	45	5,019.00	75
Canadian	38	4,561.00	67
Japanese	59	4,189.00	62

The cost of a British vessel is said to be 30 to 40 per cent less than of a vessel built in the United States. Using 30 per cent as the difference in cost, it would mean that where an American vessel of 9,000 dead-weight tons cost, say, $70 per dead-weight ton, or $630,000, a British vessel would cost $49, or $441,000. These figures are simply illustrative and show how such a difference affects capital costs and returns and overhead.

REDUCTION IN EXPENSES.

During the past year there has been a persistent and continuous effort toward reduction in expenses, which is still being maintained. No attempt will be made to show the total decrease or the reductions by separate departments. A composite statement of the pay rolls of various departments at the beginning of the calendar years 1920 and 1921 illustrates the progress that has been accomplished.

Composite pay roll of U. S. S. B. and E. F. C.

January 1, 1920:	
Number employed	11,165
Annual salaries	$21,678,733
January 1, 1921:	
Number employed	7,622
Annual salaries	$15,345,509

This shows a reduction in number of employees of 3,543, or 31.7 per cent of the total number employed January 1, 1920, and $6,333,224 of the annual salaries paid or 29.2 per cent of the total amount of the salary budget at January 1, 1920.

ESTIMATED EXPENSES OF ADMINISTRATION OTHER THAN THOSE OF OPERATION FOR 1921.

The following statement shows estimated costs of administration for the year 1921, other than those assigned to operations. Certain costs connected with cost of construction are not set up as they can not be classed as administrative in the sense the word is being used, but estimate of cost of administration relating to all the business of the board is shown. As to whether such costs or how much thereof will be paid from sales of property, collections, other receipts, or appropriations can not be stated. This, while important to know, has no necessary relation to what is being attempted to show, to wit, cost of administration irrespective of the source from which it may be paid.

Construction and repairs	$5,776,615.42
Liquidation	3,059,371.88
General administration	2,744,210.88
Total	11,580,198.18

SHIP SALES.

Statement showing number of ships sold, selling price, dead-weight tonnage, amount paid, amount unpaid, amount past due:

Sales for year 1920.

Number of vessels	246
Selling price	$208,041,251
Dead-weight tons	735,460
Amount paid	$120,067,796
Amount unpaid	$167,896,150
Amount past due	$11,943,206

The reason the dead-weight tonnage is not large in the above tabulation is because there is included therein an unusual number of sales of small-size vessels, such as tugboats, lake boats, etc.

FROM DECEMBER 30, 1918, TO JANUARY 1, 1921.

[Average selling price per dead-weight ton, steel cargo vessels, based on 219 vessels of 1,250,251 dead-weight tons, price, $178 per dead-weight ton.]

Tendency of sales.

1919.

Time.	Number vessels.	Dead-weight tons.
From January to Apr. 30	11	113,273
From May to Aug. 30	27	123,770
From September to Dec. 30	51	319,981
1920.		
From January to Apr. 30	103	252,537
From May to Aug. 30	98	304,643
From September to Dec. 30	45	178,277
Total	335	1,232,484

Vessels sold—now in hands of receivers.

1920.

Time.	Number vessels.	D. W. T.	Selling price.	Balance unpaid.
From Jan. to Apr. 30		None.		
From May to Aug. 30		None.		
From Sept. to Dec. 30	58	316,836	$43,760,204.75	$37,771,871.60

During the month of January, 1921, no additional vessels were placed in the hands of receivers.

Tendency of sales for steel cargo and refrigerator vessels commandeered by board and thereafter reconveyed.

1919.

Time.	Number vessels.	D. W. T.	Sales value.
From Jan. to Apr. 30	2	15,430	$1,919,067
From May to Aug. 30	19	112,115	17,811,067
From Sept. to Dec. 30	41	259,209	51,062,231
1920.			
From Jan. to Apr. 30	67	363,102	$59,641,746
From May to Aug. 30	66	382,993	64,463,107
From Sept. to Dec. 30	24	161,402	27,939,971

The average selling price of steel cargo vessels per dead-weight ton was $178 and a very large portion of it is unpaid. It would seem quite clear that this indebtedness unless amply secured or due from a debtor able to pay from resources other than ships purchased can not be of any greater value than the value of the ships. This being so, there will necessarily be a very considerable shrinkage in the value of the bills receivable representing this indebtedness.

This fact and existing conditions is indicated by the number of vessels in receiverships, which in most cases not only means the cancellation of the indebtedness and the recapture of the vessels by the Shipping Board but the payment of heavy charges as well.

It will be noted that to September 1, 1920, no vessels went into the hands of a receiver. Since that date the number going into the hands of receivers has been steadily increasing.

Every reasonable effort is being made to dispose of the vessels, but at this time there is no real market for vessels any place in the world.

RELATION OF EARNINGS TO SHIP VALUES.

The relation, under normal conditions, of earnings to ship values is hard to estimate. Readjustment to normal means the reduction of excessive capital charges established by war-time conditions and the early peace period of excessive demand over supply. The cost of ship construction can not reach the low level of prewar days, when the design and appointment of cargo ships were simpler, the standard of living was lower, and the material output per day per man was greater, and consequently realized a lower market value on the finished product. Nor can operation costs be expected to revert to prewar figures. We have raised the standard of wages, decreased the hours of labor per man, and increased the ship's complement in consequence; have raised the food standard and improved the living conditions on shipboard by providing many adjuncts to bodily comfort and sanitation hitherto unknown; all of which are reflected in increased cost of operations. Here again the solution of successful operation lies within the individual organizations, through the increase in efficiency in handling their ships to increase their turn arounds per year in order that the minimum of tonnage may carry the maximum of cargo. This can be accomplished by the process of elimination that is now in progress—the weeding out of vessels unsuited to specific trades.

Total funds that will be required to provide for completing construction program, payment of claims, etc., deficit in operations, and administrative expense for calendar year 1921.

Construction, payment of claims, general, etc	$359,120,000
Operating deficit	76,240,000
Administrative expenses	11,580,000
Total	446,940,000
General cash and cash funds, Jan. 1, 1921	51,694,478
Balance to be provided	395,245,522

Collections and sales of property other than ships will fall far short of providing the above amount during the year. So that unless ships can be sold, direct appropriations will have to be made if prompt settlements of claims are made and paid and operations maintained.

NATURE OF CONTRACTS AND WHEN ENTERED INTO.

[See Appendix A.]

All of the contracts now in effect for the construction of steel vessels, excepting five, were let before the armistice. These five are all lump-sum contracts, and are all cancellation, adjustment, or settlement contracts. That is, they were given in consideration of cancellation or changes in previous contracts. The last, an adjusted contract, was executed May 25, 1920. Most of the contracts prior to the armistice were on a cost-plus basis.

On February 12, 1921, there were 22 active contracts, of which 12 were lump sum, covering 35 vessels of 358,850 dead-weight tons; 7 cost plus, covering 19 vessels of 238,300 dead-weight tons; and 3 agency, covering 5 vessels of 40,500 dead-weight tons. This covers all the steel ships and the three concrete ships under construction. The last original contract for wood ships was for a lump sum and was dated October 2, 1918. It was for three ships. The last contract for a wood ship was an adjusted, not original, contract and was dated February 15, 1921. It was on a cost-plus basis.

It will therefore be observed that the construction work is an inheritance and nothing for which the board now in office is responsible. This is not said in criticism of the action of former boards, as they had the responsibility of meeting the difficulties and conditions which confronted them, but to state the facts.

With respect to the reduction of costs in connection with these contracts, it may be said that the chairman of this board prior to its appointment did everything possible to have the cost-plus contracts changed to lump-sum contracts. He was also met with discontent and troubles among those working in various shipbuilding plants, all of which had to be adjusted and settled, and since then has constantly endeavored and now has in hand, in cooperation with the board, reductions in costs of construction.

BOARD SHOULD BE RELIEVED OF LIQUIDITION OF ASSETS AND SETTLING CLAIMS.

The properties not properly or necessarily needed in carrying out the purposes of the act, together with unadjusted claims and the like, are of many different kinds and of very considerable value. The sale and liquidation of these properties, the winding up of the business relating to former activities, and the settlement and adjustment of claims, etc., should be carried on separately from the other work of the board. The carrying out of other provisions of the law will require all of the time of the board, and is of such a character that the board should be diverted as little as possible from constructive to liquidating work.

TONNAGE HANDLED BY AMERICAN VESSELS.

During the year 1920, 20,000 American vessels of 106,000,000 dead-weight tons entered and cleared in United States ports in connection with the foreign water-borne commerce of the United States. During that year this fleet transported 50,000,000 long tons of cargo, about 50 per cent of the total foreign commerce of the United States. This tonnage is greatly in excess of the requirements under present conditions, as 75 per cent of the tonnage used in 1920 can transport the amount of cargo carried. The increasing rapidity of the turnaround correspondingly increases the available tonnage. Under normal conditions the average turnaround of vessels in foreign trade should be six per annum. This would make the annual fleet under the American flag, necessary to carry 50,000,000 tons of cargo 80,000,000 dead-weight tons (loading to 60 per cent of the dead weight employed). In other words, it would require the maintenance by Americans of a permanent fleet of 15,000,000 dead-weight tons or about 2,500 cargo ships. In January 1, 1921, the total ocean-going fleet (steam and sail) of 1,000 gross tons and over under the American flag was approximately 18,000,000 dead weight. This is far in excess of the existing requirements and is being augmented by constant additions from new construction, which will add to the present total by the end of 1921 approximately 1,000,000 dead-weight tons. Unless our overseas trade greatly increases in volume and we seek new markets for our merchandise and new methods of conducting our credit relations with foreign markets, it is apparent that our tonnage is in excess of our requirements and under these conditions the laying up of our ships is an economic result of the law of supply and demand.

PRESENT CRISIS WORLD-WIDE.

The present crisis in shipping is not confined to the United States. It is world-wide. Great Britain has a large number of vessels tied up. Japan is reported to be in a worse condition, and other maritime nations are affected by the same causes in the same way. For the time being there are too many ships for the business. More business or less ships will take care of the problem. Depression in the shipping business is no reason why our people should abandon it. It only makes the more imperative the adoption of the best means to build up and maintain our merchant marine. It may and probably will be a long pull before we will be on a full tide of prosperity, but the most certain promise of a change from present conditions lies in the fact that shipping is suffering relatively no more than other activities and it, as other business, always has had and always will have its ups and downs.

RETURN TO NORMAL.

The return to normal in world business conditions will be gradual. The entry of the United States in the lists of the world's commerce on the high seas will undoubtedly create an era of readjustment in distribution of commodities both in export and import trade; new fields of endeavor in manufactures and the creation of new markets for the raw and manufactured materials of the United States will result.

POLICY OF CONGRESS TO ENCOURAGE PRIVATE OPERATING.

It is the policy of Congress as declared in the act to get the vessels and their operations in trade routes into the hands of private owners as soon as it can reasonably be done. In furtherance of this phase of the plan and to secure the establishment of an American merchant marine it is also the plain purpose of the law to take all proper steps within the limits of the law to aid such owners and operators to maintain lines on the trade routes determined to be necessary and proper in furtherance of the general scheme to establish a merchant marine and encourage the commerce of the United States. At best this will be a most difficult task, and it will require not only wise and prudent handling of the question, cooperation on the part of all concerned, but beyond doubt direct or indirect financial aid to those operating vessels under the flag of the United States in foreign trade. There is no question but that the cost of a similar vessel is less abroad than in this country, and it is equally true cost of operation is also less.

EFFECT OF HANDICAPS MUST BE EQUALIZED OR REMOVED.

Under present conditions we start under handicaps the effect of which must in some way be equalized or removed. There should be no difference of opinion as to the disastrous effect that will follow the loading down of our shipowners with heavy capital and fixed charges. If such a policy should be adopted and continued there could be but one result—dismal failure.

If American operators are to be encouraged to purchase Shipping Board vessels, or operate them, or as owners of other vessels to establish and maintain trade routes, there must be a reasonable certainty that only unusual or extraordinary conditions will justify the board in putting its vessels into the same trades, or to establish several lines in the same trade, and in this way defeat the purposes of the act, and such is the announced policy of the board. The public is entitled to adequate service, fair and reasonable water rates, and stable conditions. Service, rates, rules, and practices should be free from unjust or undue discrimination or preferences. When those conditions are met the object of the law is being served.

NOT PURPOSE TO SUGGEST POLICY FOR FUTURE.

It is not the purpose to drift into a general discussion of what should or should not be the policy in the future, but rather to focus attention on certain facts, and from these let those interested or responsible deduce such conclusions as they think the facts justify.

The writer of this paper is now and has been a firm believer in and advocate of an American merchant marine. He believes as part of any plan for preparedness for war as well as for peace, a merchant marine plays a vital part. This being true, its maintenance and establishment is as much a part of our national duty as the maintenance of a Navy. Indeed, it is an integral part of the Navy.

The figures given tend to show what the result of operations has been, now is, and may be. Economies can be effected, efficiency can be increased, but after making all allowance therefor, the country is still faced with the fact that to establish and maintain an adequate merchant marine as directed in the act it for the present and for some time in the future must pay directly or indirectly a large sum each year.

The vital questions, therefore, are:

1. Does the country desire an adequate merchant marine?
2. Will it pay the necessary cost to secure it?
3. Is the present law adequate for the purpose?
4. If not, what changes are required?

APPENDIX A.

SHIPS UNDER CONSTRUCTION BY UNITED STATES SHIPPING BOARD AND EMERGENCY FLEET CORPORATION; D. W. T.; ESTIMATED TOTAL COST; ESTIMATED AMOUNT TO COMPLETE JANUARY 1, 1921.

TABLE I.

Type.	Number vessels.	D. W. T.	Estimated total cost.	Estimated amount required to complete.
Contract steel (all classes)	70	747,300	$231,161,600	$99,752,882
Requisitioned steel (all classes)	2	21,900	4,750,000	157,500
Wood	1	(1)	177,000	1,785
Concrete	3	22,500	5,242,500	565,336
	76	791,700	241,331,100	100,477,503

[1] Wood construction is represented by tugs only; no tonnage given.

TABLE II.—*Estimated average cost per dead-weight ton.*

	Number of vessels.	Dead-weight tons.	Cost per dead-weight ton.
Passenger and cargo (only)	20	260,000	$480.00
Steel (all classes except passenger and cargo)	52	509,200	218.00
52 steel vessels, subdivided as follows:			
Cargo	31	294,100	201.00
Tankers	18	191,100	225.00
Transports	3	24,000	375.00
Concrete	3	22,500	233.00
Wood tug	1	(1)	177,000.00

[1] Wood construction is represented by tugs only; no tonnage given.

On January 1, 1921, there were 76 vessels of 791,700 dead-weight tons to be delivered to complete the ship-construction program, subdivided as follows:

Seventy-two steel, 769,200 dead-weight tons; 1 wood (see A); 3 concrete, 22,500 dead-weight tons. The estimated cost to complete these vessels is $100,477,503. (See Note 1.) These 76 vessels are to be delivered between January 1, 1921, and the date of completion of ship-construction program, which will be approximately April 1, 1922, according to present ship-construction delivery estimates.

TABLE III.—*Kinds of vessels under construction as of Jan. 1, 1921.*

	Number vessels.	Dead-weight tons.	Speed.
			Knots.
Passenger and cargo	[1] 4	[2] 13,000	15
Cargo, steel	[1] 16	[2] 13,000	17½
Transports, steel	31	[2] 4,050–12,500	9½–12
Tankers, steel	3	[2] 8,000	15
Tankers, concrete	18	[2] 6,000–12,000	10½–11
Tugs, wood	3	[2] 7,500	10½
	1	.....	.....

[1] 502′ B. P. [2] Each. [3] 518′ B. P.

NOTE.—In connection with the total estimated amount required to complete contracts as given in Table I, and given as $100,477,503, it is desired to point out that this figure will not represent the total amount of money required to complete the ship construction program, for the reason that the figure given represents the amounts which will be required to be disbursed to shipyards in connection with the ships in question, and this figure does not include the Emergency Fleet Corporation administration expenses, total amount required to complete dry docks, marine railways, etc., and amounts of money still due on ship construction contracts which have actually been completed, which three items would increase the figure given to approximately $129,982,504 as of January 1, 1921.

Of the vessels now under construction, 22 are being built in yards on the Pacific coast; 13 in yards on South Atlantic and Gulf; 26 Baltimore and North; 1 on Great Lakes, and 4 in Shanghai, China.

APPENDIX B.

The merchant marine of Great Britain and the United States, showing the growth of both—The submarine sinkings caused the decrease in Great Britain's 1918 tonnage.

	Dead-weight tons.
United States:	
1789	204,426
1794	724,124
1796	951,609
1800 (1801)	1,383,739
1810	2,137,174
1820	1,920,251
1830	1,787,663
1840	3,271,147
1850	5,303,180
1860	8,030,807
1870	6,369,761
1880	6,102,052
1890	6,636,746
1900	7,747,258
1910	11,262,123
1914	11,893,437
1918	14,886,776
1920	24,386,278
Great Britain:	
1800 (1801)	4,586,069
1810	5,458,599
1820	5,959,334
1830	5,696,592
1840	7,450,960
1850	9,524,164
1860	12,849,678
1870	16,085,551
1880	19,006,135
1890	21,798,198
1900	24,190,632
1910	30,064,473
1914	32,516,955
1918	25,200,585
1920	33,126,426

Percentage of overseas commerce carried in American vessels in specified years 1789–1914.

1789	23.8
1795	90.0
1800	89.0
1810	91.5
1820	89.5
1830	89.9
1840	82.9
1850	72.5
1860	66.2
1870	35.6
1880	17.4
1890	12.9
1900	9.3
1910	8.8
1914	9.7
1919	42.0

APPENDIX C.

Interest, depreciation, insurance, and repair reserve.

INTEREST 5 PER CENT PER ANNUM.

[Steel vessels, 9,818,227 dead-weight tons.]

Valuation per D. W. T.	Fleet per annum.	D. W. T. per annum.
$200	$98,182,270.00	$10.00
$178	87,383,110.30	8.90
$160	78,548,616.00	8.00
$125	61,364,543.75	6.25
$100	49,091,635.00	5.00
$75	36,818,725.25	3.75
$50	24,545,817.50	2.50

[Wood and composite vessels—1,090,550 dead-weight tons.]

$25	$1,363,187.50	$1.25
$15	817,912.50	.75

DEPRECIATION 5 PER CENT PER ANNUM.

[Steel vessels—9,818,227 dead-weight tons.]

$200	$98,182,270.00	$10.00
$178	87,383,110.30	8.90
$160	78,546,616.00	8.00
$125	61,364,543.75	6.25
$100	49,091,635.00	5.00
$75	36,818,726.25	3.75
$50	24,545,817.50	2.50

[Wood and composite vessels—1,090,550 dead-weight tons.]

$25.00	$1,363,187.50	$1.25
$15.00	817,912.50	.75

INSURANCE.—MARINE, AT 3½ PER CENT; PROTECTION AND INDEMNITY, AT 65 CENTS PER GROSS TON PER ANNUM.

[Steel vessels, 9,818,227 dead-weight tons.]

$200	$72,982,154.25	$7.43⅓
$178	65,422,119.46	6.66⅔
$160	59,236,636.45	6.03⅓
$125	47,209,308.37	4.80⅝
$100	38,618,359.75	3.93⅓
$75	30,027,411.12	3.05⅝
$50	21,436,462.50	2.18⅓

INTEREST, DEPRECIATION, INSURANCE, AND REPAIR RESERVE.

[Insurance: Marine, at 7½ per cent; protection and indemnity, at 65 cents per gross ton per annum, wood and composite vessels, 1,090,550 dead-weight tons.]

$25	$2,517,352.70	$2.308
$15	1,699,440.20	1.558

[Repair reserve at 4 per cent per annum, steel vessels, 9,818,227 dead-weight tons.]

$200	$78,545,816.00	$8.00
$178	69,905,776.24	7.12
$160	62,836,652.80	6.40
$125	49,091,135.00	5.00
$100	39,272,908.00	4.00
$75	29,454,681.00	3.00
$50	19,636,454.00	2.00

[Wood and composite vessels, 1,090,550 dead-weight tons.]

$25	$1,090,550.00	$1.00
$15	654,330.00	.60

Mr. JONES of Washington. Mr. President, I also have a summary of the merchant marine act of 1920 prepared by Jasper Brinton, an attorney at Philadelphia, which I consider about the fairest and clearest and most comprehensive analysis of the shipping act that I have seen. I think it will be very valuable in the discussion of these matters in future, and I ask that it may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection it is so ordered.

The matter referred to is as follows:

SUMMARY OF JONES ACT.

[By Jasper Brinton of Philadelphia.]

INTRODUCTORY NOTE.

The Jones Act is the culmination of the memorable series of statutes under which the American merchant marine played its part in the war.

The earliest act in the series, the shipping act of 1916, had essentially two purposes.

The first was the establishment, through the agency of the Shipping Board, of a system of governmental control over carriers by water, analogous to that exercised over interstate commerce by the Interstate Commerce and the Federal Trade Commissions. This purpose was reflected in the elaborate provisions of the act against rebates and unfair trade practices, the enforcement of which was necessarily left largely in abeyance pending the solution of the more immediate problems of the war.

The second purpose was to provide for the creation, with the utmost speed, of a merchant marine which would be available in the event of the war then threatening. This purpose was reflected in the powers granted to the Shipping Board, covering the construction of vessels adapted for use as naval auxiliaries, and the act was the starting point of the elaborate war powers which were soon afterwards conferred upon the Shipping Board in rapid succession, either directly by statute or indirectly through delegation by the President.

Like the first act in the series, and closely related to it, the Jones Act also has a twofold purpose, the one temporary, the other looking to the future.

The first is to terminate the war powers whose purpose has served their end, and to liquidate the situation created by the war, reserving existing rights, and bringing about a readjustment to conditions of civil life without unnecessary waste.

The other and larger purpose, however, is that of providing a permanent program for the development of the American merchant marine, by adapting to normal conditions the system of administrative control announced under the shipping act, by preserving so much of the administrative machinery of the war-time program as appears worth saving, and by adopting generally the ways and means necessary for the extension of our foreign trade and the development of a privately owned merchant marine. This purpose incidentally includes within its scope a large number of altogether separate and miscellaneous undertakings, long neglected and much needed, principally in the way of amendments to inadequate laws, as, for instance, the provision of the law regarding ship mortgages and the necessary amendments covering recoveries by seamen and other more or less analogous topics.

The act is thus an omnibus bill covering a wider scope and a larger number of topics than any statute ever passed in this country affecting the merchant marine. Referring as it does to a mass of earlier and technical legislation, it goes without saying that its practical effect—the actual changes which it has brought about—often can not be appreciated by a reading of the act itself, even by an expert shipping man. An intelligent understanding of what it has accomplished requires a considerable and accurate knowledge not only of the earlier statutes (which are frequently complicated) but of the general principles of maritime law covered by them.

The following summary is aimed at meeting this difficulty. It is the outcome of the preparation in the course of office practice of a number of opinions on various phases of the act and has thus been suggested by practical experience, and is an effort through the presentation of a critical summary, topic by topic, of the entire bill, to make the purpose and accomplishment of this epoch-making statute more readily intelligible to the shipping world and others affected by its provisions.

DECLARATION OF POLICY.

(Sec. 1.)

The act opens with a declaration of policy, a somewhat unusual practice, but in the case of a statute of such comprehensive character, a highly desirable one. It declares that the national defense and the development of foreign and domestic commerce demand the building up of an adequate merchant marine "ultimately to be owned and operated privately by citizens of the United States," and announces it to be "the policy of the United States" to do whatever may be necessary to accomplish this end.

The reasons given in support of the policy are the traditional ones, often urged throughout the history of our navigation laws. Their vigorous reassertion in the opening of this act, however, is timely and should be useful as emphasizing the essentially national as distinguished from any local or special interests sought to be advanced.

The most significant feature of the declaration is the phrase relating to private ownership. The important word is "ultimately." The act contains many provisions contemplating a more or less temporary continuance of governmental operation under special contingencies. It remains to be seen how far in actual administration the act will be interpreted as a measure of indefinite postponement and how far it is to be taken as an imperative mandate for a return of American shipping to private control at the earliest practicable hour.

REPEALS.

(Sec. 2.)

The second section of the act repeals generally so much of the war-time legislation as has served its purpose, reserving only such powers as are necessary to complete existing engagements.

1. It repeals the emergency shipping-fund provisions of the deficiencies appropriation act of 1917, as it was twice amended in the following year. This act included generally the legislation under which the President, immediately following the declaration of war, was authorized to order ships and materials; to cancel requisitions and contracts; to take possession of street railroads and the product of shipbuilding plants; to acquire, construct, and requisition industrial plants; to purchase and requisition ships and charters, and to make the necessary loans and advances. The act provided compensation for property taken, and authorized the President to delegate his powers to such agencies as he determined. These powers, it will be remembered, were delegated by the President to the Shipping Board and the Emergency Fleet Corporation by Executive order, and were exercised by those bodies during the period of war.

Needless to say, to the extent to which the Shipping Board derived its powers by delegation from the President under this act, such powers disappear, and the authority of the board must henceforth be derived from the legislation, specifically or by implication, defining the powers of the board. This would apply to the matter of loans and to all other incidental powers formerly exercised by the board.

2. It repeals the provisions of the transportation facilities act of 1918, establishing a method of compensation for transportation facilities taken over under the act similar to that used for compensation in the case of ships and plants.

3. It repeals the provisions of the appropriation act of 1918 authorizing the making of additional contracts for acquiring shipbuilding plants to the extent of some $30,000,000, and providing that the Shipping Board should not require payment from the War Department for the charter hire of Government vessels furnished from July 1, 1918, to June 30, 1919.

4. It repeals the entire act of July 18, 1918, under which the President was authorized to prescribe charter rates and freight rates and to requisition vessels.

5. It repeals those sections of the original shipping act covering generally the war-time powers of the Shipping Board relating to the construction, charter, and sale of vessels.

These repeals are made subject to certain general limitations calculated to preserve existing rights and obligations.

Thus it is provided that all lawful contracts entered into under the previous acts shall be carried out by the board, that all rights and remedies accruing under them shall remain valid and that the repeal shall not extinguish any penalties incurred; also that the board shall have authority to complete any construction begun under the act if in the opinion of the board such construction is for the best interests of the United States.

A special provision of the same section directs the board generally to settle all claims arising out of the exercise of war powers by the President, saving to dissatisfied claimants their previous rights to sue the United States.

REORGANIZATION OF SHIPPING BOARD.

(Sec. 3.)

The third section of the act is an amendment of the two sections of the shipping act of 1916 establishing the Shipping Board, and materially reconstructs that body.

Under the original act it will be recalled that provision was made for a board of five members, at salaries of $7,500, to be appointed by the President with the consent of the Senate, to hold office for six years, the terms of office of the original members to expire one at a time annually after their appointment so that normally one change annually should take place in the membership of the board. By the Jones Act the number of commissioners is increased from five to seven, to be appointed by the President, with the consent of the Senate, as soon as practical after the enactment of the act (June 5, 1920), it being provided, however, that the commissioners in office at the time of the passage of the act shall hold over "until all of the commissioners provided for are appointed and qualify." It is under this proviso that two of the seven members whose appointment was announced on November 8, are holding over, the remaining five being recess appointees subject to confirmation.

The term of office is unchanged, being six years, the terms of office of the respective members having been fixed by the President for graduated terms at the time of their appointment, thus insuring the holding in office of an experienced personnel to serve with new appointees.

Under the old law not more than three commissioners were to be appointed from the same political party. Under the new law the limit is fixed at four.

The provision forbidding the commissioners from being in the employ of, or holding official relation to, any common carrier or other person subject to the act is continued, but the provision of the earlier act prohibiting ownership by commissioners of any stock or bonds in such common carriers or the holding of any pecuniary interest therein is replaced in the new act by a prohibition against the acquiring of such stock or of such interest "while holding such office."

A new proviso is inserted, to the effect that commissioners shall not take part in the consideration of any matters in which they have a pecuniary interest. On the other hand the provision of the former act prohibiting commissioners from actively engaging in any other business, vocation, or employment is omitted and gives place under the new act to a proviso that each commissioner "shall devote his time to the duties of his office."

The former proviso that a commissioner may be removed by the President for inefficiency, neglect, or malfeasance is continued, as also a provision that a vacancy in the board shall not impair the rights of the remaining members to exercise all its powers, a provision which has permitted the functioning of the board during the several months following the passage of the act.

The new act contains a proviso permitting the division of the duties of the board so that the directorship of the various activities may be assigned to one or more commissioners.

The proviso of the old law that commissioners shall be appointed with regard to a fair representation of the geographical division of the country gives place to a specific proviso that two shall be appointed from the Pacific States, two from the Atlantic States, one from the Gulf States, one from the States touching the Great Lakes, and one from the interior. The territorial distribution is at present as follows: Atlantic States (two), Admiral W. S. Benson, chairman, Georgia, Democrat, six years; John A. Donald, New York, three years. Pacific States (two), Joseph N. Teal, Oregon, Democrat, four years; Chester H. Rowell, California, Republican, four years. Gulf States (one), Frederick I. Thompson, Alabama, Democrat, five years. Great Lakes (one), Guy D. Goff, Wisconsin, Republican, one year. Interior (one), Charles Sutter, Missouri, Republican, one year.

The provision of the shipping act permitting the President to authorize the detail of officers of the military, naval, and other services for such duties as the board may deem necessary is omitted, as is also the proviso that, with the exception of the secretary, the commissioner's personal clerks, the attorneys, naval architects, and special experts and examiners, the employees of the board shall be appointed from the civil-service list.

The new act also contains a general saving clause providing that the board shall have such other rights and perform such other duties not inconsistent with the merchant marine act of 1920 as are conferred by existing law. Under this proviso there would be carried over into the new law the provision of the earlier statute permitting the board to employ and fix the compensation of "such attorneys, officers, naval architects, special experts, examiners, clerks, and other employees as it may find necessary for the proper performance of its duties and as may be appropriated by the Congress."

The new law, however, contains a special proviso in regard to attorneys, permitting the employment, within the limit of congressional appropriations, of such attorneys as the board finds necessary for proper legal services to the board, or for representation of the public interest in investigations or proceedings by it or before it, or for appearance on behalf of the board in any courts or other tribunals. This latter provision has been interpreted by the Attorney General in an opinion rendered in August, as authorizing the attorneys for the Shipping Board appointed under this section to represent the board in such litigation only to which the Shipping Board, either as an entity or as a group of commissioners, is a party, and as not covering civil suits involving the interests of the United States Shipping Board Emergency Fleet Corporation or suits or proceedings in the admiralty, all of which were intended to remain as heretofore, under the direction of the Department of Justice. This opinion, however, relates only to the litigation, and does not touch the subject of investigation and the general conduct of the duties of the board.

The final amendment of this section is that which increases the salary of the members from $7,500 to $12,000, the specific provision of the earlier act for the employment of a special officer at $5,000 per annum having been omitted, the appointment of such officer being thus relegated to the general proviso relating to employment of its other agents and employees.

In a recent opinion of the Comptroller of the Treasury (Dec. 9, 1920), passing on the question of the payment of salaries to the members of the board, that officer has held that the purpose and effect of the Jones Act was not merely to add two additional members to the board and to increase the compensation of all the members, but to create a new board, with additional duties, new tenure of office, different salaries, and a different manner of electing a chairman; that, as a result, the commissioners whose appointment antedated the Jones Act might be paid at the rate of $7,500 per annum under the provisions of the sundry civil appropriation act of June 5, 1920, making appropriation for the salaries of five commissioners at $7,500 each, until the date of their appointment and qualification as members of the new board on December 1, 1920; but that thereafter, and as to all seven of the new appointees, payment to them of any salary prior to their confirmation by the Senate was prohibited by section 1761, Revised Statutes, expressly prohibiting the payment of salaries in the case of recess appointments where the vacancy existed during the session of the Senate and the office was one requiring confirmation by the Senate; and that upon such confirmation the appropriation referred to would be available to pay not to exceed five members at the rate of $7,500 per annum from date of confirmation to the end of the fiscal year 1921.

TRANSFER OF VESSELS TO BOARD.

(Sec. 4.)

The fourth section of the act provides that the ships and other property acquired by the President through the various war powers and agencies should be transferred to the board, with the exception of vessels and property required by other branches of the Government service and vessels at the time in the military and naval service, including vessels assigned to river and harbor work and inland waterways of vessels for such needs in course of construction or under contract by the War Department.

This section is aimed at concentrating in the board the custody and legal title of a large miscellaneous body of marine property, floating and otherwise, acquired during the war, the larger part of which was already in the possession of the board.

SALE OF VESSELS BY BOARD.

(Sec. 5.)

The fifth section of the act is stated to be in furtherance of the general policy as set out in the opening of the statute, looking to the ultimate private ownership and operation of the American merchant marine.

By this section the board "is authorized and directed to sell as soon as practicable, consistent with good business methods," all of the vessels transferred to it as above referred to.

The conditions of sale are left to the board with special permission to defer final payment of purchase price for a period of 15 years.

The act, however, undertakes to guide the board by suggesting certain considerations to be taken into account in fixing the sale price of its vessels, as, for instance, the price in the domestic and foreign market, the available supply and demand, the existing freight rates and their prospects, present cost of constructing similar types as well as original cost or purchase price, "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property if he is not forced to sell."

This proviso took the place of the rigid and impracticable restriction originally proposed, forbidding sales at a less price than the cost of construction in private yards of the United States at the time of sale, after deduction of depreciation.

All sales made pursuant to present laws are specifically subjected to the limitations and restrictions of section 9 of the shipping act, as amended, and which prohibits the sale, transfer, or mortgage of such a vessel to any person other than a citizen, or the placing of the vessel under foreign register without obtaining the board's approval, subject to the penalty of forfeiture. The definition of "citizen" in this section has itself been considerably modified and narrowed by a later provision of the act to which reference is hereafter made.

SALE TO FOREIGNERS.

(Sec. 6.)

The sixth section of the act authorizes the sale of the vessels to foreigners on conditions not inconsistent with those declared in the previous section, provided the board has been unable to sell the vessels to a citizen of the United States, and is satisfied that they are not necessary to the American merchant marine. Such sales, however, require a concurrence of five members of the board, and the period for the completion of payment is limited to 10 years, interest being fixed at the rate of 5½ per cent, as contrasted with the failure of the section relating to sales to citizens to fix any rate of interest. Needless to say, the execution of this power was not possible during the period of delay in the appointment of the board by the President.

ESTABLISHMENT OF SHIPPING ROUTES.

(Sec. 7.)

The seventh section of the act is one of great importance and covers generally the authority of the board to open and establish commercial trade routes in the interest both of our foreign and domestic trade and of the development of adequate postal service.

Following up certain broad authorities covering the necessary investigations, the board is authorized to sell, and if a satisfactory sale can not be made, to charter "vessels under its control to responsible persons, who are citizens of the United States, who agree to establish and maintain such lines upon such terms of payment and other conditions as the board may deem just and necessary." Where, however, no such charters are available, and the service is deemed necessary, the board is directed to operate vessels on such lines "until the business is developed so that such vessels may be sold on satisfactory terms and the service maintained, or unless it shall appear within a reasonable time that such lines can not be made self-sustaining."

In the sale or assignment of vessels preference is directed to be given to citizens of the United States who have the "support, financial and otherwise, of the domestic communities primarily interested, if the board is otherwise satisfied of their abilities, and to persons who are already maintaining such services." It is also provided that preference shall be given to citizens at that time maintaining such services and that services already established in ships of the board shall be maintained until the board is of the opinion that the maintenance is unbusinesslike and against public interest.

Another clause provides that where services additional to those already in existence are deemed necessary, the rates and charges for the Government service shall not be less than the actual cost, including interest and depreciation.

Finally, it is provided that, regardless of restrictions in earlier acts, the Postmaster General is authorized to carry the mails over all lines operated by the board.

INVESTIGATION.

(Sec. 8.)

Under the eighth section of the act the board is charged in the broadest terms with the duty of conducting investigations in cooperation with the Secretary of War covering generally the entire subject of the promotion and development of ports and transportation facilities in connection with the water commerce over which it has jurisdiction. These investigations may cover territorial regions and zones tributary

to the ports, the cause of congestions, cost of ports, and the general subject of water terminals and their equipment, with a view to suggesting improvements. The board is further required to advise with communities regarding the location of wharves and water terminals, to investigate the practicability and advantages of harbor, river, and port improvements in connection with foreign and coastwise trade, and generally to investigate "any other matter" tending "to promote and encourage the use by vessels of ports adequate to care for the freight which would naturally pass through such ports."

Having in mind the fact that such conditions are largely affected by the rates, charges, and other regulations fixed by the Interstate Commerce Commission, the board is further authorized, where any such rates or charges are in its judgment detrimental to the encouragement of commerce, or where new rates or regulations are required, to submit its findings to the Interstate Commerce Commission for such action as that commission considers proper.

INSURANCE.

(Secs. 9, 10, 25, 29.)

Four sections of the act are devoted to various features of the all-important problem of marine insurance.

INSURANCE SYNDICATES.

(Secs. 9, 29.)

Under section 9 it is provided that as to all vessels sold upon deferred payment the board shall require the purchaser, as a condition of the sale, to keep the vessel insured against fire and marine risks and against war and other risks, as required by the board, "with such insurance companies, associations, or underwriters, and under such forms of policies and to such an amount as the board may prescribe or approve." Protection and indemnity insurance is also required in similar manner.

This section is supplemented by another (sec. 29) intended to relieve American insurance companies from the oppressive restrictions of the antitrust laws, and thus to give them the same freedom of movement in the matter of combination for risk sharing that has been the foundation of the English Lloyds and which has been largely responsible for the predominant part which British companies have played in marine underwriting in this country.

It is by virtue of these provisions that an agreement has been reached between the Shipping Board and the representatives of the marine-insurance companies of the country for the organization of the so-called American marine-insurance syndicates.

The first, known as Syndicate A, is a service syndicate organized to perform at cost survey inspections and loss surveys for Shipping Board vessels and to perform similar service in respect to any other vessels on payment of professional charges, a class of service heretofore almost an entirely British monopoly. It is clear that no effective American control of marine insurance could be accomplished without a control over this primary and fundamental function.

Syndicate B and Syndicate C cover strictly marine insurance. Syndicate B is limited to strictly American companies. It is authorized to insure Shipping Board vessels to the full extent of the purchase price, and also such other steel ships heretofore sold by the board as are acceptable for insurance to the syndicate, which is to have an underwriting capacity of not less than $2,000,000 upon a single hull. Syndicate C is organized to insure all American ocean-going steel hulls when approved and accepted by the syndicate, which has a total underwriting capacity of not less than $2,500,000 upon a single hull. Syndicate membership in this syndicate is composed of two groups—one group, consisting of strictly American companies, representing at least two-thirds of the amount underwritten on any risk; the other, consisting solely of foreign companies, representing not exceeding one-third of the underwriting capacity of the syndicate.

Under a ruling of the Comptroller of the Treasury (Oct. 1, 1920) it has been held that the Shipping Board may not, in the absence of express statutory authority, advance its funds to private corporations or associations for working capital to transact maritime insurance business, such loans being furthermore specifically prohibited by the provision of the Revised Statutes relative to the custody and audit of public moneys.

SHIPPING BOARD INSURANCE FUND.

(Sec. 10.)

A separate section of the act authorizes the Shipping Board to establish its own insurance fund out of net revenues from its operations and sales to cover any interest of the Government in vessels either constructed or in process of construction and in any plants or materials therefore acquired by the board or transferred to it under the Jones Act.

AMERICAN BUREAU OF SHIPPING.

(Sec. 29.)

In an effort to develop and build up an American Bureau of Shipping to take the place in the American shipping world of the British Lloyd's in England (whose recognition is purely unofficial, Norway having the only other officially recognized bureau) the act provides that for the classification of vessels owned by the United States and for other purposes proper to a classification bureau the governmental departments are to recognize an American bureau of shipping so long as it continues to be maintained as an organization without capital stock and paying no dividends. This recognition, however, is subject to the appointment of two governmental representatives upon the executive committee of the American bureau, one by the Secretary of Commerce and one by the chairman of the board, these representatives to serve without compensation, except traveling expenses. It is also provided that the official yearly list of governmental vessels is to contain notations indicating all vessels which have been classified by the board. This list is prepared annually under the direction of the Commissioner of Navigation.

The purpose of this section was thus expressed in the Senate by the sponsor of the act (CONGRESSIONAL RECORD, 66th Cong., 2d sess, May 13, 1920, p. 7548):

"This is intended to promote the development of an American organization of that kind and to perform the duties in connection with American vessels which Lloyd's does in connection with British vessels. In general it will be the duty of this organization to supervise the construction of ships and classify them, so that when a ship is constructed it shall receive a classification by this bureau, and our shipping people and the shipping world generally will understand what that means.

"We have not been able, apparently, to develop an organization in this country to have the standing of Lloyd's. One reason for that probably is that we did not have very much shipping.

"This American bureau has been in existence for quite a good many years. It was not very active until we commenced shipbuilding on a large scale, and it is now developing quite a splendid organization. It is the purpose of this legislation to encourage that American institution in such a way as to make it a great agency toward aiding and upbuilding the American merchant marine, as Lloyd's is in connection with the British merchant marine."

CONSTRUCTION AND LOAN FUND.

(Sec. 11.)

The eleventh section of the act provides for the creation of a loan fund, to be used "in aid of the construction" of vessels of the most efficient type for the establishment and maintenance of service on lines deemed necessary by the board. To this end the board is authorized to set aside annually out of its revenues from sales and operations a sum not exceeding $25,000,000. The fund is to be used to aid citizens of the United States in the construction of vessels in private shipyards, such aid being limited in any individual case to two-thirds of the cost of the vessel, adequate security, including a first lien on the vessel, being first given. It will be noted that the fund must be derived from the revenues of the board from "sales and operations," a limitation sufficiently restrictive at the present time.

REPAIR AND OPERATION OF VESSELS.

(Sec. 12.)

A short section gives the board the obviously necessary authority of reconditioning and repairing its vessels, and also authorizes it, pending the sale of such vessels, to continue to manage and operate them, or to charter or lease them under such conditions as it shall consider best adapted to promote the general policy of the act. To this end the Emergency Fleet Corporation is continued in existence and given authority to operate vessels until all vessels are sold as required. The provision of the shipping act limiting the life of the Emergency Fleet Corporation to five years from the conclusion of the war is accordingly to that extent abrogated.

SALE OF OTHER PROPERTY.

(Sec. 13.)

The thirteenth section of the act authorizes the board to sell all property, other than vessels, which have been transferred to it under the provisions already referred to.

DEPOSIT OF FUNDS.

(Sec. 14.)

The financial relation of the board to the Treasury is covered by a proviso directing that with the exception of its working capital, its insurance fund, and its construction loan fund, all net profits derived prior to July 1, 1921, shall be covered into the Treasury to the credit of the board, to be expended by it within the limits of its existing authority. After July 1, 1921, such proceeds are to be covered into the Treasury as miscellaneous receipts. The board is also directed to withdraw, as rapidly as it deems advisable, the investment of Government funds made by it during the war emergency, and to cover the same into the Treasury in the same manner. This proviso would put a stop to the present revolving fund system, unless, as is possible, a change in the law shall be effected in the meantime so as to permit the board to have access to all of its receipts from all purposes, including the sale of ships and the operation of vessels.

CHARTER HIRE ON GOVERNMENT VESSELS.

(Sec. 15.)

To clarify a long-existing controversy, a short section provides that the board shall not require payment from the War Department for the hire of Government vessels furnished by the board from July, 1918, to June 30, 1919.

REPEAL OF HOUSING ACT.

(Sec. 16.)

The authority for the purchase and erection of houses given by the housing act of March 1, 1918, and under which the enormous war-time housing projects of the board were carried through, is terminated, with the proviso that the board is permitted to repair houses already constructed, and to complete houses contracted for or under construction, if deemed advisable, with further directions "to dispose of" all such properties at as early a date as practicable "consistent with good business and the best interests of the United States."

FORMER GERMAN PORT FACILITIES.

(Sec. 17.)

The board is directed, on January 1, 1921, to take possession of and to maintain and develop the German port facilities—docks, wharves, terminal equipment, rights of way, etc., acquired by the President under the war-time powers. It is also provided that the President may, in his discretion, transfer to the board the possession and control of other docks, port facilities, and terminal equipment as acquired by the War and Navy Departments during the war. The President is also authorized to reverse the procedure and to permit or transfer the possession to these departments of any of the property transferred to the board under this section. None of such property, however, may be sold by the board except as subsequently authorized by statute.

COASTWISE TRADE.

(Secs. 18, 22, 27, 37, 38.)

The Jones Act was not intended to materially affect the coastwise situation. Careful analysis, however, shows that the act includes a number of changes in the law affecting that trade.

It should be recalled that from 1817 until the recent war the coastwise trade of the United States was limited to vessels built in the United States. This restriction was removed by the shipping act of 1916, under which the board was authorized (with certain exceptions) to purchase or charter vessels, regardless of whether foreign-built or under foreign registry (except enemy vessels), and to sell or charter the same to citizens of the United States, with the right of American registry. As to all such vessels it was specifically provided that they should be permitted to engage in the coastwise trade.

A special act was also passed on October 6, 1917, authorizing the Shipping Board, in its discretion, to suspend the existing provisions of the law and to permit vessels of foreign registry, as also foreign-built vessels which had been admitted to American registry under the ship-registry act of 1914, to engage in the coasting trade on a permit limiting and defining the scope and the time of such employment, preference always being given to vessels of foreign registry owned by citizens of the United States. This act does not apply to coastwise trade with Alaska or between Alaskan ports. Under its provisions permits have

been granted to a considerable number of vessels, mostly engaged in the trade upon both coasts and upon the Great Lakes during the war, the permits usually being for a single voyage.

This situation has been affected by the Jones bill in the following particulars.

Probably the most radical change (sec. 21) is that which extends the application of our coastwise laws, and consequently their prohibitions, to the Philippines and the other island territories and possessions of the United States, this extension to take effect on February 1, 1922. Its result, of course, will be to limit direct trade between the Philippines and the United States to American bottoms.

It will be recalled that a similar provision was adopted once before, was strongly opposed by Mr. Taft, then Governor General of the Philippines, and was repealed.

This section has come in for perhaps as much controversy as any other portion of the bill. Representatives of Philippine interests have protested on the ground that the effect of the bill would be to stifle Philippine trade with the United States and put an end to the ambition of Manila to become the American Hongkong. On the other hand, it may be said that the act simply brings our island possessions into line with the policy that has been successful for a century and under which the United States became possessed of a tonnage in vessels greater than the combined coastwise fleets of the leading maritime nations of the world.

The going into effect of this proviso, moreover, is also subject to certain important limitations and contingencies. The Shipping Board is directed, prior to February 1, 1922, to establish "adequate steamship service at reasonable rates to accommodate the commerce and passenger travel" of these islands and to maintain and operate such service until it can be taken over upon satisfactory terms by private capital. If the service can not be established by that time the President is authorized and directed to extend the period to such time as may be necessary to establish such facilities. Whether the available trade will justify the extension of special lines remains to be seen.

It is further provided that until Congress authorizes the American registry of vessels owned in the Philippine Islands the Philippine Government is authorized to enforce its own coastwise laws covering the Philippine archipelago. This is substantially in accordance with the present legislative powers of the Philippine Government.

Finally the section provides that the extension shall not take effect as to the Philippine Islands until the President, "after a full investigation of the local needs and conditions," shall declare that adequate shipping service has been established, and shall fix a date for the going into effect of the same. As it will be seen, therefore, the effectiveness of the act depends on contingencies which should afford a reasonable guaranty that all legitimate American interests will be fully protected.

A second change (sec. 22) in the coastwise system is embodied in a repeal of the act of October 6, 1917, given above, but with the very broad saving clause that all foreign-built vessels admitted to American registry, owned on February 1, 1920, by persons citizens of the United States, and all foreign vessels owned by the United States on June 5, 1920, when sold and owned by a person a citizen of the United States, may engage in the coastwise trade so long as they continue in such ownership. Unless the 600,000 tons, more or less, of interned German shipping is to be regarded as prize (a doubtful question), and in which case it would become eligible to American registry under the general registry law, such shipping, it will be observed, would fall within the privilege of this section as foreign vessels owned by the United States.

The purpose of this proviso was thus explained by Senator JONES in the Senate (Cong. Rec., 66th Cong., 2d sess., May 11, 1920, p. 7408):

"I understand there are not a great many of those ships, and we believe that where the ships are wholly owned by American citizens, built by American capital, there can be no injury done to the coastwise trade by allowing them to be admitted to American registry, so long as they continue in that ownership. Then, the Navy Department owns several small ships, some of which it has owned since the Spanish War. They are foreign built. They are very small. If they are given the privileges of the coastwise trade of the United States, they will be able to sell them at very much greater advantage to the United States, and they will be covered by this proviso."

It is thus a step in the direction of confining the coastwise trade to vessels built in the United States.

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The same section also authorizes the board to issue permits for the carrying of passengers on foreign ships between Hawaii and the Pacific coast from February 2, 1922. This proviso appears to have been the result of a protest by Senator NELSON, calling attention to certain hardships arising under existing law, under which a penalty of $200 per passenger is inflicted upon foreign ships which carry passengers from one port to another in the United States. In practice, however, these penalties were usually remitted.

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Another and equally important change is that which relates to the ownership of stock in vessels engaged in the coastwise trade. Heretofore under the right of coastwise trade extended to vessels sold, leased, or chartered by the Shipping Board to citizens, it has been possible for subjects of foreign Governments, or even for foreign Governments themselves, to own and operate such vessels in the coasting trade through the fiction of corporate ownership, as the legal test of citizenship in such cases has been governed by somewhat technical rules affecting the citizenship of the corporation as a legal entity, rather than by the citizenship of the owners of its stock.

The Jones bill squarely meets the situation by two provisos.

The first proviso (sec. 27) strictly limits the coastwise trade to vessels "built in and documented under the laws of the United States," or vessels to which the privilege of engaging in the coastwise trade has been extended by the provisions of law relating to Shipping Board vessels just referred to. (Secs. 18 or 22.)

The second proviso is embodied in an amendment (sec. 38) to section 2 of the shipping act defining citizenship as applicable to the coastwise trade, a definition which is applicable not only to the shipping act but is also specifically made applicable to the various provisions of the Jones bill. (Sec. 37.)

Under the amendment referred to, in the case of a corporation, association, or partnership operating any vessel in the coastwise trade, the amount of interest required to be owned by citizens of the United States is 75 per cent. The effect of this proviso is to strictly limit the foreign interest or stock ownership in vessels engaging in the coastwise trade to 25 per cent.

To avoid the possibility of evasion the act contains a specific definition of the method in which the 75 per cent ownership must be made up. Such ownership will be defeated if the title to 75 per cent is not vested in citizens free from any trust; or if 75 per cent of the voting power is not vested in citizens of the United States; or if through any understanding it is arranged that more than 25 per cent of the voting power may be exercised directly or indirectly in behalf of any person who is not a citizen; or if by any other means, control of any interest in the corporation in excess of 25 per cent is permitted to be exercised by any person not a citizen.

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Finally (Sec. 27) the act protects the coastwise trade from foreign approach by extending the general prohibitions, which, as interpreted by Attorney General Wickersham in 1913, were limited to transportation "by water" from one port in the United States, either directly or via a foreign port, or for any part of the voyage, to the broader case of all transportation "by water or by land and water," subject to two specific exceptions, one excluding its application in the case of merchandise carried between points in the continental United States, outside of Alaska, over through routes involving Canadian rail lines, and recognized by the Interstate Commerce Commission, and the other defining the date for taking effect in the case of the Yukon River until the completion of the Alaska Railroad.

The proviso would thus cover the familiar case of codfish caught in Alaska and carried to the Eastern States partly by water and partly by rail, and other similar situations.

SUITS AGAINST SHIPPING BOARD VESSELS.

(Sec. 18.)

One of the provisions of the shipping act of 1916 which gave rise to the most embarrassment and difficulty was that proviso of section 9 which provided that vessels purchased, chartered or leased from the board, should, while employed solely as merchant vessels, be subject to all laws, regulations, and liabilities governing merchant vessels whether the United States be interested therein as owner, in whole or in part, or hold any mortgage, lien, or other interest in the vessels.

Apart from the difficulty of fixing the definition of merchant service, the act as interpreted by the Supreme Court, operated to subject such vessels to the ordinary processes of arrest in admiralty suits and to the delays consequent upon the securing of bond for the vessel's release.

To remedy this situation there was passed on March 9, 1920, the suits in admiralty act, under which no vessels owned by the Government may be arrested in admiralty proceedings, a method of suit by notice to the Attorney General being substituted.

The Jones Act, however, in amending section 9 of the shipping act, repeats, and therefore technically reenacts, as of June 5, 1920, the particular clause providing that Shipping Board vessels should be subject to the liabilities governing other vessels. Thus the question is presented, which only the courts can answer, whether, through an inadvertence or otherwise, the former situation as to arrest of vessels is to be restored. In all probability, however, it will be held that it was not the intention of the Jones bill to effect the suits in admiralty act of the same year.

AMERICANIZATION OF AMERICAN VESSELS.

(Secs. 18–37–38.)

The Jones Act takes a long step toward removing the abuses of foreign ownership in American vessels.

Under the original ship registry act of 1792, which has been in force for over a hundred and twenty years, the privilege of American registry is confined to American built ships "wholly owned by a citizen or citizens of the United States or a corporation created under the laws of any of the States * * *."

In opening American registry to foreign-built vessels not over five years of age (a limit entirely removed two years later) the Panama Canal act of 1912 restricted the ownership of such vessels to "citizens of the United States or corporations organized and chartered under the laws of the United States, or of any state thereof, the president and managing directors of which shall be citizens of the United States."

It will be observed that under these laws, both of which are still in effect (except as modified in the manner now explained), there is nothing to prevent a practically entire foreign stock ownership in such corporations, provided the corporation itself, which, in the eye of the law, is determined primarily by its place of incorporation, is legally a citizen of the United States. As a result it is a matter of common knowledge that the practice of such ownership has grown to formidable proportions.

The shipping act of 1916, however, considerably restricted the ownership of Shipping Board vessels. Under that act the board was given authority to charter, lease, or sell vessels "to any person a citizen of the United States." The second section of the same act defined the word "citizen" for the purposes of the act as being limited to corporations and associations in which "the controlling interest therein is owned by citizens of the United States," and in which, in the case of corporations, its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or a State, Territory, District, or possession thereof.

In several important particulars the Jones Act restricts the opportunities for foreign ownership thus presented.

First, it proceeds to establish a new definition of citizenship to be applied to all cases where such citizenship is involved either under the Jones Act or under the shipping act. This definition takes the form of an amendment to the definition contained in the shipping act above quoted. In effect it repeats the previous definition, so far as relates to the question of controlling interest and the citizenship of the president and managing directors, but goes further by providing that such an interest shall not exist if the title to a majority stock is not free from any trust in favor of foreigners, or if the majority of the voting power is not vested in citizens or if through any contract or understanding it is so arranged that the majority voting power can be exercised in behalf of foreigners, or if by any other means control of the corporation is permitted to be exercised by any person not a citizen of the United States.

Under the Jones Act itself this definition applies, inter alia, to three important classes of vessels.

Under the fifth section of the act it covers the case of all vessels sold by the board pursuant to the declared policy of the act to place the merchant marine of the United States in private ownership at as early a date as practicable. The act, however, does not appear to cover the case of a change in the stock ownership of the purchasing company brought about after the purchase of a vessel.

In the second place, the definition applies to the sale or charter of vessels to citizens for the establishment of trade routes under the broad provisions of the seventh section of the act already summarized.

Finally, and of equal importance, it extends the definition outside the class of vessels which have been owned or chartered by the Shipping

Board by prohibiting the sale, transfer, or mortgage or, except under regulations of the board, the charter of any vessel documented under the laws of the United States "to any person not a citizen," a prohibition which is subjected to a personal penalty of $5,000 and imprisonment of five years and to the forfeiture of the vessel. This prohibition, of course, does not affect the ordinary process of original registry under the navigation laws first above mentioned, but as applying to the transfer of title or mortgage of all vessels it is gradually bound to bring within its scope a very large proportion of the merchant marine of the country.

In this connection it should be remembered that the definition of citizenship above given is not applicable to corporations or partnerships owning vessels in the coastwise trade, as to which, as already noted, a requirement of 75 per cent stock ownership in the place of a majority stock ownership is established.

GENERAL EXECUTIVE POWERS.

(Sec. 19.)

The act very properly gives to the board certain general, and also certain specific, powers adapted to enable it to carry into effect the directions and the policies of the bill as a whole. These include the following:

a. Power to make all necessary rules and regulations to carry out the provisions of the act. This power does not enlarge the authority already given by the act and might well have been implied.

b. The power to make rules and regulations affecting shipping in the foreign trade, not in conflict with existing laws, and which are necessary "in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade—and which arise out of or result from foreign laws, rules or regulations, or from competitive methods or practices" employed by foreign owners and operators.

The exact extent of this proviso is hard to foretell. The existing regulations upon foreign shipping, as established by statute, of course, could not be altered by regulation based on this section. How far it would permit the board to deal with matters heretofore under the regulatory power of other departments of the Government; as, for instance, of the Department of Commerce through the Bureau of Navigation, or the Treasury Department in matters handled through the several collectors of customs, is not clear. Its primary application would naturally be in regard to the operation of Shipping Board vessels as to which, being under the entire control of the board, it would be possible to establish conditions calculated to balance and offset the special conditions in foreign trade referred to in the act.

c. The power to request heads of departments to suspend or annul rules or regulations or to make new rules or regulations affecting shipping in the foreign trade, other than regulations relating to the Public Health, the Consular Service, and the Steamboat Inspection Service. This, however, is merely a power of request and gives no other authority.

A further proviso, however, goes considerably further and declares that with the exception of the three services named no rules affecting shipping shall be established until such rules have been submitted to the board for its approval, "and final action has been taken thereon by the board or the President." This power is a substantial one, as it submits to the supervision of the Shipping Board all new rules and regulations affecting shipping enacted by the Treasury Department, the Department of Navigation, and for that matter by the War and Navy Departments, as affecting shipping in the foreign trade. The language of the section gives the board a veto power on all such regulations, subject to reversal by the President. It is, of course, true that the President, as the Chief Executive, would in any event have final power in regard to regulations, but the section as now framed gives a very large practical authority to the Shipping Board.

This is further emphasized by another proviso of the same section, providing that where departments refuse to accede to the request of the Shipping Board to suspend or annul regulations, or object to the decision of the board in respect to the approval of regulations, the department in question may submit the facts to the President, who is authorized to take final action.

The section contains a final and salutary limitation on the general powers of the board by forbidding any rule or regulation which gives preference to United States vessels over vessels privately owned and documented under the laws of the United States. This proviso, however, of course does not affect the very substantial advantage which Government-owned vessels, as leased by the Shipping Board, enjoy in the matter of immunity from arrest under the provisions of the suits in admiralty act of March 9, 1920, which provides in such cases for suits against the Government without attachment, by service of the papers on the United States attorney, and regulates the conduct of such proceedings. As a result of this immunity the vessel operator is relieved from possible serious financial embarrassments incident to the attachment of the vessels on substantial claims, and a demurrage consequent upon delays before security can be procured. The question as to whether this immunity has been affected by the amendment to section 9 of the shipping act has been noted in a previous paragraph of this summary.

REBATES BY FOREIGN SHIPPERS.

(Sec. 20.)

The shipping act prohibited generally the giving of rebates, the use of fighting ships, retaliation, unfair and discriminatory contracts, undue preferences, and other unfair practices. A penalty of $25,000 was established for any violation of these general prohibitions. The act, however, did not contain any provision to prevent such things from being done by foreign carriers. The framers of the Jones Act have put teeth into the earlier provisions by a proviso which, in effect, prevents ships of companies or individuals engaging in such methods and practices from entering or leaving our ports. The change is accomplished by an amendment to section 14 of the shipping act, which reenacts former provisions of that section, making clear their application to foreign trade, and by adding a separate subsection giving the board authority to hold hearings upon its own initiative or upon complaint of violation of the section by persons not citizens, and to certify its findings to the Secretary of Commerce, who is authorized to refuse a right of entry for any vessels owned by the offending person until the board has certified that the violation has ceased.

The effectiveness of this strengthening of the laws should be far-reaching. It does away with elaborate legal processes and places the question of existence of foreign rebates and unfair discrimination directly in the hands of the board, which is to have final decision.

EXEMPTION FROM TAXES.

(Sec. 23.)

In an effort to stimulate the building of vessels in American yards the Jones bill goes a long way to encourage the investment of American capital by relieving it from war and excess-profits taxes and from the income tax.

First. The act permits the deduction from net income subject to war tax and excess-profits tax of an amount equal to the net earnings of any vessel during the year, as determined in accordance with rules and regulations of the board, provided that during that year the owner has invested in the building in American shipyards of new vessels of a type approved by the board of an amount, as determined by the Secretary of the Treasury, equivalent to the war-profits and excess-profits tax that would otherwise have been payable, provided that at least two-thirds of the cost of any such vessel is being paid for out of the ordinary funds or capital of the person claiming the exemption. This privilege is to continue for a period of 10 taxable years, beginning with the taxable year of 1920. It will be noted that to secure the exemption new ships must be built; mere investment in the purchase of ships will not suffice.

Second. The act exempts from the income tax the proceeds of the sale of any documented vessels built prior to January 1, 1914, providing the proceeds are similarly invested in the building of new ships in American yards to be documented under the laws of the United States and to be of a type approved by the board.

CARRIAGE OF MAILS.

(Sec. 24.)

In an effort to transfer to American bottoms the carriage of United States mails upon foreign ships, which are at present receiving about two-thirds of the sum yearly paid for the transportation of the mail by water, the act directs that all mails shall "if practical, be carried on American vessels and that no contract for carrying mails on such vessels shall, through assignment of contract, be carried on any foreign vessel."

Compensation for the carriage of mails is to be fixed by conference between the board and the Postmaster General, the latter being authorized to enter into contracts for the carriage of mails at such rates. It is furthermore specifically provided that the provisions of the act are not to be affected by the requirements of the ocean mail service act of 1891, providing generally for ocean mail service between the United States and foreign ports by American ships, requiring the advertising of bids, prescribing the portion of the crew which shall be required to be citizens of the United States, regulating speed of vessels and rate of pay, and classifying the vessels to be used in that service.

CARGO VESSELS TO CARRY PASSENGERS.

(Sec. 26.)

With a view to developing the passenger service and of providing additional revenue for shipowners, the act contains a proviso new to our law but familiar in the laws of foreign countries, permitting cargo vessels, documented under the laws of the United States, to carry not exceeding 16 persons, in addition to the crew, either in the coastwise service or in foreign trade, without thereby subjecting themselves to the inspection laws applicable to "passenger vessels." Such vessels, however, are not exempted from the laws relating to life-saving equipment, and it is required that notice be given to all passengers of the presence on board of any dangerous articles, as defined by law, or of any conditions or circumstances which would constitute a risk of safety for the passengers or crew. Reciprocity of privileges with foreign countries is established by the act to the extent to which such foreign nations allow like privileges to cargo vessels of the United States in ports not restricted to vessels under its own flag.

PREFERENTIAL RATES FOR AMERICAN VESSELS.

(Sec. 28.)

No section of the act has received more violent opposition than section 28, restricting preferential rates on through carriage to American vessels, and requiring shipments by foreign vessels to take the local rate for the same distance and direction in the United States.

As pointed out by Congressman EDMONDS, of Pennsylvania, in an article published in the Philadelphia Ledger of November 22, these import rates are a severe discrimination against many products grown in the western part of the United States and which should find a market in the Eastern States. Thus, the transcontinental rate on Australian wool shipped to Boston via San Francisco is about one-half the local rate on American wool shipped from California.

The section contains an important qualification to the effect that where adequate shipping facilities to any port in an American possession or in a foreign country are not afforded by American vessels, the Shipping Board shall so certify to the Interstate Commerce Commission, which is given discretion to suspend the operation of this section for such length of time and under such terms and conditions as it shall prescribe. Termination of such suspension may be made by order of the commission whenever the board is of the opinion that adequate shipping facilities by American vessels have been afforded. In other words, the final discretion is with the commission, but can not be exercised without the previous recommendation of the board.

In the attacks upon the act the discretion afforded to the Shipping Board and the Interstate Commerce Commission has been largely overlooked. As observed in a statement by the chairman of the Shipping Board, the section "is to be used only where there is ample American tonnage to handle the export and import commerce to any particular port in a foreign country, and there certainly will be no enforcement of the provision without concurrent action which will protect fully all American interests."

The suggestion has been made that foreign carriers would attempt to avoid the discrimination of this act by diverting trade from the American Pacific ports to Canadian ports. This possibility has thus been referred to by Admiral Benson in the same statement:

"Then merchandise via Vancouver would neither be entitled to the rates between United States points and Vancouver in either direction on merchandise locally moved, nor to the export rate now applicable via Vancouver.

"There would be required on merchandise moving for export a collection by rail lines within the United States of the local freight charges, such as would apply on a 'like kind of property for the same distance in the same direction and over the same route, in connection with commerce wholly within the United States.' This would be the local charge from the point of origin to the border port, which, in most instances, would be 'class' rates. This would make a charge via such

routing via Vancouver much higher than the domestic rate from such point of origin to any Pacific coast port within the United States. Movement through Vancouver would be made impracticable unless in connection with American vessels operating from that port."

Obviously, the salutary effect of the section, like most of the act, will depend entirely upon the fairness and intelligence in which it is carried into effect.

It will be noted that the act applies only to traffic subject to the interstate commerce act. It does not therefore apply to traffic passing from one foreign point to another foreign point by way of an American port, as for instance, to the export and import traffic of Canadian origin or destination handled through the port of Portland, Me.

How far the act will stimulate foreign traffic from the West, through the Panama Canal, covering goods destined for consumption on the eastern coast, remains an interesting speculation.

MORTGAGES.

(Sec. 30.)

The fact that a mortgage is not a maritime contract, and that it is inferior to all maritime liens on a vessel, prior or subsequent, including the liens created by State statutes for repairs or supplies in the home port as well as liens arising under the maritime law for repairs and supplies furnished in a foreign port, and that, in fact, it outranks only the rights of general creditors of the owner, has robbed this form of investment of all those qualities of security which are commonly looked to by bankers called upon to float investment securities. As Senator JONES bluntly but truthfully expressed it in the committee report, "Mortgage security on ships now is practically worthless."

In a section to be cited as the "Ship mortgage act, 1920," embodying some 20 subsections, the Jones Act undertakes to encourage the financial interest of the people in American shipping by giving to ship mortgages a high degree of preference and providing a speedy and uniform method of procedure in the Federal courts.

This it undertakes to do by establishing a class of mortgages to be known as "preferred mortgages," which, if the regulations regarding them are complied with, outrank all contract liens except liens prior to the recording of the mortgage, liens for damages arising out of tort, and liens for wages of stevedores and the vessel's crew, liens for general average, and liens for salvage.

A certified copy of the mortgage is required to be kept on board the ship and to be shown by the master to any person having business with the vessel which may give rise to a maritime lien or to the sale of the ship. If the mortgage covers a ship of over 200 tons the material facts regarding it must be indorsed on the ship's papers. If it covers more than one vessel, it must provide for separate discharge of the several vessels upon payment of an amount specified. On request of the mortgagee the mortgagor is required to disclose in writing liens existing at the time of the making of the mortgage. Severe penalties are imposed for failure to carry out the various duties laid upon the parties to the transaction, as well as the duties imposed upon collectors of customs.

The act also establishes a uniform system of foreclosure of all preferred mortgages in the United States district courts, together with the right to sue the mortgagor personally in the United States court in admiralty.

The constitutionality of the jurisdiction sought to be thus conferred upon the United States courts is open to question on the ground that as a mortgage is not a maritime contract its foreclosure can not be included under the constitutional grant of admiralty jurisdiction to the Federal judiciary.

If the Supreme Court should decide against the constitutionality of the attempted grant, serious questions will be presented as to whether the act as it stands will be effective to give the intended preferred status to mortgages which may be foreclosed in the State courts.

Objections urged to the act were that it unduly hampers the operation of the vessel, depriving the master of his traditional privilege of securing repairs, provisions, and the various maritime services on the strength of the lien thus created against the vessel.

The answer made was that the advantage of giving encouragement to the investor outweighs these disadvantages, which can be provided against by an active cooperation of the mortgagee, who is always in a position to waive his priority in a given case. In view of the obvious difficulties in the way of individual waivers in the case of repairs made at isolated points upon a voyage, it remains to be seen how far it will be found necessary for a mortgagee to provide in advance for a waiver of his preferred status in favor of those who thereafter furnish necessary supplies and repairs to the vessel in the course of the voyage.

One obvious result of the act is that shipyard operators and others furnishing supplies to vessels will be required to exercise a very large measure of care as their protection is to be limited primarily to the financial responsibility of the shipowner; and, secondly, to his equity in the vessel over and above the amount of the mortgage.

PAYMENT OF WAGES.

(Secs. 31, 32.)

The Jones Act modifies the right of a seaman to payment of a portion of his wages at ports of stop.

The original law, as carried into the seaman's act of 1915, provided that every seaman should be entitled to receive, on demand, from the master of his vessel, one-half part of the wages which he shall have then earned, at every port where the vessel loads or delivers cargo before the ending of the voyage.

This has been modified by the Jones Act (sec. 31) so as to limit the seaman to a right to demand "one-half part of the balance of his wages earned and remaining unpaid at the time when such demand was made, etc.," thus specifically covering the case of wages paid by allotment, and to defeat a practice of demanding payment on the basis of the wages earned, regardless of whether an allotment had been made.

This right is subject, as heretofore, to the proviso that a demand shall not be made oftener than once in five days and to a proviso, now in the Jones bill, that it shall not be made more than once in the same harbor—under the same entry of the vessel.

Another amendment (sec. 32) makes the allotment law effective in the case of allotments made outside of the United States; in other words, makes illegal advance payments and allotments in countries where the same are legal, in so far as they are against the provisions of our own law. This protects the American sailor against the foreign boarding-house keeper, etc., allotments under our law being limited to the case of the seaman's family.

PERSONAL INJURY AND DEATH CLAIMS.

(Sec. 33.)

The Jones bill makes a fundamental and extensive change in the law governing personal injury and death claims.

Heretofore there has been a radical difference between the rights of seamen to recover for injuries received in the service of the ship and the rights of ordinary workmen employed on shore. In some respects the seaman's rights have been greater, in other respects much more limited. Except where the seaman could prove that the injury resulted from some unseaworthiness in the vessel, or some lack of proper maintenance of its equipment (in which case the owners, having failed in a primary duty, would be liable for full damages), the seaman's measure of recovery was his maintenance and cure, together with his wages (so long at least as the voyage continued, and to a reasonable period thereafter), provided always that the injury was not the result of a willful misconduct. But unlike the case of his brother worker upon shore, this right was unaffected by his own negligence, except that it might reduce (but not defeat) his recovery. Moreover any question of negligence of the owner was immaterial, nor would the fact that the injury was the result of the negligence of a fellow seaman defeat the recovery. By virtue of the seaman's relation to the ship, his right to maintenance, cure, and wages was absolute. On the other hand, except in the case of the unseaworthiness of the vessel, as explained, his right to full indemnity for injuries, even though they resulted from the neglect of the master or his agent, did not exist.

On the supposition that the failure to enjoy this right was based upon the so-called fellow-servant rule, under which the master was generally considered a fellow servant with the seaman, the seaman's act of 1915 declared that seamen having command, as, for instance, masters, should not be held to be fellow servants of those under their authority, but this act was construed by the Supreme Court as not affecting the general principle above stated, the Supreme Court observing: "It was of no consequence whether or not the alleged negligent order came from a fellow servant; the statute is irrelevant" and "discloses no intention to impose upon shipowners the same measure of liability for injuries suffered by the crew while at sea as the common law prescribed for employers with respect to their employees on shore."

The Jones bill, in a section (sec. 33) which supplants this obsolete fellow-servant section of the seaman's act (sec. 20), entirely removes the limitation on the seaman's rights by giving to seamen a right, at their election, to maintain an action by law, with a trial by jury, and in such actions to enjoy the benefits of the Federal employers' liability act and its amendments as applicable to the case of recovery from personal injuries to railway employees.

Under this act, passed in 1908, the fellow-servant rule is abrogated and contributory negligence is declared to be no defense, but merely a matter for reduction of damages.

It is to be noted, however, that the law, as it stands under the Jones Act, does not defeat the seaman's right to recover maintenance and cure under the old system, but merely gives him an alternative right at his election.

Nor does it give to a seaman the benefit of the workmen's compensation systems of the several States. This has been a much-debated topic. After an early decision by the Supreme Court that these statutes were not applicable, Congress in 1917 passed a law intended to make them applicable by reserving to all claimants the "rights and remedies under the workmen's compensation law of any State." This statute, however, was held unconstitutional by the Supreme Court in a decision rendered in May of this year. The result is that under the general maritime principle that jurisdiction in matters of personal injury is the locality where the accident occurred, the longshoreman who happens to be on the dock finds himself in an altogether different situation in regard to recovery than that of his fellow worker who has crossed the gangplank of the ship, and efforts to remove this distinction by Federal legislation will probably be made at the next Congress.

The question of limitation of liability may also be presented, and a distinction may be sought to be made between foreign and coastwise trade. As the law now stands under the Jones Act, the shipowner is relieved from liability for death or personal injury claims if his vessel is a total loss. Such a limitation is hardly consistent with the principles of a compensation law, and the subject presents a problem of very considerable difficulty.

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In regard to the difficult question of recoveries for death the Jones Act also makes a long step in advance. In the common law there was no right of action for injuries resulting in death, and it required the celebrated Lord Campbell's Act in England to relieve from the effects of this doctrine. In the United States there has been no Federal statute on the subject until this year, but as it has been held that State statutes may give remedies for death injuries, which can be enforced in the admiralty courts as well as in the ordinary common-law courts, the seaman's representatives have not been without redress, although the form and measure of that redress has been widely divergent in character, depending upon the peculiarities of the law of each State.

Curiously enough, the subject has now been covered by two laws, both passed during this year, the first being a general act approved March 30 and the other being the Jones Act, section 33.

The first law covers generally the cases of death of all persons on the high seas (including, of course, seamen), and gives to their representatives right to recover in the United States admiralty courts, where a jury trial does not obtain. This general law also provides that contributory negligence shall not be a bar to recovery, but is to be taken into consideration in reducing recovery. The law also provides that the provisions of State laws are not to be affected by the act, and excludes the application of the act from the Great Lakes or from waters within the territorial limits of the States or to the Panama Canal Zone.

In the absence of the Jones Act, which was approved two months later, the case of seamen would have been covered by the earlier act, but the later law makes special provision for the case of seamen. The same section (sec. 33) covering the case of recovery for personal injuries includes also death claims and gives to the representatives of seamen whose death shall have resulted from injuries received in the course of his employment the right to maintain an action for damages, with the right of trial by jury, and with the enjoyment, as in the case of injuries not resulting in death, of the benefit of all statutes affecting the right of action in the case of railway employees. This provision of the Jones Act, unlike the earlier statute, has no territorial limitation and differs principally from the other in that it gives the right of jury trial.

Needless to say, legal questions as to the relation of these two acts, and also as to the relation to them of the State laws, are likely to arise, although, as it has been held that the subject is one clearly within the jurisdiction of Congress, there is no question but that the rights of the seaman have been very much extended by the recent legislation whatever may be its interpretation.

DISCRIMINATING DUTIES.

(Sec. 34.)

One of the most far-reaching innovations in the Jones Act, involving international relationships, and certainly the one which is likely to attract the widest public discussion, is the provision which declares that in the judgment of Congress all articles or provisions in existing treaties which restrict the right of the United States to impose discriminating customs duties on imports entering the United States in foreign and domestic vessels and discriminatory tonnage dues on foreign and domestic vessels entering the United States should be terminated, and which authorizes and directs the President, within 90 days after the approval of the act (June 5, 1920), to notify the several Governments with whom we have such treaties that so much thereof as imposes these restrictions will terminate at the expiration of the time prescribed in the particular treaty.

The establishment of this treaty system guaranteeing equal duties and charges in our ports in the case of various nations dates from the famous British treaty of 1815, which is still in effect, and the making of which, Senator Frye has always insisted, was the beginning of the decline of American shipping. In all, upward of 20 such treaties have been enacted, of which the language of the British treaty may be used as an example:

"No higher or other duties shall be imposed on the importation into the United States of any articles of the growth, produce, or manufacture of his Britannic Majesty's territories in Europe than are or shall be payable on the like articles being the growth, produce, or manufacture of any other foreign country; nor shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to the United States, * * *. No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels than those payable in the same ports by vessels of the United States," etc.

Other specific provisions of a similar purport are included in the treaty together with a general declaration that the inhabitants of the two countries "shall have liberty freely and securely to enter with their ships and cargoes into all such places and ports in the territory aforesaid to which the vessels of other countries are permitted to come. * * *"

This treaty, as renewed for an indefinite period in 1827, provides for annulment and abrogation by either party "on giving due notice of 12 months to the other contracting party."

From the debate in the Senate down to the passage of the bill it is clear that it was the intention of the Senate merely to put the United States into position where it might return to the old policy of the early part of the last century. From an examination of the present tariff act, however, it appears that a number of discriminations against foreign shipping will come into effect automatically on the taking effect of the notice of the repeal or the abrogation of the treaty. The principal among these is the discriminating duty of 10 per cent ad valorem which the tariff act imposes on all goods imported in vessels not of the United States, or which, being the product of manufacture of a foreign country not contiguous to the United States, come into the United States from such contiguous country, it being specifically provided that this duty shall not apply to goods imported in foreign vessels entitled at the time, by treaty or convention, to the same duties as if imported in vessels of the United States. Obviously, if the treaty falls the protection falls with it, and the discriminating duty automatically becomes operative.

A similar observation applies to the case of the 5 per cent discount, which, under the tariff law, is theoretically allowed on all goods imported in United States vessels, subject to the proviso that this provision is not to abrogate or impair existing treaties. This proviso, too, would come into effect under repeal of existing treaties, but with this difference, that under a ruling of the Supreme Court in the Five Per Cent Discount cases this section would not become operative until all of the treaties involving this protection had been repealed.

A question might also be raised as to another proviso of the tariff act of an even stricter character, forbidding all importation of goods into the United States from foreign ports except in United States vessels or in such vessels which belong to the citizens of the country of which the goods are the growth or production or manufacture or from which they can only be or most usually are first shipped for transportation. This section also excepts cases provided for by treaty, and if the treaty were to be entirely denounced it would, of course, come into effect immediately. It seems, however, that this involves a prohibition on imports rather than a question of discriminating duties or discriminatory tonnage dues, and would not be brought into effect unless, of course, the other party to the treaty chose to regard the treaty as entirely abrogated.

As will be recalled, President Wilson declined to comply with the congressional mandate on the ground that to then partially denounce the treaties would violate the terms of the treaties themselves.

While the President of course can not be compelled by Congress to perform any acts involving the exercise of his treaty-making powers, Congress has the power to impose discriminating duties regardless of treaty provisions. Whether Congress will pass such legislation at the forthcoming session or whether it will leave it to the incoming President to first consider the propriety of carrying out the congressional mandate, is a question for the future. As to the refusal of the President to obey the "direction" of Congress to denounce the offending portions of the treaties it is to be observed that these "directions" had some precedents, as, for instance, in the Chinese exclusion act, the La Follette Seamen's Act, and in the early French treaty act of 1798. It will also be recalled that the Jones Act itself, containing the direction, received the presidential approval.

DELEGATION OF AUTHORITY.

(Sec. 35.)

Section 35 of the act permits the board to exercise its powers either directly or through the Emergency Fleet Corporation, the life of which was continued in existence under the twelfth section of the act. It will be recalled that the Fleet Corporation was organized by the Shipping Board under the authority of the original shipping act for the primary purpose of constructing vessels. Its work, however, was soon extended to include their operation, in an effort to avoid the embarrassments prior to our entering the war of having our vessels treated as public vessels in foreign courts, as they would have been if operated by such a purely public administrative body as the Shipping Board. After our entry into the war, however, this distinction became unimportant and the actual operation of vessels has been carried out through the instrumentality of a specially organized division of operations operated under the immediate direction and supervision of the Shipping Board.

UNCONSTITUTIONALITY OF PART NOT TO AFFECT WHOLE.

(Sec. 36.)

The act contains a very usual clause providing that in the event that any particular provision is held unconstitutional or its application to certain circumstances invalid, the remainder of the act, and the application of such provisions to other circumstances, shall not be affected. In an act dealing with such a wide variety of topics, such a principle would probably have been very generally recognized by the courts, regardless of this proviso. Its inclusion, however, is a measure of wise precaution.

DEFINITIONS.

(Sec. 37.)

By this section the act adopts the definitions of certain phrases defined in the shipping act.

Under these definitions the term "persons" includes corporations, partnerships, and other associations, domestic or foreign. The word "vessel" includes all water craft "and other artificial contrivances of whatever description and at whatever stage of construction, whether on the stocks or launched, which are used or are capable of being, or are intended to be, used as a means of transportation by water." The phrase "documented under the laws of the United States" means "registered, enrolled, or licensed" according to law. The term "board" refers to the Shipping Board; the term "alien" to any person not a citizen of the United States.

TITLE.

(Sec. 39.)

The concluding section of this voluminous bill provides that it may be cited as the "merchant marine act, 1920." It is safe to assert, however, that for some time to come the act will be known by the name of its principal sponsor, Senator JONES, to whom is chiefly due the credit for the enactment of a bill that marks an epoch in the American merchant marine.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had this day approved and signed the following bills and joint resolution:

S. 4554. An act to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1920;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession;

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River;

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks;

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.; and

S. J. Res. 251. Joint resolution to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy.

CLASSIFICATION OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, I call for the regular order.

The PRESIDENT pro tempore. The regular order is the motion of the Senator from South Dakota to discharge the Committee on Appropriations from the further consideration of the bill, which has been referred to——

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. And to refer that bill to the Committee on Civil Service and Retrenchment.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. WARREN. Mr. President, I desire to occupy only a few moments on the question under consideration. Those who heard the quotations from the bill of 29 pages read by the Senator from South Dakota [Mr. STERLING] will probably observe that nearly all that there is to do in connection with the Government service is to be done by the Committee on Civil Service and Retrenchment; in fact, to those who observed closely, I doubt if there seemed to be anything left for Congress to do but to turn over the handling of these matters of legislation to that committee; but I wish to remind the Senate that it is incumbent on somebody somewhere to furnish the pocket out of which to pay for that which the committee might provide should be paid.

As to the matter of guardianship, about which the Senator from South Dakota seemed somewhat excited, if the Senator was referring to the Committee on Appropriations, I desire to

say that I do not recall a time when any Senator has asked to have any matter which was before the Appropriations Committee taken from that committee and referred to some other committee that the proposition has been objected to, until the present time. I may be wrong, however, about that, but I think not.

The Committee on Appropriations some years ago found great difficulty in adjusting the salaries of the various employees in the different departments and bureaus, and more especially in later years, when we have had three or four new departments added to the old six departments which we formerly had.

We have now 10 departments. Then we have created various new bureaus and commissions and have entered upon various new enterprises which were unknown in the earlier days—the building of great canals and all that—and when we have wanted information and have applied to the Civil Service Commission we were very correctly informed that their duty was to examine applicants for office so that they might give them certificates of having passed an examination, in order that they might enter the civil service and be classified as clerks of class 1, clerks of class 2, clerks of class 3, and clerks of class 4, or as being clerks at a thousand dollars per annum or messengers at some particular rate which we had provided. The Civil Service Commission did not establish the rates, and they showed no intention to help us in bringing about a reclassification in any form in which we wanted it.

Therefore, in an appropriation bill the committee inserted a clause providing for the appointment of the joint commission, who were to report back to the Appropriations Committee through Congress in order that the committee might have the benefit, not for themselves but for Congress, of necessary information concerning classification work.

I heard of no great desire on the part of the Committee on Civil Service to call our attention to any bill which they reported. As the Senator from South Dakota has stated, the report of the joint commission was made in March last year; but it will be remembered that Senators, and especially members of the Committee on Appropriations, were exceedingly busy, as we are now, in the closing days of the present Congress; and that on the 7th of June we adjourned and went to our homes, for the first time in some years, in order to gain a little nerve power and that recuperation which we thought was our due. We heard nothing in reference to the matter from the Committee on Civil Service and Retrenchment.

We reassembled last December knowing that we had but a short time and much business to transact. In the meantime the Committee on Appropriations had moved in this matter. They have gathered together a great deal of material which they propose to bring forward if not molested in doing so. They provided in the very bill which I am going to try to get up very soon some aid in the way of a small appropriation for this purpose.

It is entirely open for the Committee on Civil Service and Retrenchment to present a bill on the subject as it is for any other committee of the Senate to do so. I do not consider that it is a matter of guardianship especially, the Senator having alluded to that, I presume, in rather facetious terms. I do not know that the Senator can accuse the chairman of the Committee on Appropriations of any especial guardianship, unless it may be that guardianship that that Senator and other Senators ask as to some particular matters of appropriation in which they are interested, which is so freely granted when possible, I think, in all instances; at least, I hear no complaint on that account from the Senator from South Dakota.

The fact that this is a matter which grew out of the action of the Committee on Appropriations, and that in the end will involve provision for more clerks to be paid outside of the regular rates which were fixed by statute some time ago, makes it necessary for the Committee on Appropriations to exert itself to bring some order out of this chaos.

If the Senate sees fit to hand over the mere shadow of authority in the way of the report—which, by the way, is printed and is in the hands of every committee if they have asked for it—of course they will do so. However, I see no reason for such action. I wish totally to disabuse the mind of my friend from South Dakota, however, of the idea that he can concentrate all the business of legislation of every other nature except that of furnishing the pocket in the Committee on Civil Service and Retrenchment.

Mr. SMOOT. Mr. President, I had not intended to take any of the time of the Senate to discuss this matter. I thought it was so apparent to all who are acquainted with the legislation which brought into life the Joint Commission on Reclassification, which legislation originated with the Committee on Appropriations in order that information collected by that commission could be utilized by the Appropriations Committee of the Senate for a specific purpose, that I did not think any Senator was going to question the reference of the bill to the Appropriations Committee.

The Senator from South Dakota said on the floor the other day that the report of the Joint Commission and the bill recommended by them should have been referred to the Committee on Civil Service and Retrenchment instead of to the Committee on Appropriations because reclassification is a legislative matter rather than a matter of appropriations. He repeated the same statement here to-night. I fail to see the logic of any such statement.

The work of the Committee on Appropriations has two aspects—first, to determine the number of employees to be hired in any particular office in any particular department of the Government; and, second, the salaries that shall be paid them. Talk of legislation! There is not an appropriation bill carrying salaries for Government employees in the District of Columbia or outside of the District that does not change salaries from year to year. I do not say that they are all changed, but the Appropriations Committee have that authority and could change them all if their action were concurred in by the two Houses of Congress.

The Senator from Delaware [Mr. WOLCOTT] asked the Senator from South Dakota if there had been any work done by the members of the Appropriations Committee along reclassification lines, and he also asked when the bill was sent to the Committee on Appropriations. The Senator from South Dakota replied that there had been no work done; that the committee had been in possession of the bill for nearly a year but nothing had been done.

I will say to the Senator from South Dakota and to the Senate that there has been a survey made of every department of the Government. I have here before me the result of work done along that line, work which the Senator and those who would handle the subject for him could not accomplish between the time we adjourn to-morrow and the time we reconvene on April 4. I have before me tabulations in detail with reference to every department of the Government, giving facts as to the number of employees, what each department costs the Government of the United States, what it will cost under the reclassification scheme as reported by the joint committee, what it will cost under the salaries recommended by the commission, and showing the difference between the amount paid to every employee in the Government under the regular statutory rates, the amount with the $240 bonus added, and then the rates that are proposed by the commission on reclassification if legislation should follow along the lines of their report.

Not only that, Mr. President, but I have before me information that shows exactly whether employees paid from a lump sum are receiving more than employees paid according to statutory rates. It will surprise some Senators to learn what changes and what differences are necessary to equalize the rates of pay. For instance, as examples, I have before me figures with reference to the Treasury Department, including the offices of the Auditor for the Navy Department, the Auditor for the Post Office Department, the Auditor for the Treasury Department, the Auditor for the Interior Department, the Auditor for the State Department, the Auditor for the War Department, the Transportation Rate Board, the Treasurer of the United States, the National Bank Redemption Agency, and the Register of the Treasury. There is tabulated the number of employees in each one of the auditors' offices, the amount that is paid annually to them; then there is figured out the amount with the bonus, and the amount that would be paid if we adopted the rates of pay provided in the commission's report.

Then we take each one of the departments in detail and show exactly the percentage paid under lump-sum appropriations and under statutory rates.

I do not believe that that work can be accomplished in months and months time. Yet we are told to-night that the members of the Appropriations Committee have done nothing along this line. There is no other committee of the Senate that knows anything about the details of it, and if they undertook the task it would take them some time to accomplish it.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. POMERENE. When was this matter referred to the Committee on Appropriations?

Mr. SMOOT. The bill was referred in the latter part of March of last year. As the Senator knows, it was in the closing days of that session; we adjourned here in June; we were not back

here until December; this is the short session of Congress, and every one knew that we were going to put the bonus into effect this year.

Mr. POMERENE. Another question: Is this the first attempt to relieve the Appropriations Committee of the consideration of this bill?

Mr. SMOOT. On the floor of the Senate the other day the Senator from South Dakota undertook to secure the discharge of the committee. No discussion was had. I simply made a point of order at that time, and it was rejected. It had to be done by unanimous consent.

Mr. POMERENE. I was wondering what would be gained by relieving one committee of the consideration of a bill on the last day of the session and imposing the duty upon another.

Mr. SMOOT. Nothing whatever can be gained. There is, however, a great deal that will be lost. What is going to be done by the committee of which the Senator from South Dakota is the chairman within the next 13½ hours? Every Senator knows that there is nothing to this.

I will say to the Senator from South Dakota that not only have the members of the Appropriations Committee gone into all of these details, every bureau of the Government and every department in detail, but there is no question but that at the next session of Congress in the very opening days a bill will be drawn and introduced covering the question in full.

The chairman of the Appropriations Committee said upon the floor of the Senate, when the legislative appropriation bill was before this body, that never again would he vote for a bonus; and, as a member of that committee, I made the same statement, and I meant it. Mr. President, there is no question but that the Appropriations Committee will take up this question and follow it to a conclusion, and that when the appropriations are made for next year they will be made upon the basis of the salaries as contained in the bills reported to Congress, the different classifications, and the amounts to be paid the different employees of our Government.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I will gladly do so.

Mr. ROBINSON. Under the law and under the practice of the Senate, will it be possible for either the Appropriations Committee or the Committee on Civil Service and Retrenchment to exercise jurisdiction over this bill after the end of this session, unless the bill is reintroduced?

Mr. SMOOT. Twelve o'clock to-morrow is the last moment when it can be considered. It is as dead as a door nail.

Mr. ROBINSON. Then why should the Senate, in the closing hours of this session, consume its valuable time in the discussion of a motion which may very well be determined when the bill is reintroduced in the next session, and in all probability the matter will have to be determined again at that time?

Mr. SMOOT. There is no question about the soundness of the position taken by the Senator from Arkansas. He is absolutely correct; but I want to say, further——

Mr. ROBINSON. If the Senator will pardon me, it seems to me the Senate might very well proceed to the consideration of business which is urgent, and which the Senate can dispose of. I understand that the conference report on the sundry civil bill is in.

Mr. SMOOT. Yes.

Mr. ROBINSON. And if the chairman and other Members of the Senate are ready to proceed with the consideration of that report, I think we ought to do so, and not waste the time of the Senate in the further consideration of this matter.

Mr. SMOOT. I agree with every word the Senator says; but I did not want this thing to go by the board here, and not have the Senate know what the question was, because if it were reported back to the committee at the next session of Congress—and that is the only object of this motion to-night—the Senator from South Dakota, if he should be still chairman of that committee, would say, "Why, the Senate has taken action upon this matter. All the work that the Committee on Appropriations has done need not matter. That can be lost. I will attend to that."

Mr. President, I am ready for a vote now, if the Senate is ready.

Mr. STERLING. Mr. President and Senators, just a word in regard to this matter.

The Senator from Arkansas asks why this effort should be made to have this bill referred to the Committee on Civil Service and Retrenchment. I thought I had made that tolerably clear, from my standpoint anyhow, in my statement a while ago: First, as a matter of right; and secondly, if this bill is to be referred to the Civil Service Committee, where I say it belongs as a matter of right, work may be done in the meantime upon this bill and upon the report of the Reclassification Commission.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. STERLING. I yield; yes.

Mr. ROBINSON. But the bill must be reintroduced at the beginning of the next session of Congress before either committee can take jurisdiction of it.

Mr. STERLING. I understand.

Mr. ROBINSON. And when the bill is reintroduced we can then determine the jurisdiction of the committee. If we spend the remainder of this night in determining this question, nothing whatever will be accomplished, because neither committee can do anything under the bill for want of time to act.

Mr. STERLING. Mr. President, if the Senator will again excuse me, it is not so much the identical bill, of course, and the Senator from South Dakota knows that this bill will expire to-morrow at 12 o'clock; but it is the subject matter of the bill that properly belongs before the Civil Service Committee, and it is for that reason that I am asking its reference at this time, and that there may be a recognition upon the part of the Senate that this subject matter belongs to that particular committee.

Now, just one more word in regard to this matter.

The Senator from Utah [Mr. SMOOT] and the Senator from Wyoming [Mr. WARREN] referred to what has been done by the Appropriations Committee. I perhaps may grant, after hearing the Senator from Utah, that they have had some work done through the Bureau of Efficiency, but I think the individual members of the Appropriations Committee have devoted very little, if any, time to this subject matter. They have given some directions to the Bureau of Efficiency in regard to it. Further, the Civil Service Committee will stand ready to avail itself of any and all information upon this subject, and if the subject belongs to that committee it can avail itself of the services of the Bureau of Efficiency, or of the results of any work that has been done by that bureau.

The PRESIDENT pro tempore. The question is on the motion of the Senator from South Dakota.

The motion was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had appointed Mr. ROUSE of Kentucky as a member of the Joint Committee on Printing.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes. that it had receded from its disagreement to the amendments of the Senate numbered 82, 162, 163, 164, 165, and 166, and agreed to the same; and that it insisted upon its disagreement to the amendment of the Senate numbered 60.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 4924. An act to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation Project 150A, located in Norfolk County, State of Virginia, and called Craddock;

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Halleys Ferry and between the counties of Anderson, S. C., and Hart, Ga.;

H. R. 13558. An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war risk insurance act, as amended;

H. R. 15894. An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes; and

S. J. Res. 248. Joint resolution relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I ask unanimous consent at this time to take up the conference report on the sundry civil bill. I believe the papers from the House are before the Chair.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent for the present consideration of the conference report on the sundry civil bill. Is there objection? The Chair hears none, and the report will be read.

The Assistant Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15422) "making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 5, 6, 7, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 80, 81, 101, 103, 104, 105, 132, 133, and 134, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,750,000"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, after the word "Vancouver," insert the words "and Seattle"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,439,300"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: Restore the matter strickn out by said amendment amended to read as follows: "For expenses incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceedings, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, $10,000: *Provided*, That the United States Housing Corporation is hereby authorized to allow as an offset any equitable claim in any collection made against any State or any political subdivision thereof"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,110,000"; and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,256,390"; and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,318,700"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 60, 82, 162, 163, 164, 165, and 166.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. WARREN. Mr. President, I move the adoption of the report as read.

Mr. HARRISON. Mr. President, I should like to ask the Senator about some things in this report. I understand that everything has been agreed to except the Muscle Shoals proposition.

Mr. WARREN. In the report that has just been read they have all been agreed to except seven amendments, and in the case of six amendments the House has concurred in our amendments, so that really there is at issue only the one in disagreement—the Muscle Shoals.

Mr. HARRISON. So, if this report is adopted now, I understand that amendment numbered 78, that increased the amount from $6,670,000 to $8,000,000 for the Mississippi River, will remain at $6,670,000?

Mr. WARREN. It will remain exactly as it came over from the House, the Senate having receded from its addition, so that the House figures stand.

Mr. HARRISON. Mr. President, I desire to say something on this subject. I do not want to keep the Senator from Wyoming standing.

Mr. WARREN. I only want to say, if the Senator will allow me, that all that remains to close up the bill is, first, to have the report as made adopted, and then to have adopted the action as to six of these matters which went up to the Senate, which the House concurred in, and then the motion would be to recede from our amendment No. 60 and concur as to the Muscle Shoals item.

Mr. HARRISON. But if the Senate should choose to recommit this conference report, with instructions to the Senate conferees to insist upon this particular proposition, No. 78, then that would still be in conference, would it not?

Mr. WARREN. Mr. President, the Senator from Mississippi, or any other Senator, has the right to move nonconcurrence in this report, and if the Senate votes to send this back to conference it opens the entire bill and everything goes back to conference, and, as the Senator must know, and as every Senator must know, that would mean the death of the bill.

Mr. ROBINSON. Mr. President, will the Senator yield to me to ask the Senator from Wyoming a question?

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Arkansas?

Mr. HARRISON. Certainly.

Mr. ROBINSON. This afternoon, in anticipation of the possible failure of passage of the sundry civil appropriation bill, the Senate, by unanimous vote, I believe, passed a separate bill incorporating the hospitalization provision contained in the sundry civil bill slightly modified. That separate bill, I understand, has since passed the House of Representatives.

Mr. WARREN. It has.

Mr. ROBINSON. I assume, therefore, that the provisions for hospitalization went out of the sundry civil bill?

Mr. WARREN. The Senate receded upon amendments 21 and 22, for the reason that they were contained in another bill which has passed and has gone to the President.

Mr. ROBINSON. I thank the Senator.

The PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. HARRISON. Does the Senator from Wyoming still retain the floor? I desire to say something.

Mr. WARREN. I have moved the adoption of the report. I was not planning to address myself to it any further.

Mr. HARRISON. Mr. President, I have no desire in the world to delay unnecessarily the sundry civil appropriation bill. I am as anxious as any Senator here to see this legislation become a law. There are many items in it—to care for various projects and various functions of the Government—which should be passed. But I can not understand the action of the Senate conferees touching several items in this report.

I shall not allude to the item of $300,000 for the item relating to venereal diseases in the Army and Navy, for which the Congress passed a bill last year appropriating a million dollars, and this year they propose to strike it out.

I shall not refer to the proposition of Muscle Shoals. We all know now the history of that in this Congress, and it is one that does not reflect credit on the majority side of this Chamber.

There seem to have been subterranean passageways beneath and other ways of approach all around the Capitol, between the leaderships in this Chamber and the House, touching what should be done with this sundry civil bill as it affected Muscle Shoals. And the word went out that the bill should die because the majority would not stand for the Muscle Shoals appropriation. We all heard it. It was heard at the other end of the Capitol. But at the opportune moment it was reported back to the House, a vote was taken, and, of course, many who had stood for the proposition before, who were members of the majority party, desiring to save this bill, voted against it. I regret very much that the appropriation did not go through.

But the Mississippi River proposition we had every reason in the world to expect the conferees would insist on.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Wyoming?

Mr. HARRISON. Certainly.

Mr. WARREN. I wish to say to the Senator from Mississippi that the Mississippi River item and the veneral-disease proposition were the very last ones the Senate conferees finally receded on, and the fight we made over those, I think, would even be worthy of my good friend the Senator from Mississippi.

Mr. HARRISON. No; I would have stayed there until now. I would never have receded.

Mr. WARREN. Then we would have had no bill in that case.

Mr. HARRISON. Then we would not have passed the bill.

Mr. WARREN. I felt that the greatest good to the greatest number should be our standard in the Senate.

Mr. HARRISON. The opinion I got was that the House conferees said "Boo" and the Senate conferees threw up their hands on that proposition.

Mr. WARREN. Does the Senator from Mississippi believe that?

Mr. HARRISON. I hope it is not true. I thought we had at least two conferees in the House who were agreeable to this proposition.

Mr. WARREN. Does the Senator believe that?

Mr. HARRISON. I know that nothing would make the Senator from Wyoming throw up his hands—not even a Gatling gun.

Mr. WARREN. My colleagues on the conference committee stood with me on that proposition.

Mr. HARRISON. I am glad they did. We were disappointed. We thought that at least two of the House conferees would be in favor of $8,000,000, and we should have had it. The facts show that unless we get this amount of appropriation they are going to suffer on the Mississippi River. We received the last time $6,670,000. That was to run some nine months, I think. We appropriate $6,670,000 to run perhaps to the 1st of July, 1922, 16 or 17 months.

I have a letter here from the Engineer Department which says that unless we get some money by the 4th of March they can not operate on the Mississippi River in protecting it against overflows and floods. Of course, under those circumstances, I can not afford to try to hold it up. If they had any money on hand, and other Senators would join me, I would see that this bill failed. It should fail. It is due to the outrageous action of certain Members of the Congress of the United States touching certain appropriations in the bill, holding it up to the last minute, that this appropriation fails.

A few years ago, in 1917, when the flood control act was passed authorizing appropriations to the amount of $45,000,000 to carry on this great and necessary work on the Mississippi River, and not more than $10,000,000 was to be spent every year, the hope was held out that year by year $10,000,000 would be appropriated to control the waters and apply the proceeds to the navigation on the Mississippi River, and we find we have never received that amount, and the most we have ever received in any one year has been $6,670,000.

The Mississippi River needs the $8,000,000 and more, but I am sure that there does not at this hour prevail a sufficient generous spirit to grant the project the help needed. When this report was first presented I thought I would make a motion to recommit this report to conference with instructions to insist upon the Senate amendment. But the Senator from Wyoming says he has gone through it, he says the House conferees did not say "Boo," that he did not throw up his hands, and he says his colleague the Senator from Utah [Mr. SMOOT] did not. I accept their word. I hope the next time we will get $10,000,000. I shall not hold up the sundry civil bill further.

Mr. SMITH of South Carolina. Mr. President, I know it is useless now for us to talk about things which are past and gone, but I can not let this opportunity pass without calling attention to certain things which seem to me to be most glaring inconsistencies. We have spent the last three or four days in discussing what, in my opinion, is perhaps the most important question that has exercised this body, and which will exercise the very best that can be obtained of the statesmanship of those who come to the Congress hereafter, and that is the adequate defense of this country.

I want to state here and now, as I did not engage in the debate on the naval appropriation bill, that I believe the first duty of this country in regard to preparedness and protection is to provide an adequate Navy and all the appurtenances which go therewith. I believe it is the first line of defense. I believe when we take into consideration the coast lines, both east and west, and our island possessions, it is our duty to see that no chances are taken in any emergency that may arise.

There were arguments in the Senate as to the kind of Navy we should have, and all were agreed that this line of defense is necessary. But, Mr. President, the Navy itself and the Army itself are absolutely helpless unless the proper munitions of war are available, and the basis of all of our explosives is the element of nitrogen.

We put ourselves in the position of providing an adequate Navy and of providing an adequate Army, but are absolutely dependent upon a foreign country for every pound of the necessary ingredient to make the guns on our battleships and our forts and the rifles of our armies effective against a foe. Had Germany put her hands upon the nitrate beds of Chile, she would have had the world at her mercy. It transpired that when, on the eve of entry into that war, we took stock of our resources, we found we had less than a three weeks' supply of this necessary ingredient.

The Allies and America saw to it that Germany was debarred from access to those mines. Her skill and ingenuity provided her with an artificial method of extracting this ingredient from the air, and she produced, during the war 600,000 tons, which made her independent of the natural product. Yet we debate for days and days as to the size of a Navy and the size of an Army and the equipment that is necessary to make them effectual in the protection of this country, and then absolutely refuse to agree to an appropriation of $10,000,000 to put us on an equal footing with France, with England, and with Germany in preparing ourselves with this necessary ingredient.

Were this the initial step, were this an appropriation necessary to start an experiment, there might be some excuse for us to wait until the thing had been further developed. But we have spent $80,000,000 at Muscle Shoals, not upon an experiment, not upon some empirical enterprise, but upon an established fact. This ingredient has been produced there, can be produced there. The most magnificent water power, perhaps, in continental America is there. There has been spent some $17,000,000 to erect a dam to create the water power, a perpetual source of power, which, converted into electricity, can be used to extract from the air all of this necessary ingredient to furnish our ships and furnish our Army, and yet we, proposing, as we should propose, a Navy costing $500,000,000, absolutely defeat a proposition for an expenditure of $10,000,000 to furnish fire and water to the engines.

Suppose a war was to break out in the next three or four years when the Muscle Shoals dam, now partly completed, shall have been swept out and destroyed by the floods, $17,000,000 gone, $80,000,000 scrapped, and we without any reserve whatever for this necessary and indispensable ingredient to make the battleships and the Army effective! We speak of economy. We have spent $80,000,000 on this proposition. If it were to take twice $80,000,000 to prepare ourselves for this indispensable article, this sine qui non in preparedness for the defense of our country, we should have appropriated it.

We have plant No. 1 and plant No. 2, No. 2 equipped and ready for the production of the article, with the dam started in the process of construction, which if left alone now will be swept out by the first flood that comes along after the cofferdams have been weakened, and that amount of investment lost. Yet, because of supposed odium that has attached to it, we, the representatives of the best interests of the country, or supposed to be, absolutely refuse to vote $10,000,000 to put ourselves in a thorough state of preparedness to equip our Army and our Navy.

I have not, nor shall I to-night take the time to call attention to the fact that those who feed the Army would be benefited by the completion of the project. It so happens that the very ingredient that protects us in the form of an explosive is the very ingredient that fertilizes the soil and makes the wherewithal to feed our Army and our Navy. Yet we have held up until the last minute the sundry civil appropriation bill and made it impossible to continue the fight without destroying some other things that are perhaps essential.

I believe the sober second thought of the incoming Congress will lay aside all prejudice, whether it be based upon the fact that Muscle Shoals is in the South or whether it be based upon some other reason. The fact remains that nature, regardless of any sectional lines, has placed the greatest water power there, the most convenient and most available of any in continental America. Surely the time will come when one will not even suspect that the sectional location of anything that will benefit all the people of America will be a sufficient reason to forego that benefit.

We can not deny the fact that if some strong power, oriental or occidental, were to seize and blockade the nitrate beds of Chile, our Army and our Navy would be paralyzed and we would be at the mercy of the foe. Yet with a plant already

equipped and in the progress of the development of this great water power to make up independent of any foreign country as a source of supply, we absolutely jeopardize the expenditure of $80,000,000 and scrap the work already done, and for what reason? What reason can be given why we should abandon and turn over to others this necessary and essential part of our equipment?

We might as well speak of turning over the Navy to private individuals, or turning over the Army to private individuals as to speak of turning over this very lifeblood of the Army and the Navy.

Were it not for the fact that the leader of the minority had pledged his word that if a vote was taken on the proposition and it lost out, he would acquiesce, I would, because the short time would give me the power to do it, defeat the sundry civil bill. There is not an item in it that even approaches the importance of equipping ourselves with this necessary and modern method of preparing ourselves against emergency.

Mr. President, I could not allow this opportunity to pass without calling attention, and going on record in doing so, to the fact that we are appropriating money for the equipment and support of an Army and for the equipment and support of a Navy, when every Senator here knows that the Army and Navy are absolutely useless unless we have an abundance of that which makes them effective.

The fundamental basis upon which it all rests is an abundance of the article that would be produced by the plant at Muscle Shoals. I believe that fact is not thoroughly appreciated by Senators on the other side of the aisle or on this side.

Just before we entered the war, pleading as I was then pleading for the farmers of the country to be relieved from the greed and avarice of those who hold a monopoly of this element that fertilizes the soil, I had occasion to go to the Ordnance Department to see if they had a surplus of the ingredient that could be turned over to the farmers of the country. The startling fact was revealed that we did not have enough left for a two weeks' fight. It was then that the chairman of the War Industries Board called in the representatives of the Allies and entered into an agreement to purchase jointly a supply of this product and hurry it to American shores and to the shores of the Allies and store it up against exigencies that they could not foresee, which might occur, that would shut them off from the Chilean supply.

Aside from the mines that England herself owned, France, Italy, America, and all those who have joined with us to put down this threat of the destruction of freedom and democracy of the world had no other source of supply than one little spot on the west coast of South America to assist in the performance of that stupendous task. The only one who was independent was Germany, who had taken advantage of the advance of science to equip herself and make herself independent of the fields of Chile, who had no water power, but had to produce it by the expensive method of using coal, and yet we, with an abundance of water power, with scientists who can keep pace with the scientists of Germany, have absolutely this night scrapped $80,000,000 rather than spend $10,000,000 more for the completion of the project that may spell the defeat or the success of the American Army and Navy. There is not a man amongst us but would be convicted of stupidity in any court but this one.

In closing I desire to repeat that I am enough of an American, and my forebears were thorough Americans, to say that I will vote for every dollar that is necessary to keep ourselves equipped to preserve the precious heritage that we have, which is the envy and the despair of every nation of the world. I am not oblivious to the fact that we are not secure. No one can tell what the combination of nations may be or what the result of that combination may be upon us. Therefore I take precious little stock at this stage of human civilization in the cry that wars will cease. I will go as far as any in bringing about that condition that would prohibit or make as slight as could be the possibility of war, but in the meantime I want to make the effect of war on America as remote as possible.

Mr. President, I have said this much because I do not believe there has been a more stupid, if not worse, act on the part of the American Congress than the result of this vote on a proposition to provide ourselves with an ample supply of nitrogen, the basis of all explosives.

Mr. WALSH of Montana. Mr. President, I desire to inquire of the chairman of the committee for information in relation to item 100, upon which the Senate receded. The Senator will doubtless recall that is an item increasing the appropriation for a mining experiment station.

Mr. WARREN. I recall the item.

Mr. WALSH of Montana. I was advised by a Member of the House that the House conferees were not averse to conceding that item. Can the Senator tell us how it came that it was found necessary to recede?

Mr. WARREN. The item, in the early consideration of the bill, was passed over for a short time, but before it went to the House we had succeeded on as many Senate amendments as we could, which amounted to 20 or 30 out of the 168, and the Senate, as a result, was compelled to recede on the $25,000, which was added to the $200,000 item, in which the Senator was interested.

The Senator reminds me this was a matter which he hoped might be adjusted on the other side, that it might come back either changed or with the approval of the conferees on the part of the House. I desire to say that I do not know that I ever had a more snappy answer—that they had done nothing and would do nothing—than I obtained from the chairman of that conference committee when we reached the item, and I asked consideration in the matter.

Mr. WALSH of Montana. I beg to assure the chairman of the conference committee of my entire satisfaction with his efforts in the matter.

Mr. WARREN. I am very sorry we had to recede.

Mr. WALSH of Montana. I am satisfied the conferees on the part of the Senate did all they could with reference to the item. I was a little surprised at the result, however, in view of the information which had been given me.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

The PRESIDENT pro tempore. The Chair lays before the Senate the action of the House of Representatives, which will be read.

The Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
March 3, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 82, 162, 163, 164, 165, and 166 to the bill (H. R. 15422) entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," and agrees to the same.

That the House insists upon its disagreement to the amendment of the Senate numbered 60.

Mr. WARREN. Mr. President, there is simply one item now in disagreement. I therefore move that the Senate recede from amendment numbered 60.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming that the Senate recede from its amendment numbered 60 on sundry civil appropriation bill.

Mr. UNDERWOOD. Mr. President, I shall not detain the Senate by an extended speech. I wish first to state the situation.

The sundry civil bill carrying some $400,000,000 and appropriating some $150,000,000, as the bill now stands, for the care of disabled soldiers——

Mr. WARREN. It appropriates $249,000,000 for that purpose.

Mr. UNDERWOOD. It appropriates $249,000,000 for the care of the disabled soldiers of the country and comes back to the Senate with one item, and one alone, in dispute. That is the appropriation to continue the work that has already been begun on building the dam at Muscle Shoals, on the Tennessee River.

I wish to say to the Senate candidly that if it were possible by resisting the motion of the chairman of the committee and continuing this fight to accomplish the desired result and secure the appropriation to continue the work on the Muscle Shoals Dam I would stand on my feet here and fight until 12 o'clock noon to-morrow; but I am not going to do a foolish thing; I am not going to fight when no result can be accomplished. Neither will I, when nothing can be gained, stand in the way of a great supply bill that is necessary to take care of the civil functions of the Government and that carries $249,000,000 to care for and assist the disabled soldiers of America.

The Senate has very clearly expressed its view on this subject a number of times during the past winter. There have been divisions here; but there has been an emphatic majority in the Senate from beginning to end in favor of the Muscle Shoals appropriation. I wish to say that the Senate conferees have correctly and honorably represented the Senate's position in conference, and that there is no fault on the part of the Senate or its conferees for the failure of this appropriation. As I said to-day and said last night, I think that the action of those in charge of the bill at the other end of the Capitol has been reprehensible and possibly in the future may be shown to reflect but little credit on the way the bill was handled at that end of the Capitol; but I do not believe that any man or set of men who

are charged with the grave responsibility of conducting the affairs of this Government can take the position that, because they can not have their personal will or accomplish the desires of those whose will they reflect, they are going to defeat a great supply bill that means the carrying on of the Government of the United States.

The situation that confronts us now is this: Every item in the bill has been agreed to. Within 12 hours the life of this Congress will expire. If the Senate defeats the motion of the chairman of the Committee on Appropriations and further insists on this item, the bill must go back to the other House, and we know that even now if the House were to change its mind it could not act on the bill and pass the measure before the final hour of adjournment. So if I urged further insistence on the Muscle Shoals appropriation I could accomplish nothing for the object I had in view and should merely defeat a great supply bill. That I am not willing to do. Therefore I shall not ask those who supported the Muscle Shoals amendment in the Senate to vote down the motion just made by the chairman of the committee.

I wish to say, however, to the Senate now that there is no doubt about this issue. This is no new matter. The law authorized the building of this dam. Seventeen million dollars were allocated for the purpose of building it; a large portion of that money has already been spent; and to abandon the project is to throw that money away. The testimony of the greatest engineers in America confirms the statement that this is an excellent undertaking; an undertaking that will safely return to the Government the money invested. It comes in the usual way, with an estimate from the Government to carry on the work; and the reason it is defeated is because a lobby, representing special interests, fighting for their own pocketbooks, regardless of the national defense and the interests of the National Government, have injected their fangs into the body of this legislation and torn this appropriation out of it. There is no man who knows the conditions that have confronted this proposal but that knows that is a fact. I will not call the names now, but if their names are wanted or if it is ever desired to investigate this question in the future I can name the men who have haunted the Capitol and the hotels in the city of Washington lobbying against this proposition because they thought it might interfere with their private business, putting their own dollars above the integrity of the Government of the United States, its honor and its safety.

I wish to say to the Senate of the United States that this proposition can not die and will not die. Those in America who believe the Government should be prepared for a future war will not allow selfish interests to interfere with the defense of the country.

Furthermore, as the Senator from South Carolina [Mr. SMITH] has just so eloquently said, the question goes not only to the national defense but to the national life, because the national life is dependent upon cheaper food, and cheaper food can only be furnished and produced by an abundance of cheap fertilizer. There is not a farm organization in the United States that has not indorsed the appropriation for the Muscle Shoals project; there is not an organization of farmers in this country that has not stood here and battled for it; there is not a farm paper in the United States that has not written editorials urging the adoption of this amendment. It is idle to think that the representatives of a few special interests can choke a great enterprise of that kind to death. The hour may be postponed, but this question will face its opponents in the campaign two years from now. They will then have before them a constituency to determine whether they stand for the great fertilizer interests and the by-product interests of this country, for those who are fighting for their own dollars, or whether they propose to stand for the national defense and cheaper food for the people of America. It may be two years before this measure will again come before the Senate, but it will come back here, and it will come back here to be written in the statute books of America.

I will not resist the motion now, because the appropriation bill should pass, but this is merely the beginning of this issue. I hope the opportunity may come when the limelight of public investigation may reach in and disclose how this proposal has been defeated.

Mr. LENROOT. Mr. President, I did not intend to say a word on this motion, but I can not permit the statements of the Senator from Alabama that this Muscle Shoals proposition has been defeated by a lobby in this body and in the House of Representatives to remain unchallenged.

For 10 long years this Muscle Shoals proposition has been before the Congress of the United States, and through all those long years a lobby has invested this Capitol for this very proposition in the interest of the Alabama Power Co. The reason that that lobby is not in evidence in the galleries at this session of Congress is because, in my judgment, the lobby has become wiser than it was before; but the same lobby, the same influences that have been trying to get this appropriation from the Government in the past, in my judgment, are behind it to-day.

The Senator speaks of an investigation. I hope there will be a full investigation before this Muscle Shoals proposition ever comes before the Congress again, and I hope that that investigation will go very thoroughly into the question of who is responsible for this propaganda that is going over the country in the endeavor to fool the farmer.

Mr. President, I referred the other day to the testimony of Col. Cooper, the star witness of the Senator from Alabama in this Muscle Shoals proposition, the consulting engineer of the United States Government, now engaged in work upon this dam. I referred to the fact then that only two weeks ago Mr. Cooper, who built the Keokuk Dam, who is one of the greatest, if not the greatest, hydraulic engineer in the United States, a man who can more easily command capital upon a business proposition than any other man in the United States dealing in waterpower, when asked before a committee of the House by the chairman if he would take this Muscle Shoals Dam as a gift with the $12,000,000 that the Government has already expended upon it, said "No." He was asked if he would take this Muscle Shoals Dam as a gift if the Government would add $5,000,000 more to it, putting $17,000,000 into it. Would he take it then and undertake to complete it and use it as a business proposition? His reply was—and I have it here—"No; I would not go across the street for it." He was then asked whether he would take this proposition as a business proposition if, in addition to this $17,000,000 that has been allotted to this dam, the Government would put in $17,000,000 more, making $34,000,000. Would he then take it as a gift, with an agreement to complete it and treat it as a business proposition? He said, "No." That is the record, Mr. President.

The Senator from Alabama undertook the other day to say that the reason why he made these statements was because he, being connected with the Government, would not consider anything of that kind as a business proposition personal to himself; but if the Senator had taken occasion to read that testimony since that time he would not repeat that statement to-night, because Mr. Cooper, in giving that testimony, was giving it as a business man; and I want to read just a line a little farther on that conclusively shows that.

He says:

As far as I am personally concerned, after years of study of this project, it is my firm conviction that private capital, if you had $17,000,000 in it, would not touch the plant.

Now, Mr. President, it is proposed here to have the Government expend not $10,000,000 alone in this appropriation; that will not complete the dam. It will require $33,000,000 more to complete the dam, and then Col. Cooper's testimony shows that the only use that can be made of this dam from any business standpoint would be not for the production of fertilizer but to lease to private power companies. What private power company would be the beneficiary of this expenditure of $50,000,000 upon the part of the Government?

The Senator from Alabama, when this question first came up, said that the Alabama Power Co. could have no possible interest in this matter, and said that the Alabama Power Co. was not represented here.

Well, the Alabama Power Co. does not need to be represented here to be the beneficiary if we expend this money, because if we expend this $50,000,000 the Alabama Power Co. will be the only beneficiary of this expenditure. In support of that statement I want to read something that I did not have before me before, a report of an official of the United States Government in 1916, a man who is not now in the service of the United States Government, an engineer. Speaking of the Coosa River, he said:

The work accomplished in the past four years in connection with Lock 4 of the Coosa River stands as a great example of the advantage of such cooperation.

And then, coming to Muscle Shoals, he says:

And also makes the Alabama Power Co. the logical and, in fact, the only company capable of building up the market necessary to use the power which may be developed in Muscle Shoals.

He goes on—

With the sites already owned and developed and the territory covered by the transmission lines of the Alabama Power Co., none of the hydroelectric systems of the North and East can economically or without duplication of investment be tied into Muscle Shoals and have the public reap the benefit which may be derived from the combination of Muscle Shoals and the Alabama Power Co. system.

So, Mr. President, when this dam is completed there will be but one customer for this power. That customer will be the

Alabama Power Co., and that customer can make an offer, and whatever offer is made the United States Government will be compelled to take, because it will have no other use for it.

Now, who is the Alabama Power Co? According to Poor's Manual for 1920, the Alabama Power Co. is owned by the Alabama Traction, Light & Power Co., incorporated January 5, 1902, in the Dominion of Canada. Its head office is in the city of Montreal. Its president is, or was—because he lately died—James Mitchell, residing in London, England.

The Alabama Power & Traction Co., according to Poor's Manual, owns the entire stock of the Alabama Interstate Power Co., the Birmingham, Montgomery & Gulf Power Co., the Muscle Shoals Hydro-Electric Power Co., the Alabama Property Co., the Alabama Power & Light Co., the Asbury Electric Power Co., the Anniston Steel Co., and controls the Selma Lighting Co., the Dixie Construction Co., the Winona Coal Co., the Coosa Securities Co., and holds $2,000,000 of stock in the United States Gas & Electric Corporation. Its assets on December 31, 1909, were $45,290,871.

That, Mr. President, is the company that will be the beneficiary of this $50,000,000 of the taxpayers' money that you propose to expend on Muscle Shoals—a company controlled by British capital, with its office in Montreal, Canada, and its president residing in London, England.

Mr. President, one word more. The Senator from South Carolina [Mr. SMITH] undertook to make a preparedness speech, and to argue that this expenditure was absolutely necessary, or there would be no way by which the Government could secure nitrates unless this dam were completed.

I can not believe that the distinguished Senator from South Carolina does not know that this $80,000,000 of money spent by the War Department for the erection of plants 1 and 2 was spent with the expectation that the product of those plants would be used to carry on the existing war. There could have been no other reason or excuse for spending that money, and they had no expectation of using any of the water power for the manufacture of the explosives that were to be manufactured in these plants to carry on the war, because they did not even begin the construction of this dam until long after the armistice was signed.

Mr. SMITH of South Carolina. Mr. President, may I ask the Senator a question?

Mr. LENROOT. The Senator may.

Mr. SMITH of South Carolina. Why did they put the plants where they did if they did not anticipate developing the water power later, because the emergency of war would not allow them time sufficient to build the dam?

Mr. LENROOT. That matter has a very interesting history; and if the Senator wants my personal opinion about it, it was through the same political influences that had been hovering around Congress for 10 years to secure the completion of this Muscle Shoals dam; the influences that saw that if you could get this $65,000,000 alongside of Muscle Shoals dam, they believed the situation would result in exactly what has resulted, and that the Senator from South Carolina and the Senator from Alabama would then urge, as they are urging, that because we have spent this $80,000,000 there we have got to spend $50,000,000 or the plant will be scrapped.

Mr. President, the Senator from South Carolina knows that this plant is complete in every particular. It is just as well equipped for the manufacture of explosives to-day as it will be when this dam is completed, if it ever is completed. This dam will not add one single pound of nitrates that can be manufactured at this plant. The only question that is involved, the only question that anyone claimed was involved, up to the speech that the Senator from South Carolina made, was that these nitrates can be manufactured cheaper with water power than with the steam power that is now provided there.

The Senator from South Carolina ought not to undertake to make the country believe that this is a preparedness matter, that we can not manufacture these nitrates unless this dam is completed. The Senator knows better than that.

Mr. SMITH of South Carolina. Mr. President, everyone knows that we could do as Germany did, manufacture it with steam, at twice as much per pound as you could manufacture it for with water. The merest tyro in the study of power knows that the overhead charge in water power is the principal charge. Once you have harnessed it, you have it in perpetuo; whereas with steam and the use of coal it means an expense every time you use the power; whereas with water it is nature's gravitation that you convert into energy, without any cost.

Mr. LENROOT. The Senator in the speech he made never once mentioned that consideration of economy which he now says is the sole consideration in the building of this dam. The Senator from South Carolina undertook to say to the country that we would be unprepared unless we had this dam built.

Now he admits he was entirely mistaken in that; that we are just as much prepared to-day, so far as the manufacture of explosives is concerned, as we would be if this dam were completed, and the only question is one of cost. When it comes to cost, Mr. President, when you consider 5 per cent interest on $50,000,000, or $2,500,000 per year, I doubt whether an unbiased man will say that there would be any economy whatever in building the dam with this charge against the money, as compared with keeping the plant in a condition for the manufacture of explosives whenever an occasion shall arise.

Mr. President, with that $2,500,000 a year piling up through the years we could buy, if the emergency should arise, a good many tons of coal, if it should become necessary to manufacture explosives at the plant through steam power.

Mr. SMITH of South Carolina. Mr. President, by the same parity of reasoning then it is not necessary for us to keep a standing Army, because it was demonstrated that we could get the men ready and mobilize them, as we did in this emergency. I do not know that we need build any battleships, except enough to keep a nucleus around which we can rally our forces. Everyone knows that with the development of 500,000 horsepower at Muscle Shoals, and with two plants already equipped, and then grouping around those all the power that might be necessary, this country would be placed in a position where, with the utilization of that 500,000 horsepower, there would be the cost of transportation of the coal eliminated and all the expense that was incident to gathering this fuel and bringing it would be concentrated in one natural power, that would be there forever, and it would be diminishing in its expense as the years go by. It is as absolutely essential for us to equip ourselves along this line as it is to build our battleships, and more essential.

Mr. LENROOT. Mr. President, I can not follow the Senator. One moment he says this is just as necessary as a sufficient number of battleships, and the next he speaks of economy. The Senator must understand that just as many tons of nitrate can be manufactured to-day at that plant with steam power as can be manufactured with water power, and if he admits that, there can be but one question, and that is of economy. I will say to the Senator, that, reading these hearings, you can not make a showing for economy. So, Mr. President, this is not a preparedness matter at all. If there be anything in it that can be claimed by the friends of the measure, it is one of economy.

As to fertilizer, either there will be a deficit of more than a million dollars a year in the running of this plant, or enough fertilizer can not be manufactured at all.

As I said a moment ago, Mr. President, before this matter ever comes up again, I hope that it will have a thorough investigation as to the alleged lobby against it, and as to what influences are behind and under the proposition for it.

Mr. UNDERWOOD. Mr. President, I have heard a great many times the speech that has just been concluded, but in the closing hours of this Congress it may be misunderstood if it is not again answered.

There is a company in Alabama known as the Alabama Power Co. I think the Senator from Wisconsin is correct in his statement that it was organized in Canada; at least the parent company was. It has a dam, not on the Tennessee River, and not connected with this river, but down in southern or middle Alabama on the Coosa River. It is trying to develop another dam down there for power now.

At one time in its exploitations it owned the banks where the Muscle Shoals power plant is now located. It was the riparian owner of the power. But when the Government concluded to develop a power there for war purposes it disposed of its entire control and ownership to the Government of the United States, and all interest it had in the Muscle Shoals Dam went out by a deed that is recorded, and it now belongs to the Government of the United States.

The balance of what the Senator said is his dream, not based on a fact that he can assert. As a matter of fact, nearly three months ago the Senator from Wisconsin made practically this same speech, and although I had no interest in it and did not trouble myself to send for any testimony, he had reflected on the Alabama Power Co., and the president of that company sent to me a statement under oath, which I put in the files of the Senate, denying every assertion the Senator from Wisconsin has just made as to the Alabama Power Co. having any interest now or in the future in this project.

The Senator from Wisconsin has no proof. It was only a short time ago that he or some one else here—I am not sure

that it was the Senator from Wisconsin; it may have been a Senator on this side of the Chamber—charged that the Alabama Power Co. had gotten out a pamphlet, which was circulated here, in the interest of building this dam and the development of this Muscle Shoals project; and then the affidavits poured in from the towns and cities along that river, and an association called the Tennessee River Improvement Association, which was an association of people who want to make the river navigable, under oath denied every proposition that was asserted along that line.

The Senator from Wisconsin thinks the people of the United States should take his unsupported statement against the sworn testimony of men because he has dreamed this dream, that some power company in Alabama is going to take over from the Government, by strong-arm methods, their property; that it is going to take it away from the Government and use it for their benefit. It would take legislation to accomplish that result, and I do not believe, if the Senator is sincere in his assertions, that they would get his support in passing the necessary legislation to turn over the Government plant and the Government development for that private purpose.

So far as the Senator's assertion that nobody else can use this power is concerned, of course, nobody else can use the power now. I do not know whether this company could. I am sure it could absorb but a very small proportion of the power. No other company has been in the practice of absorbing the power from a great plant until it has been developed. There is not a man in this Chamber who does not know that when the first great Niagara plant was built they were very doubtful as to whether they could sell the first installation of power at Niagara. I think it was 60,000 horsepower, and now they have developed 400,000 horsepower, and every particle of that has been bought; but because the Senator from Wisconsin does not see any plants sitting around there ready to consume a power that has not been created, he thinks, or at least he tries to get you to believe, that it must all go to the only power company in that neighborhood which happens to be using a considerable amount of power. It is nothing but a dream and an assertion, without a statement of facts to sustain it. The entire facts upon the record seem to deny the proposition.

As I said, I had read here a few months ago a statement of the president of that company to the effect that he had nothing to do with it and expected to have nothing to do with it. I have the affidavits here. They have been sent here by men who have been interested in this project, and people who live in the towns along the river, who want the navigation, and they said they had furnished the money for the publication of these pamphlets in the interest of this project, in no way connected with that company.

I am not at all surprised that men who do not support the proposition like to have some excuse for their failure to support the great agricultural constituencies of this country, who believe that their future life is dependent upon the development of this power and the operation of the great nitrate plant at Muscle Shoals.

The Senator from Wisconsin would have you believe that the consulting engineer on this project thinks it is of no value. He has read some of his testimony stating that he would not have it if it was given to him, and he wants you to believe that by that Col. Cooper, the great engineer who has indorsed the Government plant and sustained the Government expenditure of money, meant that he thought the thing was of no value.

Col. Cooper's testimony before the Senate committee has been read here, in which he stated that this project, if put on a power basis, would produce 5 per cent interest on $50,000,000, the cost of the project, and would have a spread of $10,000,000 in addition. He stated that it could produce, when finished, 550,000 horsepower; that it would be the greatest production of horsepower in America, and, more than that, he said in his testimony that the great Keokuk Dam cost $150,000 a horsepower for its development; that this project would cost less than $100,000; and that the Keokuk Dam was a business success.

But I will read from the same pamphlet from which the Senator from Wisconsin has just read to convince the Senate that the engineers have rejected the project. Of course it is an absurd proposition to say that a man of Col. Cooper's standing in the world as a great engineer, a man who had successfully built the Keokuk Dam, would advise the Government to spend $50,000,000 in the building of a project of this kind that he believed was worthless and that he would not have. I know what Col. Cooper meant. He meant as an individual citizen that he would not enter into the enterprise, that as an individual citizen, because he had been employed by the Government, he would not buy it at all. Here is what he said as to the value of the project during the same hearings before the House committee on the sundry civil bill, found on page 18:

Col. COOPER. Assuming that this dam to cost $50,000,000 were all finished and that the power had to be sold to take care of the $50,000,000, we find from a very careful examination that there would be available 1,470,000,000 kilowatt hours of secondary power per annum, and 700,000,000 kilowatt hours of primary power per annum would be produced by this $50,000,000 of investment.

If the 1,470,000,000 kilowatt hours were sold at a price of 1.32 mills per kilowatt hour, and if the primary power of 700,000,000 kilowatt hours were sold at a price of 4.4 mills per kilowatt hour, there would be produced approximately $5,000,000 of annual earnings. This selling price would be at a price that would be very attractive to the consumers and, in my judgment, would save to the power consumers in the South about $9,500,000 per annum. It would, similarly, save to the power consumers of the South about 6,500,000 tons of coal per annum, and it would be selling such power at a price lower than it is now being sold practically anywhere in the United States.

Selling the power cheaper than it could be sold anywhere in the United States.

It is my opinion, from a purely power standpoint, that it would be a national calamity not to finish the dam after it has been begun and some $16,000,000 spent on it.

Now, I am sure the Senator knows that testimony is in this book. If he does not here is the book and he can examine it for himself.

Mr. LENROOT. Of course, I am aware of that, but I think the best test of a business man's judgment, especially when it is the one who financed the Keokuk Dam, is what he considers it worth as a business proposition. He said he would not accept it if the Government put $34,000,000 in it; that he then would not raise the money for it.

Mr. GLASS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. UNDERWOOD. Certainly.

Mr. GLASS. I wish to call the attention of the Senator from Wisconsin to the fact that Col. Cooper before the Appropriations Committee of the Senate very clearly pointed out why he thought the best dam would not be profitably operated by private capital, and why he thought it would be exceedingly profitable when operated by Government capital, the difference being that the Government could borrow its money at a very much lower rate of interest than private individuals possibly could do.

I have had no great concern with the Muscle Shoals proposition. I have not followed the discussions and I have not cared a great deal about it, but I was startled awhile ago when the Senator from Wisconsin sought to make it appear to the Senate that Col. Cooper was opposed to the project and quoted just enough from Col. Cooper's testimony to make that impression upon the Senate.

Mr. LENROOT. The Senator could not have listened, because I said before I quoted that testimony that Col. Cooper was the star witness in favor of the project of the Senator from Alabama.

Mr. GLASS. I do not recall that the Senator said he was the star witness in favor of the project.

Mr. LENROOT. I did.

Mr. GLASS. He said he was the star witness, but I began to doubt my own judgment upon the proposition when the Senator sought to make it appear that Col. Cooper was opposed to the project. Col. Cooper very definitely and very distinctly pointed out before the Senate Committee on Appropriations why private capital could not profitably operate the enterprise and why the Government could and should operate the enterprise.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. UNDERWOOD. I yield.

Mr. KELLOGG. That means that the Government should operate it because it could borrow money more cheaply.

Mr. GLASS. Oh, no. Col. Cooper put himself very definitely on record against the Government doing the business of the country and gave that as one reason why he would not have this project adapted to the fertilizer business.

Mr. KELLOGG. Why should they not do all the business in the South?

Mr. GLASS. Well, we might as well be frank with one another. That is the difficulty with this whole thing. If this project was north of the Ohio River, there would not be any opposition to it.

Mr. KELLOGG. No one would ask it then.

Mr. UNDERWOOD. Mr. President, I happened to be raised as a boy in the State of the Senator who has just taken his seat. I know those people, and they live and breathe along broader lines than the sentiment which the Senator from Minnesota has just uttered. I am not going to discuss the question either on party lines or sectional lines. It is a great problem in which all the people of the United States are interested, and it is coming back to the Congress. I intended when I took my

seat awhile ago to let the matter pass and let the Senate take its recess, but I do not propose now that the record shall be closed until the statement of the Senator from Wisconsin is answered.

The difficulty with the Senator is that he does not know how to think along straight and direct lines. He builds his theories and then lets his theories make him imagine that they constitute facts.

His opposition in the matter so far as he expresses himself is not directed to the main problems involved, but he can not support it because he dreams that an independent company, called the Alabama Power Co., has some interest in it, when the Government took that interest away years ago and when the company denies it and everybody else connected with it denies it. When he is pinned down to the connection, his only way of associating the two together is that he said there is no one else there to consume this power but a plant that is in operation in Alabama to-day. That is wonderfully striking evidence to sustain the position of the Senator from Wisconsin when it is not customary for people to build plants to use coal until the coal mine is opened or the coal mine found. It is not customary for people to build plants to use electricity until the electric power is developed and they know they have it. As I said a moment ago, the experience at Niagara Falls demonstrates that fact, and yet it has used all the power that could be produced and would use more if it could.

The Government of the United States is in this business. The distribution of the power must be controlled hereafter by the Congress of the United States. The Senator imagines, because it is only imagination on his part, that the Government of the United States has already started to build and has spent $16,000,000 for the benefit of the private concern and intends to continue to build and spend money for the benefit of the private concern.

That is one of these smoke clouds that is thrown out to disguise the position of the enemy. It has nothing to do with the matter. When the Senator from Wisconsin garbles the testimony of a great engineer by reading a few sentences under cross-examination that is contradicted by the main substance of his testimony, and expects the Senate of the United States and the country to take that as a basis of fact, he is misjudging the intelligence of his audience. More than that, he is reflecting on the character of an engineer officer of the Government to imply that that officer would ask the Congress of the United States to make an appropriation and the Government of the United States to engage in an enterprise of this kind that he thought was so worthless that he would not have it—that he would discredit—and yet standing here in his own testimony advising the Government of the United States to invest $50,000,000 in it.

The Senator's entire argument is simply on the theory of the opposition that has confronted the proposition from the beginning. It is the opposition that comes here with these weakened arguments because they have no better. The real opposition here has been in the beginning and is now the selfish interests of private capital who fear if the dam is built and the great nitrate plant at Muscle Shoals put in operation to make nitrogen for the United States that it will compete with their private business. I am asked who they are. We need not go into personal questions. They disclose themselves.

The American Cyanamid Co. is one. It spent thousands of dollars in issuing propaganda and it admitted that it was issuing the propaganda because it wanted the field in which to sell it own product.

Mr. LENROOT. Will the Senator yield to me?

Mr. UNDERWOOD. Certainly.

Mr. LENROOT. In the past has not the Senator from Alabama assisted the same American Cyanamid Co. in trying to get this very same Muscle Shoals property?

Mr. UNDERWOOD. No.

Mr. LENROOT. And now he calls it a trust and against the public interest.

Mr. UNDERWOOD. No.

Mr. LENROOT. He has.

Mr. UNDERWOOD. Well, the Senator states what is not true.

Mr. LENROOT. Will the Senator say that he did not support in the House of Representatives the proposition under which the American Cyanimid Co. would get the power from this dam?

Mr. UNDERWOOD. Not from this dam.

Mr. LENROOT. Was it from some other dam?

Mr. UNDERWOOD. Certainly.

Mr. LENROOT. Very well.

Mr. UNDERWOOD. Now, I will state the case. Of course, the Senator from Wisconsin wishes again to mislead. When Mr. Taft was President of the United States the American Cyanamid Co. was a theory and not a fact. It had this invention and wanted to develop it in order to make nitrogen by the cyanamide process. It secured options on land in Montgomery on which to locate its factories and asked to be allowed to build a dam at Lock 18 on the Coosa River in middle Alabama, in order to get the power with which to make the cyanamide to sell to the farmers of southern Alabama and other Southern States.

Mr. LA FOLLETTE. What distance is that from Muscle Shoals?

Mr. UNDERWOOD. It is about 200 miles from Muscle Shoals and is an entirely different river and another project. The Senator from Wisconsin knows that as well as I do.

I think, if I recollect aright, that it was in connection with that matter that the Senator first made this speech. I did support that proposal, because I was anxious to have a development made that would produce nitrogen for the benefit of the farmers of the South.

The bill passed the House, passed the Senate, and went to President Taft, who vetoed it. Then the American Cyanamid Co. went to Canada, and on the Canadian side secured the power and developed the plant, and it has been there ever since. So far as I know, as I said at that time, they had nothing to do with the Muscle Shoals site. Until the Government took them away from it, the power rights at Muscle Shoals belonged to the Alabama Power Co., a lighting and heating company, and entirely separate and distinct from the Cyanamid Co.

The American Cyanamid Co. went to Muscle Shoals and built for the Government a great nitrate plant costing sixty or seventy million dollars. After they have built it, they do not want the Government or anybody else to operate it. Possibly they think that if nobody operates it, it may be for sale and they may buy it at a cheap price and themselves operate it. I was perfectly willing 10 years ago for them to take their own money and build their plant in Alabama in order to make nitrogen for the farmers of the South; but I am not willing for them to cut the Government's throat in order to acquire a plant which has cost the Government $60,000,000 or $70,000,000. That is a very different proposition.

They have been opposing this proposal; they have fought it day in and day out. I am sure that the Senator from Wisconsin himself has gotten some of their literature in opposition to it, as have all other Senators. I am not applying that remark to him particularly. That literature came here universally to Senators on this floor, first anonymously, and then it was admitted that the letters which were coming here in opposition to the plant came from the American Cyanamid Co. in their effort to protect their own dollars.

More than that, we had the circulars from the Koppers Co. and, if I am not mistaken, from the Semet-Solvay Co. I know they came here from the Koppers Co., because one came to me. The men who own the patents for the making of by-products ovens from which by-product ammonia is made not only resorted to propaganda and spent their money to defeat the bill, but they had their agents in the Capitol of the United States lobbying against it.

I am not saying that they used any corrupt methods. If they did, I do not know of it. I did not say that in the beginning. I said that this bill was being defeated by special interests fighting for their own dollars in opposition to the interest of the United States and the development of these great plants, which might serve the agricultural interests of the country, and they have.

More than that, I was told to-day that certain influential men coming from the city of Chicago, representing plants there that were in the business of making by-products which produced fertilizers, had been here since the bill has gone to conference in the last day or two urging Senators and Representatives in Congress to defeat it, because they said the Government project would come in competition with their business.

I might proceed further. So far as I know, there has been a lobby here in favor of this proposal, but it has not been a lobby representing dollars; it was a lobby of the great farming organizations of America fighting for this enterprise, because they believed it was in the interest of the agricultural classes to bring about this development. I should very gladly welcome an opportunity to go down to the bottom on both sides and ascertain who has been here in behalf of this bill and who has been here against it and what their interest is.

Mr. President, I am sorry to have detained the Senate at such length. I was prepared to take my medicine. I have not from the beginning to the end made a partisan appeal nor a sectional appeal in connection with this matter. I have tried to present this case fairly on its merits. I have fought for it as

hard and as valiantly as I could so long as I thought there was an opportunity for it to win, but when I saw that opportunity had failed and there was no reason to believe that the House of Representatives would change its opinion on the bill, then I did not propose to attempt to defeat a great supply bill necessary for the support of the Government because I could not have my way. I could not, however, after the speech made by the Senator from Wisconsin, let his statement go into the RECORD without putting into the RECORD what I believe to be the truth in reference to the matter.

Mr. HEFLIN. Mr. President, I desire to assure the Senate in the outset that I am going to occupy only a very little time. Like my colleague, I appreciate the importance that has been given to this very meritorious measure by a majority of the Senate. I regret that the proposal has been defeated. It is very unwise action on the part of this Congress; it is an unbusinesslike action; and it can not be justified in any court of reason in the country.

I want the country to know that the Government expended at Muscle Shoals around $80,000,000. The nitrate plant there is about completed; the Muscle Shoals dam is under construction, and is approaching the surface of the water. Muscle Shoals is the finest power site in the world; it belongs to this Government; it is the property of the people of the United States.

I recall the conduct of the Senator from Wisconsin on another occasion when a project involving a power dam was under consideration in the House of Representatives and I was leading the fight for a bill to construct a dam at Lock 18 on the Coosa River in my district. The bill was passed through the House and it also passed the Senate, but President Taft vetoed the measure. What was the consequence? That enterprise was driven out of the United States and is now operating in Canada. But for that short-sighted policy this property would have been operating in our own country and we would have had the benefit of the nitrates produced by it during the period of the recent war.

Mr. President, the Government now has the opportunity to construct, aye, it has already gone into the construction of this great dam; it has already expended over $12,000,000 and there are $5,000,000 more at hand. Congress is asked to appropriate $10,000,000 in order that the work may be continued toward completion, but the other end of the Capitol has stricken down the measure by the consent of the conferees of the Senate.

Mr. President, what is to become of that project? Are some $80,000,000 of the people's money going to be sunk down there, thrown away, because the Powder Trust of the United States and the importers of nitrates from Chile want this project killed? That is the lobby power, Senators, that has been doing its nefarious work behind this project.

The Fertilizer Trust, which fixes at will any figure that it desires upon fertilizer sold to the farmers of the country, does not want this measure; and those who have wrought its downfall, consciously or unconsciously, have served these trusts.

The Senator from Wisconsin talks about Col. Cooper saying that he would not accept the project as a gift; that he would not walk across the street for it. If he said that literally, as the Senator has quoted him, he ought to have his head examined for the "hollow horn." The idea of any man of any intelligence saying that he would not accept a project on which the Government had expended about $15,000,000! If, when asked whether he would accept it if $17,000,000 more were put into it, he said no, then his head ought to be examined twice.

Then the Senator turned right around and said that the Alabama Power Co. was just lying in wait to grab up this thing that Col. Cooper would not accept as a gift. Is it not awful? [Laughter in the galleries.]

The PRESIDENT pro tempore. Will the Senator from Alabama suspend a moment until the Chair suggests to those in the galleries that a rule of the Senate prohibits manifestations of approval or disapproval.

Mr. HEFLIN. I hope the occupants of the galleries will keep quiet; but there have been so many amusing things in connection with this matter that I hope they will laugh after they get outside, anyhow.

Mr. President, when this war ended it was costing this Government $1,000,000 an hour. Think of it! Why? Because those who sold us nitrates and explosives of various kinds held this Government up by the throat, and charged any price they pleased. We were helpless. Where did we have to go for our nitrate supply? To Chile, a foreign country. Think of the Government of Washington and Jefferson and Jackson and Lincoln being dependent upon a foreign power for the most vital thing in time of war.

You criticized us, you criticized the Democratic Party, for failing to be prepared when an unexpected war came. You said that we had not used foresight, that we had not used good judgment, that we had not gone on preparing as we should have. Well, maybe that is true. When we got into the war, when it was raging in Europe, and the Old World was rent and torn, when our Government became embroiled in it, then we went and built this plant at the finest power site in this country. Can you find any fault in that? There was not anything sectional about that. If it had been anywhere else it would have been selected, and ought to have been. Now, then, the Government went and set up its plants. They are about complete, and here we have this great dam, with fifteen millions already expended in it, and the dam coming on up across that mighty river, the lordly Tennessee, and you have stricken it down.

Preparedness? You abused us for not being prepared before. Now, when we are taking time by the forelock and getting ready if an emergency should arise, you strike down your Government and decline to let it prepare. You stand here and talk about building big navies, but I want to tell you that I am in favor of an adequate Navy. I have not lifted my voice against a proper Navy. I am in favor of an Army necessary to defend our rights and to protect our interests.

You stand here and plead for these things; but when the Government says, "I want to build a nitrate plant of my own, and I want to operate it by water power, the cheapest power in the world; I want to be secure if war shall come again," you turn around and strike down $10,000,000, and vote $100,000,000 for other propositions without batting your eye.

Senators, can you justify it? Let me tell you what happened here; and I am only going to detain you a minute.

When that bill was up in this body, the Nitrate Trust, the Powder Trust, the Fertilizer Trust, some of them, had an interview in the Washington Post from a fellow they called Hampden Norman. They said he was from Memphis, Tenn.; and I took the paper to my good friend, the Senator from Tennessee [Mr. MCKELLAR], and I said: "Do you know a gentleman by that name in your city?" He wired down, and they made a search for Hampden, and they could not find Hampden Norman in all the confines of Memphis.

They wired back "that no such man lived there." I then challenged the proposition, and I said: "There is no such man. He is a fictitious person, and they have put words in his mouth to attack the Muscle Shoals proposition on the Tennessee River," and I demanded of them to produce him, and they have not produced him yet. The Senator from Wisconsin talks about the Alabama Power Co. having an interest in this matter. Who was it that had Hampden Norman appear in that column of the Post, assailing this proposition, fighting from behind a screen? Bring out this individual! I do not know who he is. He may be a spy in the interest of some foreign country that wants to see this nitrate proposition killed.

Now, Senators, I have said about all I want to say. Let me say this in conclusion: We are going to complete this dam. We will have at your heels the agricultural army of this Union. We will have back of you, crying to you, those who believe in adequate preparedness. You are not through with this issue. The lobby may triumph for a time, but this issue will not down. The Government will not permit it. When this dam is completed it will save 6,500,000 tons of coal per annum by operating this plant with water power. When it is completed it will enable the farmer to buy cheaper fertilizers. When it is completed it will free this Government from dependence upon a foreign power for its nitrate supply in time of war.

Mr. KENYON. Mr. President, the only reason why I detain the Senate is because of the reflections made in the debate today upon the chairman of the Appropriations Committee of the House.

I realize that there is much force in what the Senator from Alabama [Mr. HEFLIN] said, that the galleries might want to retire and laugh when he had concluded his speech; but, at the same time, I feel that there are matters with reference to the reflections that ought to be referred to, and I do not know why we are in any great hurry to-night. The Republicans certainly do not care to go to bed, and the Democrats have been put pretty effectually to sleep last November.

What has the chairman of the House committee done that calls upon his head almost infractions of the rules of the Senate? I wish he could occupy the floor himself. He would not need anybody to speak for him. It is a very easy matter to assail men who are not here, and have not the privilege of the floor. What is the crime of the chairman of the House committee? That he has assisted in defeating the Muscle Shoals proposition!

I know the chairman of the House committee. He has saved this Government hundreds of millions of dollars by standing

against the plunderers of the Treasury of the United States, and he can well afford to pass by without any serious injury to his feelings the reflections cast upon him by certain Members of the Senate. What is the divinity that surrounds this Muscle Shoals project? Can not anybody question it, can not anybody have an opinion that it is wrong, without being accused of serving the trusts—the Fertilizer Trust, the Powder Trust? And the charge is made by a Senator who voted here for the greatest trust this country has ever known—the Packer Trust—when we tried to control it in the interest of the American farmer.

I have the greatest affection for the Senator from Alabama [Mr. UNDERWOOD] who has engineered this fight. He is a great statesman. He is a great man. The success of the Muscle Shoals proposition in the Senate is due entirely to him, and his masterly leadership, and his perfectly proper influence over men. If the Democratic Party ever is to elect another President—of course we are not worrying much about that to-night—I hope it will be the Senator from Alabama, Mr. UNDERWOOD. Some one asked me which Senator I meant, and I said that without any reflection on the other Senator.

Mr. HEFLIN. I would not accept the nomination if he were a candidate.

Mr. KENYON. No. However, the Senator might be nominated for Vice President some day.

The Senator from Alabama [Mr. UNDERWOOD] has led this fight in a masterly way, and I am sorry that he broke away from his good nature and his pleasant smile and his genial spirit to reflect as he has done to-day upon the chairman of the committee in the other House.

Why, a few days ago, when this mighty proposition that tortured men's souls and threatened the foundations of the Republic—free seeds—was before the Senate, we were confronted with the fact that the House had voted for free seeds, so we immediately had to give up, and now the suffering people have this wonderful bounty of the Government. Now, when the House votes against Muscle Shoals, why does not the same great doctrine apply that applied to seeds?

Why should we not concede that they are right, just as we did in the case of the wonderful seeds for the farmers of the country that my friend from Alabama described so eloquently?

The Senator from Alabama says that this Muscle Shoals proposition is going to become a great political issue. They are going to crucify the chairman of the Appropriations Committee of the House, who, I am sorry to say, is thinking of leaving the House. I hope he will reconsider now and stay there and keep on in this fight, for it is one of the best fights he ever made. We are told that we are going to have that as a campaign issue in 1922. In 1924 the Senator from Alabama may be leading the fight. He has threatened us with it, and it has not frightened us much. It is a better issue than the League of Nations, and maybe it is a wise thing for the Democratic Party to rally around Muscle Shoals and free seeds, led by the distinguished Senator from Alabama.

What a campaign that will be—processions all over the country, with banners reading "Muscle Shoals and the 14 fertilizer points!" [Laughter.] "Save the world for buncombe, and vote for Muscle Shoals!"

There may be a meeting addressed by distinguished statesmen. That will be some campaign. I suppose we shall have to accept the issue. It may cut our 7,000,000 majority down perhaps to 6,000,999. We are not frightened about that. It will be a new thing, and it will be an interesting thing. But, bless you, the people will not know what it means. They do not know now. We have heard so much about Muscle Shoals; we have been fed up on Muscle Shoals; in morning sessions, afternoon sessions, and evening sessions Muscle Shoals has entered into nearly everything in the Senate. It entered into the packer fight. It entered into the free-seed fight. It is everywhere. But the people do not know whether Muscle Shoals is a new breakfast food or a new religion or a new substitute for oyster salad. They are not interested in the proposition. But they are interested in the waste of public money, and while a good deal of money has been spent down there, while it may be unfortunate to lose it, possibly that proposition can be worked out in some way.

I want to say to the Senator from Alabama that there is a good deal in what he says about a lobby. There is a good deal in what he says about correspondence to Senators. I have received a good deal, and all Senators have. It is the only thing that aroused my suspicions at all as to those who might be fighting this proposition. I do not like this lobby. I believe there is a lobby on both sides of this proposition, and now that it is going on, I want to join with the Senator from Alabama in an effort to secure a complete investigation of the lobby on both sides of this proposition, and let us find out where the truth lies.

If the Powder Trust and the cyanamid company are fighting this thing, let us find out about it. If, on the other hand, as I have been led to believe, and I may be wrong, but I do believe it, this proposition is solely in the interest of the Alabama Power Co.; that all the talk about its helping the farmers is pure bunk; let us find that out, and it is possible we can work out something and save this plant, if it is really going to do some good.

I do not have the same feeling that a good many Senators have about the Government having nothing to do with business. The Senator from Alabama is an old-line Democrat. He does not believe in the Government getting into business, but he is advocating the proposition now. That has mystified me. I believe that certain businesses, when they become so great that they are monopolies and are charged in a way with a public use, are proper subjects of governmental regulation, though I do not want, as a general proposition, to see the Government get into business.

But, Mr. President, I did not rise to delay the Senate or discuss the proposition of Muscle Shoals. I rose merely to protest against the reflection that had been cast upon as good a legislator as ever sat in the American Congress, who has been a defender of the Treasury of the United States, and who has had the old-fashioned notion that the chairman of the Appropriations Committee was charged with some duty to the taxpayers and to the Treasury of this country.

That is all I have to say about it.

SEVERAL SENATORS. Vote!

Mr. UNDERWOOD. Mr. President, I was ready to vote sometime ago; but I guess we will take our time now. I thank the Senator from Iowa [Mr. KENYON] for his kindly words in reference to myself, and I have no issue to make with him. It is very proper that he should defend his colleague from his own State, and I have no personal criticism of his colleague in his action. The criticism I made this morning I make now, and will continue to make. I stated then that the House conferees withheld the papers in this case, refusing to take part in a conference, and refusing to take the papers back to the House to which they belonged until they could determine whether, in their judgment, they could win the vote or not, and I think that was reprehensible as a legislative procedure.

I said that then, and I say it now. I am not criticizing men individually, as to their personal character, but their handling of a great legislative problem, threatening the life of a great supply bill because they could not have their personal way in reference to one item, was a matter that was subject to condemnation, and if they had lost this bill, and do lose it now because of the late hour to which it has been forced, I do not think they could justify that action.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming [Mr. WARREN] that the Senate recede from its amendment numbered 60.

The motion was agreed to.

HON. MARCUS A. SMITH.

Mr. ASHURST. Mr. President, at noon to-day Senator MARK SMITH, the sturdy, stainless statesman, the upright, fearless public servant, retires from the Senate, and he will in all probability never again in a personal way actively touch the robe of political events.

He entered the House of Representatives as a Delegate from the Territory of Arizona on March 4, 1887, and it was his years of laborious work which in a large measure brought Statehood for Arizona.

The birth of a sovereign State and its entry into our Federal Union is the most beautiful and symmetrical creation of political authority known to the world; he has seen his work bear fruit; he saw Arizona take her place as a State of our Federal Union. A public career such as that of Senator SMITH will serve to encourage and attract right-thinking men long after we shall have left these seats forever, and MARK SMITH will, in my judgment, continue for many years to be a power for good in the person of those faithful friends and admirers whom his devotion to duty, his lofty rectitude, and his scholarship have influenced and guided.

His value to Arizona can not be told in words. The honor of the State was safe in his hands. He neither bought nor sold. The upholding of law and order, the progress and happiness of the American people, their advancement along proved and honest lines, and the peace and tranquillity of this country have always been his passions and his only aims.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 1695. An act validating certain homestead entries;

S. 3695. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.;

S. 3750. An act to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes;

S. 4572. An act granting the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system;

S. 4903. An act to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.;

H. R. 1299. An act for the relief of George LeClear;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest, in the State of Washington, and for other purposes;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.; and

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor.

ARLINGTON MEMORIAL AMPHITHEATER COMMISSION.

Mr. BRANDEGEE. Mr. President, I report back favorably from the Committee on the Library, with amendments, the bill (H. R. 8032) to provide for the erection of memorials and the emtombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Virginia, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Library with amendments: On page 2, line 6, to strike out the words "officer in charge of public buildings and grounds in the District of Columbia," and to insert in lieu thereof the words, "depot quartermaster of the Army in Washington"; and on line 21, after the word "commemorated," to insert a comma and the words "except as heretofore or hereafter authorized by Congress," so as to read:

Be it enacted, etc., That a commission is hereby created, to be composed of the Secretary of War and the Secretary of the Navy, which shall submit annually to the President, who shall transmit the same to Congress by the first Monday in December, recommendations as to what, if any, inscriptions, tablets, busts, or other memorials shall be erected, and what, if any, bodies of deceased members of the Army, Navy, and Marine Corps shall be entombed during the next ensuing year within the Arlington Memorial Amphitheater, in the Arlington National Cemetery, Virginia: *Provided*, That no memorial shall be placed and no body shall be interred in the grounds about the Arlington Memorial Amphitheater within a distance of 250 feet from the said memorial.

SEC. 2. That the Secretary of War shall be the chairman of the said commission and the depot quartermaster of the Army in Washington shall be its executive and disbursing officer.

SEC. 3. That no inscription, tablet, bust, or other memorial shall be erected nor shall any body be entombed within the Arlington Memorial Amphitheater unless specifically authorized in each case by act of the Congress.

SEC. 4. That no inscription, tablet, bust, or other memorial as herein provided for shall be erected to commemorate any person who shall not have rendered conspicuously distinguished service in the United States Army, Navy, or Marine Corps, nor shall the body of any such person be entombed in the Arlington Memorial Amphitheater; nor shall any such memorial be erected or any body be entombed therein within 10 years after the date of the death of the person so to be commemorated, except as heretofore or hereafter authorized by Congress.

SEC. 5. That the character, design, and location of any such inscriptions, tablets, busts, or other memorials when authorized as herein provided shall be subject to the approval of the commission herein created, which shall in each case obtain the advice of the Commission of Fine Arts.

The amendments were agreed to.

The bill was reported to the Senate, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. BRANDEGEE. I ask to have printed, in connection with the bill, a letter from the Secretary of War.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, December 18, 1920.

The CHAIRMAN COMMITTEE ON THE LIBRARY,
House of Representatives.

SIR: I desire to invite your attention to H. R. 8032, relative to the Arlington Memorial Amphitheater, introduced by Mr. GOULD, and favorably reported with amendment by your committee October 1, 1919.

The bill provides, inter alia, that the executive and disbursing officer of the commission therein provided for shall be the officer in charge of public buildings and grounds in the District of Columbia.

I desire to invite your attention to the fact that the Arlington National Cemetery is now under the charge of the depot quartermaster, Washington, D. C., and accordingly it is deemed desirable that that officer be made the executive and disbursing officer of the commission.

I request that when the bill is brought up for passage it be amended by striking out, in line 9, page 2, of the bill, the words "public buildings and grounds in the" and inserting in lieu thereof the words "the depot quartermaster of the Army in Washington."

Respectfully,

NEWTON D. BAKER,
Secretary of War.

PANHANDLE AND PLAINS SECTION.

Mr. SHEPPARD. Mr. President, in connection with House bill 14490, to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone, there was an error made in the printing. A concurrent resolution has been passed by the House to correct the error, and I ask that it be laid before the Senate.

The PRESIDENT pro tempore laid the concurrent resolution before the Senate, and it was read, considered, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14490) entitled "An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone," the Clerk of the House be authorized and directed to insert on—

Page 2, line 13, after "Santa Fe," "Railway Co. and other branches of the Santa Fe"; and on

Page 2, line 13, strike out all after "Clovis," down to and including "Clovis," in line 14.

RECESS.

Mr. POINDEXTER. I move that the Senate take a recess until 10.30 o'clock.

The motion was agreed to; and (at 1 o'clock a. m., Friday, March 4, 1921) the Senate took a recess until 10.30 o'clock a. m., Friday, March 4, 1921.

NOMINATIONS.

Executive nominations received by the Senate March 3 (legislative day of March 2), 1921.

UNDERSECRETARY OF STATE.

Norman H. Davis, of New York City, to be Undersecretary of State.

SOLICITOR, DEPARTMENT OF STATE.

Fred K. Nielsen, of Nebraska, to be Solicitor, Department of State, vice Lester H. Woolsey, resigned. (Mr. Nielsen is now serving under a recess appointment.)

COMMISSIONER OF PATENTS.

Melvin H. Coulston, of New York, to be Commissioner of Patents, vice Robert F. Whitehead, resigned, effective at the close of February 5, 1921.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named acting chaplains to be chaplains in the Navy, with the rank of lieutenant (junior grade) for temporary service, from the 1st day of November, 1920:

Charles V. Ellis,
Albert N. Park, jr.,
George S. Rentz,
Robert E. Miller,
Francis L. McFadden,
John W. Moore,
Bart D. Stephens,
Joseph F. Underwood,
Starr H. Lloyd,
John H. Finn,
Maurice M. Witherspoon,
Albert E. Stone,
Thomas L. Kirkpatrick,
Earl W. Foster,
Clinton A. Neyman,
Thomas J. Burke,
Razzie W. Truitt,
Francis L. Albert,

John H. S. Putnam,
Walter L. Thompson,
Lewis D. Gottschall,
Perry L. Mitchell,
William T. Holt,
Allison J. Hayes,
William A. Maguire,
Henry G. Gatlin,
Garrett F. Murphy,
Haines H. Lippincott,
Wilford R. Hall,
Harrill S. Dyer,
Morris M. Leonard,
William N. Thomas,
Ernest L. Ackiss,
Walter A. Hopkins,
Daniel F. Monaghan,
Harry M. Peterson,
Reuben W. Shrum,
Edgar W. Davis,
Joseph B. Ernest, jr.,
John A. McCarthy,
Tipton L. Wood,
Joel H. Benson.
John H. Hyde,
James M. Hester,
Randolph E. Tedford, and
Roman M. Peil.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, for temporary service, from the 1st day of August, 1920:

Thomas White.
Clarence A. Chandler,
William J. Rogers,
Martin P. Kane.
Frank B. Ferrill,
Anton C. Tranchina,
Carl E. Reynolds,
Edmund Laughlin.
Edward J. Fitzgerald,
Carlton B. Morse,
James J. Spring,
Roland W. Quesinberry,
Pyrle A. Fowler,
Frank V. Davis,
Charles L. Tompkins,
Georgle L. Reilly.
Leslie T. Conditt,
Edward S. Talbott, jr.,
Max Cohen,
William F. Murdy,
Nicholas S. Duggan,
Chester H. Webber,
Charles E. Detmer,
Horace S. Hursch,
George S. Maynard,
Albion C. Tollinger,
John A. Waters,
Charles S. Weigester,
Benjamin H. Barton,
Lester B. Lang,
Edward J. Noonan,
Edwin N. Cochran,
Walton C. Carroll,
Berton F. Sweeney,
Francis R. Hittinger,
William H. Wood,
Carl E. Hall,
Arthur V. Jollifee, and
Frederick W. Mitchell.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, for temporary service from the 1st day of August, 1920:

Edward F. Delaney,
Robert L. Gressitt,
Eugene Dann,
Benjamin L. Lankford,
Archy W. Barnes,
Malcolm D. Stuart,
George A. Wilcox,
Alpheus M. Jones,
Emil E. Artois,
John M. Holmes,
Frank H. Baasen,
George P. Seifert,
Ambrose J. Barnum,
Orlo S. Goff,
Oscar J. Phillips,
Arthur Hesford,
Burnice W. Shumaker,
Thomas M. Schnotala,
Charles R. Sies,
Theodore F. Howe,
James Gately,
Gerald A. Griffin,
Charles H. Breyer,
Charles W. Charlton,
Andrew J. McMullen,
Alvah B. Canham,
John J. Gering,
Otis F. Cato,
Samuel H. Knowles,
Harry Price,
Rudolph A. Ashton,
Thomas A. Henry,
Joseph Reay,
John E. Bibb,
Edward W. Poore,
James E. Reed,
Nils B. Olsen,
George W. Masterton,
Walker A. Settle,
Timothy J. Mulcahy,
Dayton Fisher,
John J. Lynch,
Joseph A. Rebintisch,
Edward R. von Pressig,
Charles E. Sandgren,
Harry A. Hooton.
Arthur W. Babcock,
Lewis S. Sutliff,
Thomas A. Culhane,
George W. Armstrong,
Frank D. Foley,
Noble R. Wade.
Ross B. Deming,
William T. Williams,
Frank W. Hathaway,
Henry E. Brown,
Fred A. Abbott,
Charles E. Rappolee,
Alexander C. Kozlowski,
Thomas J. Bolan,
Joseph O'Reilly,
William R. Parker,
Samuel B. Caldwell,
Orville D. Foutch,
Eugene R. Walter,
Eugene K. Brooks, jr.,
Le Roy Moyer,
Edward R. McKenzie,
William J. Smith,
Floyd J. Farber,
Orly Tagland,
George E. Lord,
Maurice T. Scanlan,
John B. Daniels.
Michael J. Dambacher,
Harry E. Stengele.
Melvin E. Throneson.
Houston S. Stubbs,
William C. Jahnke,
William R. Ryan,
Walter T. Cronin,
Nathaniel E. Disbrow,
James C. Masters,
Arthur D. Turner,
James Fellis,
Frederick Scherberger, jr.,
Frank R. Tuck.
Frank Lewis,
Theodore S. Coulbourn,
George G. Schweizer,
John H. Seifert,
Maurice S. Hirshorn,
Arthur G. King,
Harry H. Reynolds,
William H. McKenna,
Walter A. Thomas,
Benjamin H. White,

Beverly W. Jennings,
Lester A. Dyckman,
Walter E. Morton,
William C. Colbert,
Benjamin Berkowitz,
Palmer J. McCloskey,
Edison H. Gale,
Percy J. Hutchison,
Marcus E. West,
Thomas C. Edrington,
Albert S. Freedman,
Robert C. Vasey,
William H. Abbey,
Herbert C. Lassiter,
Hilton P. Tichenor,
Michael J. Kirwan,
Arthur P. M. Shock,
Jacques H. E. Everette,
Charles W. White,
John H. Theis,
Allen J. Marshall,
Peter J. Penner,
Wallace D. Chace,
Cecil H. Jernigan,
Clarence A. Miley,
Leonard A. Klauer,
Frederick S. Sullivan,
Francis P. Kenny,
Lawrence C. Fuller,
Thomas L. Sorrell,
Roy L. Walford,
Clifford W. LeRoy,
Clarence W. Baker,
Vergil L. Marsh,
Edwin E. Mullen,
James E. Sanner,
James M. Easter,
Daniel Lynch,
Edward H. Duane,
Jonas F. Rupert,
Edwin R. Gallagher,
Ransom C. Wall,
Lloyd C. Sowell,
Harry H. Bloxham,
Herman W. Johnson,
William E. Lund,
John E. Roberts,
Joseph G. Stanton,
William E. Todd,
Charles E. Rudolph,
Roy E. Smith,
Eugene L. Gray,
Samuel V. Dunham,
Stephen E. Smith,
Ralph J. Dindot,
John L. Cash,
Rufus B. Hurst,
Charles W. Brown,
Allen C. Bridges,
Independent W. Gorton,
Arthur A. Lee,
Walter E. Brown,
Henry G. Conrad,
Harry E. Gross,
Max Baum,
Joseph Simon,
Roy E. Barrett,
Arthur M. Bryan, and
Charles A. Sieck.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, for temporary service, from the 1st day of August, 1920:

Alrik Hammar,
Edward R. Noyes,
Oscar G. Ruge,
Richard F. S. Puck,
Charles E. Alexander,
Howard E. Sausser,
Alphonsus A. O'Donoghue,
Henry A. Harris,
Houston B. Fite,
Carlyle J. Edwards,
Carl O. Ficher,
Samuel E. Johnson,
Robert F. Zeiss,
Jacob S. Rosenthal,
Roy L. Fielder,
Robert E. Henderson,
Harry P. Krummes,
Jose A. Perez,
Henry A. N. Bruckshaw,
William B. James,
William A. Reese,
William F. Kennedy,
James C. Walker,
Francis D. Walker,
John G. Downing,
Stephen W. Douglas,
Laurence O. Schetky,
Paul J. Waldner,
Maury D. Baker,
Carl B. Furnell,
Stephen Wierzbicki,
Frank Fulton,
John A. Judy,
John F. Cremens,
Gilbert H. Larson,
Charles M. Glassmire,
Bathune F. McDonald,
Daniel P. Platt,
John A. Marsh,
Reuben H. Hunt,
James K. Gordon,
Frank L. Hubbard,
James M. Archibald,
Charles M. Hatcher,
W. Ivan King,
John A. Salb,
McClure Scott,
Joseph J. Mundell,
Royal A. McCune,
Robert L. McMahon,
Franklyn C. Hill,
William F. Crouse,
Robert D. Hostetter,
Glenn J. Parker,
Samuel Z. Myers,
Francis H. Lee,
Joseph Visalli,
Maurice Joses,
Thomas F. Duhigg,
Frederick H. Gebhardt,
Cope M. Blackford,
Benjamin W. Gaines,
Jules Magnette, jr.,
Emmett J. Brady,
Edward J. Cummings,
John Haupt,
Robert E. Weaver,
Thomas A. Stareck,
Carl A. Setterstrom,
Fred A. Payne,
Henry L. Gall,
Paul F. Dickens,
Albert H. Benhard,
Edward G. Dickinson,
Jason H. Barton,
William T. Gildberg,
John H. Schreiter,
Joseph A. Ortolan,
Joseph C. Gill,
DeWitt C. Allen,
Fred H. Stewart,
Walter W. Wade,
Henry B. Schreurs,
Glaister H. Ashley,
Charles R. Tatum,
James F. Finnegan,
Charles W. Lane,
Frederick J. Eakins,
Robert H. Donnell,
Raymond R. Simmons,
Frederick N. Pughsley,
Lloyd A. Kennell,
Edward D. Leete,
Claude D. Roop,
James D. Benjamin,
Enoch G. Brian,
Harry A. Keener,
James A. Winterbottom,

Charles E. Reinhardt,
Charles Schaffer,
Paul V. Tuttle,
James Holden,
Thomas E. Kent,
Allen F. Bigelow,
Henry C. Kellers,
Charles F. Wood,
Roy Aikman,
Edwin G. Swann,
Thomas J. Murphy,
Lawrence Zembsch,
Abraham T. Schwartz,
Alexander J. Link,
Samuel J. Seckelman,
Ervin C. Eastman,
William M. Benton,
Loring Nottingham,
Harold B. Sanford,
Nord F. Smith,
Glen D. Sipe,
Edgar L. Sleeth,
Rodney J. Youngkin,
Roscoe C. Rowe,
George L. Crain,
Leo H. French,
Newton W. Parke,
Charles P. Hines,
Stanley J. Kinkaid,
Robin R. Hinnant,
Charles Peck,
Lincoln Humphreys,
Albin H. Cecha,
Richard M. Little,
Rudolph C. Miller,
William J. Walsh,
Fleete S. Steele,
William A. Gills,
Percy F. McMurdo,
John W. Green,
Joash I. Yohannan,
Henry L. Dyer,
Earl E. Dockery,
Alfred L. Potter,
Ross U. Whiteside,
Harold C. Kelley,
Bert M. Wright,
William G. Rowe,
Anton P. Schier,
Joseph J. Horton,
Gleaves B. Kenny,
Corlis P. Dean,
Clyde E. Snider,
Benjamin W. Claggett,
Jeremiah Harris,
Walter H. MacWilliams,
Willie R. Joiner,
Paul Hapke,
Lloyd C. Sims,
Harry G. Dannilson,
Edward G. Dennis,
William T. Minnick,
Herman C. Roe,
Boyce L. Brannon,
Henry C. Weber,
Ernest F. Slater,
Walter P. Keene,
Irving E. Stowe,
Francis P. Field,
Thomas M. Kelly,
Aclpfar Marsteller,
John A. Topper,
Edward M. Steger,
Chester F. McGill,
Thomas C. Quirk,
Frank H. Towner,
Richard N. Mackey,
Charles Wheatley,
Albert H. Faber, jr.
Gustav R. Petz,
John G. Davis,
Thomas F. Long,
Alfred H. Ehrenclou,
George G. Herman,
George P. Quinn,
William C. Lyon,
George E. Mott,
Cyrus R. Currier,
Otis B. Spalding,
Norman S. Betts,
Marvin B. Gilismann,
Frank Sabiston,
Clyde W. Brunson,
Herbert C. Gifford,
David C. Thompson,
Houston R. Farley,
Zachariah A. Barker,
John W. Daugherty,
Gordon H. Lightner,
William F. Leigh,
Alfred L. Gaither,
Carroll H. Francis,
Hubert R. Stiles,
Jesse D. Jewell,
Joseph F. Lankford,
Berman Dunham,
Roy J. Leutsker,
Frederick Ludwig,
John R. Marshall,
Henry L. Fougerousse,
David E. Horrigan,
J. Howard Branan,
Victor B. Riden,
James P. Bowles,
Chauncey D. Miller,
James D. Blackwood, jr.,
Worcester R. Angell,
Benjamin G. Baker,
John B. Bostick,
Frank A. Hughes,
Robert F. Sledge,
William E. Smith,
Thomas O. Cole,
Emil J. Stelter,
James F. Terrell,
Harvey W. Miller,
Frank W. Quin,
Francis E. Tierney, and
Edward J. Carlin.

Commander Joseph M. Reeves, an additional number in grade, to be a captain in the Navy from the 1st day of July, 1919.

Lieut. Commander Samuel M. Robinson, an additional number in grade, to be a commander in the Navy from the 6th day of June, 1920.

Lieut. John W. W. Cumming to be a lieutenant commander in the Navy, to rank from the 15th day of August, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the 1st day of July, 1919:

Douglas W. Fuller, and
Ralph B. Horner.

Lieut. John W. Rankin to be a lieutenant commander in the Navy, to rank from the 9th day of December, 1919.

Lieut. Archibald H. Douglas to be a lieutenant commander in the Navy, to rank from the 1st day of July, 1920.

Lieut. Rufus King to be a lieutenant commander in the Navy, to rank from the 4th day of July, 1920.

Lieut. Eddie J. Estess to be a lieutenant commander in the Navy, to rank from the 15th day of September, 1920.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 6th day of June, 1920:

Charles D. Swain,
Henry W. Hoyt,
Archibald N. Offley, and
Ralph G. Pennoyer.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July, 1920:

Robert M. Fortson,
Thomas D. Warner,
Robert B. Twining, and
Joseph H. Lawson.

Ensign George G. Robertson to be lieutenant (junior grade) in the Navy, to rank from the 5th day of December, 1919.

Asst. Surg. Ashton E. Neely to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 30th day of July, 1919.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 6th day of June, 1920:

Benjamin V. Derrah,
Franklin F. Lane,

Orville R. Goss,
George E. Kalter,
Julius F. Neuberger,
Robert P. Henderson,
Paul M. Albright,
Victor S. Armstrong,
Romeo W. Auerbach,
Walter M. Anderson,
George W. Lewis,
James A. Fields,
Lester D. Huffman,
Francis E. O'Brien,
Russell I. Craig,
Edwards M. Riley,
William H. H. Turville,
Frank R. Bealer,
James W. Ellis,
Morris S. Bender,
Wallace B. Dukeshire,
John G. Powell,
Martin L. Marquette,
Joseph E. Malcomson,
Bruce F. Holding,
Marvin C. Johns, and
Fenimore S. Johnson.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 1st day of July, 1920:

Lewis G. Jordan,
George A. Alden,
Sherman B. Forbes,
William P. Gilmer,
Cola Castelloe, and
Karl McC. Scott.

Gunner Charles F. Dame to be a chief gunner in the Navy, to rank with but after ensign from the 16th day of January, 1920.

Rear Admiral Edward Simpson to be a rear admiral in the Navy to take the rank next after Rear Admiral Benjamin C. Bryan from the 1st day of July, 1919, to fill a vacancy occurring on the 20th day of July, 1919, to correct the date from which he takes rank as previously nominated and confirmed.

Capt. Josiah S. McKean to be a rear admiral in the Navy from the 14th day of April, 1920.

Capt. Newton A. McCully to be a rear admiral in the Navy from the 6th day of June, 1920.

The following-named captains to be rear admirals in the Navy from the 8th day of June, 1920:

Andrew T. Long and
Thomas Washington.

Capt. Guy H. Burrage to be a rear admiral in the Navy from the 27th day of June, 1920.

The following-named commanders to be captains in the Navy from the 1st day of July, 1919:

Chester Wells,
John M. Luby, and
David W. Todd.

Commander Rufus Z. Johnston to be a captain in the Navy from the 6th day of June, 1920.

The following-named commanders to be captains in the Navy from the 8th day of June, 1920:

Thomas T. Craven,
Gatewood S. Lincoln,
Wat T. Cluverius,
Ralph Earle,
Charles M. Tozer, and
Albert W. Marshall.

Commander Daniel W. Wurtsbaugh, an additional number in grade, to be a captain in the Navy from the 8th day of June, 1920.

Commander William L. Littlefield to be a captain in the Navy from the 21st day of September, 1920.

Lieut. Commander Bayard T. Bulmer to be a commander in the Navy from the 1st day of July, 1918.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1919:

Charles T. Hutchins, jr.,
Roe R. Adams,
Henry G. S. Wallace, and
Edward J. Marquart.

Lieut. Commander William T. Conn, jr., to be a commander in the Navy from the 23d day of September, 1919.

Lieut. Commander John H. Blackburn to be a commander in the Navy from the 24th day of September 1919.

Lieut. Commander John T. Bowers to be a commander in the Navy from the 22d day of December, 1919.

Lieut. Commander Joseph F. Daniels to be a commander in the Navy from the 1st day of February, 1920.

Lieut. Commander Frank C. Martin to be a commander in the Navy from the 23d day of February, 1920.

Lieut. Commander Frank Rorschach to be a commander in the Navy from the 24th day of March, 1920.

Lieut. Commander Stephen C. Rowan to be a commander in the Navy from the 4th day of April, 1920.

Lieut. Commander Walter S. Anderson to be a commander in the Navy, from the 14th day of April, 1920.

Lieut. Commander Henry D. Cooke to be a commander in the Navy, from the 23d day of April, 1920.

Lieut. Commander Leo Sahm to be a commander in the Navy, from the 6th day of June, 1920.

The following-named lieutenant commanders to be commanders in the Navy from the 8th day of June, 1920:

William W. Smyth,
Fred H. Poteet,
Ralph A. Koch,
Lamar R. Leahy,
Sam C. Loomis,
Macgillivray Milne,
Harold R. Stark,
John S. Arwine, jr.,
Martin K. Metcalf,
Ralston S. Holmes,
William J. Giles,
Charles S. Kerrick,
Milton S. Davis,
Charles A. Blakely,
Wilbur R. Van Auken,
James D. Willson,
Ernest Friedrick, and
John S. Abbott.

Lieut. Commander Francis J. Cleary, an additional number in grade, to be a commander in the Navy from the 8th day of June, 1920.

Lieut. Commander Thomas H. Taylor to be a commander in the Navy from the 27th day of June, 1920.

Lieut. Commander Wilson Brown, jr., to be commander in the Navy from the 1st day of August, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:

Damon E. Cummings,
George M. Courts,
Bert B. Taylor,
Roy P. Emrich,
Jacob H. Klein, jr.,
Walter F. Lafrenz,
Henry G. Shonerd,
Ezra G. Allen,
Newton L. Nichols,
Henry R. Keller,
John B. Earle,
Harlow T. Kays, and
Reuben R. Smith.

Lieut. Jonas H. Ingram to be a lieutenant commander in the Navy from the 6th day of August, 1919.

Lieut. Edmund D. Almy to be a lieutenant commander in the Navy from the 23d day of September, 1919.

Lieut. Samuel A. Clement to be a lieutenant commander in the Navy from the 2d day of December, 1919.

Lieut. Herman E. Welte to be a lieutenant commander in the Navy from the 6th day of December, 1919.

Lieut. Seymour E. Holliday to be a lieutenant commander in the Navy from the 19th day of November, 1919.

Lieut. Oscar Smith, jr., to be a lieutenant commander in the Navy from the 24th day of December, 1919.

Lieut. Henry F. D. Davis to be a lieutenant commander in the Navy from the 12th day of December, 1919.

Lieut. Herbert A. Jones to be a lieutenant commander in the Navy from the 8th day of January, 1920.

Lieut. William R. Smith, jr., to be a lieutenant commander in the Navy from the 21st day of February, 1920.

Lieut. Joseph J. Broshek to be a lieutenant commander in the Navy from the 23d day of February, 1920.

Lieut. Frank J. Wille to be a lieutenant commander in the Navy from the 12th day of March, 1920.

Lieut. Haller Belt to be a lieutenant commander in the Navy from the 24th day of March, 1920.

Lieut. Eugene E. Wilson to be a lieutenant commander in the Navy from the 28th day of March, 1920.

Lieut. Abel T. Bidwell to be a lieutenant commander in the Navy from the 4th day of April, 1920.

Lieut. Walter K. Kilpatrick to be a lieutenant commander in the Navy from the 23d day of April, 1920.

Lieut. Elwin F. Cutts to be a lieutenant commander in the Navy from the 23d day of May, 1920.

Lieut. Edward J. Foy to be a lieutenant commander in the Navy from the 26th day of May, 1920.

The following-named lieutenants to be lieutenant commanders in the Navy from the 6th day of June, 1920:

Edward H. Loftin, and
Harry B. Hird.

The following-named lieutenants to be lieutenant commanders in the Navy from the 8th day of June, 1920:

Harry A. Badt,
Norman R. Van der Veer,
Francis W. Rockwell,
Sydney M. Kraus,
Archer M. R. Allen,
Howard H. Crosby,
Paul E. Speicher,
James L. Kauffman,
John C. Hilliard,
William R. Munroe,
Albert M. Penn,
Paul H. Eastedo,
Charles M. Yates,
James C. Van de Carr,
Jabez S. Lowell,
Clyde G. West,
David C. Patterson, jr.,
Charles C. Ross,
Howard M. Lammers,
Francis J. Comerford,
Charles H. Davis, jr.,
Arthur S. Carpender,
Robert A. Burg,
Harrison E. Knauss,
Schamyl Cochran,
William F. Gresham,
Frank R. Berg,
Stuart O. Greig,
John C. Cunningham, and
John F. Shafroth, jr.

Lieut. Jules James to be a lieutenant commander in the Navy from the 1st day of July, 1920.

Lieut. Maurice R. Pierce to be a lieutenant commander in the Navy, from the 16th day of August, 1920.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, from the 7th day of June, 1919:

Reginald S. H. Venable,
Robert H. Grayson,
Hartwell C. Davis, and
Oliver L. Downes.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, from the 1st day of July, 1919:

Arthur S. Walton,
Arthur W. Dunn, jr.,
Samuel S. Thurston, and
Jerome A. Lee.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, from the 6th day of June, 1920:

Noel Davis,
Charles B. C. Carey,
Carl H. Jones,
Carleton F. Bryant,
William J. Larson,
Herman A. Spanagel,
Frank L. Lowe,
Theodore D. Ruddock, jr.,
Albert G. Berry, jr.,
William K. Harrill,
William E. Malloy,
Edmund W. Burrough,
Russell E. Perry,
Herbert J. Ray,
John G. Moyer,
Bert F. Clark,
William A. Teasley,
Alexander R. Early,
Kemp C. Christian,
William J. Hart, jr.,
Allan W. Ashbrook,
Charles T. S. Gladden,
William A. Heard,
Simson C. Stengel,
Jesse H. Smith,
Harold J. Nelson,
Francis K. O'Brien,
Malcolm W. Callahan,
Stuart D. Truesdell,
Leon O. Alford,
Robert C. Starkey,
Charles A. Macgowan,
Clarence J. McReavey,
John H. Brown, jr.,
Thomas N. Vinson,
Joseph R. Redman,
Theo D. Westfall,
Zeno W. Wicks,
George B. Wilson,
Alfred H. Balsley,
John M. Creighton,
Albert H. Rooks,
Byron B. Ralston,
Charles E. Rosendahl,
Robert W. Hayler,
Richard L. Conolly,
Thomas J. Doyle, jr.,
Charles F. Martin,
Samuel G. Moore,
George Marvell,
Raymond A. Deming,
James E. Boak,
Rudolph F. Hans,
Wilder DuP. Baker,
George S. Arvin,
Ralph O. Davis,
Martin Griffin,
William F. Roehl,
Lloyd J. Wiltse,
Paul W. Fletcher,
Philip R. Weaver,
Robert P. Luker,
Wallis Gearing, and
Lewis J. Stecher.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1920:

Harry J. Reuse,
John D. Pennington,
Lynde D. McCormick,
Arthur C. Davis,
Walter A. Hicks,
Howes Bodfish,
Louis R. Moore,
Melville C. Partello,
Robert O. Glover,
Myron J. Walker,
John C. Lusk,
William S. Popham, jr.,
Stephen H. Matteson,
Samuel P. Jenkins,
William Granat,
Ryland D. Tisdale,
Philip C. Morgan,
Francis M. Mail, jr.,
Frederick G. Richards,
Tully Shelley,
Leighton Wood,
David M. Collins,
Allen G. Quynn,
James R. Kyle, jr.,
Charles A. Baker,
Bertram J. Rodgers,
Lyman K. Swenson,
Milton O. Carlson,
Walter D. Snyder,
Morris J. Lenney,
Mark L. Sperry, jr.,
Arthur D. Struble,
Warner P. Portz,
Richard W. Bates,
James M. Shoemaker,
Kendall Preston,
John F. Bates, jr.,
Edward E. Hazlett, jr.,
Leon B. Scott,
Samuel R. Shumaker,
Thomas G. Peyton,
Cornelius W. Flynn,

Armit C. Thomas,
William J. Nunnally, jr.,
Francis S. Low,
Morris H. Spriggs,
Marshall B. Arnold,
James E. Maher,
Chester E. Lewis,
Myron W. Hutchinson, jr.,
Ralph W. Christie,
Thomas J. Keliher, jr.,
Leon S. Fiske,
Lew W. Bagby,
Thorwald A. Solberg, and
Walter S. Carrington.

The following-named ensigns to be lieutenants (junior grade) in the Navy, from the 5th day of June, 1918:

Richard W. Bates and
Edward E. Hazlett, jr.

The following-named ensigns to be lieutenants (junior grade) in the Navy, from the 3d day of June, 1919:

Robert A. Awtrey,
John A. Terhune,
Charles A. Baker,
Heman J. Redfield, and
Linton Herndon.

The following-named ensigns to be lieutenants (junior grade) in the Navy, from the 30th day of March, 1920:

Houston L. Maples,
Frank G. Fahrion,
Ingolf N. Kiland,
Harold S. Klein,
Donald B. Duncan,
Robert B. Dashiell,
James O'D. Richmond,
Simon P. Fullinwilder, jr.,
Edmund B. Caldwell,
Edward B. Rogers,
Robert L. Randolph, jr.,
Theodore M. Waldschmidt,
Adolph P. Schneider,
Benjamin Buchalter,
John T. Metcalf,
Benjamin F. Staud,
John J. Twomey,
Carl F. Holden,
Hugh St. C. Sease,
Samuel B. Brewer,
James H. Conyne,
Frederick W. Neilson,
Allen I. Price,
Merrill Comstock,
Richard W. Gruelick,
Randall E. Dees,
Albert Noble,
Frank H. Dean,
Lawrence Wainwright,
Sydney J. Wynne,
Julian L. Woodruff,
Andrew G. Shepard,
Lisle F. Small,
Nicholas Vytlacil,
George T. Howard,
Robert G. Tobin,
Herbert B. Knowles,
Robert R. Ogg,
Joseph W. Gregory,
Ross F. Collins,
Paul F. Shortridge,
Walter C. Calhoun,
Lester J. Hudson,
Earl E. Muschlitz,
Vincent J. Moore,
Davenport Browne,
Franklin S. Irby,
Colin DeV. Headlee,
Robert W. McReynolds, jr.,
Harrison Avery,
Paul U. Tevis,
George K. Weber,
William F. Dietrich,
Andrew G. Reaves,
John B. Heffernan,
Elliott M. Senn,
Thomas R. Cooley,
Ben H. Wyatt,
Guido F. Forster,
Gale A. Poindexter,
William J. Morcock,
Karl Keller,
Philip W. Warren,
Allen R. McCann,
Herbert W. Anderson,
Carl W. Brewington,
Leonard P. Wessell,
Donald R. Evans,
Andrew R. Mack,
Guy W. Clark,
James P. Conover, jr.,
William McK. Reifel,
Rollin V. A. Failing,
Douglas A. Spencer,
Isidore Lehrfeld,
Kenneth M. Hoeffel,
Wilbur V. Shown,
Ralph U. Hyde,
Ralph Wyman,
George M. Keller,
Edward J. Moran,
Francis W. Benson,
Francis T. Spellman,
Ward P. Davis,
Volney O. Clark,
Earl W. Morris,
Kenneth L. Coontz,
Robert E. Keating,
John N. Walton,
Evan G. Hanson,
William G. Ludlow, jr.,
John H. Jenkins,
Frank L. Worden,
Frank J. Hanafee,
John G. M. Stone,
Thomas D. Ross,
John V. Murphy,
Seabury Cook,
Herbert W. Jackson,
Charles W. Weitzel, and
William S. Heath.

Ensign Leland P. Lovette to be a lieutenant (junior grade) in the Navy from the 29th day of June, 1920.

The following-named lieutenants for temporary service, to be lieutenants in the Navy from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Stephen McCarthy,
Joel C. Evans,
Frank H. Whitney,
Hugh Sinclair,
Thomas M. Johnston,
Michael P. Barr,
Michael W. Gilmartin,
James Shannon,
William G. Moore,
John J. Holden,
Patrick Deery,
Hugh J. Duffy,
William A. Cable,
Herbert Campbell,
Clifford H. Sheldon,
John H. Lohman,
Simon Jacobs,
Samuel Chiles,
Edwin N. Fisher,
James T. Roach,
Arthur R. Nickerson,
Ernest V. Sandstrom,
Christian Crone,
James Donald,
Thomas S. Aveson,
John D. Walsh,
Dennis J. O'Connell,
William Johnson,
Conrad W. Ljungquist,
Wilhelm H. F. Schluter,
William Juraschka,
Thomas P. Clark,
William G. Smith,
Gustav Freudendorf,

Herbert A. Nevins,
Patrick Shanahan,
August Wohltman,
David White,
Leonard Roll,
David B. Vassie,
Joseph Mitchell,
John F. Brooks,
Harry R. Brayton,
Patrick J. Kane,
Edward J. Norcott,
Franklin T. Applegate,
Otto Fries,
Theodore B. Watson,
George Charrette,
William Zeitler,
Peter E. Radcliffe,
Patrick Hill,
David F. Diggins,
John Mahoney,
William J. Foley,
Joseph Hill,
Frederick Muller,
Adolph Hazler,
Martin Fritman,
Frederick R. Hazard,
Stephen Donely,
Otto E. Reh,
August C. Steinbrenner,
Belmar H. Shepley,
Harry A. Davis,
John J. Murray,
John T. Swift,
Robert Rohange,
John Eberwine,
John A. Riley,
Oscar Borgeson,
Thomas J. Hurd,
George A. Messing,
Thomas M. Cassidy,
Edwin Murphy,
Edward A. Manck,
William R. Scofield,
John E. Cleary,
Richard Jeffares,
Robert T. Scott,
Martin J. Clancy,
Samuel L. Wartman,
Lemuel T. Cooper,
Ralph F. Nourse,
George C. Ellerton,
Murray S. Holloway,
Ernest Evans,
William James,
Patrick Fernan,
Frank Risser,
Llewellyn H. Wentworth,
Henry E. White,
Ellwood W. Andrews,
Daniel C. Beach,
William A. Macdonald,
Allen T. Webb,
Thomas W. Healey,
Herman P. Rahbusch,
Henry A. Stanley,
Harold S. Olsen,
Bernard P. Donnelly,
Daniel Duncan,
Edward T. Austin,
Henry Ernest,
James P. Dempsey,
Edward G. Affleck,
Arthur A. Smith,
James H. Morrison,
Thomas O'Donnell,
George O. Littlefield,
Otto Johnson,
Harold I. Lutken,
Charles H. Hosung,
John T. Pennycook,
James A. Hickey,
Kellum D. Grant,
David Purdon,
Clarence M. Wingate,
Charles A. Rowe,
Clarence R. Johnson,
Jannis V. Jacobsen,
George W. Johnson,
John Bryce,
Rasmus Iversen,
Charles C. Holland,
Cornelius J. Collins,
James M. Ober,
Karl Rundquist,
Albion O. Larsen,
Joseph Heil,
Peter Emery,
John McCloy,
John C. Rickertts,
John G. Nicklas,
Arthur S. Pearson,
Harold V. Barr,
Stanley Danielak,
Gotthilf C. Layer,
James J. Cotter,
Edward G. Higgins,
Matthias A. Thormahlen,
John I. Ballinger,
Carl Johanson,
William T. Robinson,
Fred F. Ingram,
James Glass,
John Davis,
John Law,
Frederick W. Metters,
Arthur D. Warwick,
Emil Swanson,
Franklin Heins,
Mons Monssen,
Herbert E. Fish,
James J. Cullen,
John R. Likens,
Frank O. Wells,
Bernhard Christensen,
George W. Byrne,
John Danner,
Charles Schonborg,
James F. McCarthy,
Harry Adams,
Roderick M. O'Connor,
Louis C. Higgins,
Augustine D. Devine,
Fred W. Cobb,
James L. McCormack,
Frederick Meyer,
Nels Drake,
Gerald Ollif,
Henry H. Richards,
George E. McHugh,
William T. Baxter,
William H. Leitch,
Ulysses G. Chipman,
Thomas D. Healy,
Walter S. Falk,
John R. Burkhart,
Charles Franz,
Thomas W. Smith,
Raymond L. Drake,
Henry Lobitz,
James F. Hopkins,
Walter J. Wortman,
Frederick T. Montgomery,
John Sperle, jr., and
Constantine Clay.

The following-named lieutenants for temporary service, to be lieutenants (junior grade) in the Navy, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

William B. Stork,
Anthony McHugh,
Frank Bresnan, and
Alexander Stuart.

Lieut. August Rettig for temporary service, to be an ensign in the Navy, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 30th day of July, 1919:

James A. Halpin,
Lockhart D. Arbuckle,
Philip F. Prioleau,

William O. Bailey, and
Erik G. Hakansson.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 6th day of June, 1920:

William L. Martin,
John H. Chambers,
Percey W. Dreifus,
Eben E. Smith,
Walter J. Pennell,
John C. Taylor,
Raymond B. Storch,
Robert W. Wimberly,
George L. White,
Douglas D. Martin,
Charles L. Haines,
Charles K. Reinke,
George P. Carr,
Toson O. Summers,
Travis S. Moring,
Lyman E. Dockry,
James F. Hooker, and
Robert E. S. Kelley.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 1st day of July, 1920:

David Ferguson, jr.,
Carl J. Bucher, and
James J. Regan.

The following-named assistant surgeons for temporary service to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 12th day of March, 1920:

James E. Fetherston,
Paul P. Maher,
Max Silverman,
Frederick W. Muller,
Maurice S. Mathis,
William H. O'Connor,
Jesse W. Smith,
Warwick T. Brown,
Carl J. Robertson,
Lea B. Sartin,
James Humbert,
Anthony M. Menendez,
George U. Pillmore, and
John F. Daly.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 12th day of March, 1920:

Charles P. Archambeault,
William E. Guinea,
Eustace H. Prescott,
Frederick L. Schwartz,
Rex H. White, and
James D. Clements.

Passed Asst. Surg. James E. Andrews, United States Naval Reserve Force, to be assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 22d day of March, 1920.

Passed Asst. Surg. John N. Slattery, United States Naval Reserve Force, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 4th day of May, 1920.

The following-named citizens to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 14th day of June, 1920:

George W. Wilson and
Wendell H. Perry.

Asst. Surg. Joseph B. Logue, for temporary service, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 14th day of June, 1920.

The following-named citizens to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 4th day of September, 1920:

Charles F. Behrens and
Albert J. Desautels.

Clement C. Troensgaard, a citizen, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 7th day of September, 1920.

The following-named passed assistant surgeons, for temporary service, to be passed assistant surgeons in the Navy, with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

James M. Archibold,
Zachariah A. Barker,
Norman S. Betts,
James P. Bowles,
Henry A. N. Bruckshaw,
William S. Bunkley,
John A. Cloyd,
Paul F. Dickens,
Thomas F. Duhigg,
Francis P. Field,
Henry L. Fourgerousse,
Frederick H. Gebhardt,
David E. Horrigan,
Samuel E. Johnson,
Benjamin G. Baker,
James D. Benjamin,
James D. Blackwood, jr.,
J. Howard Branan,
Clyde W. Brunsin,
Alan J. Chenery,
John G. Davis,
Dwight Dickinson, jr.,
Frederick J. Eakins,
Houston B. Fite,
Benjamin W. Gaines,
William A. Gills,
Lincoln Humphreys,
Royal K. Joslin,
Thomas M. Kelly,
Gleaves B. Kenny,
Joseph F. Lankford,
Richard, N. Mackey,
William F. Leigh,
Royal A. McCune,
William Moore,
Glenn J. Parker,
Gustav R. Petz,
George P. Quinn,
William G. Rowe,
John A. Salb,
Edward M. Steger,
James F. Terrell,
Francis D. Walker,
Charles Wheatley,
Lloyd A. Kennell,
Charles W. Lane,
Gilbert H. Larson,
John R. Marshall,
Richard M. Little,
Harvey W. Miller,
George E. Mott,
Jose A. Perez,
Frank W. Quin,
Claude D. Roop,
Frank Sabiston,
Anton R. Schier,
Irving E. Stowe,
Frank H. Towner,
William J. Walsh,
Ross U. Whiteside, and
Leslie B. Wiggs.

The following-named passed assistant surgeons of the United States Naval Reserve Force to be passed assistant surgeons in the Navy, with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Delbert R. Blender,
Emmett J. Brady,
Frederick J. Bryant,
Thomas O. Cole,
Clinton G. DeFoney,
John L. Farmer,
Louis E. Fitzsimmons,
Eric T. W. Boquist,
Cyrus C. Brown,
Colvin B. Childs,
John W. Davis,
Earl E. Dockery,
Guy Fish,
John P. Gilmer,
Chester D. Groff,
Ray W. Hayworth,
William V. Horton,
Walter R. Johnson,
Kenneth D. Legge,

Robert S. Lowry,
William McKinney,
William Moore,
John N. N. Osburn,
Donald G. Rafferty,
David W. Register,
Charles Schwinn,
Alva A. Shadday,
Baxter H. Sigler,
Leslie O. Stone,
John C. W. Taylor,
Alfred G. Tinney,
William W. Waddell, jr.,
Arthur J. White,
George G. Hart,
Jonathan E. Henry,
Frank A. Hughes,
James C. Kimball,
Gordon H. Lightner,
James L. Manion,
Waldemar R. Metz,
Harold A. Noreen,
Thomas C. Quirk,
Isaac N. Ratchford,
Charles W. Robles,
Camille M. Shaar,
Jo R. Shiley,
Clarence V. Spawr,
Everett B. Taylor,
Robert W. Thomas,
Stuart J. Trowbridge,
Hiram B. West, and
Desse A. York.

The following-named officers of the United States Naval Reserve Force, to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Jerome Braun and
David B. Peters.

Asst. Dental Surg. Frank S. Tichy to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant from the 30th day of July, 1919.

The following-named assistant dental surgeons for temporary service to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade) from the 1st day of March, 1920:

Edward B. Howell,
Justin W. Bourquin,
Frank W. Spear,
Clarence E. Garcia,
Allen H. Hetler, and
Francis J. Long.

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade) from the 1st day of March, 1920:

Clarence M. Taft,
Patrick A. McCole, and
Richard J. O'Donnell.

Passed Asst. Dental Surg. Henry R. Delaney, of the United States Naval Reserve Force, to be an assistant dental surgeon in the Navy, with rank of lieutenant (junior grade) from the 29th day of May, 1920.

Robert H. Fladeland, a citizen, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade) from the 14th day of June, 1920.

The following-named passed assistant dental surgeons for temporary service to be passed assistant dental surgeons in the Navy, with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Walton C. Carroll,
Max Cohen,
Edmund Laughlin,
Clarence A. Chandler,
Edward J. Fitzgerald,
William F. Murdy,
Edward J. Noonan,
Carl E. Reynolds,
James J. Spring,
John A. Waters,
George L. Reilly,
William J. Rogers,
Albion C. Tollinger, and
Chester H. Webber.

The following-named passed assistant dental surgeons of the United States Naval Reserve Force to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Theodore A. Donahoe,
Clifford E. Kelly,
Henry C. Lowry,
Charles H. Morris,
Henry G. Ralph,
Larry Dupuy,
Harrison J. La Salle,
John L. McCarthy,
Ralph P. Morse,
Ambrus B. Rivers, and
Charles O. Sandstrom.

Paymaster Victor S. Jackson to be a pay inspector in the Navy with the rank of commander, from the 11th day of January, 1918.

Paymaster Cuthbert J. Cleborne to be a pay inspector in the Navy with the rank of commander, from the 23d day of February, 1920.

Paymaster Frederick G. Pyne to be a pay inspector in the Navy with the rank of commander, from the 1st day of May, 1920.

The following-named passed assistant paymasters for temporary service to be passed assistant paymasters in the Navy with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Emil E. Artois,
Frank H. Baasen,
John E. Bibb,
Eugene Dann,
John J. Gering,
Thomas A. Henry,
Alpheus M. Jones,
Benjamin L. Lankford,
Rudolph A. Ashton,
Archie W. Barnes,
Otis F. Cato,
Edward F. Delaney,
Robert L. Gressitt,
John M. Holmes,
Samuel H. Knowles,
Nils B. Olsen,
Edward W. Poore,
Joseph Reay,
Malcolm D. Stuart,
Harry Price,
James E. Reed, and
George A. Wilcox.

Chaplain Hugh M. T. Pearce to be a chaplain in the Navy, with the rank of commander, from the 9th day of January, 1919.

Chaplain James D. MacNair to be a chaplain in the Navy, with the rank of commander, from the 1st day of July, 1919.

Acting Chaplain Frank H. Lash to be a chaplain in the Navy, with the rank of lieutenant (junior grade), from the 24th day of July, 1920.

Acting Chaplain George B. Kranz to be a chaplain in the Navy, with the rank of lieutenant (junior grade), from the 13th day of May, 1920.

Acting Chaplain Emil H. Groth to be a chaplain in the Navy, with the rank of lieutenant (junior grade), from the 12th day of August, 1920.

Professor of Mathematics Frank B. Littell to be a professor of mathematics in the Navy, with the rank of captain, from the 1st day of June, 1920.

Professor of Mathematics Asaph Hall to be a professor of mathematics in the Navy, with the rank of commander, from the 1st day of June, 1920.

The following-named assistant naval constructors for temporary service to be assistant naval constructors in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Ellis W. Craig,
George J. Shaw,
John T. S. Miller,
Joseph A. Barton,
Frank H. Preble,
Thomas W. Richards,
Joseph M. Simms,
Matthew B. Pollock,
William C. Hardie,
John A. Lord,

Frederick M. Kirchmier,
Frank Gilbert,
Lawrence A. Maaske,
George Helms,
Francis J. Harte,
Timothy E. Kiley,
Joseph P. Yates,
McCall Pate,
William E. Powell,
Frederick C. LePine,
Walter W. Toles,
William F. Hamberger,
William O'Neill,
George A. Lazar,
Thomas B. Casey,
Elvie L. Kempton,
Harry E. Cooper,
Timothy S. Twigg,
Joseph Feaster, jr.,
Harry T. Newman,
Robert H. Lake,
Stuart P. Mead,
Francis X. Maher,
William H. Sampson,
Caleb Whitford,
Albert Tucker,
Clifton Greenwell,
Wilbert O. Crockett,
James W. Costello,
Brandt W. Wilson,
Joseph J. Redington,
Robert Velz,
Louis Haase, and
Robert H. Neville.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 11th day of January, 1919:

Lewis H. Cutting and
Murry Wolffe.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 16th day of January, 1920:

William R. Spear,
William T. Shaw, and
Joseph D. Glick.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the 16th day of January, 1920:

Clyde H. McLellon and
James J. Delany.

Machinist Charles Swanberg to be a chief machinist in the Navy, to rank with but after ensign, from the 17th day of January, 1918.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 20th day of December, 1919:

Philip S. Flint,
Paxton Hotchkiss,
Fred C. Wolf, and
Fred T. Rider.

Machinist George J. Romulus to be a chief machinist in the Navy, to rank with but after ensign, from the 8th day of January, 1920.

The following-named chief pharmacists for temporary service to be chief pharmacists in the Navy, to rank with but after ensign, from the 5th day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Charles A. Adelmann,
Virgule M. Coulter,
James F. Durkin,
Allen J. Heuschling,
Henry P. Knowles,
Walter W. McKee,
Lindsey W. Rider,
Charles C. Thome,
Charles F. Whitmore,
George R. Hansen,
Benjamin E. Irwin,
Glenn F. Lyon,
Daniel J. O'Brien,
Norman L. Saunders,
Franklin G. Wetherell, and
Max E. Zimmerman.

Pay Clerk James C. Masters to be a chief pay clerk in the Navy, to rank with, but after, ensign, from the 13th day of August, 1919.

Pay Clerk Allen J. Marshall to be a chief pay clerk in the Navy, to rank with, but after, ensign, from the 6th day of January, 1920.

Pay Clerk Joseph G. Stanton to be a chief pay clerk in the Navy, to rank with, but after, ensign, from the 19th day of April, 1920.

The following-named lieutenants for temporary service to be lieutenants in the Navy from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

George L. Russell and
John L. Barnswell.

Joseph W. Baker, jr., a citizen, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade) from the 4th day of August, 1920.

William D. Day, a citizen, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade) from the 14th day of October, 1920.

Julian A. Turrentine, a citizen, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade) from the 3d day of November, 1920.

Lieut. Commander Robert T. Menner to be a commander in the Navy from the 1st day of July, 1919.

Lieut. Commander Charles E. Smith to be a commander in the Navy from the 19th day of August, 1920.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:

Riley F. McConnell and
Homer H. Norton.

Lieut. Richmond K. Turner to be a lieutenant commander in the Navy from the 7th day of December, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy from the 8th day of June, 1920:

William C. Owen and
James M. Irish.

Lieut. Ernest W. McKee to be a lieutenant commander in the Navy from the 27th day of June, 1920.

Lieut. John R. Beardall to be a lieutenant commander in the Navy from the 1st day of July, 1920.

Lieut. Timothy J. Keleher to be a lieutenant commander in the Navy from the 16th day of July, 1920.

Lieut. William W. Wilson to be a lieutenant commander in the Navy from the 16th day of September, 1920.

Lieut. (Junior Grade) Henry A. Seiller to be a lieutenant in the Navy from the 1st day of July, 1919.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 6th day of June, 1920:

Alfred P. H. Tawresey,
Thomas L. Nash,
Vincent A. Clarke, jr.,
Greene W. Dugger, jr.,
Edwin T. Short, and
Joseph C. Arnold.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1920:

Frederic P. Culbert,
Herbert V. Wiley,
Homer W. Graf,
Nathaniel M. Pigman,
Edward Breed,
Powell M. Rhea,
Frank D. Wagner,
Alexander S. Wotherspoon,
Horace D. Clarke,
Thomas G. Brown,
Alexander G. Hatch,
Forrest K. Libenow,
Eugene G. Herzinger,
Don P. Moon,
Clinton E. Braine, jr.,
Donald M. Carpenter,
Frank E. Beatty, jr.,
Louis R. Vail,
Andrew D. Mayer,
Charles T. Joy,
William L. Keady,
Robert J. Walker,
Gilbert C. Hoover,
Dallas Wait,
Lawrence Wainwright,
John O. Richmond,
Stanton H. Wooster,

Ross F. Collins,
Vincent J. Moore,
Harrison Avery,
Robert L. Porter, jr.,
Frank L. Worden,
Andrew R. Mack,
Theo F. C. Walker,
Mertin C. Wade, jr.,
Leland P. Lovette,
Harvey E. Overesch,
Claude C. Vickrey,
Richard S. Bulger,
George F. Hussey, jr.,
William F. Loventhal,
Carroll W. Hamill,
George F. Martin,
Dennis L. Ryan,
Charles G. Halpine,
Alva J. Moore,
Samuel P. Ginder,
William E. Miller,
George D. Price,
Albert Noble,
Robert E. Dashiell,
Ion Pursell,
Benjamin Buchalter,
Lester J. Hudson,
Davenport Browne,
Richard H. Harper,
William J. Morcock,
Frank J. Hanafee,
Edward F. McCartin,
Jacob H. Jacobson,
Arthur T. Moen, and
Cleeman Withers.

Ensign Wilbur W. Feineman to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1919.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of March, 1920:

Colin Campbell,
George R. Fairlamb, jr., and
Richard H. Harper.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 29th day of June, 1920:

Edward F. McCartin,
Jacob H. Jacobson,
Arthur T. Moen,
Theo F. C. Walker,
Mertin C. Wade, jr., and
Cleemann Withers.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920:

Creighton C. Carmine,
Ralph H. Roberts,
Harry B. Slocum,
Elmer R. Hill,
Paul B. Thompson,
Albert T. Sprague, 3d.
William C. Vose,
Arthur P. Thurston,
Ralph W. Hungerford,
Harold M. Martin, and
George H. Mills.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 30th day of July, 1919:

Robert L. Nattkemper and
Ralph H. Jenkins.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant from the 6th day of June, 1920:

James E. Potter,
Ernest S. V. Laub,
Richard O. Shea,
Albert J. Argall,
Adolph E. Schmidt,
Arthur H. Dearing,
Edwin D. McMorries,
Charles H. Savage,
Robert Mueller,
Frank W. Ryan,
John M. Huff,
William W. Russell,
Chester B. Van Gaasbeek,
Charles E. Morse, jr.,
Sterling S. Cook,
Harry B. LaFavre,
Morton D. Willcutts,
Thomas S. Royster,
William D. Davis,
Hill F. Warren,
Ely L. Whitehead,
George B. Dowling,
John M. McCants,
Walter A. Fort,
Lewis W. Johnson,
Louis Iverson,
Eugene D. Hardin,
John C. Adams,
Raymond M. Krepps,
Joseph W. White,
Earl Richison,
John J. Sale,
James H. Royster,
Mathison J. Montgomery,
Otto W. Grisier,
Page O. Northington,
James R. Jeffrey,
George D. Thompson,
Claude W. Colonna,
Watie M. Alberty,
John F. Hart,
Charles S. Norburn,
Clarence N. Meador,
William E. Crooks,
Lyan N. Hart,
Lloyd E. Smith,
Wilbourt E. Greenwood,
Russell D. Bussdicker,
Hutchens C. Bishop, jr.,
Ramon A. Gilbert,
Waldo E. Golden,
Dozier H. Gibbs,
Dwight H. Murray,
Claude E. Brown,
Hugo F. A. Baske, and
Wilbur O. Manning.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 1st day of July, 1920:

Stephen R. Mills,
James A. Brown,
Frank H. Clements,
Millard F. Hudson,
Edward C. Melton,
John T. Stringer,
Edward F. Stradtherr,
James D. Rives,
Esdras J. Lanois,
Albert G. Wenzell,
Earl S. Pomeroy,
Joseph D. Peluso,
Edward L. McDermott,
James B. Moloney,
Carl J. Robertson,
Lea B. Sartin,
Jesse W. Smith,
Jack S. Terry,
Rollo W. Hutchinson,
Edward F. Mullaly,
Joseph A. Hubbell,
Edwin C. Ebert,
George A. Eckert,
Ranson H. Holcomb,
George L. McClintock,
Sterling N. Pierce,
John B. Farrior,
James F. Runner,
Norman Roberts,
Wendell P. Blake,
Paul P. Maher,
Warren E. Bradbury,
William W. Hall, and
Thomas H. Taber.

The following-named assistant surgeons for temporary service to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 12th day of March, 1920:

Roger D. Mackey and
Earl E. Sullivan.

Howard LeR. Dovey, a civilian, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 12th day of March, 1920.

The following-named passed assistant surgeons for temporary service to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Albion H. Cecha,
John W. Daugherty,
Charles M. Glassmire,
William B. James,
William F. Kennedy,
Robert L. McMahon,
Edward R. Noyes,
McClure Scott,
Clarence N. Smith,
Charles R. Tatum,
Cyrus R. Currier,
Carroll H. Francis,
Frank L. Hubbard,
Henry C. Kellers,
Chester F. McGill,
William T. Minnick,
Arthur H. Pierson,
Ernest F. Slater,
Otis B. Spalding,
Fleete S. Steele, and
Jonah I. Yohannan.

The following-named passed assistant surgeons of the United States Naval Reserve Force to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Richard B. Blackwell,
Frederick R. Haselton,
Joseph J. Kaveney,
William T. Moynan,
Edward Frothingham,
Clarence F. Holtegel,
Robert J. Lawler, and
Francis H. Webster.

The following-named passed assistant surgeons for temporary service to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct nomination as previously submitted:

Thomas O. Cole,
Frank A. Hughes,
Thomas C. Quirk,
Earl E. Dockery,
Gordon H. Lightner, and
Emmett J. Brady.

The following-named passed assistant surgeons of the United States Naval Reserve Force to be passed assistant surgeons in the Navy, with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct nomination as previously submitted:

Alan J. Chenery,
Dwight Dickinson, jr., and
Leslie B. Wiggs.

Samuel A. Murphy, a civilian, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 30th day of November, 1920.

Assistant Dental Surgeon Daniel A. Doherty for temporary service, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 1st day of March, 1920.

The following-named passed assistant dental surgeons for temporary service, to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Edwin N. Cochran,
Pyrle A. Fowler, and
Berton F. Sweeney.

Passed Assistant Dental Surgeon Ernest C. Johnson of the United States Naval Reserve Force, to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

Assistant Paymaster Carlton R. Eagle to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of July, 1920.

Assistant Paymaster Louis H. Huebner to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of July, 1920.

The following-named ensigns to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 1st day of July, 1920:

Lucien M. Grant and
Antonio S. Pitre.

The following-named chief pharmacists for temporary service to be chief pharmacists in the Navy, to rank with but after ensigns, from the 5th day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

William S. Burr and
Kenneth M. Smith.

Chief Pharmacist William E. Saxton, United States Naval Reserve Force, to be a chief pharmacist in the Navy, to rank with but after ensign, from the 5th day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

Pay Clerk Cecil H. Jernigan to be a chief pay clerk in the Navy, to rank with but after ensign, from the 15th day of April, 1920.

Lieut. (Junior Grade) William M. Fechteler to be a lieutenant in the Navy from the 1st day of July, 1920.

Ensign Dallas Wait to be a lieutenant (junior grade) in the Navy from the 9th day of February, 1920.

Ensign Stanton H. Wooster to be a lieutenant (junior grade) in the Navy from the 30th day of March, 1920.

Ensign Ion Pursell to be a lieutenant (junior grade) in the Navy from the 29th day of June, 1920.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, for temporary service, from the 1st day of August, 1920:

William S. Bunkley,
Elmer J. Morrison,
John A. Cloyd,
Harry J. Noble,
Royal K. Joslin,
John S. Van Winkle,
Hiram B. Duncan,
Herbert L. Arnold,
Alfred M. Kahn,
Dudley D. Shoenfeld,
Arthur H. Pierson,
Henry P. Merrill, and
Clarence N. Smith.

Lieut. Commander Frank H. Sadler to be a commander in the Navy from the 7th day of August, 1920.

The following-named lieutenants to be lieutenant commanders in the Navy from the 8th day of June, 1920:

William D. Brereton, jr., and
Karl F. Smith.

Lieut. William H. Stiles, jr., to be a lieutenant commander in the Navy from the 21st day of September, 1920.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1920:

George P. Lamont,
Clifford H. Roper,
Robert W. Fleming,
Henry P. Burnett,
James B. Ryan,
Francis S. Gibson, and
Edward D. Walbridge.

Ensign George P. Lamont to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1918.

Ensign Robert W. Fleming to be a lieutenant (junior grade) in the Navy from the 30th day of March, 1920.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 29th day of June, 1920:

Francis S. Gibson and
Edward D. Walbridge.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920:

Maurice H. Stein and
Henry D. Baggett.

Asst. Surg. Leo L. Davis to be a passed assistant surgeon in the Navy with the rank of lieutenant from the 1st day of July, 1920.

Medical Inspector Charles A. Costello, United States Naval Reserve Force, to be a passed assistant surgeon in the Navy,

with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 1st day of July, 1920:

Benjamin S. Gantz,
Morton L. Ring,
Raymond M. Bright,
George C. Tasker,
Henry Guilmette,
Wilson S. Hullfish,
Albert B. Dayton,
John Flynn, and
William C. Wallace.

Chaplain Curtis H. Dickins to be a chaplain in the Navy, with the rank of captain, from the 29th day of August, 1916.

Col. (Temporary) Charles S. Hill to be a colonel in the Marine Corps from January 15, 1920, subject to the examinations required by law.

Col. (Temporary) David D. Porter, assistant adjutant and inspector, to be an assistant adjutant and inspector in the Marine Corps, with the rank of colonel, from March 28, 1920.

Col. (Temporary) George C. Reid to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) Robert H. Dunlap to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) Randolph C. Berkeley to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) Carl Gamborg-Andreson to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) John F. McGill to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) Louis M. Gulick to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) Frederic L. Bradman to be a colonel in the Marine Corps from June 4, 1920.

Col. (Temporary) James C. Breckinridge to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) Arthur T. Marix to be a colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Col. (Temporary) George Van Orden to be a colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) William H. Pritchett to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Thomas H. Brown to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Robert Y. Rhea to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Frank J. Schwable, assistant quartermaster, to be an assistant quartermaster in the Marine Corps with the rank of lieutenant colonel from June 4, 1920.

Lieut. Col. (Temporary) Eli T. Fryer to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Thomas Holcomb to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Richard P. Williams to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Edward A. Greene to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Edward B. Manwaring to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Thomas M. Clinton to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Hamilton D. South to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) James T. Buttrick to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Giles Bishop, jr., to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Frank Halford to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) James K. Tracy to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Berton W. Sibley to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Arthur J. O'Leary to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Macker Babb to be a lieutenant colonel in the Marine Corps from January 15, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Harold C. Reisinger, assistant paymaster, to be an assistant paymaster in the Marine Corps with the rank of lieutenant colonel from March 28, 1920.

Lieut. Col. (Temporary) Frank E. Evans to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Harry R. Lay to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Charles B. Taylor to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Rush R. Wallace to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) John W. Wadleigh to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) William C. Harllee to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Richard S. Hooker to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Norman G. Burton, assistant quartermaster, to be an assistant quartermaster in the Marine Corps with rank of lieutenant colonel from June 4, 1920.

Lieut. Col. (Temporary) John C. Beaumont to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (Temporary) Hugh Matthews, assistant quartermaster, to be an assistant quartermaster in the Marine Corps with the rank of lieutenant colonel from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Douglas C. McDougal to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Presley M. Rixey, jr., to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Lieut. Col. (Temporary) Theodore E. Backstrom to be a lieutenant colonel in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) William W. Buckley to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) William C. Wise, jr., to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) William D. Smith to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Harold B. Pratt to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Randolph Coyle to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Philip H. Torrey to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Robert L. Denig to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Charles S. McReynolds to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Charles F. B. Price to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) William C. Powers, jr., to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Russell H. Davis, assistant quartermaster, to be an assistant quartermaster in the Marine Corps, with the rank of major from June 4, 1920.

Maj. (Temporary) Sydney S. Lee to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Ross E. Rowell to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Harold H. Utley to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Howard C. Judson to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Paul A. Capron to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) William F. Bevan to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) John Potts to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Edward A. Ostermann to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Ralph S. Keyser to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Julian P. Willcox to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Benjamin S. Berry to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Ross S. Kingsbury to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Edwin N. McClellan to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Littleton W. T. Waller, jr., to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) John Dixon to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Henry M. Butler to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) John Marston to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Wilbur Thing to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Edwin H. Brainard to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Alfred A. Cunningham to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Alley D. Rorex to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Samuel M. Harrington to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Harold L. Parsons to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Chester L. Gawne to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Thomas E. Thrasher, jr., to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Nedom A. Eastman to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Clarence C. Riner to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Leon W. Hoyt to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Julian C. Smith to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Charles J. Miller to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Leander A. Clapp to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) William S. Harrison to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Robert W. Voeth to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Thomas S. Clarke to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Clarence E. Nutting to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Edward M. Reno to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law. Withdrawn January 11, 1921.

Maj. (Temporary) Joseph C. Fegan to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Joseph D. Murray to be a major in the Marine Corps from June 4, 1920.

Major (Temporary) Woolman G. Emory to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) George H. Osterhout, jr., to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) John Q. Adams to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Francis T. Evans to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Charles G. Sinclair to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Adolph B. Miller to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Allen E. Simon to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Ralph E. Davis to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Harry W. Weitzel to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Sidney N. Raynor to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Frederick R. Hoyt to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Capt. Renato Tittoni to be a major in the Marine Corps on the retired list from June 4, 1920.

Maj. (Temporary) Samuel W. Bogan to be a major in the Marine Corps from January 6, 1920, subject to the examinations required by law.

Maj. (Temporary) Calvin B. Matthews to be a major in the Marine Corps from January 14, 1920.

Maj. (Temporary) Albert E. Randall to be a major in the Marine Corps from January 15, 1920.

Maj. (Temporary) Arthur Racicot to be a major in the Marine Corps from March 12, 1920, subject to the examinations required by law.

Maj. (Temporary) Frederick A. Gardener to be a major in the Marine Corps from March 28, 1920.

Maj. (Temporary) Tom D. Barber to be a major in the Marine Corps from April 10, 1920.

Maj. (Temporary) Edward W. Sturdevant to be a major in the Marine Corps from April 10, 1920.

Maj. (Temporary) Andrew B. Drum to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Victor I. Morrison to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Maurice E. Shearer to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Charles A. Lutz to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Calhoun Ancrum to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) David M. Randall to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Holland M. Smith to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) John R. Henley to be a major in the Marine Corps from June 4, 1920.

Maj. (Temporary) Ralph L. Shepard to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Howard W. Stone to be a major in the Marine Corps from June 4, 1920, subject to the examinations required by law.

Maj. (Temporary) Bennet Puryear, jr., assistant quartermaster, to be an assistant quartermaster in the Marine Corps with the rank of major from June 4, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 3 (legislative day of March 2), 1921.

TO BE UNDERSECRETARY OF STATE.

Norman H. Davis.

TO BE COMMISSIONER OF PATENTS.

Melvin H. Coulston.

TO BE SOLICITOR, DEPARTMENT OF STATE.

Fred K. Nielsen.

FOR PROMOTION IN THE REGULAR ARMY.

To be captains.

William Walter Thrall.
Charles Burd Eckels.
Wallace Fairchild Baker.
Hardie Ambrose Violland.
Hastie Alexander Stuart.
Eugene Coffin.
Francis Jewett Baker.
Eugene Owen Hopkins.
Elmer Ellsworth Lockard.
Dana Woods Morey.
Seldon Brooke Armat.
George Zinn Eckels.
Jerome Clark.
Louis Maloney Thibadeau.
Frank B. Shelly.
Clarence Maynard Exley.
Otto Wilhelm Gralund.
Horace Grattan Foster.
James MacKay.
Thomas Scott Pugh.
Stephen Roscoe Beard.
George Nicoll Watson.
Guy Russell Doane.
Harold George Salmon.
Ed Norment Enders.
Archie Henry Willis.
Edward Tiffin Comegys.
Harrison Willard Smith.
Horace Grant Rice.
Charles Russell Insley.
Ernest Palmer Hoff.
Lute Emmett Collier.
Wilhelm P. A. T. Von Hartung.
Montgomery Taft Legg.
James Asa Marmon.
Walter Davis Dabney.
Percy Gabriel Hoyt.
William James Lisle.
William Alexander MacNicholl.
Carl Halla.
Charles Franklin Eddy.
William Maynard Dixon.
Richard LeRoy Cave.
Alfred James Maxwell.
Orva Earl Beezley.
Frank Elmer Parker.
Edwin Fairbrother Ely.

Chaplain.

Adolf John Schliesser.

DENTAL CORPS.

To be captains.

Thomas Luther Spoon.
Earle Robbins.
Roy Albert Stout.
Oscar William Thompson.
Howard Austin Hale.
William Swann Shuttleworth.
Milton Julius Damlos.
Thomas Floyd Davis.

VETERINARY CORPS.

To be first lieutenants.

Earl Floyd Long.
Patrick Henry Hudgins.
Gerald Woodward FitzGerald.
Russell Samuel Shannon.
Joseph Hiriam Dornblaser.
Peter Thomas Carpenter.
Samuel George Kielsmeier.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

To be majors.

Henry Holden Sheen.
Joseph Edward Barzynski.
Laurance Oldham Mathews.
Laurence Wilfred Redington.

To be captains.

Louie Arnold Beard.
Lee W. Card.
Harry Pforzheimer.

To be first lieutenants.

Wilbur Storm Elliott.
Thomas Grafton Hanson, jr.
Martin Owen Cahill.

To be second lieutenant.

Engmann August Andersen.

FINANCE DEPARTMENT.

To be second lieutenants.

Henry Stehman Hostetter.
Emmet Crawford Morton.

ORDNANCE DEPARTMENT.

To be major.

Hermann Heinrich Zornig.

To be captain.

John Adams Brooks, jr.

To be first lieutenants.

Charlie Edward Hart.
Forrest Clifford Shaffer.
Rudolph Francis Whitelegg.
John Will Coffey.
Jesse Andrew Rogers, jr.

SIGNAL CORPS.

To be lieutenant colonel.

George Ernest Kumpe.

To be major.

Stanley Livingston James.

CAVALRY.

To be second lieutenant.

John William Wofford.

FIELD ARTILLERY.

To be captains.

Alfred John Betcher.
Clifford Barrington King.

To be first lieutenants.

Hiram Wendell Tarkington.
Wesley Collins Dever.
John Hamilton Wise.

CHEMICAL WARFARE SERVICE.

To be major.

Adelno Gibson.

To be second lieutenant.

Patrick Francis Powers.

COAST ARTILLERY CORPS.

To be colonel.

Charles Henry Hilton.

To be major.

Stewart Oscar Elting.

To be second lieutenants.

Joseph Honore Rousseau, jr.
Edward Carl Engelhart.

AIR SERVICE.

To be second lieutenants.

Edgar Peter Sorensen.
William Joseph Flood.

INFANTRY.

To be captain.

Leon Ewart Savage.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Joseph M. Reeves, to be captain.
Samuel M. Robinson, to be commander.
To be lieutenant commanders:
John W. W. Cumming.
Douglas W. Fuller.
Ralph B. Horner.
John W. Rankin.
Archibald H. Douglas.
Rufus King.
Eddie J. Estess.
To be lieutenants:
Charles D. Swain.
Henry W. Hoyt.
Archibald N. Offley.
Ralph G. Pennoyer.
Robert M. Fortson.

Thomas D. Warner.
Robert B. Twining.
Joseph H. Lawson.
George G. Robertson, to be a lieutenant (junior grade).
To be passed assistant surgeons:
Ashton E. Neely.
Benjamin V. Derrah.
Franklin F. Lane.
Orville R. Goss.
George E. Kalter.
Julius F. Neuberger.
Robert P. Henderson.
Paul M. Albright.
Victor S. Armstrong.
Romeo W. Auerbach.
Walter M. Anderson.
George W. Lewis.
James A. Fields.
Lester D. Huffman.
Francis E. O'Brien.
Russell I. Craig.
Edwards M. Riley.
William H. H. Turville.
Frank R. Bealer.
James W. Ellis.
Morris S. Bender.
Wallace B. Dukeshire.
John G. Powell.
Martin L. Marquette.
Joseph E. Malcomson.
Bruce F. Holding.
Marvin C. Johns.
Fenimore S. Johnson.
Lewis G. Jordan.
George A. Alden.
Sherman B. Forbes.
William P. Gilmer.
Cola Castelloe.
Karl McC. Scott.
Charles H. Hastings, to be chaplain.
Charles F. Dame, to be a chief gunner.
To be commanders:
Robert T. Menner.
Charles E. Smith.
To be lieutenant commanders:
Riley F. McConnell.
Homer H. Norton.
Richmond K. Turner.
William C. Owen.
James M. Irish.
Ernest W. McKee.
John R. Beardall.
Timothy J. Keleher.
William W. Wilson.
To be lieutenants:
Henry A. Seiller.
Alfred P. H. Tawresey.
Thomas L. Nash.
Vincent A. Clarke, jr.
Greene W. Dugger, jr.
Edwin T. Short.
Joseph C. Arnold.
Frederic P. Culbert.
Herbert V. Wiley.
Homer W. Graf.
Nathaniel M. Pigman.
Edward Breed.
Powell M. Rhea.
Frank D. Wagner.
Alexander S. Wotherspoon.
Horace D. Clarke.
Thomas G. Brown.
Alexander G. Hatch.
Forrest K. Libenow.
Eugene G. Herzinger.
Don P. Moon.
Clinton E. Braine, jr.
Donald M. Carpenter.
Frank E. Beatty, jr.
Louis R. Vail.
Andrew D. Mayer.
Charles T. Joy.
William L. Keady.
Robert J. Walker.
Gilbert C. Hoover.
Dallas Wait.
Lawrence Wainwright.
John O. Richmond.
Stanton H. Wooster.
Ross F. Collins.
Vincent J. Moore.
Harrison Avery.
Robert L. Porter, jr.
Frank L. Worden.
Andrew R. Mack.
Theo. F. C. Walker.
Mertin C. Wade, jr.
Leland P. Lovette.
Harvey E. Overesch.
Claude C. Vickery.
Richard S. Bulger.
George F. Hussey, jr.
William F. Loventhal.
Carroll W. Hamill.
George F. Martin.
Dennis L. Ryan.
Charles G. Halpine.
Alva J. Moore.
Samuel P. Ginder.
William E. Miller.
George D. Price.
Albert Noble.
Robert E. Dashiell.
Ion Pursell.
Benjamin Buchalter.
Lester J. Hudson.
Davenport Browne.
Richard H. Harper.
William J. Morcock.
Frank J. Hanafee.
Edward F. McCartin.
Jacob H. Jacobson.
Arthur T. Moen.
Cleeman Withers.
To be lieutenants (junior grade):
Wilbur W. Feineman.
Colin Campbell.
George R. Fairlamb, jr.
Richard H. Harper.
Edward F. McCartin.
Jacob H. Jacobson.
Arthur T. Moen.
Theo. F. C. Walker.
Mertin C. Wade, jr.
Cleemann Withers.
Creighton C. Carmine.
Ralph H. Roberts.
Harry B. Slocum.
Elmer R. Hill.
Paul B. Thompson.
Albert T. Sprague 3d.
William C. Vose.
Arthur P. Thurston.
Ralph W. Hungerford.
Harold M. Martin.
George H. Mills.
To be passed assistant surgeons:
Robert L. Nattkemper.
Ralph H. Jenkins.
James E. Potter.
Ernest S. V. Laub.
Richard O. Shea.
Albert J. Argall.
Adolph E. Schmidt.
Arthur H. Dearing.
Edwin D. McMorries.
Charles H. Savage.
Robert Mueller.
Frank W. Ryan.
John M. Huff.
William W. Russell.
Chester B. Van Gaasbeek.
Charles E. Morse, jr.
Sterling S. Cook.
Harry B. LaFavre.
Morton D. Willcutts.
Thomas S. Royster.
William D. Davis.
Hill F. Warren.
Ely L. Whitehead.

George B. Dowling.
John M. McCants.
Walter A. Fort.
Lewis W. Johnson.
Louis Iverson.
Eugene D. Hardin.
John C. Adams.
Raymond M. Krepps.
Joseph W. White.
Earl Richison.
John J. Sale.
James H. Royster.
Mathison J. Montgomery.
Otto W. Grisier.
Page O. Northington.
James R. Jeffrey.
George D. Thompson.
Claude W. Colonna.
Watie M. Alberty.
John F. Hart.
Charles S. Norburn.
Clarence N. Meador.
William E. Crooks.
Lynn N. Hart.
Lloyd E. Smith.
Wilbourt E. Greenwood.
Russell D. Bussdicker.
Hutchens C. Bishop, jr.
Ramon A. Gilbert.
Waldo E. Golden.
Dozier H. Gibbs.
Dwight H. Murray.
Claude E. Brown.
Hugo F. A. Baske.
Wilbur O. Manning.
Stephen R. Mills.
James A. Brown.
Frank H. Clements.
Millard F. Hudson.
Edward C. Melton.
John T. Stringer.
Edward F. Stadtherr.
James D. Rives.
Esdras J. Lanois.
Albert G. Wenzell.
Earl S. Pomeroy.
Joseph D. Peluso.
Edward L. McDermott.
James B. Moloney.
Carl J. Robertson.
Lea B. Sartin.
Jesse W. Smith.
Jack S. Terry.
Rollo W. Hutchinson.
Edward F. Mullaly.
Joseph A. Hubbell.
Edwin C. Ebert.
George A. Eckert.
Ranson H. Holcomb.
George L. McClintock.
Sterling N. Pierce.
John B. Farrior.
James F. Runner.
Norman Roberts.
Wendell P. Blake.
Paul P. Maher.
Warren E. Bradbury.
William W. Hall.
Thomas H. Taber.

To be assistant surgeons:
Roger D. Mackey.
Earl E. Sullivan.
Howard LeR. Dovey.

To be passed assistant surgeons:
Albion H. Cecha.
John W. Daugherty.
Charles M. Glassmire.
William B. James.
William F. Kennedy.
Robert L. McMahon.
Edward R. Noyes.
McClure Scott.
Clarence N. Smith.
Charles R. Tatum.
Cyrus R. Currier.
Carroll H. Francis.
Frank L. Hubbard.
Henry C. Kellers.
Chester F. McGill.
William T. Minnick.
Arthur H. Pierson.
Ernest F. Slater.
Otis B. Spalding.
Fleete S. Steele.
Joash I. Yohannan.
Richard B. Blackwell.
Frederick R. Haselton.
Joseph J. Kaveney.
William T. Moynan.
Edward Frothingham.
Clarence F. Holtegel.
Robert J. Lawler.
Francis H. Webster.
Thomas O. Cole.
Frank A. Hughes.
Thomas C. Quirk.
Earl E. Dockery.
Gordon H. Lightner.
Emmett J. Brady.
Alan J. Chenery.
Dwight Dickinson, jr.
Leslie B. Wiggs.
Samuel A. Murphy to be an assistant surgeon.
Daniel A. Doherty to be an assistant dental surgeon.

To be passed assistant dental surgeons:
Edwin N. Cochran.
Pyrle A. Fowler.
Berton F. Sweeney.
Ernest C. Johnson.

To be passed assistant paymasters:
Carlton R. Eagle.
Louis H. Huebner.

To be assistant naval constructors:
Lucien M. Grant.
Antonio S. Pitre.

To be chief pharmacists:
William S. Burr.
Kenneth M. Smith.
William E. Saxton.

Cecil H. Jernigan to be a chief pay clerk.
William M. Fechteler to be a lieutenant.

To be lieutenants (junior grade):
Dallas Wait.
Stanton H. Wooster.
Ion Pursell.

To be passed assistant surgeons:
William S. Bunkley.
Elmer J. Morrison.
John A. Cloyd.
Harry J. Noble.
Royal K. Joslin.
John S. Van Winkle.
Hiram B. Duncan.
Herbert L. Arnold.
Alfred M. Kahn.
Dudley D. Shoenfeld.
Arthur H. Pierson.
Henry P. Merrill.
Clarence N. Smith.
Frank H. Sadler to be a commander.

To be lieutenant commanders:
William D. Brereton, jr.
William H. Stiles, jr.
Karl F. Smith.

To be lieutenants:
George P. Lamont.
Clifford H. Roper.
Robert W. Fleming.
Henry P. Burnett.
James B. Ryan.
Francis S. Gibson.
Edward D. Walbridge.

To be lieutenants (junior grade):
George P. Lamont.
Robert W. Fleming.
Francis S. Gibson.
Edward D. Walbridge.
Maurice H. Stein.
Henry D. Baggett.

To be passed assistant surgeons:
Leo L. Davis.
Charles A. Costello.
To be passed assistant paymasters:
Benjamin S. Gantz.
Morton L. Ring.
Raymond M. Bright.
George C. Tasker.
Henry Guilmette.
Wilson S. Hullfish.
Albert B. Dayton.
John Flynn.
William C. Wallace.
To be chaplains:
Curtis H. Dickins.
Charles V. Ellis.
Albert N. Park, jr.
George S. Rentz.
Robert E. Miller.
Francis L. McFadden.
John W. Moore.
Bart D. Stephens.
Joseph F. Underwood.
Starr H. Lloyd.
John H. Finn.
Maurice M. Witherspoon.
Albert E. Stone.
Thomas L. Kirkpatrick.
Earl W. Foster.
Clinton A. Neyman.
Thomas J. Burke.
Razzie W. Truitt.
Francis L. Albert.
John H. S. Putnam.
Walter L. Thompson.
Lewis D. Gottschall.
Perry L. Mitchell.
William T. Holt.
Allison J. Hayes.
William A. Maguire.
Henry G. Catlin.
Garrett F. Murphy.
Haines H. Lippincott.
Wilford R. Hall.
Harrill S. Dyer.
Morris M. Leonard.
William N. Thomas.
Ernest L. Ackiss.
Walter A. Hopkins.
Daniel F. Monaghan.
Harry M. Peterson.
Reuben W. Shrum.
Edgar W. Davis.
Joseph B. Ernest, jr.
John A. McCarthy.
Tipton L. Wood.
Joel H. Benson.
John H. Hyde.
James M. Hester.
Randolph E. Tedford.
Roman M. Peil.
To be passed assistant dental surgeons:
Thomas White.
Clarence A. Chandler.
William J. Rogers.
Martin P. Kane.
Frank B. Ferrill.
Anton C. Tranchina.
Carl E. Reynolds.
Edmund Laughlin.
Edward J. Fitzgerald.
Carlton B. Morse.
James J. Spring.
Roland W. Quesinberry.
Pyrle A. Fowler.
Frank V. Davis.
Charles L. Tompkins.
Georgle L. Reilly.
Leslie T. Conditt.
Edward S. Talbott, jr.
Max Cohen.
William F. Murdy.
Nicholas S. Duggan.
Chester H. Webber.
Charles E. Detmer.
Horace S. Hursch.
George S. Maynard.
Albion C. Tollinger.
John A. Waters.
Charles S. Weigester.
Benjamin H. Barton.
Lester B. Lang.
Edward J. Nooman.
Edwin N. Cochran.
Walton C. Carroll.
Berton F. Sweeney.
Francis R. Hittinger.
William H. Wood.
Carl E. Hall.
Arthur V. Jolligee.
Frederick W. Mitchell.
Alrik Hammar.
Edward R. Noyes.
Oscar G. Ruge.
Richard F. S. Puck.
Charles E. Alexander.
Howard E. Sausser.
Alphonsus A. O'Donoghue.
Henry A. Harris.
Houston B. Fite.
Carlyle J. Edwards.
Carl O. Ficher.
Samuel E. Johnson.
Robert F. Zeiss.
Jacob S. Rosenthal.
Roy L. Fielder.
Robert E. Henderson.
Harry P. Krummes.
Jose A. Perez.
Henry A. N. Bruckshaw.
William B. James.
William A. Reese.
William F. Kennedy.
James C. Walker.
Francis D. Walker.
John G. Downing.
Stephen W. Douglas.
Laurence O. Schetky.
Paul J. Waldner.
Maury D. Baker.
Carl B. Furnell.
Stephen Wierzbicki.
Frank Fulton.
John A. Judy.
John F. Cremens.
Gilbert H. Larson.
Charles M. Glassmire.
Bathune F. McDonald.
Daniel P. Platt.
John A. Marsh.
Reuben H. Hunt.
James K. Gordon.
Frank L. Hubbard.
James M. Archibald.
Charles M. Hatcher.
W. Ivan King.
John A. Salb.
McClure Scott.
Joseph J. Mundell.
Royal A. McCune.
Robert L. McMahon.
Franklyn C. Hill.
William F. Crouse.
Robert D. Hostetter.
Glenn J. Parker.
Samuel Z. Myers.
Francis H. Lee.
Joseph Visalli.
Maurice Joses.
Thomas F. Duhigg.
Frederick H. Gebhardt.
Cope M. Blackford.
Benjamin W. Gaines.
Jules Magnette, jr.
Emmett J. Brady.
Edward J. Cummings.
John Haupt.
Robert E. Weaver.
Thomas A. Stareck.
Carl A. Setterstrom.

Fred A. Payne.
Henry L. Gall.
Paul F. Dickens.
Albert H. Benhard.
Edward G. Dickinson.
Jason H. Barton.
William T. Gildberg.
John H. Schreiter.
Joseph A. Ortolan.
Joseph C. Gill.
DeWitt C. Allen.
Fred H. Stewart.
Walter W. Wade.
Henry B. Schreurs.
Glaister H. Ashley.
Charles F. Tatum.
James F. Finnegan.
Charles W. Lane.
Frederick J. Eakins.
Robert H. Donnell.
Raymond R. Simmons.
Frederick N. Pughsley.
Lloyd A. Kennell.
Edward D. Leete.
Claude H. Roop.
James D. Benjamin.
Enoch G. Brian.
Harry A. Keener.
James A. Winterbottom.
Charles E. Reinhardt.
Charles Schaffer.
Paul V. Tuttle.
James Holden.
Thomas E. Kent.
Allen F. Bigelow.
Henry C. Kellers.
Charles F. Wood.
Roy Aikman.
Edwin G. Swann.
Thomas J. Murphy.
Lawrence Zembsch.
Abraham T. Schwartz.
Alexander J. Link.
Samuel J. Seckelman.
Ervin C. Eastman.
William M. Benton.
Loring Nottingham.
Harold B. Sanford.
Nord F. Smith.
Glen D. Sipe.
Edgar L. Sleeth.
Rodney J. Youngkin.
Roscoe C. Rowe.
George L. Crain.
Leo H. French.
Newton W. Parke.
Charles P. Hines.
Stanley J. Kinkaid.
Robin R. Hinnant.
Charles Peck.
Lincoln Humphreys.
Albin H. Cecha.
Richard M. Little.
Rudolph C. Miller.
William J. Walsh.
Fleete S. Steele.
William A. Gills.
Percy F. McMurdo.
John W. Green.
Joash I. Yohannan.
Henry L. Dyer.
Earl E. Dockery.
Alfred L. Potter.
Ross U. Whiteside.
Harold C. Kelley.
Bert M. Wright.
William G. Rowe.
Anton R. Schier.
Joseph J. Horton.
Gleaves B. Kenny.
Corlis P. Dean.
Clyde E. Snider.
Benjamin W. Claggett.
Jeremiah Harris.
Walter H. MacWilliams.
Willie R. Joiner.
Paul Hapke.
Lloyd C. Sims.
Harry G. Dannilson.
Edward G. Dennis.
William T. Minnick.
Herman C. Roe.
Boyce L. Brannon.
Henry C. Weber.
Ernest F. Slater.
Walter P. Keene.
Irving E. Stowe.
Francis P. Field.
Thomas M. Kelly.
Aclpfar Marsteller.
John A. Topper.
Edward M. Steger.
Chester F. McGill.
Thomas C. Quirk.
Frank H. Towner.
Richard N. Mackey.
Charles Wheatley.
Albert H. Faber, jr.
Gustav R. Petz.
John G. Davis.
Thomas F. Long.
Alfred H. Ehrenclou.
George G. Herman.
George P. Quinn.
William C. Lyon.
George E. Mott.
Cyrus R. Currier.
Otis B. Spalding.
Norman S. Betts.
Marvin B. Gilismann.
Frank Sabiston.
Clyde W. Brunson.
Herbert C. Gifford.
David C. Thompson.
Houston R. Farley.
Zachariah A. Barker.
John W. Daugherty.
Gordon H. Lightner.
William F. Leigh.
Alfred L. Gaither.
Carroll H. Francis.
Hubert R. Stiles.
Jesse D. Jewell.
Joseph F. Lankford.
Berman Dunham.
Roy J. Leutsker.
Frederick Ludwig.
John R. Marshall.
Henry L. Fougerousse.
David E. Horrigan.
J. Howard Branan.
Victor B. Riden.
James P. Bowles.
Chauncey D. Miller.
James D. Blackwood, jr.
Worcester R. Angell.
Benjamin G. Baker.
John B. Bostick.
Frank A. Hughes.
Robert F. Sledge.
William E. Smith.
Thomas O. Cole.
Emil J. Stelter.
James F. Terrell.
Harvey W. Miller.
Frank W. Quin.
Francis E. Tierney.
Edward J. Carlin.

To be passed assistant paymasters:

Edward F. Delaney.
Robert L. Gressitt.
Eugene Dann.
Benjamin L. Lankford.
Archy W. Barnes.
Malcolm D. Stuart.
George A. Wilcox.
Alpheus M. Jones.
Emil E. Artois.
John M. Holmes.
Frank H. Baasen.

George P. Seifert.
Ambrose J. Barnum.
Orlo S. Goff.
Oscar J. Phillips.
Arthur Hesford.
Burnice W. Shumaker.
Thomas M. Schnotala.
Charles R. Sies.
Theodore F. Howe.
James Gately.
Gerald A. Griffin.
Charles H. Breyer.
Charles W. Charlton.
Andrew J. McMullen.
Alvah B. Canham.
John J. Gering.
Otis F. Cato.
Samuel H. Knowles.
Harry Price.
Rudolph A. Asbton.
Thomas A. Henry.
Joseph Reay.
John E. Bibb.
Edward W. Poore.
James E. Reed.
Nils B. Olsen.
George W. Masterton.
Walker A. Settle.
Timothy J. Mulcahy.
Dayton Fisher.
John J. Lynch.
Joseph A. Rebintisch.
Edward R. von Pressig.
Charles E. Sandgren.
Harry A. Hooton.
Arthur W. Babcock.
Lewis S. Sutliff.
Thomas A. Culhane.
George W. Armstrong.
Frank D. Foley.
Noble R. Wade.
Ross B. Deming.
William T. Williams.
Frank W. Hathaway.
Henry E. Brown.
Fred A. Abbott.
Charles E. Rappolee.
Alexander C. Kozlowski.
Thomas J. Bolan.
Joseph O'Reilly.
William R. Parker.
Samuel B. Caldwell.
Orville D. Foutch.
Eugene R. Walter.
Eugene K. Brooks, jr.
Le Roy Moyer.
Edward R. McKenzie.
William J. Smith.
Floyd J. Farber.
Orly Tagland.
George E. Lord.
Maurice T. Scanlan.
John B. Daniels.
Michael J. Dambacher.
Harry E. Stengele.
Melvin E. Throneson.
Houston S. Stubbs.
William C. Jahnke.
William R. Ryan.
Walter T. Cronin.
Nathaniel E. Disbrow.
James C. Masters.
Arthur D. Turner.
James Fellis.
Frederick Scherberger, jr.
Frank R. Tuck.
Frank Lewis.
Theodore S. Coulbourn.
George G. Schweizer.
John H. Seifert.
Maurice S. Hirshorn.
Arthur G. King.
Harry H. Reynolds.
William H. McKenna.
Walter A. Thomas.
Benjamin H. White.
Beverly W. Jennings.
Lester A. Dyckman.
Walter E. Morton.
William C. Colbert.
Benjamin Berkowitz.
Palmer J. McCloskey.
Edison H. Gale.
Percy J. Hutchison.
Marcus E. West.
Thomas C. Edrington.
Albert S. Freedman.
Robert C. Vasey.
William H. Abbey.
Herbert C. Lassiter.
Hilton P. Tichenor.
Michael J. Kirwan.
Arthur P. M. Shock.
Jacques H. E. Everette.
Charles W. White.
John H. Theis.
Allen J. Marshall.
Peter J. Penner.
Wallace D. Chace.
Cecil H. Jernigan.
Clarence A. Miley.
Leonard A. Klauer.
Frederick S. Sullivan.
Francis P. Kenny.
Lawrence C. Fuller.
Thomas L. Sorrell.
Roy L. Walford.
Clifford W. LeRoy.
Clarence W. Baker.
Vergil L. Marsh.
Edwin E. Mullen.
James E. Sanner.
James M. Easter.
Daniel Lynch.
Edward H. Duane.
Jonas F. Rupert.
Edwin R. Gallagher.
Ransom C. Wall.
Lloyd C. Sowell.
Harry H. Bloxham.
Herman W. Johnson.
William E. Lund.
John E. Roberts.
Joseph G. Stanton.
William E. Todd.
Charles E. Rudolph.
Roy E. Smith.
Eugene L. Gray.
Samuel V. Dunham.
Stephen E. Smith.
Ralph J. Dindot.
John L. Cash.
Rufus B. Hurst.
Charles W. Brown.
Allen C. Bridges.
Independent W. Gorton.
Arthur A. Lee.
Walter E. Brown.
Henry G. Conrad.
Harry E. Gross.
Max Baum.
Joseph Simon.
Roy E. Barrett.
Arthur M. Bryan.
Charles A. Sieck.

To be rear admirals:

Edward Simpson.
Josiah S. McKean.
Newton A. McCully.
Andrew T. Long.
Thomas Washington.
Guy H. Burrage.

To be captains:

Chester Wells.
John M. Luby.
David W. Todd.
Rufus Z. Johnston.
Thomas T. Craven.
Gatewood S. Lincoln.
Wat T. Cluverius.
Ralph Earle.

Charles M. Tozer.
Albert W. Marshall.
Daniel W. Wurtsbaugh.
William L. Littlefield.
To be commanders:
Bayard T. Bulmer.
Charles T. Hutchins, jr.
Roe R. Adams.
Henry G. S. Wallace.
Edward J. Marquart.
William T. Coon, jr.
John H. Blackburn.
John T. Bowers.
Joseph F. Daniels.
Frank C. Martin.
Frank Rorschach.
Stephen C. Rowan.
Walter S. Anderson.
Henry D. Cooke.
Leo Sahm.
William W. Smyth.
Fred H. Poteet.
Ralph A. Koch.
Lamar R. Leahy.
Sam C. Loomis.
Macgillivray Milne.
Harold R. Stark.
John S. Arwine, jr.
Martin K. Metcalf.
Ralston S. Holmes.
William J. Giles.
Charles S. Kerrick.
Milton S. Davis.
Charles A. Blakely.
Wilbur R. Van Auken.
James D. Willson.
Ernest Friedrick.
John S. Abbott.
Francis J. Cleary.
Thomas H. Taylor.
Wilson Brown, jr.
To be lieutenant commanders:
Damon E. Cummings.
George M. Courts.
Bert B. Taylor.
Roy P. Emrich.
Jacob H. Klein, jr.
Walter F. Lafrenz.
Henry G. Shonerd.
Ezra G. Allen.
Newton L. Nichols.
Henry R. Keller.
John B. Earle.
Harlow T. Kays.
Reuben R. Smith.
Jonas H. Ingram.
Edmund D. Almy.
Samuel A. Clement.
Herman E. Welte.
Seymour E. Holliday.
Oscar Smith, jr.
Henry F. D. Davis.
Herbert A. Jones.
William R. Smith, jr.
Joseph J. Broshek.
Frank J. Wille.
Haller Bolt.
Eugene E. Wilson.
Abel T. Bidwell.
Walter K. Kilpatrick.
Elwin F. Cutts.
Edward J. Foy.
Edward H. Loftin.
Harry B. Hird.
Harry A. Badt.
Norman R. Van der Veer.
Francis W. Rockwell.
Sydney M. Kraus.
Archer M. R. Allen.
Howard H. Crosby.
Paul E. Speicher.
James L. Kauffman.
John C. Hilliard.
William R. Munroe.
Albert M. Penn.
Paul H. Bastedo.
Charles M. Yates.
James C. Van de Carr.
Jabez S. Lowell.
Clyde G. West.
David C. Patterson, jr.
Charles C. Ross.
Howard M. Lammers.
Francis J. Comerford.
Charles H. Davis, jr.
Arthur S. Carpender.
Robert A. Burg.
Harrison E. Knauss.
Schamyl Cochran.
William F. Gresham.
Frank R. Berg.
Stuart O. Greig.
John C. Cunningham.
John F. Shafroth, jr.
Jules James.
Maurice R. Pierce.
To be lieutenants:
Reginald S. H. Venable.
Robert H. Grayson.
Hartwell C. Davis.
Oliver L. Downes.
Arthur S. Walton.
Arthur W. Dunn, jr.
Samuel S. Thurston.
Jerome A. Lee.
Noel Davis.
Charles B. C. Carey.
Carl H. Jones.
Carleton F. Bryant.
William J. Larson.
Herman A. Spanagel.
Frank L. Lowe.
Theodore D. Ruddock, jr.
Albert G. Berry, jr.
William K. Harrill.
William E. Malloy.
Edmund W. Burrough.
Russell E. Perry.
Herbert J. Ray.
John G. Moyer.
Bert F. Clark.
William A. Teasley.
Alexander R. Early.
Kemp C. Christian.
William J. Hart, jr.
Allan W. Ashbrook.
Charles T. S. Gladden.
William A. Heard.
Simson C. Stengel.
Jesse H. Smith.
Harold J. Nelson.
Francis K. O'Brien.
Malcolm W. Callahan.
Stuart D. Truesdell.
Leon O. Alford.
Robert C. Starkey.
Charles A. Macgowan.
Clarence J. McReavey.
John H. Brown, jr.
Thomas N. Vinson.
Joseph R. Redman.
Theo. D. Westfall.
Zeno W. Wicks.
George B. Wilson.
Alfred H. Balsley.
John M. Creighton.
Albert H. Rooks.
Byron B. Ralston.
Charles E. Rosendahl.
Robert W. Hayler.
Richard L. Conolly.
Thomas J. Doyle, jr.
Charles F. Martin.
Samuel G. Moore.
George Marvell.
Raymond A. Deming.
James E. Boak.
Rudolph F. Hans.
Wilder DuP. Baker.
George S. Arvin.

Ralph O. Davis.
Martin Griffin.
William F. Roehl.
Lloyd J. Wiltsie.
Paul W. Fletcher.
Philip R. Weaver.
Robert P. Luker.
Wallis Gearing.
Lewis J. Stecher.
Harry J. Reuss.
John D. Pennington.
Lynde D. McCormick.
Arthur C. Davis.
Walter A. Hicks.
Howes Bodfish.
Louis R. Moore.
Melville C. Partello.
Robert O. Glover.
Myron J. Walker.
John C. Lusk.
William S. Popham, jr.
Stephen H. Matteson.
Samuel P. Jenkins.
William Granat.
Ryland D. Tisdale.
Philip C. Morgan.
Francis M. Mail, jr.
Frederick G. Richards.
Tully Shelley.
Leighton Wood.
David M. Collins.
Allen G. Quynn.
James R. Kyle, jr.
Charles A. Baker.
Bertram J. Rodgers.
Lyman K. Swenson.
Milton O. Carlson.
Walter D. Snyder.
Morris J. Lenney.
Mark L. Sperry, jr.
Arthur D. Struble.
Warner P. Portz.
Richard W. Bates.
James M. Shoemaker.
Kendall Preston.
John F. Bates, jr.
Edward E. Hazlett, jr.
Leon B. Scott.
Samuel R. Shumaker.
Thomas G. Peyton.
Cornelius W. Flynn.
Armit C. Thomas.
William J. Nunnally, jr.
Francis S. Low.
Morris H. Spriggs.
Marshall B. Arnold.
James E. Maher.
Chester E. Lewis.
Myron W. Hutchinson, jr.
Ralph W. Christie.
Thomas J. Keliher, jr.
Leon S. Fiske.
Lew W. Bagby.
Thorwald A. Solberg.
Walter S. Carrington.

To be lieutenants (junior grade):

Richard W. Bates.
Edward E. Hazlett, jr.
Robert A. Awtrey.
John A. Terhune.
Charles A. Baker.
Heman J. Redfield.
Linton Herndon.
Houston L. Maples.
Frank G. Fahrion.
Ingolf N. Kiland.
Harold S. Klein.
Donald B. Duncan.
Robert B. Dashiell.
James O'D. Richmond.
Simon P. Fullinwilder, jr.
Edmund B. Caldwell.
Edward B. Rogers.
Robert L. Randolph, jr.
Theodore M. Waldschmidt.
Adolph P. Schneider.
Benjamin Buchalter.
John T. Metcalf.
Benjamin F. Staud.
John J. Twomey.
Carl F. Holden.
Hugh St. C. Sease.
Samuel B. Brewer.
James H. Conyne.
Frederick W. Neilson.
Allen I. Price.
Merrill Comstock.
Richard W. Gruelick.
Randall E. Dees.
Albert Noble.
Frank H. Dean.
Lawrence Wainwright.
Sydney J. Wynne.
Julian L. Woodruff.
Andrew G. Shepard.
Lisle F. Small.
Nicholas Vytlacil.
George T. Howard.
Robert G. Tobin.
Herbert B. Knowles.
Robert R. Ogg.
Joseph W. Gregory.
Ross F. Collins.
Paul F. Shortridge.
Walter C. Calhoun.
Lester J. Hudson.
Earle E. Muschlitz.
Vincent J. Moore.
Davenport Browne.
Franklin S. Irby.
Colin DeV. Headlee.
Robert W. McReynolds, jr.
Harrison Avery.
Paul U. Tevis.
George K. Weber.
William F. Dietrich.
Andrew G. Reaves.
John B. Heffernan.
Elliott M. Senn.
Thomas R. Cooley.
Ben H. Wyatt.
Guido F. Forster.
Gale A. Poindexter.
William J. Morcock.
Karl Keller.
Philip W. Warren.
Allen R. McCann.
Herbert W. Anderson.
Carl W. Brewington.
Leonard P. Wessell.
Donald R. Evans.
Andrew R. Mack.
Guy W. Clark.
James P. Conover, jr.
William McK. Reifel.
Rollin V. A. Failing.
Douglas A. Spencer.
Isidore Lehrfeld.
Kenneth M. Hoeffel.
Wilbur V. Shown.
Ralph U. Hyde.
Ralph Wyman.
George M. Keller.
Edward J. Moran.
Francis W. Benson.
Francis T. Spellman.
Ward P. Davis.
Volney O. Clark.
Earl W. Morris.
Kenneth L. Coontz.
Robert E. Keating.
John N. Walton.
Evan G. Hanson.
William G. Ludlow, jr.
John H. Jenkins.
Frank L. Worden.
Frank J. Hanafee.
John G. M. Stone.

Thomas D. Ross.
John V. Murphy.
Seabury Cook.
Herbert W. Jackson.
Charles W. Weitzel.
William S. Heath.
Leland P. Lovette.
To be lieutenants:
Stephen McCarthy.
Joel C. Evans.
Frank H. Whitney.
Hugh Sinclair.
Thomas M. Johnston.
Michael P. Barr.
Michael W. Gilmartin.
James Shannon.
William G. Moore.
John J. Holden.
Patrick Deery.
Hugh J. Duffy.
William A. Cable.
Herbert Campbell.
Clifford H. Sheldon.
John H. Lohman.
Simon Jacobs.
Samuel Chiles.
Edwin N. Fisher.
James T. Roach.
Arthur R. Nickerson.
Ernest V. Sandstrom.
Christian Crohe.
James Donald.
Thomas S. Aveson.
John D. Walsh.
Dennis J. O'Connell.
William Johnson.
Conrad W. Ljungquist.
Wilhelm H. F. Schluter.
William Juraschka.
Thomas P. Clark.
William G. Smith.
Gustav Freudendorf.
Herbert A. Nevins.
Patrick Shanahan.
August Wohltman.
David White.
Leonard Roll.
David B. Vassie.
Joseph Mitchell.
John F. Brooks.
Harry R. Brayton.
Patrick J. Kane.
Edward J. Norcott.
Franklin T. Applegate.
Otto Fries.
Theodore B. Watson.
George Charrette.
William Zeitler.
Peter E. Radcliffe.
Patrick Hill.
David F. Diggins.
John Mahoney.
William J. Foley.
Joseph Hill.
Frederick Muller.
Adolph Hazler.
Martin Fritman.
Frederick R. Hazard.
Stephen Donely.
Otto E. Reh.
August C. Steinbrenner.
Belmar H. Shepley.
Harry A. Davis.
John J. Murray.
John T. Swift.
Robert Rohange.
John Eberwine.
John A. Riley.
Oscar Borgeson.
Thomas J. Hurd.
George A. Messing.
Thomas M. Cassidy.
Edwin Murphy.
Edward A. Manck.
William R. Scofield.
John E. Cleary.
Richard Jeffares.
Robert T. Scott.
Martin J. Clancy.
Samuel L. Wartman.
Lemuel T. Cooper.
Ralph F. Nourse.
George C. Ellerton.
Murray S. Holloway.
Ernest Evans.
William James.
Patrick Fernan.
Frank Risser.
Llewellyn H. Wentworth.
Henry E. White.
Ellwood W. Andrews.
Daniel C. Beach.
William A. Macdonald.
Allen T. Webb.
Thomas W. Healey.
Herman P. Rahbusch.
Henry A. Stanley.
Harold S. Olsen.
Bernard P. Donnelly.
Daniel Duncan.
Edward T. Austin.
Henry Ernest.
James P. Dempsey.
Edward G. Afileck.
Arthur A. Smith.
James H. Morrison.
Thomas O'Donnell.
George O. Littlefield.
Otto Johnson.
Harold I. Lutken.
Charles H. Hosung.
John T. Pennycook.
James A. Hickey.
Kellum D. Grant.
David Purdon.
Clarence M. Wingate.
Charles A. Rowe.
Clarence R. Johnson.
Jannis V. Jacobsen.
George W. Johnson.
John Bryce.
Rasmus Iversen.
Charles O. Holland.
Cornelius J. Collins.
James M. Ober.
Karl Rundquist.
Albion O. Larsen.
Joseph Heil.
Peter Emery.
John McCloy.
John C. Rickertts.
John G. Nicklas.
Arthur S. Pearson.
Harold V. Barr.
Stanley Danielak.
Gotthilf C. Layer.
James J. Cotter.
Edward G. Higgins.
Matthias A. Thormahlen.
John I. Ballinger.
Carl Johanson.
William T. Robinson.
Fred F. Ingram.
James Glass.
John Davis.
John Law.
Frederick W. Metters.
Arthur D. Warwick.
Emil Swanson.
Franklin Heins.
Mons Monssen.
Herbert E. Fish.
James J. Cullen.
John R. Likens.
Frank O. Wells.
Bernhard Christensen.
George W. Byrne.
John Danner.
Charles Schonborg.
James F. McCarthy.

Harry Adams.
Roderick M. O'Connor.
Louis C. Higgins.
Augustine D. Devine.
Fred W. Cobb.
James L. McCormack.
Frederick Meyer.
Nels Drake.
Gerald Ollif.
Henry H. Richards.
George E. McHugh.
William T. Baxter.
William H. Leitch.
Ulysses G. Chipman.
Thomas D. Healy.
Walter S. Falk.
John R. Burkhart.
Charles Franz.
Thomas W. Smith.
Raymond L. Drake.
Henry Lobitz.
James F. Hopkins.
Walter J. Wortman.
Frederick T. Montgomery.
John Sperle, jr.
Constantine Clay.
William B. Stork.
Anthony McHugh.
Frank Bresnan.
Alexander Stuart.
August Rettig, to be an ensign.
To be assistant surgeons:
James E. Fetherston.
Paul P. Maher.
Max Silverman.
Frederick W. Muller.
Maurice S. Mathis.
William H. O'Connor.
Jesse W. Smith.
Warwick T. Brown.
Carl J. Robertson.
Lea B. Sartin.
James Humbert.
Anthony M. Menendez.
George U. Pillmore.
John F. Daly.
Charles P. Archambeault.
William E. Guinn.
Eustace H. Prescott.
Frederick L. Schwartz.
Rex H. White.
James D. Clements.
John N. Slattery.
George W. Wilson.
Wendell H. Perry.
Joseph B. Logue.
Charles F. Behrens.
Albert J. Desautels.
Clement C. Troensegaard.
Jerome Braun.
David B. Peters.
To be passed assistant surgeons:
James A. Halpin.
Lockhart D. Arbuckle.
Philip F. Prioleau.
William O. Bailey.
Erik G. Hakansson.
William L. Martin.
John H. Chambers.
Percy W. Dreifus.
Eben E. Smith.
Walter J. Pennell.
John C. Taylor.
Raymond B. Storch.
Robert W. Wimberly.
George L. White.
Douglas D. Martin.
Charles L. Haines.
Charles K. Reinke.
George P. Carr.
Toson O. Summers.
Travis S. Moring.
Lyman E. Dockry.
James F. Hooker.
Robert E. S. Kelley.
David Ferguson, jr.
Carl J. Bucher.
James J. Regan.
James M. Archibold.
Zachariah A. Barker.
Norman S. Betts.
James P. Bowles.
Henry A. N. Bruckshaw.
William S. Bunkley.
John A. Cloyd.
Paul F. Dickens.
Thomas F. Duhigg.
Francis P. Field.
Henry L. Fourgerousse.
Frederick H. Gebhardt.
David E. Horrigan.
Samuel E. Johnson.
Benjamin G. Baker.
James D. Benjamin.
James D. Blackwood, jr.
J. Howard Branan.
Clyde W. Brunson.
Alan J. Chenery.
John G. Davis.
Dwight Dickinson, jr.
Frederick J. Eakins.
Houston B. Fite.
Benjamin W. Gaines.
William A. Gills.
Lincoln Humphreys.
Royal K. Joslin.
Thomas M. Kelly.
Gleaves B. Kenny.
Joseph F. Lankford.
Richard H. Mackey.
William P. Leigh.
Royal A. McCune.
William Moore.
Glenn J. Parker.
Gustav R. Petz.
George P. Quinn.
William G. Rowe.
John A. Salb.
Edward M. Steger.
James F. Terrell.
Francis D. Walker.
Charles Wheatley.
Lloyd A. Kenneil.
Charles W. Lane.
Gilbert H. Larson.
John R. Marshall.
Richard M. Little.
Harvey W. Miller.
George E. Mott.
Jose A. Perez.
Frank W. Quin.
Claude D. Ropp.
Frank Sabiston.
Anton R. Schier.
Irving E. Stowe.
Frank H. Towner.
William J. Walsh.
Ross U. Whiteside.
Leslie B. Wigg.
Delbert R. Blender.
Emmett J. Brady.
Frederick J. Bryant.
Thomas O. Cole.
Clinton G. DeFoney.
John L. Farmer.
Louis E. Fitzsimmons.
Eric T. W. Boquist.
Cyrus C. Brown.
Colvin B. Childs.
John W. Davis.
Earl E. Dockery.
Guy Fish.
John P. Gilmer.
Chester D. Groff.
Ray W. Hayworth.
William V. Horton.
Walter R. Johnson.
Kenneth D. Legge.
Robert S. Lowry.
William McKinney.

William Moore.
John N. N. Osburn.
Donald G. Rafferty.
David W. Register.
Charles Schwinn.
Alva A. Shadday.
Baxter H. Sigler.
Leslie O. Stone.
John C. W. Taylor.
Alfred G. Tinney.
William W. Waddell, jr.
Arthur J. White.
George G. Hart.
Jonathan E. Henry.
Frank A. Hughes.
James C. Kimball.
Gordon H. Lightner.
James L. Manion.
Waldemar R. Metz.
Harold A. Noreen.
Thomas C. Quirk.
Isaac N. Ratchford.
Charles W. Robles.
Camille M. Shaar.
Jo R. Shiley.
Clarence V. Spawr.
Everett B. Taylor.
Robert W. Thomas.
Stuart J. Trowbridge.
Hiram B. West.
Desse A. York.

To be passed assistant dental surgeon:
Frank S. Tichy.

To be assistant dental surgeons:
Edward B. Howell.
Justin W. Bourquin.
Frank W. Spear.
Clarence E. Garcia.
Allen H. Hetler.
Francis J. Long.
Clarence M. Taft.
Patrick A. McCole.
Richard J. O'Donnell.
Henry R. Delaney.
Robert H. Fladeland.
Walton C. Carroll.
Max Cohen.
Edward Laughlin.
Clarence A. Chandler.
Edward J. Fitzgerald.
William F. Murdy.
Edward J. Noonan.
Carl E. Reynolds.
James J. Spring.
John A. Waters.
George L. Reilly.
William J. Rogers.
Albion C. Tollinger.
Chester H. Webber.
Theodore A. Donahoe.
Clifford E. Kelly.
Henry C. Lowry.
Charles H. Morris.
Henry G. Ralph.
Larry Dupuy.
Harrison J. La Salle.
John L. McCarthy.
Ralph P. Morse.
Ambrus B. Rivers.
Charles O. Sandstrom.

To be pay inspectors:
Victor S. Jackson.
Cuthbert J. Cleborne.
Frederick G. Pyne.

To be passed assistant paymasters:
Emil E. Artois.
Frank H. Baasen.
John E. Bibb.
Eugene Dann.
John J. Gering.
Thomas A. Henry.
Alpheus M. Jones.
Benjamin L. Lankford.
Rudolph A. Ashton.
Archie W. Barnes.
Otis F. Cato.
Edward F. Delaney.
Robert L. Gressitt.
John M. Holmes.
Samuel H. Knowles.
Nils B. Olsen.

To be chaplains:
Curtis H. Dickins.
Edward W. Poore.
Joseph Reay.
Malcolm D. Stuart.
Harry Price.
James E. Reed.
George A. Wilcox.
Hugh M. T. Pearce.
James D. MacNair.
Frank H. Lash.
George B. Kranz.
Emil H. Groth.

To be professors of mathematics:
Frank B. Littell.
Asaph Hall.

To be assistant naval constructors:
Ellis W. Craig.
George J. Shaw.
John T. S. Miller.
Joseph A. Barton.
Frank H. Preble.
Thomas W. Richards.
Joseph M. Simms.
Matthew B. Pollock.
William C. Hardie.
John A. Lord.
Frederick M. Kirchmier.
Frank Gilbert.
Lawrence A. Maaske.
George Helms.
Francis J. Harte.
Timothy E. Kiley.
Joseph P. Yates.
McCall Pate.
William E. Powell.
Frederick C. LePine.
Walter W. Toles.
William F. Hamberger.
William O'Neill.
George A. Lazar.
Thomas B. Casey.
Elvie L. Kempton.
Harry E. Cooper.
Timothy S. Twigg.
Joseph Feaster, jr.
Harry T. Newman.
Robert H. Lake.
Stuart P. Mead.
Francis X. Maher.
William H. Sampson.
Caleb Whitford.
Albert Tucker.
Clifton Greenwell.
Wilbert O. Crockett.
James W. Costello.
Brandt W. Wilson.
Joseph J. Redington.
Robert Velz.
Louis Haase.
Robert H. Neville.

To be chief boatswains:
Lewis H. Cutting.
Murry Wolffe.
William R. Spear.
William T. Shaw.
Joseph D. Glick.

To be chief gunners:
Clyde H. McLellon.
James J. Delany.

To be chief machinists:
Charles Swanberg.
Philip S. Flint.
Paxton Hotchkiss.
George J. Romulus.
Fred C. Wolf.
Fred T. Rider.

To be chief pharmacists:
Charles A. Adelmann.
Virgule M. Coulter.
James F. Durkin.
Allen J. Heuschling.
Henry P. Knowles.
Walter W. McKee.
Lindsey W. Rider.
Charles C. Thome.
Charles F. Whitmore.
George R. Hansen.
Benjamin E. Irwin.
Glenn F. Lyon.
Daniel J. O'Brien.
Norman L. Saunders.
Franklin G. Wetherell.
Max E. Zimmerman.

To be chief pay clerks:
James C. Masters.
Allen J. Marshall.
Joseph G. Stanton.

To be lieutenants:
George L. Russell.
John L. Barnswell.

To be assistant dental surgeons:
Joseph W. Baker, jr.
William D. Day.
Julian A. Turrentine.

MARINE CORPS.

To be colonels:
Charles S. Hill.
David D. Porter.
George C. Reid.
Robert H. Dunlap.
Randolph C. Berkeley.
Carl Gamborg-Andresen.
John F. McGill.
Louis M. Gulick.
Frederic L. Bradman.
James C. Breckinridge.
Arthur T. Marix.
George Van Orden.

To be lieutenant colonels:
William H. Pritchett.
Thomas H. Brown.
Robert Y. Rhea.
Frank J. Schwable.
Eli T. Fryer.
Thomas Holcomb.
Richard P. Williams.
Edward A. Greene.
Edward B. Manwaring.
Thomas M. Clinton.
Hamilton D. South.
James T. Buttrick.
Giles Bishop, jr.
Frank Halford.
James K. Tracy.
Berton W. Sibley.
Arthur J. O'Leary.
Macker Babb.
Harold C. Reisinger.
Frank E. Evans.
Harry R. Lay.
Charles B. Taylor.
Rush R. Wallace.
John W. Wadleigh.
William C. Harblee.
Richard S. Hooker.
Norman G. Burton.
John C. Beaumont.
Hugh Matthews.
Douglas C. McDougal.
Presley M. Rixey, jr.
Theodore E. Backstrom.

To be majors:
William W. Buckley.
William C. Wise, jr.
William D. Smith.
Harold B. Pratt.
Randolph Coyle.
Philip H. Torrey.
Robert L. Denig.
Charles S. McReynolds.
Charles F. B. Price.
William C. Powers, jr.
Russell H. Davis.
Sydney S. Lee.
Ross E. Rowell.
Harold H. Utley.
Howard C. Judson.
Paul A. Capron.
William F. Bevan.
John Potts.
Edward A. Ostermann.
Samuel Bogan.
Calvin B. Matthews.
Albert E. Randall.
Arthur Raccot.
Frederick A. Gardener.
Tom D. Barber.
Edward W. Sturdevant.
Andrew B. Drum.
Victor I. Morrison.
Maurice E. Shearer.
Charles A. Lutz.
Calhoun Ancrum.
David M. Randall.
Rolland M. Smith.
John R. Henley.
Ralph L. Shepard.
Howard W. Stone.
Bennet Puryear, jr.
Ralph S. Keyser.
Julian P. Willcox.
Benjamin S. Berry.
Ross S. Kingsbury.
Edwin N. McClelland.
Littleton W. T. Waller, jr.
John Dixon.
Henry M. Butler.
John Marston.
Wilbur Thing.
Edwin H. Brainard.
Alfred A. Cunningham.
Alley D. Rorex.
Samuel M. Harrington.
Harold L. Parsons.
Chester L. Gawne.
Thomas E. Thrasher, jr.
Nedom A. Eastman.
Clarence C. Riner.
Leon W. Hoyt.
Julian C. Smith.
Charles J. Miller.
Leander A. Clapp.
William S. Harrison.
Robert W. Voeth.
Thomas S. Clarke.
Clarence E. Nutting.
Joseph C. Fegan.
Joseph D. Murray.
Woolman G. Emory.
George H. Osterhout, jr.
John Q. Adams.
Francis T. Evans.
Charles G. Sinclair.
Adolph B. Miller.
Allen E. Simon.
Ralph E. Davis.
Harry W. Weitzel.
Sidney N. Raynor.
Frederick R. Hoyt.
Renato Tittoni.

WITHDRAWALS.

Executive nominations withdrawn from the Senate March 3, 1921.

PROMOTIONS IN THE NAVY.

Midshipman Roland E. Simpson to be an ensign in the Navy.

Maj. (Temporary) Edward M. Reno to be a major in the Marine Corps.

Asst. Surg. John F. Daly for temporary service to be an assistant surgeon in the Navy with the rank of lieutenant (junior grade).

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 3, 1921.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, help us to see Thee through our sorrow and to know Thee through the subtle processes of our hearts. The noblest creation of Thy handiwork is a good man. One has fallen; a mighty oak of the high lands has been lowered. In his heart there was no guile; his hand was never extended in infidelity; he wore his heart on his sleeve.

Oh, the workmen die but the work goes on forever. He was so constant in his labors, so just in his decisions, so manly and honorable in his bearing, that we would keep in sacred memory the moral grandeur of this man who wore truth upon his brow and kept falsehood under his feet.

Comfort and console the sorrowing ones to-day with the tenderest care, and abide with his honorable colleagues in the peace that passeth understanding, and may the watchword of this day be his word—duty. For Jesus' sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

RECESS TO-DAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 to 8 o'clock this afternoon; and I would like to ask whether that would preclude my asking for an earlier recess.

The SPEAKER. The Chair thinks not. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 to 8 o'clock this afternoon. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present. Evidently no quorum is present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper was directed to close the doors and the Sergeant at Arms to notify absent Members.

The Clerk called the roll, and the following Members failed to answer to their names:

Britten	Focht	Johnson, S. Dak.	Ramsey
Brumbaugh	Frear	Johnston, N. Y.	Riddick
Burke	Gallagher	Juul	Riordan
Byrnes, S. C.	Gallivan	Kennedy, Iowa	Rowan
Caldwell	Gandy	Kennedy, R. I.	Rubey
Candler	Garner	Kettner	Sanders, Ind.
Cantrill	Glynn	Kincheloe	Sanders, La.
Carss	Goldfogle	Kitchin	Sanford
Casey	Goodwin, Ark.	Kleczka	Scully
Clark	Graham, Pa.	Lampert	Sears
Classon	Green, Iowa	Langley	Smith, N. Y.
Costello	Hamill	Larsen	Steele
Crowther	Hamilton	Lonergan	Stiness
Curry, Calif.	Hardy, Tex.	McCulloch	Sullivan
Davey	Harreld	McDuffie	Thomas
Dent	Harrison	McFadden	Tinkham
Dewalt	Hersman	McKinley	Towner
Donovan	Hill	Maher	Upshaw
Dooling	Howard	Mann, S. C.	Vare
Doughton	Hulings	Mays	Venable
Dupré	Hull, Iowa	Mead	Watkins
Eagan	Husted	Moon	Webster
Eagle	Igoe	Mooney	Welling
Ellsworth	Ireland	Phelan	Whaley
Emerson	James, Mich.	Rainey, Henry T.	Winslow
Fairfield	Johnson, Ky.	Rainey, John W.	Wise

The SPEAKER. Three hundred and twenty-three Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

COMMITTEE TO ATTEND FUNERAL OF LATE REPRESENTATIVE CLARK OF MISSOURI.

The SPEAKER announced the following committee to attend the funeral of the late Representative CHAMP CLARK, of Missouri:

Mr. RUCKER, Mr. DYER, Mr. DICKINSON of Missouri, Mr. ROMJUE, Mr. RHODES, Mr. MILLIGAN, Mr. HAYS, Mr. BLAND of Missouri, Mr. MCPHERSON, Mr. MAJOR, Mr. NEWTON of Missouri, Mr. IGOE, Mr. RUBEY, Mr. NELSON of Missouri, Speaker GILLETT, Mr. CANNON, Mr. SHERWOOD, Mr. MANN of Illinois, Mr. MONDELL, Mr. KITCHIN, Mr. GARRETT, Mr. FORDNEY, Mr. CRISP, Mr. GOOD, Mr. BYRNES of South Carolina, Mr. LONGWORTH, Mr. FERRIS, Mr. CAMPBELL of Kansas, Mr. FLOOD, Mr. MASON, Mr. JOHNSON of Kentucky, Mr. TINCHER, Mr. WILLIAMS, Mr. CLARK, Mr. HUMPHREYS, Mr. IRELAND, Mr. HARDY of Texas, Mr. SANFORD, Mr. GALLIVAN, Mr. JACOWAY, Mr. WALSH, Mr. BROWNE, Mr. CARAWAY, Mr. MARTIN, and Mr. LINTHICUM.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution:

Senate resolution 472.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHAMP CLARK, late a Representative from the State of Missouri.

Resolved, That a committee of 14 Senators be appointed by the Presiding Officer, to join the committee appointed by the House of Representatives, to take order for the superintending of the funeral of the deceased.

Resolved, That the Senate accepts the invitation of the House of Representatives extended to the Vice President, the Vice President elect, the Senate, and the Members of the Senate elect, to atend the funeral of the deceased, to be held in the Hall of the House of Representatives at 10.30 o'clock a. m. on Saturday next, March 5, instant.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The message also announced that the Presiding Officer had appointed as the committee on the part of the Senate to take order in superintending the funeral of Hon. CHAMP CLARK, late a Representative from the State of Missouri, Senators REED, SPENCER, ROBINSON, SUTHERLAND, SHIELDS, KENYON, OWEN, LENROOT, RANSDELL, FERNALD, ASHURST, HARRISON, BECKHAM, and MCKELLAR.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5044. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.

The message also announced that the Vice President had appointed Mr. WALSH of Montana and Mr. FRANCE members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for disposition of useless papers in the Department of Labor.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 346. Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4893. An act to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union;

S. 1551. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America;

S. 4864. An act to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914;

S. J. Res. 251. Joint resolution to authorize the payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy; and

S. 4664. An act to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 15812. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

MEETING OF COMMITTEE ON COMMITTEES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, a call for a meeting of the committee on committees of the majority was made for Saturday, March 5, at 11 o'clock a. m. Owing to the arrangements which have been made with regard to the funeral of ex-Speaker CLARK, that meeting will be postponed until 2 o'clock in the afternoon of Saturday.

PROPERTIES OF OFFICERS AND ENLISTED MEN OF THE ARMY.

The SPEAKER. The unfinished business is a motion to suspend the rules and pass the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes, which the clerk will report.

The Clerk reported the title of the bill.

The SPEAKER. A second had been ordered, on the demand of the gentleman from Ohio [Mr. GARD]. The gentleman from Pennsylvania [Mr. CRAGO] is entitled to 20 minutes and the gentleman from Ohio to 20 minutes.

Mr. CRAGO. Mr. Speaker, I want to take the attention of the House just long enough to explain why a bill of this importance is presented at this time, and also to explain what is attempted by it. Prior to 1918 there were some abuses which had arisen in the matter of the provisions for payment for lost property. We found on the Military Affairs Committee that things were happening in respect to our transportation of troops abroad, which we had never been called upon to meet before. Therefore, in the Army appropriation bill of 1918, Fortieth Statutes, page 880, we enacted a provision providing for the reimbursement to officers and enlisted men for loss of private property. The bill which you heard read last night and which is now under consideration is a reenactment of that act with this addition, in order to meet some interpretations with which some of you gentlemen are familiar, made by the Comptroller for the War Department. It is intended to do two things.

The comptroller has held that while an officer or enlisted man who has lost his own private property which he is required to have while attempting to save Government property may be reimbursed under the provisions of this old act, yet if he is engaged in saving human life or in saving his own life and is compelled to abandon that property he is not entitled to recover, because he can not show, as is held necessary under the rulings of the comptroller, that he was at the time engaged in saving Government property. If he had grabbed a wheelbarrow or a shovel or anything of that kind and started from the building as he made his escape, he might have technically complied with the requirements of the comptroller.

It was held by the comptroller under this act that money, even though it might be intrusted by the enlisted man to an officer, if destroyed or abandoned or taken by the enemy, as was done not infrequently, is not within the meaning of this act property. It is intended to obviate that difficulty and make it possible to cover cases like the ones which have been presented to my good friend the Representative from Pennsylvania [Mr. BUTLER], where there were about 75 men from a battery organized in his district, who lost property in this way. These men one pay day gave, under the direction of the captain, a greater portion of their pay, some $10, $15, $20, $30, $40, $50, to the first lieutenant, with which he was to buy post-office orders for the men that they might send them home to their parents. That night this organization went over the top in Belgium. The officer was shot and captured, and every dollar of this money belonging to these enlisted men was taken by the Germans. A complete record, however, was kept in the company files, and they have the name and home address of every individual and the amount intrusted by him to the officer down to a penny. That happened at different times where an officer was captured under similar circumstances. It happened in our own One hundred and tenth Pennsylvania, where one of the battalions was practically wiped out, when they were in a way deserted by the French troops on both their flanks. Those men had been paid just a short time before, and they lost every dollar they had by reason of that. It is to meet such conditions and put these men who have been saving human life on the same status as men who are engaged in saving Government property, and to include money as an item of property.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. McCLINTIC. By the terms of this bill would the heirs of the deceased officers whose property had been lost receive consideration?

Mr. CRAGO. If under the present law they would, they would under this.

Mr. McCLINTIC. There is nothing new, then, in reference to that particular thing?

Mr. CRAGO. No.

Mr. EDMONDS. Mr. Speaker, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. EDMONDS. We have a bill before our committee to reimburse officers in Texas, where a tornado destroyed a lot of personal property belonging to them. Do I understand that this bill will pay them for that personal property?

Mr. CRAGO. I would not be prepared to state that.

I think that the old bill did not cover that. I am not sure whether this would or not.

Mr. EDMONDS. I am afraid the gentleman's bill does cover that, and I am afraid the personal effects of officers stationed at encampments will be paid for under this bill.

Mr. CRAGO. They are paid for under the old bill.

Mr. EDMONDS. Not unless they are occupied in saving Government property.

Mr. CRAGO. But in saving human life. That is the only difference we make. We contend that the saving of human life is as meritorious as the saving of Government property.

Mr. EDMONDS. I agree with the gentleman there, but I think the effect of this would be to allow personal property——

Mr. CRAGO. It does not do anything except make the saving of human life equal with the saving of Government property, and the consideration of money as property.

Mr. EDMONDS. The gentleman is quite sure the bill does not cover cases of that kind?

Mr. CRAGO. That would be my judgment on it.

Mr. SISSON. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. SISSON. Is the gentleman not afraid that he will commit the Government to make good a loss which is an incident of war?

Mr. CRAGO. Well, they can only recover, I will say to the gentleman, for personal property which they are required under orders to have and which has been handled under orders.

Mr. SISSON. Well, no civilized Government has ever made itself responsible for the loss of property which is an incident of war. Now, the moment you commit yourself to that proposition you are lost.

Mr. CRAGO. I will say that this only applies to personal effects of men and officers.

Mr. SISSON. That may be. There is no more reason why you should pay for the loss of personal effects than you should pay for the loss of real estate, say, for instance, houses.

Mr. CRAGO. I will say to the gentleman that this does not do anything except what the present law does and except what I have enumerated. It only classifies the saving of human life with the saving of Government property and makes money personal property.

Mr. SISSON. Now, the saving of human life is quite an entirely different principle. Your bill here in itself is not either expensive, if it stops there, and is not harmful. I do not know that it ought not to be true that when nations go to war that the Governments engaged in war should be called upon to respond for the loss of all property and of life because that will stop war, but the trouble is that it is the principle no nation has agreed to.

Mr. CRAGO. We have already established the principles enumerated here.

Mr. WELTY. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. WELTY. Will this bill cover a case where property was lost by a soldier when in action?

Mr. CRAGO. He gets that property now replaced in kind.

Mr. WELTY. Under the statute?

Mr. CRAGO. Under the present statute, yes; but if he had $10, $15, or $20 and he can show that was given, as in the case I have cited, to an officer, if he can establish that from the record, they would reimburse him for that, but they do not reimburse a man for anything which he has lost which, under ordinary circumstances, he should not have with him and was not required to have and required to have by orders.

Mr. WELTY. Should have with him at the time of action?

Mr. CRAGO. Yes.

Mr. WELTY. Suppose that he had left property behind?

Mr. CRAGO. If he is compelled to abandon it, he would get——

Mr. WELTY. But suppose the property is abandoned and when they return to their stations after action the property was gone?

Mr. CRAGO. If it was destroyed, under the present law he would get it.

Mr. WELTY. But suppose somebody stole the property?

Mr. CRAGO. That would depend entirely on the circumstances. He would have to prove that as in other claims.

Mr. BUTLER. Stolen by the enemy.

Mr. CRAGO. Stolen by the enemy would be all right; but it provides that it must not be the result of his own negligence.

Mr. WELTY. But suppose they are required to leave property at certain places while they go into action, and when they return the property is gone. That is no fault of their own?

Mr. CRAGO. Under the present law they can recover.

Mr. McCLINTIC. We are still considering claims which were made based upon a war of 60 years ago. Does not the gentleman think it would be wise to limit——

Mr. CRAGO. They are limited; it must be within two years.

Mr. McCLINTIC. This covers claims arising out of this war.

Mr. CRAGO. All claims that come up under this and all claims that can come up under this will be growing out of this war.

Mr. McCLINTIC. I was only interested that we should have some limit put on these claims as to when they could finally be called up.

Mr. CRAGO. This changes the present law only in the particulars I have mentioned.

Mr. PELL. Will this reimburse any amount of money which a man happens to be carrying in his pocket?

Mr. CRAGO. No; it would have to be held in this particular that it was a reasonable amount of money for him to have under the circumstances.

Mr. PELL. And only applies in action during the war?

Mr. GRIFFIN. Mr. Speaker, I desire to ask——

Mr. PARRISH. Will the gentleman from Pennsylvania yield to a question?

Mr. GRIFFIN. The gentleman has yielded to me. I desire to ask the gentleman whether or not this bill applies to the case of an officer or enlisted man who leaves his personal property in the custody of the United States Government officers at a post, an established post, is assigned to some other duty, and while his property is located at this post under the control of the Quartermaster's Department it is lost or destroyed?

Mr. CRAGO. I think, if the gentleman will permit, that he will recall that during the time when we served, in cases like that they were covered by boards of survey. They still exist, and that would be a proper case for a board of survey.

Mr. GRIFFIN. The proposed law does not meddle with the situation as it exists?

Mr. CRAGO. Not as to that at all.

Mr. PARRISH. How much does the gentleman think these claims will total?

Mr. CRAGO. The number they have proven now and which are awaiting determination, I think, run less than $300,000. But we are appropriating $300,000. If it is abused we can stop it at any time by refusing to appropriate, just as under the old law you can refuse to appropriate. The matter is submitted to the Secretary of War before the claim is paid.

Mr. BUTLER. I wish to say that these men were killed, and their receipts were buried with them. About 76 men lost all of the property they had saved for their mothers. It is to cover such cases as that that the Secretary of War advised me he sent this measure to the Congress. All of these claims are proven, because they had the receipts in their pockets.

Mr. EDMONDS. Is there a limitation as to the value of personal articles?

Mr. CRAGO. The value would have to be proven to the satisfaction of this board, and it is limited to articles they are required to have.

Mr. EDMONDS. It was only a short time ago that a naval officer came in and asked for reimbursement for a gold dressing set.

Mr. CRAGO. That is an example of what they were doing at the time we passed the other act. We stopped that abuse, but in doing so we placed limitations which under the decisions of the comptroller have worked great hardships on the men in the service.

Mr. GARD. Mr. Speaker, I desire to yield 10 minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, I think that the bill before the House is very just legislation and should be enacted without delay. There has been some complaint as to the precedents that legislation of this character would establish. But here is the situation: These men were on the battle field defending their country. In certain instances, after they had collected their pay they turned it over to their commanding officer, who they probably felt was less exposed to danger than they were, exercising every precaution they could exercise against the loss of their belongings. They could not leave their command and go to a bank to deposit their money or their belongings. They were there under orders which prevented them from taking any course other than the course they took to protect themselves against loss. These losses came, not by reason of any fault of their own, but because of circumstances absolutely beyond their control.

Now, the Government insures transportation companies upon the high seas. Insurance is issued in many forms, and I contend that to insure or to reimburse these men against the losses they incurred in line of battle is only an act of justice upon the part of the Government, and the legislation should be immediately enacted. As I said a moment ago, it was a physical impossibility for them to do more than they did in their efforts to protect themselves against the losses which they incurred.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. FIELDS. I yield.

Mr. JOHNSON of Mississippi. Is it the purpose of the bill to pay to the parents of the deceased, or brothers or heirs, money which he lost by turning it over to his superior officer or to the officer in command? Is not that the purpose of the bill?

Mr. FIELDS. If the soldier is dead, any benefits accruing to him under this bill would doubtless go to his beneficiaries.

Mr. JOHNSON of Mississippi. There was so much fuss in the Chamber awhile ago when the gentleman from Pennsylvania [Mr. CRAGO] was trying to explain that I could not hear a word. I wish the gentleman would explain that.

Mr. FIELDS. When a man in the service dies in camp or falls on the field of action his heirs, or his estate, are entitled to whatever he possesses, and the War Department turns his belongings over to the proper party.

Mr. MONTAGUE. Will the gentleman yield?

Mr. FIELDS. I yield.

Mr. MONTAGUE. Referring to the remark of the gentleman that when a soldier or an officer dies upon the field of battle his heirs or personal representatives are entitled to whatever estate he leaves, I will state this instance:

An officer is killed in the last days of the World War in France. He has in his possession a check for a month's pay. That check does not reach his father, who is his heir, until the expiration of some six or seven months. The check on the margin shows that it is payable in dollars, but in the body of the instrument is payable in francs.

When presented for payment to the Treasury Department, it declines to pay in dollars, but pays only the value of the depreciated franc, compelling the heir of the estate to lose a substantial proportion reckoned in dollars. What remedy do you propose in a case of that sort? Does not the statute prescribe the pay of an officer or private shall be in dollars? If so, what reason can the department give for violating the law and not paying as the statute directs? The instance I have given must be one of many. I think the declination to pay in dollars is illegal and in bad faith.

Mr. FIELDS. I know of no reason for it. I will say to the gentleman if that check had not been indorsed by the payee no one, in my opinion, could legally indorse it. It should have been returned to the Treasury and a proper check issued.

Mr. MONTAGUE. It was returned to the Treasury by the heir and personal representative of the deceased officer, and the Treasury Department declined to pay it otherwise than in the depreciated franc.

Mr. FIELDS. I fully agree with the gentleman that the check should have been worth in United States money what its face called for, and I have no sympathy with the officer who would take advantage of any technicality to deprive the holder of that check of any of its face value.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. ROSE. The gentleman from Pennsylvania in presenting the features of this bill made the statement that it has been held that money is not personal property. That was news to me, and I wondered if the gentleman from Kentucky had familiarized himself with the reasoning by which the comptroller held that money is not personal property.

Mr. FIELDS. I remember that we had a discussion of that before the committee, but it was many months ago, and I am not now familiar with the details, I will say to the gentleman.

Mr. NEWTON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. I will.

Mr. NEWTON of Missouri. The gentleman in a colloquy with the gentleman from Virginia referred to the action of the department in not honoring checks payable in dollars, but in francs, and thereby grossly underpaying officers and men. I have in mind several such instances. I took them up with the department, and in every instance it was turned down. It was my understanding that a bill had been proposed and introduced and referred to the Committee on Military Affairs to correct that situation. Can the gentleman inform me as to the status of that bill?

Mr. FIELDS. I recall that I was one of the very ardent supporters of that bill, and if my memory serves me aright the committee favorably reported it. I am not sure, but that is my recollection.

Mr. NEWTON of Minnesota. It is a situation that works gross injustice and ought to be corrected.

Mr. FIELDS. Yes; I think it ought to be corrected, and without delay.

Mr. DAVIS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. DAVIS of Tennessee. In my opinion the reimbursement provided for in the first, second, and fourth classes is very meritorious, but it occurs to me that the third class involves a very dangerous proposition. I have reference to the loss or damage to property shipped by common carriers or otherwise. Of course, there are different classes of freight rates and transportation rates. The shipper can take the low rate with a low insurance, or a higher rate with a higher insurance in case of loss. But do you not think that this is not only calculated to involve a very great payment of claims in large amount, but is calculated to encourage a failure to properly protect shipments by shipping them at the proper rate in accordance with the actual value of the property, and also an encouragement to these men to ship valuables in baggage or freight or by express, which they would not do if they felt that they would not be reimbursed by the Government in any event?

Mr. FIELDS. I can say to the gentleman that if a man ships valuables at a low rate at a certain rate of insurance, he could not recover more than the value stipulated in his application for insurance.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. SUMNERS of Texas. Does not the gentleman think that this proposed legislation is going too far? Does it not undertake to have the Government insure the individual against the hazards which are unavoidably incident to the service, and yet not directly connected with the military service of the Government?

Mr. FIELDS. I will say to the gentleman that the individual is required by the Government to have certain property, and he is in many instances held responsible for a correct accounting for that property.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. FIELDS. Can I have some more time?

Mr. GARD. Mr. Speaker, I yield two minutes to the gentleman from Kentucky.

The SPEAKER. The gentleman from Kentucky is recognized for two minutes more.

Mr. FIELDS. The individual is required to make a proper accounting to the Government for the property. The soldier has no discretion or option in the matter. He must do whatever he is directed to do, and when he sustains these losses owing to circumstances beyond his control, circumstances over which he has no control, it is only fair that the Government should reimburse him for such loss.

Mr. SUMNERS of Texas. A private individual also sustains hazards. His property is subject to them.

Mr. FIELDS. Oh, yes; but I will say that there is a difference between the status of a private individual who ships property on his own volition and takes his own risk for the profit that there is in it and that of the soldier who is drafted by his country to go to the battle field and fight in defense of his country.

Mr. SUMNERS of Texas. While that is true—and it is true, of course—is not that the hazard which he has assumed in that service, and which properly belongs to the service, and which the individual ought to bear rather than open up this wide field for governmental reimbursement?

Mr. FIELDS. Well, so far as I am personally concerned, I differ with the gentleman from Texas. That is a matter of opinion. I can not bring myself into agreement with the opinion of the gentleman from Texas.

Mr. SUMNERS of Texas. My question was directed to the gentleman in the hope to get his views and to get what information he could give on that point.

Mr. FIELDS. I think the Government should reimburse these men.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. GRIFFIN. What is the meaning of the term "regulating" in line 2 of page 3 of the bill? It seems to me that it might mean, or ought to mean, regulating the amount of baggage, or perhaps regulatory of the amount.

Mr. FIELDS. That may be a typographical error. I am inclined to think from a casual inspection of the language that it is a typographical error.

Mr. Speaker, I yield back any unused time.

Mr. GARD. Mr. Speaker, I yield eight minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Mississippi is recognized for eight minutes.

Mr. SISSON. Mr. Speaker and gentlemen of the House, at the outset I want to state that this is not an opportune or proper time to bring up a bill carrying as much money as this does and opening up the floodgates, as this opens up the floodgates to claims which no man can enumerate.

This, in my judgment, is an invasion of every principle laid down by civilized governments up until the legislation which this act seeks to amend was passed in March, 1918. No Government has ever yet undertaken to make whole a loss which is a necessary incident of war.

Now, there was this sort of principle—and there is justice in it—that where an officer is required to be mounted he is permitted to take his own horse into war, and, if killed, that horse would be paid for by the Government. Or if he is required by law to have some particular class of property which the Government may not furnish him with, but which he says, "I will furnish myself," and that property is lost, then the Government pays for it. Why? Because that is as broad as it is long. If he is required to have it, the Government would then have to purchase it. So many officers, preferring to have their own horses, or preferring to have a certain character of property which they prefer to use, the Government is relieved of the purchase of that necessary equipment.

But this bill goes further than that. This bill proposes to insure to every soldier on the field, whether he is killed or not, if he shall deposit with the officer his money and the officer should be killed, and after being killed the money should be taken by the enemy. That is an instance which they cite here as being one of the reasons why this bill should pass. But the trouble is that that proposition commits the Government to the principle of insurance against loss, which has never been done by any Government.

Mr. DOWELL. Does it not open the door to very many claims?

Mr. SISSON. It opens up the door to claims for loss of property by all the soldiers of the United States Government, provided the soldier can prove that he carried the property with him. Yet here in the dying hours of the session you are passing a bill which involves $300,000, and the man does not live who can tell you what it will finally cost before this thing is over, not only in the way of the actual payment of claims but cost in more clerk hire than you dream of to make all the investigations into these claims. Why, soldiers and citizens everywhere take the chances of losses incident to war. In other words, if your property happens to be within the battle lines, and it is destroyed by the guns of your own Army or the guns of the enemy, no nation pays for that. If it is in a friendly country, and it is necessary to remove your house in order to open up the view, a friendly commander might value your house and take it out of the way.

Mr. SMITH of Idaho. Without the passage of this legislation what relief will be afforded to officers whose property was destroyed in a railroad wreck, for instance, when they were traveling under orders? We have an instance of that kind in Idaho, where officers of the Second Idaho Regiment lost their personal property in a railroad wreck en route to New York to sail for France.

Mr. SISSON. That is provided for in the railroad act, during Government ownership. If the railroad officials were responsible, their negligence would make them responsible and you would go to the railroad.

Mr. SMITH of Idaho. That accident occurred nearly four years ago, and yet these officers have never been paid.

Mr. SISSON. There are thousands of private individuals who get hurt on railroads, and they may never be paid. As a matter of fact a man gets no more rights because he is an officer than a private individual has; and if in the management of a railroad train there was negligence on the part of the employees of the railroad, that is provided for in the act by which we took over the railroads.

Mr. SMITH of Idaho. That would impose upon such officers the expense and trouble of prosecuting their claims in the courts?

Mr. SISSON. Absolutely, if he suffers loss of property. He ought to take care of his property, whether in war or not.

Mr. MANN of Illinois. His action would not be prosecuted in the Court of Claims.

Mr. SISSON. No; of course not.

Mr. MANN of Illinois. It is not a claim against the Government.

Mr. SISSON. It is not a claim against the Government. Yet gentleman seem to be willing to violate every principle that insures the Government against bankruptcy by passing such a bill as this in the dying hours of this Congress. This bill ought not to pass. Yet it is in the last hours of the session that so much legislation is allowed to pass, that the people wake up to when we get back home, and we did not know it was done. So, not only because of the amount of money which is carried in this bill, which is not an inconsiderable amount, $300,000, but because of the far greater future amount involved, this bill ought not to pass. No man can tell where it will end when we throw wide open the Treasury doors to claims of this sort. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Has all time expired?

The SPEAKER. The gentleman from Pennsylvania [Mr. CRAGO] has two minutes remaining.

Mr. CRAGO. I agreed to yield two minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. There has been a good deal of talk about the dying hours of Congress. I want these two minutes to speak, out of order, to say good-by to the Members.

Mr. Speaker, it is not given to many persons to speak at their own obsequies or to write their own obituary. I do not wish to sing a swan song, because with that discordant note the life of that picturesque and historic ibis ends for all time.

I have asked for these few minutes to say that on the 4th of March, after a service of 10 years, I shall retire from this honorable body to private life, and that I will carry with me the highest regard not only for my present associates and colleagues of this Congress but also of all those with whom I have previously served. It has been a distinct honor and privilege to be a Member of the House of Representatives of the United States. This is the greatest of all nations, where golden opportunities await every citizen, young or old, rich or poor, as a reward of reasonable effort and ordinary industry. My constituents have honored me by electing me five times to this great office, for which honor I have endeavored to give faithful service and merit the trust reposed in me. No one can relinquish this high office without regret at parting and absolving himself from the personal associations and friendly relations he has formed with the membership. This friendship will be permanent and lasting with me; and for all time to come, you, individually and collectively, will retain my greatest respect and highest esteem. Of humble parentage, I had only such opportunities as any boy about town who largely pursued his own course. Adopting the trade of my father, at the age of 17 I was a fairly good mason, which trade I used to good advantage in acquiring an education, which finally landed me in Congress. What I have done can be done as well or better by any young man of average ability.

During my term of office there has been passed not only some of the most important legislation now on the statute books, but our country has passed through some of its most eventful history. We have successfully waged a great World War. We have passed laws for equal suffrage, prohibition, parcel post, banking and currency, highways, more universal education, and the many laws needed in the conduct of the war to utilize the entire resources and man power of the United States for the winning of the war; taking over the railroads, transportation, and telegraph lines, and for their return; conscription, by which the duty to serve in war fell upon the shoulders of all alike, between the ages of 21 and 31. We reenacted peacetime laws into war-time measures. We rationed to save food, and everybody worked to help win. I voted for daylight and against moonshine. I even voted for Garabed, whatever that is or was.

Peace still awaits needed legislation, and our economic laws need adjusting to the new conditions brought about by war, and while there is much unrest and strange agitation in some quarters of the globe, I have no doubt of the eminent ability of Congress to meet and solve every problem affecting our welfare in the interest of good government and to the glory and perpetuity of our Republic. [Applause.]

The SPEAKER. The time of the gentleman has expired. All time has expired.

During the delivery of the foregoing,

Mr. McCLINTIC. As the gentleman's time has expired, and as he is about to retire from Congress, I ask unanimous consent that he be allowed to extend his remarks in the RECORD.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the gentleman from Michigan be allowed to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 109, noes 39.

Accordingly, two-thirds voting in the affirmative, the rules were suspended and the bill was passed.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. ANTHONY. Mr. Speaker, I call up the conference report on the Army appropriation bill.

The SPEAKER. The gentleman from Kansas calls up the conference report on the Army appropriation bill (H. R. 15943). The Clerk will read the conference report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 104, and 105.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the following: "$77,839,300"; and the Senate agree to the same.

D. R. ANTHONY, Jr.,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
DUNCAN U. FLETCHER,
KENNETH McKELLAR,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 18: Appropriates $77,839,300, instead of $72,678,659 as proposed by the House and $83,000,000 as proposed by the Senate, for pay of the enlisted men of the line and staff.

On No. 23: Strikes out the paragraph, inserted by the Senate, providing, in the reduction of the Army, for the maintenance of 60 per cent of the strength of the various branches as prescribed in the Army reorganization act.

On No. 104: Strikes out the paragraph, inserted by the Senate, providing for the grade of lieutenant general for two general officers.

On No. 105: Strikes out the paragraph, inserted by the Senate, providing for the issuance of the award of the distinguished service cross or the distinguished service medal in certain cases.

D. R. ANTHONY,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

Mr. ANTHONY. Mr. Speaker, there were four items in disagreement. The Senate has receded on three of them. The House has receded with an amendment on one of them, the amendment fixing the pay for the Army. We have increased the appropriation from $72,000,000 to seventy-seven million and some odd thousand dollars. This met the Senate exactly halfway in the amount of the appropriation which they demanded, of $83,000,000.

It is figured that this increase will provide an average Army during the next fiscal year of about 158,000 men, exclusive of the Philippine Scouts and flying cadets. It will be necessary

that a drastic reduction be made in the present size of the Army between now and July 1 to bring the number down to 185,000 at that time, and the amount appropriated will, as I say, provide for an average strength of about 158,000 in the Regular Establishment.

Mr. TILSON. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Connecticut.

Mr. TILSON. As a matter of fact, would it not be a very difficult thing to scale the Army down to an average of 150,000 during the next fiscal year, in view of the size of the Army as it is to-day?

Mr. ANTHONY. It would have been perfectly feasible and possible to have accomplished it if the War Department had not taken advantage of the existing situation, since the House made its initial appropriation, and vastly increased the size of the Army.

Mr. TILSON. That may be true——

Mr. ANTHONY. The conferees recognized the difficulty of bringing this force down without extremely radical steps and agreed to this compromise.

Mr. TILSON. In other words, you face the situation as it is rather than as you would like to have it?

Mr. ANTHONY. Exactly so.

Mr. SISSON. Will the gentleman yield five minutes at this time?

Mr. ANTHONY. I yield five minutes to the gentleman from Mississippi.

Mr. SISSON. Mr. Speaker, if our calculations are correct, before the end of the next fiscal year the Army will be down to 150,000 men. If you do not make a radical reduction now, the Army will be compelled to go below 150,000 men before the end of the next fiscal year.

So, as stated by the chairman of the committee, if the reduction is commenced at once, we are assured by the officers of the Army that made the figures that by making a gradual reduction under the amount of money appropriated as an amendment to this bill they can not keep more men than the pay we have given in the bill will justify them in doing. Therefore they must begin at once to make the reduction, and make rather a radical reduction, for if they do not, before the end of the next fiscal year they will be compelled to reduce the number of men to less than 150,000.

Mr. BRIGGS. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. BRIGGS. The Senate incorporated a provision granting a discharge to men after one year in the service. Is that still retained?

Mr. ANTHONY. Yes; it is granted to all classes.

Mr. SISSON. That has been agreed to before. We feel that your conferees have carried out the expression of the will of the House that the Army shall be fixed at 150,000 men. We felt that you wanted us to act reasonably in this matter and not unreasonably, and we therefore agreed to this amendment, which, in round figures, is seventy-seven millions instead of seventy-three millions, with the idea that seventy-seven millions will be necessary to care for the soldiers necessary to be kept unless you should shoot the divisions all to pieces in a few months. But, by making a gradual reduction, beginning after the passage of this bill, and continuing to the 1st of July, when this bill becomes operative, and continuing a gradual reduction from that during the next fiscal year, you will not put the Army below 150,000 men. If that policy is not pursued and they keep too many men in the first part of the year, they will have to make a radical reduction in the latter part of the year, which will carry it below 150,000.

Mr. MACGREGOR. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MACGREGOR. Has the gentleman any knowledge of the reduction made in the civilian personnel under the orders lately issued?

Mr. SISSON. I really can not tell the gentleman.

Mr. MACGREGOR. We have 36,000 civilian employees in the Quartermaster's Department, costing three or four million dollars a month.

Mr. SISSON. I must confess that I myself am very much opposed to so many civilian employees and have inveighed against it, with just what success I can not tell you. I fear that we have a great many more than can be justified, and I am afraid that before the end of the next fiscal year you are going to have many more than you ought to have. But under the leadership of my friend Mr. CRAMTON and the sympathy of the subcommittee, the conferees have done the best job we knew how. It is a difficult thing to peel off the civilian employees, because the soldiers love to have the idea that they are soldiering and not working.

Now, I point always to that corps of the Army known as the marines, and every time you mention a marine a soldier in the Regular Army flinches, because the marines get rid of the civilian employees, and the soldiers do the work themselves. That is why among the civilian population in America and to the right-thinking Members of Congress the marines are very popular, and for that reason they are very unpopular in the Army.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. SISSON. Yes.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Have they adopted paying the bonus in the Army for reenlistment?

Mr. ANTHONY. I understand not.

Mr. HULL of Iowa. Why is it that you have not provided for stopping the pay of the bonus when you do not want the men?

Mr. ANTHONY. That will be a matter of administration.

Mr. HULL of Iowa. That is not a matter of administration; it is a matter of law. Under the law to-day a man can reenlist in the Army, get $90 cash for it, and to-morrow the officers finding that they do not want the man, they have got to discharge him, and he gets $90 for one day's work.

Mr. ANTHONY. We have put so many restrictions and limitations on the bill that we did not have the heart to put on any more.

Mr. HULL of Iowa. This is not a limitation; it is a matter of law. I call attention to the fact that if the committee last December had properly taken hold of that matter, your Army would be 30,000 or 40,000 less than it is to-day.

Mr. ANTHONY. The gentleman suggests a matter that surely would be legislation and belongs to his committee. [Laughter.]

Mr. HULL of Iowa. I am glad the gentleman is so courteous to the Military Affairs Committee, but the gentleman's committee did not stop at legislation; he has absolutely destroyed the reorganization in this very act.

Mr. ANTHONY. I think the part that we destroyed has been very commendable.

Mr. HULL of Iowa. Does not the gentleman believe that it would have been a good thing to stop paying the bonus to men that they do not need?

Mr. ANTHONY. We will have a Secretary of War possessed of sound common sense, discretion, and good judgment, and I take it that he will see to it.

Mr. HULL of Iowa. We will have one, I admit, but can the Secretary of War change the law? The law says that a man who wants to reenlist can do so and can get $90.

Mr. ANTHONY. They can not reenlist another man beyond what the money in this bill will pay for.

Mr. GREENE of Vermont. That is just what I want to inquire of the gentleman. I would like to ask him, inasmuch as you have a limitation, an absolute prohibition, on the appropriation, how can you expect to get your Army down to the figure you have provided for by the appropriation unless there are wholesale discharges?

Mr. ANTHONY. There will be wholesale discharges.

Mr. GREENE of Vermont. From the gentleman's experience in military affairs, which is a long one and as a colleague I am proud of it, does the gentleman think it is good for the discipline and atmosphere of a professional army to provide a means for men getting in and out of the Army as easy as going through a swinging door?

Mr. ANTHONY. In a matter of that kind I would not hesitate to discharge surplus men any more than I would in the conduct of my own business. If I had more labor than I needed, I certainly would discharge the useless, surplus men.

Mr. GREENE of Vermont. That is all very true, but does the gentleman contend that this is an economic proposition, comparable with the hiring of men for labor? These men are not hired for labor. There is no tangible product from the Military Establishment. It is a training institution; it is a school.

Mr. ANTHONY. I think the Army would be benefited by a judicious weeding out of a third of the present enlisted strength, and the men you would have left would be the very best of the enlisted men. We will get rid perhaps of a large number of men who are not desirable and the whole service will be benefited by this pruning process.

Mr. GREENE of Vermont. Does not the gentleman think that if economy is the goal to which we aspire in appropriations for the Army—and within a practical field it ought to be—that we should first dispense with a large number of the unnecessary, unreasonable activities inside the Military Establishment to-

day and the overheads of their maintenance, which go to make up much of the so-called cost of militarism?

Mr. ANTHONY. That is largely true.

Mr. GREENE of Vermont. Is it not true, then, that if you were to take away those activities and those overheads, or reduce them to a practical point, we would not have to reduce the number of enlisted personnel?

Mr. ANTHONY. And the gentleman, I think, will agree with me when I say that in the reduction of forty-some millions of dollars, which we have made in this bill over that of last year, the reduction has largely been made in those nonmilitary activities of which the gentleman speaks.

Mr. GREENE of Vermont. I am very glad of it, and I approve of it. I am not speaking in a captious spirit of criticism, but I do want to emphasize by reiteration that we are proceeding at the wrong end of the game, in my opinion, to accomplish economy; that the overhead and useless and needless and nonmilitary activities inside the Army are responsible for the great cost that is charged up to militarism, and that it is not a remedy to reduce the number of soldiers. If we were to reduce that overhead or abolish it, then we need not reduce the number of soldiers necessary to a proper peace-time training, and a proper peace-time Army.

Mr. BRIGGS. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BRIGGS. I want some information about the discharge of these surplus men from the Army. Is there any provision carried in this bill which will allow these men to be discharged upon their own application without a showing of dependency or going through other procedure now required?

Mr. ANTHONY. The Secretary of War is given authority to discharge in his discretion any enlisted man in the military service.

Mr. BRIGGS. There is no provision that he shall do so without a showing of dependency?

Mr. ANTHONY. No. The probabilities are that the Secretary of War will call on the various organizations, the company commanders, for instance, to make lists of the least desirable men they have, and when these lists are made up and gone over the men will be discharged.

Mr. FIELDS. It is probable that the men under 18 years of age will first be discharged.

Mr. ANTHONY. They will probably go out first.

Mr. BRIGGS. But it will be under regulations prescribed by the War Department in accordance with the provisions of the act?

Mr. ANTHONY. Yes. It is compulsory that the War Department shall take such action.

Mr. BRIGGS. But they make the regulations?

Mr. ANTHONY. Yes.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. WALSH. What appropriation is carried in this bill for vocational education—the equipping of men to make toothpicks and curl papers, and so forth, when they get through with the Army? Has that been increased by the Senate?

Mr. ANTHONY. That has been increased $500,000, and is now a million and a half dollars.

Mr. WALSH. I should apologize for asking the question, because I know that this measure has been in another branch and should have realized that the appropriation would probably be increased.

Mr. GREENE of Vermont. Mr. Speaker, the gentleman said inadvertently that this education was to be used by the men when they get through with the Army. As a matter of fact, these men never have too much of anything to do with the Army as a Military Establishment, anyway.

Mr. WALSH. That is why we increase the appropriation?

Mr. GREENE of Vermont. Oh, yes. We are making something of a kindergarten out of our professional fighting institution. That is plain enough. I just want to say that down at Camp Humphreys I saw a statement in a book relating to this vocational training that expressly provides that military duties shall not be allowed to interfere with the studies.

Mr. WALSH. Which is probably considered very sweet and charming for the beneficiaries of this system.

Mr. GREENE of Vermont. Yes.

Mr. WALSH. How much is the increase?

Mr. ANTHONY. We appropriate $3,500,000 less than the department asked for.

Mr. WALSH. How much did they ask for?

Mr. ANTHONY. Five million dollars. We give them only a million and a half, and the education in the Army will be confined solely to those technical branches where the men get the instruction along technical lines; for instance, such as electrical work in the Signal Corps, machine work in the Motor Transport Corps and Coast Artillery, so that it will be largely education that is adapted to the life of the soldier in the branch to which he is assigned.

And we are going to try to cut out this idea of making the Army into classical universities.

Mr. WALSH. The best way, I think, to effect that is to reduce the appropriation and not continue this drawing of pictures under this pleasing theory that has been established to do this.

Mr. ANTHONY. We think we made a pretty good start along that line.

Mr. WALSH. Probably so in view of what you have to contend with.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I simply want to take a minute or two to emphasize further the effect of this bill upon the size of the Army. First, I want to emphasize the effect of the Borah amendment, as amended in conference and now agreed to, which is that the officer and enlisted personnel of the Army the next fiscal year must not cost more than the amount appropriated for by this bill. Without that it did not seem to make much difference what Congress appropriated for the War Department to determine the size of the Army, but with that provision in the law the Army will be cut down to the limitation provided. At the present time we have 240,000 men in the Army. A number of thousands of men were enlisted by the Secretary of War after we passed the 175,000 limitation resolution, and before it finally became law, and the figures ran up to about 240,000. To bring the Army from that figure down to a number within the appropriation we have provided it will require action something like this: By the 1st of July, 1921, through the wastage of 6,000 or 7,000 men a month and discharges in addition, either on application or without application, there must be in all about 15,000 men a month turned loose between now and the 1st of July, bringing it down July 1 to 180,000 men. Then by a proportionate reduction the next six months of about 5,000 a month it would bring it to 150,000 the 1st of next January. Then continuing at that figure for the balance of the year that makes an average of 156,653 men for the entire year in addition to the flying cadets, 1,250, and the Philippine Scouts, 6,987. That gives an average total strength for the year of 164,890, but an actual strength the latter half of the year of 158,000, approximately. So that the House has provided, first, money for the size Army that the House believes the country wants, and then has provided legislation in this bill that assures that the wish of the country as expressed in this bill will be respected by the War Department. And now the only other thing that has been referred to here I want to emphasize is the civilian side of the Army. I think there is no one in Washington in the War Department or out who can tell to-day how many civilians there are attached to the Military Establishment. I have tried to find out. One hundred thousand is given, but how many more no one can tell me exactly. We have tried all through this bill by cutting down appropriations used for that purpose to reduce the number and force a reduction. What the number of reductions will be we do not know, but it is safe to say it will be somewhere in the vicinity of 40,000 cut off the civilian roll. It is a subject that Congress can well address its attention to a year from now and we can then take stock and give further attention as may be necessary. [Applause.]

Mr. FIELDS. Will the gentleman yield me a minute?

Mr. ANTHONY. I yield one minute to the gentleman from Kentucky.

Mr. FIELDS. Mr. Speaker, the managers on the part of the House on the military appropriation bill have, in my opinion, done remarkably well under the circumstances, and they are entitled to the thanks and the support of the House on their report. [Applause.]

Mr. McKENZIE. Mr. Speaker, I desire to ask the gentleman from Kansas a question, if he will yield.

Mr. ANTHONY. I will yield.

Mr. McKENZIE. I do not know that the question I am going to ask is quite pertinent at this point. However, I want a little information. When the bill passed the House it carried a million dollars for vocational training?

Mr. ANTHONY. That is correct.

Mr. McKENZIE. With certain limitations on salaries that should be paid to civilian instructors. In the Senate they amended it, making the appropriation $2,500,000.

Mr. ANTHONY. That is right.

Mr. McKENZIE. And struck down the limitation of salaries. In conference you finally agreed to an appropriation of $1,500,-

000, with certain limitations, but not so drastic as the ones placed on by the House.

Mr. ANTHONY. A limitation of $100,000 which can be paid in civilian salaries, as I recall.

Mr. McKENZIE. Let us congratulate the conferees in holding down this appropriation, and I assume that the conferees had in mind that in the next Congress it would be possible entirely to wipe out this extravagance that is now carried on in the name of training men under the Military Establishment?

Mr. ANTHONY. That is true.

Mr. McKENZIE. I want to ask the gentleman one further question—if it is not his judgment that if we cut out the high-priced civilian instructors who are now drawing salaries for teaching soldiers to draw pictures and plow corn, and all those other things which are provided for under vocational training that the bottom will drop out of all of it and we would have an army of soldiers rather than a nondescript army of men studying every conceivable thing on the face of the earth?

Mr. ANTHONY. I think the statement just made by the gentleman from Illinois represents the views of at least 75 per cent of the officers of the Army to-day. They are tired of this buncombe of vocational training in the Army. They are willing to have vocational training, but they want it to be confined to the practical subjects and practical trades and mechanics connected with the administration of the Army.

Mr. TILSON. Is it a fact that there are certain regiments down on the Mexican border where Mexican labor is employed to perform the fatigue duties of the soldiers so as not to interfere with their ukulele lessons being taught as a part of the vocational training?

Mr. ANTHONY. I hope that is not true.

Mr. TILSON. I have heard that statement made.

Mr. GREENE of Vermont. They teach them how to become moving-picture operators down here in one of these camps, which, of course, would be a great aid to us if we should go to war again.

Mr. TILSON. It is perfectly honorable to play the ukulele, and if they played it well it would be helpful to keep up the morale.

Mr. WHEELER. I understood the gentleman to say that the standing Army would be 168,000?

Mr. ANTHONY. One hundred and fifty-eight thousand.

Mr. GREENE of Vermont. You do not mean a "standing" Army. They are sitting down now.

Mr. WHEELER. This provision calls for $5,000,000 additional. I presume it is because we have additional men?

Mr. ANTHONY. The $5,000,000 would provide for 10,500 additional men. Some of them are in the flying cadets, and if we increased the flying cadets to the full amount the $5,000,000 may be needed.

Mr. BLANTON. In reply to the gentleman from Connecticut [Mr. TILSON], I want to say if any soldier who has to stand the privations incident to service down on the Mexican border can get any pleasure out of ukulele lessons, he ought to have it.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 107, noes 7.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. It is clear no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees. As many as are in favor of agreeing to the conference report will, as their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 316, nays 23, answered "present" 1, not voting 87, as follows:

YEAS—316.

Ackerman	Bell	Buchanan	Cleary
Anderson	Benham	Burdick	Coady
Andrews, Md.	Benson	Burroughs	Cole
Andrews, Nebr.	Black	Butler	Collier
Anthony	Bland, Ind.	Byrnes, S. C.	Connally
Ashbrook	Bland, Mo.	Byrns, Tenn.	Cooper
Aswell	Bland, Va.	Campbell, Pa.	Cramton
Ayres	Boies	Cannon	Crisp
Babka	Bowers	Cantrill	Crowther
Bacharach	Brand	Caraway	Cullen
Barbour	Brinson	Carew	Currie, Mich.
Barkley	Brooks, Ill.	Carter	Curry, Calif.
Bee	Brooks, Pa.	Chindblom	Dale
Begg	Browne	Christopherson	Dallinger
Darrow	Hill	Merritt	Sims
Davey	Hoch	Michener	Sinnott
Davis, Minn.	Holland	Miller	Sisson
Davis, Tenn.	Houghton	Milligan	Slemp
Dempsey	Howard	Minahan, N. J.	Small
Denison	Hudspeth	Monahan, Wis.	Smith, Idaho
Dickinson, Iowa	Hulings	Mondell	Smith, Ill.
Dickinson, Mo.	Hull, Iowa	Montague	Smith, Mich.
Dominick	Hull, Tenn.	Moore, Ohio	Smith, N. Y.
Donovan	Humphreys	Moore, Va.	Smithwick
Doremus	Husted	Moores, Ind.	Snell
Dowell	Hutchinson	Morin	Snyder
Drane	Ireland	Mott	Stedman
Dunbar	James, Mich.	Mudd	Steenerson
Dunn	James, Va.	Murphy	Stephens, Ohio
Dupré	Johnson, S. Dak.	Neely	Stevenson
Dyer	Johnson, Wash.	Nelson, Wis.	Stiness
Eagan	Jones, Pa.	Newton, Minn.	Stoll
Eagle	Kearns	Nicholls	Strong, Kans.
Echols	Kelley, Mich.	Nolan	Strong, Pa.
Edmonds	Kelly, Pa.	O'Connell	Summers, Wash.
Elliott	Kendall	Ogden	Sumners, Tex.
Elston	Kettner	Olney	Sweet
Esch	Kiess	Osborne	Swindall
Evans, Mont.	Kincheloe	Overstreet	Swope
Evans, Nebr.	King	Padgett	Tague
Evans, Nev.	Kinkaid	Paige	Taylor, Colo.
Fairfield	Kleczka	Parker	Taylor, Tenn.
Farr	Knutson	Patterson	Temple
Ferris	Kraus	Pell	Thompson
Fess	Kreider	Perlman	Tilson
Fields	Lanham	Peters	Timberlake
Fisher	Lankford	Phelan	Tincher
Flood	Larsen	Pou	Treadway
Focht	Layton	Purnell	Valle
Fordney	Lazaro	Quin	Venable
Foster	Lea, Calif.	Rainey, Ala.	Vestal
Frear	Lee, Ga.	Rainey, Henry T.	Voigt
Freeman	Lehlbach	Raker	Volk
French	Lesher	Ramsey	Volstead
Fuller	Linthicum	Ramseyer	Walsh
Gallagher	Little	Randall, Calif.	Walters
Gallivan	Longworth	Randall, Wis.	Ward
Ganly	Luce	Ransley	Wason
Gard	Lufkin	Rayburn	Watson
Garrett	Luhring	Reber	Weaver
Glynn	McAndrews	Reed, N. Y.	Webster
Godwin, N. C.	McArthur	Reed, W. Va.	Welling
Goodall	McDuffie	Rhodes	Welty
Gould	McKenzie	Ricketts	Whaley
Graham, Ill.	McKeown	Riddick	Wheeler
Green, Iowa	McLaughlin, Mich.	Robinson, N. C.	White, Kans.
Greene, Mass.	McLaughlin, Nebr.	Robsion, Ky.	White, Me.
Greene, Vt.	McLeod	Rogers	Williams
Griest	McPherson	Romjue	Wilson, Ill.
Griffin	MacGregor	Rose	Wilson, La.
Hadley	Madden	Rouse	Wilson, Pa.
Hardy, Colo.	Magee	Rowe	Winslow
Harreld	Major	Sabath	Wood, Ind.
Hastings	Mann, Ill.	Sanders, Ind.	Woods, Va.
Hawley	Mapes	Sanders, N. Y.	Woodyard
Hernandez	Martin	Schall	Wright
Hersey	Mason	Scott	Yates
Hickey	Mays	Shreve	Young, N. Dak.
Hicks	Mead	Siegel	Zihlman

NAYS—23.

Almon	Carss	Mansfield	Sinclair
Baer	Huddleston	Nelson, Mo.	Steagall
Blanton	Jacoway	Oldfield	Taylor, Ark.
Bowling	Jones, Tex.	Oliver	Tillman
Box	Keller	Parrish	Wingo
Briggs	McClintic	Sherwood	

ANSWERED "PRESENT"—1.

Clark

NOT VOTING—87.

Bankhead	Goldfogle	Kennedy, R. I.	Rodenberg
Britten	Good	Kitchin	Rowan
Brumbaugh	Goodwin, Ark.	Lampert	Rubey
Burke	Goodykoontz	Langley	Rucker
Caldwell	Graham, Pa.	Lonergan	Sanders, La.
Campbell, Kans.	Hamill	McCulloch	Sanford
Candler	Hamilton	McFadden	Scully
Casey	Hardy, Tex.	McGlennon	Sears
Classon	Harrison	McKiniry	Sells
Copley	Haugen	McKinley	Steele
Costello	Hayden	Maher	Stephens, Miss.
Crago	Hays	Mann, S. C.	Sullivan
Dent	Hersman	Moon	Thomas
Dewalt	Hoey	Mooney	Tinkham
Dooling	Igoe	Newton, Mo.	Towner
Doughton	Jefferis	O'Connor	Upshaw
Drewry	Johnson, Ky.	Park	Vare
Ellsworth	Johnson, Miss.	Porter	Vinson
Emerson	Johnston, N. Y.	Radcliffe	Watkins
Fish	Juul	Rainey, John W.	Wise
Gandy	Kahn	Reavis	Young, Tex.
Garner	Kennedy, Iowa	Riordan	

So the conference report was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. LANGLEY with Mr. CLARK.

Mr. KAHN with Mr. DENT.

Mr. SANFORD with Mr. KITCHIN.

Mr. VARE with Mr. DOOLING.

Mr. BURKE with Mr. HARDY of Texas.

Mr. CLASSON with Mr. GANDY.

Mr. COSTELLO with Mr. MAHER.

Mr. EMERSON with Mr. MOON.
Mr. ELLSWORTH with Mr. JOHN W. RAINEY.
Mr. GRAHAM of Pennsylvania with Mr. STEELE.
Mr. HAMILTON with Mr. RUBEY.
Mr. KENNEDY of Iowa with Mr. THOMAS.
Mr. BRITTEN with Mr. HARRISON.
Mr. LAMPERT with Mr. IGOE.
Mr. MCKINLEY with Mr. UPSHAW.
Mr. TINKHAM with Mr. DREWRY.
Mr. RADCLIFFE with Mr. HOEY.
Mr. GOOD with Mr. RUCKER.
Mr. JEFFERIS with Mr. GOLDFOGLE.
Mr. MCFADDEN with Mr. RIORDAN.
Mr. TOWNER with Mr. JOHNSON of Mississippi.
Mr. HAUGEN with Mr. YOUNG of Texas.
Mr. CAMPBELL of Kansas with Mr. HAYDEN.
Mr. COPLEY with Mr. MCGLENNON.
Mr. RODENBERG with Mr. JOHNSON of Kentucky.
Mr. MCCULLOCH with Mr. DOUGHTON.
Mr. REAVIS with Mr. BANKHEAD.
Mr. SELLS with Mr. MCKINIRY.
Mr. FISH with Mr. VINSON.
Mr. GOODYKOONTZ with Mr. O'CONNOR.
Mr. PORTER with Mr. STEPHENS of Mississippi.
Mr. HAYS with Mr. SULLIVAN.
Mr. CRAGO with Mr. GARNER.
Mr. JUUL with Mr. ROWAN.
Mr. KENNEDY of Rhode Island with Mr. SEARS.
Mr. NEWTON of Missouri with Mr. WISE.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. ANTHONY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill and joint resolutions of the following title:

H. R. 13558. An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance and of further amending and modifying the war-risk insurance act as amended.

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of CHAMP CLARK; and

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution, S. J. Res. 248.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4310) to amend an act entitled "the New Mexico enabling act."

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4332) to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on March 3, 1921, approved and signed bills of the following titles:

H. R. 644. An act for the relief of Oscar Smith;

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 12045. An act to provide for the conveyance of lots on the low grounds of Washington, D. C.; and

H. R. 15682. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922.

RELIEF OF CERTAIN CIVIL SERVICE EMPLOYEES.

The SPEAKER. The gentleman from Indiana [Mr. MOORES] is recognized.

Mr. MOORES of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15934.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15934) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein.

Be it enacted, etc., That in the event any employee in the classified civil service of the United States has become eligible for retirement under the provisions of an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, because of his attaining the retirement age fixed by such act, or for any other cause stated in said act, and such employee thereafter and prior to the passage of this act has continued in the service or been appointed to any place in the public service, whether or not in the same branch of the service in which he was employed prior to his retirement or eligibility therefor, no fiscal officer of the Government shall, because of such retirement or eligibility therefor, withhold from such employee for services rendered prior to the passage of this act any portion of the salary properly payable under the law to Government employees of the same class, rank, and grade as that in which such retired employee has been employed since his retirement or eligibility therefor; and no fiscal officer shall withhold from any such employee any portion of any annuity allowed him under said act. The appropriation is hereby authorized of such sum or sums as may be necessary to reimburse all such employees for any and all money which may have been refunded to the Treasury by any such employee or employees upon demand of any fiscal officer, based upon the ruling of the Comptroller of the Treasury that such retention in the service or reemployment is unlawful.

Mr. DYER. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DYER. No, sir.

Mr. BLACK. I demand a second, Mr. Speaker. I am opposed to the bill.

The SPEAKER. The Chair feels he should recognize some gentleman who is opposed to the bill, and the Chair will recognize the gentleman from Texas [Mr. BLACK].

Mr. MOORES of Indiana. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. MOORES of Indiana. Mr. Speaker, if there had been a general acquiescence in the civil-service classified employees' retirement and annuity act last summer throughout the departments, there would have been absolutely no necessity for this bill. It is necessary simply as a matter of common justice and right.

That bill passed on the 22d day of last May, as I remember, and it provided for the retirement of employees in the classified civil service after a certain length of service on an annuity—every annuity being very small. The annuities were in six classes, the maximum annuity being $720 a year, or $60 a month, and the minimum annuity being $360 a year, or $30 a month.

That bill which we passed provided for the retention of certain retired civil-service employees upon certification by the heads of the department or bureau in which they worked.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. MOORES of Indiana. When I get through with this sentence. They would be retired at the age of 62, or 65, or at the age of 70, according to the class of work on which they were employed.

Now I yield to the gentleman.

Mr. BLACK. I confess that I have not read the bill, but I understood from hearing it read that if one department should retire one of these employees under the retirement law upon the judgment that he was no longer in condition to render satisfactory service, another department of the Government might employ this retired employee. I wanted to ask the gentleman

if it is the purpose of this act to enable that employee to collect a full salary from the Government?

Mr. MOORES of Indiana. It is not.

Mr. BLACK. That is what I wanted the gentleman to bring out. I probably did not catch the correct meaning of the bill.

Mr. MOORES of Indiana. I will explain it as briefly as I can. The act provided that if within 60 days after the passage of the act, or not less than 30 days before the arrival of the employee at the age of retirement, the head of that branch of the Government in which he or she is employed certifies that by reason of his or her efficiency and willingness to remain in the civil service the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a term not exceeding two years, upon the approval and certification of the Civil Service Commission.

Mr. BLACK. Will the gentleman yield?

Mr. MOORES of Indiana. If the gentleman will wait until I get through with a 10-minute speech, I think I can cover the ground so that the gentleman will understand the bill——

Mr. BLACK. I think I do, now——

Mr. MOORES of Indiana. And we can save time in that way.

In one department—and I am told there were others—the heads or chiefs absolutely refused to permit the certification of the competency and willingness and efficiency of civil-service employees, and employees were involuntarily retired in a large number of branches of the public service.

I went to the president of the Civil Service Commission, and he stated to me that there had been no general regard paid to this law. There had been instances when men had been retained upon certification, but in most cases in every branch of the service the men had been retired at 62, 65, or 70, or whatever the age was.

Now, in one of the departments it was impossible to get men to take the places of these classified civil servants, and they had all been retired in August. Their places could not be filled in the civil service, and there was no way of retaining them. These retired employees were employed as substitutes, and they worked from the latter part of August down to the 8th day of December, when the first one was thrown out. The comptroller held on the 8th day of December that these men were not eligible to reemployment; that they could not be reemployed; that if they received an annuity and the small pay that they got as substitutes, 60 cents an hour, or $100 a month—these men were, many of them, $1,200 men and $1,500 men and $1,600 men and $1,800 men, and some of them $2,000 men and $2,400 men, retired at $720—if they got this $100 or $110 a month as substitutes, they had to pay it back, because they were getting $60 a month annuity.

Now, in point of fact, these men were, almost all of them, getting less money on their annuities and on the substitutes' pay than they had been getting when they were involuntarily and forcibly evicted from the service. Those who were taken back would not have been taken back if they had not been efficient and fit for the service, although the departments and some of the bureaus would not so certify. I do not say that any of these men had certificates, but they rendered good service. They were paid by the Government, and they are ordered to refund the $108 or $110 a month that they got as substitutes in return for the $30 or $40 or $50 or $60, as the case may be, in no instance above $60, that they got as a part of the annuity. Their annuity pay they are allowed to retain, but they must, under the ruling of the comptroller, refund the money that they received as substitutes for efficient service in the last six months of last year.

It seems to me that a gross injustice has been done to a very worthy class of civil servants. This bill does nothing more than provide for a refund for those who have repaid the pay which they drew from the Government from August to the 1st of January.

It further provides that the money can not be collected from those who have not so returned it, and that the money due them shall not be withheld.

Mr. BLACK. I confess I have not studied the bill, but I want to understand it. Is it not true that your bill provides that after a man has been retired as the law provides and has been appointed to another position in the civil service he is given the salary of that position?

Mr. MOORES of Indiana. The bill does not so provide.

Mr. BLACK. And also the salary of the retired employee?

Mr. MOORES of Indiana. No. This bill is not general legislation. It is simply a bill to right a wrong.

Mr. BLACK. Does it not enable him to collect the two sums, to wit, the salary attached to the position and the annuity?

Mr. MOORES of Indiana. It forbids the Government to take their pay away from them after it is paid them for the work done last fall. That is all it does. It does not go any further than that.

Mr. KRAUS. Will the gentleman yield?

Mr. MOORES of Indiana. Certainly.

Mr. KRAUS. Did these employees who were appointed as substitutes serve in the same bureau or department in which they served prior to retirement?

Mr. MOORES of Indiana. Some of them did, and Mr. Morrison, president of the Civil Service Commission, said some of them had been employed in other bureaus and branches of the service; but they were all employed, so far as he knew, as substitutes.

Mr. NEWTON of Minnesota. I have not had a chance to examine the bill, and I wish to know if it provides for such a contingency as this: I have an instance in mind where the widow of a retired employee received his check some two weeks after his death, and in the check were included moneys that were rightfully his at the time of his death. She honestly returned the check to the Government, and now the Government refuses to give her a check for the sum due up to the time of his death. Does this bill cover that kind of a case?

Mr. MOORES of Indiana. The gentleman does not state the facts fully enough to enable me to tell him. If he was a former employee, employed as a substitute, his administrator can get his check.

Mr. NEWTON of Minnesota. The Secretary of the Interior rules otherwise.

Mr. MOORES of Indiana. I would advise the gentleman to consult a lawyer about that.

Mr. JONES of Texas. Does not the gentleman think the bill ought to require that during the time a man is serving as a substitute he shall not draw his annuity pay?

Mr. MOORES of Indiana. This bill does not apply to the future at all.

Mr. JONES of Texas. During the time he drew pay as a worker after he had been retired, he should not have the annuity pay for that period.

Mr. MOORES of Indiana. But he has had that.

Mr. JONES of Texas. If I understand this bill, during the period specified a man might be drawing a salary for his work for the Government in one department, and for that same period be drawing annuity pay to which he was entitled for having previously worked in another department.

Mr. MOORES of Indiana. Yes; most of them were getting $100 a month as substitutes and they were getting from $30 to $60—none of them more than $60—as annuity pay.

Mr. JONES of Texas. Does not the bill provide that they may receive both?

Mr. MOORES of Indiana. Most of them were getting from $1,200 to $1,800 a year before they were retired.

Mr. JONES of Texas. Does not the gentleman think the bill ought to be amended so as to provide that during the time they were drawing pay as substitutes they should not for the same period draw their annuity pay? In other words, does not the gentleman think their annuity pay should be suspended during the time they were working as substitutes?

Mr. MOORES of Indiana. I do not think so, and I will tell the gentleman why. This bill was drafted by me after careful consultation with the president of the Civil Service Commission, and I asked him to go over my draft, so as to correct it and reach everybody in the service who might have suffered.

These men were getting small annuities. They were put to work at the request of the Government. They received the smallest compensation paid by the Government for work that they had been accustomed to do, for which they had received much larger pay in the past, and I do not think it would be right to deprive them of what they have received. They returned to the service expecting to get paid for this work.

Mr. JONES of Texas. But their pay as substitutes amounted to more than their annuities, and during the period they were actually at work and drawing pay from the Government it seems to me their annuities should be suspended.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. MOORES of Indiana. I yield to the gentleman from Colorado.

Mr. TIMBERLAKE. Under the provisions of this bill will any one of the men mentioned receive a larger sum than he was receiving for the work he was performing before his retirement?

Mr. MOORES of Indiana. No; I am informed by the Civil Service Commission that in their opinion it will not pay any one of them more than he received before.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. MOORES of Indiana. Certainly.

Mr. BLAND of Indiana. I understand they worked as substitutes.

Mr. MOORES of Indiana. Yes.

Mr. BLAND of Indiana. And as such they received smaller compensation than they received when they were working in the department before they retired.

Mr. MOORES of Indiana. Almost without exception, they received from 50 cents to 60 cents an hour.

Mr. BLAND of Indiana. If they had been working for a private corporation at $110 a month, they would have drawn their annuities.

Mr. MOORES of Indiana. Yes.

Mr. BLAND of Indiana. And there is no injustice in their drawing them from the Government.

Mr. MOORES of Indiana. The gentleman is correct.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. MOORES of Indiana. I yield to the gentleman from Alabama.

Mr. HUDDLESTON. The gentleman from Indiana [Mr. BLAND] has expressed in part what I had in mind to say in reply to the gentleman from Texas [Mr. JONES]. These retired men drawing these annuities were entitled to their own time. They could have gone and taken employment with a private concern, and while doing so they would have continued to draw their annuities. There is no more reason why they should not be paid a fair and reasonable wage for their services for the Government, although they were drawing annuities, than there would be if they were receiving pay from private concerns.

It is not a case of double salary; it is a case where these men, acting in good faith under the law, believing themselves entitled to a return, have rendered sure-enough services, and they ought to be paid for it.

Mr. LANHAM. Will the gentleman yield?

Mr. MOORES of Indiana. Yes.

Mr. LANHAM. How many men are there in the service who would be affected?

Mr. MOORES of Indiana. I have tried very hard to find out, and the best information I could get from the Civil Service Commission is that there were two or three in every congressional district.

Mr. SCHALL. Will the gentleman yield?

Mr. MOORES of Indiana. I will.

Mr. SCHALL. I have a concrete illustration. A constituent of mine, on an annuity of $60 a month, was asked by the post-office department in Minneapolis to help out during the holidays. He did so, and earned $57, which was paid him. When his annuity check came in it was for just $3. I think that illustrates the situation. He was called in on account of the lack of help. If he had worked for a private individual, he would have received his money.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. MOORES of Indiana. Yes.

Mr. FAIRFIELD. I have a case where the employee was continued without any intermission and received the same salary as he received before.

Mr. MOORES of Indiana. In the Post Office Department it was found impossible to run the post offices in New York, Boston, Philadelphia, and Baltimore, and possibly one other city, and there were secret instructions to retain the men. The instructions were not made public, and no other city got the benefit of the order permitting the men to be retained. That was only in four or five large cities.

Mr. FAIRFIELD. In most cases the men had been separated from the service.

Mr. LAYTON. Was that done in New York in accordance with law?

Mr. MOORES of Indiana. I get it at third hand; I got it from a man in the civil service. He said it was done in those places without certification.

Mr. LAYTON. I am in sympathy with the gentleman in this respect, that when an employee has been separated from the service and afterwards the Government wants to employ him, that is a different proposition; but I doubt whether it is a good proposition to keep him in the service without disassociation and give him an annuity besides.

Mr. MOORES of Indiana. I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I was opposed to this legislation at the time it passed, and if the matter were before us now for original action I should be in precisely the same attitude. But conditions have arisen under the law in which an injustice has been worked. Sometimes it is easier to illustrate a general principle by a statement of a specific case, and I shall cite a specific case which has come under my observation.

A rural carrier in the district which I represent became 65 years of age on the 20th of July or perhaps the 20th of August, 1920; at any rate shortly after this act went into effect. An order was issued to the postmaster to retire him under the provisions of this act. Let me say that he had not been in the service a sufficient length of time to receive an annuity, and consequently in his case the annuity proposition is not involved.

Mr. BLACK. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. BLACK. I suppose there have been rural carriers re-employed who were receiving an annuity. It is very probable that there have been. Suppose they are getting $1,800 salary, under this bill they would get the annuity, which would make $2,400 per annum. Does the gentleman think we ought to pay the rural carrier $1,800 per annum and an annuity? That is what I am objecting to.

Mr. GARRETT. I say that I was opposed originally to this legislation. I was opposed to it for a number of reasons, among others was the fact that it brought about the very condition described so well by the gentleman from Alabama [Mr. HUDDLESTON] a few minutes ago. That is to say, these employees could go into private employment and draw an annuity although they might be drawing as large a salary in private employment as they did in the Government service and be fully capable of earning it.

Mr. BLACK. What would be the difference when we call a retired Army officer into the service again if we paid him for his service and also the retirement pay? Of course, we do not do that; we only pay him the salary of the service which he comes back to.

Mr. HUDDLESTON. If the gentleman from Tennessee will allow me, in the case of the retired Army officer nothing has been deducted from his pay. He is receiving really a gratuity. In the case of the civil-service employee they have deducted something from his pay. The money being paid them is part of it from their own pay. That is not the case of the Army officer.

Mr. GARRETT. Now, if I may continue to state the full facts——

Mr. TILSON. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. TILSON. As a matter of fact, the law under which the Army officer is retired is such that he can be recalled into the service, and therefore it is a part of the contract that he may be recalled and receive only full pay.

Mr. GARRETT. In the case of the carrier of whom I was speaking, an order was issued for his retirement. That order was overlooked by the postmaster. The carrier himself knew nothing of the passage of this law, and if the postmaster knew it he did not realize its importance. Consequently he was not in fact retired. He was in excellent physical condition and is to-day. He was competent to perform the service and was entirely satisfactory to the patrons. Had it been observed at the time by the postmaster or by him, undoubtedly the application could have been made, and the certification could have been properly secured continuing him in the service, but it was overlooked entirely, and he continued in the service without any order. He continued to serve for several months and was paid by the month. Finally the department discovered that he was still in the service, and in January last issued another order that he be discharged. He was discharged at once. Then is when the matter first came to my attention. Now, under the ruling of the comptroller, the postmaster at Nashville, Tenn., through whom the checks went to pay this carrier, serving, of course, from another post office far away from Nashville, has been called on to refund the money, and the postmaster has called on the carrier to repay the money. Of course, the carrier can not repay the money, and I do not think he ought to. He rendered the service, and he rendered good service, and I think the relief ought to be granted. Unless we go back to the original principle that caused me to oppose the bill in the beginning, I do not see why this objection made by the gentleman from Texas should apply.

Mr. BLACK. Mr. Speaker, if all of the concrete illustrations that come under the provisions of this bill were such as the one mentioned by the gentleman from Tennessee [Mr. GARRETT], I would not have the slightest objection to its enactment. If the gentleman from Indiana [Mr. MOORES], who has charge of the bill, will agree to an amendment that would strike out that portion of it which authorizes the disbursing officers of the Government to pay the annuity at the same time a Government salary is being paid the employee, I shall have no objection to the passage of the bill. I am perfectly willing that every employee who has been continued in the service after retirement age, or who has been called back from his retirement, shall be paid the salary which he has earned in that position, but I

am opposed to going ahead and paying him the salary attached to the position and then paying him an annuity also.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes.

Mr. LANHAM. Does the gentleman think, in so far as the equities are concerned, that this is an analogous case to that stated by the gentleman from Tennessee, where a rural carrier continues to serve, although beyond the retirement age, because of the fact that there is no one to take his place; there is no one to substitute for him.

Mr. BLACK. I will say to my colleague in reply, if an amendment shall be agreed to that will strike the following language from the bill, I shall not oppose it further:

And no fiscal officer shall withhold from any such employee any portion of any annuity allowed him under said act.

What does the act do? It does two things. First, it says to the Government you shall pay any portion of the salary payable under the law to Government employees of the same class, rank, and grade as that in which such retired employee has been employed since his retirement; then it says also you shall not withhold the annuity. Let us take the case of a rural carrier; some of them who have been retired have been in the service sufficiently long to have the annuity granted them. What condition will we have if this bill passes? We will have a rural carrier who has reached the retirement age and has been retired, and subsequently appointed as a temporary carrier, drawing $1,800 salary, and he will also be drawing an annuity. Other instances will probably occur, much more numerous than that of rural carriers. I contend that is not a sound and safe precedent to set. If a retired employee is called back into the Government service, either in the same department or another branch of the service, he is no longer a "retired" employee, and his retirement pay should immediately cease.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield for interruption?

Mr. BLACK. Yes.

Mr. MOORE of Virginia. My only objection to the bill is its provision for double payment. By the terms of this bill, it is to apply retrospectively, but does it not fix a principle that will be applied prospectively? May there not occur an indefinite number of cases in the future which the fiscal officers of the Government will deal with on the basis of the theory that is set up in this bill?

Mr. BLACK. I think so. I think that is one of the reasons why we should not pass the bill.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes.

Mr. FESS. The gentleman spoke about an amendment. I would call his attention to the fact that we can not amend the bill that is under the suspension of the rules.

Mr. BLACK. No; and that is why I shall vote against it.

If the bill were before the House in the ordinary way, I believe the House would amend it by striking out the provision that I have referred to. Then I would have no objection to voting for it.

Mr. JONES of Texas. Mr. Speaker, I call the attention of the gentleman to the fact that last night the bill was amended by unanimous consent.

Mr. BLACK. Yes; and I shall offer a unanimous-consent request to amend this bill. Whether it will be agreed to or not I do not know. I want to say just one more word. We have a law retiring Army officers and Navy officers, but allowing the Government whenever their services are needed to call them back into the service. Immediately when they are called back into the service they go on the salary roll at the grade and rank in which they are called back to serve. The Government does not pay them a check for their monthly salary according to their grade and rank and then supplement that check by retirement pay. We pay only the one salary, and I can not see any better ground why we should do it in this instance.

The gentleman from Alabama [Mr. HUDDLESTON] says that this annuity is created by contributions from employees, but, as a matter of fact, the most extravagant statement that I heard in that respect during the debate when the civil service retirement law was passed was that they paid 35 per cent of the annuity. It would be much more accurate to say that they do not pay over 25 per cent of the annuity, and the rest of it is a contribution on the part of the Government. I am unwilling to set a precedent of this kind, and am therefore opposed to the bill unless it is amended in the respect I have mentioned.

I yield three minutes to the gentleman from Oklahoma [Mr. MCCLINTIC].

Mr. MCCLINTIC. Mr. Speaker, there is to be found in practically every congressional district in the United States cases where civil-service employees have been removed from the service, notwithstanding the fact that they have reached the retirement age, because they have not performed 15 years of service. I have a case in point in which a rural carrier had a similar experience to that related by the gentleman from Tennessee [Mr. GARRETT]. I had hoped that this bill could have been amended so that those who were separated from the service could be restored or could be allowed to continue a few months longer so that the 15-year period could be reached, when they would be entitled to the annuity as provided for in the civil service retirement act.

I presented to the chairman an amendment which reads as follows:

Provided, That in case any employee of the Government has been separated from the service who has reached the retirement age and has been employed for a continuous period of 14 years, the Civil Service Commission may restore his eligibility on the recommendation of the department having jurisdiction.

The chairman of the committee and the gentleman from Indiana [Mr. MOORES] were very courteous, but they informed me that a similar bill to this one was at the present time pending before the Senate, and on account of the legislative jam which is always incident to the closing days of the Congress it was thought best not to put this amendment on the present bill, fearing that it might result in defeating the legislation. So, Mr. Speaker, I hope that the committee having jurisdiction of this subject will at the beginning of the next session of Congress bring to this House a bill which will take care of those who have been denied the right given by the retirement act notwithstanding the fact they only lack a few months of having served the Government for 15 years.

The SPEAKER. The time of the gentleman has expired.

Mr. BLACK. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. I am in full sympathy with the general purposes of this bill. In fact, I think all rural carriers and most of the postal clerks are underpaid. I would therefore go further than this bill. This measure is fatally defective in this. If a man has been retired from the Government on an annuity it is on the theory that he can not properly attend to the duties which are devolved upon him. If, then, the Government sees fit to call him back into service he should draw his salary but he should not at the same time and for the same period draw an annuity from the Government. During the period of his reemployment the annuity should be suspended, to be reinstated when he again retires. This would be fair to everybody. This bill puts the Government in the attitude of granting a man an annuity and then turning around and employing the same man at a regular salary, and paying him that salary and also his annuity, which is wrong in principle, and if you have this applied to the nine months, which the bill provides, you set a precedent, and it will be cited as an inducement and reason for enacting another bill to cover the entire future. This would be a species of favoritism among the employees themselves. Such increases as are made should be uniform in their nature. If the bill is amended as suggested I shall be delighted to support it.

The SPEAKER. The time of the gentleman has expired.

Mr. MOORES of Indiana. Mr. Speaker, I yield the remaining time to the gentleman from New Jersey [Mr. LEHLBACH], chairman of the committee.

The SPEAKER. The gentleman is recognized for three minutes.

Mr. LEHLBACH. Mr. Speaker, this bill does not provide for continuing law, but is merely a bill that applies to the period between May 22, 1920, and the date of its passage, to take care of the situation which has arisen by reason of a peculiar administration of the civil service law. Under the civil service law employees who were eligible by reason of having reached the retirement age to the annuity were granted the privilege of remaining in active service, provided they were efficient and there was need for their work; that is, if it were for the good of the service. In the Post Office Department such certificates of efficiency as would enable a man to continue on the pay roll and do his work were almost universally refused, and thereupon the very men who were refused to be continued in the service because they were inefficient were hired at greatly reduced pay to do exactly that work, and they have done that work. The ruling of the Comptroller of the Treasury—and I have no criticism to make of the ruling—is that when a man is retired under the provisions of the retirement law he can not be employed actively in the civil service, and the comptroller, based upon that, has ruled that any payment for work actually performed by these men is illegal, and where it has not already been paid is to be withheld and where it has been paid the employee is

to refund it, and where he does not refund it it is taken in the future out of the annuity which he gets for retirement. It may be that an amendment such as suggested by the gentleman from Texas may, in a very close analysis of the bill, be a fair thing, but this bill is possibly on its passage in the Senate now. If this act of justice is to be done at all, it must be done in the form in which we find it. I want to say that the suggestion as to the pay for work and annuity, both under the terms of this bill——

The SPEAKER. The time of the gentleman has expired; all time has expired. The question is, Will the House suspend the rules and pass the bill?

The question was taken.

Mr. BLACK. Mr. Speaker, I ask for a division.

The House divided, and there were—ayes 69, noes 7.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 284, nays 30, not voting 113, as follows:

YEAS—284.

Ackerman	Frear	McAndrews	Sanders, N. Y.
Almon	Freeman	McArthur	Schall
Anderson	French	McClintic	Scott
Andrews, Md.	Fuller	McKeown	Sells
Andrews, Nebr.	Gallivan	McKinley	Sherwood
Anthony	Ganly	McKinley	Shreve
Ashbrook	Garrett	McLaughlin, Mich.	Siegel
Babka	Glynn	McLaughlin, Nebr.	Sinclair
Bacharach	Good	McLeod	Sinnott
Barbour	Goodykoontz	McPherson	Slemp
Barkley	Gould	MacGregor	Small
Begg	Graham, Ill.	Madden	Smith, Idaho
Bell	Green, Iowa	Magee	Smith, Ill.
Benham	Greene, Mass.	Major	Smith, N. Y.
Benson	Greene, Vt.	Mann, Ill.	Snell
Bland, Mo.	Griest	Mapes	Snyder
Boies	Hadley	Martin	Stedman
Bowers	Hardy, Colo.	Mason	Steenerson
Brand	Harreld	Mays	Stephens, Miss.
Briggs	Hastings	Mead	Stephens, Ohio
Brinson	Haugen	Merritt	Stevenson
Brooks, Pa.	Hawley	Michener	Stiness
Browne	Hayden	Miller	Stoll
Burdick	Hernandez	Minahan, N. J.	Strong, Kans.
Burroughs	Hersey	Monahan, Wis.	Strong, Pa.
Butler	Hersman	Mondell	Summers, Wash.
Byrnes, S. C.	Hickey	Montague	Sweet
Byrns, Tenn.	Hicks	Moore, Ohio	Swindall
Cannon	Hill	Moores, Ind.	Swope
Cantrill	Hoch	Morin	Tague
Carew	Houghton	Mott	Taylor, Colo.
Carss	Huddleston	Murphy	Temple
Chindblom	Hulings	Neely	Thompson
Christopherson	Hull, Iowa	Nelson, Wis.	Tillman
Cleary	Humphreys	Newton, Minn.	Tilson
Coady	Husted	Newton, Mo.	Timberlake
Cole	Hutchinson	Nolan	Tincher
Cooper	Ireland	O'Connell	Tinkham
Cramton	Jacoway	Ogden	Towner
Crisp	James, Va.	Oldfield	Treadway
Crowther	Jefferis	Olney	Upshaw
Cullen	Johnson, S. Dak.	Overstreet	Vaile
Currie, Mich.	Johnson, Wash.	Padgett	Vestal
Curry, Calif.	Jones, Pa.	Paige	Vinson
Dale	Kearns	Patterson	Volgt
Dallinger	Keller	Perlman	Volk
Darrow	Kelley, Mich.	Peters	Volstead
Davey	Kelly, Pa.	Phelan	Walsh
Davis, Tenn.	Kendall	Pou	Walters
Dempsey	Kennedy, R. I.	Purnell	Ward
Denison	Kettner	Radcliffe	Wason
Dickinson, Iowa	Kiess	Rainey, Ala.	Watson
Doremus	Kincheloe	Rainey, Henry T.	Weaver
Dowell	King	Raker	Webster
Drane	Kinkaid	Ramseyer	Welling
Dunbar	Kleczka	Randall, Calif.	Welty
Dyer	Knutson	Randall, Wis.	Whaley
Eagan	Kraus	Ransley	Wheeler
Elliott	Kreider	Reed, N. Y.	White, Kans.
Elston	Lankford	Reed, W. Va.	White, Me.
Esch	Larsen	Rhodes	Williams
Evans, Mont.	Layton	Ricketts	Wilson, Ill.
Fairfield	Lazaro	Riddick	Wilson, La.
Farr	Lea, Calif.	Robsion, Ky.	Wilson, Pa.
Fess	Lee, Ga.	Rogers	Winslow
Fields	Lehlbach	Rose	Wood, Ind.
Fish	Linthicum	Rouse	Woods, Va.
Fisher	Little	Rowe	Woodyard
Focht	Longworth	Rucker	Wright
Fordney	Luce	Sabath	Young, N. Dak.
Foster	Lufkin	Sanders, Ind.	Zihlman

NAYS—30.

Aswell	Collier	McDuffie	Robinson, N. C.
Black	Connally	Mansfield	Romjue
Bland, Va.	Eagle	Moore, Va.	Steagall
Blanton	Evans, Nebr.	Nelson, Mo.	Sumners, Tex.
Bowling	Evans, Nev.	Oliver	Wingo
Box	Jones, Tex.	Parrish	Young, Tex.
Buchanan	Lanham	Quin	
Carter	Lesher	Rayburn	

NOT VOTING—113.

Ayres	Dunn	James, Mich.	Rainey, John W.
Baer	Dupré	Johnson, Ky.	Ramsey
Bankhead	Echols	Johnson, Miss.	Reavis
Bee	Edmonds	Johnston, N. Y.	Reber
Bland, Ind.	Ellsworth	Juul	Riordan
Britten	Emerson	Kahn	Rodenberg
Brooks, Ill.	Ferris	Kennedy, Iowa	Rowan
Brumbaugh	Flood	Kitchin	Rubey
Burke	Gallagher	Lampert	Sanders, La.
Caldwell	Gandy	Langley	Sanford
Campbell, Kans.	Gard	Lonergan	Scully
Campbell, Pa.	Garner	Luhring	Sears
Candler	Godwin, N. C.	McCulloch	Sims
Caraway	Goldfogle	McFadden	Sisson
Casey	Goodall	McGlennon	Smith, Mich.
Clark	Goodwin, Ark.	McKenzie	Smithwick
Classon	Graham, Pa.	Maher	Steele
Copley	Griffin	Mann, S. C.	Sullivan
Costello	Hamill	Milligan	Taylor, Ark.
Crago	Hamilton	Moon	Taylor, Tenn.
Davis, Minn.	Hardy, Tex.	Mooney	Thomas
Dent	Harrison	Mudd	Vare
Dewalt	Hays	Nicholls	Venable
Dickinson, Mo.	Hoey	O'Connor	Watkins
Dominick	Holland	Osborne	Wise
Donovan	Howard	Park	Yates
Dooling	Hudspeth	Parker	
Doughton	Hull, Tenn.	Pell	
Drewry	Igoe	Porter	

So, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. MUDD with Mr. MILLIGAN.

Mr. PARKER with Mr. WISE.

Mr. OSBORNE with Mr. DREWRY.

Mr. GOODALL with Mr. CANDLER.

Mr. LANGLEY with Mr. CLARK.

Mr. REBER with Mr. GALLAGHER.

Mr. PORTER with Mr. FLOOD.

Mr. RAMSEY with Mr. GOODWIN of Arkansas.

Mr. TAYLOR of Tennessee with Mr. DOMINICK.

Mr. BLAND of Indiana with Mr. CAMPBELL of Pennsylvania.

Mr. ECHOLS with Mr. BEE.

Mr. LUHRING with Mr. DUPRÉ.

Mr. SMITH of Michigan with Mr. SISSON.

Mr. YATES with Mr. HUDSPETH.

Mr. MCKENZIE with Mr. DEWALT.

Mr. JAMES of Michigan with Mr. GRIFFIN.

Mr. CAMPBELL of Kansas with Mr. TAYLOR of Arkansas.

Mr. DAVIS of Minnesota with Mr. O'CONNOR.

Mr. DUNN with Mr. PARK.

Mr. BAER with Mr. SMITHWICK.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

CONGRESSIONAL MEDAL OF HONOR FOR UNIDENTIFIED FRENCH AND ENGLISH SOLDIERS.

Mr. SMITH of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill which I have sent to the Clerk's desk to be reported.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 16076) authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor.

Whereas Great Britain and France, two of the allies of the United States in the World War, have lately done honor to the unknown dead of their armies by placing with fitting ceremony the body of an unknown, unidentified soldier, respectively in Westminster Abbey and in the Arc de Triomphe; and

Whereas, animated by the same spirit of comradeship in which we of the American forces fought alongside these allies, we desire to add whatever we can to the imperishable glory won by the deeds of our allies and commemorated in part by this tribute to their unknown dead; Now, therefore,

Be it enacted, etc., That the President of the United States be, and he hereby is, authorized to bestow with appropriate ceremonies, military and civil, the congressional medal of honor upon the unknown, unidentified British soldier buried in Westminster Abbey, London, England, and upon the unknown, unidentified French soldier buried in the Arc de Triomphe, Paris, France.

The SPEAKER. Is a second demanded?

Mr. MCCLINTIC. Mr. Speaker, I demand a second for the purpose of asking a question.

A second was ordered.

Mr. MCCLINTIC. Did we not pass a bill to-day authorizing an unknown soldier to be brought back to the United States and to be buried with appropriate ceremonies?

Mr. SMITH of Illinois. That was for an American soldier. This is for a British soldier and a French soldier.

Mr. McCLINTIC. A British soldier and a French soldier, to be buried in their respective countries?

Mr. SMITH of Illinois. One buried in Westminster Abbey and the other in the Arc de Triomphe in Paris.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

PRIVATE CLAIM 61, TOWNSHIPS 2 AND 3, WAYNE COUNTY, MICH.

Mr. DOREMUS. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15861, with a committee amendment, and an amendment to the title.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass an amended bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15861) to confirm private claim No. 61, of Ambroise Reopel, in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.

Be it enacted, etc., That private claim No. 61 of Ambroise Reopel (between claims Nos. 118 and 119) in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich., containing 220.74 acres, according to the survey made in 1809–10 by Aaron Greeley, United States surveyor, shall be, and the same is hereby confirmed to the said Ambroise Reopel, and the Department of the Interior shall cause patent to issue for said land to Ambroise Reopel, his heirs, assigns, and legal representatives: *Provided*, That this act, and the patent which may be issued in pursuance of the same, shall only operate as a relinquishment on the part of the United States, and shall in no way prejudice any valid adverse right, if such exist, to the said land; the intent being that title shall inure to the true owners of the land under the laws of Michigan, including the laws of prescription, in the absence of any interest or estate of the United States.

The SPEAKER. Is a second demanded?

There was no second demanded.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill as amended was passed.

BRIDGE ACROSS DETROIT RIVER NEAR DETROIT, MICH.

Mr. ESCH. Mr. Speaker, I move to suspend the rules and pass the bill S. 4903.

The SPEAKER. The gentleman from Wisconsin moves to suspend the rules and pass a Senate bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4903) to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.

Be it enacted, etc., That the consent of Congress is hereby granted to American Transit Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Detroit River at a point suitable to the interests of navigation within or near the city limits of Detroit, Wayne County, Mich., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That before the construction of the said bridge shall be begun all proper and requisite authority therefor shall be obtained from the Government of the Dominion of Canada.

SEC. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within three years and completed within seven years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is a second demanded?

Mr. MANN of Illinois. Mr. Speaker, if necessary to demand a second, I will, so that the gentleman can explain section 2 of the bill.

A second was ordered.

Mr. ESCH. Mr. Speaker, under the general bridge act one year is allowed within which to commence work and three years are allowed for completion. The pending bill extends both periods on account of the fact that this will be possibly one of the largest bridges in the world, having a span of 1,700 feet. On account of the size of the bridge and the length of time that would be required to complete it, we made extensions of two years and four years.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

RIGHT OF WAY FOR COLUMBIA RIVER HIGHWAY.

Mr. SINNOTT. Mr. Speaker, I move to suspend the rules and pass the bill S. 4511.

The SPEAKER. The gentleman from Oregon moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4511) authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway.

Be it enacted, etc., That the Secretary of War is hereby authorized to grant to the State of Oregon, for the purpose of constructing, maintaining, and operating the Columbia River Highway, a permanent right of way over and across portions of the lands of the United States acquired and held in connection with the improvement of the Dallas-Celilo section of the Columbia River: *Provided*, That the exact location and dimensions of the right of way shall be fixed by the Secretary of War: *Provided further*, That the grant shall be subject to the express condition that the right of way shall be used solely and exclusively for the roadway purpose aforesaid, and any part thereof not so used shall revert to the United States.

The SPEAKER. Is a second demanded?

Mr. SNELL. Mr. Speaker, for the purpose of getting some information, I demand a second.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

A second was ordered.

Mr. SINNOTT. Mr. Speaker, this is a bill to authorize the Secretary of War to grant to the State of Oregon a right of way over certain lands owned by the Government near The Dalles, Oreg., where the Government has a canal. The canal ground in the vicinity of the canal is a link in the Columbia River Highway. The Columbia River Highway is a highway being built by the State and is some three or four hundred miles in length. Already nearly 100 miles of the highway is paved and hard surfaced. It is the highway that runs through the Columbia River gorge. The original bill proposed by the State highway commission contained a description of the highway across the Government land, but the Secretary of War, or the attorneys in the office of the Secretary, thought it would be better to leave the matter entirely within the discretion of the Secretary as to the location and dimensions of the right of way. So the bill was modified in the Senate in accordance with the views of the Secretary.

Mr. SNELL. Will the gentleman yield?

Mr. SINNOTT. Certainly.

Mr. SNELL. Is this the usual procedure to take in matters of this kind if you want to get across Government land?

Mr. SINNOTT. I understand this is the usual procedure to take when crossing Government land connected with waterway development. There is a canal upon the Government land at this point. The highway will parallel the canal. The Secretary of War states that the highway will be of service in connection with the canal.

Mr. SNELL. It does not necessarily take any land of special value?

Mr. SINNOTT. I know every foot of it, and the land is mostly sand and rock.

Mr. SNELL. If we grant this concession, will we have to help build the road eventually?

Mr. SINNOTT. No; the Government will never put up a dollar in connection with the road.

Mr. SNELL. This is not one of the Federal-aided roads?

Mr. SINNOTT. No; it is not.

Mr. WALSH. Is The Dalles the name of a Government reservation?

Mr. SINNOTT. The Dalles is a very famous place on the Pacific coast.

Mr. SNELL. How far is it from the coast where this road is to be built?

Mr. SINNOTT. Probably 100 miles from the coast.

Mr. SNELL. Is there a pavement all the way from there to the coast?

Mr. SINNOTT. It is paved now from Portland to Hood River, and hard surfaced from Hood River nearly to The Dalles, and they are working east of this point and also west of this point. The great fish-wheel fisheries of the Columbia are located right at this point.

Mr. SNELL. How long is this right of way?

Mr. SINNOTT. The canal is possibly 4 miles in length, and the right of way will be on and off the line of the canal at various places.

Mr. JOHNSON of Washington. Will the gentleman yield to me?

Mr. SINNOTT. I yield to the gentleman from Washington for a question.

Mr. JOHNSON of Washington. No part of this Government reservation is used for any purpose except in connection with the canal?

Mr. SINNOTT. No part of it is used for any purpose except in connection with The Dalles-Selilo Canal.

Mr. JOHNSON of Washington. One more question for information. How far is the Columbia Highway to extend?

Mr. SINNOTT. It is called the Columbia Highway 100 miles east of this point.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. SINNOTT. Certainly.

Mr. MANN of Illinois. Is this supposed to be a national highway?

Mr. SINNOTT. No; it is a State highway.

Mr. MANN of Illinois. I do not mean a highway constructed by the National Government, but I mean in the sense of being a transcontinental highway.

Mr. SINNOTT. The Columbia Highway will probably be one of the western ends of the Lincoln Highway.

Mr. MANN of Illinois. And the Government does not make any contribution toward its construction?

Mr. SINNOTT. Not that I know of.

Mr. MANN of Illinois. I am glad to hear of one such case.

Mr. SINNOTT. I ask for a vote, Mr. Speaker.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

MEMBER OF PRINTING COMMITTEE AD INTERIM.

The SPEAKER appointed as a member of the Printing Committee, to serve until the Printing Committee is appointed in the next Congress, Mr. ROUSE.

HOSPITAL SERVICES FOR EX-SOLDIERS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 15894, the hospital bill, and to concur in the Senate amendment.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill, which the Clerk will report, and to concur in the Senate amendment.

The Clerk read the title of the bill (H. R. 15894) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Iowa a question.

Mr. GOOD. Yes.

Mr. BLANTON. I understand the Senate has passed the McLeod resolution?

Mr. GOOD. No. This bill does not have anything to do with the appropriation of $46,000,000 carried in the sundry civil bill for hospital care of the soldiers; that is not even mentioned; but it does make immediately available the $18,600,000 carried in the bill.

Mr. BLANTON. The McLeod bill is not involved in this bill?

Mr. GOOD. Not at all.

Mr. BLANTON. May we expect the passage of the McLeod bill?

Mr. GOOD. There will be no necessity for it.

Mr. BLANTON. Suppose the sundry civil bill fails, which is very probable?

Mr. GOOD. If my request for unanimous consent is granted, and this bill is agreed to, then there will be $18,600,000 available immediately when the President signs the law, to provide hospitals for the soldiers.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury is authorized, within the limits of appropriations made herein, to provide additional hospital and outpatient dispensary facilities for persons who served in the World War and are now or hereafter may be patients of the Bureau of War Risk Insurance or of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants; (2) by construction on sites now owned by the Government or on sites to be acquired, when approved by the President, by purchase, condemnation, gift, or otherwise; or (3) by such remodeling or extension of existing plants and their equipment, owned or acquired by the United States at places now being used or that have been used by the Public Health Service for hospital purposes, as may be necessary economically to adapt such plants to the uses and purposes herein provided. Such hospitals and out-patient dispensary facilities shall include the necessary buildings, and auxiliary structures, mechanical equipment, approach work, roads and trackage facilities leading thereto, vehicles, live stock, furniture, equipment and accessories, and also shall provide accommodations for officers, nurses, and attending personnel, and the Secretary of the Treasury is authorized to accept gifts or donations for any of the purposes named herein.

"The Secretary of War is authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such mechanical, construction, and miscellaneous material, hospital furniture and equipment, hospital and medical supplies, motor trucks and other motor-driven vehicles, not required by the War Department, as may be required by the Public Health Service for its hospitals.

"The Secretary of the Treasury is authorized, in his discretion, to employ technical and clerical assistants within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sum herein appropriated for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, and for traveling expenses, field-office equipment, and supplies, commercial printing in or out of the District of Columbia incident thereto at a total limit of cost for such additional technical and clerical assistants and traveling expenses, etc., of not exceeding 3 per cent of the limit of cost for construction: *Provided*, That all of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

"In carrying out the purposes herein authorized the President is authorized and empowered, in his discretion, to assign for use of the Public Health Service, under the jurisdiction of the Secretary of the Treasury, such lands or buildings now owned or leased by the United States, not including property under the jurisdiction of the National Home for Disabled Volunteer Soldiers, which, in his judgment, can be used more efficiently for the care of patients of the Bureau of War Risk Insurance, and the Secretary of the Treasury is authorized and directed to take over immediately Fort Mackenzie, Wyo., Fort Walla Walla, Wash., and Fort Logan H. Roots, Ark., with all lands, buildings, and equipment belonging thereto for the uses contemplated herein and to expend from the appropriation in the following paragraph not to exceed $600,000 at Forts Mackenzie and Walla Walla, and not to exceed $250,000 at Fort Logan H. Roots, for providing and increasing hospital facilities thereat.

"For carrying into effect the preceding paragraphs relating to additional hospital facilities there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $18,600,000, to be immediately available and to remain available until expended, of which sum not to exceed $6,100,000 shall be used for remodeling or extending existing plants."

Mr. BYRNS of Tennessee. Reserving the right to object, I want to ask the gentleman a question. There is a hospital amendment in the sundry civil bill. Of course, this amendment has been reported from the Senate without an opportunity for Members of the House to know what it is. I want to ask the gentleman whether the amendment just read by the Clerk is on all fours with the amendment proposed by the Senate and contained in the sundry civil bill now in conference and on which the conferees have agreed?

Mr. GOOD. It is, with the exception that in the suggested agreement to the amendment to the sundry civil bill the words appropriating the money did not appear, because, as the gentleman knows, those words appear in the first paragraph of the sundry civil bill, and apply to everything that follows. So it was necessary to put in the words that "$18,600,000 is hereby appropriated."

Mr. LANGLEY. That was my understanding in my phone conversation a while ago.

Mr. GOOD. Again, in the amendment we had agreed to with reference to the persons who served in the World War we have put in the words "now or hereafter," so that it will read "persons who served in the World War who now or hereafter may be," and so forth.

Mr. SNELL. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. SNELL. Is there any provision for renting the New York State Hospital?

Mr. GOOD. I have been told that because of the action of the Senate the Public Health authorities would take the position that unless the Senate recedes on that item they would not be disposed to use any money appropriated for hospitals or exercise the authority herein granted to lease the New York State Hospital. I will say that I was favorable to that matter, but in conference there were so many things suggested that the amendment here presented seemed to be the only solution. The Senate has voted against the leasing of the New York hospital, I believe, on two occasions.

Mr. SNELL. Is there anything in the provision to take care of the boys up in New York and in New England?

Mr. GOOD. Yes; this bill takes care of the boys in the whole country. It takes the same care of the boys in New York and New England that it takes of the boys in the West, South, and North. There is no discrimination.

Mr. SNELL. The hospitals are not definitely located.

Mr. GOOD. They are not. And for all I know one may be located in the State of New York.

Mr. LANGLEY. If the gentleman will yield——

Mr. GOOD. I yield.

Mr. LANGLEY. I want to state that it was my understanding that was to be left entirely to the discretion of the Secretary of the Treasury.

Mr. SNELL. It applies equally to all parts of the country.

Mr. GOOD. Absolutely.

Mr. OGDEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. OGDEN. Did the committee take into consideration the availability of the hospital at Camp Zachary Taylor?

Mr. GOOD. Yes; the House conferees tried to have Camp Zachary Taylor included in the list. We carry in the bill general authority for the President to transfer the abandoned camps so far as hospitals are concerned. The hospital at Camp Zachary Taylor has 2,400-bed capacity, and they are not used. They have street-car facilities and other transportation facilities; they have trackage and storage facilities, and all hospital facilities. I think the Government ought to avail itself of these facilities until permanent hospitals are constructed. But the conferees on the part of the Senate would not agree to that because they said they were importuned by numerous persons to include a whole lot of other camps, and so the conferees seeing that we were going to get into confusion and that we would not get any bill at all did the best they could for Camp Zachary Taylor.

Mr. LANGLEY. I understand the gentleman's difficulties in that connection.

Mr. OGDEN. Did they consider that there is no authority under the provisions of this bill that would enable the President to direct the transfer of Camp Zachary Taylor in view of the fact that the act of February 28, 1920, specifically directed the sale of Camp Zachary Taylor? Under the provisions of this bill there will be no authority to exclude Camp Zachary Taylor from the operations of that act.

Mr. GOOD. We did, and as far as the House conferees are concerned we would be willing to vote for a resolution to rescind that action of Congress and direct the turning over of the hospital at Camp Zachary Taylor, but we were faced with certain conditions that we could not control. The Senate insisted that if we put Camp Zachary Taylor in they were going to put in a lot of other camps and we saw that we might not get the necessary hospital. I know that the gentleman from Kentucky would agree if he had been one of the conferees if the same conditions confronted him, because he is vitally interested in providing suitable hospital facilities for the soldiers.

Mr. LANGLEY. I think it is just and fair to my colleague from Kentucky to say that the understanding that I had with the gentleman from Iowa was that Camp Zachary Taylor was to be included in the bill and $200,000 appropriated to improve it. My colleague, Mr. OGDEN, has worked earnestly and faithfully for this.

Mr. GOOD. That is what we carried back to the conference and we were unable to secure it.

Mr. OGDEN. The Senate conferees opposed it——

Mr. GOOD. On the ground that there were other camps that ought also to be considered and therefore they would not go further than the forts and the general authority. They also made the further objection that under the Senate rules the inclusion of an additional camp would make the whole report subject to a point of order, and that Senators who had other camps in their States would have made the point of order if their camps had not been included with Camp Zachary Taylor.

Mr. OGDEN. Mr. Speaker, may I inquire why three camp hospitals were designated in the bill and directed to be transferred to the Public Health Service.

Mr. GOOD. They are permanent Army posts and not temporary camps. They were permanent Army posts that are not used now for hospital purposes.

Mr. SUMMERS of Washington. Does this include the Spanish-American War veterans?

Mr. GOOD. The Spanish-American War veterans under the last sundry civil appropriation act are taken care of in all of the soldiers' homes just as the soldiers of the Civil War. They are not included here, and there is no necessity for it. That was a scheme of the Public Health Service that was understood by the conferees. Other language was also eliminated which, if agreed to, would have made possible the turning over of all soldiers' homes to the Public Health Service. We took care of only the hospitals.

Mr. LANGLEY. The House bill carried that provision, the gentleman will recall.

Mr. GOOD. Yes.

Mr. LANGLEY. Personally, I thought it should go in.

Mr. MACGREGOR. Does this bill contain the provision that there may be an extension of existing Public Health Service hospitals?

Mr. GOOD. Yes. It carries the same provision, and even a broader provision, than the Langley bill carried.

Mr. ALMON. Mr. Speaker, reserving the right to object, and I shall not object, I would ask the gentleman whether it is not a fact that the conferees have agreed on the Senate amendment as to hospital facilities?

Mr. GOOD. No. The Senate amendment contained restatements of authorizations two or three times over. Some of the amendments went in on the floor of the Senate without reference to what was contained in the language of the bill to which the Senate had agreed. The conferees took the Senate amendments and worked them over so that they included all that was in both the Langley bill and in the Senate amendments.

Mr. BYRNS of Tennessee. But there is no change in the substance of the amendment agreed to by the Senate. In other words, some language was cut out because of duplication.

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. There was no change in the substance of the amendment.

Mr. GOOD. Except the gentleman will recall that one of the Senate amendments designated that money should be expended at certain specific places.

Mr. BYRNS of Tennessee. That is true.

Mr. GOOD. The conferees felt that was not fair, and inasmuch as we did not know and the Senate did not know whether or not money should be expended at one hospital or another, we put it all in the hands of the Treasury Department to determine how much shall be expended for these purposes, and $6,500,000 is carried in the bill and is available for taking over existing plants.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. LANGLEY. The gentleman says that the Senate bill was broader and more liberal than the Langley bill. The gentleman knows, I am sure, and as a matter of justice to myself and my associates on the committee I think I ought to say, that we put it through the House in as liberal shape as we could. I would have made it broader if I could have done it.

Mr. GOOD. I had no intention of reflecting upon the gentleman's bill. I think the gentleman from Kentucky [Mr. LANGLEY] is entitled to great credit, and the House Committee on Public Buildings and Grounds is entitled to great credit for the bill that bears the gentleman's name. This is the Langley bill perfected. The gentleman can see from a discussion of the matter in both branches of Congress that we could see where the bill could be improved without any reflection upon any committee or any Member. The bill does the gentleman from Kentucky [Mr. LANGLEY] and his committee great credit.

Mr. ANDREWS of Nebraska. Mr. Speaker, I would like to have five minutes to explain some other matters, if the gentleman will yield it to me.

Mr. CULLEN rose.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, may I ask the gentleman a question?

Mr. GOOD. Mr. Speaker, I yield first to the gentleman from New York [Mr. CULLEN].

Mr. CULLEN. Is there any provision in this report whereby the Secretary of the Treasury is empowered to lease buildings for hospital purposes?

Mr. GOOD. Yes.

Mr. CULLEN. Is that authority general throughout the country?

Mr. GOOD. Yes. The provision carried there is just the same as the one carried in the Langley bill. He is authorized to secure these additional hospital facilities, first, by purchase, gift, or lease of existing plants; second, by the construction on sites now owned by the Government or on sites to be acquired, when approved by the President, by purchase, condemnation, gift, or otherwise.

Mr. CULLEN. I think probably that might meet the New York situation.

Mr. GOOD. It seems to me that the term "or otherwise" is pretty broad. It would authorize the Secretary to make a lease instead of a purchase, and he can secure hospital facilities in any manner whatever. I yield now to the gentleman from Alabama.

Mr. BANKHEAD. This item, of course, was carried in the sundry civil appropriation bill?

Mr. GOOD. Yes; in the Senate amendment.

Mr. BANKHEAD. Were the conferees on the part of the House and the conferees on the part of the Senate unable after a full conference to reach an agreement on these hospital propositions?

Mr. GOOD. The conferees on the part of the House and the Senate agreed tentatively to this provision, just as I explained to the gentleman from Tennessee [Mr. BYRNS]. If we had been able to bring back to the House an agreement on the sundry civil appropriation bill, we would have brought back this provision, and I should have moved that the House recede from its disagreement to these two amendments and concur in the same, striking out all of the Senate amendments——

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the present consideration of the Senate amendments?

Mr. BANKHEAD. I want to ask the gentleman a question?

Mr. BLANTON. I withhold the demand for the regular order if the gentleman wants to ask another question.

Mr. BANKHEAD. How long has it been since the conferees on the part of the House and the conferees on the part of the Senate have actually been in conference on the sundry civil appropriation bill? Last time was the day before yesterday, was it not?

Mr. GOOD. I think so; yes.

Mr. BANKHEAD. And then the House conferees declined to have further conference with the Senate conferees?

Mr. GOOD. Oh, no. I have never been invited to another conference myself. I do not know how it is with the other members of the conference committee.

The SPEAKER. Is there objection to the request of the gentleman from Iowa to take the bill from the Speaker's table and consider the Senate amendments?

There was no objection.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. MANN of Illinois. How much is carried in the sundry civil appropriation bill for these hospital purposes?

Mr. GOOD. The sundry civil appropriation bill as it passed the House did not carry anything for building new hospitals, because we realized we had no authority to do that. Then after the bill went to the Senate the House passed the Langley bill, carrying $12,500,000.

Mr. LANGLEY. And half a million for the two Army posts.

Mr. GOOD. Yes; and the Senate added to that $5,500,000.

Mr. MANN of Illinois. The Langley bill did not make any appropriation; it carried an authorization.

Mr. LANGLEY. Yes; of course, that was all we could do, not being an appropriation committee.

Mr. GOOD. Yes. Now, if I may finish the statement. The Senate then took the Langley bill and incorporated it in the sundry civil bill, which carried an appropriation of $6,100,000 for remodeling existing facilities and remodeling these Army posts that are described, and then carried an appropriation of $12,500,000, authorization for which was carried in the Langley bill.

Mr. MANN of Illinois. That is a total of $18,600,000.

Mr. GOOD. Eighteen million six hundred thousand dollars.

Mr. MANN of Illinois. Does this bill carry all that sum?

Mr. GOOD. It does carry an appropriation for that sum.

Mr. MANN of Illinois. So if this bill becomes a law there will be no item as to appropriation for this purpose in the sundry civil bill?

Mr. GOOD. That is correct.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. GOOD. For a question.

Mr. CHINDBLOM. Does this amendment provide for the remodeling of buildings which may be leased by the Treasury Department for hospital purposes?

Mr. GOOD. It does.

Mr. CHINDBLOM. It covers that entire subject just as fully as it was covered in the sundry civil bill, which is still in conference?

Mr. GOOD. It was thought that the bill should be broad enough so the Secretary of the Treasury might expend the money as needed for hospital purposes, and he can spend $6,500,000 on existing plants, including the forts and camp hospitals.

Mr. CHINDBLOM. What I am getting at is this: Can the Secretary of the Treasury remodel leased buildings?

Mr. GOOD. Yes; it includes leased buildings.

Mr. SWEET. Will the gentleman yield?

Mr. GOOD. I will.

Mr. SWEET. This does not have anything to do with the $46,000,000 fund?

Mr. GOOD. Not at all; it does not refer to it.

Mr. SWEET. This is an out-and-out separate appropriation from that?

Mr. GOOD. Absolutely. The $46,000,000 will be expended in the care of soldiers and that is why this money is made immediately available.

Mr. HAYDEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. HAYDEN. As I read the amendment there is no limitation upon the number or cost of new hospitals.

Mr. GOOD. The new hospital provision is carried just as it was carried in the Langley bill. I think that is correct.

Mr. HAYDEN. My recollection was that there was a limit of $2,500,000.

Mr. GOOD. That was stricken out and the number left to the discretion of the Secretary of the Treasury.

Mr. MANN of Illinois. Does this take care of the New York proposition in any way?

Mr. GOOD. It does not; the Senate conferees did not agree to the provision that specifically refers to the leasing of the New York proposition. It refused to do so on two votes. It does carry language authorizing the Secretary of the Treasury, by purchase, lease, gift, condemnation, or otherwise, to secure additional hospital facilities.

Mr. MANN of Illinois. Would it authorize the Secretary of the Treasury to enter into a lease with the State of New York?

Mr. GOOD. Yes; certainly of existing hospitals; but I understand the present Treasury office and Public Health Service say they would not treat this as an authorization until the Senate committee had receded from its present position, where they voted twice against that proposition.

Mr. LANGLEY. If the gentleman will permit, I think I can throw some light on the subject. The Secretary of the Treasury held that he could not under existing law enter into a lease for a building not in existence, the law limiting his power to existing plants or institutions. That is the explanation he made to us.

Mr. GOOD. I yield five minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Speaker, this bill provides $12,500,000 for new hospitals, according to the purpose of the House bill. Added to that would be a sum to make up the total in the bill of $18,600,000, the difference between those two amounts to be available for the enlargement and remodeling and leasing of other buildings available for hospital purposes according to the discretion of the Secretary of the Treasury. There is no limitation placed upon the exercise of that discrimination as to localities. He can exercise his judgment as to the available resources that will lead to the best results. I regret very much that the way was not found clear to utilize the New York proposition. I need not enter into any discussion of any reasons which may have led to its exclusion by the Senate, as you understand that point. It would have been a tremendous relief to us just at this point if arrangements could have been made for the use of that building under contemplation. Let me state this additional item of information: Informal steps are being taken to secure an inventory of every Government property available for ready transformation into hospital uses, and when that inventory is in the hands of the Committee on Public Buildings and Grounds such recommendations will be brought to the House as the needs of the soldiers may require and the judgment of the committee may direct. I give this simply to cover that phase of the question that has not yet been discussed but is in the minds of Members realizing certain needs beyond what we provide for here. I also regret that the way was not clear to include Camp Zachary Taylor. If the New York proposition and Camp Taylor could have been included, we would have been in a fair way to exclude all possibility of complaint with reference to meager resources and accommodations for the boys. The committee now has under consideration informally certain plans which will cover that phase of the question. [Applause.]

Mr. GOOD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

THE PHILIPPINES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the gentleman from the Philippines [Mr. GABALDON] may be permitted to address the House for five minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the gentleman from the Philippines may be permitted to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. GABALDON. Mr. Speaker and gentlemen of the House, I am most grateful to you all for the opportunity you have given me to-day to address you on an issue which is all important to the ten and a half million people whom I represent. This is an issue which has been before the American people for almost a quarter of a century. Its settlement has been pressed a thousand times, but Congress to this day stands unmoved. The reasons for this attitude of yours are unknown to my people. But once again, I, as their representative in this body, desire to remind the American Nation, to whom we owe so much, that America's promise of independence to the Philippines is still unredeemed.

During the last four years no Filipino Resident Commissioner has raised his voice in this Hall to plead for the fulfillment of America's promise to grant us independence. This silence might have been due to the general state of affairs then existing

throughout the world. But it is perhaps due to this silence, also, that the impression has been created among some Members of Congress that there are leaders of the Filipino people who are not in favor of independence for their country.

Mr. Speaker, I would be a traitor to my people, to the political party in the Philippines to which I have the honor to belong, and to my own convictions; I would be recreant to the trust imposed upon me by the people who have elected me to the position I now hold, if I did not express to you in unmistakable language the genuine sentiments of the Filipinos on this question of their political emancipation.

I shall, however, first ask your indulgence to say a few words concerning my own personal feelings relative to this body and the great and mighty Nation that you represent. Permit me to do this to the end that you may the better comprehend the official attitude I shall take in my remarks.

HAS LEARNED TO LOVE AMERICA.

Fifteen years ago I visited this country for the first time. I was impressed with the vigor, aggressiveness, and patriotism of the people of this wonderful land. But it is only now that I am realizing more than what I then realized. It is only now that I have come to really know the American people. I have met scores of Americans in their own homes, and their hospitality has been unbounded. The Members of this body with whom I have come in contact have shown me a thousand courtesies. My heart has been touched by you Americans. And although I am here representing another race and another people, a nation that inhabits an archipelago almost 10,000 miles away, yet I can truthfully say that your own admiration for your people can scarcely exceed mine. [Applause.]

I take great pleasure, also, in reporting to this distinguished body that the relationship existing between the Filipino and American peoples is of the most cordial. Your own official, Maj. Gen. Frank McIntyre, testifies to this happy state of affairs. In his report he expresses surprise "at the depth of the feeling of all the Philippine people, including persons of all classes."

The SPEAKER. The time of the gentleman has expired.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that the gentleman may have an opportunity to proceed for five minutes more.

The SPEAKER. The Chair understood the gentleman desired only five minutes, and then to extend his remarks.

Mr. SNYDER. I ask that the gentleman's time be extended five minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GABALDON. I thank you very much.

There are various reasons for this attitude of ours toward this magnanimous country. It is a feeling of sincerest gratitude. America has truly treated the Filipino people as no other nation has ever treated an alien race in all the history of the ages. The high points of the American policy in the Philippine Islands have been consistently inspired by altruism. You have implanted there an educational system as fine as any country in the world can boast of. There are American educators who declare that the vocational instruction of our school system is even superior to that in vogue in the United States. Every Filipino is to-day proud of the school system you have established. Our legislature is appropriating more and more funds for school work every year. There are to-day almost a million children, without any compulsory law, in the public schools, and you can travel from one end of the country to the other and make yourself understood in English.

You have also succeeded in stimulating the industrial and commercial instinct of our people. By the example of the men you have sent there to help us rear a modern government you have inculcated the pioneer spirit in a nation that theretofore dared not venture out in the pursuit of new enterprises. Americans have awakened our initiative, and they have taught us how to make better use of the vast natural resources of our virgin country. They have made us realize the potentialities of our undeveloped areas. These are some of the richest areas in the world, capable of supporting a population as large as that of Japan. They are fast being developed to-day, and they will soon make the Philippines a rich nation. History will give America the credit of having started us on our way, not only to political independence but also to agricultural, commercial, and financial independence. [Applause.]

America's work in the Philippines in the interests of hygiene and public health is also monumental.

Marvelous as you are in sanitary engineering works, you have promoted the sinking of artesian wells, the establishment of a splendid system of sanitation, the building of good roads, bridges, and the extension of public and sanitary works of every character. In a sentence, you have shown us how to make our country a better place to live in.

Gentlemen, we knew that in your labors in the Philippine Islands you were actuated by the desire to contribute to our own welfare. This is the reason why we have cheerfully paid every cent of the cost of your undertakings. We have responded to your magnificent approach, and it is not too much to say that you could not have succeeded in the marvelous way you have succeeded if you had not found in the Philippines a people willing and anxious and capable of working with you in these betterments. We also deserve credit, therefore, for having so loyally, eagerly, and intelligently cooperated with you in your colonial experiment.

Such, gentlemen of the Congress, are the ties of gratitude which to-day bind the hearts of the people of the Philippine Islands to this great Republic. I pray that these existing bonds of affection and sympathy may endure throughout all time. [Applause.]

INDEPENDENCE HELD DEARER THAN LIFE ITSELF.

Nevertheless, paradoxical as it may seem, we wish to tell you that our desire to be independent, to have an international personality of our own, to be entitled to a place in the community of the nations, is as strong as ever. America's task in the Philippine Islands is finished. What you have assumed as your sacred obligation in that part of the world has been fulfilled. A people with a medieval system of institutions has been transformed into a conscious nation, imbued with all that is modern in the activities of nations. We are now a modern State, much like you in the truest sense. While, therefore, we are grateful for all the good that America has done us, permit me to state that we love you for nothing else quite so much as your solemn promise to grant us that which we hold dearer than life itself—our freedom. Independence is our national ideal. It is our all-absorbing aim. It is the national aspiration toward which all our activities are directed. It grows stronger every week, every day, every hour. For the spirit of nationalism never dies. Much less can it be subdued. It only acquires intensity with the lapse of time. We believe that we can never hope to be a sturdy nation if we are to rely forever on the magnanimity of the United States. We must be allowed to stand the battering of the times if we are some day to be a nation as respected and as great as any other. Hence our insistence that the promise you have so solemnly given us be carried out at the first opportunity. Our gratitude to you will increase a thousandfold; it will last forever if you keep faith with us. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

Mr. GABALDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from the Philippines asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Reserving the right to object, Mr. Speaker, how much time would it take to conclude?

Mr. GABALDON. I think about 10 minutes more.

The SPEAKER. Is there objection to the gentleman extending his remarks?

Mr. McCLINTIC. Mr. Speaker, I am interested in the Philippine question, and in view of his enunciation I think this permission ought to be extended to him.

The SPEAKER. Is there objection to the gentleman extending his remarks in the RECORD? [After a pause.] The Chair hears none.

Mr. GABALDON. Mr. Speaker, certainly when Filipino-American association became a fact 22 years ago nobody dreamed that the sovereignty of this country over the Archipelago would last this long, indefinitely. Contemporary events in history, the declarations then of your own elective officials, could only admit of one course to take, and that is the turning over of the reins of government to the Filipinos soon after the framework of our Government was reconstructed, much in the same manner as the Government of Cuba was unselfishly handed over to the Cuban people.

Certainly America would not like us to suspect that all the vaunted policy of altruism and all the promises that have been made by this Republic were empty things that were not meant at all. And yet this would be the inevitable outcome if the concession of our independence is delayed indefinitely. The signs are that it will be delayed. Certainly you would not want to be branded as a country great for preachments but reluctant to practice what it preaches, and yet this would be the sum total of the impression that would be created if after all the repeated pleas of the Filipinos no steps are taken leading to the concession of their promised liberty.

We do not want to lose the friendship of America. You also would not want to lose ours. You should instead maintain unshaken our respect and our admiration for you. If you have a mission in the Orient or if you intend to play a part in the Pacific, we are ready to cooperate at all times, but we claim that for these purposes you do not need to perpetually annex the Philippine Islands. All you would need in that part of the world are military posts and naval and commercial bases to protect your interests. These the Filipinos are ready to grant in testimony of our sterling gratitude to you.

STABLE GOVERNMENT IS ONLY ISSUE.

Mr. Speaker, there is only one issue to-day between the United States and the Philippine Islands; it is the only vital issue before Congress in the settlement of the Philippine question.

That issue, gentlemen of the House, is whether or not there exists in the Philippines at present a stable government. The existence of such a stable government has invariably been the condition precedent which the American Nation has imposed in the recognition of new governments. It was the condition precedent required of Cuba.

The Jones law, approved August 29, 1916, proclaimed in its preamble that—

It is, as it always has been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein.

By virtue of this law the hazy Philippine attitude of yesterday was translated into a living formula. The Filipino people rejoiced, and they accepted the declaration of the representatives of the American people as the official pledge of this Republic. Relying upon that pledge, the work of establishing a stable government in the Philippines was immediately begun. It is now completed.

The phrase "stable government" has a definite meaning in the foreign relations of the United States. According to President Grant:

To establish the conditions of things essential to the recognition of this fact (stability), there must be a people occupying a known territory, united under some known and defined form of government, acknowledged by those subject thereto, in which the functions of government are administered by usual methods, competent to mete out justice to citizens and strangers, to afford remedies for public and private wrongs, able to assume the correlative international duties resulting from its acquisition of the rights of sovereignty.

The phrase has been construed by Mr. Root as:

A government based upon the peaceful suffrage of the people, representing the entire people and holding their power from the people, and subject to the limitations and safeguards which the experience of constitutional government has shown to be necessary to the preservation of individual rights.

Briefly defined, therefore, a "stable government" is a government elected by the peaceful suffrages of the people, supported by the people, capable of maintaining order and of fulfilling its international obligations.

STABLE GOVERNMENT EXISTS TO-DAY.

The Filipino people have that stable government to-day. It is elected by the people and supported by the people. It maintains order and administers justice. It can fulfill its international obligations. It is patterned after republican institutions. It has the necessary checks and balances. It is run on the party system. It combines the fine traits of American institutions and the virile attributes of the English, because it has substituted the budget for the ordinary system of appropriation, and it practices the system of parliamentary responsibility. It is anchored on the enduring bedrock of constitutional government—public opinion.

Clearly there exists in the Philippines at present the conditions of order and government which America has for nearly a century and a half required in all cases in which she has recognized the independence of a country or the establishment of a new government.

What more positive facts demonstrating the full capacity of the Filipinos for self-government and national independence can be found throughout the entire record of over 20 years?

In the plan of a general free education and of sanitary improvements; in the vast public-works program with respect to roads and bridges, public buildings, and irrigation system; in the fostering of agriculture, industry, and commerce, including the provision of banking facilities, port improvements, and an adequate system of transportation by land and sea; in the establishment of an efficient civil service and an independent judiciary; in the constant development of self-government in the local organization and the central government and in the adoption of measures for the free and orderly exercises of the popular suffrage; in the exercise, in fine, of all the political powers intrusted to the Filipinos no effort has been spared to promote the public good. Any unprejudiced critic will find, after an impartial examination, that our people, in managing their own affairs, can maintain law and order and afford equal protection to all whether foreigners or nationals.

But not alone do Filipinos claim the existence of a stable government in the Philippine Islands to-day. America's highest official in the islands for the last seven years, Gov. Gen. Francis Burton Harrison, supports this claim. In testifying before a joint committee of Congress on June 3, 1919, he said:

I wish to state upon my responsibility as the governor general that in my opinion there exists to-day in the Philippine Islands a stable government, which I think should answer the requirements laid down by Presidents Grant and McKinley, and, as I understand it, also by Mr. Root, namely, a government elected by the suffrages of the people, which is supported by the people, which is capable of maintaining order and of fulfilling its international obligations.

The President of the United States has also officially reported the existence of a stable government to the Congress. In his message of December 7, 1920, President Wilson stated:

Allow me to call your attention to the fact that the people of the Philippine Islands have succeeded in maintaining a stable government since the last action of the Congress in their behalf and have thus fulfilled the condition set by the Congress as precedent to a consideration of granting independence to the islands. I respectfully submit that this condition precedent having been fulfilled, it is now our liberty and our duty to keep our promise to the people of those islands by granting them the independence which they so honorably covet.

Gentlemen of the House, it is on the above premises that the Filipino people predicate their righteous claim to freedom. We feel that to be independent is our birthright. By the terms of your immortal Declaration of Independence, which proclaims that governments derive their just power from the consent of the governed; by the terms of the official promise of independence embodied in a law of Congress, and by the avowal of America in the recent World War that it was championing the right of every people to choose the sovereignty under which they shall live, as well as the right of smaller States to enjoy that respect for their sovereignty and territorial integrity which the powerful nations insist upon—by all these tokens America can not now consistently refuse to grant independence to the Philippine Islands.

OPPORTUNITY FOR AMERICA TO SHOW CONSISTENCY.

At the time when the world was engaged in the realignment of national boundaries; in the settlement of the most stupendous dispute that the world has ever known, the Congress of the United States had presented before it no less than 30 resolutions expressing sympathy with the aspirations of the Irish people, if not actually urging England to grant independence to Ireland. At that time, also, the Filipinos were knocking at your door. The answer was that the world was in a state of flux and change. Even now there are multitudes of Americans who would risk their all if only the republic of Ireland could be made a reality. Out of the womb of war many European republics were also born, and America has rejoiced to uphold the same, because she knew it was her job. And yet the claim of the Filipinos is still unheeded. Must there be exceptions, then, in international justice? Must the heart of America beat only for the freedom of Ireland, of Poland, and of the Czecho-Slovaks and not for the independence of the Philippine Islands?

We are told that Japan is at our door; that Japan is bent on a career of aggression for more dominion; that the moment American sovereignty is withdrawn Japan will seize us in her iron claw. All sorts of intentions are being imputed to the Nipponese Empire. Whether the Japanese menace exists or not admits of much debate. But if it exists in fact, is it not equally clear that that menace will never disappear by merely talking about it? If the granting of Philippine independence must be postponed until such a menace disappears, is it not equivalent to refusing to grant independence forever, since Japan will always be right where she is to-day? Surely American ingenuity in solving national or international problems will not stop at merely talking about Japanese wiles and Japanese aggressive intentions. The present premier of Japan has made assurance that in case independence is granted to the Filipino people Japan will be the first to sign an agreement guaranteeing the integrity of a Philippine republic. The channels of diplomacy are therefore wide open, whereby the territorial integrity of an independent Philippines could be adequately safeguarded.

Why, then, does America tarry? Why may not negotiations be started now leading to the concession of our promised liberty?

My plea, therefore, gentlemen of the American Congress, is that you ignore no longer the repeated pleas of a deserving people for an independence that rightfully belongs to them. The granting of Philippine independence now affords the United States a golden opportunity to give to the world unanswerable proof of its sincerity, its consistency, and its altruism. It will be the greatest example of international square dealing in the history of the ages.

COMMITTEE ON ACCOUNTS AD INTERIM.

The SPEAKER appointed as a temporary Committee on Accounts, to serve after the House adjourns, Mr. IRELAND, Mr. MAPES, and Mr. PARK.

BOUNDARY WATERS BETWEEN STATES.

Mr. VOLSTEAD. Mr. Speaker, I move to suspend the rules and pass a Senate joint resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate joint resolution 233 giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

Resolved, etc., That the consent of the Congress is hereby given to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of them, by such agreement or compact as they may deem desirable or necessary, or as may be evidenced by legislative acts enacted by any two or more of said States, not in conflict with the Constitution of the United States or any law thereof, to determine and settle the jurisdiction to be exercised by said States, respectively, over offenses arising out of the violation of the laws of any of said States upon any of the waters forming the boundary lines between any two or more of said States, or waters through which such boundary line extends, and that the consent of the Congress be, and the same is hereby, given to the concurrent jurisdiction agreed to by the States of Minnesota and South Dakota, as evidenced by the act of the Legislature of the State of Minnesota approved April 20, 1917, and the act of the Legislature of the State of South Dakota approved February 13, 1917.

The SPEAKER. Is a second demanded?

A second was not demanded.

The SPEAKER. The question is on suspending the rules and agreeing to the resolution.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the resolution was agreed to.

PANHANDLE AND PLAINS SECTION; STANDARD CENTRAL TIME ZONE.

Mr. JONES of Texas. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14490) to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone.

Be it enacted, etc., That the Panhandle and Plains section of Texas and Oklahoma be, and the same are hereby, transferred to and placed within the United States standard central time zone.

The Interstate Commerce Commission is hereby authorized and directed to issue an order placing the western boundary line of the United States standard central time zone in so far as the same affects Texas and Oklahoma as follows:

Beginning at a point where such western boundary time zone line crosses the State boundary line between Kansas and Oklahoma; thence westerly along said State boundary line to the northwest corner of the State of Oklahoma; thence in a southerly direction along the west State boundary line of Oklahoma and the west State boundary line of Texas to the southeastern corner of the State of New Mexico; thence in a westerly direction along the State boundary line between the States of Texas and New Mexico to the Rio Grande River; thence down the Rio Grande River as the boundary line between the United States and Mexico: *Provided*, That the Chicago, Rock Island & Gulf Railway Co. and the Chicago, Rock Island & Pacific Railway Co. may use Tucumcari, N. Mex., as the point at which they change from central to mountain time and vice versa; the Colorado Southern and Fort Worth & Denver City Railway Cos. may use Sixela, N. Mex., as such changing point; the Atchison, Topeka & Santa Fe Railway Co. and other branches of the Santa Fe System may use Clovis, N. Mex., as such changing point, and those railways running into or through El Paso may use El Paso as such point: *Provided further*, That this act shall not, except as herein provided, interfere with the adjustment of time zones as established by the Interstate Commerce Commission.

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. MANN of Illinois. Mr. Speaker, I demand a second.

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Texas [Mr. JONES] is recognized.

Mr. JONES of Texas. Mr. Speaker, this bill simply transfers a little strip of west Texas and a little corner of Oklahoma from mountain time to central time. Up to the time of the passage of the daylight saving law it was always central time, and the people are in favor of going back to central time. This does not affect anyone except those living in that section.

Mr. MANN of Illinois. I think the gentleman ought to explain——

Mr. JONES of Texas. I will be glad to do so.

Mr. MANN of Illinois (continuing). Why it was not sufficient to give to the Interstate Commerce Commission authority to do this without directly requiring it.

Mr. JONES of Texas. The authority could have been given to the Interstate Commerce Commission perhaps instead of requiring them to do it, but the law, which was a general one, that was passed recommended them to make the time zone as nearly as possible along certain meridians.

Mr. MANN of Illinois. I understand, but that was very rigid, and under that they could not do that.

Mr. JONES of Texas. They did not have authority.

Mr. MANN of Illinois. Instead of giving them authority to do it, we propose now, without our knowing anything about it, to require them to do it.

Mr. JONES of Texas. That is true, and yet the commission has a great many things on its hands, and it is difficult to secure a hearing, and if you got action at all on a local matter like this it would probably be done by some clerk. The commission did not seem to have any objection to this measure when it was submitted to them. I considered doing it the other way, and it seemed this was the easier way to do it. I did not think anyone would complain if it should be done. And if the general law were passed we would still be under the necessity of securing further action by the commission.

Mr. MANN of Illinois. It may be that the gentleman represents the sentiment of the entire country down there. I do not know whether he does or not.

Mr. JONES of Texas. The Texas House of Representatives unanimously passed a resolution favoring it.

Mr. MANN of Illinois. Oh, an ordinary State legislature will pass a resolution asking Congress to do anything on earth at the request of a Representative in Congress.

Mr. JONES of Texas. I made no such request. The people were so much interested that they secured a hearing before a representative of the Interstate Commerce Commission, and I think practically every organization in that whole country attended, and there was hardly a dissenting voice on the proposition.

Mr. MANN of Illinois. It is nothing to me, I am sure. I think it would be wiser in the first place to give the Interstate Commerce Commission more latitude. Then this case would not have arisen. I think it would be wiser to give them more latitude now than a positive direction.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. GRIFFIN. What is represented to be the real advantage of the change? Can you state it?

Mr. JONES of Texas. It puts Texas all under the same time zone, where it was until the passage of the daylight saving act. With the adoption of the daylight saving act the time was made an hour earlier. Then about the time of the repeal of the daylight saving act, the new order was made placing us in mountain time, so that what was 12 o'clock under the daylight saving time is now 10 o'clock. In other words, as soon as the daylight saving act was repealed they threw it into mountain time by an order issued just about the same time, and the whole territory of western Texas and the eastern part of Oklahoma was thrown into mountain time. Central time is much more convenient for the train crews. They have their division points where I have placed them in the bill, and they will not have to change the time on these trains.

Mr. GRIFFIN. Is the effect of this bill to place the entire State of Texas under the central time zone?

Mr. JONES of Texas. Yes. It runs it down to the border line.

Now, Mr. Speaker, I will yield to the gentleman from Oklahoma [Mr. MCCLINTIC] one minute.

The SPEAKER. The gentleman from Oklahoma is recognized for one minute.

Mr. McCLINTIC. Mr. Speaker, a portion of the territory in the congressional district I have the honor to represent will be affected by this legislation. The line zigzags from the northern to the southern part of the State about 20 miles from the western line of the State of Oklahoma. Only a few people in that section of Oklahoma pay any attention to the Rocky Mountain time, for the reason that they have always used central time, and I am of the opinion that all the people residing in that section of Oklahoma will welcome this legislation. I hope the bill will pass.

Mr. KING. Mr. Speaker, will the gentleman yield there?

Mr. McCLINTIC. I yield.

Mr. KING. I wonder if the gentleman will not retain his censorship on the CONGRESSIONAL RECORD and take the opportunity to extend his own remarks. [Laughter.]

Mr. McCLINTIC. Well, that question may be a little out of order, but nevertheless I shall be glad to answer it.

Mr. Speaker, I have felt for a long time that the CONGRESSIONAL RECORD should be elevated from its present position, in that it should not be a dumping ground for speeches never made.

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman from Oklahoma has expired.

Mr. JONES of Texas. Mr. Speaker, I yield to the gentleman four minutes more.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for four minutes more.

Mr. McCLINTIC. The CONGRESSIONAL RECORD should be elevated from the wastebasket class up to the place where it will be considered the highest-class periodical that is published; and I have suggested to certain Members on that side that an extension of remarks does not constitute a speech; it is simply printing an article for the benefit of the people throughout the country.

I realize that under certain circumstances there are some things in addition to speeches that should be allowed to go into the RECORD, but inasmuch as an extension of remarks is usually printing, nothing more and nothing less, I believe that the jurisdiction over the matter should be lodged in the Printing Committee, and that the Printing Committee should have a right to pass upon all extraneous matters sought to be published in the RECORD.

Mr. KING. Mr. Speaker, will the gentleman yield again?

Mr. McCLINTIC. Yes.

Mr. KING. Then the action of the gentleman in the past few weeks on the floor of the House has been action on behalf of the Committee on Printing?

Mr. McCLINTIC. No. I am not a member of the Committee on Printing at this time, and the gentleman can not properly lay that charge at my door.

Mr. KING. Then the gentleman is doing this on his own initiative? He has no authority from the Committee on Printing? The gentleman is acting the part of censor on his own motion? The gentleman ought to know what happened to Cato the Censor. [Laughter.]

Mr. McCLINTIC. The gentleman ought to be courteous to another gentleman.

Mr. KING. I am courteous to the gentleman.

Mr. McCLINTIC. I would like to see a rule put into effect which would cause all matter sought to be extended in the RECORD other than on legislation under consideration to be referred to the Committee on Printing, and then if that committee felt that an article that was referred to it contained information which should be given to the House or to the country the committee could refer it back and have it printed in the RECORD, and the information would thus be given to the people. If a rule of this kind could be brought in concerning such matters not affecting legislation then under consideration, the gentleman could then get the opportunity that he now desires.

Mr. KING. Will the gentleman yield for another question?

Mr. McCLINTIC. I will be glad to yield for a question.

Mr. KING. I have an article, for example, with reference to fish-rescue stations in the Mississippi River. Would the gentleman be kind enough to take that and read it over, and if it is in proper English and of interest to the people of the Mississippi Valley, would the gentleman allow me to extend it in the RECORD? [Laughter.]

Mr. McCLINTIC. The gentleman has his rights. If the article is of sufficient importance to warrant its being made a public document, the Committee on Printing already has jurisdiction and can immediately order it printed.

Mr. KING. I want to ask the gentleman if he will not use his discretion in looking over the article and permit me to have it inserted in the RECORD? [Laughter.]

Mr. McCLINTIC. The gentleman has his rights.

Mr. MONDELL. Mr. Speaker, will the gentleman permit me?

Mr. McCLINTIC. I will.

Mr. MONDELL. I know of one or two very short addresses, one of them being the one that the gentleman from Illinois [Mr. KING] desires to put into the RECORD, and another one that the gentleman from Ohio [Mr. DAVEY] desires to insert.

Mr. McCLINTIC. I think the gentleman from Ohio [Mr. DAVEY] should have that right.

Mr. MONDELL. I think both of them are exceptionally good and informing. Will the gentleman from Oklahoma [Mr. McCLINTIC] make an exception for these two——

Mr. BANKHEAD. What about the gentleman from Illinois [Mr. KING]?

Mr. MONDELL. And allow the gentleman from Illinois [Mr. KING] and the gentleman from Ohio [Mr. DAVEY] to insert in the RECORD their own articles?

Mr. MANN of Illinois. I hope the gentleman from Ohio [Mr. DAVEY] will have a little time on the floor before he inserts the balance of his article in the RECORD, because I want to hear it.

Mr. MONDELL. If the House will agree to unanimous consent for five minutes for each of the gentlemen and then allow them to extend I think this matter can be satisfactorily adjusted.

Mr. McCLINTIC. I appreciate the spirit of the gentleman. He has made a very courteous request. The gentleman from Ohio [Mr. DAVEY] will not be with us in the next session, much to the regret of all of his friends. Inasmuch as this will probably be his last speech, I think he ought to have the right to extend his remarks, and I will make a similar request later as to the other gentlemen whose terms expire with this session, and I will not object to the request as far as it relates to the gentleman from Ohio.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN of Illinois. Mr. Speaker, the bill now before us came from the Committee on Interstate and Foreign Commerce. I had the pleasure of serving on that committee for 14 years, and for a time of being its chairman. It never had an abler membership than it has now, and it never had an abler or a truer chairman than JOHN J. ESCH. [Applause, the Members rising.]

Mr. Speaker, the gentleman from Wisconsin was named on that committee by that grand old man, Uncle JOE, whom we all love, and I think he was so named partly because I urged his appointment, because I believed in his worth. I have never regretted anything that I did toward putting him on that committee, and, if I could have my way and it were possible, I would make him an honorary Member of the House for life. [Applause.] I hope that he may be continued in another sphere along the line of work with which he has become so familiar in his committee capacity. [Applause.] We shall part with him and many others in this House with a feeling of sorrow at our loss and hope for the best in their future.

I yield the remainder of my time to the gentleman from Wisconsin [Mr. ESCH]. [Applause, the Members rising.]

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. ESCH] is recognized for 17 minutes.

Mr. ESCH. Mr. Speaker and gentlemen of the House, this demonstration of your feeling toward me is very gratifying, but on the other hand extremely embarrassing. I do not know what claims I have upon your regard. In my long service in this House I have simply sought to do in a plain and common way the duties that fell to my lot. What has been accomplished is a matter of record, but it has been accomplished very largely through the hearty and efficient cooperation of every member of the Committee on Interstate and Foreign Commerce, and your ratification of the work of that committee.

I would not be frank with the House if I said I did not regret my separation from it. One can not easily sever the ties of 22 years. There are too many feelings and too many emotions to make such separation an easy task. But I have always sought to be an optimist, and believe that possibly my defeat for reelection to this House may have its compensations.

In leaving the House I wish to pay a tribute of respect to the ranking member of the minority on the Committee on Interstate and Foreign Commerce, Judge SIMS, of Tennessee. [Applause.] We have served together many years. For faithfulness in attendance upon the meetings of our committee there is no one with a better record. He has given to the work of the committee his most constant cooperation. No task assigned to him has been left undone, and I know I voice the sentiments not merely of the Committee on Interstate and Foreign Commerce but of the House when I say that we all feel deep regret at the separation from it of the gentleman from Tennessee, and I know we all hope that his future may be bright and undimmed after he leaves this body. [Applause.]

Gentlemen, I express to you, one and all, my deep appreciation of the many kindnesses which you have shown to me. [Applause, the Members rising.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas [Mr. JONES] to suspend the rules and pass the bill.

The question was taken; and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

CERTAIN HOMESTEAD ENTRIES.

Mr. SMITH of Idaho. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1695) validating certain homestead entries, with House amendments.

The SPEAKER pro tempore. The gentleman from Idaho moves to suspend the rules and pass a Senate bill with amendments, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That all pending homestead entries made in good faith prior to January 1, 1916, under the provisions of the enlarged homestead laws, and all rights to enter land under said laws, based on settlement made thereon in good faith before said date, and while the land was unsurveyed, by persons who, before making such enlarged homestead entry, had acquired title to land under the homestead laws, and therefore were not qualified to make an enlarged homestead entry, or such settlement, be, and the same are hereby, validated, if in all other respects regular, in all cases where the original homestead entry was for less than 160 acres of land: *Provided*, That no settlement claim shall be validated hereby where adverse claim for the land has been initiated before the passage of this act.

SEC. 2. That no homestead entry heretofore made under the provisions of section 2 of the act of Congress entitled "An act for the relief of the Colorado Cooperative Colony, to permit homestead entries in certain cases, and for other purposes," approved June 5, 1900, shall be canceled for the reason that the former entry made by the entryman was commuted under the provisions of an act entitled "An act relating to the public lands of the United States," approved June 15, 1880 (21 Stat., p. 237). And all entries heretofore canceled on the ground that an entryman who commuted under the provisions of said act of June 15, 1880, is not entitled to the benefits of the act of June 5, 1900, shall be reinstated upon a showing by the entryman or his heirs, within one year from the approval of this act, that there were no valid grounds for the cancellation of such entries except that a former entry was perfected under the act of June 15, 1880, in all cases where valid adverse rights have not attached to the lands covered by such second entries since the date of their cancellation.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to issue patents upon the entries hereinafter named upon which proof of compliance with law has been filed:

Homestead entry, Havre, Mont., No. 021390, made by Michael F. Campion on December 10, 1913, for the southwest quarter of the northwest quarter and northwest quarter of the southwest quarter of section 17, and southeast quarter of the northeast quarter and northeast quarter of the southeast quarter of section 18, township 29 north, range 9 east, Montana meridian.

Homestead entry, Havre, Mont., No. 024214, made by Lila J. Herbert (formerly Simmons) on December 31, 1913, for the northeast quarter of the northeast quarter of section 29 and north half of the northwest quarter and southeast quarter of the northwest quarter of section 28, township 37 north, range 4 east, Montana meridian.

Homestead entry, Las Cruces, N. Mex., No. 08171, made by Pearl B. Brazil on March 13, 1913, for the northeast quarter section 8, township 29 south, range 8 west, New Mexico meridian.

Homestead entry, Miles City, Mont., No. 018452, made by Edgar J. Snyder on May 14, 1913, under the act of February 19, 1909 (35 Stat. L., p. 639), for the south half of the south half, northeast quarter of the southeast quarter, east half of the northeast quarter, and northwest quarter of the northeast quarter of section 22, township 14 north, range 58 east, Montana meridian.

Homestead entries, Clayton, N. Mex., Nos. 020669 and 026795, made by Cole Weir, for the south half of the northeast quarter of section 10 and southwest quarter of the northwest quarter and northwest quarter of the southwest quarter of section 11, township 17 north, range 30 east, and the southeast quarter of the southeast quarter of section 3 and northeast quarter of the northeast quarter of section 10, township 17 north, range 30 east, New Mexico principal meridian.

Homestead entry, Havre, Mont., No. 024832, made by Elma Hixon Benton on February 24, 1914, under the act of February 19, 1909 (35 Stat. L., p. 639), for the south half of section 31, township 35 north, range 22 east, Montana principal meridian.

SEC. 4. That the entries hereinafter named be, and the same are hereby, validated, and the Secretary of the Interior authorized to issue patents thereon upon submission of satisfactory proof of compliance with the laws under which such entries were allowed:

Homestead entry, Salt Lake City, Utah, No. 023329, made by Parley P. Warren on August 1, 1918, for the west half of the southeast quarter of section 1, and west half of the northeast quarter of section 12, township 14 south, range 10 east, Salt Lake meridian, subject to the provisions of the act of June 17, 1902 (32 Stat. L., 388), and acts amendatory thereof and supplemental thereto.

Homestead entry, Carson City, Nev., No. 010909, made by Perrin D. Hinckley on December 12, 1918, for the northeast quarter of section 33, township 43 north, range 37 east, Mount Diablo meridian.

Homestead entry, Douglas, Wyo., No. 016443, made by William H. Struble on March 29, 1918, under the act of February 19, 1909 (35 Stat. L., 639), for the east half of the southeast quarter of section 18, west half of the southwest quarter and southeast quarter of the southwest quarter of section 17, north half of the northwest quarter and southeast quarter of the northwest quarter of section 20, township 39 north, range 60 west, sixth principal meridian.

SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized to allow the following applications to make entry:

Homestead application, Phoenix, Ariz., No. 035825, filed by Kit Carson Kirby for the north half of the northeast quarter of section 13 and the south half of the southeast quarter of section 12, township 22 north, range 4 east, Gila and Salt River meridian.

Additional nomestead application, Timber Lake, S. Dak., No. 09546, filed by Willis A. Simmons for the southeast quarter of section 34, township 16 north, range 18 east, Black Hills meridian.

Homestead application of Hugh H. Gunn, being Rapid City series 039363, for the southeast quarter northwest quarter, east half southwest quarter, southwest quarter southwest quarter, section 13, east half northeast quarter, section 23, west half northwest quarter, section 24, township 3 south, range 9 east, Black Hills meridian, subject to applicant's compliance with the provisions of the enlarged homestead act as to residence, cultivation, and improvements.

SEC. 6. That the Secretary of the Interior be, and hereby is, authorized to issue a patent to the Yosemite Stone Co., a corporation organized under the laws of Arizona, for the northeast quarter of the southwest quarter of section 13, township 4 south, range 15 east, Mount Diablo meridian, Sacramento, Calif., land district: *Provided*, That such patent shall contain a reservation to the United States and its authorized permittees, licensees, or lessees of the sole right to enter upon, occupy, and use any part or all of such land reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of hydroelectric power or energy.

SEC. 7. That the Secretary of the Interior is hereby authorized and directed to certify to the Secretary of the Treasury the amounts paid as fees, commissions, and purchase moneys by the persons hereinafter named, in connection with homestead entries at the United States land office at Glasgow, Mont., in the year 1917, as follows:

Serial No. 044427, Nick Sitch, west half southeast quarter, section 27, and west half of northeast quarter, section 34, township 29 north, range 41 east.

Serial No. 044521, Billie H. Evashanks, south half southeast quarter, northwest quarter southeast quarter, section 34, township 29 north, range 41 east, and west half east half, northeast quarter southwest quarter, section 1, township 28 north, range 41 east.

That upon receipt of the certificate from the Secretary of the Interior as provided in section 1 of this act the Secretary of the Treasury is hereby authorized and directed to make payment of the amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

The SPEAKER pro tempore. Is a second demanded?

Mr. SNELL. As this is rather an unusual bill, I think we ought to have a second.

The SPEAKER pro tempore. The gentleman from New York demands a second.

Mr. SMITH of Idaho. I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Idaho has 20 minutes and the gentleman from New York 20 minutes.

Mr. SMITH of Idaho. Mr. Speaker, the gentleman from New York [Mr. SNELL] speaks of this bill as being of an unusual character. I wish to say that it has been the custom to enact legislation of this character at almost every session of Congress, and there is nothing unusual about it. It represents a group of homestead entries and desert-land entries on the public domain which require legislative action in order to enable the Secretary of the Interior to give relief to the various entrymen. The legislation suggested has been recommended by the Secretary of the Interior and it has been carefully considered by the Committee on the Public Lands and its enactment recommended.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SMITH of Idaho. Yes.

Mr. GREEN of Iowa. Why does this legislation become necessary?

Mr. SMITH of Idaho. For different reasons; for instance, in one case the husband who made the entry on the land was very ill of consumption and finally died before he actually established a residence on the land. The widow proceeded with the improvements on the land and complied with the law in every respect with reference to cultivation, but the Secretary of the Interior could not give her the patent without direct authority of Congress.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SMITH of Idaho. Yes.

Mr. MANN of Illinois. This is a Senate bill with a long House amendment.

Mr. SMITH of Idaho. Yes.

Mr. MANN of Illinois. Has the gentleman spoken to the engrossing clerk or the enrolling clerk in reference to having the bill prepared in advance?

Mr. SMITH of Idaho. No; but I shall have to do so if its passage is much longer delayed.

Mr. MANN of Illinois. I have no objection to the passage of the bill, but it is now within 20 hours of final adjournment. This amendment will have to be engrossed and sent to the Senate, will have to be agreed to by the Senate, and the Senate enrolling clerk will have to enroll the bill. It will be a matter of lightning change.

Mr. SMITH of Idaho. I have been attempting for several days to get consideration of the bill, and as soon as it is passed I shall endeavor to have consideration expedited in the Senate.

Mr. MANN of Illinois. If it should pass now the enrolling clerk would not have time unless the gentleman makes some arrangement in advance.

Mr. SMITH of Idaho. Mr. Speaker, I reserve the balance of my time.

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker, for the last two weeks, as a member of the Select Committee on War Expenditures, I have been investigating the question of the amount of property that the War Department has now on hand. For the purpose of bringing it to your attention and giving you that information, with the idea that Members of this body want to have that information, and feeling that this vast amount of property should be turned into cash for the benefit of the Government, I desire to make a statement of the amount of property now in the possession of the War Department. This is the statement of the property contained in the inventories submitted by the War

Department, which are not entirely accurate, but as accurate as can now be presented by the department.

Medical Department	$37,202,778.88
Chemical Warfare Service	97,194,638.28
Engineer Corps	10,259,270.05
Signal Corps	17,421,375.28
Ordnance Department	1,364,013,767.00
Quartermaster Department	1,613,696,166.05
Air Service	349,313,853.00
Director of Sales	233,182,000.00
Total	3,722,233,848.54

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MACGREGOR. I will.

Mr. CHINDBLOM. How much of this property has been declared surplus? Anything beyond that in the hands of the Director of Sales?

Mr. MACGREGOR. As soon as it is declared surplus it is turned over to the Director of Sales.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. DAVEY].

Mr. DAVEY. Mr. Speaker, it is my desire, during the time at my disposal, to speak of the tree as a living thing, to show something of its vital relation to human life. To the man who is familiar with tree life it might seem almost superfluous to emphasize the fact that a tree lives and yet the average man, unfortunately, looks upon the tree as an inanimate and more or less useful accident on the face of the earth.

And yet the tree lives—it breathes. It has a real circulation. The tree digests its food and assimilates it. It has sexual processes that are just as real and beautiful as in any other form of life. It has the power to adapt itself to its environment. To be sure, it lacks intelligence and a nervous system and the power of locomotion. But in all the other elemental processes the tree functions just as truly as man himself.

The tree breathes through the leaves chiefly and, to a small extent, through the tiny lenticels in the young bark. The air is taken into the leaf in just as real a sense as it is taken into the human lungs. It enters through the many microscopic openings on the underside of the leaf. There on the inside of the leaf the elements of the air are separated. The carbon is absorbed and is used in the building process. The oxygen is given off again to enrich the air for the benefit of all animal life.

The circulation in the tree is just as real as in the human body. It does not move so fast nor move round and round in response to heart action. Yet it does move and goes from the tiniest root hairs way down underground up to the leaves and back again all the way to the roots again. On the upward flow the circulation proceeds through the sapwood, traveling from cell to cell from the small roots to the large ones, into the trunk, and from there to the large branches, and then through the smaller ones to the leaves. From the leaf, where it undergoes the necessary chemical change to transform it into tree food, it travels downward through the cells of the inner bark all the way to the smallest roots, building the cambium layer as it goes.

The digestive processes of the tree take place in the leaf. There the crude food material, brought up from the roots in the sap, is spread out among the tiny cells of the marvelous leaf structure, and, under the influence of the sunlight, is combined with the carbon extracted from the air and is transformed into tree food—digested, as we call it in animal life. This digested tree food is assimilated into the entire growing parts of the tree in the downward flow through the cells of the inner bark, from which the cambium layer is built and all growth takes place.

The sexual processes of the tree are fundamentally the same as elsewhere in living things. The male and female exist as positive factors. Sometimes the male and female exist in the same flower. Many times they exist in different flowers in the same tree. In a few cases all the flowers of a tree are entirely male or entirely female. The pollen is created in the male and is carried by insects or birds and in a vast number of cases by the wind to the female portion of the flower or to the female flower. There it fertilizes and produces the seed which nature designed to reproduce its kind.

The tree adapts itself to its environment to an amazing degree. Where trees are thick they grow tall to reach the sunlight. Where two or more trees grow close together, it grows on one side to accommodate its fellows. When it grows in rocks, it sends its roots into almost impossible places in search of food and anchorage. It often sends its roots hundreds of feet in search of water, and the roots travel back and forth among the many obstacles toward their destination.

All life has two primal purposes of existence—one is self-preservation and the other is reproduction. The tree subscribes to both and is governed by both. It undergoes a constant battle for life from the time of its advent until the end. It must battle against the tremendous winds, against drought, against insect enemies and deadly diseases; and now it must battle against man himself, who is the most destructive, the most thoughtless, and inconsiderate enemy that the tree has encountered. Indeed, it has a lifelong struggle for self-preservation. Its scheme of reproduction is the same elemental plan of sex attraction that makes possible the continuity of all life.

The leaf is probably the most wonderful, and is certainly the most vital and indispensable factor in the world of living things. Without the leaf all life must perish. It is the one and only connecting link between the organic and inorganic worlds. It is the only thing capable of transforming the various mineral elements into available food material for both plant and animal. The only minerals that man can take into his system and use are water and salt, but he can use only a limited quantity of these. Every other element of food must come to him either directly or indirectly through the leaf.

Every grain, every fruit, every vegetable food product, every foot of lumber, and every other vegetable product that is used for the pleasure and profit of man is made in the leaf. And thus we see that the great God who created the world and the life that inhabits it made of the lowly leaf the greatest and most wonderful instrumentality of that life.

Perhaps the most insidious and persistent enemy of the tree is the group of diseases called fungi, which attack any exposed portion of woody tissues and start to grow by consuming the wood cells. A fungus disease exists in a decaying tree—it produces the decay. At the proper time in the growing season the fungus produces a fruiting body or bodies. These produce their fruit in due time, which are called spores. These spores, light in weight and microscopic in size, are given off in myriads and are carried by the winds and sometimes otherwise to the adjacent vegetation. Most of them fall harmless, but some of them find lodgment in a wound where the protecting bark has been removed. There in the exposed woody tissues the microscopic fungus spore starts to grow, sending out little threadlike tentacles from cell to cell and breaking them down.

The fungus is a parasite—a low form of vegetable life. It lives by destroying some other form of life. That which attacks the living tree destroys the interior cells and persists until the tree is consumed. What we call decay is only the result of an active disease which consumes the woody interior that constitutes the structural strength of the tree.

The interior of a tree is often referred to as the heart or heartwood. This conveys an entirely wrong impression. The vital parts of a tree are the leaves nd roots, the bark and cambium, and outer layers of sapwood. It is the outside layers of sapwood which are most active, and each succeeding layer inward toward the center becomes less and less active until those near the center become practically dormant.

This gives the reasons for the development of tree surgeons and the science of tree surgery. The disease creates decay against which the tree, unaided, is helpless. It is the function of the tree surgeon to do for the tree what the dentist does for the teeth and the surgeon does for the human body. In the practice of his art he must remove the decay, disinfect to prevent further decay, thoroughly waterproof to protect the exposed wood, put in place various kinds and forms of mechanical bracing often complicated and always ingenious, prepare the cavity so that the filling will remain permanently in place, and then fill with skill and precision so that the filling will become a permanent part of the tree. Water and all foreign substance must be excluded. The filling must be cleverly built up in sections somewhat like the backbone in the human body in order to permit a reasonable movement between the sections in the swaying and twisting of the tree in heavy winds. Nature rewards the skill of human hands by the gradual healing of the bark over the filling. I can not pass this interesting science of tree preservation without paying a little tribute to John Davey, the nature lover and creative genius who gave to the world an invaluable science, which he called tree surgery. It represents his love. It is the product of his life of service. It was born of his faith and determination. It is the result of his consecration to a great purpose; his contribution to the race of which he is happy to be a part.

But there is one more phase of the whole tree question that ought to be hit a smashing blow. America must wake up and reforest or America will rue the day of her spendthrift debauch. The early settlers sent back word that they had discovered a land of inexhaustible fertility. Americans of succeeding generations have proceeded on the theory that all the God-given assets of the Nation were inexhaustible. We have destroyed with prodigal waste more and more of the native woodlands—

the timber supply. We have done exceedingly little replanting. We are consuming the principal of our inheritance just as fast as a reckless unconcern will permit.

Where will the future lumber supply come from? Where will we get the wood pulp for print paper? We are sweeping away the God-given forests and building great cities with breathless haste. We say we are creating wealth. We are merely transforming it on the one hand and destroying it on the other.

Take a daylight ride across the Alleghenys and look at the denuded mountains! Contemplate the devastation that man, selfish and thoughtless man, has wrought! And then, when you realize what all this prodigal destruction means to the future of America, let your soul shudder at the thought of the future condemnation that awaits us from generations yet unborn. We who revel in our false wealth and unpardonable profligacy must answer to the God of nations and the children whom we bring forth to struggle in an impoverished land.

Men and women of America, we cut down the great forests that blessed this country. We allow the remnants to be burned over and vegetation destroyed. The rains pour down, and, instead of being held in check by the loose and porous soil in the network of roots, it rushes down over the hillsides and carries with it the fertile soil, leaving in its wake barren hills and deep ravines.

Thus we have alternating floods and droughts. The fertile soil is gone, the product of hundreds of years of nature's providence. The little springs that come from water held in check and feed the lakes and streams must gradually diminish and, I greatly fear, cease to exist in large part.

This question of reforestation is of monumental importance. America can not continue to exist as a virile, forward-moving Nation unless we protect what we have and start to build up that which we have so ruthlessly destroyed. We can not afford to be a Nation of vandals much longer. America must reforest, or America must drink the bitter dregs of national decline and impotency. [Applause.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Idaho to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

EXTENSION OF REMARKS.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the work of this session.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD on the work of this session; is there objection?

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Speaker, when the time comes to say good-bye, perhaps I will not object, but for the present I object.

SEWER SYSTEM ACROSS FORT DE RUSSY MILITARY RESERVATION, HAWAII.

Mr. HULL of Iowa. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4572) granting to the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system, which I send to the desk and ask to have read.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, my recollection of the bill from having read it is that it provides for an extension of water line to the city of Honolulu, across the United States Military Reservation.

Mr. HULL of Iowa. It is a sewerage system across the Fort De Russy Reservation.

Mr. GARD. And the project has the approval of the Board of Engineers?

Mr. HULL of Iowa. It has. The War Department has approved it and has made a favorable report upon it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill as follows:

Be it enacted, etc., That there be, and there hereby is, granted to the city and county of Honolulu, Territory of Hawaii, subject to the conditions named in section 2 of this act, a right of way over and across the Fort De Russy Military Reservation in said Territory for the purpose of constructing an extension of its sewer system, including a booster station in connection therewith, and of maintaining and operating the same, said right of way to include a strip of land 12 feet in width and approximately 1,420 feet in length, and in addition thereto a contiguous area of approximately 800 square feet for the erection, maintenance, and operation of said booster station.

SEC. 2. That the grant made in section 1 of this act is upon the condition that said sewer and booster station shall be placed underground; that the United States shall have the right at any and all times to connect with said sewer at such place and places as it shall deem desirable and to use the same for purposes of drainage and sewer disposal from said reservation; and that the construction of said sewer and booster station upon the right of way herein granted shall be along such route and upon such site and in accordance with such plans and specifications as shall have been previously approved by the Secretary of War.

Mr. HULL of Iowa. Mr. Speaker, this is simply a bill to extend the sewerage system of the city of Honolulu. It will take a strip of land 12 feet wide and some 1,500 feet long, and probably some additional space for a booster station.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. SNELL. What is a booster station?

Mr. HULL of Iowa. A booster station in the language of our country would probably be a pumping station for lifting the sewage up.

Mr. SNELL. Is this going to be beneath the surface of the reservation?

Mr. HULL of Iowa. It is, as I understand. The matter is fully covered in the report of the Secretary of War.

Mr. SNELL. As I understand it, the Federal Government also has a right to connect in with this sewer without any expense to it.

Mr. HULL of Iowa. It would have. Of course it is all to be put in under the regulations of the War Department.

Mr. SNELL. And without expense whatever to the Government?

Mr. HULL of Iowa. Without any expense to the Government. I yield now to the gentleman from Hawaii [Mr. KALANIANAOLE].

Mr. KALANIANAOLE. Mr. Speaker, this is simply asking Congress to allow the military to give us a right of way over the Fort De Russy Reservation. We are extending our sewers, and to do so we must go through this reservation. This reservation was formerly Territorial property. All we ask is that we be allowed for sanitary purposes to lay this sewer through the reservation. I believe under the bill the military will have the use of it without paying the county for the use of it.

Mr. SNELL. All the expense is going to be paid by the city of Honolulu?

Mr. KALANIANAOLE. Yes.

Mr. SNELL. And it is to be put back into good shape and left in good condition?

Mr. KALANIANAOLE. Yes. The people of Honolulu at the last election voted a bond issue of $600,000 for the laying of this sewer.

Mr. SNELL. Are there any buildings in the line of where the sewer will be placed?

Mr. KALANIANAOLE. No.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HULL of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed a bill of the following title:

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolutions of the following titles:

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American who was a member of the American Expeditionary Forces who served in Europe and lost his life during the World War and for the burial of the remains with appropriate ceremonies; and

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of Champ Clark.

SENATE ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4332. An act to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

STEVENS INSTITUTE OF TECHNOLOGY.

Mr. LEHLBACH. Mr. Speaker, I move to suspend the rules, take from the Speaker's table and pass the bill (S. 3695) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.

The SPEAKER pro tempore. The gentleman from New Jersey moves to suspend the rules and pass the Senate bill 3695. Is a second demanded?

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to the trustees of the Stevens Institute of Technology, of Hoboken, N. J., out of any money in the Treasury not otherwise appropriated, the sum of $45,750, being the sum paid to the United States January 28, 1870, as a collateral inheritance tax upon the request which provided for the establishment and endowment of said institute.

Mr. LEHLBACH. Mr. Speaker, I desire to say that the case of the Stevens Institute of Technology, of Hoboken, is substantially, as far as investigation discloses, an isolated case. It is the only case as far as we can find in the history of the country where a substantial sum from a bequest to an educational institution has been withheld by the Government, having collected the same as collateral inheritance tax. The money was collected under the Civil War revenue act and was paid in 1870. At the time that this assessment was levied and this tax was paid by the Stevens Institute there were also levied taxes against Vassar College and against the Augustinian Society of Lawrence, and the Augustinian Society of New York, also educational associations. These withheld the payment of the tax, and Congress in each instance passed a special act remitting the taxes of these educational institutions. Stevens, without endeavoring to secure such action, unfortunately paid the tax and shortly thereafter the law itself was repealed.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. SNELL. How long ago was this?

Mr. LEHLBACH. In 1870.

Mr. SNELL. How much is the amount of the tax paid at that time?

Mr. LEHLBACH. $45,750.

Mr. SNELL. And the gentleman says that institutions under similar conditions have had taxes rebated to them by the Federal Government?

Mr. LEHLBACH. They have. When taxes were levied under the Spanish War revenue act, the act following the language of the Civil War revenue act, there was collected from educational institutions something in the neighborhood of $889,000. Subsequently Congress voted to refund every penny of this tax. There was returned to Harvard the sum of $78,900; to the Massachusetts Institute of Technology $58,500; and there were refunds to Yale, Columbia, Williams, Vassar, Roanoke, Worcester Polytechnic, and a long list of other colleges. The Treasury books as they were kept in the Civil War period and subsequently do not disclose who made payments, and under what provisions of the Civil War act, so an independent investigation was made to discover what other educational institutions had paid such tax without any return to them subsequently.

And the only colleges that paid any such tax that could be ascertained were Williams College which paid $300, the New Brunswick Theological Seminary which paid $1,400, small amounts. With these exceptions Stevens Institute is the only educational institution that has paid such a collateral inheritance tax, and has had repayment withheld by the Government. Congress manifestly by these refunds has shown that it is against the policy of taxing an educational institution upon the endowment of a benefactor. At present the income-tax law does not tax the income of an individual who used it for such purposes.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. LEHLBACH. I will yield to the gentleman from Alabama.

Mr. BANKHEAD. I understand that the amount of this tax is approximately $45,000?

Mr. LEHLBACH. That is right.

Mr. BANKHEAD. And this amount the gentleman is seeking to have refunded?

Mr. LEHLBACH. We are not asking for any interest whatsoever, or any costs, or anything of that kind, simply the amount actually paid.

Mr. BANKHEAD. Has this amount been retained as a segregated fund in the Treasury or in the general fund?

Mr. LEHLBACH. I assume it is carried in the general fund like other taxes that have been received.

Mr. KELLY of Pennsylvania. I just want to say that the Claims Committee made a very thorough and extensive investigation into this bill and found that really the promptness with which this institution paid its taxes was made a penalty upon it. The other institutions that did not pay the taxes promptly were not obliged to pay them, and, therefore, I think that this bill should pass.

Mr. HUSTED. Will the gentleman yield?

Mr. LEHLBACH. I will.

Mr. HUSTED. Why was the tax retained in this case and was not retained in other cases?

Mr. LEHLBACH. Because, while the taxes were due from other institutions in this period from 1865 to 1870, apparently the other institutions had bills introduced remitting the tax, but the Stevens Institute of Technology did not take that step.

Mr. HUSTED. And this institution has slept on its rights during all of that time?

Mr. LEHLBACH. No; it has not slept on its rights. It has asked repeatedly to have a bill passed for that purpose and there has been no adverse report from either the Senate or House Committee, but the gentleman himself knows how difficult it is to pass such legislation.

Mr. HUSTED. Has the matter ever been brought before the Congress in the past?

Mr. LEHLBACH. It has; and there has never been an adverse report from a committee of either house, and the Senate has passed this bill. I want to say just one word——

Mr. HUSTED. Then there is not any special reason why this tax should not be refunded in this case which does not apply to all the other cases?

Mr. LEHLBACH. Absolutely none.

Mr. TILSON. Will the gentleman yield?

Mr. LEHLBACH. I will yield.

Mr. TILSON. I am glad to give a little testimony that will carry the gentleman back about a dozen years. During my first term in the House of Representatives I was a member of the Committee on Claims. This bill was before that committee at that time. We considered it and passed upon it favorably—unanimously, as I now recall—and attempted to get it through the Sixty-first Congress, but failed.

Mr. BANKHEAD. How does it happen that this claim has been pending since the days of the Civil War and has failed up to this late hour to receive favorable action?

Mr. TILSON. The gentleman has been here long enough to understand the situation pretty well. Let him undertake to get a claims bill through this House regardless of the merits of the bill and he will understand why this claim has been so long pending.

Mr. LEHLBACH. I reserve the balance of my time and yield five minutes to the gentleman from New Jersey [Mr. EAGAN].

Mr. EAGAN. Mr. Speaker, and gentlemen of the House, this bill has been before the Congress for a great many years. I introduced a bill in the Sixty-third Congress of similar purport; again in the Sixty-fourth Congress and in the Sixty-fifth Congress. It is a bill that ought to have the favorable consideration of this body because while in some degree it might be called a private bill, Stevens Institute, like all educational institutions, is doing a very important public work and the only persons who can benefit by the passage of this bill will be the young men from all over the country who attend Stevens Institute of Technology. The institute is located in Hoboken, in the district I have the honor to represent in this House. I hope, gentlemen of the House, that this bill may become a law and belated justice be done to the Stevens Institute. As indicated by the gentleman from Pennsylvania [Mr. KELLY], Stevens Institute was prompt, punctual, and patriotic in the payment of this tax. If this bill does not become a law, the institute in effect will be penalized for the patriotism and promptness with which it paid this tax. Other educational institutions, as explained by my colleague from New Jersey [Mr. LEHLBACH], were subject to this tax, but failed to pay, and, when the repealer of the law was passed, escaped the payment of the tax. In at least two cases Congress by special act in 1870 remitted the tax assessed against bequests to educational institutions.

Mr. EDMONDS. If the gentleman will yield, I wish to say that there is now on the Private Calendar a House bill of simi-

lar purport, and it has been three times reported favorably from the Claims Committee since I have been a member of it.

Mr. EAGAN. I thank the gentleman. The question has been asked as to why Stevens Institute has delayed so many years in asking for repayment. As a matter of fact the institute has been asking for this refund for nearly 50 years. The Government has had the use of this money for 50 years and the interest alone would amount to much more than the principal. The bill, of course, does not provide for the payment of the interest. It simply calls for the refunding of the actual amount of the tax. I respectfully submit, gentlemen of the House, that Congress never intended to tax bequests to educational, charitable, and religious institutions. Notwithstanding the enormous demand for revenue with which to prosecute the World War, specific exception was made in favor of educational, charitable, and religious institutions. This is a good bill and I hope it may become a law at this session.

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, in the apparently generous mood of the House to-night it might be considered ungenerous on the part of anyone to make a suggestion that this bill should not pass, inasmuch as there has been shown the disposition to pass bills in the last few days without very much consideration.

Now, as to this bill—and I do not speak against it sentimentally at all—it is only fair to call the attention of the membership of the House to the attitude and the report of the Secretary of the Treasury to show that it is without foundation in precedent, and unless we desire to make a precedent which will open all legacies taxed in the Civil War days, this bill should not pass. The Secretary of the Treasury has said that this tax was collected along about 1870 and no application for refunder was made; that all these years have gone by and there has been no general law passed that pretended to have been passed for the relief of those who paid taxes on legacies in the Civil War times. And the establishment of this is not alone giving this money to the Stevens Institute of Technology, which I, for one, would hesitate to insist upon if it stood alone, but it is the policy of opening up through the channels of the action of Congress at this time and in this manner all payments from the Treasury of the United States, which may know no limit. Now, it is this only that I desire to call to the attention of the membership of the House. If it is the intention to create a precedent, if here we are now to advance the idea that taxes once paid by institutions of this kind, or collateral inheritance taxes, and paid by anybody, an educational institution or a private person, if they are now to be refunded, then it is best for us to know the policy.

Mr. EAGAN. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. EAGAN. Is the gentleman aware of the fact that the report shows that there were only two or three other educational institutions out of the 300 that might have been subject to the payment of an inheritance tax on bequests received by them that could possibly be affected, and that they amount to less than $4,000?

Mr. GARD. I do not know what the others amount to. I say the question as disclosed by the report of the Secretary of the Treasury is this: Here was a proper tax, collected in a proper way. If you desire to abandon the collection of taxes and make refunder of taxes lawfully collected, it is well to understand that proposition, and that is exactly what it means. Because if this tax has the right to be refunded, or if the refunder is made as a matter of right, then refunders can be made as a matter of right to thousands of cases of taxes collected on legacies during the Civil War period.

As I say, I hesitate to approach this matter in any critical sense, but I feel that somebody must say a word here to show what the conditions are. Nobody is told of the report of the Secretary of the Treasury, and yet that report is one which should have the consideration of the membership of this body. It is a frank report, stating that as a matter of precedent and as a matter of policy a bill of this kind should not pass unless the House, fully informed, establishes the precedent that it desires to refund taxes collected on legacies back in the Civil War days. And that is the only comment I make. If the House does desire to do that, if it desires to turn around in these closing days of generosity and good will, and with the public money pay back taxes honestly due and honestly collected, then it is well for us to know that.

And it is well for us to know, too, that if we establish this precedent or a similar one, then in all fairness hundreds of other cases should be submitted to our consideration and should receive the same action as this particular case.

Mr. EAGAN. Will the gentleman yield again?

Mr. GARD. I do not desire to use any further time, but I will yield.

Mr. EAGAN. Is it not a fair inference, if there are other cases of this kind, they would have been represented in bills introduced here?

Mr. GARD. I think not, because I think the fair inference is that with taxes collected so long ago, honestly collected under laws properly administered, the realization was that the taxes were honestly owed and were paid, and the people by whom they were paid did not desire to ask for a refund of taxes, because they realized that they were getting something in the first instance, and the only tax collected was the legacy tax. They were glad to get the legacy; they were glad to pay the tax; and they did not ask for a refund. That is the history of them. That is the history of this one until this question was raised.

The SPEAKER. The question is on agreeing to the motion to suspend the rules and pass the bill.

The question was taken; and the Speaker announced that, two-thirds having voted in the affirmative, the bill was passed.

Mr. GARRETT. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 73, noes 9.

So the bill was passed.

WAR MATERIAL FOR THE NATIONAL MUSEUM.

Mr. FIELDS. Mr. Speaker, I move to suspend the rules and pass the bill S. 4827.

The SPEAKER. The gentleman from Kentucky moves to suspend the rules and pass the bill. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4827) to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes.

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized to furnish to the National Museum, or exhibition, upon request therefor by the administrative head thereof, such articles of arms, matériel, equipment, or clothing as have been issued from time to time to the United States Army, or which have been or may hereafter be produced for the United States Army, and which are objects of general interest or of foreign or curious research, provided that such articles are surplus or can be spared.

SEC. 2. That the Secretary of War be, and he hereby is, authorized to dispose of all colors, standards, and guidons of demobilized organizations of the United States Army in the following manner: Any which were used during their service by such organizations and which were brought into the service of the United States from the National Guard of any State may be returned to that State upon request therefor from the governor thereof, and all others may be sent, upon request of the governor thereof, to whatever State the Secretary of War may determine to have furnished the majority of men to any such organization at the time of its formation: *Provided, however*, That where it is impossible to determine what State furnished a majority of the men of an organization at the time of its formation, or where any organization was so cosmopolitan in its original make-up that it is impossible to identify it with any particular State, the colors of such organization will be turned in to the Quartermaster General for such national use as the Secretary of War may direct: *Provided further*, That the title to all such colors, standards, and guidons shall remain in the United States: *And provided further*, That the Secretary of War shall require assurance that proper provision has been or will be made for their care and preservation before returning or sending the same as herein authorized.

SEC. 3. That in all cases in which the Secretary of War has heretofore furnished to the National Museum any property of the kinds described in section 1 hereof, or has disposed of any colors, standards, or guidons of demobilized organizations of the United States Army in the manner provided by section 2 hereof, his acts and doings in the premises are hereby ratified and confirmed.

The SPEAKER. Is a second demanded?

Mr. SNELL. Mr. Speaker, we do not seem to know much about this bill. As yet we have not been able to get a copy. We ought, under the circumstances, to have a pretty full explanation. I demand a second.

The SPEAKER. The gentleman from New York demands a second.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. FIELDS. Mr. Speaker, the purpose of this bill is to authorize the Secretary of War to furnish to the National Museum certain articles used by the Army, and also to furnish to States, upon the application of the governors thereof, certain articles, standards, guidons, and so forth, taken into the service by the National Guard organizations of such States. Practically all of the material has already been placed in the National Museum.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. HICKS. I understand the purport of this bill is to establish in the National Museum a collection of these war trophies. Notwithstanding the gentleman's explanation a moment ago, may I ask if there is a proviso here to loan some of this material to the States and have some of it on deposit in the States?

Mr. FIELDS. Yes.

Mr. Speaker, I ask that the report on the House bill of similar character be read by the Clerk.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

Report to accompany H. R. 15664.

The Committee on Military Affairs, to whom was referred the bill H. R. 15664, having considered the same, report thereon with a recommendation that it do pass.

The bill (H. R. 15664) is recommended by the Secretary of War, as per letter from the Secretary, which is made a part of this report and which reads:

WAR DEPARTMENT,
Washington, January 8, 1921.

The CHAIRMAN,
Committee on Military Affairs, House of Representatives.

SIR: I have the honor to invite your attention to draft of an act herewith, which it is desired to submit for consideration of your committee, with the request that it be introduced with the approval of the committee.

The proposed act deals with the matter of furnishing to the National Museum, for exhibition, articles of arms, equipment, and matériel issued to or produced for the Army, and with the disposal of the colors, standards, and guidons of demobilized organizations of the Army to the various States; and also ratifies the action heretofore taken by me as to both of these matters.

Respectfully,
NEWTON D. BAKER,
Secretary of War.

It is the information of your committee that much of the matériel referred to in the bill has already been furnished to the National Museum and is now on exhibition in that institution, but upon investigation it was decided that there was no authority of law for such disposition of said matériel. Section 3 of the bill is, therefore, designed to ratify the action of the Secretary of War in thus disposing of such matériel.

Mr. HICKS. Mr. Speaker, will the gentleman yield again?

Mr. FIELDS. Yes.

Mr. HICKS. Is this American-made matériel? Is it all American?

Mr. FIELDS. It is matériel used by the American armies.

Mr. HICKS. There is nothing that was used on the other side at all?

Mr. FIELDS. It is my understanding that it does not apply to war trophies or anything that was captured from the enemy.

Mr. HICKS. What is the special object of having this material sent out? Is it just as a matter of interest and curiosity to the different States?

Mr. FIELDS. That is all. The matériel that will be sent to the States is only matériel that was brought into the service by the National Guard organizations of the States.

Mr. HICKS. How will this be distributed? By a ratio of any kind? Will the large States have more than the small ones? How will it be distributed?

Mr. FIELDS. Oh, no. If it were something that was brought in by an organization that was composed wholly or in the main from a particular State it would go to that State. If the composition of the organization that used the material was so cosmopolitan that it could not be decided from what State the majority part of the organization came, then the Quartermaster General would take charge of it, to be disposed of as directed by the Secretary of War.

Mr. HICKS. Does the governor of the State make requisition or the adjutant general of the State?

Mr. FIELDS. The governor of the State, I think, makes requisition.

Mr. HICKS. Have many of the States made requests?

Mr. FIELDS. I can not answer that question. I think not, though, because the legislation has not yet been enacted.

These are things of historic value. For instance, the National Guard of the gentleman's own State would doubtless feel a great deal of interest in preserving the guidons that they carried in the battles overseas, and it seems to me that it would be only fair to that organization that the Secretary of War be authorized and directed by this legislation to turn this matériel over to the States. That is the object of the bill.

Mr. SNELL. This matériel belongs to the Federal Government at this time, does it?

Mr. FIELDS. Yes; and it will continue to belong to the Federal Government.

Mr. SNELL. Where is it stored?

Mr. FIELDS. In various parts of the country.

Mr. HICKS. Will these articles be deposited at the capitals of the various States?

Mr. FIELDS. I judge that will be determined by the States themselves, because this bill does not undertake to say where they shall be deposited.

Mr. HICKS. I presume if the Federal Government ever needs this matériel it can get it back?

Mr. FIELDS. It can recall it. That is provided for in the bill.

Mr. FESS. Will the gentleman yield?

Mr. FIELDS. I yield to the gentleman from Ohio.

Mr. FESS. I have a request from the Ohio Historical Association for the plane used by the famous Eddy Rickenbacher, whose home was in Columbus, Ohio, and who did wonderful work in the air over in Germany.

Mr. SNELL. Does this bill go so far as to authorize the distribution of planes?

Mr. FESS. I did not think so, and I was inquiring whether under this bill the State authorities would be permitted to deposit this particular plane with the Historical Association of Ohio.

Mr. FIELDS. That would depend upon whether it was needed by the War Department or not. If the War Department should decide that it was not needed, then it would be within the power of the Secretary of War under this bill to turn that plane over to the governor of the State of Ohio upon his request.

Mr. FESS. My friend will recognize that the plane will not be of any use in the future, and the Ohio Historical Association would like to have it for its historical significance.

Mr. FIELDS. And they should have it, and that is the purpose of this bill. There are many of these things that would be of great historic interest and value to the States, and they are now in storage, and there is no reason why they should not be put in museums or on exhibition wherever the States want them.

Mr. SNELL. Would not the word "matériel" cover practically everything in storage, such as planes and various other things?

Mr. FIELDS. I think so.

Mr. HICKS. As I understand the gentleman's answer, this bill would not provide for the distribution of any war trophies; and yet in reading the bill I see no limitation at all, and I should think they could take trophies, cannon, or anything else.

Mr. FIELDS. If the bill would permit the distribution of war trophies, I would be that much more interested in it. I do not think it will do that. That is, I mean captured war trophies.

Mr. HICKS. It says matériel of interest that was produced for the United States Army.

Mr. FIELDS. Yes.

Mr. HICKS. Now, if an airplane was produced for the United States Army, it might be of historical value, and under this bill it could be turned over as provided in the bill.

Mr. FIELDS. Yes; and it should be, if no longer needed by the War Department.

Mr. GREENE of Vermont. I do not think "matériel" would include any captured war trophies.

Mr. SNELL. What does "trophy" mean?

Mr. GREENE of Vermont. I refer the gentleman to the dictionary for its meaning, but I think common usage makes it something which was the object of a contest or combat.

Mr. FESS. That is it.

Mr. FIELDS. I do not think it is the opinion of anybody that this would apply to the matériel captured from the enemy during the war.

Mr. SNELL. This refers to clothing. Would it include surplus clothing and uniforms?

Mr. FIELDS. There is nothing in the bill that confines it to old clothing.

Mr. SNELL. They might distribute superfluous uniforms which they have.

Mr. FIELDS. They might do so.

Mr. GREENE of Vermont. One of the most interesting exhibits in the war section of the Smithsonian Institution to-day is a row of cases showing the various types of field uniforms worn by men of the several services among the Allies.

Mr. FIELDS. I think in years to come it will be of great interest to all people to have preserved each style of uniform worn in this war.

Mr. SNELL. Does this bill confine it to this war or to any previous wars?

Mr. FIELDS. I am of the opinion that this is to apply to all wars.

Mr. SNELL. Are there enough for a full and complete line for each State in the Union?

Mr. FIELDS. If the supply should become exhausted, the distribution would stop.

The SPEAKER. The question is on the motion of the gentleman from Kentucky to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. BELL. Mr. Speaker, I wish to submit a report of the Joint Commission on Postal Salaries, authorized by section 3 of the Post Office appropriation bill for the fiscal year ending June 30, 1920. A preliminary report was submitted on May 24, 1920, together with the draft of the postal salary bill. I ask that the same be printed as a public document.

The Clerk read as follows:

Report of the Joint Commission on Postal Salaries authorized by the act of June 30, 1920.

The SPEAKER. Ordered printed.

Mr. HAUGEN. Mr. Speaker, I desire to file a conference report on the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes.

The conference report is as follows:

COLD-STORAGE FOODS—SECOND CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That this act may be cited as the 'United States cold storage act.'

"SEC. 2. Whenever used in this act—

"(a) The term 'person' includes an individual, partnership, corporation, or association;

"(b) The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation;

"(c) The term 'cold storage' means the storage or keeping of any article of food at or below the temperature of 45° above zero (Fahrenheit) in a cold-storage warehouse;

"(d) The term 'article of food' means—

"(1) Meat, meat products (including all edible portions of food animals), poultry and game whether drawn or undrawn, poultry products, game products, fish, fish products, shellfish, oysters, and clams;—if fresh, cooked, prepared, cured, or frozen;

"(2) Eggs or portions thereof;—if in shell, dried, or frozen;

"(3) Butter, oleomargarine, lard, lard substitutes, butter substitutes, and cheese;

"(4) Oils for food purposes; and

"(5) Milk, evaporated or powdered;—

but does not include any such article not intended or designed for food purposes which is plainly and conspicuously marked in such manner as correctly to show the fact in accordance with such regulations as the Secretary of Agriculture shall prescribe;

"(e) The term 'cold-storage warehouse' means any place, including a car, vessel, or other vehicle, in which the temperature is artificially cooled to or artificially maintained at or below 45° above zero (Fahrenheit); but does not include a place used exclusively for storage of any article of food for the sole use of the occupant, owner, or maintainer thereof (1) for consumption by himself or his family or guests, or (2) in his business of serving meals, or (3) in connection with his retail business only, except that such place shall, in respect to any article of food held therein for more than 30 days in connection with such retail business, be deemed a cold-storage warehouse for the whole of the period of storage therein of such article;

"(f) The term 'warehouseman' includes any person maintaining or operating a cold-storage warehouse; and any person who rents and controls a room or space therein; and

"(g) The term 'mark' includes stamp, brand, tag, and label, and the term 'marked' includes stamped, branded, tagged, and labeled.

"SEC. 3. (a) It shall be unlawful at any time more than 30 days after an article of food is first placed in cold storage, for any person to ship, deliver for shipment, sell or offer for sale, in commerce, or to hold in cold storage in commerce, or having received in commerce, to sell or offer for sale in the original unbroken package, such article of food, unless it is plainly and conspicuously marked, in accordance with this act and the regulations thereunder, in such manner as correctly to show (1) the words 'Cold Storage,' (2) all the dates when put in and taken out of cold storage, and (3) the names and locations of all the cold-storage warehouses in which stored, or suitable distinguishing designations thereof approved by the Secretary of Agriculture for the purpose.

"(b) If any article of food which is required by subdivision (a) of this section to be marked, is subdivided, or is in or is placed in a container, or is transferred to a different container, the person who is liable under this act for any failure to have such article of food marked, shall mark the subdivision or the container thereof in the same manner as provided by subdivision (a).

"(c) If (1) an article of food that has not been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage, or (2) the containers of such articles of food are mixed or mingled, or (3) an article of food that is or has been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage during a different period of time, or (4) the containers of such articles of food are mixed or mingled; then for the purposes of subdivisions (a) and (b) of this section and for the purposes of section 6, the dates required to be placed upon the article of food, if any, resulting from such mixing or mingling, or upon the containers so mixed or mingled, and from which the periods of time referred to in subdivision (a) and in section 6 are to be computed, shall be those of that one of such articles of food which was first placed in cold storage, and the names and locations of cold-storage warehouses shall be those of all such warehouses in which each of such articles of food is or has been held in cold storage.

"SEC. 4. If the Secretary of Agriculture finds that the proper and customary manner of handling any article of food is such that it is commercially impracticable to mark the same or the container thereof in accordance with this act, the person otherwise required under this act to have the same so marked shall furnish or display, as the Secretary of Agriculture may require, to the receiver of such article of food a written statement, or an invoice or bill of lading or other shipping document, which shall describe such article of food, shall correctly state the facts otherwise required by this act to be marked, in the manner prescribed in the regulations under this act, and shall be preserved and be subject to examination by an officer, employee, or agent duly authorized under this act, for such reasonable length of time as the Secretary of Agriculture deems necessary for the purposes of this act; except that, in the case, under this section, of a sale at retail to the consumer, the facts required by clauses (2) and (3) of subdivision (a) of section 3 may be omitted unless otherwise requested by such consumer.

"SEC. 5. Except as otherwise permitted by this act, it shall be unlawful for any person (a) to alter, mutilate, destroy, obscure, obliterate, or remove any mark required by this act to be placed on any article of food or the container thereof, while it is in commerce or, having been transported in commerce, remains unloaded, unsold, or in the original, unbroken package, or (b) to alter, mutilate, destroy, obscure, or obliterate any statement, invoice, or document or portion thereof, required to be furnished or displayed, during the time the same is required to be preserved under section 4.

"SEC. 6. It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale, in commerce, or to hold in cold storage in commerce, any article of food, or having received in commerce, to sell or offer for sale, in the original, unbroken package any article of food, after the expiration of 12 months following the date when such article of food was first placed in cold storage; except (1) that the Secretary of Agriculture may in such instances in respect to frozen eggs and portions thereof as he deems advisable, extend such period of time to not more than 18 months following the date when such eggs or portions thereof were first placed in cold storage, and (2) that the above provisions of this section shall not apply to cheese held for the purpose of ripening and improving the quality thereof.

"SEC. 7. The provisions of sections 3, 4, 5, and 6 shall not apply to any article of food shipped or sold or delivered for shipment to any foreign country, if in respect to the requirements of such section the article of food complies with the specifications and directions of the purchaser or consignee in such foreign country and is not in contravention of the laws of such country; but if the article of food is not actually exported, this section shall not exempt such article of food from the operation of sections 3, 4, 5, and 6.

"SEC. 8. (a) No person shall receive in commerce any article of food for cold storage after the cold-storage warehouse in which it is to be stored is found by the Secretary of Agriculture, after due notice and hearing, to be insanitary or otherwise unfit for the storage of any such article of food. Such finding shall remain in force until the Secretary shall, after further hearing, determine that such condition has been remedied.

"(b) No person shall receive in commerce any article of food for cold storage in a cold-storage warehouse if such person has refused inspection, when requested under this act, of such warehouse; nor shall any person ship in commerce any article of food if he has refused inspection of such article of food when requested under this act.

"SEC. 9. In order to carry out the provisions of this act, the Secretary of Agriculture or any officer, employee, or agent specifically authorized by him in writing for the purpose may, on any business day during the usual hours of business, enter any cold-storage warehouse which receives, or from which is shipped or delivered, any article of food, in commerce, and may inspect such warehouse and the contents thereof, and any statements, books, papers, letters, or documents relating thereto.

"SEC. 10. (a) In order to carry out the provisions of this act and to provide information for the Congress, every warehouseman shall keep such records and accounts and make such reports, in such manner and form, verified under oath or otherwise, every three months and at such other times, as the Secretary of Agriculture may require, as to (1) the amounts and kinds of all articles of food or foodstuffs held or in transit in cold storage by such warehouseman, (2) loans made by such warehouseman upon the security of such articles or foodstuffs, (3) charges made by such warehouseman for storage and other services rendered by him, and (4) the size or capacity of his warehouse. The Secretary of Agriculture in his discretion may at any time require such further reports as he deems necessary or proper concerning the ownership, receipt, delivery, or transportation of any such articles of food or foodstuffs. Any information obtained by the Secretary of Agriculture under this act shall be available for the use of either House of Congress. The Secretary of Agriculture shall cause such information as may be of public interest to be published from time to time.

"(b) No person shall willfully (1) fail or refuse to make full and true entries or make any false entry in the accounts or records of his business required to be kept pursuant to this section, or (2) alter, mutilate, conceal, or destroy any such account or record, or (3) make any report required under this section which is false or fraudulent in any material particular, or (4) fail or refuse to make any report required under this section.

"SEC. 11. No person shall willfully hinder, obstruct, or resist the Secretary of Agriculture or any duly authorized officer, employee, or agent, in the performance of his duties under this act.

"SEC. 12. Any person who violates any provision of section 3, 4, 5, 6, 8, 10, 11, or 16 shall upon conviction thereof be punished by a fine not exceeding $1,000 or imprisonment not more than one year, or both. After judgment of any court with respect to any violation of this act, the Secretary of Agriculture may give notice thereof by publication in such manner as he by regulation may prescribe. A person shall not be prosecuted for any violation of section 3, 4, or 6, resulting from the act, omission, or failure of any other person not acting for or employed by him, prior to the time when the article of food involved came into his possession or control, if he shows that such violation was not knowingly committed by him and also (except in such cases as the Secretary of Agriculture deems necessary and advisable and shall by regulation prescribe), establishes a written guaranty signed by such other person who shall be a resident of the United States, from whom he obtained the possession or control of such article of food, to the effect that such article of food has not been in cold storage or that, if it has been in cold storage and is apparently marked or represented in accordance with subdivision (d) of section 2 or section 3 or 4, the marks or representations are true. The guaranty shall contain the address of the person required to sign it, and such person shall be amenable to the prosecution, fine, penalty, or imprisonment which would otherwise attach to the person to whom he delivered the possession or control of the article of food.

"SEC. 13. (a) When construing and enforcing the provisions of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case also be deemed the act, omission, or failure of such individual, partnership, corporation, or asssociation, as well as of such person.

"(b) If any person acting for or employed by any individual, partnership, corporation, or association negligently or willfully omits personally to perform any necessary act or properly to supervise or apportion duties among his subordinates, in the execution of the authority or functions vested in him, and by reason of such omission a violation of this act directly results, he shall be liable to all the penal and other provisions of this act with respect to such violations; but nothing in this subdivision shall be held to relieve the individual, partnership, corporation, or association from such provisions.

"(c) The provisions of this section shall be held to extend and not to limit the application of section 37 or 332 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, as amended.

"SEC. 14. (a) Whenever in the case of any article of food being offered for importation, the Secretary of Agriculture has reason to believe that any provision of this act is being violated with respect to such article of food, he shall give due notice and opportunity for hearing thereon to the owner or consignee, and certify such fact to the Secretary of the Treasury, who shall thereupon (1) refuse admission and delivery to the consignee of such article of food, or (2) deliver such article of food to the consignee pending examination, hearing, and decision in the matter on the execution of a penal bond to the amount of the full invoice value of such article of food, together with the duty thereon, if any, and to the effect that on refusal to return such article of food for any cause to the Secretary of the Treasury when demanded, for the purpose of excluding it from the country or for any other purpose, the consignee shall forfeit the full amount of the bond.

"(b) If, after proceeding in accordance with subdivision (a) of this section, the Secretary of Agriculture is satisfied that any provision of this act is being violated with respect to such article of food, he shall certify the fact to the Secretary of the Treasury, who shall thereupon notify the owner or consignee and cause the sale or other disposition of such article of food refused admission and delivery or entered under bond, unless it is exported by the owner or consignee within three months from the date of such notice, under such regulations as the Secretary of the Treasury may prescribe. All charges for storage, cartage, or labor on any such article of food which is refused admission or delivery or is entered upon bond shall be paid by the owner or consignee.

"SEC. 15. Whenever it appears that any article of food in cold storage in commerce is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, the Secretary of Agriculture may cause the immediate seizure of such article of food and thereupon shall at once cause notice of the facts to be given to the United States district attorney for the district in which the article of food is seized. Such district attorney shall proceed without delay against such article of food in any court of the United States in such district for confiscation by process of libel for condemnation. If in the opinion of the court the article of food is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, it shall be immediately disposed of by destruction or sale as the court shall direct, but such disposition shall not be contrary to any law of the United States, or of the State, Territory, or District where such destruction or sale takes place. The proceeds of any sale under this section, less legal costs and charges, shall be paid to the person entitled thereto. The proceedings in such libel for condemnation shall conform as nearly as may be to proceedings in admiralty and shall be at the suit and in the name of the United States. For the purposes of this section the Secretary of Agriculture may cause investigations, inspections, analyses, and tests to be made and samples to be collected of any article of food in commerce. The Department of Agriculture shall pay to the person entitled, upon his request, the reasonable market value of any such samples.

"SEC. 16. The Secretary of Agriculture is authorized to designate in writing specifically officers, employees, and agents of the Department of Agriculture to administer oaths for the purpose of this act. All such officers, employees, and agents are authorized and empowered to administer to or take from any person an oath, affirmation, or affidavit for the purposes of this

act, or for use in prosecutions or proceedings thereunder. Any such oath, affirmation, or affidavit, authenticated by the official seal of the Department of Agriculture, shall, when offered for use in any proceeding under this act or in any court of the United States, have like force and effect as if administered or taken by or before the clerk of such court, without further proof of the identity or authority of such officer, employee, or agent. No such officer, employee, or agent shall demand or accept any fee or compensation whatsoever for administering or taking any oath, affirmation, or affidavit under the authority conferred by this act.

"SEC. 17. For the enforcement of this act, the sum of $200,000 is hereby appropriated, to be available until expended, out of any moneys in the Treasury not otherwise appropriated, and the Secretary of Agriculture (a) is authorized to prescribe and promulgate such regulations as may be necessary; (b) may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and (c) shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere.

"SEC. 18. This act shall take effect and be in force from and after its passage; but no penalty, fine, forfeiture, or imprisonment shall be enforced for any violation occurring within 90 days after its passage.

"SEC. 19. No provision of this act shall be deemed to repeal or limit the operation of any provision of any other act of Congress, unless directly in conflict therewith.

"SEC. 20. If any provision of this act or the application of such provision to certain circumstances is held unconstitutional, the remainder of the act and the application of such provision to circumstances other than those as to which it is held unconstitutional shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"An act to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce; and for other purposes."

And the Senate agree to the same.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.
A. J. GRONNA,
E. D. SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding, deterioriation of, and deception in respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and submitted in the accompanying conference report.

The amendment of the Senate strikes out all after the enacting clause in the House bill. The House recedes from its disagreement therewith with an amendment which is a substitute for the Senate amendment:

Section 1: This section gives the short title of the bill, "United States cold storage act." The title is the same in the House bill and the Senate amendment.

Section 2: This section contains the definitions:

(a) The House bill defines "person" to include an individual, partnership, corporation, and association. The Senate bill varies the language describing associations. The subdivision as agreed by the conferees retains the House language.

(b) The House bill defines "commerce" so as to include interstate and foreign commerce. The Senate amendment and the subdivision as agreed to by the conferees retains the House definition.

(c) The House bill defines "cold storage" to include all storage in a cold-storage warehouse. The Senate amendment limits such storage to storage at or below the temperature of 45° above zero Fahrenheit in the warehouse and excludes storage space used for chilling or precooling for not more than 30 days for manufacture, sale, or transportation. The subdivision as agreed to by the conferees retains the Senate provision with verbal changes and the omission of the 30-day exemption, which, however, is carried over into section 3.

(d) The House bill defines "article of food" to include all foods, except liquids, no matter what their condition or form. The Senate amendment limits the definition to fresh meat, including all fresh edible portions of food animals, fresh fish, fresh poultry drawn or undrawn, fresh game, eggs in shell or frozen, butter, oleomargarine, and butter substitutes. The subdivision as agreed to by the conferees makes verbal changes and adds to the Senate list cooked, prepared, cured, or frozen meats, meat products, fish, fish products, poultry products, and game products, and also shellfish, oysters, clams, dried eggs, lard, lard substitutes, cheese, oils for food purposes, and milk in other than in liquid form.

(e) The House bill defines "cold-storage warehouse" as any establishment artificially cooled to or below the temperature of 45° above zero Fahrenheit, and excludes from the definition an establishment used exclusively for the storage of food for the sole use of the owner for consumption by himself or his family or guests, in connection with his business of serving meals or his retail sale business. The House bill also excludes refrigerator vehicles from its definition of cold-storage warehouse; but a separate definition was provided bringing "refrigerator vehicles" within the act and including in the term any car, vessel, or other vehicle. The Senate amendment excludes refrigerator vehicles completely from its definition of cold-storage warehouse, and thereby from the act, and also excludes places used for chilling or precooling for manufacture, sale, or transportation. The Senate amendment limits the exception as to places used for storage in connection with retail sale business to places so used in respect to any particular article of food for 30 days only. The subdivision as agreed to by the conferees retains the provisions of the House bill, including refrigerator vehicles, and not exempting chilling and precooling space and the provisions of the Senate amendment limiting the exception as to retail sale business to 30 days.

(f) The House bill defined "warehouseman" to include any person owning a warehouse or renting or controlling any space therein. The Senate amendment contained no such provision. The subdivision as agreed to by the conferees retains the House provision.

(g) The House bill defines the term "mark" to include stamp, brand, tag, and label, and the term "marked" to include stamped, branded, tagged, and labeled. The Senate amendment and the subdivision as agreed to by conferees contains this provision with verbal alterations.

On section 3: The House bill makes it unlawful for any person to ship or hold in interstate or foreign commerce an article of food that is or has been in cold storage, unless marked with the words "cold storage," the dates when placed in and taken out of cold storage, and the names of the warehouses in which stored. The House bill further makes provision as to the mixing or intermingling of the articles of food, the subdivision of an article of food, or the placing of it in a container. The Senate amendment contains similar provisions with many verbal changes. The section as agreed to by the conferees retains and inserts at this point with modifications the Senate provisions previously referred to, exempting from the cold-storage period the first 30 days an article of food is held below a temperature of 45° F. by making it unlawful to ship or hold in interstate or foreign commerce an article of food at any time more than 30 days after it was first placed in such temperature. The section as agreed to by the conferees also retains, with the verbal changes necessary for clarification and rearrangement, the provisions of the House bill and the Senate amendment with respect to the adjustment of marks in case of mixing or intermingling, subdivision, or placing in a container.

On section 4: The House bill provides that in case it is found commercially impracticable to mark any article of food or container, then the Secretary of Agriculture may permit a written statement or document accompanying the article of food to state the required facts as to the times and places of storage. The Senate amendment contains a similar provision with verbal changes and the limitation that in case of a sale to a consumer the dates and the names of the warehouses but not the words "cold storage" may be omitted from the statement or document. The section as agreed to by the conferees retains the Senate provision.

On section 5: The House bill makes it unlawful to alter or destroy any marks upon cold-storage food while in interstate or foreign commerce. The Senate amendment has a similar

provision which is retained in the section as agreed to by the conferees.

On section 6: The House bill makes it impossible for any person to ship in interstate or foreign commerce an article of food, except cheese, after the expiration of 12 months from the time when it was first placed in cold storage. The Senate amendment contains a similar provision, omitting the exception as to cheese but providing different time limitations and restrictions in respect to imported eggs. The section as agreed to by the conferees retains the House provision with the exception as to cheese and permits the Secretary of Agriculture to extend, in his discretion, the time limit from 12 to not more than 18 months for frozen eggs.

On section 7: The House bill exempts from the requirements of the act articles of food shipped in compliance with specifications and directions of foreign purchasers. The Senate amendment and section as agreed to by the conferees retains the same provision.

On section 8: The House bill prohibits the placing of articles of food in a warehouse found insanitary by the Secretary of Agriculture, after due notice and hearing. The Senate amendment has no provision upon this subject. The section as agreed to by the conferees retains the House provision with verbal changes.

On section 9: The House bill permits any authorized officer of the Department of Agriculture to inspect a warehouse, its contents, and books relating thereto. The Senate amendment and the section as agreed to by the conferees retain the same provision.

On section 10: The House bill requires monthly reports by each warehouseman as to the amounts of food and their ownership held in cold storage by him. The Senate amendment leaves the time of such reports to the discretion of the Secretary of Agriculture and extends the subject matter of the reports to the charges for the warehouseman's services and the loans made upon the security of foodstuffs stored. The section as agreed to by the conferees retains the Senate provision, except for a requirement of trimonthly reports and provision for greater flexibility as to reports upon ownership.

On section 11: The House bill forbids the obstruction of the Secretary of Agriculture or his officers in the performance of duties under the act. The Senate amendment and the section as agreed to by the conferees retains the same provision.

On section 12: The House bill provides a penalty of $1,000 or imprisonment for one year or both for violation of the act, but exempts from liability any person whose act, omission, or failure in violation thereof results from his reliance in good faith upon the act, omission, or failure of any other person with respect to marks or absence of marks upon the article of food or container. The Senate amendment provides the same penalties, but requires a guaranty certificate from previous holders of the article of food, in order to be exempt from liability because of their errors as to marking. The section as agreed to by the conferees retains the provision of the Senate amendment with verbal changes, and a provision permitting the Secretary of Agriculture to omit the guaranty certificate if he deems it advisable.

On section 13: The House bill and the Senate amendment contain comprehensive provisions varying in detail and language as to the liability of corporate officers for acts of their subordinates and of the corporation itself for the acts of its officers. The section as agreed to by the conferees contains a clarifying substitute to the same general effect for both the House and Senate provisions.

On section 14: The House bill provides for the exclusion from this country of imported articles improperly marked or otherwise shipped in violation of the law. The Senate amendment and the section as agreed to by the conferees retain the same provision.

On section 15: The House bill provides for the seizure and condemnation, by proceedings in rem, of articles of food held in cold storage which are likely immediately to become or are unsound, unwholesome, or unfit for food. The Senate amendment has no provision upon this subject. The section as agreed to by the conferees retains the House provision with verbal changes.

On section 16: The House bill provides that oaths and affidavits administered by officers of the Department of Agriculture may be used in court proceedings without further proof of the identity or authority of such officer. The Senate amendment and the section as agreed to by the conferees retain the same provision.

On section 17: The House bill provides for appointments and expenditures for the administration of the act, the issuance of regulations by the Secretary of Agriculture, cooperation with State agencies, and makes an appropriation of $50,000 for the fiscal year. The Senate amendment varies the House provision in extending the appropriation to $200,000, to be available until expended, and omits a requirement that preference in appointments be given to members of the military and naval forces. The section as agreed to by the conferees adopts the Senate provision.

On section 18: The House bill provides that no penalty shall be enforced for a violation occurring within 90 days after the passage of the act. The Senate amendment and the section as agreed to by the conferees retains the same provision.

On section 19: The House bill provides that the United States cold-storage act shall not be deemed to repeal or limit the operation of any other act of Congress unless directly in conflict therewith. The Senate amendment and the section as agreed to by the conferees retains the same provision.

On section 20: The House bill contains a provision as to the separability of the provisions of the act in case of the unconstitutionality of one provision. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Amendment to the title: The Senate amendment amends the title so as to refer to foreign as well as interstate commerce. The title as agreed to by the conferees retains the Senate provision.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.

ARTHUR LUCAS.

Mr. IRELAND. Mr. Speaker, I present a privileged resolution.

The Clerk read the resolution, as follows:

House resolution 695.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, $30 to Arthur Lucas for special janitor services rendered during the third session of the Sixty-sixth Congress.

Mr. IRELAND. This is the usual resolution providing janitor service for the gentleman from Illinois [Mr. CANNON].

The resolution was agreed to.

ADDITIONAL SERVICE FOR THE ENROLLING ROOM.

Mr. IRELAND. Mr. Speaker, I ask for the present consideration of the following resolution.

The Clerk read the resolution, as follows:

House resolution 702.

Resolved, That there shall be paid out of the contingent fund of the House, until and including March 4, 1921, not exceeding the sum of $250, for the employment of such additional clerical and messenger service as may be necessary in the enrolling room.

Mr. IRELAND. This is to enable the employees in the enrolling room to get out the bills in time with the congestion that now prevails.

The resolution was agreed to.

REPAIRS OF HOUSE WING OF CAPITOL.

Mr. IRELAND. Mr. Speaker, I ask for the present consideration of the following privileged resolution:

House resolution 693.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, not exceeding the sum of $5,000 for the restoration of decorations in the House wing of the Capitol Building, the employment of personal services, and the purchase of materials therefor, to be under the direction of the Superintendent of the Capitol Building and Grounds (Architect of the Capitol), with the approval of the Committee on Accounts.

Mr. IRELAND. Mr. Speaker, this resolution is offered at the request of the Superintendent of the Capitol Building and Grounds to enable him to put the House wing of the Capitol and the corridors in the same shape as the Senate wing, which has been redecorated and retinted. They have been indulging in this restoration on the Senate side for some time, and we are not looking quite as neat as we might at this end of the Capitol by comparison.

Mr. GARD. I am not interested so much on what has been done on the Senate side, but what is to be done over here with this $5,000?

Mr. IRELAND. Perhaps it would be better for me to read a memorandum which I induced the superintendent to give me. The superintendent is probably as modest a man in making approaches on the Treasury of the United States as anyone in the employ of the House or the Senate. He has given me this memorandum:

Memorandum.

A simple inspection of the walls in the Senate and House wings of the Capitol will show that in the early days of their construction the Senate wing received a far greater portion of attention than the House wing, in so far as decoration is concerned, both as to the important rooms and walls in that wing.

For the last two years the Senate has appropriated annually $5,000 for restoring the decorations in the Senate wing. This is a special

appropriation for the purpose, and there is no reason why a like sum can not be bestowed for a similar purpose for the House wing; in fact, such a proceeding would have been taken before the Appropriations Committee of the House before this had it not been for the advent of the war. During that period of time all appropriations for the Capitol were kept at the lowest possible basis—far too low, in fact—and, now that an opportunity offers itself, it would be wise to start on a definite plan of simple but adequate decoration of the House wing. A specific appropriation for this class of work is better than to make it a part of the general building fund for the annual repairs necessary to a building of this character. While the intention to expend some of the money for special decorative purposes might be strong, the wish often gives way to the use of the money for the structural work rather than for the special work. If the sum of $5,000 were furnished annually for this specific purpose, the Superintendent of the Capitol would probably spend a sum approximating $3,500 for a competent decorator and approximately $1,200 for a competent assistant; in other words, $4,700 for the labor feature and $300 for the material, which in all such cases is a smaller part of the service.

Mr. GARD. In other words, this is a plan to put the decorations in the House end of the Capitol on an equality with the decorations in the Senate end.

Mr. IRELAND. An attempt to do so.

Mr. GARD. I am in favor of that attempt.

Mr. KING. Does the gentleman think this is a sufficient amount to do the work; should there not be more than this?

Mr. IRELAND. I am not in a position to say as to that, myself. I am relying upon the estimate of the superintendent. He thinks that he can possibly do it with this amount. It may be that an additional sum will have to be asked for later on. The Senate has appropriated $5,000 a year for the last two years, I believe.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BLANTON. Can the gentleman tell us how much was expended during the past year in replacing the floors out in the corridor downstairs?

Mr. IRELAND. I can not, from memory.

Mr. BLANTON. Taking up the other floor and putting down the marble floor that is there now.

Mr. IRELAND. I do not remember.

Mr. WALSH. That was provided for. It was authorized by law.

Mr. IRELAND. In an appropriation bill; yes.

Mr. BLANTON. I am wondering if the new floor is as artistic as the one taken up or is better than the old one that was taken up and thrown away?

Mr. IRELAND. Probably there is no one in this House who is competent to judge as to that.

Mr. WALSH. I notice in reading the resolution that two titles of the official who has charge of this appropriation are used. My recollection is that we changed the title of Superintendent of the Capitol to Architect of the Capitol. The latter title is in parentheses in this resolution. What was the purpose of using both titles?

Mr. IRELAND. So that there could be no confusion, but perhaps we have provoked confusion by putting them both in. It was the intention to designate the same individual.

Mr. WALSH. I thought perhaps the change is in one of the bills that has not yet become a law.

Mr. IRELAND. I am not certain about that.

Mr. SNELL. Is any provision made for restoring certain rooms in the House Office Building?

Mr. IRELAND. There is a certain amount carried in the legislative bill, I think, for that.

Mr. SNELL. Then the gentleman thinks there is enough to take care of that in this coming recess?

Mr. IRELAND. In all probability there is not enough, but what is lacking can be taken care of in the first deficiency bill.

Mr. WALSH. That is in the legislative bill?

Mr. IRELAND. I believe so. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes out of order.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for 10 minutes out of order. Is there objection?

There was no objection.

Mr. IRELAND. Mr. Speaker, I explained to the membership of the House some time ago the new arrangement that had been arrived at for the use of the franking privilege on Western Union telegrams by the Members of the House. That arrangement will not in any great degree inconvenience the Members or change the mode that has been employed in the past. It is, however, necessary that identification cards be provided for every Member of the House for the sending of messages on which prepayment will not be required and at Government rates. This is a different identification card from that which Members have been furnished heretofore, and all who desire them or who desire to use them during the probable vacation we may have can secure them at the office of the Committee on Accounts. Those who fail to secure them will have them mailed to them later. If there is any question about the new arrangement I would be glad to try to answer it now.

Mr. McARTHUR. The cards that we have now expire tomorrow?

Mr. IRELAND. Yes. That is the reason I am making the announcement now. It is a different card from the one carried before.

Mr. SNELL. I think the gentleman better explain to us just what the change is.

Mr. NOLAN. Before the gentleman does that, will he yield to me?

Mr. IRELAND. Yes.

Mr. NOLAN. Is there any change regarding the Postal and the old frank?

Mr. IRELAND. No; we pursue the same method which formerly obtained with the Postal.

Mr. BLAND of Indiana. Why could they not be mailed to Members now if they are ready for delivery?

Mr. IRELAND. Because before they could reach their offices the Members might be on their way home, many of them. This is just an alternative they may avail themselves of if they care to do so. The new arrangement deviates in no great degree from the old. Messages sent on Government business by Members of the House from Washington will be sent over the Western Union in the same manner as they have in the past. No difference occurs in the arrangement with the Postal Telegraph Co. On the Western Union messages each Member will be given a charge account at his home address for the sending of Government messages at Government rates. Those messages will be forwarded to the Committee on Accounts of the House, and the corresponding committee in the Senate, and will be taken care of there and payment made to the several offices at the homes of Members through the disbursing clerk of the House. Now, other messages which you may send while traveling or away from your domicile or away from Washington will require this identification card that you will be provided with by applying at the office of the Committee on Accounts, or it will be mailed to you later.

Mr. HICKS. Then I understand if a man is away from his home town and sends a telegram by the Western Union, he has to have some identification card when he delivers that telegram, and it will go without any money charge?

Mr. IRELAND. That is exactly it.

Mr. SNELL. I can see no very great difference between this plan and the plan operated under before.

Mr. IRELAND. The gentleman from New York and all the others will discover the difference when they understand that the billing, auditing, checking, and crediting work is transferred from the Western Union to the Committee on Accounts, and possibly I shall have to come to the House asking for additional clerical assistance next session. If we can possibly accomplish the task without it, that is what we will try to do, but if we can not, we will have to make that request and be somewhat embarrassed in doing so.

Mr. PADGETT. Will the gentleman explain what he means by each Member will be given a charge account for use at his home?

Mr. IRELAND. Well, I do not know that I can make it any clearer. You are not troubled with the charge account yourself. You have this charge account at home and these bills which you may contract on Government business are rendered to the Committee on Accounts here at the House and you are not troubled with it at all. It has been our object to obviate any inconvenience Members might suffer, and that has been our sole aim.

Mr. FIELDS. As I understand, the Member is not required to present his card with the telegram at his home city?

Mr. IRELAND. No; I do not think so. I should presume the Member will be known.

Mr. FIELDS. When will these identification cards be ready?

Mr. IRELAND. I have them in my office and they can be secured immediately by any Members who desire them.

Mr. FIELDS. Some gentlemen do not seem to know where the headquarters of the Committee on Accounts are.

Mr. IRELAND. The most important committee in the House has quarters right below the Hall of the House, right across from the restaurant. [Applause.] The gentleman ought to know the location of the restaurant, I assume.

Mr. FIELDS. I know where it is.

Mr. WALSH. If that is what you want to call it.

Mr. IRELAND. I have heard it called other things. I thought I might improve the gentleman's knowledge of the geography of the House, but I see I can not.

Mr. WALSH. The gentleman states there is no difference in the method of using the frank or sending Government messages over the line of the Postal Co.?

Mr. IRELAND. No, sir; the old method remains in vogue.

Mr. WALSH. If Members transfer messages to that company, it will not throw any additional burden upon the Committee on Accounts?

Mr. IRELAND. No, sir.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interestate commerce, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.;

H. R. 9036. An act to repeal and annual certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870; and

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.

VETO MESSAGE—EMERGENCY TARIFF.

The SPEAKER. The Chair lays before the House the following message from the President of the United States.

The Clerk read as follows:

The House of Representatives:

I return herewith without my approval H. R. 15275, an act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The title of this measure indicates that it has several purposes. The report of the Committee on Ways and Means reveals that its principal object is to furnish relief to certain producers in the Nation who have been unable to discover satisfactory markets in foreign countries for their products and whose prices have fallen. Very little reflection would lead anyone to conclude that the measure would not furnish in any substantial degree the relief sought by the producers of most of the staple commodities which it covers. This Nation has been for very many years a large exporter of agricultural products. For nearly a generation before it entered the European war its exports exceeded its imports of agricultural commodities by from approximately $200,000,000 to more than $500,000,000. In recent years this excess has greatly increased, and in 1919 reached the huge total of $1,904,292,000. The excess of exports of staple products is especially marked. In 1913 the Nation imported 783,481 bushels of wheat valued at $670,931, and in 1920, 35,848,648 bushels worth $75,398,834; while it exported in 1913, 99,508,968 bushels worth $95,098,838, and in 1920, 218,280,231 bushels valued at $596,957,796. In the year 1913 it imported 85,183 barrels of wheat flour valued at $347,877, and in 1920, 800,788 barrels valued at $8,669,300; while it exported in the first year 12,278,206 barrels valued at $56,865,444, and in 1920, 19,853,952 barrels valued at $224,472,448. In 1913 it imported $3,888,604 worth of corn, and in 1920, $9,257,377 worth, while its exports in the first year were valued at $26,515,146, and in 1920, at $26,453,681. Of unmanufactured cotton in 1920 it imported approximately 300,000,000 pounds valued at $138,743,000, while it exported more than 3,179,000,000 pounds, worth over $1,136,000,000.

Of preserved milk in the same year it imported $3,331,812 worth and exported $65,239,020 worth. Its imports in the same year of sugar and wool of course greatly exceeded its exports. It is obvious that for the commodities, except sugar and wool, mentioned in the measure, which make up the greater part of our agricultural international trade, the imports can have little or no effect on the prices of the domestic products. This is strikingly true of such commodities as wheat and corn. The imports of wheat have come mainly from Canada and Argentina and have not competed with the domestic crop. Rather they have supplemented it. The domestic demand has been for specific classes and qualities of foreign wheat to meet particular milling and planting needs. They are a small fraction of our total production and of our wheat exports. The price of wheat is a world price; and it is a matter of little moment whether the Canadian wheat goes directly into the markets of the other countries of the world or indirectly through this country. The relatively small quantity of corn imported into this country has a specialized use and does not come into competition with the domestic commodity.

The situation in which many of the farmers of the country find themselves can not be remedied by a measure of this sort. This is doubtless generally understood. There is no short way out of existing conditions, and measures of this sort can only have the effect of deceiving the farmers and of raising false hopes among them. Actual relief can come only from the adoption of constructive measures of a broader scope, from the restoration of peace everywhere in the world, the resumption of normal industrial pursuits, the recovery particularly of Europe, and the discovery there of additional credit foundations on the basis of which her people may arrange to take from farmers and other producers of this Nation a greater part of their surplus production.

One does not pay a compliment to the American farmer who attempts to alarm him by dangers from foreign competition. The American farmers are the most effective agricultural producers in the world. Their production is several times as great for each worker as that of their principal foreign rivals. This grows out of the intelligence of the American farmer, the nature of his agricultural practices and economy, and the fact that he has the assistance of scientific and practical agencies which in respect to variety of activity, of personnel, and of financial support exceed those of any other two or three nations in the world combined. There is little doubt that the farmers of this Nation will not only continue mainly to supply the home demand but will be increasingly called upon to supply a large part of the needs of the rest of the world.

What the farmer now needs is not only a better system of domestic marketing and credit, but especially larger foreign markets for his surplus products. Clearly measures of this sort will not conduce to an expansion of the foreign market. It is not a little singular that a measure which strikes a blow at our foreign trade should follow so closely upon the action of Congress directing the resumption of certain activities of the War Finance Corporation, especially at the urgent insistence of representatives of the farming interests, who believed that its resumption would improve foreign marketing. Indeed, when one surveys recent activities in the foreign field and measures enacted affecting the foreign trade one can not fail to be impressed with the fact that there is consistency only in their contradictions and inconsistencies. We have been vigorously building up a great merchant marine and providing for improvement of marketing in foreign countries by the passage of an export-trade law and of measures for the promotion of banking agencies in foreign countries. Now it appears that we propose to render these measures abortive in whole or in part.

I imagine there is little doubt that while this measure is temporary it is intended as a foundation for action of a similar nature of a very general and permanent character. It would seem to be designed to pave the way for such action. If there ever was a time when America had anything to fear from foreign competition, that time has passed. I can not believe that American producers, who in most respects are the most effective in the world, can have any dread of competition when they view the fact that their country has come through the great struggle of the last few years, relatively speaking, untouched, while their principal competitors are in varying degrees sadly, stricken and laboring under adverse conditions from which they will not recover for many years. Changes of a very radical character have taken place. The United States has become a great creditor Nation. She has lent certain Governments of Europe more than $9,000,000,000, and as a result of the enormous excess of our exports there is an additional commercial indebtedness of foreign nations to our own of perhaps not less than $4,000,000,000. There are only three ways in which Europe can meet her part of her indebtedness, namely, by the establishment of private credits, by the shipment of gold, or of commodities. It is difficult for Europe to discover the requisite securities as a basis for the necessary credits. Europe is not in a position at the present time to send us the amount of gold which would be needed, and we could not view further large imports of gold into this country without concern. The result, to say the least, would be a larger disarrangement of international exchange and disturbance of international trade. If we wish to have Europe settle her debts, governmental or commercial, we must be prepared to buy from her, and if we wish

to assist Europe and ourselves by the export either of food, of raw materials, or finished products, we must be prepared to welcome commodities which we need and which Europe will be prepared, with no little pain, to send us.

Clearly, this is no time for the erection here of high-trade barriers. It would strike a blow at the large and successful efforts which have been made by many of our great industries to place themselves on an export basis. It would stand in the way of the normal readjustment of business conditions throughout the world, which is as vital to the welfare of this country as to that of all the other nations. The United States has a duty to itself as well as to the world, and it can discharge this duty by widening, not by contracting, its world markets.

This measure has only slight interest so far as its prospective revenue yields are concerned. It is estimated that the aggregate addition to the Nation's income from its operation for 10 months would be less than $72,000,000, and of this more than half would arise from the proposed duty on sugar. Obviously, this and much more can be secured in ways known to the Congress, which would be vastly less burdensome to the American consumer and American industry.

The rates, however, have a peculiar interest. In practically every case they either equal or exceed those established under the Payne-Aldrich Act, in which the principle of protection reached its high-water mark, and the enactment of which was followed by an effective exhibition of protests on the part of the majority of the American people. I do not believe that the sober judgment of the masses of the people of the Nation, or even of the special class whose interests are immediately affected by this measure, will sanction a return, especially in view of conditions which lend even less justification for such action, to a policy of legislation for selfish interests which will foster monopoly and increase the disposition to look upon the Government as an instrument for private gain instead of an instrument for the promotion of the general well being. Such a policy is antagonistic to the fundamental principle of equal and exact justice to all, and can only serve to revive the feeling of irritation on the part of the great masses of the people and of lack of confidence in the motives of rulers and the results of government.

WOODROW WILSON.

THE WHITE HOUSE,
3 March, 1921.

[Applause on the Democratic side.]

HOSPITAL SERVICE FOR EX-SOLDIERS.

Mr. MANN of Illinois. Mr. Speaker, I wish to prefer a unanimous-consent request, which I would like to explain. I think nobody will have opposition to this. This afternoon—only a short time ago—the House unanimously concurred in the Senate amendment to the bill H. R. 15894—the hospital bill. There was an official copy sent from the Senate to the House which was typewritten. There was also subsequently an official copy sent that was printed. The printed copy is correct. In the typewritten copy which the House acted upon the word "material" was left out, where it provides:

The Secretary of War is authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such mechanical construction and miscellaneous—

"Material" it should be. The word "material" was left out. I ask unanimous consent to reconsider the vote by which we concurred in the Senate amendment, and that we may concur in the amendment of the correct official copy.

The SPEAKER. The gentleman asks unanimous consent to reconsider the vote by which the House concurred in the Senate amendment. Is there objection? [After a pause.] The Chair hears none.

The question now is on concurring in the correct copy. Is there objection? [After a pause.] The Chair hears none.

VETO MESSAGE—TARIFF.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that action on the message just read be deferred until after the evening recess and after the eulogies, not to interfere with conference reports.

The SPEAKER. The gentleman asks unanimous consent that the action on the veto message just read be deferred until after the recess this evening. Is there objection?

Mr. GARRETT. Reserving the right to object, are we to understand that at that time the House will be expected to vote?

Mr. FORDNEY. Yes, sir.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

POINT OF NO QUORUM.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

Mr. MANN of Illinois. If the gentleman does that we can not take a recess.

Mr. BLANTON. I withdraw it.

PRINT OF DIGEST AND MANUAL OF RULES, ETC.

Mr. KIESS. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 708.

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the Sixty-sixth Congress, the same to be bound and distributed through the folding room.

The SPEAKER. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object, this is right at the conclusion of the Sixty-sixth Congress. Why should they be published now?

Mr. KIESS. The idea in publishing them at this time was to have them available for the new Congress when it convenes.

Mr. GARRETT. The gentleman assumes, I suppose, that the rules of the next Congress shall be the same as the rules of this Congress?

Mr. KIESS. Mr. Speaker, I withdraw the resolution.

RECESS.

Mr. MONDELL. Mr. Speaker, it is very near the hour fixed for recess, and I ask unanimous consent that the House now stand in recess until 8 o'clock p. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 8 o'clock p. m. Is there objection? [After a pause.] The Chair hears none.

Accordingly (at 5 o'clock and 41 minutes p. m.), the House stood in recess.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, after consultation with gentlemen, I find it will be entirely agreeable to everyone, I believe, to have the regular order preceded by the consideration of the conference report on the sundry civil bill.

The SPEAKER. Without objection, the general order will be postponed until after the consideration of the sundry civil bill. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] is recognized.

SUNDRY CIVIL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I present a conference report on the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. The gentleman from Iowa presents a conference report, which the Clerk will report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 5, 6, 7, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 80, 81, 101, 103, 104, 105, 132, 133, and 134, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,750,000"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment after the word "Vancouver" insert the words "and Seattle"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102,

and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,439,300"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended as follows:

"For expense incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceedings, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, $10,000: *Provided*, That the United States Housing Corporation is hereby authorized to allow as an offset any equitable claim in any collection made against any State or any political subdivision thereof."

And the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,110,000"; and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,256,390"; and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,318,700"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 60, 82, 162, 163, 164, 165, and 166.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Strikes out the appropriation of $60,000, proposed by the Senate, for the purchase of property in Salt Lake City, Utah.

On No. 2: Strikes out the authorization of a site for an archives building and the appropriation of $10,000 for the preparation of working drawings for said building, proposed by the Senate.

On No. 5: Strikes out the authorization, proposed by the Senate, to expend $5,000 from the appropriation for repairs and preservation of public buildings for the repair and preservation of structures at Marcus Hook Quarantine Station.

On Nos. 6 and 7, relating to general expenses of public buildings: Restores, as proposed by the House, the limitation of $195,000 on expenditures for the pay of technical employees in the field, proposed by the Senate to be reduced to $170,000; and appropriates $424,600, as proposed by the House, instead of $399,600, as proposed by the Senate.

On No. 8: Appropriates $3,750,000 for operating force, public buildings, instead of $3,800,000 as proposed by the House and $3,700,000 as proposed by the Senate.

On No. 9: Appropriates $625,000 for furniture and repairs of furniture, public buildings, as proposed by the Senate, instead of $700,000, as proposed by the House.

On No. 11: Strikes out the paragraph, inserted by the Senate, directing heads of departments to issue and enforce regulations to prevent smoking in certain portions of Government buildings.

On No. 16: Strikes out the appropriation of $281,345, proposed by the Senate, for improvements and purchasing land at the Coast Guard Academy, New London, Conn.

On Nos. 21 and 22, relating to additional hospital facilities: Strikes out the legislation and the appropriation of $18,600,000, proposed by the Senate, with respect to additional hospital facilities for patients of the Bureau of War Risk Insurance and the Federal Board for Vocational Education, Division of Rehabilitation, and for veterans of the War with Spain, the Philippine insurrection, and the Boxer rebellion, suffering from neuropsychiatric and tubercular ailments and diseases.

On No. 28: Strikes out the appropriation of $300,000, proposed by the Senate, to enable the Public Health Service to assist the States in protecting the military and naval forces against venereal diseases.

On Nos. 31 to 39, inclusive, relating to the Employees' Compensation Commission: Appropriates $3,000, as proposed by the House, instead of $2,750, as proposed by the Senate, for pay of secretary; appropriates $3,500 for pay of chief statistician, as proposed by the House, instead of $3,000, as proposed by the Senate; restores an assistant chief of accounts at $1,600 stricken out by the Senate; restores 2 assistants at $1,600 each, 2 clerks of class 3, 3 clerks of class 2, 7 clerks of class 1, and 1 clerk at $1,000, stricken out by the Senate; and appropriates $124,940, as proposed by the House, instead of $102,590, as proposed by the Senate.

On No. 76: Strikes out the appropriation of $150,000, proposed by the Senate, for continuing improvement of the Willapa River and Harbor, Wash.

On No. 78: Appropriates $6,670,000, as proposed by the House, instead of $8,000,000, as proposed by the Senate, for flood-control work, Mississippi River.

On Nos. 80 and 81, relating to transportation facilities on inland and coastwise waterways: Appropriates in a lump sum for transportation facilities, as proposed by the Senate, instead of by items, as proposed by the House, and increases from $17,680 to $30,000, as proposed by the Senate, the limitation on expenditures for the compensation of civilian assistants in the War Department.

On No. 87: Authorizes the consolidation of the offices of registers and receivers at district land offices at Alliance, Nebr., and Vancouver, Wash., as proposed by the Senate, and also said offices at Seattle, Wash.

On Nos. 101 and 102, relating to the Bureau of Mines: Appropriates $132,000 for enforcing the oil-land leasing act of February 25, 1920, as proposed by the Senate, instead of $50,000, as proposed by the House.

On No. 103: Strikes out, as proposed by the Senate, legislation with respect to the reconveyance of title to land acquired under the reclamation law upon repayment to the United States of the amount paid therefor less amount for damage, if any, as the result of the use thereof.

On Nos. 104 and 105, relating to Alaskan insane: Appropriates $127,000, as proposed by the Senate, instead of $120,630, as proposed by the House, and increases the amount to be paid the Sanitarium Co., of Portland, Oreg., for the care and maintenance of Alaskan insane from $540, as proposed by the House, to $570, as proposed by the Senate.

On Nos. 132 to 134, inclusive, relating to the Bureau of Fisheries: Strikes out, as proposed by the Senate, the appropriations for the compensation of the personnel of the steamers *Osprey*, *Gannet*, and *Phalarope*.

On Nos. 141 and 142, relating to the Housing Corporation: Appropriates $10,000 instead of $20,000, as proposed by the House, for miscellaneous expenses on account of property sold, and authorizes, in connection with the sale of property, the payment of any equitable claim of any State or political subdivision thereof.

On Nos. 151 and 152, relating to the Government Printing Office: Appropriates $6,256,390 for public printing and binding instead of $6,286,890, as proposed by the House, and $5,826,390, as proposed by the Senate.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 60: Appropriating $10,000,000 on account of nitrate plant.

On No. 82: Amending section 201 (c), transportation act, 1920.

On Nos. 162 to 166, inclusive, relating to the office of the superintendent of documents: Striking out two clerks at $1,600 each, two clerks at $1,400 each, and two clerks at $1,200 each; appropriating $9,100 for salaries and expenses incident to indexing the CONGRESSIONAL RECORD; and striking out the provision charging the superintendent of documents, under the direction of the Joint Committee on Printing, with the duty of preparing, etc., indexes of the CONGRESSIONAL RECORD.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. GOOD. Mr. Speaker, the report is a complete report except on Senate amendment No. 60, for the nitrate plant; amendment No. 82, dealing with inland and coastwise water-

ways; amendments Nos. 162 and 163, which have to deal with the indexing of the CONGRESSIONAL RECORD; amendment No. 164, which deals only with totals; and amendment No. 165, which also has to do with the indexing of the CONGRESSIONAL RECORD and is dependent upon the other amendments above mentioned.

The matters upon which the Senate receded are as follows: Senate amendment No. 1, carried an appropriation of $60,000 to purchase additional property for the Federal building at Salt Lake City, Utah. Inasmuch as the sundry civil bill was built upon the principle that we would not buy any property for public buildings at the present time and would not carry any appropriation for purchasing such property, the Senate conferees were willing in this case to recede, and they have receded.

Senate amendment No. 2 carried an appropriation of $10,000 for preparing plans for an archives building. Sometime in the near future, maybe, we shall erect an archives building in the District of Columbia. The Senate amendment provided that the plans should be drawn to build an archives building on property that has already been purchased for the State and other departments. It was apparent, I think, to everybody who gave even a passing thought to the subject that that property should not be used for such a purpose, and the House conferees refused to recede from its disagreement to the Senate amendment No. 2, and the Senate conferees have receded from that amendment.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield.

Mr. FESS. Does that mean that the archives building is to go just south of the Post Office Department Building?

Mr. GOOD. No. It rather means that it will not go on the property between Fourteenth and Fifteenth Street on B Street.

Mr. FESS. Then did the committee definitely decide that it is to go between Thirteenth and Fourteenth Streets, which, I think, was the original site?

Mr. GOOD. No; that was not involved, but there is some property in that vicinity under consideration for such purpose.

There have been some very good suggestions made in regard to an archives building. One was to take the old Interior Department Building, which is now used by the Patent Office. It is not a desirable office building. There is an acre of vacant ground in the court within that building. It has been suggested that that be excavated, and that the archives building be made of the old Interior Department Building, which the Government already owns, and that a new modern building, suitable for the use of the Patent Office, should be erected. This might be done.

All that the conferees have done here is to refuse $10,000 to prepare plans for an archives building down on the property that was acquired for the State Department.

Mr. FESS. Was the only objection to the original site the fact that they objected to closing Ohio Avenue? Was that the only objection?

Mr. GOOD. That did not come up in conference. The only thing we had before us was to prepare plans for the one site which had not been acquired for an archives building, but for another purpose. The site that the gentleman refers to is a plot of ground that the Treasury Department desired to purchase and made an estimate for before the committee some time ago.

Mr. WALSH rose.

Mr. GOOD. I yield to the gentleman from Massachusetts.

Mr. WALSH. There are several amendments with reference to the fisheries service. What disposition was made of them?

Mr. GOOD. As to those amendments the House receded and concurred.

Those amendments had to do largely with putting out of commission three of the vessels used at some of our fish hatcheries. In one case the department claimed that the vessel was not safe and that they could not use the vessel at all. In the other two cases the Bureau of Fisheries say that they can get along next year by using their regular force to run the vessels all the time that they will have any need for them. They say that it will not interfere seriously with the operation of those two vessels. I think the Bureau of Fisheries were led to believe that by making that statement they would get an appropriation of $30,000 for making some studies in fishes for food, and the Senate committee were given to understand that if that appropriation was given they might drop these three other appropriations. As I recall, they carry about $6,000 each. I do not have the exact figures in mind. The Senate committee refused to give them the $30,000, and then, after the bureau had said they could get along without these vessels, the Senate cut out these three appropriations.

Mr. WALSH. Was any reduction made by way of amendment in any of the scientific staff of the bureau?

Mr. GOOD. No; no amendment by the Senate affected the Bureau of Fisheries at all, with the exception of the three vessels and crews for the three vessels.

Mr. McKENZIE. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Illinois.

Mr. McKENZIE. Does the bill carry the provision for the employment of a scientific experimenter to go out on the Atlantic Ocean and experiment on food fishes?

Mr. GOOD. Yes; the bill that passed the House carried an appropriation increasing the salary of the scientist on the *Albatross*. That boat has been tied up over at Baltimore for about 18 months, and the 90 men aboard that vessel have not been doing anything. The vessel is manned by the Navy Department, and we did increase the salary for the scientist, so that that vessel could be put to sea to make the scientific investigation.

Mr. TILSON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. TILSON. I note that the Senate recedes on amendment 16, relating to the Coast Guard Academy and the appropriation therefor. Is it the determination of the House committee that this appropriation for this Coast Guard Academy shall not be made?

Mr. GOOD. The only determination the committee came to with regard to that was this: There was no estimate for that academy. The Committee on Appropriations conducted no hearings with regard to it. The Coast Guard Service did not ask for it. They asked nothing for this purpose, and while the bill was pending before the House, and no hearings were had, as I recall, before the Senate, we felt that if they did not need this building last fall, when the estimates were made, they did not need it very badly now and that it could afford to go over temporarily.

Mr. TILSON. Did not the Senate have hearings on it?

Mr. GOOD. I understand the Senate did not have any hearings upon it. At least, there are no hearings printed.

Amendment numbered 5 carries an appropriation of $5,000 for repair and preservation of the structure at Marcus Hook Quarantine Station. This is leased property, and the committee of conference felt that it was not necessary to authorize this expenditure at the present time.

The next amendment on which the Senate receded was amendment numbered 6, on page 8 of the bill.

The House carried a limitation of $195,000 for technical and clerical services in the general expenses of the Treasury Department. This has to do with the drafting service. The Senate cut that to $170,000. When we considered that the hospitals authorized by a bill passed this afternoon would require a great deal of technical and clerical services, and that those services would be paid for out of this appropriation, the Senate were willing to recede and did recede.

Mr. SNELL. Mr. Speaker, may we have order? We can not hear what is being said.

The SPEAKER. The Chair thinks the disorder is not on the floor, but in the galleries, and unless the galleries maintain order they will have to be cleared.

Mr. CRISP. I think there is disorder on the floor as well as in the galleries.

Mr. GOOD. Mr. Speaker, Senate amendment No. 7 is an amendment that had to do with the totals, and inasmuch as the former amendment had not been agreed to, the Senate receded from that amendment.

No. 11 was an amendment put on by the Senate which directed the heads of executive departments and independent establishments of the Government to issue and enforce regulations with regard to smoking. It was contended here in the House that the heads of departments had this authority, and on that amendment the Senate has receded.

Amendment 16 relates to the Coast Guard Academy, and my answer to the gentleman from Connecticut [Mr. TILSON] fully explains that.

Twenty-one and 22 have to do with the provision for hospital facilities, and those amendments were taken care of this afternoon in the agreement which the House made with respect to what is known as the Langley bill. The Senate receded on those amendments.

Amendment 28 is an amendment appropriating $300,000 for venereal diseases. The Senate had already stricken out the provision in the House bill carrying $300,000 for the diseases of man. The Senate receded from its disagreement on that amendment for $300,000 and they have receded on this, leaving the amount, therefore, for the diseases of man carried in the bill at $300,000 and $200,000 carried in the bill for venereal diseases, with $800,000 carried in the Army for recreational

purposes, a part of which is for the same purpose. The Senate receded on that item.

Amendments 31 to 39 are amendments dealing with the Employees' Compensation Commission. The Senate by those amendments reduced the force, and upon discussion it was found that the force could not with safety be reduced. The Senate has receded on those amendments.

Senate amendment No. 76 carried an appropriation of $150,000 for the improvement of the Willapa River. There seemed to be no emergent reason for carrying this appropriation at this time, and the Senate has receded.

No. 78 deals with the Mississippi River. The House bill carried $6,670,000 for improvements in the Mississippi River. The Senate amendment increased this amount to $8,000,000. On this the Senate has receded.

Those are all of the Senate recessions. The House receded on amendment No. 9, which reduced the appropriation for furniture for the public buildings by $75,000.

Amendments numbered 80 and 81 deal with inland water transportation and amend the transportation act. It permits the Government to loan money to municipalities or to States or political subdivisions thereof, and to corporations in order that these improvements may be made in that way if necessary.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. DENISON. On amendments Nos. 80, 81, and 82, providing for an appropriation for interchangeable terminals, did the House recede and accept the Senate amendments as made to the bill?

Mr. GOOD. On amendments Nos. 80 and 81 the House receded, but on 82 when the conference report is adopted I shall move to recede and concur; 82 is the amendment that has to do with the amending of section 201, subdivision (c) of the transportation act, and as that is legislation, we have brought the item back.

Mr. DENISON. What action does the gentleman propose to take with reference to that?

Mr. GOOD. I propose to move to recede and concur and leave it just as the gentleman from Illinois wants it and as the Senate has already fixed it.

Senate amendment No. 101 increases the appropriation for enforcing the oil leasing act from $50,000 to $132,000. After the House conferees had conducted hearings upon this subject, it became apparent that it would require a larger sum of money than we had provided to enforce the provisions of the oil leasing act. Inasmuch as we are receiving every year several million dollars in revenue from these leases, and this money is expended to see that the Government is protected, the conferees thought that the amount in the Senate amendment was not excessive, and we have receded and concurred in the amendment.

Amendment No. 103 strikes out the legislation to reconvey the title to land acquired under the reclamation act. That was a provision inserted at the request of the Reclamation Service. The Senate conferees thought the language was too broad, and that a strict enforcement of it might place the Reclamation Service in the position of attempting to take land without due process of law or without compensation, and therefore involve the settlers in expensive lawsuits to protect their property. Therefore we have receded and concurred in that amendment.

Amendments 104 and 105 increase the allowance to the sanitarium in Oregon where we care for the insane of Alaska. Under the House provision they were paid not in excess of $540 per year for each person who has committed to their care. The Senate amendment increased that to $570 per year, and in that the conferees have concurred. It makes an additional appropriation of $7,000.

Mr. DENISON. I wish the gentleman would state for the information of the House what the bill carries for hospitalization.

Mr. GOOD. This bill does not carry anything for new hospitals.

Mr. DENISON. What does it carry?

Mr. GOOD. It would have carried $18,600,000; but, when it appeared that this bill might fail, that provision, which was incorporated in the Senate amendment, was taken out of the bill, because the Langley bill was enacted this afternoon carrying $18,600,000, $12,500,000 of which is to erect new hospitals and $6,100,000 for the improvement of existing facilities.

Mr. DENISON. What is the status of the Langley bill now?

Mr. GOOD. It has passed the Senate and the House and has been sent to the President for his signature.

Mr. DENISON. Does the gentleman think that that bill carries a sufficient amount for hospitalization?

Mr. GOOD. It carries a great deal more than the Treasury Department estimates can be expended next year in the construction of hospitals. If we were to appropriate only what can be expended in the next fiscal year, the amount could be reduced by at least four or five million dollars, and it may be more. We carry here the full authorization for the erection of the hospitals.

Senate amendments 132 and 134 have already been explained, in answer to the question by the gentleman from Massachusetts [Mr. WALSH], dealing with fisheries.

Mr. Speaker, I think that covers all of the matters included in the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 60: "Nitrate plant: For continuing construction of locks, dams, power houses, and appurtenances authorized by the national defense act approved June 3, 1916, $10,000,000."

Mr. GOOD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 60.

Mr. BYRNS of Tennessee. Mr. Speaker, I make a preferential motion that the House recede from its disagreement to the Senate amendment No. 60 and agree to the Senate amendment. I will state that I do not care for time myself, but the gentleman from Alabama [Mr. ALMON] would like a little time.

Mr. GOOD. How much time does the gentleman want?

Mr. ALMON. Ten minutes.

Mr. GOOD. I will yield 10 minutes to the gentleman from Alabama.

Mr. ALMON. My friends and colleagues, I would not ask for this time at the closing hours of the session if I did not think that this was one of the most important questions that has been before this House for many days. The Government of the United States to-day is engaged in the construction at Muscle Shoals of the greatest dam that has ever been constructed in the world. It is 1 mile long and develops 550,000 horsepower. It is about one-third complete—$17,000,000, and this item is for $10,000,000 more. There are to-day about 5,000 men at work there. They are from every State in the Union, who went there and took their families expecting to continue in the service of the Government for two or three years until this dam is completed; but if this appropriation fails, 20,000 men and women and children, white and colored, will be deprived of a support, many of whom will be without funds sufficient to return to their former homes. About 30,000 will be added to the great unemployed list of to-day. When this item was considered by the House Committee on Appropriations there was a tie vote, and on a vote in the House there was a majority of 11 against it. It was reported favorably by the Senate Committee on Appropriations and passed the Senate by 7 majority. Since then the Senate by a vote of 40 to 31 instructed its conferees to insist on this appropriation.

Oh, but somebody said the other day that the farmers were deceiving themselves and that this would not give them relief. My observation is that the farmers of this day and time are intelligent people. They know what they are doing and they know what they are talking about. Every farmers' organization in the United States, from the Lakes on the north to the Gulf on the south, from the Atlantic to the golden shores of the Pacific, have investigated this proposition. They sent intelligent representatives to Muscle Shoals. They have investigated and studied it, and they have reported that it is the only remedy, it is the only way to get from under the Chilean monopoly. The farmers have been robbed, and robbed all these years by the Chilean nitrate trust. We paid them during the last 29 years $163,000,000 export duty simply for the privilege of having Chilean nitrates sent out of that country to this country. The Chilean Nitrate Commission in Great Britain fixes the price of fertilizer in the United States, and we must look to them and to them alone for nitrogen with which to replenish the soil.

And what do the farmers find to-day with this slump in the prices of agricultural products? Cotton in the South has gone from 35 to 12 cents a pound; corn has gone from $3 to 50 cents and 75 cents a bushel; mules have gone from $300 to $75 and $100; and to-day the farmer, if he gets any fertilizer, will pay as much or more than he ever did before. What is the remedy? The nitrogen experts have said that this is the only remedy in sight. Oh, somebody said that Col. Cooper and Dr. Parsons said that fertilizer could not be made at Muscle Shoals cheaper

than it could be gotten from Chile. The experts have been heard before four different committees of the Congress, and I challenge any man to read all the hearings and find one scintilla of evidence that fertilizer can not be made at Muscle Shoals for about one-half of what the farmers of this country are paying for it to-day. Why, the distinguished chairman of this committee [Mr. GOOD] said that Col. Cooper was not in favor of the use of any of this power at Muscle Shoals for the operation of a nitrogen plant. Col. Cooper said he knew nothing about fertilizer. He said that this great dam ought to be completed; that it would be a national calamity not to do so; and that the Government should then determine what disposition should be made of the power. Col. Cooper says that he will stake his reputation as a hydraulic engineer that the power can be leased or sold for enough to pay 5 per cent interest on the cost of the dam and 5 per cent to operating and maintenance charges even if it cost $50,000,000. When an estimate comes in for $30,000,000 or $50,000,000 for a battleship, or most anything else, it is granted without a word, but when the farmers of this country come here in one solid phalanx and ask Congress to appropriate $25,000,000 or $30,000,000 more to complete a water-power dam at the Government nitrate plant in order to operate the plant economically and give them cheaper and better fertilizer, somebody holds up his hands in holy horror and says that the Government ought not to engage in business in competition with private industry. I want to tell you, my friends, that there is no private capital in this country directly engaged in the manufacture of nitrogen. The only nitrogen that is manufactured in this country is a by-product of the coke oven, and it will be made whether this plant is operated or not.

Somebody said that one engineer said a year ago this dam would cost $25,000,000. That is true. Col. Brown stated it, but in doing so he was considering the development and the installation of 100,000 horsepower, whereas under the present plan that Col. Cooper talked about it provides for the installation of 550,000 horsepower.

The question of whether primary or secondary power should be used to operate the nitrate plant is a question to be determined after the locks and dam are completed and the power installed.

Of the questions which press for attention upon the nations none is more important than the question of nitrates, for nitrogen is the basis of all food supplies and the fundamental necessity in the manufacture of all explosives for military and other purposes.

The Great War brought this subject into prominence, and every nation has been studying the problem and making suitable arrangements to meet its requirements. The United States built the largest and best nitrogen plant in the world during the recent war.

The downfall and disappearance of the great nations of the earth have been due to two causes—it was either their military defeat and overthrow or the exhaustion of their soil, leaving the nation confronted with starvation. Whichever the cause, the remedy is found in an adequate supply of nitrogen, so that this nitrate plant, the greatest nitrate plant in the world, is a national necessity and a national asset, for it points the way to the maintenance of America's supremacy among the nations.

The war has demonstrated beyond dispute that no nation is safe which is dependent upon a foreign supply of nitrogen.

The necessity for the plant, therefore, was both military and agricultural. The military necessity was seen when the program of the War Department called for an expeditionary force in Europe of 80 to 100 divisions. No more reprehensible thing could be imagined than the sending of such a force to face the enemy without an adequate supply of munitions, particularly explosives, and the War Department would have merited the most severe criticism, and more than criticism, if it had failed to provide an adequate supply of ammunition for this great army.

To make these explosives nitrates were required, and the nitrates must come from Chile. There was a shortage of ships, and every vessel that was available was needed in the work of transporting our army and supplies to Europe, and in spite of this pressing need a large number of ships had be to diverted to the work of carrying nitrates.

The military necessity being established, the plant was so located as to have the greatest possible permanent value to this country. It was placed within the safety zone designated by the War College. It was so located as to be surrounded by the necessary raw materials. It was placed where transportation by water and rail in all directions was available, and under favorable conditions of climate, but, more than these, it was so located that after the war there could be developed adjacent to the plant a great water power which would enable this plant to produce agricultural fertilizers at remarkably low cost. The water power was not available during the war, and it was not expected that it would be. A steam-power plant was built for war-time operation, and this steam plant now stands as a most valuable auxiliary to the water power, for it will assist the water-power plant in time of low water and will make commercially available a much larger amount of water power than would otherwise be commercially valuable.

The nitrate plant is completed. It has been tested and is ready to work. If operated, it will be a great asset to the farmer and a blessing to the entire country.

In all lines of commercial activity the great difficulty of the day is the shortage of labor. Even in those plants where the laboring man is paid higher wages than were ever known there has been complaint of shortage, but to the farmer, unable to meet automobile factory wages and short hours, the situation has become almost intolerable, and hundreds of thousands of acres are lying uncultivated in the face of our great needs because of the lack of sufficient labor.

Fertilizers have long been recognized to be the greatest labor-saving device known to the farmer. By their use one man can produce what requires the labor of two men without fertilizer, but there have been two serious limitations in its use. The first is that nitrogen plant food in any form has cost too much for the farmer to use it as liberally as he desires, and the second is that the form in which this fertilizer is sold is such that to secure a ton of useful plant food the farmer has had to carry 7 or 8 tons of material from the factory to his farm.

The nitrate plant points the way to the solution of both of these difficulties, and it is not too much to say that the proper operation of this plant is the initial step in the greatest program of conservation and agricultural development that this country has seen since the establishment of the Reclamation Service.

The agricultural demand for nitrates would be tremendous if the price were low enough. Computations based on the statements of Dr. C. G. Hopkins, the late agronomist in the University of Illinois, have been given in recent testimony, and show that in 1909 the three great cereal crops of America—corn, wheat, and oats—removed from the soil in the grain alone 3,965,000,000 pounds of nitrogen, and the statistics show that in 1909 there was replaced in the soil only 93,000 tons of nitrogen, or less than 5 per cent of the amount which was removed by these three crops alone. To replace the loss of nitrogen due to these three crops by the use of ammonium sulphate, which is the fertilizer compound that the War Department proposes to manufacture at Muscle Shoals, would require about 10,000,000 tons of this ammonium sulphate. The demand for this material, therefore, is practically without a limit if it can be supplied cheaply enough.

The high price of nitrogen in the United States is not due to a lack of nitrogen but a lack of available nitrogen. The principal source of available nitrogen is in the form of ammonium sulphate produced by the by-product coke ovens, which in 1909 produced 188,000 tons. This supply is limited, and will always be limited, because it is a by-product of coke, made in a certain kind of oven, and the amount of coke made depends upon the demands of the iron and steel industry. It is true that the oven capacity in the United States has been greatly increased because of the war-time demands for iron and steel, but only a portion of those ovens are being operated, or will be operated, until we again have such a tremendous abnormal production of iron and steel as existed in this country during the war. Other sources of nitrogen are the so-called organic materials, including cottonseed meal, bone and blood meal, tankage, and so forth, but these materials command a high price as feed for live stock, and have almost entirely left the fertilizer market. But there is a source of nitrogen in the United States that is literally inexhaustible. Above every square mile of the earth's surface, according to the Bureau of Soils, there are 21,683,200 tons of nitrogen. This is sufficient to supply the world's requirements, at the war-time rate of consumption, for 27 years. To exhaust this nitrogen by fixation methods in the great plant at Muscle Shoals would be as impossible a task as to bail out the ocean with a tin dipper.

The necessity for fertilizer is felt in every State in the Union and its use is widespread and rapidly growing. It is a most significant fact that during the last few years those States which had previously used the least fertilizer are showing the greatest gains in its consumption. For example, during the period of eight years, from 1911 to 1918, inclusive, the State showing the greatest gain in 1918 over 1911 is South Dakota, with a gain of 1,150 per cent. Other States in which fertilizer consumption is rapidly growing are the Mississippi Valley States—Minnesota, where the gain was 250 per cent; Okla-

homa, 212 per cent; Wisconsin, 200 per cent; Iowa, 150 per cent; Missouri, 122 per cent; and Arkansas, 121 per cent. The Eastern States continue to use increasing amounts, the increase in Delaware being 216 per cent and in Connecticut being 200 per cent, while on the Pacific coast the State of Washington showed an increase of 208 per cent and Oregon 100 per cent.

As a result of these increases our dependence upon Chile has increased tremendously. In 1868 the United States imported 8,230 long tons of Chilean nitrate. In 1909, which was also a peace-time year, the imports were 1,346,679 long tons, an increase of 16,240 per cent. Since 1876 this country has paid Chile in export duty about $165,000,000 for this essential material, and the cost at American ports, which as late as 1899 was only about $36.80 per ton, in 1919 was about $85 per ton, an increase of 133 per cent in 20 years.

The output of this plant will not compete with the product of any domestic private industry whose principal product is nitrogen fertilizer. The present source of nitrates for fertilizer in the United States are the coke ovens, and it has been testified by competent authority that the cost of ammonium sulphate to these producers is about $25 per ton. It has been further testified that the price at which the Government proposed to sell this fertilizer is $65 per ton, and it would seem to any reasonable person that a profit of $40 on an article costing $25 should be sufficient to suit even the United States Steel Corporation, which is the principal by-product operator. Another source of nitrogen compounds is cottonseed meal, but as has been stated, this material, together with the other organic ammoniates, is being used for feed for live stock and practically out of the fertilizer market. Furthermore, these materials are a by-product of the cottonseed oil and meat-packing interests, with which interests the Members of this House are well acquainted. The other sources of nitrogen fertilizers are Chilean nitrate and cyanamide, neither of which is produced in the United States. It is true that cyanamide is manufactured on the Canadian side of Niagara Falls by the company which built the Muscle Shoals plant, but this company is protected by a royalty on every ton of the Muscle Shoals product, which royalty will pay them about 10 per cent on the testified value of their plant. Ammunition has been made by a plant at Syracuse to utilize the so-called Haber process, but authorities state that this process is not even commercialized in Germany, the only country in which it has reached successful development. In Germany, under war-time pressure, this process was successfully operated, but it is stated by expert scientists that the Haber process of fixing nitrogen is the most difficult technical process known to industry.

And so we have these private interests arrayed on one side and the national farmers' organizations, without exception, on the other side. These farmers maintain that if it is a proper Government activity to promote agriculture in this country by supplying what is needful to agriculture in the West, it is a proper Government activity to provide that which is needful in the East, and if it is good government to compete with private interests in supplying water to lands, as is done in the irrigation districts of the West, it is equally good government to provide plant food to meet the needs of the East.

The future of this plant promises more than simply nitrogen fertilizers, for the great hydroelectric power at Muscle Shoals will supply the fundamental requirements for producing concentrated compounds of phosphoric acid and potash, as well as nitrogen, by the modern method of the electric furnace. As the Department of Agriculture has recently pointed out, by use of cheap power in electric furnaces not only can nitrogen of the air be made available as a fertilizer but the phosphoric acid in the Tennessee phosphate rock and the potash of our southern shales and slates can be concentrated so that compounds can be formed containing 70 per cent or more of plant food, as against 12 or 14 per cent in our present compounds.

As developed to-day, the electric furnace represents a series of industries which are in themselves directly monopolies. How much do any of us know regarding the secrets of manufacture of that most valuable modern product, metallic aluminum? The policy of the company which manufactures this product is absolute secrecy. And while it is not my purpose to contend this is an improper policy as regards aluminum, I do contend most emphatically that the methods of making those materials which feed our soils—the soils which feed our people—are too fundamental in the economic structure of the country to be concealed within the secret process rooms of any private corporation.

It has been testified in a recent hearing that one of our great establishments which manufactures dyestuffs employs 460 chemists, constantly working for the improvement of their processes and the development of new ones. For whose benefit do these chemists work? The answer is self-evident—for the benefit of those who employ them and no one else.

To follow the recommendations of Mr. GRAHAM's committee and turn this plant over to private interests is to decide that the improvements and the developments of these fundamental materials upon which our supply of foodstuffs and clothing so largely depend shall be guarded in a private laboratory for the private benefit of the lessee of this great plant. The farmers of the country, in their statement before the Committee on Agriculture, have contended that a laboratory, greater than that of Germany's nitrate monopoly, should be established in connection with this plant, and that there should be employed in the interest of agriculture more chemists than has Germany or any other country, and in this contention I most heartily concur, but if the farmers are to have the benefit of these improvements then these chemists must work for the farmer. The farmer can not maintain such a plant, and therefore, if he is to have the benefit, the Government must do it.

The fixation of nitrogen and the development of electric-furnace fertilizers are embryo industrial arts which are in their earliest infancy. That they will be improved and developed in a large way is beyond question, but it is up to this Congress to say whether these improvements shall be made by a few private concerns and the advantages secured by a few special interests, or whether these improvements shall be placed at the disposal and to the advantage of the American farmer.

England has no such fixation plant as we, but they propose to have one, and it will be a great cyanamide plant using the same process that we have already established. France, Italy, Canada, Japan, and Norway have all adopted a forward-looking policy in this particular, and are spending large sums to do precisely what is contemplated by the War Department, and as is well known the Central Powers, and Germany in particular, have outdistanced all civilization in their wonderful accomplishments in this field. America can not afford to be laggard among the nations in these important developments.

It may be argued, and in fact it has been argued, that the product of this plant will not be sufficient to affect the price of fertilizers as to bring about the great results which we foresee, but those who are in the best position to know have stated in recent testimony that the operation of this plant, according to the plans of the War Department, will mean the general reduction in price of nitrate fertilizers, and may possibly drive the Chilean product out of our market. There is a world competition coming in this line, and we are bound to face it. Shall we face it prepared with product of our own equal to those produced by any nation, or shall we idly sit by and see ourselves outstripped in this fundamental requirement of national preparedness and agricultural prosperity?

In conclusion, the nitrate program made necessary by our war-time needs was a blessing in disguise, and among the assets left over from the war it occupies the foremost position, for it provides us not only with a domestic source of explosives upon which we may rely with utmost confidence in time of war, but it makes possible a program by means of which this Nation can maintain the fertility of the soil and can largely increase the effectiveness of farm labor and assist in the solution of this great problem, while its future promises to lead to scientific developments which will have a most far-reaching benefit in every section of the country.

As the farmers' representatives have so well said in a recent hearing, the nitrate plant opens the way to greater production and greater prosperity on the farm through the development of modern electric-furnace fertilizers. To refuse to adopt such a plan as that proposed is to close this door of opportunity in the face of our present needs and turn the key over to private interests.

Let this great dam be completed, and the Congress can then determine upon a policy as to operation of the plant so as to give the farmers cheaper and better fertilizer and preserve the plant for munition purposes in the event of a military emergency. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I have no intention of undertaking to discuss the merits of the proposition before the House. It could not be done in five minutes. Every Member here is well acquainted with the proposition. It has been discussed a number of times. I have asked for this time more particularly for the purpose of correcting a statement which was made by my friend, the chairman of the committee [Mr. GOOD], the other day in the heat of argument, when he unintentionally did a very great injustice to prominent citizens in Alabama and Tennessee in the statement that the printed brief

which was published and placed in the hands of every Member of Congress with reference to Muscle Shoals and its possibilities had been prepared and paid for by the Alabama Power Co.

I hold in my hand two telegrams, which I desire to read to the House, correcting that statement. One is addressed to me and signed by Maj. E. B. Stahlman, a prominent and distinguished citizen of Nashville, Tenn. It reads as follows:

NASHVILLE, TENN., *February 28, 1921.*

JOSEPH W. BYRNS, M. C.,
Washington, D. C.:

Chairman GOOD'S charge that the splendid brief designated as America's Gibraltar was propaganda put forth by the Alabama Power Co. and paid for by that company is without a shadow of justification. Muscle Shoals Association, which has its headquarters in Nashville, Tenn., had this splendid brief printed in Nashville. The towns of Chattanooga, Memphis, Florence, and Nashville furnished the money to pay for the preparation and printing of this brief, and also to meet all other expenses of the Muscle Shoals Association. The Alabama Power Co. did not contribute a farthing.

The other telegram which I hold in my hand is addressed to my friend and colleague, the Hon. SAM R. SELLS, from the State of Tennessee. It is signed by Hon. C. H. Huston, a distinguished and prominent citizen of Chattanooga, Tenn. It reads as follows:

CHATTANOOGA, TENN., *February 28, 1921.*

Hon. SAM R. SELLS,
House Office Building, Washington, D. C.:

Notice in Friday's CONGRESSIONAL RECORD Chairman GOOD makes unchallenged statement that Muscle Shoals brief was paid for by Alabama Power Co. Insidious and selfish interests seem to be at work in opposition to Muscle Shoals and they have evidently taken advantage of the unusual pressure under which the Appropriations Committee has been laboring by supplying that committee with information unqualifiedly false. I was treasurer of the Muscle Shoals Association and handled from the original subscribers every dollar used in connection with the Muscle Shoals brief. The Alabama Power Co. neither directly nor indirectly contributed to this expense, but the money came in small sums from hundreds of citizens of the Tennessee Valley who supported this meritorious project just as they support other civic activities. After brief was prepared and paid for out of the funds collected from public-spirited citizens, men of national prominence, entirely nonpartisan, and with no selfish interests at stake, presented this brief to the President and Members of Congress. Chairman GOOD has simply been misled, and I am sure will be glad to have this statement appear in the RECORD.

C. H. HUSTON.

Now, gentlemen, the proposition before you is simply this: The conference committee has agreed upon the amendments to the sundry civil bill, with the exception of this one amendment and two others, and the chairman of the committee has announced that he intends to move that the House concur in those other Senate amendments. The adoption of this particular amendment will not in any sense send this bill back to conference, but, on the contrary, it closes the issue.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Will the gentleman yield me two more minutes?

Mr. GOOD. I will yield the gentleman two minutes more.

Mr. BYRNS of Tennessee. And it passes the sundry civil bill for the next fiscal year.

You know what the result was in the other end of this Capitol when the vote was taken on this proposition. The vote there was 40 to 31 in favor of insisting upon this amendment. If you vote down the motion to concur in this amendment, this bill must go back to the Senate, and if the Senate by the same majority or any majority shall determine to insist upon its amendment, then you are in the position of this bill going to conference again, and, since only a few hours remain between now and adjournment, it will be impossible for it to become a law. It carries an appropriation of millions of dollars for irrigation purposes; it carries more than $200,000,000 for the soldiers. I wish to appeal to all of you in the interest of millions of farmers who are asking Members to pass this bill because they believe it to be in their interest. I appeal to you in the interest of the Treasury of the people, because there is involved in this the question of whether you will absolutely sacrifice every dollar of the $17,000,000 already expended in the construction of this dam, or whether you will continue the completion, which, as Col. Cooper says, will enable the Government to realize 10 per cent gross on the entire investment. That is the proposition that is before this House, and I hope you will concur in the amendment. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, in order for the House to understand my position at this time upon this matter it is necessary to consider the parliamentary situation. When this bill passed the Senate with Senate amendments, the Senate asked for a conference. The House agreed to the conference and the bill went to the conference. The bill came back from the conference, and the House disposed of the conference report and a number of Senate amendments but did not ask for a further conference. The House that agrees to a conference has possession of the papers during the conference or, at least, acts upon the conference report. And this bill was in this situation: The conferees between the House and the Senate could not reach an agreement. The papers were in the possession of the chairman of the House conferees, and he, exercising the power that had been conferred upon him by the House, did what probably I would have done if I had been in his position, from his standpoint, proposed to hold the papers and let the bill die unless he could be sure that the Muscle Shoals proposition would not be reversed in the House. There the bill stood for a day or two, at least, during the last three or four days of the session. And this morning it seemed to me perfectly apparent that the sundry civil bill was dead unless some of us on the Republican side of the House who believed in the Muscle Shoals proposition, who had voted for the Muscle Shoals proposition, would take a back track at this particular time. The Republicans of the House have the majority. We have the responsibility of the legislation. The sundry civil bill carries large sums of money, vast expenditures of great interest to the country, of great importance to the country. I could not see how the killing of the sundry civil bill would help the Muscle Shoals proposition any.

It would not be in the law, because there would be no law. I was not willing to place myself in the position where, because I could not have my way about a particular proposition, I would help to kill the great appropriation bill. [Applause.]

And this morning I went to the Republican leader and to Mr. GOOD, of Iowa, and said to them that I would consult as far as I could with the Republican Members who voted for the Muscle Shoals proposition, and who believed, as I believed, that it ought to be passed, and would advise them, as far as my advice went, that we could afford to say, in order to get the sundry civil bill again before the House, that we would vote to further insist upon disagreement, so that possibly the bill might become a law without the Muscle Shoals proposition.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. GOOD. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. MANN of Illinois. I think the Republicans of the House have made a great mistake on the Muscle Shoals proposition. [Applause.] I shall not cease, so far as I am concerned—and I think I speak for those Republicans who voted for this proposition—we will not cease in the future to endeavor to have the Government proceed with this great work, which is of such great value to the farmer and the orchard grower. [Applause.] I will do all within my power in the future, but I have agreed if this bill came before the House at this time, for the purpose of saving the bill, to vote temporarily against the Muscle Shoals proposition, and a number of the other Republicans in the House who feel as I do have authorized me to make the same statement in their behalf as an excuse for the action we take, without any backward step on what we believe is the merit of the proposition. [Applause.]

Mr. GOOD. Mr. Speaker, the House conferees had a clear duty to perform. One hundred and ninety Members on this side of the House had voted against Muscle Shoals. One hundred and ninety men on this side of the House desired to be "shown" that an expenditure of $33,000,000 or more on the Wilson Dam at Muscle Shoals was a justifiable expenditure. These men desired to be "shown" that the $12,500,000 more for Muscle Shoals, pending in another bill, would be a justifiable expenditure out of the Treasury of the United States. We believe that the incoming administration will make an investigation and determine that proposition. When the House conferees were sent to conference we were sent there to carry out the will of the House; and in that we have attempted as best we could to perform that obligation.

At all times there was a disposition on the part of the conferees of the House to bring back a conference report with the Senate receding on the Muscle Shoals amendment, with the gentleman from Tennessee [Mr. BYRNS] not signing the conference report and able then to stand in his place, under the rules of the House, to make a motion to recommit the conference report and agree to Muscle Shoals.

That would have brought the issue as we have it now. When we were holding the papers there were involved hospitals for the soldiers. That is not in the bill now. We have this great proposition now of further insisting on our disagreement or of receding and concurring in the Senate amendment and appropriating for this expenditure.

Some complaint has been made in another Chamber because the House conferees "picked up their hats and carried away the papers." Mr. Speaker, we did carry away the papers.

When this House intrusted even us with papers carrying appropriations of $384,196,760.41, we kept the faith; we performed our duty. [Applause on the Republican side.] We kept the papers, and we have brought them back with credit to the House. We protected the Treasury of the United States against this attempted steal at this time. [Applause on the Republican side.]

Mr. CLARK. Mr. Speaker, will the gentleman permit me to ask him a question?

Mr. GOOD. Yes.

Mr. CLARK. The gentleman speaks of taking care of the soldiers. I want to ask him if it is not a fact that the Committee on Public Buildings and Grounds reported a hospitalization bill last June, and that it has been on the calendar ever since, and the gentleman's party has not seen fit to bring it up until this day?

Mr. GOOD. Oh, the gentleman is mistaken about that. The Langley bill passed, I think, at least two or three weeks ago, went to the Senate, and was incorporated in the Senate bill.

Mr. CLARK. Oh, no; the original bill we reported on the 3d of last June.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. GOOD. No; I regret I can not yield.

I want to say that I am advised by the Senate conferees that if the House to-night insist upon its disagreement, the Senate will then recede from Senate amendment No. 60.

Mr. BYRNS of Tennessee. The gentleman makes that statement. I would like to know by what authority 1 or 2 or even 3 conferees can bind 40 independent Senators?

Mr. GOOD. I do not know as to that, but that statement was made many times in conference, as the gentleman knows, by the Senate conferees.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman moves the previous question.

The previous question was ordered.

The SPEAKER. The question recurs on the motion of the gentleman from Tennessee [Mr. BYRNS] that the House recede and concur in the Senate amendment.

Mr. BYRNS of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 207, answered "present" 4, not voting 72, as follows:

YEAS—144.

Almon	Davey	Lanham	Robinson, N. C.
Ashbrook	Davis, Tenn.	Lankford	Romjue
Aswell	Dickinson, Mo.	Larsen	Rouse
Ayres	Dominick	Lazaro	Rucker
Babka	Doremus	Lea, Calif.	Sabath
Bankhead	Drane	Lee, Ga.	Sells
Barbour	Dupré	Lesher	Sherwood
Barkley	Eagan	Linthicum	Sims
Bee	Eagle	McAndrews	Sisson
Bell	Evans, Mont.	McClintic	Small
Benson	Ferris	McDuffie	Smithwick
Black	Fields	McKeown	Steagall
Bland, Mo.	Fisher	Major	Stedman
Bland, Va.	Flood	Mansfield	Stephens, Miss.
Blanton	Ganly	Martin	Stevenson
Bowling	Gard	Mays	Sumners, Tex.
Box	Garrett	Milligan	Swope
Brand	Godwin, N. C.	Minahan, N. J.	Tague
Briggs	Harrison	Montague	Taylor, Ark.
Brinson	Hastings	Moore, Va.	Taylor, Colo.
Brumbaugh	Hayden	Neely	Taylor, Tenn.
Byrnes, S. C.	Hoey	Nelson, Mo.	Tillman
Byrns, Tenn.	Holland	Nicholls	Upshaw
Campbell, Pa.	Howard	O'Connell	Venable
Cantrill	Huddleston	O'Connor	Vinson
Carew	Hudspeth	Oldfield	Weaver
Carss	Hull, Tenn.	Oliver	Welling
Carter	Humphreys	Overstreet	Welty
Casey	Igoe	Parrish	Whaley
Christopherson	Jacoway	Phelan	Wilson, La.
Clark	James, Va.	Quin	Wilson, Pa.
Cleary	Johnson, Ky.	Rainey, Henry T.	Wingo
Coady	Johnson, Miss.	Raker	Woods, Va.
Collier	Jones, Tex.	Randall, Calif.	Wright
Crisp	Keller	Rayburn	Yates
Curry, Calif.	Kincheloe	Riordan	Young, Tex.

NAYS—207.

Ackerman	Campbell, Kans.	Dickinson, Iowa	Fordney
Anderson	Cannon	Dowell	Foster
Andrews, Md.	Chindblom	Dunbar	Frear
Andrews, Nebr.	Cole	Dunn	Freeman
Bacharach	Cooper	Dyer	French
Begg	Copley	Echols	Fuller
Benham	Cramton	Edmonds	Gallivan
Bland, Ind.	Crowther	Elliott	Glynn
Boies	Cullen	Elston	Good
Bowers	Currie, Mich.	Esch	Goodall
Brooks, Ill.	Dale	Evans, Nebr.	Goodykoontz
Brooks, Pa.	Dallinger	Fairfield.	Gould
Browne	Darrow	Farr	Graham, Ill.
Burdick	Davis, Minn.	Fess	Green, Iowa
Burroughs	Dempsey	Fish	Greene, Mass.
Butler	Denison	Focht	Greene, Vt.
Griest	Lampert	Ogden	Smith, N. Y.
Hadley	Langley	Olney	Snell
Hardy, Colo.	Layton	Osborne	Steenerson
Harreld	Lehlbach	Paige	Stephens, Ohio
Hawley	Little	Parker	Strong, Kans.
Hays	Longworth	Patterson	Strong, Pa.
Hernandez	Luce	Perlman	Summers, Wash
Hersey	Lufkin	Peters	Sweet
Hickey	McArthur	Porter	Swindall
Hicks	McGlennon	Purnell	Temple
Hill	McKenzie	Radcliffe	Thompson
Hoch	McLaughlin, Mich.	Ramsey	Tilson
Houghton	McLaughlin, Nebr.	Ramseyer	Timberlake
Hulings	McLeod	Randall, Wis.	Tincher
Hull, Iowa	McPherson	Ransley	Towner
Husted	MacGregor	Reber	Treadway
Hutchinson	Madden	Reed, N. Y.	Vaile
Ireland	Magee	Reed, W. Va.	Vestal
James, Mich.	Mann, Ill.	Rhodes	Voigt
Jefferis	Mapes	Ricketts	Volk
Johnson, S. Dak.	Mason	Riddick	Volstead
Johnson, Wash.	Mead	Robsion, Ky.	Walsh
Jones, Pa.	Merritt	Rogers	Walters
Kearns	Michener	Rose	Ward
Kelley, Mich.	Miller	Rowe	Watson
Kelly, Pa.	Monahan, Wis.	Sanders, Ind.	Webster
Kendall	Mondell	Sanders, N. Y.	Wheeler
Kennedy, Iowa	Moore, Ohio	Schall	White, Kans.
Kennedy, R. I.	Moores, Ind.	Scott	White, Me.
Kiess	Morin	Shreve	Williams
King	Mott	Siegel	Wilson, Ill.
Kinkaid	Mudd	Sinclair	Winslow
Kleczka	Nelson, Wis.	Sinnott	Wood, Ind.
Knutson	Newton, Minn.	Slemp	Young, N. Dak.
Kraus	Newton, Mo.	Smith, Idaho	Zihlman
Kreider	Nolan	Smith, Ill.	

ANSWERED "PRESENT"—4.

Crago	Goldfogle	Smith, Mich.	Wason

NOT VOTING—72.

Anthony	Emerson	Lonergan	Rodenberg
Baer	Evans, Nev.	Luhring	Rowan
Britten	Gallagher	McCulloch	Rubey
Buchanan	Gandy	McFadden	Sanders, La.
Burke	Garner	McKiniry	Sanford
Caldwell	Goodwin, Ark.	McKinley	Scully
Candler	Graham, Pa.	Maher	Sears
Caraway	Griffin	Mann, S. C.	Snyder
Classon	Hamill	Moon	Steele
Connally	Hamilton	Mooney	Stiness
Costello	Hardy, Tex.	Murphy	Stoll
Dent	Haugen	Padgett	Sullivan
Dewalt	Hersman	Park	Thomas
Donovan	Johnston, N. Y.	Pell	Tinkham
Dooling	Juul	Pou	Vare
Doughton	Kahn	Rainey, Ala.	Watkins
Drewry	Kettner	Rainey, John W.	Wise
Ellsworth	Kitchin	Reavis	Woodyard

So the motion to recede and concur was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. DENT (for) with Mr. KAHN (against).

Mr. RAINEY of Alabama (for) with Mr. GALLAGHER (against).

Mr. PADGETT (for) with Mr. WASON (against).

Mr. POU (for) with Mr. WOODYARD (against).

Mr. EVANS of Nevada (for) with Mr. ANTHONY (against).

Mr. CRAGO (for) with Mr. VARE (against).

Mr. BUCHANAN (for) with Mr. SULLIVAN (against).

Mr. RUBEY (for) with Mr. MCKINLEY (against).

Mr. BURKE (for) with Mr. SANFORD (against).

Mr. CONNALLY (for) with Mr. ROWAN (against).

Mr. JOHN W. RAINEY (for) with Mr. DOOLING (against).

Mr. KITCHIN (for) with Mr. BRITTEN (against).

Mr. GARNER (for) with Mr. HAMILTON (against).

Mr. SEARS (for) with Mr. COSTELLO (against).

Mr. THOMAS (for) with Mr. PELL (against).

Until further notice:

Mr. RODENBERG with Mr. CARAWAY.

Mr. REAVIS with Mr. PARK.

Mr. MURPHY with Mr. HARDY of Texas.

Mr. MCCULLOCH with Mr. STOLL.

Mr. SNYDER with Mr. WATKINS.

Mr. TINKHAM with Mr. WISE.

Mr. STINESS with Mr. HERSMAN.

Mr. JUUL with Mr. MOON.

Mr. ELLSWORTH with Mr. DREWRY.

Mr. GRAHAM of Pennsylvania with Mr. KETTNER.

Mr. EMERSON with Mr. DONOVAN.

Mr. HAUGEN with Mr. GRIFFIN.

Mr. SMITH of Michigan with Mr. MAHER.

Mr. BAER with Mr. GANDY.

Mr. LUHRING with Mr. DOUGHTON.

Mr. MCFADDEN with Mr. GOODWIN of Arkansas.

Mr. CLASSON with Mr. MCKINIRY.

The SPEAKER. The question is on the motion of the gentleman from Iowa [Mr GOOD] that the House further insist on its disagreement.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 82: Page 73, line 21, strike out the figures "1920" and insert:

"1920: *And provided further*, That section 201 (c), transportation act, 1920, be amended by striking out the words 'whose constitution prohibits the ownership of such terminal facilities by other than the State or a political subdivision thereof,' and insert in lieu thereof the following: 'municipality or transportation company; or to expend such moneys for necessary terminal improvements and facilities upon property leased from States, cities, or transportation companies under terms approved by the Interstate Commerce Commission, or otherwise, in accordance with any order rendered by said commission under subheading (a), paragraph 13, section 6, interstate commerce act.'"

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment 82 and concur therein.

The motion was agreed to.

Mr. GOOD. I ask unanimous consent that we next consider Senate amendment 165. The reason for this is that Senate amendment 162 and Senate amendment 163 depend upon what we do with regard to Senate amendment 165.

Mr. LANKFORD. I object.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 162: Page 179, line 124, strike out "two at $1,600 each."

Mr. MANN of Illinois. I suggest to the gentleman from Iowa that he ask unanimous consent to consider these three amendments together. They are all interdependent.

Mr. GOOD. I ask unanimous consent that amendments 162, 163, and 165 be considered at the same time.

The SPEAKER. Is there objection?

Mr. LANKFORD. I object.

Mr. GOOD. I move to recede and concur in Senate amendment 162.

Mr. BYRNS of Tennessee. Mr. Speaker, I do not wish to take up the time of the House, but I hope you will hear me for two or three minutes while I explain what is involved in this amendment.

At the present time the CONGRESSIONAL RECORD is indexed at an expense to the Government of many thousands of dollars. I forget the exact figures, but I have heard it estimated as high as $17,000 to $30,000 a year. It is paid for at so much per page.

The House Committee on Appropriations reported to the House a proposal to do away with that system. They did this with the thorough approval of the gentlemen from Pennsylvania [Mr. KIESS], the chairman of the House Committee on Printing, who came before the committee and requested that it be done. It was proposed to give the superintendent of documents the authority to index the CONGRESSIONAL RECORD. That was done by a provision carried in this bill, and the committee recommended to the House that five additional cataloguers be allowed to the superintendent of documents in order to enable him to do this work, at an expense of a little over $6,000 a year. The superintendent of documents was before the committee complaining that for the work he then had on hand, his current work, he did not have a sufficient number of cataloguers; but the statement was made that if this was done and he was allowed five additional cataloguers to index the RECORD he could use those cataloguers in the recess of Congress and possibly be able to get along without an additional number of cataloguers for his regular work. These cataloguers were to be under the civil service. It went to the Senate and the Senate struck out the House provision and undertook to create four new positions outside of the civil service, one of them, a chief indexer, at $3,000 a year, another at $2,500 a year, and two cataloguers at $1,800 a year each. I do not know what the chief indexer is going to do. He has got three cataloguers, one of whom is paid $2,500. You gentlemen on that side and on this side were elected to this Congress on a platform of economy. Here you are proposing to create four noncivil-service positions, one paying $3,000 and another $2,500. Under the House provision you can have the same work done by five civil-service employees in the office of the superintendent of documents, getting $1,600 and $1,400 apiece, and who will do other Government work when Congress is in recess and the RECORD is not being printed. That is the whole proposition, and I appeal to you in the interest of economy not to create these new positions, which I presume will be under the appointment of the chairman of the Senate Committee on Printing.

Mr. MANN of Illinois. I am not so much interested in what it costs as I am in knowing whether we will get a decent index of the RECORD.

Mr. BYRNS of Tennessee. I do not think there is any question but that the index made by the superintendent of documents will be just as good an index. I am sure that the gentleman from Illinois approved of the proposition when it went through the House, because I have been here 12 years and I think I never saw an appropriation bill pass through the House that the gentleman from Illinois was not familiar with every line and syllable of it.

Mr. MANN of Illinois. I thought when it went through the House that they could not make it any worse than it is now, but what I want to know is, Will the Senate amendment make it any better?

Mr. BYRNS of Tennessee. Does the gentleman think it will make it any better?

Mr. MANN of Illinois. I do not know.

Mr. BYRNS of Tennessee. We will have these new positions, but there is no guaranty that these appointees will know anything about cataloguing. Certainly, we have control of the superintendent of documents and can see to it that the indexing is properly done. That is the reason I am opposed to the motion of the gentleman from Iowa. I do not believe we should create new offices to be filled by some one man, without regard to the civil service, and especially when it is going to cost more money to do so.

Mr. GOOD. The only thing remaining in the conference report are these items. Personally I would prefer the House bill, but the House conferees thought that $1,600 was not sufficient salary. The Senate amendment carries $9,100, as against an appropriation of about $30,000 during the time that the gentleman's party was in power. Strange, indeed, that they should have made no complaint then against men receiving high salaries for indexing, one of whom received more than $12,000 a year. Under Republican administration we propose to cut down those salaries.

Mr. BYRNS of Tennessee. The gentleman says "under Republican administration." The Republicans have been in power for the last two years, and I submit that they operated under the same old plan.

Mr. GOOD. The gentleman's party was in power a good many years and there was not a thing said against it.

Mr. BYRNS of Tennessee. Let us be entirely fair; this is not a partisan question.

Mr. GOOD. The gentleman himself raised the partisan question.

Mr. BYRNS of Tennessee. Oh, no; there is nothing partisan in this. The gentleman knows that this same practice prevailed when the Democrats came into power, and that the Republican Party has continued that practice during the past two years.

Mr. GOOD. I think I have the floor, or a part of it [laughter], and I want to answer the gentleman by saying that the gentleman said that we had created new positions here that were not civil-service positions——

Mr. BYRNS of Tennessee. Is not that true?

Mr. GOOD (continuing). Leaving the inference that we came into power and were playing politics, when all along during all the time the gentleman's party was in power you never said a single word against the appropriation for this purpose when it amounted to more than $18,000 and the Senate amendment is only $9,100.

Mr. BYRNS of Tennessee. Was not my statement that this creates four new positions outside of the civil service true?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I thought so.

The SPEAKER. The question is on the motion of the gentleman from Iowa to recede and concur.

The question was taken; and on a division (demanded by Mr. BYRNS of Tennessee) there were 182 ayes and 108 noes.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Page 172, line 8, strike out the words "two at $1,400 each, six" and insert the word "four."

Mr. GOOD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 164: On page 180, line 4, strike out "$223,793.23" and insert "$215,393.20."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 164 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 165: Page 180, after line 5, insert:
"CONGRESSIONAL RECORD Index: For salaries and expenses of preparing the semimonthly and session indexes of the CONGRESSIONAL RECORD, under the direction of the Joint Committee on Printing, as follows: Chief indexer, $3,000; cataloguer, $2,500; two cataloguers, at $1,800 each; in all, $9,100."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 165 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 166: Page 181, strike out all of lines 1 to 9, inclusive, being the following language:
"The duty of preparing, publishing, and distributing the semimonthly and session indexes of the CONGRESSIONAL RECORD shall be performed, beginning with the 1st day of July, 1921, and thereafter, by the superintendent of documents of the Government Printing Office, under the direction of the Joint Committee on Printing. For the performance of this work the superintendent of documents shall assign from time to time from among the persons appropriated for his office such of them as he may deem competent and necessary."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 166 and concur in the same.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed, without amendment, bills of the following titles:

H. R. 10104. An act to renew patent No. 25909;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 16076. An act authorizing bestowal upon the unknown unidentified British soldier buried in Westminster Abbey and the unknown unidentified French soldier in the Arc de Triomphe of the congressional medal of honor;

H. R. 1299. An act for the relief of George LeClear;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest in the State of Washington, and for other purposes; and

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga.; and

H. R. 13558. An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war risk insurance act, as amended.

THE LATE REPRESENTATIVE CHAMP CLARK OF MISSOURI—MEMORIAL EXERCISES.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD upon the life, character, and public services of Mr. CLARK, for 10 calendar days.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. By special order the House has set aside this hour for memorial exercises in honor of the late Representative CHAMP CLARK. The gentleman from Missouri [Mr. RUCKER] will please take the Chair.

Mr. RUCKER assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON of Missouri. Mr. Speaker, a great character has passed into history. Missouri's foremost and best-beloved citizen has gone into the great beyond. The mystery of life has given way to the mystery of death. CHAMP CLARK lives no more on earth, yet he lives in the hearts and affections of his multitude of friends and admirers. Those who knew him best, loved him most. His career has been notable. His life work has been worth while. His years have been full of work and of deeds well done.

His personality was most striking. Tall of stature, large of build, and big of heart, he commanded the respect and love of all.

Born on March 7, 1850, in Anderson County, Ky.; on yesterday he died here in this Capital City, 71 years of age if he had lived till March the 7th. He was educated at Kentucky University and Bethany College and the Cincinnati Law School. At 22 he was president of Marshall College, West Virginia. In 1875 he moved to Missouri and attained high rank in the practice of law.

He was a member of the Missouri Legislature and was in Congress 26 years. He was the minority leader of his party in the House. He was eight years Speaker of this great representative body. His worthy record as Speaker endeared him to the entire membership of the House, and no man ever served in this House more loved than this big-hearted, red-blooded Missourian. He was almost named by his party in the national convention at Baltimore in 1912. On nine ballots he was the majority choice, and if the precedent of other conventions had not been broken, when a majority vote was quickly followed by a two-thirds vote, he would have been nominated and elected President of the United States. The history of that convention is known to all.

He was worthy of all the ambitions of his life. He was highly educated in the classics, in literature, in law, and in history. He was a great historian and knew the history of his country and its public men. He was a great figure in national politics, a stalwart in his own party. He presided with distinguished ability as permanent chairman of the national convention in St. Louis, when Alton B. Parker was nominated for President. Not a mere politician, he was a statesman of high order. He loved his country, his State, his home, his friends.

He was a man of rugged honesty and fearless courage, with a heart as tender as a child's. He was just, he was considerate, he loved the right, and hated wrong. He made a good fight in the great battle of life. He loved this House—it was a home to him. His history is mingled with the strong characters with whom he served and battled in earnest debate. His friendships knew no party lines. In the closing hours of this session it is fit that unusual ceremonies be had in honor of this great and much loved character, before he is taken to his home and buried among his friends at Bowling Green, Mo.

The name of CHAMP CLARK will rank high with the best and strongest of our great men and live as long as history lives. His familiar face will not be seen again in this Hall. His best life work was here. He declined the urgent request of his party associates to run for governor of his State and for Senator of the United States. He was tendered the appointment for Senator by Gov. Gardner of Missouri to succeed his much-loved friend, Senator William J. Stone. He declined, preferring his work here among his friends, whom he loved, and who had honored him by repeated evidences of their confidence and affection. He died in official harness as the Representative of a great Missouri district and as a Member of the greatest deliberative body on earth.

He has gone to his reward. His place in the hereafter is assured. He acted well his part in life. His established character and great record of deeds well done entitles him not only to live in the fond and endearing memory of all men, but to a home of happiness in the great eternity beyond.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Massachusetts, Mr. Speaker GILLETT.

Mr. GILLETT. Mr. Speaker, I think those of you who have known Mr. CLARK only of late years must have formed a very erroneous estimate of his characteristics and ability. It seems to me that I have seen coming over him for years the shadow of that doom which descended upon him yesterday. He had lost vigor, and energy had become languid and inert. Slow disease was obviously sapping his vitality. But 20 years ago I remember him as an intellectual gladiator in this House, of splendid physique, fine presence, strong voice, handsome and impressive head, good elocution, and back of that was an intellect, keen and vigorous, stored with the very kind of knowledge most useful in this House, because his favorite study was the political history of our country, and he was full of facts and reminiscences with which he could illustrate and illuminate his arguments. I remember him, therefore, as a splendid, impressive, and forceful figure in this House.

I may be mistaken in my recollection, because I find as we grow older that we see the past through a mist which seems to magnify, which makes the past look larger than it probably was, but it seems to me the conflicts and debates in this House at that time were marked by a higher vigor and ability, certainly a greater rancor and partisanship than we have witnessed of late. In those debates Mr. CLARK always distinguished himself. He was ready, powerful, acute, full of energy, with a sort of sledge-hammer style that beat down resistance. He was always an enemy to be dreaded and an ally to be welcomed. By that vigor and ability he literally fought his way into leadership, and for several years was leader of the minority. Then he became Speaker. He there developed qualities that we hardly would have anticipated from his previous career, because as Speaker I think he was mainly distinguished for the splendid impartiality and judicial quality which characterized his service.

I have served here under five Speakers—Crisp, Reed, Henderson, Cannon, Clark—all men of great ability, men of striking qualities, for all of whom I have great admiration and regard. Yet above them all, it seems to me, in an impartial construction of the rules, in the power of setting aside partisanship and standing forth as the judge, Mr. CLARK was preeminent. He won the admiration, affection, and confidence of both sides of the House. Then again for two years he became minority leader and in that capacity it was within his power to cause me, as Speaker, great embarrassment and annoyance.

But, on the contrary, his considerateness, kindness, and courtesy made a position, which he well might have made uncomfortable, pleasant and easy and left in me the warmest feeling of regard for his generous forbearance. I shall always recall him with respect and admiration, and I feel toward him a warm and cordial friendship which will be one of the precious treasures of my memory.

Mr. CANNON. Mr. Speaker, I remember CHAMP CLARK's first appearance in the House in August, 1893, the extra session of the Fifty-third Congress. He was in the prime of life, and as fine a specimen of physical manhood as I ever saw—a handsome man, and a man of fine mental preparation for the work of a legislator.

He had the one quality which has developed leadership in all times—confidence in his cause and confidence in himself. The man who does not believe in himself as well as in what he advocates is rarely successful.

Mr. CLARK had this confidence in his cause, and opposed the President of his own party affiliation in the very beginning of his service. He was severely criticized, but he had the courage of his convictions and began his service by opposing the recommendations of President Cleveland for the repeal of the Sherman silver purchase law. As I learned to know Mr. CLARK, his first action here in the House was typical of his whole service. He cooperated but did not blindly follow.

I was an old Member then, though I had been out one term, and I exercised the privilege of catechizing the new Member from Missouri in that Congress. I thought I did it very thoroughly, but while I may have had the advantage and made him appear to disadvantage, I also developed the mettle of the man, and 18 years later he succeeded me in the Speaker's chair, and held the confidence of his own party and the respect of the House whether he led the majority or the minority.

The succession of events tells the story. Speaker CLARK was not an accident. He developed along the lines of American ideals, and American opportunities met with responsibility—a splendid type of American statesmanship.

Mr. CLARK and I had the same kind of preparation for service here, only his was better. We both grew up on the farm; both studied law with few law books and a diversified, though modest, practice; both became State's attorneys; both were defeated in our first efforts to come to the House, but were not discouraged by failure. Our experiences were those of the average American citizen. We were both defeated after service here, but we came back, as I believe he would have again come back to the House had he lived.

In these experiences Mr. CLARK developed the confidence with which he was naturally endowed. Experience and courage completed the leadership he won and long held in the House. He asked no quarter and gave none, but fought in the open and according to the approved rules of debate. In those older days we had great contests here, and we engaged in fierce conflicts which left only honorable scars and no personal resentments, for we did not strike below the belt.

Mr. CLARK showed the same quality of leadership in contests for the highest leadership, and after holding the majority vote through eight ballots in the great national convention of his party and then defeated, he took his place in the ranks to fight as though he had never aspired to the Presidency. No man ever showed better courage and better American spirit than CHAMP CLARK in 1912 and from that time to his death.

Mr. CLARK and I engaged in many conflicts, and we continued warm personal friends from the beginning of our acquaintance to his death, and none of you here from the personal standpoint mourn the loss of the leader of that side of the House more keenly than I do.

I say loss of a leader, from a personal standpoint, because he and I differed about the proper policies without the loss of confidence in the patriotism of either CHAMP CLARK or myself.

Mr. JOHNSON of Kentucky. Mr. Speaker, a pall of grief hangs over this Chamber. The best-loved man who ever had a seat here has been called away by Him whose commission he ever sought most faithfully to execute. There are at least three earthly things that never will go out of fashion—music, oratory, and courage. These three our friend possessed in an extreme degree. I have seen his great soul moved to its very depths by the strains of patriotic music, when the fortunes of the world seemed to hang in the balance.

Not that sort of eloquence that he, in his homely, Lincoln-like way, would have called "Highfalutin' stuff"; not that sort that undertakes to inflame a rabble; not that sort that endeavors to lull into dangerous inactivity did he ever employ; but, instead, he used that sort of speech which Heaven approves and to which men respond. By that unpretentious but effective way which was his alone I have witnessed big men, entertaining opposite views, yield to the power of his mind and his unique expression of thought.

For centuries Julius Cæsar has been held by the world to be the greatest exemplar of courage. I have read with bated breath of his daring deeds, of his unflinching and never-quailing spirit, which men throughout all time will never cease to admire, even though they should not always approve.

His was only a physical courage. The courage of him of whom I speak on this occasion was of that same supreme kind, but coupled with a moral courage of no less proportions.

He whom we mourn was born and spent his early life within a very few miles of the place of my own nativity.

As a child I learned of many incidents in his life in each of which he was the chivalrous hero. The old men on Hardins Creek in Kentucky still tell their children and their children's children of the prowess of CHAMP CLARK. They tell of the punishment he could take in unyielding silence. They tell how his magnanimity toward a beaten antagonist was ever present; they tell that when he thought it possible for him to have been too hasty or in the wrong in the least degree, how, out of a great moral courage, he could make abject apology.

Added to the qualities of which I have just spoken there was ambition—not that ambition of the selfish man seeking power—but, rather, that to serve the ends of justice; to protect the weak from the strong; to promote right; to prevent wrong.

One afternoon as he and I together were returning from the Capitol to our respective homes he said to me, "Let's go by the Union Station. There is something there that I like to read and reread." When we had reached the station he pointed up and read aloud, "Let all the ends thou aim'st at be thy country's, thy God's."

His great brain was housed behind features which correctly portrayed the character of this strong and good man.

Clothed in an exterior, sometimes thought to be brusque by those who knew him not intimately, there beat the biggest, the warmest, the best heart ever placed in the breast of mortal man.

Because he was but human he must have had faults; but he had a thousand redeeming traits of character for every fault he may have had.

He never saw an object of pity that his heart did not go out in the fullness of sympathy. He never came across one needing help that his hand did not go to his pocket.

If yonder, in the Great Beyond, aught has been held against him I believe—I know—that that charity, that mercy which ever abided in him has been met by that same charity, that same mercy in Him who is all charity, all mercy.

To us CHAMP CLARK is dead; but whatever it is that a Supreme Being holds for the good, he is now enjoying; wherever the place may be his noble spirit is there.

Mr. MANN of Illinois. Mr. Speaker, I hold in my hand a gavel made from second growth hickory grown in Worth County, Ga., in the district represented by Hon. FRANK PARK, furnished by the Georgia delegation in this Congress for presentation by

the Members of the House of Representatives to Hon. CHAMP CLARK.

The gavel bears the following inscription:

"This gavel is presented by a unanimous vote of the House of Representatives to the great ex-Speaker, CHAMP CLARK, on the day of his retirement from Congress, after 26 years of continuous, faithful, and most useful service, this March 4, 1921. He was chosen by a majority vote nine times successively at the Baltimore convention in 1912 as the nominee of his party for President of the United States; a typical American in stature, feature, mind, and feeling. Great in victory and greater in defeat.

"Inter pares facile princeps."

When the Georgia delegation informed our departed friend of their desire to have this gavel presented to him and the presentation speech made by a Republican Member of the House, and asked him to name one, he did a great honor to me in his loving kindness to suggest that I should present the gavel to him on behalf of the House. It is not possible for me to do that. It will be presented to his family. I loved the man. We were on opposite sides of the House. We never had extra close personal relations, but in all the touch and contests of bitter fights we learned not merely to respect each other but to love as two brothers might. This House saw him in the days of great parliamentary contests and no one ever appeared on this floor in a parliamentary fight who was his superior, and some of us doubted when he was elected Speaker if it were possible for a man with the parliamentary fighting propensities such as he had to preside without partisanship. He left the Speaker's chair with the respect, with the admiration, with the affectionate regard of every Member of the House, regardless of party. He has gone to his heavenly reward, but his memory will linger long in the Halls of this House, influencing those who are here and those who come afterwards to remember that contests over principles do not need to degenerate into personal animosities. He was the exemplification of the American spirit to contest for principles and to abide peacefully by the results.

Mr. MONDELL. Mr. Speaker, CHAMP CLARK was an ideal example of American citizenship, of American statesmanship. He exemplified to the fullest in his life and character the personal and civic virtues which we are pleased to believe reach their most perfect development under the conditions of American life. He not only measured up to the highest and best standards of American ideals, but his virtues were peculiarly American in their manifestation and expression. His very faults, if he may be said to have had any, were American in their form and flavor. He was a son of the soil, an ideal product of a peculiarly sound and sane environment, a fine example of all that is best and most praiseworthy in American life and character.

Few men in our time have appealed so strongly to the popular imagination; have had so many devoted friends or faithful followers as CHAMP CLARK. He appealed to the popular imagination, because, while sane and sound, he was picturesque in a pleasing and attractive way. His friends embraced men of every shade and variety of opinion, for to know him well was to be his friend. However much one might differ with him, his splendid human qualities compelled admiration and attracted men to him. His followers were legion, and their allegiance, based and grounded on their confidence in his ability and judgment, was strengthened and cemented by their admiration of his kindly, considerate, and consistent character.

Our friend ran the gamut of human experience. Providence gave him the full measure of happiness in his family and social relations. His ear was familiar with the plaudits of admiring constituencies, audiences, and conventions, but with these joys and triumphs came the trying experiences of personal bereavement and of keen political disappointment. Providence was very good and kind to him in many ways, but the fates held for him from time to time the agony of temporary defeat. As we think of our friend we are glad to remember that his joys and his triumphs so far outnumbered and outweighed the occasional unkindly flings of fate.

It has been my good fortune during my political life to know many men for whom I have conceived a high regard; to become acquainted with many men whom I have been glad to claim as friends, but I have known no man whom I have held in higher regard, none for whom I have had a greater affection, than our friend to whose memory we offer tribute to-night. His was a rare spirit, kindly and courageous, confident and considerate. If all the world were cast in his mold what a wonderful place it would be to live in. He has finished his work; he has gone to his reward, but we are happier because we knew him, and the world is better for his example. We mourn that he is gone, but we know full well that no harm shall come to his pure, kindly, and courageous spirit.

Mr. HENRY T. RAINEY. Mr. Speaker, we have assembled to-night to do honor to the memory of a great man amid the scenes of his labors, his successes, and his triumphs. With a heavy heart, I pay this tribute of respect and love to the memory of my friend. As I stand here there comes thronging upon me tender memories extending back over a quarter of a century of time.

He was my nearest congressional neighbor. For over a hundred miles our districts join—his in Missouri, mine in Illinois—separated only by the Mississippi River. I knew him when he was a practicing lawyer, a handsome, manly man, in full possession of all the strength and vigor of young manhood. With admiration I followed his career in the National Congress for nearly a decade before I came here, and I have served here with him during the long period of 18 years. It is peculiarly appropriate that we conduct these ceremonies here in the Hall which has so often rung to the stately grandeur of his eloquence, but which will know him no more forever.

The life and achievements of CHAMP CLARK will remain always an inspiration for the young. A farm hand, a college graduate, a president of a college, a clerk in a country store, the editor of a country newspaper, a country lawyer, a prosecuting attorney, a presidential elector, a member of the legislature of his State, the author of the Missouri antitrust laws and the Missouri Australian ballot law, chairman of a great national convention, for 26 years a Member of Congress, a candidate for the Presidency, receiving in the national convention of his party a clear majority on many ballots, for eight years Speaker of the National House of Representatives, the second highest office in this Republic; this, in brief, is the career of the man we honor here to-night.

Full of years, his life work ended, he died in this beautiful city under the very shadow of the National Capitol. During all the years of his sojourn upon this earth he was prompted always by the tenderest of human sympathies. He has passed now beyond the mists which bound him here into a new and a larger life on an unseen shore. Through these halls there has passed in the decades of our national life a stately procession of great men, moving through the very center of American life. With many of them he came in contact here in this Hall. CHAMP CLARK will rank in history among the greatest of all these. His colleagues in this House were always his friends, whether they sat on this side of the Chamber or on that side. He has gone to greet the friends who have sailed before over an unknown sea to an unseen shore. A few hours from now a train moving across meridians of longitude will convey his earthly remains to the neighbors and friends who knew him and loved him during the years of his sojourn upon this earth. His achievements are now a part of the history of his country. His great soul has passed beyond the grave to participate in a larger existence in an unknown land.

Mr. DYER. Mr. Speaker and gentlemen of the House, Missouri, one of the splendid States of this great Union, universally and generally bows in mourning with you at the loss of our great and good friend. The name of Missouri has been made great by the public service of CHAMP CLARK. He brought to that State great renown. He was one of our greatest citizens. For the last half century no Missourian has measured up to him. He ranked with men like Benton and Blair. I knew Mr. CLARK as a boy. I knew him when he first was entering politics. I knew him when he was first nominated for Congress. With my father I went from the farm to hear him speak at the county seat. I was born and reared in the district that he so well represented here. He was to me an ideal, he was to me a man to look up to and watch and be benefited by his high sense of honor and statesmanship.

He was beloved by the people that knew him, and he was respected and honored by all the people. When I first came here in the Sixty-second Congress, when the roll was being called for the election of Speaker, I felt almost, when the name of CHAMP CLARK was called, that I, though a Republican, should cast my vote for him for Speaker, because I had known him so well as a boy and because I had always admired him so greatly. I would go to him for advice; I would go to him for counsel.

He was beloved by my relatives and family. He was one of our dearest friends. And I tell you, my colleagues, that not only our splendid State of Missouri suffered an irreparable loss, but likewise has the Nation, because CHAMP CLARK was not only a great Missourian but he was one of the greatest Americans that has lived for many a day. And we shall be the poorer

here in this great legislative body for years to come because he has gone from us. It will be a long time before we will find a man to take his place as an upright, splendid, broad-minded statesman.

He was not one who would stoop to any small things to gain an advantage in legislation or in politics. He was a man, as has been stated by those who have served with him here longer than I, that would fight for that which he believed to be right, but he always fought with the greatest honor and with clean hands. And of that kind, my colleagues, have been the men who have made America what it is. It is men of that kind who write into law the things that have made our country great. And to-night, I say again, every Missourian, yea, every American, must be bowed with sorrow at the passing of CHAMP CLARK, the former Speaker, and the splendid and great American.

Mr. GARRETT. Mr. Speaker, I accept the opportunity to participate in these ceremonies with infinite pride and unutterable sadness—pride because for 16 years I enjoyed the assurances of the confidence and esteem of the great dead man who stood a peer among the most illustrious characters of his generation; sadness because I have looked for the last time into his handsome, classic face and felt for the last time the warm outflow of his great and splendid and generous soul.

The intimate facts of his life and career are so fully known to contemporary peoples, and particularly here, as to render any attempted recital of them quite unnecessary. His birth, his early struggles, his education, his success at the law, his political career with its triumphs and its disappointments, all are familiar to reading people in every hamlet of the Republic.

The uniqueness of his characteristics is familiar to unnumbered thousands who have heard him upon platform and stump; and everywhere that his name is known there is associated with it in the public thought the fine idea of inherent instinctive honesty, moral and intellectual. He was candid to the point of bluntness. He was intellectually and spiritually and physically rugged; a fighter all his life.

When I say he was physically rugged, I do not mean in features. His face was one of the handsomest and most striking possessed by any public man in history. He was distinctly individualistic and of original temperament. His physical movements, his mental processes, his modes of expression, were peculiar to himself.

His life was linked in some form to all the activities of the Congress of the United States for a quarter of a century; he became conspicuous in the early days of his service and grew to the highest honors which the House of Representatives could bestow. All that we had here we gave him and wished it could be more—the best of committee assignments, the floor leadership of his party, the Speakership.

In return he gave to us and to his country a loyal and illustrious service which has added to its greatness and its glory.

My poor story must be imperfect and incomplete at best, but it would be inexcusably so did I fail to stress the fact that he was not only an eminent student, not only an author of distinction, not only a statesman of world fame, but a lover. All the tenderness of affection which his great heart could pour out was lavished upon the happy family of which he was the beloved head.

He was of two States, Kentucky and Missouri, and was worthy of them. He kept their faith, even their great faith, the faith of their finest, sweetest traditions, the faith of their past great glories and their past loves and their public virtues; and I have no doubt these Commonwealths in especial degree will, with all others, cherish his memory because he maintained unbroken every thread in the line of public honor and measured up to the full requirements of their bravest and their best.

I shall not speak of his death in any language of my own. Some day, perhaps, we shall know what it means; we do not know now. The poet may know; the poet does know most of the deep things of earth, and perhaps his vision mounts to the things beyond the earth. A great poet has written a great poem about death, some stanzas of which I think may with entire appropriateness be quoted here:

Sad mortal! Couldst thou but know
What truly it means to die,
The wings of thy soul would glow
And the hopes of thy heart beat high;
Thou wouldst turn from the Pyrrhonist schools,
And laugh their jargon to scorn,
As the babble of midnight fools
Ere the morning of truth be born;
But I, earth's madness above,
In a kingdom of stormless breath—
I gaze on the glory of love
In the unveiled face of death.

I tell thee his face is fair
As the moon-bow's amber rings,
And the gleam in his unbound hair
Like the flush of a thousand springs;
His smile is the fathomless beam
Of the star-shine's sacred light,
When the summers of Southland dream
In the lap of the holy night;
For I, earth's blindness above,
In a kingdom of halcyon breath—
I gaze on the marvel of love
In the unveiled face of death.

Through the splendor of stars impearled
In the glow of the far-off grace,
He is soaring world by world
With the souls in his strong embrace;
Lone ethers, unstirred by a wind,
At the passage of death grows sweet
With the fragrance that floats behind
The flash of his winged retreat;
And I, earth's madness above,
'Mid a kingdom of tranquil breath,
Have gazed on the luster of love
In the unveiled face of death.

But beyond the stars and the sun
I can follow him still on his way,
Till the pearl-white gates are won
In the calm of the central day.
Far voices of fond acclaim
Thrill down from the place of souls,
As death, with a touch like flame,
Uncloses the goal of goals;
And from heaven of heavens above
God speaketh with bateless breath—
My angel of perfect love
Is the angel men call death!

Mr. TILLMAN. Mr. Speaker, CHAMP CLARK was a man's man. He never daily begged the world's pardon because he had a few masculine vices. He was possessed of his share of human weaknesses, and while not puffed up about it he was not constantly apologizing to mankind because he had feet of clay, as most men have. For this reason we loved him.

He was no carpet knight. He mixed and fought with men. The powder smoke of battle appealed to him and the sensual musk of the drawing-room did not.

The House was his forum; the Speaker's chair his throne. He declined an appointment to the Senate, as his friends expected he would do, when it was tendered. For 26 busy years he was a Member of the House sanhedrin, and for 8 years he wielded the gavel fairly, justly, with patience and strength.

Speaker CLARK was especially courteous and helpful to the new Member, and a freshman never forgets the helpful tolerance of the senior. Personally, I shall never forget the kindly touch of his vanished hand nor the sound of his hopeful, helpful voice, now stilled forever.

The lion-faced Speaker had deep religious convictions, but he had scant patience with cant and hypocrisy. He had a contempt for any plea that was tainted or corrupt, and more so if the pleader sought to obscure the show of evil with a whining or gracious voice; likewise, he spurned with his foot sugar-coated error, although he blessed and approved with a sober brow.

As a debater on the floor he could give and take blows, and his blade was as keen as the best. He found time to lecture in every part of the Nation, and his lectures were pleasing and profound. He wrote much that will endure as valuable contributions to current literature.

And he loved his family. That is the true pathos and sublime of human life. His loyalty to his wife and children constitutes one of the pillars upon which his popularity will rest.

Again, I say he was a man's man.

The color of the ground was in him, the red earth,
The smack and tang of elemental things.
The rectitude and patience of the cliff;
The good will of the rain that loves all leaves;
The friendly welcome of the wayside well.
He held his place—
Held the long purpose like a growing tree—
Held on through blame and faltered not at praise.
And when he fell in the whirlwind, he went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky.

Mr. FLOOD. Mr. Speaker, I shall not undertake to recite the history of the life and fortunes of CHAMP CLARK. This has been graphically done by his colleagues and those who have preceded me.

But, Mr. Speaker, I held his character and his great services to mankind and his country in the very highest esteem; I admired his splendid talents, his magnificent loyalty to principles and to friends, his courage, his lovable traits of character; and I was bound to him by ties of friendship which continually grew stronger. Such tribute as I can pay him in the limited time that I can occupy the floor to-night flows from a heart

that loved him, was in sympathy with his history, and felt a joyous pride in his mighty achievements.

Possessed of a strong and graceful figure, a splendid head and face, he was one of the handsomest men I ever saw. With an ardent, ambitious heart, a quick, strong, and penetrating intellect that quickly mastered the tasks it undertook, his course from plow to school, from school to college, from college to the presidency of a college, and from this to the study of his profession, was one of intellectual triumphs.

At the age of 25 we find him a poor and briefless barrister in an adopted State and amid new surroundings.

The situation would have daunted a less courageous spirit. All honor to the republican institutions of this country and to the deep-seated republican spirit of the people which enabled CHAMP CLARK to so quickly sweep away the barriers to his professional and political triumphs. He was successful almost from the beginning.

He desired that his life should illustrate those principles. He was a born democrat, in the most elevated sense of the word. He was a man of the people, sprung from them, uplifted by them, loving them, and beloved by them. The truth of this latter statement is amply testified to in the way he carried State after State which held primaries for the expression of the choice for the Democratic nomination for the Presidency in 1912.

He possessed a genius, fertile and diversified, which might have developed into many forms of distinction. He was a great lawyer. He had what lawyers call a legal mind; keenly analytical, closely logical, penetrating through rules to the reason of them. Whether in set speech or in running debate, his powers lifted him to the height of all occasions.

But above all he was a man of a great, loyal, loving heart, and it was through this fact, as well as by dint of his decisive character and intellectual force, that he became the great and beloved leader of his party in the country.

His home was his shrine. It was there that his gentle nature found and shed earth's richest joys amongst wife, children, and friends. To them his death is a calamity unspeakable, but in his good name and in his great and spotless reputation they have all that death can leave to alleviate its pang.

No questionable act ever marked the fair pages of the private or public life of this man among men. He stood in the fierce light which beats against the throne, but no flaw was ever found in his armor through which the shafts of envy and slander could enter and wound his fame. He was gentle, yet strong, courteous, yet brave, ready to extend the soft hand of charity and grasp with comprehensive thought the great questions of government and of law.

Mr. Speaker, in his essay upon death, Lord Bacon has pictured that of ex-Speaker CLARK:

> He that dies in an earnest pursuit is like one that is wounded in hot blood, who for the time scarce feels the hurt, and therefore a mind fixed and bent upon somewhat that is good doth divert the troubles of death.

And so, Mr. Speaker, while our hearts are attuned to sorrow that a life fraught with so much good should be cast off from among us, our chastened reflection can discern echoes of counsel and encouragement from his life which should animate us all to a renewed and higher consecration, to worthy and unselfish devotion to our country and our kind.

And whilst among the perplexities of this world we "can not always see the way," we can all become better and stronger for the example of such a life; and with pride and gratitude for such a career, we can cry to our Father and his Father:

> Lord, I believe, help Thou mine unbelief.
> And grant Thy servant such a life and death.

Mr. WOOD of Indiana. Mr. Speaker, the gentleman who has just preceded me has paid a beautiful tribute to CHAMP CLARK, citizen of Kentucky and Missouri. I wish to add one word concerning him whose memory we so deeply revere as a national character.

The sun has its place; the moon has its place; the stars have their place in glory, all differing. We all know that by reason of fixation the sun and the moon shall cover their course. There may be a difference with reference to the stars. Men, like stars in their myriads, have their place; some of them brilliant, some of them without brilliancy, but all serving their purpose. Our departed friend has fixed for himself a place that will last not only through this present generation, but with many generations yet to be, for he has established a reputation worthy of the emulation of all mankind.

If I were called upon to write an epitaph upon the monument of our departed friend, I would say, "Here lies an honest man. He was honest to himself. He was honest to the world." And that is the noblest tribute that could be paid him. And to his family and to those who most intimately mourn his passing there is a beautiful thing that can be said, that out of the darkness of night there comes this reflection of hope, that it is the glory of the morning that brings the greatest promise of the light of a brighter day.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. Mr. Speaker, it was my rare good fortune to know intimately our beloved dead chieftain, and that association bound me to him "with hooks of steel." I had the honor of being his parliamentarian during his first term as Speaker. This House in all of its history has never had a fairer or more impartial or better-beloved Speaker than our dead friend.

I was with him all during the most eventful days of his life, during those days when he was a candidate for the Democratic nomination for the Presidency; and during all of that contest and during the Baltimore convention he never did or said one single thing that he ever had cause to regret, and it has furnished to me a marvel—that self-control, that courage, that forgiveness, that loving-kindness that he exemplified since those days.

Mr. Speaker, my admiration and love for him are too great, my grief too poignant, for me to attempt to delineate those noble traits of character by which he rose to places of power and eminence and enshrined himself in the hearts of all of his countrymen. I never knew a sweeter, a kindlier, or a more lovable man than CHAMP CLARK. In the language of the immortal poet, he was an honest man, the noblest work of God. He was a tender and affectionate husband, a proud and devoted father, and one of the truest and most loyal friends anyone ever had. Our country has lost in him one of its purest and ablest statesmen, and I have lost a benefactor and a friend. I never hope to look upon his like again.

Mr. Speaker, availing myself of the privilege granted to the Members to extend their remarks in the RECORD, I shall incorporate as a part of my remarks a beautiful tribute written concerning our beloved friend by Mr. Theodore Tiller, who for 10 years has been one of the Washington correspondents and intimate with Mr. CLARK. The article appeared this afternoon in the Washington Times and in the Atlanta Journal and a number of other newspapers that Mr. Tiller represents.

Following is the article referred to:

CHAMP CLARK PASSED INTO GREAT UNKNOWN UNIVERSALLY MOURNED.

(By Theodore Tiller.)

As the shadows of the evening of his long and eventful political life fell about him, CHAMP CLARK, for 26 years a Member of Congress from Missouri and 8 years the Speaker of the House of Representatives, crossed over the borderland into eternity.

It is "Uncle JOE" CANNON, long the associate and friend of CHAMP CLARK, who always speaks of "crossing over," instead of "dying." Perhaps the term fits better the passing of Mr. CLARK, one of the stalwart and picturesque figures in the politics and national life of America.

CHAMP CLARK'S term of office would have expired at noon March 4. So he "died in harness," as probably he preferred to go if the end was to come soon.

This is a story about Mr. CLARK, not merely his biography. The historians will write the latter, giving to him his great, yet rather pathetic rôle, so far as his later days were concerned, in our history.

SETTING OF SORROW.

A scene without precedent was given its setting of sorrow when his death was announced to the House of Representatives. Congressman RUCKER, of Missouri, himself a veteran in service and confidant and friend of the departed minority leader and former Speaker, attempted to make the formal announcement. His feelings overcame him, his voice faltered, and then he cried.

On the Republican side Congressman JAMES R. MANN, of Illinois, who had served a quarter of a century with Mr. CLARK, gave way to his emotions. Congressman MADDEN wept, and CHARLES R. CRISP, of Georgia, one time parliamentary clerk under Speaker CLARK and now Member of the House, made no effort to conceal his grief. Then all about the House floor men were seen with handkerchiefs to their eyes. Some of them were youngsters in legislative service whom CHAMP CLARK had advised. Others were men who came to Congress with him and had labored through all the years in personal friendship regardless of the aisle that divides the parties. Flags on the Capitol Building, dropping to halfmast, told the story to the sightseers and tourists outside.

Announcements of the death of a Member are always occasions of sadness in the House, but old-timers could not recall to-day when that body so openly and generally manifested its grief. In the bustle of the closing days of the session a 30-minute recess was taken in honor of the memory of Mr. CLARK. Adjournment was not ordered because among his dying requests was one that legislation be not halted to pay him tribute.

PATHOS IN PASSING.

There is unusual pathos in the passing of CHAMP CLARK. For years he was a national figure. At the Baltimore convention in 1912 the presidential nomination was almost within his grasp for twenty-nine ballots. For eight ballots he had a clear majority in the convention, but the two-thirds rule and a coup of his adversaries took victory from him. Only once before, if memory is right, had the Democratic Party failed to nominate the man receiving a majority—and then a

great domestic issue was at stake and the comparison is not entirely pertinent.

Nomination at that time was virtually equivalent to election because of the split in the opposition. Ollie James, chairman of the convention, who has preceded Mr. CLARK into the beyond, so told the convention, and his words were prophetic.

CHAMP CLARK never recovered fully from the shock of that defeat. For several years he showed the traces of supreme disappointment, not unmixed with a certain resentment toward the man he held primarily responsible. Time healed up, but did not obliterate the scars of the wound received at Baltimore.

When his convention lines were faltering CHAMP CLARK came to Baltimore at night to make a dramatic appearance before the convention. His friends dissuaded him. Had he appeared, there might have been a different result, with another man now yielding the scepter of power to Warren G. Harding, and with another man having shaped the stirring events of the Nation and the world during its recent years of travail.

SERVED WITH DISTINCTION.

But that is "water over the wheel," as Mr. CLARK would sometimes say in talking of things that had gone by. CHAMP CLARK, chastened, disappointed, the victim of political circumstance, and with his day dreams failing to come true, went back into the relative ranks of the only party to which he had ever given allegiance, and there he served, with all that was in him, until his final roll was called.

Yet no one who knew him, as the writer has known him, can say that he spent his last days in contentment. He died more or less a broken-hearted man.

Last November Mr. CLARK went down in the Republican landslide and his district voted to retire him after nearly 26 years of patriotic service. This hurt him, too. He showed it in his walk, in his mannerisms, and in converse with intimate friends. Philosopher that he was, appreciative of the vicissitudes of American politics—which he knew as a participant and historian—CHAMP CLARK weakened noticeably after that defeat. Only once in his long service had he been defeated for reelection, but that was a score of years ago. CLARK was younger then and possessed greater powers of political recuperation and was more adaptable to a sense of resignation.

Age was upon him in this last defeat—age, and the memories of Baltimore and a life's ambition gone, with perhaps a feeling that after all republics and constituencies are ungrateful.

Anyway, the tragedy of the later years began to tell upon him recently. Just a day or so before his death a friend summed it all when he said:

RESERVE POWER GONE.

"I am afraid he will not get well. His power of resistance seems to have gone. He doesn't seem to care any more."

Such realization as this doubtless brought the moisture to the eyes of many of his colleagues when it was announced that CHAMP CLARK had died as the end of his public service drew near. He was leaving life and leaving that service at the same time.

Necessarily the death of such a man has put a saddening imprint upon the Harding inaugural ceremonies. He was known to the President elect and to every man in Congress. All of them respected and admired him; most of them loved him.

Though sometimes a man of moods, CHAMP CLARK had a way about him that brought into relief his nobler traits, his wholesomeness, his rugged sincerity, his good heart—and that drew to the shadows of the background all human frailties and whatever inconsistencies he had.

When in reminiscent mood, Mr. CLARK was a delightful story-teller. His knowledge of history and contemporaneous affairs was comprehensive. The younger generation loses much because he postponed too long the publication of a book of memoirs. Whether on the floor of Congress or the lecture platform he drew from this fund of knowledge and always had an attentive audience.

In debate Mr. CLARK did not attempt oratorical flights nor studied phrase making and rounded periods. Rather was his delivery forceful, direct, straightforward, with epigrams and homely philosophy that made a political enemy wince and an audience laugh at his flashes of wit and satire. Commanding in physique, handsome in face and figure, resourceful while in the heat of verbal battle, he was an effective orator and a debater worthy of any adversary. He struck above the belt, always holding the respect of his auditors regardless of their political creeds.

AIDED YOUNG MEMBERS.

His aphorisms would make a volume. The common-sense advice he has given throughout his long career would fill a library. The aid he has given the young, and "cub" legislator has been invaluable. His fairness as a presiding officer is one of the heritages of the House. The friendships he has made and held are monuments to his personality, his bigness, and his personification of man's humanity to man.

Whatever may have been his trials toward the end, his life throughout was eventful. That he did not reach the Presidency was simply one of the tragedies of politics and fateful unrealization of personal ambitions. He began as a farm hand. Later he was the youngest college president in America. Once he edited a country newspaper, and then worked in a country store. He studied law and eventually moved from Kentucky, where he was born, to Missouri, where he was signally honored first as a prosecuting attorney and then as a Representative in Congress.

COMMANDED HOUSE.

With the exception of one term, following a defeat, he was a strong figure in the House since the Fifty-third Congress. World stirring events made their permanent impressions during his years at Washington. He was here when war was declared against Spain. As Speaker of the House he signed the resolution declaring a state of war against Germany. One of the notable speeches in years—a speech in which he rose to real eloquence in a body surcharged with tension and packed on floor and in galleries—was the speech of CHAMP CLARK on the Panama Canal tolls issue that shook the country in the early days of the Wilson administration.

As Speaker or party leader he participated in historic tariff debates with men whose names are linked inseparably to the statute books of the country. He was early a convert to woman suffrage, and while he served he saw woman suffrage, the direct election of Senators, and national prohibition written into the law of the land.

CAREER WORTH WHILE.

Truly a career worth while was his—and yet as he came to the twilight of his day his heart was heavy and, little doubt, the spirit was broken. None but his intimates knew with what sorrow he approached the breaking up of his associations here, nor how bitter was the cup whose dregs he drained in Baltimore eight years ago. None better than his intimates knew with what fortitude eventually he accepted his lot and turned to such tasks for party and for country as were left to him to do.

He died within two days of the end of his term. He was still a Congressman of the State he loved and still the floor leader of the party that had honored him—and yet withheld its highest honor, but to which, to the end, he gave "the last full measure of devotion," while serving meanwhile his country.

Mr. RODENBERG. Mr. Speaker and fellow Members, there are chords reaching from millions of hearts to this Capitol today upon which, if the winds could play, they would "sing a song sad enough to make angels weep."

A great man has passed away and the Nation mourns his passing. CHAMP CLARK is no more. He sleeps the sleep of eternity. Hushed forever is that patriotic voice and pulseless now that lion heart. The great soul that once inhabited the tenement of clay has taken its flight and is now glorified in the light of the eternal morn.

CHAMP CLARK was great in the best and truest meaning of the word—great in character, great in ability, great in his conception of public duty, great in his devotion to the public service, and great in his abiding love for humanity.

Intellectually honest, always candid, sincere, and straightforward, he abhorred hypocrisy in all its forms. The mask of an actor never fitted our departed friend. He knew naught of expediency, and he did not care to know. Throughout his long, eventful, and distinguished public career he followed the path of duty outlined clearly and unmistakably by a conscience that was responsive always to the noblest impulses of true manhood. That was his crowning characteristic.

We who knew him recognized his many robust virtues and admired them, and whatever faults he had we merged them into his manly qualities, because he wore them all on his knightly breast.

My friends, soon we will consign his mortal remains to the cheerless grave, and as the sods moistened by our tears close in above them we call and listen. From the silent tomb there comes no answer. Only an echo, which mocks our sorrow, is wafted back. The somber shadows thicken. All is dark. We are overwhelmed in doubt, but suddenly the mystic veil that separates the present from the hereafter is swept aside. A light breaks forth! It is the light of the spirit of immortality, triumphant still, shedding joy and peace and hope eternal. There in yon windowed palace of heaven we see our friend and colleague crowned with the wreath of immortal glory that awaits him of whom it can be honestly said that in all the vicissitudes of life he was true to his God, true to his country, true to family and friends, and true to himself.

Mr. GARD. Mr. Speaker—

Who is the happy warrior? Who is he
That every man in arms should wish to be?

* * * * * * *

Who, if he rise to station to command,
Rises by open means; and there will stand
On honorable terms, or else retire,
And in himself possess his own desire;
Who comprehends his trust, and to the same
Keeps faithful with a singleness of aim;
And therefore does not stoop nor lie in wait
For wealth, or honors, or for worldly state;

* * * * * * *

Whose powers shed round him in the common strife,
Or mild concerns of ordinary life,
A constant influence, a peculiar grace.

* * * * * * *

He who, though thus endued as with a sense
And faculty for storm and turbulence,
Is yet a soul whose master bias leans
To homefelt pleasures and to gentle scenes.

* * * * * * *

'Tis, finally, the man, who, lifted high,
Conspicuous object in a nation's eye,
Or left unthought of in obscurity—
Who, with a toward or untoward lot,
Prosperous or adverse, to his wish or not—
Plays, in the many games of life, that one
Where what he most doth value must be won.

* * * * * * *

And, while the mortal mist is gathering, draws
His breath in confidence of heaven's applause:
This is the happy warrior; this is he
That every man in arms should wish to be.

—Wordsworth.

Mr. SHERWOOD. Mr. Speaker, we shall all miss CHAMP CLARK, not only now but in the future. He was a man we all loved, because he had the qualities of mind and heart which endeared him to his colleagues. He was one of us only a few days ago, as a guide, as an example. All in all, the country has produced but few statesmen who have been so universally respected and loved as CHAMP CLARK. Few will be longer remembered in affection and reverence. I can not find words to-day

to fittingly express my love for him, which grew stronger as I knew him better.

It is better than any eloquently worded eulogy to say that he served 26 years in Congress and never betrayed a friend or a cause, and died poor. Born in a log cabin, like Lincoln, he was, from the first to the end of his career, a self-made, self-educated, manly man. It can be said of him by those who knew him best, that he never wronged a man or a woman during his entire career.

No man, however high his official perch, can be truly great in a Republic like ours who lacks the vital element of human sympathy for his fellows. No public man will be long or gratefully remembered, however gifted intellectually, who lacks moral ideals.

We should learn a valuable lesson from the life and career of CHAMP CLARK. Every poor young man yearning for an honorable career can see the brightest gleam of hope in the career of CHAMP CLARK. Over and above all his sterling qualities as a statesmen he was enthusiastically patriotic.

Let us consecrate ourselves to that fervent patriotism, that high purpose to serve the people we are here to represent, with the fidelity and courage which always characterized our departed friend—a colleague whose friendship added to our joys of living and whose example and character give us hope for the best ideals of popular government.

Mr. HAYS. Mr. Speaker, the great Missouri Commoner has gone to his reward. CHAMP CLARK is dead.

Back in Missouri where partisan political strife at times becomes the moving spirit among our people, it is but natural that some strong characters should stand out almost as supermen among their fellows. CHAMP CLARK was one of these. Always a Democrat, always a partisan, always brave and wise, always a leader whose voice was supreme in counsel, there was never a day in all his long life when his conduct was unmanly or when his methods were unfair. Gifted by nature with a magnetic personality, a rugged physique, a face of inspiring dignity, a powerful intellect, a rare judgment of men, a clean conscience and a heart responsive to the finer impulses of humanity, he soon became a comprehensive student of the great problems of public welfare. Small wonder is it that politics became the absorbing passion of his life. CHAMP CLARK was always a politician, but he had nothing in common with the cheap demagogue or the charlatan trickster. He was a politician whose every thought and act were measured in terms of statesmanship. He was a strong party man, because under the American method of handling great welfare problems it is through the agency of party organization that the Government can function to best advantage.

Just a hundred years ago Thomas H. Benton came to the United States Senate from Missouri. Few men of this generation can define the party faith of that great man, but every Missourian knows that Benton was a statesman of the type whose memory endures long after the world has forgotten the battles of political warfare in which they were engaged.

When the future historian of our great Commonwealth calls in reverend memory the roll of Missouri's illustrious dead, along with the names of Benton and Blair and a few others of equal distinction, will sound the name of CHAMP CLARK.

Born in Kentucky in 1850, and educated to the profession of law, he became at 23 as the head of Marshall College in West Virginia the youngest college president in America. A little later he located in Missouri and began the practice of his profession, taking from the first an active part in the political affairs of his chosen State. His legislative experience began in the Missouri Legislature a third of a century ago. For 26 years he has been a commanding figure in the American Congress and one of the molders of American political thought. Four times he was accorded the distinguished honor of the Speakership of the House of Representatives.

CHAMP CLARK was a hard fighter, but he always fought fair; he knew both victory and defeat. But in the adversity of political misfortune, as well as in the hour of gratifying triumph he was ever a calm, serene, and placid philosopher. Unmoved and unshaken either by the despair of defeat or the ecstasy of victory, he was at all times loyal and affable, and appreciative of the slightest courtesy. On the floor of the House, where his principal contests were waged, and where the followers of his leadership met his adversaries in almost daily conflict, he held the admiration and respect of every man in the Chamber on either side of the party line.

It had been my privilege to know CHAMP CLARK in a casual way for many years. When I came to Congress, unacquainted with legislative procedure, I found in him an advisor and a counselor, always kind and considerate and anxious to be of service. With all the burdens of his arduous labor, he was never too busy to extend a friendly courtesy.

I am told that in his last conscious hour, as he realized that the end was near, he requested that his death should not be permitted to halt the work of Congress. Knowing the customary procedure in paying respect to the memory of a departed Member, and realizing the emergencies of the closing days of a session, the same spirit of self-effacement that had always marked his career, prompted him to think of his country even when he knew that his soul was ready to take its flight.

To his friends, and their circle is as broad as the Nation, it will always be a sweet and solemn pleasure to know that he died as he lived, with the Nation's welfare his one supreme concern, his self-denying statesmanship the ruling passion strong in death.

Mr. ROMJUE. Mr. Speaker, when the last breath of life passed from the breast of CHAMP CLARK this Nation witnessed the passing of one of its most distinguished citizens, one of its most honored statesmen, and one of its most able legislators. And with that passing the great Commonwealth of Missouri lost its most beloved citizen and son.

As we are conducting these memorial exercises to-night Missourians everywhere grieve over the death of CHAMP CLARK. The Nation mourns that veteran gladiator of many political arenas and of long public service, who has been removed from the activities of this life. He has gone, but the affection, the esteem, and the respect in which we Members of this House hold CHAMP CLARK will live on and on as long as there is one of us remaining.

I have listened with deep interest to the eulogies pronounced here to-night by men who have had long service in this House with CHAMP CLARK. When Mr. MANN made the remark, "I loved him," it called to my mind a speech that I heard CHAMP CLARK make in Missouri. On the platform, one night, when he was much more in his prime than we have seen him in the last two or three years, when he was driving away, enunciating Democratic policies and principles in which he so thoroughly believed, and as he was punching and jabbing at the doctrines taught by the Republican Party, he referred to the gentleman from Illinois, and when he did refer to him he said, "I love JIM MANN; I respect him; he is honest and conscientious"; and then he proceeded in his way to pound out as best he could the ideas for which he stood and to differentiate them from Republican policies. I know what we will witness at the funeral ceremony in Missouri next Monday. More tears have been shed, more tears will be shed over the passing of CHAMP CLARK than have ever been shed over any half dozen men that ever lived in the State of Missouri. His life and his character have been a beacon to ambitious young men in Missouri; pointing the way along the right path, he has been followed and admired. The most remarkable thing, perhaps, about CHAMP CLARK's character was his sturdy honesty. I knew of a thing CHAMP CLARK did once that very few men would do. In his early political career, either when he was making his first or second race for membership in this body—and those were the days when we did not have the primaries, but the nominations were settled by convention—it was a bitter fight and contest. It grew so warm and so much interest was manifested in it that two neighbors riding along the highway one day engaged in a controversy, one being for CLARK and one for his opponent, and after a while they dismounted from their horses and fought it out.

When the convention came on CHAMP CLARK was nominated, getting the nomination by, I believe, only a few votes. After the convention had adjourned the defeated opponent went away much dissatisfied, and said that he should have been nominated, and that he had been deprived of the nomination; that if the matter had been left to popular vote of the people in the district he claimed that he would have been nominated.

As soon as CHAMP CLARK heard of this he sent word to his opponent saying, "I feel that you have no reason to complain that we have submitted our cases to the decision of the convention, but if you feel aggrieved I am quite willing to submit it to a popular vote of the district"; and it was submitted to a popular vote of the district and CHAMP CLARK was renominated.

My friends, anyone who knows the life of CHAMP CLARK, as many of you know it who have served long with him, know that not only the State of Missouri has lost, not only has our Nation lost, from the standpoint of a great political career, but there are no greater losers in all this Nation than the young men of my State, who have learned to know and to love CHAMP CLARK. He began his public career without financial backing. He was industrious, ambitious, thoroughly honest, and by sheer force of character, ability, energy, and honesty he made his way up in

the political world. He rose gradually and steadily until he was within a hair's breadth of the Presidency of the United States, a position to which he was entitled, having received a clear majority of votes in the nominating convention on nine separate ballots; and had the Democratic convention operated like the Republican convention, under the majority instead of the two-thirds rule, CHAMP CLARK would have been nominated and elected. He became Speaker of the House of Representatives, in which position he served with distinction. In this position he impressed upon the minds of the membership of the House, by his demeanor and impartial rulings, his splendid ability and fitness for this high honor.

CHAMP CLARK was not a politician in the common acceptation of the term, but he was a statesman of the highest order, a scholar of impressive standing, a historian of great depth, and truly an American of the foremost rank.

He was the best and most completely informed man in the United States concerning the lives, character, and achievements of the world's public men; in this he was marvelously well informed.

Side by side in the silent hall of death our beloved CHAMP CLARK, our colleague and comrade, takes his place among our Nation's noblest children who have crossed the great divide, and in that group are many brilliant statesmen, warriors, pioneers, and benefactors—heroes all, God bless them, every one.

Next Monday, March 7, he will be laid to rest among his legion of friends in Missouri. This date is the seventy-first anniversary of his birth, and in the beautiful cemetery at Bowling Green, Mo., he shall be laid in honor, and the tear-dimmed eyes of sorrowing friends by the thousands, who knew him best, will attest the highest love and affection of which the human heart is capable.

Like Napoleon with his eagles, so CHAMP CLARK surrounded himself with the scenes of this Chamber in the House of Representatives in his last hours and put the question, "The question is on the conference report." We shall miss him—we shall miss his kindly counsel and advice, and those who have served with him in Congress will, as the years go by, hear in that stentorian voice, "Evidently a sufficient number," but with all, and above all, will live on and on that splendid character and rugged honesty with which he has impressed his countrymen.

In his last conscious moments he, noble statesman and citizen that he was, asked that public business in Congress be not suspended on account of his passing away, stating that "the life of one man is so insignificant compared with the great public welfare." How like CHAMP CLARK—always he had uppermost in his mind the public weal. He held that above all his personal interests.

My colleagues, the achievements, the character, and the life of CHAMP CLARK, in the great eternal extent of time, shall run like Tennyson's Brook.

Mr. STEDMAN. Mr. Speaker, in the brief space of time to which I would be necessarily compelled to restrict myself tonight it would be idle and vain to attempt to deliver a eulogy on the character of Hon. CHAMP CLARK, our deceased colleague and friend. Of his high and disinterested patriotism, of his attainments as a statesman, of his love of truth and abhorrence of falsehood, cant, and hypocrisy, and of other traits which belong only to the noble, I can not now speak and do justice to his memory. I shall seek the opportunity to do so by permission of the House at some time during the special session. To all of us his death is a grievous affliction, and to none I believe more than to myself.

Mr. BELL. Mr. Speaker, we have met to pay our last tribute of respect to a great man, who only yesterday passed into the great beyond, from whence no traveler e'er returns. We are loath to give him up, but God knows best.

I can not think thee wholly gone;
The better part of thee is with us still;
Thy soul its hampering clay aside hath thrown,
And only freer wrestles with the ill.

No man in the United States was more widely known or more universally loved than CHAMP CLARK. His name had long since become familiar at the fireside of every American home. But few people in this great Commonwealth of ours did not know the history and life of this great man.

His public service and his great personal work were such as to make him easily one of the greatest leaders our country has ever known. He was for nearly 30 years one of the most successful legislators in this great body of selected men. During his eight years as Speaker he commanded the respect of every Member on both sides of the aisle, and all had perfect confidence in his word, his honesty, his loyalty, his judgment, and his good intentions.

How modest, kindly, all-accomplished, wise—
Not swaying to this faction or to that;
Not making his high place the lawless perch
Of wing'd ambition, nor a vantage ground
For pleasure; but thro' all this tract of years
Wearing the white flower of a blameless life.

He was a man of marked ability, calm, cool, collected, and absolutely sincere. He always spoke the truth and abhorred the slightest fabrication in any way. He was as true as the needle to the pole and never played false to a friend. He leaves behind him a name which can not be defamed and a character which, if measured by gold, could not be counted in the days, months, and years in which he lived. He was an educated man, the manner in which he obtained his education, almost entirely through his own efforts, being familiar to us all and appreciated by everyone. His love for the right and his hatred for the wrong were the predominating characteristics which made him truly a great man. He was brave, courageous, determined, and self-possessed. His handsome face and stalwart form attracted the attention of people wherever he was found.

He loved his friends and they loved him. I was thrown almost constantly with him for 16 years and was one of his most intimate and closest friends. He was the standard bearer of my faith in the innate nobility of mankind. He was not like the proud sycophant, who knows so much and loves so little. He was never domineering nor in any sense resentful, but always had the highest regard for the wishes and desires of those with whom he associated. He had a heart overflowing with love for his fellow man—

A life that all the Muses deck'd
With gifts of grace, that might express
All comprehensive tenderness,
All subtilizing intellect.

Yes; our friend, our brother, has left us, but—

Thou sleepest not, for now thy love hath wings
To soar where hence thy hope could hardly fly.
And often, from that other world, on this
Some gleams from great souls gone before may shine,
To shed on struggling hearts a clearer bliss,
And clothe the right with luster more divine.

Mr. TILSON. Mr. Speaker, I am not willing to let pass unimproved the opportunity to record a word of appreciation of ex-Speaker CLARK. He was already at the zenith of his great power and influence as a Member of the House when I entered the Sixty-first Congress. He was then ranking minority member of the Committee on Ways and Means and floor leader of the minority. An extra session of Congress had been called to revise the tariff. Partisan lines were somewhat tightly drawn and party feeling was at times tense. It was a critical period in the history of American political parties. If the Republicans could preserve party solidarity through the tariff revision period, it would go far toward making the revision satisfactory to the country, while Republican dissension meant Democratic opportunity. Able, aggressive, resourceful leadership in the House was absolutely essential for the Democrats in order to take advantage of any Republican mistakes, and such leadership they had in the person of CHAMP CLARK.

Democratic opportunity soon came, and it was not allowed to go unimproved. CHAMP CLARK was preeminently a party man and a party fighter. He did not confine his activities to the times when it was political fair weather for his party. He had fought the battles of his party in foul weather as well as fair for many years, but in the Sixty-first Congress the political weather was surely most propitious for the Democrats, and he made the most of it. At that time no other one man in America was so completely or accurately representative of the Democratic Party.

From a stinging defeat in 1908 he saw his party rally under his leadership in Congress, take full advantage of Republican dissension, and easily capture the House in 1910. He was not only the logical candidate of his party for the Speakership, but no one else was even mentioned for the place. It was one of the unfortunate consequences of taking full advantage of Republican division that, substantially with his advent to the great office of Speaker, political exigency demanded that that high office be stripped of much of its power, influence, and usefulness, for CHAMP CLARK was in every way qualified to become a great Speaker, and to exercise with wisdom as well as patriotism all the duties and responsibilities usually associated with the office.

Of the powers and duties not shorn from the Speaker, that of presiding over the House in actual session is, of course, the most

conspicuous, and it was along this line that Mr. CLARK had had least experience. As a parliamentary advocate and debater he had shown great strength, but as a parliamentarian it was not so certain that he would find it easy. No one will probably ever know whether or not he found it easy, and it does not matter, but it is history too recent and too well known to need comment that he did become a great presiding officer.

CHAMP CLARK was a party man, a real partisan, and never claimed for a moment that he would not use the power of his office to advance the interests of his party, so far as this could be done legitimately; but he had great respect for the office of Speaker and he was careful that his rulings should be founded upon reason as well as parliamentary precedent, so that they might be worthy of a place among the decisions of the great Speakers of the House. His work as Speaker will entitle him to rank high in the galaxy of great Americans who have filled that high office. His greatest work, however, in my judgment, was his work as a strong, rugged political fighter, both in the ranks and as a leader of the party of which he was so valiant a champion.

Our Government is, in effect, a Government by party and has ever been most satisfactorily carried on when there are present and active two strong, well-organized parties, one in control of the Government and the other in opposition. CHAMP CLARK was always a militant member of his party whether in power or in opposition, and as such rendered his greatest and most effective service. The country needs more of such party men, regardless of the party to which they belong. But CHAMP CLARK was much more than a party man, more than a party fighter, more than a party leader. He was a big American and a fine rugged type of the best product of American political life. If his loyalty to party was great, it was but indicative of his still greater devotion to country. Much as he loved his party, he loved his country more. His party was for him but the instrument through which he served his country.

Mr. FULLER. Mr. Speaker, I can not let this occasion pass without expressing, briefly, my tribute to the life and public services of our departed friend, former Speaker CHAMP CLARK, and my appreciation of the many kindnesses shown me by him while he was Speaker of this House. In his death I know that we all feel the loss of a friend, and the country has lost one of its greatest statesmen. As Speaker of the House he was always fair and just. As a Representative he was always for what he believed to be for the best interests of the country. He was a typical American—honest, sincere, just, and always patriotic. He loved this country and its institutions, and ever had an abiding faith in the continued greatness, prosperity, and success of free government as embodied in the Constitution and laws of the country. To his family and most intimate friends we can only express the sympathy we all feel, and to the country the fact of the loss of a great statesman, whose patriotic services and devotion to duty will ever be entitled to grateful remembrance.

Mr. IGOE. Mr. Speaker, the people of the entire Nation join the people of the State of Missouri in mourning the death of CHAMP CLARK. His passing takes from us a man who was loved, admired, and respected, and one whose admirable and distinguished public career will find a permanent place in the history of our country.

To the Members of Congress who served with him, he seemed to be as much a part of the House of Representatives as its rules and customs. He had become almost an institution. The memory of his service will always be an inspiration to the present and future Members of the House. His splendid character, his warm sympathy for the toiler, his championship of human rights, his passionate and undivided love of his country, his simple and unaffected manner even in the high place he attained, marked him as a genuine and great American.

The story of his struggles and achievements will always appeal to the imagination of the American youth and will urge them on to high and noble efforts in their own behalf and in behalf of their country.

When I became a Member of the House, he went out of his way to help me. Many times he called me aside and, relating his own experiences as a Member, would encourage and advise me. With all the demands upon him by reason of his office as Speaker, he seemed to delight in finding time to tell new Members of the customs and traditions of the House, of the opportunities for great service that was theirs and of the responsibilities of membership in the House. He believed in the House of Representatives, he had confidence in its membership, and he never lost an opportunity to answer, in public and private, any unfair or unjust criticism of the House or its membership.

Speaker CLARK was always approachable, always ready to advise and assist his fellow Members, always frank, candid, and honest. He could not try to make himself appear to be what he was not. He would not hide behind a mask nor would he attempt to give anyone a false impression of his attitude or position. A dissembler he never was. Courageous in every sense of the word, he formed his own opinions and fought nobly for them. His conscience was his guide—the welfare and happiness of his country the sole object of his public acts.

He was never unmindful of his obligations to those he represented. Upon one occasion he said: "No man is fit to be the lawgiver for a mighty people who yields to the demands and solicitations of the few who have access to his ear and is forgetful of the vast multitude who may never hear his voice nor look into his face." CHAMP CLARK never listened to the few and was never forgetful of the vast multitude.

He loved his party and was deeply attached to the principles upon which it was founded. He fought for these principles, even against members of his own party. He believed that the triumph of these principles and their faithful preservation were of more importance than the success of any individual or even the temporary success of the party achieved by being false to them.

The best known and the most beloved citizen of Missouri has passed away. The people of that great State will never forget his splendid public service and they will always be proud of this distinguished son who by his life, character, and works brought such great honor and distinction to her.

Mr. SIEGEL. Mr. Speaker, when I first came to Congress six years ago one of the first Members that I had the pleasure of being introduced to was the late CHAMP CLARK.

I shall always recollect how, when meeting him, he jocosely started to spar remarking, "Now I fight mit SIEGEL." Similarly this attitude continued during the entire time, and on January 18 last, when the reapportionment bill was being considered, he delivered his last speech, commencing with the following:

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, all over Missouri there are old Union soldiers whose chief boast is that they "fought mit Siegel." And to-day I am going to "fight mit SIEGEL" myself. [Laughter and applause.]

He was one of the best-read men in Congress and was one of its greatest students of English literature. He spent considerable of his time in reading American history and at all times and places had the work of Congress in mind. As he was passing away his last words were "The question is on the conference report."

During his lifetime he uttered many words of friendly advice to his colleagues and to the country. It is fitting, therefore, that his view as to the functions of the majority leader, minority leader, and the whip, as described by him in his book at pages 337 and 338 of volume 2, entitled "My quarter century of American politics," should be here referred to. He believed that—

The chief function of the majority leader is to keep the business of the House well in hand, to look after details, to see to it, especially on important occasions, that his party fellows are present, and generally to supervise and lead in debate. He must necessarily keep in close touch with the chairmen of committees.

The duties of the minority leader are much the same as those of the majority leader. In order to succeed both leaders must possess tact, patience, firmness, ability, courage, quickness of thought, and knowledge of the rules and practices of the House.

The whips are the right hands of the two leaders. To be efficient they must know the membership by sight; be on as friendly a footing with them as possible; know where they reside, both in Washington and at home; know their habits, their recreations, their loafing places, the condition of their health and that of their families; the numbers of their telephones; when they are out of the city; when they will return; how they would probably vote on a pending measure; what churches they attend; what theaters they frequent—in short, all about them. The ideal whip should be able to furnish a fairly good skeleton biography of his flock on short notice. His principal duty is to have his fellow political Members in the House when needed. On critical occasions, when great questions are to be decided, especially when a close vote is expected, much energy is expended by the whips in order to muster the full party strength.

It may seem strange that men who are over 25 years of age, holding the great office of Representative in Congress—a place to secure which they undergo all sorts of labor and wear and tear of brawn and brain—will, having attained it, play hooky, like a lot of schoolboys when fishing is good and enticing; but there are some such—not a great number, however. Still, there are enough of them to sometimes decide the fate of important measures. These render the whips necessary. The right sort of whip soon becomes a great force in the House. He keeps the Speaker and the leader informed as to the probable vote on particular measures and the inclinations and predilection of Members. His duties are multifarious and onerous, but he has his ample reward in the good opinion of the House and his enhanced prospects of promotion. An active and capable new Member can not secure an assignment more for his own benefit than that of whip, particularly when the House is in a situation approximating political equilibrium. In a House with a big majority one way or the other he is not of such great importance.

A vast majority of measures are nonpolitical; but on many nonpolitical questions the fight is as hot and the excitement is as tense as on political questions.

When he wrote this description of the duties of these three important officials of the House he expressed his matured thought and judgment as to the duties and obligations of those who lead in the House and of all of the Members thereof.

I shall never forget the manner in which he showed his affection for the three boys who happened to be on the floor of the House of Representatives at the time when the last session of the Sixty-fourth Congress was closed. He spoke to the two sons of the Hon. JOHN ESCH, the able Representative for many years from Wisconsin, and my oldest son, Seymour, now 12 years of age. In addition thereto he wrote upon a sheet of congressional paper the words "Your friend, CHAMP CLARK," which will always be held in affection by him.

CHAMP CLARK left the world better than he found it, having found pleasure in his work all of his life. He always judged men by the best that was in them, and never sought to find their faults. Children loved him for his intense interest in them, and all who knew him admired his sterling character, genial disposition, and his love for his fellow men.

CHAMP CLARK has passed to the far beyond, where we all must go some day. His name, however, is endeared in the hearts of the American people for all time, and in years to come the rising generations will point to the career of a man who put service to his country far above everything else.

Mr. BYRNS of Tennessee. Mr. Speaker, CHAMP CLARK has been called home. The news of his passing away had been hourly expected by his colleagues in Congress, for everyone knew that he had been critically ill for several days in his hotel near the Capitol and that his doctors had announced that his life was fast ebbing away. The death of a friend and loved one always comes as a great shock, even though it has been long expected, and when the announcement was made in the House during the noisy and busy hours incident to the close of the session that the brave and chivalrous spirit of CHAMP CLARK had taken its flight to his Maker, the sudden hush and stillness which swept over the Chamber and the unchecked tears in the eyes of many of the oldest Members bore eloquent witness of the universal love and esteem of his colleagues.

I dare say that no Member of Congress ever enjoyed to a greater degree the respect and friendship of all of his colleagues, regardless of party affiliation. No greater tribute could be paid him, for, as I have often heard him say, there is no place outside the House of Representatives where a man's measure is taken with such unerring and merciless exactness. He early chose a life of service to his country and to his fellow man, rather than the pursuit of riches and his own personal and selfish happiness. In this broad field of usefulness, he made good in the highest sense. For more than two decades he served as a Member of the House of Representatives. He has left the imprint of his wisdom and statesmanship in many of the highly constructive and beneficial statutes passed during that time. He served for eight years as Speaker of the House. In times past many great Americans have presided over the House, but it can be truly said that CHAMP CLARK presided with such great fairness and impartiality and with such ability that he will always rank as one of the greatest Speakers of the House.

Mr. Speaker, it was a great privilege to have known CHAMP CLARK, and a much greater privilege to have shared his friendship. I have taken advantage of this opportunity to very briefly express my admiration for this great American, statesman, and orator, who has written his name high on the scroll of those who have rendered distinguished service to their country and to their fellow man; and to express my gratitude for the many kindnesses shown me and the wise counsel and advice given me during the years of my service with him. His warm friend and colleague, Judge DICKINSON, of Missouri, has truly said that those who knew him best loved him most. And let me add that millions of American men and women who perhaps did not know him personally but who nevertheless are familiar with his life and character, mourn the loss of this splendid American citizen and statesman.

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

Mr. SMITH of Michigan. Mr. Speaker and gentlemen of the House, I knew CHAMP CLARK very well. During the first eight years of my service in the House of Representatives he was the Speaker, and for the last four years we lived at the same hotel. As Speaker he had the respect and confidence of all the Members. He was a strong Democrat, but his decisions were fairly made and are cited to-day as precedents by the present Republican Speaker.

I attended the Baltimore Democratic convention in 1912, as an onlooker, because of its proximity to Washington. At that convention he led in the ballots for President 29 times and received a majority of all the votes on 8 ballots. Any one of those eight ballots would have nominated him in a Republican convention, but a nominee in a Democratic convention must have not only a majority but also must receive two-thirds of all the votes cast. I was present in the House the next morning when the House met after the convention had nominated Mr. Wilson. When Mr. CLARK mounted the Speaker's stand we all stood up and applauded and cheered him. He had a careworn look and was almost as white as marble, clearly showing the disappointment and effect of his defeat. He immediately called us to order, and without a word of comment concerning his defeat proceeded with the order of business.

He declined the appointment by the governor of Missouri for United States Senator in 1918. At the last election he was beaten for election to Congress by a Republican, and it would be strange if defeat following defeat had made no inroad upon his health. But through it all he never lost the good will or regard of his friends, and when the dread message came to CHAMP CLARK to close the book of his active earthly career a pall of sadness and sorrow swept over a Nation of admirers and loving friends who deeply mourn his departure.

He was born on the 7th of March, 1850, and died March 2, 1921, at his hotel in Washington, while still in the harness. He had hoped that he might end his days in Congress, and this desire came to pass. Had he lived five days longer he would have been 71 years of age.

CHAMP CLARK was not only a great statesman but as well an author, scholar, and historian. His latest work, entitled "My Quarter Century of American Politics," of two volumes undoubtedly will become the leading authority of the politics of his career and of his time. It was a real treat to listen to him discourse on political events, both current and passed, during the long winter evenings at his hotel surrounded by a large circle of friends. It seemed as if he knew all the Members of the Continental Congress and all of the chief events of all the other Congresses. He spoke of Thomas Jefferson as if they had been boon companions. He described Jefferson as having red hair, a freckled face, tall, lean, and lank, played a fiddle, and was fond of dancing. Stated that Divinity guided the hand of Jefferson when he wrote the Declaration of Independence.

Strong in statute, in the prime of life, a giant in intellect always, he died the Grand Old Man. His life might well be referred to as an inspiration to any poor boy or young man who must be the author of his own fortune. He tells us that his mother died when he was only 3 days old. That his father never had $500 worth of property at any one time in his life. That his first books were "The Life of Patrick Henry," "The Articles of Confederation," "The Declaration of Independence," "The Constitution of the United States," and "Washington's Farewell Address." Besides these he also gave great attention to the Bible. For it was said of him that he quoted the Bible more frequently and accurately than any other public man in a quarter of a century. I have heard him preach and marveled at the readiness with which he turned to different passages of scripture.

That he laid the foundation of his after life and successful career by hard work and hard study is shown by his attending first the common schools, then Kentucky University, Bethany College, and the Cincinnati Law School. President of Marshall College at the age of 24. No blessing ever befell or has been of greater benefit to the world than the opportunity of acquiring schooling and an education. But he saw the practical side of life as well, for he was a hired farm hand, clerk in a country store, editor, and lawyer. His ability was known to his constituents, for he has held the office of city attorney, prosecuting attorney, member of the legislature, and of Congressman for 24 years.

He was very proud of his son Bennett; a most exceptionally talented young man, who acted as his parliamentary clerk and who resigned to enter the World War. In an address delivered on the floor of the House he stated that should his son make the supreme sacrifice he would have inscribed on the simple tablet that would mark his resting place, "Here lies the remains of a true American soldier, who died in the defense of his country."

The great American citizen has departed. He leaves legions of friends. He spent the best of his life in the service of his country. He leaves a great name and a most honorable career.

While he was a strong partisan, he was nevertheless a great patriot. And while he belonged to the old school of statesmen, he was vigilant at all times of the welfare of his country. We assign his faults to oblivion, while his gentle spirit wings itself with the sunset of eventide to the haven of eternal bliss, and remember him as we last knew him, "CHAMP CLARK, the Grand Old Man."

Mr. SCHALL. Mr. Speaker, as I listened to-night to the men of this House "bringing their robin's leaf to deck the hearse" of that great champion of democracy, the rightful leader of the Democratic Party, in whose life its principles have been fostered and exemplified, a glowing, living, brilliant example of pure Americanism, it seemed the recital of the cold facts of a man's life as little show forth his warm, intrinsic personality as does the cold bodily habitation after the spirit has released its hold. The thing that made us love CHAMP CLARK defies the facile phrase maker. His influence and personality can not be measured by the rule of thumb. When the last tribute has been paid him, the hearts that love him will yearn for more. Words can not do justice to the wealth of the spirit that has passed beyond our ken.

The loss of his kindly, well-loved presence is personal to every man in this House. I could not see the striking, handsome face, the majesty of bearing, but I could feel the power of his character, the calm mastery and dignity of his manner, the warmth and steadiness of his friendship. He is not dead; he is more living than we.

As I heard our beloved leader, JIM MANN, handling the gavel which was to have been presented by him to his old friend and colleague I could not resist the impulse which coursed through my understanding that CHAMP was here among us and only marveled at our misunderstanding that he was not, and was tried by our lack of comprehension and sympathized at our limited material vision which could not see him. I wanted to suggest, "CHAMP CLARK is here. Present the gavel to him." He may not be able to take it materially, but radiant and unshackled as he is, he is ready to receive the sign and symbol of respect, love, veneration.

It seemed I could sense his presence here with us to-night; could almost feel the friendly pressure of his hand upon my knee, and hear, as was his wont, his thoughtful "Hello, SCHALL," as he passed by. I can not feel that he has gone to some far country, but rather is communing with us, and were it not for a dullness of our spiritual eye, a muffling of our faith, we could perceive him.

He was so full of little kindnesses, simply given. He never forgot a friend. A plain, blunt patriot, whose dry wit played unoffendingly over friend and foe alike.

When the House was evenly divided, at the opening of the war Congress, it fell to my lot to cast the deciding vote for CHAMP CLARK for Speaker. While the motive which influenced me was not one of personal friendship, as I hardly knew Mr. CLARK, but rather a desire that the machinery of war should be speedily set in motion and not be retarded by a long-drawn-out battle, such as marked the previous occasion, still his mind was so broad and fair and his vision so keen that he took the deed for an earnest and gave me his prized friendship ungrudgingly.

For the sake of the RECORD and for his family, who may treasure the memory of his participation in that most tense crisis of our national history, I wish to insert at this point my speech made April 2, 1917, giving reason for my vote as a Republican for CHAMP CLARK as Speaker and for the organization of the House by the Democrats, and whence arose my honored privilege of nominating him for his last speakership.

ELECTION OF SPEAKER.

The CLERK. The next business in order is the election of a Speaker. Nominations for Speaker are in order.

Mr. SCHALL. We are met to-day efficiently and harmoniously to organize the House and quickly to put it into condition to transact the public business. The issue of the organization of this House is the issue of the Nation. It is not the tariff; it is not whether any one party, any one man, or any one group of men shall fail or succeed. The question is whether the Nation, involved in an international crisis, shall show to the world a solid front. [Applause.] Full cooperation between the President and Congress should be a national benefit, impossible with one branch Republican and one branch Democratic. [Applause.] A State divided against itself would stand in time of peace, but to-day such a condition might hold a serious menace. To-day our vision should project beyond party cleavage. The responsibility weighing down our President should inspire the utmost cooperation, even to the extent of foregoing party advantage, that to-day's action may square with the public good. [Applause.]

The extraordinary peril to-day renders partisanship dangerous, for it would be interpreted as showing a divided spirit. To-day there should be just one party and that is the American party. [Applause.] We can settle our domestic differences later. Standing at the crossway of party and Nation, as an independent Progressive Republican I have no hesitancy as to which way is right. The responsibility of my vote has weighed heavily upon my soul. I have reviewed and re-reviewed the situation from every possible angle, and I have again and again been forced to the same conclusion. I have asked God to guide me, that in my vote I might not be false to any man, much less betray a trust confided in me.

I am not unmindful of the sterling, deserving, patriotic character of the able, hard-working, faithful Republican candidate, and were our country not facing an international crisis, with a Democratic President and a Democratic Senate, I should with full party pride cast my vote for the Republican candidate. My father was a Republican and voted for and fought under Abraham Lincoln. I have always been a Republican and still am a Lincoln Republican, and I believe that the spirit of that greatest American is here with us to-day, guiding the destiny of our Nation upholding the hands of our President in this hour of trial.

But I am ready at any time to give of myself whatever my country can use. With my sightless eyes I would be of little service on the field of battle, but in the position I hold I can to-day, with the light that God gives me, vote right and let the consequences to me be what they may. [Applause.] The responsibility of Congress, I believe, should be with the President. Should the Republican Party succeed in organizing the House, evenly divided as it is, with a Democratic Senate and a Democratic President, it could accrue no possible advantage and would only furnish an excuse for Democratic failures. The party that have controlled our Nation during the development of the present crisis should reap the harvest of the seeds they have sown.

From all over the country, by wire, by letter, by petition, by newspaper, by voice, have come the word, whatever it may mean, "Stand by the President." [Applause.] The legislature of my State, with only one dissenting vote, passed resolutions to that effect. Labor, professional, business, civic, farmers, and church organizations and individuals all urge the upholding of the President. Leading Republicans from all over the country, among them no less than the illustrious ex-Presidents Roosevelt and Taft, and Elihu Root and Charles E. Hughes, pledge their word to stand by the President in this international crisis. Newspapers from coast to coast are editorially calling upon the men intrusted with the Nation's heritage to stand by the President. I know of no better way, at the outset of this Congress, to assist the President in standing erect under his heavy burden than to help him retain the organization of the House, and I shall therefore cast my vote for that progressive Democrat CHAMP CLARK [applause], one of the most able and one of the squarest men who has ever graced the Speaker's chair. [Applause.] In so doing it is my patriotic hope that not to-morrow nor the next day, but to-day, after the first roll call, the trained lightning may flash the message of our unity, a warning to all the world that, despite internal differences, when external danger threatens, from North to South, from East to West, Americans stand for America. [Applause.]

The CLERK. Did the gentleman from Minnesota intend to place Mr. CLARK of Missouri in nomination for Speaker?

Mr. SCHALL. It was not my intention. I merely wished to state the reasons and motive for my vote, but since I am going to vote for him I can see no reason why I should not. I deem it an unusual honor and gladly place him in nomination for Speaker.

The CLERK. CHAMP CLARK, of Missouri, has been placed in nomination for Speaker of the House.

However great were his mental qualities, his courage, his integrity, his justice, it was his heart of understanding that made him one of the few—never too proud to be a simple human being, never too dignified to show an honest emotion. Devoted to his family, the offering up of his beloved son on the altar of his country caused his step to halt a little and the tones of his voice to deepen with sorrow. He shamed not to let the tears fall, and it seemed to me I could note each day the chain drag a little more toilsomely. Even the safe return of the boy did not restore his former spirit, and the death of the adored little grandson, Champ Clark 3d, wrenched away another hold on life. But when, after a long series of fruitful years and honest, faithful service, he was swept into the discard for the faults of another, faults he saw and results he foretold, then burst his mighty heart. I saw him in the corridors of the House one day in early December and said, "But you'll come back, Champ." He rejoined with bitter conviction, "SCHALL, I'll never come back." The chill foreboding of the fate that was to be his spoke in his words. I could not answer him.

Yet it is a fitting end, that he should die in action, die as he has lived, fighting forward. Lawyer, statesman, patriot, his life will be an inspiration to the youth of our land and a guide to those in authority. With Washington, Jefferson, Franklin, Patrick Henry, Lincoln, Roosevelt, and other bulwarks of the Nation, he has joined the ages, to guard, by his example of life and the force of his spirit, the destiny of his country, his beloved America, the hope of the world.

The SPEAKER pro tempore. These services have now been concluded.

VETO MESSAGE—EMERGENCY TARIFF BILL.

The SPEAKER. According to the agreement before the recess the Chair lays before the House the tariff bill and the veto message of the President.

Mr. FORDNEY. Mr. Speaker, I move the consideration of the message from the President on the bill H. R. 15275, and on that motion I move the previous question. I suggest to the House that every Member of the House is thoroughly familiar with this matter and due to the lateness of the hour I hope there will be no discussion upon the bill.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the objections of the President to the contrary notwithstanding? The Clerk will call the roll.

The question was taken; and there were—yeas 201, nays 132, answered "present" 3, not voting 91, as follows:

YEAS—201.

Ackerman	Good	McArthur	Rowe
Anderson	Goodykoontz	McKenzie	Sanders, Ind.
Andrews, Md.	Graham, Ill.	McLaughlin, Mich.	Sanders, N. Y.
Andrews, Nebr.	Green, Iowa	McLaughlin, Nebr.	Scott
Ashbrook	Greene, Mass.	McLeod	Shreve
Aswell	Griest	McPherson	Sinclair
Barbour	Hadley	MacGregor	Sinnott
Bee	Hardy, Colo.	Madden	Slemp
Begg	Harreld	Magee	Smith, Idaho
Benham	Haugen	Mann, Ill.	Smith, Ill.
Bland, Ind.	Hawley	Mansfield	Smith, Mich.
Blanton	Hays	Mapes	Smithwick
Bowers	Hernandez	Martin	Snell
Brooks, Ill.	Hersey	Mason	Snyder
Brooks, Pa.	Hickey	Michener	Stephens, Ohio
Browne	Hicks	Miller	Strong, Kans.
Butler	Hill	Monahan, Wis.	Strong, Pa.
Campbell, Kans.	Hoch	Mondell	Summers, Wash.
Chindblom	Houghton	Moore, Ohio	Sweet
Christopherson	Hudspeth	Moore, Va.	Swindall
Cole	Hulings	Morin	Swope
Cooper	Hull, Iowa	Mott	Taylor, Colo.
Copley	Husted	Mudd	Taylor, Tenn.
Crago	Hutchinson	Murphy	Temple
Cramton	Ireland	Nelson, Wis.	Thompson
Crowther	Jefferis	Newton, Mo.	Timberlake
Currie, Mich.	Johnson, S. Dak.	Nolan	Tincher
Curry, Calif.	Johnson, Wash.	O'Connor	Towner
Dale	Jones, Pa.	Ogden	Vaile
Darrow	Jones, Tex.	Osborne	Vestal
Dempsey	Juul	Parker	Voigt
Denison	Kearns	Parrish	Volstead
Dickinson, Iowa	Kelley, Mich.	Patterson	Walters
Donovan	Kelly, Pa.	Porter	Ward
Dowell	Kendall	Purnell	Wason
Dunbar	Kiess	Radcliffe	Watson
Dunn	King	Raker	Webster
Dupré	Kinkaid	Ramsey	Wheeler
Dyer	Kleczka	Ramseyer	White, Kans.
Echols	Knutson	Randall, Calif.	White, Me.
Edmonds	Kraus	Randall, Wis.	Williams
Elliott	Kreider	Ransley	Wilson, Ill.
Esch	Lampert	Reber	Wilson, La.
Evans, Nebr.	Langley	Reed, N. Y.	Wood, Ind.
Fairfield	Lankford	Reed, W. Va.	Wright
Farr	Layton	Rhodes	Yates
Fess	Lazaro	Ricketts	Young, N. Dak.
Fish	Lea, Calif.	Riddick	Zihlman
Focht	Lehlbach	Robsion, Ky.	
Fordney	Little	Rodenberg	
French	Luhring	Rose	

NAYS—132.

Almon	Davis, Tenn.	Larsen	Rayburn
Babka	Dominick	Lesher	Robinson, N. C.
Bacharach	Doremus	Linthicum	Rogers
Bankhead	Drane	Luce	Romjue
Barkley	Eagan	Lufkin	Rouse
Bell	Eagle	McAndrews	Rucker
Benson	Fields	McClintic	Sabath
Black	Fisher	McDuffie	Sherwood
Bland, Mo.	Flood	McGlennon	Siegel
Bland, Va.	Freeman	McKeown	Sims
Bowling	Gallivan	Major	Sisson
Box	Ganly	Mays	Small
Brand	Gard	Mead	Smith, N. Y.
Briggs	Garrett	Merritt	Stephens, Miss.
Brinson	Glynn	Milligan	Stoll
Burdick	Godwin, N. C.	Minahan, N. J.	Sumners, Tex.
Burroughs	Greene, Vt.	Montague	Tague
Byrnes, S. C.	Harrison	Moores, Ind.	Taylor, Ark.
Byrns, Tenn.	Hastings	Neely	Tillman
Campbell, Pa.	Hoey	Nelson, Mo.	Tinkham
Candler	Howard	Newton, Minn.	Treadway
Cantrill	Huddleston	Nicholls	Upshaw
Caraway	Hull, Tenn.	O'Connell	Venable
Carew	Humphreys	Oldfield	Vinson
Carss	Igoe	Oliver	Volk
Carter	Jacoway	Olney	Walsh
Cleary	James, Va.	Paige	Weaver
Coady	Johnson, Ky.	Pell	Whaley
Collier	Johnson, Miss.	Perlman	Wilson, Pa.
Connally	Keller	Peters	Wingo
Cullen	Kennedy, R. I.	Phelan	Winslow
Dallinger	Kincheloe	Quin	Woods, Va.
Davey	Lanham	Rainey, Henry T.	Young, Tex.

ANSWERED "PRESENT"—3.

Crisp	Ferris	Steagall

NOT VOTING—91.

Anthony	Dooling	Graham, Pa.	McFadden
Ayres	Doughton	Griffin	McKinley
Baer	Drewry	Hamill	McKinley
Boies	Ellsworth	Hamilton	Maher
Britten	Elston	Hardy, Tex.	Mann, S. C.
Brumbaugh	Emerson	Hayden	Moon
Buchanan	Evans, Mont.	Hersman	Mooney
Burke	Evans, Nev.	Holland	Overstreet
Caldwell	Foster	James, Mich.	Padgett
Cannon	Frear	Johnston, N. Y.	Park
Casey	Fuller	Kahn	Pou
Clark	Gallagher	Kennedy, Iowa	Rainey, Ala.
Classon	Gandy	Kettner	Rainey, John W.
Costello	Garner	Kitchin	Reavis
Davis, Minn.	Goldfogle	Lee, Ga.	Riordan
Dent	Goodall	Lonergan	Rowan
Dewalt	Goodwin, Ark.	Longworth	Rubey
Dickinson, Mo.	Gould	McCulloch	Sanders, La.
Sanford	Stedman	Sullivan	Welling
Schall	Steele	Thomas	Welty
Scully	Steenerson	Tilson	Wise
Sears	Stevenson	Vare	Woodyard
Sells	Stiness	Watkins	

So, two-thirds not having voted in favor thereof, the veto was sustained.

The Clerk announced the following pairs:

On this vote:

Mr. LONGWORTH and Mr. VARE (to override the veto) with Mr. FERRIS (to sustain).

Mr. STEAGALL and Mr. CRISP (to override the veto) with Mr. STEVENSON (to sustain).

Mr. ANTHONY and Mr. WOODYARD (to override the veto) with Mr. BUCHANAN (to sustain).

Until further notice:

Mr. KAHN with Mr. DENT.

Mr. FOSTER with Mr. JOHN W. RAINEY.

Mr. MCKINLEY with Mr. STEDMAN.

Mr. ELSTON with Mr. DICKINSON of Missouri.

Mr. KENNEDY of Iowa with Mr. GARNER.

Mr. TILSON with Mr. LEE of Georgia.

Mr. SELLS with Mr. WISE.

Mr. FREEMAN with Mr. GALLAGHER.

Mr. GOODALL with Mr. THOMAS.

Mr. SCHALL with Mr. HARDY of Texas.

Mr. CANNON with Mr. CLARK.

Mr. FULLER with Mr. RIORDAN.

Mr. DAVIS of Minnesota with Mr. POU.

Mr. HAMILTON with Mr. OVERSTREET.

Mr. JAMES of Michigan with Mr. MAHER.

Mr. MCCULLOCH with Mr. PADGETT.

Mr. FREAR with Mr. GRIFFIN.

Mr. GOULD with Mr. MOONEY.

Mr. EMERSON with Mr. SEARS.

Mr. BRITTEN with Mr. KITCHIN.

Mr. BOIES with Mr. SULLIVAN.

Mr. SANFORD with Mr. HAYDEN.

Mr. STEENERSON with Mr. DOUGHTON.

Mr. BURKE with Mr. HOLLAND.

Mr. COSTELLO with Mr. GODWIN of North Carolina.

CORRECTION OF REPRINT OF BILL.

The SPEAKER. A mistake was made in the Senate in printing a bill that passed the House. The Chair asks unanimous consent for the consideration of the following resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 78.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H. R. 14490, entitled "An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States Standard Central Time Zone" the Clerk of the House be authorized and directed to insert, on page 2, line 13, after "Santa Fe," the words "Railway Co. and other branches of Santa Fe"; and on page 2, line 13, strike out all after "Clovis" down to and including "Clovis" in line 14.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

REPRINT OF MANUAL AND DIGEST.

Mr. GARRETT. Mr. Speaker, the gentleman from Pennsylvania [Mr. KIESS], the chairman of the Committee on Printing, presented a resolution this afternoon for the printing of the Manual. I ask the gentleman to lay that before the House and call it up again.

The SPEAKER. The gentleman from Pennsylvania [Mr. KIESS] offers a resolution from the Committee on Printing, which the Clerk will report.

The Clerk read as follows:

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the Sixty-sixth Congress, the same to be bound, and distributed through the folding room.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. FOCHT. Mr. Speaker, I desire to move the suspension of the rules——

The SPEAKER. There is another matter before the House. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. I do not know whether this would provide for bringing the Manual down to date or is just a reprint of the old Manual.

The SPEAKER. The Chair is informed it will be brought down to date.

Mr. MANN of Illinois. What is the provision in there in reference to the distribution?

The SPEAKER. The distribution to be through the folding room.

Mr. GREENE of Vermont. Mr. Speaker, is it proper to ask that the resolution be again reported?

The SPEAKER. The Clerk will again report the resolution.

The resolution was again read.

Mr. HULINGS. Mr. Speaker, I object.

The SPEAKER. The objection comes too late.

Mr. GARRETT. Mr. Speaker, I move the previous question.

Mr. WALSH. Will the gentleman withhold that?

Mr. GARRETT. I will.

Mr. WALSH. Mr. Speaker, is this the exact resolution that was laid before the House earlier in the evening and withdrawn?

The SPEAKER. The Chair is informed that it is.

Mr. WALSH. If I understand correctly, the reason this resolution is presented at this time is that the printed supply of the Manual is practically exhausted, and that we would find ourselves in the situation in the new Congress of being without an available supply of the rules and printed forms, with the precedents annotated, and that it is the desire to have a sufficient number until a complete revision can be procured——

Mr. SNELL. Will the gentleman yield for a question?

Mr. WALSH (continuing.) And parallel the reprint and the supplement of Hinds' Precedents.

Mr. SNELL. Is the present supply all exhausted?

Mr. WALSH. I understand that it is practically exhausted; that there will be such a demand for it——

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry——

Mr. WALSH. I do not yield to a parliamentary inquiry. I yielded to the gentleman from New York. I understand that with the large number of new Members in the new Congress there will be such a demand for it that the existing supply will probably soon be depleted.

Mr. SNELL. Will the Rules XXI and XXII be in this new print of the Manual?

Mr. WALSH. The new rules as they exist at present.

Mr. SNELL. In the Sixty-sixth Congress.

Mr. WALSH. I assume that is so.

Now I yield to the gentleman from Oklahoma.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry: Some of us, though victims of the late landslide, are very much interested in the proceedings of Congress. I would like to ask if the word "distribution" means distribution to the outgoing as well as to the incoming Members of this House?

The SPEAKER. That is not a parliamentary inquiry.

Mr. MANN of Illinois. This will mean distribution to the Members of the Sixty-seventh Congress. The Manuals will not be placed to the credit of the Members of the Sixty-sixth Congress, because they will not be placed in the folding room in time. If the gentleman has not got a Manual of the Sixty-sixth Congress I will be glad to present him with one.

Mr. HOWARD. I should be delighted to have a copy of the Manual with the autograph in it of the distinguished gentleman from Illinois.

Mr. MANN of Illinois. I can not promise the autograph, but I will give the gentleman a copy of the Manual right now. It is the best Manual in the House.

Mr. GREENE of Vermont. Does the gentleman from Massachusetts [Mr. WALSH] understand that by the wording of the text of this resolution it will include a revision down to the adjournment of the present Congress—the Sixty-sixth Congress?

Mr. WALSH. It will include the rules of the present Congress down to the adjournment. The annotations upon the rules, I assume, will be brought down to a very recent date.

Mr. GREENE of Vermont. No one could understand better than the gentleman from Massachusetts, who so frequently graces the chair, and with such parliamentary authority when he does, that the printing of the rules is one thing and the interpretation of the rules, by means of decisions and annotations, is quite another; and the thing that we are looking for at present is to understand these very rules that we have been working under in the present Congress; and if, just before we go out we could get a book that would explain them to us, it might be worth while to print 2,000 copies. [Laughter.]

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. WALSH. I will yield to the gentleman from Kentucky if he desires to answer the gentleman from Vermont.

Mr. FIELDS. Is the gentleman an expert on rules?

Mr. GREENE of Vermont. No; I am not an expert on rules, but I am trying to find somebody who is the father of this resolution.

Mr. GARRETT. Mr. Speaker, I do not yield to the gentleman from Massachusetts further.

Mr. WALSH. I thought the Speaker had recognized me without assuming to trespass on the courtesy of the gentleman from Tennessee.

Mr. GARRETT. The gentleman is mistaken. I withheld the motion for the previous question and yielded to the gentleman, but I still have the floor.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Tennessee moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

The message also announced that the Senate had agreed to the amendment of the House to the bill (S. 1695) validating certain homestead entries.

Also that the Senate had passed the bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., 1134), with an amendment, in which the concurrence of the House was requested.

Also that the Senate had passed joint resolution (S. J. Res. 255) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments the following resolution:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14490) entitled "An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone," the Clerk of the House of Representatives be authorized and directed to insert on page 2, line 13, after "Santa Fe Railway Co." "and other branches of the Santa Fe," and on page 2, line 13, strike out all after "Clovis" down to and including "Clovis," in line 14.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the committee on enrolled bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 1299. An act for the relief of George LeClear;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest, in the State of Washington, and for other purposes; and

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3750. An act to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes;

S. 4903. An act to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.;

S. 1695. An act validating certain homestead entries;

S. 4572. An act granting the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system;

S. 3695. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.;

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway;

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes; and

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

BILL AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill and joint resolutions:

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of Champ Clark; and

H. J. Res. 420. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies.

H. J. Res. 346. Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on March 3, 1921, approved and signed bills of the following titles:

S. J. Res. 251. Joint resolution to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy;

S. 4554. An act to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1920;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession;

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plans for protection of their basins from flood waters of the Mississippi River;

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks;

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.;

H. R. 15812. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922;

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired;

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes;

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12634. An act for the relief of Wilhelm Alexanderson;

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes;

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes.

SHIPMENT OF EXPLOSIVES.

The SPEAKER. The Chair lays before the House a House bill with Senate amendments, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134).

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. MERRITT. Mr. Speaker, I move to concur in the Senate amendments.

The SPEAKER. The gentleman from Connecticut moves to concur in the Senate amendments.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MERRITT. I yield to the gentleman from Massachusetts.

Mr. WALSH. It seems to me we ought to have an explanation of what this change does.

Mr. MERRITT. The bill which was passed by the House January 17, 1921, has to do with the transportation of explosives. It is a bill recommended by the Interstate Commerce Commission, and it passed the House without opposition. The amendment of the Senate simply has to do with the penalty, and that is also concurred in by the Interstate Commerce Commission and by the Committee on Interstate and Foreign Commerce of the House.

Mr. KNUTSON. Does it provide for any specific way of packing explosives?

Mr. MERRITT. They are to be packed under regulations prescribed by the Interstate Commerce Commission.

Mr. KNUTSON. That is satisfactory.

Mr. CHINDBLOM. Is a violation created by noncompliance with the rules of the Interstate Commerce Commission?

Mr. MERRITT. Yes.

Mr. CHINDBLOM. And is there a penalty provided for a violation of the rules of the Interstate Commerce Commission?

Mr. MERRITT. Yes.

Mr. HICKS. Will the gentleman yield?

Mr. MERRITT. Yes.

Mr. HICKS. I understand this is an amendment to a bill that was passed here only a few weeks ago.

Mr. MERRITT. Yes.

Mr. HICKS. Why did we discover the need for it just now? Why was it not discovered three or four weeks ago?

Mr. MERRITT. The Senate discovered it. We did not discover it.

Mr. GARRETT. Mr. Speaker, as I understand, there is no objection to this bill. I understand further that we are waiting for the sundry civil bill to come back from the Senate. Now, there is no objection to taking a recess for 5 minutes or 10 minutes after this Senate amendment is disposed of. I hope gentlemen will not call up other bills to-night. We are perfectly willing to stand in recess for whatever time the gentleman from Wyoming may suggest and wait for the sundry civil bill so that it can be properly signed, but it is rather embarrassing to have to call up these little matters and kill time with them while we are waiting for the sundry civil bill.

Mr. MONDELL. Is there any objection to the matter which is pending?

Mr. GARRETT. No objection whatever.

Mr. MONDELL. After this matter is disposed of I intend to ask that the House stand in recess.

Mr. WINGO. I want to get some information about this proposition. Will the gentleman from Connecticut yield?

Mr. MERRITT. Yes; I yield.

Mr. WINGO. I was at the Clerk's desk and read the section that seems to be in dispute. As I understand, the Senate has amended section 5 of the bill. That is the section which under the Senate amendment makes death by unlawful act, provided it is by an explosive, punishable by 10 years in the penitentiary. In other words, if a man unlawfully produces death in violation of this explosive act he gets sentenced to the penitentiary for 10 years. Is that the idea?

Mr. MERRITT. The penalty is not more than $10,000 fine or imprisonment for not more than 10 years.

Mr. WINGO. Under that amendment a man could commit murder and be punished by $1 fine or one day in jail. What is the idea?

Mr. MERRITT. The court would have discretion about that.

Mr. WINGO. That is true; but why give the court discretion and let a man off with light imprisonment for unlawfully and knowingly destroying the life of a fellow man?

Mr. MERRITT. You can not tell what the real negligence might be; it certainly would not be punished by death.

Mr. WINGO. The trouble with the present law is that it is not stringent enough.

Mr. MERRITT. I do not think the difficulty was with the penalty, but with the provision for the carriage and packing.

Mr. WINGO. I remember that when we passed the explosive act the objection was that the act was not more stringent. Now, you undertake to amend the present law, but I notice that you do not put a more stringent penalty in the act where death results. Why do you not make the penalty more stringent?

Mr. MERRITT. Because this is a pretty stringent penalty now.

Mr. WINGO. To send a man to jail for one day or fine him $1?

Mr. MERRITT. I do not think that would happen.

Mr. WINGO. But you make it possible.

Mr. BEE. Will the gentleman yield?

Mr. MERRITT. Yes.

Mr. BEE. This is a case of negligence, but not malicious?

Mr. MERRITT. Yes.

Mr. BEE. Is it not parallel to the law in the gentleman's own State, where it is in the first or second degree, and where there is no malice?

Mr. WINGO. The gentleman from Texas is not familiar with the explosive laws of my State. He is talking about involuntary manslaughter.

Mr. BEE. I can understand the difference between negligence and homicide in the second degree, where it is not malicious.

Mr. MERRITT. Mr. Speaker, I move the previous question on agreeing to the Senate amendment.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

Mr. MONDELL. Mr. Speaker, the Senate is discussing the sundry civil bill. It is likely to be over here almost any hour. It is important that the House receive it when it is messaged over from the Senate. I therefore ask unanimous consent that the House stand in recess until 2 o'clock a. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 2 o'clock a. m.

Mr. FOCHT. I object; and I ask for recognition.

The SPEAKER. The Chair declines to recognize the gentleman.

Mr. FOCHT. Then I object, Mr. Speaker. Let us do business.

Mr. MONDELL. Mr. Speaker, I move that the House stand in recess until 2 o'clock a. m.

Mr. FOCHT. I make the point of no quorum.

Mr. MANN of Illinois. I hope that the gentleman will not make the point of no quorum.

Mr. FOCHT. I think we should remain here and do business. There are important bills ready for passage, that the House is for, which I have been attempting to bring up from the committee of which I am chairman. I am simply trying to do my duty.

Mr. WINGO. Is the gentleman trying to pass the packers' bill? [Laughter.]

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum. The Chair will count. [After counting.] A quorum is present; and the question is on the motion of the gentleman from Wyoming.

Mr. BARKLEY. Mr. Speaker, I move to amend that motion—that the House stand in recess until 10 o'clock a. m.

The SPEAKER. The question is on the amendment of the gentleman from Kentucky.

The amendment was rejected.

The SPEAKER. The question now is on the motion of the gentleman from Wyoming.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. FOCHT. Mr. Speaker, I make the point of order that there is no quorum present. I demand the yeas and nays.

The SPEAKER. The gentleman from Pennsylvania demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Nine Members, not a sufficient number, and the yeas and nays are refused.

So the motion was agreed to.

Accordingly (at 12 o'clock and 35 minutes a. m.) the House stood in recess until 2 o'clock a. m.

AFTER THE RECESS.

At 2 o'clock a. m., the recess having expired, the House was called to order by the Speaker.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, and that the Senate had receded from its amendment No. 60.

RECESS.

Mr. MONDELL. Mr. Speaker, I move that the House stand in recess until 9.30 o'clock a. m.

The motion was agreed to; accordingly (at 2 o'clock and 1 minute a. m.) the House stood in recess until 9.30 o' clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HUDSPETH, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 15990) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas, reported the same without amendment, accompanied by a report (No. 1411), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 12927) for the relief of J. W. Glidden and E. F. Hobbs, reported the same with an amendment, accompanied by a report (No. 1417), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho concerning the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. SINCLAIR: Memorial of the Legislature of the State of North Dakota, urging Congress to amend the interstate commerce act, limiting the authority of the Interstate Commerce Commission so that it can not authorize blanket increases in intrastate rates; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Memorial from the Legislature of the State of North Dakota, urging the United States Congress to amend the interstate commerce act, section 13, paragraph 4, to limit the Interstate Commerce Commission so that it can not blanket increases in intrastate rates; to the Committee on Interstate and Foreign Commerce.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 13966) granting a pension to Minnie Baker, and the same was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6239. By Mr. BENHAM: Petition of Rev. J. Barthelmas and sundry citizens of Batesville, Ind., concerning the French army of occupation in Germany; to the Committee on Foreign Affairs.

6240. By Mr. CAMPBELL of Pennsylvania: Petition of certain residents of Pittsburgh, Pa., urging modification of Volstead Act, to permit use and sale of light wines and beer; to the Committee on the Judiciary.

6241. By Mr. CULLEN: Petition of the American Association for the Recognition of the Irish Republic, of New Jersey, concerning Lord Mayor O'Callaghan; to the Committee on Immigration and Naturalization.

6242. By Mr. FULLER: Petition of the Chicago Clearing House Association, of Chicago, Ill., opposing the coinage of a

2-cent piece; to the Committee on Coinage, Weights, and Measures.

6243. Also, petition of the Holy Name Society of St. Patrick's Church, Rockford, Ill., and sundry citizens of Rockford, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6244. Also, petition of the Merchants' Association of Joliet, Ill., favoring 1-cent drop-letter postage rate; to the Committee on the Post Office and Post Roads.

6245. By Mr. GALLIVAN: Petition of the American Association for the Recognition of the Irish Republic of the State of New Jersey, urging the State Department to reverse its attitude in the case of Hon. Donal O'Callaghan, lord mayor of Cork, Ireland, and that Congress invite him to address that body; to the Committee on Immigration and Naturalization.

6246. Also, petition of Victory Lodge, No. 1103, International Association of Machinists, urging resumption of trade between the United States and the Republic of Russia; to the Committee on Foreign Affairs.

6247. Also, petition of the Thomas McDonagh Council, American Association for the Recognition of the Irish Republic, urging immediate recognition of the republic of Ireland by the United States; to the Committee on Foreign Affairs.

6248. Also, petition of the Dorchester Lower Mills Council, Knights of Columbus, and the Nativity Court, Daughters of Isabella, Dorchester, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6249. By Mr. HUDSPETH: Petition of the City Council of El Paso, Tex., urging an appropriation for the control of venereal disease; to the Committee on Appropriations.

6250. By Mr. MAGEE: Resolution of the general board of L'Union St. Jean Baptiste d'Amerique, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6251. By Mr. McGLENNON: Petition of the American Association for the Recognition of the Irish Republic of New Jersey concerning Lord Mayor O'Callaghan; to the Committee on Immigration and Naturalization.

6252. Also, 4,500 letters of protests from citizens of the eighth congressional district of New Jersey, against the passage of the Smith-Towner bill; to the Committee on Education.

6253. By Mr. NEWTON of Missouri: Petition of certain citizens of St. Louis, Mo., favoring the passage of the Smith-Towner bill; to the Committee on Education.

6254. Also, petition of certain citizens of St. Louis, Mo., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6255. By Mr. O'CONNELL: Petition of the New York Committee Against the Horror on the Rhine, concerning the French Army of occupation in Germany; to the Committee on Foreign Affairs.

6256. By Mr. O'CONNOR: Petition of certain citizens of New Orleans, La., concerning the Irish republic; to the Committee on Foreign Affairs.

6257. By Mr. RAKER: Petition of J. L. Rollins, M. D., of Colfax, Calif., urging the repeal of taxes on medicine; to the Committee on Ways and Means.

6258. Also, petition of the California Olive Association, Los Angeles, Calif., urging the acceptance of the Senate amendment on tariff on olives and olive oil; to the Committee on Ways and Means.

6259. By Mr. REBER: Petition of the Kiwanis Club, of Altoona, Pa., protesting against the passage of S. 4828, the Federal coal bill; to the Committee on Agriculture.

6260. By Mr. ROGERS: Petition of Laval Council No. 222, L'Union St. Jean Baptiste d'Amerique, Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6261. By Mr. SNELL: Petition of L'Union St. Jean Baptiste d'Amerique, Jeanne d'Arc Council, No. 322, Malone, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6262. Also, petition of L'Union St. Jean Baptiste d'Amerique, Bourget Council, No. 71, of Redford, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6263. Also, petition of L'Union St. Jean Baptiste d'Amerique, Ste. Anne Council, No. 303, St. Regis Falls, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6264. By Mr. STINESS: Petition of over 2,000 members of the National Council of Catholic Men and other organizations of St. Patrick's Parish, Providence, R. I., protesting against the Smith-Towner bill; to the Committee on Education.

6265. By Mr. TINKHAM: Petition of Back Bay Council, No. 331, Knights of Columbus, of Boston, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6266. By Mr. ZIHLMAN: Petition of the West End Citizens' Association, Washington, D. C., in favor of the Zihlman bill, to meter water to large Government institutions; to the Committee on the District of Columbia.

SENATE.

FRIDAY, *March 4, 1921.*

(Legislative day of Wednesday, March 2, 1921.)

The Senate met at 10 o'clock and 30 minutes a. m., on the expiration of the recess.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, in relation to the disposition of certain useless papers filed in American consular offices in connection with the Trading With the Enemy Act, which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134).

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River highway;

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, material, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes;

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870;

H. R. 10104. An act to renew patent No. 25909;

H. R. 12161. An act to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134);

H. R. 15422. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone; and

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

ANNIE L. MARTIN.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate, I ask unanimous consent to report back favorably a resolution to pay to Annie L. Martin, widow of Charles H. Martin, late secretary to the junior Senator from North Carolina [Mr. OVERMAN], six months' salary. Mr. Martin died day before yesterday. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent to present the report indicated by him. Is there objection? The Chair hears none. Is there objection to the present consideration of the resolution?

The resolution (S. Res. 473) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Annie L. Martin, widow of Charles

H. Martin, late clerk to the Hon. LEE S. OVERMAN, Senator from the State of North Carolina, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

M. H. BUMPHREY.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate, I ask unanimous consent to report back favorably, with an amendment, a resolution providing for the appointment of M. H. Bumphrey, recently on the soldier's roll, to a place upon the messengers' roll. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. Is there objection to the presentation of the report? The Chair hears none. Is there objection to the present consideration of the resolution?

The resolution (S. Res. 445) was considered by unanimous consent, and was read, as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he is hereby, authorized and directed to place upon the roll of messengers in the employ of the Senate the name of M. H. Bumphrey, the same to be borne thereon in accordance with the provisions of Senate resolution numbered 72, agreed to on July 14, 1911, at a compensation at the rate of $1,440 per annum, such compensation to be paid from the contingent fund of the Senate until otherwise provided for by law.

The PRESIDENT pro tempore. The committee reports an amendment, which will be stated.

The ASSISTANT SECRETARY. The committee proposes to strike out the words "until otherwise provided for by law" and insert "from and after March 4, 1921, to and including June 30, 1921."

The amendment was agreed to.

The resolution as amended was agreed to.

CUBAN SUGAR CROP, 1921 (S. DOC. 424).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Foreign Relations:

To the Senate:

I transmit herewith a report by the Secretary of State in response to the resolution adopted by the Senate on February 14 (calendar day February 17), 1921, requesting him to furnish to the Senate such information as may be possessed by the Department of State "showing or tending to show that an agreement has been reached for pooling the 1921 Cuban sugar crop between (1) the Governments of the United States and Cuba, or any governmental agencies thereof; (2) the Government of Cuba and any person, partnership, corporation, or association; or (3) any individuals, partnerships, corporations, or associations."

WOODROW WILSON.

THE WHITE HOUSE,
3 March, 1921.

INTERFERENCE WITH AMERICAN COMMERCE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

I transmit herewith a report by the Secretary of State in response to Senate resolution 438 relating to complaints of American citizens growing out of the interference with American commerce by the British authorities during the war.

WOODROW WILSON.

Inclosure:
Report mentioned.

THE WHITE HOUSE,
3 March, 1921.

Mr. LODGE. I ask that the message and accompanying papers be referred to the Committee on Foreign Relations. I do not ask that the papers be printed, because they are very voluminous.

The PRESIDENT pro tempore. The message from the President will be printed, and, with the accompanying papers, will be referred to the Committee on Foreign Relations.

PRESS CONGRESS OF THE WORLD.

Mr. SPENCER. Mr. President, I offer the resolution which I send to the desk, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 474) was read, as follows:

Whereas the Senate has learned with gratification of the holding of sessions of a Press Congress of the World in Honolulu, Hawaiian Islands, October 4 to 14, 1921, the congress having been organized at the Panama-Pacific Exposition at San Francisco in 1915 with the sole purpose of bringing together representatives of the world's journalism for acquaintanceship and conference in the interests of journalism; therefore, be it

Resolved, That the Department of State be, and it is hereby, requested to extend through foreign Governments an invitation to the press of the world to be represented by delegates at the congress.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. SMOOT. Mr. President, I desire to ask the Senator from Missouri why the usual proviso is not added, that there shall be no expense attached to this matter on the part of the Government?

Mr. SPENCER. I have no objection whatever to that amendment. There will be no expense.

Mr. SMOOT. Then I move to amend the resolution by inserting these words:

Provided, That no expense to the Government shall be incurred by reason of this convention or invitation.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

The resolution as amended was agreed to.

GORDON WOODBURY.

Mr. POINDEXTER. Mr. President, I ask unanimous consent, as in open executive session, that the Senate advise and consent to the nomination of Gordon Woodbury to the position of Assistant Secretary of the Navy, and that the President be notified.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that, as in open executive session, the nomination of Gordon Woodbury to be Assistant Secretary of the Navy be confirmed. Is there objection? The Chair hears none. Without objection, the nomination will be confirmed, and the President will be notified.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDENT pro tempore. The question is on the pending amendment of the committee.

Mr. SMITH of South Carolina. I call for the regular order.

The PRESIDENT pro tempore. The Chair has announced the regular order.

Mr. KING. Mr. President——

Mr. POINDEXTER. I ask that the consideration of the bill be proceeded with, and I call for a vote on the pending amendment.

Mr. KING. I was about to suggest the absence of a quorum.

YAZOO RIVER, MISS.

Mr. HARRISON. Mr. President, will the Senator from Utah withhold that suggestion for one moment? I have a very important measure here that I want to have passed. Will the Senator from Washington withhold his request temporarily, until I can ask for the consideration of the measure?

Mr. POINDEXTER. For what purpose, Mr. President?

Mr. HARRISON. It is a bill merely for a preliminary survey.

Mr. POINDEXTER. I will withhold objection for the time being, and ask that the bill be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The reading clerk read the bill (S. 5048) to survey the Yazoo River, Miss., with a view to the control of its floods, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Yazoo River, Miss., with a view to the control of its floods, in accordance with the provisions of an act entitled "An act to provide for the control of the floods of the Mississippi River and the Sacramento River, Calif., and for other purposes," approved March 1, 1917.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. SMOOT. Mr. President, I desire to ask the Senator from Mississippi if a survey has not already been made of the stream?

Mr. HARRISON. No; there has been no survey. This is a very important measure.

Mr. TOWNSEND. Mr. President, I think we ought to have a further explanation of the bill by the Senator from Mississippi.

Mr. HARRISON. It needs no explanation. It speaks for itself.

Mr. TOWNSEND. I should like to have an explanation as to how it happens that that river or creek has not been surveyed.

Mr. HARRISON. I may say that the stream is in the county from which the senior Senator from Mississippi [Mr. WILLIAMS] comes. He has been so occupied on other matters of great importance that he has not been able to have the survey provided for.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDENT pro tempore. The question is upon the pending amendment of the committee, which will be stated.

The READING CLERK. On page 11, line 9, the committee report to strike out "$750,000" and insert "$850,000."

Mr. POINDEXTER. I ask for a vote upon the amendment. [Laughter.]

HON. CHARLES S. THOMAS.

Mr. SMOOT. Mr. President, I would like to have the Senate turn from a little levity to something that I think Senators would like to give a moment's attention to.

Mr. President, within a few moments there will be a great change in the membership of the Senate. Many of our close friends on both sides of this Chamber will retire.

I shall take but a few minutes of the Senate's time to express my appreciation of the unselfish, patriotic, and most valuable public services of Senator CHARLES S. THOMAS, of Colorado.

His retirement from the Senate is a distinct loss to the Senate and the Nation. During the full term of his service in the Senate he has never resorted in a single instance to demagoguery. He has never dodged a vote nor cast one contrary to what he believed to be for the best interests of his country. I respect him for his sterling manhood and honor him for his unquestioned honesty. No more courageous man ever served in this body. I honor and love him for his undoubted Americanism and skilled statesmanship. May the Great Master protect this great American and so arrange that his last days will be his happiest ones. [Applause.]

Mr. KENYON. Mr. President, I want to add just a word to the fitting and appropriate remarks of the Senator from Utah concerning the distinguished Senator from Colorado [Mr. THOMAS]. There is always a tinge of sadness when a session is drawing to a close and we are compelled to part with some of our fellow Members, and I think after we leave this body one thing we will look backward to above everything else will be the comradeship of the Senate, for while there is bitterness at times, yet underneath it all there is a wonderful spirit of comradeship.

If one in meditative moments were to have any worries about the future of this country, it would be because of the lack of courage that is displayed in public life, the local representation as distinguished from the broad national representation, and year by year as I have been in this body my admiration has grown for the men who, while representing their States, have the courage to put above that representation for the entire Nation; that courage has been possessed by the Senator from Colorado to a remarkable degree. His service here is an inspiration, and it will be an incentive to younger men to follow him and fight as courageously as he has fought for some of the things in which he thoroughly believed. Though we might at times differ from him, we all admire his courage and his ability.

Many good men are leaving this body. Comparisons are probably odious. We will miss them all. Mr. President, I have said privately, as I now say publicly, that in my judgment the opinion of the people in the days to come will place the Senator from Colorado and his work side by side with the names of those who have been recognized in the past as the great Senators in this body. As he leaves, he goes with the good will of all. The Treasury of the United States loses one of its most vigorous defenders, the Senate one of its most valued Members, and the country one of the ablest Senators who ever sat in this body. [Applause.]

Mr. THOMAS. Mr. President, it is very difficult to express in apt or appropriate phrase the depth of appreciation and gratitude which this largely undeserved and wholly unexpected tribute has created within my bosom. I thank the Senators who have seen fit to so kindly emphasize my generally unsuccessful and unsatisfactory service in this body, and to assure them, and all of my colleagues, that I am more than repaid for all I have essayed as a Member of this Chamber by the good will, the appreciation, the respect, and the friendship of my colleagues, irrespective of party lines.

Before one enters this illustrious body as a Member he is prone to entertain opinions and impressions of its Members, gathered from expressions in the public press or from a general course of public opinion which have been frequently misdirected and more frequently erroneous. My personal experience confirms the view that there is in public life neither here nor elsewhere any body of men, taken by and large, whose standards are higher, whose capacity for service is greater, whose patriotism is purer, than the Members of this greatest deliberative body in the world. While we differ materially upon matters both of principle and of procedure, we make progress by respecting the convictions of each other, and at the close of our service we perceive in retrospect that succeeding Senates have striven to serve the country according to their own ideals, their standards of duty, and the pressing problems of their time.

This at least has been my experience. The eight years which I have spent as a Senator of the United States, covering a period of greatest stress and crisis in all the Nation's history, have been a fruitful source of education, of development, and courage, courage for the future, an abiding confidence in the destiny of America, and of renewed devotion to the principles of American Government.

Senators and brethren, one and all, I thank you from the bottom of my heart for this too extravagant tribute to my services, and beg to assure you that to the end of my life I will remember this as the proudest moment in a long course of years crowded with duties and responsibilities.

Mr. MYERS subsequently said: Mr. President, I am sorry that there shall be lost to membership in this body all of the Senators who are retiring to-day; I have particular regard and most kindly feelings for all of them; but I wish to say a word of one Senator especially, and that is the distinguished Senator from Colorado [Mr. THOMAS]. I understand that awhile ago a very high and fitting tribute was paid to the distinguished Senator from Colorado by the able Senator from Iowa [Mr. KENYON] and also by the Senator from Utah [Mr. SMOOT]. I am sorry I missed the pleasure of hearing those tributes. However, I am not content that the session should end without adding a humble word of my own, expressive of my admiration and esteem for the distinguished Senator from Colorado [Mr. THOMAS]. His career in this body has been and is an inspiration to me. I have not always been in accord with him; I have not always voted as he voted; but his fearlessness, his courage, his statesmanship, his high ideals, his superb Americanism have always elicited my very warmest and unqualified admiration. To my mind, he stands as a striking type of the very highest degree of Americanism, and of upright, courageous statesmanship. I feel that I have been greatly strengthened and benefited by my association here with him and I shall always hold in mind his official career, as an example worthy of emulation in conscientious devotion to duty. He carries with him my warmest affection and highest esteem and my admiration for him shall never diminish.

CONFIRMATION OF NORMAN H. DAVIS.

Mr. LODGE. Mr. President, as in open executive session, I report from the Committee on Foreign Relations the nomination which I send to the desk, and ask unanimous consent that the Senate confirm the nomination.

The PRESIDENT pro tempore. The Secretary will report the nomination for which immediate consideration is asked.

The READING CLERK. Norman H. Davis, of New York, to be representative of the Government of the United States to participate in an international conference, to be held in Washington, to consider all international aspects of communication by telegraph, telephone, cable, wireless telephone, and wireless telegraph, and to make recommendations with a view to providing the entire world with adequate facilities for international communication on a fair and equitable basis.

Mr. LODGE. Mr. President, I desire to say that Mr. Davis, as we all know, is Undersecretary of State, and will leave that

office in two or three days. Mr. Davis has been a representative of the United States upon the Commission on International Communication, and I know it is desired that he shall continue that service, with which he is very familiar, and it has been thought wise that we should confirm him in that position, which, of course, is a temporary one.

The PRESIDENT pro tempore. Is there objection to the present consideration of this nomination? The Chair hears none, and without objection the nomination is confirmed, and the President will be notified.

CONFIRMATION OF WILLIAM R. WILLIAMS.

Mr. WADSWORTH. I ask unanimous consent, as in open executive session, to report from the Committee on Military Affairs and ask for the present consideration of the following nomination.

The PRESIDENT pro tempore. The Secretary will report the nomination.

The READING CLERK. William R. Williams to be Assistant Secretary of War, vice Benedict Crowell, resigned.

The PRESIDENT pro tempore. Is there objection to the present consideration of the nomination? The Chair hears none, and without objection the nomination will be confirmed, and the President will be notified.

HON. GEORGE E. CHAMBERLAIN.

Mr. WADSWORTH. Mr President, I can not permit this opportunity to pass without endeavoring to say a word concerning one of our colleagues who is about to leave us. I refer to the Senator from Oregon, GEORGE CHAMBERLAIN.

The Senate and the country are familiar with the services which he has rendered during his sojourn in this body, and it is not necessary for me or any other Member of the Senate to attempt to recount them upon this occasion. Senators, and especially those Senators who have served upon the Committee on Military Affairs, will never forget the days when, during the great contest in which America was plunged, GEORGE CHAMBERLAIN of Oregon led the Senate of the United States in those necessary measures of preparation for defense against the enemy. We shall never forget his courage, his patriotism, and how his urgings and warnings rang like bugle calls across the land, summoning America to arms.

He fought for his country just as truly as though he were shouldering a rifle in the front lines. He aroused his country to an appreciation of its danger. He spurred the officials, both of the executive departments and here in the Congress, to added efforts. When the story of the achievements of Americans during the great war is told the name of GEORGE CHAMBERLAIN will be printed high upon the honor roll.

The mutations of politics shortly after the conclusion of hostilities removed the Senator from Oregon from the chairmanship of the Committee on Military Affairs, and happened to place me in that position. I had supported him, as the other members of the Committee on Military Affairs had supported him, during his great work in the period of hostilities, and then we found that he supported us with the same unselfishness that has made him so famous in this body for so many years. Never has the name Republican or Democrat been used in the Committee on Military Affairs when the Senator from Oregon had been discussing the things that affect the safety of the Nation. He continued his work with the utmost devotion, and continued to inspire his colleagues, both in and out of that committee, to an understanding of how precious our institutions are, and how necessary it is that we defend them against every conceivable enemy.

He is about to leave us. Every one of us, without regard to our political affiliations, regrets exceedingly his departure. There have not been many Senators like GEORGE E. CHAMBERLAIN. I know that my colleagues join with me in wishing him happiness and prosperity in the years to come. We feel and know that he will be happy and content in the knowledge that he has our respect and affection and the regard of the Nation itself. [Applause.]

Mr. CHAMBERLAIN. Mr. President, I appreciate more than I can express what my friend, the distinguished Senator from New York [Mr. WADSWORTH], has said with reference to my humble efforts to serve the country during the time I have been in the Senate, and more particularly during the period of the World War. But I think the tribute he pays to me is just as much merited by every member of the Committee on Military Affairs without regard to party, whether it be those who remain in the Senate or those who retire, because it would have been impossible for me to have accomplished anything without the splendid and patriotic cooperation and service of every man who served with me on that committee during the period of the war, and none with greater distinction, or more fervent patriotism than the distinguished Senator who has just honored me so highly and who has become my successor as, he says, in the mutation of politics.

Paraphrasing the language of Jefferson, we "are all Democrats and we are all Republicans" when the fate of our country is involved. There was no politics in this body during the war, and I have often heard men express wonder that in everything that affected materially the welfare of the Nation, and of those associated with it in the war, politics was adjourned and everyone was willing to put his shoulder to the wheel and do what was best for the country without regard to its effect upon him or upon his party.

All that was accomplished was without partisanship and with the single aim and purpose of every Senator to do what was best for America in the emergency which confronted it. I appreciate more than I can express the love of my brothers in the Senate and my greatest regret at leaving this distinguished body is the severance of the cordial relationship that has made us all friends, all brothers, all bent upon the service of our beloved country. [Applause.]

STATEMENT OF EXPENDITURES.

Mr. WARREN. Mr. President, it is usual at the end of a session of Congress to present for the RECORD and inspection of the public a statement with reference to moneys that have been appropriated. The people have a right to know with what wisdom and care the funds of the Government have been apportioned for expenditure. The statement which I have here and which I present for the RECORD is complete as to the estimates and appropriations for the fiscal year 1921, and also the fiscal year 1922. I shall give only a few of the totals at this time, and shall place the others in the RECORD. I know that figures are always tiresome, and I suppose more especially so to the inflowing visitors of the gallery, so I shall read only a few of the totals.

The total for the regular annual supply bills for the fiscal year 1921 were $2,254,544,592.78. The appropriations for 1922 for the same purposes were $1,778,996,032.41, plus $396,001,249.23, the amount of the Naval bill as passed by the House and which failed to pass the Senate, making a total of $2,174,997,281.64, a decrease of $79,547,311.14. The expenditures of the Government in the permanent and indefinite appropriations for which the Committee on Appropriations must provide amount to a very large sum; for the last year they were $1,462,726,800.12. This year they were less, the total being $1,335,776,360.87.

The final summing up shows that the total appropriations for 1922 are less than the appropriations for 1921 by $898,247,910.42. The appropriations for 1922 are less than the official estimates, which are the figures placed before the committee for appropriations, by $1,453,485,926.88.

I submit the statement in detail and ask that it may be incorporated in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement referred to is as follows:

1921-22.

Table comparing regular and permanent annual appropriations made for the fiscal year 1922 with the appropriations made for the fiscal year 1921.

Regular annual appropriation acts (completed).	Appropriations, fiscal year 1921.	Appropriations, fiscal year 1922.	Increase (+) or decrease (—), 1922 appropriations compared with 1921 appropriations.
Agriculture	$31,712,784.60	$36,404,259.60	+$4,691,475.00
Army (including Military Academy)	394,700,577.70	346,703,906.80	—47,996,670.90
Diplomatic and Consular	9,220,537.91	9,326,550.79	+ 106,012.88
District of Columbia	18,373,004.87	19,412,412.99	+ 1,039,408.12
Fortification	18,833,442.00	8,038,017.00	—10,795,425.00
Indian	10,020,555.27	9,761,554.67	— 259,000.60

1921–22—Continued.

Table comparing regular and permanent annual appropriations made for the fiscal year 1922 with the appropriations made for the fiscal year 1921—Continued.

Regular annual appropriation acts (completed).	Appropriations, fiscal year 1921.	Appropriations, fiscal year 1922.	Increase (+) or decrease (−), 1922 appropriations compared with 1921 appropriations.
Legislative, executive, and judicial	$106,570,610.11	$110,345,018.75	+$3,774,408.64
Pension	279,150,000.00	265,500,000.00	−13,650,000.00
Post Office	504,434,700.00	574,057,552.00	+69,622,852.00
River and harbor	12,400,000.00	15,250,000.00	2,850,000.00
Sundry civil	435,848,805.92	384,196,760.41	51,652,046.51
Total, regular annual appropriation acts, completed	1,821,265,018.78	1,778,996,032.41	42,268,986.37
REGULAR ANNUAL APPROPRIATION ACT (PENDING).			
Naval (1922, as passed by the House)	433,279,574.00	396,001,249.23	37,278,324.77
Grand total, regular annual appropriation acts	2,254,544,592.78	2,174,997,281.64	79,547,311.14
PERMANENT AND INDEFINITE APPROPRIATIONS.			
Interest on the public debt	975,000,000.00	922,650,000.00	52,350,000.00
Sinking fund	253,404,864.87	265,754,864.87	12,350,000.00
Expenses of loans	12,499,182.96		12,499,182.96
Roads, construction of	104,000,000.00	1,000,000.00	103,000,000.00
Customs Service, repayments, etc	20,200,000.00	27,000,000.00	6,800,000.00
Indian funds, and interest on same	23,775,000.00	23,475,000.00	300,000.00
Miscellaneous	38,847,752.29	60,893,496.00	22,048,743.71
Increased compensation to certain employees ($240 bonus)	35,000,000.00	35,000,000.00	
Total, permanent and indefinite appropriations	1,462,726,800.12	1,335,776,360.87	−126,950,439.25
Miscellaneous, including $18,600,000 for hospitals		20,000,000.00	20,000,000.00
Grand total, regular annual and permanent and indefinite appropriations	3,717,271,392.90	3,530,773,642.51	−186,497,750.39
Deficiencies	[1] 187,006,185.28	[2] 275,256,005.21	88,249,839.93
Railroads	800,000,000.00		−800,000,000.00
Grand total (including for 1922 the amount of the naval bill as passed by the House)	4,704,277,558.18	3,806,029,647.72	−898,247,910.46

[1] Deficiencies for 1920 and prior fiscal years.

[2] Deficiencies for 1921 and prior fiscal years.

Table comparing, by bills, estimates of regular, supplemental, deficiency, and permanent annual appropriations for the fiscal year 1922 with the appropriations made for the fiscal year 1922.

Regular annual appropriation bills (completed).	Regular estimates, fiscal year 1922.	Supplemental estimates, fiscal year 1922.	Total estimates, fiscal year 1922.	Appropriations, fiscal year 1922.	Increase (+) or decrease (−) 1922 estimates compared with 1922 appropriations.
Agriculture	$41,989,384.00	$11,040,000.00	$53,029,384.00	$36,404,259.00	− $16,625,125.00
Army (including Military Academy)	699,275,502.93		699,275,502.93	346,703,906.80	− 352,571,596.13
Diplomatic and Consular	11,983,848.94		11,983,848.94	9,326,550.79	− 2,657,298.15
District of Columbia	25,039,044.99		25,039,044.99	19,412,412.99	− 5,626,632.00
Fortification	35,676,533.66		35,676,533.66	8,038,017.00	− 27,638,516.66
Indian	11,989,703.67		11,989,703.67	9,761,554.67	− 2,228,149.00
Legislative, etc	136,452,634.97	762,080.00	137,214,714.97	110,345,018.75	− 26,869,696.22
Pension	265,190,000.00	310,000.00	265,500,000.00	265,500,000.00	
Post Office	585,406,902.00		585,406,902.00	574,057,552.00	− 11,349,350.00
River and harbor	57,114,915.00		57,114,915.00	15,250,000.00	− 41,864,915.00
Sundry civil	803,446,196.86	3,018,749.00	806,464,945.86	384,196,760.41	− 422,268,185.45
Total, regular annual appropriation bills	2,673,564,667.02	15,130,829.00	2,688,695,496.02	1,778,996,032.41	− 909,699,463.61
REGULAR ANNUAL APPROPRIATION BILL (PENDING).					
Naval (as passed by the House)	679,515,731.47		679,515,731.47	396,001,249.23	− 283,514,482.24
Total, regular annual appropriation bills	3,353,080,398.49	15,130,829.00	3,368,211,227.49	2,174,997,281.64	−1,193,213,945.85
PERMANENT AND INDEFINITE APPROPRIATIONS.					
Interest on the public debt	922,650,000.00		922,650,000.00	922,650,000.00	
Sinking fund	265,754,864.87		265,754,864.87	265,754,864.87	
Expenses of loans					
Roads, construction of	1,000,000.00		1,000,000.00	1,000,000.00	
Customs Service, repayment, etc	27,000,000.00		27,000,000.00	27,000,000.00	
Indian funds, and interest on same	23,475,000.00		23,475,000.00	23,475,000.00	
Miscellaneous	60,896,496.00		60,896,496.00	60,896,496.00	
Increased compensation to certain employees ($240 bonus)	35,000,000.00		35,000,000.00	35,000,000.00	
Total, permanent and indefinite appropriations	1,335,776,360.87		1,335,776,360.87	1,335,776,360.87	
Miscellaneous, including $18,600,000 for hospital facilities				20,000,000.00	+ 20,000,000.00
Grand total, exclusive of deficiencies and including naval bill as passed by House	4,688,856,739.36	15,130,829.00	4,703,987,588.36	3,530,773,642.51	−1,173,213,945.85
Deficiencies, 1921 and prior years	555,527,986.24		555,527,986.24	275,256,005.21	− 280,271,981.03
Grand total, including naval bill as passed by the House	5,244,384,745.60	15,130,829.00	5,259,515,574.60	3,806,029,647.72	−1,453,485,926.88

NAVAL APPROPRIATIONS.

Mr. MYERS. Mr. President, I regret very much that the naval appropriation bill failed of passage at the present session. I was very heartily in favor of it and intended to support it when put upon its final passage, and did support it to the best of my ability in the preliminary stages. I think it unfortunate that this great measure failed of passage in the closing days of the session, and yet I desire to say in that connection that I think everything humanly possible to effect the passage of the measure was done by the able Senator from Washington [Mr. POINDEXTER], who was in charge of the bill, for the committee.

Mr. LODGE. Mr. President, I am sorry to have to call attention to the fact that there is so much conversation in the galleries that it is impossible to hear what is being said on the floor in the conduct of the business of the Senate. Occupants

of the galleries are here as the guests of the Senate on this great occasion, and I think it is only fair that they should preserve the same order that is required on the floor.

The PRESIDENT pro tempore. The Chair admonishes occupants of the galleries to cease audible conversation. Order will be preserved if it is possible to do it.

Mr. MYERS. Mr. President, the Senator who had charge of the naval appropriation bill on the floor of the Senate, the able Senator from Washington [Mr. POINDEXTER], I think handled the bill in an unusually fair, able, statesmanlike, and capable manner. He did everything that could have been done to procure the passage of the bill at this session of Congress. No one could have done more or could have done better. He did all that was possible and did it in a perfectly fair way. I do not think that the failure of the measure to pass at this session will be of any consequence. I look for it to be passed early in the forthcoming special session, which we understand will be called by the incoming President. I do not believe the short delay will result in any material consequence to the country. I believe at the coming special session the bill will pass both branches of Congress in substantially the form in which it was recommended for passage by the Senate Committee on Naval Affairs.

I merely take this occasion to make known my attitude on the bill and to pay a deserved but humble tribute to the exceptionally able manner in which it was handled by the Senator from Washington, who had the measure in charge on the floor of the Senate. The bill failed of passage through no fault of his. Failure of passage is due to circumstances over which he had no control and which could not have been prevented by him or anyone else. He did his duty ably and well, as he always does.

Mr. ASHURST. Mr. President—

> 'Tis not in mortals to command success,
> But we'll do more, Sempronius—we'll deserve it.

The Senator from Washington [Mr. POINDEXTER] deserved success on the naval bill, although it was beyond his power to command it. Had the Senate been permitted to vote, the naval appropriation bill would have passed by a majority of 10 to 1. Everything within the range of possibility that man could do or should do to pass the bill was done by the Senator from Washington, who was in charge of that bill, and if our first line of defense has been impaired, no blame, no censure, can be laid at the door of the acting chairman of the Committee on Naval Affairs, the Senator from Washington [Mr. POINDEXTER].

THE POSTAL SERVICE.

Mr. McKELLAR. Mr. President, Judge MOON, a Member of the House from Tennessee, representing the third congressional district of Tennessee, has been desperately ill. Before his illness he prepared a statement on postal matters which he intended to place in the RECORD, but he has been confined to his home by illness for several weeks. I ask unanimous consent that his statement may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Is there objection?

Mr. TOWNSEND. I did not understand the request of the Senator from Tennessee.

Mr. McKELLAR. Some time ago Judge MOON, Representative from the third congressional district of Tennessee, prepared a statement in reference to postal matters. He was former chairman of the Committee on the Post Office and Post Roads of the House. By reason of his illness he has never been able to present that to the House. I ask unanimous consent that it may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and it is so ordered.

The matter referred to is as follows:

In March, 1913, after President Wilson had announced his Cabinet, Mr. Samuel G. Blythe, one of the ablest newspaper writers in America, who had long enjoyed intimate association with our public men, thus acquiring knowledge of their personal traits and mental characteristics, wrote an article for The Saturday Evening Post, under the title "The Fighting P. M. G.," which dealt with the qualities of Hon. Albert Sidney Burleson. I have recently reread this article and, in the light of Mr. Burleson's eight-year record as Postmaster General of the United States, it discloses that Mr. Blythe is either a wonderful judge of character or he is possessed of some power as a seer and prophet. I take pleasure in making the article written by Mr. Blythe a part of my remarks.

THE FIGHTING P. M. G.

Inasmuch as they are really no more than sublimated clerks, most Cabinet members are also human rabbits, scuttling into the grass every time the Great Chief makes a noise like opposition to one of their timid opinions. Likewise they are animated echoes and the most accomplished aggregation of agile agree-ers in the known world.

Their principal line of official conversation runs like this: "Oh, certainly, Mr. President; I indorse your plan heartily. It is a most able and patriotic solution of the matter. I congratulate you, and the country no less than you, that you have arrived at this wise and constitutional decision; but then you always do take so broad a view of these questions—you always do!" with the accent on the salve.

Roundly speaking—or rectangularly, if you wish—though a great many of them are not on the square, there are one hundred million people enjoying the beneficences of existing and subsisting under the Star-Spangled Banner at a higher price per cap. for food and raiment than almost any other people on earth; and of these ninety-nine million nine hundred and ninety-nine thousand nine hundred and ninety look on Cabinet jobs as places of great power and responsibility. The ten who do not ordinarily view these places in that exalted light are the ten men who hold the said Cabinet jobs. They know, or will know pretty soon—the nine who went out on March fourth knew—and, knowing, not a single one of them will dare proclaim for fear they might be disconnected with the meter. Hence it is up to me.

Wherefore I desire to say that when it comes to power and responsibility, except when a goat is needed, Cabinet members are a total loss two ways: The first is because Presidents delegate no power, albeit they frequently shirk responsibilities; and the second is because the system in the departments these Cabinet members are supposed to run, runs the Cabinet members instead; and from that there is no escape. All this new bunch of them are now rapidly on their way to discover that their principal duties consist of lolling comfortably in swivel chairs, signing their names at the exact point designated by the chocolate eclair thumb of the dignified official messenger who brings in the documents from the subordinates, and giving the President a dinner once a year. Of course they may think they do more than that. The system has perfected the procedure of allowing Cabinet members to think they are doing things, until it works without a flaw or a result, barring the thought.

HE'S GOOD-NATURED—BUT BE CAREFUL.

However, that is not what I started out to proclaim. The theme of this syncopated sonata is a certain happy warrior, by name Albert Sidney Burleson, of Austin, Tex., who is as mild-mannered a Texan as ever wore a string tie. He has a round and chubby face, a round and chubby voice, and a round and chubby disposition. He wouldn't hurt a fly, Albert Sidney wouldn't; but he'd take a wallop at an elephant in a minute and a half if said elephant got gay. Of course he has been in Congress for some 14 years; and there is nothing that tends to add rigor to the countenance so much as that experience. Nevertheless, the face of his still retains various beatific expressions.

He looks like a good-natured citizen, which he is; but do not presume on it too much. The facts concerning Albert Sidney Burleson are these: He totes more cold, hard courage to the square inch than 95 per cent of his political colleagues; and by this circuitous route I make the allegation that there is one person in Mr. Wilson's Cabinet who will utterly refuse to play the rabbit rôle—one, at least, without prejudging the others in that noble band. It is a matter of common report that Mr. Wilson, being liberally supplied with the materials, can project a decisive jaw into a discussion and say: "It must be done!" But he is not the only one round that Cabinet table who possesses this attribute.

You may not think Burleson has one of those square jaws, and it is true his does seem affable instead of angular; but be not deceived. Here is a person who seems to beam at the world, but who can shut off the beams at a moment's notice and go out and make a fight for what he thinks is proper—a fight backed by a courage that is cold-chilled and case-hardened. He has a good nerve. He will go to the mat. And it may not be amiss to say—merely in the spirit of conjecture, of course—there may come a time when, instead of a complaisant postmaster general, there will be a clashing postmaster general, for Burleson certainly will fight when fighting is necessary, and he will not be abashed if his opponent should be a President of the United States.

Not that he is a swashbuckler or looking for trouble. Even that celebrated Quaker, A. Mitchell Palmer, who couldn't be Secretary of War because his sect hates disturbance, has nothing on Burleson as a man of peace. But when trouble arrives A. S. Burleson is right there to meet it, and doesn't try to honey out of it any more than he endeavors to horn in. The point is not that he is a fighter, but that he will fight. He isn't to be scared, or intimidated, or bluffed, or abashed. When he has set his mind as to the propriety and justice of a proposition he continues along those lines, regardless of opposition or travail.

I haven't been down to see, as yet; but it is quite likely that at 8 o'clock—or maybe a shade before—on these mornings a rather tall and reasonably broad man, with a reddish complexion, a twinkle in his eye, and holding firmly to his chest an umbrella he has clasped about the middle, may be observed entering the Post Office Department. Of course the clerks will not be round for an hour or so later; but I venture to state this wool-hatted and string-tied person can be seen at the portals of that great building along about the time mentioned—to wit, 8 a. m. That will be the Hon. Albert Sidney Burleson, Postmaster General. You see, the P. M. G. is the original inspiration of that lyric about the virtues of the early-to-bed and early-to-rise method of accumulating wisdom, health, and legal tender—and he has them all.

NO WONDER THEY BARKED.

During his congressional days Burleson used to go to bed right after dinner, tying on his pajamas at 7 or half after, and taking along with him the books he wanted to read or the papers he wanted to study. He'd read or study for a time, and he was up and at it again by 5 or thereabout. During the last presidential campaign he pestered the life out of his somnolent colleagues when he was on the Wilson committee by calling them on the telephone about 6 in the morning to ask how about things, he being up for the day at that time; and he never could understand why they barked at him for disturbing their rest at that unwholesome hour.

There is nothing that appeals to Burleson so little as the social side of life in Washington. He is a student and a worker, and he has a fixed idea that nights are made for study instead of gallivanting round from dinner to dinner, and thus and so. The result is that he is a widely read man; a well-informed man; a solid, substantial, firmly grounded man; a serious, hardworking man—and altogether an able and admirable citizen.

Texas has been a member of the Union since 1845, and Burleson is the first Texan to hold a Cabinet position. Moreover, he is a real Texan, for he was born at San Marcos in that State in 1863. He is a lawyer and served as assistant city attorney for Austin for several

years, and as attorney for the twenty-sixth judicial district before he was elected to the Fifty-sixth Congress. Since that time he has been continuously in the House of Representatives, and was reelected to the Sixty-third Congress, which is the present one. He has a good-sized fortune, is an excellent speaker, and a good debater. He is to be the political manager of this Administration, and his friends say he is fitted for the place.

Burleson is a kindly, companionable man, well liked by his colleagues and admired for his sturdy ability; but his predominating characteristic is his determined courage. He doesn't palter when he thinks he is right, or try to be politic; he fights! As the poet said, "When flint strikes steel, then comes the tug of war;" and as a certain person who will have a deal to do with this Cabinet is rather set in his ways also—in other words, Mr. Wilson—we may be happy yet, for there is nothing so satisfactory as a good Cabinet scrap. This is not a prediction. It is merely a prognostication.

In this article Mr. Blythe says:

You may not think Burleson has one of those square jaws, and it is true his does seem affable instead of angular; but be not deceived. Here is a person who seems to beam at the world, but who can shut off the beams at a moment's notice and go out and make a fight for what he thinks is proper—a fight backed by a courage that is cold-chilled and case-hardened. He has a good nerve. He will go to the mat.

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But when trouble arrives A. S. Burleson is right there to meet it, and doesn't try to honey out of it any more than he endeavors to horn in. The point is not that he is a fighter, but that he will fight. He isn't to be scared, or intimidated, or bluffed, or abashed. When he has set his mind as to the propriety and justice of a proposition he continues along those lines, regardless of opposition or travail.

It is true, Mr. Speaker, that troubles did arise during Mr. Burleson's administration.

Troubles arose when he reached the conclusion that it was proper and right that there should be a readjustment of the parcel post rates and weights. The express companies fought as was natural, but regardless of their opposition Postmaster General Burleson readjusted parcel post rates and three times has decreased the rates and weight limits and the people of America now are sending approximately 2,000,000,000 parcels per annum through the mails instead of 331,000,000 when he took charge, and postal patrons have been saved millions of dollars in transportation charges while the postal revenues increased by many millions of dollars each year.

Trouble also arose when Mr. Burleson reached the conclusion that it was proper and just to end the antiquated, obsolete, unscientific, and unfair system of paying for mail transportation by rail upon a basis of quadrennial weighings of mail in the four sections of our country. Every railroad in America fought as was natural. The contest raged for several years and once these interests were so influential that the Post Office appropriation bill was defeated in conference and the department for the first time in its history was operated for an entire year under a "continuing resolution."

But regardless of their opposition the railroads are now no longer being paid for mail transportation under the so-called weight system but are being compensated upon the "space basis," the Government paying for the space used and no more. Under the operation of this law millions of dollars will be saved to the postal revenues.

Once more trouble arose when Mr. Burleson reached the conclusion that a dangerous and indefensible combine existed in the matter of the "screen wagon" service. Of course the selfish interest involved fought when steps were taken to break the combine; but, regardless of such opposition after successful prosecution and conviction of the principal offenders, the combine was broken, the entire system changed, and hundreds of thousands of dollars annually saved to the Government.

Trouble again arose when Mr. Burleson reached the conclusion that the so-called pneumatic tube service, which carried less than one-quarter of 1 per cent of the mail in the five principal cities and which for years had been milking the postal revenues, was a useless postal appliance, wholly inadequate for the purposes and service it should perform.

Of course the tube companies fought, but they were finally relegated to the scrap heap of useless and worthless things, and the Government is saved the burden of a continuous drain of millions of dollars.

Again there was trouble when it became apparent that an effort was to be made to remove the departmental force, including postmasters, from the baneful influence of partisan politics. Every spoilsman, whether Democrat or Republican, fought this reform and continues to fight, but regardless of this opposition Mr. Burleson moved forward.

At the beginning of his administration the Postmaster General found that the important position of chief post-office inspector, which was at one time in the classified civil service, had been taken out of it by an Executive order of date January 4, 1910, and a man without the Postal Service was given this very important assignment. The Postmaster General recommended at once that it be restored to the classified service, and under date of May 7, 1913, this administration showed its belief in the justice and propriety of recognizing merit and efficiency in the civil service by restoring the position to its former standing. The Postmaster General thereupon selected for the position a regular, classified, civil service employee, who had entered the service originally in a low-grade position, and after 25 years of meritorious and efficient work had demonstrated his fitness for the position of chief post-office inspector.

The inspectors' force is the only arm of the Postal Service where it becomes necessary to know the political affiliation of those who compose it. The reasons for this will readily suggest themselves. The inspectors are the eyes and ears of the Postmaster General, through whom he gains substantially all knowledge of service conditions, and through whom he must receive information upon which conclusions are formed on which to base his action.

Through the inspectors come reports as to the conduct and efficiency of thousands of postal employees, and upon which in all cases where complaint has been made the retention or dismissal of the employee depends. Frequently where complaint has been made the postal officer or employee by way of defense contends that partisanship is the sole basis thereof, and in order that there may be no chance for injustice, the practice has been to detail two inspectors of opposite political faith, so that the joint report submitted by such inspectors may make it as certain as possible that considerations of partisanship shall not enter into or control the Postmaster General in any action that he may take; hence it is quite frequently necessary to have information as to the political affiliations of the members of the inspectors' force. It is true that if it were desired to use the great postal organization for partisan political purposes, the one arm of the service that could be used most effectively would be the inspectors' force, members of which are to be found in every congressional district of the country. Considering the power of life and death held in the hands of these officials over each postal employee within the territory falling under their jurisdiction, it can readily be seen how potential a factor the inspector could be made if those in power could bring themselves to use him for such a purpose. Without reference to what may or may not have been done in the past, the Postmaster General, when he came to the head of the Postal Establishment, had a fixed purpose that the department personnel should not be used for political purposes. There has been no shrinking from this purpose, but, on the contrary, it has been at all times and under all circumstances rigidly adhered to.

An investigation of the personnel of the inspectors' force at the beginning of the present administration disclosed that of the 395 inspectors then in the service, approximately 90 per cent of them were not only affiliated with one particular political party but apparently had been selected from one faction of that party. Many States like Mississippi and Vermont had no representation in the inspectors' force, whereas many other States like Indiana and Ohio had more than their just quota of representation therein. This may have been accidental, or it may have been the inevitable result of the continued control of one political party for a long term of years; but, whatever the reason or causes that brought about this condition, it existed, as has been stated. Of course, such conditions should not be permitted to continue. The Postmaster General could not with fairness to the membership of the inspectors' force effect at once a change of the conditions referred to. He reached the determination, however, that the best interests of the service required that this inspectors' force be fairly apportioned between the States, each to receive without reference to whether it was a certain or a doubtful political State its just quota, and that the whole number of inspectors should be equally divided between the political parties. Once determined upon, this policy was conscientiously adhered to and faithfully carried out. As has been stated, it could not be done at once, but as vacancies occurred through deaths, resignations, removals, and reassignment, the positions were filled in strict conformity with this policy. In order that no injustice should be done to any inspector in the force by sudden or arbitrary action, it required nearly four years before the desired result could approximately be brought about. Finally, on Febuary 16, 1917, the President, at the request of the Postmaster General, issued an Executive order to the following effect:

Hereafter, in filling vacancies in the force of post-office inspectors, the Postmaster General shall apportion them by States, based as nearly as possible upon population as determined by the last decennial census. The force shall also be apportioned fairly between the political parties, and advancement in the service shall be based upon merit.

To-day, under Executive order, every vacancy occurring in a postmastership, whether of fourth, third, second, or first class, is filled by appointment made as a result of examinations by the Civil Service Commission, and this Executive order has been honestly and courageously observed and the records will substantiate this assertion.

Trouble arose also when during the World War the duty was imposed on the Postmaster General to deny the use of the mails to certain newspapers and magazines. Action was promptly taken to enforce this law, and, notwithstanding the vigorous criticism of a few journalists who claimed to see in it the suppression of a free press, the law was rigidly enforced. That no arbitrary or autocratic action was taken under the law is conclusively demonstrated by the action of the courts, which upheld in all instances the action taken by the Postmaster General.

Trouble arose when Mr. Burleson reached the conclusion early in his administration that organizations of Government employees should not be affiliated with outside labor organizations, contending as he does that when a citizen enters Government employ, whether State, city, or Federal, he owes it an undivided allegiance, and urged legislation to meet this situation.

When during the war the telephone and telegraph systems were placed under his control and demands were made for blanket increases in wages being paid these hundreds of thousands of employees, Mr. Burleson declined to take such action. In specific cases where employees were underpaid he gave increases, but there he stopped. Upon the authorization of Congress the wire systems were restored to their respective owners in as good physical condition as when taken over by the Government, and with their values as going properties unimpaired.

For 30 years Postmasters General have recognized that the second-class postage rate was grossly inadequate and that under the operation of the rate as fixed by the then existing law a subsidy, in effect, was being paid newspaper and magazine owners at the expense of other users of the mails. This subsidy finally exceeded $70,000,000 per annum.

Mr. Burleson reached the conclusion that his predecessors were right in their recommendation for an increase of this second-class postage rate. Having reached that conclusion it meant more than mere recommendation on his part. It meant action. Of course, newspaper and magazine owners fought the increase. Such action on their part was to be expected, but regardless of opposition the second-class postage rate was increased and when the full force of the law making the increase is effective the postal revenues will be increased approximately $20,000,000 per annum. This is less than one-third of the subsidy long enjoyed by these favorites of the Government, and the Postmaster General has again urged a further increase in these rates.

It goes without saying that when an honest, earnest effort is made to eliminate waste, extravagance, or even graft, from any governmental establishment it means trouble for the official who undertakes it. Postmaster General Burleson has been taught to believe in economy in the expenditure of public money. For years he was a Member of this body and during his service on the Committee on Appropriations he was schooled along these lines. Early during his administration as Postmaster General it became known by all its 300,000 employees that efficient postal service was to be the first consideration; that waste, idleness, or extravagance would not be tolerated. From these rules of conduct there has been during eight years no deviation. And notwithstanding criticism, abuse, and denunciation, it has been along these lines that the multifarious activities of this great department have been conducted. As a result, for the six years during which the party to which he belonged was in complete control, he conducted the affairs of the department on a self-supporting basis, and but for the change of party control, would have continued so to the end of his term.

Mr. Speaker, I have outlined in brief the outstanding policies of Mr. Burleson's administration as Postmaster General. The question arises, Are these policies sound, and should they be adhered to? It is easy for any honest man of ordinary intelligence to answer this question for himself. It was Thomas Jefferson who said: "A public officer who is fit for his office, and does his duty, has nothing to fear from a hostile press." It was Andrew Jackson who said: "A public official who has nothing to conceal has nothing to fear."

To those of us who served with Mr. Burleson in this body and know the man it is easy for us to understand that so far as he is concerned he is content to stand by the record made.

I have often disagreed with Mr. Burleson on measures of legislation, when he was a Member of this body, but I always found him an open, straightforward antagonist. I know from personal experience that Mr. Burleson is an open, frank, and candid man; that he never misleads or deceives. While a man of positive convictions and tenacious in support of his own views, he is tolerant of the opinions and convictions of others though not in accord with his own. He is a fair fighter. He never strikes below the belt. The eight years' service of Mr. Burleson as Postmaster General is an epoch in the postal history of our country. Measured by the reforms established in the service, by the beneficial changes in administrative detail, by the extensions of the service, and by the economies effected, reducing the costs of such extensions and service, this administration is without a parallel in our country's history.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The question still is upon the pending amendment proposed by the committee to the naval appropriation bill.

Mr. HEFLIN and Mr. KING addressed the Chair.

The PRESIDENT pro tempore. The Senator from Alabama.

Mr. KING. I was about to suggest the absence of a quorum; but I will yield to the Senator from Alabama.

HON. ASLE J. GRONNA.

Mr. HEFLIN. Mr. President, in a few moments this session of Congress will pass into history. I join in all the good wishes that have been expressed this morning for the Senator from Colorado [Mr. THOMAS] and the Senator from Oregon [Mr. CHAMBERLAIN], but I wish to say a word about a Republican Senator who is going out of this Chamber to-day.

For many years I was a member of the Committee on Agriculture in the House of Representatives. The Senator to whom I refer has been chairman of the Committee on Agriculture and Forestry of the Senate. We have been drawn together on a number of occasions in the discussion of matters pertaining to agriculture.

I want to say for this great and good Senator as he retires from this Chamber that in my service of 16½ years in Congress I have known no man who was a better friend to the farmers of the country or who has devoted more of his time and his splendid talents to the welfare of agriculture than has the Senator from North Dakota [Mr. GRONNA].

Whether a measure affected the farmers of the North or the farmers of the South, he was always enthusiatic in his support of it. My good wishes go with him and I am sure the good wishes of the Senate will follow him into private life back into the State of North Dakota. In his retirement the whole agricultural industry of the United States has lost an able and faithful friend. [Applause.]

Mr. McCUMBER. Mr. President, I am more than gratified to have this tribute paid to my colleague [Mr. GRONNA] by a Member of the other side of the Chamber. Senator GRONNA during his service in the House and in the Senate for all of these years has been a most faithful and earnest laborer for the interests of the great Northwest, of which he was a product, and which he has most faithfully represented. Ours is a purely agricultural State; the entire Northwest, the section in part represented by him, is purely an agricultural section, and I know of no Senator or Representative in the Congress of the United States who has given more faithful and earnest and, to my mind, effective service for the interests of the great agricultural Northwest than has my colleague.

I thank the Senator from Alabama for his expressed statement to that effect, showing that esteem for his good work is held not alone on this side of the Chamber but on both sides.

SENATORS BECKHAM, HENDERSON, AND GAY.

Mr. TOWNSEND. Mr. President, it is not necessary that I or any other Senator should call particular attention to the three retiring Senators from the Committee on Post Offices and Post Roads. They have made their records here, and they have been good records. Not many Senators make or desire to make spectacular records. They are content to do their duty well. These three Senators are among the modest and yet the most useful. I can not, however, sit in silence lest the mention of other useful Senators might seem invidious. I feel it is not only my duty, but it is my great pleasure, to say how much I appreciate the services of the Senator from Kentucky [Mr. BECKHAM], the Senator from Nevada [Mr. HENDERSON], and the Senator from Louisiana [Mr. GAY].

The work of the Committee on Post Offices and Post Roads is not spectacular, and yet it is of the utmost importance to the country. It is a committee whose work touches more closely, possibly, the people of the United States than that of any other

committee, because the agency through which it operates goes into every community. I personally owe an especial debt of gratitude to these Senators for the services which they have rendered on this committee. I know they are gentlemen of the most sterling character; I know they have been devoted to the public service, and have been performing patriotically and well their duties to the people. I hope that their constituents understand the worth of these men as well as I do. My association with them in committee work and in the Senate has been most pleasant, and I shall miss them. These Senators have not been known for their much speaking, but without such as they the legislative ability of the Senate would be very small.

I say this, Mr. President, I repeat, not because I think it is necessary or that any words of mine can add to their reputation or to their splendid records, but I say it because I feel it is proper that I should say it in order to express the views of the members of the Committee on Post Offices and Post Roads and of every Senator here who has had close legislative association with them. I hope sincerely—and in that hope I know I am expressing the views of my colleagues—that these Senators will enjoy health, happiness, and prosperity in whatever positions of life they may occupy. If the good wishes and the profound respect of their colleagues are of any avail they will. [Applause.]

HON. EDWARD J. GAY.

Mr. RANSDELL. Mr. President, I wish to thank the distinguished Senator from Michigan for the tribute which he with so much eloquence has paid to my colleague, Senator GAY, who is retiring from the Senate to-day, and I am happy to say of his own volition, for he was not a candidate for reelection.

Louisiana feels that she has suffered a great loss in having Senator GAY retire from the Senate, and I am sure his colleagues in this body, who have served with him and learned to know him well, will join with Louisiana in regretting that he has decided to leave public life. Not only has Senator GAY performed invaluable services as a member of the Committee on Post Offices and Post Roads, but also as a member of the great Appropriations Committee, which deals so closely and in such an important way with the interests of Louisiana and of the Nation.

I again thank the Senator from Michigan for his deserved tribute to an honored and beloved Senator of Louisiana. [Applause.]

JOINT COMMITTEE ON PRINTING.

The VICE PRESIDENT. In accordance with the requirements of law, it being the duty of the Vice President to make an appointment upon the Joint Committee on Printing to fill the vacancy occurring by the expiration of the term of the Senator from Arizona [Mr. SMITH], the Chair appoints the Senator from Arkansas [Mr. ROBINSON] as a member of the joint committee.

ORDER OF BUSINESS.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 11.

Mr. KING. If a vote is asked for, I shall suggest the absence of a quorum.

The VICE PRESIDENT. For the first time in eight years the Chair will count a quorum.

Mr. KING. Then, I presume the Chair, following that very consistent ruling, will decline to submit the amendment for consideration.

The VICE PRESIDENT. He will.

RECESS.

Mr. LODGE. I move that the Senate take a recess for 15 minutes.

The motion was agreed to, and (at 11 o'clock and 30 minutes p. m.) the Senate took a recess until 11:45 a. m., when it reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that a committee of three Members had been appointed by the Speaker of the House to join a similar committee to be appointed by the Senate, to wait on the President of the United States and inform him that the two Houses are ready to adjourn unless the President has some communication to make to them, and that it had appointed Mr. MONDELL, Mr. FORDNEY, and Mr. GARRETT as the committee on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Ampitheater, in Arlington National Cemetery, Virginia.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8032) to provide for the erecting of memorials and the entombment of bodies in the Arlington Memorial Ampitheater, in Arlington National Cemetery, Virginia, which was thereupon signed by the Vice President.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE submitted the following resolution (S. Res. 475), which was considered by unanimous consent and agreed to:

Resolved, That a committee of two Senators be appointed by the Vice President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

The VICE PRESIDENT appointed Mr. LODGE and Mr. UNDERWOOD as the committee on the part of the Senate to wait upon the President of the United States.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had this day signed and approved the following bills and joint resolutions:

S. 1551. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America;

S. 4310. An act to amend an act entitled "The New Mexico Enabling Act";

S. 4332. An act to exchange the present Federal building and site at Gastonia, N. C., for a new site and building;

S. 4664. An act to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920;

S. 4864. An act to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914;

S. 4893. An act to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union;

S. 1695. An act validating certain homestead entries;

S. 3750. An act to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes;

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River highway;

S. 4572. An act granting to the city and County of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system;

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes;

S. 4903. An act to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.;

S. 4924. An act to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation Project 150A, located in Norfolk County, State of Virginia, and called Cradock;

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States; and

S. J. Res. 248. Joint resolution relieving and discharging from the fine imposed by law and authorizing the payment of messengers appointed by the electors of certain States to deliver the electoral vote of such States for President and Vice President.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE and Mr. UNDERWOOD appeared, and

Mr. LODGE said: Mr. President, the committee of the Houses have seen the President and informed him that the

Houses had completed their work, and asked if he had any further communications to make to them. The President informed us that he had no further communication to make to Congress.

GUESTS OF THE SENATE.

At 11 o'clock and 45 minutes a. m. the Assistant Doorkeeper of the Senate (C. A. Loeffler) announced the Speaker of the House of Representatives and the Members of the House of Representatives.

The Speaker was escorted to a seat on the left of the Vice President, and the Members of the House occupied the seats reserved for them.

A few minutes later the ambassadors extraordinary, envoys plenipotentiary, and ministers plenipotentiary, and chargés d'affaires ad interim to the United States were announced and escorted to the seats provided for them.

The General of the Army of the United States, the Chief of Naval Operations, the Chief of Staff of the United States Army, and the Major General Commandant of the Marine Corps were announced, respectively, and shown to the seats assigned them.

The Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States were announced and escorted to the seats provided for them.

Soon thereafter the Sergeant at Arms (David S. Barry) announced Calvin Coolidge, of Massachusetts, the Vice President elect, accompanied by the chairman and members of the Joint Committee on Arrangements, consisting of PHILANDER C. KNOX, of Pennsylvania, chairman; KNUTE NELSON, of Minnesota; LEE S. OVERMAN, of North Carolina; J. G. CANNON, of Illinois; C. FRANK REAVIS, of Nebraska, and CHARLES M. STEDMAN, of North Carolina.

The Vice President elect was seated on the right of the Vice President.

Several minutes before noon the Sergeant at Arms announced Warren G. Harding, of Ohio, President elect of the United States, accompanied by the chairman and members of the Joint Committee on Arrangements, and the President elect was seated in the space in front of the Secretary's desk, the chairman and members of the Joint Committee on Arrangements occupying seats on either side.

ADMINISTRATION OF OATH.

The VICE PRESIDENT administered the oath of office prescribed by law to the Vice President elect.

ADDRESS OF VICE PRESIDENT MARSHALL.

The VICE PRESIDENT. Senators, very shortly I shall have ended my official life as the constitutional presiding officer of this body. That moment, when it arrives, will not mark my demotion into the ranks of the average American citizen, for I never arose above them.

I sprang from the loins of men who helped to lay the foundations of the Republic. At my birth my father placed upon my baby brow the coronal of a free-born American citizen. In my youth I was taught that if I wore it worthily, no prince nor potentate nor electorate could add to or detract from the honor of that royal coronet.

I may have failed but I have tried to keep the faith. I have never doubted that, so far as the principles of civil government are concerned, the pillars of Hercules rest upon the Declaration of Independence and the Constitution of the United States. To my mind there is no beyond. The forms under which the principles of the Republic are administered may need changes to meet changing conditions but the underlying idea does not, for truth is unchanging and eternal. What was so when the morning stars sang together will be so when the Angel of the Apocalypse appears.

I venture to express this much of that idea: A government dedicated to the inalienable rights of man to life, to liberty, and to the pursuit of happiness can find its perfect accomplishment only in representatives brave and strong enough to rise above the ambitions, passions, and prejudices of individuals and groups. Representative government was intended to guaranty these inalienable rights of men through the enactment and enforcement of laws calculated to preserve and promote equal and exact justice to all men. Religions die because priests mumble their creeds but have no faith in their gods. Governments go to wreck because their statesmen shout aloud their shibboleths but let a friendly enemy pass the ford.

I freely grant the right of this people to change our form of government and to adopt other basic principles, but, if it is to be done, let it be done decently and directly so that all of us may know it. The old faith has already too many sleek and smiling Joabs asking of it, "Is it well with thee, my brother?"

While the old order endures let representatives represent the old ideals; let it be understood that they are not mere bell boys, subject to calls for legislative cracked ice every time the victims of a debauch of greed, gambling, or improvidence feel the fever of frenzied need.

The life is more than meat and the body more than raiment. It is of minor importance who holds the wealth of the Nation if the hearts of all its people beat with true historic American throb. The clothes may mark but the clothes can not make the gentleman. The economic rehabilitation of America is of vast moment but the rehabilitation of the ancient faith which upheld the ragged Continentals, emerged in pristine glory from the throes of civil war, and hurled its smiling and undaunted face against the grim engines of tyranny upon the fields of France, is a far greater work.

It is enough—perhaps too much. Who am I to suggest, even with shame-faced timidity, anything to you? For eight long years, crowded with events which have forever changed the currents of the world's history, I have been with you. I come to the end of them with a feeling of heartfelt gratitude to you all for those little, nameless, unremembered acts of kindness and charity which have marked your friendship and good will. You have been good to me. The odor of your friendship will sweeten any air that I may breathe. Not one of you can wish for himself a kindlier fate than I would give you if I were omnipotent.

I go but you remain. I leave with the same inarticulate cry in my soul with which I came to you: My country. It is no new nor unusual cry for the American, but it has, I fear, myriad concepts. To some it means broad acres and fertile fields; to many, opportunity for personal preferment; to a thoughtless few, the right to utter every vagrant word which finds lodgment in a mind diseased; to the half educated, that democracy should be governed as soon by the infant's cry as by the prophet's warning. But to me it is but the composite voice of all the good and wise and self-sacrificing souls who trod or tread its soil, calling for that liberty which is law-encrowned, preaching that doctrine which seeks not its own but the common good and, above all, warning us by the memory of the dead and the hope of the unborn to close our ears to the mouthings of every peripatetic reformer who tells us that the way to sanctify the Republic is to remove every landmark which has hitherto marked the boundaries of national and individual life.

It is no new religion we need. Our creed should be: One Lord, one faith, one baptism—the Lord of Justice, who was with Washington at Valley Forge, Grant and Lee at Appomattox, Pershing on the fields of France; the faith that under a republican form of government alone democracy permanently can endure; the baptism of that spirit which will not be content until no man is above the penalties and no man beyond the protection of our laws.

Let him who goes and him who stays remember that he who saves his life at the loss of his country's honor, loses it, and he who loses his life for the sake of his country's honor, saves it. [Applause.]

And now, by virtue of the power in me vested, I declare the Senate of the Sixty-sixth Congress of the United States adjourned sine die.

NOMINATIONS.

William R. Williams, of Virginia, to be Assistant Secretary of War, vice Benedict Crowell, of Ohio, resigned.

Gordon Woodbury, of New Hampshire, to be Assistant Secretary of the Navy, vice Franklin D. Roosevelt, resigned.

THE WHITE HOUSE,
December 7, 1920.

To the Senate of the United States:

I nominate the following person to be a representative of the Government of the United States to participate in an international conference to be held in Washington to consider all international aspects of communication by telegraph, telephone, cable, wireless telephone, and wireless telegraphy, and to make recommendations with a view to providing the entire world with adequate facilities for international communication on a fair and equitable basis:

Norman H. Davis, of New York City.

WOODROW WILSON.

To the COMMITTEE ON FOREIGN RELATIONS.

CONFIRMATIONS.

William R. Williams to be Assistant Secretary of War.
Gordon Woodbury to be Assistant Secretary of the Navy.

Norman H. Davis, of New York City, to be a representative of the Government of the United States to participate in an international conference to be held in Washington to consider all international aspects of communication by telegraph, telephone, cable, wireless telephone, and wireless telegraphy, and to make recommendations with a view of providing the entire world with adequate facilities for international communication on a fair and equitable basis.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 4, 1921.*

(Continuation of legislative day of Thursday, March 3, 1921.)

The recess having expired (at 9.30 a. m. March 4) the House was called to order by the Speaker.

RECESS.

Mr. MONDELL. Mr. Speaker, I move that the House stand in recess until 10.30.

The motion was agreed to; accordingly (at 9 o'clock and 33 minutes a. m.) the House stood in recess until 10.30.

The recess having expired (at 10.30 a. m.) the House was called to order by the Speaker.

PRINTING OF THE INAUGURAL ADDRESS.

Mr. FESS. Mr. Speaker, soon after 12 o'clock to-day the inaugural address of President elect Harding will be delivered. I have read the address and wish to say to my colleagues that it is of a very high order and will take rank with the best utterances delivered on such historic occasions. At this moment of world stress it marks a full comprehension of the pressing problems and stamps its author as a great American. It should have a permanent place in our RECORD. I therefore ask unanimous consent to print it in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by publishing the inaugural address of President elect Harding. Is there objection? [After a pause.] The Chair hears none.

The President's inaugural address is as follows:

INAUGURAL ADDRESS OF PRESIDENT WARREN G. HARDING.

MY COUNTRYMEN: When one surveys the world about him after the great storm, noting the marks of destruction and yet rejoicing in the ruggedness of the things which withstood it, if he is an American he breathes the clarified atmosphere with a strange mingling of regret and new hope. We have seen a world passion spend its fury, but we contemplate our Republic unshaken, and hold our civilization secure. Liberty—liberty within the law—and civilization are inseparable, and though both were threatened we find them now secure; and there comes to Americans the profound assurance that our representative government is the highest expression and surest guaranty of both.

Standing in this presence, mindful of the solemnity of this occasion, feeling the emotions which no one may know until he senses the great weight of responsibility for himself, I must utter my belief in the divine inspiration of the founding fathers. Surely there must have been God's intent in the making of this new-world Republic. Ours is an organic law which had but one ambiguity, and we saw that effaced in a baptism of sacrifice and blood, with union maintained, the Nation supreme, and its concord inspiring. We have seen the world rivet its hopeful gaze on the great truths on which the founders wrought. We have seen civil, human, and religious liberty verified and glorified. In the beginning the Old World scoffed at our experiment; to-day our foundations of political and social belief stand unshaken, a precious inheritance to ourselves, an inspiring example of freedom and civilization to all mankind. Let us express renewed and strengthened devotion, in grateful reverence for the immortal beginning, and utter our confidence in the supreme fulfillment.

PROGRESS PROVES WISDOM.

The recorded progress of our Republic, materially and spiritually, in itself proves the wisdom of the inherited policy of noninvolvement in Old World affairs. Confident of our ability to work out our own destiny, and jealously guarding our right to do so, we seek no part in directing the destinies of the Old World. We do not mean to be entangled. We will accept no responsibility except as our own conscience and judgment, in each instance, may determine.

Our eyes never will be blind to a developing menace, our ears never deaf to the call of civilization. We recognize the new order in the world, with the closer contacts which progress has wrought. We sense the call of the human heart for fellowship, fraternity, and cooperation. We crave friendship and harbor no hate. But America, our America, the America builded on the foundation laid by the inspired fathers, can be a party to no permanent military alliance. It can enter into no political commitments, nor assume any economic obligations which will subject our decisions to any other than our own authority.

I am sure our own people will not misunderstand, nor will the world misconstrue. We have no thought to impede the paths to closer relationship. We wish to promote understanding. We want to do our part in making offensive warfare so hateful that Governments and peoples who resort to it must prove the righteousness of their cause or stand as outlaws before the bar of civilization.

ASSOCIATION FOR COUNSEL.

We are ready to associate ourselves with the nations of the world, great and small, for conference, for counsel; to seek the expressed views of world opinion; to recommend a way to approximate disarmament and relieve the crushing burdens of military and naval establishments. We elect to participate in suggesting plans for mediation, conciliation, and arbitration, and would gladly join in that expressed conscience of progress which seeks to clarify and write the laws of international relationship, and establish a world court for the disposition of such justiciable questions as nations are agreed to submit thereto. In expressing aspirations, in seeking practical plans, in translating humanity's new concept of righteousness and justice and its hatred of war into recommended action we are ready most heartily to unite, but every commitment must be made in the exercise of our national sovereignty. Since freedom impelled, and independence inspired, and nationality exalted, a world supergovernment is contrary to everything we cherish and can have no sanction by our Republic. This is not selfishness, it is sanctity. It is not aloofness, it is security. It is not suspicion of others, it is patriotic adherence to the things which made us what we are.

To-day, better than ever before, we know the aspirations of humankind, and share them. We have come to a new realization of our place in the world and a new appraisal of our Nation by the world. The unselfishness of these United States is a thing proven; our devotion to peace for ourselves and for the world is well established; our concern for preserved civilization has had its impassioned and heroic expression. There was no American failure to resist the attempted reversion of civilization; there will be no failure to-day or to-morrow.

RESTS ON POPULAR WILL.

The success of our popular government rests wholly upon the correct interpretation of the deliberate, intelligent, dependable popular will of America. In a deliberate questioning of a suggested change of national policy, where internationality was to supersede nationality, we turned to a referendum, to the American people. There was ample discussion, and there is a public mandate in manifest understanding.

America is ready to encourage, eager to initiate, anxious to participate in any seemly program likely to lessen the probability of war and promote that brotherhood of mankind which must be God's highest conception of human relationship. Because we cherish ideals of justice and peace, because we appraise international comity and helpful relationship no less highly than any people of the world, we aspire to a high place in the moral leadership of civilization, and we hold a maintained America, the proven republic, the unshaken temple of representative democracy, to be not only an inspiration and example, but the highest agency of strengthening good will and promoting accord on both continents.

Mankind needs a world-wide benediction of understanding. It is needed among individuals, among peoples, among governments, and it will inaugurate an era of good feeling to mark the birth of a new order. In such understanding men will strive confidently for the promotion of their better relationships and nations will promote the comities so essential to peace.

TRADE TIES BIND CLOSELY.

We must understand that ties of trade bind nations in closest intimacy, and none may receive except as he gives. We have not strengthened ours in accordance with our resources or our genius, notably on our own continent, where a galaxy of Republics reflect the glory of new-world democracy, but in the new order of finance and trade we mean to promote enlarged activities and seek expanded confidence.

Perhaps we can make no more helpful contribution by example than prove a Republic's capacity to emerge from the wreckage of war. While the world's embittered travail did not leave us devastated lands nor desolated cities, left no gaping

wounds, no breast with hate, it did involve us in the delirium of expenditure, in expanded currency and credits, in unbalanced industry, in unspeakable waste, and disturbed relationships. While it uncovered our portion of hateful selfishness at home, it also revealed the heart of America as sound and fearless, and beating in confidence unfailing.

Amid it all we have riveted the gaze of all civilization to the unselfishness and the righteousness of representative democracy, where our freedom never has made offensive warfare, never has sought territorial aggrandizement through force, never has turned to the arbitrament of arms until reason has been exhausted. When the Governments of the earth shall have established a freedom like our own and shall have sanctioned the pursuit of peace as we have practiced it, I believe the last sorrow and the final sacrifice of international warfare will have been written.

Let me speak to the maimed and wounded soldiers who are present to-day, and through them convey to their comrades the gratitude of the Republic for their sacrifices in its defense. A generous country will never forget the services you rendered, and you may hope for a policy under Government that will relieve any maimed successors from taking your places on another such occasion as this.

OUR SUPREME TASK.

Our supreme task is the resumption of our onward, normal way. Reconstruction, readjustment, restoration—all these must follow. I would like to hasten them. If it will lighten the spirit and add to the resolution with which we take up the task, let me repeat for our Nation, we shall give no people just cause to make war upon us; we hold no national prejudices; we entertain no spirit of revenge; we do not hate; we do not covet; we dream of no conquest, nor boast of armed prowess.

If, despite this attitude, war is again forced upon us, I earnestly hope a way may be found which will unify our individual and collective strength and consecrate all America, materially and spiritually, body and soul, to national defense. I can vision the ideal republic, where every man and woman is called under the flag for assignment to duty for whatever service, military or civic, the individual is best fitted; where we may call to universal service every plant, agency, or facility, all in the sublime sacrifice for country, and not one penny of war profit shall inure to the benefit of private individual, corporation, or combination, but all above the normal shall flow into the defense chest of the Nation. There is something inherently wrong, something out of accord with the ideals of representative democracy, when one portion of our citizenship turns its activities to private gain amid defensive war while another is fighting, sacrificing, or dying for national preservation.

UNITY OF SPIRIT AND PURPOSE.

Out of such universal service will come a new unity of spirit and purpose, a new confidence and consecration, which would make our defense impregnable, our triumph assured. Then we should have little or no disorganization of our economic, industrial, and commercial systems at home, no staggering war debts, no swollen fortunes to flout the sacrifices of our soldiers, no excuse for sedition, no pitiable slackerism, no outrage of treason. Envy and jealousy would have no soil for their menacing development, and revolution would be without the passion which engenders it.

A regret for the mistakes of yesterday must not, however, blind us to the tasks of to-day. War never left such an aftermath. There has been staggering loss of life and measureless wastage of materials. Nations are still groping for return to stable ways. Discouraging indebtedness confronts us like all the war-torn nations, and these obligations must be provided for. No civilization can survive repudiation.

We can reduce the abnormal expenditures, and we will. We can strike at war taxation, and we must. We must face the grim necessity, with full knowledge that the task is to be solved, and we must proceed with a full realization that no statute enacted by man can repeal the inexorable laws of nature. Our most dangerous tendency is to expect too much of government, and at the same time do for it too little.

We contemplate the immediate task of putting our public household in order. We need a rigid and yet sane economy, combined with fiscal justice, and it must be attended by individual prudence and thrift, which are so essential to this trying hour and reassuring for the future.

REFLECTION OF WAR'S REACTION.

The business world reflects the disturbance of war's reaction. Herein flows the lifeblood of material existence. The economic mechanism is intricate and its parts interdependent, and it has suffered the shocks and jars incident to abnormal demands, credit inflations, and price upheavals. The normal balances have been impaired, the channels of distribution have been clogged, the relations of labor and management have been strained. We must seek the readjustment with care and courage. Our people must give and take. Prices must reflect the receding fever of war activities. Perhaps we never shall know the old levels of wage again, because war invariably readjusts compensations, and the necessaries of life will show their inseparable relationship, but we must strive for normalcy to reach stability. All the penalties will not be light, nor evenly distributed. There is no way of making them so. There is no instant step from disorder to order. We must face a condition of grim reality, charge off our losses and start afresh. It is the oldest lesson of civilization. I would like government to do all it can to mitigate; then, in understanding, in mutuality of interest, in concern for the common good, our tasks will be solved. No altered system will work a miracle. Any wild experiment will only add to the confusion. Our best assurance lies in efficient administration of our proven system.

FROM DESTRUCTION TO PRODUCTION.

The forward course of the business cycle is unmistakable. Peoples are turning from destruction to production. Industry has sensed the changed order and our own people are turning to resume their normal, onward way. The call is for productive America to go on. I know that Congress and the Administration will favor every wise Government policy to aid the resumption and encourage continued progress.

I speak for administrative efficiency, for lightened tax burdens, for sound commercial practices, for adequate credit facilities, for sympathetic concern for all agricultural problems, for the omission of unnecessary interference of Government with business, for an end to Government's experiment in business, and for more efficient business in Government administration. With all of this must attend a mindfulness of the human side of all activities, so that social, industrial, and economic justice will be squared with the purposes of a righteous people.

With the nation-wide induction of womanhood into our political life, we may count upon her intuitions, her refinements, her intelligence, and her influence to exalt the social order. We count upon her exercise of the full privileges and the performance of the duties of citizenship to speed the attainment of the highest state.

PRAYER FOR INDUSTRIAL PEACE.

I wish for an America no less alert in guarding against dangers from within than it is watchful against enemies from without. Our fundamental law recognizes no class, no group, no section; there must be none in legislation or administration. The supreme inspiration is the common weal. Humanity hungers for international peace, and we crave it with all mankind. My most reverent prayer for America is for industrial peace, with its rewards, widely and generally distributed, amid the inspirations of equal opportunity. No one justly may deny the equality of opportunity which made us what we are. We have mistaken unpreparedness to embrace it to be a challenge of the reality, and due concern for making all citizens fit for participation will give added strength of citizenship and magnify our achievement.

If revolution insists upon overturning established order, let other peoples make the tragic experiment. There is no place for it in America. When World War threatened civilization we pledged our resources and our lives to its preservation, and when revolution threatens we unfurl the flag of law and order and renew our consecration. Ours is a constitutional freedom where the popular will is the law supreme and minorities are sacredly protected. Our revisions, reformations, and evolutions reflect a deliberate judgment and an orderly progress, and we mean to cure our ills, but never destroy or permit destruction by force.

I had rather submit our industrial controversies to the conference table in advance than to a settlement table after conflict and suffering. The earth is thirsting for the cup of good will, understanding is its fountain source. I would like to acclaim an era of good feeling amid dependable prosperity and all the blessings which attend.

PROTECTION OF INDUSTRIES.

It has been proved again and again that we can not, while throwing our markets open to the world, maintain American standards of living and opportunity, and hold our industrial eminence in such unequal competition. There is a luring fallacy in the theory of banished barriers of trade, but preserved American standards require our higher production costs to be reflected in our tariffs on imports. To-day, as never before, when peoples are seeking trade restoration and expansion, we must adjust

our tariffs to the new order. We seek participation in the world's exchanges, because therein lies our way to widened influence and the triumphs of peace. We know full well we can not sell where we do not buy, and we can not sell successfully where we do not carry. Opportunity is calling not alone for the restoration, but for a new era in production, transportation and trade. We shall answer it best by meeting the demand of a surpassing home market, by promoting self-reliance in production, and by bidding enterprise, genius, and efficiency to carry our cargoes in American bottoms to the marts of the world.

AN AMERICA OF HOMES.

We would not have an America living within and for herself alone, but we would have her self-reliant, independent, and ever nobler, stronger, and richer. Believing in our higher standards, reared through constitutional liberty and maintained opportunity, we invite the world to the same heights. But pride in things wrought is no reflex of a completed task. Common welfare is the goal of our national endeavor. Wealth is not inimical to welfare; it ought to be its friendliest agency. There never can be equality of rewards or possessions so long as the human plan contains varied talents and differing degrees of industry and thrift, but ours ought to be a country free from great blotches of distressed poverty. We ought to find a way to guard against the perils and penalties of unemployment. We want an America of homes, illumined with hope and happiness, where mothers, freed from the necessity for long hours of toil beyond their own doors, may preside as befits the hearthstone of American citizenship. We want the cradle of American childhood rocked under conditions so wholesome and so hopeful that no blight may touch it in its development, and we want to provide that no selfish interest, no material necessity, no lack of opportunity shall prevent the gaining of that education so essential to best citizenship.

There is no short cut to the making of these ideals into glad realities. The world has witnessed again and again the futility and the mischief of ill-considered remedies for social and economic disorders. But we are mindful to-day as never before of the friction of modern industrialism, and we must learn its causes and reduce its evil consequences by sober and tested methods. Where genius has made for great possibilities, justice and happiness must be reflected in a greater common welfare.

SERVICE, THE SUPREME COMMITMENT.

Service is the supreme commitment of life. I would rejoice to acclaim the era of the Golden Rule and crown it with the autocracy of service. I pledge an administration wherein all the agencies of Government are called to serve and ever promote an understanding of Government purely as an expression of the popular will.

One can not stand in this presence and be unmindful of the tremendous responsibility. The world upheaval has added heavily to our tasks. But with the realization comes the surge of high resolve, and there is reassurance in belief in the God-given destiny of our Republic. If I felt that there is to be sole responsibility in the Executive for the America of to-morrow I should shrink from the burden. But here are a hundred millions, with common concern and shared responsibility, answerable to God and country. The Republic summons them to their duty, and I invite cooperation.

I accept my part with single-mindedness of purpose and humility of spirit, and implore the favor and guidance of God in His Heaven. With these I am unafraid, and confidently face the future.

I have taken the solemn oath of office on that passage of Holy Writ wherein it is asked: "What doth the Lord require of thee but to do justly, and to love mercy, and to walk humbly with thy God?" This I plight to God and country.

MEMORIALS, ETC., ARLINGTON CEMETERY.

The SPEAKER. The Chair lays before the House a House bill with Senate amendments. The Clerk will report the bill by title.

The Clerk read as follows:

An Act (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater at Arlington National Cemetery, Virginia.

The Senate amendments were read.

Mr. MANN of Illinois. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

FINANCIAL STATEMENT OF APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I asked unanimous consent that I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection? (After a pause.) The Chair hears none.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I understand the gentleman simply intends to include some tables relative to his subject?

Mr. GOOD. That is all, a financial statement in regard to appropriations.

Mr. Speaker, a stupendous task confronted this Congress when it convened on the 6th day of December last. In addition to enacting the necessary legislation that claimed the attention of Congress, it was necessary to conduct hearings and consider and pass the great supply bills for carrying on the various activities of the Government for the next fiscal year. Congress has now passed and sent to the President all of the appropriation bills with the single exception of the naval appropriation bill. Congress has not always been able, especially in recent years, to pass all of the supply bills at its short sessions. In the short session of the Sixty-second Congress the sundry civil bill and the Indian appropriation bill both failed of final enactment. In the second session of the Sixty-fourth Congress the Army bill, the general deficiency bill, the Military Academy bill, the river and harbor bill, and the sundry civil bill all failed of passage. In the short session of the Sixty-fifth Congress the Agricultural bill failed, the Army bill failed, the District of Columbia bill failed, the Indian appropriation bill failed, the Navy appropriation bill failed, the sundry civil bill failed, and the third deficiency bill failed to pass. Two years ago six of the great annual supply bills and one deficiency bill considered at the short session of that Congress failed of final enactment.

When this Congress convened, the problems that confronted it, so far as appropriations were concerned, were far more serious than those confronting any previous Congress. It was not difficult to make appropriations during the war, when it was necessary to hurriedly scan estimates and practically grant appropriations as requested. Not so during the session which is just being brought to a close. The war is over, and the burden of debt left by it makes it necessary for the Government to economize in every department. A degree of economy is necessary that forces us to deny appropriations except for the most essential services.

Again, at the last session of Congress, in response to a universal demand, Congress passed a measure creating a national budget, and while that bill was on the President's table for his consideration, the House changed its rules by providing for a single Committee on Appropriations to conform to the budget bill, so that the budget when submitted by the President might be passed through Congress as a budget. Unfortunately the President vetoed that great measure, and hence this year the estimates came in the old way, and the new Committee on Appropriations of 35 Members, designed to deal with the budget, found it necessary to consider and make the appropriations as before.

Again, the House changed its rules in another vital particular, which increased the work of making appropriations. Rule 21 was amended so that Senate amendments, which would have been subject to a point of order if offered on the floor of the House to an appropriation bill, should be brought back to the House by the conferees for a vote. This change has taken from the conferees some of the power they have hitherto possessed; and has placed in the House the power to pass on all Senate amendments on appropriation bills carrying legislation.

Those who have closely followed the history of appropriation bills realize the power of conferees under the old system. Take the Naval appropriation bill, for example. Not infrequently did the Senate add several pages of legislation to the annual naval bill. Some of this legislation was often repugnant to the Members of the House, and most of it was never understood; not even by the conferees themselves. It was legislation sent by the departments on which there were no hearings, and for which the necessities were never explained. Too frequently such amendments were incorporated in the conference report, and the Members of the House never had an opportunity to discuss, consider, or vote upon the legislation which was thus placed upon the statute books. They were compelled either to vote up or down an entire conference report. This is a grave responsibility, and the ordinary Member would rather shut his eyes and vote for a conference report, even though it carried legislation he did not believe in, rather than assume the responsibility of voting against a great supply bill.

When this rule was changed and until about two weeks ago, it was confidently predicted by well-informed Members of the House who have followed the history of appropriations that the proposed change was unworkable and that too much time would be involved in considering Senate amendments. That rule has lived long enough to justify its existence and prove its

great value. In this Congress every important Senate amendment carrying legislation was laid before the Members of the House, and on each of those amendments the House took a separate vote. The fact that we have had that kind of a rule has forced the Senate to withhold very, very many amendments providing new legislation, which otherwise would have found a place in the supply bills. More than that, this very wholesome rule has forced the Senate to respect the rules of the House. The retention of this rule and the strict enforcement of it will maintain for the House its proper place in the legislation of the Congress. [Applause.]

Mr. McARTHUR. Will the gentleman yield?

Mr. GOOD. For a question.

Mr. McARTHUR. Is not the chief objection to this present method of voting on the separate legislative propositions due to the fact that we have to do it in such a short space of time as between the first Monday in December and the 4th of March; otherwise it would not be so serious?

Mr. GOOD. There is something in what the gentleman says. But we have tried the experiment for the first time in the short session of Congress. We have passed through the House all of the supply bills, have agreed to them all in conference, with the exception of the naval bill, and we have had time on our hands with no important business to do. Ordinarily the last three or four days of the short sessions are very, very strenuous, indeed. Not infrequently has it been necessary to keep the House in constant session.

At this session of Congress the conferees on the part of the House found that when they went to conference they invariably met a hostile committee from the Senate, and that their hostility was not personal, but was a reflex of the Senate's hostility to our change in Rule 21. In every instance they objected to this rule; it was obnoxious to them; they denounced it in no unmeasured terms; they denounced it because, as they frequently said, under it they did not go into conference with three or five men from the House, as the case might be, but they went into conference with the 435 Members of the House. The Senate seems to be unmindful of the fact that this rule was made necessary because for years the Senate has taken advantage of the House, and has placed on appropriation bills legislation to which the House might otherwise object, and which the House was forced to accept, without having a separate vote upon the proposition. I believe the adoption of this rule marks the dawn of a new and better day for the honor and dignity of the House.

After studying this matter for several months and watching very closely the procedure on every appropriation bill that went through the House, I believe that by keeping this rule in principle the House will regain the place it once had in legislation of the Nation. [Applause.]

It may need to be modified, but in principle it will live, and it will preserve and strengthen the rights of the House. When this experiment is tried on the budget, and I hope we may soon have a budget law, we will thereby permit the great legislative committees of the House to turn their attention and study to matters of legislation over which they have jurisdiction. The Military Committee will be composed of men who will be the greatest experts in the United States on military law and the activities relating to the Army. The men who compose the great Naval Affairs Committee will become the most expert men in the United States on all questions relating to the Navy. The Committee on Foreign Affairs will have in its membership men who are schooled in the diplomatic history not only of our own country but of the world. They will become experts in the highest sense. Can it be said that men who will thus equip themselves for the highest legislative duties in this great legislative assembly will have nothing to do?

Mr. CARTER. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman.

Mr. CARTER. If we are to have this committee of experts, what benefit are they to be to the House, so long as all legislation that is passed is placed upon appropriation bills by the Senate, and these men on these committees have no opportunity to investigate it and give the information to the House?

Mr. GOOD. If the Senate continue to put legislation on appropriation bills, these experts will be on the floor of the House to attack or defend such legislation. Their knowledge and experience will then be available, and will be most valuable. They will be able to force this legislation from appropriation bills. Under the old system gentlemen have no choice when it comes to adopting a Senate amendment, because legislation is placed upon an appropriation bill by the Senate, and the House does not have an opportunity to vote upon the merits of such legislation, but must vote for or against the entire supply bill in which the amendment has been incorporated.

Mr. CARTER. What opportunity has the House now under the present system?

Mr. PADGETT. Will the gentleman yield a moment?

Mr. GOOD. Yes.

Mr. PADGETT. Under the old system an objection to your sending it to conference would send it to the Committee of the Whole House on the state of the Union, where every one of the amendments could be considered.

Mr. GOOD. I yielded for a question, not a speech.

Mr. PADGETT. I ask you if that was not the fact, that under the old system, upon a single objection the amendments of the Senate went to the Committee of the Whole House on the state of the Union, and every one of them was considered in committee if any Member desired to have it done?

Mr. GOOD. The gentleman from Tennessee was the able chairman of the Naval Affairs Committee for several years, and he knows what the result was every time he asked unanimous consent to take from the Speaker's table the naval appropriation bill that had been messaged to the House with numerous amendments, many of them carrying legislation. No one objected, and the bill went to conference. It came back from conference with the Senate amendments agreed to, carrying a great deal of legislation upon which no Member of the House had the right to pass an independent judgment and a deliberate and independent vote, and as to the merits of which no one was able to explain, the matter being so technical.

Now, I see before me the gentleman from Kansas [Mr. AYRES], who voted against the single committee, but who has served on the Committee on Appropriations during this session, and who is on the Subcommittee on Naval Affairs. The gentleman from Kansas [Mr. AYRES], who has tried both experiments, will tell you that the present plan of having all appropriation bills considered by a single committee is a great improvement over the old plan. He will tell you that he made a mistake when he voted against the single committee of 35 members, and that if he had an opportunity to vote on that proposition again he would vote to continue the present plan. And that will be the judgment of the House; it is now the judgment of the country.

Mr. Speaker, I did not intend to enter upon an extended discussion of budgetary reform. My intention was to present to you what Congress has done at this session so far as appropriations are concerned.

The total estimates of all of the supply bills for the next fiscal year, not including the permanent and indefinite appropriations, aggregate $2,688,695,496.02. All of these bills have passed Congress and gone to the President. They carry a total of $1,778,996,032.41, or a net reduction in the estimates submitted by the President and the executive departments of $909,699,463.61.

The estimates submitted by the Navy Department for the naval bill, upon which the Senate failed to act, aggregate $679,515,731.47. This bill passed the House carrying a total of $396,001,249.23. The reduction made by the House aggregates $283,514,482.24.

The permanent and indefinite appropriations which will under the law be paid out, irrespective of any action taken at this session of Congress, aggregate $1,335,776,360.87. The deficiency estimates for this and prior fiscal years aggregate $555,527,986.24, of which Congress appropriated $275,256,005.21.

If we assume that the Navy bill had become a law carrying the same appropriation which the House approved, the total of the estimates for all appropriations for the next year, and for the permanent and indefinite appropriations, would aggregate $4,703,987,588.36. For these services Congress appropriated in the aggregate $3,530,737,642.51, thus making a total reduction over the estimates of $1,173,213,945.85.

It is thus seen that for the next fiscal year, for deficiencies for this and prior fiscal years, and for indefinite and permanent appropriations, the total estimates aggregate $5,259,515,574.60. Assuming that the naval bill when it becomes a law shall carry the amount which the House has agreed to, the total of all appropriations will aggregate $3,806,029,647.72, of which $3,530,773,642.57 is for next fiscal year and $275,256,005.21 is to supply deficiencies in appropriations for this and prior years. This means a net saving, if the saving is the difference between the amount estimated by the President and the spending departments, and the appropriations actually made by Congress, of $1,453,485,926.88.

This is a record of achievement of which Congress can well be proud, and for which the country will be duly grateful.

If we compare the appropriations made by this session of Congress with the appropriations made at the last session of Congress for this fiscal year, we will find that we are making

substantial reductions. There are some services in which there can be no reduction, for some services of the Government are constantly increasing, and to permit them to function in a healthy way it will be necessary for the Congress to make larger appropriations every year. Take, for example, the Postal Service. For this year Congress appropriated $504,434,700. The appropriations for the same service for next year aggregate $574,057,552. This increase is made necessary because of an increase of 19 per cent in the postal business. That service has ceased to be a self-supporting service. It is estimated that the deficit for this year ranges somewhere between $50,000,000 and $80,000,000. But because of this great increase in the service it has been found necessary to appropriate approximately $70,000,000 for the next fiscal year more than was appropriated for this fiscal year.

Notwithstanding that, the reductions in the appropriations made in the general supply bills as compared with appropriations made in like bills for the past fiscal year, the naval bill not included, amounts to $42,268,986.37. The naval bill as it passed the House was $37,278,324.77 less than the amount carried for the present fiscal year.

For the next year there is quite a substantial reduction in the permanent and indefinite appropriations. For the present year these appropriations total $1,462,326,800.12, while for the next fiscal year the aggregate is $1,335,776,360.87, or a net reduction of $126,950,439.25. Of this amount $103,000,000 is included in the Federal aid to roads, while $52,350,000 is because of a reduction in interest on the public debt. On the other hand, the sinking fund will require $12,350,000 more than was required for this year, and the miscellaneous expenses aggregate $22,048,743.71 more than they aggregate for the present year. If we assume that the naval bill had been enacted into law carrying the same sums by which that bill passed the House, we find that the appropriations for the next fiscal year are $186,497,750.39 less than like appropriations for the present fiscal year.

If, however, we take into consideration the deficiencies we find that the appropriations for the next fiscal year are less than the appropriations for the current year by $898,247,910.46.

It should not be inferred from what I have said that the financial requirements of the Government for the next year will be but $898,247,910.46 less than they have been for the current year. They ought to be very much less than that. How much less it is impossible to state at the present time with any degree of definiteness. For example, there was available for the latter part of the last fiscal year and for this fiscal year $800,000,000 for the railroads. Of this, $500,000,000 was to pay losses growing out of Government control and operation of the roads and $300,000,000 was to make loans to railroads. The transportation act provided that for the first six months after the roads were returned to their owners they should be entitled to the same earnings which the President agreed to pay them during the period of Federal control. There were good business reasons for such legislation. During Federal control the administration increased wages of the 2,000,000 men employed on the roads from 50 to 100 per cent, while it made an increase in rates, fares, and charges out of which to pay these wages of only 25 per cent.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GOOD. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from Iowa asks for five minutes more. Is there objection?

There was no objection.

Mr. GOOD. And hence it was necessary to make appropriations for that purpose. This appropriation, it is estimated, will call from the Treasury approximately $600,000,000, most of which will be paid during the present fiscal year. This makes a total of $1,400,000,000, of which by far the larger part will be paid this year, and all of it grew directly out of the Government operation and control of the railroads, and the payment of which was made absolutely necessary because of such operation and control. There will be no increased draft on the Treasury next year.

Mr. OLIVER. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Alabama.

Mr. OLIVER. Were not the wages of the railroad employees largely increased after the passage of the bill by this Congress returning the railroads, and was not that made retroactive?

Mr. GOOD. Yes, and that wage increase required an annual payment from the railroads of approximately $618,000,000, which must come from the people in the end.

Mr. OLIVER. There is some responsibility on this Congress for the large increases in railroad wages even after the passage of the bill returning the railroads?

Mr. GOOD. No; I do not think so. I think if the President had not sent his message to the Railroad Labor Board just before the election, that board would not have committed the great blunder that it committed in increasing the wages of about all of the railroad employees at a time when the cost of everything those employees had to buy was going down and down. It was a stupendous blunder, and one for which the country at large is compelled to suffer. There may have been individual cases where labor employed by the railroads was underpaid, but in the main no class of labor in all the country was better paid than were the railroad employees at the time this unreasonable increase was granted. And this increase has done more to upset and unsettle the reconstruction that is going on throughout the country than anything that has transpired since the actual close of hostilities in the recent war.

Mr. OLIVER. The gentleman will admit that there was not very wise vision shown in the preparation of a law that permitted that to be done, does he not?

Mr. GOOD. No; I do not admit anything of the kind. That law assumed that the President of the United States would appoint men who could not be controlled even by the President himself, and that after having selected the men he would not force his autocratic will upon them.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. GOOD. I will yield for a brief question.

Mr. BLANTON. In spite of all this saving which the gentleman mentions, and for which he takes credit, it is a fact that in the year 1916 the Congress was not yet a billion-dollar Congress, and the present Congress, which appropriates for the fiscal year ending June 30 next, is a Congress of $5,500,000,000?

Mr. GOOD. The gentleman is mistaken; for the fiscal year ending June 30, 1916, we appropriated in excess of $1,116,000,000. While appropriations for the present year and for the next year are enormous, part of them are to pay for extravagant expenditures voted by the gentleman from Texas.

Mr. BLANTON. The gentleman is mistaken about it.

Mr. GOOD. No; the gentleman is not mistaken. For example, $17,000,000 of the appropriations went into the Wilson Dam at Muscle Shoals, and thousands of dollars are being spent there every day. Seventy millions more went into the nitrate plant at Muscle Shoals. If the gentleman will look over his record he will find that he voted for the very things that required these enormous appropriations.

Mr. BLANTON. It is the failure of the gentleman's colleagues and my own to vote with the gentleman from Texas to stop waste that has caused all this extravagance.

Mr. GOOD. In his comparison with 1916 the gentleman forgets that of the appropriations for this fiscal year $975,000,000 is to pay the interest on the Nation's debt, more than $253,000,000 was required for the sinking fund, $104,000,000 more was for good roads, and the balance was largely for the various executive departments.

Pursuing the line of investigation that I was following when interrupted, let me call attention to the fact that for the present fiscal year there will be paid out of the Treasury from appropriations made during the war more than $150,000,000 to continue the construction of the merchant ships that were contracted for by the Shipping Board Emergency Fleet Corporation during the war.

I hope that we are through purchasing obligations of foreign Governments. But, during the present year we have paid out in purchasing such obligations $57,000,000. At least there should be no such draft on the Treasury next year. There remain large payments, certainly aggregating more than $100,000,000, to discharge contracts entered into during the war. There will be no corresponding expenditures for next year.

Here we have $1,500,000,000 or more, which will be paid out of the Treasury during the present fiscal year, for which there will be no corresponding requirements during the next fiscal year. It looks to me, therefore, that the future, so far as our Government finances are concerned, is bright when contrasted with the situation presented two years ago when the Republican Party took control of the House. Then, and since, huge estimates were made in time of peace to carry on activities assumed during the war. The Republicans in the two preceding sessions of this Congress have reduced the estimates made by the President and his executive departments by $2,710,000,000. Our achievement in those two sessions of Congress, so far as reduction in estimates is concerned, has been more than excelled by our action at this session, where we show a total reduction in appropriations over estimates of $1,453,485,926.38. In the three sessions of this Republican Congress we have reduced the estimates of President Wilson and his Cabinet by more than $4,163,000,000. Certainly a wonderful record.

Financial chaos would have remained if this Republican Congress had not stood between the Treasury and the onslaught made upon it by a wasteful and extravagant administration. And I want at this time to thank each and every member of the Committee on Appropriations for their devotion and fidelity to duty in the protection of the Treasury of the United States. They have labored hard and long to bring about this result, a result that was not achieved by any one man, but by a Republican Congress acting in harmony with the committee, that set about to bring real economy in Government expenditures. This result was achieved because this Congress was determined to write upon the statute books of the Nation a system of economy that would be a monument more lasting than bronze, more enduring than marble. It has done its work well. [Applause on the Republican side.] That work will meet the approval of the American people. [Applause on the Republican side.]

Mr. Speaker, I shall append to my remarks a table numbered 1, giving a comparison by bills, estimates of regular, supplemental, deficiency, and permanent annual appropriations for the fiscal year 1922, with the appropriations made for the fiscal year 1922.

I shall also append as a part of my remarks table No. 2, comparing the regular and permanent annual appropriations made for the fiscal year 1922 with the appropriations made for like services, for the present fiscal year.

In order that the membership of the House may see with what expedition it has reported and acted upon the appropriation bills during the present session, compared with the action in previous Congresses, I shall append a table giving the chronological history of the reporting and passage of the regular annual appropriation bills in the House of Representatives at the short sessions of the Fifty-sixth to the Sixty-sixth Congresses, both inclusive.

TABLE NO. 1.—*Table comparing, by bills, estimates of regular, supplemental, deficiency, and permanent annual appropriations for the fiscal year 1922 with the appropriations made for the fiscal year 1922.*

Regular annual appropriation bills (completed).	Regular estimates, fiscal year 1922.	Supplemental estimates, fiscal year 1922.	Total estimates, fiscal year 1922.	Appropriations, fiscal year 1922.	Increase (+) or decrease (−), 1922 estimates compared with 1922 appropriations.
Agriculture	$41,989,384.00	$11,040,000.00	$53,029,384.00	$36,404,259.00	− $16,625,125.00
Army (including Military Academy)	699,275,502.93		699,275,502.93	346,703,906.80	− 352,571,596.13
Diplomatic and consular	11,983,848.94		11,983,848.94	9,326,550.79	− 2,657,298.15
District of Columbia	25,039,044.99		25,039,044.99	19,412,412.99	− 5,626,632.00
Fortification	35,676,533.66		35,676,533.66	8,038,017.00	− 27,638,516.66
Indian	11,989,703.67		11,989,703.67	9,761,554.67	− 2,228,149.00
Legislative, etc	136,452,634.97	762,080.00	137,214,714.97	110,345,018.75	− 26,869,696.22
Pension	265,190,000.00	310,000.00	265,500,000.00	265,500,000.00	
Post Office	585,406,902.00		585,406,902.00	574,057,552.00	− 11,349,350.00
River and harbor	57,114,915.00		57,114,915.00	15,250,000.00	− 41,864,915.00
Sundry civil	803,446,196.86	3,018,749.00	805,464,945.86	384,196,760.41	− 422,268,185.45
Total, regular annual appropriation bills	2,673,554,667.02	15,130,829.00	2,688,695,496.02	1,778,996,032.41	− 909,699,463.61
REGULAR ANNUAL APPROPRIATION BILL (PENDING).					
Naval (as passed by the House)	679,515,731.47		679,515,731.47	396,001,249.23	− 283,514,482.24
Total, regular annual appropriation bills	3,353,080,398.49	15,130,829.00	3,368,211,227.49	2,174,997,281.64	−1,193,213,945.85
PERMANENT AND INDEFINITE APPROPRIATIONS.					
Interest on the public debt	922,650,000.00		922,650,000.00	922,650,000.00	
Sinking fund	265,754,864.87		265,754,864.87	265,754,864.87	
Expenses of loans					
Roads, construction of	1,000,000.00		1,000,000.00	1,000,000.00	
Customs Service, repayments, etc	27,000,000.00		27,000,000.00	27,000,000.00	
Indian funds, and interest on same	23,475,000.00		23,475,000.00	23,475,000.00	
Miscellaneous	60,896,496.00		60,896,496.00	60,896,496.00	
Increased compensation to certain employees ($240 bonus)	35,000,000.00		35,000,000.00	35,000,000.00	
Total, permanent and indefinite appropriations	1,335,776,360.87		1,335,776,360.87	1,335,776,360.87	
Miscellaneous, including $18,600,000 for hospital facilities				20,000,000.00	+ 20,000,000.00
Grand total, exclusive of deficiencies and including naval bill as passed by House	4,688,855,759.36	15,130,829.00	4,703,987,588.36	3,530,773,642.51	−1,173,213,945.85
Deficiencies, 1921 and prior years	555,527,986.24		555,527,985.24	275,256,005.21	− 280,271,981.03
Grand total, including naval bill as passed by House	5,244,384,745.60	15,130,829.00	5,259,515,574.60	3,806,029,647.72	−1,453,485,926.88

1921-22.

TABLE NO. 2.—*Table comparing regular and permanent annual appropriations made for the fiscal year 1922 with the appropriations made for the fiscal year 1921.*

Regular annual appropriation acts (completed).	Appropriations, fiscal year 1921.	Appropriations, fiscal year 1922.	Increase (+) or decrease (−) 1922 appropriations compared with 1921 appropriations.
Agriculture	$31,712,784.00	$36,404,259.00	+ $4,691,475.00
Army (including Military Academy)	394,700,577.70	346,703,906.80	− 47,996,670.90
Diplomatic and Consular	9,220,537.91	9,326,550.79	+ 103,012.88
District of Columbia	18,373,004.87	19,412,412.99	+ 1,039,408.12
Fortification	18,833,442.00	8,038,017.00	− 10,795,425.00
Indian	10,020,555.27	9,761,554.67	− 259,000.60
Legislative, executive and judicial	106,570,610.11	110,345,018.75	+ 3,774,408.64
Pension	279,150,000.00	265,500,000.00	− 13,650,000.00
Post Office	504,434,700.00	574,057,552.00	+ 69,622,852.00
River and harbor	12,400,000.00	15,250,000.00	+ 2,850,000.00
Sundry civil	435,848,805.92	384,196,760.41	− 51,652,046.51
Total, regular annual appropriation acts, completed as to 1922	1,821,265,018.78	1,778,996,032.41	− 42,268,983.37
REGULAR ANNUAL APPROPRIATION ACT (PENDING).			
Naval (1922 as passed by the House)	433,279,574.00	396,001,249.23	− 37,278,324.77
Grand total, regular annual appropriation acts	2,254,544,592.78	2,174,997,281.64	− 79,547,311.14

1921–22—Continued.

TABLE NO. 2.—*Table comparing regular and permanent annual appropriations made for the fiscal year 1922 with the appropriations made for the fiscal year 1921*—Continued.

Regular annual appropriation acts (completed).	Appropriations, fiscal year 1921.	Appropriations, fiscal year 1922.	Increase (+) or decrease (−) 1922 appropriations compared with 1921 appropriations.
PERMANENT AND INDEFINITE APPROPRIATIONS.			
Interest on the public debt	$975,000,000.00	$922,650,000.00	−$52,350,000.00
Sinking fund	253,404,864.87	265,754,864.87	+ 12,350,000.00
Expenses of loans	12,499,182.96		− 12,499,182.96
Roads, construction of	104,000,000.00	1,000,000.00	−103,000,000.00
Customs Service, repayments, etc	20,200,000.00	27,000,000.00	+ 6,800,000.00
Indian funds, and interest on same	23,775,000.00	23,475,000.00	− 300,000.00
Miscellaneous	38,847,752.29	60,896,496.00	+ 22,048,743.71
Increased compensation to certain employees ($240 bonus)	35,000,000.00	35,000,000.00	
Total, permanent and indefinite appropriations	1,462,726,800.12	1,835,776,360.87	−126,950,439.25
Miscellaneous, including $18,600,000 for hospitals		20,000,000.00	+ 20,000,000.00
Grand total, regular annual and permanent and indefinite appropriations	3,717,271,392.99	3,530,773,642.51	−186,497,750.39
Deficiencies	[1] 187,005,165.28	[2] 275,256,005.21	+ 88,249,839.93
Railroads	800,000,000.00		−800,000,000.00
Grand total (including for 1922 the amount of the naval bill as passed by the House)	4,704,277,558.13	3,805,029,647.72	−898,247,910.43

[1] Deficiencies for 1920 and prior fiscal years.

[2] Deficiencies for 1921 and prior fiscal years.

TABLE NO. 3.—*Chronological history of the reporting and passage of the regular annual appropriation bills in the House of Representatives at the short sessions of the 55th to the 63d Congresses, inclusive.*

Title.	55th Congress, 2d session.		57th Congress, 2d session.		58th Congress, 3d session.		59th Congress, 2d session.	
	Reported to House.	Passed House.	Reported to House.	Passed House.	Reported to House.	Passed House.	Reported to House.	Passed House.
Agriculture	Jan. 24, 1901	Jan. 30, 1901	Jan. 20, 1903	Jan. 24, 1903	Jan. 25, 1905	Jan. 27, 1905	Jan. 23, 1907	Jan. 30, 1907
Army	Feb. 4, 1901	Feb. 12, 1901	Jan. 9, 1903	Jan. 15, 1903	Jan. 10, 1905	Jan. 20, 1905	Jan. 7, 1907	Jan. 13, 1907
Diplomatic and Consular	Jan. 26, 1901	Feb. 11, 1901	Jan. 12, 1903	Jan. 19, 1903	Jan. 28, 1905	Feb. 3, 1905	Jan. 18, 1907	Jan. 22, 1907
District of Columbia	Jan. 14, 1901	Jan. 23, 1901	Jan. 17, 1903	Jan. 20, 1903	Jan. 21, 1905	Jan. 25, 1905	Jan. 14, 1907	Jan. 21, 1907
Fortification	Jan. 25, 1901	Jan. 31, 1901	Jan. 26, 1903	Feb. 20, 1903	Jan. 5, 1905	Jan. 6, 1905	Jan. 9, 1907	Jan. 16, 1907
Indian	Dec. 18, 1900	Dec. 20, 1900	Dec. 9, 1902	Jan. 29, 1903	Jan. 10, 1905	Jan. 21, 1905	Dec. 15, 1905	Dec. 18, 1905
Legislative, etc	Dec. 4, 1900	Dec. 10, 1900	Dec. 12, 1902	Dec. 17, 1902	Dec. 7, 1904	Dec. 9, 1904	Dec. 7, 1905	Dec. 14, 1905
Military Academy	Dec. 17, 1900	Dec. 20, 1900	Jan. 21, 1903	Jan. 26, 1903	Jan. 19, 1905	Jan. 25, 1905	Jan. 18, 1907	Jan. 22, 1907
Navy	Jan. 19, 1901	Jan. 25, 1901	Feb. 6, 1903	Feb. 19, 1903	Jan. 28, 1905	Feb. 20, 1905	Jan. 27, 1907	Feb. 15, 1907
Pension	Dec. 14, 1900	Dec. 15, 1900	Dec. 5, 1902	Dec. 6, 1902	Jan. 9, 1905	Feb. 18, 1905	Jan. 21, 1907	Jan. 24, 1907
Post office	Jan. 21, 1901	Feb. 7, 1901	Jan. 23, 1903	Feb. 5, 1903	Jan. 17, 1905	Feb. 3, 1905	Feb. 6, 1907	Feb. 20, 1907
River and harbor	Jan. 4, 1901	Jan. 16, 1901		[1]	Feb. 6, 1905	Feb. 23, 1905	Jan. 26, 1907	Feb. 7, 1907
Sundry civil	Feb. 4, 1901	Feb. 20, 1901	Feb. 2, 1903	Feb. 14, 1903	Feb. 14, 1905	Feb. 27, 1905	Feb. 19, 1907	Feb. 23, 1907

Title.	60th Congress, 2d session.		61st Congress, 3d session.		62d Congress, 3d session.		63d Congress, 3d session.	
	Reported to House.	Passed House.	Reported to House.	Passed House.	Reported to House.	Passed House.	Reported to House.	Passed House.
Agriculture	Jan. 25, 1909	Feb. 11, 1909	Jan. 17, 1911	Feb. 11, 1911	Jan. 20, 1913	Feb. 11, 1913	Dec. 30, 1914	Jan. 28, 1915
Army	Jan. 21, 1909	Feb. 2, 1909	Jan. 12, 1911	Jan. 17, 1911	Jan. 10, 1913	Jan. 21, 1913	Dec. 29, 1914	Jan. 22, 1915
Diplomatic and Consular	Feb. 2, 1909	Feb. 20, 1909	Feb. 20, 1911	Feb. 22, 1911	Feb. 3, 1913	Feb. 14, 1913	Jan. 26, 1915	Feb. 20, 1915
District of Columbia	Jan. 6, 1909	Jan. 14, 1909	Jan. 21, 1911	Jan. 30, 1911	Jan. 29, 1913	Feb. 6, 1913	Dec. 7, 1914	Dec. 14, 1914
Fortification	Jan. 25, 1909	Feb. 19, 1909	Feb. 20, 1911	Feb. 22, 1911	Jan. 17, 1913	Jan. 30, 1913	Feb. 18, 1915	Feb. 23, 1915
Indian	Jan. 22, 1909	Feb. 15, 1909	Dec. 7, 1910	Dec. 9, 1910	Dec. 7, 1912	Jan. 9, 1913	Dec. 18, 1914	Jan. 9, 1915
Legislative, etc	Dec. 10, 1908	Dec. 11, 1908	Dec. 14, 1910	Jan. 12, 1911	Dec. 4, 1912	Dec. 9, 1912	Dec. 14, 1914	Dec. 18, 1914
Military Academy	Feb. 11, 1909	Feb. 20, 1909	Feb. 3, 1911	Feb. 23, 1911	Feb. 8, 1913	Feb. 11, 1913	Feb. 5, 1915	Feb. 20, 1915
Navy	Jan. 16, 1909	Jan. 22, 1909	Jan. 28, 1911	Feb. 22, 1911	Feb. 20, 1913	Feb. 26, 1913	Jan. 16, 1915	Feb. 5, 1915
Pension	Jan. 13, 1909	Jan. 19, 1909	Dec. 12, 1910	Dec. 13, 1910	Feb. 11, 1913	Feb. 18, 1913	Jan. 25, 1915	Feb. 18, 1915
Post office	Jan. 15, 1909	Jan. 27, 1909	Jan. 16, 1911	Jan. 24, 1911	Dec. 12, 1912	Jan. 14, 1913	Dec. 14, 1914	Dec. 31, 1914
River and harbor	Feb. 19, 1909	Feb. 20, 1909	Dec. 9, 1910	Dec. 10, 1910	Jan. 16, 1913	Jan. 28, 1913	Dec. 19, 1914	Jan. 19, 1915
Sundry civil	Feb 19, 1909	Feb. 26, 1909	Feb. 23, 1911	Feb. 25, 1911	Feb. 17, 1913	Feb. 21, 1913	Feb. 4, 1915	Feb. 13, 1915

Title.	64th Congress, 2d session.		65th Congress, 3d session.		66th Congress, 3d session.	
	Reported to House.	Passed House.	Reported to House.	Passed House.	Reported to House.	Passed House.
Agriculture	Dec. 22, 1916	Jan. 8, 1917	Jan. 24, 1919	Feb. 1, 1919	Jan. 19, 1921	Jan. 27, 1921
Army	Feb. 6, 1917	Feb. 22, 1917	Feb. 10, 1919	Feb. 18, 1919	Jan. 29, 1921	Feb. 8, 1921
Diplomatic and Consular	Dec. 21, 1916	Dec. 22, 1916	Jan. 15, 1919	Jan. 22, 1919	Jan. 24, 1921	Jan. 31, 1921
District of Columbia	Dec. 18, 1916	Dec. 21, 1916	Dec. 7, 1918	Dec. 11, 1918	Dec. 15, 1920	Dec. 18, 1920
Fortification	Jan. 24, 1917	Jan. 29, 1917	Feb. 14, 1919	Feb. 19, 1919	Feb. 15, 1921	Feb. 17, 1921
Indian	Dec. 9, 1916	Dec. 12, 1916	Jan. 18, 1919	Jan. 25, 1919	Jan. 12, 1921	Jan. 20, 1921
Legislative, etc	Dec. 11, 1916	Dec. 19, 1916	Jan. 10, 1919	Jan. 18, 1919	Jan. 6, 1921	Jan. 14, 1921
Military Academy	Feb. 12, 1917	Mar. 2, 1917	Jan. 31, 1919	Feb. 4, 1919		
Navy	Jan. 30, 1917	Feb. 13, 1917	Feb. 1, 1919	Feb. 11, 1919	Feb. 2, 1921	Feb. 14, 1921
Pension	Feb. 5, 1917	Feb. 13, 1917	Jan. 25, 1919	Feb. 1, 1919	Dec. 22, 1920	Dec. 23, 1920
Post office	Jan. 2, 1917	Jan. 16, 1917	Dec. 9, 1918	Dec. 18, 1918	Dec. 30, 1920	Jan. 8, 1921
River and harbor	Jan. 13, 1917	Jan. 26, 1917	Dec. 21, 1918	Jan. 13, 1919	Jan. 28, 1921	Feb. 1, 1921
Sundry civil	Feb. 19, 1917	Feb. 28, 1917	Feb. 21, 1919	Feb. 28, 1919	Dec. 29, 1920	Jan. 7, 1921

[1] No river and harbor bill during this session for the next fiscal year.

WITHDRAWAL OF PAPERS.

Mr. FULLER, by unanimous consent, was granted leave to withdraw from the files of the House papers in the case of Thomas Nicholson, H. R. 9292, without leaving copies, no adverse report having been made thereon.

EXTENSION OF REMARKS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object.

The SPEAKER. The gentleman from Oklahoma objects.

APPROPRIATIONS.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for possibly 15 minutes on the subject of appropriations.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for 15 minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, owing to the fact that the sundry civil appropriation bill passed very late last night, I was able only a few minutes ago to obtain a complete compilation of the amounts carried in the various annual supply bills for the fiscal year 1922. I therefore ask unanimous consent that I may be permitted to revise and extend my remarks relating to appropriations and financial expenditures of the Government for the next fiscal year.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD.

Mr. McCLINTIC. This is in reply to the extension granted to the gentleman from Iowa [Mr. GOOD]?

Mr. BYRNS of Tennessee. Yes; it will include a financial record and statement.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, the gentleman from Iowa [Mr. GOOD] referred to the failure to enact a budget law and expressed regret because in his opinion the enactment of such a law would bring about very great economy in the expenditures of the Government. I cordially agree with the gentleman from Iowa in his statement in this respect and as to what those who favor it believe it will accomplish. He stated that it was not now a law because the President of the United States had vetoed the budget bill as it passed the House and the Senate at the last session of Congress. That is true, but gentlemen of the House will recall that the President vetoed that bill on the advice of the Attorney General of the United States, because of a constitutional objection, and that his veto message was sent to the House and sustained, and that thereupon the House of Representatives in effect at least agreed with the President and passed another budget bill to meet the objection which he had urged in his message. That bill was sent to the United States Senate. The United States Senate, which is Republican in majority, failed to enact that bill into law at the last session, and for some reason during this entire session, which began on the first Monday in December, no effort seems to have been made in the United States Senate to take up that measure and to enact it into law so that it would be fully effective for the next fiscal year. And if, as the gentleman from Iowa complains, we are met with the fact that for the next fiscal year we may not have the advantage of a budget law, I submit in all fairness that it is due to the fact that another branch of this Congress has failed to take steps to pass that law and to put it upon the statute books.

The gentleman from Iowa [Mr. GOOD] also referred to the fact that at the short session of the Sixty-fifth Congress, which was Democratic in majority, six great annual supply bills failed to become laws and that it was necessary to reenact them at the extra session which followed. That is true, but I am sure I need not remind the House and the country of the fact that those bills were defeated by a filibuster carried on by some half dozen Republican Senators against those bills, with the avowed and express purpose, stated upon the floor and in the papers, that it was their intention to defeat those bills in order to bring about an early extra session of Congress. So the failure of the last Congress to enact those six annual supply bills at the short session should be charged to the filibuster which took place in the Senate, for otherwise, as the records will show, all of them would have been passed before adjournment. In this Congress I submit that Republicans and Democrats alike, both in the House and in the Senate, have undertaken to place no obstacle in the way of the passage of any of these supply bills, save and alone the naval supply bill, which is pending in the Senate, and that filibuster, if I am correctly informed, has been conducted by possibly two Members of another body, one of whom is a Republican and the other a Democrat. On the contrary, Democrats as well as Republicans have cooperated in every way possible to get these bills through.

It will be recalled that in the present Congress the Military Academy bill has been incorporated with the Army bill, and we, therefore, have only 11 annual supply bills. All of these bills have been agreed upon and passed by the Senate and House, except the naval bill, and all of them have been signed by the President, except the Army bill. Taking the amount carried in the naval bill as passed by the House, the aggregate sum carried in all these bills is $2,174,997,281.64. To this sum should be added $18,600,000 which was carried in the sundry civil bill, but which has been recently appropriated in a separate act. The total amount, therefore, carried for the next fiscal year is $2,193,597,281.64. The amount appropriated for the present fiscal year was $2,254,544,592.78, or a difference of $60,947,311.14. The total permanent and indefinite appropriations for the next fiscal year amount to $1,335,776,360.87, which is in addition to the amount of the direct appropriations.

I wish to call the attention of the House to the fact that while there is a comparatively slight reduction in the amount carried in the aggregate of all of these 11 annual supply bills for the next fiscal year, in 6 of those bills, which have absolutely nothing to do with our national defense and which relate only to the civil affairs of our Government, there are increases for the next fiscal year over the amounts appropriated by this Congress for the present fiscal year.

Now, what are the bills to which I have referred?

For agriculture there was appropriated for the present fiscal year $31,712,784, but for the next fiscal year there is appropriated for agriculture $36,404,250.

For the Diplomatic and Consular Service there was appropriated for the present fiscal year $9,220,537.91. For the next fiscal year there has been appropriated the sum of $9,326,550.79.

For the District of Columbia there was appropriated for the present fiscal year $18,373,004.87. For the next fiscal year there has been appropriated the sum of $19,412,412.99.

For legislative, executive, and judicial expenses there was appropriated for the present fiscal year $106,570,610.11. For the next fiscal year there has been appropriated for that purpose $110,345,018.75.

For the Post Office Department there was appropriated for the present fiscal year $504,434,700, while for the next fiscal year there has been appropriated the sum of $574,057,552.

For rivers and harbors there was appropriated for the present fiscal year $12,400,000, while for the next fiscal year there has been appropriated $15,250,000.

It will thus be seen that in these six supply bills, which, as I have stated, have to do only with the civil expenses of the Government and are in no way related to the Army and Navy or with the subject of our national defense, there has been an increase of $81,084,156.64 in the amounts appropriated for the fiscal year 1922 over the amounts appropriated in the same bills and for like purposes for the fiscal year 1921.

The only way in which you can gauge the economy of any Congress is not by a comparison of its appropriations with the estimates submitted, which come from the various departments, but by a comparison of the appropriations with the appropriations made for the previous year or prior years for the same identical purposes.

Judged by that standard, in the face of the solemn promise made to the American people that this Congress was going to exercise economy, I submit that this session of Congress has been more extravagant than the last session of this Congress.

Mr. GOOD. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GOOD. Will the gentleman tell us just where he would cut the appropriations made in this Congress?

Mr. BYRNS of Tennessee. I have not the time——

Mr. GOOD. Tell us one big cut.

Mr. BYRNS of Tennessee. I have not the time in the very short time allotted me. But I do say that in the face of the promises made to the American people that this Congress was going to cut appropriations and reduce expenditures of the Government the fact that we have in the six annual supply bills, which have nothing to do with the Army or the Navy or the national defense, actually increased the expenses of the Treasury is not a compliance with the promise made to the American people.

Now, there have been some reductions in the five other bills. For instance, in the Army there was appropriated for the present year $394,700,577.20. The appropriation for the next fiscal year for the Army is $346,703,906.80, or a reduction of nearly $50,000,000. The naval bill as it passed the House carried $396,001,249.23, or something over $37,000,000 less than was appropriated for the present fiscal year. It should be stated that this bill as reported to the Senate by the Senate committee carries an increase of $100,500,000 over the amount carried in the House bill, and no one can say that all or at least a part of this increase would not have been allowed had the bill finally passed the Senate and become a law. There was a reduction of over $10,000,000 in the fortification bill. There was a reduction of about $250,000 in the Indian bill. There was a reduction of about $14,000,000 in the pension bill, and a reduction of about $33,000,000 in the sundry civil bill, for it must be remembered that while the sundry civil bill carries only $384,196,760.41 there was passed yesterday by separate bill an item contained in the sundry civil bill carrying $18,600,000 for hospitalization of disabled soldiers. That sum should be added to the sum I have named to make the total carried by the sundry civil bill. We all know why that item was passed as a separate measure; we all know why it was taken out of the sundry civil bill and brought to the House and passed as a separate bill; but I state in all fairness that that sum should be added to the sundry civil expenses. Everyone realizes just how the reduction in the Army bill was brought about. It was made possible by a reduction in the number of troops which are provided for the next fiscal year, because Congress in its wisdom—and I voted for it—believed that we could get along with an Army of reduced size. The same is true of the naval bill.

With the reduction of $50,000,000 in the Army bill, with the reduction on paper in the naval bill, that has not yet passed the Senate, of $37,000,000 in the amount carried in the bill as it passed the House, the reduction in the sundry civil bill of $33,000,000, and of over $24,000,000 in the other three bills to which I have referred, nevertheless we find that the total reduction of expenses in all of these 11 supply bills amounts to only $60,947,311.14, showing just how much this Congress has increased the appropriations for the civil expenses of the Government as distinguished from Army and Navy purposes. I repeat that it is a poor answer and a poor compliance with the promises made before election last fall that if the Republican Party was placed in control of the Government it would greatly reduce the burdens of the taxpayers of this country.

Mr. BRIGGS. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BRIGGS. In the figures which the gentleman has given are the amounts of money reappropriated included?

Mr. BYRNS of Tennessee. No; I am giving the amounts directly appropriated. I may say to the gentleman that I dare say reappropriations of unexpended balances in some amounts are carried in every one of these bills. It is a practice which has long been indulged in, but one which I have frequently had occasion to condemn unless the circumstances requiring it are unusual. Such a practice serves to cover up and withhold from the people information as to the exact amount appropriated. These balances should be covered into the Treasury, and direct appropriations made for whatever amount is deemed necessary. I have not had the opportunity to figure up the total of the reappropriations. It is almost an impossible job. I do recall that in the sundry civil bill there was reappropriated the sum of $10,500,000 for the Vocational Board, which it was estimated would be unexpended at the end of the present fiscal year, and that there was reappropriated about $35,000,000 for the War Risk Bureau of an estimated unexpended balance. These sums swell the amount of the appropriation, but they do not appear as a part of the direct appropriation and in the statement made as to the amount carried in this bill. In addition to this the Shipping Board estimated for $147,000,000 for the next fiscal year. Instead of making an appropriation for the Shipping Board, it was authorized to use receipts from operations, collections on account, and sales. No one can say, therefore, just how much was appropriated for the Shipping Board until the end of the next fiscal year and an account is taken. Proper businesslike methods demanded that these receipts should have been covered into the Treasury and a direct appropriation made for the Shipping Board. There were other reappropriations of much smaller amounts. It will be noted, therefore, that it was only by making these reappropriations that the amount carried in the sundry civil bill for the next fiscal year was reduced from that of the present fiscal year. Had the unexpended balances been covered into the Treasury and direct appropriations made, the amount carried in the sundry civil bill for the next fiscal year would have exceeded the amount appropriated for the present year by many millions of dollars.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. I ask for three minutes more.

Mr. SIMS. I ask that the gentleman may have five minutes, because I want to ask him a question.

The SPEAKER. The gentleman from Tennessee asks that the time of his colleague be extended five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I will yield first to the gentleman from Minnesota.

Mr. KNUTSON. Is it not true that the appropriations which the gentleman refers to are made necessary by Democratic extravagance?

Mr. BYRNS of Tennessee. No, indeed. This Congress had an opportunity to reduce the clerical employees of this Government, and these appropriations are for the next fiscal year, which will be under Republican administration. A large part of these appropriations are made for the purpose of paying clerical help during this next fiscal year.

Mr. KNUTSON. Why have not the departments reduced the clerical service?

Mr. BYRNS of Tennessee. The number of employees in the departments were greatly increased during the war, and Congress made appropriations for that purpose, but the war has been over nearly three years. The Republican Party has had control of both branches of Congress for the last two years, and why has not Congress cut them down?

Mr. KNUTSON. It could not. The gentleman from Texas wanted to go through the departments and take photographs of the idle help and permission was refused him.

Mr. SIMS. Mr. Speaker, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. SIMS. I call attention to the statement made by the gentleman from Iowa [Mr. GOOD] with reference to the labor board. The labor board is composed of nine members; three of them are selected from nominations made by the railways themselves through their association of executives; three are made from nominations made by the employees themselves through their organizations; and three are appointed from the public. The gentleman from Iowa said that not one of them had ever received over $3,000 a year as compensation for any position which he had ever held. The gentleman from Tennessee knows better than I do that the chairman of that board was a distinguished jurist from Tennessee, Judge Barton, before he was appointed to serve on the labor board. He was a judge in the court of appeals and, I think, temporarily a justice of the supreme court, at the salary commensurate with such judicial position in Tennessee. I do not think the gentleman from Iowa [Mr. GOOD] knew the facts, or he would not have left any such impression as he did. The President could not pack the board, because he could only appoint three of his own motion, and one of three agreeing with four of the others appointed from lists furnished to him can make a valid decision of any dispute submitted.

Mr. BYRNS of Tennessee. Mr. Speaker, I am very glad that my colleague made that statement, because it is a complete answer to any possible criticism that could be offered by the gentleman from Iowa [Mr. GOOD] with reference to the board.

I do not intend to ask the indulgence of the House for a further extension, but I do want to call attention to the fact that in addition to the amounts stated by the gentleman from Iowa as appropriations made for the current year there are deficiencies which must be met to meet the expenditures of the Government. For instance, this Congress has passed at this session one deficiency bill carrying on its face $275,256,005.51.

In addition to this, it reappropriates out of unexpended funds of the Navy Department the sum of $114,000,000 for naval purposes. It also authorizes a credit for the Navy Department with the Treasury Department in the sum of approximately $285,000,000 for naval stores, and so forth, for which money was advanced by the Treasury Department. This really amounts to an appropriation of that sum, and hence it may be said that the deficiency bill recently passed by Congress carries an appropriation of $674,256,005.51. These two sums aggregating $399,000,000 have not been taken into account in the figures submitted as to the charges made upon the Treasury by Congress at this session.

If these sums are added to the sum of $3,806,029,647.72, the amount of appropriations for the fiscal year 1922, including deficiencies for 1921, made at this session, as set forth by the

chairman of the committee, it will be seen that the total amount of these appropriations are $4,205,029,647.72, to which there is yet to be added the deficiency appropriation which will be made at the coming extra session, and the reappropriations made in the regular annual supply bills. For it is in no sense a violent assumption to say that at the special session which will be called in the spring necessarily there will have to be another deficiency bill carrying what amount no one can now say. I wish to repeat what I have said, that the record as made by this session of Congress as compared even with the last session of this Congress, saying nothing of the appropriations made for the fiscal year 1916, the last full fiscal year before the war, fails utterly to substantiate those claims of economy which we have so often heard upon the floor of this House. [Applause on the Democratic side.]

By leave extended, I append a statement showing appropriations made in the regular supply bills for the fiscal years 1916, 1921, and 1922. I refer to the appropriations for the year 1916 because it was the last full fiscal year before the United States entered the war, and Congress at that time was under Democratic control. The total appropriations, including permanent, miscellaneous, and deficiencies for the year 1916, amounted to $1,114,937,012.02, which is much less than one-fourth of the amount appropriated, including permanent, miscellaneous, and deficiencies, for the year 1921, and but little over one-fourth of the total amount which has been appropriated up to this time for the year 1922.

	Appropriations, fiscal year 1916.	Appropriations, fiscal year 1921.	Appropriations, fiscal year 1922.
Agriculture	$22,971,782.00	$31,712,781.00	$33,401,259.00
Army	103,044,009.21	394,700,577.70	316,703,905.80
Diplomatic and Consular	4,061,280.01	9,220,537.91	9,326,550.70
District of Columbia	11,859,584.45	18,373,004.87	19,412,412.90
Fortifications	6,060,216.90	18,833,442.00	8,038,017.00
Indian	9,771,902.76	10,029,555.27	9,761,551.67
Legislative, executive, and judicial	36,901,799.75	106,570,610.11	110,345,018.75
Pensions	164,100,000.00	279,150,000.00	265,500,000.00
Post Office	313,364,667.00	504,431,700.00	574,057,552.00
Rivers and harbors	30,000,000.00	12,400,000.00	15,250,000.00
Sundry civil (including $18,600,000 for hospitals for 1922)	126,922,750.79	435,848,803.92	402,736,760.41
Navy (1922 as passed by the House)	149,661,861.88	433,279,574.00	336,031,249.23
Grand total, regular annual appropriation acts	978,722,857.78	2,254,544,592.78	2,193,597,281.64

To these sums there must be added the amounts of the permanent, miscellaneous, and deficiency appropriations which were made for the respective years.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

An act (S. 5048) to survey the Yazoo River, Miss., with a view to the control of its floods.

FUNERAL CEREMONIES FOR THE LATE REPRESENTATIVE CLARK OF MISSOURI.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that a record of the exercises to-morrow at the funeral of former Speaker CLARK may be printed in the RECORD.

The SPEAKER. The gentleman asks unanimous consent that a report of the exercises to-morrow at the funeral of ex-Speaker CLARK may be printed in the RECORD. Is there objection?

There was no objection.

COMMITTEE TO WAIT ON THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, I present the following resolution and ask its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 711.

Resolved, That a committee of three Members be appointed by the Speaker to join a similar committee to be appointed by the Senate to wait on the President of the United States and inform him that the two Houses are ready to adjourn unless the President has some communication to make to them.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER appointed as members of the committee on the part of the House Mr. MONDELL, Mr. FORDNEY, and Mr. GARRETT.

EXTENSION OF REMARKS.

Mr. HENRY T. RAINEY. Mr. Speaker, after 18 years of service here I would like to say a word of farewell to my friends on both sides of the Chamber.

During the period of my service I have discharged every duty devolving upon me conscientiously and to the very best of my ability. I have kept the faith. I have seen control here pass from one great party to the other and back again. No man has a vested right to a place in this body. He serves at the will of his constituents. He comes and goes as they direct. The pendulum has swung the other way and the time has come for me to go. I bow to the will of my constituents. I leave without regret—without heart burnings but with a deep feeling of gratitude to my constituency which has nine times elected me a Member of this body. In this Republic the people are the sovereigns. I have ceased to serve. I have become one of the sovereigns and there are more than 100,000,000 of them. In a few minutes as the hands of the clock reach the hour of 12 o'clock noon my period of service ends. I am at the very fullness of my physical and mental powers. I am better equipped at this moment to serve here than I have ever been, and I am better equipped than I have ever been to assume in this great Republic the duties of a private citizen. There are grave problems confronting the Nation, more serious than those which confronted us at the outbreak of the World War, but I have confidence in the patriotism, in the loyalty, and in the judgments which will be rendered in the future by the people of this Republic. As I stand here and my period of service draws to a close, I can conscientiously say that at all times I have been prompted not by personal ambition, not by any desire for personal aggrandizement, I have not sought promotion and honors, but I have labored at all times for the advancement of those measures and for those propositions which in the best of my judgment made for the prosperity, and the success, and the perpetuity of this great Government and for the progress and the happiness of all the people who owe allegiance to the flag. During the period of my service here I have discharged my full share of the work. I have had my full share of the honors.

This is the greatest deliberative body in the world. All Members meet here on a common level; equal opportunities for success and preferment are open to all. In this forum what a man accomplishes depends upon himself. Merit, ability, and hard work receive here their rewards. Advancement in this body depends upon the efforts of the individual Member, upon his capacity for work, upon the qualities with which he has been endowed. It does not depend in any measure upon the successes of his ancestors in any field of human endeavor. It does not depend in any measure upon the possession of great wealth. Success or failure depends solely upon ability, mental endowment, courage, capacity, and a willingness to work.

I have served here through the most interesting and the most tense period of our national life. During the period of my service our system of collecting revenues for the support of this great Government has been completely changed, and we have embarked upon new and potent methods of levying and collecting taxes. During my period of service our tariffs have been revised twice and another revision is pending. During my period of service labor has been recognized and has been given the right to be represented in the council chamber of the President of the United States. Equal franchise has been extended and the accident of sex is no longer a qualification for suffrage. We have become since I came here the greatest shipbuilding Nation in the world and the greatest shipowning Nation. And since I came here the greatest war in the history of nations has been fought and won, and we have mobilized and sent to a front, which was located across one of the world's great oceans, over 2,000,000 men. In addition to that, 2,000,000 more were at the close of the war in training in the military camps we established across the continent. Miracles of finance have been accomplished, and the legislation which made all this possible has originated here in the House of Representatives, and I have had an active part in all of it. I have had my full share in the work which has made possible all these accomplishments.

The party to which I do not belong is charged now with responsibilities graver even than confronted the Nation when the party to which I do belong was in control and the wild alarm of war rang through the land. The incoming President and his advisers are entitled to the confidence and the support of every loyal citizen in their efforts to solve the great economic problems which confront the Nation. I believe that the theories and the principles to which the Democratic Party adhere are better adapted to the emergencies of the hour than the theories

and the principles of the party which in a few minutes will be in control of every branch of this Government. But by a majority unprecedented in the history of the Nation the people have spoken, and the incoming administration is entitled to the confidence and the loyalty and the support of all.

I believe in constructive criticism. The success of our system of government depends upon it, and as the months quickly pass I expect to exercise as a private citizen my right to discuss and to criticize in a constructive way the attempts of my colleagues on the other side of the Chamber to meet the new problems which confront the Nation. If they meet them successfully, no man will be more ready to applaud than I, and if they fail, and I hope they will not fail, no man in private life will be more willing than I to assist them in converting failure into victory. The victories we must achieve in the future are not party victories, and can not be.

As I stand here there comes sweeping over me tender memories extending over the entire period of my long service in the Congress, and it would be useless for me to say that without regret I now sever my connections with my friends on both sides of this Chamber. I have stood with you and worked with you in the successful solution of the problems which have confronted us in the greatest crisis which ever confronted the Nation—when the civilization of the world trembled in the balance. I have stood with you and worked with you during the period of the transformation which has occurred in our taxing system. I could recall, as I stand here, the great achievements of the party to which I belong, which was in absolute control of the affairs of our Government during the greatest crisis in our history as a Nation and in those achievements as you all know I had an active part. I could as I stand here call attention to the failures of the party to which I do not belong, during the two years just past, when that party was responsible for legislation; and I could call attention to the bills which passed one House before the election and which still remain upon the calendar and have not been enacted into law, but this is not the time to do that and I do not feel like doing it.

I only remember now the pleasant incidents connected with my service here. I only recall the fortunate friendships which have been mine on both sides of this Chamber. In forensic debate in this Chamber I have endeavored to meet all comers. Sometimes, I think I may be pardoned at this moment in saying, the victory has been mine. I hope I will not be charged with egotism in making this statement. To achieve a victory or to even hold your own with the trained debaters on the other side of this Chamber is an achievement of which any man may feel justly proud. Many times I have felt that I have been beaten on this floor but to confess defeat at the hands of the able opponents in debate on the other side of this Chamber, who have served here in the last 18 years, is not humiliating. Contests on this floor, bitter as they may appear to the public, are not personal in their nature. They are contests not of man but of ideas. I will leave this body congratulating myself chiefly upon the fact, and I believe it to be a fact, that I leave no personal enemies here but only friends, and as I leave, I wish you all happiness, and health, and prosperity, and length of days. I bid you all adieu. [Applause.]

Mr. SMALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent that all Members who are going out of Congress, that is, all retiring Members, have a right to extend their remarks in the RECORD on their services in this House.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that all retiring Members have the right to extend their remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that I may address the House for 10 minutes.

The SPEAKER. Is there objection.

There was no objection.

Mr. BYRNES of South Carolina. Mr. Speaker, will not the gentleman ask in that connection that I may address the House for five minutes?

Mr. MONDELL. Mr. Speaker, I am very glad to yield the floor in order that the gentleman from South Carolina may have five minutes.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va., in which the concurrence of the House of Representatives was requested.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15422. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

H. R. 10104. An act to renew patent No. 25909.

H. R. 12161, An act to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," aproved March 4, 1909 (35 Stat. L., p. 1134).

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone.

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870.

H. R. 8032. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate joint resolutions and bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 255. Joint resolution admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; to the Committee on Immigration and Naturalization.

S. 5044. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 238. Joint resolution authorizing the President to require the United States Sugar Equalization Board to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic; to the Committee on Agriculture.

S. 2252. An act making an appropriation to pay the State of Massachusetts for expenses incurred and paid at the request of the President in protecting the harbors and fortifying the coast during the Civil War; to the Committee on Claims.

S. 4859. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims; to the Committee on the Public Lands.

S. 4421. An act securing rights of way and easements over public land in connection with the Federal irrigation projects; to the Committee on Irrigation of Arid Lands.

S. 5048. An act to survey the Yazoo River, Miss., with a view to the control of its floods; to the Committee on Flood Control.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13558. An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war risk insurance act, as amended;

H. R. 1299. An act for the relief of George Le Clear;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest, in the State of Washington, and for other purposes;

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 15894. An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes;

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.;

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor;

H. R. 15422. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870;

H. R. 10104. An act to renew patent No. 25909;

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone;

H. R. 12161. An act to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134); and

H. R. 8032. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va.

The message also announced that the President had approved bills and joint resolutions of the following titles:

H. R. 15422. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies;

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor;

H. J. Res. 346. Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes;

H. R. 1299. An act for the relief of George Le Clear;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest, in the State of Washington, and for other purposes;

H. R. 14069. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.;

H. R. 15894. An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes;

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of CHAMP CLARK;

H. R. 8032. An act to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater in Arlington National Cemetery, Va.;

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870;

H. R. 10104. An act to renew patent No. 25909;

H. R. 12161. An act to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134); and

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone.

APPROPRIATIONS.

Mr. BYRNES of South Carolina. Mr. Speaker, I desire to make only a few remarks with reference to the financial statement read by the gentleman from Iowa [Mr. GOOD], the chairman of the Committee on Appropriations, and which I presume will be referred to by the gentleman from Wyoming [Mr. MONDELL]. I think it absolutely essential that in making a statement of the expenditures of the Government we should endeavor not to mislead the people as to the amount of money that is actually to be expended. If you will take the statement prepared by the gentleman from Iowa [Mr. GOOD] you will find that he includes the naval bill as it passed the House in order thereby to show a reduction in the appropriation below those of the current year. When the naval bill went to the Senate, however, the Senate added $100,000,000, and if the press is to be believed, President-elect Harding stated that he favored the bill as it was reported to the Senate. When it is passed, instead of our being able to say to the taxpayers of America that we have reduced the appropriations below the current year, if the bill is passed as it has been reported to the Senate, we will have to admit that the appropriations in the regular supply bills show an increase of $20,971,375 over the current year. Instead of reducing appropriations, this Congress, which has been in session 74 days, has expended the money of the people at the rate of $47,000,000 a day, and yet it is claimed that this is an economy Congress. The statement of direct appropriations, however, does not tell one-half the story, because my friend from Wyoming [Mr. MONDELL] will not tell the country that in addition to the direct appropriations set forth in the statement which has been read to-day we included in the sundry civil bill legislation which authorizes the Shipping Board to expend $147,000,000 from the amount received from sale of ships and operations.

And then we put in the deficiency appropriation a little provision, which reads as follows:

And out of any funds in the Treasury not otherwise appropriated an amount equal to the value of all stores in the naval supply account on March 31, 1921.

Which was the way the gentleman from Iowa had of appropriating $385,000,000 to be made available for the Navy Department. Add that to your $147,000,000 for the Shipping Board and it is more than $500,000,000 unaccounted for by this statement and which will be paid by the taxpayers. If reduced estimates mean a saving to the people, why did you not reduce the taxes at the time you reduced the estimates? Instead of that, the only effort made in respect to revenue legislation was to increase the tariff duties in the emergency tariff bill. My Republican friends day in and day out made the charge that we kept in the service of the Government too many clerical employees, and then here at this session of Congress they increase the legislative, executive, and judicial appropriation bill by $6,000,000, thereby assuring the country that there will be an increased number of clerical employees during the next year instead of a decreased number. If this be normalcy, then good Lord deliver me from normalcy. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Speaker, the gentleman from South Carolina [Mr. BYRNES] has a logical mind but he is not accurate in his expression. He attempts to make us believe that a provision in the sundry civil bill which limited expenditure added to expenditures. The provision to which he referred, instead of making more money available, limited the amount of money now appropriated and available which could be spent. It was a limitation, not an appropriation.

The Sixty-sixth Congress, the first Congress following the Great War, has completed its work and left behind it a splendid record of achievement and accomplishment. The Congress began its labors in the trying period of readjustment immediately following the war, and has carried out its programs of legislation and appropriations handicapped by serious differences of opinion existing between the Congress and the administration. The great reductions in Government expenditure which the Congress accomplished were undertaken and carried out in the face of extravagant expenditure and enormous estimates made by the administration. Notwithstanding all these difficulties the record of the Congress in constructive legislation and in economy in appropriations is a highly creditable one in every particular and from every viewpoint.

THE SESSION NOW CLOSING.

The session now closing has made a most remarkable record for close and businesslike attention to business and for the completion of the legislative program without the rush and con-

fusion which generally characterizes the closing hours of a Congress.

With the exception of the naval bill, which failed in the Senate by reason of sharp differences of opinion with regard to naval program and expenditures, all of the appropriation bills and all legislation before the Congress of an urgent character passed both Houses and was presented to the President.

The adjournment of this Congress marks the passing of the first period of reconstruction following the Great War. It leaves the country still in a technical state of war with the German Imperial Government, owing to the veto by the President of the peace resolution, but it closes its sessions with the war laws repealed and with the foundation laid for the further development of constructive policies to meet the new conditions which confront the country and the world.

The record for economy in the face of a confirmed habit of Government extravagance begotten of the war is most creditable. During the three sessions of the Congress the estimates made by the administration have been scaled down, as reflected in appropriations, and decreased in the enormous sum of $3,323,814,607.74.

In detail these reductions have been as follows:

First session: Saving on 8 regular supply bills	$939,692,541.97
Second session: Saving on supply bills	1,474,422,602.16
Third session: Saving on supply bills	909,699,463.61
Total	3,323,814,607.74

If to this enormous saving below the estimates we add the saving in the naval bill as it passed the House the total savings of the Congress below the estimates of the Wilson administration runs into the enormous total of $3,607,329,089.98.

The appropriations carried in the regular annual bills of this session, providing as they do for the next fiscal year, are approximately $42,000,000 less than appropriations for the current fiscal year for the same services. If we include in our calculations the naval bill, which failed in the Senate, at the figures at which it passed the House the reduction below the appropriations for the current year is $79,000,000, and taking into consideration all appropriations, regular, annual, and indefinite, the appropriations for the next fiscal year are about $70,000,000 less than for the current year, and including the naval bill as it passed the House, $205,000,000 less.

The total volume of constructive legislation of the Congress is enormous, beginning with the return of the railroads, the telephone and telegraph lines to private management and ending with the repeal of the war laws, and embracing many reform and constructive measures of important and far-reaching character.

I shall enumerate but a very few of the more important enactments of the Congress, as follows:

The adoption of the woman suffrage amendment.

The placing on the statute books of a complete and comprehensive national prohibition law.

The enactment of liberal provisions for vocational training and rehabilitation of wounded soldiers and sailors and the making of generous appropriations for the same.

The railway transportation act.

The Army reorganization act.

Merchant marine shipping act.

The oil and coal land leasing law.

The water power act.

The act for the vocational rehabilitation of persons disabled in industry.

The Civil Service retirement act.

The act establishing a Woman's Bureau.

Act reclassifying and readjusting salaries of postal employees.

Act increasing pensions to veterans of the Civil, Mexican, and Spanish-American wars.

Act largely increasing compensation of injured veterans of the World War.

Resolution to create a joint commission for the reorganization of the administrative branch of the Government.

Appropriation of $50,000,000 to provide relief for suffering populations in Europe.

Important amendments to the Federal reserve act.

Act for the regulation of immigration.

Act making provisions for new, additional, and increased hospital and hospital facilities for veterans of the World War.

The appropriation bills, in addition to carrying sums sufficient to properly conduct all the Government activities, have provided liberally for the compensation, care, hospital treatment, and vocational and rehabilitation of war veterans.

In addition to these measures that have become laws the Congress passed a resolution establishing a condition of peace, which met a presidential veto. The Congress enacted a comprehensive budget statute, which met a like fate, and but yesterday the urgency tariff legislation was defeated by presidential veto. These measures should all have become law and their failure is in no wise the fault of the Congress.

Notwithstanding the veto of the executive budget act, the Congress so modified its rules as to provide for a single appropriating committee and the appropriations of this session have been reported and presented to the House by such a committee, thus inaugurating an up-to-date legislative budget plan.

View the work of the Congress as you may—from the standpoint of comprehensive, forward-looking legislation, of economy in appropriations, or of business-like conduct of the public affairs—and it is a most creditable one, creditable alike to the membership of the Congress and to the great constituencies they represent. [Applause.]

ORDER OF EXERCISES.

The SPEAKER. The Chair has been requested to announce that the order of exercises will be that when the House does adjourn sine die, which is in about 12 minutes, the Sergeant at Arms and the Speaker will proceed down the center aisle and then Members will fall in as nearly as may be in the order of seniority and march over to the Senate and there will be announced.

EXTENSION OF REMARKS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. KING. Mr. Speaker, reserving the right to object——

Mr. McCLINTIC. Mr. Speaker, I want to couple with that that the gentleman from Texas [Mr. CONNALLY] extend his remarks on the Shipping Board and——

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I object to any unanimous-consent request that the gentleman from Oklahoma makes at this time.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks along the general character that I have outlined.

Mr. McCLINTIC. Reserving the right to object, I want to ask that Mr. CONNALLY of Texas be allowed to extend his remarks along with those of Mr. MONDELL.

Mr. KING. Reserving the right to object——

Mr. STEENERSON. Mr. Speaker, I object.

Mr. McCLINTIC. Then I object to all of them.

WORK OF JOINT COMMITTEE ON PRINTING.

Mr. KIESS. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objction? [After a pause.] The Chair hears none.

Mr. KIESS. Mr. Speaker, one of the duties of the Joint Committee on Printing, of which I have the honor of being vice chairman, is to authorize the Public Printer to purchase paper for the public printing and binding. It has been customary to advertise during January of each year for bids to furnish paper for one year beginning March 1. On January 31 the Joint Committee on Printing opened bids for approximately 55,000,000 pounds of paper for the public printing and binding for the year beginning March 1, 1921. Although the prices named for paper were considerably less than the open-market price, the committee felt that it would be to the best interest of the Government to reject all bids and readvertise for three and six months' supply instead of for the year. This was done and the new bids were opened on February 21, and contracts were awarded on February 25 for three months' supply of paper beginning with March 1, 1921.

The Members of the House I feel sure will be interested in knowing that by readvertising the committee saved $171,159.56 on three months' supply of paper, or an estimated saving on the year's supply of $684,638.25. On one item of 7,000,000 pounds of Bristol board for printing postal cards the saving was $95,900 for the year.

The committee feels that the saving of nearly $700,000 on one year's supply of paper fully justifies its action in rejecting the first bids and readvertising.

ANNOUNCEMENT.

Mr. MANN of Illinois. Mr. Speaker, I hope Members of the House will not leave the Chamber, as the custom is to march over in a body, and then we have got another ceremony that ought to be performed.

RESOLUTION OF THANKS TO THE SPEAKER.

The SPEAKER. The gentleman from Illinois [Mr. HENRY T. RAINEY] will please take the chair.

Mr. HENRY T. RAINEY took the chair. [Applause.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 712.

Resolved, That the thanks of this House are presented to the Hon. F. H. GILLETT, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair during the present term of Congress.

[Applause.]

Mr. GARRETT. Mr. Speaker, the resolution which I have offered, and which has just been read, is in the usual form, but I wish to say that it is not offered merely as a matter of convention. It expresses the genuine and sincere feeling of the Members who have observed the fairness, the dignity, the calmness, and the resoluteness with which the Speaker has presided over the deliberations of this body throughout the past two years. It gives me particular pleasure on behalf of those on this side of the Chamber to present this resolution, thus expressing our sincere feeling. [Applause.]

Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The question was taken, and the resolution was unanimously agreed to.

The SPEAKER resumed the chair amidst loud applause, the Members rising.

The SPEAKER. My colleagues, I am deeply sensible of the accumulated kindnesses of the last two years, of which this complimentary resolution is the culmination. When I began my duties here I asked your assistance and cooperation. You have given it more bountifully than I could have imagined, and I appreciate that to that is due whatever success I may have achieved. From the bottom of my heart I thank you. The duties of this office are partly political and partly judicial. Fortunately for me, the past two years have been unusually free from partisan rancor and bitterness, which has made it easier for me to keep my political fidelity and at the same time try to execute and administer the rules of the House with judicial impartiality. If I have at all succeeded, that has been my ambition. I have exceedingly enjoyed these two years, and I appreciate that it is because of your courtesy and kindness, for I know how easy it would have been for you to have made it difficult for me and how often you must have been tempted to do so.

I appreciate your forbearance and self-restraint. Particularly do I appreciate how much is due to the kindness and generosity of the minority leader, Mr. CLARK, whose death we all so deplore, and also to his lieutenant, Mr. KITCHIN, whose ill health we regret, but whom we all sincerely hope will be with us next session in full health and vigor. [Applause.] And I ought not to fail to mention the sympathetic and cordial support which I have unfailingly received from the majority leader. In fact, my friends, to you one and all I owe and feel heartfelt thanks. For every man here I feel cordial friendship. There have been some little passages which I might have wished otherwise, but I have used philosophy and have forgotten them and they have left no sting. For every Member I have warm friendship.

We are about to separate. You all carry with you my earnest wishes for your health and prosperity, and I hope that you reciprocate. The Sixty-sixth Congress is ended. Our legislation is history. It is beyond our power to impair or improve. We can all join in the hope that our laborious and conscientious efforts have been in some measure a benefit to our country.

And now, in accordance with the mandate of the Constitution, I declare the House of Representatives of the Sixty-sixth Congress adjourned without day. [Loud applause.]

ADJOURNMENT.

Accordingly (at 12 o'clock noon) the House adjourned sine die.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

434. A letter from the Chairman of Arlington Memorial Commission, transmitting final report upon the construction and completion of the memorial amphitheater and chapel which has been erected in the National Cemetery at Arlington, Va., by authority of Congress; to the Committee on the Library.

435. A report from Mr. BELL, transmitting final report of the Joint Commission on Postal Salaries; to the Committee on the Post Office and Post Roads and ordered to be printed.

436. A letter from the Secretary of State, transmitting data regarding useless papers in the American consular offices in connection with the trading with the enemy act; to the Committee on Disposition of Useless Executive Papers.

437. A letter from the general secretary of the Near East Relief, transmitting report for the year ending December 31, 1920; to the Committee on the Judiciary.

438. A letter from the chairman of United States Shipping Board, transmitting information with reference to an agreement between the International Mercantile Marine Co., certain British companies and the British Admiralty and British Board of Trade; to the Committee on the Merchant Marine and Fisheries.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. GOULD: A resolution (H. Res. 709) calling for an investigation of agricultural organizations and associations relative to the control and price of food products; to the Committee on Agriculture.

By Mr. WOODS of Virginia: A bill (H. R. 16170) to further regulate certain public-service corporations operating within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. RANDALL of California: A joint resolution (H. J. Res. 481) authorizing a commission to report on a proposal to construct the Nicaragua Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. BURDICK: Memorial from the Legislature of the State of Rhode Island, favoring the passage of legislation for the continuation of Federal aid to States in the construction of rural post roads; to the Committee on Appropriations.

By Mr. KENNEDY of Rhode Island: Memorial from the Legislature of the State of Rhode Island, favoring legislation giving continual aid to the States in the construction of rural post roads; to the Committee on Appropriations.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

6268. By Mr. KLECZKA: Petition of 258 citizens of Milwaukee, Wis., protesting against Smith-Towner bill; to the Committee on Education.

6269. By Mr. LAMPERT: Petition from citizens of St. Cloud, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

6270. Br. Mr. MANN of Illinois: Petition of William J. Morris and other citizens of Chicago, Ill., favoring an amendment to the Volstead Act; to the Committee on the Judiciary.

6271. By Mr. MOORE of Ohio: Petition of protest against the use by the Republic of France of uncivilized colored troops in the occupied districts of Germany; to the Committee on Foreign Affairs.

6272. By Mr. SMITH of Michigan: Petition of the Jewelers' Club, of Battle Creek, Mich., against the passage of the McFadden bill; to the Committee on Banking and Currency.

FUNERAL OF CHAMP CLARK

In the Hall of the House of Representatives on Saturday, March 5, 1921.

The funeral of the late CHAMP CLARK, ex-Speaker of the House of Representatives, took place in the Hall of the House on Saturday, March 5, 1921, at 10 o'clock and 30 minutes a. m., in the presence of the House of Representatives, the Senate, the Cabinet, representatives of the Army and Navy, the Supreme Court, the Diplomatic Corps, and the family of the deceased. The Speaker of the Sixty-sixth Congress, Mr. FREDERICK H. GILLETT, presided, and the Vice President, Mr. CALVIN COOLIDGE, occupied a chair on his left.

The SPEAKER. There will be a scripture reading by the Chaplain of the House.

The Chaplain, Rev. James Shera Montgomery, D. D.—

The Lord is my shepherd; I shall not want.
He maketh me to lie down in green pastures: he leadeth me beside the still waters.
He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake.
Yea, though I walk through the valley of the shadow of death, I will fear no evil; for thou art with me; thy rod and thy staff they comfort me.
Thou preparest a table before me in the presence of mine enemies: thou anointest my head with oil; my cup runneth over.
Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord forever.

Let not your heart be troubled: ye believe in God; believe also in me.
*In my Father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you * * * that where I am, there ye may be also.*

Consider the lilies of the field, how they grow; they toil not, neither do they spin:
And yet I say unto you, That even Solomon in all his glory was not arrayed like one of these.
Wherefore, if God so clothe the grass of the field, which to-day is, and to-morrow is cast into the oven, shall he not much more clothe you, O ye of little faith?

And he shewed a pure river of water of life, clear as crystal, proceeding out of the throne of God and of the Lamb.
*In the midst of the street of it, and on either side of the river, was there the tree of life * * * and the leaves of the tree were for the healing of the nations. * * **
And there shall be no more night there; and they need no candle, neither light of the sun, for the Lord God giveth them light: and they shall reign for ever and ever.
Amen.

The SPEAKER. Prayer will be offered by Dr. Couden, Chaplain Emeritus.

Rev. Henry N. Couden, D. D., Chaplain Emeritus, offered the following prayer:

O Thou who art infinite in wisdom, power, and goodness, we stand before Thee, the Almighty Father, and wait upon Thee for help in this hour of need.

We are here in the presence of the sacred dead—dead, yet he liveth. He has been called to a larger and more sacred life. Strong of mentality, warm of heart, clear of vision, wise of judgment, he was a leader among leaders; an orator who, when he spoke, the people hung upon his lips with bated breath.

Our country has lost a patriot, an honest, noble, worthy man, a student of the Scriptures, who tried to walk according to the rules of right and justice. He has left us, but we shall go to him, for life is eternal.

Creeds die, but deeds live and weave themselves into the soul of man, and will ever guide to the right and truth and justice and love and mercy.

Be with us as we gather here; give us courage, strength, faith, and love, that the truth of the immortality of the soul may live in our hearts, and lift us over the rough places of life; and when it is ours to answer the call, may we be ready to go and enter upon that larger life in one of God's many mansions where there will be work for us all.

Let Thy special blessing be upon his widow and his children. His home was ideal. His affection knew no bounds. They loved him and will miss him all the years that are to come; but help them through the blessed hope of the immortality of the soul to look forward to a blessed reunion that shall never end, where sorrow, death, and disappointments never come. We ask it in the spirit of the Lord Jesus Christ, who said, I am the resurrection and the life; he that believeth on me shall never die. Amen.

The National Quartet—Elizabeth S. Maxwell, soprano; Lillian Chenoweth, alto; W. E. Braithwaite, tenor; and Harry M. Forker, bass—sang "How Firm a Foundation."

The SPEAKER. An address will be delivered by Representative JAMES R. MANN.

Mr. MANN. Those who knew him best loved him most; and yet there are millions who never looked upon his countenance, molded like a finely chiseled Greek statue; who never heard his magnetic voice, strong, persuasive, and compelling in its influence; and who never in time of personal need received his counsel or his friendly aid; but they, too, loved him.

A great legislator, a wonderful parliamentary debater, a strong partisan; but always a friend and a believer in the plain, simple citizen; he was a plain, simple man, whose ideals reached to the sky, but whose feet never left the ground. In fiery debate and strong party feeling he was masterly on the floor, but he never intended to inflict pain upon any opponent.

His friends were wherever he was met. His partisanship did not detract from his courtliness or his courtesy. And when he left the floor as majority leader of his party and assumed the office of Speaker of the House, while he still remained a valuable party counselor, he never permitted partisanship to control or influence his action as Speaker. He drew men to him.

Early in his career in the House he served under another strong partisan who was eminent as Speaker. Even in that early day of his congressional life Thomas B. Reed learned to know him and to love him.

He served while Mr. CANNON was Speaker, in very stormy days in the House, but always had the affectionate regard of the Speaker, to whom he returned it.

It is difficult for me to speak of the days while he was the Speaker and I was the minority leader. We had learned to know each other well before that time, but in our peculiar positions there came to be an affectionate regard between the Speaker, the majority leader, and the minority leader which seldom has been equaled and probably never excelled in the history of parliamentary bodies. Compelled to act as a partisan here on the floor, as I was frequently, I tried never to deceive or mislead the Speaker, and he more than responded with the determined effort to act as a loving father to the House, as a wise counselor to the country, and as a judicial, impartial presiding officer and Speaker.

His memory will remain as an inspiration to the House and to the people of the country long after we are gone. His influence on future generations will increase as history records what he was. We mourn him here; we knew his worth; we knew his loving-kindness; we knew his feeling for the people; we knew and were proud of his American spirit, of his belief in the people and the destiny of his country.

No man stands more preeminent in the history of our country as a good, strong American citizen than did our beloved friend.

We mourn with his beloved widow, with his gallant son, who aided the House so well for many years; with his sweet daughter, who was the pet of the House; and we shall mourn and admire as time goes on.

The SPEAKER. An address will be delivered by Senator REED, of Missouri.

Senator REED. A wonderful stream is the river of life. A slender thread emerging from the mysterious realm of birth, it laughs and dances through the wonderland of childhood. Its broadening currents sweep between the flower-decked banks of youth, romance, and hope. A mighty torrent, it rushes over the rapids of manhood and breaks in foam upon the rocks of opposition and defeat, then glides away across the barren, sterile fields of age until it is engulfed and lost within the waters of the eternal sea. There queenly robes, the beggar's rags, the rich man's gold, the pauper's copper pence, the jeweled diadem of princes, and the thorny crown of martyrs are washed and swept by the same ceaseless tides.

The miracle of birth and the mystery of death remain the unsolved problems of all time. The shepherd who 3,000 years ago upon the plains of Syria observed the procession of the planets and contemplated the decrees of fate was as wise perhaps as is the wisest of to-day. He only knew that, standing here upon this bank of time, his straining eyes could not glimpse even the shadowy outline of a farther shore. He only could behold the white sails of receding fleets—ships that sail out, but never come again. He only knew that at the grave's dread mouth all men must cast aside alike the burden of their honors and their griefs; that man takes with him only that which he has freely given away, that even death may not despoil him of the riches of service and self-sacrifice.

Measured by that standard, he who sleeps to-day bears with him to the tomb a legacy so rare that even envy is compelled to pay the tribute of admiration. His long life was devoted to the service of the public weal. Upon his country's altar he placed the wealth of talent, the zeal of youth, the energy of middle life, the wisdom of old age.

With tireless brain he wrought to promote the general good, with sympathetic spirit he tried to lift the burden from the shoulders of the oppressed. His heart cried out for all who trod adversity's harsh road. To guide them wisely, he explored every avenue of learning, and burned his candle late into the night, that he might glean the lore of other countries and of other times.

The fires of patriotic love for home and country consumed his very soul. He faced each task with the heroic courage of those who do not count the cost. His character rested upon a foundation laid deep in human love. He will live because his works will live.

He lives because he helped defend and keep secure the Constitution that preserves our rights. He lives in the Declaration of Independence, whose principles he protected with a tender and fearless affection. He lives, because he has helped liberty to live. Men who so live will never die. In ever-widening circles his influence will be felt. And deeper and yet deeper the tender love the people of his State have borne for him will sink into their hearts.

As time runs on and the historian surveys the picture of these troubled times there will arise in it no figure more heroic than the rugged form that lies so still to-day.

He was the best beloved of Americans.

How cold are words! Let me for just a moment speak of this man as my friend. For 30 years I have known him intimately and well, have watched his course through all the storms of life. How big, how brave, and rugged was this man, hewn from the very granite, yet tender as a mother's heart! He met each task of life as a brave soldier meets his duty on the battle front. He never flinched from any task that came before him. He stood square-fronted to the world. They say that he is dead, but anyone who gazes on his marble brow must know that the man we knew does not lie here to-day. The soul, the thing that made him what he was, can not have been destroyed.

The flowers may fade and pass away;
They only wait through wintry hours the coming May.

I can not speak of his family. In all this world I never knew so much of filial affection, of wifely tenderness, of fatherly love. They must find their consolation in the glorious memory of this splendid man. Soon he will sleep in the soil of his beloved State, and as it enfolds him the very clods that touch his coffin will be blessed with the love he bore for his own Commonwealth.

The quartet sang "Come, ye Disconsolate."

Rev. Earle Wilfley pronounced the following benediction:

O God, in whose hands are the destinies of the worlds, we now do commend this assemblage to the word of Thy counsel and the salvation of Thy grace. Especially we bear up before Thee the loved ones left behind. We pray Thee, O Lord God, that Thou wilt temper the wind to the shorn lamb. Be kind. Bless the stricken family to-day, O God, and on their long journey back to the final resting place may the love of God go with them and His strong arms be round about them.

And now to Thee, Almighty God, we give all the praise for that which was beautiful and strong and kind in him who has passed on. Bless his memory, and may it be our part to keep it green, to hold it in everlasting and holy remembrance.

And now may the Lord bless thee and keep thee, the Lord cause His face to shine upon thee and to be gracious unto thee, the Lord lift up the light of His countenance upon thee and give thee peace; through Jesus Christ, our Lord. Amen.

The family, the Diplomatic Corps, the Supreme Court, the Cabinet, and the Senate then retired in their order.

The body of Mr. CLARK lay in state for one hour.